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05 May 2025

Matthew Korzy  
Senior Development Planner  
Fairfield City Council  
Via email: [mkorzy@fairfieldcity.nsw.gov.au](mailto:mkorzy@fairfieldcity.nsw.gov.au)

Dear Matthew,

## **RESPONSE TO RFI – 138 THE HORSLEY DRIVE, CARRAMAR - DA43.1/2025**

This letter has been prepared in response to the formal Request for Information (RFI) pertaining to DA43.1/2025 received via the Planning Portal and e-mail correspondence on 9 April 2025.

Council's RFI letter describes the development as follows: DA43.1/2025 seeks consent for *internal alterations to the existing Karitane Mothercraft Facility, located at No. 138 the Horsley Drive Carramar. The proposal involves the removal of the lodging component of the facility, alterations to the layout of the office space, creation of a 'multiplay hub' and external playgrounds.*

The applicant's description of the proposed development, submitted with the Development Application an inputted in the approved form on the planning portal at lodgement was as follows:

*"Alterations and additions to the existing Karitane ('health service facility') to facilitate a parenting centre, toddler clinic, perinatal mental health and community programs. Overall, the Proposal will enable the creation of the 'Fairfield Integrated Child and Family Hub'. (Refer to accompanying SEE)".*

Council Officers have completed a preliminary assessment of the Development Application (DA) and have identified a response required to support the proposed development. A comprehensive response to the RFI is provided at Table 1 along with the following supporting documentation:

- Amended Plan of Management prepared by Karitane.
- Parking and Building Use Diagrams prepared by Angel Mahchut.
- Stormwater Management and Flooding Letter prepared by Enscape Studio.
- Project Design Calculations prepared by Enscape Studio.
- Karitane Overall Site OSD Model (DRAINS) prepared by Enscape Studio.

Table 1 Response to RFI

| Item | Urbis Response |
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## Characterisation

*Under Development Consent No. 422/2006, the Karitane Mothercraft facility was characterised under the Fairfield Local Environmental Plan 1994 as a “community facility”, which was defined as:*

*“**community facility** means a building or place owned or controlled by a public authority or a body of persons which provides for the physical, social, cultural or intellectual development, safety or welfare of the community, but does not include a building or place elsewhere defined in this clause.”*

*The submitted Statement of Environmental Effects (SOEE) defines the proposed development as for the purposes of a “community health facility” under the broader land use term of a ‘health services facility’, permitted with consent in accordance with Section 2.60 of the State Environmental Planning Policy (Transport and Infrastructure) 2021.*

***Health services facility** is defined in the Standard Instrument – Principle Local Environmental Plan as follows:*

*“health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any the following –*

- (a) a medical centre,*
- (b) community health service facilities,*
- (c) health consulting rooms,*

‘Karitane Mothercraft’ is an overarching generic term of the Karitane organisation and does not refer to a particular function of the building. The history and background to Karitane is relevant in understanding the proposed land use, the subject of the DA. In summary:

- Karitane, initially the Australian Mothercraft Society, was founded in 1923 to address high infant mortality rates and the impact of World War I. Inspired by Dr Frederic Truby King's Plunket Society in New Zealand, it adopted his scientific methods for infant care.
- 'Karitane Mothercraft' refers to the specialised training and care for mothers and babies, focusing on home-based support. Karitane Mothercraft Homes provided residential accommodation and trained Plunket nurses for clinic advice and Karitane nurses for in-home care.
- Karitane expanded its services with community and travelling clinics and integrated with state health services. Despite financial challenges, it adapted to meet changing needs.
- By the 1990s, Karitane had relocated to western Sydney, offering comprehensive community and residential services, continuing its significant role in public health and infant care in New South Wales.<sup>i</sup>

The proposed development will facilitate the operation of a new development, under the umbrella term ‘Fairfield Integrated Child and Family Hub’. It will effectively supersede the ‘Mothercraft Facility’ and for clarity there will not be two separate facilities operating in ‘conjunction’. As detailed on the accompanying ‘function markup’ prepared by Angel Mahchut; the Fairfield Integrated Child and Family Hub

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| <p>(d) patient transport facilities, including helipads and ambulance facilities,</p> <p>(e) hospital.”</p> <p><i>A review of the documentation appears to show the facility will no longer be operating as the approved Karitane Mothercraft facility, instead as the Fairfield Integrated Child and Family Hub. The approved onsite lodging component of the facility is also proposed to be removed. In this regard, further information is required to be provided on the proposed operation of the Fairfield Integrated Child and Family Hub and whether this will operate in conjunction at the subject site with the existing Karitane Mothercraft facility. A Plan of Management providing full details of the proposed operation of the premises shall be provided.</i></p>                                                                                                                                               | <p>will be the entire use of the site as stated in the online DA form. The proposed land use is a ‘community health facility’ under the broader land use term of a ‘health services facility’. The resultant building comprises:</p> <ul style="list-style-type: none"> <li>▪ Back of house.</li> <li>▪ Jade House (Parent baby day unit).</li> <li>▪ Administration wing.</li> </ul> <p>A plan of management prepared by Karitane was submitted with the development application which outlined key operational details of the Fairfield Integrated Child and Family Hub.</p> <p>In response to Council’s RFI, the plan of management has been bolstered to include more information about specific services that will be offered at the site.</p>                                                                                                  |
| <p><b>Removal of Car Parking Spaces</b></p> <p><i>In accordance with Development Consent No. 422/2006, the Karitane Mothercraft facility was required to provide fifty-nine (59) car parking spaces on No. 138 The Horsley Drive, Carramar, and Nos. 152 – 168 The Horsley Drive, Carramar. The submitted Architectural Plans indicate that the total number of car parking spaces proposed is fifty-seven (57), a shortfall of two (2) car parking spaces.</i></p> <p><i>It was observed at a site inspection undertaken by Council officers that the subject site and surrounding precinct and streets that car parking is a significant issue, with many instances of illegally parked vehicles resulting in safety hazards for both motorists and pedestrians.</i></p> <p><i>In this regard, Council will unlikely support the reduction in car parking spaces at the subject site, and the proposed development is to</i></p> | <p><b>Carparking requirements</b></p> <p>59 carparking spaces were provided in accordance with DA 422/2006 as shown in the accompanying parking diagrams prepared by Angel Mahchut. The former ‘space 33’ provided under DA 422/2006 was subsumed by the existing intercom and security bollard. The former ‘space 57’ provided under DA 422/2006 was subsumed by the existing adjoining parking space to provide an accessible space. This results in 57 existing car spaces on site.</p> <p>The retention of 57 carparking spaces is a suitable outcome for the development, for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The proposed development will no longer be operating under the formerly approved (DA. No.422/2006) ‘Karitane Mothercraft Facility’ but instead will be operating as the ‘Fairfield</li> </ul> |

*provide fifty-nine (59) car parking spaces at a minimum, in accordance with the requirement under Development Consent No. 422/2006.*

*Furthermore, given the proposed change of use from the approved Karitane Mothercraft facility to the Fairfield Integrated Child and Family Hub, this may require additional car parking spaces to be provided onsite as a result of operational amendments, in accordance with the Fairfield City Wide Development Control Plan 2024.*

Integrated Child and Family Hub'. DA 422/2006 is of no relevance.

- Condition 33. was included in accordance with the 1996 Fairfield City Council Development Control Plan which was prepared c.30 years ago and superseded by the Fairfield City-wide Development Control Plan 2024.
- The site is supported by approximately 50 on-street parking spaces available in the proximate street network.
- There are no specific car parking rates for health services facilities or community health facilities in the DCP or the TfNSW (RMS) (2002) Guide to Traffic Generating Developments and as such a merit based assessment is the appropriate methodology undertaken by the traffic consultant.
- Based on the GFA, the current parking requirement of the existing development on site is 70 spaces and exceeds the available provision of 57 spaces, resulting in a deficit of 13 parking spaces. The proposed redevelopment as sought in the subject DA, requires 55 spaces, and positively will be within the existing car parking provisions, representing a significant improvement.
- Traffic generation is also expected to decrease proportionally with the reduction in parking demand, representing a positive outcome.
- The proposed development will not increase the GFA of the building. The current building envelope will largely be retained, with a minor extension. The total GFA of the building will remain at 2,545m<sup>2</sup>. There will be no change to the existing floor space ratio (FSR) of 0.33:1.

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|  | <p>Overall, given the site will be subject to the requirement of a new DA which involves a change of use, there is a reasonable argument that the parking requirements assessed c. 20 years ago for a different use are no longer a practical possibility given the fresh assessment under the current DA for a different use. See: <i>Secretary, Department of Planning and Environment v Leda Manorstead Pty Ltd (No 4)</i> [2019] NSWLEC 58<sup>1</sup>, which provides:</p> <p><i>“Where multiple development consents apply to the same parcel of land, all consents may operate unless the implementation of one consent is no longer a practical possibility due to development already having been undertaken pursuant to another consent”</i></p> <p>As such, should the subject development application (DA43.1/2025) be determined by way of approval, the implementation of DA 422/2006 would no longer be a practical possibility due to the resultant development operating as a “health service facility” rather than a “community facility” and the substantive physical alterations and additions to the site.</p> <p>Furthermore, the use of the site has evolved over time, and this has resulted in minor modifications to the car parking layout, primarily to improve comfort for visitors with prams and people with disabilities, as well as to enhance staff security. Council’s contention that the proposed development shall comply with the parking rate under DA 422/2006 and ‘possibly’ further requirements under the DCP are mutually exclusive. The applicant cannot practically comply with parking provisions for two different land uses when only one land use is proposed. It</p> |
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<sup>1</sup> Secretary, Department of Planning and Environment v Leda Manorstead Pty Ltd (No 4) [2019] NSWLEC 58. Access: <https://www.caselaw.nsw.gov.au/decision/5cb7bec6e4b0196eea40633a>

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|  | <p>would therefore arguably be by Council's own omission that the parking requirements under DA 422/2006 are outdated and no longer relevant to the subject DA.</p> <ul style="list-style-type: none"> <li>▪ The significant social and community benefits facilitated by a registered charity (namely; 'Karitane') should outweigh the suggested "shortfall" of car parking spaces and guide Council's support, from a public interest perspective and an environmental perspective. From an environmental perspective, the site is adequately serviced by public transportation, being proximate to Carramar train station and two nearby bus stops servicing routes 904 and S4. The proximity to public transport supports the retention of the existing car parking spaces as additional car parking spaces are not required to adequately accommodate the proposed development. Flow on environmental effects would be a lessened carbon footprint by not increasing the amount of vehicular activity on site.</li> </ul> <p>The subject application has been prepared on the basis of the 'changed use'; namely, a 'health services facility' insofar as defined in the T&amp;I SEPP. As such, parking requirements have been provided on that basis and deemed acceptable by the project traffic consultant. Urbis concurs with Council's notion in its RFI response that the development will no longer be operating under the approved use ('Karitane Mothercraft Facility') pursuant to DA 422/2006 and submits that therefore, strict compliance with the parking rate under that development consent are not applicable to the proposed development.</p> <p><b><i>Illegally Parked Vehicles</i></b></p> <p>In regards to illegally parked vehicles; the proposed development will have a negligible</p> |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>impact on this as the existing parking provision will be retained. A memorandum that outlined an objection to DA 422/2006 (dated 15 September 2006) obtained via an informal GIPA underscores that illegally parked vehicles proximate to Mitchell Street was also presented as a 'significant issue' in 2006. Notwithstanding, we are of the opinion that illegal parking on public streets is outside the purview of the subject application which will have a negligible impact on the surrounding street network. It was also found under that memorandum that "traffic and parking issues along Mitchell Street... do not relate to the Karitane Centre". Council is to assess the development before them and the direct impact of the proposal. It is beyond the remit of the proposal to rectify and solve a historical issue that is not deemed to be a Karitane matter but relevant to other activities occurring in the immediate precinct.</p> <p>Additionally, the proposed development was placed on public exhibition and no submissions were received.</p> |
| <p><b>Stormwater Management</b></p> <p><i>Stormwater plans shall be provided, clearly illustrating the existing stormwater configuration, any proposed modifications, and DRAINS calculations that demonstrate how the additional 6L/s runoff is obtained. The Flood Planning &amp; Stormwater Management Report shall be amended to verify that the stormwater plans meet the 4.2 Performance Criteria stipulated in Council's Stormwater Management Policy 2017:</i></p> <ul style="list-style-type: none"> <li>a) <i>Maximum PSD of 140 l/sec/ha for the 9 hour 100 year ARI for the total site, and</i></li> <li>b) <i>Maximum PSD of pre-developed site discharge for the 5, 15, 30, 60, 90, 120 and</i></li> </ul> | <p><b>Stormwater Management</b></p> <p>A Stormwater Management and Flooding Letter and accompanying DRAINS and MUSIC calculations have been prepared by Enscape Studio in response to Council's RFI.</p> <ul style="list-style-type: none"> <li>a) The letter demonstrates that the proposed development will result in a maximum increase in discharge flow from the development of 6L/s during a 100 year, 15-minute storm.</li> <li>b) The calculations also show that the post development discharge rate from the existing OSD is significantly lower than the PSD of 140L/s/ha for the 100 year, 9 hour design storm. Project</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| <p><i>540 minute duration storms for the 5 and 100 year ARIs for the total site.</i></p>                                                                                                                                                                                                                                                                                                                                                              | <p>design calculations are included under separate cover.</p> <p>The accompanying documentation demonstrates how the proposal will affect the existing stormwater design via calculations and DRAINS modelling.</p> <p>We believe this information amply responds to Council's RFI. However, the applicant is willing to accept relevant conditions of development consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>Flooding</b></p> <p><i>The subject site is identified as being located within an overland flow path, based on a recent flood study that has been carried out by Council. Relevant draft flood information can be obtained by lodging a GIPA application with Council. The flood risk management report shall be amended to clearly address each individual flood planning controls listed in Schedule 6 of Chapter 11 of Council's DCP.</i></p> | <p>The accompanying stormwater management and flooding letter addresses the planning controls relevant to flooding. The proposed works are considered 'Concessional Development within a Low Flood Risk Area'. Key items discussed in that accompanying document are as follows:</p> <ul style="list-style-type: none"> <li>▪ There will be no changes to existing floor levels.</li> <li>▪ The proposed works will be contained within the existing building envelope.</li> <li>▪ The external works proposed are to be constructed at the current surface levels meaning no impact to existing stormwater conveyance across the site.</li> <li>▪ No works proposed to car parking and driveways.</li> <li>▪ Council's flood mapping indicates The Horsley Drive is not flood affected, evacuation would be directly to The Horsely Drive.</li> <li>▪ As the development is in a Low Risk Area, the flood levels are deemed to be above the 100 year flood level meaning all the DCP requirements for Management and Design are not applicable.</li> </ul> |



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|  | The proposed development is supportable from a flooding perspective. |
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This information is provided to enable Council to continue its assessment of the development application. If you require clarification or have any questions, please do not hesitate to contact either Naomi Daley [ndaley@urbis.com.au](mailto:ndaley@urbis.com.au) or the undersigned.

Kind regards,

A handwritten signature in black ink, appearing to be "H. Lockhart", written in a cursive style.

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<sup>i</sup> Further information on the history of 'Karitane' can be accessed here: <https://dictionaryofsydney.org/entry/karitane>