5 November 2018

**Project # 1837**

The Director General

NSW Department of Planning and Environment

84 Crown Street

Wollongong NSW 2500

Attn: **Ms. S Lees**

Dear Sir

**Application for Site Compatibility Certificate for Seniors Living Development**

**120 Walker Street Helensburgh**

This application is the second made for the subject site with the previous determination to not issue the Site Compatibility Certificate made on 10 April 2018. However, the reasons for refusal have been carefully assessed and it is considered that their basis is, in one instance, incorrect and for other considerations worthy of reconsideration.

Given that the previous application has been determined, the only way to progress and address the concerns are by making a further Site Compatibility Certificate application.

This approach was discussed with the Director Region, Southern, at a meeting held on 30 July 2018. The consequence is that this further application is now submitted.

The request for a Site Compatibility Certificate has a protracted history outlined below:

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| * 27 April 2016 | Prelodgement meeting with Wollongong City Council. The minutes from this meeting are attached as ***Annexure “A”.***  The purpose of this meeting was to discuss the potential for a hospital on the subject site. The land is zoned RU2 Rural Landscape within Wollongong Local Environmental Plan 2009 and “*hospital*” is a permissible use within the zone. However, the notes provided record the following:  “*The limited plans presented at the pre-lodgement meeting appeared to indicate a development more appropriately defined as some form of seniors housing as defined by the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.”*  As seniors living is not a permissible land use within the zone, the proposal would need to rely upon the provisions of the SEPP “*as*” the subject site is considered to “*adjoin land zoned primarily for urban purposes ….”.*  A Site Compatibility Certificate would, therefore, be required to be obtained from the Director General prior to the lodgement of the development application. |
| * 1 May 2017 | Site Compatibility Certificate application lodged with the Department of Planning & Environment. |
| * 26 May 2017 | Wollongong City Council forwards its response to the application to the Department. Council, in that response, advises that it recognises the need for provision of seniors living within the local government area, however, such a proposal could be more appropriately located on residential land with closer proximity to the Helensburgh town centre.  This submission will attempt to substantiate, that without the unrealistic potential to amalgamate a number of properties, such land, as suggested by Council, is not available.  Council’s correspondence also raised a number of additional concerns.  The following are responses to the issues raised:   1. The land is zoned RU2 Rural Landscape. The proposed use of the land for seniors housing was not envisaged as part of the rezoning of the former 7(d) zone, and the RU2 zoning was applied under Wollongong LEP 2009 in recognition of the on-going agricultural land use.   This statement fails to recognise the primacy of the Seniors SEPP and, in particular, **Clause 5(3)** which provides as follows:  “*If this policy is inconsistent with any other planning instrument made before or after this Policy, this Policy prevails to the extent of that inconsistency.”*  In addition, **Clause 2(a)** of the SEPP advises that the aims of the Policy will be achieved by:  “*(a) setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy.”*   1. Redevelopment of the site would result in an inability of the subject site to continue to meet the objectives of the zone   The response outlined in (i) above would also apply to this comment. The Seniors SEPP takes precedence above other planning controls.   1. The minimum lot size for the RU2 zoned land is 40 hectares. All RU2 lots in the vicinity are undersized and the proposed redevelopment of the site for seniors living would inhibit opportunities to consolidate land to create appropriately sized lots on which rural and agricultural type development could be carried out. Further the proposal would effectively create an isolated, undersized rural allotment immediately to the north of the subject site.   The provisions of the SEPP do not include a minimum lot size. The response to (i) above is also relevant to this comment.  Each of the surrounding RU2 lots to the north, south and west have been developed with housing and ancillary farm buildings to an extent that they provide a rural lifestyle.  Although the minimum lot size in the zone is 40 hectares, none of the rural lots within the precinct achieve that area and to suggest the potential for amalgamation is unrealistic and no reason not to support the application.  Further, these lots do not contain sufficient area and site suitability to provide for the intensive or extensive types of production suggested by the WLEP definition of “*agriculture*”.  A report addressing land use conflicts of inconsistency with existing and desired future character in the locality, prepared by Cardno (20 September 2018), accompanies this application. This report offers an opinion that the character and identity of Walker Street is ambiguous due to the fragmentation of existing land uses and zoning. The report also recognises the existence of an active development consent on Lot 1 DP 319310 for 280 caravan sites.  The report also discusses the land pooling precinct located on the eastern side of Walker Street consisting of 23 hectares defined within a paper subdivision. The report advises that on 29 May 2015, the delegate of the Minister wrote to Council and advised that the LEP has been made under Section 59 (2) of the EP&A Act. However, the Land Pooling precinct was excluded from the plan and the E3 Environmental Management zone and existing planning controls retained for the following reason:  *:………. there is uncertainty in relation to whether the environmental qualities of the land warrant the use of an E2 Environmental Conservation zone.”*  It is unclear whether the future investigation has been undertaken by Council relating to environmental qualities of the Land Pooling precinct.  The Cardno report advises that the ultimate outcome to date is that there is significant will from landowners to change the zone of the “*land pooling precinct*” to permit low density residential development and that there is expressed doubt on the part of State Planning that the area would be zoned to exclude development.  With regards to the comment on the “*isolated lot*” to the north, it is considered that the circumstances relating to this application do not invoke the Land & Environment Court Planning Principle outlined in either Melissa Grech v Auburn Council [2004] NSWLEC 40 or Karavellas v Sutherland Shire Council [2004] NSWLEC 251.  The key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non-compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity?  The primary planning control would be the minimum lot area of 40 hectares for the RU2 zone.  Either singularly or by way of consolidation, the lots would not achieve the minimum requirement. However, this application relies upon the aims of the Seniors Living SEPP, which is to encourage the provision of housing (including residential care facilities) that will:   1. *increase the supply and diversity of residences that meets the needs of seniors or people with a disability; and* 2. *make efficient use of existing infrastructure and services; and* 3. *be of good design.*   These aims will be achieved by:   1. setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy; and 2. setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form; and 3. ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes 4. The scale of the development is not considered to be in context with surrounding development which is characterised by single dwellings rural/environmental allotments. It is considered that the character of the area would undergo significant change in the foreseeable future such that the development as proposed would be in keeping with the character of the street and in harmony with the buildings around it.   This statement is not a true reflection of the character of the area. To the east of the site is a bus depot adjacent to dense native vegetation within a paper subdivision. The outcome of the Commission into 7(d) lands effectively sterilized in the short term this woodland from development so it will remain a buffer regardless of the development, on the subject land.  To the south east is industrial lands which are the lands adjoining the subject property zoned primarily for urban purposes and upon which the proposal relies to trigger the provisions of the SEPP.  Properties to the north include the rural residential development referred to in (iii) and also the Helensburgh Cemetery.  However, Council’s response to the Department fails to disclose that an existing consent (DA 1980/731) applies to an adjoining property, Lot 1 DP 319310, for a caravan park development containing 280 sites and associated infrastructure. Council’s report of 28 November 2011 acknowledges that this development has experienced “*substantial commencement*” and the consent is still valid.  Therefore, in Council stating that “*the area would be unlikely to undergo significant change in the foreseeable future …”* is a prediction that may not be substantiated.  In addition, floor space ratio (FSR) is a means to assess density and scale within a site and precinct. Although the site has no specific FSR provisions, the development provides for an FSR of 0.28: 1 and the proposal provides for a significant expanse of open space.  This is less than the allowance usually applied to the E4 Environmental Living zone of 0.3: 1.  The montages, accompanying the application, visually describe the scale of the development. The proposed 30 metre setback will soften the impact of the built form in views from the street. There is also the potential to provide tree planting in the front setback to enhance the local rural residential character.  Further detail in relation to this issue is provided in the response to the Department’s correspondence of 10 April 2018.   1. The development fails to provide good design. The response by Council offers the following concerns:  * the proposed use of existing buildings on site for ancillary and support buildings is considered to be a fragmented and ad hoc approach * the location of car parking spaces remote from the dwellings is a concern * the provision of extensive carport areas over parking spaces is not considered to provide a good design outcome * the front setback to Walker Street is not supported and it is not consistent with the streetscape and provides insufficient area for appropriate landscaping * the proposed units are lacking in architectural merit * the possibility of amenity of future residents of the development will be compromised.   A number of these issues are subjective and deserves some further discussion. In themselves, they are not considered matters that warrant the refusal of the application.  These are all issues that could be considered in a detailed assessment of a future development application. The purpose of the Site Compatibility Certificate is to state that the site is suitable for seniors housing at a general level, and then allow for a development application to be lodged and assessed. The issue of a SCC does not require the consent authority to grant consent and is not, in itself, acceptance of any final design.  Design provided is conceptual only and it is expected that final plans will support architectural merit. The intention will be to incorporate features that will respond to the immediate natural and built environment.  Plans and montages, provided with this application, indicate a 30 metre setback from Walker Street and ample screening along the front boundary. Further, it is considered that there will be adequate landscaping and open space within the development to provide for the amenity of future residents.  **Stormwater/Flooding**  Council’s records indicate that the site is flood affected and located within an Uncategorised Flood Risk Precinct. Development under the Seniors Living SEPP is categorised as “*Critical Utilities & Uses*” as described in Chapter E13 of Wollongong DCP 2009.  Schedule 10 identifies Critical Utilities & Uses as an unsuitable land use within the High and Medium Flood Risk Precinct. Sufficient information has not been provided to demonstrate that the proposed development is located wholly outside the High & Medium Flood Risk Precincts.  Council’s response refers only to a Flood Impact Report, prepared by Zeta Engineers, in support of a previous application. The single purpose of providing some reference to this report was to indicate that flooding on the site had been previously considered. The Zeta engineering report is not a supporting document for this application.  However, in its previous assessment, Council made no reference to the detailed report by Rienco Consulting Water Engineering Specialist titled “*Guidance for Classification of Watercourse to Ascertain Indicative Flood Extents and Controlled Activity Permit, 120 Walker Street Helensburgh*” (1 July 2016) prepared to support the previous application.  The Rienco report includes the following text:  “*In terms of flooding, runoff from the 5 hectare catchment would be expected to produce 1% AEP peak flows of ~ 3m3/S. Not all of this peak flow would be directed at the subject site, but even if it were, the entire 1% AEP peak flow could be entirely conveyed by a 600mm concrete pipe. This confirms the minor nature of the flood related matters.*  *Based on the observations made on site and with the reference to relevant topographic maps, WCC’s DCP 2009 (Chapter E13), it is our opinion that:*   1. *The areas marked blue in Figure A are a watercourse for the purposes of the applicable legislation and a controlled activity permit.* 2. *All other areas should not be classified as a first order stream or a watercourse for the purposes of a controlled activity permit.* 3. *For any proposed development, those areas upstream of the blue line on Figure A (~600mm diameter), estimated peak flows are minor and can be readily managed through the proposed development.* 4. *Given the incised nature of the riparian area (marked blue in Figure A), we suggest a 10m from top of creek bank zone for the riparian area post-development. Any flood related extent would sit well inside this “10m from top of creek bank” zone.*   *Given that both Council and the Department consider the site to be flood prone, additional advice was obtained from Rienco titled “Summary of Hydrological & Hydraulic Modelling of the 1% AEP (100 Yr.) Design Flood – 120 Walker Street Helensburgh” (26 July 2018).”*  This report concludes:   1. The site is not affected by mainstream flooding being water contained within, or that has broken out of, a watercourse. 2. The site is affected by shallow overland flow from the adjacent upslope areas, as are all lots in the LGA during a 1% AEP flood. 3. The typical flow depths, in the peak of the 1% AEP flood, are 50mm. Such depths are so shallow that they are usually not even mapped by Council in their catchment – wide, adopted flood studies. Council does not typically map flow depths under 150mm. 4. The typical flow velocities, in the peak of the 1% AEP event, are 1.0m3/S. Such velocities do not pose any material risk or scour and/or erosion on the maintained site. 5. The peak flows through the proposed residential areas, in a 1% AEP event, are 2.0m3/S. Such flows can be readily managed in a small diameter concrete pipe. In other words, the flows through the site are minor and can be readily managed (i.e. eliminated from being surface flows) using standard engineering techniques in accordance with Wollongong Council’s DCP (Chapter E14). 6. Peak hydraulic hazard, determined in accordance with NSW Government’s Floodplain Development Manual is Low. 7. As the overland flow is not derived from mainstream flooding (as there are no “*watercourses*” located upstream of the site) there are no applicable Flood Risk Precincts under WCC’s DCP.   With regard as to whether or not the land is suitable for development permissible under the flood-related requirements of the Seniors SEPP, the report considered the worst case overflow affectation for the site.  The SEPP states that “*only genuinely high flood hazard* “affected areas are classified as “*environmentally sensitive land*” under Schedule 1 of the SEPP. The flood model results demonstrate there are no high hazard areas on the land and, therefore, the site is suitable for development under the SEPP.  A Stormwater Concept Plan could support a future development application. This Stormwater Concept Plan would consist of minor perimeter drains or bunds ~300mm deep and a pit and pipe collection system discharging to the formal watercourse starting at the southern boundary of the site.   1. **Traffic**   The developer would need to provide a footpath along the full extent of the site frontage which links the existing pedestrian infrastructure in Helensburgh  The proponent agrees to this and this requirement could have been imposed as a condition of consent. This matter, in itself, is not reason to refuse the application.  The Department’s assessment includes commentary that the amenity of future residents of the proposed development could be compromised through conflict with adjoining rural and light industrial land users particularly from noise, dust and traffic.  Conditions of consent relating to the light industrial activity existing at the property to the south-east (Blackwells) should ensure that concerns in relation to dust and noise are mitigated against.  A preliminary traffic assessment, by McLaren Traffic, indicates that the local road system is adequate in accepting future traffic volumes.   1. **Environment**   Council has concerns with the possible impacts of the proposed development on the water quality of the perched aquifer underlying the site and Gills Creek. Redevelopment of the site would require dams to be lined and the development would require design, siting, construction and management to ensure protection of water quality in the area. Ongoing monitoring of water quality would be required.  It is assumed that the paper, provided by Council, “*Impact of hydrology and hydrochemistry on the ecological continuum of Maddens Plains Upland Wetlands”* authored by an officer of Council has some scientific veracity.  That aside, Council’s comments appear to suggest that the works and ongoing monitoring are matters that could be provided for as conditions of consent. The Department’s assessment of the previous application appears to support this view.  Again, this issue, in itself, is not reason to refuse the application.  The Department’s assessment stated that water quality would need to be considered in any future development application.   1. Any proposed seniors living development would need to protect and enhance the native vegetation in the identified riparian corridor area on the site   Again, this could be provided for as a condition of consent. Again, this issue is not of such significance as to refuse the application.  The intention would be to enhance landscaping on site. |
| * 14 July 2017 | Correspondence from Department of Planning & Environment that the SEPP cannot apply to the site. |
| * 7 August 2017 | Senior Counsel advice forwarded to the Department of Planning & Environment giving opinion as to why the SEP can apply to the site. |
| * 5 September 2017 | Further advice from the Department of Planning & Environment that the SEPP cannot apply to the site. |
| * 25 September 2017 | Further Senior Counsel advice forwarded to the Department as to why the SEPP can apply to the site. |
| * 10 April 2018 | Letter of determination from Department of Planning & Environment advising that a Site Compatibility Certificate will not be issued for the following reasons:   1. Having regard to the site location and accessibility, inadequate services (particularly retail, community, medical transport services) and infrastructure (suitable access pathways) would be available to meet the demands of residents arising from the proposed development   The site is located approximately 250 metres south of the Helensburgh low density residential area. Walker Street is a major road within the suburb, which provides a direct route to the town’s commercial area.  The site is serviced with water, sewer, electricity and communications. A schedule of services, which are available within the Helensburgh township, appear in Annexure N.  There are 4 doctors, 2 dentists, a chemist and ambulance station located in close proximity.  A taxi service is available and a bus stop is located along the frontage of the site. The management of the seniors living centre will provide transport to meet the needs of residents.  As stated in response to Council’s assessment, a footpath can be provided along Walker Street and it would be anticipated that this would be a condition of consent.   1. The site is on flood-prone land and insufficient evidence has been provided to demonstrate development potential or to ensure there would be no adverse impact on surrounding land uses or risk to life and property   This issue has previously been addressed in the response to Wollongong Council’s issues to the SCC. As a consequence of that assessment, further advice in relation to flooding was obtained from Rienco Consulting in a report titled “*Summary of Hydrological & Hydraulic Modelling of the 1% AEP (100 year) Design Flood – 120 Walker Street Helensburgh*” (26 July 2018).  This report concludes, in part, that the site is not affected by mainstream flooding, being water contained within, or that has broken out of, a watercourse. The site is affected by shallow overland flow from the adjacent slope areas, as are all lots in the LGA during a 1% AEP.  The Seniors Living SEPP states that “*only genuinely high flood hazard*” affected areas are classified as “*environmentally sensitive land*” under Schedule 1 of the SEPP. As demonstrated by the flood model results, there are no high hazard areas on the land and, as such, the site is suitable for development under the SEPP (2004).   1. The proposed development would be likely to result in unacceptable land-use conflicts with adjoining properties, which could adversely impact on the amenity of future seniors residents and is likely to restrict the existing and likely future uses of surrounding sites   As has been previously explained, the land uses for adjoining premises are well defined and their future development potential constrained by current consents and planning controls.  To the immediate north is a rural residential lot, which is located closer to the low density residential area of Helensburgh. This property contains existing dwelling houses and ancillary farm sheds. Any expansion of this use is limited to lot size restrictions and the need to satisfy the provisions of **Clause 4.2A** of Wollongong LEP 2009.  The nearest structure is located about 100m from the northern boundary and any impacts will be mitigated by distance.  To the west of that site but also adjoining the subject site is Helensburgh Cemetery. An extensive vegetative buffer area exists on that land to ensure privacy. An alternate use to this land is extremely unlikely.  The proposal is unlikely to adversely impact on the function and operation of the cemetery.  To the west of the subject land is another rural residential lot, which is separated from the subject land by Frew Avenue. The plans, supporting this application, indicate an extensive APZ upon the subject property, which will be utilised for car parking.  Improvements consist of a single dwelling located about 175m from the subject site. Any adverse impacts would be mitigated by the roadway, bushland and separation distance between the two properties.  The property to the south is another rural residential lot containing two dwellings and associated out buildings. Further development of this land is constrained by planning requirements. The APZ will provide an extensive buffer between the two properties.  However, of some significance to this new application is that the land at the rear of that property, which also adjoins the subject site, holds a valid consent for a caravan park development. Council’s report of 28 November 2011 acknowledges that the development has experienced “*substantial development*” and the consent is still valid.  The property opposite contains a bus depot and it is likely that this land use will continue. Surrounding that site is a paper subdivision extensively covered by native vegetation. The recommendation arising from the Commission into 7(d) lands at Helensburgh, Stanwell Tops and Otford have ensured that this land will not be available for immediate development.  The property to the south east is an industrial zone and land zoned primarily for urban purposes and is that land upon which this application relies.  An objective of the IN2 zone is to enable “*industrial activities that do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.”*  It is submitted that land use conflicts with these adjoining properties can be avoided through the management of the proposal.  The future uses of surrounding sites are constrained by planning controls.  It is also submitted that the amenity of future seniors living can be carefully considered in the management of the site.   1. The bulk, scale, built form and density of the proposed development is considered to be incompatible with the existing and desired future character of the area and would result in adverse visual and amenity impacts on existing and future uses of land in the vicinity of the development   The first observation is that the ability to develop the site is constrained by APZs required to provide bushfire protection. There is extensive open space as a consequence of this fact that provides a control over the density of the site.  Although small rural holdings adjoin the site to the west, south and partly to the north, it is considered that this land use does not typify the character of the area.  The aerial photograph, appearing at **Annexure “D”,** indicates varying land uses in proximity to the site including the Sri Venkateswara Temple, the Helensburgh Cemetery, Blackwells industrial land, a bus depot and proximity to Helensburgh township. Of relevance is the fact that the land notated as “*Temple Land*” to the south west of the subject site has a valid consent for a 280 site caravan park.  A Land & Environment Court Planning Principle relating to seniors living development is provided within the judgement *GPC No. 5 (Wombarra) Pty Ltd v Wollongong City Council (2203) NSWLEC 268*.  Although the application, the subject of that appeal, was made under SEPP 5 – Housing for Older People & People with a Disability, the planning principle remains relevant.  The judgement agreed that development under SEPP 5 was necessarily of higher density than single dwellings.  The issue of compatibility between a SEPP 5 development and the surrounding low-density zones arises in the majority of SEPP 5 applications. This is because the Policy allows development with different physical characteristics to what is permissible under the zoning.  For this reason, the Court found it useful to state some planning principles for assessing compatibility.  The first principle is that buildings in a SEPP 5 development do not have to be single storey to be compatible with the streetscape even when most existing buildings are single storey.  The second principle is that where the size of a SEPP 5 development is much greater that other buildings, it should be visually broken up so that it does not appear as one building.  The third principle is that, where the site has existing characteristics that assist in reducing the visual dominance of development, these characteristics should be preserved. Topography that makes development appear smaller should not be modified.  In this case, topography will not be significantly disturbed. The riparian corridor will be enhanced and a large cleared area of the site will be subject to APZs.  The fourth principle is that a SEPP 5 development should aim to reflect the materials and building forms of other buildings in the street. This is not to say that new materials and forms can never be introduced only that their introduction should be done with care and sensitivity.  It is considered that this proposal could satisfactorily interpret these principles through careful design. In addition, the proposal will:   * comply with the maximum height allowance of 9 metres; * have a floor space ratio (FSR) which is indicative of low density residential development (NB: there is no specific FSR provision for this zone); * provide ample solar access to neighbouring properties; * ensure that visual privacy, both internally and externally, will meet the requirements of controls; and provide extensive front, rear and side setbacks; * provide substantial separation with buildings on adjoining properties.   Further, in Project Venture Development v Pittwater Council (2005) NSWLEC 191, when discussing compatibility in the urban environment, the Senior Commission stated:  “*22 There are many dictionary definitions of* ***compatible****. The most apposite meaning in an urban design context is capable of living together in harmony.* ***Compatibility*** *is thus different from* ***sameness****. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the differences in these attributes increases, harmony is harder to achieve*.”  The submission is that the proposal can be so designed as to be compatible with the existing and desired future character of the area. |

**This Application:**

Minutes of a prelodgement meeting with Wollongong City Council (WCC) on 27 April 2016 relating to the use of the property as a hospital or seniors living development are provided at ***Annexure “A”.***

The minutes advise, in part, the following:

*“The SEPP does not permit seniors housing in the RU2 zone, however the subject site is considered to “adjoin” land zoned primarily for urban purposes, being IN2 Light Industrial land, on the opposite side of Walker Street. As such, a Site Compatibility Certificate would be required to be obtained from the Director General prior to the lodgement of the development application.”*

**Clause 17 (1)** of the State Environmental Planning Policy) Housing for Seniors or People with a Disability) 2004 (the SEPP) advises that *the consent authority must not consent to a development application on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following:*

1. *a hostel;*
2. *a residential care facility;*
3. *serviced self-care housing.*

This submission relates to serviced self-care housing with provision for housing for people with a disability.

**Clause 24 (2)** of the SEPP advises that *a consent authority must not consent to a development application to which this clause applies unless it is satisfied that the Director General has certified in a current site Compatibility Certificate, that, in the Director General’s opinion*

1. *the site of the proposed development is suitable for more intensive development; and*
2. *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 attached information responds to the **Clause 25 (5)** criteria and follows the document requirements specified within the Department’s Part C requirements for Compatibility Certificates.

The subject site contains a number of existing improvements including four dwellings, a number of sheds, stables, dams and is currently used for the adjistment of horses.

A plan, prepared by Phil O’Donnell Architects, indicates the potential for seniors living development within the property and has considered a number of constraints on the land including the location of Asset Protection Zones (APZs) and the location of the riparian corridor.

The draft plan provides for serviced self-care housing providing for 136 studio style apartments, 44 villa style dwellings and 13 dementia dwellings.

The application is supported by the following documents:

* Survey plans by Survplan;
* Bushfire Constraints Analysis by Peterson Bushfire;
* Contaminated Land Preliminary Site Investigation by SESL Australia;
* a copy of Section 149 Certificate;
* Summary of Hydrological & Hydraulic Modelling of 1% AEP Design Flood by Rienco;
* Classification of Watercourses by Rienco Consulting;
* response from Office of Water;
* Pump to Sewer Approval from Sydney Water;
* advice from Rural Fire Service;
* Traffic report by McLaren Traffic Engineering; and
* Site Suitability by Cardno.

Yours faithfully

T Wetherall

Director

TCW Consulting Pty Ltd