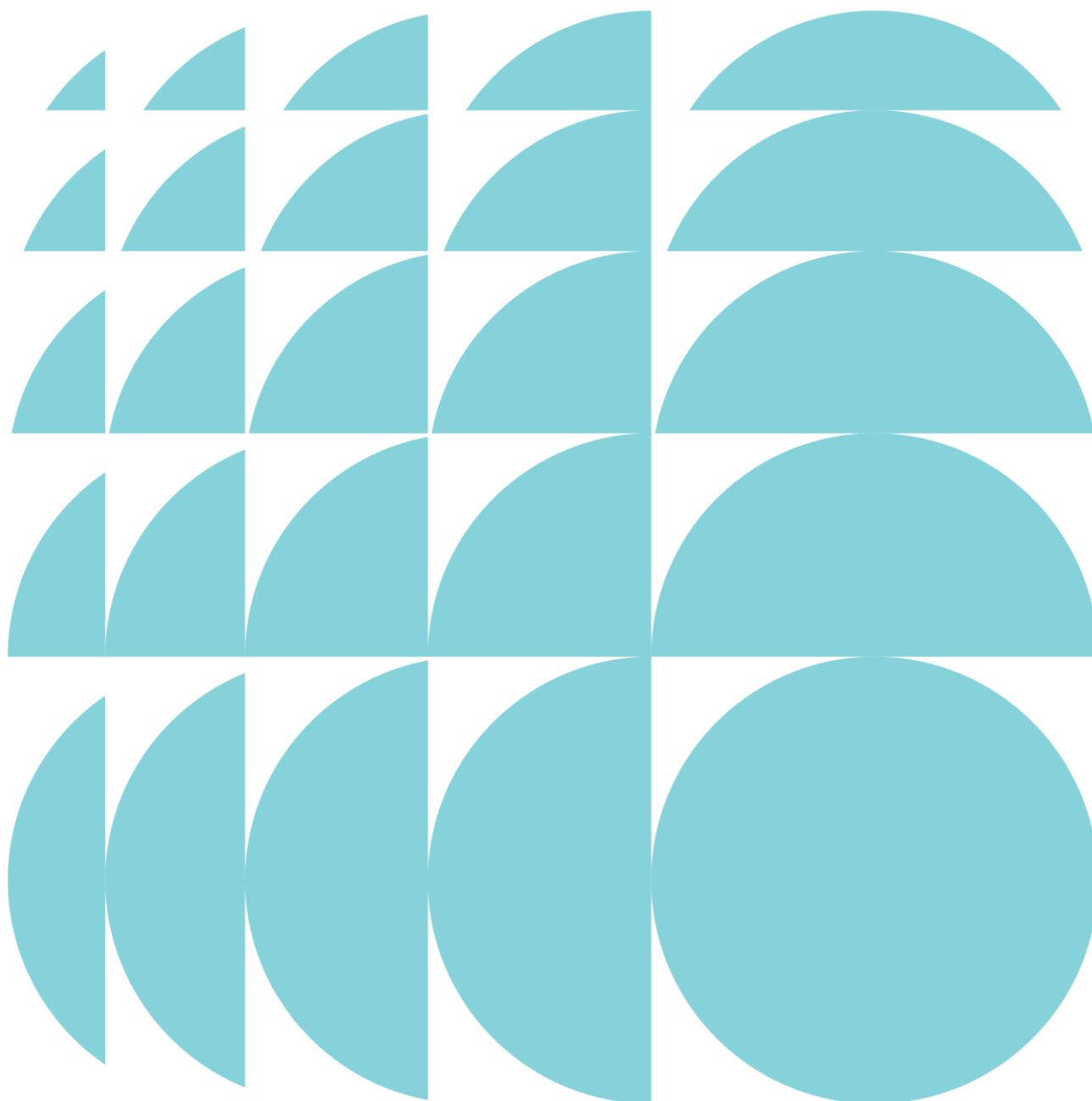


# ETHOS URBAN

7 Martin Close and 42 Stronach Avenue, East  
Maitland  
Residential Aged Care Facility

Submitted to Maitland City Council  
On behalf of Fresh Hope Care c/o Icon Project  
Management

18 June 2020 | 2190970



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VERSION NO.	DATE OF ISSUE	REVISION BY	APPROVED BY
1	15 JUNE 2020	EA	DW / JBU
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1.0	Introduction	6
2.0	Background	7
2.1	Churches of Christ Community Care	7
2.2	Pre-lodgement Meeting - 2019 Development Application	7
2.3	Pre-DA lodgement Meeting – Proposed DA	8
3.0	Site Analysis	12
3.1	Site Location and Context	12
3.2	Site Description	12
3.3	Existing Development	13
3.4	Surrounding Development	15
4.0	Description of Proposed Development	16
4.1	Numerical Overview	17
4.2	Demolition and Site Preparation	17
4.3	Built Form	18
4.4	Façade and Materials	21
4.5	Site Access	22
4.6	Landscaping	23
4.7	Signage	25
4.8	Waste Management	25
4.9	Stormwater Management	26
4.10	Services and Utilities	26
4.11	Construction Management	26
5.0	Planning Assessment	28
5.1	Environmental Planning Instruments	28
5.2	Maitland Development Control Plan 2011	34
5.3	Key Issues	41
5.4	Amenity	45
5.5	Visual Impact	47
5.6	Traffic and Parking	47
5.7	Noise	49
5.8	Operational Waste Management	50
5.9	Construction Waste Management	51
5.10	Social Impact	51
5.11	Other Impacts of the Development	52
5.12	Suitability of the site for the development	54
5.13	Public Interest	54
6.0	Conclusion	56

## Figures

Figure 1	Locational context	12
Figure 2	Site aerial	13
Figure 3	Existing vehicular entrance off Martin Close	13
Figure 4	42 Stronach Avenue, East Maitland (since demolished via CDC)	13
Figure 5	Existing at-grade car park as viewed from the pedestrian link bridge	14
Figure 6	Existing RACF facility and back of house loading area	14
Figure 7	Fresh Hope Care Green Hills Retirement Village to the north of the site	15
Figure 8	Green Hills Stockland Shopping Village as viewed from Stronach Avenue	15
Figure 9	Low density residential development located on Martin Close	15
Figure 10	Brooklyn Park Reserve	15
Figure 11	CGI of the proposed development (viewed from Martin Close and the pedestrian bridge link)	16
Figure 12	Proposed demolition plan	18
Figure 13	Proposed built form as viewed from the northern elevation	19
Figure 14	Proposed Lower Ground Level – general arrangement plan	19
Figure 15	Proposed Ground Level – general arrangement plan	20
Figure 16	Proposed Level 1– general arrangement plan	21
Figure 17	Proposed Level 2 – general arrangement plan	21
Figure 18	Schedule of materials	22
Figure 19	Proposed site landscaping	24
Figure 20	Perspective of proposed site landscaping along northern boundary and maintenance track	24
Figure 21	Perspective of proposed site landscaping of the sensory garden	25
Figure 22	Proposed business identification signage	25
Figure 23	Figure 25 - Building heights above and below the 11m building height guide	43
Figure 24	Section illustrating where the topmost habitable ceiling exceeds the 11m DCP height limit (dotted red)	43
Figure 25	Exceedance to building height shown as RLs (points below height plane shown green)	44
Figure 26	Overshadowing analysis study	47

## Tables

Table 1	Summary of key issues raised and responses	8
Table 2	Key development information is summarised in	17
Table 3	Summary of consistency with relevant strategy legislation	28
Table 4	Summary of consistency with relevant strategy legislation	28
Table 5	Seniors SEPP applicable planning provisions	30
Table 6	Key applicable planning provisions under the MLEP 2012	34
Table 7	Key applicable planning provisions	35
Table 8	SEPP Seniors Parking Requirements	48

Table 9	General waste generation rates	50
Table 10	Co-mingled waste generation rates	50
Table 11	Waste bin numbers	50
Table 12	Summary of other technical assessments	52

## Appendices

<b>A</b>	Architectural Drawings <i>Calder Flower Architecture</i>
<b>B</b>	Architectural Design Statement <i>Calder Flower Architecture</i>
<b>C</b>	Survey Plan <i>David Chant Surveyors</i>
<b>D</b>	Landscape Plans and Statement <i>Arterra</i>
<b>E</b>	Urban Design Analysis <i>Atlas Urban</i>
<b>F</b>	Traffic and Parking Assessment <i>Ason Group</i>
<b>G</b>	Operational and Construction Waste Management Plan <i>UFD</i>
<b>H</b>	Acoustic Report <i>TTM Group</i>
<b>I</b>	Accessibility Report <i>Morris Goding Access Consultants</i>
<b>J</b>	Bushfire Report and Bushfire Management Plan <i>Building Code &amp; Bushfire Hazard Solutions Pty Limited</i>
<b>K</b>	Arborist Report <i>Arterra</i>
<b>L</b>	Biodiversity Assessment Report <i>NGH Consultants</i>
<b>M</b>	Operational and Plan of Management <i>Fresh Hope Care</i>
<b>N</b>	Stormwater Management Plan <i>Birzulis Associates</i>
<b>O</b>	Civil Plans and Engineering Statement <i>Birzulis Associates</i>
<b>P</b>	Building Code Compliance Statement <i>City Plan</i>
<b>Q</b>	Preliminary Contamination Report <i>JK Environments</i>
<b>R</b>	Detailed Site Investigation <i>JK Environments</i>
<b>S</b>	Geotechnical Investigation and Groundwater Investigation

*STS GeoEnvironmental*

- T** Visual Impact Assessment  
*Ethos Urban*
- U** Social Impact Assessment  
*Ethos Urban*
- V** Kitchen Operational Brief  
*UFD*
- W** Laundry Operational Brief  
*UFD*
- X** SEPP 64 Signage Assessment  
*Ethos Urban*
- Y** Infrastructure Services Statement  
*EWWF*
- Z** Food Services Design Compliance  
*UFD*
- AA** Fresh Hope Care Certificate of Registration  
*Fresh Hope Care*
- BB** Cost Summary Report

## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted in support of a Development Application (DA) for a residential aged care facility (RACF) at 7 Martin Close and 42 Stronach Avenue, East Maitland. The DA seeks approval for:

- Site preparation and demolition works;
- Construction and use of a new 2-4 storey residential care facility, including:
  - Lower ground level/basement parking for 24 cars;
  - 11,377.11m<sup>2</sup> of GFA, comprising 160 beds, 8 respite beds, a family room, back of house areas, administration / offices, health and wellbeing areas, communal kitchen, dining and lounge areas, training areas, recreation areas, a community kitchen and an ancillary café;
- A new entrance driveway and drop off zone from Martin Close and provision of 7 parking spaces;
- A secondary on-grade car park comprising 19 car spaces and loading dock driveway;
- New maintenance service track allowing vehicles to exit via Stronach Avenue; and
- Associated landscaping works, including management of the adjacent riparian zone.

This SEE has been prepared by Ethos Urban on behalf of Fresh Hope Care c/o Icon Project Management and is based on the Architectural Plans provided by Calder Flower Architects (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs and the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment. The application is recommended for approval given the following reasons:

- It is largely consistent with the aims and objectives of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors SEPP) and other relevant State Environmental Planning Policies as well as the Maitland Local Environmental Plan 2011 (MLEP 2011) and Maitland Development Control Plan 2011 (MDCP 2011);
- It will increase the supply of seniors housing commensurate to forecasted demand within the LGA and improve the quality of seniors housing stock available within the LGA;
- It is carefully designed to provide a contextual response to the site setting and minimise bulk and scale impacts to adjoining properties;
- It provides a quality architectural design that will contribute to a safe and active, community oriented environment;
- Includes supporting technical and social studies which confirm that the environmental impacts associated with the proposal are generally positive and will not give rise to any adverse impacts;
- It will upgrade the existing RACF facility which is outdated and does not meet the needs of the growing population;
- The project will support population growth and demographic changes by allowing the elderly to remain in their community as they age; and
- Is suitable for the site and is in the public interest.

The proposal will involve works within 40m of a watercourse and as such is Integrated Development pursuant to Section 91(1) of the EP&A Act, requiring approval under the *Water Management Act 2000*. The proposal includes the development of land for special fire protection purposes and is therefore integrated development under Section 100B of the *Rural Fires Act 1997*.

## 2.0 Background

### 2.1 Churches of Christ Community Care

Churches of Christ Community Care trading as Fresh Hope Care is a not-for-profit provider of residential aged care services and retirement living community and has been providing community care services throughout NSW since 1938. Fresh Hope Care operates 7 Independent Living Retirement Villages and 8 Residential Care Services to provide various combinations of aged care services in different locations throughout New South Wales, including Coffs Harbour, Eurobodalla, Albury, the Sydney Metropolitan Area and East Maitland.

Fresh Hope's East Maitland retirement village was built over 35 years ago and was designed to meet and exceed the standards and expectations for aged care at that time. The existing 60 bed Green Hills Residential Aged Care Facility was originally constructed in 1984, with a further expansion in 1998. Since then however, the design of residential aged care facilities has undergone significant change and improvement. This has not only been based on medical research and advances for care of the elderly, but also vastly changed community and market expectations for the quality of aged care in Australia. Therefore, Fresh Hope Care intend to make a substantial investment into East Maitland to develop a new purpose built residential aged care facility that aims to meet and exceed modern standards of care and quality of life for older people.

The vision and mission of Fresh Hope Care is:

*Meeting the needs of residents in a holistic way requires an operational model, built on a multiskilled workforce, working closely with Allied Health and medical practitioners to deliver quality outcomes in a purpose-built facility. The care and wellbeing of our residents is at the core of Fresh Hope's values and our service delivery. This will not change and will be strengthened when transitioning from the existing operation into the new facility. We place an emphasis on the resident with their own unique history, experiences, values and culture. The landscaping design and "feel" to the new development is supportive of the transition from rural living to care for many residents in the Maitland area and surrounds.*

### 2.2 Pre-lodgement Meeting - 2019 Development Application

On 4 April 2019 a pre-DA lodgement meeting was held between Council officers and representatives of Fresh Hope Care and its development team. Fresh Hope Care presented concept plans for the redevelopment of the site that included a two stage development approach where the existing facility would remain operational while the new residential aged care facility is constructed and completed. This was followed by an on-site meeting on 17 May 2019.

The proposed works included:

- Stage 1:
  - Basement including loading dock, services and support zone, hydrant pump room and lift;
  - Lower ground level to include 12 beds, ground including 32 beds and Level 1 including 32 beds resulting in a total of 76 beds for Stage 1
- Stage 2:
  - Ground level development for 40 beds, Level 1 to include 40 beds and Level 2 to include 119 beds, resulting in a total of 197 beds.

We understand these development applications were not progressed and therefore, the pre-DA meeting minutes have been reviewed in the context of the proposed redevelopment. Since then, the redevelopment of the site for a new RACF has been reviewed with regard to Council comments and a new architect, project manager and consultant team has been appointed. The intention of appointing a new consultant team is to prepare a development application for a residential care facility that would meet both the needs of Fresh Hope Care and the surrounding community in developing a modern residential aged care facility on the site that is an industry leader in both aged health and care for the elderly. Further, a key aim of the project has been appropriately and responsibly responding to the context of the surrounding locality at East Maitland. Accordingly, a pre-DA meeting was held with Council on 28 May 2020, as discussed below.



## 2.3 Pre-DA lodgement Meeting – Proposed DA

A pre-DA lodgement meeting was held with Maitland City Council on 28 May 2020 to discuss the proposed development. The key issues raised in the pre-DA lodgement meeting and responses are provided in **Table 1**.

**Table 1 Summary of key issues raised and responses**

Council concern	Response
<p><i>Car parking</i></p> <ul style="list-style-type: none"> <li>The previous development approval in 2013 increased the number of car parking spaces from 37 to 54 spaces. In this calculation, 20 visitor spaces were required for 123 beds and 34 spaces were provided for a maximum of 35 staff. The development additions in 2013 also included 1 parking space for an ambulance.</li> <li>Your development must also consider car parking for the commercial component under Council's DCP and parking space, aisle dimensions and car park geometry must meet the requirements of the DCP.</li> <li>The proposed concept plan provides for a basement car park with approximately 59 spaces, plus 6 at grade car parking spaces (including 2 disabled car parking spaces). Any submission must also take into account the proposed number of staff working in the facility at any one time, and this should be incorporated into the car parking submission to enable final determination of car parking numbers required.</li> </ul>	<p>The proposed development will provide 52 car parking spaces, including 24 on the lower ground level, 19 in the secondary at grade car park and 7 in the main entry car park. The number of car spaces on site has been established with regard to the number of staff and the shift operations on site and is also informed by the rates contained within the Seniors SEPP. A Traffic Assessment has been prepared by Ason Group to support the application and is included at <b>Appendix F</b>.</p> <p>Since the 2013 DA and 2019 concept design which was discussed with Council planners, the design and layout of the proposed RACF has been further rationalised to meet the modern-day standards for new RACFs. Accordingly, the proposed parking spaces have been further assessed with regard to the number of RAC beds, staff and visitors to the site. This is further discussed in the Traffic Assessment at <b>Appendix F</b>.</p>
<p><i>Stormwater</i></p> <ul style="list-style-type: none"> <li>A fully detailed Stormwater Plan (including addressing Water quality requirements) is required for on-site detention in accordance with Council's Manual of Engineering Standards (MOES). This should include details of emergency overland flow paths for storm events in excess of the design rainfall event. Information regarding modification of any drainage structures including preliminary engineering plans and calculations should be included.</li> <li>It is noted that extreme storm events have created flooding along the neighbouring riparian area. Whilst these events were extreme and likely over and above the 1% AEP (1 in 100yr) it is recommended that these observed levels are taken into consideration with the development. Provide information with the DA of the observed levels and comment on how this has been considered in the proposed floor levels.</li> <li>There was discussion that the riparian area may have conflicts with bushfire requirements. Council may not be able to guarantee that any future drainage works will not trigger an Office of Water controlled activity approval and subsequent vegetating of the drainage corridor. This should be investigated further with the relevant Authority.</li> </ul>	<ul style="list-style-type: none"> <li>A Stormwater Management Report and Plans have been prepared by Birzulis Associates and are included at <b>Appendix N</b>.</li> <li>The report includes an analysis on flooding and overland flow. In response to the observed flood levels, Calder Flower Architects have nominated a minimum habitable floor level of RL 20.0 to mitigate the risk of flood levels reaching the building floor levels. Further, the 'flats' of the riparian corridor will be maintained to avoid heavy vegetation.</li> <li>The stormwater drainage plan has been designed so that overland flow occurs in certain pathways such as kerbs and gutters, swales and external footpaths.</li> <li>The NRAR have been contacted and correspondence submitted under with the landscape drawings at <b>Appendix D</b>.</li> </ul>
<p><i>Traffic / Access</i></p> <ul style="list-style-type: none"> <li>The fire trail must not have driveway construction across the verge. In this regard it was noted at the meeting that the ring road will be used as a pathway and access for vehicles in an event of an emergency only. Details of how this will be controlled and not used as a driveway is to be provided. Not constructing a layback of Stronach Avenue may mitigate this risk.</li> <li>A Traffic Impact analysis report is required to be submitted to Council and should include at a minimum the following: Demonstration that the development can achieve access and parking as well as manoeuvrability on the site for all vehicles in compliance with Council and Australian Standards (swept paths should form part of the parking</li> </ul>	<p>A Traffic Assessment has been prepared by Ason Group and is included at <b>Appendix F</b>. The Assessment includes a preliminary construction traffic management plan, swept path and manoeuvrability analysis for all vehicles accessing the site, and assessment of traffic generation from the proposed development.</p> <p>In addition, the Traffic Assessment includes an operational traffic management plan which addresses access and egress of the maintenance track and measures to control this are shown on the plans. Refer to <b>Appendix F</b>.</p>

<p>submission and an assessment against the State Planning Policy requirements for car parking);</p> <ul style="list-style-type: none"> <li>• Provide traffic impact assessment in accordance with the RMS Guide to Traffic Generating Development demonstrating that the local road network and surrounding intersections have enough capacity to cater for the development traffic generated without adversely impacting on current levels of service provided to road users (existing traffic volumes/local road networks/technical and environmental capacities as determined by Austroads/RMS etc;</li> <li>• Details of how waste management (bin and medical waste pick up) will occur on the site should also be addressed and whether use of private or Council contractors is anticipated .</li> </ul> <p>NOTE: A Construction Management Plan would be included on any development approved as a condition of consent.</p>	
<p><i>Building</i></p> <ul style="list-style-type: none"> <li>• Ensure the building meets accessibility and fire safety standards under both the BCA, Australian Standards and Guidelines and the requirements of Maitland DCP 2011;</li> <li>• Provision of an Access Audit report;</li> <li>• Provision of an Acoustic report;</li> <li>• Please also include on the plans not only the details of parking but the gradients across the site to achieve compliance with accessibility requirements.</li> <li>• An existing fire hydrant booster system is in existence on the land - confirmation should be obtained from Hunter Water regarding the pressure/flow rates of the existing system and details of whether this capacity needs to be increased etc., should be included. It was noted the previous proposal included relocation of this infrastructure.</li> </ul>	<p>A BCA Statement, Access Report and Acoustic Impact Assessment have been prepared and are included at <b>Appendix P, Appendix I and Appendix H.</b></p> <p>A Section 50 Application has been submitted to Hunter Water.</p>
<p><i>Environmental Health</i></p> <ul style="list-style-type: none"> <li>• The development will be required to comply with the requirements of The Food Act 2003, The Food Regulation 2015, the Food Standards Code and Australian Standard 4674 for the Design, Construction and Fit out of Food Premises and related standards and guidelines.</li> <li>• The Aged Care kitchen would be required to be registered with the relevant Regulatory Authority prior to the commencement of operations (NSW Food Authority) and conditions would be included in this regard. Any cafe would be required to be registered with Council and inspection will be incorporated into our inspections program (conditions would also be included in this regard).</li> <li>• Clinical waste management requirements should be set out in a Waste Management report supplied with any development application submitted.</li> <li>• Details of any potential chemicals that may be stored on the site and their amounts and how these goods would be stored (bundled areas etc.,) should also be included for Council's review.</li> </ul>	<ul style="list-style-type: none"> <li>• A Kitchen and Laundry Operational Brief has been prepared by UFD and are included at <b>Appendix V and Appendix W.</b> The Operational Briefs outline how the proposed fit out of the kitchen and laundry areas will be designed to comply with the relevant Australian Standards.</li> <li>• A Waste Management Plan has been prepared by UFD and is included at <b>Appendix G.</b></li> </ul>
<p><i>Flora and Fauna</i></p> <ul style="list-style-type: none"> <li>• Any DA submission must include an assessment against the requirements of the Biodiversity Conservation Act and related thresholds/offset requirements and any proposed Tree removal/retention with accompanying ecological assessment (see also the landscaping notes in this advice).</li> </ul>	<p>A Biodiversity Assessment has been prepared by NGH and is included at <b>Appendix L.</b> The Biodiversity Assessment has been prepared with regard to the NSW Biodiversity Conservation Act 2016. Further discussion is provided at <b>Section 5.1.2.</b></p> <p>In addition, an Arboricultural Impact Assessment is included at <b>Appendix K.</b></p>
<p><i>Cut and Fill</i></p> <ul style="list-style-type: none"> <li>• A detailed bulk earthworks plan is required that responds sensitively to the topography of the land to restrict and</li> </ul>	<p>Civil Plans detailing the proposed bulk earthworks have been prepared by Birzulis Associates and are included at <b>Appendix O.</b></p>

<p>control excessive earthworks. Cut and fill should minimise land shaping outside of the building footprint and ensure that the amount of cut and fill does not concentrate surface flows onto adjoining properties or impact the riparian area. The plan should indicate the total amount of cut and fill across the entire site with inclusion of existing levels of the land for such works, including the construction of building and those areas of the site external to building platforms. Any cut/fill batters or retaining along boundary lines shall be clearly indicated in regard to heights and offsets to boundaries. In addition, provision of longitudinal section plans for retaining in relation to their relationship with boundaries and/or fencing is also required. Any departures from Council's DCP in this regard should be fully justified, in particular, where retaining is not offset from boundaries and should provide good justification given potential issues with construction of walls and sub soil drainage etc.</p>	
<p><i>Visual Impact Analysis</i></p> <ul style="list-style-type: none"> <li>As this application will be most likely referred to the Hunter and Central Coast Joint Regional Planning Panel for approval, Council suggests making the visual impact assessment as tangible as possible.</li> <li>A Visual Impact Assessment should be undertaken that includes potential landscape and visual impacts of the proposed development. Please also include an assessment of likely impacts in regard to direct site impacts (extent of visual change and impacts) as a result of vegetation removal, scale of development, changes to landscape character, landform changes and contrast with existing surroundings. Extent of landscape and visual change to viewpoints (in reasonably close proximity) and lighting impacts at night.</li> <li>Details of mitigation measures to reduce impacts and to any alternative proposals considered during the design phase.</li> <li>Illustrations such as photomontages and 3D visual images must be provided; and</li> <li>Cross sections which show the landform change are requested. The cross sections should clearly indicate existing ground line, proposed groundline, extent of cut and fill, trees to be removed or planted, new and existing built structures.</li> </ul>	<ul style="list-style-type: none"> <li>A Visual Impact Assessment has been prepared by Ethos Urban and is included at <b>Appendix T</b>.</li> <li>Importantly, the proposed development has been designed with regard to its existing urban context and natural landscaped setting. Accordingly, the proposed materiality and built form is commensurate to the low density residential dwellings and adjoining bushland. This submission also includes fly through 3D models illustrating the built form and massing on the site.</li> </ul>
<p><i>Planning</i></p> <ul style="list-style-type: none"> <li>Buildings are proposed at 9m - 13m in height. Note; the height restriction for Residential Flat Buildings under Council's DCP is 11m. No mapped height restriction appears under Maitland LEP 2011. However, height should be addressed in terms of departures from DCP and surrounding privacy concerns and appropriate justification provided. Council needs to be sure about the encroachment to the 11m height plane and provision of a view analysis will assist in this regard.</li> <li>A variety of colours and materials in keeping with the local environment to the facades of the buildings and provision of extensive landscaping and open space areas will assist to reduce the visual bulk of the development when viewed from the streetscape should be provided.</li> <li>Consideration of amenity, landscaping, privacy, open space areas as required under the State Planning Policy and Council's DCP. The development should recognise the desirable elements of the location's character to ensure the positive contribution of buildings on the site. In addition, activation of the street frontage to Martin Close should be addressed as part of any application submitted.</li> <li>A detailed landscape plan is required, demonstrating increased amenity on the site and provision of landscaping</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development has been assessed with regard to the controls for residential flat buildings in the MDCP 2011 at <b>Section 5.2</b> and <b>Section 5.3</b>.</li> <li>The proposed materiality has been chosen with regard to the site's existing urban and natural landscaped setting so as to reduce the perceived bulk and scale from the public domain. This is further discussed in <b>Section 4.4</b>.</li> <li>Detailed Landscaped Plans have been prepared by Arterra and are included at <b>Appendix D</b>. In order to accommodate the proposed development, 31 trees are proposed to be removed. An Arboricultural Impact Assessment is included at <b>Appendix K</b>.</li> <li>Shadow diagrams have been prepared by Calder Flower Architecture and are included in <b>Appendix A</b>. An analysis of the proposed development shadow impacts is provided in <b>Section 5.4.1</b>.</li> <li>An Acoustic Report has been prepared by TTM Group and is included at <b>Appendix H</b>, further discussion is provided at <b>Section 5.7</b>.</li> <li>A Waste Management Plan has been prepared by UFD and is included at <b>Appendix G</b>. Further discussion is provided at <b>Section 5.8</b>.</li> </ul>

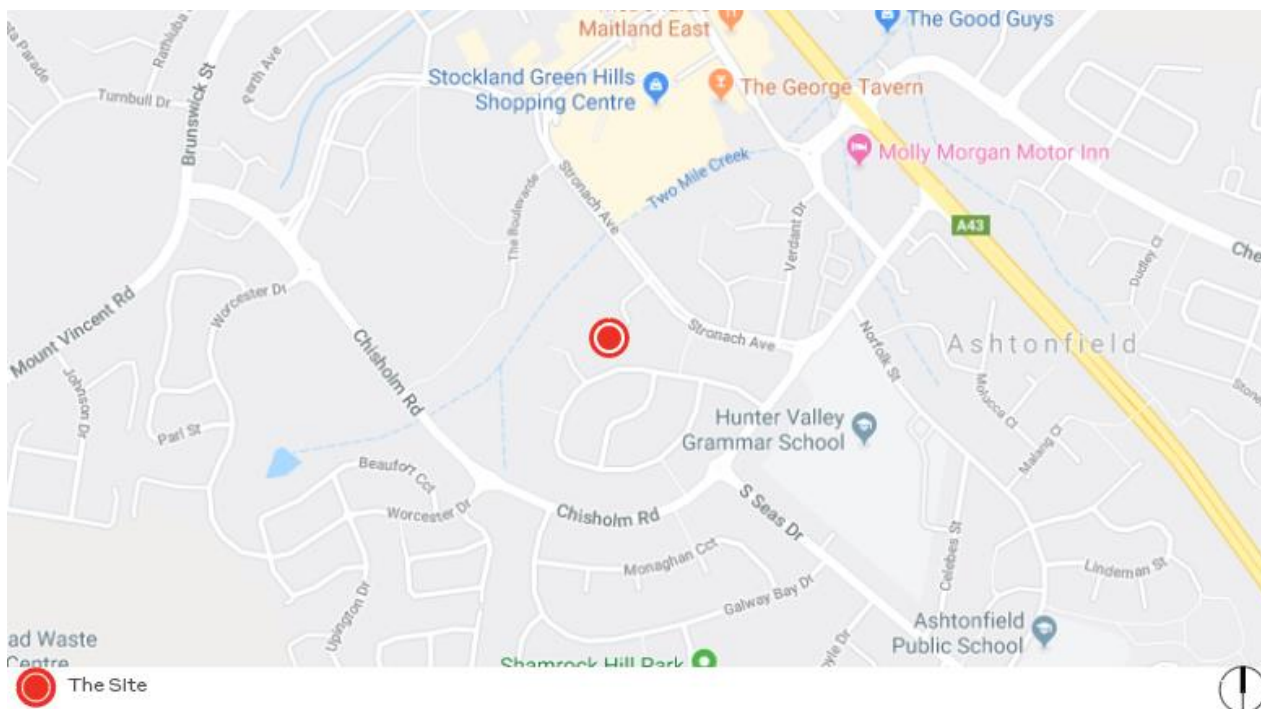
<p>that not only respects the remaining natural landscape but that mitigates the impacts of the hardstand areas and bulk and scale of the buildings through use of landscaping. This plan should also fully detail tree removal and retention proposed together with details of retaining walls and fencing (see also the Traffic access section of these Minutes).</p> <ul style="list-style-type: none"> <li>• Shadow diagrams are required to provide concise information in relation to solar access, clearly demonstrating any external shadow impacts to neighbouring properties and also internal shadow impacts. This should include a compliance table demonstrating the performance of each individual unit.</li> <li>• Acoustic impacts of the development must be fully addressed as part of any development application (see also the Traffic access section of these Minutes). The report can be general in terms of acoustic impacts with the larger focus being on noise impacts during construction and the potential acoustic issues if access is gained via Stronach Avenue.</li> <li>• Attention to appropriate areas for garbage storage on the site that are fully screened from the streetscape and easily accessible for garbage pick up.</li> <li>• The area generally comprises residential uses so it is considered unlikely that contamination issues will be found, however the requirements of SEPP 55 should be addressed with any Application submitted. A Preliminary contamination report will be required as part of any application. This report should address all current contaminants on the site and include a site history of the land as part of the preliminary assessment.</li> <li>• SEPP 65 potentially applicable.</li> <li>• Mine subsidence area adjacent to the site.</li> <li>• Full details of the operation of the site, number of staff, car parking provisions for staff, and generally how the site will operate (Plan of Management should be provided this should also include any information regarding deliveries and waste pick up).</li> <li>• A detailed Statement of Environmental Effects is required that fully addresses the likely environmental impacts of the development (including impacts on both the natural and built environments), the social and economic impacts in the locality, and how the environmental impacts of the development have been identified. In particular, clearly demonstrate how such impacts will be mitigated.</li> <li>• Proposed APZ on adjacent land legally known as Lot 311 DP 1031540 is generally not supported.</li> <li>• Reference to “prime day care centre”</li> <li>• After the design is finalised, consideration of all setbacks, site coverage calculations, unbroken walls, privacy and amenity should be revisited and the proposal should address fully all related DCP sections and any potential Clause 4.6 exceptions or variations to the DCP should be fully justified and addressed.</li> <li>• Consultation with Hunter Water in relation to servicing should also occur.</li> <li>• Any departures from Council's DCP should be fully justified.</li> <li>• Discussions and consultation with neighbouring properties prior to DA lodgement.</li> <li>• The proposal will need to be advertised and notified in accordance with Council policy. Please provide a notification plan with site plan, elevations and floor plan with plans at an A3 size only. Note: If any submissions are received, it will be determined at full Council.</li> </ul>	<ul style="list-style-type: none"> <li>• A Preliminary Contamination Assessment and Detailed Site Investigation has been prepared by JK Geotechnics and are included at <b>Appendix Q</b> and <b>Appendix R</b>.</li> <li>• SEPP 65 and the Apartment Design Guide is not applicable to the proposed development as it is defined as a “residential care facility”. As per clause 4 of SEPP 65, this instrument only applies to “residential flat buildings”, “shop top housing” or mixed use development with a residential component if the building contains at least 4 or more dwellings. A “residential care facility” is none of these uses, is a separately defined use under Maitland LEP 2011 and contains no dwellings.</li> <li>• An Operational Plan of Management has been prepared by Fresh Hope Care addressing the onsite operations, staff numbers and day-to-day operations. The Plan is included at <b>Appendix M</b>.</li> <li>• The respite centre provides no child care function. This is simply an area devoted to visiting family of residents.</li> <li>• The proposed development is accompanied by this Statement of Environmental Effects, prepared by Ethos Urban.</li> <li>• This SEE has assessed the proposal with regard to the relevant environmental planning instruments.</li> <li>• Notification plans have been included at <b>Appendix A</b>.</li> <li>• A Social Impact Assessment has been prepared by Ethos Urban and is included at <b>Appendix U</b>.</li> <li>• No APZ is proposed on adjacent land legally described as Lot 311 DP 1031540 as part of this DA.</li> <li>• Mine subsidence has been addressed by STS Geotechnics in the Geotechnical Report at <b>Appendix X</b>.</li> <li>• Community consultation was undertaken by HOYNE in 2019. No further consultation has been possible due to COVID-19 restrictions.</li> </ul>
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## 3.0 Site Analysis

### 3.1 Site Location and Context

The site is located at 7 Martin Close and 42 Stronach Avenue, East Maitland within the Maitland City local government area (LGA). The site is located approximately 250m south of the Green Hills Shopping Centre and approximately 800m north of Hunter Valley Grammar School. The site's immediate urban context includes low density residential dwellings and Brooklyn Park to the immediate south west Two Mile Creek intersects the site and the Fresh Hope Retirement Village to the north in an east west direction.

The site's locational context is shown at **Figure 1**.



**Figure 1** Locational context

Source: Nearmap / Ethos Urban

### 3.2 Site Description

The site is legally described as Lot 57 in DP260833 and Lot 5 in DP258655 with an approximate area of 1.54ha. Lot 57 comprises the existing RACF facility and Lot 5 until recently comprised a detached residential dwelling house that has recently been demolished under a Complying Development Certificate (CDC). The site is owned by The Church of Christ Property Trust.

The site has a 90m street frontage to Martin Close and 18m street frontage to Stronach Avenue. The current RACF is accessible off Martin Close which connects to Stronach Avenue.

A survey plan is located at **Appendix C** and an aerial photo of the site is shown at **Figure 2**.





**Figure 2 Site aerial**  
 Source: *Nearmap / Ethos Urban*

### 3.3 Existing Development

The site currently comprises a 60 bed RACF, originally built in 1984. 42 Stronach Avenue formally comprised a detached dwelling house which has now been demolished via a CDC. It is surrounded by well-established trees and maintained gardens and includes a large on-grade car park. From the carpark, pedestrian access bridge over Two Mile Creek links the site with the Fresh Hope Retirement Village. We note that this does not form part of the site to be redeveloped.

The existing development is shown in **Figure 3** to **Figure 6**.



**Figure 3 Existing vehicular entrance off Martin Close**  
 Source: *Ethos Urban*



**Figure 4 42 Stronach Avenue, East Maitland (since demolished via CDC)**  
 Source: *Ethos Urban*



**Figure 5 Existing at-grade car park as viewed from the pedestrian link bridge**

Source: Ethos Urban



**Figure 6 Existing RACF facility and back of house loading area**

Source: Ethos Urban

### 3.3.1 Access

Vehicular and primary pedestrian access to the existing RACF is provided off Martin Close. A pedestrian link bridge also connects the site to the Fresh Hope Retirement Village to the north. Pedestrian is currently provided to Lot 5 in DP258655 via Stronach Avenue.

### 3.3.2 Topography

The site falls from south to north, descending towards Two Mile Creek which is a vegetated riparian corridor. The approximate difference is 6m between the highest and lowest points on the site.

### 3.3.3 Vegetation

Significant tree clusters exist along the north-eastern boundary, adjacent to Martin Close and in the southern corner of the site. These trees have a large canopy cover, with an understory of low lying trees, shrubs and grasses.

The site is also adjacent to a vegetated riparian corridor and Brooklyn Park, including a substantial area of bushland. Two Mile Creek is identified within the riparian corridor.

### 3.3.4 Contamination

A Preliminary Site Investigation and Detailed Site Investigation has been undertaken by JK Environments (**Appendix Q** and **Appendix R**) and has identified the following potential contamination sources and areas for environmental concern (AEC):

- Fill material (potentially imported from unknown sources);
- Historical agricultural use;
- Use of pesticides, consistent with residential type applications; and
- Hazardous building materials (i.e. asbestos containing material).

Further discussion is provided at **Section 5.10** and **Appendix Q** and **Appendix R**.

### 3.3.5 Heritage

The site is not listed as a heritage item, nor is it located within a heritage conservation area.

### 3.3.6 Bushfire

The site is located on land identified as bushfire prone. We note that consultation has been undertaken with both Maitland City Council and the NSW Rural Fire Service by the project team, including the project bushfire consultant. In this regard, a Bushfire Plan of Management has been prepared in consultation with Maitland City



Council for the riparian corridor of Two Mile Creek that adjoins the northern boundary of the site. The agreed Bushfire Plan of Management will ensure ongoing management of the area.

Further discussion is provided in **Section 5.1.2**.

### 3.4 Surrounding Development

The following development surrounds the site:

- **North:** To the immediate north is Two Mile Creek and the remainder of the Fresh Hope Care Green Hills Retirement Village, connected to the site via a concrete pedestrian bridge. Further north is the Green Hills Shopping Village and low density residential development.
- **South:** To the immediate south of the site is low density residential development and Chisholm Road which connects to the New England Highway.
- **East:** To the east is low density residential development. Further east is the New England Highway which connects East Maitland to the remainder of the remainder of the Hunter Valley region.
- **West:** To the west of the site is Brooklyn Park and a substantial area of bushland extending beyond the Two Mile Creek riparian corridor.

The surrounding development is shown in **Figure 7** to **Figure 10** below.



**Figure 7** Fresh Hope Care Green Hills Retirement Village to the north of the site

Source: Ethos Urban



**Figure 8** Green Hills Stockland Shopping Village as viewed from Stronach Avenue

Source: Ethos Urban



**Figure 9** Low density residential development located on Martin Close

Source: Ethos Urban



**Figure 10** Brooklyn Park Reserve

Source: Ethos Urban



## 4.0 Description of Proposed Development

This application seeks approval for the following development:

- Site preparation and demolition works;
- Construction and use of a new 2-4 storey residential care facility, including:
  - Lower ground level/basement parking for 24 cars;
  - 11,377.11m<sup>2</sup> of GFA, comprising 160 beds, 8 respite beds, a family room, back of house areas, administration / offices, health and wellbeing areas, communal kitchen, dining and lounge areas, training areas, recreation areas, a community kitchen and an ancillary café;
- A new entrance driveway and drop off zone from Martin Close and provision of 7 parking spaces;
- A secondary on-grade car park comprising 19 car spaces and loading dock driveway;
- New maintenance service track allowing vehicles to exit via Stronach Avenue; and
- Associated landscaping works, including management of the adjacent riparian zone.

Architectural drawings illustrating the proposed development are included at **Appendix A**. A photomontage of the proposed development is shown at **Figure 11**.



**Figure 11** CGI of the proposed development (viewed from Martin Close and the pedestrian bridge link)

Source: *Calder Flower Architecture*

#### 4.1 Numerical Overview

The key numeric development information is summarised in **Table 2**.

**Table 2** Key development information is summarised in

Component	Proposal
Site area	13,966m <sup>2</sup>
GFA	11,377.11m <sup>2</sup>
FSR	0.81:1
Height	2, 3 and 4 storey components with a maximum height to ridge of 15.8m
Rooms	160 RAC beds 8 respite beds
Car Spaces	Lower Ground Level: 24 car spaces Secondary Car Park: 19 car spaces Entry Forecourt Car Park: 7 car spaces
Bicycle spaces	10
Landscaped Area	8,700m <sup>2</sup>
Deep Soil Area	3,977m <sup>2</sup> (28%)

#### 4.2 Demolition and Site Preparation

The proposed demolition and site preparation works involve the removal of the existing residential aged care facility, including the at-grade car park and excavation works for the proposed Lower Ground Level. It is noted that the dwelling house located at 42 Stronach Avenue has been demolished via CDC.

In addition, 31 trees will require removal as part of the application in accordance with the Arboricultural Impact Assessment prepared by Arterra Design and included at **Appendix K**.

The proposed demolition plan is shown at **Figure 12** below.



**Figure 12 Proposed demolition plan**

Source: Calder Flower Architecture

### 4.3 Built Form

The development proposes a part 2 and 4 storey building, with lower ground level parking. The building will be designed into a four (4) wing concept connected via a central hub. The four wings will extend outward from the central hub, creating protected landscape courtyards in-between each wing. Each wing will accommodate 16 RACF beds. As the proposed facility is located centrally on the site, it adopts generous setbacks to all frontages, recognising the setbacks required for the bushfire asset protections zone and adjacent residential properties, as well as the retention of numerous mature trees located in clusters on the site.

The floor levels above the Main Entry level comprise of care households which are replicated above one another. The south eastern wing is only 2 storeys as it fronts Martin Close and is the closest to adjoining residential development. Level 2 comprises three care wings (south western, northern and north eastern), which make a fourth storey as the building steps down the sloping site towards the north and north west.

The proposed development will have a maximum GFA 11,377.11m<sup>2</sup> with a corresponding FSR of 0.81:1 and external wall heights ranging between 6.8 metres (south eastern wing) and 14.07 metres (northern wing).

**Figure 13** below illustrates the proposed built form. Furthermore, an Urban Design Report has been prepared by Atlas Urban dated June 2020 at **Appendix E**. This provides detailed analysis of the context of the site and locality and the compatibility of the proposed design and built form with this context.





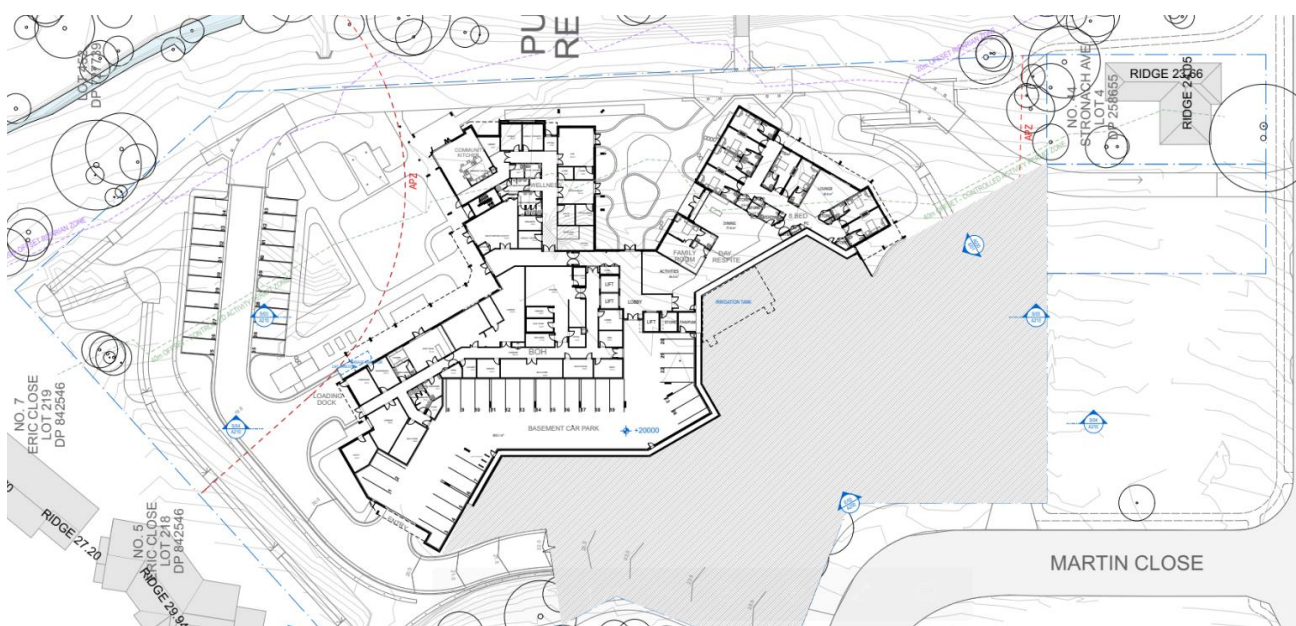
**Figure 13 Proposed built form as viewed from the northern elevation**

Source: Calder Flower Architecture

### 4.3.1 Lower Ground Level

The northern wing of the Lower Ground floor will comprise the Wellness Area including a community kitchen, multifunctional activity space, allied health consulting rooms gym, library, consultation and office areas / back of house areas.

The north eastern wing on the Lower Ground Level will comprise an 8 room/8 bed respite area, including a lounge room, dining room, family room and activities area. This will primarily operate as a day centre and can accommodate up to 20 people during the day, with the capacity to provide overnight stays. Back of house areas including laundry, kitchen, staff room, waste, storage and staff amenities will be located in the south western wing on the Lower Ground Level. This level will also comprise parking for 24 cars. Entrance to the Lower Ground Level car park is provided off the new vehicular access road off Martin Close. The general arrangement plan is shown in **Figure 14** below.



**Figure 14 Proposed Lower Ground Level – general arrangement plan**

Source: Calder Flower Architecture

### 4.3.2 Ground Level

On the Ground Level, in the northern wing the two non-residential sections comprise an entry / administration and communal resident / visitor section. It also provides an ancillary café for residents, visitors and staff. The ancillary café space can also be combined with the multi-purpose room to provide a flexible socialising space / café for residents and visitors. The remaining three wings on the Ground Floor comprise accommodation situated around lounge spaces in the centre of each wing and activity spaces where they meet in the middle.

An at-grade car park is located at the site's entry point off Martin Close providing 7 car spaces including 2 accessible spaces and also at the western boundary, providing 19 car spaces.

The general arrangement plan is shown at **Figure 15** below.



**Figure 15 Proposed Ground Level – general arrangement plan**

Source: Calder Flower Architecture

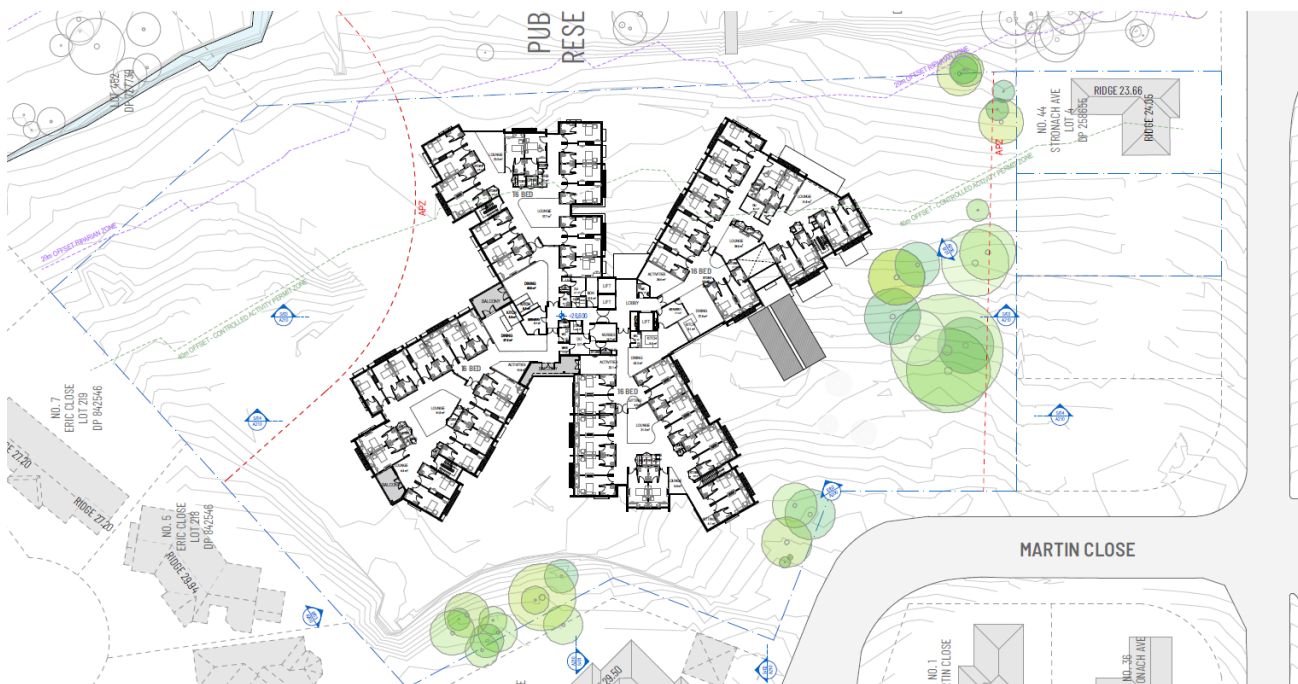
### 4.3.3 Level 1 and Level 2

Level 1 will comprise 4 wings with accommodation situated around lounge spaces in the centre as well as kitchen and activity spaces. Back of house spaces for staff and nurses will be located in the centre of the wing.

Similar to Level 1, the two northern wings and south-western wing on Level 2 will comprise residential accommodation in the same configuration as the previous levels. The south eastern wing will comprise a community room and outdoor terrace area. The centre of Level 2 will comprise back of house areas for staff and nurses.

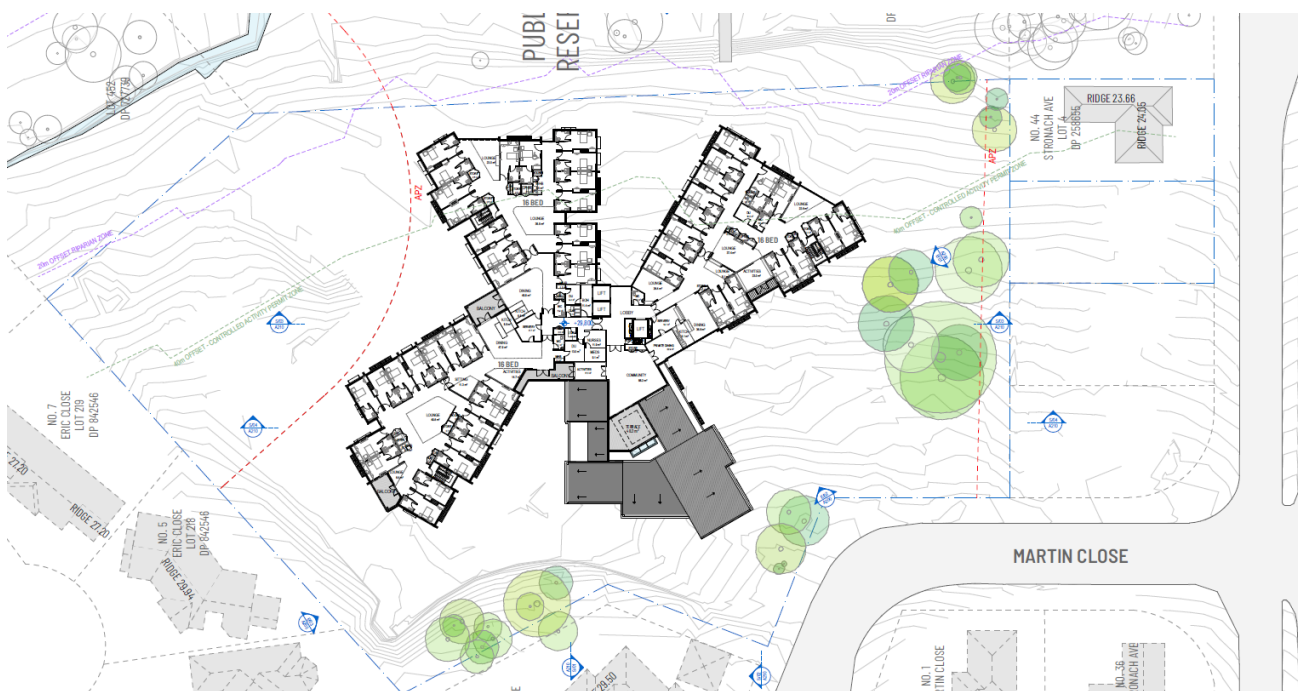
The general arrangement plan of Level 1 and Level 2 is shown at **Figure 16** and **Figure 17** below.





**Figure 16 Proposed Level 1 – general arrangement plan**

Source: Calder Flower Architecture



**Figure 17 Proposed Level 2 – general arrangement plan**

Source: Calder Flower Architecture

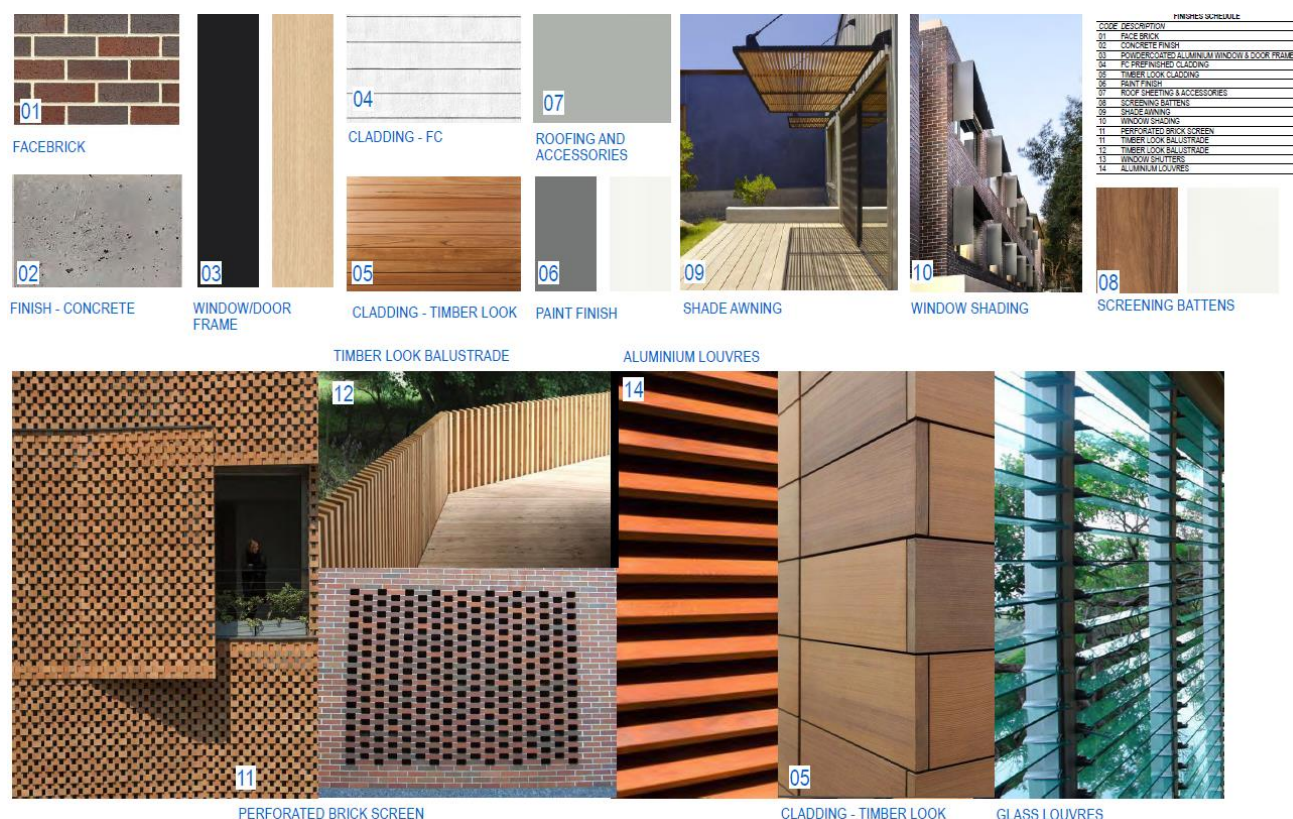
#### 4.4 Façade and Materials

The proposed development will be constructed using various materials and finishes to create a contemporary, high quality development that is compatible with the surrounding built form, while providing visual interest and complementing the surrounding bushland. The proposed material palette provides a range of different fenestration patterns, while breaking down façade detail into smaller elements that is similar to other houses in the area. Specifically, the inclusion of framed pop out facades and warm timber look around the composition of four windows

is commensurate to the site’s locality, including bushland and low density residential development. The proposed schedule of materials include:

- Facebrick;
- Concrete;
- Cladding with a timber look;
- Shade awnings;
- Perforated brick screens; and
- Window shutters.

The proposed materials schedule is shown at **Figure 18** below.



**Figure 18** Schedule of materials

Source: Calder Flower Architecture

## 4.5 Site Access

### 4.5.1 Vehicular Access and Parking

The main vehicular access point to the site is provided via Martin Close in a circular driveway arrangement around a 7 space car parking area that provides a drop off zone at the front entrance, including an ambulance bay and 2 accessible parking spaces. A secondary driveway is also provided from Martin Close providing access to the Lower Ground Level car park, at-grade car park on the western boundary and loading dock at the southern side of the building.

The proposal will provide a total of 50 on site parking spaces, with the majority of parking being allocated to staff, while 9 visitor parking spaces will be provided. The Lower Ground Level car park will comprise 24 spaces, the secondary car park will comprise 19 spaces and the Main Entry car park will comprise 7 spaces including 2 accessible spaces.

In addition, an ambulance bay will be provided adjacent to the porte cochere on the ground level and 10 bicycle parking spaces will be provided, including end of trip facilities for staff.

All servicing will be accommodated on-site, with all vehicles entering and departing the site in a forward direction from Martin Close. The basement car park will accommodate a medium rigid vehicle (MRV).

Primary vehicular access to the site will continue off Martin Close, with 2 driveways proposed. The eastern driveway will provide two-way access to visitors and accessible parking, and for emergency access adjacent to the main entry lobby. The western driveway will provide two-way access to staff parking (at-grade and in the Lower Ground Level) and for service and maintenance vehicles. The western driveway will continue north around the perimeter of the site and then to an exit point to Stronach Avenue to be used by emergency vehicles. This track is provided for maintenance vehicles, as well as fire fighting vehicles if required. As well, bollards will be installed west of Stronach Avenue to ensure that this track would only be accessible during emergency situations, with an exception that firefighting vehicles would only depart to Stronach Avenue (having entered from Martin Close).

#### 4.5.2 Pedestrian Access

Pedestrian access to the site will be provided off Martin Close. A new internal paved footpath will circulate the site, connecting to the existing pedestrian bridge link. Furthermore, the existing public footpath on the south western side of Stronach Avenue is proposed at part of this DA to be extended approximately 55m to the frontage of 42 Stronach Avenue to provide another pedestrian connection to the site.

#### 4.6 Landscaping

The overall landscaping strategy has been informed by the site's immediate context, enhancing the outlook from individual rooms while complementing the surrounding bushland. The key elements of the proposed landscaping include the substantial retention of existing trees, while providing appropriate paths of travel and clear delineation through pedestrian and vehicular entry points. Specifically, the proposed landscaping will include:

- **Grassed lawn** areas around the perimeter of the site;
- **Entry forecourt plaza** with visitor parking and port-cochere including planter beds;
- **Native meadow** including remnant trees and accessible boardwalk to connect the entry forecourt down to the maintenance track adjacent to the riparian corridor. This will include seats at each landing to encourage residents and visitors to rest;
- **Dementia courtyard** for memory impaired residents with easy access to internal spaces. The courtyard will include raised planters to provide greenery as well as seating spaces and walking circuits;
- **Circuit path** for residents and visitors. The accessible paved walkway will be graded at 1 in 20 with landings connecting to paths within the site;
- **Upper ground floor terrace** area with raised planter beds and an external undercover walkway from the dock to the Lower Ground Floor;
- **Backyard** including a multi use area for activities. This area will include a shed, orchards, vegetable garden and chicken / aviary coop for residents to stimulate their senses. A barbecue facility will also be provided with a shelter and playground to provide space for social gatherings. The area within the asset protection zone (APZ) will be planted with selective fire retardant species;
- **Sensory garden** adjacent to the wellness centre and day respite wing at the Lower Ground Level. This area will include gardens and artificial turf; and
- **Maintenance access track** on the northern boundary of the site. The track will be a 4m wide stabilised gravel path for fire access and site riparian corridor maintenance, also providing an accessible circuit path for residents.

The proposed landscaping is shown at **Figure 19** below and the planting schedule and species are included at **Appendix D**.





**Figure 19** Proposed site landscaping

Source: Arterra



**Figure 20** Perspective of proposed site landscaping along northern boundary and maintenance track

Source: Arterra





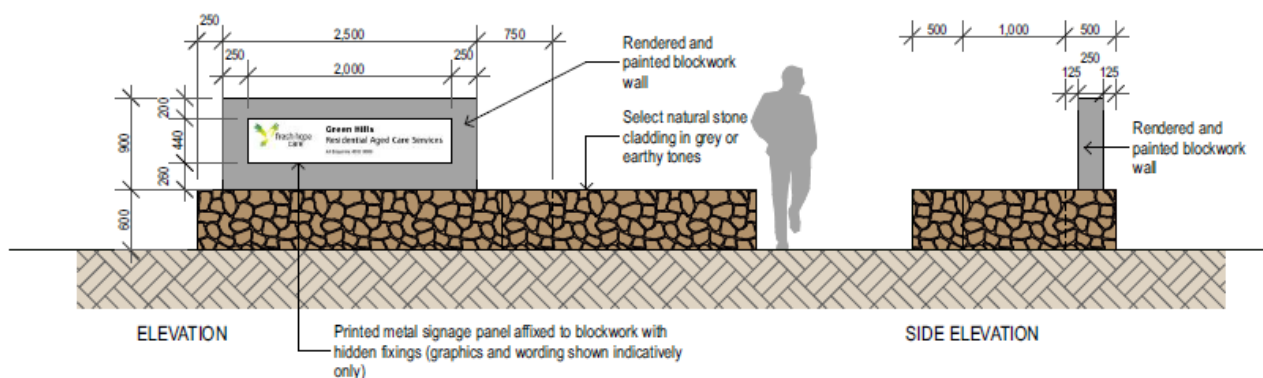
**Figure 21** Perspective of proposed site landscaping of the sensory garden

Source: Arterra

#### 4.7 Signage

A business identification sign is proposed at the Main Entry off Martin Close. The proposed sign will be affixed to the natural stone cladding at the Main Entry, and will comprise rendered and painted blockwork with ground mounted external grade LED up lighting.

The proposed sign will be 2,000mm (width) by 440mm (height). The proposed signage location and size is shown below and the graphics and wording has been provided for illustration purposes only.



**Figure 22** Proposed business identification signage

Source: Arterra

#### 4.8 Waste Management

A new waste holding / management area will be located on the Lower Ground Level of the new facility, within easy access of the loading dock. A private contracted waste collector will remove general and recyclable waste and medical and cytotoxic waste generated will be removed by Fresh Hope Care’s contracted specialist.

An allocated garden / green waste area will be located outside the building's footprint near the loading dock.

Each RAC room will be provided with general waste bins and the following bin types will be provided on site:

- General waste – 4 x 1,100L;
- Recycled waste – 3 x 660L;
- Medical waste – 2 x 120L;
- Cytotoxic waste – 2 x 120L;
- Secured paper waste – 1 x 240L;
- Green / garden waste – 1 x 660L; and
- Fluid waste 1 x 1265mm x 645mm banded pallet.

Further discussion is provided in **Section XX** and at **Appendix XX**.

#### **4.9 Stormwater Management**

The proposed site drainage system will comprise a minor and major system to convey collected stormwater runoff from the development to the point of discharge. The design of the stormwater system has been based on the Australian Standard Codes of Practice and the Maitland City Council standards.

Further, the proposed development will maintain the natural gradient of the site and overland flow path through the development site, as well as bioretention basins and swales, a 125,000 litre rainwater harvesting tank and permeable pavement. Further discussion is provided in the Stormwater Management Report prepared by Birzulus and Associates at **Appendix N** and at **Section 5.10**.

#### **4.10 Services and Utilities**

An Infrastructure and Services Statement has been prepared by EFWF and is included at **Appendix Y**.

##### **Gas**

A Jemena gas meter and regulator will be provided within the site boundary. The existing Jemena gas main located within Martin Close will be extended for the proposed development. Please refer to EFWF statement regarding gas supply at **Appendix Y**.

##### **Water and Sewer**

The existing Hunter Water Authority water main located within Martin Close is suitable for extension into the development. An Authority metre will be provided at the site boundary.

The existing Hunter Water Authority sewer which is located at the north western boundary will be connected to the development. A Section 50 Application has been submitted to Hunter Water.

##### **Power**

Please refer to the supply offer from Ausgrid confirming the availability of power to the site at **Appendix Y**.

#### **4.11 Construction Management**

A detailed Construction Management Plan (CMP) will be prepared by the appointed contractor prior to the commencement of works in accordance with standard conditions of consent. The CMP will address the following matters:

- Construction hours;
- Material management;
- Construction traffic management;

- Health and safety;
- Equipment / material staging and parking;
- Dust control measures; and
- Methods for disposal of demolition waste.

It is noted that the proposed development will not be constructed in stages for the simplicity of construction and for the wellbeing of residents. We note however it may be possible that more than one Construction Certificate is issued for the site and therefore we request that the work “relevant” is inserted before “Construction Certificate” in relevant conditions.

## 5.0 Planning Assessment

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 5.1 Environmental Planning Instruments

The DA's consistency and compliance with the relevant environmental planning instruments is considered in the sections below. The key standards and guidelines highlighted in the table are discussed in the following sections of this environmental assessment.

#### 5.1.1 Strategic Plans and Policies

The consistency of the proposed development with the relevant strategic plans and policies is detailed in Table 3 below.

**Table 3 Summary of consistency with relevant strategy legislation**

Plan	Comments
<b>Relevant Strategic Plans</b>	
Hunter Regional Plan 2036	<p>The Hunter Regional Plan provides the strategic planning framework and land use priorities for the region over the next 20 years. The Regional Plan emphasises the importance of becoming a leading regional economy, with a thriving community and greater housing choice and jobs. Importantly, East Maitland lies at the centre of the largest Growth Region in the Hunter and is also nearby to the new Metford Hospital Precinct.</p> <p>The Regional Plan recognises that the population is projected to grow to 1.1million by 2036, with 25% aged over 65. It further identifies that Maitland and East Maitland are at the centre of the major Growth Area and East Maitland as a Strategic Centre.</p> <p>Accordingly, the proposed development will increase the diversity of housing types for seniors within the Maitland LGA, by providing new seniors housing in an accessible location.</p>
Community Strategic Plan 2018-2028	Maitland City Council's Community Strategic Plan provides a 10 year vision for the future of the LGA, based on extensive community consultation. The Plan recognises that in order to accommodate the growing population, new diverse and affordable housing options for residents throughout all life stages is needed. In this way, the proposed development allows for the renewal of aged care on an existing site to better meet the needs of the growing population and allow for existing residents residing in East Maitland and the surrounds to age in place.

#### 5.1.2 State Legislation

The DA's consistency and compliance with the relevant environmental planning instruments is considered in the sections below.

**Table 4 Summary of consistency with relevant strategy legislation**

Plan	Comments
<b>Acts</b>	
<i>Environmental Planning and Assessment Act 1979</i>	The proposal will involve works within 40m of a watercourse, and as such is Integrated Development pursuant to Section 91(1) of the EP&A Act, requiring approval under the <i>Water Management Act 2000</i> . The proposal includes the development of land for special fire protection purposes and is therefore integrated development under Section 100B of the Rural Fires Act.
<i>Rural Fires Act 1997 &amp; Planning for Bushfire Protection 2019</i>	<p>A Bushfire Report has been prepared by Building Code and Bushfire Hazard Solutions to assess the proposed development with regard to bushfire hazards and mitigation measures. Maitland City Council's Bushfire Prone Lane Map identifies the site as containing a 100m buffer zone from Category 1 Vegetation and therefore the application for Planning for Bushfire Protection – 2019 must apply in this instance. As well, given that the proposal relates to a Special Fire Protection Purpose development it is captured under section 100B of the Rural Fires Act 1997 and a Bushfire Safety Authority (BSA) must be obtained from the NSW Rural Fire Service.</p> <p>Vegetation identified as posing a bushfire hazard is located to the northeast and southwest of the proposed building. The minimum required Asset Protection Zones were determined to be 79m to the</p>

	<p>northeast and 46m to the southwest. While it is noted that the closest point of the proposed building exceeds the minimum required Asset Protection Zones to both aspects, in principal support for the proposed development and landscape design has been confirmed by the NSW Rural Fire Service as part of pre-DA consultation. The advice from the NSW RFS was that the development was deemed 'practically achievable'. Further, the Bushfire Report notes that the proposed development results in a significantly better bushfire safety solution as it upgrades an existing aged care facility which predates bushfire safety measures, complies with the relevant Australian Standards, provides improved access for attending fire services, improves fire water supply and implements a Plan of Management that will ensure the maintenance of potential bushfire fuel.</p> <p>The report concludes that with the implementation and consideration of the bushfire safety measures recommended, Building Code and Bushfire Hazards Solutions Pty Ltd are of the opinion, the development will achieve a reasonable and satisfactory level of bushfire protection.</p>
<i>Biodiversity Conservation Act 2016</i>	<p>A Biodiversity Assessment has been undertaken by NGH Consulting to assess the likely impacts of the proposed development on vegetation within the vicinity of the site and the riparian corridor. The proposed development has been assessed under the NSW Biodiversity Conservation Act 2016 (BC Act) to avoid, minimise and offset impacts on biodiversity from development. NGH Consulting have undertaken an initial site survey to determine the total area for clearing of native vegetation. This equates to 0.1ha of native vegetation which does not exceed the NSW Biodiversity Offset Scheme (BOS) Thresholds and therefore a Biodiversity Assessment Methodology (BAM) assessment is not required.</p> <p>Further, NGH Consulting identify that an additional trigger for entry into the BOS is intersecting the OEH Biodiversity Values Mapping and where the clearing of vegetation has the potential to generate a significant impact on a threatened entity. Their investigation determines that the site is not mapped on the Biodiversity Values Map and the habitat assessment confirms that there is a low likelihood of impacts on threatened flora and fauna and therefore, no Tests of Significance is required.</p> <p>NGH Consulting confirm that the proposal will not trigger entry into the BOS. Further discussion is provided in <b>Appendix L</b>.</p>
<b>State Environmental Planning Policies</b>	
<i>State Environmental Planning Policy No 55 – Remediation of Land</i>	<p>JK Environments have undertaken a Preliminary Site Investigation and have identified the following potential contamination sources and areas for environmental concern (AEC):</p> <ul style="list-style-type: none"> <li>• Fill material (potentially imported from unknown sources);</li> <li>• Historical agricultural use;</li> <li>• Use of pesticides, consistent with residential type applications; and</li> <li>• Hazardous building materials (i.e. asbestos containing material).</li> </ul> <p>The report provides a number of recommendations that should be implemented prior to the commencement of demolition and construction works. Notwithstanding, JK Environments conclude that any potential contamination sources does not preclude the proposed development. Further discussion is provided in <b>Section 5.10</b> and at <b>Appendix Q</b> and <b>Appendix R</b>.</p>
<i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>	<p>The proposed development seeks approval for seniors housing in the form of a residential care facility under the Seniors SEPP. The proposed development's consistency with the applicable controls within the Seniors SEPP is discussed below at Table 5.</p>
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>	<p>As the proposed development will be in excess of \$30 million CIV it is regionally significant development and the consent authority is the Hunter and Central Coast Regional Planning Panel.</p>
<i>State Environmental Planning Policy No. 64 – Advertising and Signage</i>	<p>1 business identification signs are proposed. An assessment against SEPP 64 is provided at <b>Appendix X</b>.</p>



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

The Seniors SEPP permits the development of certain types of seniors housing and sets out certain standards that override local planning provisions. **Table 5** below provides an assessment of the proposed development against the relevant clauses in the Seniors SEPP.

**Table 5 Seniors SEPP applicable planning provisions**

Provision	Response
<b>Part 2 Site Related Requirements</b>	
<i>Clause 26 - Location and access to facilities</i>	<p>The site is located 250m from the Stockland Green Hills Shopping Centre which provides a range of retail and commercial services. Further testing would need to be undertaken to determine if the gradient controls would be able to be complied with.</p> <p>Two bus stops with regular bus services is located on Stronach Avenue approximately 100m south of the site, providing services to Woodberry, Rutherford Shops and Metford TAFE. A marked pedestrian crossing is provided adjacent to these bus stops. Bus stops are also provided on Mitchell Drive approximately 400m from the site, which are serviced by a number of other local and sub-regional bus routes.</p> <p>The site also provides a high level of pedestrian connectivity, including immediate and safe connections to public transport services and the Green Hills Shopping Centre. Footpaths are provided across the site and an extension is provided to the existing footpath on Stronach Avenue which extends north to a marked pedestrian crossing.</p> <p>Further to this, appropriate access to services and facilities has been assessed by Morris Goding Access Consultants and is included at <b>Appendix I</b>.</p>
<i>Clause 27 - Bush fire prone land</i>	<p>The site is in a bushfire prone area. As discussed with Council previously, the proposed development will be reliant on the on-going bushfire management of the Council owned riparian corridor (Two Mile Creek) adjoining the site to the north. In this regard, a Bushfire Impact Assessment has been prepared by Building Code &amp; Bushfire Hazard Solutions and is included at <b>Appendix J</b>. This assessment has been prepared in consultation with Council and identifies what ongoing management works would be undertaken by Fresh Hope Care to maintain an Inner Protection Area (IPA) on Council's land in accordance with Planning for Bushfire Protection 2019.</p>
<i>Clause 28 Water and Sewer</i>	<p>The subject site is located on an established aged care facility site and within an established residential area that has access to adequate facilities for the disposal or removal of sewage. The proposed development is capable of being connected to water system and infrastructure for the provision of sewage. Necessary arrangement will be made with the appropriate provider for connections to the water / sewer system.</p>
<i>Clause 30 – Site analysis</i>	<p>A detailed site analysis plan has been prepared by Calder Flower Architecture and is included at <b>Appendix A</b>. The site analysis is consistent with the provisions of clause 30.</p>
<i>Clause 32 – Design of residential development</i>	<p>The proposed development has been designed with regard to the principles of Division 2 (cl 33-39).</p>
<b>Clause 33 – Neighbourhood Amenity and Streetscape</b>	
<i>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</i>	<p>The proposed development has been designed with regard to the site's existing context, particularly the surrounding development. The built form recognises the surrounding landscape and riparian zone as well as the adjoining residential properties. In this way, the architectural style has been informed by the site's context and therefore the proposal complements the range of surrounding land uses and integrates with the adjoining built form.</p>
<i>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan,</i>	<p>The site is not located within a heritage conservation area and is not in close proximity to any existing heritage items.</p>

<p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p>	<p>The proposed development maintains reasonable neighbourhood amenity as it:</p> <ul style="list-style-type: none"> <li>• Provides appropriate setbacks that allow for internal amenity while not resulting in any adverse impacts to surrounding residents;</li> <li>• Provides a built form that is compatible with the surrounding context and siting;</li> <li>• Adopts a maximum building height that is largely commensurate to the MDCP for residential flat buildings in the R1 zone.</li> </ul> <p>Further discussion is provided in <b>Section 5.3.1</b>.</p>
<p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p>	<p>The proposed building is centrally located on the site so as to minimise impacts on the surrounding residential development and is substantially setback from both Martin Close and Stronach Avenue. It is further noted that the 4 wing configuration of the proposed development further reduces the perceived bulk and scale from the adjoining properties and is responsive to the sensitive interface and low scale character.</p>
<p>e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p>	<p>The proposed development includes hard and soft landscaping to respond to the existing environment, while providing appropriate spaces and outlook for residents. The proposal will include 28% deep soil zones. Further discussion on the proposed landscaping arrangement including tree species, quantity and size of planting is included in the Landscape Plans at <b>Appendix D</b>.</p>
<p>(f) retain, wherever reasonable, major existing trees, and</p>	<p>The proposed development seeks to retain all trees where possible, however seeks consent for the removal of 31 trees as a result of the proposed development. These trees have been assessed as being appropriate for removal as identified in the Arboricultural Impact Assessment prepared by Arterra and included at <b>Appendix K</b>.</p>
<p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>The site is located adjacent to Two Mile Creek which is identified as a riparian corridor. A Biodiversity Assessment has been undertaken by NGH Consulting and is included at <b>Appendix L</b>. The Assessment confirms that there will be no direct clearing impacts in the APZ riparian area, however, future maintenance works to reduce weeds and regrowth of mid storey species may be required to maintain current vegetation densities and compliance with APZ requirements within the Two Mile Creek Bushfire Plan of Management. Further discussion is provided at <b>Appendix J</b>.</p>

#### Clause 34 – Visual and Acoustic Privacy

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

<p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping,</p>	<p>The orientation and design of windows and balconies for habitable rooms has been carefully considered in the design of the proposed development. As well, the inclusion of landscaping and acoustic screening will ensure these rooms are fitted with appropriate visual and acoustic amelioration measures to mitigate any noise impacts from the driveway or other sources.</p>
<p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>On a limited number of rooms will be positioned in close proximity to the driveway and car park entry. It is noted that all dwellings will be fit with visual and acoustic amelioration measures to mitigate any adverse impacts. Notwithstanding this, given the nature of the development being for seniors housing, it is considered that the use of the car park and driveway will be limited to a small number of staff during the night time period and rather will be predominately used by residents, visitors and staff during the day time period.</p>

#### Clause 35 – Solar Access and Design for Climate

<p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p>	<p>The proposed development has been designed to maximise solar access internally for all units, adjoining development and open space. Importantly, the proposed development has been configured to provide courtyard areas and open space that receive adequate sunlight during the winter solstice.</p>
<p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar</p>	<p>All rooms have been designed to receive adequate solar access. In addition, the proposal includes large areas of open space and the substantial retention of trees to provide natural means for solar access and to reduce reliance on air conditioning and the like.</p>



<i>heating and lighting by locating the windows of living and dining areas in a northerly direction</i>	
<b>Clause 36 – Stormwater</b>	
<i>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas,</i>	<p>The proposed development will incorporate different stormwater measures to minimise disturbance and impacts of runoff to adjoining properties. These include:</p> <ul style="list-style-type: none"> <li>• Maintaining the natural gradient of the site and overland flow path through the site;</li> <li>• Formalisation of the stormwater system using a major and minor design philosophy;</li> <li>• Bioretention basins and bioretention swales;</li> <li>• 125,000 litre rainwater harvesting tank; and</li> <li>• Permeable pavement.</li> </ul> <p>Further discussion is provided at <b>Appendix N</b>.</p>
<i>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</i>	<p>The rainwater harvesting system will include a booster pump assembly, stormwater filters, vales and pipe work in accordance with the relevant standards and NSW Health Guidelines. It is intended that the harvested water service will be used for irrigation purposes. Refer to <b>Appendix N</b> for further discussion.</p>
<b>Clause 37 – Crime Prevention</b>	
<i>(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and</i>	<p>The proposed development is a residential aged care facility that will be staffed 24 hours, 7 days a week. The provides continual surveillance and effective guardianship of the facility and its surrounds. Furthermore, the proposed development will be a secure facility with all entrances and exit points provided with secure access arrangements to restrict unauthorised access to the facility.</p>
<i>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</i>	<p>At the site's main entry point on the Ground Level, the proposed development has been designed to include non-residential uses including a reception desk, café and staff facilities / rooms. This means that the rooms are not directly accessible for visitors entering the facility.</p>
<i>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</i>	<p>The facility has also been designed to be externally facing with all rooms provided with large windows overlooking courtyards and the external landscaped gardens of the proposed facility providing significant natural surveillance. The installation of a discrete CCTV network is recommended to be considered to assist in the surveillance of the proposed facility, in particular at entrance/egress points.</p>
<b>Clause 38 – Accessibility</b>	
<i>The proposed development should:</i>	
<i>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</i>	<p>The proposed development will include upgraded and new pedestrian paths from the site to the remainder of the village to the north and to Martin Close to ensure residents have a safe and accessible pathway from the village. Public bus services are located outside the site on Stronach Avenue which will provide access to local facilities including the Green Hills shopping centre to the north if residents choose not to walk.</p>
<i>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</i>	<p>The proposed development provides distinct pedestrian vehicular access points, improving safety across the site. The entry lobby to the proposed development has been appropriately delineated through landscaping and footpaths.</p> <p>Primary vehicle access to the site will continue to be provided off Martin Close, with 2 driveways provided. The eastern driveway will provide two way access to visitor and accessible parking and for emergency access, adjacent to the Main Entry lobby. The western driveway will continue north around the site and then to an exit point at Stronach Avenue which is intended to be used by emergency vehicles. The car parking arrangement will be secure and convenient, with internal lift access provided to residents, visitors and staff.</p>

<b>Clause 39 – Waste Management</b>	
<i>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities</i>	<p>A new waste holding / management area will be located on the Lower Ground Level of the new facility, within easy access of the loading dock. A private contracted waste collector will remove general and recyclable waste and medical and cytotoxic waste generated will be removed by Fresh Hope Care's contracted specialist.</p> <p>An allocated garden / green waste area will be located outside the building's footprint near the loading dock.</p> <p>As well, general waste, recyclable waste, cytotoxic waste, secured paper waste, fluid waste and green waste bins will be provided on site in accordance with the specified waste generation rates for the facility. Further discussion is provided at <b>Appendix G</b>.</p>
<b>Clause 40 – Development Standards</b>	
<b>Site Size</b> – Minimum 1,000sqm	<p>Compliant. The site is significantly larger than 1,000 square meters.</p> <p>Notwithstanding this, in accordance with clause 40(5) it is noted that Fresh Hope Care is a social housing provider and therefore the provisions of clause 40 do not apply. Fresh Hope Care's Certificate of registration is included under a separate cover.</p>
<b>Site Frontage</b> – Minimum 20m	<p>Compliant. The site has a street frontage to Martin Close of approximately 60m and to Stronach Avenue of approximately 17m.</p> <p>Notwithstanding this, in accordance with clause 40(5) it is noted that Fresh Hope Care is a social housing provider and therefore the provisions of clause 40 do not apply. Fresh Hope Care's Certificate of registration is included under a separate cover.</p>
<p><b>Height zones where residential flat buildings are not permitted</b> <i>If the development is proposed in a residential zone where residential flat buildings are not permitted:</i></p> <ul style="list-style-type: none"> <li><i>the height of all buildings in the proposed development must be 8 metres [as defined within the Seniors Housing SEPP] or less, and</i></li> <li><i>a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</i></li> <li><i>a building located in the rear 25% area of the site must not exceed 1 storey in height.</i></li> </ul>	<p>The site is zoned R1 General Residential. As residential flat buildings are permitted with consent, clauses 40(4)(a), 40(4)(b) and 40(4)(c) (height controls in zones where residential flat buildings are not permitted) of the Seniors SEPP do not apply.</p> <p>Notwithstanding this, in accordance with clause 40(5) it is noted that Fresh Hope Care is a social housing provider and therefore the provisions of clause 40 do not apply. Fresh Hope Care's Certificate of registration is included under a separate cover.</p>
<b>Clause 48 – Standards that cannot be used to refuse development consent for residential care facilities</b>	
<i>(a) <b>building height:</b> if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys),</i>	The proposed development exceeds 8m in height. Refer to <b>Section 5.3.1</b> for further discussion.
<i>(b) <b>density and scale:</b> if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</i>	The proposed FSR is 0.81:1. The proposed development complies.
<i>(c) <b>landscaped area:</b> if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,</i>	A total of 8,700m <sup>2</sup> is proposed to be landscaped. This equates to a total landscaped area of 62% of the site area, and approximately 51m <sup>2</sup> per RAC bed.

<p><i>(d) parking for residents and visitors: if at least the following is provided—</i></p> <p><i>(i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and</i></p> <p><i>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</i></p> <p><i>(iii) 1 parking space suitable for an ambulance.</i></p>	<p>The proposed car parking has been provided in accordance with the Seniors SEPP. In total, the proposal will provide 52 car spaces including 2 accessible spaces and 1 ambulance bay. The proposed car parking provision is compliant with the Seniors SEPP requirements.</p> <p>Further discussion is provided in <b>Section 5.6</b>.</p>
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### 5.1.3 Maitland Local Environmental Plan 2011

**Table 6 Key applicable planning provisions under the MLEP 2012**

Clause	Provision / Standard	Proposal
Clause 2.3 Zone Objectives and Land Use Table	R1 General Residential	<p>The site is zoned R1 General Residential. Development in the form of seniors housing is permissible with development consent.</p> <p>The proposed cafe will be used by residents and visitors of the proposed residential care facility and is intended to be operated by a local café operator to ensure the highest quality and amenity. While a food and drink premises is a prohibited use in the R1 General Residential zone, the café is located within the facility and is considered ancillary to the broader permissible use of the site as a residential aged care facility and would not otherwise stand alone as a use. Therefore, the café is considered permissible as an ancillary use.</p>
Clause 4.3 – Height of Buildings	NA	Under the MLEP 2011, the site is not afforded any maximum building height control. Notwithstanding, the proposed development's bulk and scale has been designed with regard to its existing context, topographical changes and controls provided for residential flat buildings in the MDCP 2011 as discussed in <b>Section 5.2</b> and <b>Section 5.3</b> below.
Clause 4.4 – Floor Space Ratio	NA	Under the MLEP 2011, the site is not afforded any maximum floor space ratio control. Notwithstanding this, the gross floor area of the building has been designed to ensure there is negligible impact on surrounding development. The proposal has also taken into account the provisions relating to residential flat buildings in the MDCP 2011. We note that the 0.81:1 FSR is significantly below the 1:1 non-refusable FSR standard of clause 40 of the Seniors SEPP. Further discussion is provided in <b>Section 5.2</b> and <b>5.3</b> below.
Clause 7.1 – Acid Sulfate Soils	Class 5	The site is not located in close proximity to any land identified as Class 1, 2, 3 or 4. Therefore, no further assessment is required.
Flood Planning		The site is not flood prone, however it is within 40m of waterfront land (Two Mile Creek). It is noted that the finished floor level of the RACF are higher than necessary and have been determined based on the observed flood levels above the 1 in 100 year flood planning level.

### Section 7.11 Development Contributions

As a not-for-profit organisation, Fresh Hope Care are exempted from section 7.11 contributions on the basis that they are a social housing provider as defined in the Seniors SEPP, and therefore exempt from contributions pursuant to the Ministers 94E directions. A statement from Fresh Hope Care confirming their registration as a social housing provider has been provided at **Appendix Y**.

### 5.2 Maitland Development Control Plan 2011

The proposed development is consistent with the objectives of the MDCP 2011 and the relevant controls. As required under Section 4.15(3A) of the EP&A Act, a consent authority is required to apply DCP provisions flexibly and allow reasonable alternative solutions that achieve the objects of those standards. In lieu of the objective and controls in the MDCP 2011 for the proposed use as seniors housing, the key aspects are considered in **Table 7** and where alternate solutions are proposed, they are discussed in the following sections of this environmental assessment.

**Table 7 Key applicable planning provisions**

Control	Proposal	Assessment Location
<b>Part B6 – Waste Not – Site Waste Minimisation and Management</b>		
2.1 Site Waste Minimisation and Management Plans	An Operational Waste Management Plan has been prepared by UFD and is included at <b>Appendix XX</b> . The Plan has been prepared in accordance with the DCP and provides detail on the volume, type and treatment of waste materials.	<b>Section 5.8 Appendix G</b>
2.2 Implementing the SWMMP	All waste materials will be removed and stored in accordance with the management procedures set out in the Operational Waste Management Plan.	
2.3 Waste / Recycling Generation Rates	Waste recycling rates have been identified in the Operational Waste Management Plan.	
3.1 Demolition of Buildings or Structures	The Operational Waste Management Plan prepared by UFD at <b>Appendix G</b> provides details and expected volumes of the demolition. Also a Construction Management Plan will be prepared prior to the commencement of demolition and construction works. The Plan will detail appropriate waste minimisation and reuse methods in accordance with the DCP.	
4.1 Construction of Buildings or Structures	A Construction Management Plan will be prepared prior to the commencement of demolition and construction works. The Plan will detail appropriate waste minimisation and reuse methods in accordance with the DCP.	
5.1 (c) Dual occupancy, multi dwelling housing and residential flat buildings – Communal Storage Areas	As detailed in the Operational Waste Management Plan, the waste area will be suitable located to provide appropriate access for waste servicing vehicles and staff. The waste area will provide signage and clear delineation for the disposal and treatment of different waste.	
5.2 Commercial development and change of use	As detailed in the Operational Waste Management Plan, the waste area will be suitable located to provide appropriate access for waste servicing vehicles and staff. The waste area will provide signage and clear delineation for the disposal and treatment of different waste.	
<b>B.7 – Riparian Land and Waterways</b>		
3.0 Access and Pathways	A maintenance access track is proposed adjacent to the Two Mile Creek riparian corridor. This will be primarily used to allow firefighting vehicles access to the site, but at all other times it will be used as the perimeter walking track. NGH Consulting have also undertaken a Biodiversity Assessment with regard to the proposed development and its potential impact (if any) on the riparian land. The Assessment confirms that the proposed will not impact on the riparian land, however, there may be some management works required to be undertaken in the future. Therefore, the proposed development is not considered to impact upon the Two Mile Creek riparian corridor.	<b>Section 5.1.2 Appendix L</b>
4.0 Development Location	The Biodiversity Assessment included at <b>Appendix L</b> confirms that the proposed development will not impact on the riparian land. Notwithstanding, the proposal will be referred to the NSW Office of Water given its proximity to the Two Mile Creek. Further, NGH's investigation determines that the site is not mapped on the Biodiversity Values Map and the habitat assessment confirms that there is a low likelihood of impacts on threatened flora and fauna and therefore, not Tests of Significance is required.	<b>Appendix L</b>

5.0 Riparian Watercourses and Flooding	<p>While the proposal seeks consent for the removal of 31 trees this is not considered to have any adverse impact on the riparian land. Notwithstanding, the proposal will be referred to the National Resources Access Regulator.</p> <p>Further, the Stormwater Management Report provides detail on the stormwater management design in accordance with best practice in water sensitive urban design and the requirements of Maitland City Council's water quality objectives. This provides a strategy for stormwater quantity and quality management to reduce both peak flows and pollutant loads in stormwater leaving the site.</p>	<b>Appendix N</b>
6.0 Other Environmental Considerations	<p>The site is identified on Maitland City Council's Bushfire Prone Land Map as containing the 100m buffer zone from Category 1 Vegetation and therefore, Planning for Bushfire Protection – 2019 applies. As part of the planning phase of this proposal a Plan of Management (PoM) was prepared in cooperation with Maitland City Council over part of the adjacent Brooklyn Park. The agreed PoM ensures ongoing management of the area referred to as 'Central Corridor' in accordance with an Asset Protection Zone.</p> <p>Further to the above, the NSW Rural Fire Service has been consulted and has provided in principal support the development application.</p>	<b>Section 5.1.2 Appendix J</b>
<b>C.1 – Accessible Living</b>		
2.1 Building Regulations 2.2 Residential Development – Adaptable Housing	<p>The proposed development seeks consent for seniors housing in the form of a residential aged care facility. Therefore, the proposal has been designed in accordance with the Seniors SEPP and the relevant provisions. A BCA Statement has been prepared by City Plan Services and an Access Statement has been prepared by Morris Goding Access Consulting.</p>	<b>Section 5.10 Appendix I Appendix P</b>
3.1 Planning Principles	<p>An Access Report has been prepared by Morris Goding Access Consultants to review the proposed development and its compliance with the relevant Australian Standards and BCA. The Access Report has also undertaken a review of the proposal with regard to the access requirements prescribed under the Seniors SEPP. This report ensures that the proposed development meets the required access provisions and has adopted an appropriate design for seniors.</p>	<b>Section 5.10 Appendix I</b>
3.2 Enhanced Requirements	<p>The proposed development has been designed with regard to the access requirements under clause 26 of the Seniors SEPP. The Access Report confirms that the proposal will be able to achieve compliance with clause 26 with regards to pathways, kerbs, ramps and crossing and these will be confirmed by a surveyor at a later stage.</p>	
3.3 Car Parking Design	<p>As noted in the Transport Assessment prepared by Ason Group, the MDCP 2011 requires that 2% - 3% of all car parking spaces be provided as accessible spaces. Therefore, the proposal will provide 2 accessible parking spaces, achieving full compliance with the MDCP 2011. The accessible parking spaces have been designed in accordance with the relevant Australian Standards.</p>	<b>Section 5.6 Appendix F</b>
3.4 Pathways 3.5 Ramps 3.6 Intersection Details and Kerb Ramps 3.7 Kerb Ramps Design Criteria	<p>The proposed development has been designed with regard to the access requirements under clause 26 of the Seniors SEPP. The Access Report confirms that the proposal will be able to achieve compliance with clause 26 with regards to pathways, kerbs, ramps and crossing</p>	<b>Section 5.10 Appendix I</b>

3.8 Handrails	and these will be confirmed by a surveyor at a later stage.	
3.9 Stairways		
3.10 Entrances		
3.11 Doorways		
3.12 Access to Shops	The proposed development complies with clause 26 of the Seniors SEPP including appropriate access to shops. Notwithstanding, the proposal will also include a number of facilities on site to serve the needs of residents that cannot access shops in the immediate locality.	
3.13 Signs and Symbols	The proposed development has been designed with regard to the access requirements under clause 26 of the Seniors SEPP. The Access Report confirms that the proposal will be able to achieve compliance with clause 26 with regards to pathways, kerbs, ramps and crossing and these will be confirmed by a surveyor at a later stage.	
3.14 Assistive Living Devices		
3.15 Planning a Bathroom		
3.16 Planning a Kitchen		
<b>C.6 Outdoor Advertising</b>		
3.0 Guidelines for Outdoor Advertising Signs	<p>The proposed development seeks consent for a signage zone at the main entrance to the site off Martin Close.</p> <p>The entry sign will communicate the operations of the business premises at 7 Martin Close, East Maitland being the Fresh Hope Care RACF. The signage panel will be affixed to metal blockwork with hidden fixings on top of natural stone cladding.</p> <p>The proposed sign is permissible with development consent in the R1 General Residential zone as it is a business identification sign. The proposed sign will not compromise any views from existing residential developments on Martin Close and rather, will allow for the appropriate identification of the site and its operations. The proposed sign is compliant with the provisions for outdoor advertising as provided in section C.6 of the MDCP 2011.</p>	<b>Appendix D</b>
<b>C.8 Residential Design</b>		
2.1 Site Analysis and Site Context	<p>A Site and Context Analysis Plan has been prepared by Calder Flower Architecture consistent with the requirements of this provision.</p> <p>A context analysis is also included in the Architectural Plans and is accompanied by this SEE.</p>	<b>Appendix A</b>
4.0 Bulk Earthworks and Retaining Walls	Civil Engineering Plans have been prepared to determine the extent of bulk earthworks and excavation.	<b>Appendix O</b>
5.0 Street Building Setbacks	The proposed development is located on land zoned R1 General Residential. Therefore, street setbacks are to be determined on merit per the MDCP 2011. The site's street frontage to Stronach Avenue and Martin Close will largely contain formal landscaping and driveway access points. The proposed building envelope is located centrally in the site and therefore allows for a substantial setback to the site's street frontages.	<b>Appendix A Section 5.3.2</b>
6.0 Side and Rear Setbacks	The proposed development has been designed with regard to the immediate context, including low density residential development, the APZ and riparian corridor. Generous setbacks are provided to all boundaries ranging between 5.14m to 20.3m to the northern boundary and 12.1m and 23.2m to the southern boundary.	



7.0 Site Coverage and Unbuilt Areas	<p>The total site coverage will be 38% including the building envelope and driveway / at-grade parking. The development has been designed around a four wing modulation to provide accessible unbuilt areas that can be used by residents. This modulation also allows for the retainment of existing vegetation, while ensuring privacy to low density residential development is maintained.</p>	<b>Appendix D</b>
8.0 Building Height, Bulk and Scale	<p>The site is not afforded any maximum building height control under the MLEP 2011, however it has taken into account the MDCP 2011 provisions for residential flat buildings in the R1 General Residential zone. The MDCP 2011 provides that residential flat buildings to have a maximum height of 11m.</p> <p>The proposed development has been designed with this in mind, however distributes the building height variation to respond appropriately to the site and surrounding context. In this regard, the proposed building presents to Martin Close as 2 storeys, is 3 storeys for the southern wing then is 4 storeys for the wings adjacent to the northern boundary as the topography falls toward Two Mile Creek.</p> <p>It is noted that the northern elevation where the proposed building envelope exceeds the 11m height control at its greatest extent, does not give rise to any adverse impacts on adjoining properties in terms of overshadowing or visual privacy. Furthermore, the substantive separation of these elements from nearby residential properties coupled with substantive existing and proposed tree cover and planting is considered to minimise the visual bulk and scale of the proposed development.</p> <p>Importantly, the south eastern wing is below the maximum building height control.</p> <p>A Visual Impact Analysis has been prepared by Ethos Urban to assess to proposed building height and massing from the surrounding area.</p> <p>Therefore, the proposed maximum building height is not considered to have any adverse impact on the surrounding local context and is considered entirely appropriate in this instance.</p>	<b>Section 5.3.2 Appendix A Appendix T</b>
9.0 External Appearance	<p>The proposed building envelope has been designed with regard to the site's immediate context and the environmental constraints within the vicinity. By incorporating natural hues in the building materiality, the architectural design ensures the proposal is complementary to the landscape without resulting in adverse bulk and scale from that which currently exists. Further to this, the proposal incorporates a 4 wing modulation that assists in reducing any perceived bulk and scale from the public domain, while retaining a substantial portion of the existing trees which help to provide a buffer between the site boundary and adjoining properties. This modulation further allows for the creation of active spaces to be used by residents and visitors in a high quality landscaped setting.</p>	<b>Appendix A</b>
10.0 Open Space	<p>The proposed development has been designed to incorporate landscaped open space with regard to the provisions of RACF under the Seniors SEPP. The open space has been positioned so it is accessible for all residents and their visitors, incorporating different areas for different activities. These areas also include seating,</p>	<b>Appendix D</b>

	tables and shelter so residents can easily relax in the space.	
13.0 Landscape Design	The proposed development has been designed to incorporate extensive landscaping with the purpose of providing retaining existing trees and vegetation, providing acoustic and visual amenity, and allowing space for residents and visitors to interact and participate in activities. In this way, the proposed landscaping reduces any perceived 'hard' visual impact from the proposed development.	
15.0 Driveway Access and Carparking	The proposed car parking and driveway access has been designed in accordance with the requirements of the Seniors SEPP and provisions of the DCP.	<b>Section 5.6 Appendix F</b>
16.0 Views and Visual and Acoustic Privacy	<p>The proposed development has incorporated appropriate built form massing, retention of substantial trees and privacy measures to reduce any visual impact from the surrounding public domain. No significant views or outlooks are considered to be impacted as a consequence of the proposed development.</p> <p>Given the substantive setbacks from adjoining residential properties, existing and proposed landscaping and that the rooms are not afforded with balconies, the proposed development is considered to not give rise to significant privacy impacts upon adjoining properties. The star shaped form of the building also allows for improved privacy both internally and externally.</p> <p>Further, an Acoustic Report has been prepared by TTM to review the operational and mechanical impacts from the proposed development. TTM confirm that any operational acoustic impacts can be appropriately mitigated.</p>	<b>Section 5.5 Section 5.7 Appendix H Appendix T</b>
17.0 Water and Energy Conservation	<p>The proposed development has been designed to maximise heating and cooling, through the orientation of rooms as well as the retention of significant vegetation. Shadow diagrams have been prepared by Calder Flower to illustrate the extent of overshadowing to open space and the surrounding streetscape.</p> <p>The proposal also implements various sustainability measures including passive ventilation, PV panels and a rainwater harvesting system.</p>	<b>Appendix A</b>
18.0 Stormwater Management	A Stormwater Management Plan has been prepared by Birzulis Associates to detail the proposed stormwater management practices on the site.	<b>Section 5.10 Appendix N</b>
19.0 Security, Site Facilities and Services	The proposed development incorporates the CPTED principles, through the clear delineation of private and public entry points and pathways. Further, the development incorporates essential amenities and facilities within the development for the frail aged who would otherwise not be able to access these.	-
<b>C.11 – Vehicular Access and Car Parking</b>		
2.1 General Principles	The proposed vehicular access and car parking arrangements has been designed with regard to the requirements for RACFs under the Seniors SEPP. Further, the design of the car park and loading areas have been designed to comply with the relevant Australian Standards.	<b>Section 5.6 Appendix F</b>
2.2 Calculation of Parking Requirements	The proposal will provide a total of 52 on-site parking spaces and therefore achieves full compliance with the Seniors SEPP and MDCP 2011 provisions for Seniors parking.	



3.1 Access to the Site	<p>At grade car parking and ambulance bay will be located at the site's entry point off Martin Close. The car park will also be located off Martin Close via a dedicated driveway further south. Both entry points are suitable in size to allow for service vehicles and ambulances to enter and exit and have been designed with regard to the relevant Australian Standards.</p> <p>Further, the at-grade car park entry includes a forecourt plaza with pedestrian and vehicular areas delineated by planter beds and paving. Directional signage and marking will also provide delineation for visitors and service vehicles.</p>	
4.1 Loading and Unloading Requirements	The proposed loading area has been designed to comply with the relevant Australian Standards.	
4.2 Number and Size of Loading Bays	Importantly, the driveway has been designed to accommodate the largest vehicle that may service the site (MRV). A service bay will be located adjacent to the waste collection area. The design of the service bay has been tested using swept path analysis, which demonstrates that the proposed service bay can be safely and efficiently accessed by a MRV. Swept path diagrams are included in the Transport Assessment prepared by Ason Group.	
4.3 Design and Layout of Loading Bays		
5.0 Car Parking for Persons with a Disability	A total of 2 accessible parking spaces will be provided on site. Two accessible parking spaces are proposed in the at-grade car park at the building entrance. The accessible parking has been designed in accordance with the relevant Australian Standards and is compliant with the MDCP 2011 provisions.	
6.0 Bicycle Parking	<p>The proposed development has taken into account the rate of parking spaces required for both staff and visitors per the MDCP 2011 and Austroad Cycling requirements. However, it is noted that Austroads Cycling provides that the application of bicycle parking rates should be considered with regard to local circumstances.</p> <p>Accordingly, as Ason Group state, given the existing car park usage the provision of 10 bicycle parking spaces and end of journey facilities will be provided for staff. Given that there is no expectation that any resident or visitor will cycle to the site.</p>	
7.0 Major traffic generating development	Ason Group confirm that the traffic generation to the site will remain relatively moderate, and primarily generated outside of local peak periods. Further, the trip generation and distribution characteristics would not be significantly different to the existing traffic generation on the site.	
<b>C.12 – Crime Prevention through Environmental Design</b>		
1.1 Development Requirements	<p>The built form has been designed to ensure the building entry is oriented to the site's street frontage and the rooms are located towards the rear, with an outlook to the surrounding open space. The use of a secure and lockable entry system to the building and each wing will ensure residents are safe and only known visitors are entering the premises.</p> <p>Further, non-residential uses are proposed on the ground level including a reception desk, café and staff facilities / rooms. This means that the residential units are not directly accessible for visitors entering the facility.</p>	<b>Appendix A</b>

## 5.3 Key Issues

### 5.3.1 Building Height

#### Statutory Context

There is no Height of Buildings development standard under Clause 4.3 in the MLEP 2011.

For the purposes of development pursuant to the Seniors SEPP, height in relation to a building means “the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point”.

It is noted that Clause 40 of the Seniors SEPP providing a maximum building height of 8m does not apply as residential flat buildings are permitted with consent in the R1 General Residential zone.

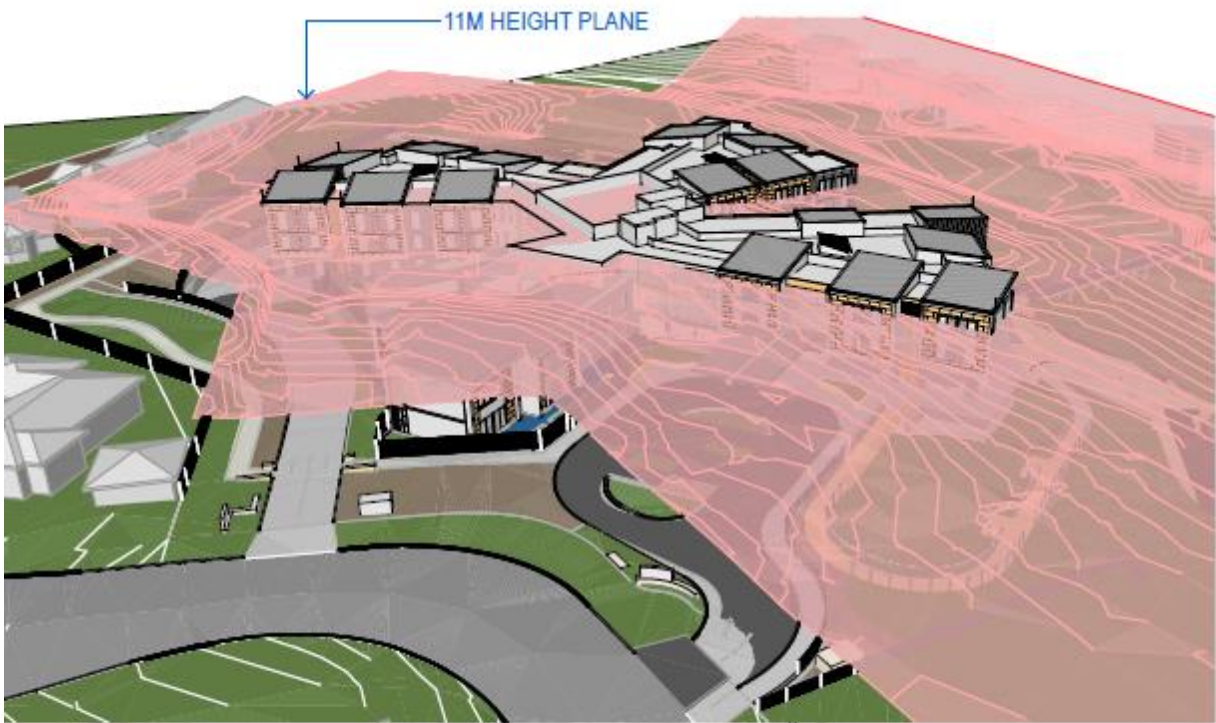
Accordingly, the proposed development has been designed with regard to the MDCP 2011 which provides a building height of 11m for residential flat buildings in the R1 zone. Whilst not strictly applicable to residential care facilities, these controls and provisions have been adopted as a baseline to guide the built form of the proposed development on the site and within the context of the locality. Further, it is noted that as residential flat buildings are permissible in the zone and the 8m height control under Clause 40 of the Seniors SEPP does not apply, therefore, the non-refusable 8m height standard of clause 48 is not complied with.

Therefore, despite exceeding the building height identified in clause 48 of the Seniors SEPP and also exceeding the building height for residential flat buildings in the R1 zone as prescribed in the MDCP which has been used as a guide, these do not represent a statutory standard that require a clause 4.6 variation request. We note that the standards in clause 48 do not preclude the granting of development consent, but rather if the standards are breached then the proposal would require a merit assessment under section 4.15 of the EP&A Act.

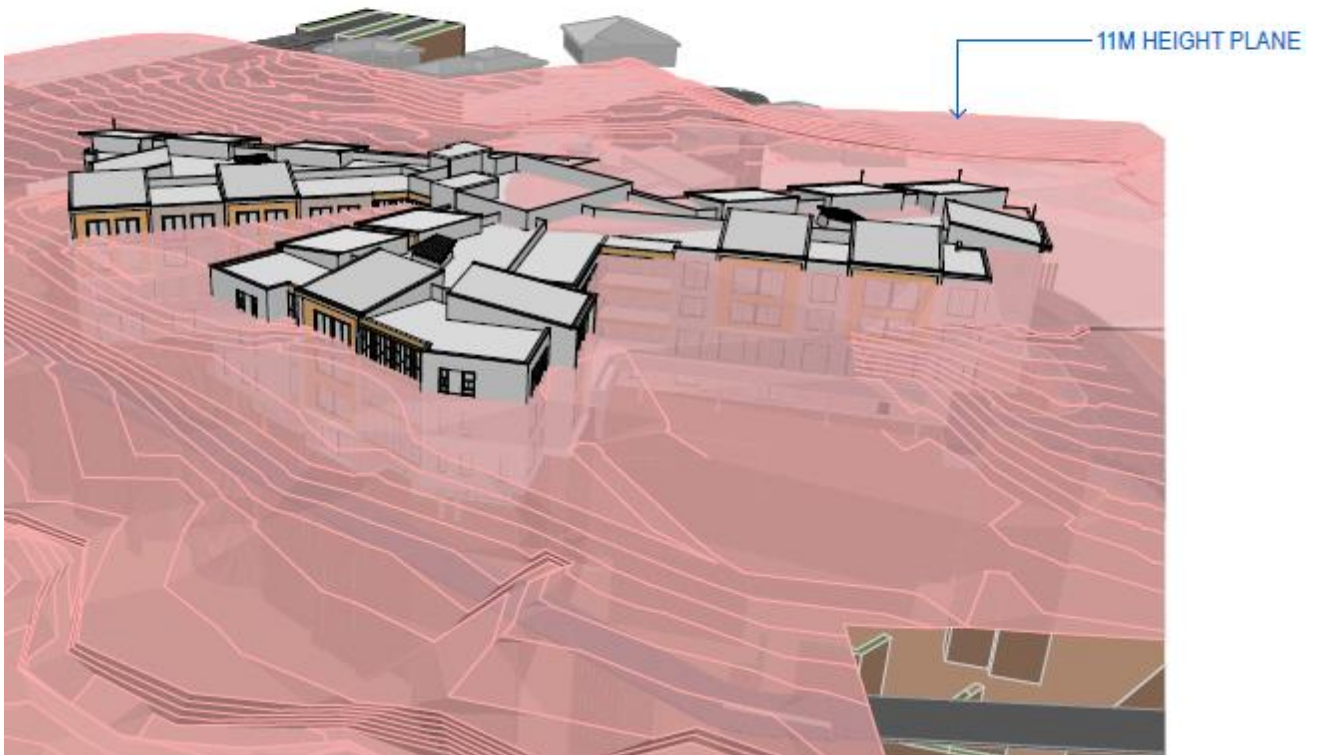
#### 11 metre DCP Height Control for Residential Flat Buildings

While the proposed maximum building height exceeds the provisions for residential flat buildings as provided in the MDCP 2011, given that the proposal at 0.81:1 FSR is substantially lower than the Seniors SEPP non-refusable FSR standard of 1:1, the proposed building height and bulk and scale of the proposal is considered to be acceptable as the exceedance to the height control is oriented away from sensitive interfaces.

Further, the proposed exceedance will not result in any substantial addition of residential floor space, rather it largely includes only a portion of Level 2, noting that the southern wing is almost entirely below the 11m height control, with the exclusion of ceiling and low roof form elements. The RL exceedances to the maximum building height are shown in **Figure 23**, **Figure 24** and **Figure 25** below.



01 11M HEIGHT PLANE  
SCALE: 1:100



02 11M HEIGHT PLANE  
SCALE: 1:100

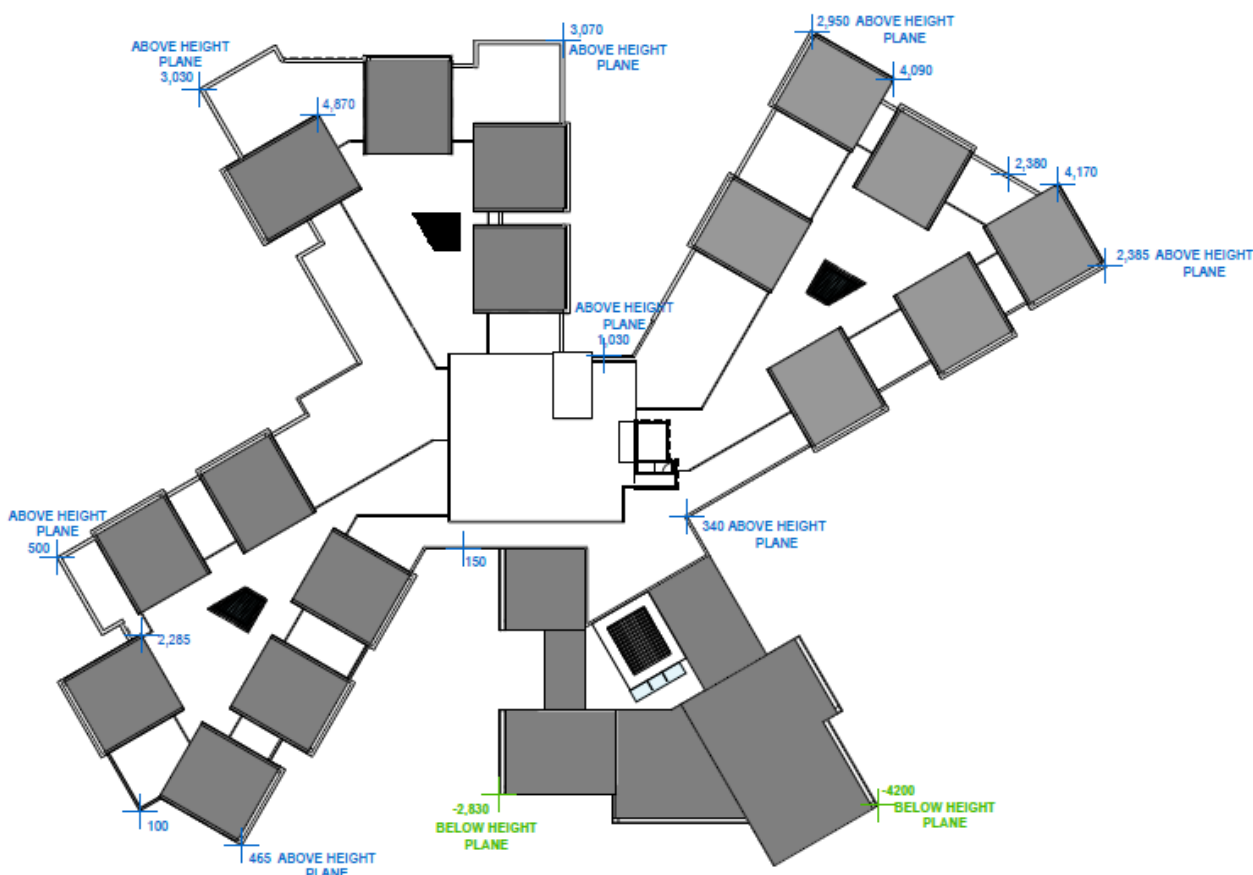


**Figure 23** Figure 25 - Building heights above and below the 11m building height guide  
 Source: Calder Flower Architecture



**Figure 24** Section illustrating where the topmost habitable ceiling exceeds the 11m DCP height limit (dotted red)  
 Source: Calder Flower Architecture





**Figure 25 Exceedance to building height shown as RLs (points below height plane shown green)**

Source: Calder Flower Architecture

**Merit Assessment**

As there is no height development standard prescribed in MLEP 2011 and clause 48 of the Seniors SEPP is only a standard that cannot be used to refuse consent, in accordance with section 4.15 of the EP&A Act, we have assessed the proposed height on its merit with specific regard to the LEP objectives for the R1 General Residential zone and the MDCP 2011.

The site is located between low density residential development on Martin Close and Stronach Avenue, Brooklyn Park, and Two Mile Creek riparian corridor, and the Fresh Retirement Village and the Green Hills Stockland Shopping Centre further north. In establishing the proposed bulk and scale for the development, the building massing has had regard to the surrounding context, in particular adopting a height transition between the low, to higher density development in the locality. In this way, and through the incorporation of generous building setbacks, star shaped design configuration and modulated architecture, the materials selected and substantive existing and proposed deep soil landscaping the proposed height is not considered to give rise to a significant visual impact from the surrounding public domain.

Importantly, where the proposed height exceeds the MDCP 2011 11m height control for residential flat buildings, this is located to the north of the site, where the site interfaces with the Two Mile Creek riparian corridor. This results in minimal impact on other surrounding sensitive interfaces, including the residential development to the south and east (which setback 30m from the boundary of 44 Stronach Avenue).

Further, the building modulation assists in reducing any perceived bulk and scale through the incorporation of four wings. Importantly, the south eastern wing is 2 storeys in height as it fronts Martin Close and is the closest neighbour to the residential dwellings to the south. This wing is therefore comparable in size and scale to the surrounding low density residential dwellings. Therefore, at different viewpoints from the public domain, only 1 or 2 wings may be viewed.

Accordingly, while the proposed development results in an exceedance to the 11m height control for residential flat buildings in the R1 General Residential zone, this is not considered to result in any adverse impacts due to the orientation and distribution of height across the site and the sloping topography of the site. Further, these controls have only been adopted so as to guide the built form of the development and it does not represent a development standard that would otherwise require a clause 4.6 variation request.

### 5.3.2 Side Setbacks

As discussed above in relation to height, the proposed built form has been formulated in response to the site's context, underlying planning provisions and the desire to optimise the amenity for adjoining residential development and future residents.

The bulk and scale of the proposed development is generally commensurate to the Seniors SEPP, MLEP 2011 and the MDCP 2011. Given that there are no underlying controls for bulk and scale on the site and for residential aged care facilities, the development has adopted those that apply to residential flat buildings in the R1 General Residential zone as specified in the MDCP 2011.

Accordingly, the MDCP 2011 adopts the following side and rear setbacks for residential flat buildings in the R1 General Residential zone:

- 1.0m for walls up to 3.0m in height (to underside of eaves);
- 1.0m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;
- For part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height of 7.2m.

The proposed development has largely been designed with regard to these controls with generous setbacks to all boundaries of the site. In particular, the setbacks to the adjoining southern properties range between 12 metres to 23.1 metres allowing for substantive deep soil planting to be provided.

The northern elevation of the building at its closest points provides setbacks between 5.2 metres and 8.3 metres. Whilst still generous an approximate 23m long elevation modestly does not comply with this side setback control. Notwithstanding this, the proposed setback is not considered to result in any adverse impacts on adjoining properties or the public domain given it is located at the site's frontage to Two Mile Creek and the riparian corridor, with Fresh Hope Retirement Village further north. It is also worth noting that the proposed building envelope in this portion of the site has been assessed from both a biodiversity and bushfire perspective and is deemed appropriate.

Accordingly, the proposed setbacks are considered to be appropriate in providing both internal and external amenity, while responding to the environmental constraints on the site and with regards to the MDCP 2011.

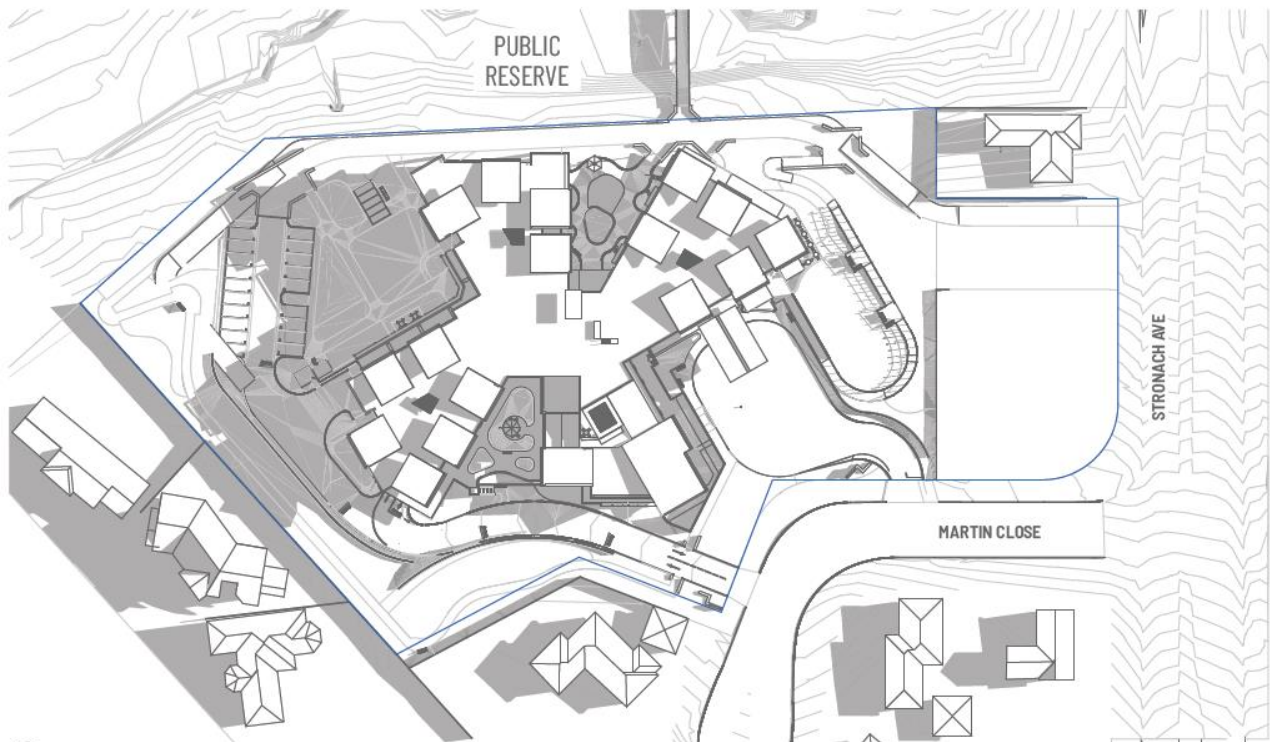
## 5.4 Amenity

### 5.4.1 Overshadowing

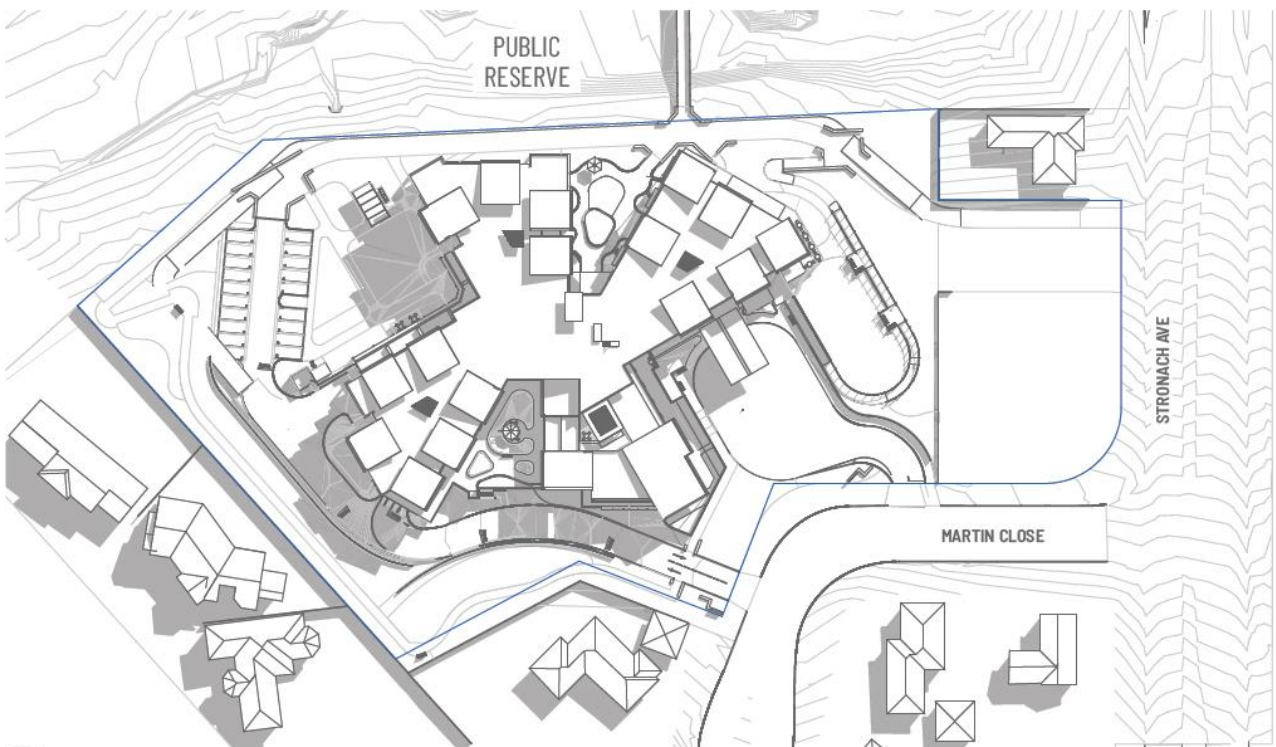
Overshadowing analysis has been undertaken by Calder Flower Architecture and is included at **Appendix A** to demonstrate the potential impact of the proposed development on adjoining development and the surrounding area. As demonstrated on the shadow diagrams at **Figure 26**, the future built form on the site would result in a marginal exceedance to the shadow cast and will not impact on any adjoining low density residential dwellings. Rather, any proposed shadow from the maximum building envelope will be wholly located within the site boundary, largely falling on the driveway, at-grade car park and loading dock area in the western portion. Importantly, the areas of open space in the northern portion including the lawn, BBQ shelter, produce gardens and the artificial turf area will all receive adequate sunlight during the midday and afternoon periods when it is likely that residents will be occupying these spaces.

Therefore, the built form and massing of the proposed development will not result in any adverse overshadowing impacts to adjoining development or to areas of accessible open space within the development. When looking at the portions of additional shadow cast, this is considered negligible given the broader public benefits associated with the proposed development.

Further detail on the proposed development's overshadowing is provided at **Figure 26** below and at **Appendix A**.

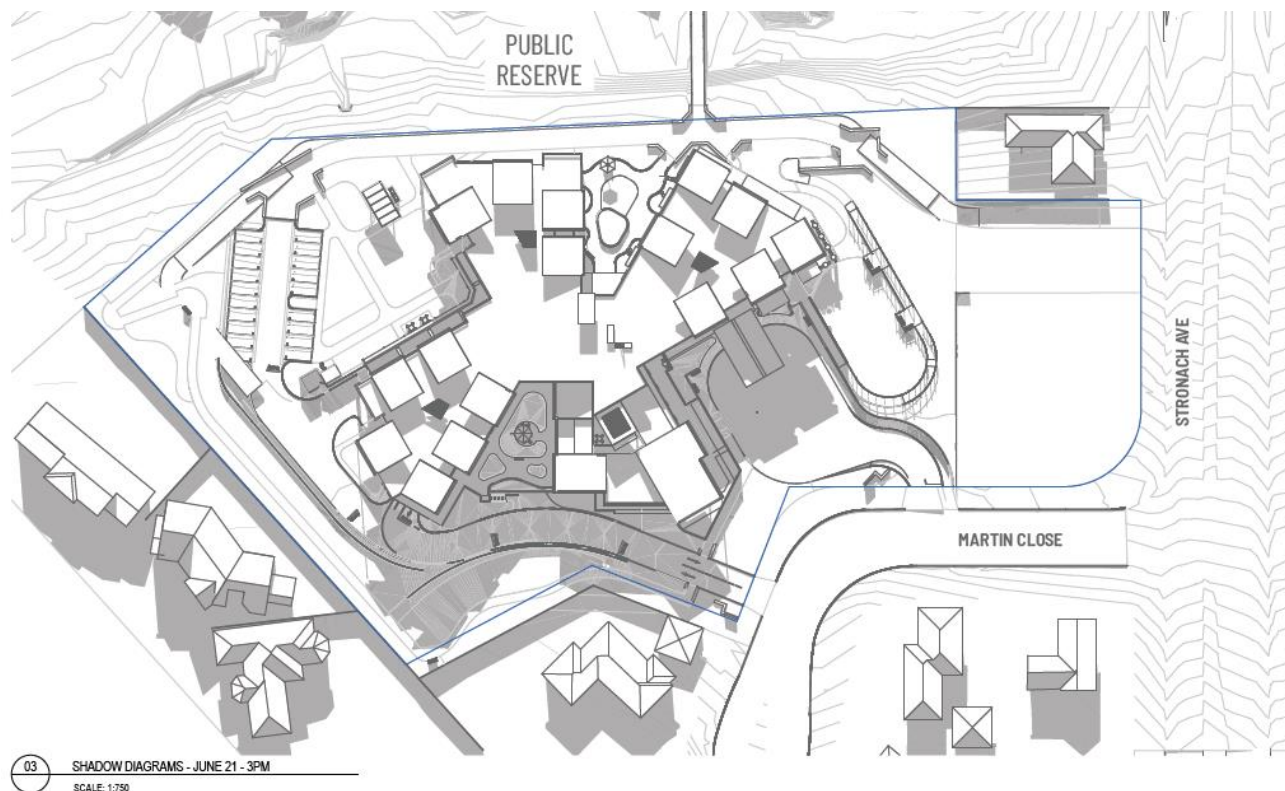


01 SHADOW DIAGRAMS - JUNE 21 - 9AM  
SCALE: 1:750



02 SHADOW DIAGRAMS - JUNE 21 - 12PM  
SCALE: 1:750





**Figure 26** Overshadowing analysis study

Source: Calder Flower Architecture

## 5.5 Visual Impact

A Visual Impact Assessment (VIA) has been prepared by Ethos Urban and is included at **Appendix T**. The VIA determines that due to the landform, site's location with minimal road frontage, the presence of buildings and vegetation and its relatively low height, the viewshed of the proposed development is localised and small. While the proposed development results in a departure from the existing scale of development in the surrounding residential areas, it is noted that this type of development is allowed in the R1 General Residential zone, which ultimately gives rise to an expectation of a greater future scale of development.

As such, a number of innovative design measures combine to mitigate the visual impact from the public domain in the adjoining residential area. This includes a substantial setback to Martin Close, and a stepping down of building heights with the fall of the land. This results in much of the building bulk being located to the less sensitive Two Mile Creek boundary of the site. The visual impact of the proposal overall will be further moderated due to its varied roof form, articulated external elevations and inclusion of future landscaping and materiality.

Accordingly, while the visual impact of the proposal from some viewpoints is of significance, overall it is consistent with reasonable expectations for this form of development in the R1 General Residential zone, and innovative design measures have combined to mitigate any visual impacts to an appropriate level.

The VIA concludes that the proposed development can be supported on visual impact grounds. Further discussion is provided at **Appendix T**.

## 5.6 Traffic and Parking

A Traffic and Parking Assessment has been prepared by Ason Group and is included at **Appendix F**. The assessment details the potential traffic and transport implications associated with the redevelopment of the site.

It is noted that at the time of preparing the Transport Assessment, many businesses and activities across NSW have either closed or are operating significantly below capacity as a result of the COVID-19 pandemic. However, as



part of preliminary investigations for the proposal, traffic and parking surveys were undertaken in 2019 and as such, a valid set of data is available for the assessment.

### 5.6.1 Traffic Generation

Traffic generation to the site can be determined with reference to the RMS Guide, which provides the following in regard to housing for aged and disabled persons:

- Daily vehicle trips: 1-2 per dwelling; and
- Evening peak hour vehicle trips: 0.1-0.2 per dwelling.

Based on these trip generation rates, it is estimated that the existing facility generates approximately 10 – 20 vehicle trips in peak hour (vph). In addition, traffic surveys undertaken at the intersection of Stronach Avenue and Martin Close in February 2019 reported a total of 16vph and 9vph to / from Martin Close in the AM and PM peak periods respectively.

The proposed new RACF will employ a total of 68 staff, noting that a lower cohort will be on site at any one time due to the operational shift profile and the nature of staff only being on site occasionally. Accordingly, the peak number of staff on site at any one time will be during the Day Shift, with a total of 45 staff on site and administration, ancillary and ministry staff will continue to work during more standard office hours. It is further noted that the proposed new facilities such as the Wellness Centre, Respite Day Centre and consulting rooms will operate ancillary to the RACF and will not be available to the general public.

Accordingly, with reference to the staff numbers and shift structure, Ason Group confirm the proposal is expected to generate an essentially identical number of vehicle trips as the existing facility, with the potential for a very minor reduction in peak period and daily trip generation attributed to the reduction in staff on-site at any one time. As well, there is no information or indication to suggest that the general distribution of trips to and from the local road network would change as a result of the proposed development, other than 1 or 2 vehicle trips which were previously generated to the village car parks instead being generated to the new on-site car park.

### 5.6.2 Parking

The parking requirements for the site have been assessed by Ason Group in accordance with the Seniors SEPP. Importantly, the Seniors SEPP provides the following car parking numbers of RACFs as follows:

- *1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and*
- *1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and*
- *1 parking space suitable for an ambulance.*

It is noted that these are the same parking requirements as those identified in Part C of the Maitland DCP. Accordingly, the following parking requirements apply to the proposed development:

**Table 8 SEPP Seniors Parking Requirements**

RACF Component	Beds / Staff	Parking Rate	Parking Requirement
RACF Beds	152	0.10	15.2
Dementia Beds	16	0.07	1.1
Staff	48	0.5	24
<b>Total</b>			<b>40</b>

Source: Ason Group

As shown in **Table 8**, in accordance with the Seniors SEPP the proposal requires a minimum of 40 parking spaces. Accordingly, full compliance will be achieved with the above requirements as the proposed development will provide a total of 50 on site parking spaces, which more than complies with the Seniors SEPP and MDCP 2011.

### 5.6.3 Accessible Parking

The Maitland DCP provides enhanced parking requirements for accessible parking, recommending that 2%-3% of all car parking spaces be provided as accessible spaces. Accordingly, the proposed development provides 2 accessible parking spaces and therefore fully complies with the Maitland DCP.

### 5.6.4 Ambulance Parking

In accordance with clause 48 of the Seniors SEPP, the proposed development will include an ambulance parking bay adjacent to the port cochere.

### 5.6.5 Bicycle Parking

The Maitland DCP requires that bicycle parking be provided with reference to the Australian Standard 2890.3-1993 – Bicycle Parking Facilities and Austroads Guide to Traffic Engineering Part 14. It is noted that both of these documents have been superseded by Austroads 2890.3: 2015 and Austroads Cycling. In this regard, the following guidance rates for nursing homes are as follows:

- Staff: 1 space per 7 beds; and
- Visitors: 1 space per 60 beds.

The application of these rates for the proposed development would constitute 27 bicycle parking spaces. However, the Austroads Cycling guidance paper also notes the following with regard to these rates:

*It should be noted that the application of these types of provision rates needs to be undertaken with caution as local circumstances may often render them inappropriate.*

Accordingly, given the nature of the RACF and its location, there is minimal expectation of any resident and visitor bicycle parking demand, and rather only staff may cycle to the site. As well, given the existing car park usage (which suggests a high use of private vehicles), the proposed development will provide 10 bicycle parking spaces. Appropriate end of journey facilities for staff including lockers and showers will be provided on the Lower Ground Level.

### 5.6.6 Service Vehicle Provisions

All servicing will be accommodated on site, with all service vehicles entering and departing the site in a forward direction. It is anticipated that the largest vehicle entering the site will be a Medium Rigid Vehicle (MRV). The service vehicle bay will be provided on site adjacent to the waste collection area in the basement car park.

The design of the service vehicle parking bay has been tested by Ason Group using swept path analysis, which demonstrates that the proposed bay can be safely and efficiently accessed by a MRV.

## 5.7 Noise

An Acoustic Assessment has been undertaken by TTM and is included at **Appendix H**. The Acoustic Assessment addresses the noise and vibration impacts of the redevelopment on the local community during the operation and construction phases.

### 5.7.1 Operational Noise

TTM have undertaken an assessment of the operational noise using the guidelines and standards provided in the Maitland DCP 2011, Seniors SEPP and the NSW Noise Policy for Industry 2017.

The report has assessed the noise impacts from the development to the local community including kitchen exhaust and mechanical plant, car parking and driveway noise, outdoor communal areas, loading dock and noise from additional road traffic generated by the development (**Appendix H**).

## 5.8 Operational Waste Management

An Operational Waste Management Plan has been prepared by UFD and is included at **Appendix G**. The Plan has detailed the waste and operational requirements for the proposed development in accordance with the relevant Australian Standards and Maitland City Council waste requirements.

UFD have assessed the proposed development and calculated the following waste generation rates in accordance with the State Government's guide for Waste Management in multi-unit dwellings:

**Table 9 General waste generation rates**

Area	Waste litres per day	Waste litres per week
160 + 20 residents	900	6,300
Main kitchen	480	3,360
Community kitchen	76	532
Ground floor cafe	67	469
Spa beauty salon	29	203
Office area (administration)	22	154
Meeting / function / training rooms	16.5	115
Gymnasium	8	56
<b>General Waste Totals</b>	<b>1,599</b>	<b>11,193</b>

Source: UFD

**Table 10 Co-mingled waste generation rates**

Area	Waste litres per day	Waste litres per week
160 + 20 residents	180	1,260
Main kitchen	336	2,352
Community kitchen	91.2	638
Ground floor cafe	80	562
Spa beauty salon	14	98
Office area (administration)	33	231
Meeting / function / training rooms	25	175
Gymnasium	6	42
<b>Co-mingled waste generation rates</b>	<b>766</b>	<b>5,362</b>

Source: UFD

In addition to the above, the proposed development will generate 245L of medical waste per week.

Accordingly, UFD confirm that the waste generated from the proposed development will require the following:

- Removal of waste carried out once per week;
- Medical waste to be held in two (2) x 120L bins;
- A specialist private contractor to remove the waste;
- At the removal of the medical waste bins, the specialist contractor will collect and remove all full 2L and 5L sharps bins, exchanging them with empty bins.

As discussed in **Section 4.8** above, the proposed development will provide the following waste bins in accordance with the waste generation rates:

**Table 11 Waste bin numbers**

Bin type	Bin size / capacity	Bin numbers	Pickups – per week
General waste	1,100L	4	3 times

Recycled waste	660L	3	3 times
Medical waste	120L	2	1 time
Cytotoxic waste	120L	2	1 time
Secured paper waste	240L	1	1 time
Green / garden waste	660L	1	As volume dictates
Fluid waste	1265mm x 645mm banded pallet	1	As volume dictates

Source: UFD

The proposed bin capacity and numbers is considered appropriate to accommodate the expected waste generation.

Fresh Hope Care's contracted waste collection specialists will be contracted to remove all general and recyclable waste and other specialists will be contracted to remove all medical and cytotoxic waste. Fresh Hope Care's maintenance staff will be required to maintain and manage the bin holding / collection area, including bin movements, compactions and equipment to assist staff in the correct handling processes. Further, access to the bin holding area for service vehicles has been assessed by Ason Group, which confirms the swept paths are suitable and vehicles can enter and exit the site in a forward direction.

Further discussion on the waste management arrangements is provided in **Appendix G**.

## 5.9 Construction Waste Management

A Construction Waste Management Plan has been prepared by UFD and is included at **Appendix G**. The Plan details the waste minimisation and management checklist during the construction phase of the project.

The construction waste will be managed by the appointed Project Contractor, who will be responsible for ensuring recycling and resourcing is undertaken appropriately and to avoid excessive resource consumption. Further discussion is provided in **Appendix G**.

## 5.10 Social Impact

A Social Impact Assessment (SIA) has been prepared by Ethos Urban and is included at **Appendix U**. The SIA has been prepared to assess the impacts of the development for all stages of the project lifecycle for the community and stakeholders.

In this regard, the SIA establishes that there will be:

- A moderate population growth across Maitland LGA for the next 20 years. The 70 to 74 year age group is expected to experience the largest increase between 2016 and 2036;
- A growing demand for good quality residential aged care facilities in East Maitland, Ashtonfield and the broader Maitland LGA, as these areas are characterised by an ageing population. Therefore, there will be a need to consider diverse housing options as well as high quality facilities and services which cater to the ageing population;
- A need to consider services and facilities that meet the needs of significantly older and higher needs people living with dementia and other chronic diseases. This is because the aged cohort (85 years and over) will experience the highest proportion of population increase between 2016-2036;
- The site is close to a range of social infrastructure that will support residents and staff of the site, including open space, public transport, Green Hills Shopping Centre and East Maitland Library.

The SIA identifies that Australia's population is ageing and within the Maitland LGA, based on a benchmark of 80 residential aged care per 1000 residents aged over 70 years, there is a current (2019) undersupply of 211 places and there will be a:

- Shortage of 364 places by 2021; and
- Shortage of 523 places by 2026.



Further to this, stakeholder and community engagement has been undertaken to determine the community values, perspectives and aspirations to be considered in the design of the proposed development. The key findings were that:

- Residents and staff strongly value the existing facility, in particular the facility's proximity to daily living needs, as well as connection to the surrounding landscape;
- Residents would value increased opportunities to connect with the surrounding community, and with each other, including via night time activities and gardening; and
- Residents and staff would value an increased diversity of spaces within the facility, including smaller spaces for private conversations with family, and semi-private gatherings both indoor and outdoor.

In this regard, the proposed development has been designed to provide further capacity and a design that is commensurate to the demands of the future population and desires of existing residents. The injection of this high quality development in the Maitland LGA will further provide a state of the art aged care facility, and will allow for the establishment of employment in the short term and long term, in turn supporting the local and regional economy.

### 5.11 Other Impacts of the Development

An assessment of the other impacts of the development have been undertaken by the relevant specialist consultants and are appended to this SEE as set out in **Table 12** below.

**Table 12 Summary of other technical assessments**

Consideration	Consultant	Summary	Reference
Geotechnical and Groundwater Investigation	STS GeoEnvironmental	<p>A Geotechnical Investigation has been undertaken by STS GeoEnvironmental to assess the subsurface conditions and provide comment on site preparation and design. The investigation consisted of drilling boreholes and laboratory testing to determine subsurface conditions. STS identified that the subsurface conditions comprised of topsoil and fillly overlying natural silty clay, silty sandy clays and weathered sandstone and shale bedrock. The depth of the soil was identified to increase towards the north west towards the riparian corridor and creek line. Groundwater seepage was not observed during the drilling of the boreholes.</p> <p>STS include a number of recommendations that should be considered prior to demolition and construction. It is also noted that should the subsurface conditions vary from those identified in their investigation, STS should be consulted.</p>	<b>Appendix S</b>
Preliminary and Detailed Site Investigation and Acid Sulfate Soil Assessment	JK Environments	<p>JK Environments have prepared a Preliminary Site Investigation (PSI) and Preliminary Acid Sulfate Soil Assessment on the site. Based on their assessment, JK Environments identified the following potential contamination sources and areas for environmental concern (AEC):</p> <ul style="list-style-type: none"> <li>• Fill material (potentially imported from unknown sources);</li> <li>• Historical agricultural use;</li> <li>• Use of pesticides, consistent with residential type applications; and</li> <li>• Hazardous building materials (i.e. asbestos containing material).</li> </ul> <p>Notwithstanding the above, while JK Environments are of the opinion that there is potential for site contamination, they are of the opinion that the historical land uses and potential sources for contamination would not preclude the proposed development. As recommended in the Preliminary Site Investigation, a Stage 2 Detailed Site Investigation (DSI) should be undertaken to characterise the site contamination conditions. As detailed in the DSI, the assessment includes a review of the PSI findings, soil sampling and groundwater sampling. JK Environments confirm that based on the findings of the assessment, the site is suitable for the proposed development. Notwithstanding this, they have provided standard recommendations prior to and during the demolition / construction phases.</p>	<b>Appendix Q</b> <b>Appendix R</b>

		Further, the desktop assessment for the acid sulfate soils (ASS) identified that there is a very low risk of ASS material being disturbed during the construction of the proposed development and therefore an ASS Management Plan is not considered to be required.	
Tree Removal	Arterra	<p>Arterra have completed a tree assessment and impact schedule for all 103 trees impacted by the proposed development. The proposed development has been designed to limit the impacts to the important surrounding trees, where possible. This is reflected through the retention of all High Retention Value Trees.</p> <p>A total of 103 trees were assessed by Arterra, with a substantial number of those (72) being retained and protected. A total of 31 trees are recommended for removal, with most of these having a low retention value. As identified in the Arboricultural Impact Assessment, all the trees assessed as having a High Retention Value will be retained and protected, with majority of these located in three main groups and other trees distributed across the site.</p> <p>Further, the Assessment provides appropriate recommendations to reduce potential impacts on trees that are to be retained. Arterra confirm that the building design and landscape design have been developed in consultation with the project arborists with an aim to minimise the impact on the existing site trees to be retained and therefore the design is considered to be suitable from an arboricultural perspective.</p>	<b>Appendix K</b>
Crime and Public Safety	-	<p>The built form has been designed to ensure the building entry is oriented to the site's street frontage and the apartments are located towards the rear, with an outlook to the surrounding open space. The use of a secure and lockable entry system to the building and each wing will ensure residents are safe and only known visitors are entering the premises.</p> <p>Further, non-residential uses are proposed on the ground level including a reception desk, café and staff facilities / rooms. This means that the residential units are not directly accessible for visitors entering the facility.</p>	-
Operational Management Plan	Fresh Hope Care	The Operational Plan of Management has been prepared to outline the staffing and workforce planning arrangements, hours of operation, security arrangements, fire safety and emergencies procedures, cleaning and waste. It is intended that the Plan will be reviewed by the Fresh Hope Care Executive Management Team on an annual basis.	<b>Appendix M</b>
Social and Economic Impacts	-	The proposed development will provide much needed aged care to meet the needs of seniors housing in the locality. Specifically, the proposal will help meet the strategic need for additional housing and provide communal open space areas to enable social interaction amongst residents. Further to this, the proposal will provide additional jobs during both the construction and operational phases in turn supporting the local and regional economy.	-
BCA	City Plan Services	City Plan Services have prepared a BCA Report to establish the proposed development's compliance with the Building Code of Australia. City Plan confirm the proposed design is capable of complying with the relevant standards of the BCA and will be subject to construction documentation that will provide the appropriate details to demonstrate compliance.	<b>Appendix P</b>

Access	Morris Goding Accessibility Consulting	<p>An Access Review Report has been prepared by Morris Goding Access Consulting (MGAC) to assess the proposed development against the relevant Australian Standards, BCA, DDA Access to Premise Standard and the Commonwealth Disability Discrimination Act. The review has been undertaken to ensure the ingress, egress, paths of travel, circulation areas and sanitary facilities comply with the relevant statutory guidelines and in addition, with a higher level of accessibility and inclusiveness benchmarks set by the project.</p> <p>Accordingly, MGAC confirm that after reviewing the Architectural Plans, all access requirements appear capable of achieving compliance subject to minor changes to minor amendments at the detailed design phase.</p>	<b>Appendix I</b>
Kitchen and Laundry Operations	UFD	<p>UFD have prepared a Kitchen and Laundry Operational Brief for the proposed development.</p> <p>It is proposed that a new foodservice operation will be provided on site in the main kitchen, community kitchen, ground floor café, and servery points located on the upper floors of the facility. The Operational Brief provides the anticipated methods of operation for each kitchen and the relevant Australian Standards that the kitchens will be designed to.</p> <p>Further, the proposed development will include a new laundry service in the back of house areas on the Lower Ground Floor. This laundry service will be for all personal garments, bed and bath linen with no processing being taken offsite. The Operational Brief provides the key features of the laundry, staffing, equipment and machine selection.</p>	<b>Appendix V Appendix W</b>
Food Services Design Compliance	UFD	<p>UFD confirm that the proposed foodservice operations, including the use of the main kitchen, cold stores, dry stores, cafes and servery area will be designed and development in accordance with the relevant Australian Codes and Standards. UFD confirm that the proposed design includes appropriate work flow and preparation spaces, cooking processes, hand washing facilities and food dispensing equipment in line with the current NSW Food Authority Requirements.</p>	<b>Appendix Z</b>

## 5.12 Suitability of the site for the development

The proposed development will provide much needed additional aged care to meet the needs of seniors housing in the Maitland LGA. Specifically:

- The site can appropriately accommodate the proposed development while balancing environmental and design considerations and preserving the amenity of neighbouring properties;
- It will cater for the ageing population and provide capacity for existing residents in the Maitland LGA to age in place and provide an increased supply and diversity of housing that meets the needs of seniors;
- It will provide a built form that has been architecturally designed commensurate with the surrounding environment;
- The architectural design will deliver a high quality building, which will support a safe and secure aged living environment;
- The site can be adequately managed to ensure no impact to surrounding properties; and
- The site will provide important infrastructure to service the local and regional area, including the new hospital precinct.

## 5.13 Public Interest

The proposed development is considered suitable for the site and is in the public interest as it will:

- Provide for much needed seniors housing on an existing aged care site, in a location close to services and facilities;
- Help meet the strategic need for additional housing diversity including the provision of seniors housing in an accessible location;
- Provide onsite services to enable social interaction amongst residents;
- Increase the provision of community services and connections to the community;
- Improving environmental sustainability via initiatives such as 100KW PV Panels on the roof of the RACF and a rainwater harvesting system that will be used for on-site irrigation purposes.
- Provide significant investment into East Maitland with an approximate \$40 million development that will provide both construction employment and on-going employment once the facility is operational.



## 6.0 Conclusion

The proposed development seeks approval for a 2-4 storey seniors housing development comprising 160 residential aged care beds and 8 respite beds, an ancillary café, facilities and amenities for use by residents and visitors, and substantial areas of outdoor open space. The proposed development has a number of significant benefits. Specifically, it will support ageing in place allowing members of the local and wider community access to aged care services in an accessible location. The proposal also delivers an innovative architectural design that integrates with the local area without having any adverse impacts on adjacent properties or environmental constraints.

This SEE has provided a detailed assessment of the proposal against the relevant matters under Section 4.15(1) of the EP&A Act. The application is recommended for approval as the proposal:

- Is generally consistent with the aims and objectives of the Seniors SEPP and other relevant State Environmental Planning Policies as well as the MLEP 2011 and MDCP 2011;
- Will increase the supply of seniors housing commensurate to forecasted demand within the LGA and improve the quality of seniors housing stock within the LGA;
- Is carefully designed to provide a contextual response to the site setting and minimise bulk and scale impacts to adjoining properties;
- Provides a high quality architectural design that will contribute to a safe and active environment;
- Includes supporting technical studies which confirm that the environmental and social impacts associated with the proposal are generally positive and will not give rise to any adverse impacts; and
- Is suitable for the site and is in the public interest.

In light of the merits of the proposal and in the absence of any significant environmental, social or economic impacts, we have no hesitation in recommending that the application be approved subject to standard conditions of consent.