

# External & Internal Response Table

## Integrated Development Approval Body Considerations

Authority	Outcome
Subsidence Advisory NSW (formerly MSB)	General terms of Approval were received on the 5 <sup>th</sup> February 2020, this included stamped plans.

## Referrals

### Internal:

Referral	Outcome												
Development Engineer	Council's Building Surveyor provided comments regarding the proposed development traffic impact and the proposed intersection upgrades. Considering the requested information from Transport for NSW Council's Engineers raised no concerns subject to appropriate conditions of consent being imposed.												
Building Surveyor	Council's Building Surveyor provided comments regarding the proposed development's compliance with the NCC.  No concerns have been raised subject to appropriate conditions of consent being imposed.												
Fire Safety Officer	Council's Fire Safety Officer provided the following comments:  <i>'the Report prepared by M &amp; D Jones dated 26.08.2020, adequately addresses the NSW F&amp;R Guidelines for minor residential developments.'</i>  <i>All fire safety concerns have now been addressed and resolved.</i>  <i>Recommended conditions to be imposed are provided on the following page.'</i>  Based on the above comments, appropriate conditions of consent have been recommended.												
Health Officer	Council's Environmental Health Officer provided the following comments:  <i>I have no objections to the proposed development at this stage. Can we please include the following:</i>  <i>All wastewater generated on the site shall be managed and disposed of in accordance with the "Wastewater Assessment Report, Proposed Stratford House Lifestyle Village, Rockford Road, Tahmoor, NSW", Ref: P1907155JR05V03, prepared by Martens Consulting Engineers and dated July 2020.</i>  <i>No works shall be carried out to Stage 5 and beyond, until such time that Sydney Water's Reticulated Sewer is available to the site.</i>  <i>A s68 Application to install an appropriate wastewater treatment plant shall be lodged and approved prior to the issue of a CC. Disinfection is to be via chlorine dosing and /or UV treatment system, and filtered to meet the following effluent quality:</i>  <b>Table 9: Assumed effluent treatment standards.</b> <table> <tr> <th>Parameter</th><th>Required Quality</th></tr> <tr> <td>BODs (mg/L)</td><td>&lt; 20</td></tr> <tr> <td>Suspended Solids (mg/L)</td><td>&lt; 30</td></tr> <tr> <td>Faecal Coliforms (CFU/100mL)</td><td>&lt; 30</td></tr> <tr> <td>Total Phosphorus (mg/L)</td><td>&lt; 10</td></tr> <tr> <td>Total Nitrogen (mg/L)</td><td>&lt; 30</td></tr> </table> <i>A detailed environmental monitoring and systems operation and management plan shall be lodged at Section 68 stage of the development process. These shall detail effluent</i>	Parameter	Required Quality	BODs (mg/L)	< 20	Suspended Solids (mg/L)	< 30	Faecal Coliforms (CFU/100mL)	< 30	Total Phosphorus (mg/L)	< 10	Total Nitrogen (mg/L)	< 30
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	<p>sampling requirements; roles and responsibilities, operation, maintenance and monitoring requirements for the wastewater treatment plant.</p> <p>Noise control shall be carried out in accordance with the recommendations of s 6.0 Noise Control Recommendations of "Stratford House Acoustic Assessment for DA Submission", RP001 20190319, prepared by Marshall Day Acoustics and dated 11 December 2019.</p> <p>Development is to be in accordance with the odour report and letter submitted.</p> <p>The comments made by Council's Environmental Health Officer will form part of the conditions of consent.</p>
Environmental Officer	<p>Council's Environmental Referral provides comments on the application for a retirement village at 2689 Remembrance Drive from an environmental perspective based on the following documents:</p> <ul style="list-style-type: none"> <li>• Statement of Environmental Effects</li> <li>• Biodiversity Development Assessment Report (BDAR)</li> <li>• Watercourse Assessment</li> <li>• The Aquatic Ecology Dam Dewatering Report</li> </ul> <p>The Biodiversity Development Assessment Report has been identified as being sufficiently compliant with the Biodiversity Assessment Method (BAM) and applicable provisions of the <i>Biodiversity Conservation Act 2016</i>. The review of the report was based on the Biodiversity Assessment Method Operational Manual Stage 1.</p> <p>Support was provided to the proposal subject to the inclusion of conditions provided within the Environmental referral.</p> <p>Noting the above, appropriate conditions of consent have been suggested and will be imposed within the final consent.</p>
Tree Officer	<p>Council's Tree Officer is satisfied with the proposed landscape plan subject to the following.</p> <p>Replace the tree species of <i>Ulmus parvifolia</i> and <i>Ulmus Sapporo</i>.</p> <p><i>Ulmus parvifolia</i> - this tree is prone to prolific seeding adding to its weed potential to surrounding bushland areas and does not prune well due to the suckering effect from pruning wounds.</p> <p><i>Ulmus Sapporo</i> - the shire has elm leaf beetle present and this pest will decimate the foliage of this tree placing burden on the trees health and vigour. The climate and soils of Tahmoor are not favourable for this species and both mentioned points could potentially result in poor growth performance.</p> <p>Suitable replacements are listed below:  <i>Nyssa sylvatica</i>  <i>Cercis Forrest pansy</i>  <i>Malus floribunda</i>  <i>Acer buergeranum</i></p> <p>The replacement of species will be appropriately conditioned within the consent.</p>
Strategic Planner	<p>The development application was referred to Council's Strategic Planning Department to provide comments with regards to the proposal, the response is as follows:</p> <p><b><u>Permissibility</u></b></p>

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	<p><i>The provided architectural plans identifies the proposed dwellings as moveable dwellings which are defined under Wollondilly Local Environmental Plan 2011 (WLEP 2011) and Local Government Act 1993 as follows:</i></p> <p><i>moveable dwelling means—</i>  <i>(a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or</i>  <i>(b) a manufactured home, or</i>  <i>(c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.</i></p> <p><i>Details about the proposed moveable dwellings have not been provided in Statement of Environmental Effects (SoEE). As per the provided architectural plans the proposed moveable dwellings appear to be manufactured homes.</i></p> <p><i>Manufactured homes and manufactured home estate are defined under Local Government Act 1993 as follows:</i></p> <p><i>manufactured home means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling—</i>  <i>(a) that comprises one or more major sections, and</i>  <i>(b) that is not a motor vehicle, trailer or other registrable vehicle within the meaning of the Road Transport Act 2013,</i></p> <p><b><i>manufactured home estate</i></b> <i>means land on which manufactured homes are, or are to be, erected.</i></p> <p><i>As such, the proposal appears to be a manufactured home estate. The site is partly located in R2 and RU4 zone and manufactured home estate is a prohibited land use in both of these zones.</i></p> <p><i>A planning circular (PS 06-018) 'Approval to install relocatable and flat-pack homes outside a caravan park' was issued on 3 October 2006 (It is noted that the proponent has mentioned this planning circular in his previous correspondence with Council). This planning circular can only be relied upon if any development is outside a manufactured home estate. The proposal under consideration meets the defined criteria for 'manufactured home estate' and therefore, this planning circular cannot be relied upon.</i></p> <p><i>A planning proposal pathway can possibly be pursued to obtain an additional permitted use under Schedule 1 of WLEP 2011.</i></p> <p><i>Application of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>  <i>The provisions of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (i.e. site coverage, minimum open space and floor areas) have not been addressed in the provided Statement of Environmental Effects (SoEE).</i></p> <p><b>Applicant's Comments:</b></p> <p><i>The term "movable dwelling" is defined in the Wollondilly LEP and includes "a manufactured home". The term has been used by the architect in a generic sense, insofar as it is interchangeable with "manufactured home".</i></p> <p><i>The definition of "movable home" simply describes a type of construction and is stated in the singular, not plural. The definition does not extend to a description of a number of movable dwellings in a complex, such as a "manufactured home estate". The term "manufactured home estate" is not even included in the LEP dictionary. So I have no concerns, from a permissibility point of view, about the use of the term "movable dwelling". The application is not seeking consent for a "movable dwelling" in the singular, not is it seeking consent for a "manufactured home estate". It is simply a senior's living proposal, which uses a type of construction where components are manufactured off-site. The seniors SEPP does not contain any restriction on this specific type of dwelling.</i></p>

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	<p><i>It should also be noted that the dwellings and the village itself has been specifically designed to comply with the requirements of the Senior's SEPP. Such design criteria are not required for a manufactured home estate, so it should not be characterised as such.</i></p> <p><i>I know of no potential for the dwellings to be interchanged. The application is very specific in terms of the dwelling types proposed for each stage. It is relevant to note that the construction type being proposed for this development utilises a concrete slab, which will be constructed to suit the specific dwelling type nominated. It would not be possible to interchange the dwelling types 'post-consent' without demolishing and reconstructing a new slab. This would not be possible without consent.</i></p> <p><b>Planner's Comments:</b></p> <p>Despite the investigation into manufactured homes the proposal does not seek permissibility under The provisions of <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i>. The applications seeks permissibility through the State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004. A site compatibility certificate (SCC) approved by the Sydney Western City Planning Panel on 22 March 2019, providing permissibility for the proposal on the RU4 zoned land. The SEPP (Seniors) identifies no restrictions for the type of construction used to facilitate the development, additionally the Clubhouse/Pool component leads to the SEPP (seniors) being the appropriate approval pathway for such development.</p> <p>It is important to note that, each dwelling will be located on a concrete slab with plumbing specific to the chosen design incorporated within, it is not a tradition manufactured home which has no physical connection to the land it is located on. This has been supported by conversations with the applicant who insists that the SEPP (Seniors) does not restrict dwelling type for the residential self-care component of the proposal.</p> <p>Therefore despite the commentary regarding manufactured homes, the appropriate pathway for what has been proposed is through the SEPP (Seniors) which provides permissibility through the issued SCC.</p> <p><b><u>Density</u></b></p> <p><i>Certificate of Site Compatibility, issued on 22 March 2019, specifies several requirements under Schedule 2 including the following requirement:</i>  <i>'Subdivision design and landscaping and building form of the development to remain consistent with the character of Tahmoor village and its rural edge'</i>  <i>Tahmoor predominantly comprises of single dwellings on 700-900m2 lots with land identified for possible medium density development close to the town centre. The proposed manufactured homes will be developed on lots as small as 220m2. Given the proposed density, the proposal is inconsistent with the character of Tahmoor village.</i></p> <p><i>Local character</i>  <i>The proposal is predominantly comprised of impervious surfaces resulting from proposed internal streets, driveways and roof forms. The proposal provides for a limited opportunity for landscaping and open spaces. Therefore, in principle, the proposal is inconsistent with the character of Tahmoor village.</i></p> <p><b>Planner's Comments:</b></p> <p>The proposed density was considered appropriate when the site compatibly certificate was issued by the Panel in 2019.</p> <p><b><u>Housing target</u></b></p> <p><i>Western City District Plan sets a five year (2016-2021) target of 1550 new dwellings for Wollondilly Shire which has also been met.</i>  <i>As such, the proposal does not appear to be consistent with Council's Growth Management Strategy and the Greater Sydney Commissions Western City District Plan. Therefore, the proponent should provide the justification for such intensive development.</i>  <i>Note: Council has also recently commenced a Local Housing Strategy which will further clarify future residential targets.</i></p>

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	<p><b>Planner's Comments:</b></p> <p>The proposed development is not standard residential dwellings, but dwellings for the housing of Seniors older than 55 years, this is a use which will benefit the shire. Based on findings from Australian Bureau of Statistics, <a href="#">Census of Population and Housing</a> 2011 and 2016 32.3% of Wollondilly Shire Council's population is 50 or older. Noting the housing targets identified by Western City District Plan the proposed development is not anticipated to be inconstant with the Plan.</p> <p><b><u>Metropolitan Rural Area</u></b></p> <p><i>The site is identified in Metropolitan Rural Area (MRA) under the Greater Sydney Region Plan and the Western City District Plan. Residential developments (other than limited local growth to the existing towns and villages) are not encouraged in MRA and the main objective of the MRA is to protect and enhance the wide range of environmental, social and economic values in rural areas across Greater Sydney. The District Plan and Council's recently adopted Local Strategic Planning Statement (LSPS) makes it clear that limited local growth is to be defined and further clarified through the preparation of a Local Housing Strategy which Council has recently commenced but is yet to be finalised. As such, the proposal is premature and not consistent with the intent of MRA.</i></p> <p><b>Planner's Comments:</b></p> <p>The proposal was considered appropriate when the site compatibility certificate was issued by the Panel in 2019.</p> <p><b><u>Local Strategic Planning Statement (LSPS)</u></b></p> <p><i>Council has recently adopted its Local Strategic Planning Statement and this has now been assured by the Greater Sydney Commission. LSPS will provide 10 years future plan for the Shire. Senior housing is encouraged within the growth areas which are Wilton and Greater Macarthur. However, such housing options can be considered elsewhere in the Shire only if located close to reliable, well serviced public transport links and amenities. The site is identified as being under consideration for senior living in LSPS to acknowledge the existing Site Compatibility Certificate.</i></p> <p><b>Planner's Comments:</b></p> <p>The site is compliant with State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004 with regards to location and accessibility. These aspects were considered appropriate when the site compatibility certificate was issued by the Panel in 2019.</p> <p><b><u>Odour</u></b></p> <p><i>The site is located within 160m from the Ingham's processing plant. An Air Quality Assessment has been provided with this application. It is noted that some dwellings can potentially fall into the predicted 5 OU area and a number of lots will sit within the 3 OU area and 4 OU area. A referral should be made to council's EHO to confirm whether the site is suitable for the development in the context of odour emissions from the processing plant.</i></p> <p><b>Planner's Comments:</b></p> <p>Council's Environmental Health Officer is in support of the updated odour report and letter submitted by the applicant.</p> <p><b><u>Sewerage Capacity</u></b></p> <p><i>There is no sewerage capacity available to service the proposed development in Sydney Water's network. The approach taken for wastewater management is to provide a temporary centralised system which treats all wastewater and irrigates effluent to an effluent management area (EMA). Utilisation of an on-site waste management system to accommodate such an intensive development is considered to be not appropriate from a</i></p>

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	<p><i>strategic planning perspective as it would not provide growth in accordance with the sequencing of infrastructure in the area.</i></p> <p><b>Planner's Comments:</b></p> <p>Councils Environmental Health Officer is in support of the onsite waste water disposal system until such time as the development is serviced by Sydney Water.</p> <p>Comments from Strategic Planning Department have been considered throughout the assessment of the development application, it should be noted that the proposed development is permissible under the State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004.</p>
Waste Management	<p>Council's Waste Officer provided the following comments:</p> <p><i>'A number of concerns with the application were raised with the applicant, including:</i></p> <ul style="list-style-type: none"> <li><i>• Waste vehicle access to bins without reversing;</i></li> <li><i>• Bin placement on the opposite side to the collection vehicle's collection arm;</i></li> <li><i>• In a number of units, ensuring that bins do not need to be wheeled through habitable rooms when being moved from storage to servicing points;</i></li> <li><i>• Waste collection vehicle swept paths;</i></li> <li><i>• Removal of garden organic waste from both residents' properties and common open space;</i></li> <li><i>• Residents' access to removal of bulky waste items;</i></li> <li><i>• Location and storage arrangements for bulk bins servicing dining and administration areas.</i></li> </ul> <p><i>Each of these concerns has been addressed satisfactorily by the applicant's response.'</i></p> <p>Based on the comments above and provided conditions of consent Council's Waste Management Officer is satisfied with the proposed development.</p>
Heritage Adviser	<p>Council's Heritage advisor has provided the following points for consideration during the assessment:</p> <ul style="list-style-type: none"> <li><i>• The exterior of the heritage listed house has been retained in the development. The house had undergone alterations to the rear and is flanked by new development. The heritage listed house is therefore impacted by shrinkage of its curtilage and proximity of new development.</i></li> <li><i>• Some effort has been made to reinstate the historic driveway to form part of the path complex around Stratford House. It is important this be retained in the development but the path should be amended to lead to Stratford House and then "dog-leg" to the new buildings. The path axis to Stratford House should not be broken by a kink in the path.</i></li> <li><i>• The landscape plan is good. It clearly sets out essential landscape items such as buffers, fencing types and hedges.</i></li> <li><i>• Efforts have also been made to insulate the house from the new housing by a detailed landscape plan. This includes reinforcing the good tree cover along Rockford Road. It is important that all the landscape plan be retained in the final development.</i></li> <li><i>• The impact statement for the proposal clearly sets out the proposed approach.</i></li> <li><i>• Such a development is much more unified than standard residential subdivisions. The quality and longevity of these manufactured homes should be verified. Low specification standard could easily outweigh the social benefits of affordability.</i></li> <li><i>• DA assessment should make a judgement on whether the proposed high density housing will have an unacceptable impact on local character, or whether the housing density should be reduced to allow space for more landscaping.</i></li> <li><i>• The heritage impact statement clearly sets out the effect of the development on views.</i></li> </ul>

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	<p>The comments from Council's Heritage advisor have been carefully considered throughout the assessment and resulted in appropriate conditions of consent. Noting the request for <i>'the path to lead to Stratford House and then "dog-leg" to the new buildings. The path axis to Stratford House should not be broken by a kink in the path.'</i> This requirement is not considered appropriate as the path as currently proposed leads to an outdoor eating area which will be a main entry/exit point for the clubhouse, whilst the recommended path from Council's Heritage Advisor would lead patrons to a minor entry/exit point, potentially leading to confusion.</p>
Contributions Planner	<p>Council's Development Contributions officer undertook a Contributions assessment based on the Wollondilly Contributions Plan (2020). An appropriate condition of consent is included requiring the payment of a developer contribution of \$1,741,284.</p>
Social and Health Working Group	<p>The development application was referred to Council Social and Health Working Group whom raised the following concerns:</p> <p><b><u>Transport</u></b></p> <ul style="list-style-type: none"> <li>• <i>How will residents access services/activities (will there be a regular shuttle bus available to residents?)</i></li> <li>• <i>Current public transport services are infrequent – more use of services does not necessarily mean more funding available to meet increased demand in Wollondilly.</i></li> <li>• <i>Bus stop is not sheltered and train station is over 700m away.</i></li> <li>• <i>Concern about putting further pressure on other community transport services.</i></li> <li>• <i>Target audience for self-contained dwellings – seniors living more grey nomad senior then there is not sufficient facilities for parking RV's.</i></li> <li>• <i>Availability of community support services will rely on government funding for additional demand</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>It is noted that access to services and facilities for this proposal is fully compliant with the Seniors Living SEPP. Nevertheless, the proponent intends to have a community bus owned by the village for direct transportation of residents and a shuttle service on a daily basis. The adjoining Lot 11 DP 739884 was added to this application (refer to letter from Precise Planning to Council dated 5 February 2020). RV parking is proposed on this lot as part of its future plans.</i></p> <p><b>Planner's response:</b></p> <p>The proposed development includes upgrades to both the footpath and intersection to create an improve access to Remembrance Drive for both vehicle and pedestrian. Additionally two new bus shelters are proposed one on Remembrance Drive and one on Rockford Road. A community bus is also proposed to assist with the moving of residence to and from the closely located town centre.</p> <p><b><u>Housing</u></b></p> <ul style="list-style-type: none"> <li>• <i>Affordable housing stock – no explanation or evidence provided that the housing will be affordable or how purchase will be managed.</i></li> <li>• <i>Concern it doesn't meet the aims of the SEPP, specifically: 1 (c) be of good design</i></li> <li>• <i>Concern it doesn't meet design elements 3 and 5 of the Seniors Living Policy Urban design guidelines for infill development</i></li> <li>• <i>Proposal for relocatable housing – viewed as being of lesser quality, no requirement to commit to BASIX and</i></li> <li>• <i>concern that design may not take into account cooling and heating.</i></li> <li>• <i>Heat stress and higher power bills has not been addressed or considered.</i></li> <li>• <i>Space for gardens and concern with urban heat island effect and creation of micro climates.</i></li> </ul>

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	<ul style="list-style-type: none"> <li>Concern lower quality housing and poor landscaping and connectivity will negatively impact on mental health</li> </ul> <p><i>Applicant Response:</i></p> <p>The incoming purchasers enter into a perpetual lease. The incoming residents purchase the dwelling only, not the land. The land on which the dwelling sits, as well as all access to facilities, are covered by a weekly fee to the operator. Most residents will be entitled to rent assistance from the Government and this usually accounts for about 40% to 50% of the weekly fee. There are no deferred management fees in this model, meaning whatever capital gain accrues over a period of time is retained by the resident. The increased affordability comes from the model of paying for construction of the dwelling, but not the land.</p> <p>We reject the assertion that the proposal is not of good design. Significant planning has gone into the design of this project and it is our view that it represents good urban design principles. Considered as a total scheme, it clusters dwellings into specific areas of the site, which allows for landscaped carriage and footways. It also maximises the available curated landscape space around Stratford House.</p> <p>It is considered that the comments related to “good design” come from the use of manufactured dwellings and the “outdated” stigma that may be attached to that from those not experienced with the new generation of manufactured home. To address this, we have provided further in this table a link to a brochure for award winning schemes that use the same manufactured home process that is proposed here. These are indistinguishable from traditionally constructed homes.</p> <p>It is unfortunate that the working group has not been more specific with its concerns. Nevertheless, we are comfortable that the streetscape issues have been carefully considered and responded to. Significant thought and design has gone into the fencing, landscaping and front dwelling elevations, including appropriate articulation, to create an appropriate and energetic streetscape. It is also noteworthy that the existing extensive landscaped gardens around Stratford House will be retained where possible and further embellished, which will create visual relief between stage 1 and the other stages.</p> <p>The layout for the housing relies on a grid system, which in addition to being logical and efficient, is also a better wayfinding pattern than curved streets and potential cul de sacs. It also allows the development of major landscaped boulevards as shown on the landscape plans. The grid pattern is also currently the preferred layout for conventional residential subdivisions.</p> <p>It seems the Working Group was unaware that a BASIX certificate has been submitted for every one of the proposed dwellings.</p> <p>The scheme proposes significant landscaping and shade trees. Each dwelling has a front yard for gardens and the pathways where pedestrians will walk will be comprehensively landscaped. The claim that the proposed landscaping is “poor” is rejected.</p> <p>There is no basis for the Group’s assertion that the proposed housing will be “lower quality”. The type of housing proposed utilises a “slab on ground” as per conventional construction, but with a second slab membrane that allows the house to be removed simply at any time. The proposed housing is virtually indistinguishable from conventional housing. Existing schemes designed by the project architects (McCabe Architects) have won numerous design awards. The structures shown in this brochure are the same as is proposed for this village and constructed and operated by the same builders/operators.</p> <p><b>Planner’s response:</b></p> <p>The housing is considered to be appropriate, both consistent with the nature of the development whilst allowing private space for each residence. The applicants comments re ‘cabin style housing’ are supported with the design representing that of a project style home found frequently in new subdivisions. The proposal includes significant landscaping which is considered appropriate and sympathetic of the surrounding uses, the landscaping extends to the internal movement areas within the development, with street trees and green spaces used to beautify the seniors living community. Additionally BASIX certificates are provided for each dwelling.</p> <p><b><u>Culture and community</u></b></p> <ul style="list-style-type: none"> <li>Risk of residents relocating from other areas and being isolated from friendships, services, support network, familiarity with neighbourhood,</li> <li>May create an insular community within the facility</li> </ul>



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	<ul style="list-style-type: none"> <li><i>Flexible community spaces within the facility for cultural significance and spaces for active ageing activities and disease prevention.</i></li> <li><i>Consider space for pets.</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>There is a possibility that residents may relocate from other areas. However, this is no different from any other scenario and these are the types of decisions that are made every day by seniors and their families in any location. The cluster of seniors within the scheme will provide numerous opportunities for integration within the community and the operators of the scheme will provide numerous social opportunities for residents.</i></p> <p><i>There is no greater risk of creating an insular community with this proposal than any other. The village is within the prescribed walking distance to Tahmoor and bus stops and the operators will be encouraging outings for residents beyond the confines of the site. By way of example, the proposed operator has provided brochures at the following link which demonstrates the type of activities that will be available to residents to keep active and integrate with the local community.</i></p> <p><i>The community space around the Stratford House building and comprehensively landscaped gardens provides abundant community space for cultural activities and active ageing activities and disease prevention. There are also future plans for a “men’s shed” on the site.</i></p> <p><i>In other existing villages of this operator, the policy is to allow one small dog or one small cat. This is written into the Community Rules. The operator obviously also permits companion/assistance pets. There is also proposed to be a dog wash adjacent to the future men’s shed.</i></p> <p><b>Planner’s response:</b></p> <p>It is noted that the proposed development is compliant with the requirements for servicing and support identified within the SEPP.</p> <p><b><u>Healthy Communities</u></b></p> <ul style="list-style-type: none"> <li><i>Tahmoor inn is live music late night venue that is in close proximity to the proposed residential dwellings. An acoustic wall is proposed however it is unclear that this will provide any buffer from live outdoor music.</i></li> <li><i>Landscape plan doesn’t show any embellishment of open spaces and walkways are shown as faint outlines on the plan and there is no key to confirm that these are walkways.</i></li> <li><i>Proposed walkways should provide a connecting path from each section of the village to provide direct access to the proposed facilities on the sites and to pedestrian entry and exit points to site.</i></li> <li><i>In proximity to Tahmoor Inn – increased opportunities for gambling and alcohol consumption</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>The acoustic report recommends dwellings facing the common boundary of Tahmoor Inn to have appropriate glazing for acoustic amenity, as well as an acoustic barrier. Further, it is assumed that any approval for live music at Tahmoor Inn would require an appropriate plan of management that details what level of impact such an activity is permitted to have on adjoining residents</i></p> <p><i>We wonder if the working group was given the whole landscape plan set, as it seems the open spaces have been appropriately embellished. Walkways appear to be clearly shown and there is also a wayfinding plan. We would be happy to provide further detail for any specific requests.</i></p> <p><i>Contrary to the note from the working group, walkways from each section of the village to the proposed facilities and entry/exit points are shown.</i></p> <p><i>Whilst it is agreed that the Tahmoor Inn is in close proximity to the village, in our view this is not necessarily negative. It provides an external venue for residents to enjoy social get together and activities.</i></p> <p><i>Facilities for gambling and alcohol consumption are located in every town and village and those residents who indulge will make their own arrangements to access such facilities, irrespective of where their village is located. The proximity of the village is unlikely to alter these activities.</i></p>

Referral	Outcome
	<p><i>The residents of these villages are stipulated to be either over 55 years old or people with a disability. A proposed seniors living facility cannot be used as a tool to manipulate or shape their behaviours.</i></p> <p><i>It is assumed that Tahmoor Inn has a Plan of Management to deal with problem drinkers or gamblers and the proponent does not consider the proximity of the site to be problematic.</i></p> <p><b>Planner's response:</b></p> <p>The application is supported by an acoustic report which is deemed appropriate by Council's Environmental Health Officer, as such the acoustic treatment proposed negates concerns of acoustic impacts from Tahmoor inn. It is noted that the Tahmoor inn is located in close proximity providing a location for social drinking and potential gambling, however the following applicants comments are supported 'The residents of these villages are stipulated to be either over 55 years old or people with a disability. It is assumed that Tahmoor Inn has a Plan of Management to deal with antisocial behaviour. The proponent does not consider the proximity of the site to be problematic'.</p> <p><b><u>Crime and Safety</u></b></p> <ul style="list-style-type: none"> <li>• <i>Close the Tahmoor hotel, isolated location in close proximity to the pub and borders rural land, street lights, security.</i></li> <li>• <i>Late night movements of patrons from Tahmoor Inn</i></li> <li>• <i>Rear loaded parking is not conducive to natural surveillance.</i></li> <li>• <i>Community safety report acknowledges residents may become victims of theft</i></li> <li>• <i>Tensions relating to living in close proximity</i></li> <li>• <i>Higher concentration of older people in the one area</i></li> <li>• <i>Management plan to include rapid removal of graffiti.</i></li> </ul> <p><b>Applicant Response:</b></p> <p><i>A CPTED analysis has been undertaken. The proponent will consider the recommendations made. However, the location will not, over time, be isolated from the Tahmoor Central. With the construction of Tahmoor Central now imminent, the location is considered to be ideal for this use and not a particular or unusually high safety risk.</i></p> <p><i>It would be the responsibility of Tahmoor Inn to deal with public violence, dispersal of patrons, substance consumption and abuse and offensive language and behaviour as a result of its operations.</i></p> <p><i>The CPTED report has considered the scheme as it is presented, with rear-loaded parking, and concluded it is acceptable. The proposed operator had not had a negative experience from rear-loaded parking.</i></p> <p><i>The proposed operator of this scheme has been operating other similar schemes for over 30 years and reports that crime incidents are extremely rare. There is no evidence that this scheme would be a target for crime, either from outside persons or amongst residents. The concerns raised appear to be unfounded.</i></p> <p><i>We are not aware of any adverse social impacts from higher concentrations of older people living in the one area. There are many villages this size and bigger across Australia that operate very successfully. The concerns raised appear to be unfounded.</i></p> <p><b>Planner's response:</b></p> <p>Concerns raised from the working group are noted and considered throughout the State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004, LEP and DCP assessment of the application.</p> <p><b><u>Amenity of place</u></b></p> <ul style="list-style-type: none"> <li>• <i>Proposed urban form and street layout will have a similar appearance to a relocatable housing estate.</i></li> <li>• <i>New lower quality cabin style housing, within minimal landscaping within a heritage site.</i></li> <li>• <i>Risk the development will detract from the heritage building and surrounding rural lifestyle residential areas.</i></li> <li>• <i>Risk poor quality housing will impact on mental health and feelings of wellbeing.</i></li> </ul>

Referral	Outcome
	<p><i>Applicant Response:</i></p> <p><i>We refer Council to the lifestyle village brochure which contradicts the working group's claim that the village "will have a similar appearance to a relocatable housing estate". The village will have the appearance of a small lot housing estate.</i></p> <p><i>We dispute that the housing form is "cabin style housing". As previously stated, the use of this form of construction has won awards in other areas and is of high quality. We also dispute the "minimal landscaping" claim. The landscape plans are very comprehensive and the experience of the proposed operator of the scheme is that the residents are very fastidious and keen to maintain private gardens.</i></p> <p><i>The scheme has been designed in conjunction with a qualified and experienced heritage architect and we are confident in his conclusions as contained in the heritage report.</i></p> <p><i>It is incorrect to suggest the proposed housing is "poor quality". The evidence from other existing schemes using this form of housing and managed by the same operator who would manage this site is overwhelmingly positive.</i></p> <p><b>Planner's response:</b></p> <p>Concerns raised from the working group are noted and considered throughout the State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004, LEP and DCP assessment of the application.</p> <p><b><u>Accessibility</u></b></p> <ul style="list-style-type: none"> <li><i>Dense pocket of people without proper access to the commercial centre. A safe pleasant access between the site and town centre should be provided.</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>The access arrangements to Tahmoor shopping area are compliant with the provisions of the Senior's SEPP. The proponent is agreeable to embellish access across the frontage of the site. However, as Council obviously believes the balance of the main street is unsafe and unpleasant, perhaps it should look toward a main street upgrade for the benefit of all ratepayers.</i></p> <p><b>Planner's response:</b></p> <p>The site is compliant with State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004 with regards to location and accessibility. These aspects were considered appropriate when the site compatibly certificate was issued by the Panel in 2019.</p> <p><b><u>Land Use Conflict</u></b></p> <ul style="list-style-type: none"> <li><i>Site is on the interface of a higher density urban and rural land.</i></li> <li><i>Site is also adjoins the Tahmoor hotel which is a live music venue on Friday nights.</i></li> <li><i>Concern the proposal will impact on the commercial viability of the hotel, due to conflict with noise due to loud music, late night activity, pedestrian movements and traffic movements.</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>We do not see any potential for land use conflict. The density achieved is in accordance with the requirements of the SCC and significantly lower than the maximum provided under the Seniors SEPP. There are no nearly agricultural activities that will give rise to land use conflict. The acoustic report provided with the DA recommends that all dwellings facing Tahmoor Inn be appropriately glazed in bedrooms for noise mitigation. Tahmoor Inn must abide by the noise requirements contained in its approval. The site is not a logical "short-cut" for patrons exiting Tahmoor Inn as it does not lead to other existing residential areas.</i></p> <p><b>Planner's response:</b></p>

Referral	Outcome
	<p>It is noted that The site is compliant with State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004 with regards to location and accessibility. These aspects were considered appropriate when the site compatibility certificate was issued by the Panel in 2019.</p> <p><b><u>Benefits have been overstated</u></b></p> <ul style="list-style-type: none"> <li>• <i>Assumption that more people will lead to greater public transport service delivery. However, experience in the area shows this has not been the case for Wollondilly and the state has not committed any further resources or additional funding.</i></li> <li>• <i>Seniors living in the local area has been positive, as it has created a sense of community and social connectedness and in some cases it has allowed for seniors to age in place in a locality they have grown up in in a more manageable environment. However access to specialist health care, transport and community infrastructure is and will be an ongoing challenge for the area.</i></li> <li>• <i>Affordability – no evidence</i></li> <li>• <i>Safety – no management plan for the facility has been provided</i></li> <li>• <i>Accessibility – no plans for internal access, pathways and linkages</i></li> </ul> <p><i>Applicant Response:</i></p> <p><i>The proposed development is obligated to comply with the access requirements of the Senior's SEPP, which it does.</i></p> <p><i>As indicated in the SEE, the community facilities to be provided are comprehensive and will include, amongst other things, consulting rooms for specialist medical practitioners. Other community facilities include a restaurant, library, games room and indoor swimming pool. Demand for external community infrastructure is likely to be insignificant.</i></p> <p><i>As per previous comments in relation to the land lease, the incoming residents purchase the dwelling only, not the land. The land on which the dwelling sits, as well as all access to facilities, are covered by a weekly fee to the operator. Most residents will be entitled to rent assistance from the Government and this usually accounts for about 40% to 50% of the weekly fee. There are no deferred management fees in this model, meaning whatever capital gain accrues over a period of time is retained by the resident. The increased affordability comes from the model of paying for construction of the dwelling, but not the land.</i></p> <p><i>The operator's report that, with their other schemes, there has never been issues related to safety and crime. There is no reason to suggest that this village would be different.</i></p> <p><i>The landscape plans show access within the scheme, pathways and linkages. An accessibility report has been provided with the DA.</i></p> <p><b>Planner's response:</b></p> <p>Noted, these comments have been considered.</p> <p>Based on the applicants response, the planner assessment and the general compliance with the State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004 the application has demonstrated that the impacts of the proposed development can be managed satisfactorily.</p>

**External:**

Referral	Comment
Dept of Planning & Environment (general referral)	<p>A Referral was sent to Department of Planning and Environment, Council received the following comments:</p> <p><i>'I (Senior Planning Officer) have reviewed the proposed development application and raise no objections subject to the proposal remaining consistent with the Site Compatibility Certificate issued by the Sydney Western City Planning Panel on the 22 March 2019.'</i></p>
RMS (now Transport for NSW)	<p>Transport for NSW provided comments with regards to the proposed development on the 3th of January 2020. below are the important aspects of the referral comment:</p>

TfNSW advises that it has reviewed its level of involvement on classified regional roads and determined that it is more appropriate for Councils to consider if proposed access arrangements are acceptable from a network perspective (i.e. is acceptable in terms of safety and efficiency). Given the above, TfNSW entrusts Council to assess and manage the traffic implications of this DA.

Having regard for the above TfNSW provides the general comments and observations contained in **Attachment 1** to assist Council in its assessment of the DA.

TfNSW recognises that any proposed or conditioned works on Remembrance Driveway would require Section 138 consent from Council and concurrence from TfNSW under Section 138 of the Roads Act 1993.

Provided Council is satisfied the design for the works is acceptable, taking relevant standards and guidelines into consideration, TfNSW would issue its concurrence under Section 138 of the Road Act 1993.

**Integrated Development:**

TfNSW advises that contrary to comments made in the submitted Statement of Environmental Effects (refer to Page 9) the DA does not meet the requirements of integrated in accordance with the requirements of Clause 3 of Section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Clause 3 of Section 4.46 excludes from the integrated development regime, developments requiring consent under Section 138 of the Roads Act 1993 if both development consent of Council and approval of the same Council as the roads authority is required. In this case, Council is both the consent authority and the approving (road) authority under Section 138 for any works within Remembrance Driveway.

**SIDRA:**

TfNSW notes that electronic copies of the SIDRA modelling have not been provided by the applicant for review. It is suggested that these files be reviewed by Council inclusive of details from the applicant on how the base model has been calibrated with on-site observations (e.g. queue lengths, delays), details on any defaults that have been changed inclusive of justification for each change and the figures used in the 10 year growth scenario noting nearby developments that have been approved (e.g. Tahmoor Central development, urban release area development, etc).

**Strategic/Concept Designs:**

TfNSW notes that a sufficiently detailed strategic/concept design for each identified intersection treatment upgrade (i.e. intersection of Remembrance Driveway/Rockford Road and Remembrance Driveway/Stratford Road) have not been provided as part of the current DA.

TfNSW suggests that this detail should be provided to Council prior to the DA's determination so as to clarify the scope of works, demonstrate the works can be constructed within the road reserve and allow the consent authority to consider any environmental impacts of the works as part of their Part 4 assessment. Additional comments on the environmental impact assessment are provided below.

The concept design provided must be to scale, show legal property boundaries (including the existing road reserve boundaries), existing and proposed lane configurations and lane widths at a number of locations along the length of the proposed works, etc. The design provided should be based on a design speed which is 10km/h over the posted speed limit and should demonstrate compliance with the applicable requirements in Austroads Guide to Road Design and the relevant TfNSW supplements. It should also provide a swept path and sight distance assessment for each intersection.

**Staging of Works:**

Limited details have been provided on when the intersection upgrade works proposed will be provided in line with the developments proposed staging. Council should satisfy itself that the works proposed will be provided at the appropriate time/stage with associated requirements/conditions to be included should an approval be issued.

**Environmental Impacts:**

TfNSW highlights that in determining the application under Part 4 of the Environmental Planning and Assessment Act 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date and nature of the works, the

	<p>consent authority may require the developer to undertake further environmental assessment for any ancillary road works.</p> <p>Given the above, Council Engineers have assessed and are satisfied with the amended plans and additional information submitted as a result of the TfNSW referral comments.</p>
Sydney Water	<p>A referral was sent to Sydney water for comments with regards to the waste water servicing of the proposed development application. Below are the comments provided by Sydney water:</p> <p><i>Sydney Water reviewed the application based on the information supplied and provides the following comments.</i></p> <p><b>Zoning and location of the development</b></p> <ul style="list-style-type: none"> <li><i>It is our understating that a significant proportion of the development falls outside the boundary of the Picton wastewater scheme and as such is not in an area we can service. It is also our understanding that a significant portion of the proposed development is currently zoned as RU4 (under the Wollondilly LEP 2011).</i></li> </ul> <p><b>Water Servicing</b></p> <ul style="list-style-type: none"> <li><i>There is limited capacity within the existing water system. The development falls within Thirlmere Reduced 2 system. The proposed development is likely to cause pressure issues to other customers further downstream. Therefore, the proponent may be required to supply a new PRV and a new PRV zone connecting to the trunk system, at their cost, if the development proceeds. Further information will be provided at section 73.</i></li> </ul> <p><b>Wastewater Servicing</b></p> <ul style="list-style-type: none"> <li><i>As the proponent is advocating an alternative on-site wastewater servicing solution, at the proponent's cost and for an indefinite period of time, Sydney Water has no objections to a temporary on-site effluent system. This system will be assessed as standard as part of the S73 process.</i></li> </ul> <p><b>Should the alternative on site wastewater system not progress, Sydney Water notes that:</b></p> <ul style="list-style-type: none"> <li><i>Currently there are no sewer reticulations close to the proposed development.</i></li> <li><i>Sydney Water will not be able to provide a wastewater connection for any proposed development or partial development outside of the existing Picton Wastewater scheme boundary until such time as Sydney Water has implemented its effluent management strategy to expand the scheme.</i></li> <li><i>Most of the above proposed development falls outside of the Picton Wastewater Scheme, with a small portion (six lots only) on the north-east corner falling within the Picton wastewater catchment.</i></li> <li><i>This means that Sydney Water cannot service the development as is proposed under DA/2019/719/1 and notes that we will not accept a wastewater servicing application via Lots 1, 2, 3, 35, 36 and 37 on Deposited Plan 12096 for services for the total site.</i></li> </ul> <p>In addition to the comments proposed above, Sydney water require appropriate conditions of consent for both a Section 73 and Sydney water tap in.</p>
Tharawal LALC	<p>Referrals were sent to both Cubbitch Barta Native Title Claimants Aboriginal Corp and Tharawal Local Aboriginal Land Council. No comments were received as such Council assumes no objections or concerns from either stakeholder.</p>
Cubbitch Barta Native Title Claimants	