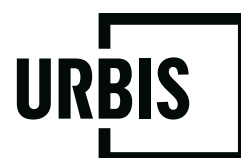




72 GLENDOWER STREET, ROSEMEADOW

SITE COMPATIBILITY CERTIFICATE
Seniors Housing

Prepared for
HT BUILDING
29 October 2021



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1. INTRODUCTION

1.1. OVERVIEW

This report supports an application to the NSW Department of Planning, Industry and Environment (**DPIE**) for a Site Compatibility Certificate (**SCC**) under Clause 24 of *State Environmental Planning Policy (Housing For Seniors and People with a Disability) 2004* (**the Seniors SEPP**).

This application relates to the site at 72 Glendower Street, Rosemeadow and is legally described as Lot 21 DP1000643 (**The site**). The site forms an organic extension to the existing Mt Gilead Estate Retirement Village, which is partially constructed and operational on the land to the south. Both the site and existing estate are owned and managed by the estate.

The proposal is for the use of the eastern extent of the site for seniors housing (148 serviced self-care dwellings), an ancillary allied health building (5,775m²), 7 building envelopes varying in height from 1 – 6 storeys, associated car parking and site and landscaping works.

The site is located within the Campbelltown Local Government Area (**LGA**) and is zoned RU2 Rural Landscape under the *Campbelltown Local Environmental Plan 2015* (**LEP 2015**). Seniors Housing is prohibited in the RU2 Rural Landscape zone, however dwelling houses are a permitted use.

The Seniors SEPP applies to land that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, provided development for other purposes, including dwelling-houses, is permitted on the land (clause 4(1)) and that the land is not described in Schedule 1 (environmentally sensitive land) (clause 4(6)(a)).

The purpose of this SCC application is to demonstrate compatibility for the development of the site for the purpose of seniors housing. The SCC seeks to facilitate the preparation of a Development Application (DA), as required by Clause 50(2A) of the *Environmental Planning and Assessment Regulation 2000* (the

This SCC application does not seek development consent for the seniors housing development, but rather provides a contextual assessment that confirms that the future development of the site for seniors housing is appropriate. This SCC demonstrates the proposed land use is compatible with the surrounding context and any environmental impacts can be appropriately managed, pursuant to the required criteria specified in clause 25(5)(b) of the Seniors SEPP.

Following the issue of the SCC, a DA will be lodged with Campbelltown City Council seeking consent for the proposed seniors housing development within the parameters assessed and approved by the SCC.

1.2. REPORT STRUCTURE

This SCC is structured as follows:

- **Section 2 - Background:** outlines the pre-lodgement discussions with key stakeholders.
- **Section 3 - Site Context:** identifies the site and describes the existing development and local and regional context.
- **Section 4 - Proposed Development:** provides a detailed description of the proposal including the site constraints, building envelope and vegetation clearing.
- **Section 5 - Strategic Context:** identifies and analyses the State, regional and local strategic planning policies relevant to the site and proposal.
- **Section 6 - Statutory Context:** provides a detailed assessment of the State and local environmental planning instruments and plans relevant to the site and proposal.
- **Section 7 – Site Compatibility Certificate:** assesses the proposal against the site compatibility criteria.
- **Section 8 – Conclusion:** provides an overview of the proposal assessment outcomes and recommended determination of the SCC.

1.3. SUPPORTING DOCUMENTATION

This SCC has been prepared in accordance with the advice provided by the technical consultant team, as listed in the following table and appended to this report.

Table 1 Supporting Documentation

Document Title	Consultant
Concept master plan	Benson McCormack Architecture
Landscape Concept Plan	Urbis
Survey Plan	John M. Daly & Associates
Bushfire Report	Travers Bushfire & Ecology
Biodiversity Assessment Report	Travers Bushfire & Ecology
Geomorphology Report	Strategic Environmental Engineering Consulting
Koala Habitat Report	BioLink
Heritage Impact Statement	Urbis
Accessibility Statement	Morris Goding Access Consulting
Infrastructure Services Statement	Beveridge Williams
Permissibility Legal Advice Letter	Mills Oakley
Letter from Mount Gilead Estate	Mount Gilead Estate
Traffic Report	Stantec GTA Consultants
Submission on draft Cumberland Plan Conservation Plan	Mills Oakley
Mt Gilead Estate Brochure	-
Preliminary Site Investigate	ADE Consulting Group
Geotechnical Assessment	ADE Consulting Group

2. BACKGROUND

2.1. DEVELOPMENT CONSENT HISTORY

In 2006, development consent was granted (2828/2005/DA-M) for the staged construction of the Mount Gilead Estate Retirement Village at 72 Glendower Street, Gilead. The approved development is described as:

Stage 1: Construction of 840 serviced self-care dwellings, community facility building and associated infrastructure works and landscaping.

Stage 2: 270 hostel units in two buildings.

A total of 1,110 dwellings were approved on the site, with associated community facilities including health, retail and other services, comprising 3,350m² of GFA and a community facilities building comprising 334m².

The masterplan shows a variety of building envelopes, types and heights varying in scale from 2 storeys to 6 storeys, with a maximum RL of 177.10.

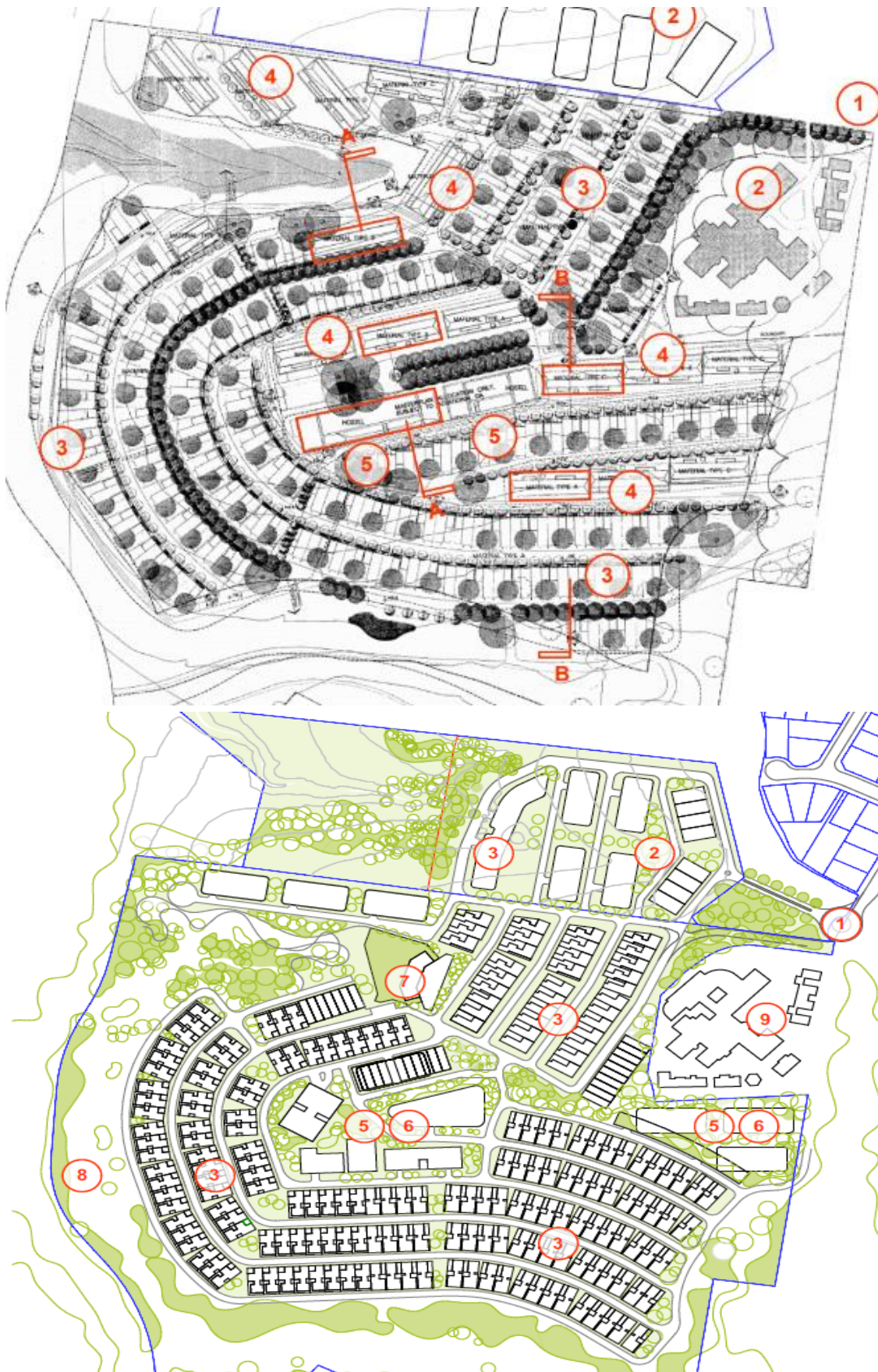
As part of the conditions of consent and requirements of the development, the site operates in accordance with an approved vegetation management plan and associated Asset Protection Zones (**APZ's**). The northern APZ associated with the existing estate, extends into the subject lot for a depth of 50m.

Since the granting of development consent, a number of modifications have been lodged over the site. The existing Estate has currently been constructed with 409 dwellings, with an additional 54 dwellings under construction. A club house and associated site facilities have also been constructed.

The overall modifications to the existing estate and the amendments to the building typologies, have resulted in the latent unused development yield. The intent of this SCC is to allow for that approved development yield to be relocated within the northern lot (the site), releasing the pressure within the existing site to accommodate the approved density. A comparison between the approved masterplan and the proposed master plan is illustrated in Figure 1.

To provide Council and the Panel with the assurance that the overall approved development yield would not exceed the approved 1,110 dwellings across the site, it is expected that a condition of consent would be imposed on any future development application that modifies the existing approved development, pursuant to section 4.17(1)(c) of the EP&A Act and section 97 of the *Environmental Planning and Assessment Regulation 2000 (the Regs)*. Alternatively, should Council require, the applicant can prepare a modification application to DA/2828/2005, which confirms a reduction in the overall yield associated with the existing estate.

Figure 1: Approved masterplan v proposed masterplan



Source: Benson McCormack Architect

2.2. ENGAGEMENT WITH RELEVANT AUTHORITIES

The project team met with DPIE on 13 October 2021 and Council on 21 October 2021 to discuss the SCC application. DPIE and Council noted some of the potential issues which will need to be addressed as part of an application. Both DPIE and Council outlined the importance of demonstrating compatibility of the proposal with the surrounding context in the SCC application.

Some of the key issues that were discussed with DPIE and Council included the following:

- **Draft Cumberland Plain Conservation Plan (CPCP):** The site is mapped as strategic conservation land under the draft CPCP. The current mapping online is being updated and will be made available at the end of the month.
- **Biodiversity:** The site contains Cumberland Plain Woodland (**CPW**) and will require biodiversity offsets. The removal of CPW may require Federal government approval. The site is mapped as “terrestrial biodiversity” under the CLEP 2015 and this will need to be addressed.
- **Bushfire:** Early engagement with RFS is recommended. The APZ zoned located in Lot 3 will require approval from the Office of Strategic Lands (**OSL**) and it is likely that a voluntary planning agreement (**VPA**) or the like will be required. DPIE note that additional buffer zones, beyond the APZ are required where adjoining mapped “core koala habitat.”
- **Visual Impact:** Include a view impact analysis of the proposal from key vantage points.
- **Height, Scale and Density:** The proposed height bulk and scale will need to be demonstrated it is compatible with the surrounding context.
- **Access:** A Planning Proposal may be required to facilitate the new access road within land zoned RE1 Public Recreation. This will be a matter of consideration at the DA stage.

This application has taken into consideration the position of both DPIE and Council and has responded to a broader assessment of the site and the surrounding environment, having regard to Clause 25(5)(b) of the Seniors Housing SEPP, in considering its compatibility.

3. SITE AND SURROUNDING CONTEXT

3.1. SITE DESCRIPTION

The subject site is located at 72 Glendower Street, Gilead, within the Campbelltown Local Government Area (LGA). The site has the following characteristics:

- It is located on Glendower Street at the south-western edge of the Rosemeadow residential area.
- Is irregular in shape and has an area of approximately 51,245m².
- The legal description of the site is Lot 21 DP 1000643.
- The site is currently vacant.
- Access to the site is currently via the existing Mount Gibraltar Estate, which has access via Glendower Street to the east.
- Situated in a valley that is oriented east to west with slopes varying from 5° - 25°.
- The site has a cross fall of approximately 30m east to west which is predominantly in the western portion of the site.
- Remnant vegetation covers most of the western portion of the site and is commensurate with disturbed Cumberland Plain Woodland. The remainder of the site is largely cleared of significant vegetation and is currently undergoing continual land management.
- Topographic maps show two first-order streams converging into a second-order stream that flows east to west into an unnamed tributary to Menangle Creek.
- A small farm dam exists in the eastern portion of the site

Figure 2 The Subject Site



Source: Urbis

3.2. THE DEVELOPMENT AREA

The development area forms the eastern part of the site and is situated directly north of the existing row of two storey independent living units (**ILU's**) within the Mt Gilead Estate Retirement Community.

The development area has the following characteristics:

- 30,200m² (57% of total site area)
- 1.75ha of fragmented native grassy woodland
- 18m cross fall east to west
- District views to the west
- A small farm dam
- An approved APZ extends along the southern boundary of the site, for a width of 50m.

Figure 3: Development area to the east of the red dash line, with approximate development footprint outlined

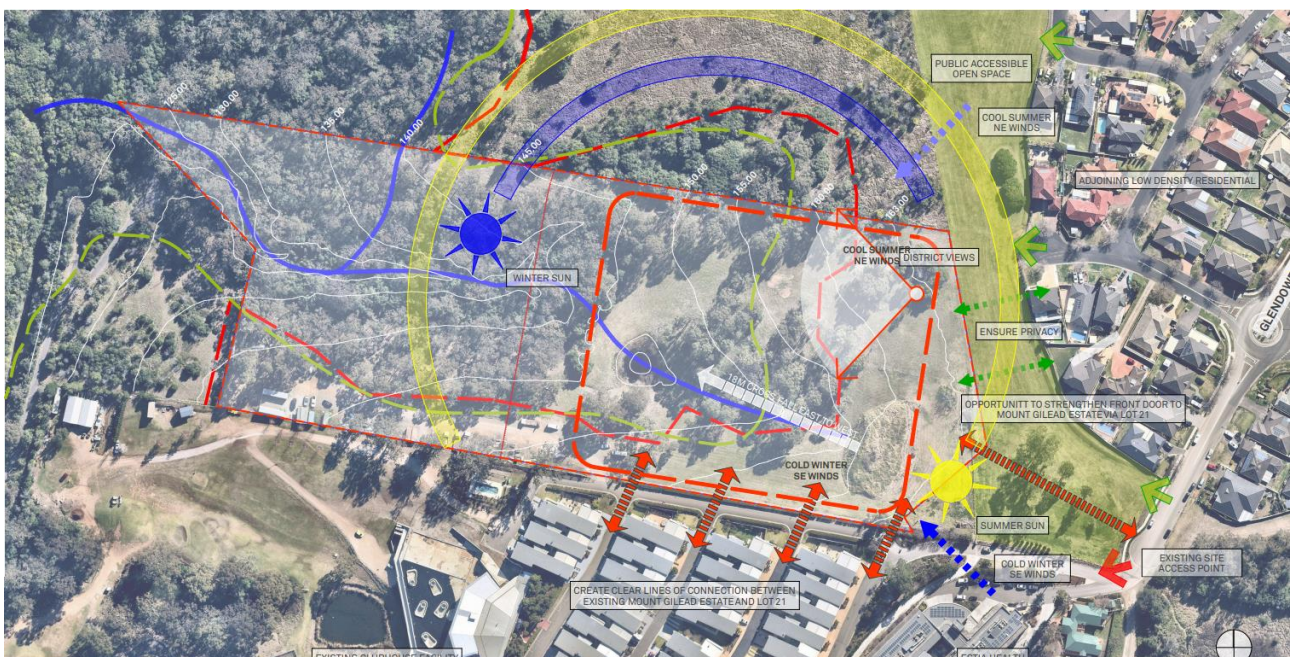


Figure 4 Site Photos



Picture 1 View looking south towards Mount Gilead Estate



Picture 2 View looking north near the site boundary with Mount Gilead Estate



Picture 3 View looking west into the site

Source: *Benson McCormack Architecture*



Picture 4 View looking west from the entrance to Mt Gilead Estate

3.3. THE LOCALITY

The site is located on Glendower Street at the south-western edge of the Rosemeadow residential area within the Campbelltown LGA. Rosemeadow is located approximately 46km south west of the Sydney CBD. The Hume Motorway is located 1.8km west of the site. The subject site is in proximity and highly accessible to the commercial centre of Campbelltown which is approximately 4.5km to the north-east. The broader context surrounding the subject site consists predominantly of low density residential areas.

Figure 5: Local Context



3.4. SURROUNDING CONTEXT

The subject site is located approximately 108km southwest of Sydney's Central Business District (CBD), 6km south of Campbelltown City Centre, 20km east of Camden and approximately 52km north of Wollongong.

The surrounding context is summarised in **Table 1** below.

Table 2 Surrounding Land Uses

Direction	Land Use
North	<ul style="list-style-type: none"> Vacant land owned by the DPIE Land containing a section of the State Heritage Listed Menangle Sugarloaf Farm (item no. 01389)
South	<ul style="list-style-type: none"> The existing Mt Gilead Estate Retirement Village and associated community facilities Killbride Nursing Home
East	<ul style="list-style-type: none"> The eastern boundary adjoins land zoned RE1 Public Recreation, owned by Campbelltown City Council; adjoined by Low-density residential housing in Gonzalo Street and Glendower Street.
West	<ul style="list-style-type: none"> The western boundary adjoins a SP2 Infrastructure zone comprising a section of the State Heritage listed Upper Canal water supply corridor, under the ownership of Water NSW (item no. 01373) Menangle Creek on the other side of the SP2 zoned land

4. OUTLINE OF PROPOSED DEVELOPMENT

4.1. DESCRIPTION OF PROPOSAL

HT Building seeks to develop the eastern portion of the site at 72 Glendower Road for seniors housing (serviced self-care housing) and an ancillary health building, forming an extension to the existing Mount Gilead Retirement Village. The proposed development does not seek to increase the approved yield within the precinct, but rather transfer the latent approved development from the existing southern lot to the site.

A Concept Plan prepared by Benson McCormack Architecture which demonstrates the indicative built form of the proposal. As shown, the indicative master plan and overall development outcomes will comprise the following elements:

- Maximum of 148 serviced self-contained dwellings
- An ancillary “allied health building” providing facilities and services to the residents of the site and the broader Mt Gilead Retirement Village. This is intended to include physio, medical suites, staff training rooms, kitchen and meal prep, home care services and other communal uses to service the entire site.
- Access roads throughout the site and site infrastructure.
- Associated site landscaping (refer **Section 4.4** below)
- A built form that responds to the natural topography and characteristics of the site and is responsive to the existing residential context

Key numerical aspects of the proposed development are provided in Table 3 below.

4.2. NUMERICAL OVERVIEW

Key numerical aspects of the proposal are provided in **Table 3** below.

Table 3 Numeric Overview

Descriptor	Proposed
Development Area	30,200m ²
Land Use	148 serviced self-contained dwellings Ancillary ‘allied health building’
Height of Building	2-6 storeys, with a maximum RL of 176.30
Total Number of Dwellings	148 dwellings
Gross Floor Area	GFA: Residential: 19,420m ² Community / health: 5,775m ² Total: 25,195m ² FSR: 0.5:1, based on site area.
Building Footprint	8,400m ² / 28% of the site
Parking and Loading	122 spaces
Landscaping	Deep Soil – 12,820m ² (42% of site area)

Descriptor	Proposed
	Podium – 835m ²
Setbacks	<p>Northern boundary: Building R4 is setback 20m from the northern boundary, building R1 is setback 21m from the northern boundary and building V1 is setback 22m from the northern boundary</p> <p>Southern boundary: Building C and D setback a minimum of 11m and 7.6m from the southern boundary.</p> <p>Eastern boundary: Building D setback a minimum of 4m from the eastern boundary. Building E partially built to boundary at the ground level.</p> <p>Western boundary: Building A and C setback a minimum of 10m from the northern boundary (Bettington Road).</p>
Building Separation	<p>Minimum 12.5m</p> <p>Maximum 38.5m</p>

4.3. BUILDING FORM AND MASSING

The proposal includes the provision of seven building envelopes on the site that are arranged as such to achieve an appropriate height for the site that is complementary to the existing residential context and to respond to the natural topography and characteristics of the site.

The proposal has also been designed to minimise visual impacts to adjoining properties to the east and ensure that the built form scale does not visually dominate the streetscape.

It is noted that the site is a land-locked site that is situated at the bottom of the Glendower Street cul-de-sac. The land has a substantial cross fall from the east to the west and therefore the site is not visually prominent within the broader locality.

The proposed heights of the building envelopes have been determined based on the existing approved built form within the estate. These buildings vary in height from 2 storeys to 6 storeys, as per Figure 6 below.

Figure 6: Approved building envelopes within the existing estate

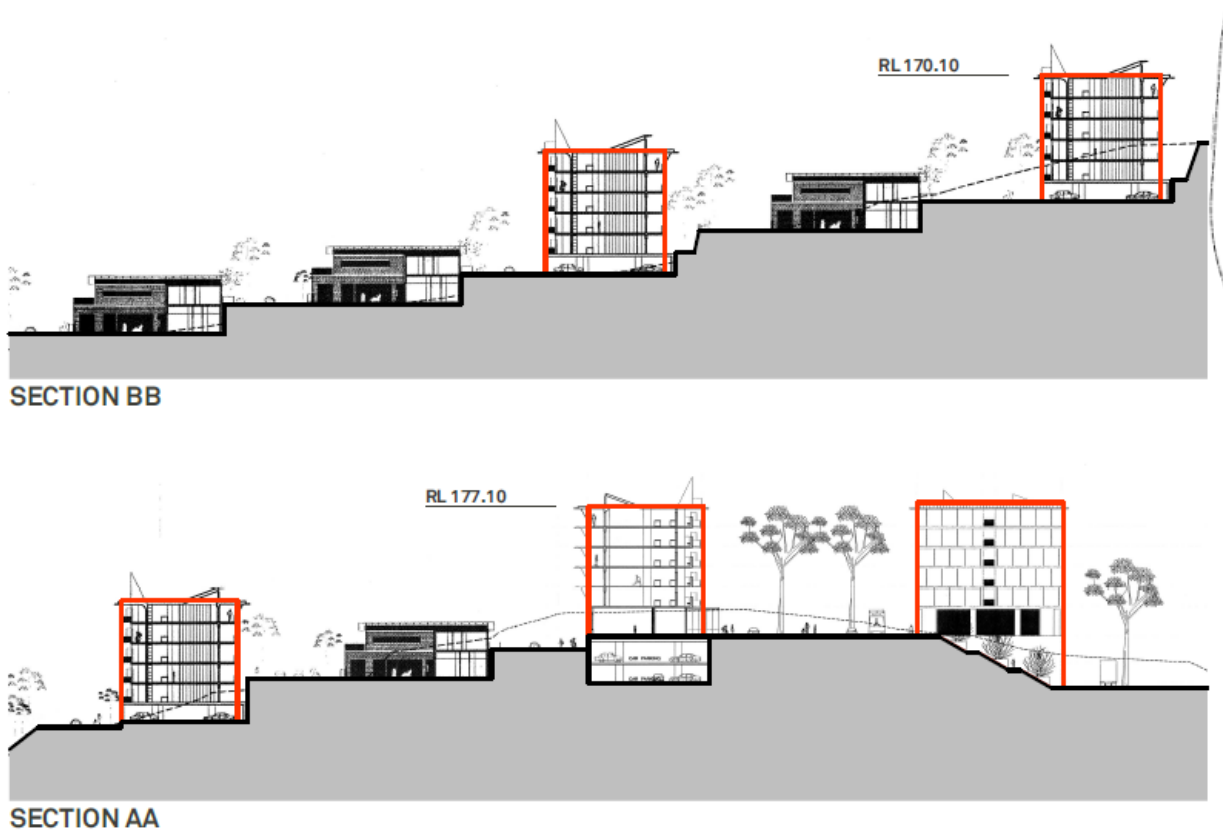


Figure 7: Proposed section, illustrating consistent height and scale with the approved development typology



4.4. BUILDING USES

The concept master plan provides a series of typical floor plates, demonstrating how the building envelopes would be designed and developed at the DA stage.

Residential accommodation

The proposed concept includes 6 residential buildings, comprising:

- 2 x 2 storey lower density ILU's (maximum RL 168.4) at the interface of the RE1 Public Recreation zone, providing a compatible scale with the adjoining R2 Low Density Residential zone and acting as the new street address. Total of 16 dwellings.
- 2 x 5 storey mid-rise ILU buildings (maximum RL 176.3) in an apartment style typology, with 2 levels of parking. Due to the sloping nature of the topography, this will result in a sub-basement level. Total of 66 dwellings.
- 2 x 5 storey mid-rise ILU buildings (maximum RL 169.5) in an apartment style typology with 2 levels of parking. Due to the sloping nature of the topography, this will result in a sub-basement level. Total of 66 dwellings.

All dwellings have been designed to have a pedestrian residential address along the eastern access, with vehicle access to the basement parking along the western axis.

Allied health

- 3 storey allied health building comprising a range of ancillary uses to meet the needs of the wider Mt Gilead Estate Retirement Village.
- Basement parking for a total of 122 vehicles.

Figure 8: Birds eye view of proposed masterplan



Source: Benson McCormack Architecture

4.5. LANDSCAPING AND COMMUNAL AREA

The communal areas of the proposed development are extensively landscaped. The general landscaping strategy for the site and the selection of planting palette are appropriate for the site and designed to play an important role by integrating with the built form, which greatly increases the amenity for neighbours and future residents.

The proposed design includes soft landscaping around the site, comprising of new trees, shrubs, groundcovers, turf, gravel and a bioswale. A timber board walk and feature welcome archways are proposed leading from the dwellings into the allied health building.

In terms of communal open space, the proposal provides six (6) different communal space areas.

The proposal provides a total deep soil landscaped area of 12,820m, which equates to 42% of the site area.

A Concept Landscape Plan has been prepared by Urbis and is included in Appendix B. **Figure 6** illustrates the proposed landscape design.

Figure 9 Concept Landscape Plan



Source: Urbis

4.6. TREE REMOVAL

The future redevelopment of the site will require the clearing of 1.75 hectares of fragmented native grassy woodland, (including those within the approved APZ). The vegetation consists of plant community type (PCT) 850, being Grey Box – Forest Red Gum grassy woodland on shale of the southern Cumberland Plain.

The PCT can be further broken down as follows:

- 1.45ha of woodland (PCT 850a)
- 0.3 ha of grassland (PCT 850b)

It is noted that this accounts for those trees within the approved APZ. A review of the available tree survey data including in the Koala Habitat and Occupancy Report prepared by BioLink confirms that future development in accordance with the master plan would require the removal of:

- 105 medium trees with a DBH between 100-300 mm; and
- 5 small trees with a DBH less than 100mm

5. STRATEGIC PLANNING CONTEXT

5.1. OVERVIEW

This section of the report addresses Section 3 of Part C – Site Compatibility of the Proposed Development as listed on page 4 of the *Director-General's Site Compatibility Certificate – Application Form*.

It includes a strategic justification for the proposed development, having particular regard to regional and local planning policy, adequacy of existing services and infrastructure, the suitability of the site having regard to its environmental benefits and constraints and the public benefits arising from the proposed redevelopment of the site.

5.2. GREATER SYDNEY REGION PLAN 2056

Prepared by the Greater Sydney Commission (GSC), the Greater Sydney Region Plan provides the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities - the Western Parkland City, Central River City and Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, 817,000 new jobs and a requirement of 725,000 new homes by 2036.

The Plan includes objectives and strategies for infrastructure and collaboration, liveability, productivity and sustainability. Of relevance to the proposed development is the following in the Plan:

- **Objective 11: Housing is more diverse and affordable**

The GSC explains that a range of housing types provides for the needs of the community at different stages of life and caters for diverse household types. A diversity of housing types, sizes and price points can help improve affordability. Increasing the supply of housing that is of universal design and adaptable to people's changing needs as they age is also increasingly important across Greater Sydney. The proportion of households choosing to rent rather than buy, through need or preference, is growing quickly in Greater Sydney.

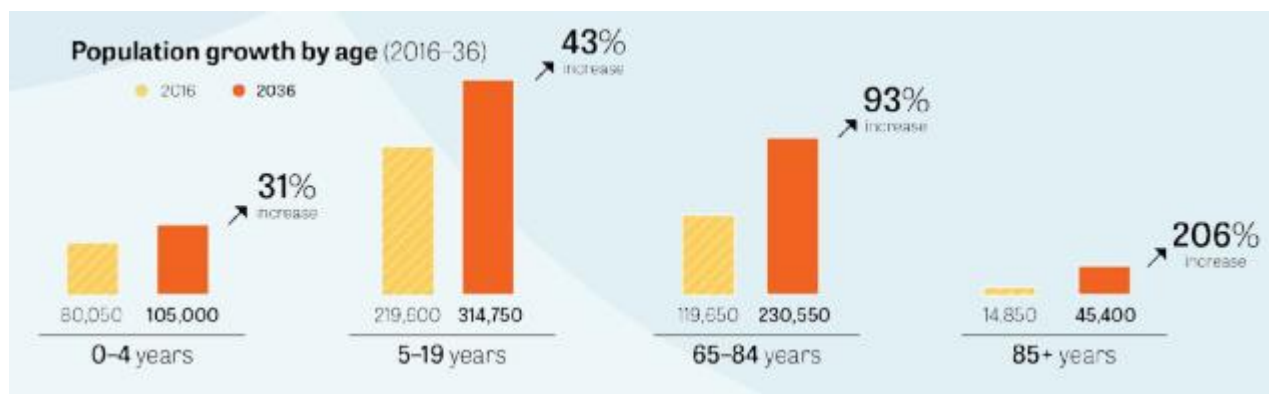
The proposed development provides a variety of residential accommodation that caters to the seniors housing market, having recognised the change in housing needs. Importantly, the proposed development allows for the site, as expanded, to deliver the necessary housing required to service the aging population, as originally intended by way of the approved master plan.

5.3. WESTERN CITY DISTRICT PLAN

The Greater Sydney Region Plan locates the site in the Western City District. The Western City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the district.

The district will see a changing and increasing population over the next 20 years. The population is expected to grow from 740,000 in 2016 to 1.1 million by 2036, and to well over 1.5 million by 2056. Of particular importance, Western City District is expected to see a significant proportion of this growth occurring in people aged over 65 and over 85. The Greater Sydney Commission has set a housing target of 184,500 new homes between 2016 and 2036 to meet the increasing demand.

Figure 10 Population Growth by Age



Source: Western City District Plan – Greater Sydney Commission

Relevant priorities raised in the Plan include:

- **Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport**

The proposed development will provide for a seniors housing development that will serve the growing housing needs and ageing population of the community within the local area. A total of 148 independent living units for seniors will be provided, to deliver a diversified combination of affordable residential interests. The site is within 10km of the Campbelltown Centre, allowing future residents to have access to facilities and services.

- **Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City**

The proposal will provide integrated residential uses in proximity to existing transport nodes including Menangle, Macarthur and Campbelltown train stations, as well as various regional connecting roads such as the Hume Motorway and Appin Road.

5.4. CAMPBELLTOWN LOCAL STRATEGIC PLANNING STATEMENT

The Campbelltown Local Strategic Planning Statement (LSPS) was endorsed by Council on 18 February 2020 and provides the framework for land use planning and decision making over the next 20 years. It provides an overview of the characteristics and values of Campbelltown, a direction for growth, recommendations for revising planning controls, implementation pathways for the Region and District plans and identification of where further strategic planning is required.

The vision for Campbelltown in the LSPS states:

Campbelltown City is Sydney's lifestyle capital – a distinctive destination of high amenity nestled within a natural and historic cultural landscape. It is a place where city meets country and where people choose to live, work, plan, invest and visit because quality of life is second to none.

The LSPS identifies key actions across four themes and 16 planning priorities. Each planning priority highlights strategic policy positions. The following are relevant to the proposed development:

- Contain urban growth within the existing urban area or within the identified priority growth and urban investigation areas
- Housing supply, diversity, choice and quality respond to community needs and contribute to housing requirements at the District Level

The housing target for the Campbelltown LGA is 26,700 new dwellings between 2016 and 2036. Council has prepared a comprehensive Local Housing Strategy (LHS) to address future housing needs.

The seniors housing proposal responds to the Campbelltown Local Strategic Planning Statement by providing for a diversity of housing types and sizes to meet community needs into the future. The proposal demonstrates design excellence and will provide a high level of amenity, in line with the vision for Campbelltown in the LSPS.

5.5. CAMPBELLTOWN LOCAL HOUSING STRATEGY

As discussed, the Campbelltown Local Housing Strategy (LHS) was prepared by Council to address future housing needs. The higher population growth forecasts developed by Council indicate that approximately 40,000 additional dwellings will be needed to accommodate a population of 275,000 people by 2036. This housing demand estimate may be considered as a high growth scenario as it significantly exceeds the projected population of 233,150 (equivalent to 26,700 dwellings) identified by the DPIE. Council is confident that there is sufficient capacity for future dwelling supply to service both the more moderate and the higher growth scenarios.

The LHS provides the following insights relevant to the proposed development:

- Diversity is an important in providing housing to suit the needs of older people
- Many capable and active seniors still want the privacy and space that a detached dwelling provides without the maintenance burden of a larger landscaped lot
- Location is vital to the liveability of any development. Larger seniors' housing developments may have the means to provide for shuttle buses and medical facilities, while smaller developments should be located to give residents access to essential services including supermarkets, post offices, health care facilities and pharmacies.
- Further, large scale seniors' housing developments take on the density and built form character comparable to medium and high density housing developments.
- It is suggested that Council could support the delivery of housing suited to older people by:
- Supporting the development of more medium density residential development in areas serviced by infrastructure.
- Supporting housing for seniors and people with a disability in locations that are close to centres that incorporate retail, medical and community facilities and public transport.

In line with the Campbelltown LHS, the proposal will introduce seniors housing in a location that is close to centres that contain all the necessary services and infrastructure to meet residents' needs.

5.6. CAMPBELLTOWN 2027 – COMMUNITY STRATEGIC PLAN

The Campbelltown Community Strategic Plan (CSP) was prepared in 2017 and intended as the primary strategic planning document for Campbelltown LGA. The document outlines the aspirations of the city's people, and details how Council and other key stakeholders envision achieving them over a 10 year period to 2027.

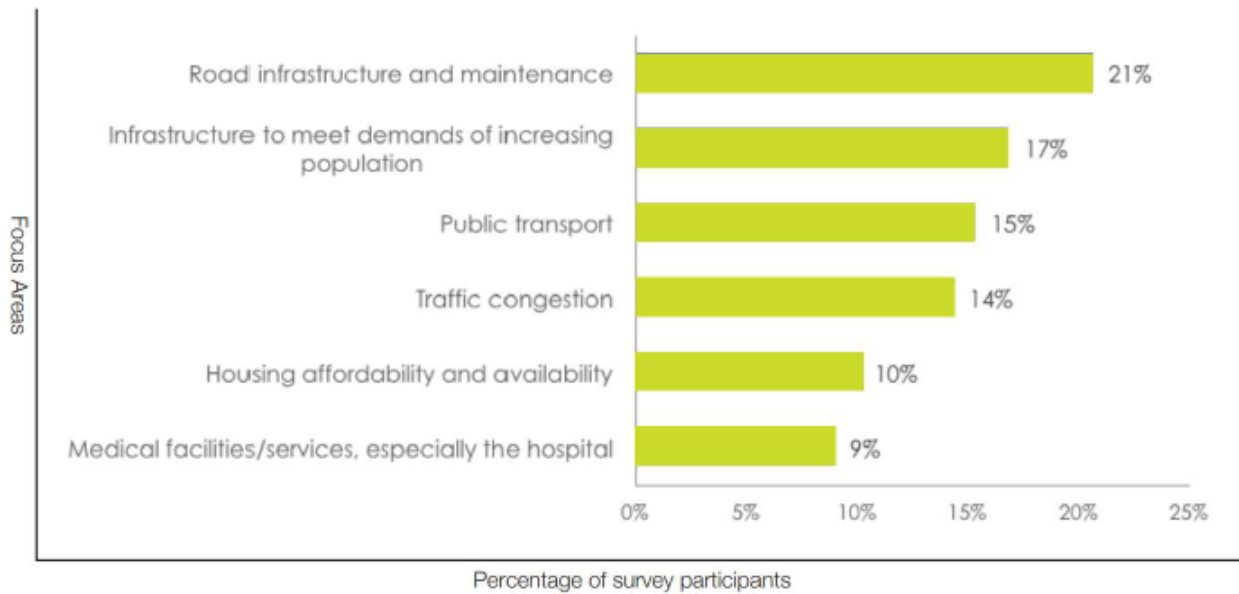
The CSP acknowledges population growth as a key pressure on the Campbelltown LGA for this period. Campbelltown was named a priority growth area and a strategic centre by the NSW government.

The CSP outlines several strategies relevant to the proposed development:

- Strategy 1.8: Enable a range of housing choices to support different lifestyles
- Strategy 4.3: Responsibly manage growth and development, with respect for the environment, heritage and character of our city

The key findings of the community and stakeholder engagement are extracted in the figure below.

Figure 11 Top priority ideas according to respondents during engagement for the CSP



Source: Campbelltown 2027 (2017)

As discussed, the proposal improves housing choice for the growing seniors population in the area and wider district. The proposed development is compatible with the existing scale and character of development in conjunction with the adjacent Mt Gilead Retirement Village, is respectful of the nearby vicinity heritage items and suitably locates the building form to minimise impacts to the natural environment.

6. STATUTORY FRAMEWORK

The following statutory planning legislation applies to the site and any future redevelopment of the site for seniors housing:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Environmental Protection and Biodiversity Conservation Act 1999*
- *Biodiversity Conservation Act 2016*
- *Biodiversity Conservation Regulation 2017*
- *Water Management Act 200*
- *State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004*
- *Draft Statement Environmental Planning Policy (Housing SEPP) 2021*
- *State Environmental Planning Policy (Koala Habitat Protection) 2021*
- *Draft Cumberland Plain Conservation Plan*
- *State Environmental Planning Policy No.55 – Remediation of contaminated land*
- *Campbelltown Local Environmental Plan 2015*

The following sections provided an assessment against the planning legislation that is relevant to the Site Compatibility Certificate. A comprehensive assessment against all legislation will be undertaken, as required at the DA stage.

6.1. STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The Seniors SEPP permits development on certain land for housing for seniors and people with disabilities.

An assessment against the relevant provisions of the Seniors SEPP and the request for the Site Compatibility Certificate is provided in full at Chapter 7.

6.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICY (HOUSING SEPP) 2021

The NSW Government has released a draft version of the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)* as part of a package of proposed amendments that seek to reform planning policies related to housing.

The Seniors SEPP is proposed to be remade as Part 4 of Chapter 3 of the Housing SEPP. While the Housing SEPP will maintain much of the original structure of the Seniors SEPP, it also makes a number of amendments.

The Seniors SEPP currently applies to two broad categories of land:

- Land used for the purposes of an existing registered club; and
- Land zoned primarily for urban purposes or adjoining such land (but only where certain land uses are permissible).

Instead of relying on the phrase ‘zoned primarily for urban purposes’, the Housing SEPP is proposed to specify the zones to which the provisions for seniors housing will apply. The RU2 Rural Landscape is not one of the land use zones where Seniors Housing will be permitted. This means the zoning will prohibit Seniors Housing from occurring on the site.

The Housing SEPP generally retains the current environmental and heritage exclusions and provisions. The definition of 'environmentally sensitive' land has been updated to align with the current legislation and planning conditions.

Under the current Seniors SEPP, environmentally sensitive land is land which is described in an environmental planning instrument by any of a prescribed list of words or expressions, including 'coastal protection', 'floodway' and 'critical habitat'.

The Housing SEPP proposes a more simplified definition of environmentally sensitive land which is generally determined by reference to specific instruments and maps. The proposed Schedule 4 to the Housing SEPP defines the following as environmentally sensitive land, any land:

- Shown cross-hatched on the bush fire evacuation risk map;
- Identified as coastal wetlands and littoral rainforests area, or coastal vulnerability area, within the meaning of State Environmental Planning Policy (Coastal Management) 2018;
- Declared as an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016;
- Identified on the Map within the meaning of the Biodiversity Conservation Regulation 2017; and
- Identified in another environmental planning instrument as flood planning, open space, natural wetland, or by a similar description.

It is understood that the Housing SEPP will include transitional provisions for SCC and DA's that have been lodged in accordance with the SCC.

This SCC has been lodged prior to the finalisation of the Housing SEPP and will seek to rely on the transitional provisions.

6.3. DRAFT CUMBERLAND PLAIN CONSERVATION AREA

The land at 72 Glendower Street is subject to the draft Cumberland Plain Conservation Plan (**CPCP**). The draft CPCP maps the following constraints over this site (Figure 12):

- Important Koala Habitat
- Strategic Conservation Area
- Proposed Environmental Conservation
- Non-Certified – Avoided for biodiversity

The Draft CPCP has concluded a period of public exhibition, and as we understand, the current mapping data available on the spatial viewer is being updated and is likely to be amended by the end of October. As this information is not publicly available it is neither clear or certain what mapping will be applicable to the site, when the Plan is finalised.

In our preliminary engagement with the DPIE, it has been made clear that the current draft mapping does not accurately reflect the approved APZ which covers the lower 50m portion of the site. Further, the current draft mapping does not accurately reflect the on-ground situation, as documented by the technical experts that have been collecting field data on the site. These experts include:

- John Travers, Travers Bushfire & Ecology – Biodiversity Constraints Assessment
- Stephen Phillips, BioLink – Koala Habitat and Occupancy Report
- Rebecca Hogan, Hayes Environmental – draft BDAR

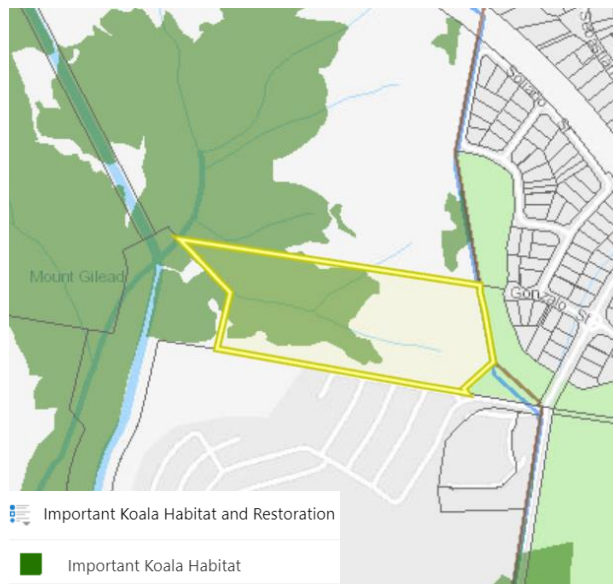
The findings of these experts, as documented in their relevant reports, confirms the following:

1. The proposed draft mapping is entirely inconsistent and antipathetic with the approved APZ.
2. The proposed draft mapping does not accurately reflect the actual extent and location of the core koala habitat on the site. The site is mapped under the Campbelltown Koala Plan of Management as containing land identified as potential koala habitat only.

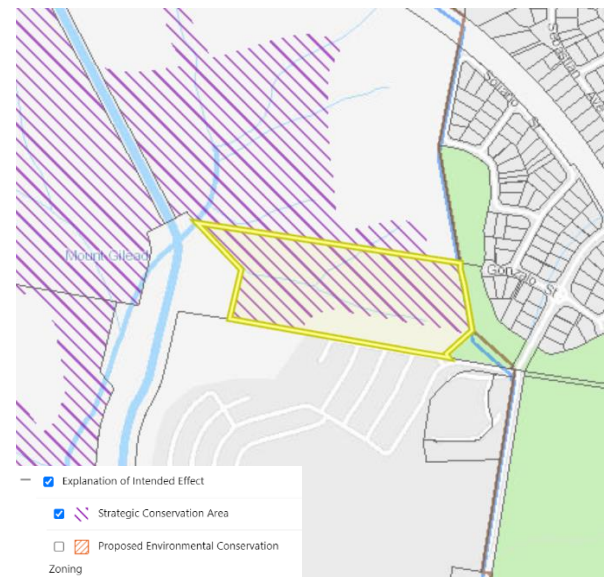
- The expert reports demonstrate that only the north western portion of the site is appropriately identified as being of environmental significance, and therefore the mapping should be restricted to that portion of the land so as to not unduly impact the vacant, predominately cleared portion of the site.

Representations have been made to DPIE to discuss the mapped features on the site to ensure that these accurately reflect the surveyed site circumstances. Mills Oakley have prepared a submission to DPIE to this effect, and this is provided as part of this SCC.

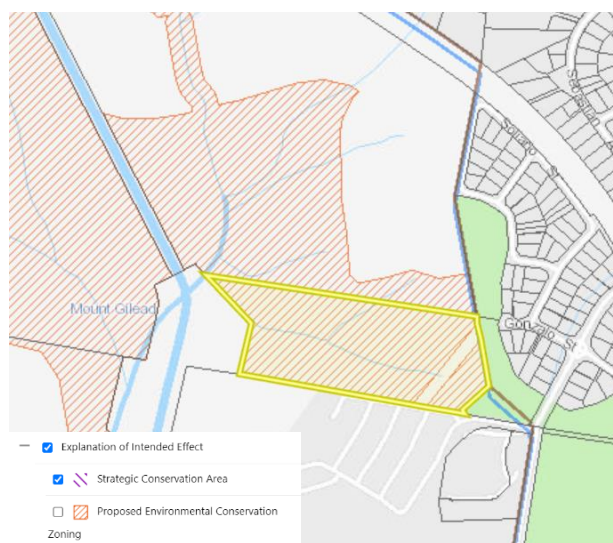
Figure 12 Draft Cumberland Plain Conservation Plan Mapping



Picture 1 Important Koala Habitat

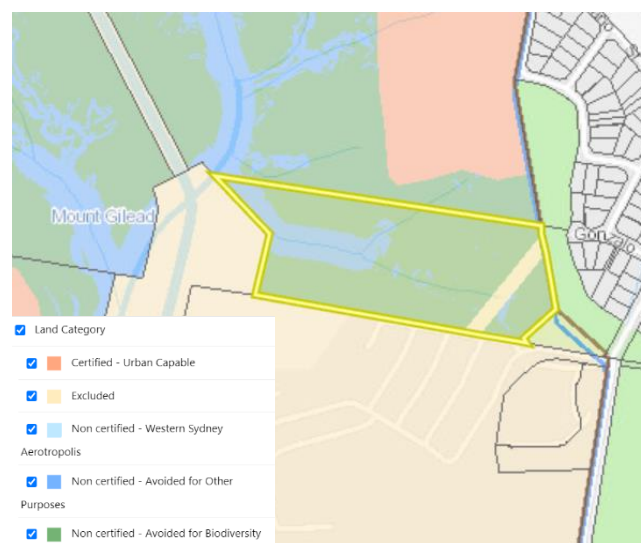


Picture 2 Strategic Conservation Area



Picture 3 Proposed Environmental Conservation

Source: Draft Cumberland Plain Conservation Plan



Picture 4 Land Category: Non-certified – avoided for biodiversity

6.4. STATE ENVIRONMENTAL PLANNING POLICY NO. 55- REMEDIATION OF LAND

State Environmental Planning Policy No. 55 – Remediation of Land provides a state wide planning approach to the remediation of contaminated land. SEPP 55 requires that the consent authority consider whether the land is contaminated, and if so, whether the land is able to be remediated prior to that land being used for the intended purpose.

A Stage 1 Preliminary Site Investigation (**PSI**) has been prepared in support of the SCC. The report confirms that the site can be made suitable for seniors housing, subject to soil sampling and testing and if required, remediation of any contaminated land.

6.5. CAMPBELLTOWN LOCAL ENVIRONMENTAL PLAN 2015

LEP 2015 is the principal local planning instrument that applies to the site.

The site is zoned RU2 Rural Landscape in accordance with the LEP. The relevant objectives of the zones are outlined below.

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To preserve and enhance bushland, wildlife corridors, natural habitat and water resources, including waterways, ground water and riparian land.*
- *To protect and enhance areas of scenic value, and the visual amenity of prominent ridgelines, by minimising development and providing visual contrast to nearby urban development.*
- *To promote healthy lifestyles by ensuring land is available for the local production and consumption of fresh food.*

The site is current vacant and there are no active land use approvals that relate to the site. Dwelling houses are permitted with consent within the RU2 zone however Seniors Housing is prohibited.

Table 4 includes an assessment of the compliance of the proposed development with other relevant clauses in the LEP.

Table 4 LEP Compliance Table

Clause	Provision	Proposed	Complies
Clause 4.1 Minimum Subdivision Lot Size	Minimum lot size: 100ha	Subdivision is not proposed as part of this application.	N/A
Clause 4.3 Height of Buildings	Max Height: 9m	Building heights vary across the site, from RL168.4 – RL176.3, being approximately 9m – 18.6m. The proposed heights are consistent with the existing buildings within the Mt Gilead Estate.	No
Clause 5.10 Heritage Conservation	The site is in the vicinity of several heritage items, as follows: <ul style="list-style-type: none"> ▪ State Heritage Item: I01389 – Sugarloaf Farm 	The subject site is not identified as a heritage item, nor is it located within a Heritage Conservation Area. However, the adjacent lot to the north is identified as having	Yes

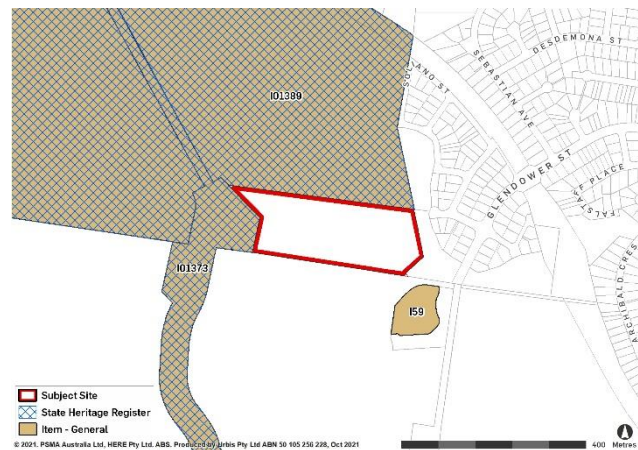
Clause	Provision	Proposed	Complies
	<ul style="list-style-type: none"> State Heritage Item: I01373 – Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) 	<p>State heritage significance, being ‘Sugarloaf Farm’ (SHR #I01389). This lot will form part of the APZ for bushfire protection.</p> <p>The proposed bushfire APZ is located outside both the historical and visual curtilage of Sugarloaf Farm and Farmstead complex, as demonstrated in the Heritage Impact Statement (HIS) submitted with this application.</p>	
Clause 7.5 Preservation of the Natural Environment	<p><i>(3) Despite any other provision of this Plan, development consent must not be granted to the removal of soil or bush rock from any land to which this clause applies.</i></p> <p><i>(4) Subclause (3) does not prevent the relocation of soil or bush rock within the same site.</i></p>	<p>Future development will require a degree of cut and fill on the site.</p> <p>Development can be designed to retain soil on site. This will be a matter for consideration at the DA stage.</p>	Yes
Clause 7.20 Terrestrial Biodiversity	<p><i>(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—</i></p> <p><i>(a) whether the development is likely to have—</i></p> <p><i>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></p> <p><i>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i></p> <p><i>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></p> <p><i>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</i></p> <p><i>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p>	<p>The site is mapped as containing terrestrial biodiversity.</p> <p>It is noted that the mapping extends over a portion of the site that is relatively cleared with only fragmented patches of vegetation.</p> <p>The building footprint is located predominately within the unmapped and / or cleared portion of the site.</p> <p>The proposal does include the removal of 105 medium size trees and 5 small trees and encroaches into the peripheral of the terrestrial biodiversity zone.</p> <p>However as this is at the edge of dense vegetated portion of the site, this does not result in the fragmentation of the biodiversity, nor does it disrupt habitat connections.</p> <p>Any future DA will be accompanied by a Biodiversity Development Assessment Report that will include the required</p>	Yes

Clause	Provision	Proposed	Complies
		offsets associated with the removal of vegetation. A vegetation management plan will also accompany a future DA to ensure that appropriate measures are included to mitigate and minimise the development impacts.	

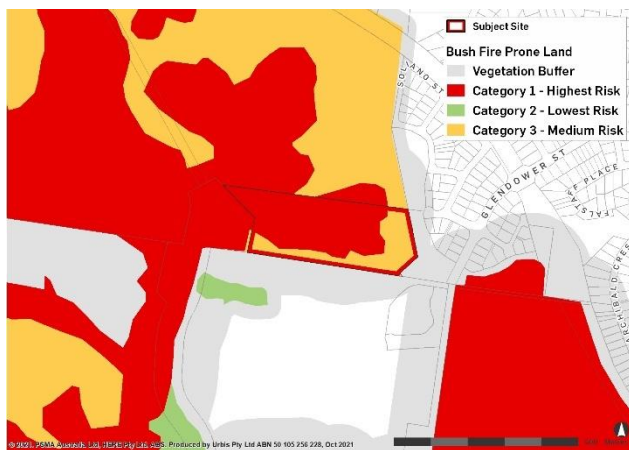
Figure 13 Campbelltown LEP Maps



Picture 5 Land Zoning Map

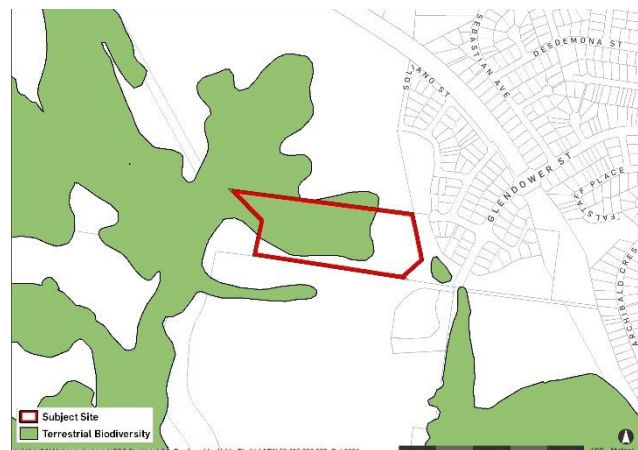


Picture 6 Heritage Map



Picture 7 Bushfire Map

Source: Urbis



Picture 8 Terrestrial Biodiversity Map

7. SITE COMPATIBILITY CERTIFICATE

7.1. PERMISSIBILITY STATEMENT

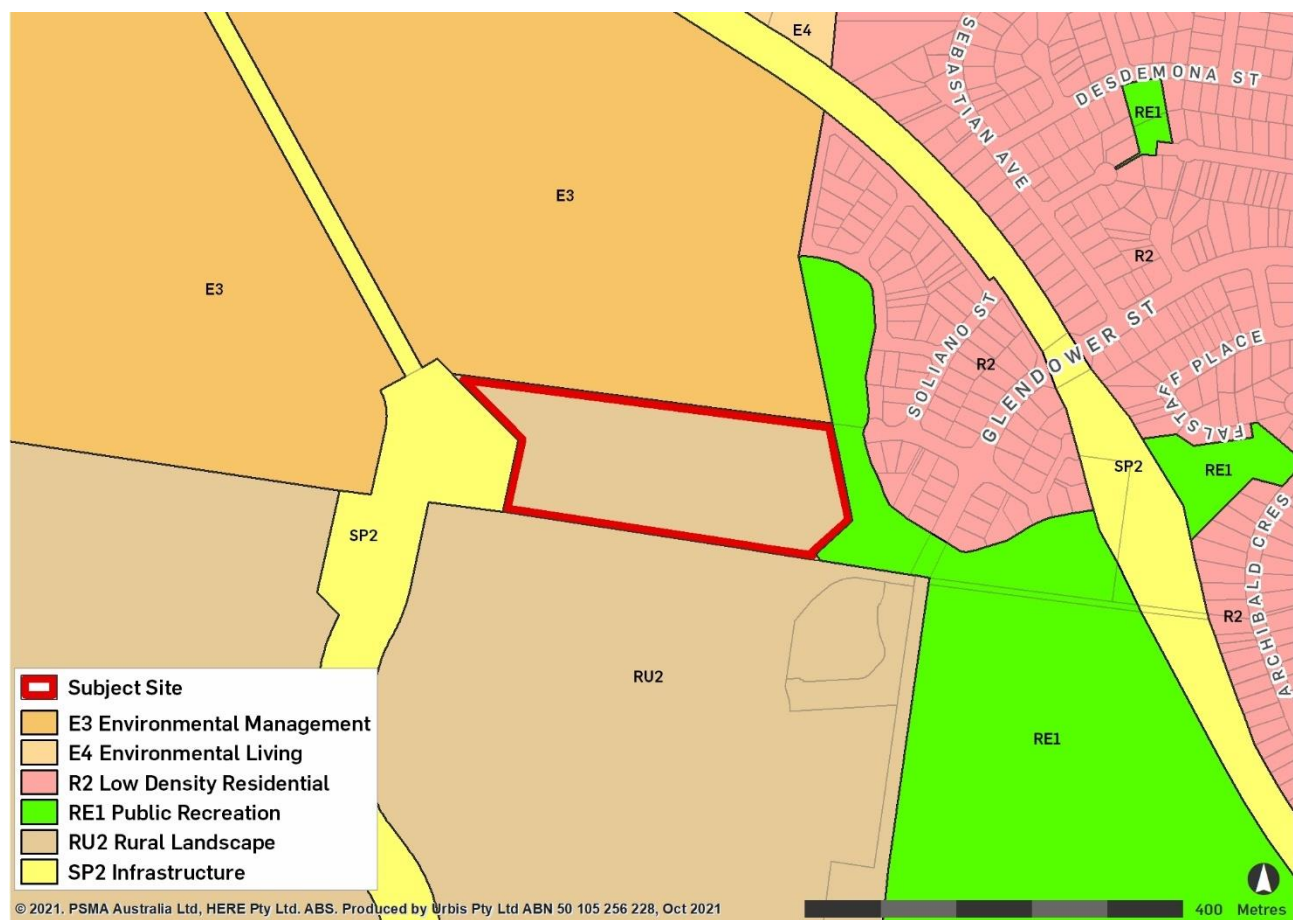
The site is owned by William Kennedy Holdings Pty Ltd, who own and operate the Mt Gilead Estate Retirement Village to the south of the site. The Mt Gilead Estate is a registered retirement village under the *Retirement Villages Act 1999*.

The site is zoned RU1 Rural Landscape under the CLEP 2015 (Figure 14). Seniors housing is prohibited within the RU1 zone, however dwelling houses are permitted with consent.

To the east of the site is land zoned RE1 Public Recreation and adjoining that, is land zoned R2 Low Density Residential, being land zoned primarily for urban purposes.

Pursuant to Clause 24 of the Seniors SEPP, this site compatibility certificate has been prepared on the basis that the site adjoins land zoned primarily for urban purposes.

Figure 14 Land zoning map, illustrating the site in relation to the RE1 and R2 land



Source: Urbis

7.1.1. Does the Seniors SEPP apply to the subject site?

The Seniors SEPP applies to land that is zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if (clause 4(1)):

- (a) *development for the purpose of any of the following is permitted on the land—*
 - (i) *dwelling-houses,*
 - (ii) *residential flat buildings,*
 - (iii) *hospitals,*

(iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or

(b) the land is being used for the purposes of an existing registered club.

Dwelling houses are permitted within the RU2 zone and therefore the Seniors SEPP applies.

7.1.2. Is the site zoned 'primarily for urban purposes' or does it 'adjoin land zoned primarily for urban purposes?'

The site is zoned RU2 Rural Landscape and therefore is primarily zoned for rural purposes. However, as described in the submitted legal advice prepared by Mills Oakley, the site adjoins land zoned primarily for urban purposes.

The advice summarises the relevant caselaw pertaining to seniors housing developments on site's, akin to that of the site, where there is a road and / or RE1 zoned land that separates the site from the immediately adjoining urban land.

The relevant caselaw authority has determined that "*it is not necessary for land to have a common boundary with or to immediately adjoining land zoned primarily for urban purposes for it to be said to be adjoining such land.*"

In the context of the site, the RU2 zoned land is separated from the R2 zoned land by a strip of RE1 zoned land, that is approximately 30m – 82m wide. This is similar to the circumstances described in *Wirrabara Village Pty Ltd v The Hills Shire Council NSWLEC 1187 (Wirrabara)* which was stated to be 71.7m from urban zoned land. The findings in that case determined that *the site immediately adjoined the urban precinct, but for the park and the lane.*

Another important factor, aside from the distance, is the consideration of the character of RE1 land itself. In regards to the public recreation land adjoining the eastern boundary, it is neither characterised as urban or rural land and therefore "*takes on a neutral character.*"

The legal advice provided by Mills Oakley concludes that the site is in sufficient proximity to be *said to be adjoining land zoned primarily for urban purposes, in the context of the SEPP* and the relevant requirements under Clause 24(1)(a)(i).

7.1.3. Development on land adjoining land zoned primarily for urban purposes.

As established in Section 7.1.2 above, the site is land adjoining land zoned primarily for urban purposes.

Part 5 of the Seniors SEPP lists specific requirements regarding the type of seniors housing, transport services and availability of facilities and services which must be provided in order for a consent authority to grant development consent.

42 Serviced self-care housing

The application for SCC is for development of 148 'serviced self-care' housing, which is defined under the Seniors SEPP, as

Serviced self-care housing is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.'

The proposal satisfies the provisions of Clauses 13, 17 and 42 of the SEPP Seniors for the following reasons:

- All dwellings are designed to be self-contained, with required personal kitchen, laundry, storage, living and sleeping spaces.
- The ancillary health building contains the necessary community facilities to meet the needs of residents and to comply with the provisions of the SEPP Seniors including a communal kitchen and consulting spaces from where personal and nursing care will be provided. The specific design and fit out of this building will be developed at the DA stage.

- All residents will be provided with access to home delivered meals, personal care and home nursing, and assistance with housework if desired. These services will be provided through dedicated on-site management and service providers to be appointed to the development by the Proponent.
- The Proponent accepts the requirement at the time of applying for Development Approval to confirm the satisfaction of the provisions of the SEPP Seniors supported by appropriate plans and written confirmation.

Written evidence is submitted with this SCC from the Mount Gilead Estate General Manager of Operations, confirming that the requirements are currently provided as part of the existing development, and further additional services will be provided by way of the future redevelopment of this site.

43 Transport services to local centres

Clause 43 of the Seniors SEPP states that:

(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development—

(a) that will drop off and pick up passengers at a local centre that provides residents with access to the following—

- (i) shops, bank service providers and other retail and commercial services that residents may reasonably require,*
- (ii) community services and recreation facilities,*
- (iii) the practice of a general medical practitioner, and*

(b) that is available both to and from the proposed development to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day.

Written evidence is submitted with this SCC from the Mount Gilead Estate General Manager of Operations, confirming that a 14 seat passenger bus operates on site, providing residents with the necessary transport services to the local shops, retail outlets, banks and medical facilities as required.

44 Availability of facilities and services

Clause 44 requires that any facilities or services provided as part of the proposed development must be available to residents when the housing is ready for occupation.

The existing Mount Gilead Estate is currently operating and the services associated with the existing estate are available for the future residents of this site.

7.1.4. Is the land excluded under Schedule 1 Environmental Sensitive Land?

Clause 4(6)(a) of the SEPP describes land that, regardless of the permissibility under Clause 4(1) and 4(2), the SEPP does not apply to. This land is identified as environmentally sensitive land and includes the following characteristics:

- *Coastal protection*
- *Conservation (but not land identified as heritage conservation)*
- *Critical habitat*
- *Environment protection*
- *Open space*
- *Escarpment*
- *Floodway*
- *High flood hazard*

- *Natural hazard*
- *Scenic*
- *Water catchment*
- *Natural wetland.*

Whilst the site is encumbered with biodiversity features, bushfire hazards, and contains a mapped water course, these are not features that are identified as “environmentally sensitive land,” as described under Schedule 1 of the Seniors SEPP.

For the purpose of the Seniors SEPP, the site is not considered to be environmentally sensitive land.

7.1.5. Previously issues SCC on the land.

No SCCs have previously been issued on the land.

7.1.6. Proximity of site to which there is a current SCC or an application has been made but not yet determined.

There are no current SCC’s or pending applications for SCCs for land within a 1km radius of the site. As such, a cumulative impact study has not been provided.

7.2. SUITABILITY FOR MORE INTENSE DEVELOPMENT - CLAUSE 24

To issue a SCC, the Sydney Western Planning Panel must form the opinion that, *‘the site of the proposed development is suitable for intensive development, and development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in Clause 25(5)(b)’*.

The site forms an extension of the existing Mt Gilead Estate Retirement Village, which is a village-style resort community within a rural bush setting, 10 minutes drive from Campbelltown.

The site is separated from the low-density residential estate to the east by a strip of RE1 zoned land which is used as public recreation by the residents of the surrounding community. The site enjoys expansive views to the west of lush bushland.

The proposal is largely located on land that is vacant and cleared, albeit a confined cluster of CPW which is centrally located in the site and has been fragmented from the predominant bushland within the western portion of the site, in addition to those trees along the northern boundary. Collectively, the proposal will require a removal of 105 medium size trees and 5 small trees, outside the approved APZ.

In summary, this SCC submits that the site is suitable for more intensive development, as:

- There is sufficient space within the site to accommodate the scale and proportion of the proposal, relieving pressure on the existing site to accommodate the planned yield that has been approved by way of the existing master plan;
- Is located 10 minutes drive from Campbelltown centre;
- Is located in close proximity to the Rosemeadow market place shopping mall
- Is readily accessible to services and facilities both within the existing Estate and those planned as part of the Allied Health Building. The onsite transport arrangements ensure that residents have the necessary transport to access the services they require.
- The proposal seeks to utilise the latent development that was approved under the existing master plan and therefore, there will be no net increase on the demand of local infrastructure and services, beyond that already contemplated by the existing approvals.
- The proposal will require removal of CPW however any future development application will be accompanied by a BDAR which sets out the relevant biodiversity offset requirements. The DA will also be accompanied by a vegetation management plan and agreements by the land owner to manage and maintain the RE1 zoned land to the east and parts of the lot to the north, providing a benefit to the public.

7.3. COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES – CLAUSE 25(5)(B)

The Panel must not issue a certificate unless it is of the opinion that the proposal is compatible with the surrounding environment and land uses, having regard to the following criteria:

7.3.1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development – Clause 25(5)(b)(i)

7.3.1.1. Ecology

A comprehensive assessment of the ecological impacts of the proposal prepared by Travers Bushfire and Ecology has been submitted with this SCC. This assessment includes an ecological survey undertaken on site in accordance with all relevant legislation including the *Environmental Planning and Assessment Act 1979* and the *Biodiversity Conservation Act 2016* amongst others.

The assessment identified the main findings in relation to flora and fauna species at the site:

- No threatened flora species have been observed.
- Preliminary fauna survey has recorded the presence of three (3) threatened fauna species including Koala (*Phascolarctos cinereus*), Little Lorikeet (*Glossopsitta pusilla*) and Greyheaded Flying-fox (*Pteropus poliocephalus*).
- In respect of the Koala records, advice by consultants Biolink revealed they “*generally agree with the premise preferred by the Koala Management Plan that Potential Koala Habitat exists on site, and that there is little in the way of evidence to indicate the presence of Core Koala Habitat as defined by the SEPP 2021. It also appears clear that connectivity values for koalas across the landscape are primarily concentrated in areas adjacent to the site (e.g. Menangle Creek riparian zone), rather than including the Site itself*”.
- Native vegetation within the study area is commensurate with Cumberland Plain Woodland (CPW) which is listed within the BC Act as a Critically Endangered Ecological Community (CEEC). It is also commensurate with Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest which is also listed within the as a Critically Endangered Ecological Community (CEEC). Extensive weed mapping indicates the significant extent of African Olive within the CPW community.
- Removal of CPW is a potential Serious and Irreversible Impacts (‘SAII’), although OEH have not published any thresholds to determine what meets the criteria for determining an SAI. A biodiversity assessment of the additional impact assessment provisions for SAI entities will need to be completed in accordance with Section 10.2.3 of the Biodiversity Assessment Method (BAM 2017).
- Pursuant to the BC Act, the threshold test for biodiversity offsets as a result of clearing is triggered by either an area trigger or a Sensitive Biodiversity Values Land Map trigger.
- Biodiversity Values Land has been mapped within the site. Clearing of native vegetation within the mapped biodiversity values land triggers this threshold and will require a biodiversity offset to be obtained. Similarly, clearing of more than 0.5ha of native vegetation requires offsetting.
- A future development proposal will need to be assessed in accordance with the Significance of Impact Test of the BC Act to determine if the proposal constitutes a significant impact upon threatened species, endangered populations or threatened ecological communities.
- As Koala is listed under the EPBC Act, a referral to the Commonwealth Department of Agriculture, Water and the Environment would likely be required at the DA stage.

The below diagram maps the presence of CPW on the site, comprises approximately 3.08 hectares. As the southern zone of the site is subject to an approved APZ, that extends for a width of 50m into the site, clearing of vegetation within this zone is already approved.

The red hashed outline indicates the approximate area of vegetation that will require clearing in support of the proposal. This comprises a total of 105 medium sized trees and 5 small sized trees. Whilst any clearing

of CPW is identified as a SAIL, the proposed extent of vegetation required to be removed is not exhaustive and can be appropriately mitigated through proposed offsets.

As part of the DA, the applicant would seek to enter into an agreement to revegetate and manage the surrounding lands to counter balance the loss of vegetation on the site.

Figure 15: Mapping illustrating the extent of CWP over the site and within the development area



Source: *Biodiversity Constraints Assessment*

7.3.1.2. Koala Habitat

Biolink have prepared a Koala Occupancy and Habitat report for the site, which is submitted in support of this SCC.

The report is based upon desktop analysis, field work and site surveys to ground truth the native vegetation on the site and the presence of koala habitat.

The onsite investigations confirmed that, within the development area, Preferred Koala Food Tree (PKFT) accounted for 78.5% of the species mapped, with the highest density located along the northern boundary of the development site. The majority of vegetation was identified as small or medium species.

The investigation confirms that there are no koala shelter trees identified within the study area, as defined by the Campbelltown Koala Plan of Management (**CKPM**). And that the development area does not contain core koala habitat.

The onsite data obtained has helped inform the positioning of the building envelopes on the site and mitigation measures have been proposed to ensure that any future development on the site can occur, in a safe and environmentally sensitive manner.

This includes the preparation of a Vegetation Management Plan, compensation guarantees to offset the loss of PKFT within the development area and rehabilitation works.

7.3.1.3. Bushfire Risk

A Bushfire Protection Assessment prepared by Travers Bushfire & Ecology accompanies this application. The assessment was undertaken in accordance with the controls and principles identified within Planning for Bushfire Protection 2019 ('PBP 2019').

The assessment includes the following measures which have been adopted as part of the master planned approach to the site (refer to Figure 16):

- Provision of peripheral asset protection zones ('APZs') for a depth of 25m within Lot 3 DP 1007066 to the north (secured by way of long-term lease), Lot 2 DP 1065919 to the south (the existing ARH Mt Gilead Estate Retirement Village) and the existing mown open space landscape to the east. The utilisation of Lot 3 is subject to negotiations with the Office of Strategic Lands (OSL), being the relevant land owner. It is the applicant's intent that an easement or the like would be created over this portion of the site, benefitting Lot 21 and in return, the applicant would enter into an agreement to revegetate this land, consistent with the aims and objectives of the CPCP.
- Provision of a 2.5m high radiant heat along the boundary of the APZ in Lot 3.
- Provision of a non-habitable building along the western edge of the development area, identified as the allied health-building. This building acts as a fire and heat barrier to the residential accommodation within the eastern extent of the site.
- Provision of minimum 8m wide perimeter road and access / egress road connecting to Glendower Street.

The results of the assessment conclude the proposed APZs provide the required level of defendable space in order to achieve less than 10 kWm2 impact upon the residential structures. All other bushfire protection measures, as required by PBP 2019, were considered in reference to the performance standards of PBP 2019 and found to fully comply with those standards.

Figure 16 Approved and proposed APZ's



Source: Benson McCormack Architecture

7.3.1.4. Mapped watercourse

As illustrated in Figure 17, the site is mapped as containing two first order watercourses and a second order water course. Accordingly, Strategic Environmental and Engineering Consulting (SEEC) were engaged to assess the fluvial geomorphology of the features on the site. The report is submitted in support of this SCC.

Future development on the site will result in the removal of the existing farm dam on the site and will also alter the site's topography, in the location of the mapped water course, identified as stream B to C.

The onsite investigation confirmed, that whilst it is a mapped feature, it is not a "watercourse because it lacks fluvial features. There is no defined channel, no stream bed and no defined stream banks. This is a depression only."

The report confirms that works within the sections from A to C and B to C do not require a Controlled Activity Approval.

It is noted that the proposed landscaping strategy seeks to "reinterpret" this mapped waterway and dam feature on the site through the inclusion of a bio-swale adjacent to the allied health building.

Figure 17 mapped watercourse



Figure 1 – Hydrolines from NSW Government online spatial portal. Site boundary is shown in yellow. Existing features and key locations are marked.

Source: SEEC, Assessment of Fluvial Geomorphology

7.3.1.5. Heritage

Whilst the site is not identified as a heritage listed item nor is it located within a heritage conservation area, the land to the west and north are both identified as State and locally listed heritage items.

The land to the west, zoned SP2 electricity substation, is identified as heritage item I01373 - upper canal system (Pheasants Nest Weir to Prospect Reservoir) and is owned by Water NSW. The development site is approximately 160m west of this land and is suitably screened by the dense vegetation. In this regard, the proposal is considered to have a negligible impact on this heritage item.

The land to the north is identified as having State significance, being *Sugarloaf Farm* (SHR #01389) and identified in Schedule 5 of the Campbelltown LEP 2015 as the *sugarloaf farm, homestead group and rural landscape setting* (#100389) and is owned by the Office of Strategic Lands (OSL).

A preliminary Heritage Impact Statement (HIS) has been prepared by Urbis and is submitted in support of the SCC.

The HIS concludes that the use of part of Lot 3 as an APZ and the associated heat barrier is suitable as the proposed area is identified as being Grade 3 – ‘some significance’ and is not considered to be of the highest degree. Further the proposed APZ is both physically and visually separated from the Sugarloaf Farmstead complex and makes minimum contribution to the overall cultural heritage significance of the site.

Any future DA would be accompanied by a HIS and would be subject to approval under the *Heritage Act 1977*. It is recommended that the design of landscaping, the fence treatment and overall detailed design be done in consultation with a heritage specialist.

7.3.1.6. Contamination

A Phase 1 Preliminary Site Investigation (PSI) has been prepared by ADE Consulting Group and is submitted in support of the SCC.

ADE conducted both a site walkover and a desktop study. The findings note that there is a low to moderate risk of contamination occurring on the site, with any potential contamination contained within the south-eastern and central portions of the site, where past activity has occurred.

This includes:

- Former shed and market garden footprint in south eastern portion of site
- Former market garden / crop field footprints in the central portion of Lot 21
- Stockpile footprint located in the south eastern area of Lot 21
- Demolition Waste footprint located in south eastern area of Lot 21

The PSI recommends that targeted soil sampling should be implemented within these areas of concern. Ultimately, the site can be made suitable for the proposed seniors housing, subject to further detailed testing and if required, remedial works.

7.3.1.7. Geotechnical hazards

A Geotechnical Assessment Report has been prepared by ADE Consulting Group and is submitted in support of the SCC.

The report provides a preliminary assessment of the site and in particular the proposed development area.

The report confirms that there is no evidence of previous landslide activity on the site and that the site does not present any geotechnical issues that would preclude the issuing of a SCC. A detailed geotechnical site investigation will be undertaken at the DA stage.

7.4. THE IMPACT THAT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE USES, THAT ARE LIKELY TO BE FUTURE USES OF THAT LAND - CLAUSE 25(5)(B)(II)

The land has minimal capacity for rural / agricultural land uses given the constraints of the land. Previous land uses were limited to low intensity grazing.

The land is not currently used for any purpose other than a temporary carpark and storage of a small amount of construction site sheds, machinery and equipment associated with the ongoing Mt Gilead Retirement Village building construction activity.

It is not considered that the current or previous land uses are an impediment to more intense development such as that being proposed.

It is unlikely that the site would be developed for any other purpose aside from development associated with the existing Mt Gilead Estate.

7.5. THE SERVICES AND INFRASTRUCTURE THAT ARE OR WILL BE AVAILABLE TO MEET THE DEMANDS ARISING FROM THE PROPOSED DEVELOPMENT AND ANY PROPOSED FINANCIAL ARRANGEMENTS FOR INFRASTRUCTURE PROVISIONS - CLAUSE 25(5)(B)(III)

7.5.1.1. Services

The proposed concept master plan includes an “allied health” building along the western edge. It is intended that this building will contain a range of uses to service the residents of the existing Mt Gilead Estate as well as the new residents associated with the site’s redevelopment.

The allied health building is intended to contain medical and physio offices, hairdressers, communal spaces and other uses to service the needs of the residents.

In addition to the services provided onsite, the current operations provide a private mini-bus service, that runs from 8am – 6pm daily. That provides residents with direct access to nearby retail shops, hospitals and banks, as required.

7.5.1.2. Infrastructure

An infrastructure services report has been prepared by Beveridge Williams and accompanies this SCC.

Reticulated water and sewer services (by Sydney Water) and electricity supply (by Endeavour Energy) are provided to the locality, including the existing Mt Gilead Estate Retirement Village, Killbride Nursing Home and low-density residential housing areas within Gonzalo Street and Glendower Street.

If the site were to be developed, site infrastructure that services the existing Estate can be augmented to service the site.

As the proposal does not seek to intensify the overall use (i.e. increase the yield from that approved), the demand on the infrastructure network associated with the residential population has already been considered as part of the master plan and associated approvals for the Mt Gilead Estate.

Preliminary investigations confirm that there is ample capacity within the existing site infrastructure to accommodate the future development over the site.

7.5.1.3. Access

An accessibility report has been prepared by MGA in support of this SCC. The report confirms that the proposal is capable of complying with the required gradients within the site, as identified within the Seniors SEPP.

7.5.1.4. Traffic and Transport

A Traffic Impact Assessment has been prepared by GTA in support of the SCC. The report notes that the approved development was forecasted to generate 210 two-way vehicles trips per the AM and PM Peak periods.

Whilst the proposed future redevelopment will not increase the planned yield for the site, the change in dwelling sizes (increase in 3 bedroom units) and the addition of the allied health building will result in a net increase in the trips generated, from 210 to 255 two-way vehicle trips.

This is considered to be a negligible impact. The traffic report confirms that the surrounding road network has sufficient capacity to accommodate the additional trips generated by the future development.

7.6. IN THE CASE OF APPLICATIONS IN RELATION TO LAND THAT IS ZONED OPEN SPACE OR SPECIAL USES – THE IMPACT THAT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE PROVISION OF LAND FOR OPEN SPACE – CLAUSE 25(5)(B)(IV)

The site is zoned RU2 Rural Landscaped however the land to the east is zoned RE1 Public Recreation.

Whilst not subject to detailed assessment under this SCC, the concept proposal includes a new access road connecting into the cul-de-sac at Glendower Street. This access road will traverse the RE1 land, which is owned by Cumberland Council.

The access road will provide for improved connectivity both to the site, which is currently land locked by virtue of the RE1 land, and to the existing Mt Gilead Estate. At present, the existing estate is accessed via a driveway at the end of the cul-de-sac which is shared with the adjoining Estia aged care facility. The current conditions are not conducive to residents and visitors of the Mt Gilead Estate and the new access connection will provide for improved way finding to the Estate as a whole.

As indicated on the submitted master plan, any future roadworks would be accompanied by embellishments to the RE1 zone land to provide improved amenity outcomes for the immediate locality.

This is a matter that will be addressed further at the DA stage.

7.7. THE IMPACT THAT THE BULK, SCALE, BUILT FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE EXISTING USES, APPROVED USES AND LIKELY FUTURE USES – CLAUSE 25(5)(B)(V)

7.7.1.1. Bulk and scale

The indicative design comprises 2 storey buildings along the eastern edge, separated by a series of 6 storey buildings within the centre of the site, followed by a 3 storey allied health building along the western edge.

As stated within the submitted architectural concept report, the building envelope has been positioned to step down the site, following the natural east-west fall of the land. Along the eastern edge, the buildings have been designed to have at-grade pedestrian entries allowing for basement and sub-basement carparking, as you enter the building along the western edge.

The proposed design not only reduces the perceived bulk and scale impacts along the eastern approach but also limits the degree of cut and fill required across the site.

Whilst the proposed 6 storey buildings within the centre of the site may contrast with the surrounding and nearby two storey built forms, the height of the proposal is consistent with the maximum RL of the approved mid-rise ILU buildings within the existing Mt Gilead Estate.

The design philosophy and intent seeks to carry over the built form typologies from the existing estate, extending them through to the site.

7.7.1.2. Visual Bulk impacts

A view analysis has been included in the concept plans to illustrate the compatibility of the bulk and scale of the proposal with the adjacent Mt Gilead Estate buildings and as viewed from the neighbouring residential properties to the east.

The view analysis confirms that whilst the built form is visible from within the existing estate and from the residential properties to the west, the visual impacts are of a bulk and scale that is generally consistent with the pattern of development within the existing environment.

Due to the sloping topography, view impacts would be seen to be more severe from the western edge of the site however this area is not visible to the general public domain and would only be seen by private residents within the estate.

Further, the views and outlook from residents within the estate are generally facing west, taking advantage of the scenic qualities along the lower ridge line. Therefore, the buildings would be more readily perceived from their eastern aspect, which have a much lower scale and form.

Finishing of the building envelopes will be undertaken at the detailed DA stage to ensure that the final design results in a suitable urban outcome, that is well integrated into the surrounding landscaped setting.

7.7.1.3. Overshadowing impacts

Overshadowing diagrams have been provided within the Concept Architectural Plans. The diagrams confirm that the existing residential properties to the south will maintain full solar access from 12pm onwards, therefore confirming that any future development of the site, in accordance with the master plan, will not result in adverse overshadowing impacts.

7.8. IF THE DEVELOPMENT MAY INVOLVE THE CLEARING OF NATIVE VEGETATION THAT IS SUBJECT THE REQUIREMENTS OF SECTION 12 OF THE NATIVE VEGETATION ACT 2003 – THE IMPACT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE CONSERVATION AND MANAGEMENT OF NATIVE VEGETATION – CLAUSE 25(5)(B)(VI)

The *Native Vegetation Act 2003* was repealed on 25 August 2017. Current legislation governing the clearing of native vegetation is the *Biodiversity Conservation Act 2016*.

As outlined herein, the proposed development will require clearing of approximately 1.75 hectares of native vegetation.

A Biodiversity Development Assessment Report will be prepared to accompany the Development Application, which will calculate the biodiversity offsets required, as a result of the proposed development.

8. CONCLUSION

The proposal has been assessed against the required criteria as stipulated in Clause 25(5) of the SEPP (Housing for Seniors and People with a Disability) 2004 within this report. It has been demonstrated, as summarised below, that the proposal is compatible with the surrounding land uses. It is considered that an SCC should be issued for the site on the basis that:

- The use of the site for seniors housing will ensure that the development yield planned for this area is capable of being delivered;
- Provide for housing diversity for the seniors population;
- The site is suitable for more intensive use and for the purpose of seniors housing, having regard to the criteria set out in clause 25(5)(b) of the Seniors Housing SEPP and more detailed design considerations being undertaken as part of any future development application;
- The existing onsite operations include transportation services, which provide residents with direct access to the local shops within Rosemeadow and within Campbelltown centre, which is located 10 minutes drive from the site. The site and the residents therefore have access to health services, retail, banking and other facilities, as required by clause 26 of the Seniors SEPP;
- Matters regarding biodiversity, bushfire, heritage, visual bulk impacts, traffic and site access arrangements have been identified within the SCC and can be suitably addressed and mitigated at the development application stage;
- The proposal seeks to include a variety of biodiversity offsets, revegetation of the surrounding land and potential embellishment of the RE1 public recreation zone, all which provide a public benefit; and
- The environmental issues can be suitably mitigated and it is considered that in this regard, it does not preclude the issuing of a SCC.

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