

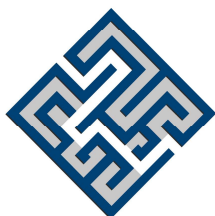
STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR A PROPOSED CONSOLIDATION OF ALLOTMENTS, DEMOLITION OF
EXISTING DWELLING AND STAGED EIGHTY-ONE (81) UNIT SELF-CARE
SENIORS LIVING DEVELOPMENT AND COMMUNITY BUILDING**

**LOT 4 IN DEPOSITED PLAN No. 829578 &
LOT 1000 IN DEPOSITED PLAN No. 1117715**

Nos. 6 & 8 WISEMAN ROAD, BOWRAL

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PREPARED ON INSTRUCTION FROM PEPPERFIELD HOLDINGS PTY LTD

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August 2021

Date



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EXECUTIVE SUMMARY

This Development Application (DA) is being made to Wingecarribee Shire Council for a proposed eighty-one (81) unit self-care seniors living development over Lot 4 in Deposited Plan No. 829578 (No. 6) Wiseman Road and over part of Lot 1000 in Deposited Plan No. 1117715 (No. 8) Wiseman Road at Bowral. A self-care senior living development identified as the 'Pepperfield Lifestyle Resort' presently operates at (No. 8) Wiseman Road and the proposed development should be considered as a complimentary addition to this existing development. The project as proposed is to be constructed in seven (7) stages as identified within the accompanying architectural drawings.

The *SEPP (Housing for Seniors or People with a Disability) 2004* does not apply to the subject land as it falls within a Water Catchment area as is defined under Schedule 1 (I) of the SEPP SL. Rather, the DA has been lodged under the provisions of the *Wingecarribee Local Environmental Plan 2010* (WLEP 2010) wherein the proposed seniors living development is permissible with Council consent via means of WLEP 2010 Amendment No. 55 published 16th October 2020. The inclusion of LEP Amendment No. 55 has added the subject site Lot 4 in Deposited Plan No. 829578 to Schedule 1 and the 'Additional Permitted Uses' Table.

Item 36 of Schedule 1 'Use of certain land at Wiseman Road senior housing' states:

- (1) This clause applies to land known as the Wiseman Road senior housing site, edged red on the Schedule 1 Map and numbered 36.
- (2) Development for the purposes of seniors housing is permitted with consent.



Figure 1 Aerial view of the subject lands Nos. 6 and 8 Wiseman Road (Dept Lands SIX Maps).

The proposed development for the purposes of seniors living would require the demolition of an existing dwelling located at (No.6) Wiseman Road. To meet the operational requirements of the development, which calls for it to function as a single entity over the whole of the site, the development also entails a proposed lot consolidation between Lot 4 in Deposited Plan No. 829578 and Lot 1000 in Deposited Plan No. 1117715.



The activity of lot consolidation of its own does not require development consent however is brought to the attention of Council as new buildings are proposed to be constructed over the shared property boundary of the two adjacent sites. It is proposed that following lot consolidation that the resultant development would be operated as a single business entity under the management of Pepperfield Holdings Pty Ltd.

The subject lands are in general terms described as being located on the northern side of Wiseman Road, to which road there is direct road frontage and vehicular access for both lots. Lot 4 in Deposited Plan No. 829578 is separated to the north from Kangaloon Road by an intervening property described as Lot 320 in DP 1104244 to which it presents a rear property boundary. Lot 1000 in DP 1117715 extends fully between Wiseman Road in the south and Kangaloon Road in the north.

The Pepperfield Lifestyle Resort seniors living development identified as (No.8) Wiseman Road offers a premium level of aged care for existing Southern Highlands residents and retirees settling from Sydney and elsewhere, attracted to the lifestyle and facilities made available at Pepperfield. The current extent of the Pepperfield aged care development extends over an area of approximately 8 hectares and comprises discreet buildings within a landscaped setting. The overwhelming market success of the Pepperfield Lifestyle Resort has led to the acquisition of adjacent property at (No. 6) Wiseman Road. Following the inclusion of seniors living under Schedule 1 of the WLEP, the opportunity has arisen to expand upon the current successful retirement lifestyle model by the development of the neighbouring property also for the purpose of seniors housing.

The adjacent (No. 6) Wiseman Road presently supports a detached dwelling with landscaped surroundings. The site contains trees of various exotic species towards the southern, street facing part of the site. A grazing paddock and a water storage dam make up the northern portion of the land. Demolition of the dwelling is proposed as part of the development to facilitate the efficient use of the land.

The proposed development has been prepared having taken into consideration the relevant controls set out under Part C Section 8 and Section 23 of the *Bowral Township Development Control Plan*. The proposal when considered against the objectives and controls of the DCP is found to be satisfactory and no consideration for any variations is necessary.

No unreasonable impacts are anticipated to arise from the proposed development. The development is compatible with the existing seniors living development currently operating over (No.8) Wiseman Road. The proposed introduction of a further eighty-one (81) seniors living dwelling units and a community building is considered to represent an appropriate use of the land. This conclusion is ratified by the inclusion of the land use activity of seniors living for the site under Schedule 1, Item 23 of the WLEP 2010.



1 INTRODUCTION

This Statement of Environmental Effects provides the following:

- > A description of the subject site and of the surrounding area.
- > A description of the proposed development.
- > A summary and description of the main planning controls that apply to the land and the proposed development.
- > Identification and discussion of the key assessment issues.
- > An assessment of the proposal in accordance with Part 4 Division 4.3 Section 4.15 of the Environmental Planning and Assessment Act 1979.

2 SITE AND SURROUNDS

2.1 The Subject Site

The subject lands are described as (No. 6) Wiseman Road, Bowral with the legal property description of Lot 4 in DP No. 829578 and (No. 8) Wiseman Road, Bowral with the legal property description of Lot 1000 in DP 1117715. The site area of Lot 4 in DP 829578 is 3.991 hectares and adjacent Lot 1000 in DP 1117715 is 8.127 hectares. Both properties are proposed as part of the development to be consolidated into a single allotment of 12.118 hectares that is to be operated by Pepperfield Holdings Pty Ltd. The objective of lot consolidation is to enable the expansion of the existing Pepperfield Lifestyle Resort seniors living development over the existing common property boundary line and to facilitate the business operations of the site as a single legal entity.

Details of the subject lands are as follows:

- > The sites are described as Lot 4 in Deposited Plan No. 829578, (No. 6) Wiseman Road at Bowral and Lot 1000 in DP 1117715 (No.8) Wiseman Road at Bowral.
- > Lot 4 in Deposited Plan No. 829578 (No. 6) Wiseman Road in Bowral maintains a land area of 3.991 hectares and supports a single dwelling with landscaped garden surrounds. A grazing paddock is located to the north of the dwelling and a water storage dam is located within the northeast of the site.
- > Lot 1000 in DP 1117715 (No.8) Wiseman Road at Bowral maintains a land area of 8.127 hectares within which site area the Pepperfield Lifestyle Resort seniors living development operates.
- > No. 6 Wiseman Road is of an irregular trapezoid shape with a primary, southern property frontage to Wiseman Road measuring approximately 195m. It has a western side boundary of approximately 173m, an eastern side boundary of approximately 269m and a northern (rear) property boundary of approximately 205m in length.



- > The site topography of No. 6 Wiseman Road is described as generally level within the southern part of the site at the Wiseman Road frontage and with the overall landform falling towards the north where a drainage line and dam are situated.
- > A water storage dam is located within the north-eastern part of No. 6 Wiseman Road. A creek line that has been artificially modified by channelling crosses the site from west to east within this lower northern part of the site.
- > A single storey dwelling of brick and metal roof construction is located within the southwestern portion of No. 6 Wiseman Road. The dwelling is proposed to be demolished to facilitate the construction of the proposed seniors living development.
- > The predominant vegetation within No. 6 Wiseman Road is described as comprising tree and shrub species that are of exotic species origin, with tree species principally consisting of evergreen species and with a predominance of conifer trees. An Arboriculture Report prepared by Summit Tree Services accompanies the development application and this report identifies those trees located within the site.
- > Nos. 6 and 8 Wiseman Road both have access to town water and to Council's sewer infrastructure (Refer to the accompanying Water and Sewer Development Impact Assessment Report prepared by Cardno). Electricity and telecommunications facilities are available.
- > The northern part of Lot 4 in DP 829578 is partially flood affected. The southern portion, which is proposed to be developed for seniors living, is flood free (Wingecarribee Flood Study Final Report January 2014). A Flood Assessment Report prepared by FloodMit accompanies the development application to determine flood impact relevant to the proposed development. Flood impact has further been a consideration in the preparation of MUSIC report and stormwater drainage design plans prepared by SOWDES that also accompanies the DA information.
- > The site is zoned E3 Environmental Management under the provisions of *Wingecarribee Local Environmental Plan 2010* (WLEP 2010) under which zoning a seniors' living development is not identified as a permissible land use. The lodgement of a DA for a seniors' living development is enabled for the land by virtue of the site's inclusion under Schedule 1, Item 36 of the WLEP 2010, wherein seniors living is identified as a permissible land use with the consent of Council.

2.2 The Surrounding Area

Lands that are adjacent to the site are similarly zoned E3 Environmental Management under the provisions of *Wingecarribee Local Environmental Plan 2010*. Located to the north of No. 6 Wiseman Road is a residential dwelling that is screened from the subject site by extensive landscaping, including mature hedging. The property is identified as No. 280 Kangaloon Road, Bowral has frontage and direct access to Kangaloon Road.

Lands on the northern side of Kangaloon Road are zoned R2 Low Density Residential and the location is described as the East Bowral residential precinct. Wiseman Road to which the subject lands have direct access from the south, terminates at a cul-de-sac head at its easternmost extent. Grazing lands are situated to the southern side of Wiseman Road. The Southern Highlands Christian School is located to the east at approximately 130m distant at the intersection of Wiseman Road and Boardman Road.



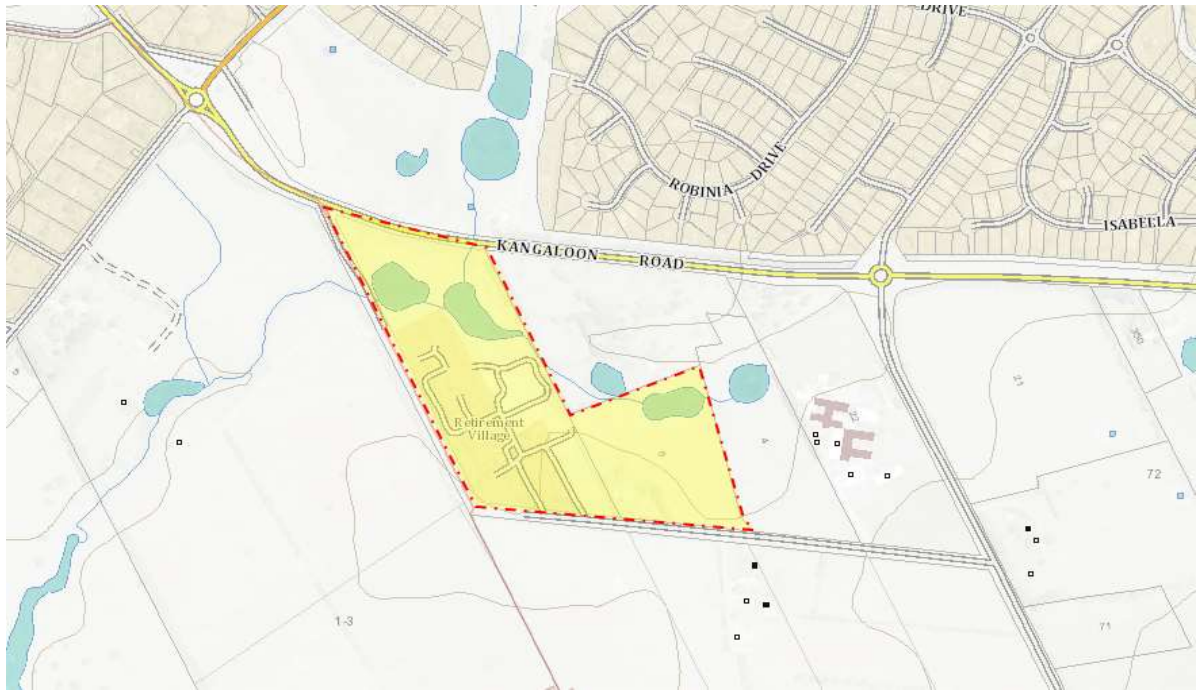


Figure 2 Topographic view of the subject site overall relative to surrounding lands (Dept Lands SIX Maps).



Figure 3 Aerial view of the subject site No. 6 Wiseman Road – dwelling and landscaped surrounds. (Dept Lands SIX Maps).



Figure 4 Aerial view of the subject site No. 8 Wiseman Road - Pepperfield Lifestyle Resort Retirement Village. (Dept Lands SIX Maps).

3 PROPOSAL

The development proposal calls for the demolition of an existing dwelling within Lot 4 in DP 829578. These preliminary works are necessary to permit the construction phase of the development, described as the construction of eighty-one (81) two-bedroom units within forty-five (45) buildings for a total of one hundred and sixty-two (162) bedrooms. These building works also include the construction of a community building with a proposed floor area of 353m² within the southern part of the site at Wiseman Road. The overall proposed building floor area totals an aggregate area of 9,143m² that when added to the aggregate floor area of 11,337m² for the existing fifty-three (53) buildings of the Pepperfield Lifestyle Resort, would result in a combined floor area (existing and proposed buildings) of 20,479m².

A maximum FSR of 0.5:1 is allowed for a seniors' living development under Part C Section 8 of the Bowral Township DCP. An FSR of 0.5:1 would equate to a combined building floor area of 60,630.5m² over the combined area of the adjacent sites. The resultant FSR for all buildings (both existing and proposed) is expressed as a calculation of the existing and proposed floor area of 20,479m² divided by the aggregate site area of 121,118m². The product of this calculation equates to an FSR of 0.17:1 which is well within the stated DCP maximum FSR control.

A concurrent lot consolidation is proposed to permit new buildings to be constructed over the current common boundary between Lot 4 in DP 829578 and Lot 1000 in DP 1117715 and to permit the development to be operated as a single legal entity by Pepperfield Holdings Pty Ltd. The associated lot areas are 3.991 hectares for Lot 4 in DP 829578 and 8.127 hectares for Lot 1000 in DP 1117715 and when consolidated would comprise a site area of approximately 12.118 hectares.



In terms of service provision, the existing seniors living development at (No. 6) Wiseman Road has current access to all services. The subject property (No. 6) Wiseman Road is capable of connection to Council's existing reticulated town water supply and gravity sewer system. Reference should be made to the accompanying Water and Sewer Development Impact Assessment Report prepared by the engineering consultancy Cardno and to the sewer, water and site drainage plans prepared by the consultancy SOWDES for details of proposed service provision.

The proposed development is envisaged to be constructed in seven (7) stages and these are identified as stages five (5) through to eleven (11) within the accompanying architectural site and site detail plans. Each stage is proposed to be undertaken 12 months apart. The DA is supported by architectural plans, detailed landscape drawings and the relevant specialist water quality and engineering consultant reports. The proposed development of the land for the purposes of seniors living includes the construction of internal roads, footpaths, car parking areas and landscaped gardens.

Proposed buildings type, number of buildings, floor area per building and total floor area are detailed as follows:

Building type	Number of Buildings	Floor area per building	Total Floor area
Type A	20	221.40m ²	4,428 m ²
Type B	17	210.92 m ²	3,585.64m ²
Type C	2	108.17m ²	216.34m ²
Type D	4	112.80m ²	451.20m ²
Type E	1	108.40m ²	108.40m ²
Community Building	1	352.95m ²	352.95m ²
Total No. of buildings=	45	Total floor area =	9,142.59m ²

4 PLANNING CONTROLS

4.1 Overview

The primary planning control applying to the land and the proposed development is *Wingecarribee Local Environmental Plan 2010* (WLEP 2010).

Other relevant planning instruments and controls that apply to the land and the development proposal, which are discussed in this report, are:

- > Biodiversity Conservation Act 2016;
- > State Environmental Planning Policy – *Sydney Drinking Water Catchment* 2011;
- > State Environmental Planning Policy No. 55 *Remediation of Land*;
- > South East and Tablelands Regional Plan 2036;
- > Wingecarribee Local Planning Strategy 2015 - 2031;
- > Wingecarribee Development Control Plan – *Bowral Township*.



4.2 Biodiversity Conservation Act 2016

The subject site is characterised by cleared open pasture-improved paddocks, with some established gardens and planted lines of trees around the existing dwelling.

The existing dam and associated vegetation will be retained.

The proposed development will not clear native vegetation. The BC Act does not apply.

4.3 State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The objectives of the governing SEPP are:

- a) *to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal;*
- b) *to provide that a consent authority must not grant consent to a proposed development unless it is satisfied that the proposed development will have a neutral or beneficial effect on water quality; and*
- c) *to support the maintenance or achievement of the water quality objectives for the Sydney drinking water catchment.*

4.3.1 Recommended practices and performance standards of WaterNSW:

- 1) Any development or activity proposed to be carried out on land to which this Policy applies should incorporate the Authority's current recommended practices and standards.
- 2) If any development or activity does not incorporate the Authority's current recommended practices and standards, the development or activity should demonstrate to the satisfaction of the consent authority or determining authority how the practices and performance standards proposed to be adopted will achieve outcomes not less than those achieved by the Authority's current recommended practices and standards.

4.3.2 Development consent cannot be granted unless neutral or beneficial effect on water quality

- 1) A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.
- 2) For the purposes of determining whether the carrying out of the proposed development on land in the Sydney drinking water catchment would have a neutral or beneficial effect on water quality, the consent authority must, if the proposed development is one to which the NorBE Tool applies, undertake an assessment using that Tool.

A neutral or beneficial effect on water quality is satisfied if the development:

- a) has no identifiable potential impact on water quality; or



- b) will **contain** any water quality impact on the development site and prevent it from reaching any watercourse, water body or drainage depression on the site; or
- c) will **transfer** any water quality impact outside the site where it is treated and disposed of to the standards approved by the consent authority.

Potential water quality impacts have been assessed in detail within the accompanying MUSIC Model Report, Water Cycle Management Study (WCMS) and plans prepared by Sowdes. It is concluded within the WCMS report that the proposed seniors living development is capable of satisfying the 'Neutral or Beneficial Effect (NorBE) test for water quality impact.

4.4 State Environmental Planning Policy No. 55 *Remediation of Land*

The *SEPP No. 55 Remediation of Land* has application to the State and therefore must be a consideration in the assessment of any DA. The subject property is zoned E3 Environmental Management and is located adjacent to a residential precinct described as East Bowral to the north of Kangaloon Road. The subject site includes a dwelling with grazing paddocks located to the north. Pasture for grazing is not a land use activity identified under the SEPP as one that is likely to be associated with the potential for land contamination. Given the current land use and the absence within the site of evidence for any contaminating land use activity, it is considered that an investigation into the potential for land contamination is not triggered under the terms of the SEPP.

4.5 State Environmental Planning Policy (*Koala Habitat Protection*) 2021

The State Environmental Planning Policy (Koala Habitat Protection) 2021 was made and commenced on 17 March 2021.

The Koala SEPP 2021 reinstates the policy framework of SEPP Koala Habitat Protection 2019 to 83 Local Government Areas (LGA) in NSW. At this stage:

- In nine of these LGAs – Metropolitan Sydney (Blue Mountains, Campbelltown, Hawkesbury, Ku-Ring-Gai, Liverpool, Northern Beaches, Hornsby, Wollondilly) and the Central Coast LGA – Koala SEPP 2021 applies to all zones.
- In all other identified LGAs, Koala SEPP 2021 **does not apply** to land zoned RU1 Primary Production, RU2 Rural Landscape or RU3 Forestry.

For all RU1, RU2 and RU3 zoned land outside of the Sydney Metropolitan Area and the Central Coast, Koala SEPP 2020 continues to apply. This is an interim measure while new land management and private native forestry codes are developed in line with the NSW Government's announcement on 8 March 2021.

The Landholding is zoned E3 Environmental Management, within the Wingecarribee LGA. SEPP (Koala Habitat Protection) 2021 is the relevant SEPP for this site.



Part 1: Does the SEPP apply?

Landholding is within an LGA listed in Schedule 1 of the SEPP	Yes
Exemption under Section 8	No

State Environmental Planning Policy (Koala Habitat Protection) 2021 applies to the land.

Part 2: Development control of koala habitat?

Development Site is on land to which an approved Koala Plan of Management applies.	No
Development Site is on land which has an area of at least 1 hectare (including adjoining land within the same ownership).	Yes

Part 2 Development control of koala habitats applies to the proposed development.

Controls:

- 11(2) *Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.*
- 11(3) *If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.*

Response:

The subject site does not contain any koala habitat. The proposed development would have no impact on koalas or koala habitat.

Conclusion

SEPP (Koala Habitat Protection) 2021 applies to the land. Part 2 Development control of koala habitats applies to the proposed development. The proposed development would have no impact on koalas or koala habitat. A Koala Assessment Report is not required.

4.6 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The SEPP (Housing for Seniors or People with a Disability) 2004 does not apply to the subject land as it falls within a Water Catchment area as is defined under Schedule 1 (I) of the SEPP SL. The Bowral Township DCP however calls for a check comparison against the relevant SEPP controls under Part C Section 8.1 of the DCP which states in the following terms:

'It is noted that, under Schedule 1 of the Seniors SEPP, the SEPP does not apply within Wingecarribee Shire. However, the Seniors Housing provisions in the DCPs make useful reference to the Seniors SEPP to assist applicants in the preparation of development proposals and to assist Council officers in the



assessment of Development Applications for Seniors Housing in the R2 Low Density Residential and R3 Medium Density Residential zones as permitted with consent under WLEP 2010.'

The DCP Section 8.1 concludes with the advice that '*applicants are directed to the Seniors SEPP to ensure they comply with all assessment requirements.*' By way of response the following table has been prepared to set out the SEPP Clauses that have relevance to the proposed development for comparative assessment under the Bowral Township DCP.

<i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 – Compliance with assessment requirements as directed by the Bowral Township DCP.</i>	
<i>SEPP Clause</i>	<i>SEPP Control and Response</i>
Chapter 1	
Clause 4. Land to Which this policy applies	<p><i>This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:</i></p> <p><i>(a) development for the purpose of any of the following is permitted on the land:</i></p> <p><i>(i) dwelling-houses,</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The SEPP (Housing for Seniors or People with a Disability) 2004 does not apply to the subject land as it falls within a Water Catchment area as is defined under Schedule 1 (I) of the SEPP SL. The DA has been lodged under the provisions of the Wingecarribee Local Environmental Plan 2010 (WLEP 2010) where the proposed seniors living development is permissible with Council consent via means of WLEP 2010 Amendment No. 55 published 16th October 2020. The inclusion of LEP Amendment No. 55 has added the subject site Lot 4 in Deposited Plan No. 829578 to Schedule 1 and the 'Additional Permitted Uses' Table.</p> <p>Item 36 of Schedule 1 'Use of certain land at Wiseman Road senior housing' states:</p> <p>(1) This clause applies to land known as the Wiseman Road senior housing site, edged red on the Schedule 1 Map and numbered 36.</p> <p>(2) Development for the purposes of seniors housing is permitted with consent.</p> <p>The applicable assessment criteria for seniors living are set out under Part C Section 8 of the Bowral Township DCP that also references the SEPP SL as a guide.</p>
Clause 5. Relationship to other Environmental Planning Instruments	<p><i>(4) This Policy does not affect a provision in another environmental planning instrument that relates to demolition of a Heritage Item.</i></p>



	<p><i>Reply to SEPP Control: -</i></p> <p>The land does not support any Item of Heritage.</p>
Chapter 2	
Clause 13. Self-contained dwellings	<p><i>General term: "self-contained dwelling"</i></p> <p><i>In this Policy, a self-contained dwelling is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The proposed development meets the SEPP criteria for <i>Self-Contained Dwellings</i>.</p>
Chapter 3	
Part 1 General	
Clause 15. What chapter does	<p><i>This Chapter allows for the development for the purposes of Seniors Housing on land that is zoned primarily for urban proposes, despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The land is zoned E3 Environmental Management. Inclusion of the subject site under Schedule 1 of the WLEP 2010 allows Council the ability to consider the proposed seniors living development via the lodgement of a Development Application.</p>
Clause 16. Development Consent Required	<p><i>Development allowed by this Chapter may be carried out only with the consent of the relevant consent authority unless another environmental planning instrument allows that development without consent.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>Development Consent is required and is sought from Council via the lodgement of a Development Application.</p>
Clause 18. Restrictions on occupation of seniors housing allowed under this chapter	<p><i>18 Restrictions on occupation of seniors housing allowed under this Chapter:</i></p> <p><i>(1) Development allowed by this Chapter may be carried out for the accommodation of the following only:</i></p>

	<p>(a) seniors or people who have a disability,</p> <p>(b) people who live within the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</p> <p>Reply to SEPP Control: -</p> <p>The proposed development will comply with Clause 18 of the SEPP in being restricted to persons 55 years and older.</p> <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless:</p> <p>(a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and</p> <p>(b) 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 in subclause (1).</p> <p>Reply to SEPP Control: -</p> <p>The development as proposed will comply with subclause (2) (a) and (b) of the SEPP.</p>
Clause 21. Subdivision	<p>Land on which development has been carried out under this Chapter may be subdivided with the consent of the consent authority</p> <p>Reply to SEPP Control: -</p> <p>Subdivision is not proposed. Rather, a consolidation is proposed to facilitate the resultant area to be operated as one identity under the management of Pepperfield Holdings Pty Ltd.</p>
Part 2 Site Related Requirements	
Clause 26. Location and access to facilities	<p>(1) 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 residents of the proposed development will have access that complies with subclause (2) to—</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p>

	<p>(2) Access complies with this clause if—</p> <p>(a) the facilities and services referred to in subclause (1) are located at a distance of 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—</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time, or</p> <p>(b) in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development—</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive),</p> <p>and the gradient along the pathway from the site to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3), or</p> <p>(c) in the case of a proposed development on land in a local government area that is not within the Greater Sydney (Greater Capital City Statistical Area)—there is a transport service available to the residents who will occupy the proposed development—</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive),</p>
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	<p><i>and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) complies with subclause (3).</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The resort's main buildings, Pepperfield House and Highgate House, are home to a range of diverse community services and amenities such as a hairdresser, gymnasium, day spa, business centre, movie theatre, library, café and lounge bar.</p> <p>Pepperfields' recreational facilities include an outdoor barbecue area, tennis court and heated indoor swimming pool, as well as both driving nets and putting greens for golfing enthusiasts.</p> <p>Compliance with sub-clause (2) (c) is satisfied as there is access to a regular transport service within 400m.</p> <p>Pepperfield Lifestyle coordinate transport to and from the village at the request of residents. This service is available seven days per week and takes the residents to and from their destination throughout the Southern Highlands.</p>
<p>Clause 27. Bushfire Prone Land</p>	<p><i>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as "Bush fire prone land—vegetation category 1", "Bush fire prone land—vegetation category 2" or "Bush fire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The subject property is not mapped as Bushfire Prone Land.</p> <p><i>(2) A consent authority, in determining a development application made pursuant to this Chapter to carry out development on land in the vicinity of land identified on a bush fire prone land map certified under section 10.3 of the Act as "Bush fire prone land—vegetation category 1", "Bush fire prone land—vegetation category 2" or "Bush fire prone land—vegetation buffer", must take into consideration the general location of the proposed development, the means of</i></p>

	<p>access to and egress from the general location and other relevant matters, including the following—</p> <ul style="list-style-type: none"> (a) the size of the existing population within the locality, (b) age groups within that population and the number of persons within those age groups, (c) the number of hospitals and other facilities providing care to the residents of the facilities within the locality, and the number of beds within those hospitals and facilities, (d) the number of schools within the locality and the number of students at those schools, (e) existing development within the locality that has been carried out under this Policy or State Environmental Planning Policy No 5—Housing for Older People or People with a Disability, (f) the road network within the locality and the capacity of the road network to cater for traffic to and from existing development if there were a need to evacuate persons from the locality in the event of a bush fire, (g) the adequacy of access to and from the site of the proposed development for emergency response vehicles, (h) the nature, extent and adequacy of bush fire emergency procedures that are able to be applied to the proposed development and its site, (i) the requirements of New South Wales Fire Brigades. <p>(3) In exercising its functions under subclause (1) or (2), a consent authority must consult with the NSW Rural Fire Service and have regard to its comments.</p> <p>Reply to SEPP Control: - The subject property is not identified as Bushfire Prone Land.</p>
<p>Clause 28. Water and Sewer</p>	<p>(1) 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.</p> <p>(2) If the water and sewerage services referred to in subclause (1) 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.</p>

	<p><i>Reply to SEPP Control: -</i></p> <p>The Pepperfield Lifestyle Resort at (No. 8) Wiseman Road has access to existing Council Water and Sewer infrastructure. As detailed within the accompanying specialist reports, these services are proposed to be extended into Lot 4 in Deposited Plan No. 829578 (No. 6) Wiseman Road to also provide service connection to the proposed development.</p>
Part 3 Design Requirements	
Division 1 General	
Clause 30. Site Analysis	<p>(1) <i>A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.</i></p> <p>(2) <i>A site analysis must:</i></p> <p>(a) <i>contain information about the site and its surrounds as described in sub-clauses (3) and (4), and</i></p> <p>(b) <i>be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site):</i></p> <p>(i) <i>explaining how the design of the proposed development has regard to the site analysis, and</i></p> <p>(ii) <i>explaining how the design of the proposed development has regard to the design principles set out in Division 2.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The Statement of Environmental Effects includes a site analysis that has been guided by the SEPP SL and prepared in accordance with the Bowral Township DCP.</p>
Clause 31. Design of In-fill self-care housing	<p><i>In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.</i></p> <p><i>Reply to SEPP Control: -</i></p>

	The recommendations contained within the Urban Design Guideline for Infill Development have been a consideration at the conceptual design stage for the proposed development.
Clause 32. Design of residential Development	<p><i>A consent authority must not consent to a development application made pursuant to this Chapter 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.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The design principles of Division 2 of the SEPP have been a consideration in the design of the proposed development and are detailed under the following section heading.</p>
Division 2 Design principles	
Clause 33. Neighbourhood amenity and streetscape	<p><i>The proposed development should:</i></p> <ul style="list-style-type: none"> <i>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</i> <i>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</i> <i>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</i> <ul style="list-style-type: none"> <i>(i) providing building setbacks to reduce bulk and overshadowing, and</i> <i>(ii) using building form and siting that relates to the site's land form, and</i> <i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</i> <i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</i> <i>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</i> <i>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</i> <i>(f) retain, wherever reasonable, major existing trees, and</i> <i>(g) be designed so that no building is constructed in a riparian zone.</i>

	<p><i>Reply to SEPP Control: -</i></p> <p>The guiding design queue for the development of Lot 4 in Deposited Plan No. 829578 at (No. 6) Wiseman Road has been the success of the development at the adjacent Pepperfield Lifestyle Resort at (No. 8) Wiseman Road. Within this existing development buildings have been placed to maximise the residential amenity of dwellings, avoid overshadowing and provide high quality outdoor spaces through the introduction of a quality landscape setting. The showcasing of this existing development offers Council the ability to fully envisage the product that is now on offer and proposed on the adjacent site.</p>
Clause 34. Visual and acoustic privacy	<p><i>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</i></p> <ul style="list-style-type: none"> <i>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</i> <i>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</i> <p><i>Reply to SEPP Control: -</i></p> <p>The queue for the preservation of visual and acoustic privacy is drawn from the design success evident by the currently operating Pepperfield Lifestyle Resort. The proposed development of adjacent Lot 4 in Deposited Plan No. 829578 at (No. 6) Wiseman Road will also, through informed building placement and appropriate building materials, similarly exhibit a high level of visual and acoustic privacy for future residents.</p>
Clause 35. Solar access and design for climate	<p><i>The proposed development should:</i></p> <ul style="list-style-type: none"> <i>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</i> <i>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.</i> <p><i>Reply to SEPP Control: -</i></p>

	<p>Access to solar amenity has been a guiding design objective in the proposed orientation of buildings and building openings and in the placement of buildings respective to the site. The use of vegetation as detailed within the accompanying landscape plan further will contribute towards passive energy efficiency. Proposed dwellings have been designed to meet Energy Efficiency requirements in compliance with BASIX as per the enclosed BASIX Multi-Dwelling Certificate.</p>
<p>Clause 36. Stormwater</p>	<p><i>The proposed development should:</i></p> <p><i>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</i></p> <p><i>(a) include, where practical, on-site stormwater detention or re-use for second quality water uses.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The subject property contains drainage depressions and a water storage dam. The site contains a highly modified watercourse within the northern part of the site.</p> <p>Potential water quality impacts have been assessed in detail in the accompanying Water Cycle Management Study, MUSIC Model and supporting drawings prepared by Sowdes. It is concluded within the WCMS and from the results of MUSIC Modelling that the proposed seniors living development will satisfy the 'Neutral or Beneficial Effect (NorBE) test for the protection of water quality in the disposal of stormwater.</p>
<p>Clause 37. Crime prevention</p>	<p><i>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</i></p> <p><i>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</i></p> <p><i>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</i></p>

	<p><i>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</i></p> <p><i>Reply to SEPP Control: -</i> Site planning in the relationship between open spaces and buildings and the placement of windows and building openings seeks to minimise opportunity for crime and to foster passive surveillance opportunities. These design objectives have informed the site layout, site landscaping and architectural design to result in a safe environment for seniors living.</p>
Clause 38. Accessibility	<p><i>The proposed development should:</i></p> <ul style="list-style-type: none"> <i>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</i> <i>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors</i> <p><i>Reply to SEPP Control: -</i> Pedestrian desire lines are reinforced by footpaths throughout the existing Pepperfield Lifestyle Resort and similarly pedestrian travel and access to car parking for residents and visitors is a key consideration in the site design of the proposed new development.</p> <p>The current development proposal similarly provides for obvious and safe pedestrian links from the site to Wiseman Road and within the site.</p> <p>Pepperfield Lifestyle coordinate transport to and from the village at the request of residents. This service is available seven days per week and takes the residents to and from their destination throughout the Southern Highlands.</p> <p>An access report prepared by Morris Goding Access Consulting accompanies this application and should be referred to for full details.</p>
Clause 39. Waste management	<p><i>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</i></p> <p><i>Reply to SEPP Control: -</i></p>

	<p>The proposed development provides for individual and collective waste and recycling storage areas. Waste and recycling materials generated within the site are to be stored on site prior to being transported to Council's approved waste recycling facility, as is the current satisfactory arrangement for the Pepperfield Lifestyle Resort at (No. 8) Wiseman Road.</p>
Part 4 Development standards to be complied with	
Division 1 General	
<p>Clause 40. Development standards – minimum sizes and building height</p>	<p>(1) <i>General</i> <i>A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.</i></p> <p>(2) <i>Site size</i> <i>The size of the site must be at least 1,000 square metres.</i></p> <p>(3) <i>Site frontage</i> <i>The site frontage must be at least 20 metres wide measured at the building line.</i></p> <p>(4) <i>Height in zones where residential flat buildings are not permitted</i> <i>If the development is proposed in a residential zone where residential flat buildings are not permitted:</i></p> <p>(a) <i>the height of all buildings in the proposed development must be 8 metres or less, and</i></p> <p><i>Note. Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See clauses 48 (a), 49 (a) and 50 (a).</i></p> <p>(b) <i>a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</i></p> <p><i>Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.</i></p> <p>(b) <i>a building located in the rear 25% area of the site must not exceed 1 storey in height.</i></p> <p>(5) <i>Development applications to which clause does not apply</i> <i>Sub-clauses (2), (3) and (4) (c) do not apply to a development application made by any of the following:</i></p> <p>(a) <i>the Department of Housing,</i> (b) <i>any other social housing provider.</i></p> <p><i>Reply to SEPP Control: -</i></p>

	<p>(2) The area of land that is proposed to be developed for the purposes of seniors living is 3.991 hectares and therefore complies with the minimum site area control of 1,000m².</p> <p>(3) A minimum site frontage requirement of 20m is stated. The site has a primary, southern property frontage to Wiseman Road measuring approximately 195m and complies with the minimum site frontage requirement.</p> <p>(4) The subject land is zoned E3 Environmental Management and is a zone wherein residential flat buildings are not permitted.</p> <p>(a) The height of all proposed buildings is to be less than 8m above natural ground level.</p> <p>(b) The proposed development calls for all buildings to be single storey throughout.</p> <p>(c) The rear 25% of the site must be single storey. The development proposes single storey buildings throughout.</p> <p>(5) The development is not proposed by the Department of Housing or by a social housing provider.</p>
Division 3 Hostels and self-contained dwellings – standards concerning accessibility and useability	
Clause 41. Standards for hostels and self-contained dwellings	<p><i>A consent authority must not consent to a development application made pursuant to this Chapter to carryout development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.</i></p> <p><i>Reply to SEPP Control: -</i></p> <p>The subject site is not identified under Schedule 3.</p>
Part 7 Development Standards that cannot be used as grounds to refuse consent	
Division 4 Self Contained Dwellings	
Clause 50. Standards that cannot be used to refuse development consent for self – contained dwellings	<p><i>A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds:</i></p> <p>(a) <i>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),</i></p> <p>(b) <i>density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</i></p> <p>(c) <i>landscaped area: if:</i></p>

	<p>(i) in the case of a development application made by a social housing provider—a minimum 35 square metres of landscaped area per dwelling is provided, or</p> <p>(ii) in any other case—a minimum of 30% of the area of the site is to be landscaped,</p> <p>(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,</p> <p>(e) solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</p> <p>(f) private open space for in-fill self-care housing: if:</p> <p>(i) in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and</p> <p>(ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area,</p> <p>(g) (Repealed)</p> <p>(h) parking: if at least the following is provided:</p> <p>(i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or</p> <p>(ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider.</p> <p>Reply to SEPP Control: -</p>
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	<p>(a) Building height: All buildings are to be single storey and will be less than 8m above Natural Ground Level.</p> <p>(b) Density and Scale: A maximum FSR of 0.5:1 is allowed for a seniors' living development under Part C Section 8 of the Bowral Township DCP. An FSR of 0.5:1 would equate to a combined building floor area of 60,630.5m² over the combined area of the adjacent sites. The resultant FSR for all buildings (both existing and proposed) is expressed as a calculation of the existing and proposed floor area of 20,479m² divided by the aggregate site area of 121,118m². The product of this calculation equates to an FSR of 0.17:1 which is well within the stated DCP maximum FSR control.</p> <p>(c) (ii) Landscaped area: The minimum requirement for landscaping area is 30% of the total site area. Reference to the accompanying architectural drawings prepared by Evolving Design and Drafting confirms that the development proposes a hardstand area of 15,359m² for a given site area of 39,991m² which equates to a total hardstand area of 38%. A subtraction of the hardstand area reveals an available landscape area of 62% for the subject site (No. 6) Wiseman Road. Upon consolidation of the subject lots as proposed by the development the total site area would be 121,118m². The aggregate hardstand area would equate to 39% overall and leave a residual 61% available to landscaping. In either scenario the development readily complies with the 30% minimum landscape requirement. Reference should be made to the accompanying landscape drawings for full details of proposed common landscape areas, private landscape areas, turf areas and existing undeveloped land within the northern part of the site that is proposed to remain undeveloped as an outcome of flood affectation.</p> <p>(d) Deep Soil Zone: A minimum 15% DSZ is required and is preferably to be sited within the rear two thirds of the site. In this regard it is to be noted that the rear, northern part of the site is not proposed to be developed as a hardstand area as an outcome of flood affectation. Reference is to be made to the accompanying landscape drawings that are available for review to demonstrate compliance with the SEPP Control.</p> <p>(e) Solar Access: The living spaces of each of the proposed dwellings have been orientated to maximise solar access and minimise overshadowing. BASIX compliance for energy efficiency is readily achieved as is demonstrated within the accompanying plans and BASIX Certificates.</p> <p>(f) (i) Private Open Space: A minimum of 15m² is required per dwelling with a minimum area dimension of 3m x 3m that is to be accessible from a ground floor living area. Reference is to be made to the accompanying</p>
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	<p>landscape drawings that are available for review to demonstrate compliance with the SEPP Control.</p> <p>(g) N/A</p> <p>(h) (i) 0.5 car parking spaces per bedroom is the standard and reference to the accompanying architectural site drawing prepared by Evolving Design and Drafting reveals that the development proposes eighty-one (81) two-bedroom units within forty-five (45) buildings for a total of one hundred and sixty-two (162) bedrooms. This number of bedrooms generates the need for a minimum of eighty-one (81) car parking spaces (162 multiplied by 0.5 = 81 spaces). The development proposal calls for the introduction of eighty-one (81) resident car parking spaces and forty-nine (49) visitor car parking spaces, of which four (4) are proposed to be accessible parking spaces. The car parking allocation is accordingly in compliance with the SEPP 0.5 car parking spaces per bedroom control.</p>
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4.7 South East and Tablelands Regional Plan 2036

The *South East and Tablelands Regional Plan 2036* projects an anticipated growth in the population of Wingecarribee Shire to trigger a need to supply an additional 3,300 new dwellings up to 2036. The proposed introduction of eighty-one (81) seniors living units to comprise one hundred and sixty-two (162) bedrooms will assist Wingecarribee Shire to meet current and future demand for high quality seniors living accommodation. This objective is considered consistent with the Plan in providing for additional variety in housing choice.

4.8 Wingecarribee Local Planning Strategy 2015 - 2031

The *Wingecarribee Local Planning Strategy 2015 – 2031* has application to developments proposed within the Wingecarribee Shire, with objectives divided up between parts of the Shire zoned Residential, Rural and Environmental with differing objectives for each of the towns and villages.

The Strategy seeks to facilitate residential growth within the existing confines of towns and villages. The suitability of the location for a seniors' living development despite the zoning of Environmental has been confirmed via the inclusion of the site into the WLEP 2010 Additional Permitted Uses Table under Schedule 1. The location is considered suitable for seniors living and supports an existing self-care senior living development adjacent on Wiseman Road.

4.9 Wingecarribee Local Environmental Plan 2010 (WLEP 2010)

Under the provisions of WLEP 2010, the subject lands are zoned E3 Environmental Management wherein a seniors' living development is not identified as a permissible land use. The proposed seniors living development of the land is considered permissible with Council consent by means of WLEP 2010 Amendment No. 55 published 16th October 2020. The LEP Amendment added the subject site Lot 4 in Deposited Plan No. 829578 to Schedule 1 'Additional Permitted Uses' following support for a Planning Proposal that was instigated by the landowner.

Item 36 of Schedule 1 'Use of certain land at Wiseman Road senior housing' states:

- (1) This clause applies to land known as the Wiseman Road senior housing site, edged red on the Schedule 1 Map and numbered 36.
- (2) Development for the purposes of seniors housing is permitted with consent.

WLEP 2010 Applicable Clause	Compliance
Clause 1.2 Aims of Plan	<p>The proposed seniors living development is an appropriate form of development for the location and will be complimentary to the existing seniors living development located adjacent at (No. 8) Wiseman Road. In specific reference to the Aims of the WLEP 2010, it is considered that the proposal satisfies subclause (2) (d) stated as follows:</p> <p>(d) to provide opportunities for development and land use activities that—</p> <p>(i) make an effective contribution towards the economic wellbeing of the community in a socially and environmentally responsible manner, and</p> <p>(ii) do not adversely impact on natural systems and processes and the overall quality of Wingecarribee's natural environment, and</p> <p>(iii) retain the critical natural, rural and built environmental landscape elements that make up the scenic and cultural heritage value of Wingecarribee.</p>
Clause 2.2 Zoning of the land to which the Plan applies	<p>The subject land is zoned E3 Environmental Management under the WLEP 2010. Whilst a seniors living is not identified with the E3 zone as a permissible land use activity, permissibility for this type of development is enabled via inclusion of the subject site under Schedule 1, Item 36 of the WLEP 2010.</p>



Clause 2.3 Zone objectives and the Land Use Table	The proposed development is consistent with the zone objectives for the E3 Environmental Management zone in that the proposed development will provide for a limited range of development that does not have an adverse effect upon the ecological, scientific, cultural or aesthetic values of the location.
Clause 2.6 Subdivision Consent Requirements	N/A. A subdivision of land is not proposed.
Clause 4.1 Subdivision Minimum Lot Size	The subdivision minimum lot size for the subject property zoned E3 Environmental Management is 4Ha.
Clause 4.6 Exceptions to Development Standards	No application for Council's consideration for an exception to any development standard is required.
Clause 5.10 Heritage Conservation	The subject property is NOT identified as an Item of Heritage under Schedule 5 of the LEP and is not identified with any Heritage Conservation Area.
Clause 7.4 Natural Resources Sensitivity: Biodiversity	<p>The subject property is not located within any Regional Wildlife Corridor. The subject site is characterised by cleared open pasture-improved paddocks, with some established gardens and planted lines of trees around the existing dwelling.</p> <p>The existing dam and associated vegetation would be retained.</p> <p>The proposed development would not clear native vegetation. The BC Act does not apply.</p>
Clause 7.5 Natural Resources Sensitivity: Water	The subject property Lot 4 in DP 829578 includes a watercourse within the north of the site that has been modified via containment within canals. This northern part of the site that includes the modified watercourse is not proposed to be developed for the purposes of seniors living accommodation.
Clause 7.6 Extractive mineral resources	The subject site is not mapped by Council or the State Government as containing any potential extractive material and is not located within any potential extractive material buffer zone.
Clause 7.9 Flood Planning	The objectives of the clause are stated as:

	<p>(a) to minimise the flood risk to life and property associated with the use of land,</p> <p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected climate change,</p> <p>(c) to avoid significant adverse impacts on flood behaviour and the environment.</p> <p>In compliance with the clause objectives, a Flood Assessment Report has been prepared to assess potential impacts. The report prepared by FloodMit considers the extent of the catchment area and identifies that part of the site that is flood affected. The placement of proposed buildings within the site has been informed by the findings of the flood report.</p>
Clause 7.10 Public Utility Infrastructure	<p>All services are available within the location and currently are provided to the existing seniors living development at (No. 8) Wiseman Road. Service connections are proposed to be similarly extended into (No. 6) Wiseman Road. Reference is made to the Water and Sewer Development Impact Assessment prepared by Cardno and the sewer drainage plans prepared by SOWDES that accompanies the DA information package.</p>

4.10 Wingecarribee Development Control Plan – *Bowral Township DCP*

The subject land is zoned E3 Environmental Management under which zone a seniors' living development is not identified as a form of development that is permissible and is therefore a prohibited land use. The zoning prohibition is however set aside by the inclusion of the subject land under Schedule I of the WLEP 2010 that allows development of the site for the purposes of seniors living. The planning circumstances of the site have the result that the Wingecarribee Development Control Plan - *Rural Lands* does not have application.

Rather, the Wingecarribee Development Control Plan – *Bowral Township* applies to the site and to the development proposal by virtue of Part C Section 23 'Wiseman Road Precinct'. Section 8 of Part C of the DCP further sets out the requirements for seniors living.

Having established that the Bowral Township DCP is the appropriate local planning control, compliance with the relevant DCP sections is set out under the following table: -

Bowral Township DCP – Applicable Clauses	Comment on Compliance
Part A: All land	
Section 1 Introduction	
Part A Section 1.3 Land to which this Plan applies	The property is included for an assessment under Chapter 8 of the DCP by virtue of Part C Section 23 'Wiseman Road Precinct'.
Section 2 General Objectives	
Part A Section 2.2.4 Residential Amenity	The proposed seniors living development is consistent with the Section in providing opportunities for an elevated level of future residential amenity for seniors 55 years and older.
Section 3 Biodiversity	
Part A Section 3.2 Flora and Fauna Assessment	<p>The subject site is characterised by cleared open pasture-improved paddocks, with some established gardens and planted lines of trees around the existing dwelling.</p> <p>The existing dam and associated vegetation would be retained.</p> <p>The proposed development would not clear native vegetation. The BC Act does not apply.</p>
Section 4 Water Management	
Part A Section 4.1 Protection of Watercourses and Riparian Land	The subject property contains drainage depressions and a water storage dam. The site contains a highly modified watercourse within the northern part of the site that does not constitute waterfront land and does not qualify as riparian land.
Section 5 Flood Liable Land	
Part A Section 5.3.2 Flood Risk Precincts	The subject site is in part affected by flood prone land. Part C Section 23 of the Bowral Township DCP requires that a flood assessment be undertaken in accordance with Section 5. A Flood Assessment Report therefore accompanies the DA. The report has assessed the flood risk factor relative to the proposed development and has informed the placement of proposed buildings within the site.

Section 6 Vegetation Management and Landscaping	
Part A Section 6.1.9 Application for Tree Removal	An assessment of trees located within the site has been undertaken by a suitably qualified arborist. The findings of the arborist inspection have been detailed within an Arboricultural Report that is an accompaniment to the DA.
Section 7 Subdivision, Demolition, Siting and Design	
Part A Section 7.1.1 Minimum Lot Sizes	N/A. The proposed development does not call for a subdivision of land that would require an assessment under Clause 4.1 of the WLEP 2010.
Part A Section 7.1.2 Building Envelopes	N/A. The proposed development is for a seniors' living development and includes full architectural drawings of all proposed buildings.
Part A Section 7.1.3 Noxious and Environmental Weeds	The land is not believed to support the presence noxious and environmental weeds. A definitive determination is subject to Council's Weeds Officer inspection.
Part A Section 7.1.4 Landscape Embellishment	The need for landscape embellishment is an integral component of the design of the development which aims to create an attractive outdoor environment for future residents. To assist Council in the assessment of proposed landscaping a detailed landscape plan therefore accompanies the DA. The plan sets out the proposed treatment of open spaces, garden beds and proposed tree plantings.
Part A Section 7.1.5 Street Trees	Street trees are existing to the property frontage as identified within the accompanying Arboriculture Report. The need for additional plantings to the Wiseman Road frontage is subject to Council's assessment of the enhancement of roadside amenity.
Part A Section 7.2 Demolition	Consideration for the demolition of an existing dwelling is sought as part of the development of (No. 6) Wiseman Road for the purposes of seniors living.
Part A Section 7.3 Site Analysis	A comprehensive site analysis forms part of the Statement of Environmental Effects report.

Part A Section 7.4 Cut and Fill	Maximum Cut and fill parameters for the site may be conditioned by Council following an assessment of site detail information that is an accompaniment to the DA package.
Part A Section 7.5 Shipping Containers	No shipping containers (a prohibited form of development) are located within the subject site.
Part C – Residential zoned land	
Section 8 Seniors housing	
Part C Section 8.1. Introduction	Section 8.1 Introduces the DCP Section for the assessment of seniors housing.
Part C Section 8.2. General Objectives	Sets out the general objectives to increase the supply of seniors housing whilst making efficient use of infrastructure and services and for development to be of good design.
Part C Section 8.3. Neighbourhood Amenity and Streetscape	<p>Criteria (a) through to (f) are set out under the DCP Section and are responded to as follows:</p> <ul style="list-style-type: none"> (a) The proposed new buildings will be architecturally compatible with those of the existing Pepperfield Lifestyle Resort and contribute to the quality and identity of the area. (b) The development of the site does not require consideration of any heritage values. (c) (i) through to (v): Proposed building setbacks to Wiseman Road and the bulk, scale and massing of new buildings make consideration for the minimisation of impacts upon neighbouring property and the streetscape. Setbacks are in sympathy with but not necessarily the same as other setbacks within Wiseman Road. (d) Proposed landscape species selection has been chosen to be sympathetic to vegetation within the surrounding area without necessarily being the same. (e) Existing trees where possible are proposed to be retained. (f) No proposed building is to be constructed within a riparian zone.

Part C Section 8.4. Visual and Acoustic Privacy	<p>Criteria (a) and (b) are set out under the DCP Section and are responded to as follows:</p> <p>(a) The importance of visual privacy in respect to window and other openings has been a consideration in the orientations of building facades.</p> <p>(b) The placement of bedrooms for new dwellings would not be impacted upon to an unacceptable level by noise from driveways, parking areas and paths.</p>
Part C Section 8.5 Solar Access and Design for Climate	<p>Criteria (a) and (b) are set out under the DCP Section and are responded to as follows:</p> <p>Adequate solar access and design for energy efficiency have been a cornerstone consideration at the design phase. Proposed dwellings have been designed to meet Energy Efficiency requirements in compliance with BASIX as per the enclosed BASIX Multi-Dwelling Certificate.</p>
Part C Section 8.6 Crime Prevention	<p>Criteria (a) through to (c) as set out under the DCP Section are responded to as follows:</p> <p>Site planning in the relationship between open spaces and buildings and the placement of windows and building openings seeks to minimise opportunity for crime and to provide passive surveillance opportunities. These design objectives have informed the site layout, site landscaping and architectural design.</p>
Part C Section 8.7 Accessibility	<p>Criteria (a) and (b) as set out under the DCP Section are responded to as follows:</p> <p>Obvious and safe pedestrian links from the site to Wiseman Road and within the site have been provided for within the site design. Convenient and safe access to parking has been provided for within the site. An access report prepared by Morris Goding Access Consulting accompanies this application under separate cover.</p>

Part C Section 8.8 Standards for hostels and self-contained dwellings	The proposed development complies with Criteria (a) through to (h) in terms of access standards for self-contained dwellings.
Part C Section 8.9 Height Controls	The Section applies to residentially zoned land and therefore does not apply to the subject land. All buildings are however proposed to be of a residential scale and are to be of single storey design to compliment the context of the local environmental setting.
Part C Section 8.10 site Design	Criteria (a) through to (c) as set out under the DCP Section are responded to as follows: Wheelchair access shall be complaint with AS 1428.1. Pathway lighting and letterbox design and location shall comply with the DCP Section.
Part C Section 8.11 On Site Car Parking	Criteria (a) through to (c) as set out under the DCP Section are responded to as follows: Car parking space widths and allocation are to be compliant with AS 2890. Garage roller doors will be motorized and compliant with the DCP Section control.
Part C Section 8.12 Entry and Corridors	Entrances and corridor widths are to be compliant with the relevant Australian Standards.
Part C Section 8.13 Bedrooms	At least one bedroom within each of the proposed dwelling units shall be of sufficient dimensions to be compliant with the DCP Section controls.
Part C Section 8.14 Bathrooms	At least one bathroom within each of the proposed dwelling units shall be compliant with the DCP Section controls.
Part C Section 8.15 Other Requirements	Other requirements are set out under (a) through to (n) of the DCP Section and are responded to as follows: The DCP Section relates to specific design requirements for the functional spaces of self-contained dwellings. Dwellings have been designed to comply with the DCP Section requirements.

Section 23 Wiseman Road Precinct	
Part C Section 23.1.1 Location and Character	The DCP section describes the local setting.
Part C Section 23.1.2 Development Concepts	The DCP section calls in an assessment under Part C Section 8 'Seniors Housing' of the DCP as responded to within this table.
Part C Section 23.1.3 Preferred Development Outcomes	<p>Preferred Outcomes for the DCP Section are set out under bullet points and are responded to as follows:</p> <ul style="list-style-type: none"> ▪ The proposed development is located to the north of Wiseman Road which will define the boundary between seniors living development and rural lands to the south of Wiseman Road. ▪ Existing street trees are to be retained to Wiseman Road and a detailed landscape design plan and an Arboricultural Assessment Report have been prepared in support of the proposal. ▪ The bulk, scale and massing of proposed buildings have been designed to reflect a transition between urban land to the north of Kangaloon Road and the rural landscape setting to the south of Wiseman Road. ▪ The site constraints of flood affected lands and drainage lines have been fully considered within the accompanying Flood Assessment Report.
Part C Section 23.1.4 Vegetation Retention	
1.4.3 Vegetation Controls	<p>Controls for the DCP Section are set out under bullet points and are responded to as follows:</p> <ul style="list-style-type: none"> ▪ Street trees located to north and south of Wiseman Road represent a linear demarcation between development to the north of Wiseman Road and the rural landscape setting to the south of Wiseman Road. Existing street trees are proposed to be retained to maintain this desired setting and additional street tree plantings will be provided if required by Council in accordance with DCP Section 23.1.7. ▪ Mature trees located to the north of Lot 4 in DP 829578 and to the south of Kangaloon Road form a visual buffer

	<p>between the proposed development and Kangaloon Road. The associated property falls outside of the land area that is proposed to be developed.</p> <ul style="list-style-type: none"> ▪ A minimum of 40% of the subject site Lot 4 in DP 829578 is required to be landscaped. The accompanying site plan and detailed landscape plan demonstrate compliance with the site area control. ▪ A detailed landscape plan has been prepared and has been informed by an Arboricultural Report prepared by Summit Tree Services. Both documents accompany the DA information package to assist Council in determining the proposed vegetation enhancements to the site surrounds.
23.1.5 Flooding and Stormwater	
1.5.1 Flooding and Stormwater: Objectives	Sets out the Section objectives (a) and (b).
1.5.2 Flooding and Stormwater: Controls	<p>The Section calls for an assessment under Part A Section 5 'Flood Liable Land' of the DCP. Controls for the DCP Section are set out under bullet points and are responded to as follows:</p> <ul style="list-style-type: none"> ▪ A Flood Assessment Report accompanies the DA and has been prepared in consideration of the specific sensitivities of seniors living development to flood risk. ▪ The implications of the drainage line located within the eastern part of Lot 4 in DP 829578 have been assessed within the Flood Assessment Report prepared by FloodMit and within the Water Cycle Management Study prepared by Sowdes.
23.1.6 Built Form, Scale and Density	
1.6.1 Built Form, Scale and Density: Objectives	Sets out the objectives to facilitated quality development and minimise potential negative impacts.
1.6.2 Built Form, Scale and Density: Controls	<p>Controls for the DCP Section are set out under bullet points and are responded to as follows:</p> <ul style="list-style-type: none"> ▪ As a single storey development, no buildings will be in excess of two storeys. ▪ Reference to the accompanying site plan drawing confirms that the proposed

	<p>development complies with the maximum FSR Density of 0.5:1.</p> <ul style="list-style-type: none"> Proposed primary building setback to Wiseman Road has been arrived at in consideration of the visual impact of new buildings to the street and appropriate landscape treatments and tree placement to mitigate the bulk of buildings when viewed from the street and from rural properties to the south of Wiseman Road.
23.1.7 Transition to Rural Interface	
1.7.1 Transition to Rural Interface: Objectives	Sets out the objectives for design consideration of the interface between urban developments located to the north of Kangaloon Road and rural developments located to the south of Wiseman Road.
1.7.2 Transition to Rural Interface: Controls	<p>Controls for the DCP Section are set out under bullet points and are responded to as follows:</p> <ul style="list-style-type: none"> Enhancement plantings to existing street trees along Wiseman Road are required to reinforce a delineation between urban developments to the north and the rural landscape to the south of Wiseman Road. Additional trees will be planted by the developer if required by Council. Additional tree plantings to the southern side of Wiseman Road shall be of a mix of evergreen and deciduous species that considered by Council as appropriate. Additional tree plantings to the northern side of Wiseman Road shall be of deciduous species only that considered by Council as appropriate. Reference to the accompanying site and site landscape plan will confirm that the proposed development as designed represents a graduation in site density between urban developments to the north of Boardman Road and rural land located to the south of Wiseman Road.

5 KEY ASSESSMENT ISSUES

5.1 Permissibility

Under the provisions of WLEP (2010) the site is zoned E3 Environmental Management wherein as seniors living development is not identified as a permissible land use activity. The DA has rather been lodged under the provisions of WLEP 2010 Amendment No. 55 published 16th October 2020. The LEP Amendment No. 55 added the subject site Lot 4 in Deposited Plan No. 829578 to Schedule 1 'Additional Permitted Uses':

Item 36 of Schedule 1 'Use of certain land at Wiseman Road senior housing' states:

- (1) This clause applies to land known as the Wiseman Road senior housing site, edged red on the Schedule 1 Map and numbered 36.
- (2) Development for the purposes of seniors housing is permitted with consent.

5.2 Property Description

The subject site is described as Lot 4 in Deposited Plan No. 829578 (No. 6) Wiseman Road and Lot 1000 in DP 1117715 (No. 8) Wiseman Road at Bowral.

5.3 Topography

The site is generally level with a 4% average gradient over the site and slopes generally from the south towards the north and the northeast. The built form of the seniors' living development is proposed within the southern portion of the site that is generally level in topography. The north of the site is at a slightly lower elevation relative to the southern parts of the site and contains land that is flood affected. The central and southern parts of the site that are proposed to be developed are flood free as discussed within the accompanying Flood Report.

5.4 Vegetation and Water

No native vegetation of significance is identified with the subject site. A quantity of trees, in the majority being non-native species, are located at (No. 6) Wiseman Road and are identified within the accompanying Arboriculture Report. The proposed removal of trees to facilitate the development of the land is proposed to be compensated for via the introduction of quality new landscaping including feature trees as identified within the accompanying landscape plan.

The site slopes generally from the south at Wiseman Road to the northeast, draining to a dam located within the site over which a 5m wide easement for the drainage of stormwater is registered. The dam forms an integral part of Council's local drainage network. Potential water quality impacts have been assessed in detail in the accompanying Water Cycle Management Study, MUSIC Model and supporting drawings prepared by Sowdes. It is concluded within the WCMS and from the results of MUSIC Modelling that the proposed seniors living development will satisfy the 'Neutral or Beneficial Effect (NorBE) test for the protection of water quality.



5.5 Improvements, Restrictions and Uses

Lot 4 in DP 829578 (No. 6) Wiseman Road supports a detached dwelling and landscaped surrounds that includes established trees. A dam is located within the northeast of the site. Existing and proposed arrangements for easements for water and electricity services are detailed within the accompanying site plan drawing.

Lot 1000 in DP 1117715 (No. 8) Wiseman Road supports the Pepperfield Lifestyle Resort seniors living development that is comprised of a total of fifty-three (53) buildings described as Stages one (1) through to four (4) within the accompanying site plan drawing. New buildings associated with proposed Stages five (5) through to seven (7) are proposed along the common boundary line between Lot 1000 in DP 1117715 and Lot 4 in DP 829578. A lot consolidation is therefore proposed to permit the proposed locations of buildings over the existing lot boundaries.

5.6 Traffic Generation and Car Parking

The proposed seniors living development would result in an increase in vehicular traffic movements to Wiseman Road and an increase in vehicles using Local Council roads. The accompanying Traffic Report prepared by Positive Traffic dated March 2021 concludes:

- 1. The potential traffic generation of the development would not impact on the surrounding road network to a point of detriment.*
- 2. Intersections in the immediate vicinity of the development would operate at a satisfactory level of service in the future at full development without any need for capacity improvements.*
- 3. The proposed on-site parking provision complies with the requirements of Council's DCP and is considered satisfactory.*
- 4. The design of the on-street parking areas complies with the requirements of the Australian Standard for Off Street Car Parking Facilities AS2890.1 and AS2890.5.*

Reference to the SEPP SL reveals that a car parking allocation of 0.5 spaces per bedroom is the standard. The Whole Site drawing prepared by Evolving Design and Drafting reveals that the development proposes eighty-one (81) two-bedroom units within forty-five (45) buildings for a total of one hundred and sixty-two (162) bedrooms.

The proposed number of bedrooms generates the need for a minimum of eighty-one (81) car parking spaces (162 beds multiplied by 0.5 = 81 spaces). The development proposal calls for the introduction of eighty-one (81) resident car parking spaces and forty-nine (49) visitor car parking spaces, of which four (4) are proposed to be accessible parking spaces. The car parking allocation is therefore consistent with the SEPP 0.5 car parking spaces per bedroom control.



5.7 Heritage Impacts

The property is not included in the WSC Local Environment Plan in Schedule 5 as an item of environmental heritage and is not located within the mapped extent of any Heritage Conservation Area.

6 ENVIRONMENTAL EFFECTS

6.1 Environmental Planning Instruments

The development proposal is affected by the provisions of SEPP (*Sydney Drinking Water Catchment*) 2011. As addressed in Chapter 4.3 of this report, the development proposal would have a neutral or beneficial impact on water quality.

6.2 Draft Environmental Planning Instruments

There are no Draft Local Environment Plans that apply to the proposal.

6.3 Development Control Plans

WDCP – *Bowral Township* applies to the site and to the development proposal. As outlined in this Statement of Environmental Effects, the proposed development satisfies Part A ‘All Land’ and Part C Section 8 and Section 23 provisions in terms of both relevant objectives and development controls.

6.4 Planning Agreements under Section 7.4 of the EP&A Act

There are no Planning Agreements that have been entered into or that are offered to be entered into by the developer pursuant to Section 7.4 of the EP&A Act.

6.5 Matters Prescribed by the Regulations

There are no relevant matters prescribed by the Regulations that affect the development proposal.



6.6 Likely Impacts of the Development

6.6.1 Natural Environment

The subject site is not located within any designated environmentally sensitive zone. The proposed development would include the introduction of new landscaping that will result in the introduction of new trees as part of the passive outdoor spaces within the development. The subject site is not mapped as Bushfire Prone Land.

Erosion and Sediment Control measures will be implemented during construction to ensure no sediment laden stormwater runoff enters the natural drainage network. Reference is to be made to the accompanying Conceptual Erosion and Sediment Control Plan drawing prepared by Sowdes. As demonstrated within the accompanying Water Cycle Management Study and MUSIC Model Report prepared by Sowdes, it can be demonstrated that there will be a neutral or beneficial impact upon water quality.

6.6.2 Built Environment

The proposed seniors living development has been designed as a compliment to the built form of the existing Pepperfield Lifestyle Resort located at (No. 8) Wiseman Road. The result is envisaged to be a high-quality built environment over the combined site area that will cater towards seniors both locally and those wishing to relocate to retire to the Southern Highlands.

6.6.3 Social Impacts

The proposed seniors living development is anticipated to have a positive social impact by providing a quality living arrangement with a high level of access to services both within the site and within nearby Bowral.

6.6.4 Economic Impacts

The proposed seniors living development would be expected to have a positive economic impact on the local economy, both during the construction phase for the development and when operational through stimulus of the local suppliers and labour market.

6.7 Suitability of the Site

The site is considered suitable for the purposes of seniors living in being identified under the WLEP 2010, Schedule 1 'Additional Permitted Uses', Item No. 36 'Use of certain land at Wiseman Road senior housing site'.

As discussed within this SoEE report, there are no constraints affecting the subject site or adjacent properties that render the proposed development unsuitable or inappropriate. The subject site is not mapped as Bushfire Prone Land and is not identified with other mapped constraints such as potential geotechnical or ecological concerns. A northern portion of Lot 4 in DP 829578 is identified with the



mapped extent of flood prone land. The accompanying Flood Assessment Report details the constraints posed by this affectation and how these have been addressed in the design of the proposed development.

6.8 Public Submissions

Any public submissions received in response to notification of the development proposal are required to be considered in the light of Part 4, Division 4.3, Section 4.15 of the *Environmental Planning and Assessment Act 1979* having regard to:

- > The stated and underlying objectives of the relevant planning controls;
- > The specific merits and circumstances that apply to the proposed development and the site;
- > The acceptable nature of the likely impacts of the proposal;
- > The suitability of the site in accommodating the proposed development; and
- > The acceptable nature of the proposal when considering the wider public interest.

6.9 The public interest

Having regard to the contents of this SoEE report, it is considered there are no matters that warrant refusal of the development proposal on grounds of it being contrary to the public interest. On the contrary, the provision of additional high quality seniors housing is consistent with State and Local Planning objectives and support for the proposed development is in the greater public interest.



7 CONCLUSION

The proposed development has been assessed against the provisions of Part 4, Division 4.3 Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

On balance and having regard to the following, it is concluded that the development is satisfactory and warrants development consent:

The site is considered suitable for the purposes of seniors living and has been identified as such under the WLEP 2010, Schedule 1 'Additional Permitted Uses', Item No. 36 'Use of certain land at Wiseman Road senior housing site'.

There are no constraints affecting the subject site or adjacent properties that render the proposed development unsuitable or inappropriate.

The subject site is not mapped as Bushfire Prone Land or with other identified constraints such as geotechnical or ecological concerns. A northern portion of Lot 4 in DP 829578 is identified with flood prone land. The accompanying Flood Assessment Report details the constraints and how these are to be addressed in the development of the site.

In summary it can be concluded that there are no matters that warrant refusal of the proposal on grounds of it being contrary to the public interest. The proposal is consistent with the provisions of *Wingecarribee Local Environmental Plan 2010* Schedule 1 and the relevant controls for the development set out under the *SEPP (Housing for Seniors or People with a Disability) 2004* and the *Bowral Township DCP 2010*. The proposal has merit and warrants Council's support by way of the issue of an approval notice.



Disclaimer

This report is believed to be true and correct at the time of writing. It is based on the information provided by the client and other relevant organisations during preparation. HOGAN PLANNING - Town Planning Consultants does not accept any contractual, tortious or other form of liability for any consequences arising from its use. People using the information in the report should apply and rely on their own skill and judgment to a particular issue they are considering. This report shall be used solely for the purpose of this proposal and shall not be replicated or altered.





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22 May 2022

General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Attention: Ms Lindsey Dey

Dear <s Dey,

DA 22/0214 – Proposed Seniors Living Development – (Nos. 6-8) Wiseman Road, Bowral

Reference is made to the Council request for additional information dated 13 December 2021 and the subsequent Teams meeting held on 9 February 2022.

It is noted that no objection to the development has been raised by Transport for NSW (TfNSW), Natural Resources Access Regulator, Council's consulting Ecologist, Council's Water and Sewer Engineer, and Council's Accredited Certifier.

In response to matters raised within the Council RFI, I provide the following responses: -

Relevant Legislation

Clause 4.6 of the Statement of Environmental Effects addresses the State Environmental Planning Policy (Housing for Seniors and people with a Disability) 2004. The architectural statement accompanying this correspondence also addresses the SEPP.

Bowral Township DCP

Clause 4.10 of the SoEE addresses the relevant provisions of the governing DCP. The proposed community hall will add to the existing communal facilities to be enjoyed by ALL residents of both 6 and 8 Wiseman Road, Bowral.

External and Internal Referral Responses – Council Development Engineer

The 'suggestion' is for single detention basin and discharge to creek for OSD and rainwater tank requirements, and to remove the multiple raingardens in favour of a single treatment device.



The staged nature of the development precludes these options as each stage must achieve NorBE. If a single system is installed then it will be over engineered for the early stages, and the single management system would need to be located in the lower levels of the site therefore consuming valuable land area that is used for road and villa development. The current design allows for each stage to meet NorBE, and for each cluster of units to manage the reuse of rainwater. The use of rainwater tanks and raingardens around the site effectively treats the stormwater runoff at the point source which is far more effective. It is also noted that an existing source of external stormwater from the lands on the opposite of Wiseman Road will discharge into the proposed stormwater drainage system to be directed through the site and drain into the creek, a single detention and treatment system would need to include this source of water which is not standard practice, or a completely separate line would need to be installed to cater for this source alone.

Flooding and Water Catchment

Council requires that all roads and buildings be outside the PMF flood level, and provision be made for the drainage of an external catchment from the opposite side of Wiseman Road (0.81 hectares).

A small section of road between chainages 85 and 128 within Western Parade has been designed to site just below the modelled PMF flood level with the maximum depth being less than 300mm. The road can be designed to sit above the PMF level in this area if required however there is safe egress in either direction from this sag point such that vehicles do not need to pass through the PMF water level to evacuate. From a hydraulic hazard perspective, the water depth of 300mm is deemed a low risk.

The floor levels for all buildings (units 96, 97, 98, 99, 114, 115, 116, 117, 118, 159, 160 and 161) are designed to be above the PMF level with a table in the architectural plans noting the levels, and all listed buildings are above the road level at the front of the footprints.

The proposed sewer pump station is designed at a finished level of 669.20 which well above the PMF level of 668.00 at the corresponding location.

The Water Cycle Management Study report acknowledged the source of external water from the opposite side of Wiseman Road (page 5 and 6 – Items 2.10 and 2.11) and the stormwater drainage plans show Pit 1.6 inside the southern boundary of the development property collecting that water and connecting into the internal network. As mentioned above, this is one reason why a single detention and treatment system is not preferred for the development as it will be handling sources external and above what is generated from within the site.

Ecological, Flora and Fauna

Council's Ecological consultant indicates that there is no issue with the proposed development. The proposal will not have a detrimental impact on the Riparian (Category 3) land (WLEP 2010).

Correspondence prepared by Hayes Environmental (dated 18 October 2021) which concludes: -

Given the extremely limited extent and isolation of native vegetation present at 6 Wiseman Road, Bowral (most of which is planted), this letter is regarded as sufficient for the purpose of assessing potential impacts of the proposed development upon biodiversity.



Vegetation and Landscaping

A vegetation removal and retention scheme and plan accompany this correspondence. These two documents are to be read in conjunction with the detailed landscape plan prepared by Argyle Landscape Landscapes.

Traffic, Transport, Access, Circulation and Parking

I note that Transport for NSW have no objections to the proposal or its traffic impacts.

Requesting details or construction methodologies, staging etc. at the time of DA is an onerous request to say the least when the builder has not been commissioned and there is little to no useful information available to inform such an assessment. We do not have or possess any published information on potential number of staff, truck movements, length of staging etc. at the DA stage. It is far more appropriate to impose such a request in the form of a condition of consent which states 'That a Construction Traffic Management Plan (CTMP) report be prepared as part of the submission of the Construction Certificate drawings application. At this time such information (with appropriate levels of confidence) is known along with staging etc. I would expect in this instance that the movement of large vehicles would not occur during school peak periods (such as the periods of operation of the 40km/hr school zone currently in place) as a minimum requirement of the future CTMP.

The intersection count was undertaken during operation of the Southern Highlands Christian School and as such all existing traffic generation of the school was already in the intersection count and thus accounted for. There is nothing more material to add on this specific comment.

As stated in the traffic report the community centre is not open to the public and is an ancillary use by residents of the development and not a specific traffic generator in its own right.

As stated in the traffic report the development includes full compliance with the SEPP for resident parking and a further **54 parking spaces** for other users including visitors or staff or both. In regards to motor scooters, etc. there is no Council policy on the provision of such parking and the proponent does not wish to include such spaces within the development. The quiet internal road network (along with the existing site) would provide an interconnected network for more active seniors as designed. The site includes provision for a Medium Rigid Truck travelling throughout the site as shown in the turning path assessment in the traffic report. Further testing of smaller vehicles like an ambulance is unnecessary.

Parking provision compliance is clearly defined in the traffic report with full compliance with the SEPP for residents plus additional visitor / staff parking (not required in the SEPP but still provided).

As stated in the traffic report, the community centre is ancillary use for residents of the site, not a public hall for hire and use. Aged care developments include such facilities to offer leisure activities (craft, cards, exercise, etc.) for residents of the development only so they don't have to travel and generate traffic travelling to other locations to conduct such activities.

Community Bus

The proponent is fully aware that there is a condition of the original development consent (03/1717) for a private community bus to be provided prior to the release of the Occupation Certificate.

Please refer to the submitted report prepared by Morris Goding Access Consulting (dated 2 June 2021) regarding accessibility and circulation throughout the development.



Architect Design

Please refer to the accompanying Architectural Design Verification Statement prepared by Evolving Design and Drafting (dated 15 May 2022).

When construction is completed, the entire Pepperfield development will provide 9 different types of dwellings, ranging from one to five bedrooms. It is believed this diversity in dwelling types is adequate.

Future Residential Amenity and Management of Seniors Housing

A Retirement Village Management Plan accompanies this correspondence prepared by Gartner Hemmingway (dated 1 March 2022) which outlines the operations and functions of Pepperfield. The operation of Pepperfield Lifestyle will comply with the accompanying Retirement Living Code of Conduct.

Architectural plans nominate the community building will maintain a GFA of 352.95m². An updated report prepared by Cardno (dated 18 January) addresses the following: -

- Amended the development reference from 6 Wisemans, to 6-8 Wisemans
- Amended the community space from 850 m2 to 353 m2
- Updated text concerning firefighting flows.

To expand on the firefighting flows, and provide clarity. The model predicts that under a firefighting scenario, the pressure at the connection point of the development to Councils water network is predicted to be 82.7 m (812 kPa), when the developments hydrant is extracting 10 L/s. Council's required minimum pressure is 15 m when the hydrant is extracting 10 L/s. At >80 m the development will have sufficient pressures to accommodate firefighting activities.

I trust this correspondence and the accompanying additional information will assist the Council in its assessment of the development application. Please contact me directly if you wish to discuss any element of this correspondence.

Yours truly,



Darren Hogan M.P.I.A
Principal



18th October 2021

General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale 2577

Att: Peter Malloy
Peter.Malloy@wsc.nsw.gov.au

Dear Mr Malloy,

RE: Request for additional information regarding ecological impacts at 6 Wiseman Road, Bowral (DA 22/0214)

I refer to your email correspondence on 15th September 2021 to Darren Hogan of Hogan Planning. I understand that Council requires clarification regarding the presence and extent of native vegetation that would be impacted by the proposed development on 6 Wiseman Road, Bowral.

Site inspection & field survey

A botanical survey was conducted by Mr Daniel Clarke across the proposed development site on two separate days, the 24th September and 15th October 2021.

The botanical survey involved identification of dominant plant species in all strata at eighteen fixed observation points around the landholding (each observation point encompassing an area of approximately 10-15m radius from the centre). Observation points are shown on Figure 1 and observation point data is appended to this letter.

The surveys were conducted during a period of excellent growing conditions for the region, and at a time of maximum detectability for most relevant threatened plant species.

A fauna habitat inspection was conducted by Ms Rebecca Hogan on the 12th October 2021. The purpose of this inspection was to identify any habitats or features likely to be of importance for threatened fauna species known to occur in the region.

Native vegetation

The site was stratified into two zones:

- i. the house zone, containing the existing dwelling and surrounding ornamental gardens; and
- ii. cleared and open, managed paddocks.

Native components of the vegetation are described below. No threatened plant species were recorded in any part of the site. It is highly improbable that such species would occur.

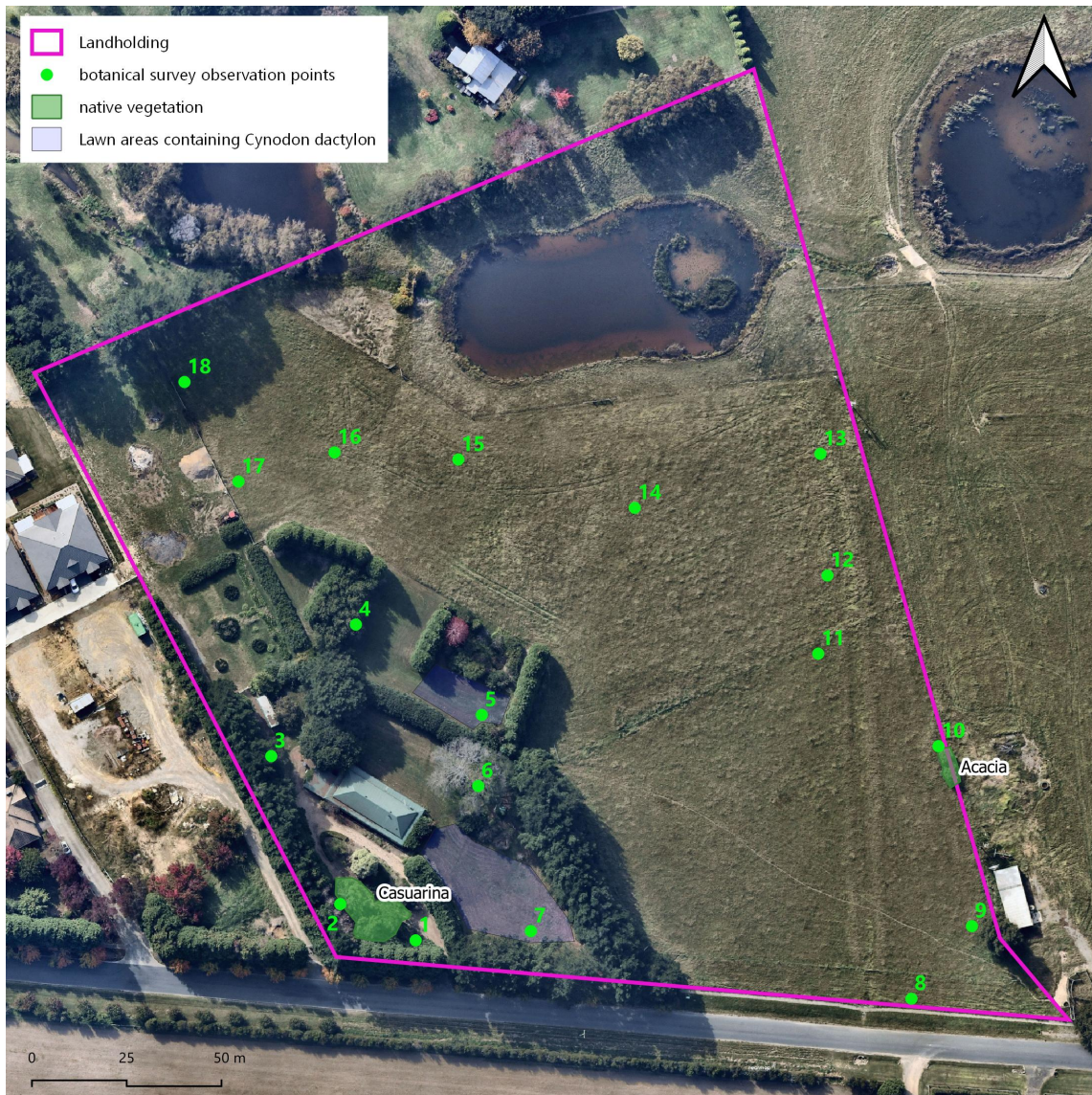


Figure 1	Botanical survey points and areas of native vegetation at 6 Wiseman Road, Bowral.
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(i) House Zone

Three mature individuals of River She-oak *Casuarina Cunninghamia* line the driveway within the house zone (Trees 6, 7 & 8, as identified in the Arboriculture Report, Summit Tree Services August 2020). The trees are believed to be planted specimens based on their location and surrounding vegetation.

There was no other native vegetation associated with the Casuarina trees. The ground beneath supports a mown lawn of the exotic Panic Veldt Grass *Ehrharta erecta*. The exotic Jasmine *Jasminum polyanthum* has climbed some of the lower trunks and branches of these trees. Refer to Photo 1. The extent of canopy of the trees has been mapped as an area of native vegetation using GIS over a Nearmap aerial image dated 24th April 2021. Refer to Figure 1. The extent of the mapped patch is 185m².

The native Couch Grass *Cynodon dactylon* has been introduced in lawn plantings in two small areas around observation points 5 and 7, but is mixed with exotic grasses and weeds and is surrounded by formal exotic hedges and plantings. Refer to Photo 2. These areas have not been mapped as native vegetation. The combined extent of areas involved would be less than 900m² in extent.

No other native species (planted or otherwise) were observed within the house zone.

(ii) Open Paddocks

Open paddocks to the north and east of the House Zone have been intensively managed and appear to be composed almost entirely of exotic species (including Sweet Vernal Grass *Anthoxanthum odoratum*, Meadow Fescue *Festuca pratensis*, Phalaris *Phalaris aquatica*, Yorkshire Fog *Holcus lanatus*, Cocksfoot Grass *Dactylis glomerata* and Kentucky Blue Grass *Poa pratensis*). No native grasses were recorded.

Two small individuals of Silver Wattle *Acacia dealbata* are located on the eastern fenceline, near observation point 10 (with a mapped canopy extent using GIS of 38m²). Refer to Photo 3.

There is a sparse cover of two sedges, *Carex appressa* and *Juncus usitatus*, growing through the fenceline along the northern boundary of the landholding, near observation point 18 (the area was not mapped). Adjacent areas in the northwest of the site were waterlogged at the time of the botanical survey and heavily impacted by cattle hoof disturbance.

Threatened fauna habitat

The three casuarina trees present within the site theoretically provide a foraging resource for the threatened Glossy Black Cockatoo. However, the three trees are well isolated from intact areas of habitat for the Glossy Black Cockatoo (the nearest patch of woodland is approximately 2km to the east of the site across open cleared paddocks and residential suburbs). There are no hollow-bearing trees within, or as far as can be determined, close to the site. There was no evidence of chewed cones beneath the trees at the time of the site inspection. There are no records of the Glossy Black Cockatoo within several kilometres of the site in any direction (Bionet Atlas 18/10/2021). It is not likely that the Glossy Black Cockatoo would use these trees.

There is a moderate-sized formed pond located in the northeast of the landholding, outside of the proposed development site (refer to Figure 2). The pond would be retained, but may be subject to temporary indirect impacts during construction on the adjacent development site. The pond would provide habitat for some amphibians and for a range of bird species. A Red Fox was flushed from the paddock near the pond during the botanical survey.

There are no records of threatened amphibian species occurring in the vicinity (Bionet Atlas 18/10/2021). Surrounding vegetation is largely exotic and does not provide resources that are unique or likely to be of importance for any relevant threatened species.

It is not likely that any threatened fauna species would use habitats present within the development site.



Figure 2	Proposed development of 6 Wiseman Road, Bowral.
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NSW Biodiversity Conservation Act 2016

The NSW BC Act applies to activities that will impact upon native vegetation or upon habitat for threatened species.

The proposed development would result in loss of native vegetation as follows:

- * three mature individuals of *Casuarina Cunninghamia* with a canopy area of 185m²;
- * two small individuals of *Acacia dealbata* with a canopy area of 38m²;
- * several small patches (<900m² combined area) of mixed species lawn containing *Cynodon dactylon*.

The development would not impact upon areas of habitat likely to be used by threatened species.

In relation to the Biodiversity Offset Scheme:

- i. The proposed development would not affect land identified as an Area of Outstanding Biodiversity Value (AOBV);
- ii. BOSET - No part of the site is mapped on the Biodiversity Values Map. The area of clearing criteria for this site is 0.5ha. The area of native vegetation to be impacted by the proposed development is well below this threshold (<0.12ha).
- iii. The site does not contain threatened plant species or ecological communities, and does not contain likely habitat for threatened fauna.

The Biodiversity Offset Scheme does not apply to the proposed development. A Biodiversity Development Assessment Report is not required.

Given the extremely limited extent and isolation of native vegetation present at 6 Wiseman Road, Bowral (most of which is planted), this letter is regarded as sufficient for the purpose of assessing potential impacts of the proposed development upon biodiversity.

Please do not hesitate to contact me with any queries or if I can be of further assistance.

Kind regards,



Rebecca Hogan
BSc (environmental biology) MEngMngt MECA (NSW)
Accredited BAM Assessor (BAAS17090)
Principal, Hayes Environmental

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Photo 1 >

Casuarina Cunninghamia
in the House Zone



Photo 2 >

Lawn areas in the House
Zone containing *Cynodon*
dactylon



Photo 3 >

Acacia dealbata on the
eastern boundary in the
Open Paddock Zone.



Observation Point: 1

GPS: 264655, 6178877

Natives:

Casuarina cunninghamiana

Exotic

**X Cupressocyparis leylandii*

**Ehrharta erecta* (Panic Veldt Grass)

**Polycarpon tetraphyllum* (Four-leaved Allseed)

**Hypochaeris radicata* (Catsear)

**Jasminum polyanthum*

Comments: Planted trees with mowed exotic grass. No discernible native vegetation.

Observation Point: 2

GPS: 264636, 6178883

Natives:

Casuarina cunninghamiana

Exotic

**X Cupressocyparis leylandii*

**Ehrharta erecta*

**Pittosporum tenuifolium*

**Hypochaeris radicata*

**Abelia* cv

**Buxus microphylla* var. *japonica* (English Box)

**Sonchus oleraceus* (Sow Thistle)

Comments: Planted trees with mowed exotic grass. No discernible native vegetation

Observation Point: 3

GPS: 264610, 6178920

Natives:

None observed

Exotic

**Ehrharta erecta*

**Trifolium repens* (White Clover)

**Poa annua* (Winter Grass)

**Lolium* sp. (Rye Grass)

Comments: Planted trees with mowed exotic grass. No discernible native vegetation

Observation Point: 4

GPS: 264643, 6178955

Natives:

Aristida vagans

Exotic

**Pinus radiata* (Radiata Pine)

**Pyrus ussuriensis* (Machurian Pear)

**Photinia glabra* (Photinia)

**Trifolium repens*

**Poa annua*

Comments: Planted trees with mowed exotic grass. No discernible native vegetation.

Observation Point: 5

GPS: 264676, 6178931

Natives:

Cynodon dactylon (Couch Grass) (planted)

Exotic

**Pyrus ussuriensis* (Machurian Pear)

**Photinia glabra* (Photinia)

**Ranunculus repens* (Creeping Buttercup)

**Poa annua*

**Paspalum dilatatum* (Paspalum).

Comments: Planted trees with mowed exotic grass. No discernible native vegetation.

Observation Point: 6

GPS: 264682, 6178906

Natives:

None observed

Exotic

**Pinus radiata* (Radiata Pine)

**Photinia glabra* (Photinia)

**Poa annua*

**Bromus catharticus* (Prairie Grass)

**Taraxacum officinale* (Dandelion)

**Ehrharta erecta*

Comments: Planted trees with mowed exotic grass. No discernible native vegetation

Observation Point: 7

GPS: 264685, 6178887

Natives:

Cynodon dactylon (planted)

Exotic

**Pinus radiata* (Radiata Pine)

**Hypochaeris radicata*

**Anthoxanthum odoratum* (Sweet Vernal Grass)

**Arctotheca calendula* (Capeweed)

**Lolium* sp.

**Sonchus oleraceus*.

Comments: Large mowed exotic lawn with planted screening trees on edge and established gardens.

Observation Point: 8

GPS: 264783, 6178857

Natives:

None observed

Exotic / Non-local natives

**Anthoxanthum odoratum*

**Festuca pratensis*

**Dactylis glomerata*

**Holcus lanatus*.

Comments: Exotic grassland with no observed native components.

Observation Point: 9

GPS: 264798, 6178877

Natives:

None observed

Exotic

**Anthoxanthum odoratum*

**Festuca pratensis*

**Phalaris aquatica*

**Holcus lanatus*

**Trifolium repens*

**Dactylis glomerata*

Comments: Exotic grassland with no observed native components

Observation Point: 10

GPS: 264790, 6178921

Natives:

Acacia dealbata

Exotic

**Anthoxanthum odoratum*

**Festuca pratensis*

**Phalaris aquatica*
**Paspalum dilatatum*
Comments: Exotic grassland with no observed native components.

Observation Point: 11
GPS: 264757, 6178947
Natives:
None observed
Exotic
**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Dactylis glomerata*
Comments: Exotic grassland with no observed native components.

Observation Point: 12
GPS: 264759, 6178967
Natives:
None observed
Exotic
**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Holcus lanatus*
Comments: Exotic grassland with no observed native components. Possible nesting bird flushed from groundlayer. Fox also observed.

Observation Point: 13
GPS: 264759, 6178999
Natives:
None observed
Exotic
**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Poa pratensis*
**Dactylis glomerata*
Comments: Exotic grassland with no observed native components.

Observation Point: 14
GPS: 264712, 6178987
Natives:
None observed
Exotic
**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Holcus lanatus*
**Paspalum dilatatum*
**Dactylis glomerata*
**Poa pratensis*
Comments: Exotic grassland with no observed native components.

Observation Point: 15
GPS: 264666, 6178996
Natives:
None observed
Exotic
**Anthoxanthum odoratum*

**Festuca pratensis*
**Phalaris aquatica*
**Holcus lanatus*
**Dactylis glomerata*
Comments: Exotic grassland with no observed native components.

Observation Point: 16
GPS: 264632, 6179002

Natives:

None observed

Exotic

* *Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Paspalum dilatatum*
**Dactylis glomerata*
**Poa pratensis*

Comments: Exotic grassland with no observed native components.

Observation Point: 17
GPS: 264607, 6178993

Natives:

None observed

Exotic

**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Holcus lanatus*
**Poa pratensis*
**Rubus anglocandicans* (Blackberry)
**Vulpia myuros*
**Silybum marianum* (Variegated Thistle)
**Cirsium vulgare*.

Comments: Western-most section with piles of soil and mulch.

Observation Point: 18
GPS: 264592, 6179019

Natives:

Carex appressa
Juncus usitatus

Exotic

**Anthoxanthum odoratum*
**Festuca pratensis*
**Phalaris aquatica*
**Holcus lanatus*
**Poa pratensis*
**Rubus anglocandicans* (Blackberry)
**Vulpia myuros*
**Silybum marianum* (Variegated Thistle)
**Cirsium vulgare*

Comments: Exotic grassland with no observed native components. Boggy ground to right with heavy cattle-hoof soil disturbance.
