

Statement of Environmental Effects
To Accompany Development Application:
Construction of Seniors Housing
Development
No 4 Lot 17 in DP 758972 Close Street,
Thirlmere

Prepared For:
S & H Kadir Pty Ltd

Prepared By:



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Annexures

- A: Dwelling and Subdivision Plans prepared by Devine Drafting & Design
- B: Stormwater Plans – D & M Consulting
- C: Landscape Plans – Captive Landscape Design
- D: Bushfire Hazard Assessment – Sydney Bushfire Consultants
- E: Site Investigation – Envirotech
- F: Access – Accessible Public Domain

Preparation, Review and Authorisation

Revision No.	Date	Prepared By:	Reviewed By:	Approved for issue by:
1	04/10/18	MB	MB	MB
2	11/11/18	MB	MB	MB

Document Certification

This report has been developed based on agreed requirements as understood by Michael Brown Planning Strategies Pty Ltd at the time of investigation. It applies only to a specific task on the lands nominated. Other interpretations should not be made, including changes in scale or application to other projects.

Any recommendations contained in this report are based on an honest appraisal of the opportunities and constraints that existed at the site at the time of investigation, subject to the limited scope and resources available. Within the confines of the above statements and to the best of my knowledge, this report does not contain any incomplete or misleading information.

SIGNED:



Position: Town Planner

Date: 11/11/18

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Executive Summary

This document forms a component of a development application that proposes the construction of a seniors housing living development on the subject land pursuant to the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The proposal is for twelve (12) x two (2) bedroom units within two storey buildings and tree (1) removal.

This Statement of Environmental Effects (SoEE) has been prepared on behalf of S & H Kadir Pty Ltd. Michael Brown Planning Strategies Pty Ltd has prepared this report and should be read in conjunction with plans prepared by **Devine Drafting & Design (Annexure A)** and the supporting technical reports at **Table 1**. The subject land is shown to be bushfire prone from vegetation offsite to the south. The lands to the south are zoned for residential purposes and it is likely that these properties will be developed in accordance with the zone and therefore reduce the bushfire hazard. In this regard, a bushfire hazard assessment accompanies the application at **Annexure D**.

The SoEE evaluates the proposed development for its compliance with the statutory controls embodied in various statutory planning instruments. This Statement demonstrates that the development is consistent with the aims and objectives of these instruments. In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act, 1979, as amended;
- The Environmental Planning and Assessment Regulation;
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
- Wollondilly Local Environmental Plan 2011;
- Wollondilly Development Control Plan 2016; and
- Various State Environmental Planning Policies.

There has been considerable attention given to the layout of the development having regard to its relationship to existing adjoining development. The development provides for a high standard of development, which will provide residential accommodation, particularly for the aged sector.

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed development is complementary and compatible with the area.

This Statement of Environmental Effects (SoEE) provides a description of the subject site and surrounds, an identification of the development proposed by this application and an assessment of the perceived impacts of this proposal for the matters contained within Section 4.15 of the Environmental Planning & Assessment Act, 1979, as amended.

In light of the above planning merits of the proposed development, the proposal succeeds when assessed against the Heads of Consideration pursuant under Section 4.15, and we recommend that Council grant consent to the development, subject to appropriate conditions.

1 Introduction

1.1 GENERAL

This 'Statement of Environmental Effects' has been prepared by Michael Brown Planning Strategies Pty Ltd on behalf of S & H Kadir Pty Ltd to accompany a development application on land described as Lot 17 in DP 758972, No 4 Close Street, Thirlmere, ('the subject land'). The proposed development briefly consists of:

- Construction of twelve (12) x two (2) bedroom independent living units (two storeys) pursuant to the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and provision of thirteen (13) carparking spaces;
- Demolition of shed/garage and removal of one tree;
- Site works, including drainage, access driveway and infrastructure; and
- Landscaping of the development.

The proposal is described in more detail in Section 4 below.

1.2 PROJECT TEAM

Michael Brown Planning Strategies Pty Ltd, in preparing this SoEE has relied on relevant inputs from the following as detailed in **Table 1** below:

TABLE 1 – PROJECT TEAM

The Project Team	
Dwelling Plans	Devine Drafting & Design – (Annexure A)
Stormwater Plans	D & M Consulting – (Annexure B)
Landscape Plans	Captivate Landscape Design – (Annexure C)
Bushfire Hazard Assessment	Sydney Bushfire Consultants – (Annexure D)
Site Investigation	Envirotech – (Annexure E)
Access	Accessible Public Domain – (Annexure F)

1.3 SCOPE OF REPORT

This document has been prepared pursuant to the *Environmental Planning and Assessment Act, 1979 (EP and A Act 1979)*, and the *Environmental Planning and Assessment Regulation 2000*, and reviews the applicable environmental planning instruments and development control plans that apply to the subject property as well as the natural and built environmental impacts of the proposal with particular reference to the relevant heads of consideration listed under s4.15 of the *Environmental Planning and Assessment Act, 1979 (EP and A Act 1979)*.

The Report describes the nature of the site and its immediate context. It proceeds to document the proposal and concludes with an assessment against the prevailing planning regulations and

a request for approval. The report should be read in conjunction with plans prepared by Devine Drafting & Design, which are attached as **Annexure A**.

1.4 AGED CARE

Although there are existing aged care facilities in the area, the subject site offers the potential to integrate aged care with medical, education or community facilities offered in the Wollondilly LGA. Given the ageing population, there is likely to be increased demand for aged care places in Wollondilly if supply constraints develop within greater Sydney.

Given the growth of the older demographics, it seems likely that the 70+ population is now above 4,000 people, as discussed below. This would translate to at least 160 Nursing Home beds and approximately 200 Hostel Places required across the LGA. Some of this capacity is likely already occupied by the smaller aged care facilities which operate in the LGA at present (RSL Life Care, Estonia Road (Thirlmere), Macquarie Grove Retirement Village & Bluegum Lifestyle Resort (Tahmoor)). The total market for aged care places is likely to be less than this total.

It should be noted that development of Wilton Junction is not expected to proportionally contribute to the population in the 70+ age group given:

- Any new residents already in that age group are likely to choose accommodation suitable for ageing in place, such as adaptable housing or aged care facilities constructed within Wilton Junction.
- Wilton Junction is expected to attract younger demographics such as those in the child-rearing phase of life. There will be a significant delay before large numbers of these younger residents begin to require aged care.

Consequently, a smaller sized complex is likely more appropriate for development as proposed, which would serve the existing residents and potentially provide a rural option for elderly people in Greater Sydney.

1.5 POPULATION GROWTH AND INCREASED HOUSING DEMAND

The South West Sub Regional Strategy applies to Liverpool, Wollondilly, Camden and Wollondilly local government areas. The project is consistent with and will assist in the delivery of key outcomes of the NSW State Plan and the South West Sub-Regional Strategy by contributing to the supply market of appropriately located land to sustainably accommodate the projected housing of the Region's population over the next 15 - 20 years.

The successful development of the site is important if the high level of ongoing housing demand in southwestern Sydney is to be met. Strong population growth is anticipated over the coming decades, particularly in the major cities, and as outlined above, current projections suggest that the Wollondilly LGA must accommodate a significant proportion of Sydney's growth. In this regard, housing that accounts for seniors needs to be considered.

1.6 ESTIMATED RESIDENT POPULATION

The Estimated Resident Population (ERP) is the official Wollondilly Shire population for 2017. For areas within Wollondilly Shire, the ERP is not an official count but an experimental estimate which is subject to review after the next Census.

However the Census count is generally an under-estimate of the actual population, due to people missed in the Census and people overseas on Census night. To provide a more accurate

population figure, which is updated more frequently than every five years, the Australian Bureau of Statistics also produces ERP numbers for Wollondilly Shire (refer to **Figure 1** below).

FIGURE 1 – ESTIMATED RESIDENT POPULATION

Year (ending June 30)	Number	Change in number	Change in percent
2006	40,969	--	--
2007	41,589	+620	+1.51
2008	42,401	+812	+1.95
2009	43,145	+744	+1.75
2010	43,828	+683	+1.58
2011	44,607	+779	+1.78
2012	45,434	+827	+1.85
2013	46,372	+938	+2.06
2014	47,411	+1,039	+2.24
2015	48,510	+1,099	+2.32
2016	49,854	+1,344	+2.77
2017	51,002	+1,148	+2.30

Source: Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0). Compiled and presented in profile.id by .id , the population experts.

1.7 AGE STRUCTURE – SERVICE AGE GROUPS

The Age Structure of Wollondilly Shire provides key insights into the level of demand for age based services and facilities such as child care. It is an indicator of Wollondilly Shire's residential role and function and how it is likely to change in the future.

Service age groups divide the population into age categories that reflect typical life-stages. They indicate the level of demand for services that target people at different stages in life and how that demand is changing (refer to **Figure 2** below).

FIGURE 2 – AGE STRUCTURE – SERVICE GROUPS

Wollondilly Shire - Total persons

NEW

(Usual residence)	2016			2011			Change
Service age group (years)	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2011 to 2016
Babies and pre-schoolers (0 to 4)	3,313	6.8	6.4	3,172	7.3	6.8	+141
Primary schoolers (5 to 11)	5,219	10.8	8.8	4,798	11.1	8.7	+421
Secondary schoolers (12 to 17)	4,269	8.8	6.9	3,990	9.2	7.4	+279
Tertiary education and independence (18 to 24)	4,196	8.6	9.6	3,894	9.0	9.5	+302
Young workforce (25 to 34)	5,706	11.8	16.1	4,655	10.8	15.4	+1,051
Parents and homebuilders (35 to 49)	10,073	20.8	21.1	9,706	22.4	21.9	+367
Older workers and pre-retirees (50 to 59)	6,471	13.3	12.2	5,910	13.7	12.2	+561
Empty nesters and retirees (60 to 69)	5,192	10.7	9.5	4,155	9.6	9.0	+1,037
Seniors (70 to 84)	3,421	7.1	7.5	2,516	5.8	7.2	+905
Elderly aged (85 and over)	652	1.3	2.0	463	1.1	1.8	+189
Total	48,512	100.0	100.0	43,259	100.0	100.0	+5,253

1.8 AGE STRUCTURE – FIVE YEAR AGE GROUPS

Five year age groups present a classic age profile of the population. Each age group covers exactly five years, which enables direct comparison between each group (**Figure 3** below).

FIGURE 3 – AGE STRUCTURE – FIVE YEAR AGE GROUPS

Wollondilly Shire - Total persons (Usual residence)	NEW 2016			2011			Change
Five year age groups (years)	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2011 to 2016
0 to 4	3,313	6.8	6.4	3,172	7.3	6.8	+141
5 to 9	3,737	7.7	6.4	3,408	7.9	6.3	+329
10 to 14	3,628	7.5	5.8	3,408	7.9	6.1	+220
15 to 19	3,411	7.0	6.0	3,252	7.5	6.3	+159
20 to 24	2,902	6.0	7.1	2,614	6.0	7.0	+288
25 to 29	2,749	5.7	7.9	2,186	5.1	7.8	+563
30 to 34	2,958	6.1	8.1	2,469	5.7	7.7	+489
35 to 39	3,011	6.2	7.4	3,223	7.5	7.6	-212

40 to 44	3,555	7.3	7.1	3,328	7.7	7.3	+227
45 to 49	3,502	7.2	6.7	3,155	7.3	7.0	+347
50 to 54	3,265	6.7	6.3	3,192	7.4	6.5	+73
55 to 59	3,212	6.6	5.8	2,718	6.3	5.7	+494
60 to 64	2,803	5.8	5.0	2,470	5.7	5.1	+333
65 to 69	2,387	4.9	4.4	1,685	3.9	3.8	+702
70 to 74	1,615	3.3	3.3	1,161	2.7	2.9	+454
75 to 79	1,086	2.2	2.4	813	1.9	2.3	+273
80 to 84	720	1.5	1.8	542	1.3	1.9	+178
85 and over	652	1.3	2.0	463	1.1	1.8	+189
Total population	48,506	100.0	100.0	43,259	100.0	100.0	+5,247

From the above, 12,475 persons or a quarter of the population is 55 years and older. Accordingly, the proposed development is considered to fulfil this objective by delivering twelve (12) new seniors housing dwellings, which will provide a significant boost to seniors housing choice and affordability in the Wollondilly local government area.

1.9 NEED FOR ASSISTANCE

Wollondilly Shire's disability statistics relate directly to need for assistance due to a severe or profound disability. Wollondilly Shire's disability statistics help in understanding the prevalence of people who need support in the community, and along with information on Unpaid Care to a person with a disability, how that support is provided (**Figure 4**).

FIGURE 4 - NEED FOR ASSISTANCE

Wollondilly Shire - Persons (Usual residence)		NEW		2016		2011		Change
Assistance needed by age group (years)	Number	% of total age group	Greater Sydney %	Number	% of total age group	Greater Sydney %	2011 to 2016	
0 to 4	58	1.8	1.1	39	1.2	0.9	+19	
5 to 9	163	4.4	2.8	102	3.0	2.3	+61	
10 to 19	259	3.7	2.5	163	2.4	1.9	+96	
20 to 59	524	2.1	2.2	449	2.0	2.0	+75	
60 to 64	149	5.3	6.7	133	5.4	6.2	+16	
65 to 69	186	7.8	8.5	125	7.4	7.7	+61	
70 to 74	172	10.6	11.8	118	10.2	11.4	+54	
75 to 79	195	17.9	18.7	136	16.6	18.1	+59	

80 to 84	183	25.3	29.9	130	23.8	27.7	+53
85 and over	335	51.6	50.4	228	49.0	48.4	+107
Total persons needing assistance	2,221	4.6	4.9	1,623	3.8	4.4	+598

1.10 HOUSEHOLD TYPE

Wollondilly Shire's household and family structure is one of the most important demographic indicators. It reveals the area's residential role and function, era of settlement and provides key insights into the level of demand for services and facilities as most are related to age and household types (**Figure 5**).

FIGURE 5 - HOUSEHOLD TYPE

Wollondilly Shire - Total households (Enumerated)		NEW 2016		2011			Change
Households by type	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2011 to 2016
Couples with children	6,845	43.3	35.3	6,170	42.9	34.8	+675
Couples without children	4,086	25.8	22.4	3,654	25.4	22.6	+432
One parent families	1,528	9.7	10.4	1,533	10.7	10.8	-5
Other families	104	0.7	1.3	109	0.8	1.4	-5
Group household	232	1.5	4.5	239	1.7	4.1	-7
Lone person	2,313	14.6	20.4	2,250	15.7	21.5	+63
Other not classifiable household	631	4.0	4.7	346	2.4	4.1	+285
Visitor only households	76	0.5	0.9	70	0.5	0.9	+6
Total households	15,815	100.0	100.0	14,371	100.0	100.0	+1,444

1.11 HOUSEHOLD SIZE

The size of households in general follows the life-cycle of families. Households are usually small at the stage of relationship formation (early marriage), and then increase in size with the advent of children. They later reduce in size again as these children reach adulthood and leave home. Household size can also be influenced by a lack (or abundance) of affordable housing (**Figure 6**) and the proposal will offer an affordable development, being two bedrooms.

Household size in Australia has declined since the 1970s but between 2006 and 2016, the average household size remained stable for the nation as a whole.

An increasing household size in an area may indicate a lack of affordable housing opportunities for young people, an increase in the birth rate or an increase in family formation in the area. A declining household size may indicate children leaving the area when they leave home, an increase in retirees settling in the area, or an attraction of young singles and couples to the area.

FIGURE 6 - HOUSEHOLD SIZE

Wollondilly Shire - Households	NEW			2016	2011			Change
Number of persons usually resident	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2011 to 2016	
1 person	2,311	15.3	21.6	2,246	16.1	22.6	+65	
2 persons	4,607	30.5	29.9	4,279	30.7	30.7	+328	
3 persons	2,516	16.7	17.6	2,349	16.8	17.2	+167	
4 persons	3,047	20.2	18.1	2,808	20.1	17.5	+239	
5 persons	1,670	11.1	8.0	1,494	10.7	7.8	+176	
6 or more persons	940	6.2	4.7	775	5.6	4.2	+165	
Total classifiable households	15,091	100.0	100.0	13,951	100.0	100.0	+1,140	

As can be seen from the above, there a number of persons within the single and 2 person's category and that there is a need for more affordable housing. The proposed development will meet the needs for this dominant group.

1.12 INTEGRATED DEVELOPMENT

The subject development site has been identified as being bounded by bush fire prone land, hence NSW legislative requirements for new building or integrated land development on bush fire prone lands is applicable.

For the purposes of this assessment, the subject development is considered a 'Special Fire Protection Purpose' development (herewith 'SFPP'). Section 100B (6) (a) of the Rural Fires Act 1997 defines 'housing for older people' as requiring special fire protection.

Section 4.46 of the EP&A Act 1979 (in combination with the Rural Fires Act 1997 requirements for a Section 100B Bush Fire Safety Authority) classes a SFPP development as 'integrated development'.

1.13 REPORT STRUCTURE

This SoEE is structured in the following manner:

Section 2 – Describes the Site and provides a detailed description of the site and the nature of surrounding development.

Section 3 – Provides a site analysis.

Section 4 – Details the Proposed Development and other relevant information.

Section 5 – Details the Statutory Controls that apply to the Development Site.

Section 6 – Details the Environmental Assessment of the proposed Development.

Section 7 – Provides a Conclusion.

The following commentary and assessment is provided in respect of the above.

2 The Site

The site consists of an allotment of land legally described as Lot 17 in DP 758972, No 4 Close Street, Thirlmere. The property has an area of 2028.1m². The allotment is regular in shape. The subject land is vacant except for a shed in the rear portion of the land. **Figure 7** below provides an aerial view of the subject site within the immediate context of the area. From the aerial photograph, it would be noted where the bushfire threat will potentially generate from. However, these lands are zoned for residential purposes and therefore when developed, will reduce such a threat.

FIGURE 7 – AERIAL PHOTOGRAPH OF LAND



2.1 LOCALITY

Vehicle access to the property is from Close Street, which is a short distance from the corner of

Barbour Road. The proposed dwellings will have vehicular access from such street via a new driveway crossing along the eastern boundary. The subject land adjoins existing residential dwellings and the area is residential in nature. The Thirlmere Railway Museum is located at the intersection of the above mentioned intersection. To the north of the land is the Thirlmere Shopping Centre. The Centre offers a limited range of services and facilities. Tahmoor, which is located to the east and Picton to the north offer more convenient shopping, with higher order shopping provided at Narellan or Wollondilly.

The Thirlmere Centre is approximately 500m from the subject site to the north or about a 6minute easy walk, as the street is relatively level and therefore accessible.

3 Site Analysis

3.1 TOPOGRAPHY AND LANDFORM

The subject land is generally level, with a slight fall from the rear (RL 101.77m) to Close Street (RL 100m). The subject land is suitable for the proposed development, with the proposed dwellings shown on the plans.

3.2 TRAFFIC, TRANSPORT AND ACCESSIBILITY

3.2.1 ROAD NETWORK

The site is serviced by a local access road system in the form of Barbour Road and Close Street (50kph speed limit). Parking within Close Street is within the road reserve. Close Street is a local road within the Council road hierarchy. Barbour Road provides access to a number of properties to the south of the subject site and carries a reasonable amount of traffic and would be classified as a local collector road.

Being a local collector road it exhibits carriageway widths that generally carry one lane of traffic in each direction. The road intersection with Close Street and Barbour Road occurs in the form of single lane "T" intersection. Vehicular access to Thirlmere is via Thirlmere Way, which connects to Tahmoor and Picton Townships.

There is no rail service at Thirlmere, and residents would need to travel to Tahmoor or Picton to connect to the greater Sydney Metropolitan rail system. Bus services operate along Oaks Street providing services to Picton, Tahmoor and other areas.

3.3 AVAILABILITY OF SERVICES

The site is located in a residential area with good services provided.

3.4 HYDRAULICS

A drainage plan has been prepared by D & M Consulting (**Annexure B**). The plan shows that the land can be drained to the Council street system and that there is capacity to take such drainage from the development.

4 The Proposed Development

4.1 DESCRIPTION OF DEVELOPMENT

The proposed development is detailed in the accompanying DA plans (reproduced at **Annexure A**). The proposal involves the construction of twelve x 2 bedroom units. The units are two storeys in height and are constructed in two separate blocks of six (6) each, with a 6m separation between the buildings. Thirteen (13) carparking spaces are provided at the rear of Block B and an open space area of 394m² provided, which will be landscaped (refer to **Annexure C**). **Table 2** below provides details of the development.

TABLE 2 – PROPOSED DEVELOPMENT DETAILS

Unit No	Details	Floor Area M ²	POS M ²
1	2 bedrooms, kitchen, family and alfresco.	72.29	21.02
2	2 bedrooms, kitchen, family and alfresco.	70.17	20.74
3	2 bedrooms, kitchen, family and alfresco.	71.62	21.03
4	2 bedrooms, kitchen, family and balcony.	72.29	21.02
5	2 bedrooms, kitchen, family and balcony.	70.17	20.74
6	2 bedrooms, kitchen, family and balcony.	71.62	21.03
7	2 bedrooms, kitchen, family and alfresco.	72.29	21.02
8	2 bedrooms, kitchen, family and alfresco.	70.17	20.74
9	2 bedrooms, kitchen, family and alfresco.	71.62	21.03
10	2 bedrooms, kitchen, family and balcony.	72.29	21.02
11	2 bedrooms, kitchen, family and balcony.	70.17	20.74
12	2 bedrooms, kitchen, family and balcony.	71.62	21.03
	Total	856.32	251.16

4.2 ACCOMPANYING PLANS

The following plans accompany the application as detailed in **Table 3** below.

TABLE 3 – SUBMITTED PLANS

Plan No	Sheet	Revision	Prepared by	Plan title
2234-6	1	G	Devine Drafting & Design	Ground Floor Plan
2234-6	2	G	Devine Drafting & Design	First Floor Plan
2234-6	3	G	Devine Drafting & Design	Elevations
2234-6	4	G	Devine Drafting & Design	Elevations
2234-6	5	G	Devine Drafting & Design	Section A-A
2234-6	6	G	Devine Drafting & Design	Ground Floor Plan
2234-6	7	G	Devine Drafting & Design	First Floor Plan
2234-6	8	G	Devine Drafting & Design	Elevations
2234-6	9	G	Devine Drafting & Design	Elevations

Plan No	Sheet	Revision	Prepared by	Plan title
2234-6	10	G	Devine Drafting & Design	Section B-B
2234-6	11	G	Devine Drafting & Design	Existing Site Plan & Demolition Plan
2234-6	12	G	Devine Drafting & Design	Site Plan & Shadow Diagram 9am
2234-6	13	G	Devine Drafting & Design	Shadow Diagram 12pm & 3pm
2234-6	14	G	Devine Drafting & Design	BASIX Notes
	1	A	D & M Consulting	Cover Sheet
	2	A	D & M Consulting	Proposed Drainage & Soil and Water Management Plan
	3	A	D & M Consulting	Soil and Water Management Notes
	4	A	D & M Consulting	Catchment Plan
1539/1	1	A	Captivate Landscape Design	Landscape Concept Plan

4.2.1 BUILDING DESIGN

Good passive design and the incorporation of sustainability initiatives will contribute towards the site achieving a high level of environmental performance (refer to **Figure 8**), which provides good solar access to living rooms and allows for cooling breezes to living rooms. Passive housing design including orientation and solar access, insulation and cross ventilation will reduce reliance on air conditioning to create thermal comfort. Dwelling design will ensure that:

- 70% of living spaces have a minimum of 3 hours sunlight available between 9am and 3pm in mid-winter; and
- The main area of private open space will receive a minimum of 3 hours sunlight between 9am and 3pm at mid-winter.

FIGURE 8 - ELEVATION - BLOCK A



4.3 CONSTRUCTION MANAGEMENT CONTROLS

4.3.1 SEDIMENT AND EROSION CONTROL

Drains will be blocked or barricaded and silt fencing, sandbags and/or hay bales will be used to prevent offsite sediment movement. However these should be more fully developed in consultation with the contractor and incorporated into a Soil and Water Management Plan in accordance with NSW Department of Housing (1998) *Managing urban stormwater: soils and construction*. The controls outlined in the plan should be put in place prior to any works commencing.

4.3.2 CONSTRUCTION

The construction will be in accordance with the requirements as set out under the Australia Standard. The construction of the development may have some impacts in terms of potential noise impacts for adjoining residents, as a result of construction work and construction vehicles. A Construction Management Plan (CMP) will be prepared on the basis of ensuring that there is minimal impact/disruption to adjoining residents during the construction phase. A construction waste management plan is provided with the application.

A Site Management Plan (SMP) will be prepared to ensure the safety of the public during the construction program. This will include the methods for managing dust, noise and fencing.

During Construction on-site waste will be collected in a designated area (Sheet 11 **Annexure A**). The designated area will be a contained waste sorting area located away from adjoining residents.

4.4 WASTE MANAGEMENT

A waste management plan for the construction of the dwellings accompanies the application.

Post construction phase, waste material generated by the residents (household waste and recycling) will be placed within garbage bins and collected by Council on collection days

4.5 OFFSITE WORKS

The creation of new driveway necessitates approval under the Roads Act 1993. Section 138(1) of the *Roads Act 1993* requires consent to:

- “(a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road”.

Consent is therefore sought for the construction of the new driveway to service the development.

5 Assessment of Relevant Controls and Policies

5.1 APPLICABLE PLANNING INSTRUMENTS, CONTROLS AND POLICIES

The following documents are relevant to the proposed development:

- Wollondilly Local Environmental Plan No. 2011;
- Wollondilly Development Control Plan 2016;
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy 55 – Remediation of Land;
- Deemed Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River No 20;
- Camden Community Strategic Plan.

5.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT SECTION 4.15 (1) – MATTERS FOR CONSIDERATION

Under the provisions of Section 4.15 (1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development subject of the development application.

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any draft environmental planning instrument that is or had been placed on public exhibition and details of which have been notified, and*
 - (iii) *any development control plan, and*
 - (iv) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (v) *any matters prescribed by the regulations that applied to the land to which the development relates, and*
 - (vi) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979).*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

The assessment of the application is undertaken in the following sections.

5.3 STATE ENVIRONMENTAL PLANNING POLICY – SENIORS LIVING

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The proposed development provides for permanent accommodation for aged and disabled persons in the form of self-contained units. The following section of this report assesses the proposed development against the relevant provisions of SEPP (Housing for Seniors or People with a Disability) 2004.

5.3.1 AIMS OF POLICY

The stated aims of the SEPP are to encourage the provision of housing (including residential care facilities) that will:

- (a) Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (b) Make efficient use of existing infrastructure and services, and
- (c) Be of good design.
- (2) These aims 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, and
 - (b) Setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and
 - (c) Ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.

This report clearly and comprehensively demonstrates that the development achieves the aims of the SEPP by adopting a site-specific design response to the topographic and environmental characteristics of the site and the relationship of the site to the adjoining urban development. The proposed development will provide needed accommodation for the ageing population.

The proposal is consistent with aim (a), as it will provide a variety of suitable housing options for an increasingly ageing population. The proposal will provide a diverse range of residences designed for independent living, with six (6) single bedroom dwellings and eight (8) two bedroom dwellings.

The proposal is consistent with aim (b) as it seeks to make efficient use of existing infrastructure and services. The site is also adequately serviced by existing water, sewer, electricity and communications infrastructure, with only minor upgrades being required to these services, if necessary.

5.3.2 LAND TO WHICH POLICY APPLIES

Section 4 of the SEPP states that this policy applies to land within New South Wales:

- (a) That is zoned primarily for urban purposes or that adjoins land zoned primarily for urban purposes, and
- (b) on which development for the purpose of any of the following is permitted:
 - (i) dwelling-houses,
 - (ii) residential flat buildings,
 - (iii) hospitals,
 - (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries.

The site on which the development is proposed to be undertaken is zoned Low Density Residential under the provisions of Wollondilly Local Environmental Plan 2011. In accordance with the land use table of the LEP seniors housing is permissible.

Clauses 10 & 13 relate to the form of development. In accordance with the subject clauses, the proposed development is described as a “group of self-contained dwellings”, which are defined as:

In this Policy, a *self-contained dwelling* is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.

Clause 17 relates to development on land adjoining land zoned primarily for urban purposes. The Clause states that Council must not consent to an application on land that adjoins land zoned primarily for urban purposes unless the development is for the purpose of any of the following:

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

Sub-clause 17 (2) defines serviced self-care housing.

The allotment, the subject of this application, is located upon land zoned primarily for urban purposes (R2) as discussed above. Clause 24 relates to Site Compatibility Certificates. Given that the land is zoned to permit the proposed development, such a certificate is not deemed necessary.

5.3.3 CLAUSE 26 – LOCATION & ACCESS TO FACILITIES

This clause considers issues relating to such matters as disabled access to various components of the development and access to following:

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

Comment

The site is located within the immediate vicinity of the Thirlmere Centre, which provides local or neighbourhood related services and facilities, with a supermarket located in Westbourne Avenue. Tahmoor (5km) and Picton (6km) are a distance to the east and northeast, respectively; whilst other shopping facilities are located in Narellan and Campbelltown and provide higher order services and both are accessible by bus and train. In providing such higher order service roles, local and regional support facilities are evidenced in these Centres including public and private hospitals and many special medical practitioners and general practitioners.

Medical facilities are also provided in Oaks Street, Thirlmere, including chemist 650m away. Community facilities and churches are located within an accessible distance in Westbourne Avenue. Recreational facilities are located a short distance away in Oaks Street.

Clause 26 of SEPP Seniors Housing requires the site to be located within 400 metres of shops, banking services, other retail and commercial services, community services and doctors, or that public transport is accessible and available within 400 metres of the site providing access to those services and facilities (refer to above commentary on services and facilities). Bus stops are located near the property in Barbour Road and Oaks Street (Buses 828 & 912 – 525m away with level access) and provide regular services to these services and facilities.

Taxi services are also readily available.

Clause 26 of the Senior Living SEPP is accordingly complied with given the nature of the immediate locality and the services available in the immediate context for residents of the development. It should be noted that persons living in this complex are capable of driving and therefore the above facilities are readily accessible by vehicle.

5.3.4 CLAUSE 27 – BUSHFIRE PRONE LAND

The subject site is shown as being subject to a bushfire hazard and therefore a bushfire hazard assessment has been undertaken by Sydney Bushfire Consultants at **Annexure D**, particularly as the subject development is considered a ‘Special Fire Protection Purpose’ development (herewith ‘SFPP’). *Section 100B (6) (a)* of the *Rural Fires Act 1997* defines ‘housing for older people’ as requiring special fire protection.

Section 4.46 of the *EP&A Act 1979* (in combination with the *Rural Fires Act 1997* requirements for a Section 100B Bush Fire Safety Authority) classes a SFPP development as ‘integrated development’.

The following recommendations (**Table 4**) are proposed for bushfire safety & protection for the proposed Residential Unit development (Seniors Living).

TABLE 4 – BUSHFIRE SAFETY COMPLIANCE

No	PBP Standard	Recommendation
1	Asset Protection Zone	The entire subject development site is to be maintained as an Asset Protection Zone (Inner Protection Area) for the life of the development.
2	Fire Fighting Water (Reticulated / Hydrant)	Fire hydrant spacing, sizing and pressures should comply with AS 2419.1 – 2005 and BCA general fire safety provisions.
3	Building Construction Standards	<p>Based on the assessment given within 14.0 of this report the following construction standards are recommended:</p> <ul style="list-style-type: none"> • All elevations: the construction standards outlined within AS3959-2009 Section 5 (BAL 12.5) are to be applied. • In addition, AS3959 Section 3 ‘Construction General’ is to be applied where relevant, including: 3.2.1 ‘Attached Structures’. <p>Note: In line with the NSW variation to AS3959-2009 the additional construction requirements outlined within PBP Addendum: Appendix 3 (A3.7) are also to be applied in relation to ‘Sarking’ and ‘Verandas / Decks / Steps / Ramps / Landings’.</p>

No	PBP Standard	Recommendation
4	<p>Maintenance plans and emergency procedures</p> <ul style="list-style-type: none"> □ Bushfire Maintenance (Landscaping & Building) □ Emergency / Evacuation Plan 	<p>A simple Bushfire Maintenance Plan be developed by a for the subject development site which, at least, clearly identifies;</p> <ul style="list-style-type: none"> • A proposed schedule of landscape maintenance and activities which ensure the provisions of proposed fire / asset protection management zones. • A proposed schedule of building maintenance and activities which ensure the correct installation or function of building design / materials incorporated for bushfire (ember) protection. • An emergency/evacuation plan is prepared consistent with the RFS guidelines for the Preparation of Emergency/Evacuation Plan (existing). • An Emergency Planning Committee is established to consult with residents (and their families in the case of aged care accommodation and schools) and staff in developing and implementing an Emergency Procedure Manual. • Detailed plans of all Emergency Assembly Areas including “onsite” and “offsite” arrangements as stated in AS 3745- 2002 are clearly displayed, and an annual (as a minimum) trial emergency evacuation is conducted.
5	LPG Gas Cylinders	<p>As applicable, any future proposed gas supply connections should be designed & located in accordance with PBP.</p> <p>Bottled gas should be installed and maintained in accordance with AS1596 - 2002 and the requirements of relevant authorities. Metal piping is to be used.</p> <p>Fixed LPG tanks should be kept clear of all flammable materials and preferably located on the non hazard side of the residential building.</p> <p>If gas cylinders need to be kept close to the building, the release valves must be directed away from the building and away from any combustible material, so that they do not act as catalysts to combustion.</p>

No	PBP Standard	Recommendation
6	Electrical Connection	<p>As applicable, any proposed or relocated electrical supply connections should be designed & located in accordance with PBP.</p> <p>Any new or re-located power line connections to service the subject development site to be located underground.</p>

5.3.5 CLAUSE 28 – WATER & SEWER

Consent must not be granted unless the consent authority is satisfied by written evidence that the development will be connected to a reticulated water system.

Comment

The site is connected to such services (**Annexure B**).

5.3.6 CLAUSE 29 – SITE COMPATIBILITY CRITERIA TO WHICH CLAUSE 24 APPLIES

Comment

Clause 29 requires the consent authority to consider certain site compatibility criteria for development applications for which a Site Compatibility Certificate is not required. The proposed development does not require a Site Compatibility Certificate. Notwithstanding, in accordance with Clause 29(2) the following must be considered for any development for seniors housing:

Whether the proposed development is compatible with surrounding land uses having regard to:

- The natural environment and the existing and approved land uses in the vicinity of the proposed development;
- The services and infrastructure that are or will be available to meet the demands arising from the proposed development and any proposed financial arrangements for infrastructure provision; and
- The impact that the bulk, scale, built form and character of the proposed development is likely to have on existing uses, approved uses and future uses of land in the vicinity of the development.

These matters have been considered in the preparation of the design, as discussed briefly below and explained further in this report.

Prior to undertaking the design phase of the development, an analysis of parameters specific to the site was considered. That analysis investigated the constraints and opportunities of the site including aspect, topography, prevailing breezes, proposed adjacent land uses and road access. The development has been designed to respond appropriately to the existing natural environment, both on site and adjoining the sites.

The building forms proposed for this site are single two storey buildings. In this regard, the design aspects of the development are addressed in section 5.3.9.

It is also noted that two storey dwellings are generally accepted in residential zones and that permitted by LEP 2011, in particular Clause 4.3 (Height Control) and DCP 2011.

Therefore, it is considered that the proposed development will respond appropriately in terms of bulk, scale and built form to future land uses in the vicinity of the development, noting that medium density development is located in the immediate area in Barbour Rad between Close Street and Oaks Street (refer to **Figure 10**).

5.3.7 CLAUSE 30 – SITE ANALYSIS

This clause site requires a site analysis to be undertaken addressing a number of matters. The following provides details of that assessment.

Visual exposure

It is not considered that the development unreasonably impacts on the visual plane along Close Street nor from distant views. Development on the adjoining sites will not be impacted by the approval and construction of the dwellings on this site, noting a 9m height level is permissible and medium density development is also permissible (refer to **Figure 10**).

The massing of the buildings has been carefully considered in the context of ‘fitting in’ with the existing scale and character of the area having regard to the location of the site and medium density development in this street and adjoining streets. There will also be a variety of building materials used on the proposed buildings to complement the site.

In our opinion, the best planning practice should recognise this significance and respond to the opportunity to value add to the location of the site by going beyond basic numerical compliance checking, and consider broader structural and urban design frameworks.

On this basis, the opportunity is available to highlight that visual significance through the proposed building’s siting and the building design.

Having regard to the above, we consider that the approach taken serves the objects of the Act of promoting the orderly and economic use of land.

Potential visual effects of the proposed development

The proposed development would not have any significant negative effect on the streetscape character of Close Street given the height of the proposed buildings at 7.666m to ridge height. The proposed building forms are contemporary but are of traditional vernacular forms which are compatible with the building stock found in the immediate residential areas and wider visual context of the site.

Mitigation measures

Some mitigation measures have already been incorporated within the proposed design which includes building and roof forms of contemporary style and not out of character with the predominant nature of the locality (refer to plans). An appropriate landscape scheme would be required to further enhance the site, provide screening to parts of the proposed development and maintain the amenity with the adjoining neighbours, which is addressed below in Section 5.3.11.

5.3.8 CLAUSE 31 – DESIGN OF IN-FILL SELF-CARE HOUSING

The criteria within the document prepared by the Department of Planning titled *Urban Design Guideline for Infill Development* is addressed below in **Table 4**.

TABLE 4 – COMPLIANCE WITH DEVELOPMENT PRINCIPLES

Development Principles	Comments	Compliance
Responding to Context		
<p>Analysis of neighbourhood character</p> <p>Analysis should not only be concerned with the existing neighbourhood character by also with trends and changes in the area and their likely positive or negative impacts over time.</p>	<p>The area is an eclectic mix of architectural styles and dwelling types. There is not one dominate character, particularly given the age of housing stock. A number of the medium density developments have been constructed over different time periods and development standards.</p> <p>The proposal complies with the aims and objectives of the SEPP by delivering built forms that ensure a high standard of visual amenity, appearance and character, while enhancing the area.</p>	Yes
<p>Street layout and hierarchy - has the surrounding pattern and hierarchy of the existing streets been taken into consideration? (e.g. scale and character of the built form, patterns of street planting, front setbacks, buildings heights)</p>	<p>The existing street layout and hierarchy is determined by Close Street acting as a local road; whilst Barbour Road is a local collector road. Close Street has two moving lanes and two parking lanes.</p> <p>The surrounding street pattern and hierarchy of existing streets has been taken into consideration in terms of the scale and character of built form, landscaping, setbacks and building heights.</p> <p>The proposal presents as a two storey building to fit in with the surrounding low density residential character by utilising articulation features, variety in massing and a roof profile that has been broken up into varying heights and elements to break up the bulk of the development and provide visual interest/relief.</p> <p>The wall and roof materials are domestic in scale and typical of a larger single residence. A consistent and appropriate front setback in relation to adjoining and</p>	Yes

Development Principles	Comments	Compliance
	<p>surrounding dwelling houses is proposed.</p> <p>The proposed building height does not negatively impact the surrounding existing dwellings in terms of amenity and is considered to be compatible with other dwellings in the street, although it is noted that the majority of adjoining dwellings to the west are single storey with properties at Nos 6-10 being subdivided as battle-axe lots.</p> <p>Accordingly, the building form has been carefully designed to be compatible with the character of the surrounding neighbourhood, as much as possible.</p>	
Blocks and lots – does the analysis of the surrounding block and lot layout take into consideration local compatibility and development suitability? (e.g. lot size, shape, orientation)	<p>The area has generally been developed in grid pattern type subdivision and lots are generally regular in shape and size, noting the battle-axe lots to the west.</p> <p>The zoning allows for this form of development to occur in Residential R2 zone and permits building to 9m high, but the development is less than this height.</p>	Yes
Built environment – has a compatibility check been undertaken to determine if the proposed development is consistent with the neighbourhoods built form? (e.g. scale, massing, should particular streetscapes or building types be further developed or discouraged?)	<p>This aspect has been addressed above. Suffice to say that there is no regular rhythm of spaces between buildings, setbacks or the like.</p>	Yes
Trees – do trees and planting in the proposed development reflect trees and landscapes in the neighbourhood or street?	<p>A tree will need to be removed. A landscape plan has been prepared with emphasis on the landscape treatment for the development, including communal open space area.</p>	Yes
Policy – has Council's own LEP and DCP been considered to identify key elements that	<p>Council's DCP does not provide a particular character for this area. The site</p>	Yes

Development Principles	Comments	Compliance
contribute to an areas character? Does the proposed development respond this?	would not be considered to be in a particular special character area. There would be no loss of view corridors and there are no other issues relating to the site such as heritage related matters.	
Site analysis		
Site Planning and Design		
Built form	The bulk of the building has been located towards the front of the site (Close Street) and provides a presence in the streetscape, with the rear of the site utilised for carparking and communal open space.	Yes
Trees, landscaping and deep soil zones	Plant species will be selected having regard to the site's context and setting. A communal open space area is provided and the deep soil zone requirement will be more than met by this proposal, within front and side setback areas. No significant existing trees/vegetation to be retained; however existing street tree and adjoining vegetation will be adequately preserved. Additionally, a high level of new landscape planting is to be incorporated across the site which will be an increase over that of the existing and provide appropriate screening to minimise visual bulk and scale.	Yes
SEPP Controls	The proposed development has been designed with regard to the provisions within SEPP Seniors Housing and is compliant.	Yes
Rules of thumb	The landscape requirement is compliant (Annexure C).	Yes
Impacts on Streetscape		
Built form	The building massing of the proposed building has been broken up with varying heights to reduce the dominance of the built form. A high level of façade articulation has been incorporated into the design to provide	Yes

Development Principles	Comments	Compliance
	<p>visual interest and again reduce the bulk and scale of built form.</p> <p>Roof profile has been broken down into smaller roof elements to break up the bulk of the development and provide visual interest/relief.</p> <p>Building facades are provided with a high degree a variation and materiality change to avoid uninterrupted blank surfaces.</p>	
Trees, landscaping and deep soil zones	<p>This matter has been addressed above and will be further considered at the detailed design stage.</p> <p>New planting has been incorporated within the front setback of the subject site to enhance the existing streetscape character.</p>	Yes
Residential amenity	<p>The building is setback 6.5m from the street to provide for open space. Open spaces in the front setback are clearly designed as private or communal open spaces.</p> <p>The design of the development is such that there is a high level of casual surveillance of the public and private spaces.</p> <p>Direct pedestrian entry has been included from the street to each unit to allow access to the dwellings (refer to Annexure F). As a result, the proposal presents as a two storey dwelling to fit in with the surrounding low density residential character.</p>	Yes
Parking, garaging and vehicular circulation	<p>One common driveway is proposed along the eastern boundary and is narrowed in parts, as required by this Clause.</p> <p>Furthermore, the proposed driveway has kept hard paving to a minimum providing only a single width driveway</p>	Yes

Development Principles	Comments	Compliance
	<p>of dimensions sufficient for safe vehicular entry and egress only. Despite the driveway being straight in design, appropriate indent & landscape treatments have been provided flanking the driveway to soften and reduce the visual impact when viewed from the streetscape. Vistas along the driveway will be interrupted by landscape garden areas rather than garages or parking.</p> <p>No garages are proposed.</p> <p>If considered necessary by Council, the driveway surface can be modified however given the nature of the development being for seniors, suitably paved pedestrian pathways and driveways have been provided to ensure ease of access for all mobility types.</p> <p>Car parking area proposed at the rear of the site will be screened to the street from the proposed building & landscaping.</p>	
Impacts on Neighbours		
Design principles and better practice	<p>The design of the development is such that impacts on adjoining neighbours have been minimised as much as possible. However, the first floor alfresco areas will have a visual impact on the adjoining neighbours at No 6 & 6a potentially overlooking the private open space areas of these properties. As such privacy screens should be employed to reduce privacy to such neighbours.</p> <p>A variety of proposed roof planes provide sufficient diversity.</p> <p>The design of the development has aimed to reduce the impact of unrelieved walls by providing a high level of articulation and materiality fenestration, therefore mitigating and visual impacts to the existing surrounding development.</p>	Yes

Development Principles	Comments	Compliance
Trees, landscaping and deep soil zones	This matter has been addressed above.	Yes
Residential amenity	This matter has been addressed above.	Yes
Parking, garaging and vehicular circulation	This matter has been addressed above.	Yes

5.3.9 CLAUSE 32 – DESIGN OF RESIDENTIAL DEVELOPMENT

A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.

We are of the opinion that the proposal provides for a well-designed and contemporary development as discussed above. The development also provides for articulated and modulated building to suit the needs of future residents of the development. As such the development is consistent with this clause.

The proposed development features an articulated and modulated form that is expressed in appropriate low-key materials and colours.

Therefore, the opportunity to create a meaningful dialogue with adjoining sites was seen to be limited and, while connectivity for the general area was considered and enhanced, the design approach taken was to develop dwellings, with their own unique expression, on the site.

5.3.10 CLAUSE 33 – NEIGHBOURHOOD AMENITY AND STREETSCAPE

This clause requires consideration of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area.

Comment

Visual character of the surroundings

The adjoining houses are on a variety of lot sizes and on battle-axe lots. In general, the building stock has a common underlying pattern of single storey vernacular forms and pitched roofs. The proposal is for a flat roof. Whilst this maybe out of character with other dwellings, the zoning of the land as R2 Low Density will result in a number of sites being redeveloped, particularly to the south, which has not been subdivided at this stage but will be at some stage.

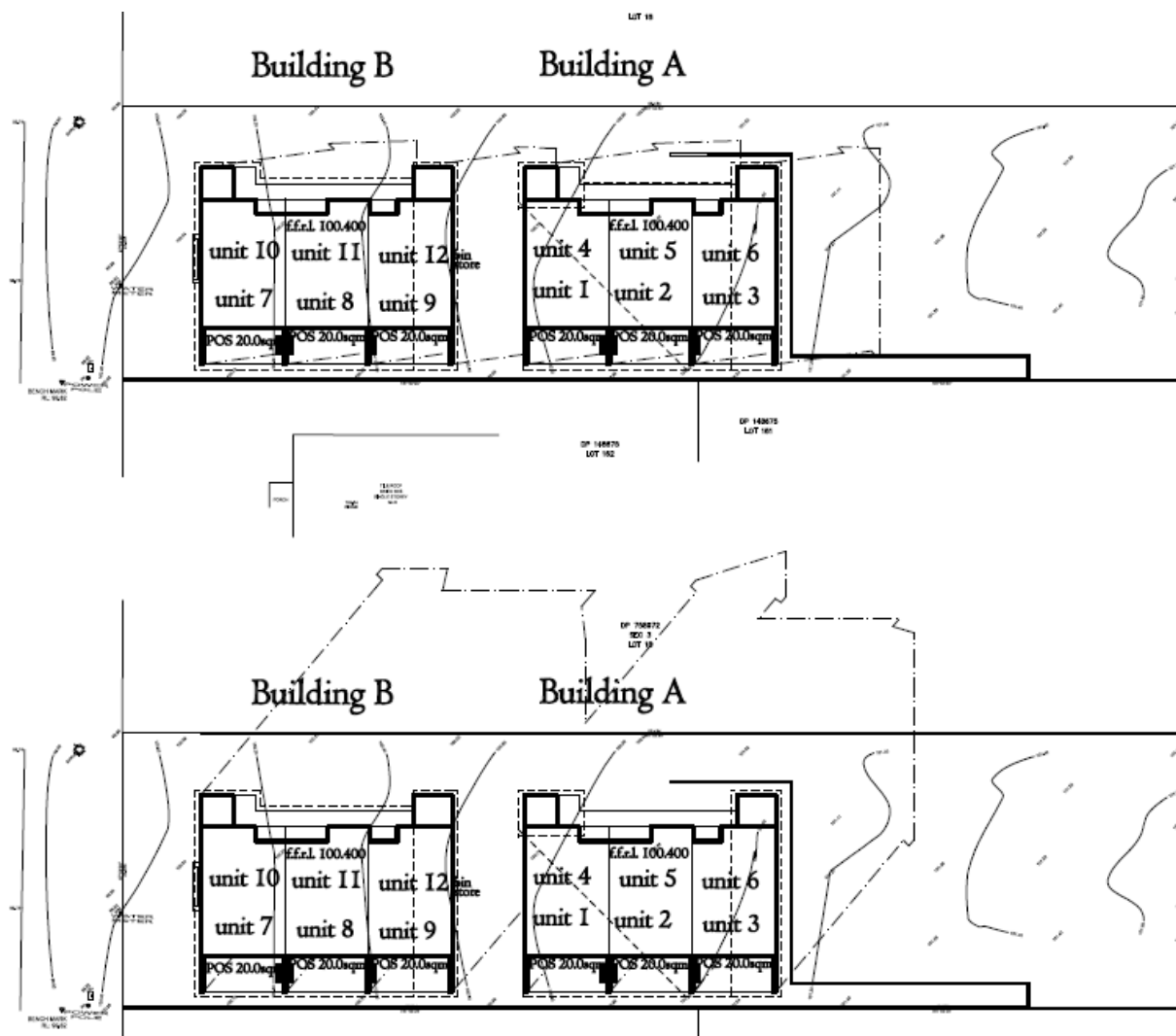
5.3.11 CLAUSE 34 – VISUAL AND ACOUSTIC PRIVACY

This clause requires that the proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents.

The proposed development provides first floor alfresco areas for dwellings 4-6 and 10-12. These alfresco area potentially create privacy issues for the residents at Nos 6 and 6a. To overcome this issue, privacy screens should be erected to reduce this aspect of the application.

The proposed development should ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space. Shadow diagrams prepared for the development indicate that the adjoining property at Nos 6 & 6a will not be significantly impacted by overshadowing from the proposed development.

FIGURE 9 – SHADOW DIAGRAMS



5.3.13 CLAUSE 36 – STORMWATER

The proposed development should control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters and include, where practical, on-site stormwater detention or re-use for second quality water uses.

Comment

The development can be connected to an existing street system (refer to **Annexure B**).

5.3.14 CLAUSE 37 – CRIME PREVENTION

The proposed development should provide personal property security for residents and visitors and encourage crime prevention. This aspect of the proposal was addressed below in Section 6.4.

5.3.15 CLAUSE 38 – ACCESSIBILITY

The proposed development should have safe pedestrian links from the site that provide access to public transport services or local facilities, and provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.

Comment

This aspect is addressed by the access consultant at **Annexure F**. In addition, accessible paths are provided to the letter boxes, carparking area, elevators and other parts of the site to comply with Schedule 3. Further details are provided below. This part of the report assesses compliance with the design controls relating to access for people with a disability in the following design controls:

1. The access provisions of the Building Code of Australia 2010.
2. SEPP Seniors Living
3. The Disability Discrimination Act

The report concludes that subject to details at the Construction Certificate, the development will comply with the Australian Standard AS1428.1 (2009) and AS4299.

5.3.16 CLAUSE 39 – WASTE MANAGEMENT

The proposed development will be provided with waste facilities that maximise recycling by the provision of appropriate facilities.

Comment

Adequate provision has been made for waste management and recycling of material and placed conveniently for residents of the development, as shown on the plans.

5.3.17 CLAUSE 40 – DEVELOPMENT STANDARDS – MINIMUM SIZES AND BUILDING HEIGHT

The clause has two requirements, one relating to size of land and the second relating to heights of buildings. In terms of size (minimum 1000m²) and site frontage (20m), the development meets these requirements. In terms of height (clause 40(4)(c)), the proposed development is consistent with this requirement, and complies with the height control of Clause 4.3 of LEP 2011.

It would be noted that the requirement for the rear 25% of the development to be single storey has been met, with this area allocated as common open space. The setback required by DCP 2011 has also been complied with at 6.5m.

Clause 40 of SEPP (Seniors Housing) provides standards for compliance. An assessment against the standards in Clause 40 is detailed in **Table 5** below.

TABLE 5 – DEVELOPMENT STANDARDS

Clause 40 Provision	Assessment	Consistency
(2) Site size 1,000m ²	2028.1m ²	Yes
(3) Site frontage 20m	22.933m	Yes
(4) Height 8m or less, unless residential flat buildings permitted.	The property is zoned R2 and the buildings are 7.66m high, which is compliant with the SEPP and LEP.	Yes.
(5) Development by Department of Housing	The above clause does not apply to this development is not for the Department of Housing or any other social housing provider facility.	Yes.

5.3.18 CLAUSE 50 – STANDARDS THAT CANNOT BE USED TO REFUSE DEVELOPMENT CONSENT FOR SELF-CONTAINED DWELLINGS

Clause 50 of SEPP (Seniors Housing) provides standards for which Council cannot refuse an application for Self-contained dwellings. An assessment against the standards in Clause 50 is detailed in **Table 6** below.

TABLE 6 – STANDARDS FOR SELF-CONTAINED DWELLINGS

Clause 50 Provision	Assessment	Consistency
Building Height All buildings to be 8 metres or less in height.	Dwellings are two-storeys in height or 7.666m and comply with LEP Height Map.	Yes
Density and Scale FSR to be 0.5:1 or less	The total floor area of the development is 856.32m ² , with an FSR of the development at 0.42:2:1, with no FSR applying under Clause 4.4 of LEP 2011.	Yes
Landscaped Area A minimum of 30% of the area of the site.	A total of m ² or % is landscaped area and therefore compliant.	Yes.
Deep Soil Zones 15% of site available for deep soil planting.	Deep soil zones of m ² or % are provided around the site in different locations, which accommodate for a common area at the rear of the land.	Yes.

Clause 50 Provision	Assessment	Consistency
Solar access 70% of the dwellings receive a minimum of 3 hours sunlight to living rooms and private open space areas.	The development has been designed to achieve this requirement given the orientation of the property.	Yes.
Private open space for in-fill self-care 15m ² or an area of 3m x 3m long accessible from living area located on ground floor.	All private open space areas have been calculated of having an area each of not less than 20m ² .	Yes.
Parking 0.5 car spaces for each bedroom	The proposed development provides for 24 bedrooms within the development. This requires that the minimum parking requirement is 12 spaces and 12 parking spaces have been provided, including five shared spaces.	Yes.

The proposed development has been assessed against the relevant standards of SEPP Seniors Housing and is considered to be an appropriate development having regard to those provisions and is generally consistent with the SEPP.

5.4 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

BASIX is the Building Sustainability Index, the State Government's web-based planning tool designed to assess the potential performance homes against a range of sustainability indices. The BASIX assessment accompanies this application (Sheet 14).

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

5.4.1 CLAUSE 45 – DETERMINATION OF DEVELOPMENT APPLICATIONS

Clause 45 of *State Environmental Planning Policy (Infrastructure) 2007* (the Infrastructure SEPP) identifies triggers which require the local electricity supply authority to be given written notice of a Development Application. In this regard:

- The proposal does not include the penetration of ground within 2 metres of an underground electricity power line or an electricity distribution pole or within 10 metres of any part of an electricity tower;
- The proposal is not located within or immediately adjacent to any existing easement for electricity purposes or electricity substation;
- The proposal does not include the construction of a swimming pool; and
- The proposal does not necessitate or propose the placement of power lines underground.

Given all the above, the proposed development does not trigger a requirement for the local electricity supply authority to be given written notice of the subject Development Application. It is anticipated that this will be undertaken as part of the application assessment process.

5.5 STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The proposed development is subject to the provisions of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55). This SEPP aims to provide a State-wide planning approach to the remediation of contaminated land, and in particular, promotes the remediation of contaminated land for the purpose of reducing risk of harm to human health or the environment.

Depending on the level of contamination, remediation may be required with the consent (Category 1) or without the consent (Category 2) of the consent authority. The State Government publication *Managing Land Contamination: Planning Guidelines* sets out the process for consideration of land contamination. Based on an initial consideration of known historical land uses, the guidelines may require, in certain circumstances, one or more of the following steps:

- A Preliminary Investigation – where contamination is likely to be an issue;
- A Detailed investigation – where a Preliminary Investigation highlights the need for further detailed investigations or where it is known that the land is likely to be contaminated and/or that the proposed use would increase the risk of contamination;
- A Remedial Action Plan (RAP) – to set the objectives and process for remediation;
- Validation and Monitoring – to demonstrate that the objectives of the RAP and any conditions of development consent have been met.

The land has been vacant for a number of years. Notwithstanding a Phase 1 assessment has been prepared at **Annexure E** and the following summarises the assessment:

Based on the data and evidence collected during the site inspection and site history review, the findings of the Environmental Site Assessment are as follows:

1. At the time of inspection, the majority of the subject site was predominantly cleared displaying well-grassed areas. A small shed was present toward the rear of the property on the eastern boundary.
2. The site is not listed on any EPA records;
3. Based on the PSI, Envirotech considers that the site has a low potential for contamination associated with current and historical site activities. A stage 2 investigation is not required.
4. It is considered that the site does not require any further testing and considered that the site is remediated suitable to the proposed land use.

5.6 DEEMED STATE ENVIRONMENTAL PLANNING POLICY NO. 20 HAWKESBURY-NEPEAN RIVER (NO.2-1997) (DSEPP 20)

The aim of this plan is to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land use are considered in a regional context.

Part 2 “Policies and Consideration” applies to the preparation of Environmental Planning Instruments, Control Plans and requires consideration of development proposals in the area covered by the plan. Part 3 “Development Controls” contain the development controls, which are imposed by the plan.

Part 3 of the DSEPP details matters to be considered by the consent authority when determining a development application in the area covered by the Plan.

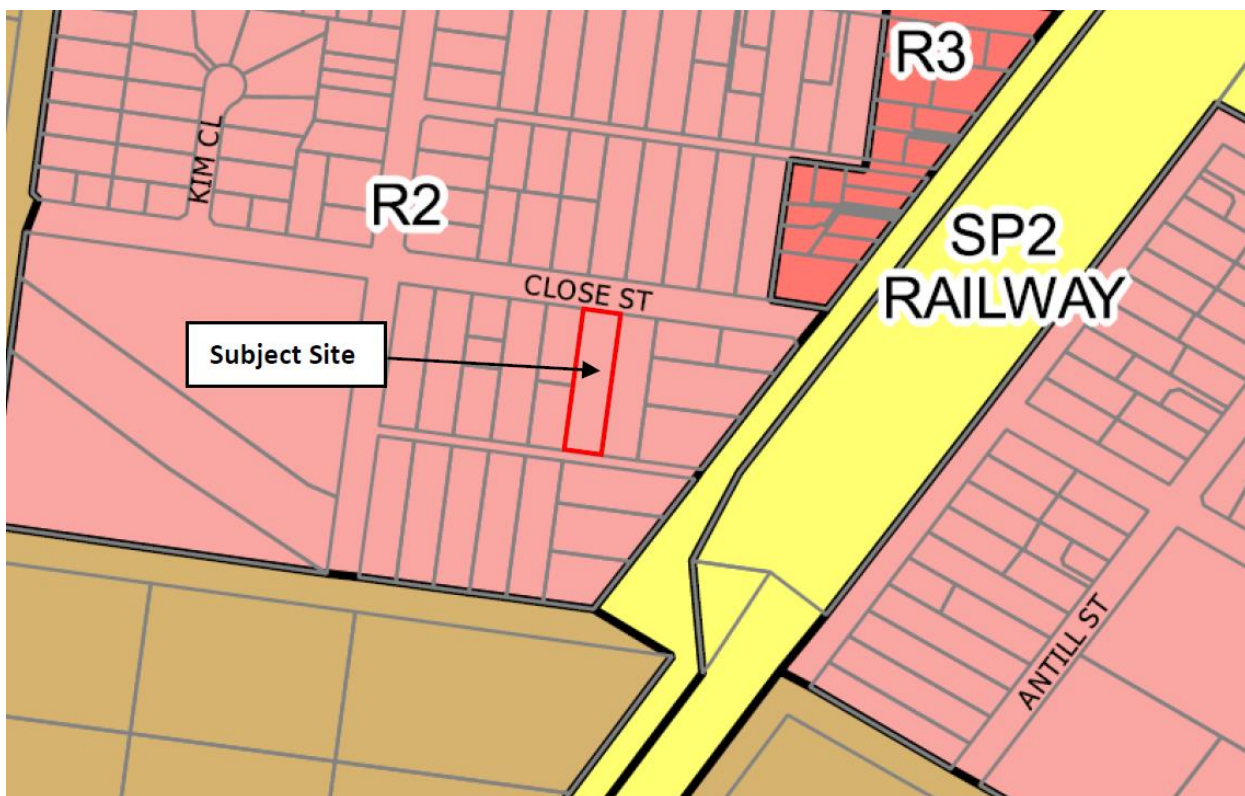
DSEPP 20 has a number of general and specific heads of consideration that are of relevance. These are as follows:

The proposed development is consistent with the preceding relevant aims and objectives and general and specific planning provisions contained in Clause 8. The development is located within an established residential area.

5.7 WOLLONDILLY LOCAL ENVIRONMENTAL PLAN NO 2011

The subject land is affected by LEP 2011 and the various clauses that apply. Under Clause 2.3 of this Plan, the subject land is zoned R2 – Low Density Residential. **Figure 10** below shows the zoning of the land under the LEP.

FIGURE 10 – LAND ZONE



The objectives of this zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Comment

In respect of these objectives the following is provided.

First dot point The proposed dwellings will provide residential accommodation for future residents for the community.

Second dot The proposed development will meet the day to day needs of the community in a development close to services and facilities.

Under Clause 2.3 of the LEP, the following landuses are permissible.

Bed and breakfast accommodation; Boarding houses; Cemeteries; Child care centres; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Neighbourhood shops; Places of public worship; Recreation areas; **Residential accommodation**; Respite day care centres; Roads; Sewerage systems; Signage; Veterinary hospitals; Water supply systems

The proposal is defined as seniors housing, being a form of residential accommodation.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,**
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

seniors housing means a building or place that is:

- (a) a residential care facility, or
 - (b) a hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or
 - (c) a group of self-contained dwellings, or
 - (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
- and that is, or is intended to be, used permanently for:
- (e) seniors or people who have a disability, or
 - (f) people who live in the same household with seniors or people who have a disability, or
 - (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,
- but does not include a hospital.

Such landuse is permissible with development consent. The proposed use is consistent with the above objectives and therefore is permissible with Council consent.

5.7.1 SPECIFIC CLAUSES OF THE LEP

The following clauses of the LEP are addressed below.

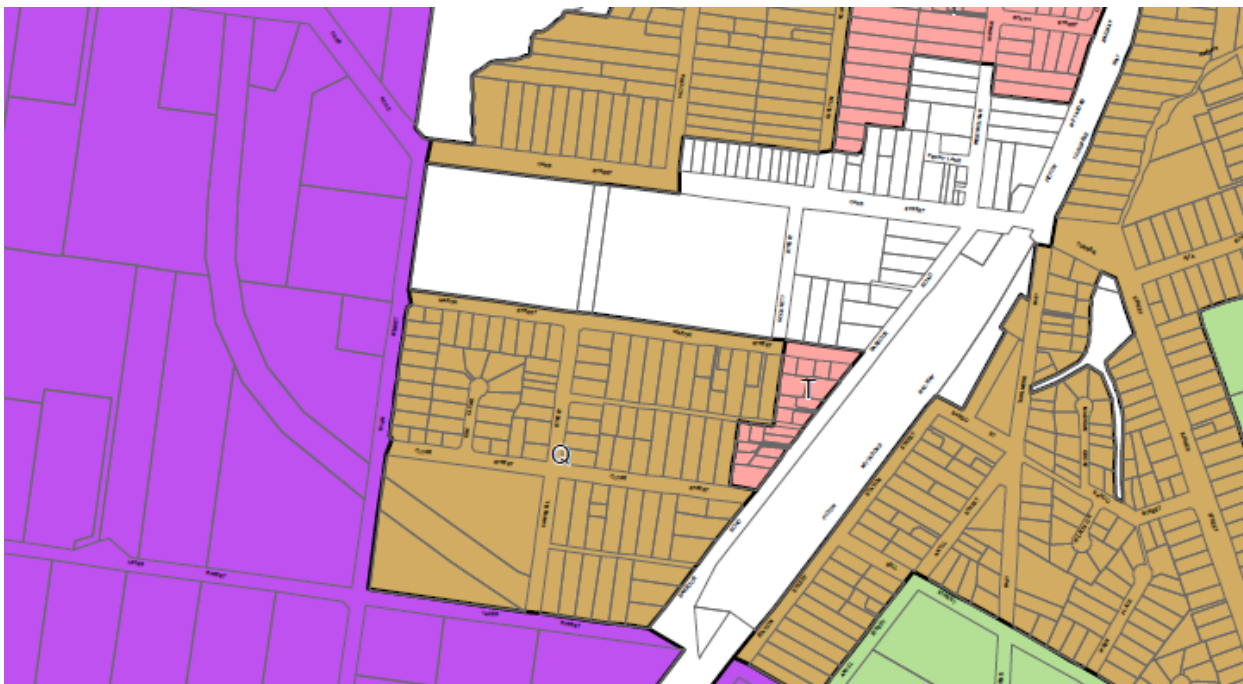
5.7.1.1 MINIMUM SUBDIVISION LOT SIZE

Clause 4.1 provides the following objectives:

- (1) The objectives of this clause are as follows:
 - (a) to provide for suitable lot sizes,
 - (b) to ensure that the subdivision of land is compatible with the landscape and environmental constraints of the land.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.
- (5) Despite subclause (3), the size of any lot resulting from a subdivision of land in Zone R2 Low Density Residential or Zone R2 Medium Density Residential that is not serviced by a reticulated sewerage scheme must not be less than 975 square metres.

The subject property is serviced and therefore Subclause (5) does not apply. The minimum lot size for subdivision is in accordance with **Figure 11** below is 700m². However, it is not proposed to subdivide the land, except for strata subdivision.

FIGURE 11 – MINIMUM LOT SIZE



5.7.1.2 HEIGHTS OF BUILDINGS

Clause 4.3 refers to the heights of buildings. The Heights of Building Map has a height restriction of 9m (refer to **Figure 12** below). The dwellings are two storey and 7.666m high and comply.

FIGURE 12 – HEIGHTS OF BUILDINGS



5.7.1.3 EXCEPTION FROM DEVELOPMENT STANDARD

This clause allows for variations to development standards under WLEP 2011 provided it can be demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and there are sufficient environmental planning grounds to justify contravening the development standard.

Comment

The proposed development is compliant and therefore this clause is not applicable.

5.7.1.4 HERITAGE CONSERVATION

Clause 5.10 relates to heritage conservation. The Heritage Conservation Map does not apply to the land. However, Thirlmere Railway Museum is within the vicinity of the subject site. It is unlikely that the proposed development will have an impact on the heritage values of this Item given the proposal is located in Close Street.

5.7.1.5 BUSH FIRE HAZARD REDUCTION

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. The land is bushfire prone and was addressed above in Section 5.3.4.

5.7.1.6 BIODIVERSITY PROTECTION

The subject land is not shown to be affected by the biodiversity protection clause.

5.7.1.7 ESSENTIAL SERVICES

Clause 7.1 provides that the Council must not grant consent unless it is satisfied that the following services are available:

- (1)
 - (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the disposal and management of sewage.
- (2) This clause does not apply to the following:

- (a) development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause,
- (b) land to which Part 6 applies.

Comment

The subject property has sewer, water and electricity supply and the new dwellings will require such services to be extended.

5.8 WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016

The Development Control Plan 2016, applies to the subject development proposal and is addressed below. Volume 1 – General requirements is provided below.

5.8.1 PART 2 – REQUIREMENTS FOR ALL DEVELOPMENTS

The following provides an assessment for those matters of particular relevance to the proposed development.

5.8.1.1 4.1 – DEVELOPMENT APPLICATIONS TO BE NOTIFIED

Council will notify the application in accordance with the subject requirements.

5.8.1.2 10.3 – TREE PRESERVATION

One tree is to be removed as part of this application (refer to plans at **Annexure A**). Such tree will be replaced with landscaping as detailed in **Annexure C**

5.8.2 VOLUME 4 – RESIDENTIAL DEVELOPMENT

Volume 4 provides controls for residential development; however, there are no controls for seniors housing as the SEPP provides controls. Notwithstanding, Section 3.18 provides controls for medium density development and the following provides an assessment under this part of the DCP in **Table 7** below.

TABLE 7 – COMPLIANCE DETAILS

Controls			
Density	Control	Provided	Complies
1	Minimum density of 25 lots per hectare = $0.1345 \times 25 = 3$ dwellings	12 dwellings.	N/A.
2	Maximum density of 45 lots per hectare = $0.1345 \times 45 = 6$	12 dwellings.	Yes in accordance with SEPP controls.
Building Design			
4	Total site covered by hardstand areas not to exceed 75%	Site coverage 35%.	Yes.
5	Filling of land.	No filling proposed and a small retaining wall is	Yes.

Controls			
		required to ensure accessibility compliance.	
6	Cut not below 2m.	No cut required given the fall of the land.	Yes.
7	Dwellings which front the street shall adopt a traditional orientation where living rooms, front door entries, paths to entry, verandahs and the like address the street	Living rooms and verandah to comply with CPTED Principles. Pedestrian entry at front of dwellings 1 to 3 and 7-9 visible from street. Windows provided at front.	Yes.
8	Development to contribute to visual interest.	No garages proposed. Front elevation has windows and the roof of the buildings reversed to provide visual interest.	Yes.
9	Front façade to address street	Front façade of dwelling 1 has windows and articulated and uses different materials. Verandahs assist with breaking up of façade (refer plans).	Yes.
10	Personal door on front façade.	Dwellings have pedestrian entry from internal driveway. Front door of dwellings can be seen from street. Development provides for lift access to first floor areas to comply with AS1428.	Yes.
11	No stretch of wall greater than 5m.	The front façade of the building has windows and entry doors located along driveway.	Yes.
12	Side walls no stretch greater than 12m.	Side wall of dwellings broken up with different use of materials.	Yes.
13	Garage doors in front façade not greater than 50%.	No garages proposed. All parking is open style at the rear of the buildings.	Yes.
14	No more than 2 garage doors.	Refer to above comments.	N/A.

Controls			
15	The front façade of any dwelling which has frontage to a public road shall be provided with at least one habitable room with a window looking out onto the public road.	Refer to above comments and plans. Habitable rooms face the street.	Yes.
16	Medium density not to be mirror reversed.	All dwellings broken up with a mixture of designs, verandahs and use of materials.	Yes.
17	One dwelling in five to be adaptable.	Dwellings comply with Australian Standard.	N/A.
Setbacks			
18	The minimum front setback for the dwelling closest to the street in a medium density development is 6.5 metres.	Dwellings setback 6.5m, with a 6m separation between buildings.	Yes.
19	Minimum side boundary setback 900mm.	Setback 3.2m from western side (includes pedestrian pathway) boundary and 6.18m from eastern side	Yes.
20	Minimum rear setback 8m for 2 storey and 3m for single storey.	37m for two storey.	Yes.
22	Garages to be setback a minimum of 1m behind front building or 5.5m from front building line.	No garages.	Yes.
23	For dwellings not fronting the street, any garage attached to the dwelling shall be located no less than 1m behind front building line.	No garages.	N/A.
24	Awnings and other building features that do not form a wall of a room may be located between the building setback to a primary and/or secondary road and shall not extend more than 1.5m in front of that building setback.	Not applicable.	N/A.
25	Eaves can extend 450mm into setback.	See above.	N/A.

Controls			
26	Corner lots setback 2.5m.	Not applicable.	N/A.
Private Open Space			
27	<p>A minimum principal area of private open space must be provided for each dwelling with the following characteristics:</p> <ul style="list-style-type: none"> a. Gradient no steeper than 1:20 (Rise:Run) b. Width no less than 3 metres in any direction c. Must be directly accessible from, and adjacent to, a habitable room, other than a bedroom (i.e. a living area) d. Have an area no less than 24 square-metres. e. Must not be located in the front building setback f. Not be used for clothes drying, effluent disposal or garbage storage 	Generally POS is 20m ² and common open space provided at rear.	Yes.
Common Open Space			
28	<p>The size of the principal area of private open space for each dwelling may be reduced to 10 square-metres if an area of common open space is provided for the development with the following characteristics:</p> <ul style="list-style-type: none"> a. Gradient no steeper than 1:20 (Rise:Run) b. Width no less than 6 metres in any direction c. At least 3 hours of solar access to 50% of the area (ignoring shadowing caused by trees). d. Provided with suitable fixed embellishment 	Common open space proposed at rear and is 310m ² .	N/A.
Solar Access			
29	Sunlight is to be available to at least 50% of the dedicated private open space area of all dwellings in the development for at least 3 hours between 9:00am and 3:00pm on 21 June.	Refer to shadow diagrams that accompany the application and on Figure 9 above.	Yes.
30	Minimum 3hrs of solar access.	Refer to shadow diagrams.	Yes.

Controls			
Parking, Access and Vehicle Safety			
31	A minimum of one (1) parking space shall be provided on the site for each dwelling.	Each dwelling has 1 space.	Yes.
32	Requirements for open hardstand parking areas.	Open hardstand carparking area provided behind Block B.	Yes.
33	One visitor space per 3 dwellings to be provided.	One space provided, as per SEPP.	Yes.
34	Vehicle wash bay.	Vehicle wash bay not provided, as it is considered that this is not environmentally friendly and all vehicles should be washed at an approved carwash. Public carwash facilities provided close by.	No.
35	Garages to be 2.6m x 5.4m.	No garages.	Yes.
36	Garage doors to be minimum 2.4m.	See above.	Yes.
37	Access driveway to accommodate two-way traffic.	Driveway 6m wide.	Yes.
38	Footpath connection.	Footpath can be provided at front of property, but no footpath connecting to shops.	Yes.
Landscaping			
39	At least 10% of area of site with automated water system to be provided.	Can be conditioned with consent.	Yes.
Privacy			
40	Dwellings to be designed to reduce overlooking adjoining dwellings.	Refer to comments in Section 5.3.11	Yes, but refer to comments.
41	Overlooking from second storey windows.	Refer to comments above. There is potential privacy issue from the balconies.	Yes. Refer to above.
Waste management			
43	Storage bin area.	Shown on plans.	Yes.

There are no other clauses or Volumes of the DCP that apply to the subject development. Notwithstanding some areas of non-compliance, the SEPP provisions override the DCP for this form of development.

6 Assessment of Environmental Impacts

6.1 GENERAL

An overview assessment of the environmental effects of the subdivision in the manner previously described in this report is provided below. This assessment has had regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act (as amended).

6.2 SECTION 4.15 (1) (a) - (i) PROVISIONS OF ENVIRONMENTAL PLANNING INSTRUMENTS, (ii) EXHIBITED ENVIRONMENTAL PLANNING INSTRUMENTS, (iii) DCP, (iv) THE REGULATIONS.

The relevant matters for consideration include the provisions of Wollondilly LEP 2011 and DCPs, all of which have been considered in Section 5 of this Report. The objects of the Environmental Planning and Assessment Act 1979, as stated under Section 5(a), form the fundamental consideration for development proposals. Specifically, Section 5(a) encourages:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,
- (iii) the protection, provision and co-ordination of communication and utility services,
- (iv) the provision of land for public purposes,
- (v) the provision and co-ordination of community services and facilities, and
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
- (vii) ecologically sustainable development, and
- (viii) the provision and maintenance of affordable housing.

The subject application is for the seniors housing in accordance with the zoning of the land. Hence it is an '*orderly and economic*' use of the land. The proposed development is in a location well served by road infrastructure and enjoys frontage to Close Street and access to Barbour Road.

It is also located a short distance to the shopping centre at Thirlmere, which provides a number of convenient services and facilities, with higher level shopping at Tahmoor and Picton. Higher level shopping is located at Narellan or Campbelltown.

It is in a residential locality and does not generate adverse impacts such as traffic on any other residential area within the surrounding area. It therefore encourages '*the proper management, development and conservation of natural and artificial resources*'. There will be an increase in traffic from the development, but this is well within the environmental capacity of the road system.

It utilises public investment in roads within the immediate vicinity of the site and the broader catchment.

It does not generate any significant adverse impacts on third parties such as loss of privacy to surrounding properties, provided privacy screens are employed on first floor balcony areas.

There are no significant adverse impacts on air quality, water quality and solar access, hence supporting the *'protection of the environment'* and principles of ecological sustainable development. The proposal therefore satisfies the objects of the Act, and is sound and desirable use of this residential land.

6.3 SECTION 4.15 (1) (b) – IMPACT OF THE DEVELOPMENT

6.3.1 NATURAL AND BUILT ENVIRONMENT

6.3.1.1 SCENIC IMPACTS

As previously stated the proposal would cause minimal disturbance to the prevailing landscape character as addressed above.

6.3.1.2 MICRO-CLIMATE IMPACTS

The proposed development will have no significant impact on the micro-climate of the locality.

6.3.1.3 FLORA AND FAUNA

The proposal involves the removal of a tree. The tree can be replaced by more suitable landscaping appropriate for the development site.

6.3.1.4 RELATIONSHIP TO NEIGHBOURING PROPERTIES

Generally, development in the immediate area has been developed for residential pursuits and the proposal is generally in keeping with the area.

6.3.2 SOCIAL AND ECONOMIC IMPACT

The proposal will deliver a range of social benefits at a local level. The establishment of the development offers a full range of affordable accommodation across broad price levels to facilitate ageing in place in a rapidly ageing region will be well received, as detailed in Sections 1.4 to 1.11 above.

Aged housing has traditionally been homogeneous and artificial. The proposal responds by providing a broad range of housing types and forms and seamlessly integrates this with other developments within and external to the site.

The proposed development is integrated with the surrounding road network and the nature of the locality. The development does not pose adverse social impacts, and enhances the wellbeing of the community through providing a development to meet the ageing population within the Wollondilly LGA and affordable housing opportunities.

The proposal also makes an efficient use of the land through providing a residential development close to facilities. Furthermore, it does not inhibit or restrict the orderly development of residential areas within the locality (planned and existing). It promotes synergy between land uses by contributing to the existing area, and utilises transport networks.

The development will also provide a benefit to local shopping by providing increased residential densities within the area.

Economic benefits will be realised through the construction phase of the proposed development. In this regard the proposal will generate a number of short-term employment opportunities on the site. The proposed development will have a positive effect on the social and economic environments in Wollondilly LGA. Furthermore, the proposed development will not generate significantly detrimental social or economic impacts, nor does it compromise residential development within the surrounding area.

Social impacts arising from the proposed development will be positive; stemming largely from economic benefits which will result. The impact of the proposed development upon planned and nearby residential areas will be minimal, as the design does not generate adverse impacts in terms of overshadowing or visual intrusion. The proposal also enhances the visual quality of the surrounds, particularly having regard to the location of the site, thus improving social outcomes through a contemporary design character for the locality.

6.3.3 TRAFFIC & PARKING

6.3.3.1 PROJECTED TRAFFIC GENERATION

An indication of the traffic generation potential of the proposed development is provided by reference to the Roads & Traffic Authority's (now RMS) publication *Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation (October 2002)*. The RMS *Guidelines* are based on extensive surveys of a wide range of landuses, and nominate the following traffic generation rates which are applicable to the development proposal:

Medium Density Residential

2-bedroom townhouses: 0.5-0.65 peak hour vehicle trips/dwelling.

Application of the above traffic generation rates to the development proposal yields a traffic generation potential of 7 vehicles per hour during commuter peak periods.

That potential increase in traffic activity as a consequence of the development proposal is *statistically insignificant* and will clearly not have any unacceptable traffic implications in terms of road network capacity.

6.3.3.2 DRIVER SIGHT DISTANCE/VISIBILITY

The driver sight distance/visibility requirements for access driveways are specified in the Standards Australia publication *Parking Facilities Part 1: Off-Street Car Parking AS2890.1 - 2004*.

The above requirements are comfortably satisfied by the proposed development; with the available sight distance to/from the driveway. In the circumstances, it is reasonable to conclude that the proposed development will not have any unacceptable traffic or road safety implications.

4.1.1.1 EXISTING PARKING RESTRICTIONS

There are no existing kerbside parking restrictions which apply to the road network in the vicinity of the site to prevent on-street parking.

4.1.1.2 OFF-STREET PARKING PROVISIONS

The off-street parking requirements applicable to the development proposal are specified in the *State Environmental Planning Policy (Seniors Living)* in the following terms:

A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds:

- (h) parking: if at least the following is provided:
 - (ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider.

Section 3.9.2 of the DCP provides for the following requirements in respect of the provision of on-site carparking for this form development. Notwithstanding, an assessment will be based on seniors living developments:

- 0.5 spaces for dwellings less than 55m²;
- 0.85 spaces for dwellings between 55m² and 85m²;
- 1 space for dwellings greater than 85m²

The above parking requirements are satisfied by the proposed provision of spaces, including 1 accessible space as part of the development proposal, thereby satisfying SEPP's requirements.

The vehicular access and off-street carparking arrangements have been designed to comply with the relevant aspects of the Standards Australia publication *Parking Facilities Part 1: Off-Street Car parking AS2890.1 - 2004* in respect of aisle widths, manoeuvring areas and parking bay dimensions.

4.1.1.3 ON-SITE CIRCULATION AND MANOEUVRABILITY

Each resident parking space will most likely be accessed via a forward ingress forward egress movement from the carpark. Turning templates for the 85% design car were applied to the driveway and space locations to assess vehicle manoeuvrability. It is pertinent to note that the 85% design is an over estimation of the required manoeuvring area, as reinforced by AS 2890.1:2004, which states that:

"Drivers can manoeuvre vehicles within smaller spaces than swept turning paths would suggest"

Nevertheless, the application of the turning template identifies that vehicles will be able to efficiently enter and exit all resident spaces via one ingress movement and one reverse egress movement before exiting the site along the driveway in a forward direction.

4.1.1.4 SITE ENTRY SIGHT DISTANCE

The posted speed limit along this section of Close Street is 50kph. However, it would be reasonable to expect that the 85th percentile speed is closer to 60kph. Sight distance in both directions is compliant and the intersection with Barbour Road offers good site distance in each direction.

4.1.1.5 CONCLUSION

In summary, it is clear that the proposed development satisfies SEPP's off-street carparking requirements in terms of the number of parking spaces provided, and complies with the dimensional requirements specified in AS2890.1, and it is therefore reasonable to conclude that the proposed development will not have any unacceptable traffic or parking implications having regard to the matters discussed above.

6.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The proposed development adopts the principles of "Safer by Design" to ensure that the development will create an environment, which feels safe and is safe for tenants and visitors.

6.4.1 SAFER BY DESIGN PRINCIPLES

There are four (4) principles, which form the basis of crime risk assessment as it relates to Development Applications.

6.4.2 SURVEILLANCE

Surveillance is providing human observation of public space. Natural surveillance does not have to compromise privacy. Natural surveillance of the right of carriageway and the front of the property is afforded by windows and first floor verandah areas and activity generally.

6.4.3 ACCESS CONTROL

The ease with which intruders can get in and out of an environment uncontrolled or undetected or the extent to which they are compelled to use shared entries has a significant bearing on crime risk. The property will be fenced to minimise access by others.

6.4.4 TERRITORIAL REINFORCEMENT

Areas that are well protected and look as if they are owned and cared for, give an impression that it is harder to conduct anti-social behaviour. The separation of private and public space will be controlled by landscaping and fencing.

6.4.5 SPACE MANAGEMENT

The landscaped areas will be maintained to address space management.

6.4.6 CONCLUSION

Having regard to the safer by design principles referred to above we are of the opinion that the proposed development, through the design provides a satisfactory response in minimising crime risk. The application does not require referral to the Picton Local Area Command (Police) for assessment.

6.5 SECTION 4.15 (1) (c) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposed development is highly appropriate within the context of the development site and the surrounding locality. Conflict with adjoining land uses is most unlikely.

The proposed development is highly appropriate within the context of the development site and the surrounding locality. It maintains appropriate regard for the status of the site and its location within the surrounding area. The relationship of the proposed buildings within the context of the existing residential area has been discussed throughout this report and no adverse impacts will occur.

The proposal would be consistent with community expectation for this land as expressed through Council's planning instruments and policies. Subject to appropriate conditions of consent the development is appropriately designed for the site.

6.6 SECTION 4.15 (1) (d) – SUBMISSIONS

This cannot be dealt with as part of this Statement. The Council may receive submissions, but will be required to assess any submissions have regard to the heads of consideration under Section 4.15 of the Act, as amended.

6.7 SECTION 4.15 (1) (e) – THE PUBLIC INTEREST

6.7.1 GENERAL

The development of the site for the proposed use in the proposed manner is seen as one which:

- Satisfies the objectives for the R2 zone and the aims/outcomes sought by the relevant Special Provisions of LEP 2011, although there is a non-compliance with the minimum lot size;
- Is able to satisfy the provisions of Council's DCP 2016, as amended; and
- Responds well to the remaining other heads of consideration under Section 4.15 of the EP&A Act 1979.

These provisions cover a wide spectrum of values and outcomes which if achieved would be in the public interest. It is therefore considered that the proposal is in the public interest, as evidenced by the need for such housing as detailed in Sections 1.4 to 1.11.

7 Conclusion

The proposed development comprises a seniors housing development in accordance with Wollondilly LEP 2011.

7.1 SUMMARY OF FINDINGS

- The proposed development application is in accordance with the aims, objectives and provisions of all the relevant statutory and non-statutory planning instruments. It is considered to be suitable development for the site on which it is proposed and meets the relevant heads of consideration under **Section 4.15** of the Act.
- The proposed development satisfies the guidelines of the Act through providing an efficient land use, and makes orderly and efficient usage of existing infrastructure within the locality. Moreover, there are no significant adverse impacts on 'public goods' such as air quality, noise, views and amenity.

- The proposal generally complies with the objectives and provisions of the relevant Development Control Plans. Where there are non-compliances, justification has been provided.
- It is considered that the development will have no adverse environmental effects.
- The social and economic consequences on the locality are considered to be positive.

In summation, the development proposal is in the interest of both Council and the broader community. It offers an efficient utilisation of land within the LGA, and does not pose significant adverse environmental impacts. It is considered to support Council's objectives and strategies for Wollondilly as a whole.

In view of the lack of adverse environmental impact, it is recommended to the Council that the application be approved, subject to appropriate conditions.

Annexure “A”

Architect Plans

Annexure “B”

Stormwater Plans

Annexure “C”

Landscape Plans

Annexure “D”

Bushfire Threat Assessment

Annexure “E”
Phase 1 Site Investigation Assessment

Annexure “F” Access Report