ENVIRONMENTAL IMPACT STATEMENT

Concept & Detailed State Significant Development Application

Abel Tasman Village

222 Waldron Road & 138-140 Campbell Hill Road

Chester Hill NSW

EVOLUTION PLANNING

ABEL TASMAN
A culture of care

October 2025

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Concept & Detailed State Significant Development Application

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Chester Hill NSW

Prepared for:

Abel Tasman Village

October 2025

REPORT PREPARED BY EVOLUTION PLANNING:

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Project/Report Reference EP20/13/EIS

Date 24 October 2025

FIGURES

TABLES

APPENDICES

GLOSSARY AND ABBREVIATIONS

ADG	Apartment Design Guide
ATV	Abel Tasman Village
ATV site	222 Waldron Road, Chester Hill
Better Placed	*Better Placed,* NSW Government Architect, 2000 - An integrated design policy for the built environment of NSW. It seeks to capture our collective aspiration and expectations for the places where we work, live and play.
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
BRG	Boffa Robertson Group (Project Architect)
Clause 4.6 Variation	A means of varying a development standard at Clause 4.6 of the LEP.
CMP	Construction Management Plan
Connecting with Country	Connecting with Country is a framework to care for Country when designing built environments. It embraces the Aboriginal philosophy that 'If we care for Country, Country will care for us'
CTMP	Construction Traffic Management Plan
Concept Application	An application made in accordance with Part 4 Section 4.22 of the *Environmental Planning and Assessment Act 1979*
CSSDA	Concept State Significant Development Application
CPTED	Crime Prevention through Environmental Design
DA	Development Application
DCP	Canterbury-Bankstown Development Control Plan 2023
REAP Declaration	A declaration by a Registered Environmental Assessment Practitioner confirming the EIS has been prepared in accordance with Regulation.
Department	NSW Department of Planning and Environment
EDC	Estimated Development Cost
EPAR (DCFS)	Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
EIS	Environmental Impact Statement
ESD	Environmentally Sustainable Development
FSR	Floor Space Ratio
GFA	Gross Floor Area

ILUs	Independent Living Units
LEP / CBLEP	Canterbury-Bankstown Local Environmental Plan 2023
Mitigation	Measures taken to reduce the impacts of the project.
Minister	The NSW Minister for Planning
NCC	National Construction Code 2022
OSD	On-site Detention
Project	SSDA-49937206 - Abel Tasman Village - Seniors Housing
RCF	Residential Care Facility
REAP	Registered Environmental Assessment Practitioner
SEARs	Secretary's Environmental Planning Requirements
SEPP	State Environmental Planning Policy
Service Station Site (Former)	138-140 Campbell Hill Road, Chester Hill
Site	222 Waldron Road and 138-140 Campbell Hill Road, Chester Hill
SDRP	State Design Review Panel
The Act	*Environmental Planning and Assessment Act 1979*
The Regulation	*Environmental Planning and Assessment Regulation 2021*
WMP	Waste Management Plan
WSUD	Water Sensitive Urban Design

Table 1: Glossary and Abbreviations

REAP DECLARATION

Project Details	
Project name	Abel Tasman Village - Seniors Housing
Application number	SSD-49937206
Site address	222 Waldron Road and 138-140 Campbell Hill Road Chester Hill NSW 2162
Applicant Details	
Applicant name	The Abel Tasman Village Association Ltd
Applicant address	222 Waldron Rd, Chester Hill, NSW 2162
Nominated contact	Nick Winberg, Project Manager Centurion Project Management Level 36, 1 Farrer Place Sydney NSW 2000
EIS prepared by:	
Name and qualifications	Mr. Tony Robb • Post Graduate Diploma Town Planning and Urban Design, University of Westminster; • BA(Hons) Town Planning, University of Westminster; • Crime Prevention Through Environmental Design - Accredited Assessor; • Registered Planner – Planning Institute of Australia (6784).
Address	PO Box 309, Frenchs Forest NSW 1640
Email	tony@evolutionplanning.com.au

REAP Declaration

The undersigned declares that this Environmental Assessment (EIS):

- has been prepared in accordance with Part 8 of the *Environmental Planning and Assessment Regulation 2021*;
- contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;
- does not contain information that is false or misleading;
- addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;
- identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;
- has been prepared having regard to the Department's State Significant Development Guidelines – Preparing an Environmental Impact Statement;
- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically

<table>
<tr><td colspan="3">sustainable development;
▪ contains a consolidated description of the project in a single chapter of the EIS;
▪ contains an accurate summary of the findings of any community engagement; and
▪ contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.</td></tr>
<tr><td>Signatures</td><td>Prepared by:
 
Tony Robb
BA (Hons) UPS, Grad.Dip.TP (Westminster) RPIA
Principal, Evolution Planning.</td><td>Reviewed by:
 
Tom Goode
Registered Environmental Assessment Practitioner No. 4190</td></tr>
<tr><td>Date</td><td>24 October 2025</td><td>10 November 2025</td></tr>
</table>

Table 2: REAP Declaration

EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared by Evolution Planning for Abel Tasman Village Association Ltd, (ATV), with respect to a proposed Concept Development Application and a Detailed Stage 1 State Significant Development Application (CSSDA/SSDA), for a mixed-use, seniors housing development, at 222 Waldron Road and 138-140 Campbell Hill Road, Chester Hill, NSW.

ATV is a not-for-profit organisation, providing specialised housing and care for seniors and those persons with a disability, who presently own and operate an existing seniors housing development on western part of the subject site, 222 Waldron Road.

The project embodies ATV's strategic vision for the site in the *Abel Tasman Aged Care Strategic Plan 2019,* which is the guiding impetus for the project, seeking to address the deficiencies of the existing development in terms of function; amenity; parking; accessibility; take advantage of the opportunities available in light of ATV's acquisition of 138-140 Campbell Hill Road Chester Hill; and, to deliver specialised accommodation of the highest quality to meet the housing needs of the aging population.

Figure 1: Stage 2 – Proposed View from Waldron Road

Source: BRG

The application is appropriately administered as a SSDA, pursuant to Section 2.6 of *State Environmental Planning Policy (Planning Systems) 2021,* SEPP (Planning Systems) 2021, as the proposal includes a 'residential care facility' (RCF) with an Estimated Development Cost, (EDC) of $75,756,631. 00

The application is made under Part 4, Section 4.22 of the *Environmental Planning and Assessment Act 1979,* (the Act), as a 'Concept Application' of State significance.

Site

The subject site is 222 Waldron Road and 138-140 Campbell Hill Road, Chester Hill, NSW and has an area of 12,738sq.m.

Figure 2: Aerial site context plan – Showing walking distance from site entry to train station.

Source: Nearmap (Boundary indicative)

The existing Abel Tasman Village is located at 222 Waldron Road comprises a variety of buildings spread across the site in 1 and 2 storey forms including: 46 x Independent Living Units (ILU's) and 30 residential care beds; a central kitchen; laundry; lounge/dining rooms; and, administration spaces. The vacant land at 138-140 Campbell Hill Road, now owned by ATV, was previously used as a service station which has since been cleared and remediated.

The site has multiple interfaces with the public domain and neighbouring development, including:

- Waldron Road, a classified road, to the south, with medium density housing opposite comprising 3 x residential flat buildings of 2-3 storeys;
- Abbott Park, a public reserve. to the immediate west, with industrially zoned land beyond;
- the northern boundaries both have interfaces with R3 zoned land, presently accommodating low-density housing including the rear boundaries of dwelling lots on the south side of Bancol Street; and, the rear and south side boundaries of 136 Campbell Hill Road; and,
- Campbell Hill Road, which on the opposite side sits a single dwelling and the side elevation of commercial premises at the west end of the Chester Hill local centre.

Project Overview

The project involves the re-development of the existing seniors housing development including its expansion and intensification onto vacant land. The development is "Staged", involving a "Concept Plan" for the entire site and a Stage 1 SSDA which will allow for the construction of 3 of the 4 proposed buildings – Buildings A, B and E.

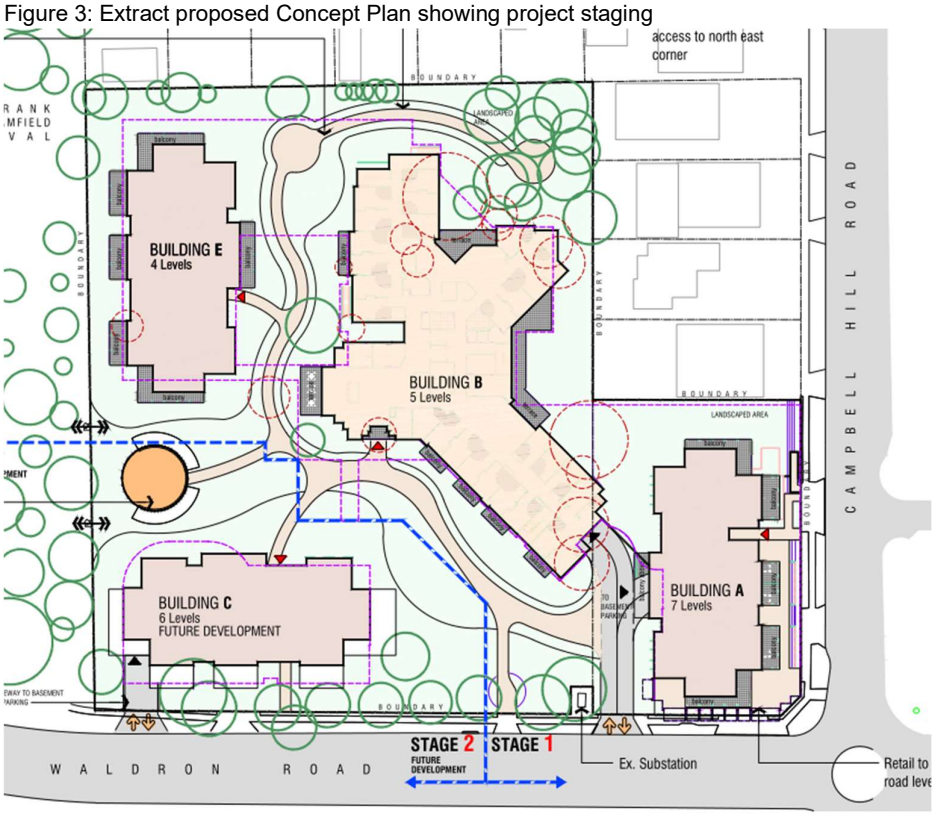
Concept Plan

The Concept Plan part of the application includes:

- the use of the site as a "*mixed-use development"* comprising "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*" uses, including:
    - Building A - "*seniors Housing*" (Independent Living Units), (ILUs) with "*retail premises*" at ground level;
    - Building B – "*seniors housing"*, (Residential Care Facility), (RCF);
    - Building E - "*seniors housing"* , (ILUs);
    - Building C– "*seniors housing"* (ILUs), with "*neighbourhood shops"* at ground floor level;
- building locations; building heights and floor areas;
- project staging and phasing;
- landscaping; and,
- driveway crossings; and, internal driveways.

Refer to the extract of the proposed Concept Plan, prepared by BRG, below.

Figure 3: Extract proposed Concept Plan showing project staging



Source: BRG

The approach to site planning and the distribution of GFA has been guided by the input of the State Design Review Panel (SDRP) who recommended strategies to maximise opportunities for landscaping,

and to open up views to the site from the public reserve. The approach of minimising site coverage led to the deletion of a previously proposed building (between current Buildings E and C) and the redistribution of some of that GFA to the other buildings.

Stage 1 DA - Buildings A, B and E

The application also includes a Stage 1 DA comprising:

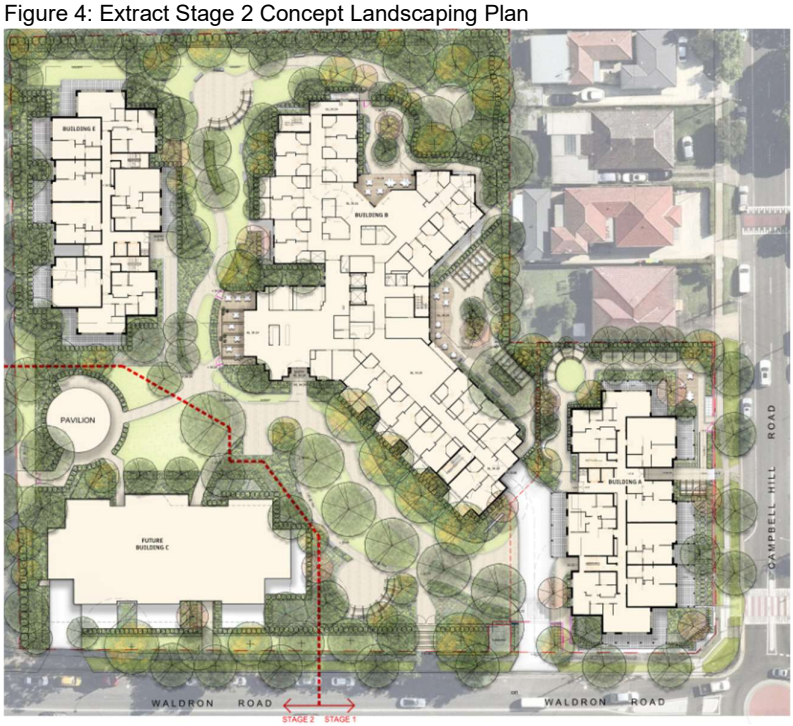
- **Building A** - 39 x Independent living unit (ILUs) over 8 levels with retail tenancies fronting Waldron Road;
- **Building B** - Residential Care Facility (RCF) comprising 120 beds (110 rooms) over 5 levels; and
- **Building E** - 25 ILUs over 4 levels

Access to all of Stage 1 is proposed from a single driveway off of Waldron Road. Ninety-four, (94) car parking spaces (including 15 disabled access spaces) are proposed at basement level below Buildings E and B and at basement/ground level below Building. All centralised building operations, waste management functions, and building services are located at basement level.

Landscaping

The landscaping strategy has been at the heart of site planning and the evolution of the design. The strategy, influenced by input from the SDRP, to minimise site coverage, has created the opportunities for the proposed generous landscaped spaces, all inter-connected by a network of footpaths, creating opportunities to engage with the reserve and to implement the Connecting with Country strategy, (CWC). The CWC strategy embodies a layer of indigenous references to the overall landscaping response and makes historic connections with the Dutch forefathers of the ATV community and the indigenous people of, what is now, Western Australia.

Figure 4: Extract Stage 2 Concept Landscaping Plan



Source: Site Image.

Stage 2

The future Stage 2 of the development, shown at the lower left part of Figure 4 above, will include Building C, a new driveway crossing, and associated landscaping works, to accord with the Concept Plan. A separate Stage 2 DA will be required before the commencement of any future Stage 2 works.

Strategic Planning

The proposed development involves the redevelopment and intensification of existing, dated seniors housing stock, in a location which is highly to this type of development, with new housing designed to meet the specialised housing needs of the aging population, and firmly aligns with all related State and Local strategic plans and the Strategic Vision of ATV.

The Canterbury-Bankstown Local Government Area will see the highest growth in older people in the South District Plan region, with an estimated 35,900 additional people aged 65 or over by 2036. The South District Plan and the Local Planning Strategies all identify the high demand for seniors housing and acknowledge the aging population and lack of specialised housing in suitable, accessible locations. The District Plan advocates more medium density, diverse and specialised housing types within walkable neighbourhoods. At Stage 1, the proposed development includes 64 x ILUs and 120 x bed RCF, in proximity to local services and public transport, supporting these urgent housing priorities.

The proposal fully supports the wider strategic planning framework, by satisfying the housing needs of the ageing community and by the creation of up to 180 jobs during the construction phase, and approximately 134 once completed, (net increase of 78 full time equivalent jobs). The proposal will stimulate the economy of the local centre by the influx of additional residents and demand on local services.

Statutory Planning

The proposed development is permitted with consent under the LEP.

The proposal is for a *"mixed-use development"* comprising "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*".

Building A, in the E1 zone, is a "*seniors housing*" development with "*retail premises*" at ground level. "*Retail premises*" are permitted in the E1 zone and "*seniors housing*" is permitted by way of Clause 25 of the LEP "*Additional permitted uses for particular land*", Schedule 1 s.25 "*Use of certain land for purposes of seniors housing in Area 1*."

Development in the R4 zone comprises:

- Building B – "*seniors housing"* development – a RCF;
- Building E - "*seniors housing"* development, containing ILUs; and,
- Building C (in stage 2) – "*seniors housing"* development comprising "*neighbourhood shops"* at ground floor level with ILUs above.

"Neighbourhood shops" are permitted in the R4 zone and "*Seniors Housing*" is permitted under Clause 25 of the LEP.

In summary, the proposal satisfies the objectives and related provisions of all of the State and local planning instruments affecting the land, except for strict compliance with the relevant development standards under *SEPP(Housing)2021* related to Clause 87 "Additional FSR" and "Additional Height"; the partial use of the ground floor of Building A for residential purposes, contrary to Clause 89; and, standards related to accessible parking at Schedule 4 of the SEPP.

The delivery of this important housing project is only possible by the incentive created by additional FSR, made available under Clause 87 of SEPP(Housing). The proposal comprises 1,032sq.m less than the maximum '*gross floor area'*, (GFA), available across the entire site, equating to ~75% of the additional 25% GFA available, but relies on variations to both the additional FSR and additional Height standards to allow for the flexible distribution of GFA on this large site, which is subject to two land use zones, two height standards, and two FSR standards.

Clause 4.6 of the LEP is also relied upon with respect to a technical breach to Section 89(2) of SEPP(Housing) which restricts ground floor frontages being used for residential purposes. In this case, the area behind part of the ground floor wall facing Campbell Hill Road has parking and storage cages associated with the residential uses above. Having retail spaces in that location would achieve compliance but makes no difference to the external appearance of the building. The proposed internal configuration is more convenient for the building users.

The remaining non-compliance addressed under Clause 4.6 relates to accessible parking requirements at Section 85, Schedule of 4 of SEPP(Housing). In summary, the standard to be varied requires 15% of the car spaces allocated to the independent living units (ILUs) to be 'accessible' (designed in accordance with AS/NZ 2890.6); and, that 50% of the remaining spaces also comply with AS/NZ2890.6, or be at least 3.2m wide. Twenty-five percent, (25%), of the proposed ILU car parking spaces are designed to comply with AS/NZ2890.6. The extra number of spaces is not enough to satisfy the further requirement for 50% AS/NZ 2890.6 compliant spaces. No spaces are proposed with a width of 3.2m or more.

Consultation

Community and stakeholder engagement has been coordinated by the Planning Studio, elements of which included 2 x community drop-in sessions at the Chester Hill public library in the morning and evening of 28 November 2023. The sessions were attended by the local community, local first nations people, and a representative of the local aboriginal land council. No submissions were received throughout the consultation period from the community but the verbal feedback received during the drop-in sessions was all largely positive.

Environmental Impacts and Mitigation Measures

The proposed development will result in changes to the environment in and around the site. An objective of this assessment process is to identify and manage such changes, so that the development will ultimately have an acceptable relationship with neighbouring properties and the wider environment.

The project team includes experts in the key assessment disciplines as guided by the SEARs, who have contributed to the design process and evolution of the project design to date. Through this process potential impacts on neighbouring properties and the wider environment have been identified and successfully mitigated or managed.

In the context of the proposed development and the subject site, the greatest potential impacts to the environment and neighbouring properties, if left unmitigated, would be those related to proposed construction activities. Such impacts, including those related to the proposed de-watering of the site during excavation, may all be successfully managed/mitigated. Refer to the **Appendix A** for the SEARs reference Table and **Appendix J** for the Summary of Mitigation Measures Table.

Project Justification

- The project involves the replacement and intensification of existing seniors housing on a site highly suited for such purposes;
- The proposed development is permitted with consent and all statutory jurisdictional pre-requisites have been met allowing the grant of consent;

- No significant adverse impacts will be introduced as a result of the proposed development and appropriate mitigation measures are recommended to successfully manage any other impacts through the construction and operational phases of the project.
- The design achieves an appropriate response to the site context, in this case involving two street frontages; lower density residential uses to the north; and a public reserve to the west, by:
    - aligning Buildings A and C with the street frontages and activating them accordingly along Waldon Road with retail uses;
    - concentrating the building massing at the mid-southern portions of the site, away from the lower-density interface, creating an appropriate transition in scale in that direction;
    - orientating Building E to engage with the reserve, limiting its exposure to the low density zone, and providing currently lacking passive surveillance over this space;
    - minimizing site coverage and maximising landscaping opportunities, leading to the opening up of the site when viewed from Waldron Road and the public reserve, promoting permeability and minimising the perceived bulk and scale of the proposed development.
- The project is of strategic merit particularly with respect to policy priorities related to housing supply and in particular the provision of seniors housing at suitable locations. The project replaces and expands an existing seniors housing development with 64 new ILUs and a 120 x bed RCF at Stage 1, and fully supports the South District Plan and Council's Housing Strategy.
- The site is ideally suited to the proposed intensification for seniors housing given the proximity to services and public transport, and an optimal context where incentivised FSR should be awarded, even though in technical breach to the standard making the incentive available. This is reflected by the site being with the "inner ring" under Chapter 6 of SEPP(Housing) Low and Mid Rise Housing.
- The project has been the subject of extensive community consultation and was received favorably by the local community at drop-in meetings. No written responses were received or issues raised.
- The proposed development is considered to be entirely within the public interest for the following reasons:
    - consistency with the wider strategic planning framework, by satisfying the housing needs of the ageing community, and the creation of up to 180 jobs during the construction phase, and approximately 134 once completed, (net increase of 78 full time equivalent jobs);
    - by embracing the principles of ecologically sustainable development;
    - by achieving these benefits without the introduction of significant environment impacts on neighbouring properties or the wider environment.

On balance, and in light of the merits of this important housing project, the absence of any significant impacts on the environment, and its associated public benefits, the project is worthy of approval.

1 Introduction

Evolution Planning has been engaged by Abel Tasman Village (ATV), the owners of the land, to prepare this Environmental Impact Statement (EIS), related to a Concept Development Application and a Detailed Stage 1 State Significant Development Application (CSSDA) made under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (the Act), for a mixed use, "*seniors housing*", "*retail premises*" and "*neighbourhood shops*" development at 222 Waldron Road and 138-140 Campbell Hill Road, Chester Hill.

The EIS has been prepared in accordance with Part 8 of the *Environmental Planning and Assessment Regulation 2021,* (the Regulation) and the State Significant Development Guidelines (SSDG).

The proponent is The Abel Tasman Village Association Ltd, (ATV), who are a not-for-profit organisation providing specialised housing and care for seniors and those persons with a disability. ATV presently own and operate an existing seniors housing development on the western part of the subject site at 222 Waldron Road.

This EIS provides details of the proposed project and site; the strategic context of the development; community consultation; an explanation as to how potential environmental impacts have been identified and mitigated, as necessary; and, the justification for the project in response to the Secretary's Environmental Assessment Requirements (SEAR)s. Refer to the SEARs Reference Table at **Appendix A.**

1.1 Project Overview

The proposed Concept Development Application involves a Concept Plan for the use of the site and buildings as "*seniors housing*" and "*shop top housing*" (Buildings A and E); building locations; building heights; floor areas; project staging and phasing; driveway crossings; and, internal driveways.

The project is split into two stages. The proposal includes details of and seeks approval for Stage 1 including Buildings A, B and E.

Development for the purposes of seniors housing with an estimated development cost (EDC) of more than $30 million; which contains an RCF; and is not partly prohibited, is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (SEPP Planning Systems) as State Significant Development (SSD). Stage 1 of the proposed development has an EDC of $75,756,631.00, exceeding the $30m threshold, and the proposal is therefore SSD. Refer to the EDC Report, prepared by Arcadis, **Appendix K.**

1.2 Project Objectives

The A*bel Tasman Aged Care Strategic Plan 2019*, includes the following relevant priorities:

> *"Organisation Imperatives*
>
> *1. Ensuring ATV's strategic direction is forged in the context of:*
>
> - *Responsiveness to consumer demand patterns*
> - *Government policies and reform*
> - *Maintaining regulatory obligations*
> - *An intensely competitive environment*
>
> *ATV Key Strategy - Enhance our Facilities*
>
> *To ensure our built environment is conducive to the delivery of excellent care, that its physical appearance is appealing to future consumers and that the mix of accommodation supports the delivery of future care models & financial goals.*

Focus Areas

Enhance our Facilities

1. Audit of all current ATV accommodation and facilities

2. Development of an ATV masterplan that articulates the future site potential (existing garage site)"

The project implements the *Abel Tasman Aged Care Strategic Plan 2019,* by:

- Addressing the deficiencies of the existing development in terms of function, amenity, parking and accessibility;
- The preparation of a development strategy to include acquired land at 138-140 Campbell Hill Road, Chester Hill;
- Delivering specialised housing to current industry benchmarks and regulatory standards.

1.2.1 Project Alternatives

Preliminary development options which were explored, in light of the condition of the existing accommodation in terms of regulatory compliance; market standards, site opportunities and constraints and the fact that ATV were in possession of an adjacent land asset, (the former service station site). The tested options included:

i. doing nothing;

ii. improving the existing facility through alterations and additions;

iii. expanding the existing facility with a new development at 138-140 Campbell Hill Road, Chester Hill along with (ii) above;

iv. the redevelopment of the entire site – the current proposal.

Do Nothing

The existing development is dated, does not emulate current market expectations and ATV will have difficulty competing with other providers of seniors housing and care designed to contemporary standards, if nothing is done.

The existing development is considered to be deficient in the following areas:

- The ATV Organisational Imperatives in the 2019 ATV Strategic Plan related to "*Responsiveness to consumer demand patterns"; "Government policies and reform"* and *"Maintaining regulatory obligations"* would not be achieved;
- Lack of parking and suitable loading/delivery areas;
- Lack of focus of the development and incoherency in building layouts;
- Absence of identifiable reception/entry zone;
- Existing non-compliances with the BCA and other regulatory issues;
- Operational inefficiencies due to the remoteness of the kitchen and other services;
- Access issues in older two storey accommodation;
- Fragmented areas of open space;
- Limited outlooks from within the development.

Doing nothing would impose unsustainable financial burdens on ATV in light of the relatively recent purchase of the former service station site. Doing nothing would not constitute the best orderly and economic use of land.

Alterations to existing facility only

Such an approach might remedy the deficiencies of the existing development, but without the re-development of the former station site, the land is a financial burden. The re-development of the vacant lot and the delivery of Building A is critical to future Stage 1 phasing and the feasibility of the entire project, not only in terms of funding, but also to accommodate existing ATV residents.

New development of Campbell Hill Road site and improvements to existing facility

Cost-planning, architectural and planning feasibility investigations have found that 'improvements' to the existing accommodation would not be sufficient to align the product with current market expectations; industry standards; nor would they achieve compliance with current regulatory standards. More fundamental site planning considerations would be required to achieve the project objectives.

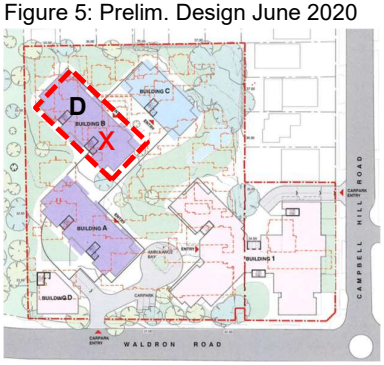
Redevelopment

The current proposal represents the re-development of the entire site, deemed essential to meet the ATV Strategic Plan and the Objects of the Act, particularly in terms of the promotion of the orderly and economic use and development of land in NSW.

1.3 Project Background

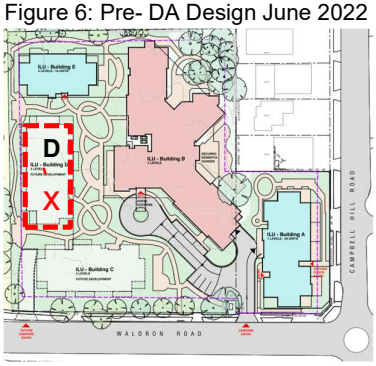
The project is the result of more than four years of feasibility analysis and design development responding to significant changes in the statutory planning framework affecting the site; the detailed design and operational requirements of ATV; feedback from Council and the SDRP; and, the specialist input of the project team. The basic evolution of site master planning is shown below.

Figure 5: Prelim. Design June 2020



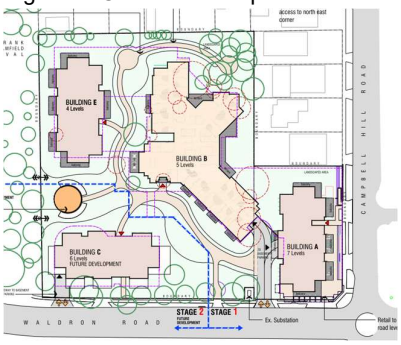
Source: BRG

Figure 6: Pre- DA Design June 2022



Source: BRG

Figure 7: Current Masterplan



Source: BRG

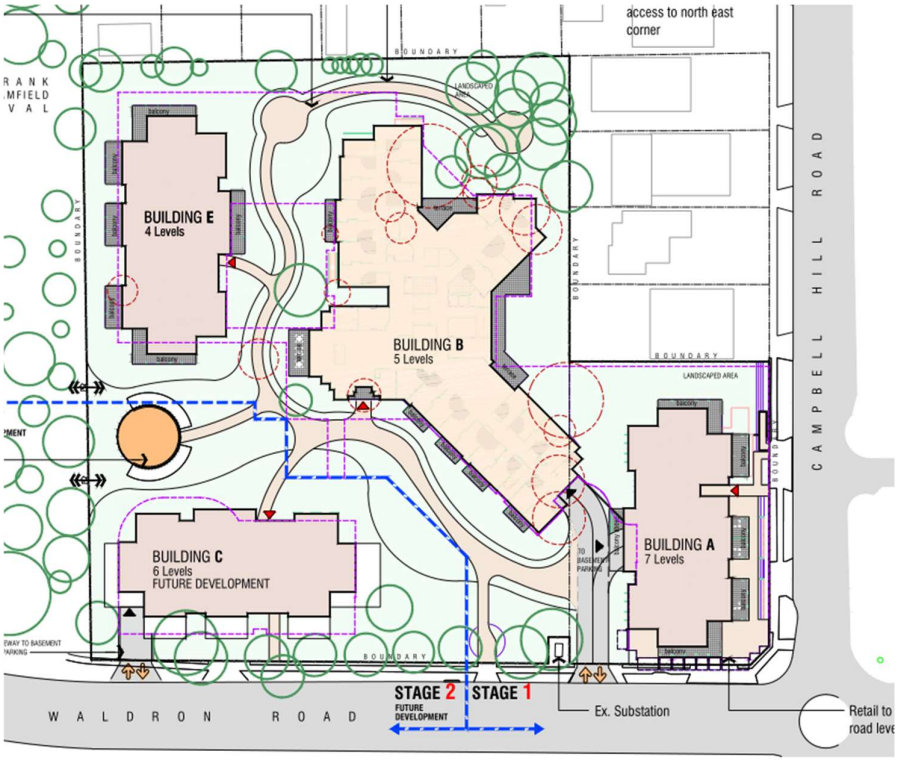
The concept masterplan, adopted for the purpose of requesting SEARs, shown above at Figure 6, largely complied with the height and FSR standards (as they now apply to the site), except for a minor exceedance to the height of Building A and an excess in FSR on the existing ATV site, as a result of a proposed transfer of available FSR, the transfer proposed under the current DA.

The SEARs were issued on 28 November 2022 and the design approach was then altered in light of the recommendations of the SDRP to: maximise landscaping opportunities; improve the interface with the reserve by minimising site coverage; and, to acknowledge the lower density residential uses to the north in the R3 zone.

This resulted in the deletion of Building D and the rotation of Building E, to minimise its interface with the R3 zone to the north; amendments to the footprint of Building B; and, the redistribution of some of lost floor space on top of the other buildings.

This has led to the current proposal comprising four buildings leading to additional opportunities to implement the Landscaping and 'Connecting with country' strategies which are at the heart of the design.

Figure 8: Current Proposed Concept Plan



Source: BRG

Since earlier planning feasibility in 2020, the project has had to overcome a number of significant changes to the statutory planning framework affecting the site including: a new LEP (including the re-zoning of the ATV site from SP2 to R4, and increasing both the FSR and Height standards); the repeal of *SEPP (Housing for Seniors or People with a Disability) 2004* and SEPP 65; and, the new SEPP(Housing)2021.

Around the time the concept proposal was presented to Council as a Pre-DA, SEPP(Planning Systems) was made which had the effect of making the project State Significant Development.

The LEP changes in 2023 have increased the development potential of the land, and other sites in the town centre. This is evidenced by the approved development at 137 Waldron Road and current planning for the redevelopment of the shopping centre.

Since then, in 2024, the development context of the site and surrounds has again changed by the introduction of *Chapter 6 Low and Mid Rise Housing* to SEPP(Housing)2021, (LMR).

The proposed development does not directly rely on the provisions of Chapter 6 of the SEPP but as discussed below with respect to the response to context and discussions related to Height and FSR, the LMR provisions now allow for residential flat development to a height of 22m/6 storeys, to the R3 zoned to the north of the site unlike the LEP where the most intense permitted residential use is multi dwelling housing with a maximum height of 10m. The LMR height provisions also exceed the height standards of 23.8m and 16.8m as they apply under Chapter 3, Part 5 of the SEPP, under which the proposal is assessed.

Given the uplift to development potential arising from these legislative changes, it is reasonable to form the opinion that the centre is entering a period of transition in terms of the built form character and intensity and variety of uses.

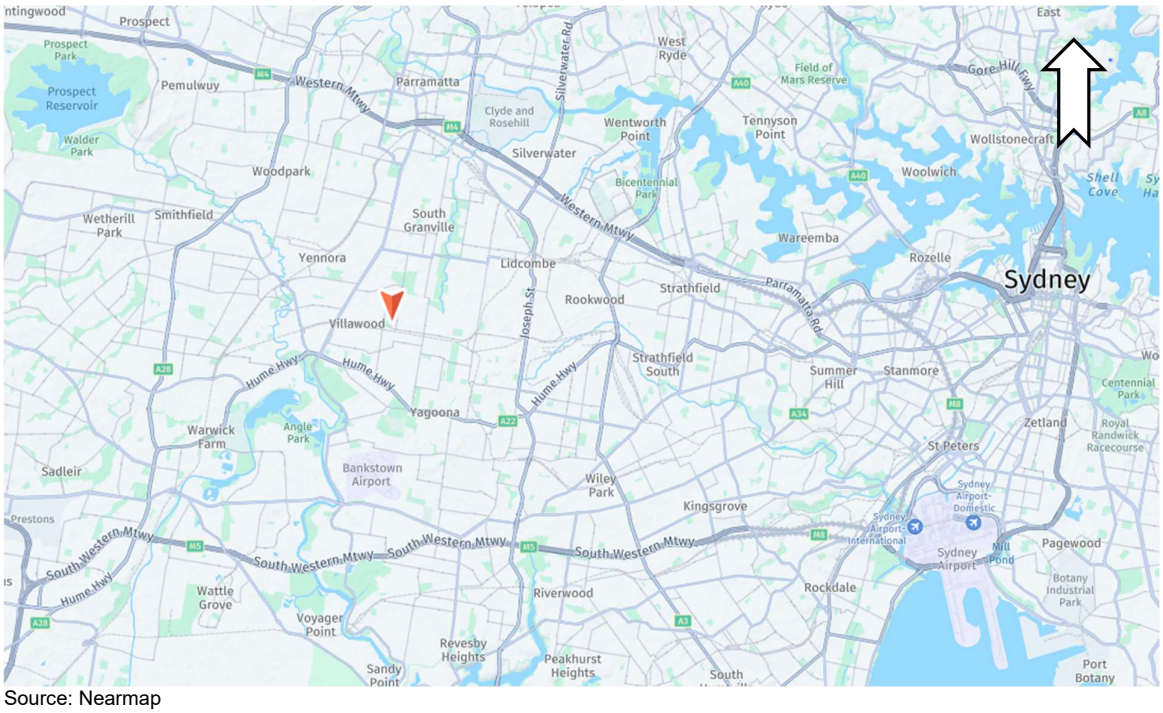
2 Site

The site, 222 Waldron Road and 138-140 Campbell Hill Road, Chester Hill, a suburb within the Canterbury-Bankstown Council area. It is located at the western edge of the local centre and comprises two distinct elements:

- the existing seniors housing development, owned and operated by ATV, (‘the ATV site”), at 222 Waldron Road, Chester Hill; and,
- 138-140 Campbell Hill Road, Chester Hill - vacant land adjacent to the ATV site, which previously accommodated a service station, (now demolished and remediated), at the corner of Campbell Hill Road and Waldron Road.

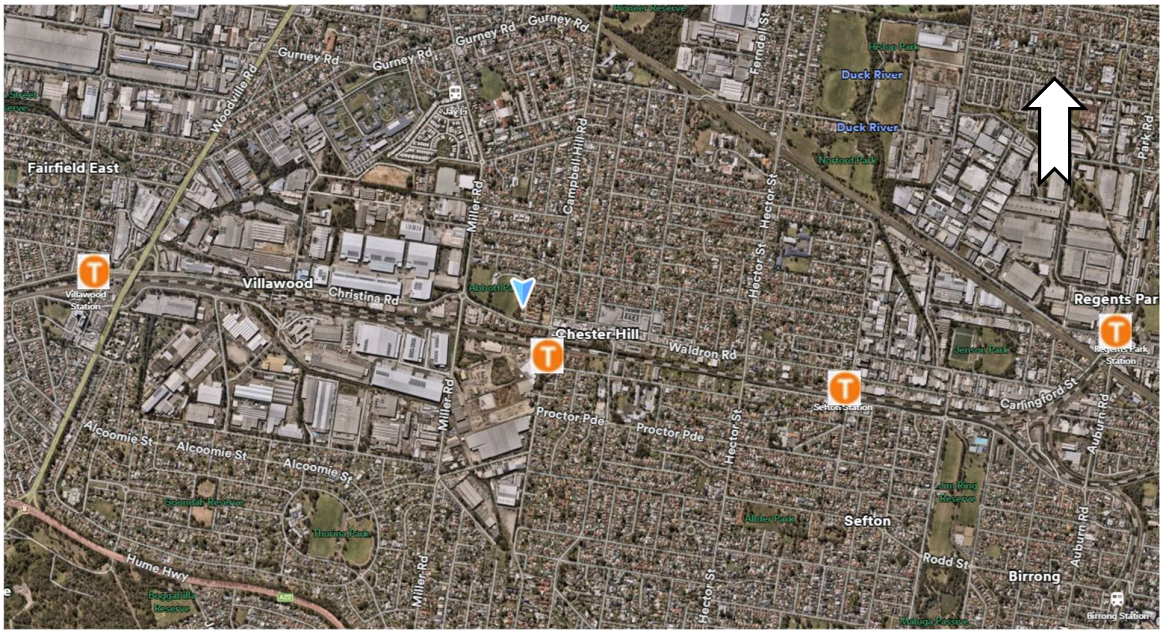
The subject land is legally described as Lot 11 DP827703 (ATV site) and Lots 5-7 DP30305 (vacant site) and has a combined area of 12,738sq.m. The ATV site has an area of 10,553sq.m. The vacant site has an area of approximately 2,185sq.m. Refer to the site location plans below.

Figure 9: Site Location Plan



Source: Nearmap

Figure 10: Site Location Plan



Source: Nearmap

Figure 11: Aerial site context plan

Source: Nearmap (Boundary indicative)

Figure 12: Detail aerial site plan

Source: Nearmap (Boundary indicative)

An elevated view of the development opposite the site to the south opposite Waldron Road is provided below.

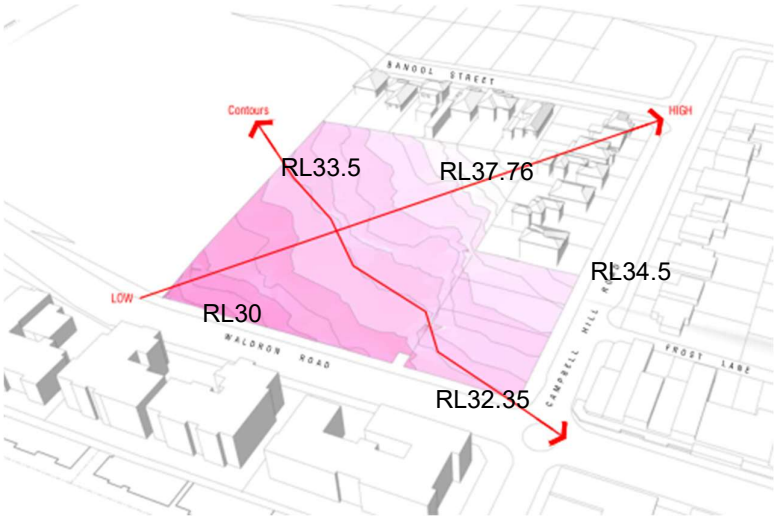
Figure 13: Elevated southern view to opposite side of Waldron Road.

Source: Nearmap (Site boundary indicative) (NTS)

The Campbell Hill Road frontage slopes from the north towards Waldron Road, with a change in level across the eastern site boundary of ~2.2m. The predominant slope is from the north-west to the south-

west with a change in level of ~7.5m. Refer to the site topography plan below with key RLs added, and the site surveys at **Appendix E**.

Figure 14: Site topography plan (1m contours)



Source: BRG

Figure 15: Existing entry to ATV village off Waldron Road

Source: Evolution Planning

Figure 16: North view - west boundary

Source: Evolution Planning

Figure 17: Vacant former service station site.

Source: Evolution Planning

Figure 18: ATV Village as viewed from public reserve

Source: Evolution Planning

The existing ATV development comprises a variety of buildings spread across the site in one and two storey forms including: 24 high care units; 6 hostel style units for palliative care; 12 ILUs located in 3 x 2 storey buildings; 34 single storey ILUs; a central kitchen, laundry, lounge/dining rooms, and administration spaces.

The ATV site is presently serviced by two driveway crossings off Waldron Road leading to 13 x visitor parking car spaces, 1 x motor bike bay, and a waste collection zone. The western driveway crossing leads directly to the main secured entry and gatehouse. A nominated doctors' space is available before the secured entry and there are 12 car spaces within the development.

Vegetation, landscaping and open space is fragmented across the ATV site with the majority of noteworthy site landscaping being located at the central and north-east portions of the site. A detailed description of the trees on the site is provided in the Arboricultural Appraisal and Method Statement, prepared by Naturally Trees, **Appendix M.** Refer to **Section 7.6.1** below.

The site is located within the Chester Hill Local Centre serviced by the Chester Hill train station, located ~370m from the site.

Development in the immediate vicinity of the site includes:

- medium density housing opposite Waldron Road to the south comprising 3 x residential flat buildings of 2-3 storeys;
- a public reserve, (Abbott Park), to the immediate west;
- the northern boundaries and the east (non-street boundary) all have interfaces with R3 zoned land presently accommodating low density single dwellings, including:
    - the rear boundaries of dwelling lots on the south side of Bancol Street (No's 1, 3, 5, 7, 9 and 11);
    - the rear boundaries of 130, 132, and 134 Campbell Hill Road; and,
    - the south side boundary of 136 Campbell Hill Road;
- a single dwelling (119 Campbell Hill Road) and the side elevation of commercial premises at the end of the Chester Hill local centre on the opposite side of Campbell Hill Road to the east (220 Waldron Road);
- 137 Waldron Road is located to the south east of the site, diagonally opposite the junction of Campbell Hill Road and Waldron Road, which presently accommodates a dilapidated service station. It is the subject of a consent, (DA776/2020), for an eight storey, shop top housing development containing 100 apartments, which has been considered in the emerging site context and this assessment.

Figure 19: Dwellings on south side of Bancol Street to north of site

Source: Evolution planning

Figure 20: Rear view of Bancol Street dwellings from the rear of the site

Source: Evolution planning

Figure 21: Medium density housing opposite Waldron Road to the south

Source: Evolution planning

Figure 22: View north along Campbell Hill Road (former service station on left of image)

Source: Evolution planning

Site Affectations

The site is not identified in any environmental planning instrument as having any significance in terms of indigenous or European cultural heritage; critical habitat; biodiversity; saline soils; bushfire; acid sulphate soils; or land acquisition.

The site is shown on Council's mapping system as being affected by the Probable Maximum Flood (PMF) event in the vicinity of the existing driveway at the south-west corner of the site.

The groundwater level below the site sits at approximately 1m-4m below the existing ground levels.

The site is unaffected by any easements or covenants. All services and utilities are presently available on the site.

3 Strategic Context

3.1 Strategic Planning

The Strategic Planning context shaping planning policy in the context of this site and proposed development includes:

- *Greater Sydney Region Plan;*
- *South District Plan;*
- *NSW Ageing Well in NSW: Seniors Strategy 2021-2031;*
- *City of Canterbury - Bankstown Community Strategic Plan;*
- *City of Canterbury - Bankstown Local Strategic Planning Statement - Connective City 2036;*
- *Canterbury-Bankstown Housing Strategy;*
- *Canterbury-Bankstown Affordable Housing Strategy; and,*
- *Canterbury-Bankstown Employment Lands Strategy.*

There is a recurring theme in the related strategic planning framework of promoting additional housing, in particular intensified seniors housing, in proximity to existing infrastructure. The proposal fully supports this urgent planning priority, as expanded upon below.

3.1.1 Greater Sydney Region Plan: A Metropolis of Three Cities

The proposed development aligns with the following objectives of the Plan:

- *Objective 4 – Infrastructure use is optimised*
    - *Strategy 4.1 Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities*

Comment: The intensification of the residential use of the land, including the uptake of incentivised FSR, in proximity of the train station maximises the use of this infrastructure asset.

- *Objective 6 Services and infrastructure meet communities' changing needs*
    - *Strategy 6.1 Deliver social infrastructure that reflects the needs of the community now and in the future.*

Comment: The proposed specialised form of housing responds to the housing needs of the aging community.

- *Objective 7 Communities are healthy, resilient and socially connected*

Comment: The continued use and intensification of this seniors housing development, in proximity to the local centre in an accessible location; and, the proposed landscaping strategy comprising a network of interconnected open spaces, promotes opportunities for people to walk and use public transport; and, co-locating aged care with other facilities.

- *Objective 10 Greater housing supply*

Comment: The proposal represents a significant boost to the supply of this specialised form of housing for the elderly and those persons with a disability. By providing more and higher quality seniors

accommodation, seniors are more inclined to move to this type of housing, freeing up standard dwellings to the market.

- *Objective 11 Housing is more diverse and affordable*

Comment: The proposal includes different types of housing for the elderly and those persons with a disability to accommodate the level of mobility and disability of the individual. The RCF will cater for low-moderate care up to specialised dementia care.

A minimum of 20% of the RCF beds will be concessional places, meaning such places may be occupied at the cost of the aged pension.

- *Objective 12 Great places that bring people together*

Comment: Whilst this objective relates more to the strategic planning functions of Council and urban design imperatives of the public domain, a key objective of the proponent is to create a community which is inclusive, regardless of the degree of mobility and/or disability of the individual and a development which incorporates inviting and people-friendly open spaces and communal facilities.

This objective has been achieved by the proposed variety of external and internal common spaces throughout the development, including a community café which will be the heart of activity in the development and located at the centre of the landscaped network of pathways and pocket parks.

- *Objective 14 A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*

Comment: The intensification of this residential use within walkable distance to the train station supports this objective.

- *Objective 30 Urban tree canopy cover is increased*

Comment: The proposed development involves a significant increase to the tree canopy on site.

- *Objective 34 Energy and water flows are captured, used and re-used*

Comment: The proposal includes solar panels at roof level and a 20Kl stormwater harvesting tanks. Refer to **Section 7.7** below with respect to ESD.

- *Objective 38 Heatwaves and extreme heat are managed*

Comment: Green roofs are proposed for parts of the roofs, to reduce the urban heat island effect. The design strategy of minimising site coverage, increasing site landscaping, creates the opportunity for numerous canopy trees and green 'heat absorbers', which will reduce vulnerability to extreme heat.

3.1.2 South District Plan

The District Plan includes a series of Planning Priorities to give effect to the objectives identified in the Region Plan.

The proposed development aligns with the following Planning Priorities of the District Plan:

- *Planning Priority S3 Providing services and social infrastructure to meet people's changing needs*

Comment: An 85% proportional increase in demographic cohort of people aged 85 and over, and a 57% increase in the 65–84 age group is forecast in the South District by 2036. This means 19% of the District's population will be aged 65 or over in 2036, up from 15% in 2016. Canterbury-Bankstown Local Government Area will see the highest growth in older people in the South District, with an estimated 35,900 additional people aged 65 or over by 2036.

To address this growth in the aged population, the District Plan advocates more diverse housing types and medium density housing within walkable neighbourhoods which will create opportunities for older people to continue living in their community, close to family, friends and established health and support networks.

Care for people with specific needs such as those with dementia and the frail aged is also identified as a priority.

The proposed development directly supports this Planning Priority by increasing the supply of housing for the elderly in a variety and forms to meet the housing needs of the aging population.

The project involves the provision of 64 x LIUs a 120 x bed RCF, representing a significant increase in the supply of this specialised housing type, in the City of Canterbury-Bankstown. The offer of various levels of care fully supports the goal of allowing people to continue to live in their community amongst established support networks and to age in place.

- *Planning Priority S5 Providing housing supply, choice and affordability, with access to jobs, services and public transport*

Comment: The proposal will increase the supply of this specialised form of housing; which includes a variety of housing types and care offers, and will lead to more housing opportunities in the general housing market as traditional housing is vacated.

3.1.3 City of Canterbury-Bankstown Community Strategic Plan

The Community Strategic Plan encompasses seven key strands:

1. *Safe and Strong - a proud inclusive community that unites, celebrates and cares*

- *Provide high quality community services and buildings.*
- *Make the City safer, more accessible – care for others.*
- *Value our history and identity. Promote harmony and inclusiveness.*

Comment: This objective aligns with those of ATV in terms of creating a "*proud inclusive community that unites, celebrates and cares".* ATV is proud of the community spirit enjoyed by the existing residents and staff, which is a key goal ATV wish to emulate in the re-developed village.

The proposed development has been assessed as satisfactory from a crime prevention and safety perspective, satisfying the principles related to Crime Prevention Through Environmental Design, (CPTED). The proposal includes a variety of indoor and outdoor communal spaces, which may be used safely, by residents and their guests.

2. *Clean and Green - a cool, clean and sustainable city with healthy waterways and natural areas*

- *Protect and promote local biodiversity. Improve local waterway health.*
- *Reduce our carbon footprint.*
- *Keep the City clean and cool.*

Comment: The proposed generous landscaped spaces create a connection between the users and the natural environment. The significant vegetation at the north-east corner of the site is retained and the canopy cover across the site is significantly increased as a result of the proposal. The extensive site landscaping also creates a green transition from the western edge of the centre to the public reserve.

The proposed development incorporates the principles of WSUD to optimise local waterway health.

3. *Prosperous & Innovative - a smart and evolving city with exciting opportunities for investment and creativity*

- *Provide opportunities for a cosmopolitan, vibrant and dynamic City.*
- *Pursue learning opportunities and Smart City innovations.*
- *Promote long term economic and employment growth. Provide and promote artistic and cultural opportunities*

Comment: The proposed development is a significant next step in the emerging future character of this town centre. The local businesses will be invigorated by the increased residential population at the edge of the centre.

Internal communal spaces are available for residents to engage in artistic and cultural activities.

4. *Moving & Integrated - an accessible city with great local destinations and many options to get there*

- *Facilitate improved movement around the City for all users.*
- *Provide convenient, equitable and accessible parking.*

Comment: The location of the site is ideally suited for this type of housing, being in close proximity to public transport options, services and facilities, along accessible routes.

5. *Healthy & Active - a motivated city that nurtures healthy minds and bodies*

- *Promote accessible parks and open space catering to all ages and cultures.*
- *Promote lifelong learning. Promote healthy eating and active lifestyles.*

Comment: The proposed development promotes good health and supports this objective by:

- the provision of on-site medical care by registered nurses and visiting consulting professionals;
- encouraging healthy eating - a function of the central kitchen is to prepare meals for the residents in Building B (and for those residents in the ILUs as requested), which are planned to ensure residents are receiving a balanced and nourishing diet;
- the numerous exercise opportunities available to residents from casual strolls through the grounds, to more rigorous activities, some organised by ATV, in the proposed gym.

6. *Liveable & Distinctive - a well-designed, attractive city which preserves the identity and character of local villages*

- *Deliver an attractive, sustainable, affordable built environment.*
- *Ensure compliance with, and understanding of, local laws.*

Comment: The proposed development exhibits ‘design excellence’ and sits comfortably in the emerging character on the town centre and responds satisfactorily to the public reserve to the west and the R3 zone to the north.

7. *Leading & Engaged - a well–governed city with brave and future–focused leaders who listen*

- *Engage, involve and empower the community to participate in decisions that affect them.*
- *Deliver local and state services through shared facilities.*
- *Be innovative, responsive, forward thinking leaders providing well managed, open government. Understand and manage vulnerabilities, interdependencies and risks for a more resilient City.*

Comment: Future focussed decision makers and leaders will recognise the importance of this housing project and the necessity to distribute GFA across the site on a flexible basis, albeit in breach of the Additional FSR and Additional Height standards The flexible application of these standards is necessary to deliver the project and meet the Principles of SEPP(Housing) - to promote and encourage seniors housing.

3.1.4 City Canterbury-Bankstown Local Strategic Planning Statement – Connective City 2036

Evolutions to Achieve Connective City 2036

Evolution 6 Urban and Suburban Places, Housing the City

Comment: The Local Strategic Statement indicates an increase of people in the over-65 cohort requiring future planning for an aging population. The strategy advocates an increase in the supply of specialised housing; preferably within walking distance of a rail or metro station.

The proposal fully supports this related action of the strategy, being for specialised seniors housing within walking distance of the train station.

3.1.5 Canterbury-Bankstown Housing Strategy 2020

Guiding Principles

- *New housing is best located within walking distance of centres, open space and places of high amenity.*
- *New housing will need to provide a variety of dwelling types, sizes and price points to meet the needs of a diverse and aging population.*
- *The location and design of new housing must be compatible with the existing or desired future character of centres and neighbourhoods, with thresholds for design quality.*

Comment:The site is located in close proximity to public transport, public open space and local facilities.

The proposed development includes high-quality housing, of various types, specifically designed for the aging population and those with a disability. The design response to the site is compatible with the emerging character of the area. Refer to **Section 7.2** below for further discussion related to the design merits of the proposal.

3.1.6 Canterbury-Bankstown Affordable Housing Strategy

The aim of this strategy is to reduce the level of housing stress experienced by residents across the City of Canterbury Bankstown so that the community can thrive socially and economically by increasing the provision of affordable rental housing.

The delivery of additional seniors housing has the effect of freeing up traditional housing occupied by ‘empty-nesters’ to the open market, thereby indirectly boosting the supply of housing generally which leads to greater affordability and rental opportunities.

A minimum of 20% of the RCF beds will be concessional places, meaning such places may be occupied at the cost of the aged pension.

3.1.7 Canterbury-Bankstown Employment Lands Strategy

A strategic direction under this Plan, related to the Chester Hill Local Centre, is to “*Plan for commercial development matched with continued housing growth in the area to increase the population living in the retail catchment*”

The proposed development supports this strategy by the intensification of the residential population in the centre and the incorporation of commercial/retail uses at the ground floor of Buildings A and C.

To service the operations of the proposed seniors housing, Abel Tasman Village has advised that 126 (full time equivalent) staff will be required, including:

- 110 x Aged Care nursing and associated care staff across three daily shifts
- 12 x Management and administrative staff.
- 4 x Maintenance and garden staff

The existing Abel Tasman Village currently employs approximately 48 staff, leading to a net employment benefit of 78 full time equivalent operational positions.

The retail uses at the ground floor of Building A will offer additional employment opportunities of 1-2 positions per tenancy as a minimum.

For construction phased jobs, it is anticipated that the construction phase of the project will contribute to the creation of approximately 180 jobs, taking into account the proposed combined timeline of four years construction across multiple construction stages, and consequent design, management and trade requirements to deliver the project.

The proposal will stimulate the local economy by the influx of additional residents and demand on local services.

4 Proposal

This SSDA seeks approval for a Concept Development Application for the entire site and Stage 1 development consent for the first stage of works which, if approved, will allow for the construction of Buildings A, B and E.

The components of the proposed development shown in *DWG A3DA06 Masterplan*, ,described in further detail below, include:

Concept Approval:

- the use of the site as a "*mixed-use development*" including "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*" uses, comprising:
    - Building A - "*seniors Housing*" - Independent Living Units, (ILUs) with "*retail premises*" at ground level;
    - Building B – "*seniors housing"*, Residential Care Facility, (RCF);
    - Building E - "*seniors housing"* , (ILUs);
    - Building C– "*seniors housing"* (ILUs), with "*neighbourhood shops"* at ground floor level;
- building locations;
- building heights;
- floor areas;
- project staging and phasing;
- driveway crossings; and, internal driveways.

Stage 1 DA:

- Phased demolition of structures and tree removal;
- Site preparatory works including basement excavation;
- Constructions of buildings:
    - A – 7/8 storey building containing 39 ILUs and 4 retail tenancies facing Waldron Road;
    - B - 4/5 storey RCF containing 120 beds;
    - E - 4 storey building containing 25 ILUs;
- Landscaping;
- Civil work;
- Signage.

4.1 Project Overview

Data	Concept Plan	Project - Stage 1
Site Area	12,730sq.m	9,805.9sq.m
Use	Seniors Housing.	

	Building A – Retail and ground level; Building C – Neighbourhood shops at ground level.	
GFA	18,990.6sq.m	14,635.4sq.m
Retail GFA	353.3sq.m	159sq.m
Height (max/no of stories)	Building C - 26m - 6 storeys	Building A - 27.3m – 7-8 storeys Building B - 18.4m - 4-5 storeys Building E - 17.8m - 4 storeys
Landscaped area	8,073.2sq.m	RCF - 20.9sq.m/bed RCF - 40% deep soil ILUs - 68% landscaped area ILUs - 35.7% deep soil
No. of RCF rooms	110	110
No of RCF beds	120	120
No of ILU units	TBC	64
No. of car spaces	TBC	94
No of accessible car spaces	TBC	15

Table 3: Project Overview

4.2 Project Details

This section provides details of the proposed development. The design approach and principles leading to the current project and the merits of the design, are discussed at **Section 7.2** below, in response to SEAR 4, '*Built Form and Urban Design*'.

4.2.1 Concept Plan

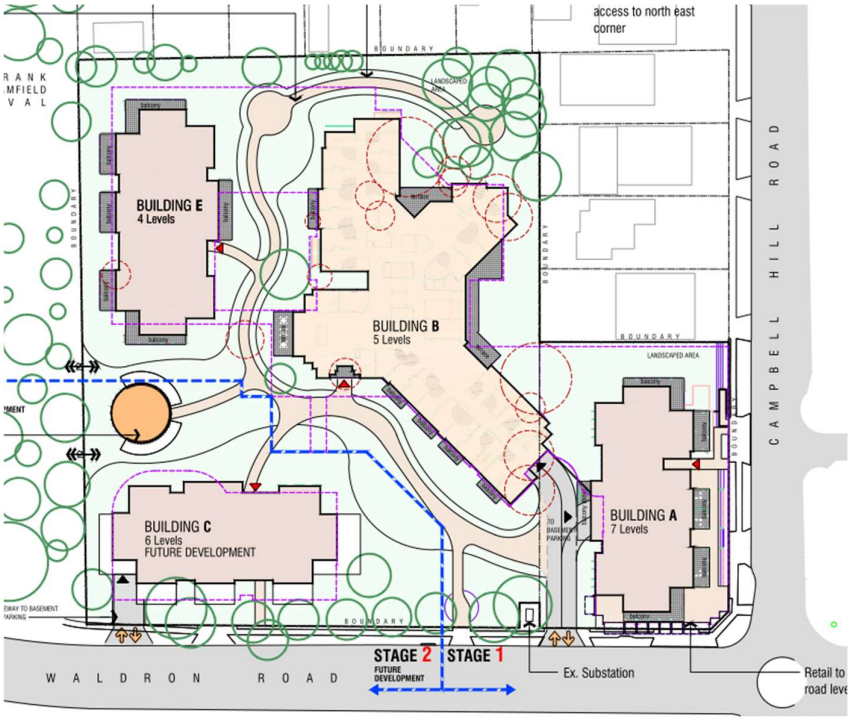
The Concept Plan seeks approval for:

- the use of the site as a "*mixed-use development*", including "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*" uses in four buildings, comprising:
    - Building A - "*seniors Housing*" - ILUs with "*retail premises*" at ground level;
    - Building B – "*seniors housing"* - RCF;
    - Building E - "*seniors housing"* - ILUs;
    - Building C– "*seniors housing"* - ILUs, with "*neighbourhood shops"* at ground floor level;
- building locations;
- building heights;
- floor areas;
- project staging and phasing;

- driveway crossings; and,
- internal driveways.

Refer to the extract of the proposed concept masterplan and further detailed description below.

Figure 23: Extract proposed Concept Plan and Staging



Source: BRG

The site has an interface with a lower density residential zone to the north (R3) and the concentration of the proposed building massing is proposed at the mid-southern parts of the site. Buildings B and E are lower in scale and are located in the northern part of the site.

It has been a preference of ATV from the inception of the project to create an open, welcoming entry to the site. Buildings A and C define the streets and include retail, active street frontages along Waldron Road without significantly hindering outlooks to and from the site. This is achieved by the generous separation between Buildings A and C and the landscaped presentation to Waldron Road where the main pedestrian entry to the site is located.

The approach to site planning involves the holistic distribution of GFA across the site to maximise landscaping opportunities and create vistas into the heart of the site from Waldron Road and the reserve to the west.

The Concept Plan has also allowed for greater landscaping opportunities and the implementation of a Landscaping Plans and 'Connecting With Country' strategies, featuring a generous landscaped spine through the site, connecting the variety of open space areas, including a pocket park designed to create an improved relationship with the reserve, physically and visually.

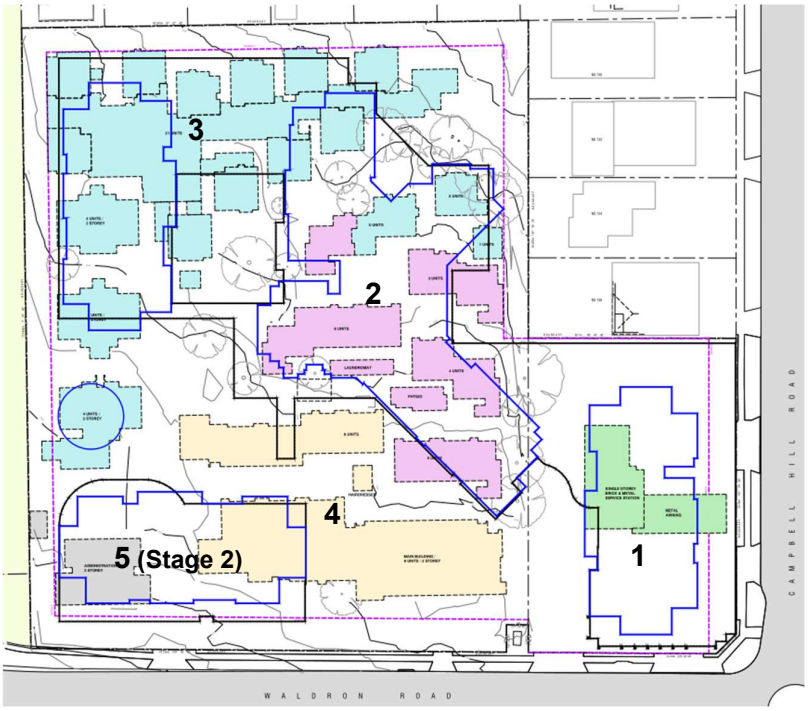
4.2.2 Stage 1 DA - Preliminary Works

4.2.2.1 Demolition

Demolition is proposed to be phased across Stage 1, as described in full below at **Section 4.2.8**, to address the accommodation and service requirements of the existing ATV residents. Refer to the

extract from the Demolition Plan DWG A1DA02, prepared by BRG, showed the staged approach to demolition. Since the preparation of the demolition plan, the former service station has been demolished as part of site remediation works.

Figure 24: Demolition Phasing Plan



Source: BRG

The existing central laundry, kitchen, buildings housing residential care rooms will be retained until the completion of Building B, which will include all central services at basement level. Building A may be occupied without relying on the remainder of the ATV development or any facilities in future phases.

4.2.2.2 Excavation

Preparation for the main basement level will require excavation of up to 4m towards its northern perimeters. The south edge of the ground floor of Building A is level with Waldron Road and then extends back into the site as an excavated basement.

Further excavation is required for a proposed lower basement which is limited in area (~190sq.m) and accommodates only plant/services. Refer to Figure 32 below showing a section through Building A. The lower basement is located centrally below the southern end of the Building A footprint.

The Building A basement is built to the Campbell Hill Road reserve and is setback from the northern boundary at this location by 900mm. The extended basement serving Buildings B and E is setback ~6m from the northern boundary, and, ~7m from the eastern boundary, (rear of the dwellings facing Campbell Hill Road).

The proposed earthworks will interfere the groundwater table below and the project will involve the dewatering of the site during construction, discussed below at **Section 7.11.**

4.2.2.3 Tree Removal

The proposal involves the removal of 37 trees within the site including 32 'Category A' trees and 9 unimportant trees. No 'Category AA' trees are to be removed. Refer to **Section 7.6.1** below for full discussion.

The proposed development will not create impacts on any trees outside of the site, subject to appropriate tree protection measures.

4.2.3 Stage 1 - Buildings A, B and E

- Building A - 39 x ILUs over 8 levels with retail tenancies fronting Waldron Road;
- Building B – RCF comprising 120 beds (110 rooms) over 5 levels;
- Building E - 25 ILUs over 4 levels.

Access to all of Stage 1 is proposed from a single driveway off of Waldron Road, leading to a single level basement. The basement services Buildings A, B and E and includes 92 car spaces, all centralised building operations, waste management functions, and building services.

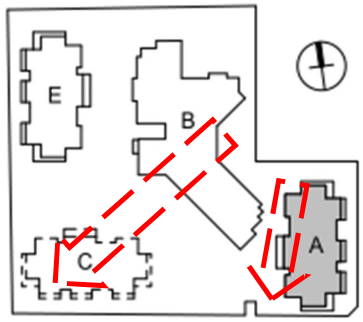
Figure 25: Streetscape view of Buildings A and C from junction of Campbell Hill Road and Waldron Road

Source: BRG

Building A

Building A is located on the vacant lot which, when completed, will accommodate those existing residents who would otherwise be displaced by the demolition of the existing accommodation in Stage 1 Phase 2.

Figure 26: Building A location plan (general slope direction)



Source: BRG

The former vacant lot slopes downwards to Waldron Road from the north with a change in level of approximately one storey between the north and southern boundaries at this part of the site. The site also falls away from Campbell Hill Road to the west. The ground level of the building presents to Waldron Road as four retail tenancies with the floor behind cut into the site behind. A smaller, lower basement of ~190sq.m, is proposed below Building A comprising plant and services. Six residential levels are proposed above, containing 35 x ILUs with a recessed level above including 2 ILUs and a communal west facing balcony.

Figure 27: Photomontage Building A from Campbell Hill Road

Source: BRG

The main building line is setback 7.8m from Campbell Hill Road and 8.3m from the neighbouring property to the north, 136 Campbell Hill Road. The uppermost level is recessed further than the setback of the levels below.

The residential presentation to Campbell Hill Road is consistent with, and appropriately responds to, the residential character of this street.

The building is modulated and articulated by protruding balcony bays and recessive lighter toned walls, creating a rhythm reflective of the subdivision pattern of the lower density development to the north and east of the site. The base of the building comprises face brick, a material common to the area.

Figure 28: Extract materials Building A

Source: BRG

Vehicular Access

- Dual access driveway crossing from Waldron Road, located close to the western boundary of the vacant lot;

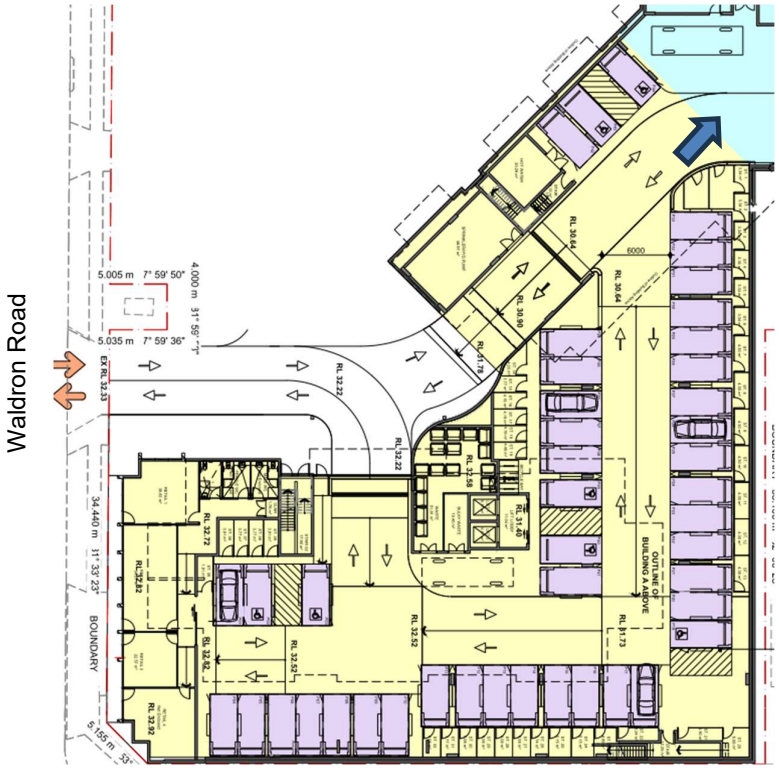
  Only one crossing is required to service Buildings A, B and E. A separate driveway will be provided to Building C in Stage 2.

- Internal driveway leading to the west side of Building A, ramping down to the basement. Refer to the extract of Building A LG/basement level below.

Ground Floor

- 4 x retail tenancies fronting Waldron Road with a combined GFA of 159sq.m;
- 1 x shared accessible; 1 x male ambient and 1 x female ambient WCs behind the shops;
- 44 cars spaces (7 accessible), reserved for Building A;
- 6 x bicycle spaces;
- 39 x storage cages;
- Lift lobby and two lifts to units above;
- Waste storage room and collection bay (refer to the detailed description below regarding waste management arrangements).

Figure 29: Extract Building A Ground Floor



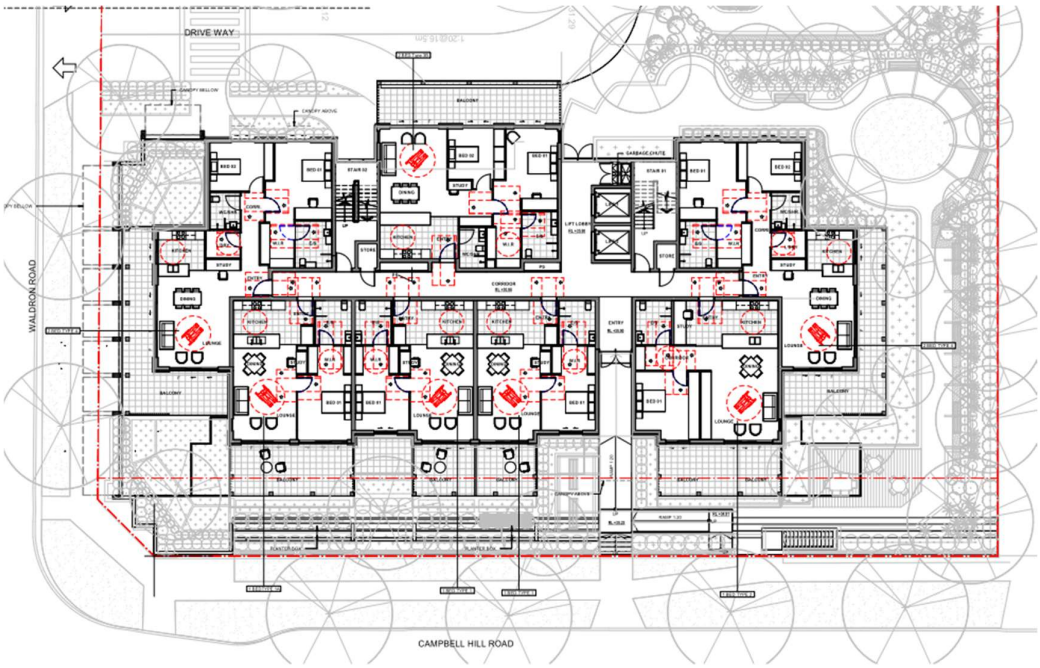
Source: BRG

Level 1

- Pedestrian entry to lift lobby off Campbell Hill Road;

- 4 x 1 bedroom, 3 x 2 bed room ILUs;

Figure 30: Extract First Floor Plan Building A



Source: BRG

Levels 2-5

- 6 x 2 bed room ILUs per level. (following the same footprint as Level 1 below).

Level 6

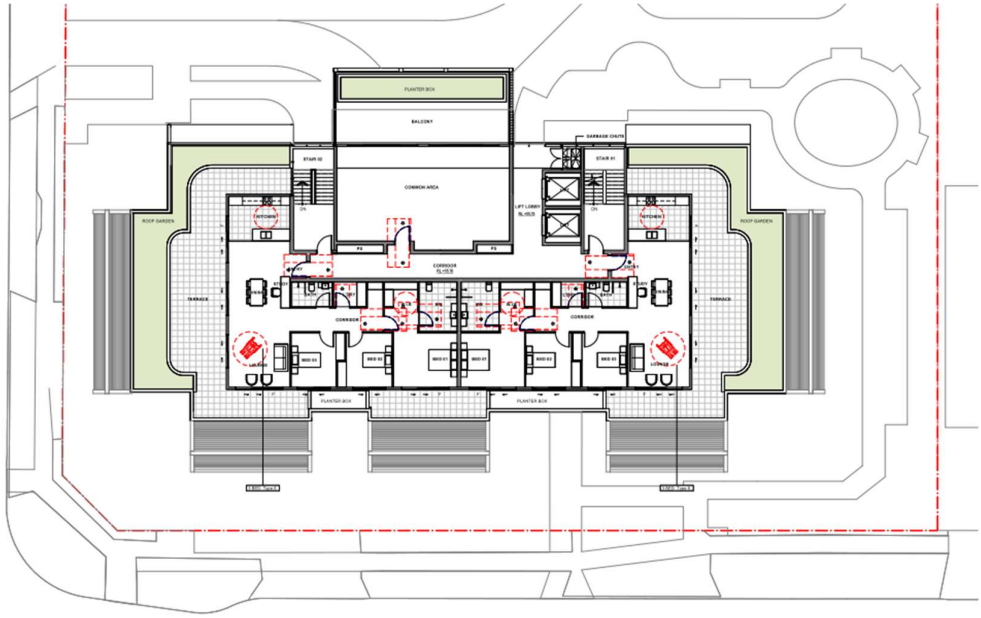
- 2 x 1 bed room; 2 x 2 bedroom; 2 x 3 bed room ILUs.

Level 7

- 2 x 3 bed room ILU's, recessed back from the external building lines below;
- Common room leading onto a west facing balcony for the use of all residents;
- Non-trafficable planter areas.

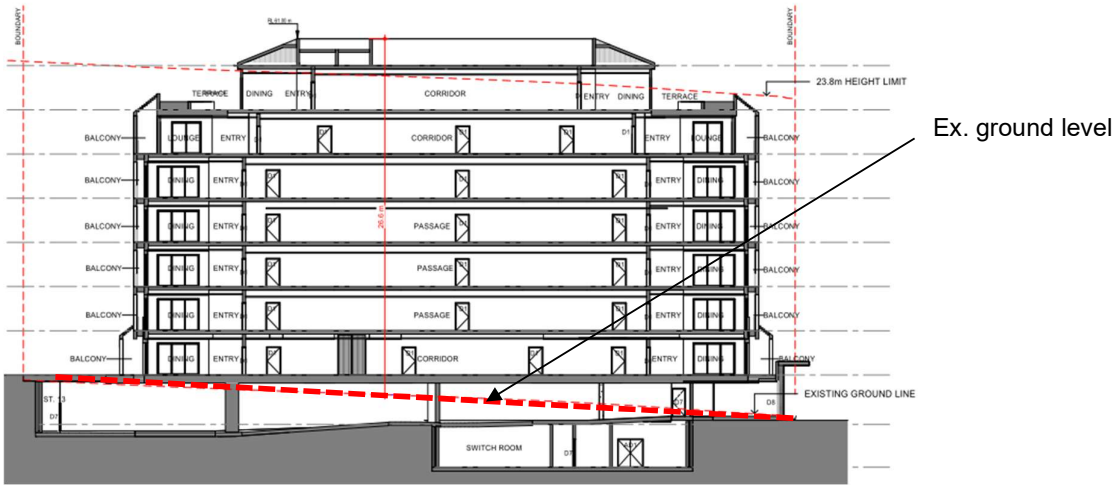
Refer to the extracts of Building A Level 7, N/S Section and the Waldon Road elevation below.

Figure 31: Extract Building A Level 7



Source: BRG

Figure 32: Extract Building A N/S Section

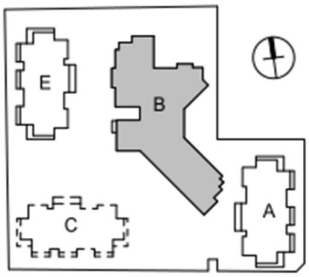


Source: BRG

Building B

Building B is a residential care facility located at the heart of the site. The building is of 4-5 storeys, comprising 120 beds in 110 residential rooms, over a basement level, shared with Building E. The irregular building footprint reflects the operational requirements for this type of specialised housing, which requires staff nodes and surveillance along accommodation wings.

Figure 33: Building B location plan



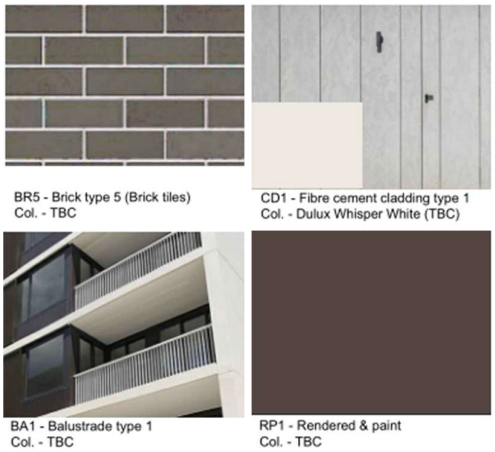
SOURCE: BRG

The main entry to the building is serviced by an internal driveway, an off-shoot of the basement driveway, leading to a covered drop off area, sometimes referred to as 'porte cochere', a turning area for vehicles, and ambulance bay. Each level includes a variety of common lounge and dining areas. A communal area of open space and a community room is provided at roof level.

The landscaped zone to the north-east and east of the building is specifically designed as secure sensory garden for high-care patients.

The materiality of the building, like Building A, presents as a solid base with the use of dark brown bricks and creates vertical expressions over the horizontal massing of the building by delineating windows bays and balconies, by varying the materials with cement cladding; aluminium framed windows and steel railing type balustrades.

Figure 34: Extract materials Building B



Source: BRG

Basement

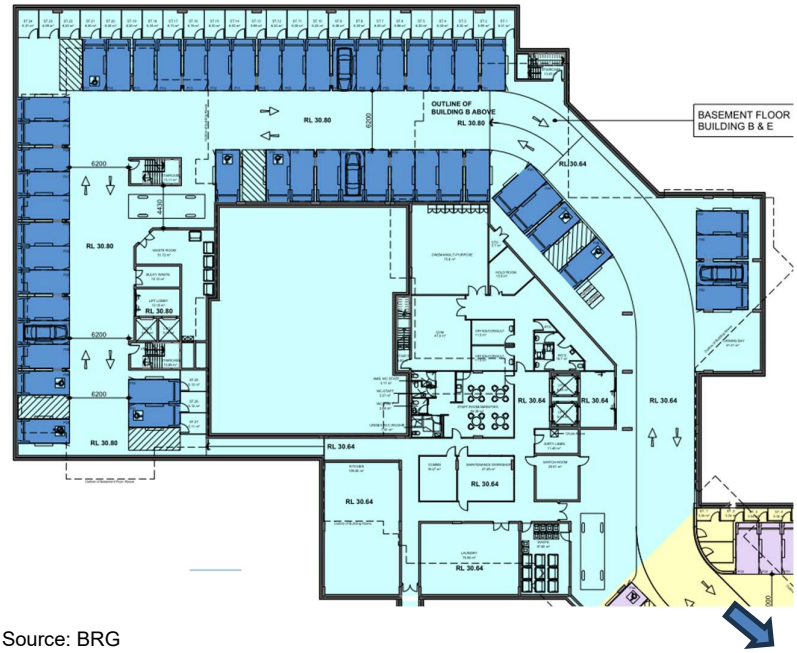
The basement at this location services both Buildings B and E and contains:

- 50 x car spaces - 27 reserved for Building B, (including 8 x accessible spaces);
- 27 x residential storage cages;
- Waste storage room and collection bay;
- 2 x lift lobbies to twin lifts leading to Buildings B and E above;
- Cinema/multi-purpose room;
- Gym;
- Staff room and amenities;
- Kitchen;
- Laundry;
- Consulting room;

- Holding room;
- Maintenance/workshop;
- Plant rooms.

Refer to the extract of Building B (and Building E) basement below.

Figure 35: Extract Basement Buildings B and E



Source: BRG

Ground Floor

- Entry lobby, reception and administration offices;
- Community Café opening onto external terrace;

  The café is ancillary to the principal use as a seniors housing development and is not a separate commercial land use.

- Hair salon;
- 26 x residential rooms each with ensuite amenities, (27 beds);
- Wash-up and servery;
- 2 x dining rooms and other smaller lounge spaces;
- Staff stations, amenities and operational spaces, such as utility rooms.

Levels 1-3

Each level:

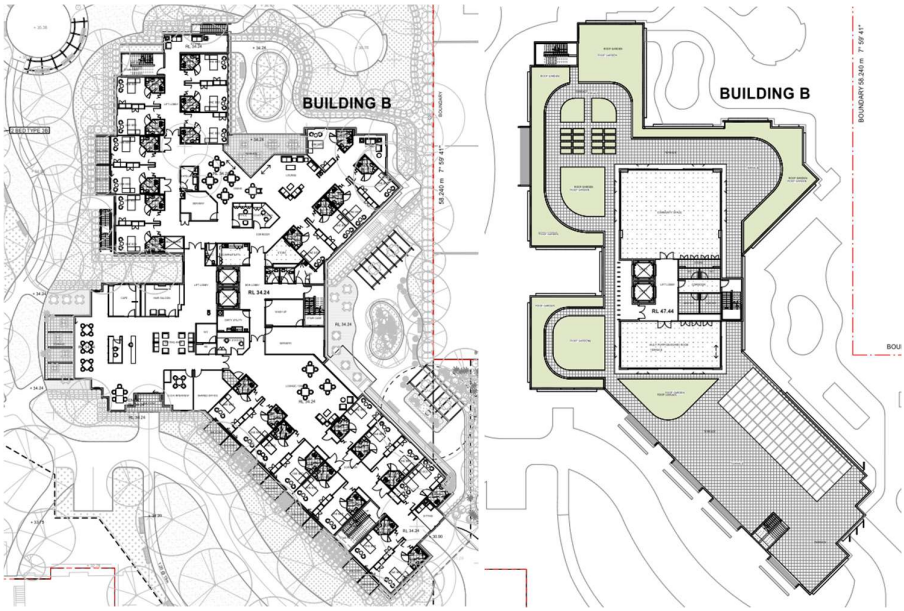
- 28 x residential rooms each with ensuite amenities, (31 beds);
- Wash-up and servery areas;
- 2 x dining rooms and other smaller lounge spaces;
- Staff stations, amenities and operational spaces such as utility rooms

Level 4

- Two community rooms recessed back from the external building lines below;
- Communal open space and roof gardens;
- Solar panel array.

Refer to the extract of Building B ground floor and roof plan below.

Figure 36: Extracts Building B ground floor and roof plan

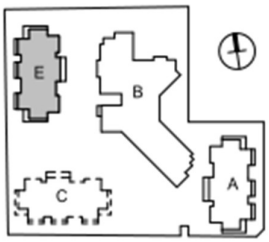


Source: BRG

Building E

Building E is located at the north-west portion of the site and is orientated to present to the reserve minimising its exposure to the R3 zoned land to the north.

Figure 37: Building E location plan

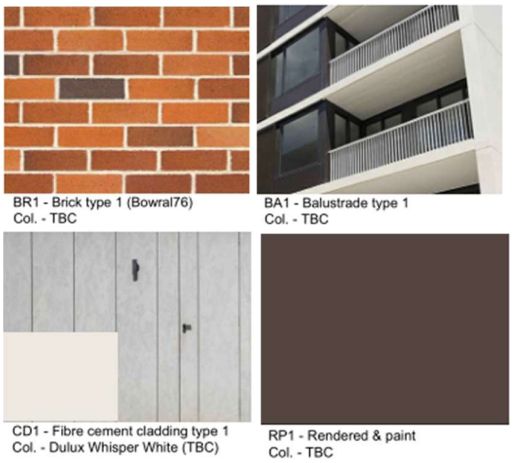


Source: BRG

The four-storey building contains 25 ILUs and sits over the shared basement described above, where 23 car spaces are reserved for this building.

The materiality of the building, like Buildings A and B, has a face brick base, reflecting the use of materials in the neighbourhood. The building is suitably articulated by protruding balcony bays overlooking the reserve.

Figure 38: Extract materials Building E



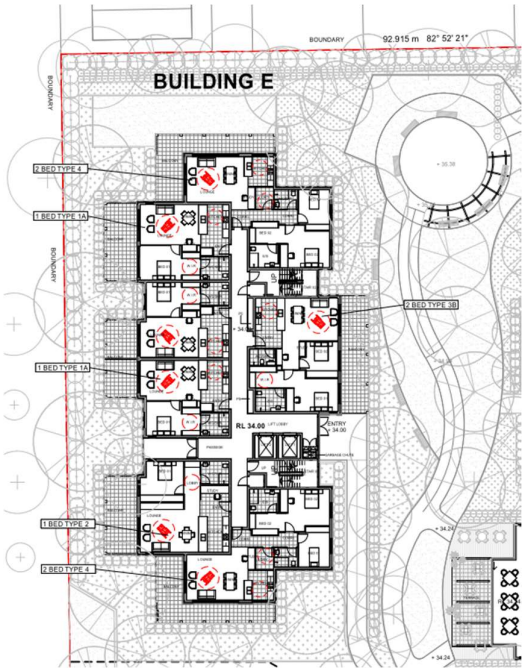
Source: BRG

Ground Level

- Pedestrian entry on the east side of the building, conveniently located next to the landscaped pedestrian spine running through the development;
- Lift lobby to twin lifts;
- 4 x 1 bedroom, 3 x 2 bed room ILUs;

Refer to the extract below of the Building E ground floor plan.

Figure 39: Extract Ground floor Building E



Source: BRG

Levels 1-3

Each level:

- 6 x 2 bed room ILUs;

Roof

- Communal open space.

Figure 40: Extract Building E - west elevation

Source: BRG

4.2.4 Signage

Signage is limited to the main pedestrian entry to the site and the corner of Building A in the form of building identification signs. Refer to the extracts of the photomontages below.

Figure 41: Sign at pedestrian entry to site

Source: BRG

Figure 42: Building identification sign. Building A, corner Waldron Rd and Campbell Hill Rd

Source: BRG

4.2.5 Landscaping

The proposed landscaping strategy, (Landscaping Plan, prepared by Site Image - **Appendix C**), is a culmination of a collaborative process, led by Site Image, the project Landscaping Architect, involving ATV, the project architect, ecologist, arborist, and The Gaimaragal Group. Refer to the extracts below of the final and Stage 1 landscaping masterplans, prepared by Site Image.

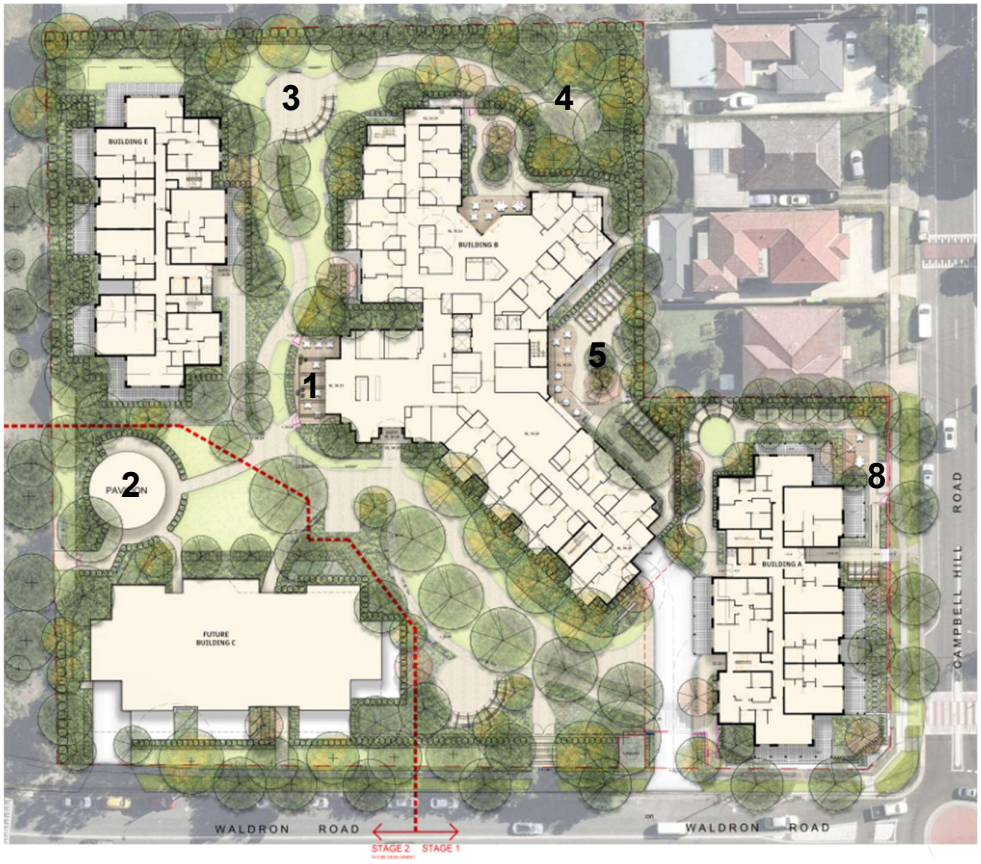
The Landscaping Plan includes: the Landscaping Masterplans for Stages 1 and 2; details of all plantings, (types and number and species, mature heights/spreads), and planting and maintenance specifications.

The approach to site planning of minimising site coverage has led to enhanced landscaping opportunities across the site and the ability to deliver this quality landscaping outcome.

Key features of the landscaping strategy include:

- The overall quantity of quality landscaped space, exceeding all minimum planning requirements related to landscaped area, deep-soil zones and common open space, achieved by minimising the building footprints and hard-cover areas;
- The open nature of the entry to the site when viewed from Waldron Road;
- The variety of external open space areas and the network of pathways connecting these spaces, including the central landscaped spine connecting all external areas and building entries;

Figure 43: Extract Final Landscaping Masterplan



Source: Site Image

- A variety of landscaped spaces and communal recreational spaces are incorporated in the plan including, (numbered on Figure 43 as relevant):
    1. the café and outdoor seating area at Building B;
    2. the Pavilion Park and access to the reserve;
    3. the passive recreation spaces at the northern end of the site;
    4. the retained paper-bark trees at the north-east corner of the site, and the creation of the "*Grove*" spiritual walk;
    5. a secure sensory garden on the east side of Building B for the use of high-care residents;
    6. communal landscaped open spaces on the roofs of Buildings B and E;
    7. additional green infrastructure in the form of non-trafficable planter boxes, creating the recess to the upper floor of this building; and,
    8. the landscaped garden setting surrounding the courtyard units in Building A.

The site landscaping strategy combines incorporates contemporary landscaping design principles with indigenous themes developed in the Connecting with Country Strategy, prepared by The Gaimaragal Group, **Appendix N**, which identifies a connection with the Dutch founders of ATV and early colonists in WA.

The proposed number and variety of trees compensate for the loss of existing trees and involves a significant increase to canopy cover. The proposed landscaping strategy is fully integrated with the architectural design, and is purpose designed for the future users.

Fencing has been selected to appropriately secure the site, without introducing adverse impacts on the streetscape, and maximise the permeability between the site and the reserve. Paling type fencing is proposed along the Waldron Road frontage, where it is setback and screened by landscaping. The same type of fencing is proposed along the western boundary to allow for permeability between the site and the public reserve. The northern boundaries and the eastern boundary adjacent to Building B will have solid timber fences of 1.8m which will mitigate privacy impacts at ground level.

At the end of Stage 1, the land comprising Stage 2 will accommodate an existing administration building and hardstand area for associated parking, with extended lawn areas integrating this part of the site into the Stage 1 design, until the commencement of Stage 2.

4.2.6 Stormwater Management

A Stormwater Concept Plan and Stormwater Management Report has been prepared by ADP Consulting, provided at **Appendix D** and **Appendix NN** respectively.

All stormwater gathered within the site will be directed to one of two underground OSD tanks. OSD Tank 1 is located below the site of the proposed pavilion structure in Stage 2, which may be adapted to allow for inspection and access to the tank. OSD Tank 1 has a volume of 80.83cb.m and discharges by gravity to Council's drainage system on Waldron Road.

OSD Tank 2 is located below the proposed driveway, has a volume of 47.95cb.m, and also discharges to Waldron Road. A proposed third discharge point to Waldron Road contains stormwater which has not been collected on the site and by-passes the OSD system. The stormwater, captured by shallow swales at the boundary edges, is overland flows from the neighbouring, upslope properties. Stormwater captured at the basement and parking areas will be directed to a pit and pumped to the OSD system.

Before passing into the OSD tanks, all stormwater will pass through gross pollutant traps, and sediment filters are proposed within the OSD tanks. Stormwater management and water quality is discussed below at **Section 7.12**.

4.2.7 Waste Management

Each building is serviced by separate waste/recyclable storage rooms at basement level. Buildings A and E each have bulky waste store rooms and chute delivery systems. A collection bay is provided adjacent to each of the waste store rooms. Waste collection will be conducted on-site at basement level, out of view of the public domain by private contractors. Refer to **Section 7.15** below.

4.2.8 Demolition and Construction Phasing

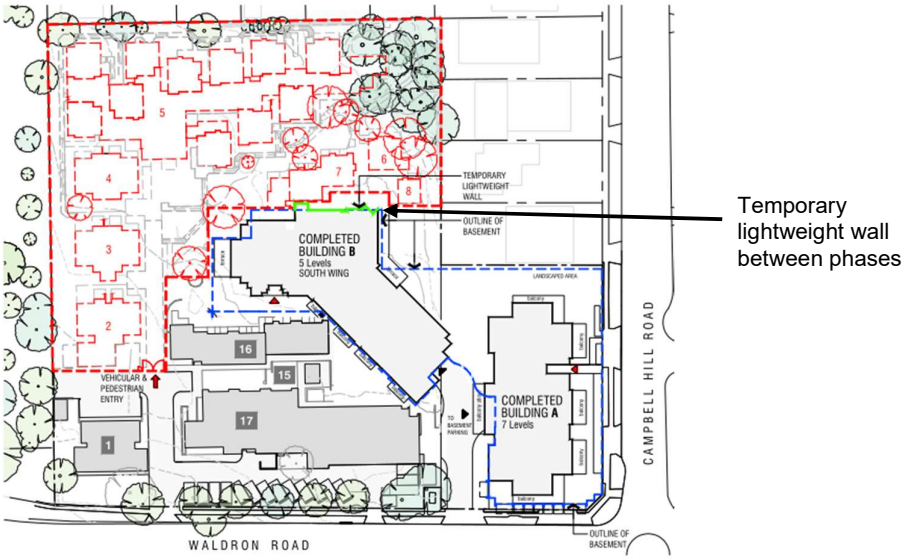
Stage 1 is to be phased so that the existing residents may be accommodated and for project funding reasons, as shown in DWGs A3DA39-40, prepared by BRG as extracted in part below.

Stage 1 Phase 1 will include the completion of Building A and vehicular access from Waldron Road. The completion of this Phase is critical to on-going project funding and the housing needs of existing ATV residents.

The next phase is Building B, the RCF. Due to the additional costs associated with the construction of the RCF, and the necessity to provide high levels of care, early on in the project, Building B is to be constructed in two phases. The retention of the existing buildings, where the second part of Building B is located, is also important since they comprise existing high care units which will have to be retained until Building B phase 1 is completed.

The remaining structures within the Stage 1 area will then be demolished, Building B completed and Building E constructed at the north-west portion of the site. Refer to an extract of the Stage 1 Phase 4 plan below showing the completed first phase of Building B and the following proposed demolition.

Figure 44: Extract Stage 1 Phase 4 - Demolition/Phasing Plan



Source: BRG

To facilitate the delivery of the project, it is proposed to stagger developer contributions to generally follow the proposed phasing program within Stage 1. Refer to **Section 6.24** 'Contributions & Public Benefit'.

The phasing of proposed civil and landscaping works are provided at **Appendix C** and **Appendix** D, respectively.

Refer to the accompanying drawings providing details for which consent is sought:

- Architectural drawings, BRG, **Appendix B**, (Complete A1 set and A3 DWG06-Masterplan for consent purposes);
- Landscaping Plan, Site Image, **Appendix C**;
- Civil and Stormwater Plans, **Appendix D**.

4.3 Capital Investment Value & Employment

4.3.1 Estimated Development Cost

Stage 1 of the proposed development has an Estimated Development Cost (EDC) of $75,756,631.00. Refer to **Appendix K** for the EDC Report, dated 24/10/25, prepared by Arcadis.

4.3.2 Employment

To service the operations of the proposed seniors housing, Abel Tasman Village has advised that 126 (full time equivalent) staff will be required, including:

- 110 x Aged Care nursing and associated care staff across three daily shifts
- 12 x Management and administrative staff.
- 4 x Maintenance and garden staff

The existing Abel Tasman Village currently employs approximately 48 staff, leading to a net employment benefit of 78 full time equivalent operational positions.

The retail uses at the ground floor of Building A will offer additional employment opportunities of 1-2 positions per tenancy as a minimum.

For construction phased jobs, it is anticipated that the construction phase of the project will contribute to the creation of approximately 180 jobs, taking into account the proposed combined timeline of four years construction across multiple construction stages, and consequent design, management and trade requirements to deliver the project.

The proposal will stimulate the local economy by the influx of additional residents and demand on local services.

5 Statutory Context

This section of the report provides an overview of the key statutory requirements relevant to the site and the project, including the power to grant consent, permissibility, other approvals, pre-conditions, and mandatory considerations, under the following statutes and instruments:

- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999;*
- *NSW Water Management Act 2000;*
- *NSW Biodiversity Act 2016;*
- *NSW Environmental Planning and Assessment Act 1979;*
- *NSW Environmental Planning Assessment Regulation 2021;*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Housing) 2021;*
    - *Chapter 3 Part 5 housing for seniors and people with a disability;*
    - *Chapter 4 Design of residential apartment development;*
    - *Chapter 6 Low and Mid Rise Housing*
- *State Environmental Planning Policy (Sustainable Buildings) 2022;*
- *State Environmental Planning Policy (Transport and Infrastructure);*
- *State Environmental Planning Policy (Industry and Employment) 2021;*
    - *Chapter 3 - Advertising and Signage;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
    - *Chapter 4 - Remediation of Land;*
- *Canterbury-Bankstown Local Environmental Plan 2023,* (the LEP).

A Statutory Compliance Table is provided at **Appendix F.**

5.1 Concept Application

The SSDA is a Concept Application made under Part 4 Section 4.22 of the Act.

The current application comprises:

- A Concept Plan for the entire site to include the use and envelopes of the buildings; floor areas; project staging and phasing; landscaping; driveway crossings; and, internal driveways;
- Stage 1 DA - Buildings A, B and E, Stage 1 landscaping and civil works.

Stage 2, will be the subject of a separate application which will be consistent with the Concept Plan.

5.2 Permissibility

The principal environmental planning instrument affecting the land is *Canterbury-Bankstown Local Environmental Plan 2023*, (the LEP), under which the site is zoned E1 Local Centre and R4 High Density Residential.

Figure 45: LEP Zoning Map extract

Source: BRG

The use of the proposed development is best described as a "*mixed-use development*" comprising "*seniors housing*", "*retail premises*"; and "*neighbourhood shops*".

Building A, in the E1 zone, comprises a "*seniors housing*" development with "*retail premises*" at ground level.

Development in the R4 zone includes Buildings B, E and C, all to be used for the purpose of "*seniors housing*", except the ground level of Building C in Stage 2, which is to be used as "*neighbourhood shops".* Building B includes a community café which is ancillary to the principal use as a seniors housing development and is not a separate commercial land use.

The proposed uses are defined as follows:

> ***"mixed use development"*** *means a building or place comprising 2 or more different land uses*
>
> "***seniors housing"*** *means a building or place that is—*
>
> *(a) a residential care facility, or*
>
> *(b) a hostel within the meaning of State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5, or*
>
> *(c) a group of independent living units, 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.*
>
> *Note—*
>
> *Seniors housing is a type of residential accommodation—see the definition of that term in this Dictionary.*

"neighbourhood shop" *means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, but does not include neighbourhood supermarkets or restricted premises"*

"retail premises" *means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—*

(a), (b) (Repealed)

(c) food and drink premises,

(d) garden centres,

(e) hardware and building supplies,

(f) kiosks,

(g) landscaping material supplies,

(h) markets,

(i) plant nurseries,

(j) roadside stalls,

(k) rural supplies,

(l) shops,

(la) specialised retail premises,

(m) timber yards,

(n) vehicle sales or hire premises,

but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.

Note—

Retail premises are a type of commercial premises—see the definition of that term in this Dictionary"

"*Retail premises*" and "*Seniors Housing*" are both permitted with consent in the E1 zoned part of the site, the later by way of Clause 25 of the LEP "*Additional permitted uses for particular land*", Schedule 1 s.25 "*Use of certain land for purposes of seniors housing in Area 1*." *"Neighbourhood shops"* are permitted in the R4 zone and "*Seniors Housing*" is permitted under Clause 25 of the LEP.

The proposed development is permitted under the LEP.

SEPP(Housing) 2021, Ch.3. Part.5 Section 81 states:

"81 Seniors housing permitted with consent

Development for the purposes of seniors housing may be carried out with development consent—

(a) on land to which this Part applies, or

(b) on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument."

The proposed development is permitted with consent under the LEP and the facilitative permissibility provisions at Section 81 of the SEPP(Housing) are not relied upon.

5.3 Development Standards

Two FSR and Height standards apply to the site under the LEP. The E1 zoned, (vacant lot), has a maximum Height standard of 20m and FSR standard of 2.5:1, increased to 23.8m and 3.125:1 respectively, upon application of Clause 87 of the SEPP which awards additional FSR to incentivise this type of development, and additional height to accommodate it. The R4 zoned, (existing ATV site), has a maximum Height standard under the LEP of 13m, increased to 16.8m, and an FSR standard of 1:1, increased to 1.25:1.

The proposed development relies on Clause 4.6 of the LEP to vary the additional height standard at Clause 87 of SEPP(Housing) as it applies to both parts of the site, **Appendix JJ**, and the additional FSR standard as it applies to the existing ATV site only. **Appendix KK**.

The split application of the FSR standards over the site has led to a proposed flexible approach to the distribution of GFA across the site. Overall, the proposed development includes 1,032sq.m less than the maximum GFA available across the site as a whole.

The breach to the height standard arises through changes in site topography and as a result of the deletion of an earlier proposed building and the redistribution of part of that floor space to other buildings. Enlarging the building footprints would be contrary to other design goals of maximising landscaping opportunities by minimising site coverage.

The topography of the site also contributes to a technical breach to Section 89(2) of SEPP(Housing) which restricts ground floor frontages in business zones being used for residential purposes. In this case, the area behind part of the ground floor wall facing Campbell Hill Road has parking and storage cages associated with the residential uses above. Having retail parking spaces in that location would achieve compliance with the clause but would make no difference to the external appearance of the building, and the proposed internal configuration is more convenient for the building users. Refer to **Appendix LL**, *Clause 4.6 Variation Request - SEPP(Housing) 2021 - Clause 89- Use of ground floor of seniors housing in business zones.*
Clause 4.6 of the LEP is further relied upon with regard to a proposed variation to Clause 85 of *SEPP(Housing) 2021,* which enlivens the standards at Schedule 4 of the SEPP.

In summary, the standard to be varied requires 15% of the car spaces allocated to the independent living units (ILUs) to be 'accessible' (designed in accordance with AS/NZ 2890.6); and, that 50% of the spaces also comply with AS/NZ2890.6 **or** be at least 3.2m wide.

Twenty-five percent, (25%), of the proposed ILU car parking spaces are designed to comply with AS/NZ2890.6. The extra number of spaces is not enough to satisfy the further requirement for 50% AS/NZ 2890.6 compliant spaces. No spaces are allocated as being a minimum of 3.2m. Refer to **Appendix UU**, *Clause 4.6 Variation Request - SEPP(Housing) 2021 - Clause 85 - Development standards for hostels and independent living units – Schedule 4 – Car Parking.*

5.4 Power to Grant Consent

Section 4.38 of the Act provides the power to grant consent for State significant development.

Under Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (SEPP PS), Clause 28 specifies that development for the purpose of senior housing with a capital investment value (CIV) of more than $30 million (in the Greater Sydney region); that includes a residential care facility; and, other components of the proposed development are not prohibited, is declared to be State Significant Development (SSD) by way of Section 2.6 of the SEPP.

Stage 1 of the proposed development has an EDC of $75,756,631.00. Refer to **Appendix K** for the EDC Report, prepared by Arcadis The consent authority is the Minister for Planning (or delegate thereof) or in the event that Council objects to the proposal or there being in excess of 50 public submissions, the consent authority will be the Independent Planning Commission.

5.5 Other Approvals

An aquifer interference approval under section 91 of the *Water Management Act 2000* is required for site de-watering during construction and for subsurface drainage for the life of the development.

Separate approvals will be required from Council under s.138 of the Roads Act 1993 with respect to new driveway crossings and other works in the road reserve, and stormwater work under s.68 of the Local Government Act 1993.

5.6 Pre-Conditions to the Grant of Consent

The table below outlines the pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent:

Statutory Reference	Pre-Condition	EIS Reference
Biodiversity Conservation Act 2016	Section 7.9 requires the preparation of a Biodiversity Development Assessment Report (BDAR) with respect to SSD, unless the planning authority deems otherwise. The application is accompanied by a BDAR.	Section 7.9
State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 2 Vegetation in non-rural areas	Chapter 2 is satisfied by the preparation of a BDAR **(Appendix X)** and the implementation of the NSW Biodiversity Offset Scheme, related to the removal of 0.33ha of native vegetation, described in the BDAR as "*infill planted, disturbed, weed infested vegetation*". No threatened species were recorded on the site. Historic imagery shows the site was effectively grass covered, with little to no tree cover, prior to the construction of the ATV village in the early 1990's.	Section 7.9
State Environmental Planning Policy (Transport and Infrastructure) 2021	Section 2.48 requires the consent authority to give written notice to the electricity supply authority for the area and take into consideration any response to that notice before granting consent to a development likely to affect an electricity transmission or distribution network. The proposed development is not deemed to be *"Traffic-generating development"* under s.2.122 of the SEPP.	Section 7.8
State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 - Remediation of Land	Chapter 4 of this SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless	Section 7.14

	it has considered whether the land is contaminated, and if the land is contaminated, it is: ▪ *"satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out; and* ▪ *If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose."*	

Table 4: Pre-conditions to the Grant of Consent

5.7 Mandatory Considerations

Table 5 below identifies matters that the consent authority is required to consider in deciding whether to grant consent to any development application.

Statutory Reference	Mandatory Consideration	Reference
Environmental Planning and Assessment Act 1979		
Objects of the Act	The proposed development fully aligns and supports the objects of the Act.	**Appendix F** - Statutory Compliance Table.
Section 4.15 Matters for Consideration	▪ Relevant environmental planning instruments;	**Appendix F** - Statutory Compliance Table.
	▪ Any draft environmental planning instruments;	Section 5.7.1
	▪ Any DCPs;	**Appendix I** - DCP Compliance Table
	▪ The likely impacts of the proposed development;	Section 8.1
	▪ The suitability of the site for the proposed development;	Section 8.4.3
	▪ The public interest	Section 8.4.4
Environmental Planning and Assessment Regulation 2021	Section 59 Additional requirements for State significant development Section 173 Application having regard to the *State Significant Development Guidelines* and	**Preface to EIS** - REAP Declaration

	Environmental Assessment Requirements issued by the Secretary. Section 190 Form of environmental impact statements, including a declaration made by a *registered environmental assessment practitioner* Sections 191-192 in terms of compliance with section 176 and the content of EIS's.	
State Environmental Planning Policy (Housing) 2021		
Chapter 3, Part 5 - Housing for seniors and people with a disability.	The site is zoned R4 and E1. Ch 3 Pt 5 of the SEPP applies to the land. Development consent may not be granted unless the development satisfies certain development standards; design requirements at Schedule 4 of the SEPP; fire sprinklers are provided to the residential care facility; the development satisfies Sections 93-94 with respect to access to services and facilities; access to water and sewer infrastructure; and the consent authority considers the *Seniors Housing Design Guide 2022*.	**Appendix F** Statutory Compliance Table **Appendix G** Seniors Housing Design Guide Compliance Table
Chapter 4 - Design Quality of Residential Apartment Development	Chapter 4 of this SEPP does not apply to Building B, (the RCF), since it does contain any "dwellings". The consent authority must take into account the advice of the design review panel, the design quality principles; and the objectives of the Apartment Design Guide, (ADG).	**Appendix L** Design Report **Appendix O -** Design Verification Statement. **Appendix H -** ADG Compliance Table
State Environmental Planning Policy (Industry and Employment) - Chapter 3 - Advertising and Signage	Consistency with the objectives of this Chapter; and the assessment criteria specified in Schedule 5. Signage is limited to the main site pedestrian entry and the corner of Building A in the form of building identification signs.	**Appendix F** Statutory Compliance Table
State Environmental Planning Policy (Biodiversity and Conservation) 2021- Chapter 2 - *Vegetation in non-rural areas*	The aims of this Chapter are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and; to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Section 7.9
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 Standards for residential development—BASIX. Applies to ILU's only.	**Appendix P**

		BASIX Reports, Certificates and stamped plans Section 7.7
Canterbury-Bankstown LEP 2023		**Appendix F** Statutory Compliance Table.
2.3 Permissibility	The proposed development is for a "*mixed-use development*", comprising "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*". The proposed uses are permitted with consent under the LEP.	Section 5.2
2.3 Objectives of the Zones	The proposal is entirely consistent with the zone objectives.	**Appendix F** Statutory Compliance Table
Development Standards 4.3 Height 4.4 FSR	The maximum height and FSR of the development are determined under Clause 87 of SEPP(Housing) 2021.	
6.2 Earthworks	The heads of consideration related to 'Earthworks' are fully satisfied.	Section 7.11 **Appendix F** Statutory Compliance Table
6.4 Stormwater management	Satisfactory arrangements are proposed to successfully manage stormwater in terms of the rates and quality of stormwater discharge into Council's system.	Section 7.12
6.9 Essential Services	All essential services are available	Section 7.19
6.10 Active Street Frontages	Active street frontages are proposed in Buildings A and C facing Waldron Road, satisfying this clause.	**Appendix F** Statutory Compliance Table
6.15 Design Excellence	The design has evolved with the input of the SDRP and has been assessed in the Design Report, Appendix L as exhibiting design excellence.	Section 7.1-7.2
6.21 Use of Ground Level in Business Zones	The ground floor of Building A in the E1 zone is not used for residential accommodation.	**Appendix F** Statutory Compliance Table

Table 5: Mandatory Considerations

5.7.1 Draft Environmental Planning Instruments

At the time of preparing this EIS we are unaware of any draft instruments which are relevant to the site or the project.

6 Community Engagement

Early consultation has been undertaken with Council between mid-late 2022 culminating in a Pre-DA meeting. The feedback from that meeting has been largely superseded given the change to almost all of the instruments affecting the site and development type since November 2022.

During Pre-DA consultation, SEPP(Planning Systems)2021 was made, which had the effect of elevating the significance of the project to State level. Council has been notified of the proposal and invited to make submissions with respect to the SEARs.

Engagement then commenced with the State Design Review Panel (SDRP). The first meeting occurred in February 2023 and a second in June 2023, following further design development. The input from the SDRP has been central to the current design philosophy, particularly in terms of the landscaping opportunities gained and improved site permeability. The feedback from the SDRP is fully addressed in the Design Report, **Appendix L**.

Community and stakeholder engagement has since been coordinated by the Planning Studio, elements of which have included:

- Two community drop-in sessions at the Chester Hill public library, in the morning and evening of 28 November 2023, including the attendance of and direct consultation with the local first nations people and representative of the local aboriginal land council;
- Notification of the proposal to the local community and key stakeholders by letter including:
    - Neighbouring residents and businesses;
    - The Mayor and General Manager of Canterbury-Bankstown Council;
    - The local State and Federal MPs;

Despite thorough consultation, no submissions have been received. The two drop-in sessions were well attended and the feedback received was all largely supportive, although some concern was raised with respect to potential traffic impacts and junction performance. The proposal has been assessed as not adversely impacting on local road junctions as discussed at **Section 7.8** below.

Refer to the Social Impact Assessment, prepared by Planning Studio, **Appendix Q**, which incorporates details related to community consultation.

7 Environmental Assessment Requirements

This section of the EIS involves an assessment of the proposal against the Secretary's Environmental Assessment Requirements (SEARs), which includes an overview of the specialist technical studies undertaken; the identification of any potential impacts, and management and mitigation measures to avoid unacceptable impacts.

For reference purposes, a SEARs Reference Table identifying where the SEARs have been addressed in the EIS, and specialized technical studies, is provided at **Appendix A**. A summary of the proposed mitigation measures is provided at **Appendix J**.

7.1 Design Quality

In response to the related SEARs, the proposed development has been assessed as satisfying the Design Excellence provisions of the LEP and the Objectives for good design in '*Better Placed*'. Refer to Tables 10 and 12 in the Design Report, **Appendix L**, respectively. The Design Report also provides a detailed response to the feedback from the SDRP, which is discussed further below in response the design related SEARs.

7.2 Built Form & Urban Design

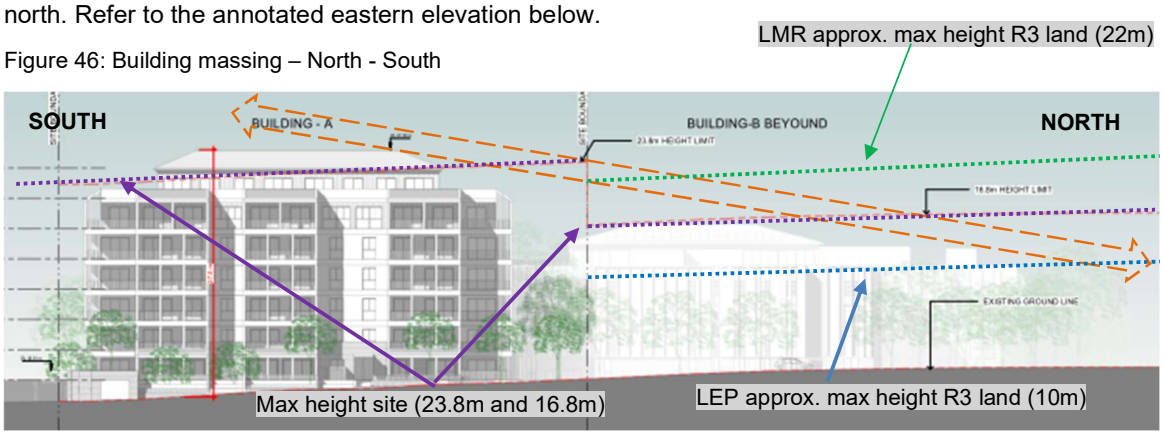
7.2.1 Bulk and Scale

The site has an interface with a lower density residential zone to the north (R3) and the concentration of GFA is proposed at the mid-southern parts of the site. Buildings B and E are lower in scale and are located in the northern part of the site, zoned for high density residential purposes.

The land to the north is presently zoned R3 under CBLEP, where the highest and best form of permitted residential development is "*multi dwelling housing*" with a maximum height of 10m. Although the zoning to the north of the site is of a lower density than the site, the Low and Mid Rise Housing provisions at Chapter 6 of SEPP(Housing) allow for the development of residential flat buildings of 6 storeys/22m on the neighbouring R3 zoned land.

In response to the existing surrounding development, the height of the buildings increase towards the south and the proposed form at the northern parts of the site creates a satisfactory transition in height with the maximum permitted LEP height of 10m on the neighbouring lower density zoned land to the north. Refer to the annotated eastern elevation below.

Figure 46: Building massing – North - South

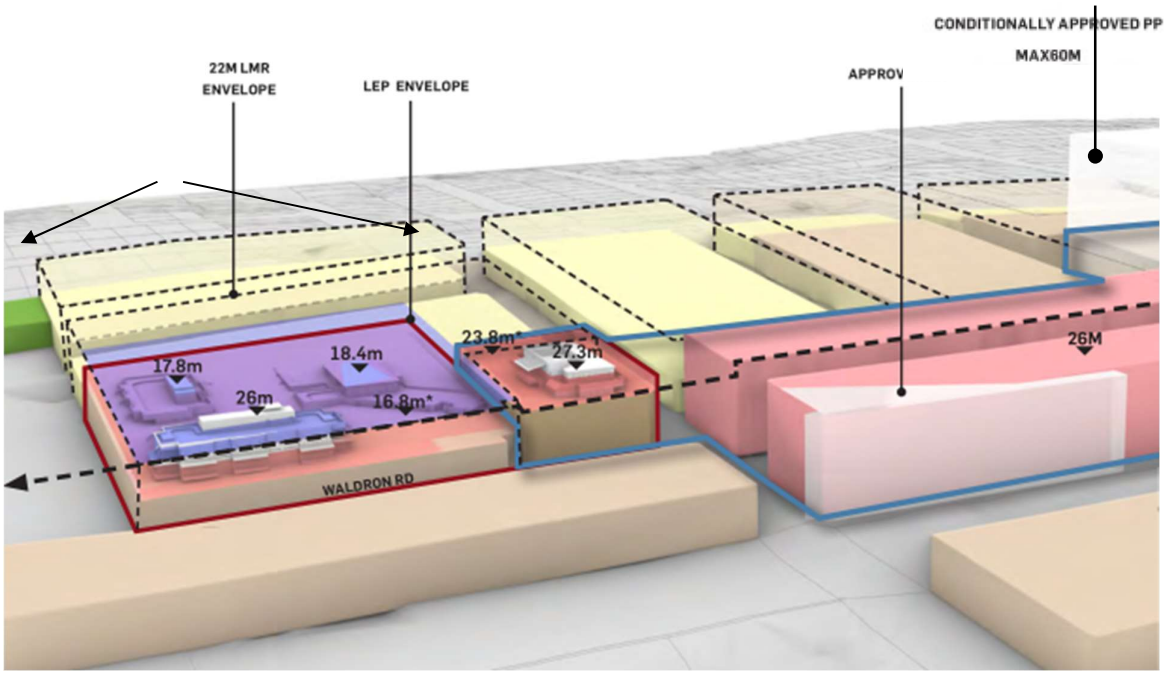


Source: BRG

Building A suitably identifies this important corner location at the entry to the centre and the development.

The transition in scale from the east to west is shown below in the extract from the Design Report, (**Appendix L**), which includes an overlay of the maximum building heights and the LMR Housing provisions, setting the development context of the site.

Figure 47: Building Massing - East-West



Source: Urbis

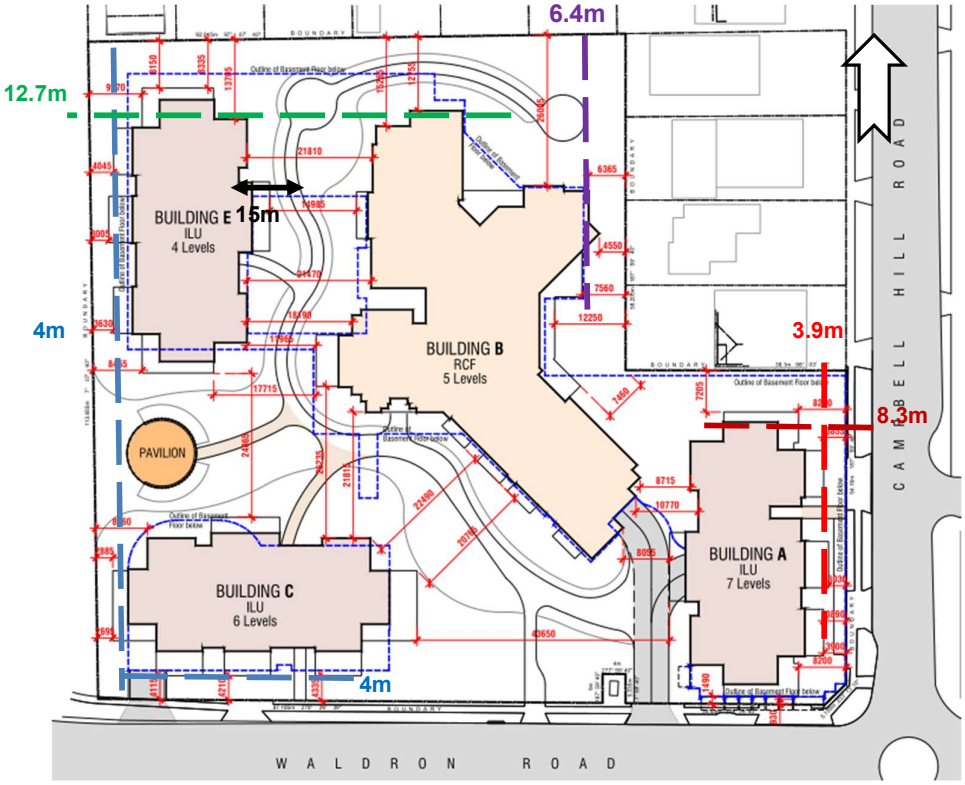
The massing and density of the proposed development is considered to be entirely consistent with the emerging character of the Centre, derived largely from the LMR standards, more so than the bonus FSR provisions related to seniors housing or the base line LEP standards.

7.2.2 Building Separation & Setbacks

The relationship between the buildings and the site boundaries, and with each other, has been guided by the ADG, the DCP, the input from the SDRP, to achieve two key objectives: to avoid any unreasonable impacts on neighbouring properties; and, to support the landscaping imperatives of the project by creating interconnected common open space areas.

The proposed building setbacks and separations are detailed on DWG. A3DA38, prepared by BRG, as annotated below to illustrate these elements of the design.

Figure 48: Building setbacks and separations



Source: BRG

The proposed setbacks and building separations do not result in any significant privacy, overshadowing, or view loss impacts on neighbouring properties, as discussed in full at **Section 7.3.2** below, and in response to the ADG, **Appendix H**. The proposal satisfies the design criteria at Part 3F of the ADG, related to building separations, except for some minor variations which are addressed in full at **Section 7.3.2.3** below.

Building A is setback 7.8m from Campbell Hill Road, except for the private courtyards which are setback 3.9m, and 8.3m from the southern side boundary of 136 Campbell Hill Road. The uppermost level is recessed from the external building lines of the levels below.

The Waldron Road setback ground floor setback is a result of achieving level access to the retail tenancies fronting the street and the relationship of site topography and the Campbell Hill Road elevation.

Both Buildings A and C satisfactory define and activate the streets. The residential presentation to Campbell Hill Road, is entirely consistent with, and appropriately responds to, the residential character of this street. The two buildings are also separated to maximise views to and from the site from Waldron Road. The same excellent levels of connection between the development site and the public reserve to the west by the separation between Building A and E.

The design of the proposed buildings at the boundary interfaces has also been influenced by the recommendations of the SDRP resulting in:

- improved visual connections with the public reserve, by minimising site coverage, which ultimately lead to the deletion of a building,

  This created the opportunity to re-orientate Building E to align with the western boundary, better engaging with the reserve and limiting its interface with the northern boundary and the lower density zone;

- Increasing the northern setback of Building B to create the proposed generous landscaped zone across the entire interface with the R3 zone;
- Adjustments to the retail uses in Building A to allow for level access from the street level.

7.2.3 Façade Design

The perceived massing of Building A has been successfully managed by breaking the facades up horizontally and vertically, taking cues from the character of the centre in terms of materiality, creating 'human-scale' segments across the street elevations. This has been achieved by recessing the lighter toned external walls behind protruding modulated apartment elements, in this case with balconies, in a darker tone. Refer to the perspective and photomontage below of Building A from Campbell Hill Road.

Figure 49: Perspectives Building A from Campbell Hill Road

Source: BRG

Building B, shown in the background above, is located at the heart of the site and has a limited streetscape presence. The materiality of the building, like Building A, presents as a solid base with the use of dark brown brick, and creates vertical expressions over the otherwise horizontal massing by delineating windows bays and balconies.

Building B has multiple facades reflecting the internal functional requirements. The building sits comfortably in the overall scheme by being satisfactorily articulated by the considered use of colours and textures. The approach of harmonising the presentation of the RCF with the rest of the project is deliberate, to avoid it being perceived as a "institution", but rather as part of the rest of the housing in the project.

Building E is located at the north-west portion of the site and is orientated to present to the reserve, minimising its exposure to the R3 zoned land to the north.

Like Buildings A and B, it sits on a face brick base, reflecting the use of materials in the neighbourhood. The building is suitably articulated by protruding balcony bays and adopts the earthy tones used across the project.

Figure 50: Perspective Building E from public reserve

Source: BRG

7.2.4 Project Design Principles

The design goals, specific to this particular project, have been developed in light of the multiple site interfaces; the split application of development standards across the site; and, the input from ATV and the SDRP. The site-specific principles, sometimes overlapping with the regulatory design framework, have been integral to site planning and the urban design and landscaping outcomes.

- *Permeability and Connectivity*

The goals of engaging with the public reserve and, ATV's desire to create an open, welcoming entry to the development from Waldron Road has been achieved:

- the removal of an earlier contemplated building, located between Buildings E and C;
- the re-orientation of Building E to embrace the reserve; and,
- the proposed pavilion park and physical entry to the reserve from the site; and
- by maximising the separation between Buildings A and C.

- *Landscaping*

The approach to site planning of minimising site coverage, largely to optimise landscaping opportunities and site permeability, has been central to the design philosophy.

By minimising site coverage, including the removal of a previously proposed building from the project, landscaping opportunities have been maximised and additional communal open space areas have been integrated into the final design.

It has been a preference of ATV, from the project inception, to create an open, welcoming entry to the site. Buildings A and C define the streets and include retail, active street frontages along Waldron Road without significantly hindering outlooks to and from the site. This is achieved by the generous extensive landscaped space between the buildings and the setback of Building B from the street.

Site planning has also allowed for greater opportunities, and wider scope for the preparation of both the Landscaping Plan (**Appendix C**) and the 'Connecting With Country' strategy, (**Appendix N**). Refer to Section 1.3 above, 'Project Background'.

- *Community Focal Point*

The proposed café and entry lounge area in Building B creates a sense of place and a focal point for residents and guests to meet and socialise. The community café, an ancillary part of the seniors housing development, sits at the heart of the site with convenient access to the open space network.

7.2.5 SEPP(Housing) 2021 - Design principles for seniors housing

Table 6 below includes a summary response to the Design principles for seniors housing at Sch. 8 of the SEPP, which are examined in further detail in the Design Report, **(Appendix L)**.

Design Principles for Seniors Housing	**Design Response**
1. Neighbourhood amenity and streetscape	The proposed development will contribute to both street frontages, and will be compatible with neighbouring amenity for the following reasons: ▪ The concentration of massing at the southern part of the site, away from the R3 zoned density residential uses to the north. The bulk and scale of Buildings A and C are considered to be consistent with the emerging character of the town centre, which is entering into a period of transition from the current low scale forms, to more intensive development of greater scale; ▪ The proposed landscaping plan will contribute significantly to the amenity of the site and its neighbouring context, by creating a strong connection and a sense of continuity with the adjacent reserve, and by the proposed planting strategy in the setback zones, particularly where the development has an interface with the lower density residential uses, which creates appropriate screening. ▪ Buildings A and C align with the streets. Building A is satisfactorily articulated by modulating balcony elements, against recessive lighter exterior walls; ▪ Building A is modulated vertically to create a rhythm across the Campbell Hill Road façade reflecting the finer grain subdivision pattern and existing building spatial relationships; ▪ The buildings sit on brick bases, a material characteristic to the area, creating further expression on the facades. ▪ The proposed retail spaces on the corner of Waldron Road and Campbell Hill Road have been expressed through different materials and activate Waldron Road. The proposed residential presentation to Campbell Hill Road is entirely consistent with the residential character of the street; ▪ A satisfactory level of privacy is achieved between the buildings on the site and neighbouring buildings by appropriate separation distances and setbacks, landscaping and internal planning.

	▪ The proposed development does not result in any unreasonable overshadowing or overlooking impacts on neighbouring development.
2. Visual and acoustic privacy	The buildings have been assessed as satisfactory in this regard in response to the related provisions of the ADG and the Seniors Housing Design Guide. Refer to **Section 7.3.2.2** below. Potential acoustic related impacts on neighbours and future residents associated with mechanical plant and building operations, have been assessed as either complying with the related Noise Criteria, or being capable of compliance, during detailed design certification. Refer to **Section 7.10** below.
3. Solar access and design for climate	102 of the 110 room in the RCF orientated to the north, east or west facing, and will receive varying degrees of solar access. All rooms have shading devices built into the facades, are naturally lit and will have openable, double-glazed windows for natural ventilation. The ILUs comply with the related design criteria under the ADG with respect to solar access, overshadowing to neighbours, and natural cross ventilation. Refer to **Appendix H** – ADG Compliance Table.
4. Stormwater	The proposal supports these principles by minimising site coverage and creating large expanses of deep soil areas. The project incorporates the principles of Water Sensitive Urban Design (WSUD). An On-site Detention system is proposed. Refer to **Section 7.12**.
5. Crime prevention	The principles of CPTED, which align with the objectives of this Part, are fully addressed in the CPTED Assessment, **Appendix R**. Under normal circumstances, the site will be secured at night and public access will be available to site from the main pedestrian via Waldron Road during the day. The development is secured during the day by managing access to buildings, (and the restricted dementia garden associated with the RCF). In light of the access control to buildings and the excellent levels of surveillance on the open space areas and building entries, the degree of public access available is considered to be an acceptable risk from a CPTED perspective. The proposed development embraces good levels of territorial reinforcement, successfully delineating public and private land, without adverse impacts to the streetscape.
6. Accessibility	The single pedestrian entry to the grounds of the site and the single driveway entry will minimise confusion for visitors upon arrival. Signage is proposed at the pedestrian entry off Waldron Road, leading to the entry to the RCF. A Site Way-finding Strategy is recommended as part of the CPTED Assessment. The design has been guided by iAccess Consultants. Refer to **Section 7.2.7** below and **Appendix S**, Access Report. All site and building entries, and common open space areas are accessible to all users.
7. Waste Management	Separate waste/recycling storage rooms are provided for each building at basement level, each with separate collection bays. The ILUs have twin

	garbage chutes for the convenience of residents. Refer to **Section** 7.15 below. A Waste Management Plan is provided at **Appendix T**.

Table 6: Design Principles for Seniors Housing

The Seniors Housing Design Guidelines are fully addressed within the compliance table at **Appendix G**.

7.2.6 Canterbury-Bankstown DCP 2023 - Chester Hill Local Centre

The character statement for the Chester Hill local centre, identifies the southern side of the precinct for community uses, to add to the existing community centre and library. The site is ideally suited for the proposed development in terms of its proximity to these facilities.

The proposed development is considered to be entirely consistent with the emerging future desired character of the area and discussed above at Section 7.2 and the Design Report, (**Appendix L**).

The maximum height of the development is set by Clause 87 of SEPP(Housing). The number of storeys guideline (max 6) relates to the maximum height available under the LEP, not the maximum height under the SEPP. Building A is 6 storeys with a recessed 7th storey. The seventh level is visible from limited locations and does not introduce any significant adverse overshadowing or privacy related impacts on neighbouring properties.

The project complies with all DCP setback guidelines, except for the ground floor Waldron Road frontage. The front building line at ground level is setback ~1.5m from the Waldron Road boundary instead of the preferred nil setback. The setback at this location is a result of a combination of the relationship between the sloping topography of the land from north to south; the provision of level access to the shops from Waldron Road; and, the presentation of the building when viewed from Campbell Hill Road. In the context of the proposed development where there are no immediate neighbours to reference setbacks from, the proposed minor recess is considered to be acceptable, particularly since the design response continues to satisfactory identify this important urban corner.

7.2.7 Accessibility

An Access Report, prepared by iAccess Consultants, dated 12/10/25, is provided at **Appendix S.**

The Report provides a review of the proposal against:

- *Disability (Access to Premises – Buildings) 2010;*
- *National Construction Code 2022 (NCC) - Access & Egress, Lift services, Sanitary facilities*; and,
- *the Australian Standards referenced by the NCC.*

The Access Report finds that the project generally achieves a high level of compliance and recommends further design development in some areas during detailed construction documentation. The recommendations of the Access Report are included at **Appendix J** Summary Impact Mitigation Measures and will be incorporated into the design during construction certification.

7.2.8 BCA Compliance

The proposal has been assessed as either satisfying the deemed-to-satisfy provisions of the BCA, or being capable of compliance, subject to the recommendations in the 'BCA Capability Compliance Report For DA', prepared by Steve Watson and Partners, 29/4/24, (BCA Report), **Appendix U.**

The BCA Report concludes:

> *"The design as shown on the drawings referenced at the end of this report maybe capable of complying with the requirements of the relevant sections of the of the Act and EPAR (DCFS) 2022, EPAR 2021 and the BCA 2022 subject to resolution of the identified*

areas of non-compliance and compliance with the recommendations provided within the report including any performance-based determinations.

Further regulatory reviews will need to be progressively undertaken as the design develops to ensure compliance is achieved.

A final detailed review will be undertaken to by Steve Watson and Partners to verify compliance prior to the issue of a Construction Certificate".

The recommendations of the BCA Report are included at **Appendix J** Summary Impact Mitigation Measures and will be incorporated into the design during construction certification.

7.3 Environmental Amenity

The overall response to context, including the concentration of building massing towards the south; the proposed deep landscaped setbacks and building separations, and the high proportion of landscaping across the site compared to buildings and hardcover areas, promotes the environmental amenity for the future residents, without significant adversely impacting neighbouring residents.

7.3.1 Internal Amenity

Buildings A and E, (which are the subject of the ADG), comply with the amenity related design criteria regarding solar access, natural cross ventilation; internal areas, balcony areas; and, internal ceiling heights. Refer to **Appendix H** - ADG Compliance Table.

There are no numeric prescribed standards regarding the internal amenity of Building B. The proposed RCF requires a controllable environment. Most rooms are either north, east or west facing, and will receive varying degrees of solar access. Only 8 of the proposed 110 rooms are south facing and all rooms are naturally lit.

The residents of Building B will have access to several communal options to suit their personal preferences including: internal communal lounges and smaller sitting areas, a café, a beauty salon, gym, theatre, and the community facilities and open space on the roof.

The proposed inter-connected landscaped open spaces areas are of the highest quality in terms of amenity and function, with seating and covered spaces creating amenable environments for the future users.

7.3.2 Neighbouring Amenity

In summary, the proposed development will not introduce any significant adverse amenity related impacts on neighbouring properties, as discussed below.

7.3.2.1 Lighting

External site lighting is not included in the DA. Lighting will be finalised prior to construction certification. All lighting shall comply with *Australian Standard 4282-1997 'Control of the obtrusive effects of outdoor lighting'*; and be designed to provide adequate lighting to building entries and pedestrian pathways; and, to illuminate areas which are to covered by CCTV surveillance.

7.3.2.2 Reflectivity

No external, highly reflective materials are proposed. A consent condition is recommended to ensure that the reflectivity index of external glazing, walls and roof finishes of the proposed development is to be no greater than 20%.

7.3.2.3 Visual Privacy

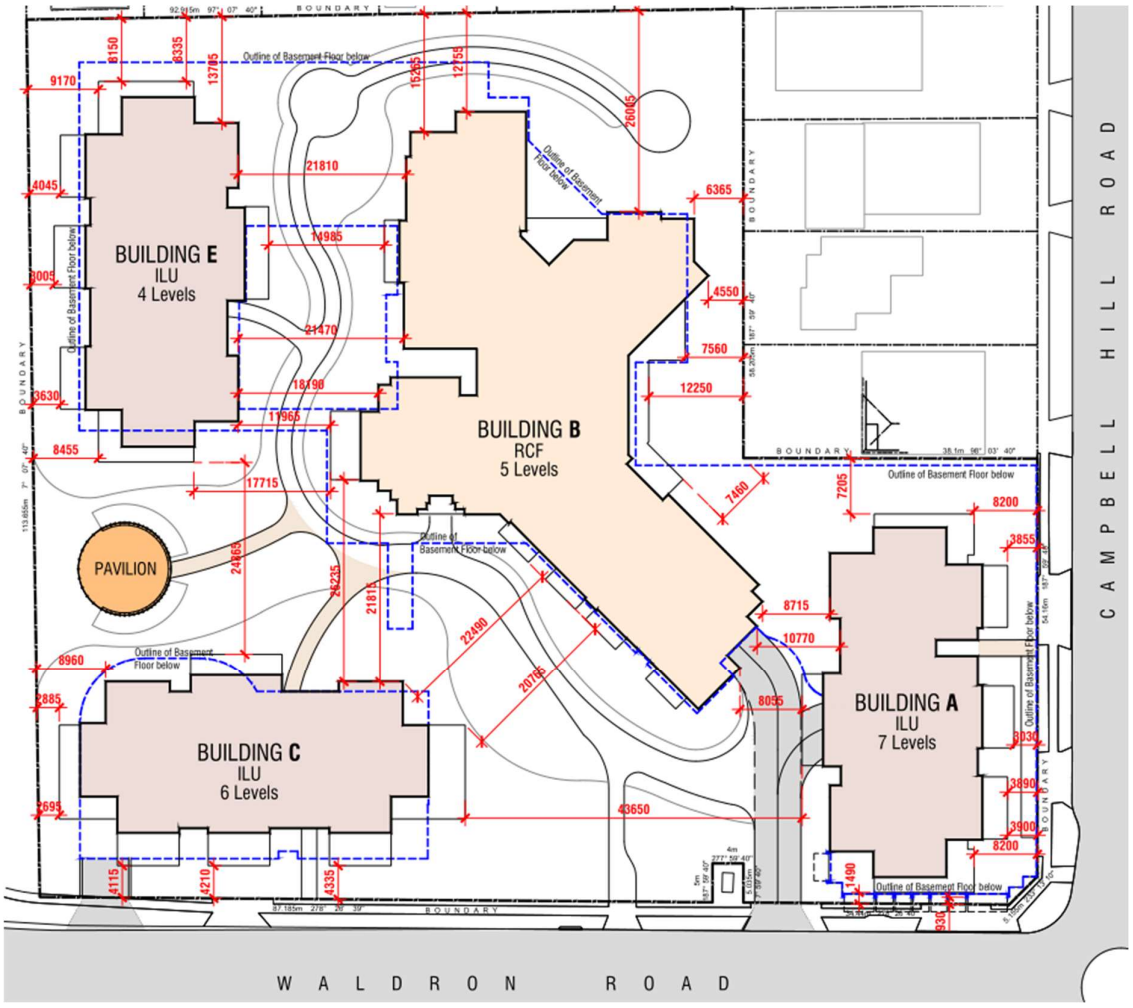
The site has multiple site interfaces involving two streets, a public reserve and lower density R3 zoned land to the north. To enable a quantitative assessment of visual privacy, it is important to first establish the relevant planning framework guiding this particular assessment issue.

The ADG applies to the relationships between Building A and E and the northern site boundaries. The ADG has some application to the RCF in terms of the distance between buildings on the site, but does not strictly apply to the RCF (Building B) in terms of separation to boundaries. The visual privacy relationship of the RCF with neighbouring development is considered in the context of the design principles under the Seniors Housing Guidelines.

The western site boundary is considered to be a side boundary and therefore the ADG technically applies. However, the building separation guideline is of limited relevance since the side boundary has an interface with a public reserve with no buildings, (and little likelihood of any future buildings), in the vicinity of the boundary. The design approach in this location is for the development to create a relationship and engage with the reserve, not further segregate the uses by greater physical separation.

Refer to the extract from DWG A3DA38, prepared by BRG, "*Boundary Setback & Distance Between Buildings",* referred to in the related discussion.

Figure 51: Extract DWG A3DA38 - Boundary Setback & Distance Between Buildings



Source: BRG

Privacy between Proposed Development and Neighbouring Properties

BUILDINGS A AND E

Buildings A and E largely comply with the building separation distance criteria at Part 3F of the ADG in terms of distances to the related boundaries, as set out at **Appendix H** - ADG Compliance Table. The parts of Buildings A and E which do not strictly satisfy the numeric design criteria are identified below, and justification given for the variation based on the consistency of the proposal with the objectives of this Part which is to achieve:

> *"Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy".*

BUILDING E	
North Ground - (balustrade) (ADG Guideline - 9m / Proposal - 7.6m)	No significant privacy issues are introduced given the non-compliant portion is at ground level. The area between the balustrade and the northern boundary will be landscaped and the site defined at that location by a solid 1.8m fence.
BUILDING A	
North Ground -(balustrade) (9m / 8m)	For similar reasons as the ground floor variation at Building E, the proposed variation of 1m does not introduce any significant adverse privacy impacts.
L1-4 - (balustrade) (9m / 8.8m)	The balconies at these locations are only wide enough for pot plants (~200mm). The purpose of the balcony is to promote solar access and natural ventilation, and not for it to be used for as an open space area.
L5 - (balustrade) (12m / 8m)	The widest portion of the balcony is easterly orientated. The majority of the non-compliant portion of the balcony is less than 2m wide and will likely be used for pot plants rather than passive recreation. Based on the existing neighbouring context, the balconies will overlook roofs, and when developed in the future, the future building will unlikely contain balconies or principal living room windows facing Building A due to the southerly orientation of the neighbouring elevation. The proposed building separation at this level and location is considered to be satisfactory.
L6- (balustrade) (12m / 11m)	The edge of the balustrade is setback approximately 11m from the boundary. Between the edge of the balcony and the building edge lies a 2m wide planter box. The planter box will block downward sightlines. The window/building line exceeds the building separation criteria by 2m.

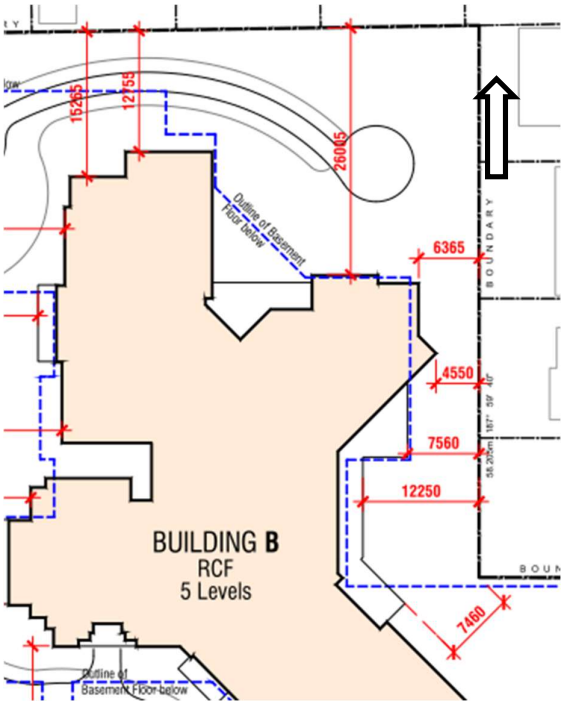
Table 7: Part 3F ADG Building Separation Variations

The proposed variations to Part 3F of the ADG, with respect to the relationship between Buildings A and E and the neighbouring dwellings, may therefore be justified on the basis of the ability of the design response to satisfy the objectives of the design criteria.

BUILDING B

Building B is setback to varying degrees to the adjacent northern and eastern site boundaries, which in the context of the proposal, are considered to be rear and side boundaries, respectively. Figure 52 below showing setbacks to boundaries as extracted from DWG A3DA38.

Figure 52: Building B - Setbacks to boundaries



Source: BRG

Assessment

The *Seniors Housing Design Guide 2023*, (SHDG), at Section 12.7, includes privacy related design objectives and guidance for RCFs, as follows:

> *"Objective*
>
> *12.7.1 To respect the visual and acoustic privacy of neighbours and occupants.*
>
> *Guidance*
>
> *12.7.2 Provide generous setbacks that are informed by the position and location of neighbour's outdoor open space and windows.*
>
> *12.7.3 Plant screen planting that acts as acoustic buffers as well as providing privacy and separation from the boundary fence.*
>
> *12.7.4 Provide deeper courtyards for elevations or resident wings to face in towards to reduce overlooking to neighbours. Provide landscaping against open rail fences to screen resident spaces for privacy"*

The minimum building setback of Building B from the eastern boundary is 4.55m. No privacy impacts are introduced at this location since the corner elevation comprises a solid wall.

Figure 53: Building B - Setbacks eastern boundary (detail)

Source: BRG

A small sitting area is proposed on each level, as shown above at Figure 53 with an east facing window setback from the boundary by 6.365m as shown at Figure 52.

Building B is considered to satisfy the related objectives by not introducing any significant adverse or unreasonable privacy impacts on the neighbouring dwellings to the east, and north, for the following reasons:

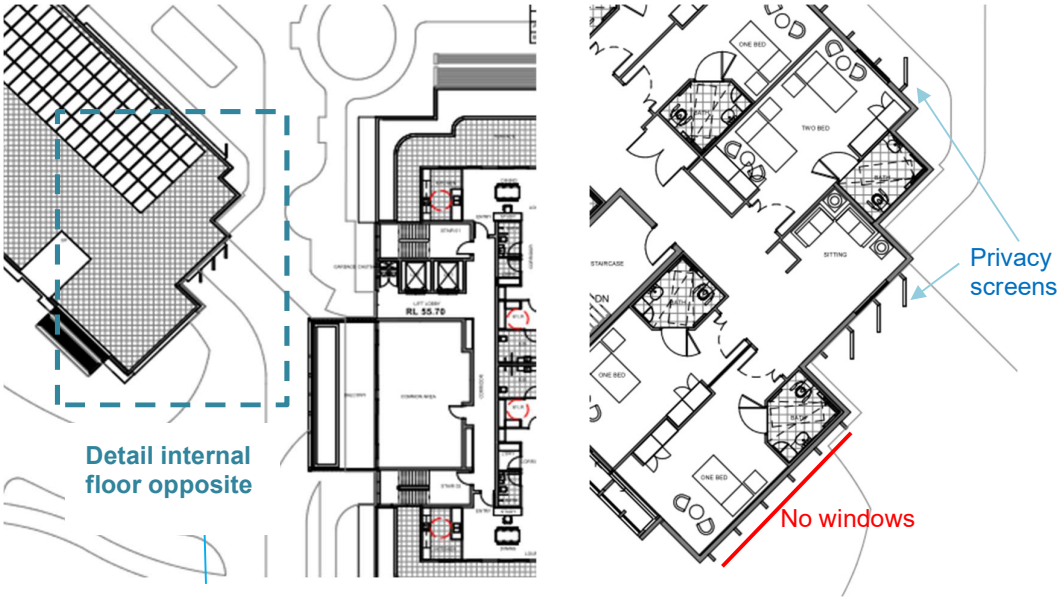
- The setback closest to the eastern boundary forms part of the pedestrian network around the site and is landscaped along the eastern edge. Two, (2) x '*Banksia ericfifolia'* trees, with mature heights and spreads of 15m/4m, are proposed at the location of the sitting area; and, a 'Cape Chestnut' tree of (10m/6m) between the bedrooms at this location, shown above, and the eastern boundary. A selection of shrubs and groundcover plants define the pathway in the setback area. The use of planting to screen sightlines is consistent with the design guidance;
- The closest rooms to the east boundary at each level have a single window orientated obliquely to the boundary, like the rest of the residential wing at this location, with a minimum direct sight line of 6m for 3 rooms above ground level.
- The communal open space at the roof level, like the rest of the building, is recessed back from the external building line by raised, non-trafficable, planter boxes, blocking any downward sightlines.
- The windows in Building B will be double glazed, minimising noise transfer;
- Building B sits below the neighbouring ground level further reducing opportunities for overlooking;
- The sitting areas facing the eastern boundary are relatively small and are designed to accommodate furniture facing away from the window.
- The windows facing the northern boundary are setback 12m, providing ample separation to satisfactorily mitigate any privacy related impacts on the dwellings to the north. The setback zone in this location comprises a deep-soil landscaped area, including new trees and dense plantings, and the retention of the trees at the north-west corner of the site;

Privacy Between Buildings within the Site

All buildings comply with the building separation criteria within the site at Part 3F of the ADG, except for the distance between Buildings A and B. Refer to **Appendix H** - ADG Compliance Table.

To mitigate any significant privacy related impacts and satisfy the objectives of Part 3F, privacy louvres have been added to the windows of the small lounges and residential rooms at the southern end of the RCF. The screens will obstruct sightlines to and from the private balconies and bedrooms on the western side of Building A, as shown below.

Figure 54: Buildings A-B: Separation Distances



Source: BRG

The southern roof area of the RCF has the potential to overlook the private west facing balconies in Building A, if it were to be used. The southern roof area is accessible but is unlikely to be frequented often, if at all, given the more attractive amenities and landscaped spaces at the northern end.

To conclude this section, the proposed development will not create any significant or unreasonable privacy related impacts, either outward to neighbouring properties, or within the development.

7.3.2.4 Visual Amenity

The proposed development will result in an overall improvement to the visual character of the site when compared to the existing site conditions. The extensive landscaped spaces maximise site permeability, successfully breaking up the massing of the built form as it presents to its multiple interfaces. Refer to **Section 7.4** below - 'Visual Impact'.

7.3.2.5 Overshadowing

Assessment Context

The properties to the south and south-east of the site have the potential to be overshadowed by the proposed development and include:

- Residential flat buildings at 147, 149-151 & 153-155 Waldon Road, located opposite Waldron Road to the south;
- 136 Campbell Hill Road – a single dwelling with a rear boundary to the site;

- A commercial use/cafe at 220 Campbell Hill Road, located at the NE junction of Campbell Hill Road and Waldron Road; and
- An approved 8 storey, shop top housing development at 137 Waldron Road, (DA776/2020), with retail uses at ground level and 100 apartments above.

Figure 55: Shadow context plan(Affected properties identified)

Source: Nearmaps (Site boundary indicative)

The following detailed description of the affected buildings, and their context in relation to the site, is provided below to establish a basis for the assessment.

The residential apartment buildings to the south are located in the R4 zone, the same as the ATV site. The three properties have a rear boundary to the rail corridor and present to Waldron Road in 2-3 storey forms with facades including balconies, windows to principal living areas, and secondary room windows, such as bedrooms and WCs.

Figure 56: Elevated view from north (Affected properties identified)

Source: Nearmaps (Boundary Indicative) (NTS)

147 Waldron Road

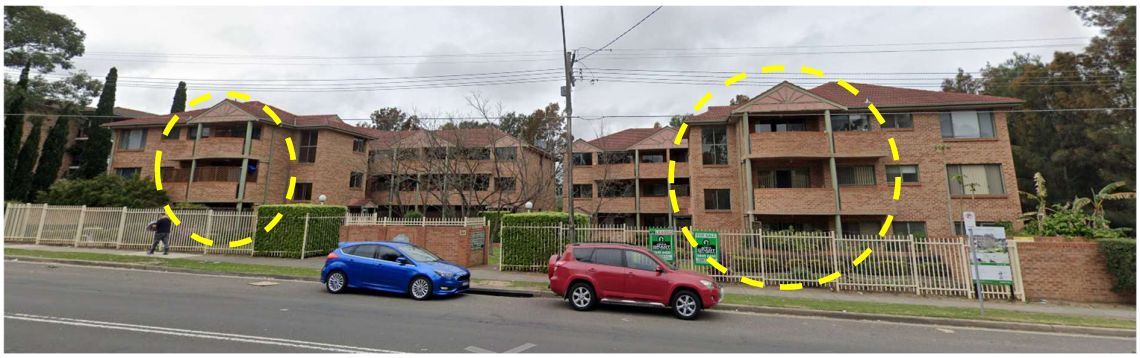
Only the eastern part of the northern elevation of 147 Waldron Road contains balconies and windows to principal living areas. The ground level of the units are elevated above street level by ~2m. The western part of the north elevation comprises bedroom and other secondary windows.

Figure 57: Northern elevation 147 Waldron Road

Source: Evolution Planning

149-151 Waldron Road

Figure 58: North elevation 149-151 Waldron Road from opposite existing ATV entry.



Source: Evolution Planning

There are six apartments on the northern elevation of 149-151 Waldron Road, (as indicated above), which have the potential to be overshadowed by the proposed development.

The landscaping in front of this site does not appear to be used for, and is not particularly designed for, communal open space purposes. The open space at the front of 149-151 Waldron has its benefits in terms of providing physical separation between buildings and creating a pleasant outlook for residents.

153-155 Waldron Road

The development includes a number of principal living room windows and balconies, as shown below, facing Waldron Road.

Figure 59: North elevation 153-155 Waldon Road

Source: Evolution Planning

The common open space at the front of the property is not used for passive recreation purposes. Refer to Figure 60 below.

Figure 60: Common open space front setback 153-155 Waldron Road

Source: Evolution Planning

Overshadowing Assessment

Summary

The existing development does overshadow any residentially zoned land. Proposed Buildings A and C will overshadow a limited number of apartments (balconies/windows) and the front setback areas of the properties on the opposite side of Waldron Road, but only on or around mid-winter, and only for short periods in the morning between 9am-11am (depending on the building) and in the afternoon at 3pm, during mid-winter.

Building A - The building will cast additional shadow on the approved development at 137 Waldron Road after 1pm, reaching the residential levels between 1pm and 2pm.

Building B - The building will overshadow the rear of 136 Campbell Hill Road with occurs from 3pm mid-winter. The rear open space and elevation of 136 Campbell Hill Road will have unfettered solar access for the rest of the day between 9am and 2pm.

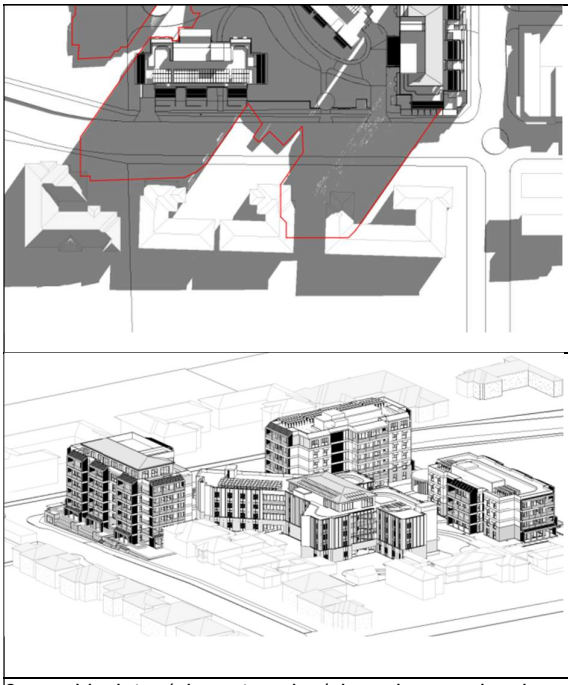
Building C - Due to the height, and orientation of Building C to follow the alignment of Waldron Road, the overshadowing impact of the development is greatest at this point. Whilst the proposed envelope for Building C will create additional overshadowing as a result of the breach to the height standard, the sun view diagrams clearly show that the northern elevations of the building's opposite will receive direct solar access for approximately 5 hours - more than double the minimum requirement under the ADG. The front setback areas of the properties opposite are also overshadowed for limited periods but do not comprise principal areas of common open space or private open space.

Detailed Assessment

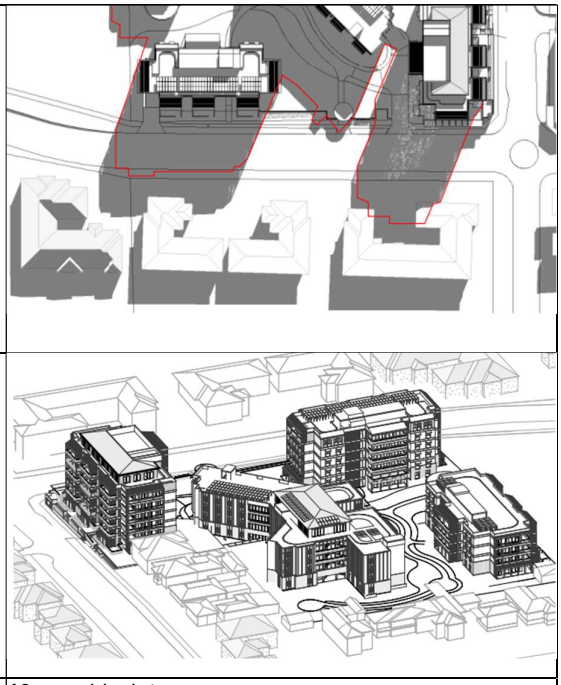
Extracts from the mid-winter shadow plans and corresponding sun-eye views, prepared by BRG (DWGS A3DA45-48/A3DA57-59) are provided below. Existing shadow diagrams have not been provided since the existing development has no significant shadow impact.

No additional overshadowing will occur on neighbouring properties on the summer solstice, nor during the equinox, as a result of the proposed development.

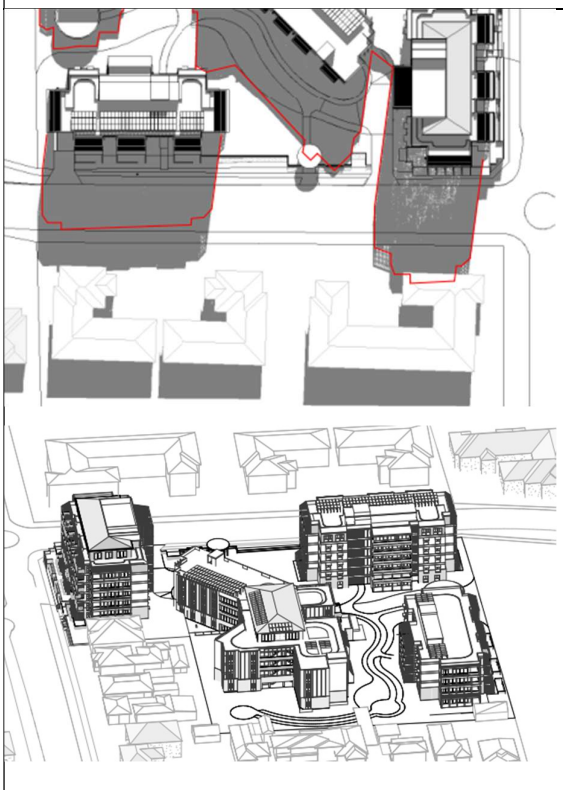
Figure 61: Extracts mid-winter solar modelling



9am mid-winter (above top plan/above lower solar view.

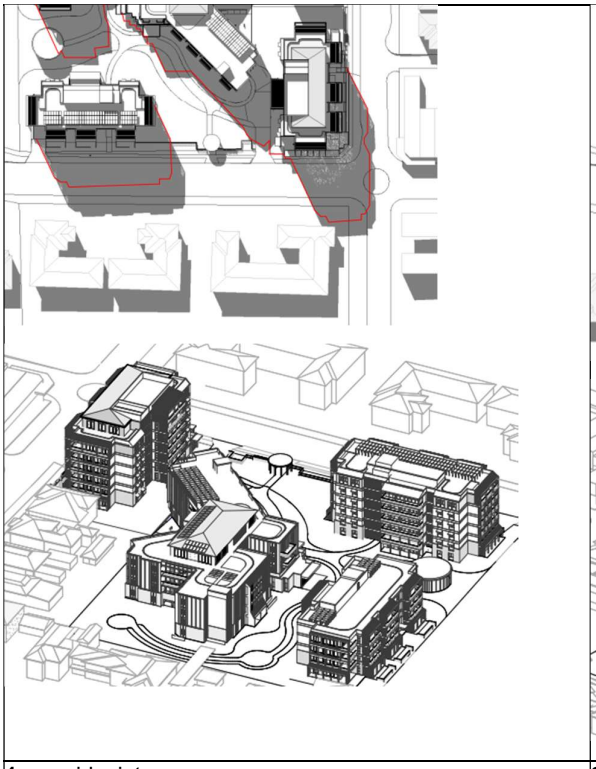


10am mid-winter

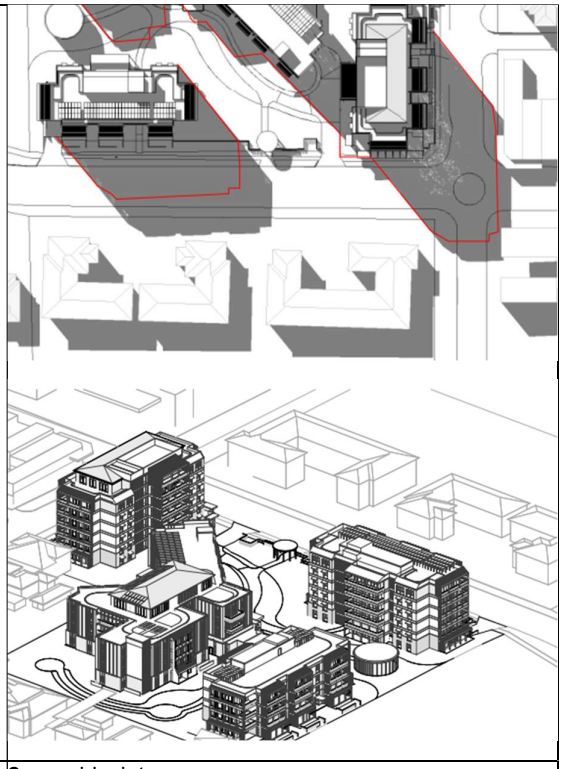


11am mid-winter

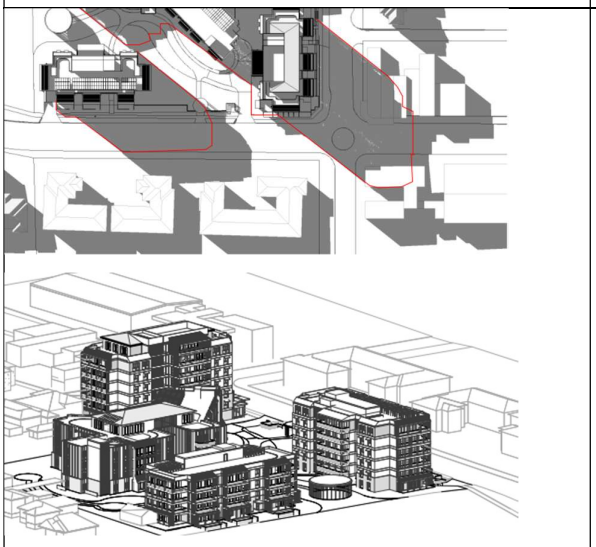
Noon mid-winter



1pm mid-winter



2pm mid-winter



3pm mid-winter

Source: BRG

To assess the degree of overshadowing we refer to Part 3B of the Apartment Design Guide (ADG)

> *"Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access"*
>
> *"3D Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on*

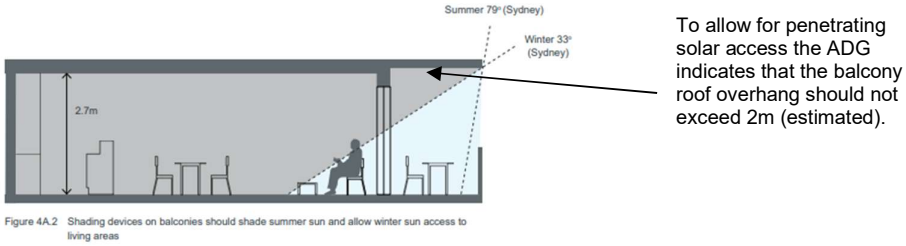
21 June (mid-winter)"

"4A Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter DCP adopts ADG"

"Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%"

The ADG also provides guidance with respect to balcony design to ensure adequate solar access, as shown below.

Figure 62: Extract ADG - Solar Access Balcony Design



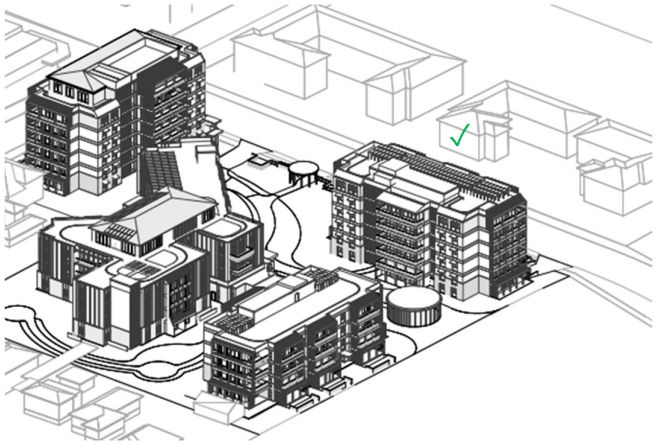
Source: Part 4A ADG

The design guidance is referred to assess the solar access to the existing affected balconies opposite. The affected balconies at 149-151 Waldron Road and 153-155 Waldron Road each have roof overhangs over balconies estimated to be 3m and therefore the windows serving them may already be in shade during mid-winter.

The degree of proposed overshadowing and solar access to each affected property is described in Table 8 below.

Building / Location	**Overshadowing**	**Solar Access** (hrs. (est). btw 9am-3pm mid-winter)
136 Campbell Hill Road	The rear open space and elevation of 136 Campbell Hill Road will begin to be overshadowed at approximately 2.30pm but will have unfettered solar access for the rest of the day between 9am and 2pm mid-winter.	5 hours
220 Campbell Hill Road - Commercial	Side elevation of café overshadowed for 1-hour late afternoon.	N/A – Commercial use

	Figure 63: Side elevation 220 Campbell Hill Road  SOURCE: EVOLUTION PLANNING	
137 Waldron Road - (Approved shop top housing	Building A starts to shadow the site from 2pm and will reach the residential levels of the approved development by approximately 2.30pm.	5 hours
147 Waldron Road	The balconies and principal living room windows are located at the eastern end of this site, in proximity to the junction of Waldon Road and Campbell Hill Road. Figure 64: Balconies and windows to principal living areas.  SOURCE: EVOLUTION PLANNING Full solar access to these units is available between 9am-10.30pm and 1pm-3pm. The windows on the rest of the north elevation of this building service secondary rooms, such as bedrooms, and will be similarly affected by the proposed development. The development has no meaningful common open space in the front of the site. A landscaped strip follows the front boundary, comprising trees and ground covers, behind that lies access ramps and stairs to an elevated podium. The area at	3.5 hours

	the centre of the site between the buildings is the roof of the podium - a hardstand area not used for common purposes. As shown on the sun view diagrams, the shadow is minimized by recessing the upper levels of Buildings A and B, back from the southern building edge.	
149-151 Waldron Road	Between 11am and 2pm, the northern elevation of this building will have unfettered solar access during mid-winter. Figure 65: Extract 2pm mid-winter  SOURCE: BRG By 3 pm the shadow cast by Building C falls on the eastern 'north elevation' of the building as shown above (✓). The proposed development will also overshadow parts of the front setback area of the property. The landscaping in front of this site does not appear to be used for, and is not particularly designed for, communal open space purposes. The open space at the front of 149-151 Waldron has its benefits in terms of providing separation between buildings and creating a pleasant outlook for residents, and the anticipated additional shadow will not introduce any significant impacts on residential amenity.	4 hours (north elevation - east side) 5 hours (north elevation - west side)
153-157 Waldron Road	The shadow cast on this building by the proposed development occurs only between 9am and 10am mid-winter for approximately half an hour. The shadow will fall on the north facing elevations and an internal east elevation and over parts of the front landscaped setback area. Part of the shadow will be by "height compliant" parts and some by the non-complaint parts as the shadows moves across the facade. The building is clear from overshadowing by 10am and then has unfettered solar access for the rest of the day. As shown at Figure 20 above, the front setback zone is not one of high amenity or practical function and is not used as principal common open space.	5.5 hours

	Due to the position of the publicly reserved land to the land, there is no future potential for additional overshadowing on this land.	

Table 8: Overshadowing Assessment

The overshadowing created by the proposed development will occur only for a brief period of approximately ½ hour in the morning (9am) and the same in the afternoon (3pm), mid-winter only.

The north facing properties opposite Waldron Road and 136 Campbell Hill Road will continue to receive solar access for more than double the minimum duration required under the ADG and DCP. Given the limited duration of the shadow and the limited time of the year it will occur, the proposed development is not considered to result in any significant or unreasonable adverse overshadowing impacts.

The overshadowing impact of Buildings A and C have been minimised by recessing the upper levels of each building the main wall below; and, setting back both buildings from the Waldron Road boundary, albeit introducing a numeric breach. The preferred nil guide under the DCP would increase overshowing.

7.3.2.6 Wind Assessment

To assist with this part of the assessment, a *Pedestrian Wind Environment Statement,* prepared by Windtech Consultants, accompanies the application at **Appendix TT**.

The assessment concludes that the development has incorporated several design features and wind mitigating strategies and is generally acceptable from a wind impact perspective, subject to a number of additional mitigation measures to limit potential wind impacts at balconies; roof areas and the ground level space between Buildings A and B where the potential exists for funnelling.

It is recommended that these additional measures, as outlined in full within the *Pedestrian Wind Environment Statement* and within **Appendix J** – Summary Impact Mitigation Measures, be included in any consent and consent conditions.

The Design Principles at Chapter 4 of SEPP(Housing), (formerly SEPP 65), are addressed fully at Section 5.2 of the Design Report, **Appendix L** and a Design Verification Statement is provided at **Appendix O**.

7.4 Visual Impact

The following visual assessment has been assisted by a series of photomontages, prepared by BRG, numbered A3DA71-85a, (**Appendix B**). A range of images are provided, (including and excluding proposed landscaping), to give a realistic representation of the proposal and how it will appear from its visual catchment.

Building C is shown in some images as a rather unattractive, unarticulated solid building envelope, since that is the extent of the approval sought for the building under this application. The final design of the building will be the subject of a Stage 2 DA.

For assessment purposes, images have been provided showing a potential future outcome to demonstrate how the façade treatments and materiality of the Stage 1 buildings could be replicated on Building C in Stage 2. This assessment reasonably assumes the continuum in façade treatments. Other key considerations of the assessment are the bulk and scale of the buildings, and the spatial relationship between the development and its multiple boundary interfaces.

Existing Visual Character

In summary, the existing visual characteristics of the site comprise a vacant lot at the corner of Campbell Hill Road and Waldron Road), and a variety of one and two storey red brick buildings on the 'ATV site', presenting to Waldron Road as at grade parking. Refer to **Section 2** above, which includes a

detailed description of the site, the existing development, and its context, to avoid unnecessary duplication.

The existing development/site, does not contribute positively towards the visual character of the centre when viewed from the street and has limited engagement with the public reserve, as shown in the figures below, showing the current site presentation.

Figure 66: Entry to existing ATV Village from Waldron Road

Source: Evolution Planning

Figure 67: Existing development presentation to Waldon Road

Source: Evolution Planning

Figure 68: West side of the ATV Village as viewed from the public reserve

Source: Evolution Planning

Figure 69: Vacant lot - former service station site (Waldron Road on left of image)

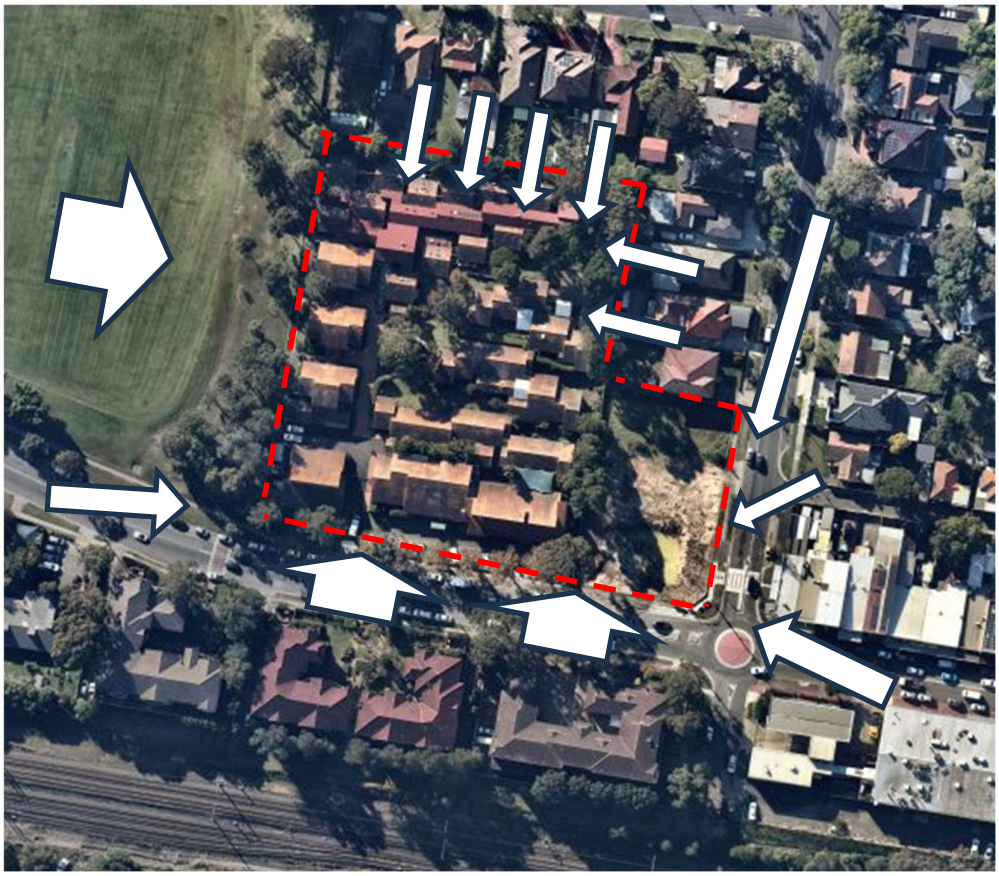
SOURCE: EVOLUTION PLANNING

The context of the proposed development is one where the centre is entering into a period of change in the terms of intensity of development and the built form and therefore, of course, a change to the visual context of the site which it should more appropriately be compared against. Key visual references from the site and the existing visual context, such as materiality, the higher proposed approved forms further to the east, and the landscaping context, have been considered in the design response to the emerging character.

Visual Catchment

The site has two street frontages and interfaces with lower density residential uses to the north, and a public reserve to the west. Medium density housing is located opposite Waldron Road to the south comprising 3 x residential flat buildings of 2-3 storeys. The site may be viewed from all of these locations as shown below.

Figure 70: Visual catchment



Source: Nearmap (Boundary indicative) (NTS)

Visual Impact Assessment

The proposed development will of course result in a significant change as to how the site is perceived from the various locations in its visual catchment. Overall, in the context of managing 'change', the proposal, will result in a positive outcome in terms of the appearance of the development when viewed from the public domain, including both streets, the reserve, and neighbouring properties, when compared to the existing site condition. The following assessment is based on the images prepared by BRG, numbered A3DA71-85a, (**Appendix B**), showing views of the development from the reserve with and without proposed site landscaping.

The existing site condition is a low benchmark to compare the proposal against. The design approach has followed certain core principles, discussed further below, which ultimately creates a development which sits comfortably in the context of the likely future built form character in terms of bulk and scale and one which improves its relationship with, and engages with, both street frontages and the public reserve.

The landscaping-to-building proportions of the proposal, weighing highly on the side of landscaping, has a significant effect on how the development will be perceived. The landscaping strategy is at the core of the design philosophy and the means of achieving the landscaping opportunities, in particular, minimising site coverage and maximising the separation between buildings, also minimises the visual impact of the development.

The perceived scale of the development, when viewed from Waldron Road or opposite from the south, is minimised by creating views into the heart of the site and maximising site permeability by the

generous separation between Buildings A and C. Views, screened by vegetation, will be available from the rear of the neighbouring dwellings, but in light of the means of minimising visual impacts (including the site planning and building massing measures discussed below), the visual impact of the development is considered to acceptable when viewed from these properties.

The proposed key design elements, contribute to the minimisation and successfully mitigate potential visual impacts:

- Façade design and articulation, successfully breaking up the massing of the building elevations;
- Recessing the upper levels of the buildings;
- Recognising the lower density development to the north and creating an appropriate transition in scale from that direction, including the generous deep-soil landscaped setback across the northern part of the site where a variety of proposed trees the stand of paper bark trees at the north east corner are to be retained;
- the development as whole contains landscaped spaces in excess of all minimum landscaped area and open space requirements and comprises ~1,032sq.m less than the total GFA available across the site which is informative since a development with a greater floor space with less landscaping, key determinants of visual impact in a residential context, could technically satisfy the prevailing planning framework and result in a visual impact greater than that presently proposed;
- The proposed new overall comprehensive landscaping design and the new landscaped setting within which the development is to be located; (**Appendix C**);
- The proposed landscaping along the western portion of the site, creating a satisfactory balance between screening and engaging with the public reserve;
- The selection of materials and finishes reflecting the character of the area;
- The buildings with street presences are setback from the boundaries generally in accordance with the DCP.
- Minimising site coverage:
    - creating views into the heart of the site;
    - maximising site permeability;
    - allowing for generous separation between Buildings A and C, minimising the perceived scale of the development when viewed from Waldron Road or opposite from the apartments to the south.

A change in the visual character to the centre is occurring and the proposal is considered to sit comfortably in this emerging character. The overall degree of visual change is commensurate with recent changes to the planning framework applicable to the centre and the site under the LEP which have included: a change from the previous “Special Use” zoning on the existing ATV site to R4 High Density Residential, and uplifts in height and FSR, to this and other sites at the west end of the centre. The change in the visual context is further evidenced by the approved 8 storey development at 137 Waldron Road and the current planning for the redevelopment of the shopping centre.

Refer to the selected images below describing the implementation of these techniques and the related discussions above at **Section 7.2.1** ‘Bulk and Scale’ and **Section 7.2.3** ‘Façade Design’ above.

Figure 71:Extract APP NN - Buildings A and B – SW aspect from Campbell Hill Parade

SOURCE: BRG

The perceived massing and visual impact of Building A, and the other buildings, have been successfully managed by breaking the facades up horizontally and vertically, taking cues from the character of the locality in terms of materiality and creating 'human-scale' segments across the street elevations. Depth and articulation is achieved on the facades by recessing the lighter toned external walls behind protruding modulated apartments elements, in this case balconies, in a darker tone.

Building B sits at the heart of the site, behind Building A, and responds satisfactory to the R3 zone to the north by its massing creating an appropriate transition in scale between the north and south of the site. Building B will be visible from the dwellings to the north and east, as discussed above. NO significant adverse visual impacts are anticipated due to proposed building separations and site landscaping.

Figure 72: Extract APP NN - Building A – Western aspect from Campbell Hill Road

Source: BRG

The upper-most floor of Building A is recessed ~8m from the north and south building alignments below and ~6m from the Campbell Hill Road wall, minimising the visual impact of this building element. Landscaping in the planter boxes at the edges of the recessed areas soften the form.

Figure 73: Extract APP NN - Buildings A and C – NW aspect from junction of Waldron and Campbell Hill Roads

Source: BRG

Building A appears as a distinct lower 'base level' with a separate tower element above, satisfactorily identifying the corner. The form of the building follows the preferred setbacks and, except for the recessed upper level which is not highly visible from the public domain, complies with the height available for a development of this nature on this site.

Figure 74: Extract APP NN - All buildings – Northern aspect from Waldron Road

Source: BRG

The Waldron Road vista presents as an open, entry to the site, achieved by the generous separation between Buildings A and C and the depth of the Building B setback, maximising visual permeability into the heart of the site and minimising the scale of development fronting the street.

Figure 75: Extract APP NN - Buildings E, A and C – Eastern aspect from public reserve

Source: BRG

The image above excludes proposed site landscaping along the western site boundary which comprises: 9 x banksia trees (mature height 15m), 3 x Grey Ironbark trees (25m) and 3 x Swamp Mahogony's (25m), which would further screen the proposed building from the reserve.

The development will be visible through screened vegetated views from the reserve, like the existing development, but creates an appropriate balance between a core design objective of engaging with the reserve and screening the development.

The sandy and earthy tones of the proposal create an appropriate background and colour for this site at the edge of the centre and park.

The proposed development does not interrupt important or highly valued vistas either from the public domain or from neighbouring properties.

The proposed development will not introduce any significant adverse visual impacts on the locality or neighbouring development. In response to the terms of assessment at *SEAR 6 'Visual Impact'*, a separate Visual Impact Assessment is not required.

7.5 Public Space

Open space for public use does not form part of the project, but the relationship of the proposed buildings and open spaces areas and their interface with the public domain is a critical aspect of the design, given its context of having two street frontages and sharing a lengthy boundary with a public reserve.

The design response to these interfaces have been influenced by the input of the SDRP, who instilled the approach of maximising landscaping and site permeability.

The proposed landscaping and open space at the entry to the site between Buildings A and C, and the setback of Building B, creates a welcoming environment for visitors when entering the site from Waldron Road, and will significantly contribute to the streetscape character.

Breaking up the building massing across the site in such a fashion also has the effect of minimising the perceived bulk of the development when viewed from the street. The proposed boundary treatments along Waldron Road and Campbell Hill Road maximise site permeability with low level landscaping and palisade type fencing.

The extensive landscaping proposed across the site also creates an excellent "green transition" between the public open space to the west and the urban local centre.

The evolution of the design from five to four buildings and the re-orientation of Building E to a north-south direction has created significant opportunities for the development to embrace the public reserve to the west. The separation between Buildings E and C allows for outlooks to the reserve from the heart of the site and from parts of Buildings A and B. The ample open space area between Buildings E and C includes a pavilion building with outdoor seating overlooking the reserve. Direct physical access to the

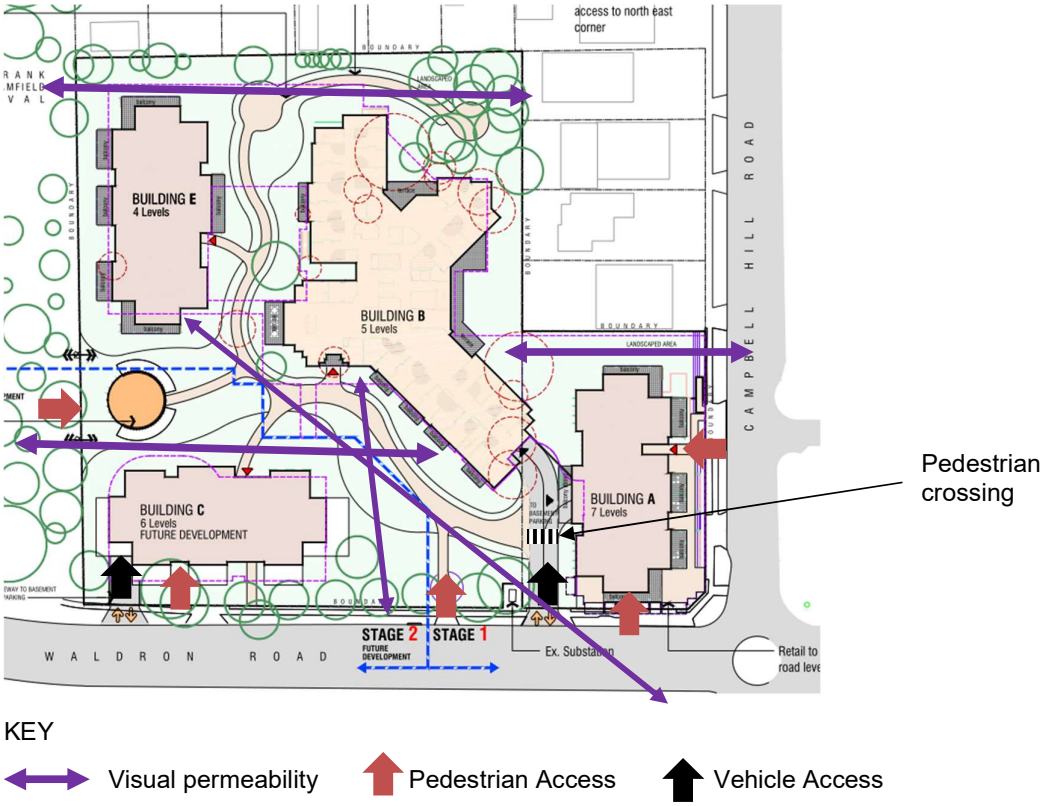
reserve is proposed at this location. The ability to see into the heart of the site from the public domain also has the added benefit of minimising potential visual impacts related to excessive massing.

The implementation of a Site Way-Finding Strategy, as recommended in the CPTED Assessment, **Appendix R**, will add an additional layer of connectivity between the site and the public domain.

Buildings A and C contain retail uses at ground level suitably activating Waldron Road, and the residential presentation of Building A to Campbell Hill Road is entirely consistent with the residential character of this street.

Pedestrian and vehicle conflicts have been minimised by Stage 1 of the development (Buildings A, B and E) being serviced by a single driveway crossing from Waldron Street. An internal pedestrian crossing is proposed across the driveway to safely link pedestrians from Building A to the rest of the site. An additional future crossing is proposed on Waldron Road to service Stage 2 (Building C) leading directly to below the building. Refer to Figure 77 below indicating how the proposal relates to the public domain.

Figure 76: Annotated Concept Plan - Public Space



Source: BRG

The proposed development will result in an overall improved relationship between the site and the public domain.

7.5.1 Crime Prevention through Environmental Design

Evolution Planning has prepared a CPTED Assessment, **Appendix R**, the key findings and recommendations of which are summarised below.

Crime Environment

The crime risk assessment undertaken in the Assessment, concludes the crime-risk for the development to be 'low-moderate'. Potential crime threats, which require particular consideration include: break and entry/theft from dwelling; theft; motor vehicle theft; malicious damage to property; trespass; and, assault (including, sexual assault).

Surveillance

The development embodies good-high levels of casual surveillance from within the buildings towards both Waldron Road and Campbell Hill Road. Commercial tenancies are proposed at the ground floor levels of both buildings with frontages to Waldron Road providing active street frontages, with living rooms and balconies facing both streets in multiple levels above in each case. The residential presentation in Building A to Campbell Hill Road, provide adequate levels of surveillance, perhaps more than a commercial use at this location which would likely be closed in the evening for compatibility reasons, given the residential character of the street.

Communal open space areas and pedestrian routes within the site are capable of being surveyed from private rooms and internal common places within the proposed buildings and from the streets.

The entries to the commercial tenancies, residential entries and main residential entry lobbies are satisfactorily separated, articulated and capable of easy identification. The implementation of the recommended CCTV, Site Way-Finding, and Lighting Strategies will further augment surveillance and entry identification and safety.

The western orientated open space areas and rooms within Buildings E, (and Building C at Stage 2), create passive surveillance positions from within the development during the day and into the evening, which will significantly diminish threats of anti-social behaviour in the reserve or unauthorised access from the reserve. The reserve presently lacks good levels of surveillance and the engagement of the development with the reserve is a significant benefit from a crime prevention perspective.

Access

The site will be secured at night but public, during normal circumstances, where public access may be available during the day from the main pedestrian entry to the site off Waldron Road. The development is secured during the day by managing access to the buildings. In light of the access control to buildings and the excellent levels of surveillance onto the open space areas and building entries, the degree of public access available is considered to be an acceptable risk from a CPTED perspective.

The proposed approach to perimeter security and fencing strikes a satisfactory balance between achieving ATVs objectives of creating a welcoming environment for residents and visitors and to provide fencing to the site that may be secured.

Territorial Reinforcement

This principle is satisfied, not only having regard to the proposed architectural and landscaping design, but also the current on-site presence of ATV and the existing seniors housing development. This 'historic-type' of territorial reinforcement is achieved because people in the community are accustomed to the current use and hence its continued use. In other words, it already has an 'identity' within the community.

The proposed development satisfies the principle through a combination of physical and landscaping indicators without undue impact on the streetscape. This is achieved by paling type fencing, setback from Waldron Road and screened by low landscaping; and the treatment across the Campbell Hill Road frontage comprising low walls and landscaping successfully defining the private space from the public domain.

Space Management

Good space management reduces the potential for malicious damage and ensures amenable areas which people will want to use. The communal open space areas, and indeed internal spaces, will be maintained and cleaned daily. Site maintenance will include the prompt repair of vandalism/graffiti and faulty lighting.

Landscaping maintenance work will ensure sightlines along pedestrian paths and around building entries are not obstructed and that landscaping does not unreasonably impede site lighting.

The CPTED Assessment concludes that the proposed development supports crime prevention and safety principles; and recommends further additional measures to minimise the threat of crime, including the preparation of CCTV, Lighting and Site Way-Finding Strategies. These recommendations are included at **Appendix J** – Summary Mitigation Measures.

7.6 Trees and Landscaping

7.6.1 Tree Removal and Retention

The are seventy-three (73) trees located within or adjacent to the subject site, which have been considered in the Arboricultural Impact Appraisal and Method Statement, prepared by Naturally Trees, **Appendix M**.

The project arborist has worked closely with the design team at BRG to assist with the classification of trees, and the arrangement of buildings to retain those of value where possible. The proposed development will result in half of those trees identified as having value being retained. Many of those trees to be removed are located at the centre of the site where retention is more difficult.

The existing vegetation on site was planted originally during or after the construction of the ATV in the 1990's, for aesthetic and decorative purposes. This next phase of development involves a comprehensive new landscaping strategy which retains significant trees, and involves and overall increase to canopy cover, **Appendix C** Landscaping Plans.

The Arboricultural Impact Appraisal, at Appendix 3, includes a schedule of how the trees are ranked, in accordance with Tree AZ Categories (version 10.04-ANZ). Generally, the lowest Category Z relates to weeds, dangerous or dead trees, and Category A comprises important trees suitable for retention.

Thirty-two (32) trees within the site, identified as 'Category A' and 'Category AA' trees, will be retained with limited to no impact on the Tree Protection Zones (TPZs). The proposal involves the removal of 37 trees within the site including 32 'Category A' trees and 9 unimportant trees.

The project arborist recommends compensatory planting and the proposed landscaping strategy includes the retention of 36 trees, involving a significant increase in canopy cover a decrease in roof and hardcover zones, as compared to the existing site condition.

The overall intensification of landscaping across the site will mitigate the urban heat island effect and creates a transition in green infrastructure between the town centre and the public reserve.

Extracts from the BDAR (**Appendix X**) and proposed landscaping master plan (**Appendix C**).are provided below.

Figure 77: Existing development - tree removal

Source: Fig 12 BDAR App X Land and Eco Consulting

Figure 78: Final Landscaping Masterplan

Source: Site Image

A stand of existing paperbark trees is retained at the north west corner of the site, which are incorporated into the landscaping and ‘Connecting with Country’ strategies.

No trees will be impacted upon outside of the site, including those trees on neighbouring private land, the road reserve or Abbott Park to the west.

7.6.2 Landscaping Plan

The proposed landscaping strategy, (Landscaping Plan - **Appendix C**), is a culmination of a collaborative process, led by Site Image, the project Landscaping Architect, involving ATV, the project architect, ecologist, arborist, and The Gaimaragal Group. Refer to the extract below of the final Landscaping Masterplan, prepared by Site Image.

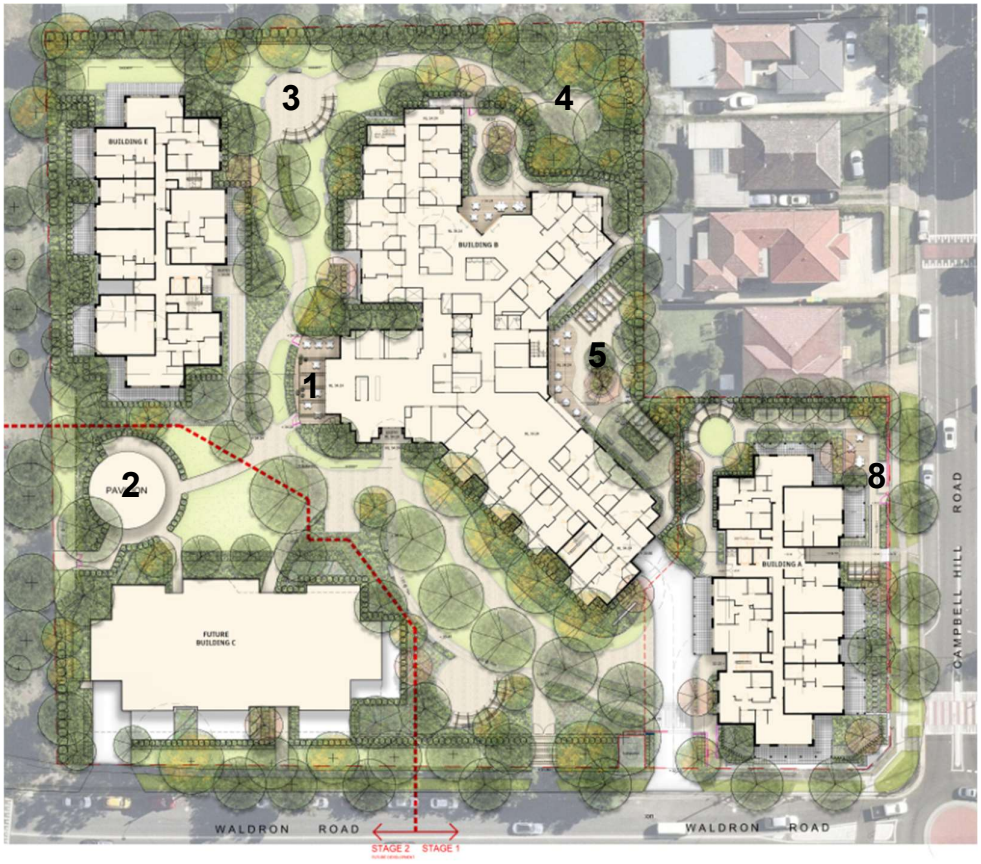
The approach to site planning of minimising site coverage has led to enhanced landscaping opportunities across the site and the ability to deliver this quality landscaping outcome.

The accompanying Landscaping Plan, prepared by Site Image, includes: the Landscaping Masterplans for Stages 1 and 2; details of all plantings, (types and number and species, mature heights), and planting and maintenance specifications.

Key features of the landscaping strategy include:

- The overall quantity of quality landscaped space exceeding all minimum planning requirements related to landscaped area, deep-soil zones and common open space, achieved by minimising the building footprints and hard-cover areas;
- The open nature of the entry to the site off of Waldron Road;
- The variety of external open space areas;
- The network of pathways connecting these spaces, including the central landscaped spine connecting all external areas and building entries;

Figure 79: Extract Final Landscaping Masterplan



Source: Site Image

- A variety of landscaped spaces and communal recreational spaces are incorporated in the plan including, (numbered on Figure 79 as relevant):
    1. the café and outdoor seating area at Building B;
    2. the Pavilion Park and access to the reserve;
    3. the passive recreation spaces at the northern end of the site;
    4. the retained paper-bark trees at the north-east corner of the site, and the creation of the "*Grove*" spiritual walk;
    5. a secure sensory garden on the east side of Building B for the use of high-care residents;
    6. communal landscaped open spaces on the roofs of Buildings B and E;
    7. additional green infrastructure in the form of non-trafficable planter boxes, creating the recess to the upper floor of this building; and,
    8. the landscaped garden setting surrounding the courtyard units in Building A.

The site landscaping strategy combines contemporary landscaping design with the principles of connecting the development with Country. Refer to the Connecting with Country Strategy, prepared by The Gaimaragal Group, at **Appendix N**.

"Spaces and places where people and families can gather are an important feature from a cultural point of view to give a sense of connecting to country for the residents of the village"

"Native vegetation, sensory gardens and a place for mindful walking amongst the wildflowers allows the spirit to connect to country."

"It also provides habitat for local birdlife."

The design includes "Story-telling" plaques; endemic cycles calendar plaques; native edible and medicinal gardens; the "Grove" spiritual walk; and, a native wildflower sensory garden.

The Connecting with Country Strategy not only identifies cues from the indigenous past to guide site master planning and landscaping, but has also identifies a link with a group of early colonists, referred to in a 1656 book, "*The Lost White Tribe Descendants*", as being Dutch, like the co-founders of ATV, which still has board members of Dutch descent.

The proposed landscaping design, will result in a far superior outcome, not simply by more than compensating numerically in terms of tree loss and by the significant increase to canopy cover, (all important features of the proposal), but more so, by the creation of a whole of site approach and a new landscaped setting for the development.

Fencing has been selected to appropriately secure the site, without introducing adverse impacts on the streetscape, and maximise the permeability between the site and the reserve. Paling type fencing is proposed along the Waldron Road frontage, where it is setback and screened by landscaping. The same type of fencing is proposed along the western boundary to allow for permeability between the site and the public reserve. The northern boundaries and the eastern boundary adjacent to Building B will have solid timber fences of 1.8m which will mitigate privacy impacts at ground level.

At the end of Stage 1, the land comprising Stage 2 will accommodate an existing administration building and hardstand area for associated parking, with extended lawn areas integrating this part of the site into the Stage 1 design, until the commencement of Stage 2.

The proposed strategy of minimising site coverage, maximising soft cover areas, also leads to direct benefits in reducing the well-documented urban heat island effect. The ESD Report, **Appendix W**, finds that aggregate surface temperature in this area is some 7°C warmer than a baseline vegetated canopy environment. The proposed expansive green area and canopy plantings, (along with other architectural design initiatives), will contribute to the management of this adverse effect which can have particular adverse health and well-being implications on the elderly. The landscaped setting of the proposed development, with various opportunities for passive activities and walking, further promotes the health and well-being of the future residents of the development.

'*Green Infrastructure'*, is described in *"Greener Places",* Government Architect, NSW 2020, as:

> "*the network of green spaces and water systems that deliver multiple environmental, economic, and social values and benefits to urban communities*".

Table 9 below provides an assessment of the proposed development and landscaping strategy against the Principles of Green Infrastructure, as promoted in *"Greener Places*".

Principles of Green Infrastructure	Assessment
1. Integration *- combine green infrastructure with urban development and grey infrastructure.*	The design strategy of minimising site coverage supports this principle, by making green infrastructure a priority during site planning. Green infrastructure is incorporated into the buildings by: ▪ the use of roof tops as communal open space areas with associated planted areas; ▪ harvesting stormwater from rooftops for storage and re-use to irrigate the garden areas; ▪ taking advantage of roof spaces for the placement of PV cells.
2. Connectivity *- create an interconnected network of open space*	The landscaping strategy is built around a central spine, wrapping around the northern part of the site, connecting all the buildings and the variety of open spaces and pocket parks. The proposal also provides connectivity with the public reserve to the west by the provision of the park pavilion and creating physical access to the reserve along the western site boundary.
3. Multifunctionality *- deliver multiple ecosystem services simultaneously*	The proposed landscaping strategy: ▪ Minimises grey infrastructure and expands the canopy cover and landscaped spaces across the site. This ultimately contributes towards the absorption of greenhouse gases; ▪ Creates new and additional habitat for native flora and fauna.
4. Participation *involve stakeholders in development and implementation*	The preparation of the landscaping strategy has been a collaborative process, led by Site Image. Whilst designed for the particular needs of seniors and those with a disability, the proposed landscaped open spaces and parks may be enjoyed equally by all.

Table 9: Principles of Green Infrastructure

7.7 Ecologically Sustainable Development

From a statutory planning perspective, the ESD credentials of the proposed development are principally considered against Section 193 of the *Regulation "Principles of ecologically sustainable development"* and, *SEPP(Sustainable Buildings) 2023.* Refer to **Appendix F** Statutory Compliance Table.

In summary, the principles related to environmentally sustainable development are satisfied for the following reasons:

- Precautionary principle: The proposed development will not result in any threat of serious environmental damage or degradation.
- Intergenerational equity: The very nature of the proposed development supports the '*Intergenerational Principle'* by ensuring the housing needs of future generations are catered for, without the introduction of unacceptable impacts.

- Conservation of biological diversity and ecological integrity: The impacts on native vegetation have been minimized by the statutory offset, the retention of identified vegetation of significance; and, the proposed landscaping works including numerous compensatory trees, increasing the canopy cover on the site.
- Improved valuation, pricing and incentive mechanisms: The development will not have any unacceptable environmental impacts in relation to air quality, water quality, the use of resources or the disposal of waste. Additional measures will be implemented to ensure no environmental resources in the locality are adversely impacted during the construction or operational phases. Refer to **Appendix J** – Summary Mitigation Measures.

An ESD Report, prepared by E-Lab Consulting, accompanies the application at **Appendix W**. The ESD Report confirms that the proposed development meets or exceeds the BASIX standards related to Energy and Water and satisfies the principles related to non-residential development. Refer to **Appendices P.1 -P.5** for BASIX reports and certificates for Building A and E and the stamped BASIX plans.)

The Report concludes that the project embodies a strong commitment to sustainability, by virtue of the proposed strategies and initiatives, including:

- 7 Star NatHERS average across the whole development;
- Section J compliance for the RCF;
- stormwater harvesting and re-use;
- PV cells;
- waste minimisation measures (99.5% construction waste diversion from fill);
- the use of low-impact materials and minimisation of resources, and,
- the preparation of project specific Green Travel Plan.

7.8 Traffic, Transport and Accessibility

A Transport and Accessibility Impact Assessment (TIA), has been prepared by Colston Budd Rogers and Kafes Pty Ltd, dated June 2024, **Appendix V**.

The TIA includes an analysis of existing public transport options, details of the transport related aspects of the project; an analysis of the performance of junctions in the vicinity of the site, (including those identified at SEAR 10); a preliminary Construction Traffic Management Plan; and, a preliminary Green Travel Plan.

For the purposes of the TIA, in particular with respect to parking demand and traffic generation, Building C in Stage 2, has an assumed yield of 37 units (6 x 1 bedroom, 29 x 2 bedroom and 2 x 3 bedroom units), which is consistent with a development of the proposed GFA.

Existing Transport Network

The site is ideally suited to this intensified form of residential development being is close proximity to public transport, including Chester Hill train station.

The site is located in proximity to the T3 Bankstown (city-Liverpool) train line. The proposed main pedestrian entry to the site is located ~370m from the station entry.

Bus services are available on Campbell Hill Road and Waldron Road including:

- 911 - Auburn to Bankstown via Georges Hall;
- 916 - Chester Hill to Guildford; and,

- M91 - Hurstville to Parramatta via Padstow, Bankstown and Chester Hill

Pavements are provided on both sides of Campbell Hill Road and Waldron Road. There is a bike lane on the east side of Waldron Road which may be of benefit to employees, who will have access to end-of-trip facilities, as well as residents. The TIA further observes that the proposed development, being close to public transport nodes, as being consistent with current State government policy.

Car Parking

On-site parking is regulated by Sections 107 and 108 of SEPP(Housing) with respect to the residential, seniors housing parts of the development, and under CBDCP 2023 for the proposed retail uses.

The TIA assesses the parking demand for the proposed development as a whole, (including Stage 2), based on the assumed yield as outlined above. Upon application of Sections 107 and 108 of the SEPP, development consent cannot be refused to the concept application if at least 122 car parking spaces and 1 ambulance bay is provided.

The retail component of Stage 1 attracts a requirement under CBDCP of 159/40 = 4 spaces – a total requirement of 126.

136 spaces and an ambulance bay are proposed including 42 spaces in the future Stage 2 Building C. Basement parking may readily be provided below Building C within the indicative basement as shown on DWG A1DA04 and will form part of the Stage 2 DA.

With respect to the Stage 1 SSDA, parking is provided in accordance with Sections 107 and 108 of SEPP(Housing) and CBDCP 2023 as shown below at Table 10.

Building	Required	Proposed	Compliance
A - ILUs	0.5 space / bedroom = 76/2 = 38		
A - Retail	1 space/ 40sq.m GFA = 159/40 = 4		
	Total required Building A = **42**	**44** - below building A	✓
B – RCF	1 space/ 15 beds = 120/15 = 8; 1 space/two employees on duty at one time = 36/2 = 18		✓
	Total required Building B = 26		
E - ILUs	0.5 space / bedroom = 46/2 = 23		
	Total required Buildings B and E = **49**	**50** – within shared basement below Buildings E and B.	✓

Table 10: Stage 1 Parking Assessment

All parking is located at the basement level. A drop off zone and ambulance bay is located at the entry to the RCF. The proposed development satisfied the related provisions of SEPP(Housing) and CBDCP in terms of the provision of car parking spaces.

Accessible Parking

Fifteen (15) 'accessible' AS/NZS 2890.6 compliant car spaces are proposed, 8 below Buildings B and E and 7 below Building A. The planning provisions related to accessible parking are at Schedule 4 of SEPP(Housing) and apply to the ILUs only.

In summary, the standard to be varied requires 15% of the car spaces allocated to the independent living units (ILUs) to be 'accessible' (designed in accordance with AS/NZ 2890.6); and, that 50% of the remaining spaces also comply with AS/NZ2890.6, or be at least 3.2m wide.
Twenty-five percent, (25%), of the proposed ILU car parking spaces are designed to comply with AS/NZ2890.6. The extra number of spaces is not enough to satisfy the further requirement for 50% AS/NZ 2890.6 compliant spaces. No spaces are proposed with a width of 3.2m or more.

Due to the location of the site in proximity to accessible public transport, (meaning a reduction to overall parking demand); and, direct industry input, being the knowledge of ATV and historic car ownership patterns, adequate accessible parking is provided to service the proposal. ATV has advised that no existing ATV residents presently own a car. The control is a development standard and a Clause 4.6 Variation Request to formally vary Clause.85(1) of the SEPP is provided at **Appendix UU**.

Bicycle Parking

Given the nature of the proposed use, the demand for bicycle parking is less than a typical high density residential development. Six (6) spaces are provided for staff and visitors. Ample storage space is provided for each ILU at basement level which can be used for bicycle storage.

Access, Servicing and Circulation

Stage 1 of the project will rely on a single access from Waldron Road to a driveway leading to a shared basement for Buildings A, B and E, and an internal driveway to the front of the RCF, Building B. Stage 2 will add a further driveway from Waldron Road to service Building C.

All loading and waste collection and storage is to occur within a shared basement level. Each building has its own waste storage room and each room has a dedicated loading bay suited to small to medium rigid trucks.

The proposed access and circulation arrangements have been assessed against of the Australian Standard for Parking Facilities (Part 1: Off-street car parking), AS 2890.1, as satisfactory.

Traffic Generation

Upon application of TfNSW surveys of residential care facilities in Sydney, the traffic generation rate of the residential part of the development is taken as 0.18 V/H/bed during the afternoon peak

This translates to additional traffic in the order of 25 V/H during the weekday peak hours. This is deemed to be a low increase, in the opinion of the project traffic engineer, equivalent to an average of only one additional vehicle every two to three minutes. The limited amount of retail floor space will not generate significant additional traffic.

The analysis shown in the report using SIDRA modelling, shows increases in traffic on Waldron Road, Christina Road and Chester Hill Road to be in the order of 5 to 15 vehicles per hour. This level of increase does not change the existing satisfactory or better levels of service, at the tested junctions.

Recommended Noise Intrusion and Noise Impact Mitigation Measures

- Construction Traffic Management Plan - The builder/contractor, once appointed, will be responsible for preparation of a detailed CTMP, to incorporate the principles and measures at Section 7 of the TIA, prepared by Colston Budd Rogers & Kafes Pty Ltd, dated December 2023;
- Access arrangements, parking layout, servicing and vehicle swept paths should be reviewed and confirmed for compliance certification against AS 2890.1 and AS 2890 prior to CC;
- Preparation of a Community Green Travel Guide prior to OC. The Guide will provide public transport information, maps, car share vehicle locations; public transport timetables; and, engagement strategies to encourage residents and staff to use alternative forms of transport

than private cars. The Guide will be developed upon the framework of the Green Travel Plan, included in the TIA.

7.9 Biodiversity

A Biodiversity Development Assessment Report, (BDAR), has been prepared by Land Eco, dated 5 November 2024, **Appendix X**, to assess the impacts of the proposed development on threatened fauna and flora, and native vegetation.

Historic imagery shows the site was effectively grass covered prior to the construction of the ATV village in the early 1990's. The native vegetation to be removed as a result of the development relates to planted species for aesthetic and functional purposes and according to the BDAR is excluded from credit calculations.

The proposal involves the removal of 0.33 ha of remnant native vegetation, described in the BDAR as "*infill planted, disturbed, weed infested vegetation*". Thirty-seven, (37), trees, (32 of value), are to be removed and 36 retained, in accordance with the tree protection measures recommended by the project arborist at **Section 7.6.**

The proposed compensatory planting results in an overall increase to canopy cover on the site.

The method of site planning to minimise building footprints and to retain the vegetation of significant conservation value at the north east corner of the site, creates a balance between the avoidance of any impacts on the biodiversity values on the site and creating a development which is fit for purpose.

One plant community type (PCT) occurs on the site:

- *PCT 3320: Cumberland Shale Plains Woodland (which forms part of the 'Shale Gravel Transition Forest in the Sydney Basin Bioregion' Endangered Ecological Community (SGTF EEC) listed under Schedule 2 of the Biodiversity Conservation Act 2016 (BC Act)*

Three (3) Ecosystem Credits are required to be retired to offset the residual biodiversity impacts of the proposal.

The proposed development is not located on biodiversity certified land. No threatened species were recorded on the site.

Recommended Mitigation Measures:

- A biodiversity offset shall be provided, in accordance with Part 6 of the NSW Biodiversity Conservation Act 2016 – BDAR Appendix C: Biodiversity Credit Reports from Biodiversity Assessment Method Calculator;
- Ensure all contractors employed to work within the site are suitably qualified, experienced and informed of any ecological features and potentially occurring threatened species;
- Assign an expert Ecologist to conduct and oversee all ecological compliance requirements associated with conducting a proposed development in line with all relevant state and commonwealth legislation and guidelines;
- Have an ecologist present during the clearing of native vegetation;
- Incorporate locally indigenous flora species representative of SGTF EEC in soft landscaping associated with the development;
- Implement vertebrate pest control during construction and operation of the development;
- Implement all relevant biological hygiene protocols and requirements as per NSW Government guidelines;
- Implement ongoing management of priority weeds according to statutory requirements; and
- Implement appropriate, vegetation protection fencing, stockpiling and sediment control during construction.

7.10 Noise and Vibration

The application is accompanied by a *Noise & Vibration Impact Assessment*, (NVIA), prepared by Pulse White Consulting, dated 12 March 2025, **Appendix Y**, in accordance with the NSW EPA Guidelines.

The NVIA relies on long-term unattended noise logging between 26 July and 2 August 2024 with loggers located at the western and eastern sides of the site. The NVIA considers noise intrusions into the development and potential noise impacts from the development related to plant, on-site vehicles, waste collection and construction onto neighbouring properties.

Noise and Vibration Intrusion

The provisions under Section 2.100 of *SEPP (Transport and Infrastructure) 2021,* related to noise from rail corridors, do not apply given the distance from the proposed sensitive receivers to the rail track to the south exceeds 80m. Clause 2.120, related to noise from classified roads, does not apply since the published and logged traffic data for Waldron Road does not exceed 20,000 daily traffic movements.

The potential impacts of rail and traffic noise are assessed against *AS2107:2016 Acoustics - Recommended design sound levels and reverberation times for building interiors*. Recommendations are provided within the Assessment with respect to external glazing specifications to meet AS2107.2016. No addition measures are necessary with respect to the proposed external walls and roofs.

Noise and Vibration Impact

The proposed construction activities have been assessed in the NVIA as being able to comply with all the relevant noise and vibration criteria, subject to the recommend mitigation measures listed below. Potential impacts associated with proposed groundworks are further discussed below at Section 7.11, which contains further measures to mitigate noise and vibration impacts specifically associated with earthworks.

Noise impacts related to mechanical plant, on-site vehicles, waste collection and construction activities, have been found to either satisfy the related noise criteria under the NSW EPA Noise Policy for Industry, or are considered capable of satisfying these criteria.

Car parking, loading and waste collection activities all occur within the proposed basement level with no further mitigation measures are necessary.

The project acoustic engineer will assist with the selection of plant and the basement roller doors, which shall be certified prior to construction certification to meet the noise criteria, and be the subject of post-occupation monitoring to ensure compliance.

With regard mechanical services more generally,(AC condensers and ventilation fans), all future plant and equipment are to be acoustically treated to ensure the noise levels at all surrounding receivers comply with the relevant noise emission criteria.

Since specific plant has yet to be selected, future acoustic mitigations measures, if any, will be confirmed prior to construction certification. Potential mitigation measures may include:

- Internal lining of metal ductwork.
- Acoustic silencers.
- The use of variable speed devices such as exhaust fans.
- Acoustic screening to plant areas.
- Vibration isolation of all equipment.

- Other acoustic mitigations as required to ensure noise emissions comply with project trigger noise levels.

The project acoustic engineer has concluded, with respect to mechanical services, at Section 6.1 of the NVIA that: "*Experience with similar projects indicated that it is both possible and practical to treat all mechanical equipment such that the relevant noise levels are achieved".*

Subject to the following recommended measures, summarised from the NVIA, the proposed development will not result on any unreasonable or significant noise impacts on neighbouring properties, and will be satisfactorily insulated from external noise sources.

Recommended Noise Intrusion and Noise Impact Mitigation Measures:

- External glazing specifications – All windows to be 6.38mm laminated glass, except for the living areas and bedrooms facing Campbell Hill Road and Waldron Road where 10.38mm laminated glazing is recommended;
- Details of the required mechanical services equipment and acoustic treatments to ensure the relevant noise level criteria is achieved will be provided as part of the CC submission of the project;
- Entry/exit doors such as roller doors or motorised gates must be designed and controlled to comply with the established NPI project noise trigger levels;
- Hours of construction - All demolition work must be limited to between 7.00am and 6.00pm weekdays and 7.00am and 1.00pm Saturdays. No demolition work must be undertaken on Sundays or public holidays;
- Attended noise and vibration monitoring at the commencement of rock cutting, hydraulic hammering and/or in the case of complaint;
- Community engagement – notification of commencement of substantive excavation works; details of any complaint's protocols.

7.11 Ground and Water Conditions

The construction of the basement will require excavation of up to 4m towards the northern, more elevated parts of the site. To assess the existing geotechnical conditions of the site, potential related impacts on neighbouring properties; and, to guide construction methodologies, a Geotechnical Investigation has been prepared by AssetGeoEnviro, **Appendix Z**, (Geotechnical Report).

Due to the presence of groundwater and the necessity for dewatering during earthworks, a Dewatering Management Plan, (DMP), prepared by Reditus Consulting, (DMP), has been prepared, **Appendix AA**. The DMP provides a full description of the hydrogeological setting of the site, construction design advice, predictions of groundwater extraction volumes, and an assessment of potential dewatering impacts. The DMP also provides management strategies to minimise adverse environmental impacts related to the proposed water treatment system, and monitoring and compliance protocols.

A Site Hydrology Report, also prepared by Reditus Consulting, comprises an earlier investigation leading to the DMP, and is provided at **Appendix QQ** for reference purposes.

Approvals

The project involves de-watering during construction and an 'aquifer interference activity' approval is required under Section 91 of the *Water Management Act 2000*, (WMA).

The proposed activities do not require an "*Approval for Water Supply Works and/or Water Use*" under the WMA or Part 5 of the *Water Act 1912*, given the rate of take is less than 3ML/annum, which is understood to be the 'trigger' for such approvals.

Aquifer interference approvals under Section 91 of the WMA are not to be granted unless no more than "*minimal harm*" will be done to any water sources or associated ecosystems. The DMP concludes that the proposed activity will be of "*minimal impact*" when assessed against the Aquifer Interference Policy and the *DPE(2022) Groundwater Impact Assessment Criteria*. The means of minimising the impact is discussed below. The volume is low enough to be exempt from the Water Access Licencing requirements under the *DPE (2022) Groundwater Impact Assessment Criteria*.

Approval shall be obtained from Council to discharge dewatered, treated groundwater to the adjacent stormwater infrastructure.

7.11.1 Geotechnical Assessment

The general geotechnical profile of the land is a shallow level of fill (up to 1m), clay up to ~1.5m, then a stratum of shale and siltstone up to ~6m. the bedrock is therefore relatively shallow within the site.

Field analysis conducted during the geotechnical investigation indicates the presence of groundwater and recommends further longer-term borehole monitoring to understand any fluctuations in the groundwater level to determine the design groundwater level. The site hydrogeology and the management of groundwater is discussed at **Section 7.11.2** below.

Overall, the Geotechnical Report does not identify any subterranean conditions which would hinder the delivery of the project.

Potential geotechnical impacts associated with the proposed development identified in the Geotechnical Report, such as those related to vibration; the displacement of neighbouring footings; and, settlement caused by groundwater drawdown, have been assessed as negligible, and within acceptable limits, subject to the related recommended mitigation measures in the DMP, which are summarised below.

Recommendations and information related to excavation preparation and support; fill; batter slopes; underpinning; soil aggressivity; footings; will guide the detailed design of the project and construction methodologies.

To manage vibration impacts on neighbouring properties the Geotechnical Report recommends limiting ground vibrations at the adjoining developments to not more than 10mm/sec, by the selection and output of selected equipment and though monitoring at the property boundaries for verification.

7.11.2 Site Hydrogeology

Background

The DMP confirms that:

- The site is located within the Bringelly Shale geologic unit and due to the expected low permeability of this material, groundwater inflows are expected to be negligible;
- There are no registered groundwater supply bores within a 1 km radius of the site;
- There are no high priority Groundwater Dependent Ecosystems (GDEs) within a 1.0km radius of the site;
- There are no known contamination sources or plumes within a 500m radius of the site; and,
- Given the site location within metropolitan Sydney, onsite sewage disposal systems within 250m of the site are unlikely;
- The site is not known to have acid sulphate soils present. The "Ph" levels recorded in the Geotechnical Report are, at lowest, Ph 5, thereby not showing signs of high acidity;
- The sampled soils are not highly saline and are categorised as 'mild' with respect to aggressiveness to concrete and 'non-aggressive' to concrete and steel.

Groundwater

Groundwater levels have been monitored by the four (4) new groundwater monitoring wells installed within 222 Waldron Road by Reditus for the purpose contamination investigations and three (3) existing groundwater monitoring wells, installed in 2014 on the former service station site. The groundwater level data collected in 2014 has been included in the hydrological modelling.

Measurements from the 7 wells were undertaken manually and by logging equipment. Data-logged monitoring was conducted for over 121 days, between May 2023 - January 2024. Groundwater was found to be between approximately 1m-4m below the existing ground levels, with marginal fluctuation. The groundwater flow direction is to the west-southwest, generally conforming with the topography across the site and adjacent land.

Basement Design/Flow Rates

The hydrological modelling conducting by Reditus, predicts groundwater take of 0.551ML/year during construction in the first 12 months, with ongoing groundwater inflows of 0.42 ML/year after construction. Such flow rates can be effectively managed with a drained basement design.

Water Quality

The baseline groundwater quality results reported in the DMP show concentrations of trace elements, or “analytes”, below the ANZG (2018) Default Guideline Values (DGVs) for the 95% protection of fresh and marine water receptors, except for marginal exceedances with respect to concentrations of copper and zinc.

To provide some context around the implications to any ‘exceedances’ to the DGVs, the DMP explains that such 'exceedances’ should be treated as an "early warning" mechanism, to better inform contractors during future monitoring, and are not intended to be an instrument to assess ‘compliance’.

The proposed water treatment system to be used during construction involves the untreated groundwater being pumped into a settlement tank to remove any ‘larger’ particles, then to a Chemically Enhanced Primary Treatment (CEPT) System, which has an inbuilt dosing and control system enabling automatic water treatment (as or if required), before discharging to the stormwater system, with the approval of Council.

Prior to any groundwater discharge commencing from the site to Council’s stormwater system, an initial round of sampling must be conducted during the installation of the dewatering system. All groundwater will be retained onsite until the water quality objectives have been achieved.

Mitigation Measures During Dewatering

Potential impacts associated with de-watering during construction activities include water quality impacts; noise and vibrations generated by pumps; offensive odours, such as gases released during excavation; and, fumes from diesel powered water pumps.

The following mitigation measures are recommended:

- Water treatment, as deemed necessary, during de-watering monitoring to meet the criteria provided in the DMP;
- That, where possible, electric powered dewatering pumps are selected over diesel powered units;
- Installation and maintenance of high efficiency mufflers for all noise generating plant;
- Pump equipment and generators shall be located away from site boundaries, where possible;
- Installation of acoustically baffled enclosures around generators and pumps;

- All subcontractors to be managed to ensure they work only within the prescribed hours of any consent;
- Where multiple noise generating equipment are scheduled, consider programming operations, where possible, to minimise cumulative impacts;
- Maintenance of equipment;
- Compliance with any Construction Environmental Management Plan, Demolition Management Plan, Excavation Management Plan, or Construction Noise and Vibration Management Plan.

To manage and mitigate potential impacts associated with noise and vibration the Geotechnical Report includes the following recommendations:

- The ground vibrations at the adjoining developments should be no more than 10mm/sec;
- Plant will be selected with consideration to the distance of the works to the property boundary;
- Monitoring at the property boundaries will be conducted during earthworks to ensure compliance.

7.12 Stormwater and Wastewater

A Stormwater Concept Plan and Stormwater Management Report has been prepared by ADP Consulting, provided at **Appendix D** and **Appendix NN** respectively.

All stormwater gathered within the site will be directed to one of two underground OSD tanks. OSD Tank 1 is located below the site of the proposed pavilion structure in Stage 2. The light-weight structure may be adapted to allow for inspection and access to the tank. OSD Tank 1 has a volume of 80.83cb.m and discharges by gravity to Council's drainage system on Waldron Road.

OSD Tank 2 is located below the proposed driveway, has a volume of 47.95cb.m, and discharges separately to Waldron Road under gravity. There is a third discharge point to Waldron Road comprising stormwater which has not been collected on the site and by-passes the OSD system. The stormwater comprises managed overland flows from the neighbouring, upslope properties, captured by shallow swales at the boundaries. Stormwater captured at the basement and parking areas will be directed to a pit and pumped to the OSD system.

Both tanks are designed to accommodate a 1% Annual Exceedance Probability (AEP) storm event. Tank 1 requires a minimum capacity of 77.85cb.m, and has a volume of 80.63cb.m. Tank 2 requires a minimum capacity of 46.81cb.m, and has a volume of 47.95cb.m.

All stormwater, before passing into the OSD tanks, will first pass through proposed gross pollutant traps, and sediment filters are proposed within the OSD tanks.

The stormwater quality targets, adopted from Sydney Water, are satisfied. Refer to Table 10 below.

Water Quality Criteria	**Proposal**
>90% reduction in gross pollutant	100%
>85% reduction in total suspended solids	85.4%
>65% reduction in total phosphorus	68.4%
>45% reduction in total nitrogen	47.5%

Table 11: Water Quality Targets

The proposed stormwater management arrangements will ensure that the discharge rates satisfy Council requirements, to cater for the 1/100 storm event, and exceed the adopted water quality criteria.

7.13 Flooding Risk

The site is shown on Council's mapping system as being affected by the Probable Maximum Flood (PMF) flood event in the vicinity of the existing driveway at the south-west corner of the site, as extracted below.

Figure 80: Extract Flood Map

Source: Canterbury Bankstown Council Mapping System

A Flood Risk Management Plan, prepared by Hydracor, (Flood Study), is provided at **Appendix BB**.

The Flood Study finds that the extent of flooding onto the site, (as shown above), is largely generated by the site which naturally drains to the lowest part being the southwestern corner. As a result of the proposed development and the stormwater management infrastructure, this runoff will be managed largely removing such overflows.

The Flood Study further suggests that the modelling may not have taken into account changes in level between the site and the neighbouring road reserve The site boundary fronting Waldron Road is generally 500mm 800mm above the adjacent road levels.

The results of the Villawood Drain Works-As-Executed Study', 2009, shows the site is unaffected by flooding up to the 1/00 flood event. Refer to the extract below as provided in the Flood Study schedules.

Figure 81: Extract 2009 Flood Study

Source: Hydracor

Notwithstanding, any potential discrepancy in modelling, the Flood Study recommends further investigation during the detailed design of Stage 2 with regard to the driveway crossing and basement entry to Building C.

In accordance with the requirements of the DCP and the NSW Floodplain Management Manual, (Flood Manual), for the purpose of flood risk assessment the site/development is categorised as follows:

- Development type:Sensitive Use (Seniors Housing);
- Flood Risk Precinct:Low Flood Risk for most of the site and otherwise flood free pending detailed design of proposed building C;
- Flood matrix applicable:Schedule 3 (Georges River floodplain).

The remainer of this section includes the consideration of flooding impact, and any operational or design requirements.

Floor Level

All habitable floor levels are to be located at or above the PMF flood level. The proposed buildings within Stage 1 are located on land outside of the PMF flood extents and therefore there are no minimum floor level requirements relating to flooding for any proposed building in Stage 1. The detailed design of Building C and the associated driveway crossing and basement entry at Stage 2 will include any necessary freeboards and a 300mm driveway crest above the PMF flood event.

Building components and method

Building C is to be constructed from flood compatible materials to standards provided in the Flood Study which will be adopted during the detailed design of the building.

Structure

The flooding characteristics in the area do not necessitate the forces of flood water to be considered with respect to the structural design of the buildings. This will be re-considered during the preparation of the Stage 2 DA.

Impact of the proposed development

The proposed development will not result in adverse impacts on adjacent properties during any flood event up to and including the PMF event.

Management and Design

All storage will occur above the PMF level.

Evacuation

Access to and from the site will be available during all flood events up to and including the PMF event via Campbell Hill Parade and Waldron Road. All habitable room levels are located above the PMF. In the event of a flood in excess of the PMF, residents can remain safely in place or be evacuated in accordance with the NSW SES Emergency Evacuation operational guidelines, given adequate warning of any such storm event.

7.14 Contamination and Remediation

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021,* (SEPP(Res/Haz), relates to the Remediation of land.

The former use of 140 Campbell Hill Road as a service station, and its change of use to seniors housing is central to the assessment of potential soil and groundwater contamination.

By way of background, during 2023, remediation works were carried out on the former service station site, in accordance with **Section 4.11** of SEPP(Resilience and Hazards) 2021 "*4.11 Category 2 remediation work: work not needing consent*". The remediation works have been satisfactorily completed. Refer to the Site Audit Statement, (SAS), No. 0301-2307, prepared by Reditus, dated 8 November 2023, **Appendix CC**.

Other related documents leading up to the issue of the SAS are provided for reference purposes:

- UPSS Decommissioning & Validation Report, 140 Campbell Hill Road, Chester Hill , prepared by Reditus, dated 31 October 2023 - **Appendix DD**;
- Remediation Action Plan (RAP), 138 and 140 Campbell Hill Road, Chester Hill , prepared by Environmental Strategies, dated 23 August 2016 - **Appendix HH**;
- Site Audit Report, 138 and 140 Campbell Hill Road, Chester Hill , prepared by Enviroview, dated 8 November 2023 - **Appendix FF**.

The application is accompanied by a Detailed Site Investigation, for the entire site, 222 Waldron Road & 138-140 Campbell Hill Road, Chester Hill, prepared by Reditus, dated 17 June 2022, **Appendix GG**.

Samples were collected by hand across various locations on both 222 Waldron Road and 138-140 Campbell Hill Road and using groundwater monitoring wells, already installed at the former service station site. The DSI of 2022 finds that the site is suited to its intended purpose with respect to any potential soil or groundwater contamination, subject to the following recommendations:

- Preparation of an updated RAP to include the recommendations of the RAP, prepared by Environmental Strategies, dated 2016, **Appendix HH**.
- Provisions related to unexpected finds protocols;
- Pre-demolition Hazardous Materials Survey;
- Waste Classification arrangements.

The recommendations related to the removal of UPSS infrastructure is no longer relevant, since the underground fuel tanks have already been removed and decommissioned.

In accordance with the DSI 2022, a new RAP, prepared by Reditus, dated 18 May 2023, accompanies the application at **Appendix EE**, which consolidates the past investigations and recommendations in a single RAP for the entire site.

Clause 4.6 of SEPP(Resilience and Hazards) 2021 is satisfied and consent may be granted for the following reasons:

- In accordance with Section 4.6(1), the RAP at **Appendix EE** has identified the nature of contamination on the site and has found that the land is suitable for the purpose for which the development is proposed to be carried out, subject to the recommendations of the RAP;
- A comprehensive RAP (**Appendix EE**) for the entire site has been prepared satisfying subclause 4.6(2) and (3)

7.15 Waste Management

7.15.1 Construction and Demolition Waste Management

Construction and Demolition Waste Management Plans, for Stages 1 and 2 of the proposed development have been prepared by Elephants Foot, provided at **Appendix RR** and **Appendix SS** respectively. Both Plans include a suite of measures aimed at recycling demolition and construction materials. Subject to the implementation of the recommendations by Elephants Foot, Stage 1 Plan, it is estimated that of the 1,406.7T demolition 'waste', 99.5-99.7% of it will be diverted from landfill, significantly in excess of the industry standard of 80%.

The 2023 RAP at **Appendix EE** includes a recommendation for a Pre-demolition Hazardous Materials Survey to be prepared.

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act & Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

All activities associated with demolition and construction may be satisfactorily managed or mitigated to ensure that any impacts to the environment, or neighbouring properties, are appropriately minimised. Refer to **Appendix J** Summary Mitigation Measure Table.

Due to the lock-downs during the COVID pandemic, a Hazard Materials Survey, was not prepared during early site investigations. Since then, further cases have risen where the village has been locked down, and given the intrusive nature of such work, we request that the Hazard Materials Survey be prepared prior to the commencement of work as reflected at **Appendix J** Summary Mitigation Measure Table.

7.15.2 Operational Waste Management

An Operational Waste Management Plan (OWMP), prepared by Universal Foodservice Designs (UFD), accompanies the EIS at **Appendix T**.

All waste from the site, (including medical and cytotoxic waste), will be collected by contracted specialists.

Each building is serviced by separate waste/recyclable storage rooms at basement level. The proposed capacities of the waste rooms accord with *"Better practice guide for resource recovery in residential developments, NSW EPA".*

Buildings A and E each have chute delivery systems for waste and have separate bulky waste store rooms.

Separate collection bays, designed to accommodate small to medium rigid trucks, are proposed adjacent to each of the waste store rooms. ATV staff will be required to maintain and manage all bin holding/collection areas on site.

All waste collection will be conducted on-site at basement level, out of view of the public domain and neighbouring properties.

The proposed waste storage and management facilities are considered to adequately service the needs of the proposed development. Further detailed measures related to the design and access of the waste storage rooms and required capacities (for waste and recycling) are included in the UFD Report which are included at Appendix J – Summary Mitigation Measures.

7.16 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Report (ACHAR), prepared by GML Heritage Pty Ltd, (GML), accompanies the EIS, **Appendix OO**. The purpose of the ACHAR is to: identify the Aboriginal heritage values of the study area; involve the Aboriginal community in the assessment process; identify the means of minimising harm; and, establish any mitigation/conservation measures, as necessary.

The consultation methodology undertaken in the ACHAR has been carried out in accordance with *Aboriginal Cultural Heritage consultation requirements for proponents 2010,* DECCW 2010. The initial round of consultation is to identify Aboriginal people with relevant knowledge of the land. These registered Aboriginal parties (RAPs) are then invited to make contributions to and provide feedback. A full list of the RAPs and relevant correspondence is contained within the ACHAR.

In summary:

- Each RAP was provided with the details of the assessment methodology on 16/5/24. All comments received agreed with the proposed methodology of assessment;
- No comments related to cultural information was received;
- One RAP requested that any objects of significance found on the site be reburied on the site;
- The ACHAR was issued to all RAPs on 14 June 2024 for a 28-day review period. The period closed on 12 July 2024 and no submissions have been received.

The ANCHAR concludes that the context of the study area is not the type of land which is generally associated with Aboriginal activity, and despite a number of other surveys in the study area, no Aboriginal objects have been discovered in proximity of the site. Due to the nil-very low potential for the site to accommodate relics, the ANCHAR does not recommend the necessity for further assessment or investigation and that works may proceed with caution.

The proposed development is not considered to significantly adversely impact on the Aboriginal cultural heritage value of the land.

7.17 Environmental Heritage

The site is not identified as having heritage or archaeological significance under Schedule 5 of the LEP. The site is not a heritage listed item nor is it located is a heritage conservation or in proximity to any items of heritage significance.

Figure 82: Extract LEP Heritage Map

There is no evidence to suggest the site may be home to archaeological relics. The vacant lot has already been partly excavated during remediation works. It is recommended that monitoring occur during further excavation and demolition activities and that appropriate protocols are put in place to record and report any unexpected discoveries.

7.18 Social Impact

A Social Impact Assessment (SIA), has been prepared in accordance with the DPE SIA Guidelines (2022, by Planning Studio, Refer to **Appendix Q**.

The SIA identifies and ranks and assesses potential social impacts, to content of which is summarised below.

Social Impact Category	Summary SIA Ranking		Comments
Way of life	Magnitude: Likelihood: Rating:	Moderate Possible Med (+ive)	For the existing ATV residents who chose to reside in the new development, their 'Way of Life' will benefit immeasurably by the new, sector leading accommodation and all of the benefits that come with it, including the much-improved landscaping environment within which the development is set. The main potential impact identified in the SIA is potential construction related impacts. The proposed construction activities have already been assessed above as being capable of being satisfactorily mitigated. Mitigation measures will include those provided in a comprehensive Construction Management Plan, (which will be prepared upon the appointment of a contractor); the Construction Traffic Management Plan, (provided in the Traffic Report at (**Appendix V),** and, the related recommendations from the Geotechnical Report (**Appendix Z**) and Noise Assessment (**Appendix Y**) Refer to **Appendix J** Summary Mitigation Measures.

Community	Magnitude: Likelihood: Rating:	Major Likely High (+ive)	The project retains the strong sense of community and connection with the Dutch founders of the organisation. Provisions are in place to display the archived material of ATV to continue and enhance this connection. Retaining a strong sense of community has always been a key objective of ATV when contemplating the project. This has been achieved through a variety of means: including the proposed community café and pavilion park, and the variety of internal common areas, which may be shared and enjoyed by all residents and their guests. Unlike the existing development, the current proposal includes a focal point for visitors being a clearly identifiable pedestrian entry leading to a reception and café.
Accessibility and Safety	Magnitude: Likelihood: Rating:	Moderate Possible Med. (+ive)	The SIA supports the findings of the CPTED Report, **Appendix R**, and ranks the development as a "Medium +ive" result with respect to safety and security.
Culture	Magnitude: Likelihood: Rating:	Moderate Likely High (+ive)	The SIA has identified the work done by The Gaimaragal Group and the design team to establish a 'Connecting with Country' strategy to incorporate the Darug cultural into the landscaping masterplan. The more recent cultural significance of the ATV Dutch origins is also protected and enhanced.
Health and wellbeing	Magnitude: Likelihood: Rating:	Moderate Likely High (+ive)	The very nature of the proposed development promotes the health and wellbeing of the community by providing age and ability appropriate housing and services suited to the level of care required.
Environment	Magnitude: Likelihood: Rating:	Moderate Likely High (+ive)	The SIA acknowledges the landscaping approach creating a strong landscape identity and setting for buildings, providing extensive common open space area of high amenity and feature active areas. The extensive landscaped spaces, inter-connected parks and walkways encourage exercise and healthy living.
Civic Engagement & systems	Magnitude: Likelihood: Rating:	Moderate Likely High (+ive)	Consultation with adjacent landowners/leaseholders to date has attracted no responses, suggesting that the proposal will not impact on neighbouring properties or businesses.

Table 12: Social Impacts

The SIA concludes that despite low-moderate temporary construction impacts, (which may be successfully managed &/or mitigated), will result in an overall positive social impact. Refer to **Appendix J** Summary of Mitigation Measures Table.

7.19 Infrastructure Requirements and Utilities

All essential services and utilities are available at the site, including potable water, electricity, and, sewer infrastructure. An Electrical Infrastructure Report, prepared by Aadler, is provided at **Appendix II,** and an SSDA Infrastructure Report, prepared by ADP Consulting, **Appendix PP**, addresses other utilities such as water, gas, and telecommunications.

The Electrical Infrastructure Report includes a high-level identification of the existing electrical and telecommunications infrastructure and a detailed phase-by-phase masterplan which allows for the required upgrades. A new substation will be required upon construction of Building B.

7.20 Aviation

The proposed development does not include a helicopter landing site and is not located in proximity to one. No further assessment is required.

7.21 Construction, Operation and Staging

ATV has elected to seek approval for the proposed development in a staged fashion, by preparing a development application in accordance with Section 4.22 of the Act *"Concept development applications*".

The application seeks consent for an overall Concept plan for the site and development consent for Stage 1, so that that Stage 1 of the proposal may commence following approval of this application and the issue of a Construction Certificate. Stage 2 will be the subject of a separate DA.

Stage 1 includes Buildings A, B and E. The approval sought at this time for Stage 2 is what is shown on the Concept Plan, being for the use, location, envelope and GFA of Building C, a second driveway, and the park pavilion building.

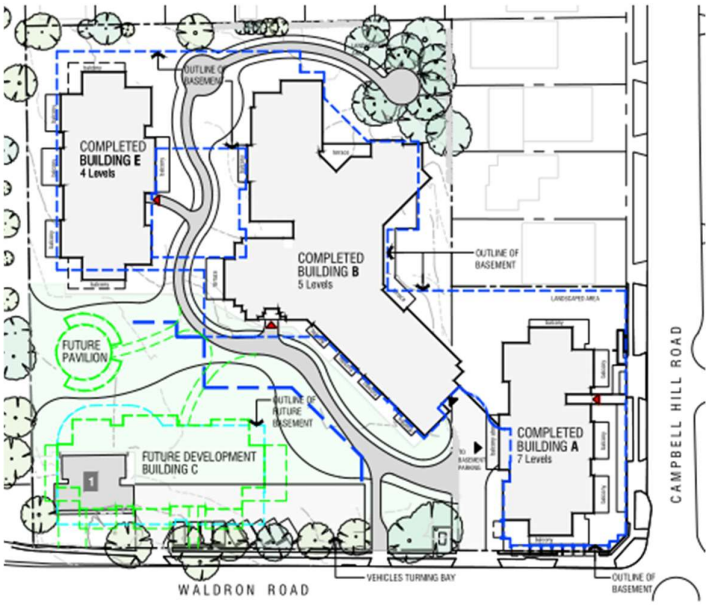
Construction within Stage 1 is to be phased, that is, the attainment of separate Construction Certificates and Occupation Certificates for Buildings A, B and E, as in the Staging Plans, prepared by BRG, A3DA39-40.

The ability to stage and phase the development is essential to:

- accommodate the existing residents by the phased demolition of existing accommodation and construction of new accommodation;
- program funding for the project; and,
- have the ability to respond to economic and market conditions.

There are no significant operational or construction impacts arising between Stage 1 and Stage 2, since by the end of Stage 1, Stage 2 will comprise an existing administration building, with separate vehicle access, which will be incorporated into Stage 1 by landscaping. Refer to the extract of the Staging Plan below showing the development at the completion of Stage 1.

Figure 83: Extract Stage 1 - Final Phase



Source: BRG

The footprint of Building C in Stage 2, shown above, may be constructed without impacting on the operations of Stage 1 given the separation of the building from the rest of the development, and since separate vehicular access (construction and on-going) is proposed off Waldron Road. Standard construction management techniques may be adopted to satisfactory mitigate any construction related impacts between Stage 1 and Stage 2.

The Phasing Plan allows for Building A to be occupied without relying on the remainder of the ATV development or any facilities in future phases in terms of parking, residential storage, waste storage and collection.

7.21.1 Construction Management

The builder/contractor, once appointed, will be responsible for the preparation of a detailed Construction Management Plan (CMP) and Construction Traffic Management Plan (CTMP), which shall include the related management provisions and mitigation measures outlined in the Geotechnical Report, **Appendix Z**; De-watering Management Plan, **Appendix AA**; the Acoustic Report, **Appendix Y**; and, the Traffic Report **Appendix V**, within which a preliminary CTMP is provided.

The CMP and CTMP shall include, but not be limited to, the following key mitigation measures:

General

- Demolition work must be undertaken in accordance with the provisions of AS2601-Demolition of Structures.
- All work including demolition, excavation and construction work will be carried out in accordance with AS2436.10 Guide to Noise Control and Construction, Maintenance and Demolition
- Hours - All demolition work must be limited to between 7.00am and 6.00pm weekdays and 7.00am and 1.00pm Saturdays. No demolition work must be undertaken on Sundays or public holidays.
- Preparation of an Erosion and Sediment Control Plan in accordance with the publication Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004)

- Identification of stockpile areas;
- Construction access - A stabilised all weather access point is to be provided prior to commencement of site works, to be maintained throughout construction activities until the site is stabilised
- Noise - Noise suppression measures, including the selection and use of plant;
- Dust - Dust suppression measures must be implemented to minimise wind-borne emissions;
- Vibration - Measures to mitigate vibration on neighbouring properties as recommended in the Geotechnical Report, **Appendix Z**.

CTMP

The Final CTMP shall adopt the provisions of the preliminary CTMP, **Appendix V**, including the management of :

- Site operations, signage, construction fencing/hoarding;
- truck movements, including the identified truck approach and departure routes;
- Construction Driveways;
- Construction Zones

De-watering

The DMP, discussed in detail at **Section 7.11**, includes measures to mitigate potential harm to the environment, or the amenity of neighbours, introduced through de-watering activities during excavation, including: the use of electric powered dewatering pumps, where possible; installation and maintenance of high efficiency mufflers for all noise generating plant; and, locating pump equipment and generators away from site boundaries where possible.

Refer to **Appendix J** for recommended measures related to the mitigation and management of construction related impacts.

7.22 Contributions and Public Benefit

Background

The existing development contains 46 x ILUs and 30 x RCF beds.

Stage 1 of the proposed development has an EDC of $71,302,834. Refer to the EDC Report, prepared by Arcadis, **Appendix K**. The EDC of each proposed Stage/Phase is broken down in **Table 12** below.

Stage/Phase	**Buildings**	**EDC** (ex GST)
Stage 1/ Phases 1-2	A	$24,775.886
Stage 1/ Phases 3-4	B.1	$21,231,360*
Stage 1/ Phases 5-6	B.2	$18,240,359*
Stage 1/ Phases 7-8	E	$11,509,026
		$75,756,631
Stage 2	C	TBC - subject to separate DA

Table 13: Estimated Development Costs Source: Arcadis

* Building B – Residential Care Facility - Excluded from Section 7.11 contributions.

Stage 1 construction has been carefully phased to fund the following phases; enable the project to react to market conditions; and, of course to accommodate the existing residents during phased demolition.

To assist with the delivery of the project, ATV respectfully request that the payment of developer contributions be phased to more closely align with the actual increases in residential population, as proposed below at Table 13.

7.22.1 Canterbury-Bankstown Local Infrastructure Contributions Plan 2022

Canterbury-Bankstown Local Infrastructure Contributions Plan 2022, (Contributions Plan), applies to the land. Clause 1.2 of the Plan, contains a list of residential development which will result in a net increase in residents, including, (as relevant to the proposed development), "*Independent living units*". *Residential care facilities*" are specifically excluded from Section 7.11 Contributions, and excluded from the types of development which are deemed to increase the residential population of the area.

7.22.1.1 Calculation of Section 7.11 Contributions

Section 7.11 contributions are calculated at Table 13 below, on this basis the contribution rate for the 1/3 quarter 2024 for ILUs being $10,944.71. The rate amounts below are current at June 2025 quarter, and should be recalculated at the time of determination of the application, and payments indexed.

Stage/Phase	**Building**	**ILUS**	**Beds**	**Current Rate**	**Contribution**
Proposed					
Stage 1/ Phases 1-2	A	39		$10,944.71	$426,843.69
Stage 1/ Phases 3-4	B.1		64	-	RCF Excluded
Stage 1/ Phases 5-6	B.2		56	-	RCF Excluded
Stage 1/ Phases 7-8	E	25		$10,944.71	$273,617.75
Sub-total proposed					**$700,461.44 (A)**
Existing					
ILUs		(46)		($10,944.71)	-($503,456.66)
RCF beds			(30)		RCF Excluded
Sub-total existing					-($503,456.66) **(B)**
Total Stage 1					**$197,004.78 (A)-(B)**
Stage 2	C	TBC	N/A	Relevant rate to apply	TBC - subject to separate DA

Table 14: Section 7.11 Contributions

By applying the Contributions Plan, and offsetting the existing residential accommodation a Section 7.11 contribution of $**197,004.78** applies to Stage 1 of the project.

The Section 7.11 contribution significantly exceeds the Section 7.12 contribution, which would be levied against the non-residential part of the proposal being 159sq.m retail in Stage 1 on the basis of 1% of the EDC of that part. Even estimated conservatively at $1m, the minor non-residential component would attract a s.7.12 levy of $10,000, and therefore the higher Section 7.11 levy applies.

7.22.1.2 Payment of Section 7.11 Contributions

To assist in the delivery of the project, it is requested that some flexibility be given to the timing of payments, to create a reasonable balance between the obligations of the developer and the actual increase in residential population – the reason for the levy.

It is proposed to schedule the payment of Section 7.11 contributions, indexed accordingly and in accordance with the current rates, as set out in Table 14 below.

Timing Payment	**Amount**
25% - paid prior to the release of the construction certificate for any works authorising construction above the ground floor in Building A	$49,251.20
25% - paid prior to the release of an Occupation Certificate for Building A	$49,251.20
25% - paid prior to the release of the construction certificate for any works authorising construction above the ground floor in Building E	$49,251.20
25% - paid prior to the release of an Occupation Certificate for Building E	$49,251.20
Total Section 7.11 Contribution	**$197,004.78 ***

Table 15: Section 7.11 Contributions - Schedule of Payments

* Based on contribution rate Ilus (Jun 2025 Quarter).

7.22.2 Housing & Productivity Contribution

The standard form of the condition requiring the Housing & Productivity Contribution (HPC) requires payments prior to the issue of the first CC.

On behalf of ATV, we request that if there is any flexibility in the payment of these contributions, that they be staggered into 4 equal parts, as outlined above at Table 14. If there are any exemptions to the contribution, which may be awarded to ATV in light of their 'not-for-profit" status, ATV would be most receptive.

The HPC is calculated as follows:

- Proposed residential – "*High-density residential"* - 64 (ILUs) x $10k = $640,000
- Existing – 46 x Existing ILUs = - ($460,000)
- Total residential = $180,000
- Proposed Commercial - 159sq.m x $30 = $4,770
- **Total HPC = $184,770**

8 Project Justification

This section contains justification for the project in terms of its potential environmental, economic and social impacts; an overview of the key findings of the EIS, the consistency of the proposal with the related strategic and statutory planning framework, the suitability of the site; and the degree to which the project aligns with the public interest.

8.1 Likely Impacts

The proposed development will not result in any environmental, social or economic impacts that are either unacceptable, or which cannot be satisfactorily managed, minimised or mitigated. Refer to **Appendix J** - Summary Identification and Mitigation of Impacts Table.

The proposal addresses the principles of ESD, in accordance with Section 193 of the Regulation, as follows:

- Precautionary principle: The proposed development will not result in any threat of serious environmental damage or degradation.
- Intergenerational equity: The very nature of the proposed development supports the '*Intergenerational Principle'* by ensuring the housing needs of future generations are catered for, without the introduction of unacceptable impacts.
- Conservation of biological diversity and ecological integrity: The impacts on native vegetation have been minimized by the statutory offset, the retention of identified vegetation of significance; and, the proposed landscaping works including numerous compensatory trees, increasing the canopy cover on the site.
- Improved valuation, pricing and incentive mechanisms: The development will not have any unacceptable environmental impacts in relation to air quality, water quality, the use of resources or the disposal of waste. Additional measures will be implemented to ensure no environmental resources in the locality are adversely impacted during the construction or operational phases.

8.2 Key Assessment Areas

The following key assessment areas, discussed in full in response to the SEARs at **Section 7** above, are summarised at **Table 15** below.

Matter	Summary Assessment
Urban Design	The later approach to site planning, as recommended by the SDRP, of minimising site coverage, maximises landscaping opportunities, opens up views to and from the site and the reserve. This focus on maximising landscaping resulted in: ▪ the deletion of a building (previously located between Buildings E and C); ▪ the re-distribution of some of the floor space in that building to other buildings A and C; ▪ the re-orientation of Building E to engage with the reserve; and, ▪ the reconfiguration of Building B, increasing its setback from the northern boundary, to enhance the landscaping available to the its

	future residents and to increase the separation of the building with the lower density R3 zone. Put simply, the design approach of having taller, leaner buildings, with smaller footprints, instead of lower, squatter buildings, with larger footprints, has created significant additional opportunities for the proposed high-quality landscaping design and 'Connecting With Country' strategy. The landscaping strategy (**Appendix C**) features an open welcoming entry to the site – a prerogative of ATV. The RCF includes a separate, secured sensory garden, which is connected to the overall internal network of paths. Buildings A and C respond satisfactorily to the street frontages in terms of their alignments, massing and activity at street level. The overall development massing is concentrated at the mid-southern portions of the site, away from the interface with the lower density R3 zone to the north, creating a satisfactory transition in scale with the lower density housing. The relationship of the site with the public reserve is improved by: ▪ the orientation of Building E across the space, providing passive surveillance over this space which is presently lacking; ▪ maximising the visual permeability into the site by the removal of a previously proposed building between Buildings E and C, to open up outlooks to the reserve to the heart of the site; ▪ the proposed park pavilion – a proposed destination element in the landscaping strategy. The design and orientation of the pocket park and pavilion embraces the reserve visually, and physically, by the provision of physical access.
Traffic and Parking	A single driveway is proposed from Waldron Road to a single basement servicing all of Stage 1,(Buildings A, B and E). All parking for residents, staff and visitors will be provided on site in accordance with SEPP(Housing). Parking, waste collection, and building services will occur at basement level, out of sight from the streets or neighbouring properties. The traffic generated by the development, modelled in the TIA to be in the order of 5-15 vehicles/hour, will not create adverse traffic conditions at local road intersections.
Noise	Noise impacts associated with mechanical plant, on-site vehicles, waste collection and construction have been found to either satisfy the related criteria under the NSW EPA Noise Policy for Industry, or considered capable of satisfying these criteria, subject to further detailed testing. Car parking, loading and waste collection activities all occur within the proposed basement level with no further mitigation measures necessary.
Overshadowing	The overshadowing created by the proposed development will occur only for a brief period of approximately ½ hour in the morning (9am) and the same in the afternoon (3pm), mid-winter only.

	The north facing properties opposite Waldron Road and 136 Campbell Hill Road will continue to receive solar access for more than double the minimum duration required under the ADG and DCP. Given the limited duration of the shadow and the limited time of the year it will occur, the proposed development is not considered to result in any significant or unreasonable adverse overshadowing impacts on neighbouring properties.
Visual Impacts	The proposal will involve a significant change in terms of how the site will be perceived by the community generally, and by those in neighbouring properties. The landscaping to building proportions of the proposal, weighing highly on the side of landscaping, has a significant effect on how the development will be perceived. The landscaping strategy is at the core of the design philosophy and the means of achieving the opportunities for the additional landscaping opportunities, in particular, minimising site coverage and maximising the separation between buildings, also minimises the visual impact of the development. The perceived scale of the development, when viewed from Waldron Road or opposite from the south, is minimised by creating views into the heart of the site, maximising site permeability by the generous separation between Buildings A and C and the street setback of Building B. The visual impacts of the development have been further minimised by: ▪ being satisfactorily modulated and articulated with high-quality façade designs creating visual interest in the streetscape and successfully breaking up the building elevations; ▪ recessing the uppermost levels of the buildings back from the floors below; ▪ responding to the lower density development to the north and creating an appropriate transition in scale from that direction; ▪ the selection of materials and finishes to reflect the character of the area by the incorporation of face brick into the bases of the buildings; ▪ the proposed landscaping, particularly along the western portion of the site, creating a satisfactory balance between the development being screened and engaging with the public reserve. The overall degree of visual change is commensurate with recent changes to the planning framework applicable to the town centre and the site under the LEP, which have included a change from the previous “Special Use” zoning on the existing ATV site to R4 High Density Residential, and uplifts in height and FSR, making this locality one which is entering into a period of transition from medium to higher intensity development. This is further evidenced by the approved 8 storey development at 137 Waldron Road and current planning for the redevelopment of the shopping centre. The approach to site planning and resultant massing arrangements across the site, result in streetscape presentation along Waldron Road which will sit comfortably in the emerging character of the centre. The change to the visual character of the site occurs in this case without the introduction of

	significant impacts usually associated with poor visual outcomes, such as excessive massing and scale.
Native vegetation	Historic imagery shows the site was effectively grass covered prior to the construction of the ATV village in the early 1990's. The native vegetation to be removed relates to planted species for aesthetic and functional purposes and according to the BDAR is excluded from credit calculations. The impacts on native vegetation have been minimized by a biodiversity offset, the retention of identified vegetation of significance; and, the proposed landscaping works including compensatory planting, significantly improving the existing site condition and increasing canopy cover.
Social Impacts	The project will result in positive social outcomes across all social impact assessment categories. The only potential negative impacts identified in the SIA were those associated with potential construction activities, which may be successfully mitigated.
Construction and Dewatering	No significant adverse impacts are anticipated during this temporary phase of the project. Dewatering during excavation may be satisfactorily managed subject to the recommendations within the Dewatering Management Plan. All impacts associated with ground works and construction activities on the site may be mitigated accordingly, in accordance with the procedures outlined at **Appendix J.**

Table 16: Project Justification: Summary of key assessment areas

8.3 Strategic Planning

The proposed development involves the redevelopment and intensification of existing, dated seniors housing stock, in a location which is highly to this type of development, with new housing designed to meet the specialised housing needs of the aging population, and firmly aligns with all related State and Local strategic plans and the Strategic Vision of ATV.

The Canterbury-Bankstown Local Government Area will see the highest growth in older people in the South District Plan region, with an estimated 35,900 additional people aged 65 or over by 2036. The South District Plan and the Local Planning Strategies all identify the high demand for seniors housing and acknowledge the aging population and lack of specialised housing in suitable, accessible locations. The District Plan advocates more medium density, diverse and specialised housing types within walkable neighbourhoods. At Stage 1, the proposed development includes 64 x ILUs and 120 x bed RCF, in proximity to local services and public transport, supporting these urgent housing priorities.

The proposal fully supports the wider strategic planning framework, by satisfying the housing needs of the ageing community and by the creation of up to 180 jobs during the construction phase, and approximately 134 once completed, (net increase of 78 full time equivalent jobs). The proposal will stimulate the economy of the local centre by the influx of additional residents and demand on local services.

8.4 Statutory Planning

The relevant statutory planning framework is fully addressed at Section 5 of the EIS and **Appendix F** – Statutory Compliance Table.

In summary, the proposed development:

- is appropriately administered as a SSDA pursuant to SEPP (Planning Systems) 2021, Section 2.6, Schedule 1, Section 28 *'Seniors Housing'*. The proposal includes a RCF and has an EDC of $75, 756,631.00;
- satisfies all of the statutory jurisdictional prerequisites required before the grant of consent, **Section 5.6**;
- satisfies Section 7.9 *Biodiversity Conservation Act 2016* which requires the preparation of a Biodiversity Development Assessment Report (BDAR) with respect to SSD. The application is accompanied by a BDAR, (**Appendix X**);
- fully supports the Objects of the Act;
- satisfies the s.4.15 'Evaluation' criteria under the Act, as expanded upon within this section;
- is permitted with consent under the LEP.

  The proposed development is permitted with consent under the LEP. The proposal is for a *"mixed-use development"* comprising "*seniors housing*", "*retail premises"*; and "*neighbourhood shops*". Building A in the E1 is a "*Seniors Housing*" development with "*retail premises*" at ground level. "*Retail premises*" are permitted in the E1 zone and "*Seniors Housing*" is permitted by way of Clause 25 of the LEP "*Additional permitted uses for particular land*", Schedule 1 s.25 "*Use of certain land for purposes of seniors housing in Area 1*."Development in the R4 zone comprises:

  - Building B – "*seniors housing"* development, a RCF;
  - Building E - "*seniors housing"* development, containing ILUs; and,
  - Building C (in stage 2) – "*seniors housing"* development comprising "*neighbourhood shops"* at ground floor level with ILUs above.

  "Neighbourhood shops" are permitted in the R4 zone and "*Seniors Housing*" is permitted under Clause of the LEP.

- supports the objectives of the R4 and E1 zones under the LEP and remains permitted with consent and is consistent with the objectives of the draft environmental planning instrument to re-zone the existing E1 Local Centre zone to E1 Local Centre.
- satisfies the '*Earthworks'* provisions at Clause 6.2 of the LEP;
- satisfies the '*Design Excellence'* provisions at Clause 6.15 of the LEP;
- satisfies SEPP(Housing) *Chapter 3, 'Part 5 – Housing for seniors and people with a disability',* except for development standards at Section 87 related to: additional height, additional FSR; and, the use of the ground floor of the buildings in business zones for non-residential purposes, at Section 89.

  The proposed development relies on Clause 4.6 of the LEP to vary the additional height standard applicable to both parts of the site, and the additional FSR standard applying to the existing ATV site. Refer to **Appendix JJ** and **Appendix KK** for the Clause 4.6 variation requests related to additional height standard and the additional FSR standards at Section 87 of SEPP (Housing), respectively.

  The proposed variations to these standards arise, in part, through the evolution of the design, from being largely compliant with respect to height to redistributing floor space to minimise site coverage, but breaching the maximum height provisions in the process.

  The breach to the height standard arises, in part, through changes in site topography, but largely as a result of the deletion of an earlier contemplated building. Enlarging the building footprints would be contrary to other design goals of maximising permeability and landscaping

opportunities, which supports the approach of increasing building heights, albeit in breach to the additional height development standard.

The split application of the FSR standard over the site has also led to a proposed flexible and holistic approach to the distribution of GFA across the site, to allow for the transfer of surplus GFA from one part of the site to another. This approach to site planning is considered to be entirely reasonable in the context of this project, but it does incur a technical breach to the development standard. When considered holistically, the proposal includes 1,032sq.m less GFA than the maximum available across the site as a whole and the quantity of GFA proposed in the E1 zoned land, (Building A), is less than the non-incentivised FSR available under the LEP.

Clause 4.6 of the LEP is also relied upon with respect to a technical breach to Section 89(2) of SEPP(Housing), which restricts ground floor frontages of buildings in business zones being used for residential purposes. In this case, the area behind part of the ground floor wall facing Campbell Hill Road accommodates parking and storage cages associated with the residential uses above. Having retail parking spaces in that location would make no difference to the external appearance of the building and the proposed internal configuration is more convenient for the building users. Refer to **Appendix LL**, *Clause 4.6 Variation Request - SEPP(Housing) 2021 - Clause 89- Use of ground floor of seniors housing in business zones.*

Clause 4.6 of the LEP is further relied upon with regard to a proposed variation to Clause 85 of *SEPP(Housing) 2021,* which enlivens the standards at Schedule 4 of the SEPP. The proposal complies with the minimum number of accessible car spaces to be provided in accordance with AS/NZS2890.6, (15%), but does not satisfy the further provision which requires that at least 50% of the spaces are 3.2m wide. Refer to **Appendix UU**, *Clause 4.6 Variation Request - SEPP(Housing) 2021 - Clause 85 - Development standards for hostels and independent living units – Schedule 4 – Car Parking.*

- satisfies SEPP(Housing) '*Chapter 4 - Design Quality of Residential Apartment Development'*, which applies to the ILU elements including the Design principles under this Chapter;
- satisfies the Objectives and related assessment criteria under SEPP (Industry and Employment) 2021*, 'Chapter 3 - Advertising and Signage';*
- satisfies SEPP (Biodiversity and Conservation) by the preparation of a BDAR and the implementation of the NSW Biodiversity Offset Scheme. Three (3) Ecosystem Credits are required to be retired to offset the residual biodiversity impacts of the proposal.

  The native vegetation to be removed measures 0.33ha and is described in the BDAR as "*infill planted, disturbed, weed infested vegetation*". No threatened species were recorded on the site;
- satisfies the relevant provisions of *SEPP (Transport and Infrastructure) 2021* - Section 2.48 requires the consent authority to give written notice to the electricity supply authority.

  The proposed development does not significantly adversely impact on the operations of the Waldron Road (a classified road). A single crossing will service all of Stage 1. The proposal is <u>not</u> deemed to be "*Traffic-generating development*" under s.2.122 and the forecasted traffic generation rates have been assessed to not adversely impact on the performance of local road junctions;
- is suited to the site in terms of potential soil and groundwater contamination, subject to the implementation of the Remediation Action Plan (**Appendix EE**), and consent may be granted in accordance with Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 - Remediation of Land.* The former service station site been remediated and a Site Audit Statement has been issued;

- satisfies the related provisions of *SEPP (Sustainable Buildings) 2022*. BASIX Certification is provided for the ILUs;
- provides for increases in demand for local infrastructure by the proposed scheduled payments of Section 7.11 contributions to provide a reasonable balance between the actual increase in residential population and the obligations of the developer.

8.4.1 Community Views

Community and stakeholder engagement has been coordinated by the Planning Studio, elements of which have included 2 x community drop-in sessions at the Chester Hill public library in the morning and evening of 28 November 2023, including the attendance of and direct consultation with the local first nations people and representative of the local aboriginal land council; and, notification of the proposal to the local community and key stakeholder by letter including: neighbouring residents and businesses; the Mayor and General Manager of Canterbury-Bankstown Council; the local State and Federal MPs.

No submissions were received and the verbal feedback received during the drop-in sessions was all largely positive, although some concern was raised with respect to traffic impact, which has been assessed as satisfactory, both during construction and the on-going use of the development.

8.4.2 DCPs and other Non-Statutory Guidelines

The proposal satisfies the related provisions of:

- the DCP, except for the Building A ground floor building setback facing Waldron Road.

  The front building line at ground level is setback ~1.5m from the Waldron Road boundary instead of the preferred nil setback. The setback at this location is considered to strike a satisfactory balance between the sloping topography of the land from north to south; the provision of level access to the shops from Waldron Road; and, the presentation of the building when viewed from Campbell Hill Road. Refer to **Appendix I** – DCP Compliance Table.
- the ADG, except for strict compliance with the 'Building Separation' design criteria at Part 3F in limited locations. The proposed minor variations are deemed to be acceptable given the overarching objective, to mitigate privacy impacts, are met. Refer to **Section 7.3.2.3** above, and **Appendix H** - ADG Compliance Table;
- the *Seniors Housing Guidelines*, **Appendix G** – Seniors Housing Design Guidelines Assessment Table; and,
- "*Greener Places"* - EIS **Table 9** – Assessment of "*Principles of Green Infrastructure";*

8.4.3 Suitability of the Site

The site is considered to be highly suited to the proposed development for the following reasons:

- It replaces an existing dated seniors housing and brings vacant land into productive use;
- The location of the site is in close proximity to services and bus and rail services;
- The absence of any significant natural or physical features on the site which would hinder the delivery of the project;
- The consistency of the project with the planning framework for this site having been identified for an uplift in development intensity in the recently gazetted LEP.

8.4.4 Public Interest

The proposed development being for specialized, seniors accommodation in a variety of forms to cater for the personal needs of the individual, directly meets the housing needs of the aging population. The site is highly suited to intensified form of housing having convenient access to local services and bus and train transport options, and is firmly within the public interest.

The public interest is further met by:

- the consistency of the proposal with the wider strategic planning framework related to the prioritisation of housing;
- by embracing the principles of ecologically sustainable development;
- the creation of up to 180 jobs during the construction phase, and approximately 126 once completed, (net increase of 78 full time equivalent jobs) plus 6-8 jobs, (minimum), associated with the retail uses at the ground floor of Building A; and,
- by achieving these benefits without the introduction of any significant environment impacts on neighbouring properties or the wider environment.

9 Conclusion

The proposed development, being for specialized, seniors' accommodation in a variety of forms, to cater for the personal needs of the individual, directly meets the housing needs of the aging population. The site is highly suited to this intensified form of housing having convenient access to local services and bus and train transport options, and is firmly within the public interest.

The design satisfactory responds to its multiple site interfaces by concentrating the massing to mid-southern parts of the site away from the R3 zone to the north, by engaging with the reserve and by opening up views to the heart of the site from both the reserve and Waldron Road.

The landscaping design is at core of site planning incorporating a variety of common open spaces areas inter-connected by a network of paths through the site connecting them and the building and site entries with each other. The proposed landscaping and planting schedule appropriately screens the development when viewed from neighbouring properties, particular within the 12m deep soil zone across the north of the site and creates a balance along the western edge of screening and engagement with the development. The proposal results in an overall increase in canopy cover on the site.

The bulk and scale of the development is considered to be consistent with the new planning framework for the area, identifying the centre for more intensified forms of development. The centre is entering into a period of transition in the built form and the proposed approach to site planning and resultant massing arrangements across the site, creates a satisfactory streetscape outcome along Waldron Road and will sit comfortably in the emerging character of the centre.

The proposal satisfies all of the related statutory planning pre-requisites which need to be met before the grant of consent. The pathway to consent in this case involves Clause 4.6 variation requests to standards related to additional height, additional FSR, the use of the ground floor and standards related to accessible parking, non-compliances which are fully justified in the accompanying variation, as summarized below:

- The large area of the site, and it being subject of two zones, two FSR and two height standards, conditions which warrant the proposed holistic distribution of GFA across the site;
- the total floor space proposed is 1,032sq.m less than the maximum available across the entire site under SEPP(Housing);
- the quantity of GFA proposed in the E1 zoned land, (Building A), is less than the non-incentivized FSR available under the LEP;
- the adjustments to the additional height standard are required to achieve the desired design goals of minimizing site coverage, and in doing so creating taller, leaner buildings resulting in increased opportunities for landscaping and ultimately a superior landscaping outcome involving increased canopy cover on the site;
- the non-compliance related to the use of the ground floor arises due to part of the limited exposed faced on Campbell Hill Parade has car spaces for residential purposes behind. Compliance could be achieved by exchanging these car spaces with retail spaces but that would be unnecessarily inconvenient to visitors to the site. No difference to the external (or internal) appearance of the building should be noticeable between a compliant scheme and what is being proposed;
- Accessible parling has been provided to meet to needs of ATV and visitors to the site.

The proposed development has been assessed as not introducing any significant adverse impacts on neighbouring properties or the wider environment.

The project is considered to be fully justified and worthy of approval.