



Your ref: SCC_2019_BLACK_001_00
File no: F19/2214

Mr Ian Bignell
Manager Place and Infrastructure – Central
(Western)
Greater Sydney, Place and Infrastructure
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

11 November 2019

Dear Mr Bignall,

Site Compatibility Certificate Application - No 170 Reservoir Road, Arndell Park (Blacktown Workers Sports Club)

Thank you for the opportunity to comment on the application submitted for a Site Compatibility Certificate (SCC) under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* for Lot 201, DP880404, being No 170 Reservoir Road, Arndell Park (Blacktown Workers Sports Club).

Council notes that this is the third SCC application to be lodged by the Blacktown Workers Sports Club on this site. The current proposal has been developed with feedback from Blacktown Council and has reduced the overall yield significantly from 880 self-contained dwellings to 480 dwellings.

It is also noted that the building heights and built form have also been reduced and building setbacks increased to ensure that the proposal provides a more appropriate interface with the adjoining low density residential development to the east. Council also supports the consistent three (3) storey setback along Penny Place, but considers that the setback along this frontage should be increased from a proposed 5m to a minimum 7.5m to ensure appropriate separation and allow for a densely planted landscape buffer.

Further consideration should be given to the location of the Residential Aged Care Facility (RACF), which is proposed to be located at the western end of the site opposite the industrial precinct, with access from Penny Place. The RACF should be located where it provides good amenity and outlook for residents and visitors to the facility. In this regard, the RACF should have an outlook to the Village Green and adjoining open space and playing fields

With respect to the movement of vehicles to/from the site and through the site, we do not support the proposed additional access through Penny Place. Further consideration is to be given to the proposed access/egress from Penny Place and movements through the site as it is likely to create significant conflicts and safety issues with the movement of

Connect - Create - Celebrate

Council Chambers - 62 Flushcombe Road - Blacktown NSW 2148
Telephone: (02) 9839 6000 - DX 8117 Blacktown
Email: council@blacktown.nsw.gov.au - Website: www.blacktown.nsw.gov.au
All correspondence to: The General Manager - PO Box 63 - Blacktown NSW 2148

existing heavy vehicles within the industrial precinct and the potential traffic from the proposed seniors living and RACF. Vehicular access (excluding emergency and service vehicle access) to the site should only be via the recommended signalised access off Reservoir Road.

Specific comments on the SCC application are included below:

Background

The following SCC applications for seniors living development on the site is outlined as follows:

21 July 2016 – SCC issued for seniors housing development consisting of 12 buildings with 800 self-contained dwellings, 160 residential aged care facility beds and basement and ground level parking for 880 cars. The SCC identified that the site is suitable for the intensity of development proposed and the development is compatible with the surrounding land uses having regard to the criteria specified in clause 25(5)(b) of the Seniors Housing SEPP. This SCC expired on 21 July 2018.

1 April 2019 – SCC refused by the Sydney Central Planning Panel because the application did not demonstrate that the proposed development is compatible with the surrounding environment and land uses having regard to the criteria specified in clause 25(5)(b) of the Seniors Housing SEPP. The development proposed 600 self-contained dwellings and 160 residential aged care facility beds and basement parking.

Current Proposal

The application is for a residential aged care facility containing 160 beds and 480 Independent Living Units (ILUs) contained within 13 buildings ranging in height from 3 storeys to 7 storeys. The proposal also includes basement parking for 652 vehicles, approximately 3,200m² communal facilities and 14,475m² of common open space.

Seniors Living SEPP

Clause 24 of the SEPP prescribes that the SEPP applies to land zoned primarily for urban purposes. Land to the north is zoned RE2 and contains the Blacktown Worker's Sports Club, land to the east is zoned R2 – Low Density Residential and land to the south and west is zoned IN2 – Light Industrial. Given that the site is adjacent to R2 – Low Density Residential zoned land it is considered that the proposed development is consistent with Clause 24

Clause 25(5)(b) of the Seniors Living SEPP requires that the proposal is compatible with the surrounding land uses having regard to the specific criteria. Council's comments with respect to the criteria are provided as follows:

Criteria 1 - The natural environment (including known significant environmental values, resources or hazards) and the existing use and approved uses of land in the vicinity of the proposed development

Flora and Fauna

Council has reviewed the Flora and Fauna Assessment, prepared by Eco Logical Australia 2019 and generally concurs with conclusions within the report.

It is requested that the planted trees provide an ecological corridor that allows for the movement of native fauna, as the site is in close proximity to E2 – Environmental Conservation zoned land to the north. Council also requests that the proposed landscaping is to ensure that this corridor is not impacted or is replaced with appropriate landscaping/vegetation where impacted. Council should be consulted in this regard.

Revegetation and landscape planting should be consistent with Cumberland Plain Woodland species and use provenance seeds (see VMP for species lists).

Acoustic

Council has reviewed the Acoustic Report prepared by Acoustic Logic (Revision 2), dated 7 August 2019. The acoustic report states that attended and unattended noise measurements of Great Western Highway were previously conducted by Acoustic Logic on 7-15 June 2012. These measurements are used to form predicted external noise levels of the upper levels of southern façade south western-most building. Given these measurements were taken 7 years ago it is recommended that updated attended and unattended noise measurements of Great Western Highway are provided to make noise predictions.

Predicted noise associated with the adjoining sports fields has been based on noise from spectators only. It is recommended that other sporting activities be considered as part of the assessment such as the noise generated by participants and referees, particularly if the sports fields are to be used from 7am and up to 10pm.

Given the location of sensitive residential receivers close by and the size of the development, it is assumed that a large amount of plant and equipment (air conditioning units, heating units) will be required to service the facility. Consideration at this stage of planning is recommended to be made in regards to the appropriate location and attenuation of plant and equipment.

Consideration should also be given to mitigating construction noise, particularly in proximity to the low density residential development. Details of proposed noise mitigating measures are to be included with any future development application to ensure that nearby residential properties are protected from unreasonable noise.

Site Contamination

The Remedial Action Plan prepared by Trace Environmental (Revision 2) dated September 2019 states that a review of historical documents indicated that the site appeared to have been used for historical agricultural/farming land uses. Based on the historical farming/agricultural land uses at the site, the potential risk of site contamination included potential herbicide use, historical import of fill material, and potential hazardous building materials associated with demolition of site structures.

Environmental investigations undertaken at the site have identified asbestos impacted fill material across portions of the site which require remediation to make the site suitable for the proposed use.

Following successful implementation of the proposed remediation/management strategy for the site, it is considered that the site can be made suitable for the proposed medium to high-density residential, aged care and communal/recreational open space land uses. It is recommended that a condition be included that the site be validated and a NSW EPA

accredited Site Auditor review the validation report and issue a Site Audit Statement to verify suitability of site for proposed use.

In addition, documentation should be provided with any development application to ensure that any private open space/garden areas meet the National Environmental Protection Measures (NEPM) 2013 to have soil contact with humans to at least HIL A standards.

Criteria 2 – The impact that the proposed development is likely to have on the future uses of the land

The subject site is zoned RE2 - Private Recreation as is the adjoining land to the north of the site.

It is noted that the construction of the proposed seniors living development would require the demolition of existing sports fields which are in the process of being relocated to the north west of the site. As outlined in the SCC Report, the BWC has anticipated future development of the sports fields. We supported a Planning Proposal to give effect to this and work has already commenced to relocate the facilities within the site.

Criteria 3 – The services and infrastructure that are or will be available to meet the demands arising from the development (particularly retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision.

Public Transport Provision and Services

Many of the required services and infrastructure are not within 400m walking distance of the site. Therefore meeting these requirements is dependent on access by public transport, specifically bus.

For this to be considered satisfactory, safe and suitable access which is appropriate for residents of a seniors living facility must be available to bus stops for both outgoing and incoming trips. Currently, access to the bus stop on the eastern side of Reservoir Road for southbound trips (eg return from Blacktown) is not satisfactory as it does not meet the 400m walking distance criteria. Access to the Holbeche Road bus stop is not satisfactory as there is no suitable access pathway.

It is suggested that the seniors living facility plan of management include a requirement that details of all access options be made available to all residents. This can be addressed at DA stage.

The 7-Eleven at the corner of Reservoir Road and Penny Place has the potential to meet daily convenience needs within the required 400m walking distance. However, this can only be considered satisfactory if safe access is provided which is appropriate for residents of a seniors living facility, particularly given the shared use of Penny Place for industrial uses. It is expected that access be addressed in detail at DA stage or provision be made for alternative access to daily convenience items.

There is a sufficient level of other retail and commercial services available in local centres, including Blacktown CBD and Arndell Park Neighbourhood Centre. However, access to these is dependent on safe and appropriate access to public transport for both outgoing and incoming trips.

Council supports the proposed inclusion of approximately 3,200m² communal facilities and 14,475m² of common open space. Access to the proposed spaces in a manner which is appropriate for elderly residents is required for the health and well-being of the future residents, to provide for their social needs and promote active ageing.

There is a sufficient level of other community services and facilities available in the surrounding neighbourhood, including Blacktown CBD. Access to these is dependent on suitable access to public transport.

Social and recreation opportunities are also available at Blacktown Workers Sports Club itself. Clause 23 of the Seniors Living SEPP requires that an appropriate protocol will be in place to manage the relationship between the registered club and the seniors living facility. This is a significant consideration for the mental and financial well-being of future residents and it is expected that a detailed and considered response will accompany any future Development Application.

There is a sufficient level of medical services available, predominantly in the Blacktown CBD and hospital precinct. Access to these is dependent on suitable access to public transport.

Currently, to access the Blacktown Hospital precinct by public transport requires travel by bus to the interchange at Blacktown and transfer onto a second bus. The local community transport service provides a shuttle bus directly to the hospital precinct. Direct access is important for less mobile residents or those affected by mental or physical impairment.

It is suggested that the seniors living facility plan of management include provision to ensure high levels of safe and suitable access to a range of medical facilities is available for residents. This may include provision for direct shuttle services should the community transport service cease to be available; provision for access to after-hours medical facilities; or provision for on-site GP visits. Details relating to the provision of safe and suitable access, including suitable and regular access to medical facilities are to be addressed as part of any future development application.

It is suggested that the developer consult with NSW Health about the capacity of Blacktown Hospital, local general practitioners and after hours medical care providers to ensure there is sufficient capacity to meet the needs of the large number of future residents of the proposed development.

Updated Social Impact Assessment

As advised to DPIE on 18 October 2019, the SCC application did not include an updated Social Infrastructure Assessment (SIA). The submitted SIA is dated March 2018 and relates to the previous application which was refused by the Panel.

Prior to further consideration or determination of the SCC application, Council requests that an updated SIA be provided which specifically addresses the proposal in its current form. The SIA should relate to the proposed development the subject of this SCC application and should address issues including:

- Access to the site, services and infrastructure, especially for residents with dementia and limited mobility

- Access to retail and medical services, including what facilities/services may be provided on site and how they are proposed to operate
- Access to other facilities including shopping centres, hospitals and medical services, including addressing whether a community bus will be provided or how the site will interact with public transport services
- Community facilities that will be provided on site and how the site will connect with existing community facilities in the Blacktown region
- Ensuring the safety of residents on the site, given they comprise a vulnerable population of significant size in an area isolated from other residential properties.

Traffic and Parking

Having considered the Traffic Impact Assessment prepared by Traffix dated September 2019, Council agrees that additional traffic generated by the proposal can be accommodated within the existing road network subject to improved access arrangements being made.

We support the recommended signalisation of the access to the site off Reservoir Road. The proposed signalisation of the access will improve traffic efficiency as well as safety for all road users including pedestrians and cyclists.

We do not support the proposed additional access through Penny Place as it is likely to create traffic and safety issues with the mixing of existing heavy vehicles and the potential traffic from the proposed seniors living and residential aged care facility within Penny Place. Access to all components of the proposal should to be via the recommended signalised access off Reservoir Road. We support emergency and service vehicle access only off Penny Place.

The proposal provides for an indicative 652 parking spaces to be provided on site. The SEPP requires 491 car parking spaces. Any future development application must ensure that the proposed development complies fully with the car parking requirements of the Seniors Living SEPP.

In regards to the design of the proposed car parking layout including disability spaces, the proposed development must comply with all relevant parameters of current Australian Standards AS2890.1, AS2890.2, AS2890.3 and AS2890.6 as applicable.

Engineering Requirements

Any future development application must comply with Council's *Engineering Guide for Development* which is available on Council's website. Specific attention should be given to site drainage, access, on-site detention and stormwater water quality treatment.

Waste Management

Any future development application in relation to the proposal must be supported by a Waste Management Plan (WMP) for the demolition and construction stages of development, and the ongoing use of the site. The WMP must demonstrate that there will be adequate waste service provision including removal from each unit, storage and collection and should identify who the contractor will be in relation to the removal of waste from the RACF, including the removal of medical waste.

In developing the WMP, the proponent is to consider the following requirements:

- Bin collections must be onsite from the basement with all bins being stored on the same level.
- All truck manoeuvring must be accommodated onsite to allow for forward in, forward out movement of collection vehicles – no reversing into or out of the site will be supported
- Access to be based on a medium rigid vehicle with a 4.5m headroom allowance
- Truck access to comply with the Australian Standards (AS2890.1 and AS2890.2) for ramp grades and head room allowances
- Separate waste storage areas are to be provided for the various uses onsite
- Waste storage rooms should be provided for each building
- Bulky waste storage must be provided at a rate of 4m² for every 40 units and 1m² for every 20 units (or part thereof) after that. This area must be located adjacent to the waste room and designated residential waste loading bay

Criteria 4 – 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 or special uses in the vicinity of the development

As outlined above, the subject site is zoned RE2 - Private Recreation as is the adjoining land to the north of the site. Council supports the relocation of the playing fields.

The current SCC application does not provide any specific detail around the provision of open space and the information contained in the SIR does not relate to the current development.

The projected population created by the proposed development will result in an increased demand on quality open space within the locality. While the proposal provides for active and passive recreation, no details have been provided to identify additional or upgraded open space in the surrounding locality that is required to cater to the needs of the increased resident population. The previous SCC application suggested the upgrade of a number of the surrounding reserves and walking and cycling tracks however this is not addressed in the current SCC application.

The proposed development represents a significant uplift in the development potential/population on the site. It is considered reasonable that consideration be given to capture this uplift via the provision of a public benefit, commensurate with the expected increase in population resulting from the proposed development, or a monetary contribution (such as VPA or WIK) to address the provision of the required additional open space. The standard open space provision adopted by Council is 2.83 hectares of usable open space per 1,000 persons and must be applied to this proposal. All private courtyards, outdoor open space, village greens, paths, pedestrian and/or cycleway links as part of the proposed development are not to be included as public open space.

Connectivity through the site to existing open space and the riparian corridor to the north should also be considered. Any future proposed development on the site is to provide accessible pathways through the development that provide connectivity to link the

buildings to facilities on and adjacent to the site, with quality landscaping and outdoor recreation areas.

With respect to the provision of open space and landscaping of private passive open space, it is expected that any future development on the site makes consideration to providing the following facilities:

- Intergenerational play space for seniors/people with a disability
- Furniture – seating, picnic shelters, exercise equipment, water fountains etc
- Walking/scooter paths
- Canopy/shade trees and landscaping
- Public art
- Water feature/s that incorporate water sensitive urban design treatments

Criteria 5 – The impact that the bulk and scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development

The proposed development will be required to achieve good design outcomes in accordance with *State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guidelines*, as well as the Seniors Housing SEPP to ensure that any future development on the site provides good amenity outcomes for future residents.

We support the urban design principles outlined in the SCC Report, including:

- Modulation in the height and number of storeys across the site to provide visual variety and improve solar access to common open space
- The articulation of buildings to improve visual amenity, reduce visual bulk and massing and increase through-site vistas

In addition, to minimise potential visual and acoustic impacts from the surrounding land uses to the proposed development, and to ensure that the future residents of the development have high quality residential amenity, the proposed development is to provide the following:

- Suitable privacy and acoustic treatments to the facades of the development, particularly with frontage to Reservoir Road and adjacent to the industrial zoned land. Such measures should include design features such as double glazed windows, sliding adjustable full length louvers, wintergardens, solid balustrades.
- Where fencing is proposed, it is to be open form, palisade fencing to allow for surveillance and reduce the opportunity for graffiti. Fencing is to be softened through the use of screen planting.
- Avoid blank walls where industrial development abuts the site and provide suitable architectural treatments to walls and landscaping around buildings to minimise the visual impact.

- Take into consideration the reflectivity and glare spill which may occur as a result of development within the industrial precinct and the adjoining sports fields.

Criteria 6 – If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003 – the impact that the proposed development is likely to have on the conservation and management of native vegetation

This criteria is not applicable to the proposal. The *Native Vegetation Act 2003* has been repealed and replaced with a new framework for Land Management and Biodiversity Conservation.

Criteria 7 – The impacts identified in any cumulative impact study provided in connection with the application for this certificate

Amendments to the Seniors Living SEPP made in October 2018 include a requirement for a cumulative impact study to be provided when an application is lodged within a one-kilometre radius of a site of two or more SCC applications. The site is not within the one-kilometre radius of any other SCC applications. However, Council considers that the SCC Report should be updated to provide reference to the requirement of a cumulative impact study as part of the SCC application.

I trust our comments on this matter will be given due consideration. Should you wish to discuss the contents of this letter or require further clarification, please do not hesitate to contact Council's Coordinator Planning Policy, Rita Vella on 9839 5909 or rita.vella@blacktown.nsw.gov.au

Yours faithfully



Trevor Taylor

Manager Development Policy and Regulation