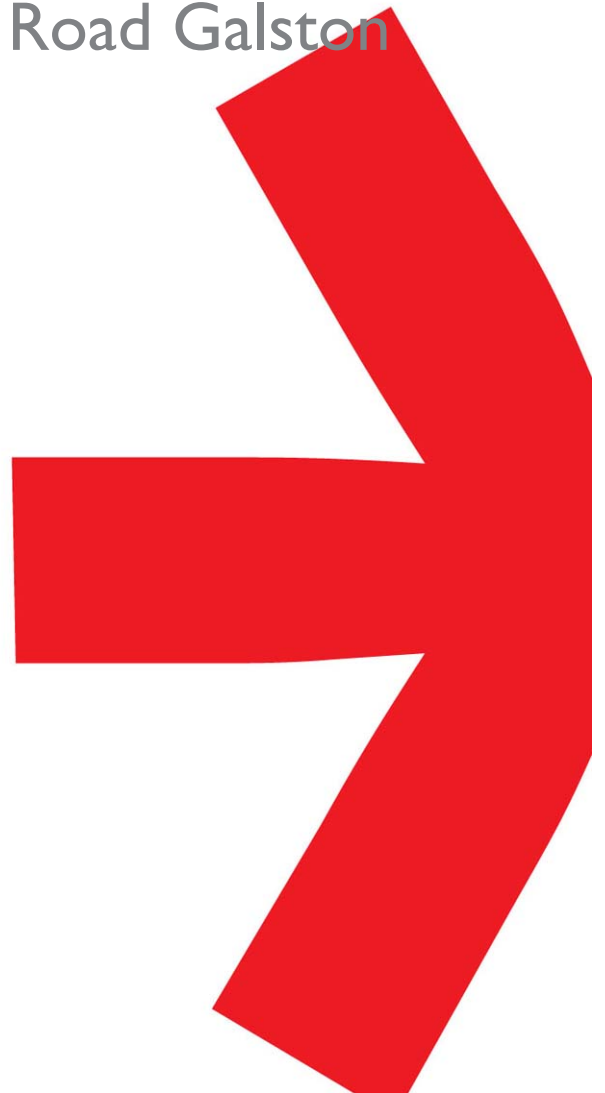





Site Compatibility Development Proposal Information

328a & 330 – 334 Galston Road Galston

February 18



Document status

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Approval for issue

Name	Signature	Date
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1 Background

1.1 Purpose of this Report

This Site Compatibility Certificate (SCC) Application has been prepared by Planik Pty Ltd on behalf of Living Choice in respect of the proposed Seniors Living Development at 328A, 330 – 334 Galston Road Galston. This application is made to demonstrate capability of the site to support a Seniors Living development.

A SCC is required to be obtained and accompany Development Applications when land exists adjacent to land zoned primarily for urban purposes. In this case while the site is zoned for rural purposes (RU4) it adjoins land zoned for urban purposes (R2). Refer to clause 24 of the Seniors Housing SEPP below:

24 Site compatibility certificates required for certain development applications

(1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) if:

(a) the development is proposed to be carried out on any of the following land to which this Policy applies:

(i) land that adjoins land zoned primarily for urban purposes,

The SCC must accompany any development application as instructed by Clause 50 (2A) of the Environmental Planning and Assessment Regulation 2000.

Clause 25(5) of the Seniors Housing SEPP sets out the particular issues that must be explored and satisfied to gain an SCC. Refer to clause extract below

25 Application for site compatibility certificate

(5) The Director-General must not issue a site compatibility certificate unless the Director-General:

(a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and

(b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:

(i) 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,

(ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,

(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,

(iv) in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,

(v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,

(vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the [Native Vegetation Act 2003](#)—the impact that the proposed development is likely to have on the conservation and management of native vegetation.

1.2 Applicant and Planning Context

Living Choice operate 9 retirement villages in NSW, Queensland and South Australia. They have purchased the above property, which held a deferred commencement approval issued for 96 dwellings (DA 850 / 2011) (**Attachment 1 - Approved Site Plan and Determination**). Since purchase, the deferred commencement conditions have been satisfied and the consent is now activated (**Attachment 2 Council letters: Confirmation of Activation 02 11 16 and lapsing of consent letter 24 01 17**). Living Choice have also purchased the adjoining parcel 328A Galston Road to incorporate into the development. The total site area is 39352 m2.

The existing consent, configuration of the village and dwellings do not meet the standards set by Living Choice and therefore an amended was explored with Council via a Pre DA meeting in June 2017. It was established at the meeting that the amended road layout, change in dwelling numbers and the inclusion of the additional lot could not be dealt with as a S96 modification and a fresh Site Compatibility Certificate and fresh development application were required. (**Attachment 3 – Minutes of Pre DA June 2017**).

After considering the Pre DA notes, liaising with the DOP and the following concept with 95 dwellings has been prepared to seek a Site Compatibility Certificate. (**Attachment 4 – Preliminary Site Plan Sketch 06 December 2017 & Galston Leisure Centre 23 October 2017**)

This proposal represents a modification to a previously approved Development Application. The development now proposed is not an intensification of use but rather a reconfiguration of building typologies and floor plans to suit Living Choice's proven offering to the retirement living market. The extent and positioning of development aligns with the extent and positioning of the previously approved village.

Vehicular access has been relocated and amended to incorporate RMS advice (**Attachment 5- RMS letter 23 November 2017 and email 23 November 2017 & Galston Site Plan submitted for advice**).

The development incorporates a small neighbouring lot (328A) that will be consolidated with the larger parcel. This will regularise the resulting shape of the village block and removes potential land use conflicts.

This proposal includes more facilities for the future residents inclusive of leisure centre, bocce court, bowling green and tennis court.



Figure 1 Street View Perspective of the proposed site – prepared by CED for Living Choice

2 Site Compatibility of the proposed Development

The following sections respond to the information required under Part C of the Director Generals Site Compatibility Application form 2004.

2.1 Site Attributes and Location

The site exists on the northern side of Galston Road approximately 200 metres east of the Galston Village Town Centre. It has a street frontage of approximately 252m to Galston Road and a depth of approximately 176m.



Figure 2 Aerial with area measured 3.93 ha. Note: areas have been measured approximately from SixMaps

The site comprises two properties.

Property 1 is approximately 3.7 ha in size (330 – 334 Galston Road) and was the subject of the previous SCC and DA approval. It supports a small stone fruit orchard, two dwellings and a large dam. The orchard is no longer operational as the size of the orchard and operating costs make it unviable. This and other uses are discussed in section 3.3 of this report.

The dam is situated in the south western corner of the site and collects run off which was previously used to irrigate the orchard. The run off is sourced from a network of shallow drainage channels constructed around the orchard. In addition the existing access road to the site channels runoff from Galston Road to the dam as well.

A number of exotic and native trees are scattered around the site which have been planted to provide amenity and shelter the existing buildings on site. These had been previously assessed by an arborist Tree Wise Men (2010 report – **Attachment 6**) to accompany the earlier Development Application. Out of 53 trees assessed it was concluded that 2 trees had a retention value of “A” and 27 trees had a retention value of “B”. The report suggested retaining as many of these trees as possible. Four trees were proposed and subsequently approved to be retained as shown on the landscape plan (Michael Zinn 2011 – **Attachment 7**) that accompanied the Development Application. These are predominantly on the boundary of the site and also exist on the boundary with Property 2 (328A) that now forms part of this fresh application.

Property 2 is a large predominantly level residential holding of 2223 m² and contains a 6 bedroom house and shed set in a lawn landscape with planted trees including natives mainly around its perimeter.



Figure 3 Dwelling at 328 A Galston Road

In front of both properties is a formed and level public pathway that leads to the Galston Village which is 370 m west of the proposed entrance to the site. Refer to Figures 3 and 4.



Figure 4 Level Public Pathway depicted on Google Street view.

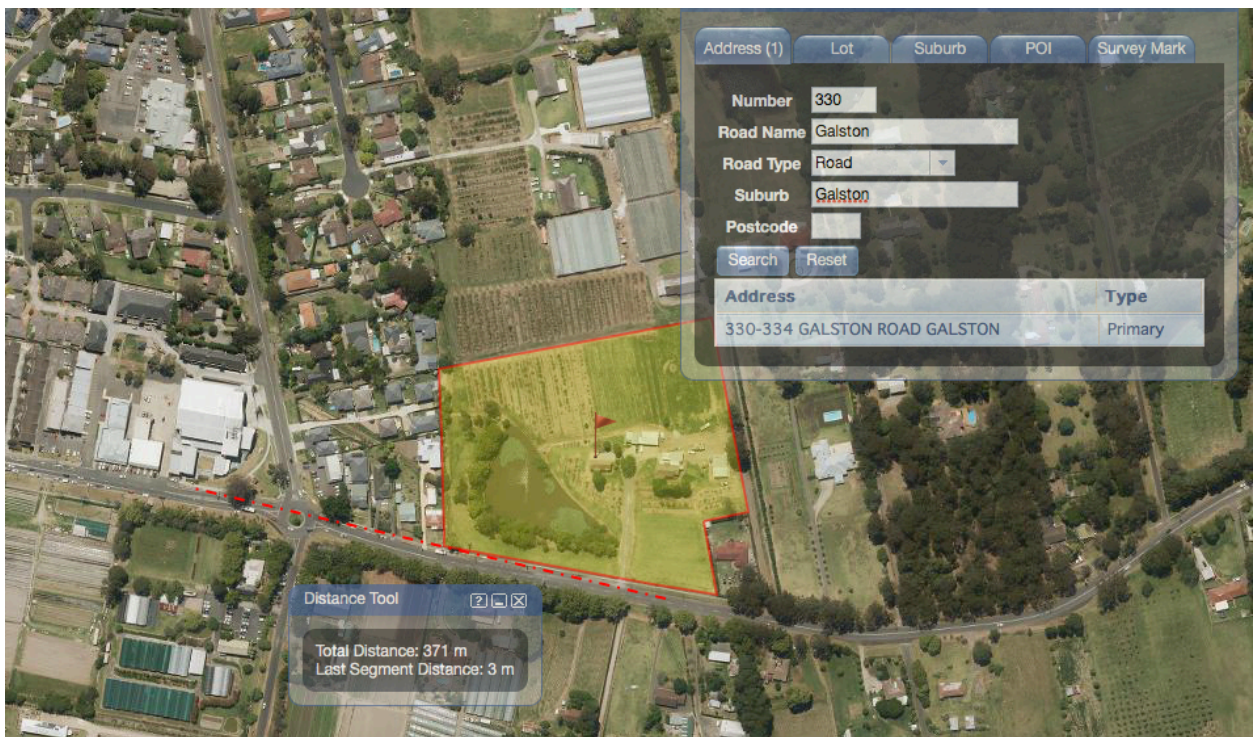


Figure 5 Distance 370 m measured via Sixmaps viewer from the approximately access location to the site and the Galston village to the west.

2.2 Zoning and Planning Approval Pathway

The site is located within Local Government Area of Hornsby City Council. The primary planning policy applicable is Hornsby Local Environmental Plan 2013 and Development Control Plan.

The site is zoned RU4- Primary Production small lots and adjoins R2 – Low Density Residential to the west which is important for triggering the state policy.

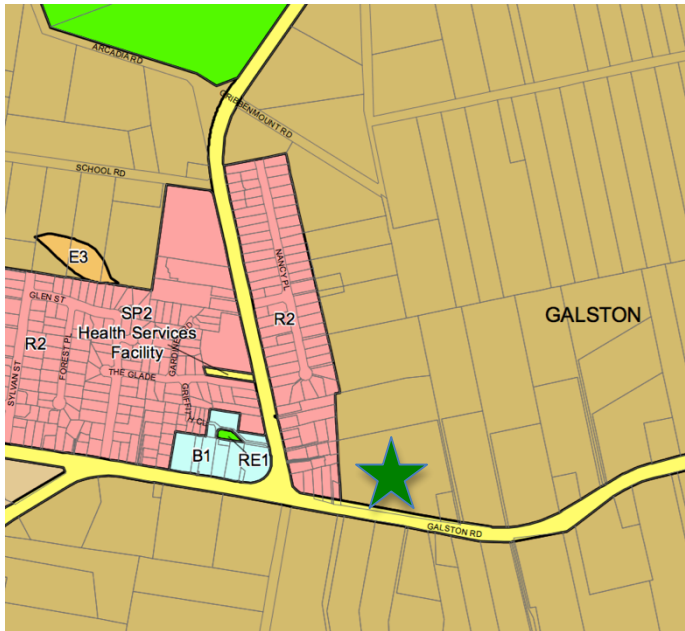


Figure 6 Hornsby LEP 2013 Land Zoning: RU4 Primary Production – Small lots

Zone RU4 Primary Production Small Lots

1 Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- **To minimise conflict between land uses within this zone and land uses within adjoining zones.**
- To encourage land uses that support primary production, including low-scale and low-intensity tourist and visitor accommodation and the provision of farm produce direct to the public.
- **To ensure that development does not unreasonably increase the demand for public infrastructure, services or facilities.**

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Building identification signs; Business identification signs; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Garden centres; Group homes; Home-based child care; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Tourist and visitor accommodation; Veterinary hospitals; Water reticulation systems; Water storage facilities

4 Prohibited

*Backpackers' accommodation; Hotel or motel accommodation; Livestock processing industries; Sawmill or log processing works; Serviced apartments; Stock and sale yards; **Any other development not specified in item 2 or 3***

Seniors housing is defined as a separate land-use in the dictionary to the HLEP2013 and as it is absent from the permitted uses under this zone it is captured by the "catch-all else" statement as "Prohibited". It should be noted that this prohibition is extinguished by the state policy as the site adjoins land zoned for urban purposes.

State Planning Policy

Within NSW the state policy (SEPP Seniors Living 2004) comes into play to provide opportunity for retirement villages (refer clause 17 SEPP) on land adjoining land zoned primarily for urban purposes.

As the subject lots are zoned for primary production, in my opinion, they are located on land that is not zoned primarily for urban purposes and therefore need to adjoin land that is zoned for urban purposes. Refer clause 4(2) of the SEPP:

(2) Land that is not zoned primarily for urban purposes

For the avoidance of doubt, land that is not zoned primarily for urban purposes includes (but is not limited to) land that is within any of the following zones under another environmental planning instrument:

- (a) a zone that is identified as principally for rural uses,*
- (b) a zone that is identified as principally for urban investigation,*
- (c) a zone that is identified as principally for residential uses on large residential allotments (for example, Zones R5 Large Lot Residential and RU6 Transition ...*

Clause 4(4) of the SEPP details where the policy applies and the following definition of **Land that adjoins land zoned primarily for urban purposes** applies:

For the purposes of this Policy, land that adjoins land that is zoned primarily for urban purposes includes (but is not limited to) land that would directly adjoin land that is zoned primarily for urban purposes but for the presence of a public road to which there is direct vehicular and pedestrian access from the adjoining land.

It should be noted in the above zoning map, the site that has approval adjoins the R2 zone that is an Urban Purpose zone:

- 330-334 Galston Road, - Lot 22 DP 851940, - approximately 3.7 ha

The remaining lot below does not adjoin and would need to be formally consolidated with the above lot prior to seniors housing being permitted on that land.

- 328A Galston Road – Lot 21 DP 851940 - 2426 sqm

Clause 25 (5) b sets out the criteria that must demonstrate the compatibility of the land to support the development proposed. **Table 1** below sets out the criteria and where the associated response can be located in the report.

Table 1 Clause 25 Criteria (Seniors Housing SEPP)

Clause 25 (5)(b)	Criteria	Assessment of Proposed Concept
	The Director-General is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:	
	(i) 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,	<ul style="list-style-type: none"> Refer to Sections 2.6, 3.4 and 3.5 of this report where land use , natural environment values are explored. Refer also to letter from Eco Planning and report by Bushfire consultancy Australia
	(ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,	<ul style="list-style-type: none"> Refer to sections 2.6 and 3.4. Previous orcharding activities are no longer viable for economic reasons. Surrounding land uses are likely to be a mixture of rural residential – lifestyle lots as an alternative to the adjacent village residential.
	(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,	<ul style="list-style-type: none"> Refer Section 2.31 and 2.4 of this report where the range of services, access to such and proximity to the site are discussed. The full range of services for the day to day needs of village residents are available and conveniently located. Living Choice propose to have multiple services including hairdresser, beautician , GP doctor, dentist and podiatry available at the village leisure centre on a regular basis for the convenience of residents. Refer to traffic report prepared by McClaren Engineering that supports the proposal from a transport access, traffic and parking perspective. Attachment 9
	(iv) in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,	<ul style="list-style-type: none"> Not Applicable
	(v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,	<ul style="list-style-type: none"> The plan has been prepared after consultation with Council, RMS and referral to the DCP. Setbacks have been complied with for built form. Leisure elements such as tennis court and bowling green are placed in front of the building line and forward of the 30 metre DCP setback. It is noted that these elements will be relocated when RMS require land for acquisition for road widening. The village will be surrounded by a mature landscape to ensure that neighbourhood amenity and privacy is maintained and visual impacts are positive. Refer to the concept drawings prepared by CED that show: <ul style="list-style-type: none"> plan format how the village relates in site cover to surrounding context. Elevations to show bulk and scale of buildings Perspectives that show a visual representation of key

Clause 25 (5)(b)	Criteria	Assessment of Proposed Concept
		elements of the village.
	(vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the <i>Native Vegetation Act 2003</i> —the impact that the proposed development is likely to have on the conservation and management of native vegetation.	<ul style="list-style-type: none"> • N/A • Refer to letter by Eco-Planning. Attachment 12

2.3 Description of The Surrounding Environment

2.3.1 Built Form and Services Available

The site exists within the locality of Galston. Directly to the west of the site is Galston urban village that comprises a range of low and medium density housing.



Figure 7 View of new housing along Arcadia Road, Galston.

Galston Village is on the corner of Arcadia and Galston Roads, approximately 370 metres from the site. Services available in Galston include:

- Hairdressers
 - Peters barber Shop 362 Galston Rd
 - Galston Village Hairdressing 364 Galston Rd
- Doctors
 - Galston medical Centre (5 Doctors listed) - 31 Arcadia Rd Galston
 - Galston Family Practice – 350 Galston Rd Galston
- Supermarkets

- IGA – 350 Galston Rd
- Aldi – 346 Galston Rd Galston Shopping Village



Figure 8 View of new extension to Galston Village from intersection of Arcadia and Galston Road



Figure 9 Older section of Galston Village from Galston Road

To the north, east and south are predominantly rural residential lots. Rowland retirement village exists to the south east of the site and includes 135 dwellings on 20 hectares.



Figure 10 Entrance to Rowland Retirement Village from Galston Road

2.4 Access to Services and Facilities and Access

2.4.1 Accessibility and Interrelationships with the Surrounding Area—Transport Infrastructure and Services, Accessible Pedestrian Routes

The site is well located to the Galston village centre which is only 370 metres to the west of the access road to the site. Gradients are walkable. There is a pedestrian footpath from the site to the village.

Galston has limited public transport facilities; the main ways to get around the suburb are by walking, driving and cycling. The nearest train station to Galston is Hornsby Station (12.5 km) which is an Opal card activated station.

The future North West Rail Link will serve Galston, with the nearest station at Castle Hill providing high speed rail travel to the Sydney Central Business District. The major bus operator in Galston is Hills Bus which operates as public transport for the whole of the Hills District.

Route 637 travels from Glenorie to Castle Hill via Galston Village, Round Corner and Rogans Hill. Occasionally during peak hour the route is extended to Pennant Hills.

Route 638 travels from Berrilee to Pennant Hills via Galston Village, Round Corner and new Line Road. Occasionally during peak hour the route is extended to Castle Hill.

2.4.2 Location and Description of Available Shops, Banks and Other Retail and Commercial Services, Community Services and Recreational Facilities, Medical Facilities

The proposed site is approximately 370 metres from the Galston Village centre, as depicted in the extract from the facilities plan below and described in this section.



Figure 11 Local Facilities Plan - refer to attached Architectural set prepared by CED for Living Choice

Galston Shopping Village

The Galston shopping village is on Galston Road approximately 200 metres from the site. It contains an IGA supermarket (2/350 Galston Road), Galston Gourmet Deli, Galston Vinnies and a number of smaller shops including a newsagency, travel agent, hairdresser and bakeries.

The Galston Community Bendigo Bank branch is also situated on Galston Road next to the Galston Shopping Village. The Galston Branch Library and Galston Post Office are situated opposite the site.

The new Galston Shopping Village Complex is the new section of Galston Village and is located on the intersection of Galston Rd and Arcadia Rd. The new complex has a capacity of 11 stores contains a Liquorland, ALDI supermarket and Galston Village Pharmacy which are all located on the ground level. The Local Collective Café is located adjacent to the new extension.

Galston Medical Centre is located 380 metres walk from the site on Arcadia Road.

Hornsby Hospital and Westmead Hospital are 15 minutes and 40 minutes away by car respectively.

Fagan Park

Fagan Park is a large recreation area located at Arcadia Road opened in 1988. It includes the Gardens of Many Nations and a picnic area at Carrs Bush.

Hayes Oval

Hayes Oval is the home to the Hills Hawks Soccer team and due to the high usage of the facility coach rooms, a canteen and a spectator area were built. These buildings are situated on the Galston Road side of Hayes Oval. Hayes Oval is used for soccer, softball, cricket and many other sporting activities.

Galston Aquatic and Leisure Centre

The Galston Aquatic and Leisure Centre features a 25-metre, six lane indoor heated pool with a squad club. The aquatic centre also features a gymnasium and a learn to swim club as well as many other aquatic activities.

Galston Library

Galston Library is managed by the Hornsby Shire Council and is a small off shoot library fro Hornsby.

2.5 Open Space and Special Use Provisions (if relevant)

Open space and special use provisions are not relevant to this proposal.

2.6 Agricultural Capability of the Site and Adjoining Land if the Proposal Affects Land Not Zoned Primarily for Urban Purposes

The site has been previously used as a small stone fruit orchard and the site to the rear is also a stone fruit orchard. The proposed use (already approved) is not being intensified or moved closer to adjoining land, therefore agricultural capability of surrounding land should not be compromised. Refer to previously submitted letter from University of Western Sydney - Graeme Richards (**Attachment 8**) that discusses the issue of viability of small orchards.

3 Proposal

3.1 Description of the proposal including the type(s) of seniors housing proposed including numbers of beds/units, community facilities and any ancillary development

Living Choice is a retirement living provider who provide high quality retirement living communities. Living Choice has existing retirement villages located in Sydney NSW, Central Coast NSW, Queensland and Adelaide. Living Choice offers a wide choice of living options and leisure facilities in safe, secure communities which are professionally managed.

The site plan displays the proposed layout of the village that includes the following statistics:

- Total site area 39,352 m²
- 12,251.1m² GFA - houses
- 2091.2 m² GFA – apartments
- 1784.3 m² GFA – leisure centre
- Total Overall GFA 16126.6 m²
- FSR 0.41:1
- 17,464 m² landscaping = 44% landscaped area

The proposal comprises 95 independent living units, each with 1 or two car spaces in the following configuration:

- 16 x 2 bedroom apartments
- 42 x 2 bedroom homes
- 35 x 3 bedroom homes
- Existing 5 bedroom home to be split to 2 villas – 1 x 2 bed 1 x 3 bed

Proposed facilities include:

- A Leisure Centre with commercial kitchen, dining, bar, library, pool, gymnasium, craft room, auditorium, medical room.
- Bocce Court.
- Bowling Green (temporary – to be removed when road widening required).
- Tennis Court (temporary – to be removed when road widening required).

Additional regular support services to include:

- Hairdresser
- Beautician
- Doctor
- Podiatrist (once per fortnight)
- Dentist (dental van will attend once per fortnight)

fronting Galston Road to the east and west of the proposed site. Refer to RMS correspondence – **Attachment 5** .

3.3 Potential Land Use Conflicts

The historical use of the land and in its immediate vicinity included that of small orcharding enterprises. A letter from Professor Graeme Richards University of Western Sydney accompanied the previous SCC application and explained the demise of the small orchard industry particularly on the outskirts of Sydney. Along with the maintenance expense of netting to protect fruit, the fruit from these orchards were ripening in the middle of the season and not receiving high prices unlike the early harvests coming from Queensland. The industry in this location was therefore unviable. (refer **Attachment 8 letter 14 May 2001**). Only one orchard is currently listed in the yellow pages and that is Waddell Orchards located at 389 Galston Road which is to the south west of the site some 1.4 km away. Therefore, conflicts with orchards is not of concern to this proposal.

The majority of the site, 330 – 334 Galston Road (3.7 ha) already enjoys a development consent for a retirement village comprising 96 dwellings or 26 dwellings / ha. The proposal includes 95 dwellings across 4 ha which equates to 24 dwellings /ha. The proposed density therefore is similar to what is approved.

Post development, the site will represent an extension of the Galston Village. The only potential conflicts would be the retirement village's inter-relationship with adjoining rural residential land uses to the north and east. Any development to the south, is suitably separated by Galston Road and the 30 metre established setbacks on either side of the road.

The proposal incorporates a previous direct and close neighbour (328 A), which reduces potential for conflict. The design adheres to the setbacks required in the rural residential zone and therefore neighbourhood amenity can be maintained.

Removal of sewer via pump out system has been located in this scheme similar to previous, however responsive to latest comments from RMS that asked for only one access point (**Attachment 5**), therefore noise and odour is not expected to be an issue but will be fully investigated at the DA stage.

3.4 Natural Environment (including known significant environmental values and resources of hazards) and potential impacts of proposed development

The site includes a dam that was approved for removal and will be removed as part of the current application. It was previously established that no official watercourse existed on site, only drainage depressions and a drainage channel along the western boundary. The following is an extract from the SEE that accompanied the Development Application which was approved:

All the channels on and around the site have been artificially constructed as part of the irrigation network for the orchard and cannot be classified as watercourses within the meaning and intent of the Water Management Act 2000. Similarly, a drain has been constructed down the western boundary to protect the adjoining residential development from irrigation surface sheet runoff.

If the dam were removed... and land returned to its original form ..and it would drain generally to the south west, joining the watercourse which commences as an artificial channel ..that has been altered in a straight line from the site boundary through three residential properties to Arcadia Road where it enters Council stormwater pipe system under the urban area of Galston.

Source: Innovation Planning SEE August 2011 page 15

The NSW Office of Water advised via letter 6 September 2011 the following:

Attention: Aditi Coomar

6 September 2011

Dear Madam

Re: Proposed Development - 330-334 Galston Road, Galston – Seniors Independent Living Development of 96 units

Thank you for your letter dated 24 August 2011.

A review of the site attributes and supplied documentation indicates that the site is near the top of the catchment and has then a 5ha catchment. It is unlikely that there would be a "river" on the site, (but may be just below the site) for the purposes of the requiring a controlled activity approval under the Water Management Act.

Therefor the Office will not require a Controlled Activity Approval to be obtained for this site and Council can continue assessment without further input from the Office.

Please direct any questions or correspondence to Greg Brady, greg.brady@ohn.nsw.gov.au.

The previous application included an arborist report (**Tree Wise Men – June 2010 – Attachment 6**) and 53 trees were assessed. The orchard trees (peaches and nectarines) are exempt under the TPO and were not assessed.

The most significant trees were trees 51 and 53 located on the adjoining site to the east (driveway access to 326 Galston Road).

The consent was issued on the 23 February 2012 DA 850/ 2011 - with 5 trees and a tree group to be retained (condition 3) and are located on the approved **Landscape Plan no3 prepared by Michael Zinn dated December 2010 (Attachment 7)**. Any future DA will include an arborist investigation and where possible carry forward the preservation of trees as per the current consent.

Although the site is not generally subject to bushfire hazard, the bushfire buffer zone just grazes the site as per the hazard map below. A bushfire assessment was carried out by **Bushfire Consultancy Australia 28 January 2018 (Attachment 10)**. The following is the extracted summary of that document.

In accordance with Section 146 of the environmental Assessment Legislation Act, 2007 [EP&A Act] the subject site has been identified as bushfire prone land and the legislative requirements for building and development on bushfire prone lands are applicable. This report has been prepared in accordance with the format of Clause 44 of the Rural Fire Regulation 2008 for consideration of a Bushfire Safety Authority under section 100B of the Rural Fires Act 1997.

This assessment includes an analysis of the hazard, threat and subsequent risk to the development proposal and provides recommendations that satisfy the Objectives and Performance requirements of the Building Code of Australia, Planning for Bushfire Protection 2006 and AS3959-2009 Construction of buildings in bushfire prone areas.

Following a site assessment, it was determined the asset protection zone of the development will exceed minimum requirements, and keep radiant heat levels below 10kW/m2 and therefore, with the recommendations stated in this report, can achieve the requirements for the issue of a Bushfire Safety Authority.

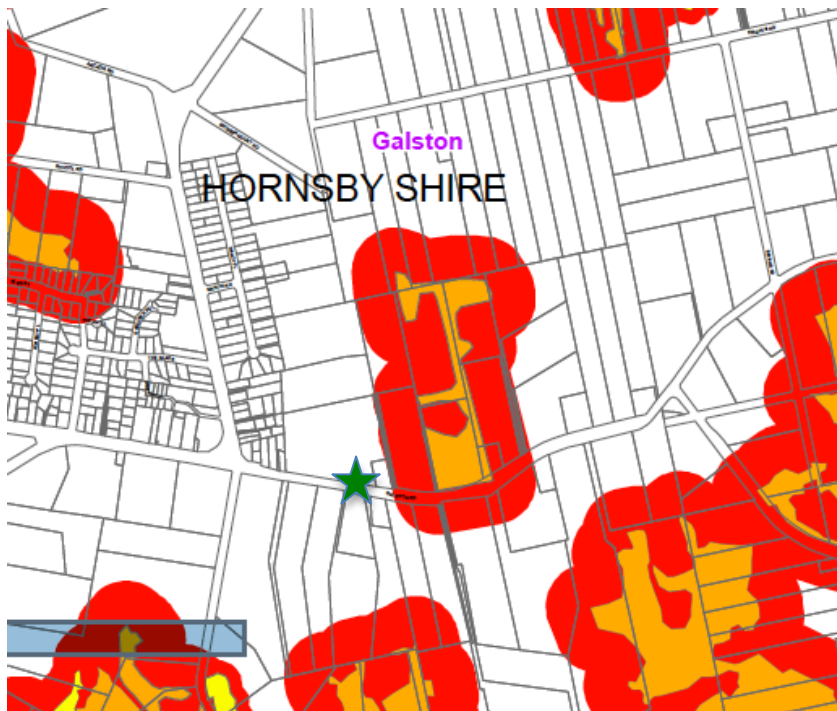


Figure 13 Bushfire mapping – site marked by green star

There are no other known environmental values or resources or significant hazards located on the site.

3.5 Type, values and significance of native vegetation on site, if land is not located in an urban LGA or urban zone and extent of any clearing proposed.

No significant native vegetation exists on the land, however as previously stated a number of trees were conditioned to be retained as part of the previous development approval (DA 850 / 2011).

In relation to the repeal of the Native Vegetation Act 2003, EcoPlanning were engaged to review the proposal against the legislative changes and alert the applicant to any action required. Refer to letter **from EcoPlanning 30 January 2018 Attachment 11** where it is confirmed that the proposal for the site is not regulated by the Local Land Services Act 2016, nor will the Biodiversity Conservation Act 2016 be triggered by this proposal.

4 Strategic Justification

4.1 Description of Proposed Development

4.1.1 Relationship with Regional and Local Strategies

In December 2005 the State Government released its Metropolitan Strategy which outlined new dwelling targets throughout Sydney. The Metro Strategy identified sub regions and Galston is in the North Subregion.

The draft North Sub-Regional Strategy identified that Hornsby Shire must provide 11,000 dwellings by 2031. The Hornsby Shire Housing Strategy was developed to assist in meeting that target.

Galston is identified in the Hornsby Housing Strategy as a neighbourhood Centre with a radius of influence of 150 metres and a typical dwelling yield of 150 – 900 dwellings. The site is just outside the radius of influence, however, developing the site for a retirement village will further boost and support the neighbourhood centre as the residents are likely to utilise the centre as their main centre for services – unlike other residents who may just use the centre for convenience purposes.

In 2014 the State Government released [A Plan For Growing Sydney](#), which focuses on providing more housing. The Plan identifies the need to accelerate housing supply choice and affordability in the region.

Retirement living is just one segment of the housing market but a very important segment for the aging population. Providing supportive villages throughout Sydney offers this cohort choice to remain in a neighbourhood or relocate to an attractive neighbourhood. A village on this site will provide an attractive housing option in a location that is convenient to the nearby centre and all its services providing a high amenity living environment which one of the key aims of the north subregion strategy.

4.1.2 Public Interest Reasons for Applying for Seniors Housing in the Locality

The location of a retirement village on the site will provide housing choice for older residents of the northern subregion with good access to services. Conversely, local services will be supported by the residents of the village. It is in the public interest to foster supportive accommodation for elderly people.

4.1.3 Adequacy of Services and Infrastructure to Meet Demand

The current proposal does not seek to intensify what has been previously approved. Infrastructure is capable of meeting the demand and the location ensures adequate servicing of future resident needs.

Availability and status of water, sewer, electricity and tele- communications as well as the intention for stormwater management on the site has been reviewed by **Cubo Consulting Engineers** in the report dated **2 February 2018 (Attachment 12)**.

Refer to following section for specific discussion regarding consultation.

5 Pre-Lodgement Consultation with the Consent Authority (Council) and Infrastructure/Services Providers

Evidence of Consultation Description of Issues	Response to Issues Raised in Consultation
<p>Local Council - Pre Lodgement (Refer Attachment 3)</p> <p>A pre lodgement meeting was held with Hornsby Council on 27 June 2017. The concept presented included additional lots to the rear (53 Nancy Place and 326 – 328 Galston Road).</p> <p>The advice is generally positive. Concerns are raised below.</p> <p>A s96(2) was proposed, however, the Council confirmed the following:</p> <ul style="list-style-type: none"> • <i>The proposal involves expansion of the retirement village by adding additional allotments. Further, the modified site planning is substantially different to the approved layout.</i> • <i>Accordingly, the application cannot be considered under the provisions of Section 96(2) of the Act.</i> • <i>A new application is required to be lodged. The application can be staged or can include construction works in stages as considered suitable by the applicant.</i> <p>Council Comments on the Concept</p> <ul style="list-style-type: none"> • The HDCP required 30m setback to Galston Road, 15m to the sides and 15m to the rear. In its current form, the development proposes encroachment of roads within the setbacks. In order to maintain the rural character of the area, the setbacks should be clear of such encroachments. • The leisure centre and the swimming pool are located within the stipulated 30m setback. This would not be supported. The structures should be clear of the required setback. Please note that a road widening easement affects this section of Galston road and should be considered while designing the buildings with appropriate setbacks. • Concerns are raised regarding the removal of the tanker parking area that was previously approved. Given the uncertainty regarding sewerage connection by Sydney Water, this parking area should be 	<p>The advice regarding the significant changes to the approved layout and the addition of lot requiring a new site compatibility certificate was further explored and confirmed with the Department of Planning (refer Attachment 4)</p> <p>Since the meeting, negotiations with the owners of 53 Nancy Place and 326 – 328 Galston Road could not reach agreement and the concept has been amended inclusive of 328 A and taking on board Council's comments.</p> <p>All buildings will be setback to correspond with previous approval.</p> <ul style="list-style-type: none"> • 25 metres from Galston Road • 15 metres minimum from North and East boundary • 7 – 15 metres from western boundary <p>Consideration is sort to include a grass bowling green and tennis court within the front setback area. (Note: RMS have not objected provided these are temporary – refer to their correspondence – Attachment 5).</p> <p>These are considered landscaped facilities and not buildings. It is understood that a future road widening will occur and the</p>

<p>maintained. Comments regarding on-site sewerage management system are provided under separate cover. (note: later confirmed via email from Council that reference to separate cover was a typographical error - there are no further comments relating to sewerage management)</p> <p>Required for DA lodgement</p> <ul style="list-style-type: none"> • Details of waste management and stormwater management would be considered once the application is lodged. • The proposal would have frontage to Galston Road and therefore require concurrence from Roads and Maritime Services. A traffic report is required to be submitted with the proposal calculating the traffic generation and assessing the application against the provisions of the SEPP (Infrastructure). • Council requires the preparation of a site capability and system design report outlining the most suitable wastewater system for the site. This report must be prepared in accordance with both AS 1547 – Onsite domestic wastewater management (2012) and Environment & Health Protection Guidelines – Onsite Sewage Management for Single Households (1998). <p>OR</p> <ul style="list-style-type: none"> • Details are to be provided for connection to the Sydney Water Sewerage System. • An Access and Mobility report is required to be prepared by a suitability qualified consultant and is to accompany with the formal development application. The Access report should include information regarding compliance with Clause 26 of the SEPP and Schedule 3 of the SEPP. • An Arborist Report is required to support the development application and retain significant trees within the • site and the neighbouring properties. • A detailed investigation of the proposed development site must be prepared by a suitably qualified environmental consultant. Such investigation must be undertaken in accordance with NSW Environment Protection Authority's Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites and Contaminated Sites – Sampling Design Guidelines. • A Remedial Action Plan (RAP) must be prepared by a suitably qualified environmental consultant and submitted to Council should the detailed investigation 	<p>developer is fully aware that these facilities will be relocated when widening / resumption occurs.</p> <p>Access has been reconfigured to a more functional arrangement, however tanker parking is available as required by previous approval but further modified as advised by RMS (see below). Refer to concept plan for location of tanker parking area.</p> <p>A traffic report is submitted with this application and supports the proposal. Refer Mclaren Engineering Traffic and Parking Impact Assessment Attachment 9</p> <p>The DA requirements are noted.</p>
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<p>reveal contamination exceeding criteria prescribed by the NSW Environment Protection Authority's Contaminated Sites – Guidelines for the NSW Site Auditor Scheme.</p> <ul style="list-style-type: none"> • In order to manage the environmental impacts that may arise from dewatering dams, provide to Council a dam dewatering report prepared by a suitably qualified ecologist to address issues including but not limited to: <ul style="list-style-type: none"> · The quality and quantity of the water to be released; · The method of water discharge; · Any impacts to native, threatened or protected species; · Relocation of displaced native fauna; and · The spread of nuisance flora and fauna species. • Council requires an acoustic report to be prepared by a suitably qualified acoustic consultant. • In order to protect the adjoining land and downstream water quality from sedimentation a Soil & Water Management Plan (SWMP) is to be prepared by a suitably qualified/experienced consultant. • In order to enable unencumbered movement of traffic in the public road during construction works, a Construction Management Plan, including a Traffic Management Plan and scaled construction plans must be prepared by a suitably Chartered and Qualified Chartered Civil Engineer and Qualified Worksite Traffic Controller • A further point form list of lodgement requirements was provided. 	
<p>RMS</p> <p>Letter - Ref SYD17/01491</p> <p>Reference is made to your email dated 23 October 2017 and regarding the abovementioned Pre- DA which was referred to Roads and Maritime Services (Roads and Maritime) for comment.</p> <p>Roads and Maritime has reviewed the submitted proposal and notes that there is an existing approval for DA/850/2011. It is also noted that the new proposal includes the acquisition of 328A Galston Road to incorporate into the development along with minor changes to the previously approved development. Extract of comments:</p> <p>Galston Road is a major arterial road, which carries a high volume of traffic, where transport efficiency of through traffic is of great importance. The number of access points should be minimised. Therefore the proposed development is to have one access point only.</p>	<p>A Traffic and Parking Impact Assessment report supports this proposal. Refer Attachment 9</p>

<p><u>Driveway access</u></p> <p>-</p> <p>To clarify the letter provided, Roads and Maritime will not support multiple accesses into the site, therefore Roads and Maritime would support a single consolidated access for all users of the site including service vehicles(garbage truck, removalists, etc). All vehicles are to enter and exit the site in a forward direction demonstrated by swept paths.</p>	
<p>Sydney Water</p> <p>Sewer</p> <p>A meeting was held with Sydney Water 23 June 2017. Peter Jansen- Sydney Water confirmed that they will not consider a regular sewer connection until September / October 2018.</p> <p>Water</p> <p>There is a water connection on street that can be accessed for the development.</p> <p><i>Extract of email from Peter Jansen 26 June 2017...</i></p> <p>As discussed earlier the contact number for enquiries that you should follow up with September 2018 to make sure you are added to any mailing list when Sydney Water advises if there is opportunity for other connections outside the scheme boundaries.</p> <p>Phone: 1800 006 326</p> <p>Email: prioritysewerage@sydneywater.com.au</p>	<p>The proposal will include a detail pump out system as previously approved.</p> <p>Water connection available.</p> <p>It should be noted that Living Choice have activated the existing consent and satisfied the previous deferred commencement conditions relating to Water Supply and the On Site Sewer Management System. It is envisaged that as this current proposal does not involve more dwellings than currently approved, water supply and sewer management will not be an issue.</p>
<p>Power, telecommunications are both available to service the site.</p>	<p>Services still available as per previous approval. Refer to CUBO consulting Engineers servicing report. Attachment 12</p>

6 Conclusion

This proposal represents a modification to a previously approved Development Application. The development now proposed is not an intensification of use but rather a reconfiguration of building typologies and floor plans to suit Living Choice's proven offering to the retirement living market.

The extent and positioning of development aligns with the extent and positioning of the previously approved village.

Environmental impacts have been mitigated through the consultation and design process.

Vehicular access has been relocated and amended to incorporate RMS advice and advice received from the traffic consultant.

The development incorporates a small neighbouring lot (328A) that will be consolidated with the larger parcel. This will regularise the resulting shape of the village block and removes potential land use conflicts.

This proposal includes more facilities for the future residents inclusive of leisure centre, various support services for the beauty and medical needs of residents along with leisure via bowling green, Bocce Court and tennis court.

The amended site and the proposed development will not compromise its capability to support the proposal put forward, therefore the issue of a site compatibility certificate is warranted.

