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Statement of Environmental Effects

Residential Aged Care Facility

290 Avoca Drive, Kincumber

Submitted to Central Coast Council and the Hunter and Central Coast Planning Panel
On Behalf of Catholic Healthcare Limited

MARCH 2019

REPORT REVISION HISTORY

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		Prepared by	Verified by
		Adam Kennedy Project Planner	Murray Blackburn-Smith Regional Director
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		Prepared by	Verified by
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Disclaimer

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APPENDICES

Appendix	Document	Prepared by
1	Architectural Plans and Design Statement	Jackson Teece
2	Landscape Design Report	Aspect Studios
3	Site Survey Plan	Real Serve
4	Bushfire Protection Assessment	Travers Bushfire and Ecology
5	Arboricultural Assessment	Landscape Matrix Pty Ltd
6	Geotechnical Investigation Report	Douglas Partners
7	Quantity Surveyors Report	LendLease
8	Traffic Impact Assessment	SECA Solution
9	BCA and Accessibility Compliance Statement for DA Submission	Blackett, Maguire and Goldsmith
10	Water Cycle Management Plan	Wood and Grieve Engineers
11	Waste Management Plan	Waste Audit and Consultancy Services
12	DCP Compliance Table	City Plan Strategy and Development
13	S4.6 Variation Request	City Plan Strategy and Development
14	Soil and Water Management Plan	Wood and Grieve Engineers
15	Pre-DA Meeting Minutes	Central Coast Council
16	DA Response to Request for Further Information	CPSD
17	Certificate of Title Documents - Inclusive of 88B Instrument	Land Registry Services/Info Track
18	Catholic Healthcare Social Provider Letter and Confirmation of providing palliative care	Catholic Healthcare
19	Civil Engineering Works Plan	Wood and Grieve Engineers

1. EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by City Plan Strategy and Development Pty Ltd (CPSD) on behalf of Catholic Care to accompany a Development Application (DA) to Central Coast Council (The Council) and the Hunter and Central Coast Planning Panel. The DA relates to a proposed Residential Aged Care Facility (RACF) at 290 Avoca Drive, Kincumber (the subject site).

This SEE has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. It is proposed to:

- describe the proposed development and its context;
- assess the proposal against the applicable planning controls and guidelines; and
- assess the potential environmental impacts and mitigation measures.

The subject site forms part of the larger senior housing development known as 'Brentwood Village retirement precinct'. This part of the overall 'Brentwood' development had fallen into a state of disrepair and approval was granted by the Council to demolish the pre-existing 54 dwellings and their associated infrastructure. This demolition has recently been completed.

Key features of the proposal include:

- Construction of a 108 bed RACF in the form of three (3) main structures and associated earthworks;
- Supportive ancillary services including a café, hair salon, physiotherapy room, office space, multipurpose room and chapel;
- Thirty-two (38) onsite car spaces and one (1) ambulance parking space;
- Landscaping of the site; and
- Public domain works along Avoca Drive.

A detailed description of the proposal is provided in Section 3 of this SEE.

Ultimately, the RACF is designed to be at the forefront of aged care facilities and services to provide for a modern, caring, supportive and safe environment which creates a sense of community and fosters social inclusiveness. The RACF will ensure completeness and connectedness to the existing Brentwood Village creating opportunities for seniors to age in place, provide enhanced choices for independent living while providing a full suite of healthcare services for more needing residents. Critically, the proposal will support the local community by reducing the burden on healthcare services by providing numerous preventative health and wellbeing programs and on-site medical care. The proposal will also ensure stimulation of local economies and have a significant impact on local labour markets, from the initial development and construction phase through to the everyday operation of the village.

The proposal has undergone extensive design development over a number of years to ensure that it meets Councils and external government requirements' and maintains commercial viability. This has been reflected in on-going discussions with Council as the concepts have evolved and changed. A previous development application DA54526/2018 was lodged to Council on 18 June 2018. Following further correspondence with Council and government agencies extensive design revisions occurred which resulted in withdrawing DA5456/2018 and submitting a new development application inclusive of the design revisions. This would ensure transparency and to reduce complexity of the previous development application.

The following engagements were held with senior staff of Council's Development Assessment Unit in relation to the previous development application (5456/2018) and new development application for the proposed RACF:

Previous Development Application (5456/2018)

- 7 December 2016 - Pre-development Application Meeting
- 7 December 2017 - Pre-development Application Meeting
- 18 June 2018 - Lodgement of DA5456/2018
- 21 June 2018 - DA publicly exhibited (community submissions received)
- 18 September 2018 - Formal Request for Further Information by Council
- 31 January 2019 - Informal additional Request for Further Information by Council
- 01 February 2019 - Response to Council's formal Request for Further Information
- 01 February 2019 - Response to Council's informal Request for Further Information
- 15 March 2019 - Withdrawal of DA5456/2018

Current Development Application

- 14 March 2019 - Additional Request for Further Information by Council
- 28 March 2018 - Response to additional Request for Further Information by Council inclusive within this SEE

Previous correspondence, meeting minutes and letters, which include a detailed summary of key issues of the proposal, are provided at Section 13.14 and attached at **Appendix 15** and **Appendix 16**.

This SEE provides an assessment of the proposed RACF against the relevant environmental planning framework. This includes the EP&A Act and Regulation, State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Living SEPP), the Gosford Environmental Plan 2014 (GLEP 2014), as well as the Gosford Development Control Plan 2014 (GDGP 2014).

The assessment provides that the proposal is largely compliant with Council's controls and the relevant State Environmental Planning Policies. A variation to the 8.0m height limit and number of storeys prescribed by the Seniors Living SEPP is sought pursuant to Clause 4.6 of the GLEP 2014 due to the natural topography of the land. There are no unreasonable impacts associated with the proposal and its approval is considered to be in the public interest.

Critically, the proposed facility responds to public submissions received during public exhibition of DA5456/2018, which will ensure minimal impact on neighbours and optimise the social benefits to the local community and locality generally.

Accordingly, this SEE concludes that the proposal is in the public interest and warrants Development Consent from Council.

2. SITE ANALYSIS

2.1. The Site

The subject site, known as 'Brentwood Village', is located at 290 Avoca Drive, Kincumber and is legally described as Lot 103 in DP707503 (see **Figure 1** below). The subject site forms part of the greater Brentwood Village retirement precinct which spans across many allotments (see **Figure 2** below).

The site has a total site area of 2.448ha.

The site falls approximately 5% from the North-East to the South-West. A ridge line through the centre directs water to the lower areas of the east and west.

The main access to the site is historically from Scaysbrook Drive which runs along the south-western boundary. Emergency access provided from Avoca Drive, which demarcates the northern boundary.

The site is bounded by a small lot to the east consisting of a small stand of trees atop of a bowl type landform whereby the land falls away to the east into a small dam and larger stand of trees.

The site also has an easement to the west and south boundary for 'drain sewage over existing line of pipes', while a secondary 'restriction on the use of land (vide DP 707503) is located to the north eastern area (refer to extract from Survey Plan at **Figure 2** and attached at **Appendix 3**).



Figure 1: Aerial image of subject site (Source: Nearmap)

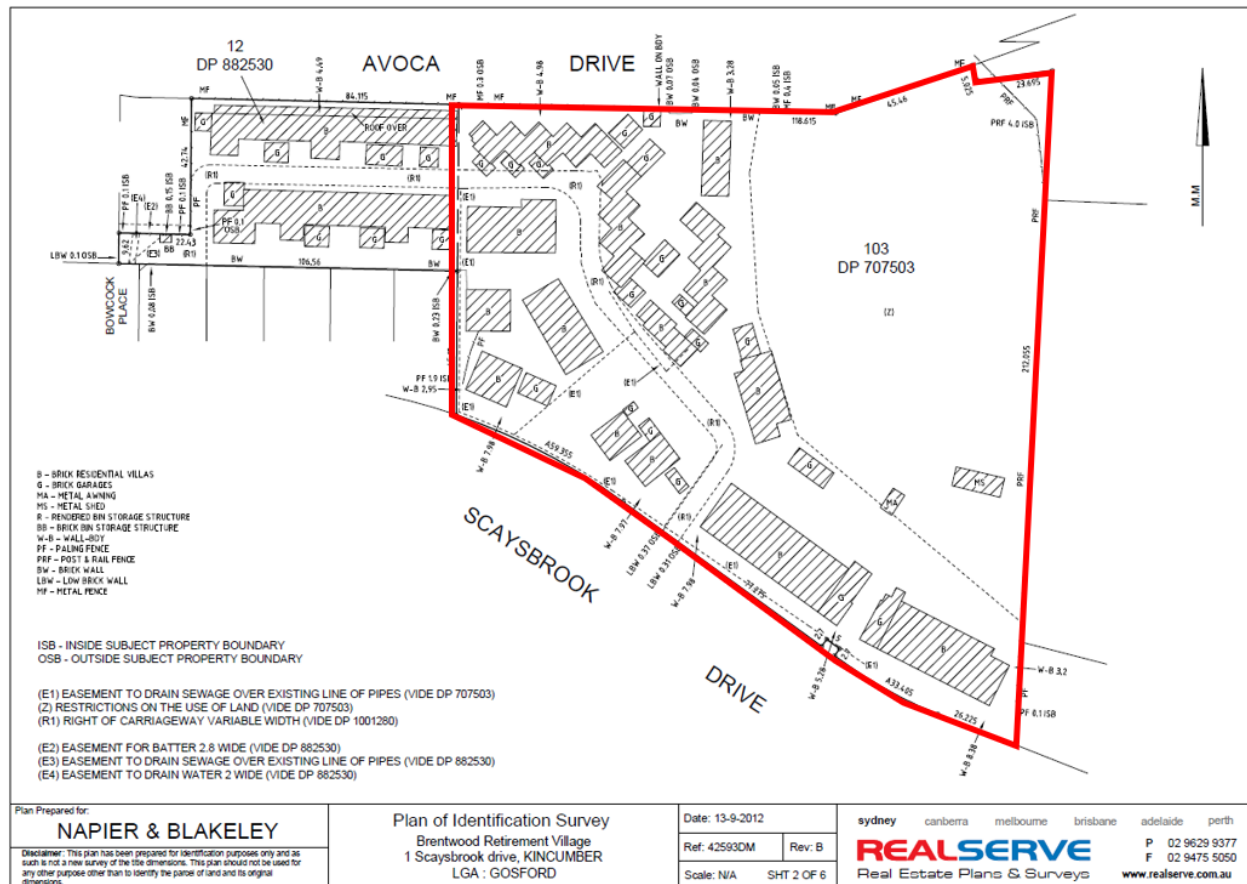


Figure 2: Extract from Survey Plan of Subject Site (Source: Real Serve)

2.2. Site Ownership

The site, inclusive of the Brentwood Village is in the predominant ownership of Catholic Healthcare Limited (the applicant).

2.3. Existing Improvements

The pre-existing development on the site, shown in **Figure 3** below, includes fifty-four (54) attached and semi-detached seniors living dwellings with associated outbuildings (carports, awnings, BBQ areas etc), infrastructure (footpaths, internal roads/pavements) and vegetation. An application for the demolition of the existing dwellings and associated outbuildings was approved on 1 June 2016, which is nearing completion.

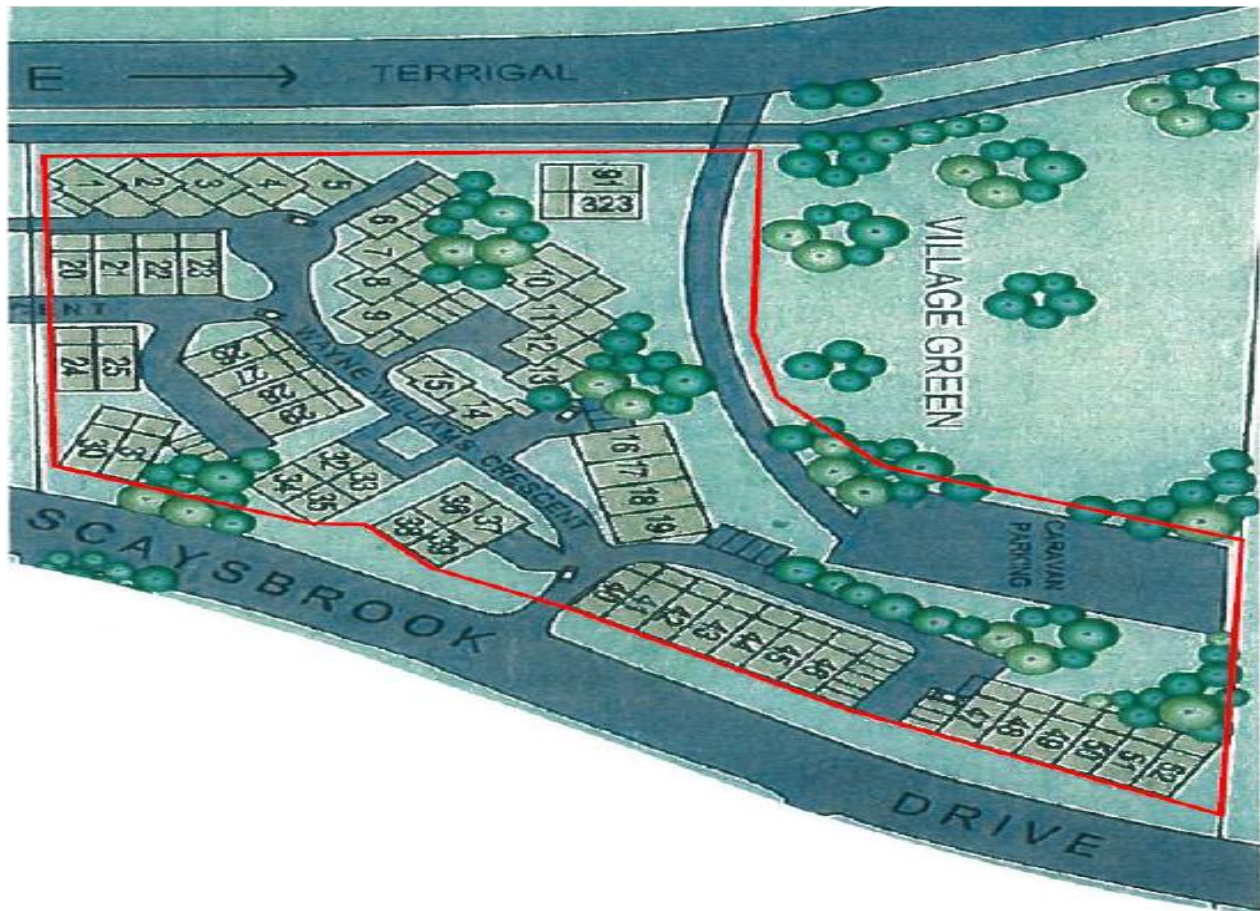


Figure 3: Historic plan showing existing units on site approved for demolition.

2.4. Brentwood Village

As indicated, the subject site forms part of the larger Brentwood Village retirement precinct which spans across many allotments as shown in **Figure 4**.

Brentwood Village is an established retirement village provided in a mix of low and high-level care facilities. The vast majority of the accommodation is provided as Independent Living Units and serviced apartments.

A range of external and communal facilities is also provided on site, including communal dining facilities, indoor and outdoor passive recreation facilities, gardens, communal vegetable gardens, as well as a hair dressing salon. The main entrance and administrative facility for the village is located towards the midpoint of the site's Scaysbrook Drive frontage.

Accessibility throughout the site is provided via a network of private internal roads. The roads provide access for visitors, service deliveries, residents' vehicles and the like. Similarly, an extensive range of footpaths is provided throughout the site.



Figure 4: Broader Brentwood Village Site and Context (Source: Sixmaps)

2.5. Vehicle Access, Parking, Public and Active Transportation

The main access will be from Scaysbrook Drive, with secondary access from Avoca Drive for emergency vehicles only.

A public bus transport service (routes 66A and 66C), with a bus stop along the subject site's Avoca Drive frontage provide access to the abovementioned services (refer to **Figure 5**). The bus stop is accessible by means of a suitable access pathway and will take residents to within 400m of such services. The routes are available both to and from the subject site during daylight hours generally every 30 - 60 minutes each day from 7 days a week.

In addition, a public bus transport service (routes 64), with a bus stop along the subject site's Scaysbrook Drive frontage, provide access to the abovementioned services on a regular basis.

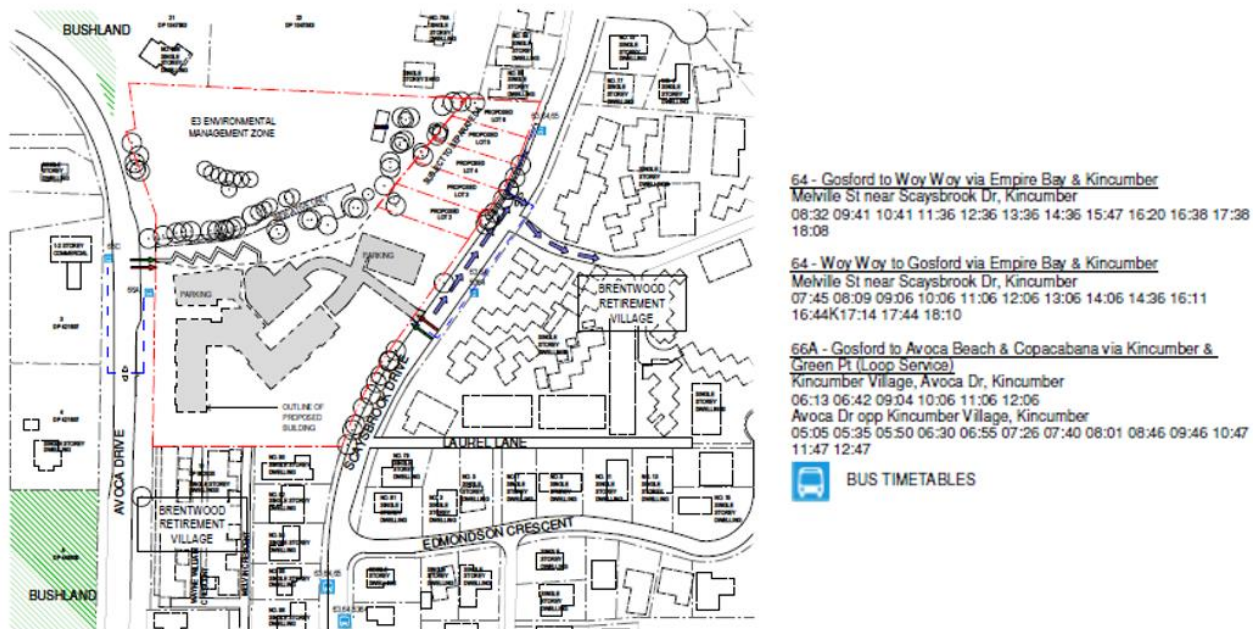


Figure 5: Extract from Site Analysis of Bus stop locations and bus routes (Source: Jackson Teece)

A pedestrian footpath currently exists along Scaysbrook Drive (refer to **Figure 6**).

To the north of Scaysbrook Drive road reserve directly adjacent the site is a non-conforming concrete footpath that is approximately 60m in length and which exists as a stand-alone footpath, with no connection to other footpaths in the area. This footpath links to a pedestrian island and connects to an established conforming footpath network to the south of the Scaysbrook road reserve. This footpath provides access to a bus stop and walkability to the Kincumber Shopping Centre precinct. Avoca Drive is characterised by a non-conforming gravel footpath/road verge which is 180m and provides no connection to the greater localised footpath network.



Figure 6: Surrounding local footpath network to site (Source: Nearmaps)

2.6. Key Environmental Constraints

The key environmental constraints for the site are listed below:

- **Bushfire:** The site is identified as bushfire prone land, with approximately half of the site impacted by the 'Vegetation Buffer' level hazard. Appropriate mitigation can be implemented within the design of the site to ensure that the proposed development is relatively protected in the event of a bushfire.
- **Watercourse:** The site is characterised by a watercourse traversing the south eastern corner of the site and is known as Saltwater Creek.
- **Acid Sulphate Soils:** The site is on soils identified as Class 5 Acid Sulphate Soils.
- **Vegetation:** The site is heavily vegetated to the east.

The site is not identified as being within or on flood prone land prescribed under Councils flood mapping, nor is the site identified as being within a heritage conservation area, contain a heritage item, or cultural heritage pursuant to the GLEP 2014.

2.7. Zoning

The subject site is zoned R2 Low Density Residential and E3 Environmental Management as per **Figure 7)**.

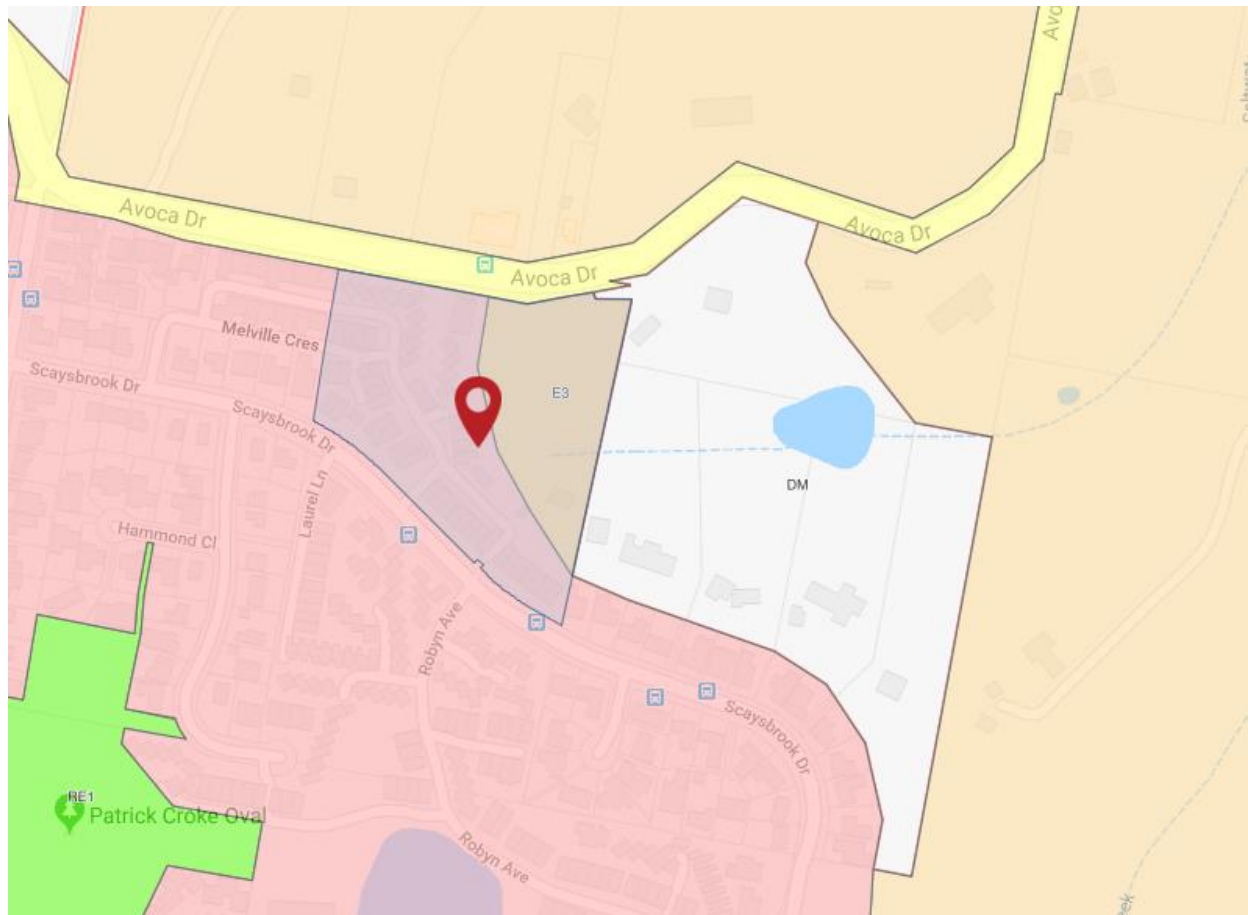


Figure 7: Zone mapping of subject site (Source: GLEP2014)

2.8. Context and Surrounding Development

The site is located on the edge of an Environmental Protection Zone 'belt' separating the low-density residential areas of Kincumber on the west to the residential areas of Avoca Beach to the east.

The site, forming the northern part of the broader Brentwood Village retirement precinct, is surrounded by low density single residential dwellings to the west. Land to the immediate east comprises E4 - Environmental Living zoned land with large rural residential dwellings set amongst scattered stands of trees and vegetation. The E4 zone extends to the north beyond Avoca Drive.

The site is within 2.7km of the Kincumber shopping precinct, with established bus routes leaving from Avoca Drive and Scaysbrook Drive direct to the centre. The centre includes a range of shops, other commercial and retail services that residents of the proposed development could reasonably expect to access including community services, recreation facilities, a bank, as well as a general medical practitioner. Specifically, the following entities and/or services are located within the centre:

- Commonwealth Bank;
- Coles Supermarket;
- Kincumber Library;
- "The Surgery" medical Centre;
- Kincumber Doctors;
- Kincumber and District Neighbourhood Community Centre; and
- Various supporting food and retail outlets.

Additional local recreation and community facilities are also available at the existing Brentwood retirement village.

2.9. Relevant Planning History

In December 2017, a concurrent Development Application No.53417/2017 Part 1 was lodged with Central Coast Council for the subdivision of the site into six (6) Torrens title lots as shown in the Figure 5 below. The application was determined and approved on 23 April 2018, and at the time of writing this SEE is in the process of being officially registered (refer to **Figure 8**).

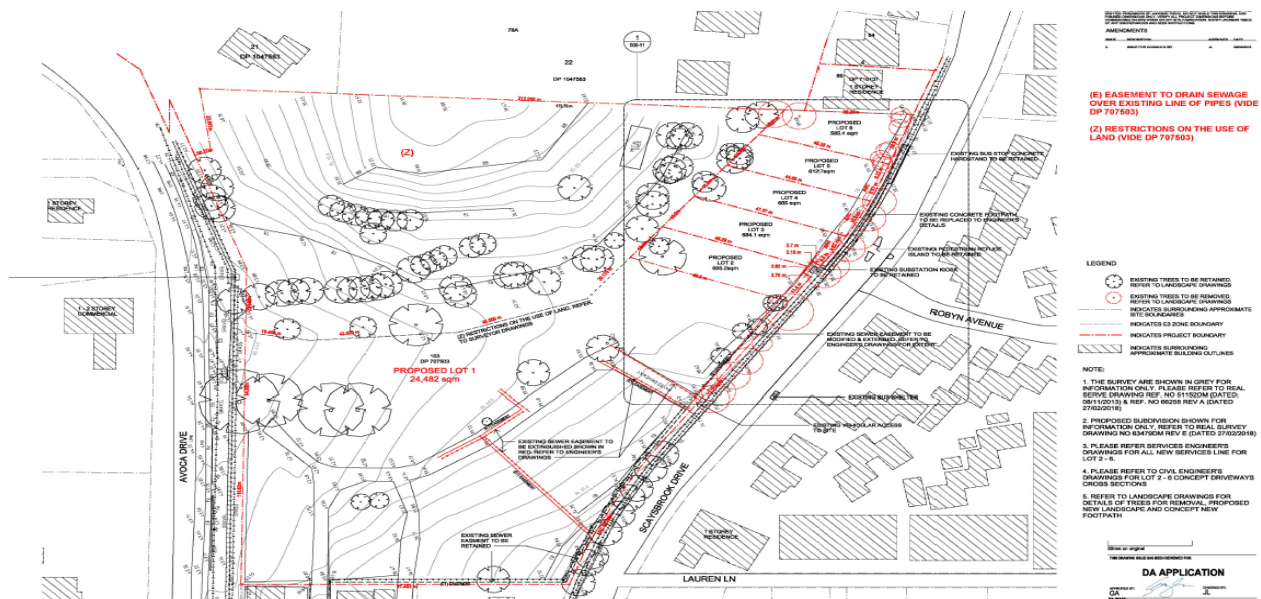


Figure 8: Development Application No.53417/2017 showing proposed subdivision of the site

A summary of the proposed lots, area and frontages is provided in the **Table 1** below.

Table 1: Summary of the proposed lots.

Lot No.	Area	Frontage
1	24,482m ² (2.448ha) <ul style="list-style-type: none"> 12,842m² (1.284ha) in R2 Zone 11,640sqm (1.16ha) in E3 Zone 	<ul style="list-style-type: none"> 130m to Scaybrook Drive 157m to Avoca Drive
2-6	3,241 sqm (0.324ha) <ul style="list-style-type: none"> 695.2m² 684.1m² 665m² 612.7m² 585.4m² 	<ul style="list-style-type: none"> 15-20m to Scaysbrook Dr
Total	27,723m ² (2.77ha)	<ul style="list-style-type: none"> 180m to Scaysbrook Drive 157m to Avoca Drive

2.10. Site Photographs

Views of the site and surrounding area are provided in the following photographs.

2.10.1. Photographs of subject site



Figure 9: Scaysbrook Drive site entry



Figure 10: Avoca Drive street frontage with bus stop



Figure 11: Avoca Drive site frontage



Figure 12: Avoca Drive site frontage, vehicle entry and bus stop



Figure 13: Existing building now demolished



Figure 14: Existing E3 Zoned portion of the site



Figure 15: E3 Zoned portion of site and existing vehicle path



Figure 16: Scaysbrook Drive site frontage



Figure 17: Scaysbrook Drive site frontage and previous access in close proximity to bus stop

2.10.2. Photographs of surrounding area



Figure 18: Avoca Drive frontage residential dwelling opposite to site



Figure 19: Avoca Drive frontage Italian restaurant opposite to site



Figure 20: Adjoining Brentwood Village



Figure 21: Scaysbrook Drive surrounding residential development



Figure 22: Scaysbrook Drive adjoining residential development

3. DESCRIPTION OF DEVELOPMENT

3.1. Overview

The Development Application is for a proposed Residential Aged Care Facility (RACF) at 290 Avoca Drive, Kincumber (the subject site).

Key features of the proposal include:

- Construction of a 108 bed RACF, associated earthworks and tree removal;
- Supportive ancillary services including a café, hair salon, physiotherapy room, office space, multi-purpose room and chapel;
- Thirty-eight (38) onsite car spaces and one (1) ambulance parking space;
- Landscaping, fencing and footpaths of the buildings' surrounds;
- Public domain works along Avoca drive (including footpath to bus stops); and
- Ancillary site infrastructure.

An application for the demolition of the existing 54 dwellings and associated outbuildings was approved on 1 June 2016.

A concurrent development application was lodged for the subdivision of the site as outlined in **Section 2.9**. The proposed development will be contained within the approved unregistered Lot 1.

The architectural, design statement and landscape plans prepared by Jackson Teece at **Appendix 1** and the civil engineering plans prepared by Wood and Grieve Engineers at **Appendix 14** provide further details of the proposal.

3.2. Objective of the Proposal

The RACF is designed to be at the forefront of aged care facilities and services to provide for a modern, caring, supportive and safe environment which creates a sense of community and fosters social inclusiveness. The RACF will ensure completeness and connectedness to the existing Brentwood Village creating opportunities for seniors to age in place, provide enhanced choices for independent living while providing a full suite of healthcare services for more needing residents.

Critically, the proposal will support the local community by reducing the burden on healthcare services by providing numerous preventative health and wellbeing programs and on-site medical care. The proposal will also ensure stimulation of local economies and have a significant impact on local labour markets, from the initial development and construction phase through to the everyday operation of the village.

3.3. Seniors Housing Component

The proposed new RACF will be in the form of several winged buildings which step down into the topography of the site. This results in varying heights and a split-level development including a lower ground floor (basement) and two (2) to three (3) storey heights. The RACF will contain 108 beds, inclusive of 36 dementia care beds and 72 beds. Approximately 40 staff would be employed at the site on any given day.

assistance in their own home for longer. The RACF accommodation therefore seeks to cater to this characteristic of the future residents.

In addition to nursing care, residents will be provided with laundry and cleaning services. Meals will be prepared in the lower ground floor kitchen and transported to the dining room in each household. Each household servery space will also include a kitchenette capable of preparing and serving light meals only.

Residents will have access to planned activities and events within each household, coordinated by household staff, as well as scheduled bus trips and planned activities away from the site (as appropriate).

The primary design and operational objectives for the design relate to maximising level access for residents, their carers and visitors, as well as maintaining a meaningful relationship to the surrounding built and natural landscape. The design has specifically sought to balance these important objectives with the containment of the built form within the R2 - Low Density zoned portion of the site.

The seniors housing has been designed with reference to the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors Living SEPP).

3.4. Built Form

The built form of the RACF is comprised of branched shaped buildings with three interlinked sections:

- northern wing adjacent to Avoca Drive;
- northern-east central building linking to the northern and southern wings; and
- southern wing adjacent to Scaysbrook Drive.

Due to topography the built form will be stepped into site resulting in varying heights and a split-level development

Each element is described in further detail below.

3.4.1. Northern Wing

The north wing comprises a three-storey rectangular building orientated on an east west axis. The north wing branches out from a central common area as shown in **Figure 19**. This formation allows for each of the proposed rooms to be positioned on the perimeter of the building, to allow access to natural light and ventilation.

The northern wing contains 'Household A', which includes 1x18 bed household per level. The household design is generally repeated across each level and contains single bedrooms with ensuite located off a central circulation space. Each household is connected to a dining room, lounge room, amenities, sun room/sitting area and balcony. Overall the northern wing contains 54 single bedrooms.

The ground floor 1x18 bed household is proposed to be a dementia specific unit (DSU). The DSU will open onto the adjoining courtyard area.

There are several shared courtyard spaces. The first is located at ground level between the north wing and southern wing. The courtyard has an east-west orientation that provides solar access. The ground level bedrooms and dining room will have direct access to the courtyard area, while south facing rooms and balconies will look onto the shared courtyard space. The second courtyard space is located at the ground level to the north. The courtyard has an east west orientation that provides sufficient solar access. The last courtyard is partially covered and is located on the ground floor between the northern wing and central

building. The courtyard has a north-west orientation and will receive good solar access. All courtyard will have pleasing amenity with design specific fixed and moveable furniture.

The building will be covered with a hipped roof.

The topography of this northern section of the site is relatively steep and all efforts were made to reduce the earthworks and overall height of this building.

A landscaped buffer of 10.7m is provided between the Avoca Drive and the north wing. The north wing is also setback 17.2m to the adjoining western boundary.

3.4.2. Central Building

Stepping down into the topography of the site, a north-eastern central communal building area will act as the central core of the building. It will house associated infrastructure facilities for the day-to-day operations of the RACF, and will include the entry foyer / waiting area, lifts, staff lounge and offices, function space, chapel, multi-purpose room, gym and associated plant and equipment.

The central building includes a single storey element adjacent to the eastern boundary, with a skillion roof that provides a high ceiling and natural light into the central combined spaces. The single storey element also provides an appropriately sensitive design response to the adjoining E3 zoned land to the east of the RACF.

The central building is connected by a short breezeway that then integrates into a three-storey section that is linked to both the northern and southern wings by a common corridor. The structure will be covered with a hipped roof.

Pedestrian access is provided to the central building via Avoca Drive from a sealed footpath that encroaches on the E3 zoned land, and Scaysbrook Drive via way of sealed footpath. Walkways also connect the central building to the northern car park and southern car park.

The central building is setback 7m to the adjoining E3 zoned land.

3.4.3. Southern Wing

The southern wing comprises a lower ground floor (basement) and three-storey rectangular building orientated towards Scaysbrook Drive.

A partial lower ground floor is proposed to provide the back of house facilities for the entire building. This will include a kitchen, laundry, storage, building services rooms and waste storage rooms. A loading dock is also proposed, providing deliveries in a convenient and discreet location. The lower ground floor is linked to the upper levels by two internal lifts and single set of stairs.

The south wing contains 'Household B', which is comprised of a 1x18 bed household per level. The household design is generally repeated across each level and contains single bedrooms with ensuite located off a central circulation space. Each household includes a dining room, lounge room, amenities, sun room/siting area and balcony. Overall the wing contains 54 single bedrooms.

The ground floor 1x18 bed household is proposed to be a dementia specific unit (DSU). The DSU will open onto the adjoining secure courtyard area.

A courtyard space is located at ground level between the south wing and central carpark. The courtyard has a north-east orientation that provides a high amenity outdoor area for residents. The inclusion of

generous landscaping will ensure screening from the central carpark while the built form of the surrounding southern and northern wings will ensure that solar access to the courtyard is optimised. The ground level bedrooms and dining room will have direct access to the courtyard area.

A generous landscaped buffer of over 28m is provided between the south wing and Scaysbrook Drive.

3.5. Public Domain Works

The Architectural plans prepared by Jackson Teece at Appendix 1 outline the proposed public domain works along Avoca Drive. The Landscape Design Report prepared by Aspect Studio at **Appendix 2** also provide additional detail regarding the proposed public domain works. In summary, it is proposed to rationalise the frontage of the site as follows:

- Relocation of bus stop
- Relocation of hydrant
- Demolition of existing bitumen edge
- Introduction of new bicycle lane

In addition, new planting is proposed along Avoca Drive to replace existing plantings and provide a consistent approach that complements landscaping within the site and in the surrounding area. It is proposed that trees and works be provided in accordance with Council's requirements.

3.6. Development Details

Table 2 provides a summary of the proposal per level.

Table 2: Development details.

Level	Description
Lower Ground (RL38.82)	<ul style="list-style-type: none"> ▪ Central kitchen, waste, laundry, storage, building services, mechanical room, underground rainwater tanks ▪ Loading bay ▪ Passenger lifts and stairs ▪ Vehicle and Pedestrian access from Scaysbrook Drive and south-eastern car park ▪ Eastern car park ▪ Substation kiosk, fire hydrant and associated utility meters
Ground (RL 42.22)	<ul style="list-style-type: none"> ▪ Vehicle and pedestrian entrance from Scaysbrook Drive ▪ Pedestrian entrance from Avoca Drive ▪ Central car park, drop off, ambulance zone and porte cochere ▪ Building entry, reception and waiting area ▪ Café, hair salon, gym, multi-function room, consultation rooms and amenities

	<ul style="list-style-type: none"> ▪ Staff offices, meeting rooms and amenities ▪ Servery, mechanical plant, storage and communications ▪ 36 beds in 2 x 'household', including dining and living room area, servery space, amenities, rest nooks and sitting room providing internal rest areas ▪ 4 x outdoor courtyards ▪ 2 x elevators and 3 x stairs
Level 2 (RL45.42)	<ul style="list-style-type: none"> ▪ 36 beds in 2 x 'household', including dining and living room area, servery space, amenities, rest nooks and sitting room providing internal rest areas ▪ Chapel, vestry, servery, amenities, rest nooks, staff areas ▪ 2 x elevators and 3 x stairs
Level 3 (RL48.62)	<ul style="list-style-type: none"> ▪ 36 beds in 2 x 'household', including dining and living room area, servery space, amenities, rest nooks and sitting room providing internal rest areas ▪ Activity room, servery, amenities, rest nooks, staff areas ▪ 2 x elevators and 3 x stairs

3.7. Development Statistics

The key statistics and elements of the project are shown in **Table 3**.

Table 3: Development statistics.

Element	Proposal
Site Area	<ul style="list-style-type: none"> ▪ Approved Lot 1: 2.448ha ▪ Land in E3 Zone: 1.16ha ▪ Land in R2 Zone: 1.288ha
Development Site Area	<ul style="list-style-type: none"> ▪ 12,842.3 m² (1.288ha)
Gross Floor Area	<ul style="list-style-type: none"> ▪ Total: 6,447m²
Floor Space Ratio	<ul style="list-style-type: none"> ▪ 0.5:1
Maximum Height	<ul style="list-style-type: none"> ▪ 13.81 metres to the underside of the ceiling ▪ 15.7 metres to roof ridge
Total Beds	<ul style="list-style-type: none"> ▪ 108 x beds ▪ 36 x dementia specific units ▪ 72 x beds
Hours of Operation	<ul style="list-style-type: none"> ▪ 24 hours per day

Employees	<ul style="list-style-type: none"> Maximum of 40 employees at any one time
Parking	<ul style="list-style-type: none"> 38 x spaces 1 x Ambulance
Landscaping Area	<ul style="list-style-type: none"> 6513.8 m² (i.e. 51% of the site area)

3.8. Ancillary uses for residents

A chapel and vestry on the Level 2 will be provided for future residents and will be ancillary to the main purpose as a RACF.

The retail space on the Ground Floor is modest and is proposed to accommodate a café/seating area (52m²), hairdresser (33m²) and consulting rooms (22m²). The retail spaces will be ancillary to the main purpose as a RACF servicing residents and visitors. Pedestrian access will be via a level access walkway from internal rooms, lifts and the northern Avoca Drive and southern Scaysbrook Drive pedestrian entries.

The anticipated trading hours are 8am - 5pm, five days per week.

3.9. Vehicle Access and Parking

3.9.1. Vehicle Access

The southern Scaysbrook Drive vehicle access to the RACF will be provided via a modification to the existing access off Scaysbrook Drive that serviced the previous retirement village. This will require relocation of existing footpath and mature trees on the road reserve of Scaysbrook Drive. Additional substations, fencing, footpath, utility services and landscaping will be installed.

Ambulance access will be via the southern Scaysbrook Drive access.

Deliveries and access to the south-eastern car parks will be provided via the existing southern access off Scaysbrook Drive.

Emergency access will be retained via the existing fire trail access track within the centre of the site (east of the proposed aged care building). Emergency services will also be able to access the RACF via the southern Scaysbrook access.

3.9.2. Pedestrian Access

There are several points of pedestrian access into the RACF, as follows:

- Two pedestrian access points via Avoca Drive (inclusive of a disability compliant pathway), connecting to the RACF building entry; and
- One pedestrian access entry via Scaysbrook Drive, connecting to the lower ground floor, southern car park and RACF building entry.

3.9.3. Car parking

The development is expected to generate 29 car parking spaces and one ambulance space based on the requirements of the Seniors Living SEPP.

It is acknowledged that this is an acceptable minimum and it is proposed to provide 38 spaces, including 1 disabled space, and a designated ambulance bay.

Detailed information in relation to the proposal's parking and servicing provisions can be found in the *Traffic Impact Assessment* provided by SECA Solution at **Appendix 8**.

3.10. Landscaping & Outdoor Space

Under the Seniors Living SEPP, *landscaped area* means that part of the site area that is not occupied by any building, including areas to be used for rainwater tanks, swimming pools or open-air recreation facilities. It does not include driveways or parking areas.

The proposal will provide for approximately 6,513.88sqm of designated areas of landscaped area in the form of courtyards and landscaping accessed off strategic building entry points. This excludes all land in the E3 zoned portion of the site. Overall, this equates to 60.3 sqm per bed.

The landscape area will comprise a combination of communal areas for residents and visitors, as well as secured internal areas. Landscaping will include a combination of pervious and impervious surfaces, as well as shrubs, trees and the like. Fencing and a business identification sign is proposed to replace the existing sign on Avoca Drive.

Importantly, the design of landscaped area has ensured screening for the surrounding community and residents of the RACF by reducing views of car parks, streetscape and neighbouring residences.

Reference can be made to the landscape plans at **Appendix 2**, prepared by Aspect Studios for further details.

3.11. Tree Removal

All trees to be removed are identified on the Architectural Plans and Landscape Design Report in **Appendix 1** and **Appendix 2**. An Arboricultural Impact Assessment has also been provided at **Appendix 5**, which assess the impact of the proposed works on the trees.

3.12. Lighting and Signage

The proposal involves external lighting of common areas, driveways and footpaths.

Directional signage will be placed throughout the site to guide residents and their guests.

A new business identification sign is proposed to replace existing signs located on the Avoca Drive frontage. The signs relate to the proposed operations on site.

3.13. Development Plans and Supporting Documentation

The SEE has been prepared with regard to the architectural drawings and design statement prepared by Jackson Teece and the following technical reports and plans which accompany the application:

- Landscape Design Report prepared by Aspect Studios (Appendix 2)
- Bushfire Protection Assessment addressing s100b of the Rural Fires Act 1997 by Travers Ecology (Appendix 4)
- Arboricultural Assessment prepared by Landscape Matrix (Appendix 5)
- Geotechnical Investigation report prepared by Douglas Partners (Appendix 6)
- A Quantity Surveyors Report prepared by Lend Lease (Appendix 7)
- Traffic Impact Assessment prepared by SECA Solutions (Appendix 8)
- BCA and Accessibility Compliance Statement for DA Submission prepared by BMG (Appendix 9)
- Water Cycle Management Report and Plans prepared by Wood and Grieve Engineers (Appendix 10)
- Waste Management Plan prepared by Waste Audit and Consultancy Services (Appendix 11)
- Soil and Water Management Plan prepared by Wood and Grieve Engineers (Appendix 14)
- Certificate of Title documents prepared by Land Registry Services/InfoTrack (Appendix 17)
- Catholic Healthcare Social Provider Letter prepared by Catholic Healthcare (Appendix 18)
- Civil Engineering Works Plans prepared by Wood and Grieve Engineers (Appendix 19)

CPSD has relied on the information in these reports, prepared by professionals in their field, for the preparation of this SEE.

3.14. Pre-lodgement and Post-lodgement Consultation

There has been substantial consultation undertaken in the preparation of this current proposal. An earlier development application lodged with council (DA 54526/2018) was the subject of intense design revision resulting in a number of significant amendments arising from feedback from Council, government agencies and the general public. As a consequence of the nature of the changes undertaken, it was decided to withdraw DA 54526/2018 and resubmit a new DA.

The following sections present the chronological order of on-going consultation inclusive of the previous (DA54526/2018) and current development application.

3.14.1. Previous Development Application Pre-Lodgement Meeting

A pre-lodgement meeting was held with senior staff of Central Coast Council on 7 December 2016. A second meeting was held on 7 December 2017.

A summary of the matters discussed has been provided in **Table 4** below:

Table 4: Pre-lodgement issues raised by Council.

Item	Comment
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SEE to Address Part 3 - Design requirements and Design Principles of the Seniors Living SEPP.	This is discussed in Section 4.7 of this SEE.
The 8m height limit is a development standard and a Clause 4.6 request for an exception to the development standard is required to address the variation.	A separate Clause 4.6 development standard variation request has been prepared and is attached in Appendix 13. The details of the exceedance are described in Section 6 of the report.
Car Parking to be provided in accordance with the Seniors Living SEPP. Please clarify the staff numbers, the provision of an ambulance bay, and whether the care facility is for dementia care.	Parking numbers exceed this requirement. A Traffic Impact Assessment has been undertaken in support of the application. Discussion on this matter is included in Section 6.3.7 of this SEE.
Clause 8 of State Environmental Planning Policy No. 71 - Coastal Protection (SEPP 71) is relevant.	N/A - This policy has now been superseded by the Coastal SEPP, where the subject site is not in the 'coastal zone', therefore the Coastal SEPP does not apply.
The proposal would be determined by the JRPP if over \$30m in accordance with State Environmental Planning Policy (State and Regional Development) 2011.	Refer to Section 3.14 of this SEE. The development will be determined by the Hunter and Central Coast Planning Panel.
The site is identified as being Bushfire Prone Land and is Integrated Development with the Rural Fire Service.	The development is categorised as a Special Fire Protection Purpose under the Rural Fires Act and Concurrence is required. This is assessed in the Bushfire Protection Assessment appended in Appendix 4 and discussed in Section 6.2.2 of this SEE.
Address provisions relating to the Coastal Zone.	N/A - The subject site is no longer within the 'coastal zone' pursuant to the Coastal SEPP.
Required to address Principal Development Standards of the GLEP 2014.	The proposed RACF is contained within the R2 land zoning. This is discussed in Sections 4.7 and 4.10.
Address the GDCP 2013: Chapter 2.1, 2.2, 6.1, 6.3, 6.6, 6.7, 7.1, 7.2.	The development generally complies with the DCP. This is discussed in Section 5.2.
A referral to the Roads and Maritime Services will be undertaken due to road widening and traffic report required.	Noted. A Traffic Impact Assessment has been prepared and is attached as Appendix 8.

Concerns are raised that many visitors to facility will have to use the Avoca Drive roundabout for a U-turn. An alternative to this u-turn movement at the roundabout would be to provide a carpark facility accessed from Scaysbrook Drive.	A carpark facility accessed from Scaysbrook Drive has been provided. This parking facility does not have access through to Avoca Drive eliminating traffic shortcutting through the site.
Other matters: the application to address potential impacts on adjoining residential development, streetscape / visual impact, CPTED principles.	These issues are addressed in Sections 6.3.6 of this SEE.
Engineering drawings for vehicle access and pedestrians, circulation roadways, parking aisles and car parking designs by a suitably qualifies engineer.	Civil engineering drawings have been prepared identifying that the proposal complies with the current relevant Australian Standards 2890.
A detailed Water Cycle Management Plan Strategy in accordance with Council DCP is required to be undertaken and submitted.	This is attached as Appendix 10 and is summarised in Section 6.2.4 of this SEE.
The site is subjected to the Water and Sewer Redevelopment DSP Area and the developer will be required to obtain a Section 307 Certificate and pay relevant contributions.	Noted. Post DA requirement.
Any Kitchen area to comply with the Food Standards Code.	Noted. The food preparation areas will meet the Australian Standards for Food Premises Code.
A waste management plan is required including details of waste collection vehicles and adequacy of circulation areas.	This has been provided at Appendix 11 and is discussed in Section 6.3.9.

3.14.2. Previous Development Application Post-Lodgement Request for Further Information

Following the lodgement of the previous development application (54526/2018) on 18 June 2018 significant correspondence was undertaken with Council, external government agencies and the community with additional requests for information made by Council on 18 September 2018 and 20 December 2018. This significantly altered the design of the RACF most notably rearranging the main access to Scaysbrook Drive, the incorporation of a new car park to the south-east, partially separating the central building to the north-east and the provision of additional landscaping to screen the RACF and parking access areas.

An attachment of the formal response to Councils request to information on 18 September 2018 is attached at **Appendix 16**.

The additional response to Councils request for further information from Council on 31 January 2019 is provided in **Table 5** below.

Table 5: Additional information requested by Council

Item number	Comment
<p>1. The option of locating some parking below the building, reducing the extent of on grade parking and asphalt and increasing landscaping and improving outlook from residential units would be strongly supported as a method of reducing the visual impact of non-complying height.</p>	<p>The option of locating car parking below the proposed building has been considered but for a number of functional, financial and environmental reasons is not considered achievable. Firstly, the functionality of the aged care facility would be impacted as the only possible access for basement parking would be in the loading area. Second, below building (basement) car parking would be financially unviable due to significant additional detailed design and engineering costs as well as complex excavation and construction costs. Lastly, the extent of cut and fill would no longer be balanced with the additional excavation.</p> <p>Alternatively, to address the extent of on grade parking and asphalt there is potential to remove 2 car parking spaces from the main entrance car park replacing these with landscape islands (refer to Architectural Plans and Design Statement). This would effectively break up the extent of asphalt providing additional landscaping, shading and improving outlook amenity for residents. There is also the possibility to include additional enhancement landscaping surrounding both car parks to increase screening and reduce surface water run-off.</p>
<p>2. There is concern that the eastern bedrooms, lounge and balcony on the 1st and 2nd floors of House A directly overlook the large flat metal roof of the entry building. The plant species shown for the narrow courtyard between these buildings appear too small to adequately screen the roof from view or provide an acceptable outlook.</p> <p>There are similar concerns for the eastern rooms on the upper levels of House B overlooking the car park.</p>	<p>In the amended Landscape Plan there are a number of trees proposed within the plant palette that are 8 to 10m tall (2 to 3 storeys in height) and these trees are suitable for placement within the courtyard. Due to their species, density, type of foliage and overall height it is considered that they will appropriately screen the metal roof from the important living areas on levels 1 and 2, and provide a soft and visually pleasing outlook of the residents.</p> <p>As discussed above, there is potential to visually break the apparent continuous asphalt areas at the entrance of the car park adjoining House B with the provision of additional enhancement landscaping.</p> <p>In addition, due to the nature of the facility (high care) and the demographic of the residents, it is</p>

	likely that the prevailing view outlooks will be of the distant views and the more immediate ground level views will be somewhat limited in angle due high care and dementia residents generally being seated or resting in bed when taking in the view from their room (refer to Figure below). The RACF design incorporates maximising the significant views available from the site and therefore, views are anticipated to not solely be focused towards the car park or flat metal roof but further east to the surrounding boundary landscaping and vistas beyond.
3. The exclusive use of fixed furniture within the courtyards should be reconsidered. Movable furniture allows residents to move to sunny or shady areas as desired and to suit group dynamics.	<p>The amended Landscape Plan provides a proportional mixture of fixed and loose furniture items, with loose furniture elements shown as white café style seating symbols. Additionally, ample space has been provided for the provision of loose furniture which can be employed where it is deemed appropriate in both shade and sun courtyard locations to capture favourable weather conditions for the residents and their family and friends.</p> <p>Critically, fixed furniture is an ideal option for high care facilities because many residents adopt a preferred seating location and they value knowing that 'their seat' will always be there. This is especially important if the seats are used as resting points while walking around the garden. Fixed furniture is also more stable and less likely to be misused such as thrown or used as a ladder.</p>
4. There is opportunity for additional balconies on northern facade/north eastern corner of House A sitting room and potential to convert the corner bedroom into a sitting room with balcony; and on the south eastern corner of House B external of the sitting room to further articulate the building and provide outdoor space with good solar access.	The suggestion of additional balconies on the northern /eastern façade of House A has been explored in detail but discounted having regard to a number of possible negative impacts for the future residents on this side of House A. From an architectural point of view, it is argued that a balcony along this alignment would compromise the façade's rhythm, making the House A eastern façade and the House B northern façade look incongruous with the building proportions. From an amenity and safety perspective, residents would be exposed to potential adverse noise impacts of traffic from Avoca Drive, while increasing the risk of residents falling from or climbing over balconies.

	<p>In terms of providing additional sitting rooms, such amendments to the design would impede on the aged care industry efficiency and management standards. Operating models for aged care facilities require specific bed to carer ratios, and a reduction of bed rooms to accommodate increased sitting rooms would compromise the current operational model and financial sustainability of the proposal. The proposal already includes generous provision of indoor spaces, including communal and sitting rooms for social and recreation use, with different sized spaces allowing flexibility of use including quiet spaces for small groups or individuals to enjoy.</p> <p>Additionally, the reduction in beds would have an adverse impact to the anticipated local employment generated by the development, as this would result in less carers and associated support workers would be required.</p> <p>Lastly, the proposal has been specifically designed and laid-out to facilitate a range of indoor and outdoor passive recreation areas. External, this includes the adequate provision of open courtyard spaces with excellent solar access linking directly to House A and House B. Future residents have extensive choice and variety of high amenity outdoor space / sitting area locations.</p>
5. Provide detail of the connectivity of the bus stop on the northern side of Avoca Drive to the pedestrian refuge and connecting pedestrian network on southern side from pedestrian refuge to the development.	<p>There is a northern side bus stop of Avoca Drive to pedestrian island is a distance of 55m, crossing Avoca Drive is a distance of 14m, pedestrian island to southern side bus stop is a distance of 42m. To provide improved connectivity a new sealed footpath will be constructed on Avoca Drive to ensure access to the Avoca Drive bus stop. Additionally, a shuttle service will also be available at the nearby Brentwood Village which can provide a regular bus service to the aged care to drop off residents visiting aged care facility.</p>
6. Response to Clause 26 – Location and access to facilities in relation to the ‘secondary bus stop’ and accessibility constraints. It is considered connectivity should be provided to the rest of Brentwood Village by the provision of an accessible pathway from Scaysbrook Drive.	<p>As stated in the Request for Additional Information Response Letter and SEE the proposal is compliant with clause 26 of the Seniors Housing SEPP. Nevertheless, an accessible pathway linking the aged-care facility from Scaysbrook Drive is not achievable due to the prevailing existing topography. Furthermore, if an accessible</p>

	pathway were to be constructed, future residents would be required to walk approximately 117m to Scaysbrook Drive which may not be physically possible for some of the older and more mobility limited residents. There is a shuttle service available at the nearby Brentwood Village which can provide a regular bus service to the aged care to drop off residents visiting aged care facility. This is considered a more appropriate and respectful option as residents will have direct access to the shuttle with pick up and drop off from the entrance of the aged care facility.
7. There has been no opportunity for Council's engineer and tree officer to review comments in relation to the removal of all trees on northern side of Scaysbrook Drive.	Noted. Council to advise of anything further once review has been undertaken.
8. Confirm and provide statement from Catholic Health Care that they meet one of the categories as a social housing provider	A letter from Catholic Health Care has been included in the RFI Response providing the requested statement that they meet category 3(h) a not-for-profit organisation that is a direct provider of rental housing to tenants.
9. Submit amended Quantity Surveyors Report and provide statement regarding potential application for regional planning panel.	An amended QS Report has been included in the RFI together with a statement that the determining authority for the application will be the Hunter and Central Coast Regional Planning Panel.

Due to the revision of the RACF design the estimated cost of works had risen to \$30,509,215.50 which would generally require the Hunter and Central Coast Planning Panel to be the determining authority.

However, subsequent legal advice from the Hunter and Central Coast Planning Panel with reference made to Planning Circular PS 10-008 issued 10 May 2010 stated that a Capital Investment Value (CIV) is calculated at the time of lodgement of a development application, and does not take into account any post fluctuation in CIV.

Consequently, due to significant revisions and improvements in design and in accordance with the Planning Circular it was determined by the applicant to withdraw the application (54526/2018) which occurred 15 March 2019 and resubmit as a new development application to ensure transparency and to reduce complexity. This would also result in the determining authority being the Hunter and Central Coast Planning Panel.

3.14.3. Current Development Application Pre-Lodgement Correspondence

All above design reviews and requests for further information within Section 3.13.2 have been incorporated into the current design of the proposal. Additionally, ongoing correspondence with Council on 14 March 2019 outlined further information to provide with the current development application. A summary of the matters discussed has been provided in the **Table 6** below.

Table 6: Additional information requested by Council

Item	Comment
<p>1. Soil and Water Management Plan</p> <p>The amended Soil and Water Management Plan has been assessed and does not meet the minimum standards of Section 6.3 of the Gosford DCP and the Blue Book prepared by Landcom (2004).</p> <p>The following information is required for assessment:</p> <p>A Soil and Water Management Plan in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004). The plan shall be prepared by a suitably qualified environmental/civil consultant. Section 9.3 of the Blue Book provides guidance on preparing a Soil and Water Management Plan for medium-density development.</p> <p>At a minimum, the following information must be included in the SWMP: -</p> <ul style="list-style-type: none"> a) site survey which identifies contours and approximate grades and the direction(s) of fall; b) locality of site and allotment boundaries; c) location of adjoining road(s) and all impervious surfaces; d) location of site within catchment including an estimate of flows through the site; e) existing vegetation and site drainage; f) nature and extent of clearing, excavation and filling; g) diversion of run off around disturbed areas; h) location and type of proposed erosion and sediment control measures; i) location of site access and stabilisation of site access; j) location of material stockpiles; 	<p>A revised Soil and Water Management Plan and Civil Engineering Works Plan (CEWP) has been included at Appendix 14 and Appendix 19 of this SEE which satisfies Councils DCP provisions and is in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004).</p> <p>Additional, responses to minimum information to be included in the SWMP are provided below:</p> <ul style="list-style-type: none"> (a) Updated on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP (b) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP (c) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP (d) Included in Sediment Basin Sizing Calcs included in the Soil and Water Management Plan (e) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP, no existing site drainage. (f) Included in bulk earthworks plan 253824-KI-CD-100-01[D] and 253824-KI-CD-100-02[D] in CEWP (g) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP (h) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] (i) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] in CEWP (j) No proposed stockpiling (k) Included on the Sediment & Erosion Control Plan 253824-KI-CD-070-01[C] and included in Sediment Basin Sizing Calcs (l) Included on 253824-KI-CD-060-01[B] and 253824-KI-CD-060-02[B] in CEWP (m) Included in Landscape Design Package (n) Will be done in a single stage, this comment relates more to staging in a subdivision job.

<ul style="list-style-type: none"> k) location and engineering details with supporting design calculations for all necessary sediment retention basins; l) location and concept plans of proposed constructed wetlands/ gross pollutant traps, trash racks or trash collection / separator units; m) proposed site rehabilitation and landscaping; n) detailed staging of construction works (breaking down of catchment disturbed), and o) maintenance program for erosion and sediment control measures. 	(o) Included in Soil and Water Management Plan
2. Confirmation that Catholic Care is a social housing provider and which category of the definition of social housing provider they fall into	A revised letter from Catholic Health Care has been included in the RFI Response providing the requested statement that they meet category 3(h) a not-for-profit organisation that is a direct provider of rental housing to tenants.
3. Copy of the 88b instrument detailing the restriction on use of the E3 zoned land which has not been provided with the application. I have dealt with the subdivision application and the demolition of the existing housing on the site and while these applications did not impact on the E3 zoned land the RACF proposes a pathway and upgrade to the fire trail and I will need to ensure this does not conflict with the terms of the restriction.	An 88b instrument has been included within this SEE at Appendix 17 .

3.15. Capital Investment Value

The Capital Investment Value of the project is estimated at \$30,509,315.50 (excluding GST). This figure is confirmed by the Quantity Surveyor Cost Report which accompanies the application at **Appendix 7**.

Based on the above figure, we note that the determining authority for this application will be the Hunter and Central Coast Planning Panel.

4. STATUTORY PLANNING CONSIDERATIONS

4.1. Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- Rural Fires Act 1997;
- Rural Fires Regulation 2013;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
- State Environmental Planning Policy (Infrastructure) 2007; and
- Gosford Local Environmental Plan 2014.

Where applicable, these matters are addressed below.

4.2. Environmental Planning and Assessment Act 1979

4.2.1. Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

1.3 Objects of Act

The objects of this Act are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- (j) to provide increased opportunity for community participation in environmental planning and assessment.

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the EP&A Act:

- The proposed development will provide for the social needs of the community in providing a modern, innovative residential aged care facility;
- The proposed development maintains existing employment and creates additional employment opportunities during the construction and during the operational phase;
- The proposal will result in the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to enable the development; and
- There will be no unreasonable adverse environmental impacts.

4.2.2. Section 4.15 of EP&A Act 1979

Section 4.15(1) of the EP&A Act, as amended, specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under **Section 4.15** of the EP&A Act are addressed in **Table 7** below. Reference should also be made to the Gosford Development Control Plan 2014 compliance table provided in **Section 5.2** below.

Table 7: Section 4.15 of EP&A Act 1979.

Section	Comment
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Sections 4.2 - 4.10 .
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Consideration of relevant draft instruments is discussed in Section 5 .
Section 4.15(1)(a)(iii) Any development control plan	Consideration of the relevant development control plan is provided in Section 5 .
Section 4.15(1)(a)(iiia) Any planning agreement	Planning agreements are not applicable to or proposed as part of this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	The relevant matters for consideration are provided in Section 4.4 .
Section 4.15(1)(b) - (e)	Refer to Section 6 .

4.3. Section 4.46 – Integrated Development

This Section of the EP&A Act defines ‘integrated development’ as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting

consent, the consent authority must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

A first order watercourse shown on the 1:25,000 topographic map emanates on the mid-eastern point of the site and flows eastward off the site. The watercourse is contained wholly within the E3 zoned area. Development will occur within 40m of this water course and a Controlled Activity Approval will be required from the NSW Office of Water under the Water Management Act 2000.

The subject site is mapped as being bushfire prone land. Section 100B of the Rural Fires Act 1997 identifies the proposed RACF as being a development for a 'Special Fire Protection Purpose' being a seniors housing development. Accordingly, a Bushfire Safety Authority is required to be obtained.

The application is therefore Integrated Development by virtue of Section 4.46 of the EP&A Act.

4.4. Environmental Planning and Assessment Regulation 2000

Of relevance to this DA is Clause 98 of the Environmental Planning & Assessment Regulation 2000, which prescribe that relevant civil and/or building contractors are required to operate in accordance with the Building Code of Australia. Given the requirement is prescribed by legislation, any contractor is obliged to operate accordingly.

4.5. Rural Fires Act 1997

The subject site is mapped as being bushfire prone land. Section 100B of the Rural Fires Act, 1997, identifies the proposed RACF as being a development for a 'Special Fire Protection Purpose' being a seniors housing development. Accordingly, a Bushfire Safety Authority is required to be obtained.

The proposal has been assessed in the *Bushfire Protection Assessment* submitted in support of this application at **Appendix 4**. The assessment identifies that the development can be acceptable if constructed to certain required ratings. Specifically, the assessment recommended that:

- The whole site (including the E3 zoned land) is to be managed as an APZ;
- Part of the building is to be constructed to BAL rating 12.5;
- Fire trail access is to comply with the performance criteria outlined in Section 4.1.3(3) of PBP and Water, electricity and gas supply is to comply with the performance criteria outlined in Section 4.2.7 of PBP; and
- An emergency evacuation plan be prepared.

The proposed recommendations are included at **Appendix 4** and can be complied with.

4.6. State Environmental Planning Policy No. 55 - Remediation of Land

The objective of this SEPP is to provide a state-wide planning approach to the remediation of contaminated land for the purpose of reducing risks to human health and the environment. Relevant to this proposal, Clause 7 provides that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. Further, if the land is contaminated,

Council must be satisfied that the land is suitable (or will be made suitable, after remediation) for the proposed use.

The site has been historically utilised for aged care residential use and the proposed development will not change the land use. No known contaminating activities have occurred on the site. An approval was granted in June 2016 for the demolition of the existing dwellings. The buildings and infrastructure demolition works have been completed in accordance with the relevant demolition standards and conditions of consent.

The site is not known to be contaminated for the purposes of the SEPP and is considered suitable for the proposed development.

4.7. State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

This SEPP (known as the Seniors Housing SEPP) aims to encourage the appropriate supply of housing that meets the needs of seniors and people with disabilities.

4.7.1. Clause 4 - Land to which Policy applies

This clause provides that the Seniors Living SEPP applies to land within NSW that is zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if the following land uses are permitted on the subject site:

- dwelling-houses,
- residential flat buildings,
- hospitals,
- development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or
- the land is being used for the purposes of an existing registered club.

The subject lot encompasses land which covers two land use zones, R2 - Low Density Development and E3 - Environmental Management.

Although the lot includes E3 land, the proposed development will be located within R2 zone where Dwelling Houses are a permissible land use. Accordingly, Seniors Housing is permitted. It is noted that Seniors Housing is also a permissible land use in this R2 zone under the GLEP 2014.

Given the above, the Seniors Living SEPP applies to the subject development site.

4.7.2. Clause 8 - Seniors

Clause 8 defines "seniors" as:

"(a) people aged 55 or more years,

(b) people who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided,

(c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider."

The proposal is intended to cater primarily for people aged 55 years or more.

4.7.3. Clause 9 - People with a disability

This clause defines *"people with a disability"* as *"people of any age who have, either permanently or for an extended period, one or more impairments, limitations or activity restrictions that substantially affect their capacity to participate in everyday life"*.

Whilst the proposal will cater primarily for seniors, it could also cater for people of any age who have impairments that substantially affect their capacity to participate in everyday life.

4.7.4. Clause 10 - Seniors Housing

In this policy, *"seniors housing"* is *"residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:*

- (a) a residential care facility, or*
- (b) a hostel, or*
- (c) a group of self-contained dwellings, or*
- (d) a combination of these,*

but does not include a hospital."

As will be demonstrated in the following sub-heading, the proposal is for a residential care facility, and does not include a hospital. As such, it can be demonstrated that the proposal is for *"seniors housing"*.

4.7.5. Clause 11 - Residential care facilities

A *"residential care facility"* (RCF) is defined as *"residential accommodation for seniors or people with a disability that includes:*

- (a) meals and cleaning services, and*
- (b) personal care or nursing care, or both, and*
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,*

not being a dwelling, hostel, hospital or psychiatric facility."

The proposal's principal purpose is to provide accommodation with meals, cleaning services, personal care and nursing care for seniors and people with a disability. It is intended to provide such accommodation and care with appropriate staffing, furniture, furnishings, equipment and the like.

Such principles and intentions are substantiated by:

- The inclusion of kitchen facilities in the proposed floor plans;
- The provision of 24-hour high-level nursing care, personal care, and general staff on site, as described in **Section 3** of this SEE; and

- The inclusion of relevant furnishings, equipment and the like, as demonstrated in the floor plans.
- The proposal is not for a dwelling, hostel, hospital or psychiatric hospital.

As such, it can be seen that the proposal is consistent with the definition of a *"residential care facility"*. The proposal is subsequently consistent with the definition of *"seniors housing"*.

4.7.6. Clause 15 - What Chapter 3 does

This clause, and the corresponding Chapter 3 of the Seniors Housing SEPP, allows for any form of seniors housing on land zoned primarily for urban purposes, if the development is carried out in accordance with the SEPP.

It has been demonstrated earlier that the proposal is a form of seniors housing. It has also been clarified that as the lot expands over two land use zones, whereby the proposal would not be permissible on the E3 - Environmental Management zoned area, the development will be entirely contained on the land zoned R2 - Low Density Residential.

4.7.7. Clause 16 - Development consent required

This clause allows development referred to in Chapter 3 to be carried out only with consent. It has been demonstrated that the proposal is a form of development referred to in Chapter 3. As such, this SEE and the corresponding DA seeks Council's consent for the proposal.

4.7.8. Clause 18 - Restrictions on occupation of seniors housing allowed under this Chapter

Development allowed by Chapter 3 may be carried out for the accommodation of the following only:

- seniors or people who have a disability,
- people who live within the same household with seniors or people who have a disability,
- staff employed to assist in the administration of and provision of services to housing provided under this Policy.

It had been demonstrated earlier that the proposal is intended for seniors or people with a disability.

This clause further provides that a consent authority must not consent to a DA made pursuant to this Chapter unless:

- a condition is imposed by the consent authority to the effect that only the kinds of people referred to above may occupy any accommodation to which the application relates, and
- the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to above.

The applicant is willing to accept any condition of consent which secures the abovementioned outcomes.

4.7.9. Clause 26 - Location and access to facilities

Development proposed pursuant to Chapter 3 must demonstrate, by written evidence, that residents of the proposal will have 'access' to the following services:

- shops, bank service providers and other retail and commercial services that residents may reasonably require, and
- community services and recreation facilities, and
- the practice of a general medical practitioner.

'Access' is further defined in this clause as the abovementioned services being not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, although the following gradients along the pathway are also acceptable:

- (i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,
- (ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,
- (iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time,

The subject site is within the previously established 'Brentwood Retirement Village' where services ancillary to the land use have been established for supportive services.

The site is within 2.7km of the Kincumber shopping precinct with established bus routes leaving from Avoca Drive and Scaysbrook Drive direct to the centre. The centre includes a range of shops, other commercial and retail services residents of the proposal could reasonably expect to frequent, community services, recreation facilities, a bank, as well as a general medical practitioner. Specifically, the following entities and/or services are located within the centre:

- Commonwealth Bank;
- Coles Supermarket;
- Kincumber Library;
- "The Surgery" medical Centre;
- Kincumber Doctors;
- Kincumber and District Neighbourhood Community Centre;
- Various supporting food and retail outlets.

The services within the location are all accessible by means of concrete footpaths and within a shopping plaza, the overall gradient of which is no more than 1:14.

As described above, the site is within 2.7km of the Kincumber Shopping Centre precinct which is serviced by established bus routes leaving from Avoca Drive and Scaysbrook Drive direct to the Centre. These services are routes 64 & 66 which link the subject site to the Shopping Centre.

The public bus transport service (route 66), with a bus stop located directly on the subject site's Avoca Drive frontage, provides direct access from the site to the services and facilities.

The bus stop is to accessible by means of a specially designed platform lift with associated awning for weather protection and sealed pathways from the Central Building of the RACF. The distance for the residents of the facility to the existing bus stop in Avoca Drive is less than 400m.

The secondary bus stop is located on the site's southern frontage to Scaysbrook Drive that is serviced by a public bus (route 64). This existing bus stop will also be accessible by means of a series of specially designed and constructed sealed pathways. Whilst this pathway will not be universally accessible due to physical site constraints, it can be readily utilised by staff and visitors. The distance of the facility to the existing bus stop in Scaysbrook Drive is less than 400m.

Nevertheless, an accessible pathway linking the aged-care facility from Scaysbrook Drive is not achievable due to the prevailing existing topography. Furthermore, if an accessible pathway were to be constructed, future residents would be required to walk approximately 117m to Scaysbrook Drive which may not be physically possible for some of the older and more mobility limited residents. There is a shuttle service available at the nearby Brentwood Village which can provide a regular bus service to the aged care to drop off residents visiting aged care facility. This is considered a more appropriate and respectful option as residents will have direct access to the shuttle with pick up and drop off from the entrance of the aged care facility.

Route 66 is available both to and from the subject site. Route 66A runs every 30 mins on weekdays from 4am to 12pm and every 60 mins on weekends from 6 am to 12 pm. Route 66C runs every 30 mins on weekdays from 12 pm to 9 pm and every 60 mins on weekdays from 12pm to 9 pm.

Therefore, these services satisfy clause 26(2)(b) and could be relied upon in lieu of pedestrian access i.e. clause 26(2)(a) to the required services.

4.7.10. Clause 28 - Water and sewer

A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.

If the water and sewerage services referred to above will be provided by a person other than the consent authority, the consent authority must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development.

The site has historically been connected to water and sewer infrastructure for an aged car facility and remains able to be serviced.

4.7.11. Clause - 29 Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply

For those development applications for which a compatibility certificate is not required, Clause 25(5)(b)(i), must be considered. This clause essentially requires the consent authority to ensure the proposal is compatible with the surrounding land uses having regard to (at least) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development.

The subject site currently operates as an extensive retirement village with residential care facilities, including a range of self-contained dwellings. The built form generally ranges from one (1) to two (2) storeys and is within and surrounded by R2 - Low Density Residential zoned land of which the proposed built form respects and remains sympathetic to in design.

The layout and built form has considered the boundary that the site forms with the and E3 - Environmental Management zones land which continues to the east of the site.

This SEE provides that the proposal would be compatible with the surrounding environment given it is generally consistent with permissible land uses as well as with most development standards prescribed by

the GLEP 2014. Further, the proposal does not remove or impact upon any notable natural features. Rather, the proposal adopts generous setbacks as well as extensive landscaping which will ensure integration with immediately adjoining development and the locality generally.

The matters outlined in Clause 25(5)(b)(i), (iii) and (v), addressed in **Table 8** below. In summary, the proposal complies.

Table 8: Compliance with Clause 25 matters (Seniors Housing SEPP).

Clause	Comment	Comply
25(5)(b)(i)	<p>The proposed building footprint has been influenced and determined by the site characteristics, including the landform vegetation and E3 Environmental Management zone as summarised below:</p> <ul style="list-style-type: none"> ▪ A 2.8m setback has been provided to the E3 zoned land, in combination with fencing and a single storey built form in the central building. This effectively provides a sensitive transition to E3 zoned land, while providing safety to residents and ensures that built form sits well below the tree line. ▪ The building footprint has been significantly reduced when compared to the existing development on the site. The design thereby enables extensive landscaping to be provided around the building, which serves to ensure integration with immediately adjoining development and the locality generally. ▪ The proposed stepped built form, articulated façade and retained and enhanced vegetation further assist to integrate the development with the natural environment. ▪ Extensive building setbacks (minimum range of 10.8m to 26m) have been provided to site frontage boundaries to retain visual relationships between the site and the adjoining residential development. This also facilitates the introduction of extensive landscaped areas, thereby integrating the site with the surrounding residential environment. ▪ The RACF has been positioned towards the centre of the site to provide level access whilst minimising cut and fill. This also assists to increase the building setbacks and allow for ample landscaping. 	✓
25(5)(b)(iii)	<p>The site is within an established urban area and is well serviced in terms of infrastructure and public transport services. As discussed in Section 3, there are also numerous retail, community and medical services within vicinity of the site, which are easily accessible via regular public transport</p>	✓
25(5)(b)(v)	<p>The location of uses within the site, as well as the placement of building mass, form, scale and heights have been guided by the constraints of the site and responds to adjoining development. This is evidenced through:</p>	✓

	<ul style="list-style-type: none"> ▪ The proposed building will maintain consistency with the street context and streetscape character by retaining and increasing the existing 6m street/front setbacks. ▪ The building is articulated and provides a number of façade variations. Further use of a variety of building materials, colours and finishes will divide the building mass and reduce the bulk and scale of the building. Overall, this will minimise visual impact of the development to the surrounding area and the development will contribute positively to the desired contextual character. ▪ Existing significant vegetation has been retained where possible and referenced to establish building heights and provide screening. The retained trees and proposed landscaping will serve to screen and soften the bulk and scale of the proposed built form. ▪ The proposed landscaping along the northern and southern frontages will assist to soften the view of the development, thereby ensuring the development will not have a significant impact on the amenity of the locality. ▪ The stepped building alignment effectively serves to break up the bulk, define the street edge and contribute to the landscape setting of buildings. ▪ Extensive building setbacks (minimum range of 10.8m to 26m) have been provided to site frontages to retain visual relationships between the site, retain existing vegetation and to provide suitable setbacks from residential properties to reduce visual impact; ▪ Additional perimeter plantings are provided to reduce any potential visual impact of the RACF and associated car parking; ▪ Taller building elements are located in the centre of the site to minimise impact on neighbouring residential development, maximise setbacks and minimising overshadowing and privacy impacts; and ▪ The development will contribute to the local economy. In particular, local services and business within the immediate vicinity of the site will benefit from the development. The proposal may generate demand for and contribute to an increase in the diversity of retail and commercial offerings currently available within the local area due to the change in demographic profile. 	
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4.7.12. Clause 30 - Site analysis

This clause requires the provision of a site analysis plan before consent is granted to any DA for a senior living development.

A site analysis plan, in the form prescribed by Clause 30, is included in the Architectural Plans accompanying this DA at **Appendix 1**.

4.7.13. Clause 32 - Design of residential development

A consent authority must not consent to a DA made pursuant to Chapter 3 unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.

The architects for the proposal, Jackson Teece, have addressed the design principles in a statement provided at **Appendix 1**.

Table 9: Compliance with Design Principles (Seniors Housing SEPP).

Clause	Comment	Comply
33 - Neighbourhood amenity & streetscape	<p>Please refer to the Architectural plans prepared by Jackson Teece at Appendix 1, which addresses the design principles in detail.</p> <ul style="list-style-type: none"> ▪ The building is articulated by providing a number of indentations. Further use of a variety of building materials, colours and finishes will divide the building mass and reduce the bulk and scale of the building. Overall, this will minimise visual impact of the development to the surrounding area and the development will contribute positively to the desired contextual character. ▪ Extensive building setbacks (minimum range of 10.8m to 26m) have been provided to site frontages to retain and enhance the visual relationships between the site and the adjoining residential development; retain existing vegetation; and to provide extensive setbacks from surrounding residential development. ▪ The subject site is within an established urban area and on a broader site currently improved by an extensive retirement village. The proposed density of development could be achieved on site through provision of similarly large building footprint and significantly reduced setbacks, however, this would likely result more impacts on adjoining properties, more cut and fill across the site and less landscaping. In comparison, the proposed development is considered to be sited in a contextually appropriate location within the R2 zoned land, providing an appropriate built form response to both the natural and built environment. ▪ While the proposal does seek to increase the building height, it does so in a contextually appropriate and sensitive manner that ensures the development does not dominate the streetscape by virtue of its scale and bulk and does not cause unreasonable amenity impacts on adjoining developments. Further information has been 	✓

	<p>provided by way of a Clause 4.6 exception to a development standard request and is attached in Appendix 13.</p> <ul style="list-style-type: none"> Extensive landscaping is proposed to both site frontages, ensuring integration with immediately adjoining development and the locality generally. 	
34 - Visual & acoustic privacy	Please refer to the Architectural plans prepared by Jackson Teece at Appendix 1 , which demonstrate that the RACF has been designed to consider the visual and acoustic privacy of neighbours through generous separation distances, the appropriate placement of windows and landscaping.	✓
35 - Solar access & design for climate	<p>Please refer to the overshadowing plans prepared by Jackson Teece at Appendix 1, which demonstrate that the proposal retains adequate daylight to the main living areas of neighbours and adequate sunlight to substantial areas of private open space.</p> <p>Please refer to the Architectural plans prepared by Jackson Teece at Appendix 1, which demonstrate that the RACF design makes the best practicable use of natural ventilation, solar heating and lighting through appropriate location of windows and the inclusion of significant private open space areas between the wings of the building.</p>	✓
36 - Stormwater	Please refer to the Water Cycle Management Plan at Appendix 10 .	✓
37 - Crime prevention	The RACF is designed to provide natural surveillance of the building approaches and entries via multiple facilities of private and public nature, being private courtyards, café seating, private community gardens, balconies and dining / lounge areas. Proposing a 24/7 RACF also increases natural surveillance of the overall premises at all times.	✓
38 - Accessibility	Please refer to the architectural plans prepared by Jackson Teece at Appendix 1 , which demonstrate safe pedestrian links from the site to public transport services on Avoca Drive (via platform lift) and Scaysbrook Drive (via sealed pathways and shuttle service). Moreover, attractive and safe access is provided to the RACF Porte cochere and to the central and southern car parks, which are available for residents and visitors.	✓
39 - Waste management	A construction and operational Waste Management Plan (WMP) Appendix 11 , which demonstrates that the proposal provides suitable waste facilities that maximise recycling.	✓

4.7.14. Clause 40 - Development standards - minimum sizes and building height

This clause prescribes several minimum site and design related development standards. **Table 10** below demonstrates the proposal's compliance with the relevant development standards.

Table 10: Assessment against lot size and building height development standards.

Control	Proposal	Compliance
40(2) - Site size	The R2 - Low Density zoned area of land, not including the proposed subdivision of remnant land, is 12,842m ² .	✓
40(3) - Site frontage	The site frontage to Scaysbrook Drive is 109m and 118.62m to Avoca Drive.	✓
40(4) - Height	<p>The proposal has an approximate maximum height of 13.81m to the top of the upper ceiling and exceeds the height standard of 8.0m. The proposal has a maximum of 4 storeys and exceeds the standard of two storeys in height.</p> <p>Catholic Care is registered social housing provider and as a consequence Clause 40(4)(c) does not apply. Nonetheless, the site has a dual frontage to Scaysbrook Drive and Avoca Drive and as such neither is considered to be the rear of the site. The development has been located centrally within the broader site. Importantly, the built form has been setback significantly from the site's boundaries with the neighbouring residential uses and will have no overshadowing impact to the existing neighbours. In terms of the side setbacks, the proposal has a 110m setback to the properties to the east and a 17.6m setback to the properties to the west. The generous setbacks, as well as the provision of extensive landscaping, will avoid an abrupt change in the scale of development in the streetscape and ensure the development integrates with the immediately adjoining development and the locality generally.</p>	<p>✗</p> <p>See Clause 4.6 exception request</p>

4.7.15. Clause 46 - Inter-relationship of Part with design principle in Part 3

This clause requires the consent authority to be satisfied that a DA has given adequate regard to the principles provided in Clauses 33 - 39 of the Seniors Living SEPP.

As stated above, the DA includes a statement from the project Jackson Teece, demonstrating how the principles have been considered and addressed. The statement is provided at **Appendix 1**. The development has given appropriate regard to the relevant design principles.

4.7.16. Clause 48 - Standards that cannot be used to refuse development consent for residential care facilities

This clause prescribes a range of controls which, if complied with by a DA, cannot be used as reasons to refuse a DA. **Table 11** provides an assessment of the DA against the stated controls:

Table 11: Compliance with Clause 48.

Control	Proposal	Compliance
48(a) Building height if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or	The proposal includes building heights ranging up to 11.4m to the top most part of the ceiling (from ground level existing).	No - but justifiable and would not warrant refusal
48(b) Density and scale if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,	The proposal includes an FSR of 0.5:1	Yes - the DA cannot be refused on the grounds of density and scale.
48(c) Landscaped area if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,	A total of 2,700m ² landscaped area is required based on 108 bed RACF. Approximately 6,513.8sqm of landscaping is provided immediately around the development site. This equates to approximately 60.3 sqm of landscaped area per bed.	Yes - the DA cannot be refused on the grounds of landscaped area.
48(d) Parking for residents and visitors: if at least the following is provided: (i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and	Total Beds 108 <ul style="list-style-type: none"> ▪ DSU: 36/15 = 2 ▪ Beds: 72/10 = 7 ▪ Staff: 40/2 = 20 ▪ Total = 29 ▪ 1 ambulance bay Proposed parking spaces <ul style="list-style-type: none"> ▪ 38 spaces ▪ 1 ambulance bay. 	Yes - the DA cannot be refused on the grounds of parking for residents and visitors.

<p>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</p> <p>(iii) 1 parking space suitable for an ambulance.</p>	<p>(Refer to Traffic Impact Assessment provided at Appendix 8 for further detail).</p>	
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4.7.17. Clause 55 - Residential care facilities for seniors required to have fire sprinkler systems

This clause requires that DAs for residential care facilities include provisions for a fire sprinkler system.

The BCA Compliance Statement prepared at **Appendix 9** outlines that a fire sprinkler system will form part of the development.

4.8. State Environmental Planning Policy (Infrastructure) 2007

4.8.1. Clause 4 - Land to which Policy applies

The Infrastructure SEPP applies to the State of NSW. The SEPP therefore applies to this DA.

4.8.2. Clause 45 - Determination of development applications - other development

This clause applies to a DA for development comprising or involving any of the following:

- the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower, development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,

There are no overhead powerlines or substations within the designated area of the proposed works. It is not known whether there are underground electricity cables in the vicinity. Given the additional driveway and earth works to the south and north of the site, it is anticipated that Council will notify the electricity supplier inviting comments about potential safety risks. Nevertheless, the developer understands their responsibilities and safe building practices.

Clause 101 – Development with a frontage to a classified Road

This clause requires that Council ensure the proposal considers alternative access arrangements off a non-classified road. With a dual frontage, the application proposes to retain and enhance the existing Avoca Drive (emergency services access) and Scaysbrook Road access.

A *Traffic Impact Assessment* (TIA) has been prepared by SECA Solution and is provided at **Appendix 8**. The report outlines that the proposed access off Scaysbrook Drive shall allow for left and right out movements. This access has been discussed with the RMS and designed in accordance with Austroads Guidelines as addressed in Section 3.13 of this SEE. The report further demonstrates that the development

does not compromise the effective and ongoing operation and function of Scaysbrook Road or Avoca Drive. In addition, the proposed development provides adequate site distance requirements to the Australian Standard at Scaysbrook Drive, while not over exceeding local road traffic flow capacity.

Clause 102 – Impact of Road noise or Vibration on non-road development

The development has a dual frontage and will be set back from, and partially face, Avoca Drive. The Avoca Drive is not mapped as exceeding the 40,000 vehicle movements p/a as per **Figure 24** below.

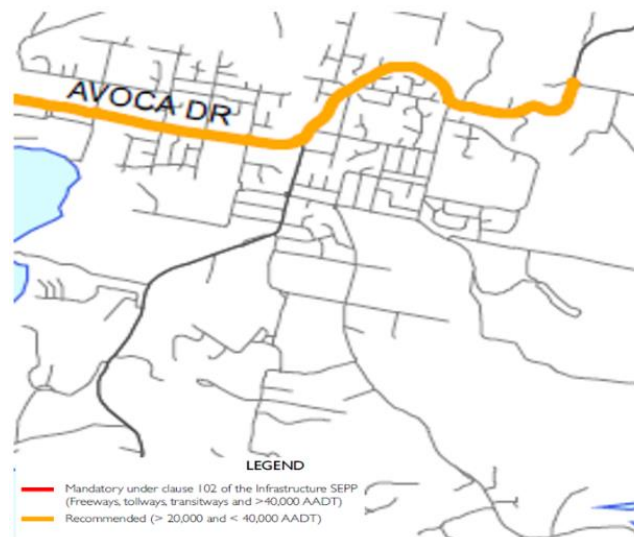


Figure 24: Traffic Volume Maps for Noise Assessment for Building on Land Adjacent to Busy Roads, Source: RTA.

Clause 104 – Traffic Generating Development

The proposal is not defined in a specific land use category in Schedule 3 and would be "other development". Comment is not required as the proposal involves less than 200 parking spaces, being limited to 32 spaces.

4.9. State Environmental Planning Policy (State & Regional Development) 2011

The aim of this policy, relevant to this proposal, is to confer functions on Joint Regional Planning Panels to determine development applications in certain circumstances.

Part 4 of the SEPP provides that a regional panel may exercise consent authority functions, including the determination of development applications, for development identified within Schedule 4A of the

Environmental Planning & Assessment Act 1979 (EP&A Act). Clause 3 of Schedule 4A includes development that has a capital investment value of more than \$20 million.

A quantity surveyor report is provided at **Appendix 7**. The proposed development has a capital investment value of more than \$30million and therefore this application will be determined by the Hunter and Central Coast Planning Panel.

4.10. Gosford Local Environmental Plan 2014

The subject proposal is submitted pursuant to the Seniors Living SEPP. GLEP 2014 is only applicable where it identifies controls or provisions not inconsistent with the Seniors Living SEPP. In this respect, it is noted that 'seniors housing' is a permissible use in the R2 - Low Density Residential zone.

4.10.1. Clause 1.4 - Definitions

"Seniors housing" is defined in this clause as *"a building or place that is:*

- *a residential care facility, or*
- *a hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or*
- *a group of self-contained dwellings, or*
- *a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for:*
- *seniors or people who have a disability, or*
- *people who live in the same household with seniors or people who have a disability, or*
- *staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,*

but does not include a hospital."

A "residential care facility" is subsequently defined as *"accommodation for seniors or people with a disability that includes:*

- *meals and cleaning services, and*
- *personal care or nursing care, or both, and*
- *appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,*

but does not include a dwelling, hostel, hospital or psychiatric facility."

The proposal will provide accommodation for seniors or people with a disability. The accommodation will include the provision of meals, cleaning services, personal care and/or nursing care, as well as appropriate staffing, furniture, furnishings and equipment for the provisions of such accommodation and care. The proposal is therefore consistent with the definition of a "residential care facility". It is subsequently consistent with the definition of "seniors housing".

4.10.2. Clause 2.2 - Zoning of land to which plan applies

The corresponding zoning maps to this clause show that the proposed Lot 1 is comprised of dual zone including land within the R2 - Low Density Residential and E3 - Environmental Management zones.

4.10.3. Clause 2.3 - Zone objectives and Land Use Table

The land use table to this clause provides the following objectives for the R2 - Low Density Residential zone:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is compatible with the desired future character of the zone.
- To encourage best practice in the design of low-density residential development.
- To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.
- To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.

Comment: the RACF is a permissible use in the zone. The land use has been previously long established within the existing Brentwood Retirement Village. Surrounded by similar low/medium density ILU's, the new RACF will employ large side setbacks (10.8m to 110m) to ensure that the built form will be sympathetic to the existing established character of the R2 zone. As described throughout the SEE, the design, proposed infrastructure and environmental impacts are minimal, and the proposal would meet the general objectives of this zone.

The land use table to this clause provides the following objectives for the E3 - Environmental Management zone:

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.
- To ensure that development is compatible with the desired future character of the zone.
- To highlight the importance of providing an environmental buffer to areas of high ecological, scientific, cultural or aesthetic value.

Comment: Although being part of the existing lot and therefore forming part of the subject site, the RACF will remain within the R2 zoned portion of the site. Notwithstanding, there is a minor encroachment of the driveway and disability pedestrian access within the E3 Zone. In this regard, a 'road' is permitted land use within the E3 zone. Importantly, the proposal does not have any adverse impacts on the ecological, scientific, cultural or aesthetic values of the adjoining E3 Zoned land. It follows that the proposal is not inconsistent with the objectives of the zone.

Emergency access will be retained via the existing unsealed access from Avoca Drive in accordance with the emergency services requirements.

Careful consideration has been given to ensure the architectural design of the new buildings responds to the E3 zoned edge, and to the topography of the land. The proposed buildings will step into the site creating and defining the existing established urban fringe from the environmental zones of the north and east.

Stringent environmental controls have been proposed through a Stormwater Management Plan to ensure all stormwater is appropriately managed on the site and will not impact the adjoining E3 zone land.

4.10.4. Clause 4.3 - Height of Buildings

This clause prescribes a maximum building height of 8.5 metres on the subject site.

This application has been made pursuant to the Seniors Living SEPP in which case clause 40 of the SEPP prevails. The Seniors Housing SEPP establishes a height limit 8.0m to underside of ceiling. A request to vary the development standard under Clause 4.6 of the GLEP 2014 is attached at Appendix 13.

4.10.5. Clause 4.4 - Floor Space Ratio

This clause prescribes a maximum FSR of 0.5:1 for the land contained within the R2 - Low Density zone. This clause does not prescribe a maximum FSR for the land in the E3 - Environmental Management zone.

The Seniors Living SEPP allows for a FSR of 1:1 for residential aged care facilities. This application has been made pursuant to the Seniors Living SEPP in which case the SEPP prevails. A request to vary the development standard under Clause 4.6 of the GLEP 2014 is attached at **Appendix 13**.

4.10.6. Clause 5.11 - Bush fire hazard reduction

The site is mapped as being within a bushfire hazard zone. The land use is a development prescribed as one of 'Special Fire Protection Purposes' and the development requires a Bushfire Safety Authority from the Rural Fires Service under Section 100B of the Rural Fires Act 1997. A Bushfire Protection Assessment has been undertaken and is attached as **Appendix 4** to this SEE. Further discussion is included in **Section 6.2.2**.

4.10.7. Clause 7.1 - Acid Sulfate Soils

The site is mapped as Class 5 Acid Sulfate Soils. Works are not proposed within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. Nevertheless, the applicant commissioned a geotechnical report, prepared by Douglas Partners, which reported on the soil conditions and did not identify any ASS risk.

5. NON-STATUTORY CONSIDERATIONS

5.1. Draft Central Coast Local Environmental Plan and Development Control Plan

The consolidated draft Central Coast Council Local Environmental Plan (draft CCLEP) and draft Development Control Plan (draft CCDCP) has been granted a Gateway Determination by the Department of Planning and Environment and is currently being drafted by Central Coast Council. Therefore, the draft CCLEP and CCDCP applies to the site. The draft CCLEP and CCDCP seeks to consolidate, refine and improve the planning structure within the Central Coast Local Government Area and propose several amendments to principle development standards.

None of the proposed amendments impact upon the proposed development.

5.2. Gosford Development Control Plan 2013

The Gosford Development Control Plan 2013 (the GDCP 2013) applies to the proposed development. Consistency, or otherwise, with the relevant guidelines is demonstrated in **Section 6** of this SEE and is summarised within the table of compliance (TOC) provided at **Appendix 12**. Additional commentary is provided below, where relevant. The following sections of Gosford DCP 2013 were considered in the design of the proposal.

5.2.1. Character

The proposal displays an architecturally designed structure which responds to the surrounding character and natural topography of the land. The building provides an appropriate response to the local character and adjoining environmental protection areas. Importantly, the development has been sympathetically designed with more than adequate setbacks to the site boundaries. Redeveloping a previously established medium density developed site, the new layout will be less intrusive and visually prominent within its setting.

The overall lot includes a large area of E3 - Environmental Management zoned land which will be managed as part of the broader site but provides the necessary buffer to the environmental zones to the east and north. The building will be a suitable addition to the landscape.

As described above, and as discussed throughout the SEE, the design of the RACF considers permissible land uses and the existing surrounding land use character to provide a transitional building between the R2 and E3 zones.

5.2.2. Scenic Quality

The site is located within the East Brisbane Water Geographic Unit which is identified as a local visual unit broken down into Kincumber:

The Kincumber Landscape Unit is characterised by a mixed residential, commercial and rural landscape at the foothills of Kincumba Mountain and the alluvial flats of Brisbane Water. Kincumba Mountain is visually dominant and strongly enclosing. The development pattern in the Kincumber landscape unit is rather haphazard.

The site is not visually prominent, and the proposed building will likely be viewed from limited areas of the public domain, principally from Avoca Drive. Some views may be obtained from the neighbouring private environmental protection lands to the east. Importantly, the development has been sympathetically designed with more than adequate setbacks to the site boundaries and extensive incorporation of landscaping to screen exposed elements of the RACF. Redeveloping a previously established medium density developed site, the new layout will be less intrusive and visually prominent within its setting.

5.2.3. Acid Sulfate Soils

The site is mapped as containing Class 5 Acid Sulfate Soils (ASS). GLEP 2014 states that for Class 5 ASS identified in the relevant table, consent is required:

Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

The proposed works will not be undertaken within 500m of class 1-4 ASS and an ASS management plan is not required. Nevertheless, the applicant commissioned a geotechnical report, prepared by Douglas Partners, which reported on the soil conditions and did not identify any ASS risk.

5.2.4. Preservation of Trees or Vegetation

This is discussed in detail in **Section 6.2.1.**

5.2.5. Water Cycle Management

This is discussed in detail in **Section 6.2.4.**

5.2.6. Car Parking

This is discussed in detail in **Section 6.3.7.**

5.3. Gosford Development Contribution Plans

Direction 94E issued on 14 September 2007 by the then Minister for Planning excludes any developer contribution charges to any form of Seniors Housing development proposed by a social housing provider. A copy of the Ministerial Direction can be found at <http://www.planning.nsw.gov.au/Policy-and-Legislation/Housing/Housing-for-Seniors-and-PWD>.

It has been demonstrated earlier that the proposal is a form of seniors housing, as defined by the Seniors Living SEPP. Further, Catholic Care is a registered social housing provider, with a copy their certification provided at **Appendix 18.**

Given the above, the subject DA is exempt from any developer contributions.

6. ENVIRONMENTAL IMPACT ASSESSMENT

6.1. Overview

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 79C of the EP&A Act.

6.2. Natural Environment Impacts

6.2.1. Trees

The redevelopment of the site will result in a smaller development footprint than the pre-existing land use. An *Arboricultural Impact Report* was prepared by Landscape Matrix (**Appendix 5**) which assesses 105 trees located on the site and within adjoining properties. The assessment found that a total of 18 trees will require removal to facilitate the new works. Six of these trees were noted for removal due to either being dead, decaying or a declared weed species.

Eighty-seven (87) trees are proposed to be retained and may be potentially affected by the proposed works. With appropriate protection and management, it is considered the trees proposed for retention will be not significantly impacted by the proposal and can be retained at their current health level.

Four of the trees assessed for this report are listed as a threatened species under the relevant State and Commonwealth legislation, however, the report concludes that the trees are planted species and removal is unlikely to have a significant impact on the species. In addition, the tree removal does not trigger the thresholds set out in the Biodiversity Offset Scheme (BOS) and the site is not mapped as a Sensitive Biodiversity Values Land Map. Further assessment and approval under the Biodiversity Conservation Act 2016 is therefore not required.

The report concludes that significant landscape plantings are proposed as part of the development and it is considered these plantings will more than compensate, in the long term, for those trees being removed.

6.2.2. Bushfire

The proposed use is a special fire protection purpose. A Bushfire Protection Assessment was prepared for the proposal by Travers Bushfire and Ecology and is appended to this SEE in **Appendix 4**. The assessment outlines suitable construction techniques to be utilised and recommends that a bushfire evacuation management plan be created for this site.

6.2.3. Soil Suitability

A *Soil and Water Management Plan* to manage soils and erosion during construction has been undertaken for the site by Wood and Grieve Engineers and is appended to this SEE in **Appendix 14**. This will be carried out in accordance with the 'Blue Book' published by Landcom - *Managing urban stormwater: soils and construction* - Volume 1, 4th Edition.

A *Landscape Design Report* prepared by Aspect Studios, appended as **Appendix 2** to this SEE, details an overall landscape concept which will stabilise and manage the entire site.

6.2.4. Stormwater

A *Water Cycle Management Plan* (WCMP) has been undertaken by Wood and Grieve Engineers and is appended to this SEE in **Appendix 10**. The WCMP provides details of a proposed storage tank with a suitably sized stormwater retention volume as required by GDCP 2013. This tank will be located south of the proposed building.

The WCMP identifies several catchment areas on the site and discusses various means of collecting and treating this stormwater using current environmentally sensitive practices. Specifically, the proposal will include re-use tanks, a bio retention basin, and turf and landscaping in the buffer zone.

6.2.5. Landscaping

A *Landscape Design Report* is provided at **Appendix 2**.

Proposed landscaping across the site will comprise 6,513m² (i.e. 51% of the site area). This excludes the additional 1ha of land included in the adjoining E3 Environmental Management Zone, which will be in addition to the proposed landscaping. Of the total landscaped area, the majority will comprise deep soil planting.

A series of landscaped courtyards and shared laneways are located throughout the site, all accessible via the comprehensive network of at grade pedestrian paths. All buildings have access to a range of outdoor landscaped spaces.

The Landscape Design Report at **Appendix 2** details a variety of trees and planting proposed to provide suitable shade and screening throughout the site and within the public domain. Key aspects of the Landscape Design Report include.

- Advanced trees have been included in the landscaped areas along the site's boundaries. This will provide a larger screening solution to soften the scale of the building, while improving privacy for surrounding neighbours. The species palette incorporates trees and shrubs that are fast growing, allowing for a quicker mature outcome.
- Landscaping will be staggered/offset along the property boundaries to allow sunlight to penetrate into adjoining properties, while maintaining softening of the built elements. This includes No. 90 Scaysbrook Drive which has been provided a 3m offset from the property line.
- The inclusion of a 3m mulch section over the western sewer easement which allows landscape to be set off the boundary and allow greater solar exposure to the neighbouring property. Future access to the easement will be easily achieved.
- Additional landscaping and screening between the courtyard of South Wing (Household B) and the adjoining carpark has been included. The landscaping treatment will include a variety of planting species comprising various heights to provide adequate screening and visual separation
- Additional landscaping has been included to the eastern boundary of the site where the secondary carpark is located. This is intended to screen the car park from neighbouring properties, and from viewpoints along Scaysbrook Drive. Advanced trees have been included to provide an improved day one solution.
- Fencing along the boundary of adjoining No. 90 Scaysbrook Drive has been selected to visually integrate with the landscape buffer through the transparent nature of palisade fencing allowing clear visual connection to the vegetation. This presents a pleasant and softening appearance for the development, while also allowing solar access onto the adjoining property.

Based on the above, it is considered that the proposed landscaping will complement the existing natural environment and proposed built environment.

6.3. Built Environment

6.3.1. Built Form

The proposed land use is permissible in the subject R2 - Low Density Residential zone under both the GLEP 2014 and the Seniors Living SEPP. Its built form is compatible with applicable development standards (with the exception of the building height), and consistent with typical expectations for built form in a residential zone.

The proposal responds well to the topography of the land and includes large setbacks to create a form of development that would be sympathetic to its surrounds. Further, the proposed building adopts suitable materials, finishes as well as articulation throughout its elevations to achieve appropriate presentation to both the adjoining public and private domains.

The bulk of the building is segmented into three (3) interconnected building wings thereby distributing the building bulk across the site. A central single storey front of house element has also been included to provide a sensitive transition to the surrounding development and reduce the scale of the development when viewed from Avoca Drive.

Due to the generous setbacks from all property boundaries (minimum 110m from the eastern boundary and 17m to western boundary) and with the inclusion of the E3 - Environmental Management zone land forming part of the allotment to the east, the building will have minimal amenity implications in relation to overshadowing, privacy and acoustic impacts and the like. Similarly, the 60m building setback from the proposed new lots are considered to be suitable for the future likely single dwelling residential use.

Views across the site are currently obtained from the public domain of Avoca Drive, which is higher in topography than the site. The building height of the northern wing is effectively 9.1m to the underside of the ceiling 12.2m to the lift overrun and parapet. The generous setbacks, proposed landscaping and consolidated built form of the proposed new building will be visible from Avoca Drive, however, they will appear acceptable within the scale and context of the immediate area.

Being substantially lower in height, views from Scaysbrook Drive will be limited to the existing and proposed landscape and glimpses of the southern wing. The building height is effectively 13.81m to the underside of the ceiling at the highest point on the southern wing and 15.7m to the lift over run. However, lift overruns and plant are largely obscured by a roof that has been designed to complement the location. The generous 28m setbacks from the Scaysbrook Dr and the western side boundary will provide adequate context as shown in **Figure 25** below.

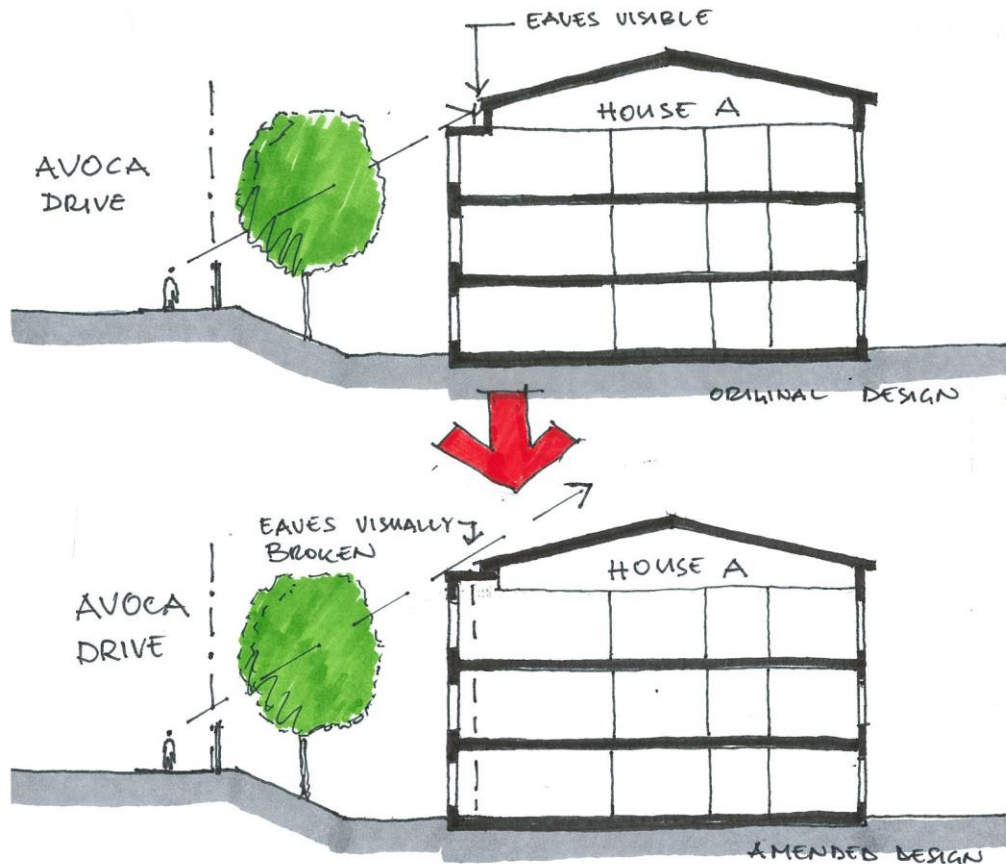


Figure 26: Eaves design comparison (Source: Jackson Teece)

In addition, the significant sized trees (ranging from 10m to 20m in height) generally buffer and serve to obscure the view of the development from the adjoining streets. When combined with the variable front setbacks and articulated facades - and the retention of existing and substantial sized trees and proposed landscaping that will provide for the growth of additional tall trees - the proposal is not considered to result in adverse impacts to the Scaysbrook Drive.

For further assessment of the variation to the building height standard, please refer to the request under Clause 4.6 provided at **Appendix 13**, which demonstrates that the development is considered reasonable in terms of the operational and social benefits it achieves, whilst still achieving the objectives of the standard and not creating any unreasonable adverse impacts.

The proposal involves some areas of cut to ensure that the built form will remain at a reasonable height and scale to the immediate area. The sections prepared by Jackson Teece demonstrate the sympathetic

use of staggered or stepped retaining walls with battered slopes in between to soften the level of excavation. Landscaping of these areas will provide for an attractive visual barrier to the development.

The proposed development will also be characterised by several at grade car parks, with the central car parking being elevated to access the RACF. To reduce the overall hardstand asphalt visibility landscaping has been positioned surrounding the boundaries of the car parking and where possible additional landscaping has been placed within the central car park.

6.3.2. Overshadowing

The proposed building has been located centrally within the broader site. Importantly, the built form has been setback significantly from the site's boundaries with the neighbouring residential uses and will have overshadowing limited to between 9am-10am on existing neighbours to the west. Importantly, the extent of overshadowing from the proposal is contained within the subject site between the critical hours of 10 am to 3pm at June 21.

Given that the building will be constructed up to the mapped boundary of the E3 - Environmental Management land use zone, some overshadowing at 3pm in the afternoon will occur to the zoned boundary edge. However, this is not considered to have any impact on residential amenity or the environment or landscape quality of this part of the site.

It is recognised that the northern wing (Household A) southern courtyard will not be able to receive adequate solar access in winter, to mitigate this, two additional courtyards have been designed where the winter solar exposure targets are met. This will allow residents of Household A a variety of choices to external spaces according to the season and weather conditions. Household A residents will be able to access a partially covered courtyard, directly from the lounge room to the east, while they can access an uncovered area on the north, from a sitting room in one of the corridors

Shadow diagrams have been prepared for the development by Jackson Teece at **Appendix 1**.

6.3.3. Privacy and views

The closest neighbouring properties would be the existing remaining residential ILU to the north-western corner of the site (17.24m) and the residential lots in the south-eastern corner (50.1m). The building layout has been carefully designed to ensure significant separation distances and limited windows/balconies face out onto these properties, while providing generous landscaped screening that maintains solar access. Moreover, the residents of the RACF will have access to many other private and public communal areas, in addition to balconies, thereby mitigating potential impacts. Accordingly, no impacts with regard to privacy are expected to result from the proposal.

As noted in Section 3.13.2, there is potential for residence views to be impacted at the eastern bedrooms, lounge and balcony on the 1st and 2nd floors of the northern wing (Household A) and southern wing (Household B) due to directly overlooking the large flat metal roof of the Central Building and car parks. Accordingly due to the nature of the facility (high care) and the demographic of the residents, it is likely that the prevailing view outlooks will be of the distant views and the more immediate ground level views will be somewhat limited in angle due high care and dementia residents generally being seated or resting in bed when taking in the view from their room (refer to **Figure 27** below). The RACF design incorporates maximising the significant views available from the site and therefore, views are anticipated to not solely be focused towards the car park or flat metal roof but further east to the surrounding boundary landscaping and vistas beyond.

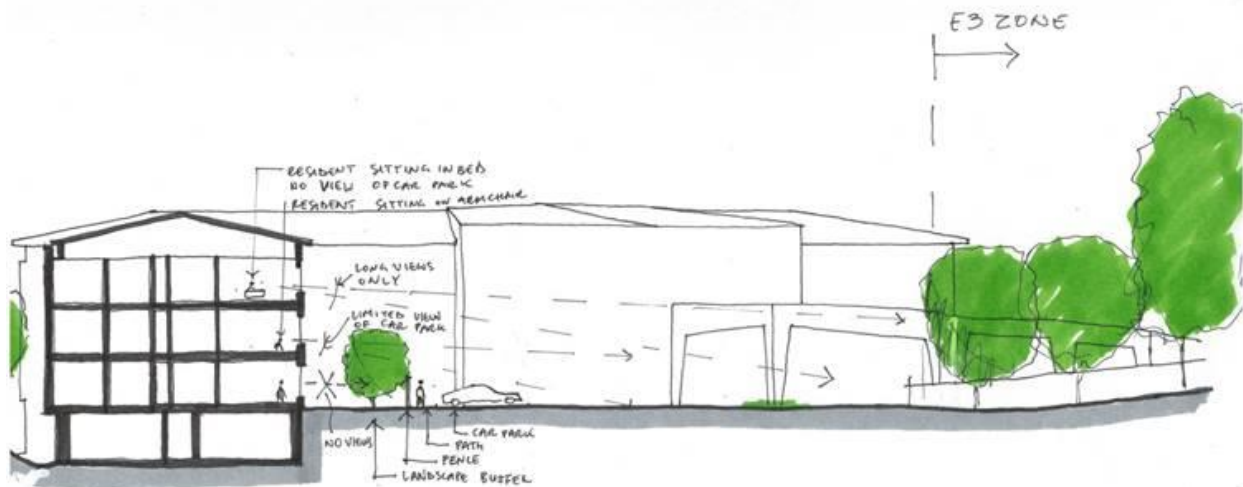


Figure 27: Concept design of residence views from RACF (Source: Jackson Teerace)

6.3.4. Acoustics

The building will be set back from all boundaries and acoustic impacts will be limited to:

- **Impacts received from the traffic generated on Avoca Drive**

As discussed in **Section 4.8** with regard to the Infrastructure SEPP, Avoca Drive does not generate more than 40,000 vehicle movements per year and an acoustic report is not required. Nevertheless, a number of rooms have windows which will front Avoca Drive. Given the large setback, it is anticipated that the rooms could achieve a reasonable level of acoustic attenuation with modern construction techniques. If found to be required, additional glazing could be added.

- **Impacts from the operational use of the RACF to nearby residential receptors; and**

All large open communal areas will be located away from nearby residential receptors. Any plant, equipment and associated servicing rooms will be centrally located and significantly separated from residential properties. Minimal impact is expected to occur in this regard.

- **Impacts from construction noise.**

Construction will be undertaken in accordance with current standards and techniques. It is expected that some impacts will occur during construction. However, the impacts will be limited to the construction period only and are therefore considered acceptable.

6.3.5. Access

An aged care facility is required to achieve a high level of accessibility conducive to its use. Given the topography of the site, all efforts have been made to ensure that the development provides adequate accessible areas yet does not present as an overbearing development. Proposed in three separate wings, the RACF is carefully linked by a series of level accesses through an at-grade car park to the Central Building and central core through to lift accesses to each of the wings at various levels.

An *Access Report* has provided at **Appendix 9**, concluding that the development demonstrates an appropriate degree of accessibility and compliance with statutory requirements. Site access, common areas, parking and sanitary facilities are all demonstrated to achieve adequate disabled access.

6.3.6. Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED) is a recognised model which provides that, if development is appropriately designed, it can reduce the likelihood of crimes being committed. It is anticipated that introducing CPTED measures within the design of the development will assist in minimising the incidence of crime and will contribute to perceptions of increased public safety.

The safety and security of all residents and staff (including the perception of safety and security that the RACF will provide) is of paramount importance to the amenity of the facility.

The 4 principles which guide CPTED are noted in the **Table 12** below:

Table 12: Crime Prevention through Environmental Design.

Principles	Objectives	Response
Surveillance	The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.	The RACF is designed to be internally focused. The building looks out via multiple facilities of private and public nature, being private courtyards, dining and rooms or community gardens, balconies and dining / lounge areas. Proposing a 24/7 RACF increases natural surveillance of the overall premises at all times.
Access control	Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.	Landscaping and retaining walls to the Scaysbrook Drive frontage offer physical, yet attractive physical barriers to the street. A grand entrance and large front setback promotes the perception of private property. The partially

		exposed lift platform will only be accessible by security intercom which will promote the perception of a private property while offering passive surveillance on the Avoca Drive street level.
Territorial reinforcement	Territorial reinforcement	Boundaries are well defined with landscaping and private courtyards, accessways, defined driveways, and retaining walls on cut and fill areas. The architectural design of the building defines areas for private and communal uses and offers a high level of passive surveillance opportunities.
Space management	Ensures that space is appropriately utilised and well cared for. Strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.	Being managed by a residential care provider over a 24/7 basis, the whole RACF including the grounds will be appropriately managed and cared for.

6.3.7. Traffic and Parking

A *Traffic Impact Assessment* (TIA) has been prepared by SECA Solution and is provided at **Appendix 8**.

Traffic generation

The TIA found that the proposed development, with 108 bedrooms and 40 equivalent full-time staff, will generate 227 vehicles per day with 44 movements occurring during the evening peak hour. This represents an increase over the existing site flows of 102 vehicles per day and 22 movements during the evening peak hour.

The *RTA Guide to Traffic Generating Developments* provides that residential streets have capacity for 300 vehicles per hour. Accordingly, the TIA found that the road network would adequately support the increased traffic generation.

Parking

City Plan Strategy & Development P/L

Suite 2, Level 2, 21 Bolton St Newcastle NSW 2300

P +61 2 429503286

CITYPLAN.COM.AU

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The Seniors Living SEPP provides the minimum parking rates for the RACF requiring 29 car parking spaces, one ambulance bay and 1 disabled space.

The proposed layout includes at grade car parks with 38 vehicle spaces, one of which is for disabled access, as well as one designated ambulance bay.

The proposal will provide adequate parking.

Internal circulation

The TIA confirms that the car park, entry/exit points and the internal circulation areas for vehicles have been designed in accordance with the Australian Standard 2890. All parking spaces provide the minimum dimensions for Class 1A parking.

A swept paths analysis has been undertaken (plans provided within the TIPA in **Appendix 8**) identifying that the largest vehicle likely required to access the site (8.8m medium rigid vehicle) would be able to access the site and the loading dock for general servicing and waste collection. All vehicles will be able to adequately enter and exit in forward gear.

Access

The proposal requires the slight relocation of the existing access road onto Scaysbrook Drive, being located slightly further east. The new location provides for increased visibility and the required sightlines and distances are acceptable in this location.

Access for emergency vehicles such as ambulances can be provided from both Scaysbrook Drive, while fire services can access both Avoca Drive and Scaysbrook Drive.

Waste vehicles

The largest waste vehicle likely to enter the site will be a 10.8m medium rigid waste vehicle. Swept path analysis identifies that the vehicle could enter and exit in forward gear.

6.3.8. Building Code of Australia

The proposed development has been designed in accordance with all the relevant controls of the BCA.

A BCA Statement has been provided at **Appendix 9**. The Statement indicates that the development is capable of complying with the requirements of the BCA.

6.3.9. Waste

A *Waste Management Plan* (WMP) has been prepared by Waste Audit and Consultancy Services and is attached as **Appendix 11**. The WMP considers both construction and operational waste management in accordance with the Council Guidelines in the GDCP 2014.

Operational Waste

The WMP identifies that the proposed use will likely generate 8,640 litres of general waste and 4,320 litres of recycling per week.

An adequate bin storage area to cater for this volume has been identified on the architectural plans to ensure that these can be collected by the proposed 8.8m medium rigid waste vehicle twice a week by a private contractor.

The WMP identifies a 'waste movement plan' which details how the waste streams will move through the building to the designated storage area for vehicle pickup.

Construction Waste

The WMP identifies estimated volumes of construction waste expected through the construction of the RACF. The WMP identifies opportunities for recycling and reuse. These waste streams are expected to be managed appropriately by an appointed relevant private contractor.

6.4. Social and Economic Impacts

6.4.1. Social

The provision of a new 'state-of-the-art' RACF will result in positive impacts to the social environment, providing for much needed high-level aged care and 24/7 dementia care. The new RACF will ensure connectedness and completeness of the Brentwood Village while increasing housing opportunities for seniors or people with a disability. Those new opportunities will be offered in line with the most recent standards and to a high level of care and amenity. Additionally, the RACF will reduce the burden on the local healthcare system by providing preventable treatments and having onsite medical care.

It is also worthwhile noting that Lend Lease has progressively vacated the ILUs that have recently been granted consent to be demolished, which has minimised any potential impacts associated with suddenly vacating all the subject ILUs. In this regard, it is noted that the demolition has commenced.

6.4.2. Economic

The proposal's immediate economic impacts are positive in that it will provide ongoing employment opportunities for civil contractors and the like. Similarly, the long-term economic impacts are also positive in that this proposal is intended to assist with the delivery of a future RACF at the site. It will also provide additional employment opportunities in the social services sector.

6.5. Site Suitability

The site is suitable for the proposed development given the following:

- The proposed RACF is permissible, with consent, pursuant to both the GLEP 2014 and Seniors Living SEPP.
- The site has been historically used for seniors housing.
- The environmental hazards are limited to bushfire constraints and adequate controls can demonstrably be put in place to ensure the land use is suitable and acceptable. The site is well serviced for infrastructure and emergency services.
- The site does not pose any other prohibitive constraints.

6.6. The Public Interest

This SEE provides that the proposal will be in the public interest for the following reasons:

- The proposal represents permissible development, with consent.
- The proposal has been found to be consistent with the relevant objectives of the applicable environmental planning framework, including relevant local and state based environmental planning instruments.
- The proposal has been found to be substantially compliant with relevant development standards and/or other controls prescribed by the relevant environmental planning framework. Any non-compliances have been justified on the basis the respective objectives are satisfied.
- It has been determined that the proposal would not result in any unreasonable environmental impacts.
- The subject proposal provides much needed residential aged care facilities associated with an existing retirement facility in an area of high demand for such services.

7. CONCLUSION

The DA relates to a proposed Residential Aged Care Facility (RACF) at 290 Avoca Drive, Kincumber (the subject site).

This SEE provides an assessment of the proposal against the relevant environmental planning framework. The framework in this case includes State Environmental Planning Policy (Housing for Seniors or People with a Disability), the Gosford Local Environmental Plan 2014, and the Gosford Development Control Plan 2013.

The assessment concludes that the proposal is consistent with the objectives of the relevant planning framework. The proposal is permissible with consent, pursuant to both the Seniors Living SEPP and the GLEP 2014. Substantial compliance has been achieved by the DA in relation to applicable development standards and other design controls. The proposed building height variation is considered justifiable and appropriate in the circumstances. Critically, there has been ongoing cooperation with Council and external government agencies to improve design elements of the proposal.

In summary, the proposal is considered to:

- be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the Environmental Planning and Assessment Act 1979;
- provides a built form consistent with and appropriate to the desired future character of the site, the adjoining E3 zoned land and the spatial requirements of a contemporary RACF.
- will provide additional housing opportunities for seniors and/or people with a disability, within a high amenity environment.
- Generate short term and permanent employment opportunities.
- have no adverse impacts on the environment, traffic, parking, drainage or other external features or services.

The benefits provided by the proposed development outweigh any potential impacts and it is therefore considered to be in the public interest. The proposal will deliver a suitable and appropriate development and is worthy of approval.

APPENDIX 1

Architectural Plans and Design Statement.

APPENDIX 2

Landscape Design Report.

APPENDIX 3

Site Survey Plan.

APPENDIX 4

Bushfire Protection Assessment.

APPENDIX 5

Arboricultural Assessment.

APPENDIX 6

Geotechnical Investigation Report.

APPENDIX 7

Quantity Surveyors Report.

APPENDIX 8

Traffic Impact Assessment.

APPENDIX 9

BCA and Accessibility Compliance Statement for DA Submission.

APPENDIX 10

Water Cycle Management Plan.

APPENDIX 11

Waste Management Plan.

APPENDIX 12

DCP Compliance Table.

APPENDIX 13

S4.6 Variation Requests.

APPENDIX 14

Soil and Water Management Plan.

APPENDIX 15

Pre-DA Meeting Minutes.

APPENDIX 16

DA54526/2018 Response to Request for Further Information.

APPENDIX 17

88B Instrument.

APPENDIX 18

Catholic Healthcare Social Provider Letter and Confirmation of providing Palliative Care.

APPENDIX 19

Civil Engineering Works Plan