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**Preliminary Environmental Assessment
Project Application**



34-36 Memorial Avenue, Kellyville

Baptist Community Services

Prepared for: Baptist Community Services
Project No: 6131N
Date: September 2009



Preliminary Environmental Assessment
34-36 Memorial Avenue, Kellyville

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1 Introduction

This report has been prepared by Don Fox Planning (DFP) on behalf of Baptist Community Services – NSW & ACT (BCS) to accompany a request under Clause 6 of State Environmental Planning Policy (SEPP) (Major Development) 2005 to seek the Minister's declaration of the proposal as a Major Project under Part 3A of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

The purpose of this Preliminary Assessment Report is to:

- outline the proposed development;
- review relevant environmental planning instruments;
- review relevant planning controls;
- identify the key issues that will need to be addressed in the Environmental Assessment (EA) report to accompany the Project application;
- obtain the Director General's Requirements (DGRs) pursuant to Section 75F of the EP&A Act for the preparation of the EA report; and
- request that the Minister make the necessary Ministerial declaration pursuant to Clause 6(1) of SEPP (Major Development) 2005 to enable a Project application to be made under the provisions of Part 3A of the EP&A Act.

BCS is the proponent for the Project Application.

1.1 Who is BCS?

BCS is a leading not-for-profit Christian organisation that has been caring for the aged and people living with disadvantage for the past 65 years. From its beginnings in 1944, the organisation has grown into one of the nation's most respected care providers, employing 3500 staff. BCS has two operating divisions – BCS AgeCare and BCS LifeCare – which together care for thousands of people across NSW and the ACT on a daily basis.

BCS operates more than 20 residential care facilities and thousands of other older people receive care in their own homes, through their wide range of innovative in-home care services. BCS also offer a range of other innovative care options, including respite care, transitional care services and dementia care. BCS's functions extend beyond housing. As part of the BCS LifeCare division, practical help is offered to people living with disadvantage and distress through their services to people on the margins of society, such as women and children escaping domestic violence, youth at risk, struggling families, the poor, and the homeless.

2 Background

A pre lodgement meeting was held with The Hills Shire Council officers on 15 August 2008 to discuss a concept proposal for the development of the site for seniors living housing with a view to lodging a development application. At that meeting, concept development proposals for the site were presented to Council. Issues discussed at that meeting included retention of vegetation on the site, deletion of the central access road as shown on the Development Control Plan (DCP), connection to the transit centre and assessments in relation to land contamination, aboriginal archaeology, accessibility, flora and fauna, acoustics and State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development to be provided with the application.

Following changes to the design of the proposal, a second pre lodgement meeting was held with Council on 20 March 2009. Major issues to arise from that meeting included a variation of building heights as detailed in Baulkham Hills DCP in relation to apartment

buildings, acoustic treatment along Memorial Avenue, provision of road widening along Memorial Avenue, landscape treatment on the corner of Free Settlers Road and Hodges Street and potential flooding issues.

Considerable work has already been undertaken in terms of site investigations and reporting, as well as consultation with Council and state agencies. These reports are not discussed in any detail or appended to this Preliminary Assessment, but they have been referenced to inform the preparation of this Preliminary Assessment.

Architectural and landscape plans are also completed. The full set of plans has not been submitted for the purposes of this report.

3 Subject Site and Locality

3.1 Site Location

The site is located in the suburb of Kellyville, approximately 400 metres east of the intersection of Old Windsor Road and Memorial Avenue (previously Burns Road). **Figure 1** is a location of the site.

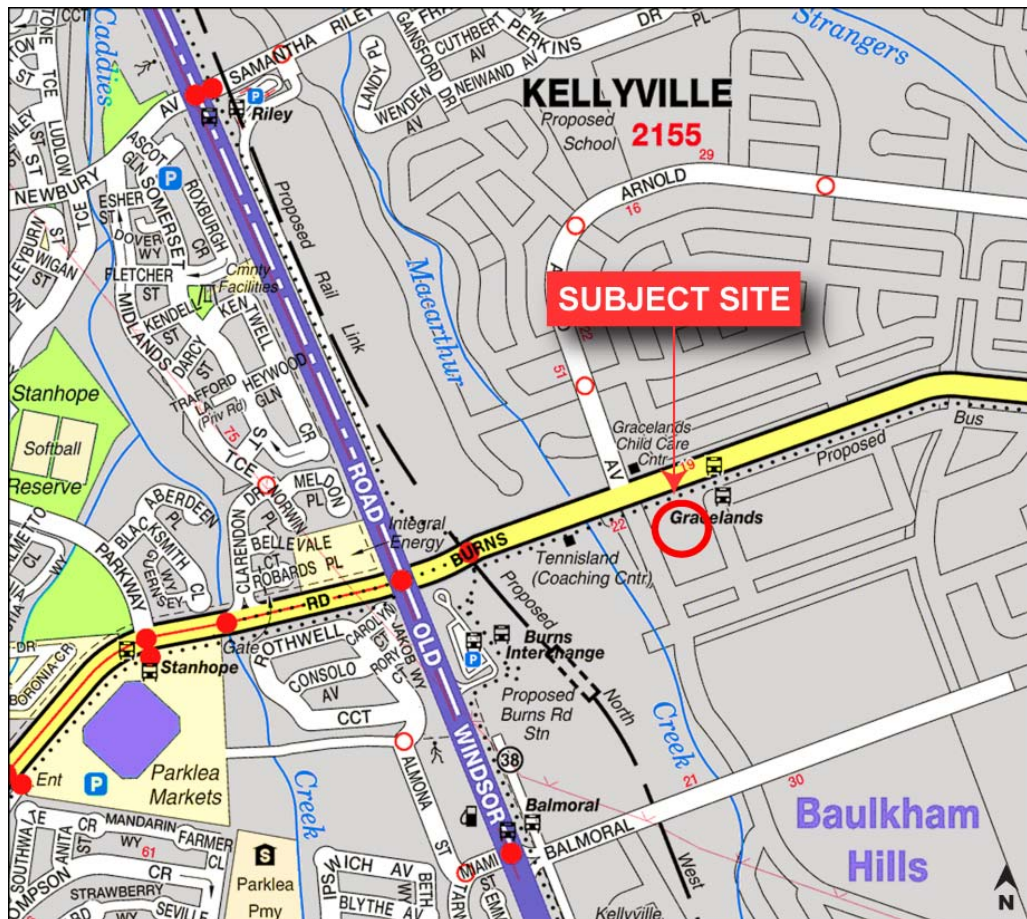


Figure 1 – Location Plan

3.2 Subject Site

The subject site is located on the southern side of Memorial Avenue (previously known as Burns Road). The subject site is described as Lot 401 DP 1125136 and Lot 41 DP 10702 and is known as 34-36 Memorial Avenue, Kellyville.

By way of reference, 34-36 Memorial Avenue formerly comprised two rectangular allotments. The original allotments have been subdivided to excise land zoned for trunk drainage and open space purposes. Lot 401 has been created as a result of the excision of the land. The excised land is now known as Lots 402 and 401 in DP 1125136 (refer Survey Plan at **Appendix A**).

As can be seen on the aerial photograph at **Figure 2**, a stand of trees is located across the southern portion of Lot 41. These trees represent remnant Cumberland Plain Woodland and it is proposed to retain a significant proportion of these trees as a landscape feature of the development.

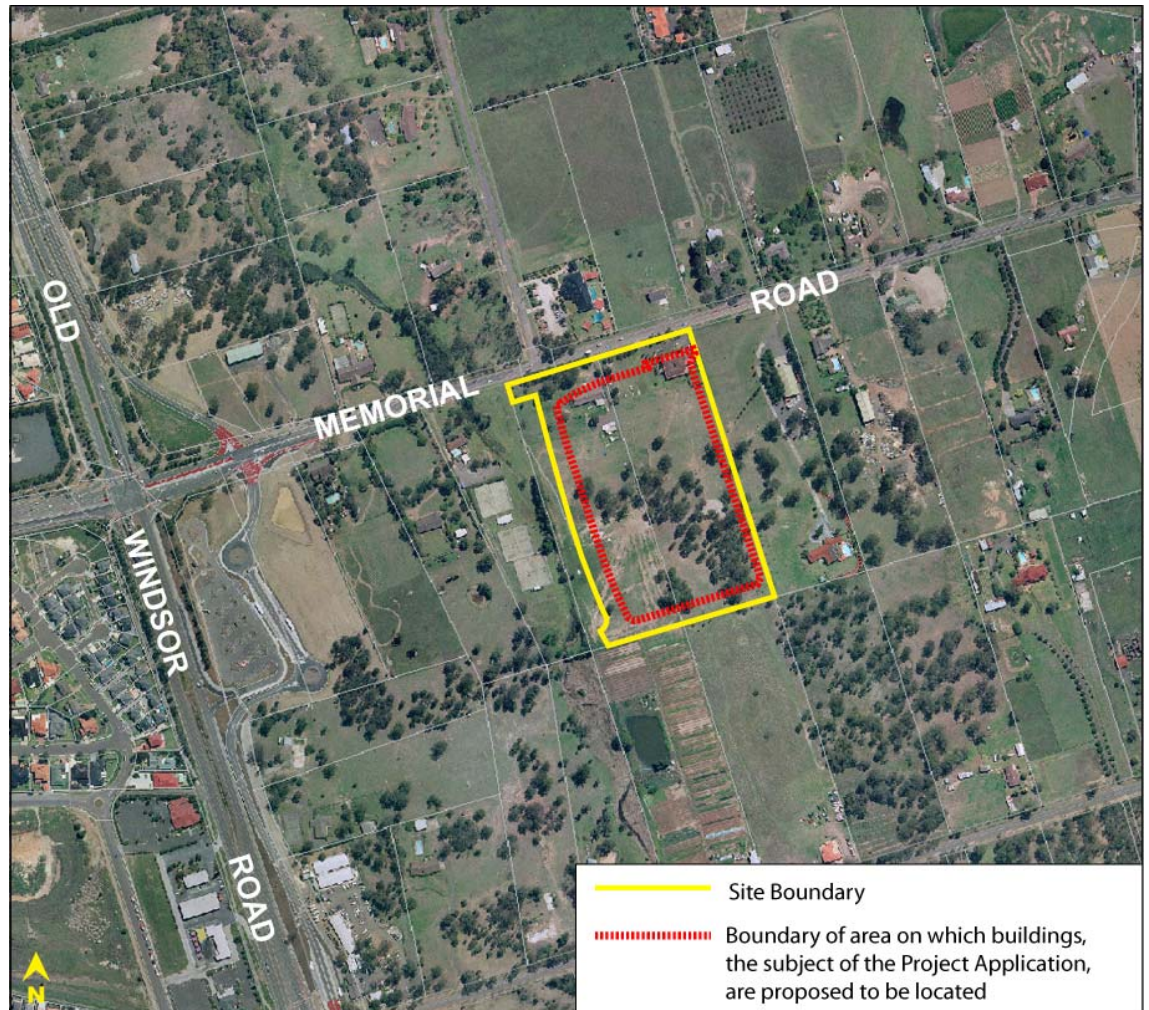


Figure 2 – Aerial Photograph of Subject Site and Surrounds

The subject site is affected by proposed roads around the perimeter of the developable area and proposed road widening along the Memorial Avenue frontage. The combined area of Lots 41 and 401 (i.e. – including the proposed roads and road widening) is 5.13 hectares. The area of land available on which the proposed development will be undertaken is 3.664 hectares.

The land falls generally from east to west to a low point in the vicinity of Elizabeth Macarthur Creek which is located to the west of the site.

There is a substantial brick home on each of the existing lots, together with sheds and outbuildings. These will be demolished to make way for the proposed development. The majority of the properties have been cleared to provide pasture for the agistment of animals, however, as noted above, there is a stand of remnant Cumberland Plain Woodland in the south east corner of the subject site.

4 The Proposal

It is proposed to establish a Seniors Housing and Housing for People with a Disability development on the subject site. Plans of the proposal are attached at **Appendix B**.

4.1 Subdivision Proposal

In order to create the development site, it is proposed to subdivide the site to create the following three lots:

- Proposed Lot 100 being development lot upon which the seniors housing development will be sited, having an area of 3.664ha;
- Proposed lot 101 being the road widening along Memorial Avenue to facilitate acquisition of the land by the RTA;
- Proposed Lot 102 being half of the width of the future Rutherford Avenue which straddles the lot boundary between Lot 41 and adjoining Lot 42. When required as part of the development of Lot 42, Rutherford Avenue can be constructed. However it is not required for the purposes of this development.

The proposed plan of subdivision also provides for the excision of Free Settlers Road and Hodges Road from the development lot. These roads are wholly contained within the subject site and will be constructed as part of the proposed development.

A proposed plan of subdivision indicating the location of proposed roads and which provides for road widening along Memorial Avenue appears at **Appendix C** to this report. A reduced copy of the proposed plan of subdivision appears in **Figure 4** below.

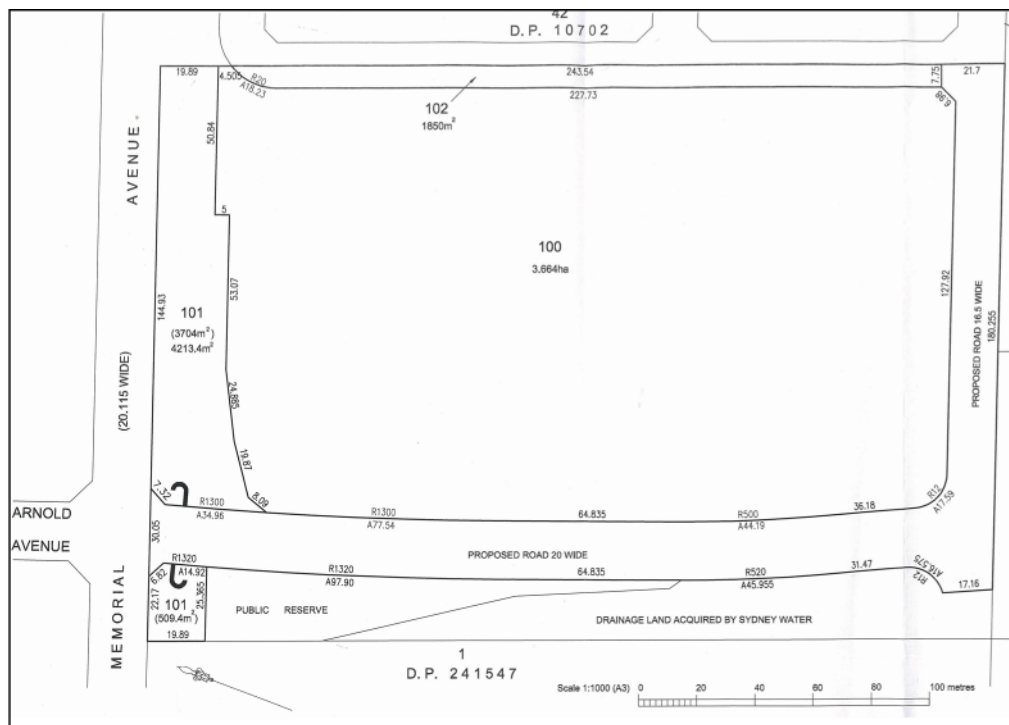


Figure 4 – Draft Plan of Subdivision

4.2 Seniors Housing Proposal

The proposed development comprises the following:

- 226 self care living units (Community Village Units or CVUs) to be provided in 7 buildings, known as clusters. The CVUs are proposed to be provided in the following composition:

- 24 x 1 bedroom units
- 158 x 2 bedroom units
- 44 x 3 bedroom units
- A residential aged care facility (RACF) with 128 rooms (160 beds) in 4 levels. This building is proposed to be located along the Memorial Avenue frontage of the site. This component of the facility will notionally provide accommodation for 64 low care residents, 64 high care residents and 32 dementia residents.
- Adjacent to the RACF on the eastern part of the site, respite facility for young persons with a disability (YPDOR) with a capacity to accommodate 6 persons. This building will present as a detached dwelling when viewed from proposed Rutherford Avenue.
- The south west wing of the RACF building will comprise an overnight respite care facility with capacity to accommodate 6 aged and/or disabled persons. Above the respite facility, offices associated with the administration of the RACF facility will be located. This wing of the RACF building will comprise only 2 levels.
- Also located within the RACF building will be facilities for residents including library, cinema, chapel, lounge, café, hair salon, kiosk and medical facilities.
- Within Clusters 6 & 7 of the CVU component of the development, a village centre and clubhouse facilities are proposed to be provided for residents. Facilities within the clubhouse will include chaplains office, medical consulting rooms, administration/reception areas, manager's office, dining room, kiosk/store, cinema, lounge/common recreation area, multi-purpose area to be used as a chapel, billiard/game room, library/business area, hair and beauty salon, pool, wellness centre, sales and marketing offices, amenities and storage.
- A day care centre for aged persons together with ancillary amenities and office areas is also proposed to be provided within the development.
- A community care centre including offices for the administration of home care services to persons still living within their own homes is also proposed.
- Car parking is provided within under building car parking areas. A total of 230 spaces are proposed to be provided beneath the CVU buildings and these will be linked by below ground access ways. Access will be provided from Free Settlers Road with the 20 spaces below cluster 6 being accessed off Hodges Street to the south of the site.
- 18 at grade car parking spaces (including 2 accessible spaces) are adjacent to the village clubhouse facilities.
- 35 car parking spaces (including 4 accessible spaces) are provided under the RACF building.
- An ambulance bay together with staff amenities, training rooms and a kitchen will be provided under the RACF building. A combined loading dock and garbage truck facility will be provided adjacent to the RACF building with access off Free Settlers Road.
- Five at grade car parking spaces (including two accessible spaces) will be provided adjacent to the entry of the RACF building and accessed from Free Settlers Road.
- Five spaces will be provided below the YPDOR building. These spaces will be accessed from within the development. Four at grade car parking spaces (to service to YPDOR) will be accessed off Rutherford Avenue when this road is constructed.
- Construction of Free Settlers Road, Hodges Road and half road construction of Rutherford Avenue.

4.3 Staging

Staging will be documented in the EA. The development is anticipated to be undertaken in the following six stages:

- Stage 1 – CVU clusters 6 and 7, Village clubhouse, community care facilities
- Stage 2 – 160 bed RACF, 6 bed respite centre
- Stage 3 – CVU clusters 1, 2 and 3
- Stage 4 – CVU clusters 4 and 5
- Stage 5 – 6 bed respite facility for young people with disabilities.

Timing of staging will be confirmed and detailed in the EA report.

5 Relevant Legislation and Planning Controls

5.1 Baulkham Hills Local Environmental Plan 2005

The subject site is zoned part 2(a1), part 5(b) Road Widening and part 5(a) Trunk Drainage under Baulkham Hills Local Environmental Plan 2005 (BHLEP 2005). **Figure 5** is an extract from the zoning map.

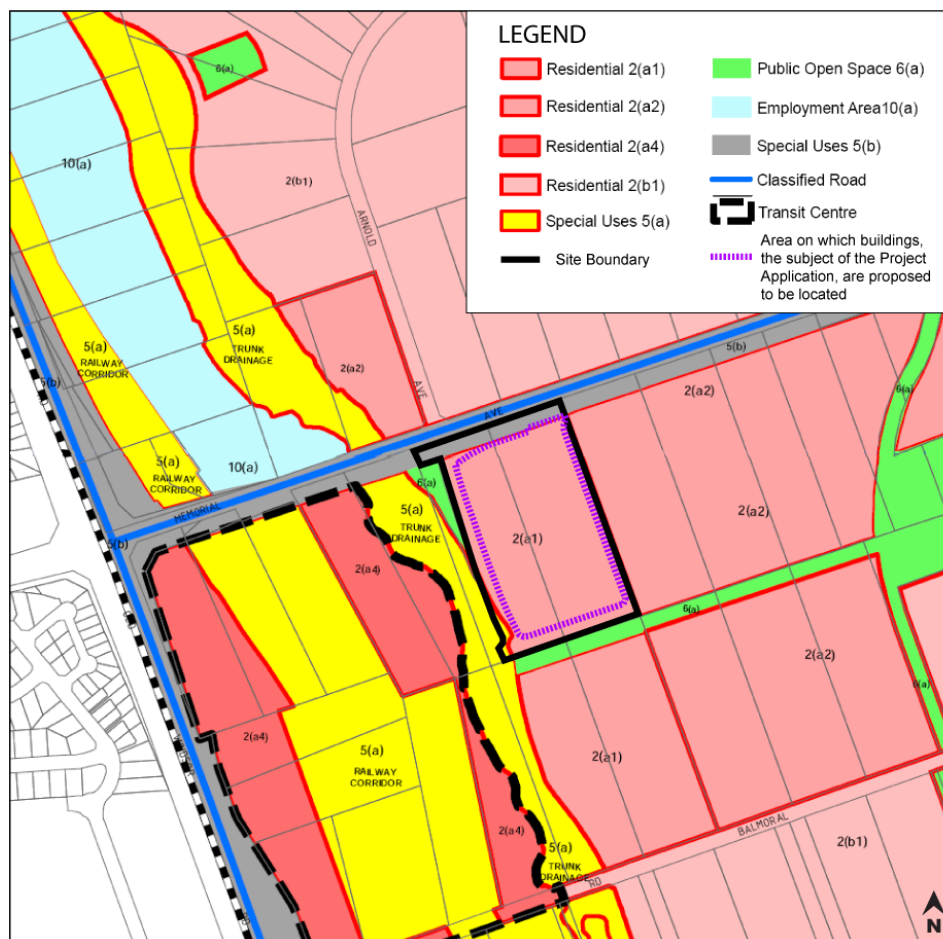


Figure 5 – Extract from Zoning Map

That part of the site on which the development will occur is zoned 2(a1) - (Residential 2(a1)).

Baulkham Hills LEP 2005 also contains the following relevant provisions that will be addressed in the EA report.

- Clause 18 – Permissibility and zone objectives.
- Clause 19 – minimum site area for apartment buildings. We note that the proposal will comply with the minimum 4000m² site area development standard.
- Clause 21 – isolation of adjoining sites.
- Clause 23 – flood liable land. In this regard we note that advice regarding flood levels has been received from Rouse Hill Infrastructure Corporation (Stage 3) Pty Ltd indicating that there are no issues with flooding on the subject site. Therefore, the subject site is not flood liable land and there is no impediment to the development proceeding on those grounds.
- Clause 26 – bushfire hazard. Although the subject site has not been mapped as being bushfire prone land, the Cumberland Plain Woodland will be retained on the subject site. An assessment of bushfire risk will be prepared to accompany the EA report.
- Clause 27 – tree and bushland management. The remnant Cumberland Plain Woodland has a preliminary listing as a critically endangered ecological community. A Flora and Fauna Assessment has been undertaken to assess potential impacts and mitigation measures.
- Clause 51A – relates to noise attenuation for development along a classified road where the site is within 100 metres of a classified road, being Memorial Avenue. An Acoustic Assessment of the potential noise and vibration impact of the road on the proposed development will be documented in the EA report.
- Clause 59 relates to development in the vicinity of the North West Rail Corridor and applies to all land within 60 metres of the corridor. In this regard, the closest point of the subject site (being the south-west corner of Lot 401) is more than 60 metres (measured at 65 metres) from the eastern boundary of the land zoned 5(a) Railway Corridor. This provision will therefore not apply.

5.2 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors Housing)

BCS is a registered community housing organisation. In accordance with the definitions in Clause 3 of SEPP Seniors Housing, a Social Housing Provider includes a Community Housing Organisation.

BCS has, as of 25 November 2008, been granted registration as a Community Housing Organisation by the Office of Community Housing, Housing NSW.

BCS is currently undertaking two social housing developments in Lismore and Goulburn on behalf of the Department of Housing.

5.2.1 Applicability of SEPP Seniors Housing

The land on which the site is located, is land to which the SEPP applies.

In accordance with **Clause 4(1)** of SEPP Seniors Housing, the following provisions apply:

“This policy applies to land within New South Wales that is zoned primarily for urban purposes or that land that adjoins land zoned primarily for urban purposes, but only if:

(a) Development for the purposes of any of the following is permitted on the land:

- (i) Dwelling houses*
- (ii) Residential flat building*

- (iii) *Hospitals*
- (iv) *Development of a kind identified with respect to land zoned as Special Uses ...”*

The site on which the development is proposed to be undertaken is zoned 2(a1) under the provisions of Baulkham Hills Local Environmental Plan 2005 (BHLEP 2005). In accordance with the land use table to Clause 13 of BHLEP 2005, uses which are permissible with consent in the 2(a1) zone include:

- Apartment buildings;
- Attached dual occupancies;
- Town houses;
- Villas; and
- Hospitals.

Therefore the subject site is considered to be land zoned primarily for urban purposes and a site compatibility certificate is not required.

Although there is remnant Cumberland Plain Woodland located on the subject site, the site has not been identified as conservation land or a critical habitat or environmental protection for the purposes of Schedule 1 Environmentally Sensitive Land of SEPP Seniors Housing and therefore the Policy can be applied.

5.2.2 Access to Services

In terms of access to shops, banking services, other retail and commercial services, community services and doctors, the SEPP requires the site to be located within 400 metres of these facilities or that public transport services are accessible and available within 400 metres of the site. In addition to these requirements, access to facilities and services and/or the public transport service is to be by way of a continuous path of travel with a gradient of not more than 1:14, although steeper gradients are acceptable for shorter distances.

In the case of the proposed development, the northern entry of the subject site onto Free Settlers Road is more than 400 metres to the existing Burns bus stop on the Parramatta to Rouse Hill transit way. Furthermore, the gradient of the 'pathway' between this entry and the bus stop varies and is unlikely to comply with the provisions of Clause 26. Further, the current state of the 'path' between the site and the transit way stop could not be described as continuous or accessible.

Therefore, as it currently exists, the proposed development does not comply with these locational and access provisions. However, the proposed development is somewhat unique being one of the first developments within an area zoned for urban purposes but not yet developed. It is located proximate to the proposed Balmoral town centre area which is likely to incorporate commercial and retail development in conjunction with medium and high density residential development.

In addition, as part of the North-western transit way system, a bus route between the Burns bus stop and Castle Hill commercial centre is proposed to commence operation in 2010. A bus stop known as 'Gracelands' is proposed to be located immediately east of the subject site, on Memorial Ave. The location of this bus stop is indicated on the location plan at **Figure 1**.

Furthermore a range of services will be provided as part of the development such as hairdresser, cafe, provision of on-site medical practitioner facilities including doctors' surgery and offices for physiotherapists and podiatrists. In addition, the operator of the facility, Baptist Community Services, being a social housing provider, proposes to provide

a community bus which could be used to transport residents to centres where these facilities are available.

The EA report will demonstrate compliance with the SEPP.

5.3 State Environmental Planning Policy (SEPP) – Infrastructure 2007

Subdivision 2 of Division 17 of the Infrastructure SEPP relates to development in or adjacent to road corridors and road reservations. Clause 101 of the Infrastructure SEPP relates to development with frontage to a classified road. Memorial Avenue is a classified road.

Clause 101 of the SEPP relates to development with frontage to classified road and contains objectives and matters for consideration for developments with frontage to classified road. The EA Report will address the objectives and matters for consideration.

5.4 State Environmental Planning Policy (Building Sustainability Index) 2004

Under the Environmental Planning and Assessment Regulation 2000, the CVU dwellings comprise BASIX affected buildings.

BASIX certificates for the proposal will be obtained to demonstrate compliance with the thermal comfort, water conservation and energy efficiency targets.

5.5 State Environmental Planning Policy 55 – Remediation of Land

A Preliminary Site Investigation was carried out in 2007 as part of a due diligence investigation by BCS prior to the purchase of the subject sites.

Based on the preliminary assessment, it was considered that the site does not present a significant risk of harm to human health or the environment under the current or proposed usage. This can be documented as part of the EA Report.

5.6 State Environmental Planning Policy 65 – Design Quality of Residential Flat Development

The plans prepared to date have given considerable weight to the 10 design principles detailed in Part 2 of SEPP 65 and the Residential Flat Design Code. Consistency with the SEPP and Residential Flat Design Code will be addressed in the EA.

5.7 Baulkham Hills Development Control Plan

Baulkham Hills Development Control Plan (BHDCP) applies to the site and there are two components of the DCP relevant to the site and the proposed development.

- Part C Section 7 which applies to apartment buildings; and
- Part E Section 17 which applies to Balmoral Road Release Area

The provisions of each of these particular sections will be addressed in the EA report, however the following comments are of particular relevance to the Project.

5.7.1 Density

Section 3.10 of Part C states that the maximum population density permitted is 175 persons per hectare with a desirable range between 150-175 persons per hectare. In order to achieve a population density within the desirable range a target site population of 549-641 persons is required. The design has been based on achieving this population density based on the occupancy rates stipulated in the DCP.

5.7.2 Height

The DCP contains a building height control for apartment buildings with a maximum of 13m to eaves and 16m to the ridge as measured from natural ground level. In addition there is a further control relating to sloping sites requiring buildings to be stepped so that the ground floor does not exceed 1m above natural ground level.

The proposal will depart from these controls to a minor extent along Hodges Avenue (southern boundary) and Free Settlers Road (western boundary). The EA will justify departures based on the need to retain Cumberland Plain Woodland (reducing developable site area) which is balanced against the need to achieve the desired DCP density. The future urban character of the area will also be addressed in the SEE.

5.7.3 DCP Road

Figure 6 below is an extract from the DCP which indicates the subject site. This extract illustrates that a DCP road is proposed through the centre of the site in a north-south direction. This DCP road divides the site into two smaller parcels and would also require the removal of a large proportion of the Cumberland Plain Woodland.

The EA will demonstrate how a better planning outcome can be achieved by deleting the DCP road providing the necessary justification for this departure.

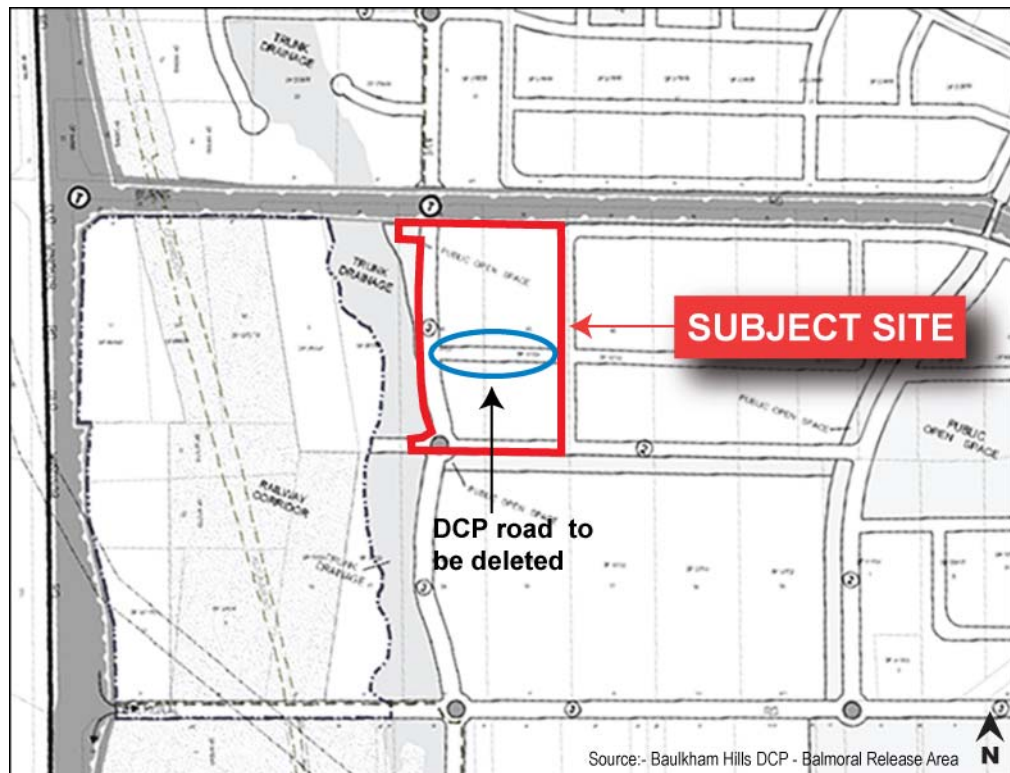


Figure 6: Extract from Baulkham Hills DCP 2005

6 Environmental Impacts

The following key environmental issues and impacts are considered to be of most relevance to the assessment of the Project application.

6.1 Ecological

A stand of trees in the southern part of the site has been identified as being remnant Cumberland Plain Woodland. Remnant Cumberland Plain Woodland also exists to the south east of the site within the riparian corridor along Elizabeth Macarthur Creek.

The proposal is to retain the Cumberland Plain Woodland Area and to maintain the woodland as a significant landscape feature of the site together with accessible pathways and a naturalised pond/water feature in the centre of the CVU component of the development.

A flora and fauna assessment has been undertaken in accordance with relevant legislation namely the EP&A Act 1979 and Threatened Species Conservation Act 1995, Environment Protection and Biodiversity Conservation Act 1999 and the Fisheries Management Act 1994. The assessment has revealed that:

- Four (4) threatened fauna species were recorded within the subject site under the *Threatened Species Conservation Act 1995* including Grey-headed Flying-fox (*Pteropus poliocephalus*), Eastern Bentwing-bat (*Miniopterus schreibersii oceanensis*), Eastern False Pipistrelle (*Falsistrellus tasmaniensis*) and Greater Broad-nosed Bat (*Scoteanax rueppellii*).
- No threatened flora or endangered populations were observed within the subject site.
- One (1) Endangered Ecological Community (EEC) - Cumberland Plain Woodland was observed within the subject site.

A preliminary determination has been made by the Scientific Committee to list Cumberland Plain Woodland as a Critically Endangered Ecological Community. An assessment of the significance of impact on a matter of National Environmental Significance in accordance with the *Environment Protection and Biodiversity Conservation Act (1999)* will be provided in the EA.

Assessments undertaken to date have indicated that there is no suitable habitat for threatened marine or aquatic species within the subject site. Matters relating to the *Fisheries Management Act 1994* will therefore not require further consideration.

The EA will fully document the findings of the flora and fauna assessment including recommendations to conserve biodiversity on the site.

The EA will also investigate tree management measures required to manage and maintain the existing stand of trees.

6.2 Bushfire management

The site is not mapped as bushfire prone land by Baulkham Hills Shire Council, however bushfire risk to the development should be considered under section 79C of the EPA Act and its compliance with Planning for Bushfire Protection 2006 for two reasons:

1. The future riparian corridor along Elizabeth Macarthur Creek (to the west of the site), might present a future bushfire threat to the proposed development, and
2. The Cumberland Plain Woodland although less than 1 hectare is proposed to be retained within the development area as open space landscape. The woodland will need to be managed to minimise hazard.

The EA will undertake the required bushfire assessment and recommend management measures that might be necessary to mitigate bushfire risk to the proposed development. The assessment will take into account the Planning for Bushfire Protection 2006 guidelines and building construction standards under Australian Standard AS3959.

6.3 Traffic and parking

Key issues of relevance are:

- Removal of a DCP road running east-west through the centre of the site;
- Changes to the existing road system;

- Suitability of proposed traffic and access arrangements; and
- Traffic generation and impacts.

A traffic assessment will be prepared addressing the above issues and provide an assessment of the car parking provision and internal circulation areas against the Council's controls and Australian Standard AS 2890.1.

6.4 Urban design

Whilst the Balmoral Road Release Area has been zoned for urban development, there has been only limited development to date. Most of the development taking place is low density residential subdivision. The character of the area is therefore predominantly semi-rural.

The character of the area will change as development progressively takes place. The future character of the locality should therefore be the main consideration in terms of urban design and architectural character.

Baulkham Hills LEP 2005 and Baulkham Hills DCP 2005 are the main planning documents which will guide the future character of the area.

Importantly, the Balmoral Road Town Centre is planned as an urban focus for the release area. Higher densities and building forms are planned to occur closest to the future town centre gradually reducing to lower scale and lower density housing away from the town centre. This future built form character is reflected in the zoning and DCP planning controls. The EA will document the urban fit of the proposal within the context of this future built form character.

The EA will also document architectural character and how the proposal responds to and activates the public domain.

6.5 Landscape character

The remnant Cumberland Plain Woodland will feature as an important landscape element of the development.

The future landscape character of the site will be detailed in the EA including how this responds to other landscape elements within the immediate locality including the open space areas to the east along Elizabeth Macarthur Creek, avenue plantings envisaged along Hodges Road (future road) and surrounding remnant Cumberland Plain Woodland on neighbouring properties.

6.6 Accessibility

Access and provision of facilities for seniors or people with a disability will be a key issue of relevance to the proposal including:

- Consistency with SEPP (Housing for Seniors or People with a Disability) 2004 in relation to access throughout the site and its facilities and internal configuration of the proposed dwellings;
- Consistency with AS1428.1 – general requirements for access
- Consistency with AS1428.2, where relevant
- Consistency with and AS4299 – Adaptable Housing, where relevant.
- DDA Access Code
- Building Code of Australia – Part D3

An accessibility report will be prepared documenting the proposal's consistency and compliance with these provisions.

6.7 Archaeology

The Deerubbin Local Aboriginal Land Council (LALC) has been consulted in relation to the proposed development including an inspection of the property by a representative of the Deerubbin LALC.

The site inspection has confirmed "*that no Aboriginal cultural material (in the form of stone artefacts, for example) was found in the study area.*"

The Deerubbin LALC has no objections to the proposed development and requests that a representative of the Deerubbin LALC be present when construction activity takes place that disturbs the soil.

This issue will be further documented in the EA including appropriate statement(s) of commitment.

6.8 Social impacts

As noted earlier, BCS has been granted registration as a community housing organisation. Whilst BCS is registered as a community housing organisation, its functions extend beyond being a housing provider having an active social role within the community being a care provider in both NSW and the ACT, offering residential care (including respite care, transitional care services and dementia care) home care services and services to less advantaged members of society.

In accordance with the definitions in Clause 3 of SEPP Seniors Housing, a Social Housing Provider includes a Community Housing Organisation. The project will provide the following social benefits to the region and community as a direct outcome of the proposed development including:

- Additional housing in the region for seniors and persons with a disability increasing housing choice and supply;
- Provision of a RACF providing appropriate levels of care for low care, high care and dementia patients;
- An overnight respite care facility within the RACF;
- A respite centre for young persons with a disability;
- On-site community and social facilities reducing demand on other services within the LGA; and
- Offices for the administration of home care services supplementing services provided by other agencies.

6.9 Developer Contributions

As previously noted BCS is a social housing provider under the provisions of SEPP (Seniors Housing).

Under Section 94E of the EP&A Act the Minister made a direction on 14 September 2007 which directs "*consent authorities that there are no public amenities or public services in relation to which a condition under Division 6 of Part 4 of the Act may be imposed on*" development consents for any form of seniors housing defined in SEPP (Seniors Housing) granted to a social housing provider.

Consistent with the Direction and SEPP (Seniors Housing), BCS is proposing that this same legislative framework apply as if the Project application were assessed as a DA (or if the scale of development was such that it was not eligible as a Major Project). This approach is proposed given the level of facilities and services that will be provided as part of the development.

The Department of Planning has been consulted in relation to any State contributions that might also apply. DFP understands that the Balmoral Road Release Area (and therefore the proposed development) is subject to the Interim Land Release Contribution which could ultimately be covered by the State Infrastructure Contribution.

6.10 Other matters for consideration

In addition to the key issues identified above, the following issues are relevant and will be documented in the EA including measures to mitigate potential impacts:

- Geotechnical issues (contamination and soil salinity);
- Acoustics in relation to traffic noise and vibration from Memorial Avenue;
- Stormwater management and water quality;
- Infrastructure Servicing;
- Staging;
- Waste management;
- Operational management; and
- BCA compliance

7 Consultation

BCS has already consulted with the following local and state agencies

- The Hills Council;
- Sydney Metro in relation to the Balmoral Road transit centre and T-ways;
- Rouse Hill Infrastructure Corporation (Stage 3) Pty Limited;
- Sydney Water;
- Deerubbin Local Aboriginal Land Council.

In addition to the Department of Planning, and the abovementioned organisations, the key government agencies to be consulted include:

- NSW Roads and Traffic Authority;
- NSW Ministry of Transport;
- NSW Rural Fire Service;
- NSW Department of Environment and Climate Change;
- NSW Department of Water and Energy;
- The Commonwealth Department of the Environment, Water, Heritage and the Arts; and
- Utility providers.

Consultation with the abovementioned authorities, utility providers and any other organisation specified by the Department of Planning in the Director General's Requirements will be ongoing throughout the environmental assessment phase of the project.

Full details of the agency and community consultation outcomes will be documented in the EA Report prepared for the project.

8 Justification and Conclusion

The Balmoral Road Release Area has been recently rezoned as for urban development, although development has been slow to progress.

The North West Subregion Strategy sets a target of 21,500 new dwellings in the Baulkham Hills local government area by 2031. The North West Subregion Strategy identifies that the Balmoral Road Release Area is also land identified in the Metropolitan Development Program. Importantly, the North West Subregion Strategy states that:

“By 2031 significant ageing of the resident population is forecast within the North West Subregion. It is estimated the population over the age of 65 will increase by around 96,000 by 2031 and that this group will represent 16 per cent of the population compared to 8 per cent in 2001(TPDC 2005). Accommodating this aging population will be an important challenge for the subregion. As the population ages there is likely to be a higher demand for smaller dwellings and various forms of seniors living accommodation with good access to services and public transport.” (p.80).

The proposed seniors housing development will contribute towards the housing target and assist in contributing towards the expected demand for seniors housing accommodation. The proposal will deliver a variety of smaller manageable homes across a range of dwelling sizes with options for assisted care if required. The proposal will also deliver higher care forms of housing in the form of the residential aged care facility, all part of the one community. This site is also located close to a planned town centre and transport hub, with public transport services planned to operate outside the property in the short term.

The proposal is considered to be consistent with the North West Subregion Strategy providing the necessary strategic justification for the project.

BCS therefore requests that the project be declared a Major Project under the Environmental Planning and Assessment Act and also requests that the Director-General's Requirements be issued for the preparation of the Environmental Assessment.