

Report to the Central City Planning Panel on an application for a site compatibility certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

SITE: The subject site is at 170 Reservoir Road, Arndell Park (Lot 201/DP 880404). The development site is located within the southern portion of the existing Blacktown Workers Club (the Club) property and is currently occupied by sporting fields.

The site is bounded by the Club and associated parking areas to the north, industrial development to the west and south and with low-density residential development to the east of the site across Reservoir Road.

The site has a frontage to Reservoir Road of 225m on the east and is approximately 594m wide along the frontage to Penny Place. The site has an area of 5.41 hectares with the location of the site shown in Figure 1 below.



Figure 1 – Aerial Context Map

APPLICANT: Think Planners on behalf of the Blacktown Workers Sports Club

PROPOSAL: Construction of a Seniors Living Development containing 480 serviced self-care housing apartments and a 160 bed Residential Aged Care Facility. The development would be completed over 12 buildings with basement car parking for 7 of the buildings.

The development has proposed to have access from Penny Place and other internal roads from within the existing Blacktown Workers Sports Club site.

The development also comprises 652 car parking spaces, 3,220m² of communal facilities and 14,475m² of open space.

The concept design is illustrated in Figure 2.



Figure 2 – Concept Design

LGA: Blacktown

PERMISSIBILITY STATEMENT

The site is zoned RE2 Private Recreation under Blacktown LEP 2015, which prohibits seniors housing and dwelling houses.

For seniors housing to be permissible on the site, an SCC is required in accordance with clauses 4 and 24 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP).

Clauses 13 and 17 of the Seniors Housing SEPP are also pertinent, providing definitions and criteria for sites adjoining land zoned for urban purposes respectively. Further SEPP clauses are addressed as appropriate throughout this report.

Seniors Housing SEPP – Clause 4

Clause 4 of the Seniors Housing SEPP provides that a SCC can be issued for land zoned for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if it satisfies the following:

- Clause 4(1)(b) – the land is being used for the purposes of an existing registered club; and
- Clause 4(6) – the land to which the SCC applies is not covered by any of the exclusions listed in Schedule 1 of the Seniors Housing SEPP.

The land is being used as sporting fields associated with the Blacktown Workers Sport Club which is a registered club (Licence No. LIQC324008542) pursuant to the *Registered Clubs Act 1976*. The site is not in exclusions listed in Schedule 1 of the Seniors Housing SEPP.

Seniors Housing SEPP – Clause 13

Clause 13 of the Seniors Housing SEPP defines both in-fill self-care housing and serviced self-care housing, as a type of self-contained dwellings, depending on the type of services available on site.

Clause 13(1) of the Seniors Housing SEPP defines in-fill self-care housing as:

seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.

Clause 13(2) of the Seniors Housing SEPP defines serviced self-care housing as:

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

While both in-fill self-care housing and serviced self-care housing are considered to be self-contained dwellings, serviced self-care housing requires the provision of certain services, being meals, cleaning services, personal care and nursing care. In-fill self-care housing is characterised by the fact that it does not provide these services.

Site is adjoining urban zoned land

The application has been made that the site should be classified as land adjoining land zoned primarily for urban purposes. The subject site is zoned RE2 Private Recreation (Figure 3) with the objectives and permitted uses for this zone under Blacktown LEP 2015 outlined below.

Zone RE2 Private Recreation

1 Objectives of zone

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Educational establishments; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Hotel or motel accommodation; Information and education facilities; Kiosks; Pubs; Recreation areas; Recreation facilities (indoor);

Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

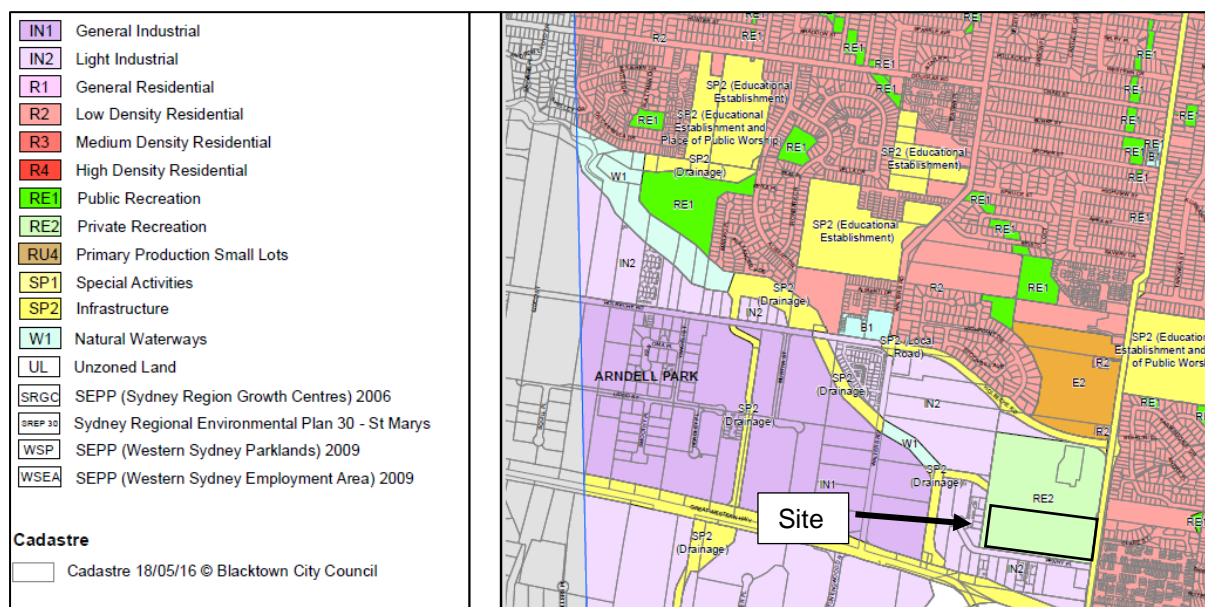


Figure 3: Land zoning map.

Clause 17 of the of the Seniors Housing SEPP states that:

(1) Subject to subclause (2), a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following:

- (a) a hostel,*
- (b) a residential care facility,*
- (c) serviced self-care housing*

As shown in Figure 3 above, the site is adjoined by R2 Low Density Residential Land to the east, with land to the south and west zoned IN2 General Industrial.

This adjoining land is zoned primarily for urban purposes and as such the development of a hostel, residential facility and/or serviced self-care housing is permitted under the provisions of the Seniors Housing SEPP as it adjoins land zoned primarily for urban purposes.

The SCC states that the proposed can be categorised as serviced self-care housing in accordance with Clause 42 of the Seniors Housing SEPP because:

- A home delivered meal service will be available to the residents. Meals can be provided to the residents from either the kitchen located within the Workers Club or from the kitchen within the Residential Aged Care Facility. Three meals a day can be provided to the resident, depending on their individual care needs.
- Personal care and home nursing services will be available.
- Assistance with housework will also be available to the residents.

- The residents will also have access to a bus as per the requirements of Clause 43 of the Seniors Housing SEPP.

The SCC has stated that the self-contained dwellings constitute 'serviced self-care dwellings' based on services which can be provided onsite by either the adjoining Workers Club or the proposed Residential Aged Care Facility.

Accordingly, it is considered reasonable for the application to proceed to the Panel for its consideration and determination.

PREVIOUSLY ISSUED SITE COMPATIBILITY CERTIFICATE ON THE LAND

There have been two previous SCC applications for a seniors living development on the subject site, details of which are outlined below.

27 July 2016 – SCC issued for senior housing development (**Attachment D**) consisting of 800 self-contained dwellings, 160 bed aged care facility and a parking for 880 cars. The SCC was issued on the basis of the following:

- The site is suitable for the intensity of development proposed; and
- The development is compatible with the surrounding land uses having had regard to the criteria specified in clause 25(5)(b).

This SCC expired on 27 July 2018.

1 April 2019 – SCC refused by the Sydney Central Planning Panel (**Attachment E**) for a senior housing development consisting of 800 self-contained dwellings, 160 bed aged care facility and a parking for 880 cars.

A summary of the reasons for refusal is provided below:

- The site is not zoned primarily for urban purposes as indicated in the application. The Panel considered, amongst other things, the specific objectives of the zoning of the site, RE2 Private Recreation in the Blacktown LEP, and is of the opinion that it is not zoned primarily for urban purposes.
- The proposal is for, amongst other things, 800 self-contained dwellings. Clause 13 of the Seniors SEPP provides that development for the purposes of in-fill self-care housing, a subset of self-contained dwellings, may only be carried out on land zoned primarily for an urban purpose (also see Clause 15(b) and 17 of the Seniors SEPP).
- The site is adjoined by land zoned R2 Low Density Residential to the immediate east. The Panel is satisfied that the site can therefore be characterised as land adjoining land zoned primarily for urban purposes. This therefore constrains the type of seniors housing as defined by Clause 15(b) and 17 of the Seniors SEPP.
- The Panel is of the opinion that the site of the proposed development is suitable for more intensive development for purposes of seniors housing under the Seniors SEPP.
- The Panel is, however, of the opinion that the proposed development is not compatible with the surrounding environment and land uses having regard to the criteria in Clause 25(5)(b)(v) of the Seniors SEPP. This is principally because building height, building bulk and dwellings yield is not compatible with the existing or future desired character of the area.

PROXIMITY OF SITE TO WHICH THERE IS A CURRENT SITE COMPATIBILITY CERTIFICATE, OR AN APPLICATION HAS BEEN MADE BUT NOT YET DETERMINED

There are no other sites within a 1km radius of the land for which there is a current SCC, or where an application for an SCC has been made but not yet determined. Therefore, a cumulative impact study pursuant to clause 25(2)(c) of the SEPP is not required.

CLAUSES 24(2) AND 25(5)

The panel must not issue a certificate unless the panel:

- (a) has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received from the general manager of the council within 21 days after the application for the certificate was made;
- (b) is of the opinion that:
 - (i) the site of the proposed development is suitable for more intensive development; and
 - (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

COUNCIL COMMENTS

Blacktown City Council provided comments to the Department by letter dated 11 November 2019 (**Attachment B**). Council noted that the current proposal has incorporated feedback from Council with the current proposal having a significantly lower yield from 800 self-contained dwellings to 480 dwellings.

The submission also noted that the building heights and overall built form scale has been reduced and that building setbacks have been increased to provide an improved interface to adjoining residential development.

Other comments in Blacktown Council's submission are outlined below.

- Council does not support the proposed additional access through Penny Place. Vehicular access to the site should only be via the recommended signalised access at Reservoir Road.
- It is requested that the planted trees provide an ecological corridor that allows for the movement of native fauna as the site is near land zoned E2 Environmental Conservation.
- Consideration be given to the future impact of noise from the development to nearby residential property. This should include details of noise mitigation measures.
- The site can be made suitable for development following former contamination, but it was requested that a condition be included that the site be validated, and an accredited site auditor review the validation report and issue a Site Audit Statement.
- Council supports the proposed inclusion of 3,200m² of communal facilities and 14,475m² of communal open space.
- The site has a sufficient level of access to community services and facilities.
- An updated Social Impact Assessment is requested which addresses the current proposal.

- The traffic generated from the development can be accommodated within the existing road network. The submission supports the proposed signalisation of the access to the site from Reservoir Road.
- Future DA must be supported by a Waste Management Plan for the construction of the development as well as the ongoing operations of the site when developed.
- The relocation of the sporting fields is supported. However, the submission notes that the SCC does not specify how more open space will be provided to accommodate the increased population from the development.
- The submission supports the urban design principles outlined in the SCC Report and includes suggestions for privacy, fencing, façade and reflectivity.

SUITABILITY FOR MORE INTENSIVE DEVELOPMENT

The panel must not issue a certificate unless the panel is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)).

The site forms part of the Blacktown Workers Sports Club with the area proposed for development consisting of sports fields. A number of sports fields have recently been provided at the north-western portion of the site to replace the lost fields from the proposed seniors housing development. The existing Sports Club buildings will be retained which includes the Sports Club, Travelodge Hotel, McDonalds fast food restaurant as well as large area for car parking.

The Department considers that the site of the proposed development is suitable for more intensive development under the Seniors Housing SEPP for the following reasons.

- The use of the site for seniors housing would not adversely affect future uses of the land
- The site adjoins an existing urban area and the use of the site for seniors housing would not adversely affect future uses of the land.
- The site has adequate access to public transport via bus stops within 400m of the entrance to the site.
- The site has adequate direct access to services to support the development, including the Blacktown Workers Sports Club.
- The site is within 3.1 km of Blacktown Centre which can be accessed by bus and will provide access to the necessary supporting services.
- The scale of the development proposal has reduced in line with feedback from Blacktown Council.
- There are not environmental constraints such as flooding and drainage, bushfire, ecological and heritage matters.

COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES

The panel must not issue a certificate unless the panel is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

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))

Bushfire

The site does not include any bushfire prone land. The north boundary of the Blacktown Workers Sports Club is opposite land which is identified as bushfire prone as shown in Figure 4.

Given the separation between the site and the bushfire prone land it is considered that the threat from bushfire is low.



Figure 4: Bushfire map (source: NSW Planning Portal).

Vegetation

The Flora and Fauna Assessment (**Attachment C3**) identifies that the site contains a minimal amount of vegetation but does include a number of trees situated on the boundary of the site (Figure 5).

The Arborist report (**Attachment C8**) states that the proposal will remove a small number of trees to facilitate the development but large areas of trees across the broader site are retained (Figure 6).

The submission from Blacktown Council requests that the planted trees provide an ecological corridor as the site is in close proximity to E2 Environmental Conservation zoned land to the north.

The Department recommends that a requirement be imposed on the SCC for clearing and management of vegetation to be addressed at the development application stage.



Landfill

A detailed site investigation has been undertaken which reveals there are some areas where landfill has occurred, and the material has contained asbestos.

This application is submitted with both a remediation action plan (**Attachment C13**) as well as an asbestos management plan (**Attachment C9**) which both demonstrate the site is capable of being made suitable for residential development.

The submission from Blacktown Council recommends that a condition be included which requires the site be validated and an NSW EPA accredited Site Auditor review the validation report and issue a Site Audit Statement to determine whether the site is suitable for development.

Flooding

The Flood Assessment (**Attachment C4**) has found that the site is subject to very limited flooding at the 1% Annual Exceedance Probability (AEP) level for overland flow (Figure 7). These flood levels have been assessed with the assumption of a 50% blockage of the stormwater network.

The Flood Assessment found that the site would only be impacted by very shallow overland flows and would be minor in extent. It also identified that evacuation in place would be the response for a 1% AEP and that egress would be maintained at all times for a PMF event.



Figure 7: Peak 1% AEP Flood Depths & Levels

2. The impact that the proposed development is likely to have on the uses that, in the opinion of the panel, are likely to be the future uses of that land (clause 25(5)(b)(ii))

The site is zoned RE2 Private Recreation as is the adjoining Blacktown Workers Bowling Club to the north. The objectives of RE2 zone are to provide public open space for recreational purposes such as such as community facilities, function centres, kiosks, recreation areas and facilities, registered clubs and restaurants and cafes.

The construction of the proposed development would require the demolition of existing sports fields which have been relocated to the north-west portion of the site (identified as Site A in Figure 8). The relocation of these sports fields was supported by Blacktown Council and included a planning proposal which was implemented in 2017 and permitted the operation of Recreation Facilities (outdoor) in this new location.

It is considered that the proposed development would not have a detrimental impact to the future uses of that land.

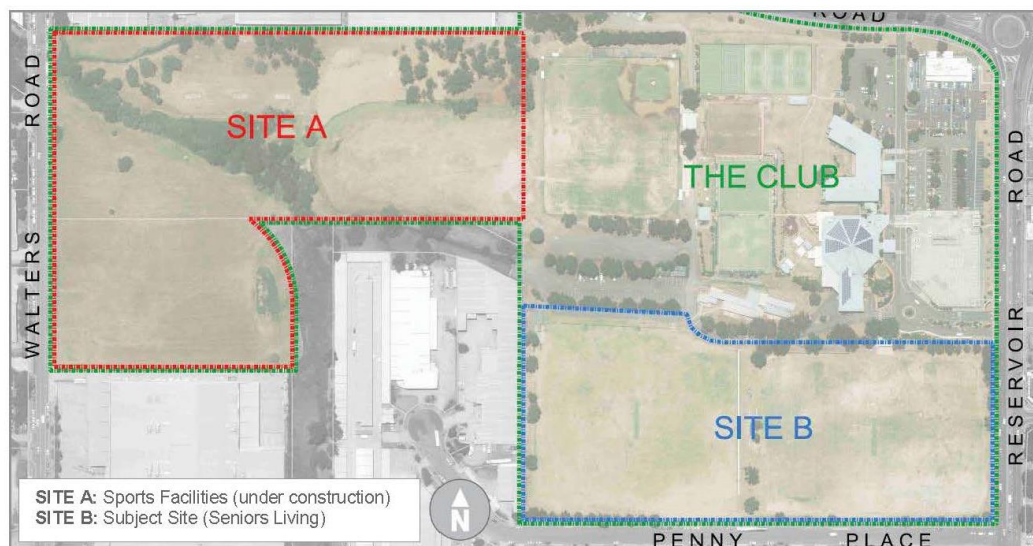


Figure 8: Location of relocated sports fields

3. The services and infrastructure that are or will be available to meet the demands arising from the proposed 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 (clause 25(5)(b)(iii))

The site is located 3.1km from the Blacktown City Centre with the future development to rely on bus services to this centre.

Transport

The subject site is within a 400m walking distance of several bus stops, located on Reservoir Road and Penny Place (Figure 9).

The bus routes servicing these stops are the 723 and 724, which give residents access to Westpoint Shopping Centre (a major shopping centre in the Blacktown LGA), Blacktown CBD, Blacktown CBD bus interchange and Blacktown train station.

The frequency of buses also satisfies clause 26(2)(b)(iii) of the Seniors Housing SEPP that requires “public transport service be available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive)” as shown in Table 1 (below).

Table 1: Bus timetable for routes 723 and 724

Bus Route	Schedule (Mon-Fri)	Timing
723 Mt Druitt to Blacktown via Eastern Creek Business Park	AM: 5:26, 6:31, 6:52, 7:12, 7:33, 7:51, 8:09, 8:29, 8:49, 9:16, 9:34, 10:34, 11:34 PM: 12:34, 1:34, 2:34, 3:04, 3:36, 4:06, 4:26, 4:56, 5:16, 5:36, 6:16, 6:33, 7:05, 8:05	20 minutes in peak periods, hourly during midday periods
723 Blacktown to Mt Druitt	AM: 5:15, 5:45, 6:15, 6:32, 6:52, 7:12, 7:31, 7:50, 8:10, 8:35, 8:53, 9:23, 9:45, 10:45, 11:45 PM: 12:45, 1:45, 2:23, 2:49, 3:31, 3:59, 4:19, 4:39, 4:59, 5:19, 5:39, 5:58, 6:28, 6:59, 7:58, 8:58	Arriving BWSC approximately 10-15 minutes.
724 Blacktown and Arndell Park Loop	AM: 5:06, 5:36, 6:06, 6:23, 6:43, 7:03, 7:22, 7:41, 8:01, 8:23, 8:43, 9:13, 9:43, 10:43, 11:43 PM: 12:43, 1:43, 2:13, 2:43, 3:20, 3:48, 4:08, 4:28, 4:48, 5:08, 5:28, 5:48, 6:18, 6:48, 7:48, 8:48.	Arriving Blacktown Interchange approximately 15 minutes.
724 Blacktown and Arndell Park Loop	AM: 9:42, 10:04, 11:04 PM: 12:04, 1:04, 2:35, 2:59, 6:47, 7:47, 8:17, 8:47, 9:27, 10:27, 11:27	Arriving BWSC approximately 60 minutes.

Route 723 along its westbound route connects residents to Mount Druiitt, which gives residents access to Mount Druiitt Hospital (see Figure 10). From Blacktown train station, residents will have access to Parramatta and the Sydney CBD to the east, and Penrith and the Blue Mountains to the west.



Figure 9: Existing bus stops

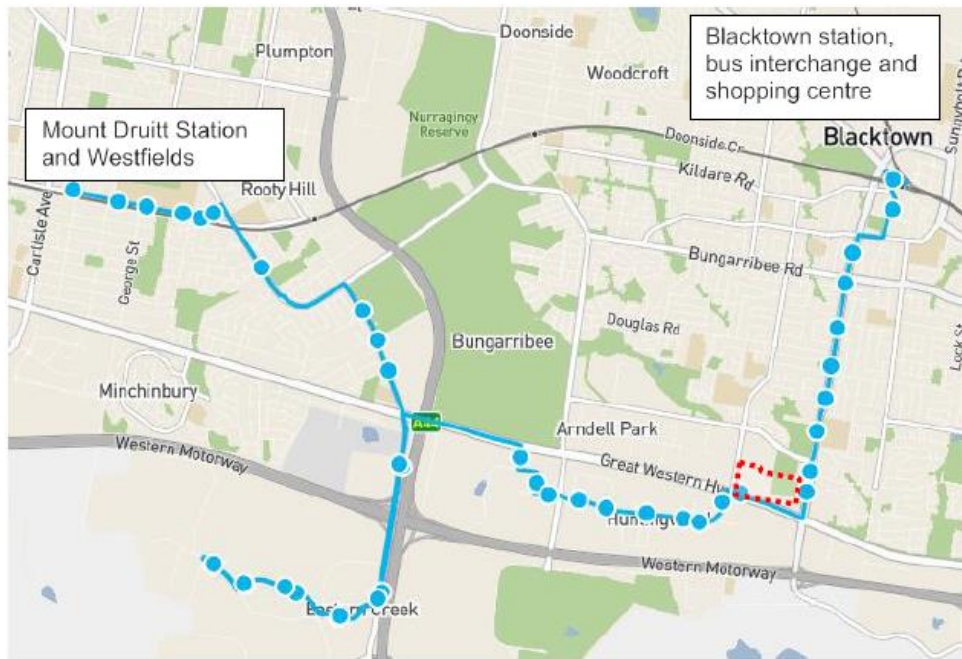


Figure 10: Bus routes from the site

The submission from Blacktown Council states for this access to be considered satisfactory, access must be available to bus stops for both outgoing and incoming trips. The submission notes that access on the eastern side of Reservoir Road for southbound trips (returning from Blacktown) does not meet the 400m walking distance criteria.

This bus stop is directly opposite the site but there is no signalised intersection that would allow accessible access to the site within 400m. A pedestrian trip from this bus stop to the site via the signalised intersection at Reservoir Road / Great Western Highway is approximately 500m. As such, residents on the return trip using public transport would not meet this criterion by a small measure. The location of this bus stop and the nearest signalised intersection is shown in Figure 11.

Clause 26 of the SEPP states that a consent authority must not consent to a development application unless the authority is satisfied that the residents have access to facilities and services. Where access relies on public transport, that service is to be located at a distance of not more than 400 metres and accessible by a suitable access pathway. The inconsistency with the SEPP for the return trip does not preclude the issue of the compatibility certificate as the SEPP requires consideration at the DA stage.

The submitted Traffic Report (**Attachment C7**), suggests that this could be satisfactorily addressed through a signalised intersection at Reservoir Road and the Blacktown Workers Sports Club which would provide a direct pedestrian crossing, linking the site to the bus stop and can be resolved at development application stage.

The applicant has previously met with the former RMS (now TfNSW) regarding the potential to provide a signalised intersection at this location. Written advice from the former RMS (**Attachment F**) stated that the likely traffic generation would not warrant the installation of signals at Reservoir Road and the driveway entrance into the Blacktown Workers Club.

The submission from Blacktown Council also suggests that the future seniors living facility plan of management should include a requirement that details all access options for residents. This should include access improvements for residents on the return / inbound bus trips. The submission states that this can be addressed at the DA stage.

As a number of key services will be onsite as required for 'serviced self-care housing' and outgoing trips having good pedestrian access to public transport, this issue is not considered to be adequate grounds for refusal of the SCC and can be addressed at the development application stage.



Figure 11: Location of south bound bus stop

Retail and other services

There are a number of existing amenities within walking distance of the subject site including a pharmacy, supermarkets and parks. There is a 7-11 service station/convenience store located opposite the site on the corner of Reservoir Road and Penny Place.

The Blacktown Workers Sports Club provides a number of services and amenities including private recreation facilities, dining facilities and a hotel.

The application has been made for 'serviced self-care housing' under the arrangement that the necessary on-site services will be provided by the Residential Aged Care Facility and the Blacktown Workers Sports Club.

Medical

The site is within reasonable distance to Blacktown Hospital and other medical services located within the Blacktown CBD. Mount Druitt and Westmead Hospitals are also directly accessible via public transport.

Infrastructure

The application states that existing utilities in the area are sufficient to meet the demand. It is considered that the development can be serviced by existing utilities given the proximity to nearby residential areas.

The application should address stormwater and road upgrades as part of the development application.

4. 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 and special uses in the vicinity of the development (clause 25(5)(b)(iv))

The land is zoned RE2 Private Recreation. The loss of the sporting fields has been compensated by the relocation and replacement of these sporting facilities to the western portion of the site. The relocation of these sports fields was supported by Blacktown Council through the endorsement of a previous planning proposal.

The area which the sports fields have been relocated was previously vacant land which was covered by grass with some scattered trees and shrubs. This area was not previously used for open space or recreational purposes and as such there will not be an overall net loss of sports fields.

The submission from Blacktown Council notes that the population projected from the development will result in an increased demand for open space and that the application does not identify how the development will address the demand for open space in the surrounding area. This demand for the provision of open space is considered to be a local matter and can be addressed through Section 7.11 Development Contributions.

5. Without limiting any other criteria, 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 future uses of land in the vicinity of the development (clause 25(5)(b)(v))

Character of the local area

The surrounding area has a mixture of Sports Club, industrial uses and low density residential uses on the eastern side of Reservoir Road.

The proposed development is therefore consistent with the mixed character of the local area as the proposed use would not have an impact greater than the existing operation of the sports club and nearby industrial uses.

Bulk and Scale

The bulk and scale of the development has been significantly reduced from the previously refused scheme including a reduction in building heights.

The eastern side of the development will interface with low density residential development across Reservoir Road which is zoned R2 Low Density Residential. These properties have a maximum height control of 9m under Blacktown LEP 2015.

Reservoir Road includes a total of 2 lanes of traffic in each direction with a divided carriageway for turning points to ensure that there is an appropriate separation. The development has reduced the density of the development along this frontage and also proposes a 13m setback to Reservoir Road. The buildings on Reservoir Road are proposed to have a height of 3 and 4 storeys. Given the separation of Reservoir Road and the setback itself from Reservoir Road, this height is considered to be appropriate for this area.

The adjoining IN2 General Industrial development does not have a height control applied to this land with existing development being characterised by a range of industrial units opposite the site on Penny Place.

Design Requirements

The proposed development is also consistent with Part 3 Design Requirements Division 2 Design Principles of the Seniors Housing SEPP. These are discussed as following:

- Clause 33 Neighbourhood amenity and streetscape

The concept design is consistent with the location's mixed character consisting of existing sports club and associated uses, industrial and residential.

The concept design has sought to reduce the impact on residential uses opposite the site on Reservoir Road by reducing heights and providing a setback.

- Clause 34 Visual and acoustic privacy

The proposed development would not have a detrimental impact on the privacy of neighbouring dwellings as it well separated by Reservoir Road.

- Clause 35 Solar access and design for climate

The development is away from existing dwellings and would not have a detrimental impact on their solar access or climatic conditions.

- Clause 36 Stormwater

The development is designed to adequately manage stormwater.

- Clause 38 Accessibility

The development is within close proximity to existing bus stops on Reservoir Road and Holbeche Road. These bus stops are all accessible via a visible and safe pedestrian footpath.

- Clause 39 Waste Management

It is considered that the development can adequately manage waste utilising the appropriate services.

The proposed development is considered to be at a bulk and scale that will unlikely have a significant detrimental impact to existing and future uses in the vicinity of the site.

The proposed development will be further assessed at the DA stage against the requirements in the State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development) and the associated Apartment Design Guide.

Future land use in the vicinity

The zoning controls in the area have not undergone any recent change, and so it is considered that the character of the locality is not expected to undergo any significant change in the future such as redevelopment, increased density or overall land-use change.

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 (clause 25(5)(b)(vi))

The *Native Vegetation Act 2003* was repealed on 25 August 2017, with the current legislation governing the clearing of native vegetation being the *Local Land Services Act 2013* and the *Biodiversity Conservation Act 2016*.

The proposal does not include clearing of native vegetation and is consistent with requirements of the abovementioned legislation.

7. The impacts identified in any cumulative impact study provided in connection with the application for the certificate (clause 25(5)(b)(vii))

A cumulative impact study was not required as the subject land is not within one kilometre of two or more other SCC sites.

RECOMMENDATION

The application has demonstrated that the site is suited for the purposes of a seniors housing development as it generally complies with the relevant criteria of the Seniors Housing SEPP, adjoins land which is zoned for urban purposes and has access to public transport and services for future residents.

There is an inconsistency with the access requirements in the Seniors Housing SEPP for residents returning on bus services from Blacktown. The bus stop for these services is more than 400m walking trip from this stop to the site. This is despite the bus stop being opposite the subject site on the other side of Reservoir Road.

However, as a number of key services will be onsite as required for 'serviced self-care housing' including a bus service and outgoing trips having good pedestrian access to public transport this issue is not considered to be adequate grounds for refusal of the SCC and can be addressed at the development application stage.

It is further recommended the Panel issues an SCC for the site and applies the following conditions to ensure that a number of outstanding issues will be addressed at the DA stage.

- The applicant engages with TfNSW prior to lodgement of the DA to agree satisfactory arrangements regarding vehicle access to the site. This should identify whether any signalised intersections are required to provide suitable vehicle access.

- Any future DA must identify how the development will address the existing non-compliance with pedestrian access requirements in the Seniors Housing SEPP for residents returning from bus services from Blacktown.
- Any future DA provide a seniors living facility plan of management which addresses all access options for residents including the matters listed above.
- Any future DA ensures that the planted trees provide an ecological corridor that allows for the movement of native fauna as the site.
- To address contamination concerns, the site should be validated by an accredited site auditor with the associated Site Audit Statement.to be submitted with the DA.
- Any future DA must include an updated Social Impact Assessment.
- Any future DA must be supported by a Waste Management Plan for the construction of the development as well as the ongoing operations of the site when developed.

ATTACHMENTS

B	Blacktown Council Submission
C1	Planning Report
C1a	Letter from Club
C1b	Servicing Letter from Applicant
C2	Urban Design Report
C3	Flora and Fauna Assessment
C4	Flood Assessment
C5	Heritage Assessment
C6	Acoustic Report
C7	Traffic Impact Assessment
C8	Arborist Report
C9	Asbestos Management Plan
C10	Electrical Services
C11	Geotech Report
C12	Hydraulic Services Statement
C13	Remediation Action Plan
C14	Social Infrastructure Report
C15	Hydraulic Concept Plan
D	2016 Approved SCC
E	2019 Declined SCC By Panel

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