



PLANNING PROPOSAL

Amend Holroyd Local Environmental Plan 2013 as it applies to land at No. 45 Barcom Street, Merrylands West to:

- amend the zoning of the site from R2 Low Density Residential to R4 High Density Residential;
- amend the height of buildings control to permit buildings to a maximum height of 20m; and
- amend the FSR control to permit an FSR of 0.85:1.

Cardinal Gilroy Village
45 Barcom Street, Merrylands West

Prepared for: Southern Cross Care (NSW & ACT)

REF: M180207

Date: 11 September 2019



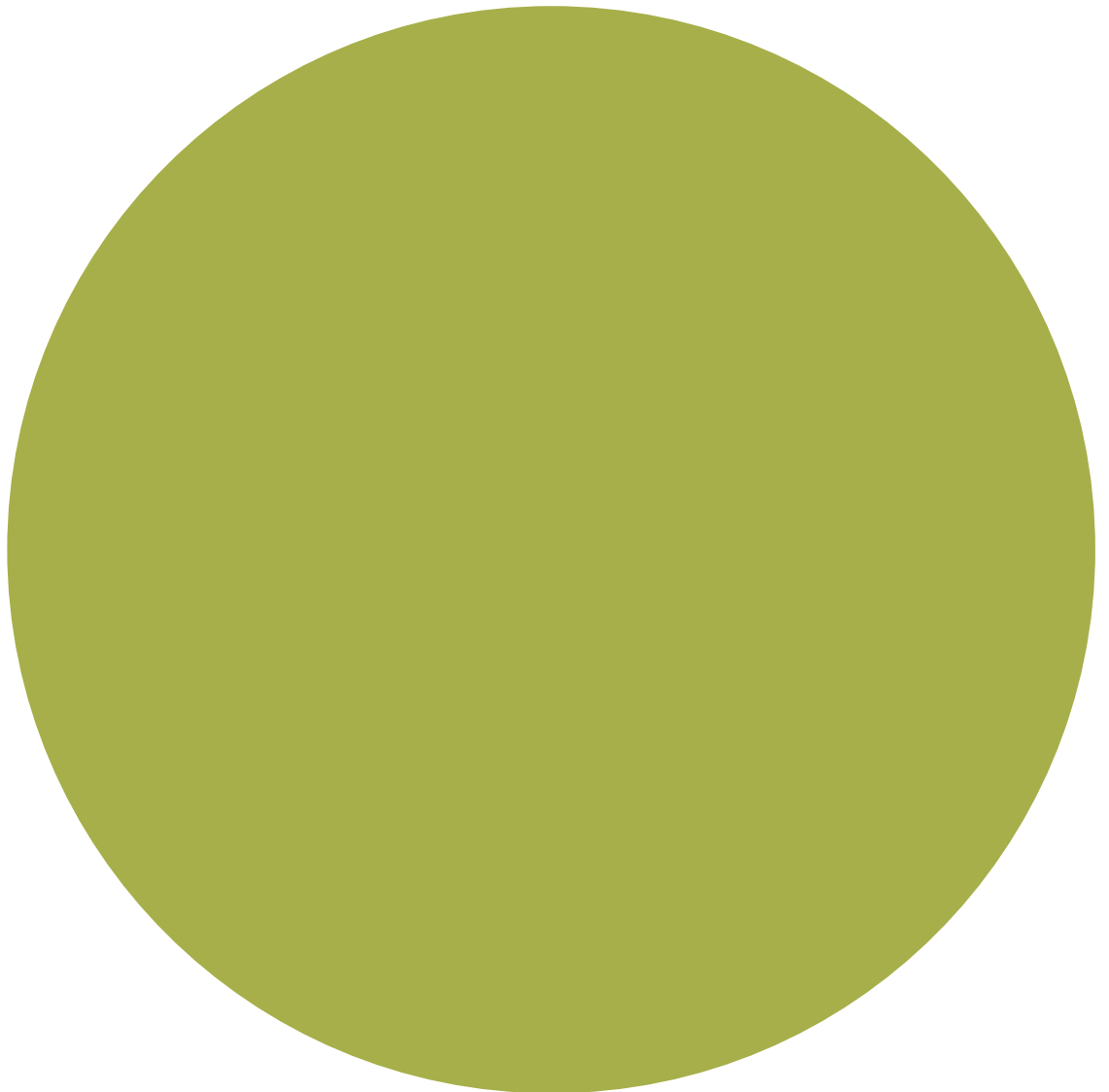
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Contents

EXECUTIVE SUMMARY	1
1. INTRODUCTION	3
2. LOCALITY AND SITE ANALYSIS	4
2.1 The Context	4
2.1.1 Metropolitan Context.....	4
2.2 The Site	5
2.3 Surrounding Development	7
2.4 Connectivity to public transport	9
2.5 Matters Specific to Future Development Capacity	10
2.5.1 Geotechnical and Salinity	10
2.5.2 Flooding and Stormwater.....	10
2.5.3 Heritage and Archaeological.....	10
2.5.4 Traffic and Transport	12
2.5.5 Tree Protection and Retention.....	13
2.5.6 ANEF Zone.....	13
2.5.7 Voluntary Planning Agreement (VPA).....	13
2.6 Pre-Planning Proposal meeting	14
3. EXISTING PLANNING PROVISIONS	16
3.1 Holroyd Local Environmental Plan 2013 (HLEP 2013)	16
3.2 Holroyd Development Control Plan 2013.....	19
4. DRAFT PLANNING PROVISIONS.....	20
4.1 Proposed LEP Amendments.....	20
5. PLANNING PROPOSAL	24
5.1 Objectives or Intended Outcomes – Part 1 of The Guide.....	24
5.1.1 Objectives.....	24
5.1.2 Intended Outcomes	24
5.2 Explanation of Provisions – Part 2 of The Guide.....	25
5.3 Justification – Part 3 of The Guide.....	25
5.3.1 Section A - The Need for the Planning Proposal	25
5.3.2 Section B - Relationship to the Strategic Planning Framework.....	26
5.3.3 Section C - Environmental, Social and Economic Impacts	45
5.3.4 Section D - State and Commonwealth Interests	61
5.4 Strategic Merit Test.....	61





5.5	Part 4 - Mapping	62
5.6	Part 5 - Community Consultation	62
5.6.1	Project Timeline	62
6.	CONCLUSION	64

FIGURES

Figure 1	Context within the Central City District (Source: Central City District Plan)	4
Figure 2	Aerial image of the site and surrounds (source: Sixmaps)	5
Figure 3	Typical single storey independent living units adjacent to the eastern boundary	6
Figure 4	Typical two storey independent living units adjacent to Kenyons Road	6
Figure 5	The front entrance to Cardinal Gilroy Village with the Residential Aged Care Facility to the left	7
Figure 6	Development to the north-west	7
Figure 7	Development to the north-east	7
Figure 8	Development to the east	8
Figure 9	Development to the east	8
Figure 10	Merrylands High School to the south	8
Figure 11	Cerdon College to the south-west	8
Figure 12	Sherwood Scrubs building to the west	8
Figure 13	Development to the north-west	8
Figure 14:	The bus routes surrounding the site (Source TTW Report)	9
Figure 15:	Extract from Heritage Map HER_006. Subject site is outlined in red.	11
Figure 16:	Proposed setbacks to buildings on the Sherwood Shrubs site (Source: Ethos Urban)	11
Figure 17:	Extract from HLEP 2013 Zoning Map (ZON_006) with the subject site edged in blue	16
Figure 18:	Extract from HLEP 2013 Height of Buildings Map (HOB_006) with the subject site edged in blue	18
Figure 19:	Extract from HLEP 2013 FSR Map (FSR_006) with the subject site in red	18
Figure 20:	Proposed amendment to Land Zoning Map to HLEP 2013	20
Figure 21:	Proposed amendment to Height of Buildings Map to HLEP 2013	22
Figure 22:	Proposed amendment to the FSR Map to HLEP 2013	23
Figure 23:	The Central River City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan)	27
Figure 24:	The Central City District Plan locality (Source: Central City District Plan)	31
Figure 25:	Shadow study for the indicative concept masterplan proposal (Source: Ethos Urban)	47





Figure 26: Solar studies of the indicative concept masterplan proposal against the ADG (source: Ethos Urban).....	48
Figure 27: Massing model of the indicative concept masterplan proposal (source: Ethos Urban)	49
Figure 28: Visual Impact Assessment from the R4 High Density Residential Area north (looking east)	51
Figure 29: Visual Impact Assessment from the R3 Medium Density Residential Area (looking west).....	51
Figure 30: Visual Impact Assessment from Merrylands High School (looking north) (Source: Ethos Urban).....	52
Figure 31: Visual Impact Assessment from Sherwood Scrubs (looking west) (Source: Ethos Urban)	53
Figure 32: Indicative concept landscape scheme (Source: Site Image Landscape Architects).....	56
Figure 33: Montage of the central open space area and ancillary community centre (right)	57

TABLES

Table 1 Supporting Documents with this Planning Proposal	3
Table 2 Pre-Planning Proposal Meeting	14
Table 3 Summary of Current Planning Controls	16
Table 4 Summary of Current and Proposed Planning Controls	20
Table 5 Greater Sydney Region Plan: A Metropolis of Three Cities Directions	28
Table 6 Central City District Plan	32
Table 7 Cumberland Community Strategic Plan	35
Table 8 Draft Cumberland Local Strategic Planning Statement.....	36
Table 9 Relevant State Environmental Planning Policies	38
Table 10 Section 9.1 Ministerial Directions	41
Table 11 Car Parking Generation	54
Table 12 RMS Traffic Generation Rates	55
Table 13 Site Specific Traffic Generation Rates	55

ANNEXURES

- Annexure A.** Masterplan prepared by Ethos Urban
- Annexure B.** Traffic Impact Assessment prepared by TTW Pty Ltd
- Annexure C.** Flooding and Stormwater Assessment prepared by Northrop
- Annexure D.** Arboricultural Assessment prepared by Tree IQ
- Annexure E.** Social Impact Assessment prepared by Ethos Urban





Annexure F. Economic Impact Assessment prepared by Location IQ

Annexure G. Visual Impact Assessment prepared by Ethos Urban

Annexure H. Landscape Scheme by Site Image Landscape Architects

Annexure I. Heritage Impact Statement by NBRS Architecture Heritage





Executive Summary

This Planning Proposal seeks to amend the provisions of Holroyd Local Environmental Plan ('HLEP') 2013 for land at No. 45 Barcom Street, Merrylands West. Specifically, the Planning Proposal seeks to rezone the land and amend the height of buildings and Floor Space Ratio (FSR) development standards.

This Planning Proposal applies to the site owned and operated by Southern Cross Care (NSW & ACT) known as Cardinal Gilroy Village at No. 45 Barcom Street, Merrylands West. Southern Cross Care are a registered social housing provider and the site is currently occupied by 236 Independent Living Units ('ILUs') and a 123 bed Residential Aged Care Facility ('RACF'). The Cardinal Gilroy Village opened in 1973 and has become outdated.

This Planning Proposal was initiated by Southern Cross Care who have identified that the existing buildings, accommodation and facilities on the site are nearing the end of their economic life and are in urgent need of replacement to provide comparable accommodation and facilities to other, newer, Seniors Housing developments in the region. The Central City District Plan clearly identifies the need for additional Seniors Housing as the preamble for Direction 3 – Liveability states:

As the District's 2016 population of around 970,000 increases, it is ageing. By 2036, the number of residents over 65 is expected to grow by 106 per cent (an additional 122,100 people). The number of single-person households is expected to grow by 81 per cent, although couples with children are expected to remain the dominant household type.

As Southern Cross Care is a not-for-profit registered social housing provider, the additional accommodation on the site is required to fund the redevelopment of the site to meet the growing demand for Seniors Housing in the locality.

The Planning Proposal will provide a unique opportunity to unlock the development potential of the subject site and significantly increase the quantum and quality of much-needed Seniors Housing and ancillary facilities in the locality. The redevelopment of the subject site presents a unique opportunity to set a high standard for redevelopment in this precinct and to deliver a suite of public benefits that will not be realised if the current planning controls are retained and the opportunity for redevelopment passes.

This Planning Proposal relates to a high quality, well planned housing development for Seniors or People with a Disability in Merrylands West. The indicative concept proposal has been specifically designed to incorporate the needs and character of its unique surrounding area. This has been achieved through a design, layout and concept that, with the "aging in place" philosophy at its core, focuses upon putting in place the building blocks that are essential for the growth of a cohesive, functioning community. The proposal incorporates two levels of care with the range of accommodation for this project comprising both ILU's and a RACF.

The vision for the site as established by this Planning Proposal is as follows:

- Establish a 'landmark' development for Seniors and People with a Disability and deliver a mix of high quality Seniors Housing to meet a demonstrated need;
- Ensure development is of a scale, location and design to have a positive impact on the visual amenity of the locality whilst being compatible with the surrounding built and natural environment;
- Provide ancillary community facilities to support the residents and their guests by providing a destination space for Seniors and People with a Disability;
- Address housing affordability by providing a mix of housing choices;
- Establish an appropriate mix of ancillary community and small-scale permissible non-residential uses on the

site to service the day to day needs of the local community;

- Create new vehicular and pedestrian connections and strengthen existing links to public transport;
- Enhance pedestrian permeability through the site to link surrounding sites and publicly accessible spaces;
- Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Merrylands West; and,
- Deliver the highest standards of urban planning and excellence in architectural design.

A Masterplan and indicative concept proposal has been prepared by Ethos Urban (refer to Annexure A). The masterplan demonstrates that the proposed LEP and DCP changes will facilitate high quality urban form compatible with the desired future context and setting of the broader locality and the immediate surroundings. Furthermore, the indicative concept proposal demonstrates that future development can relate positively to the features of the site as well as to surrounding public spaces and buildings, including existing local heritage buildings. The indicative concept masterplan proposal will provide for the following:

- The construction of 18 buildings, ranging from 2 to 6 storeys in height, comprising a total of 460 ILUs, a 153 bed RACF, 1,311sqm of community facilities (excluding the Community Centre building currently being assessed under DA2019/105), and 1,480sqm of permissible non-residential uses in the R4 zone;
- Basement level car parking to cater for 688 car parking spaces to meet the required car parking demand; and
- 46,803sqm (62.5% of the site area) of open space (including publicly accessible, communal and private open space), with significant areas of landscaping to support local flora and fauna on the site.

The above mentioned redevelopment of the subject site will provide a significant number of public benefits which include the following:

- The renewal of the existing Seniors Housing development will act as a catalyst for the future redevelopment of the surrounding R3 and R4 zoned land;
- The provision of 460 ILU's and a 153 bed RACF to meet the increasing demand for Seniors Housing by a registered social housing provider;
- The provision of a series of high quality buildings which will provide permissible non-residential uses (such as kiosk, neighbourhood shop and medical suites) on the ground level fronting Kenyons Road will provide much needed local services, activation and vitality for occupants and surrounding residents;
- The provision of publically accessible (in private ownership) open space in the centre of the site will promote social interaction and forms the fulcrum of the site between the northern and southern precincts;
- The retention of significant trees and green open space areas will promote the "green heart" of the site and reduce the Urban Heat loads caused by surrounding development;
- Connectivity between adjoining properties of different uses can be provided which will enhance linkages with Merrylands High School, Cerdon College, Sherwood Scrubs (Youth Off the Streets) and surrounding residential uses.
- Improvements to public safety and amenity by providing a new vehicular access point on Kenyons Road and providing a one way loop road system around the northern and southern precincts;
- Increased activation and natural surveillance of the public domain, and
- Deliver the highest standards of urban planning and excellence in architectural design.

This Planning Proposal is consistent with the local, regional and state planning strategies for Cumberland LGA including the Central City District Plan within the Sydney Metropolitan Area. This Planning Proposal has the potential to make a substantial positive contribution to the quality and quantum of Seniors Housing, with other permissible non-residential and ancillary community uses in a well-serviced location. The indicative concept proposal will create a diverse and vibrant community that is compatible with neighbouring properties and delivers a high quality urban environment.

1. Introduction

This Planning Proposal has been prepared for Southern Cross Care (NSW & ACT), owner of No. 45 Barcom Street, Merrylands West. This application is a request to Council to seek a Gateway Determination under the provisions of Section 3.34 of the *Environmental Planning & Assessment (EP&A) Act, 1979*. This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act, 1979* as well as the NSW Department of Planning publication "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

The primary intent of the application is to initiate a Planning Proposal process to amend the provisions of HLEP 2013 to:

- amend the zoning of the site from R2 Low Density Residential to R4 High Density Residential;
- amend the height of buildings control to permit buildings to a maximum height of 20m; and,
- amend the FSR control to permit a maximum FSR of 0.85:1.

An indicative concept proposal has been prepared by Ethos Urban and is attached as Annexure A. The Masterplan proposal provides analysis of the existing urban fabric and the constraints and opportunities present at the site which create the setting to support comprehensive site redevelopment. The indicative concept proposal demonstrates how the future redevelopment can be accommodated on the subject site.

The proposal is consistent with local, regional and state government planning strategies to drive more efficient and economic use of urban land within the Cumberland LGA. The site is located within an urban residential setting with established public transport links and access to services and community/social infrastructure. The indicative concept proposal integrates residential, community and permissible non-residential uses, improvements to the streetscape and the pedestrian environment and achieves positive environmental, social and economic outcomes.

This Planning Proposal has relied on, and been informed by the following documents:

Annexure	Document	Author
A	Urban Analysis	Ethos Urban
B	Traffic and Parking Assessment	TTW Pty Ltd
C	Flooding and Stormwater Analysis	Northrop
D	Arboricultural Assessment	Tree IQ
E	Social Impact Assessment	Ethos Urban
F	Economic Impact Assessment	Location IQ
G	Visual Impact Assessment	Ethos Urban
H	Landscape Scheme	Site Image Landscape Architects
I	Heritage Impact Statement	NBRS Architecture & Heritage

This report is divided into sections including a locality and site analysis, existing planning provisions, draft planning provisions, the Planning Proposal and a conclusion.

2. Locality and Site Analysis

2.1 THE CONTEXT

2.1.1 Metropolitan Context

The subject site is located in the suburb of Merrylands West, a local centre approximately 3.5km south west of Greater Parramatta metropolitan centre and 22km west of the Sydney CBD.

Parramatta metropolitan centre is a main transport interchange for both the bus and rail networks providing connections to the greater Sydney region. The site is also located approximately 21km from the site of Badgerys Creek Airport and 20km from Kingsford Smith Airport and Port Botany, providing a high level of accessibility.

Merrylands West provides residents with a high level of amenity due to its centralised location within the Greater Metropolitan region. Furthermore, residents and employees within the suburb have access to major shopping centres, parks, recreation facilities, services and employment.

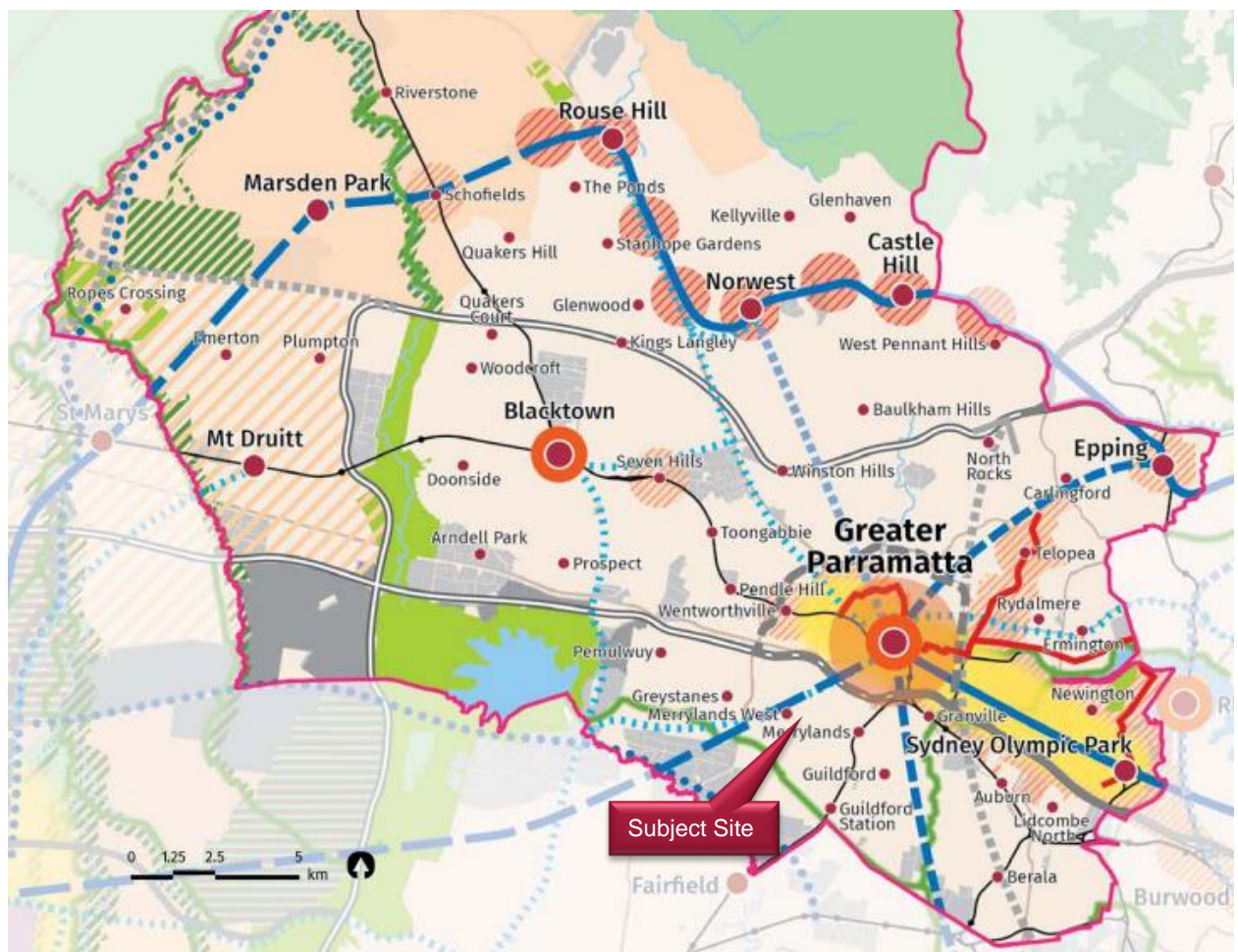


Figure 1: Context within the Central City District (Source: Central City District Plan)

2.2 THE SITE

The subject site is known as No. 45 Barcom Street and contains its primary vehicular and pedestrian entrance from Barcom Street. The site is an irregular shaped allotment located within the Cumberland Council Local Government Area (former Holroyd Local Government Area (LGA)). The site comprises three (3) lots with a total area of 7.44ha including:

- Lot 5 DP 701151 (2.42ha);
- Lot 8 DP 732058 (1.928ha); and
- Lot 11 DP 1075418 (3.092ha).

The site is owned by Southern Cross Care (NSW & ACT) who are a registered social housing provider. The location of the subject site is shown edged red and shaded yellow in the aerial image provided at **Figure 2**.

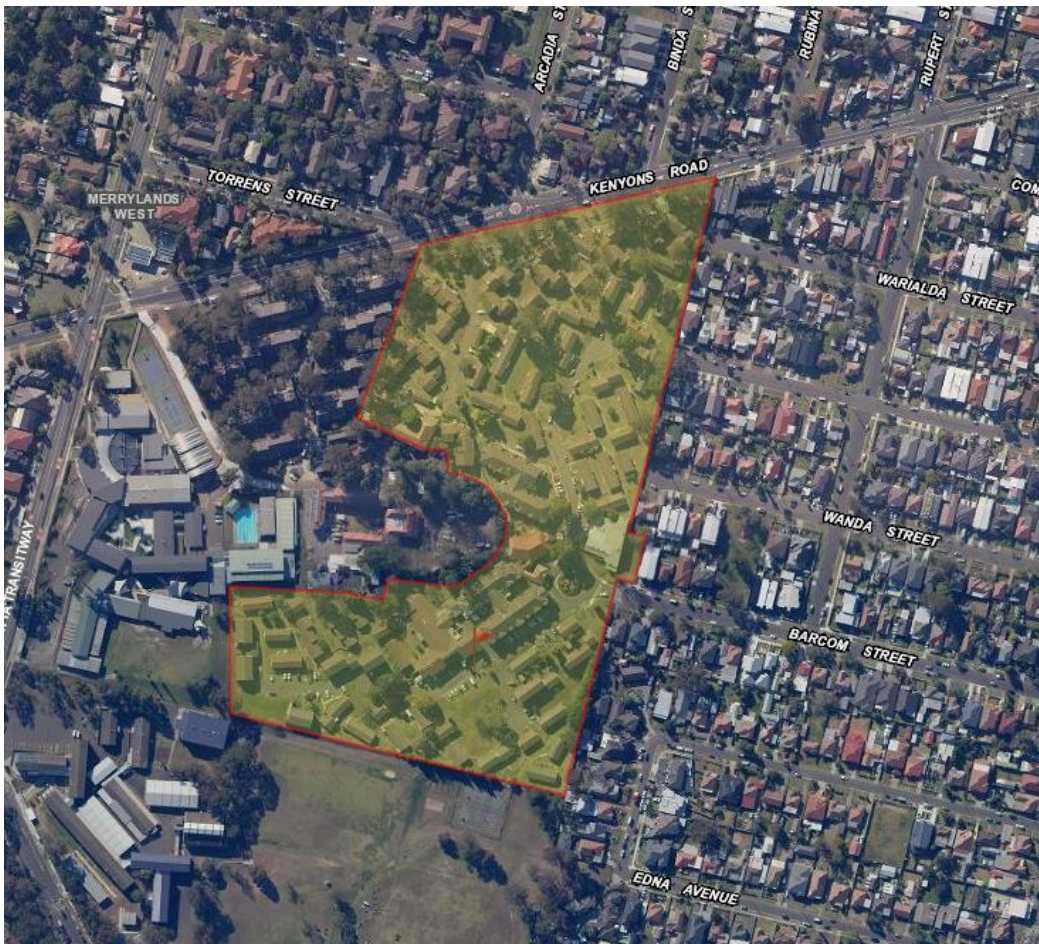


Figure 2: Aerial image of the site and surrounds (source: Sixmaps)

The site has an eastern boundary measuring approximately 456m with access from Barcom Street, a southern boundary measuring approximately 241m, an irregular western boundary with an average length of approximately 362m (interrupted by the 102 Kenyons Road (Sherwood Scrubs)) and a northern boundary to Kenyons Road measuring approximately 211m.

The topography of the site generally falls across the site from west to east. The site contains scattered vegetation including existing trees and the main vehicular access to the site is from Barcom Street.



The site has a number of encumbrances on title including various easements and rights of carriageway.

The Cardinal Gilroy Village opened in 1973 and is currently occupied by 236 ILUs and a 123 bed RACF. The existing built form is a mixture of one, two and three storey buildings accessed via an intricate private road system. Vehicular access to the site is via Barcom Street and parking for residents and visitors is provided at grade throughout the site.

Photographs of parts of the subject site depicting the existing facilities are provided at Figures 3 to 5.



Figure 3: Typical single storey independent living units adjacent to the eastern boundary



Figure 4: Typical two storey independent living units adjacent to Kenyons Road





Figure 5: The front entrance to Cardinal Gilroy Village with the Residential Aged Care Facility to the left

2.3 SURROUNDING DEVELOPMENT

The land use composition of adjoining development is varied with an eclectic mix of development surrounding the subject site and includes:

- to the north-west of the site, 3-4 storey walk up residential flat buildings on the opposite side of Kenyons Road (see Figure 6);
- to the north-east and east of the site, 1-2 storey dwelling-houses and dual occupancies (see Figure 7-9);
- to the south and south-west of the site consists of Merrylands High School and Cerdon College (see Figures 10-11);
- to the west of the site, consists of the *Sherwood Scrubs* buildings at No. 102 Kenyons Road (see Figure 12) which is a listed heritage item; and
- to the north-west of the site, 2-4 storey residential flat buildings at No. 100 Kenyons Road (see Figure 13).



Figure 6 Development to the north-west



Figure 7 Development to the north-east



Figure 8 Development to the east



Figure 9 Development to the east



Figure 10 Merrylands High School to the south



Figure 11 Cerdon College to the south-west



Figure 12 Sherwood Scrubs building to the west



Figure 13 Development to the north-west



2.4 CONNECTIVITY TO PUBLIC TRANSPORT

The site is located in close proximity to several bus stops, including a bus stop within the subject site at its Barcom Street entrance. Bus route 802 services the site and operates along Barcom Street with a stop located within the site area. Services operate from around 6am to 9pm, with services approximately every 30 minutes. This route provides access to Parramatta Station and suburbs neighbouring Merrylands West, including Liverpool, Green Valley, and Fairfield. This route is operated by Transit Systems. Public transport is currently adequate to comply with SEPP (Housing for Seniors). Any future development on the site providing housing for seniors or people with a disability will continue to meet these requirements as long as this public transport access is maintained. The bus routes are detailed in Figure 14 below.

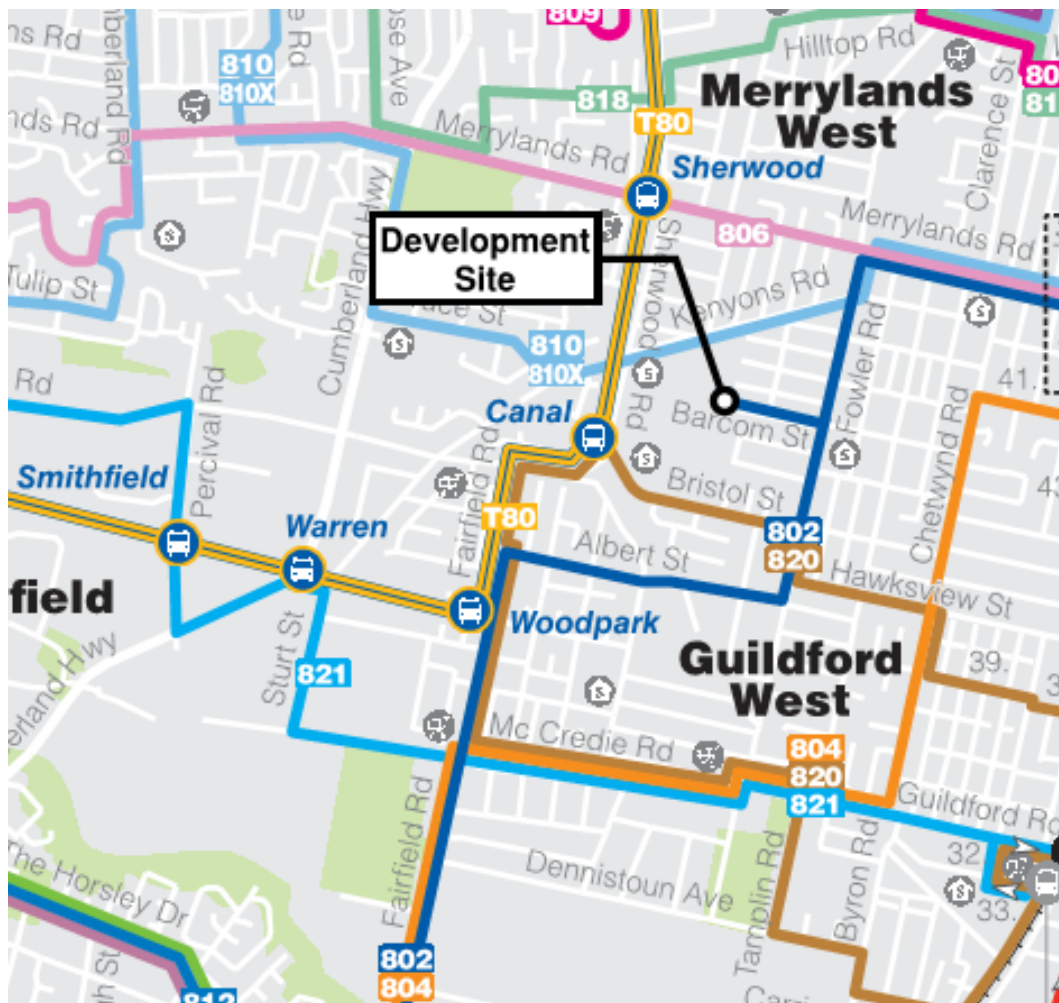


Figure 14: The bus routes surrounding the site (Source TTW Report).

Merrylands and Guildford Stations are the nearest train stations to the development and are located at approximately 2.5 kilometres and 2.9 kilometres driving distance from the site, respectively. These stations are serviced by the T2 Inner West & Leppington Line and the T5 Cumberland Line. Services on these lines operate approximately every 15 minutes during peak periods and every 30 minutes on a daily average.

2.5 MATTERS SPECIFIC TO FUTURE DEVELOPMENT CAPACITY

2.5.1 Geotechnical and Salinity

The development history of the site indicates that there are unlikely to be unusual geotechnical limitations to future excavation for basement car parking and construction of a multi-storey building on the subject site. In terms of acid sulfate soils, the subject site is not classified as being subject to Potential Acid Sulfate Soils (PASS).

HLEP 2013 indicates the site is subject to moderate salinity potential. The proposed development will be designed, sited and will be managed to avoid any adverse environmental impact as a result of salinity, if any, present on the site.

While it is expected that the future development of the site will include excavated basement car parking, no additional soil and ground water studies are required in conjunction with this Planning Proposal. All matters relating to excavation, salinity and acid sulfate soils management are more appropriately addressed as required with any future development application.

2.5.2 Flooding and Stormwater

The south-eastern part of the subject site, being the geographical low point, is affected by flooding with a depth of up to 280mm within the subject site expected in a 1 in 100 year flood event. A Flood and Stormwater Report has been prepared by Northrop and is attached at Annexure C. The report concludes the following:

Northrop Consulting Engineers have undertaken a preliminary assessment of the existing overland flow paths that drain through the Cardinal Gilroy Village. The south-eastern part of the site is known to be flood affected, with the existing flow path (floodway) having contributing catchments from upstream properties as well as the subject site. To enable development to occur within this area, it is suggested the upstream catchments be diverted around the proposed building footprints and conveyed to the existing point of discharge, via a pit and pipe network and overland flow path. Our assessment indicates that this is feasible and that the required conveyance capacity and flood storage volume can be accommodated spatially within the proposed masterplan. However, it is recommended that more detailed flood modelling be undertaken to more accurately assess the implication the development may have on floodwater levels within the subject site and neighbouring properties.

On-site stormwater is proposed to be managed via a 'minor' and 'major' approach. As part of the development, on-site detention, rainwater tanks and various other water sensitive urban design measures will be adopted to minimise the impact on the natural water cycle and to downstream stormwater networks.

Any future development application will ensure flooding and stormwater will be managed on-site and integrated with the existing constructed stormwater system.

2.5.3 Heritage and Archaeological

The subject site is not a listed heritage item or located within a heritage conservation area. The site is adjacent to a local heritage item located to the west, listed as "Sherwood Scrubs" at 102 Kenyons Road (Item No. I81) under HLEP 2013 (See **Figure 15**).



Figure 15: Extract from Heritage Map HER_006. Subject site is outlined in red.

The indicative concept proposal indicates that the Heritage buildings on Sherwood Scrubs will be provided with a significant setback to maintain its significance. On the northern side, the heritage building is setback from the nearest concept buildings by 66-68m. On the southern side, the heritage building is setback from the nearest concept building by 27-57m. Proposed Buildings K and L are setback 22m from buildings on the Sherwood Scrubs site; however this part of the heritage item is not a part of the original heritage building. Setbacks are outlined in **Figure 16** below.



Figure 16: Proposed setbacks to buildings on the Sherwood Shrub site (Source: Ethos Urban)

In light of the significant separation distances that are proposed between the subject buildings and the adjacent heritage item, as detailed in the Site Specific DCP, it is not anticipated that the redevelopment of the site would prejudice the heritage significance or setting of Sherwood Scrubs. A Heritage Impact Statement has been prepared by NBR Architecture and Heritage and concludes the following:

The proposed Masterplan will create an improved outcome for the setting and views of and from the heritage item through the carefully considered landscape treatment adjacent the shared boundary; specifically, through the decision to locate the park area nominated to as the Central Green Space immediately to the west of the heritage item.

The proposed building envelopes in the Masterplan are higher than the existing development, and can be viewed from the heritage item in some views as demonstrated in the visual analysis, however any adverse heritage impact is mitigated in the following ways;

- *There is no change to how the heritage item is appreciated or understood;*
- *The proposed envelopes sit primarily below the existing tree line in views from the heritage item;*
- *The proposed landscape setting on the subject site, specifically the boundary treatment and the Central Green Space, enhances the current setting of the item by visually extending views across the shared boundary, and*
- *The layout of the Masterplan provides opportunities for views from, and of, the heritage item that did not exist before, thereby widening the audience who have the opportunity to appreciate the significance of the place.*

The heritage item will continue to be appreciated as a historic place and its individual character and significance will be appreciated by a wider audience.

Furthermore, an AHIMS Basic Search has also been undertaken and reveals that there are no Aboriginal sites that have been recorded on or in the vicinity of the subject site.

2.5.4 Traffic and Transport

The subject site currently has a two-way vehicular access from Barcom Street which then splinters off to numerous small roads that terminate in a cul-de-sac. The site has a secondary road frontage to Kenyons Road on its northern side; however there is currently no direct vehicular access from this road.

The indicative concept proposal indicates that two-way access will be maintained from Barcom Street. An additional two-way vehicular access will be provided from Kenyons Road, linking to an existing roundabout on the public road. Internally, the northern and southern precincts will be served by a one way loop road that traverses the perimeter and provides access to numerous basement entrances throughout the site. Basement entries have been located so as to avoid conflicts with pedestrians.

Loading and servicing vehicles are anticipated to predominantly use the two way roads adjacent to the entries where adequate turning and manoeuvring areas available for trucks to enter the site in a forward direction, turn and exit the site in a forward direction. Limited access will be required for trucks on the residential loop roads for servicing, garage, removalists and the like.

The site is within a 500m walking distance of a number of bus stops on Barcom Street, Fowler Road and Kenyons Road and includes a bus stop on the subject site adjacent to the Barcom Street entrance. These bus stops are served by a number of routes that provide access to the Bankstown, Liverpool and Parramatta metropolitan centres, as well as strategic centres such as Fairfield. Each of these centres benefits from regular train services throughout Greater Sydney.

A Transport Impact Assessment (TIA) has been prepared by Taylor Thomson Whittling (TTW) Pty Ltd and is attached as Annexure B. The TIA concludes as follows:

The traffic generated from this modification has been assessed and based on those results it was found that:

- *The proposed masterplan could generate up to 81 net additional peak hour trips on a typical weekday.*
- *Based on the future road network and proposed additional access to the site via the roundabout intersection of Kenyons Road and Arcadia Street, the net additional trips from the proposed development are more likely to be distributed among two access points to the development.*
- *Given the satisfactory traffic conditions of the local intersections, the additional peak hour trips are not expected to generate significant impact to intersection performance, delays, or queues. This would be confirmed in future development applications through detailed traffic modelling.*
- *The proposed development would provide parking provision to comply with parking controls outlined in SEPP (Housing for Seniors or People with a Disability) 2004.*

Based on the assessment provided within this report, the intent of the Planning Proposal can be supported with regards to traffic and transport, with detailed traffic impacts subject to further assessment under future development applications.

Further consideration of parking and traffic impacts are contained under Part 5.3.3 of this report.

2.5.5 Tree Protection and Retention

A Preliminary Arboricultural Assessment has been prepared by Tree IQ and accompanies the Planning Proposal (refer to Annexure D). The Assessment identifies that there are 320 trees on or directly adjacent to the site. A full assessment of 264 of the trees on the site was undertaken. Of these trees, 21 (8%) are allocated as 'priority for retention' and 104 (39%) are allocated as 'consider for retention'. A number of the trees are also identified as being locally indigenous and representative tree species of the Cumberland Plain Woodland. Cumberland Plain Woodland is listed as a *Critically Endangered* ecological community under the NSW *Biodiversity Conservation Act (2016)* and the Commonwealth *Environment Protection and Biodiversity Conservation Act (1999)*. However, the trees to be removed are planted specimens and not components of a locally indigenous vegetation community.

The indicative concept proposal will retain seventy eight (78) trees on the site, including most 'priority for retention' trees and a large portion of the 'consider for retention' trees. The trees to be removed will be compensated by a significantly improved and structured landscaped proposal to ensure the long term retention of the trees and a high level of amenity for the subject site (refer to the Landscape Plan prepared by Site Image Landscape Architects). There will be adequate opportunities for compensatory planting to enhance the streetscape and the microclimatic conditions within the site which will be detailed at the development application stage.

2.5.6 ANEF Zone

The subject site is not subject to significant aircraft noise or within any ANEF contour. As such, it is not considered that a detailed acoustic assessment is required.

2.5.7 Voluntary Planning Agreement (VPA)

A letter of offer to enter into a VPA has been provided to Council under separate cover. Should the application receive a positive Gateway determination, the applicant intends to progress a draft VPA with Council that may be subject to public exhibition concurrently with the draft Planning Proposal.

2.6 PRE-PLANNING PROPOSAL MEETING

The following table represents a summary of the issues discussed at the pre-Planning Proposal meeting at Cumberland Council on 30 May 2019. A response to the general comments are provided below.

Table 2 Pre-Planning Proposal Meeting	
Council Comment	Response
<p>As mentioned in the meeting, the addition of a commercial zone is generally not supported:</p> <ul style="list-style-type: none"> • due to the potential impact on the trade area of existing retail premises on the corner of Sherwood Road and Merrylands Road. • as there is vacant retail floor space in the catchment of the proposed B1 zone. 	<p>The commercial zoning for a portion of the site fronting Kenyons Road is no longer sought. The proposal seeks to change the zoning from R2 – Low Density Residential to R4 – High Density Residential.</p> <p>Neighbourhood Shops are proposed as part of the sites frontage to Kenyons Road at ground level. An Economic Impact Assessment (EIA) prepared by Location IQ is provided at Annexure F.</p>
<p>A B4 zone would not be considered as this zone is applied to key Centres.</p>	<p>Noted. The proposal seeks to change the zoning from R2 – Low Density Residential to R4 – High Density Residential.</p>
<p>If you chose to pursue the commercial zone, a detailed retail analysis would be required to be submitted with the Planning Proposal Request (PPR). This would have to address the impact on neighbouring local retail catchments.</p>	<p>No commercial zoning is sought under this Planning Proposal.</p>
<p>Due to the significant increase in density proposed on the site, additional vehicle access from Kenyons Road would be preferred. This would reduce the potential increase in traffic flows and associated impacts on Barcom and surrounding streets.</p>	<p>A two way vehicle access is proposed off Kenyons Road at the existing roundabout. This will reduce the impact of traffic flows from Barcom Street and surrounding streets.</p>
<p>The open space component of the proposal is Communal/Private open space and not public open space.</p>	<p>The proposed open space areas for the site will be publicly accessible but in private ownership. Access to some open space areas will be controlled after hours to minimise opportunities for anti-social behaviour.</p>
<p>We see some merit in improving pedestrian permeability and connectivity in the broader precinct and accept that redevelopment presents an opportunity. However, pedestrian links are considered to be public spaces that are accessible at all times of the day. They have to create access from one public space to another. The “youth of the street facility”, nor the schools are public spaces.</p>	<p>Opportunities for increased pedestrian linkages will be provided between the subject site and Sherwood Scrubs (Youth Off the Streets), Merrylands High School, Cerdon College and the surrounding residential properties. Potential through site links will be provided to increase permeability but will clearly be publicly accessible but in private ownership.</p>
<p>If you were proposing to dedicate land to Council for open space purposes then we have a minimum requirement of a parcel of 2500sq.m of useable and accessible land. Linear corridors in between buildings are not considered to be acceptable.</p>	<p>The open space on the site will be publicly accessible but in private ownership.</p>
<p>Minimum submissions requirements would be:</p> <ul style="list-style-type: none"> • Planning Proposal Report that provides the justification of the strategic merit of the PPR. 	<p>The required documents have been submitted with this application for a Planning Proposal.</p>



Table 2 Pre-Planning Proposal Meeting

- Traffic and Transport Analysis
- Economic and Retail Feasibility
- Social Impact Assessment
- Urban Design/Built Form Analysis
- Site Specific DCP

However you are free to submit any other studies that you feel provide evidence of the strategic merit of your proposal.

In response to the comments provided by Council, the subject Planning Proposal has been significantly revised from the scheme considered at the Pre-Planning Proposal meeting, particularly in relation to the removal of the commercial zoning from the Kenyons Road frontage. Small scale permissible non-residential uses in the R4 – High Density Residential Zone will be sought with the development application to serve the day to day needs to occupants and surrounding residents.

3. Existing Planning Provisions

3.1 HOLROYD LOCAL ENVIRONMENTAL PLAN 2013 (HLEP 2013)

The current planning controls that apply to the site under HLEP 2013 are summarised as follows:

Table 3 Summary of Current Planning Controls		
Control	Existing Requirement	Figure
Zoning	R2	17
Height of Buildings	9m	18
Floor Space Ratio	0.7:1	19

The subject site is subject to flooding and salinity but does not seek to change the manner in which these clauses apply to the subject site. The land is not mapped as being a heritage item or within a heritage conservation area, requiring an active frontage, contain acid sulfate soils or subject to any other environmental or hazard constraints.

Current Zoning

The subject site is currently zoned R2 – Low Density Residential under HLEP 2013 as detailed on the map in Figure 17 below.

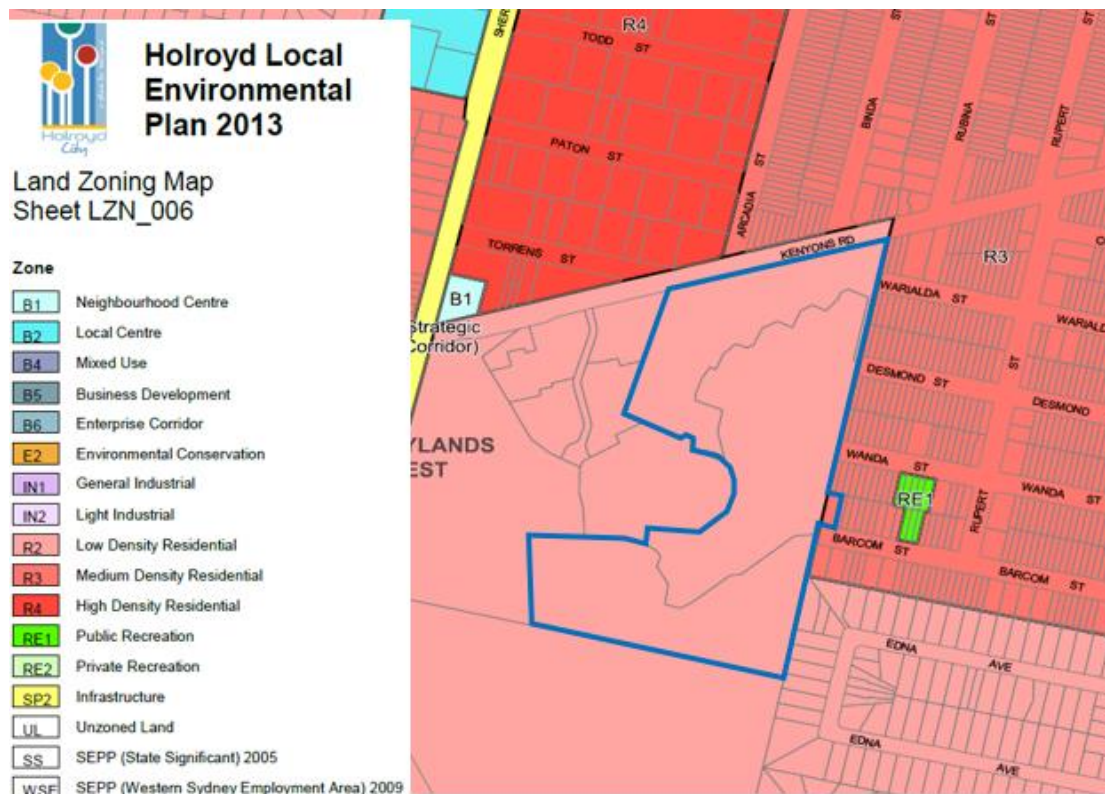


Figure 17: Extract from HLEP 2013 Zoning Map (ZON_006) with the subject site edged in blue

The zoning table for the R2 – Low Density Residential zone provides as follows:

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To allow residents to carry out a range of activities from their homes while maintaining neighbourhood amenity.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Semi-detached dwellings; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

As detailed above, Seniors Housing is not a permissible use in the R2 – Low Density Residential Zone and is permissible only by virtue of the operation of SEPP (Housing for Seniors and People with a Disability) 2004 (henceforth known as SEPP Seniors).

Current Development Standards

The current development standards are detailed in the following maps:

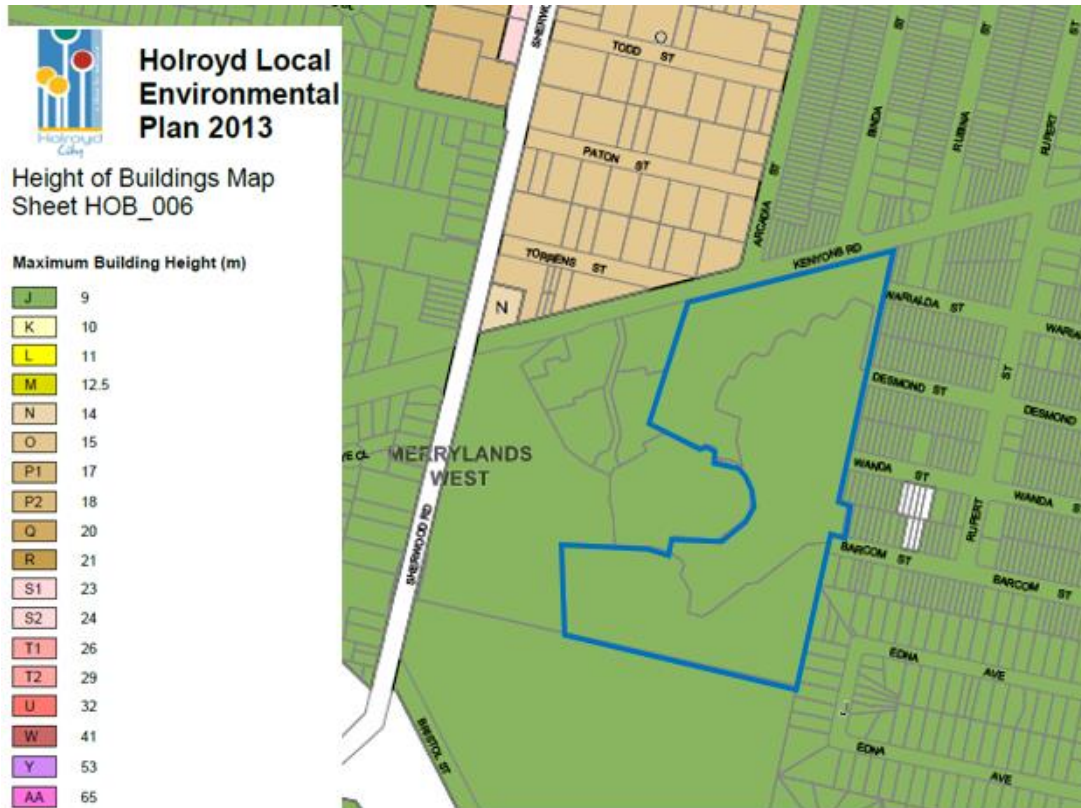


Figure 18: Extract from HLEP 2013 Height of Buildings Map (HOB_006) with the subject site edged in blue

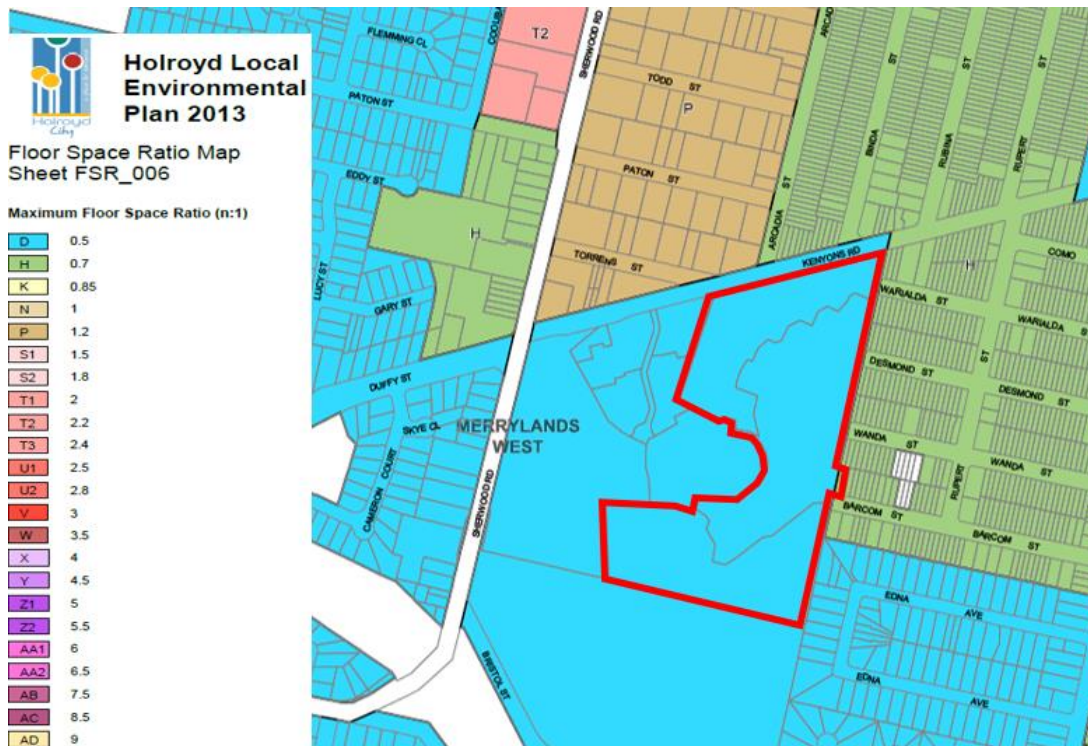




Figure 19: Extract from HLEP 2013 FSR Map (FSR_006) with the subject site in red



The above listed provisions are proposed to be amended as described in Section 4.

3.2 HOLROYD DEVELOPMENT CONTROL PLAN 2013

The Holroyd Development Control Plan ('HDCP') 2013 applies to the subject site. There are no site-specific building envelope and town planning controls within HDCP that apply to the site. However, a number of controls within HDCP 2013 that are relevant to the proposed redevelopment of the site. These are:

- Part A – General Controls;
- Part B – Residential Controls;
- Part C – Commercial, Shop Top Housing and Mixed Use Development Controls; and
- Part H – Heritage and Conservation Controls.

A site-specific Development Control Plan (DCP) has been prepared and submitted with this Planning Proposal for public exhibition alongside the draft Planning Proposal documents. Details of intended controls are supplemented by the indicative concept proposal which provides sufficient information on setbacks and building envelope controls to enable Gateway Determination.



4. Draft Planning Provisions

4.1 PROPOSED LEP AMENDMENTS

The proposed amendments to HLEP 2013 are described as follows:

- amend the HLEP 2013 land zoning map to apply an R4 High Density Residential zoning as shown in Figure 20;
- amend the HLEP 2013 height of buildings map to apply a maximum building height as shown in Figure 21; and
- amend the HLEP 2013 floor space ratio map to apply a maximum FSR as shown in Figure 22.

The proposed amendments to the HLEP 2013 maps will have the effect of the following detailed in Table 4.

Table 4 Summary of Current and Proposed Planning Controls			
Control	Existing Requirement	Proposed Requirement	Figure
Land Zoning	R2	R4	20
Height of Buildings	9m	20m	21
Floor Space Ratio	0.7:1	0.85:1	22

Proposed Zoning

The Planning Proposal seeks to rezone the land to R4 – High Density Residential zone under HLEP 2013 as detailed on the map in Figure 20 below.

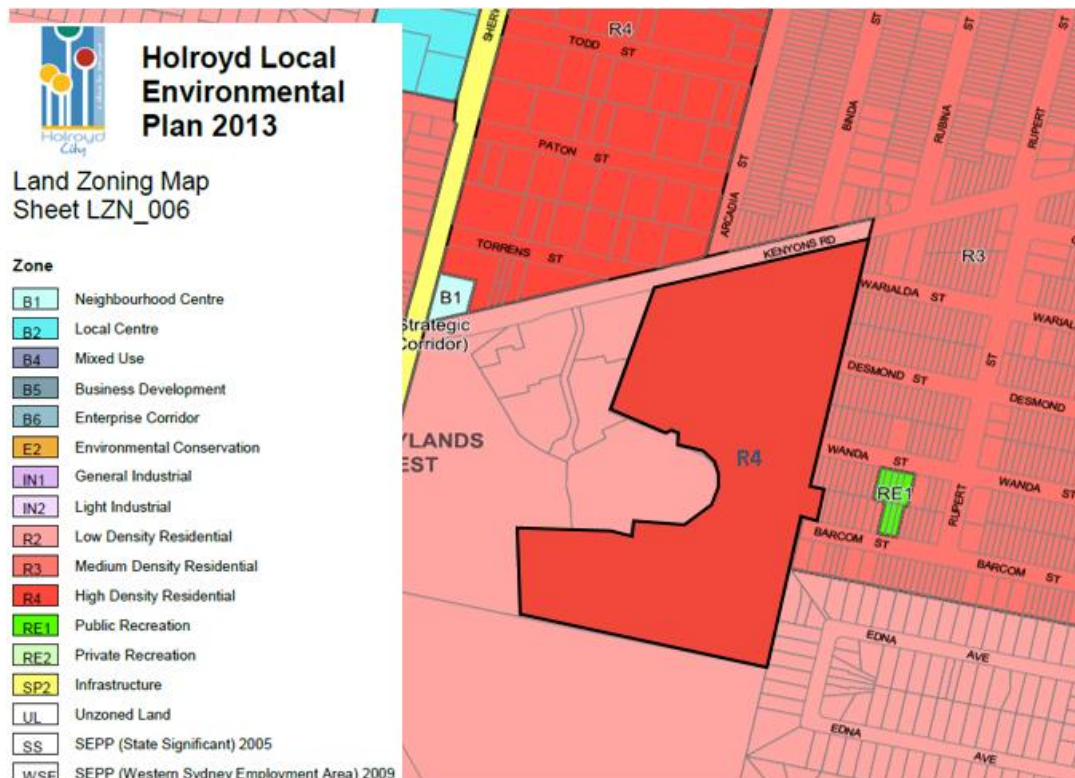


Figure 20: Proposed amendment to Land Zoning Map to HLEP 2013



The zoning table for the R4 – High Density Residential zone provides as follows:

Zone R4 High Density Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Environmental protection works; Exhibition homes; Home businesses; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Seniors housing; Shop top housing

4 Prohibited

Pond-based aquaculture; Tank-based aquaculture Any development not specified in item 2 or 3

The provision of Seniors Housing is permissible with development consent under the R4 – High Density Residential zone. Whilst Seniors Housing is also permissible in the R3 – Medium Density Residential Zone, the variation to the development standards to a height of 20m and FSR of 0.85:1 is more reflective of the R4 – High Density Residential Zone rather than the R3 – Medium Density Residential Zone.

The key difference between the R3 – Medium Density Residential and the R4 – High Density Residential uses is that the R4 – High Density Residential zone permits kiosks, residential flat buildings and shop top housing which is not permissible in the R3 – Medium Density Residential zone. These uses have the potential to impact on the amenity and enjoyment of surrounding properties and therefore their impact must be considered in this Planning Proposal.

Southern Cross Care is a long term not-for-profit Seniors Housing provider who have occupied the site since 1973. Their vision, mission and principles are as follows:

- *To enable older people to live life to the full.*
- *To support the aspirations and needs of people as they age by reflecting the love of Christ.*
- *We are an all-inclusive, welcoming and accepting organisation with a longstanding Catholic tradition of caring for others. Our guiding principles direct our decisions and support our desire to enable those in our care to live full and dignified lives.*

Southern Cross Care seeks to upgrade the existing facilities at the Cardinal Gilroy Village which are nearing the end of their economic life in order to achieve their vision, mission and principles. The accommodation and ancillary facilities on the subject site are not up to modern standards and/or expectations. Whilst it is feasible for the site to be on-sold and different uses permitted on the site rather than Seniors Housing, the likelihood of this occurring are extremely remote as Southern Cross Care would be unable to source a site of a similar size or density to accommodate the existing and proposed residents within the local area to permit the philosophy of “aging in place”.



In terms of permissible uses, whilst the R4 – High Density Residential zone permits residential flat buildings and shop top housing, these uses are not significantly different to the provision of ILU’s for Seniors Housing or the provision of boarding houses which are permissible in both zones. Regardless of the use, it is considered the implementation of the Site Specific DCP for the subject site (submitted with this Planning Proposal) will effectively control development and mitigate the potential impacts of alternative permissible uses in the R4 – High Density Residential zone. That is, appropriate building heights, envelopes and setbacks relating to Seniors Housing will be set in the Site Specific DCP to control development and ensure appropriate building forms are adequately separated from sensitive boundaries to minimise the impacts on neighbours.

Proposed Development Standards

The proposed development standards are detailed in the following maps:

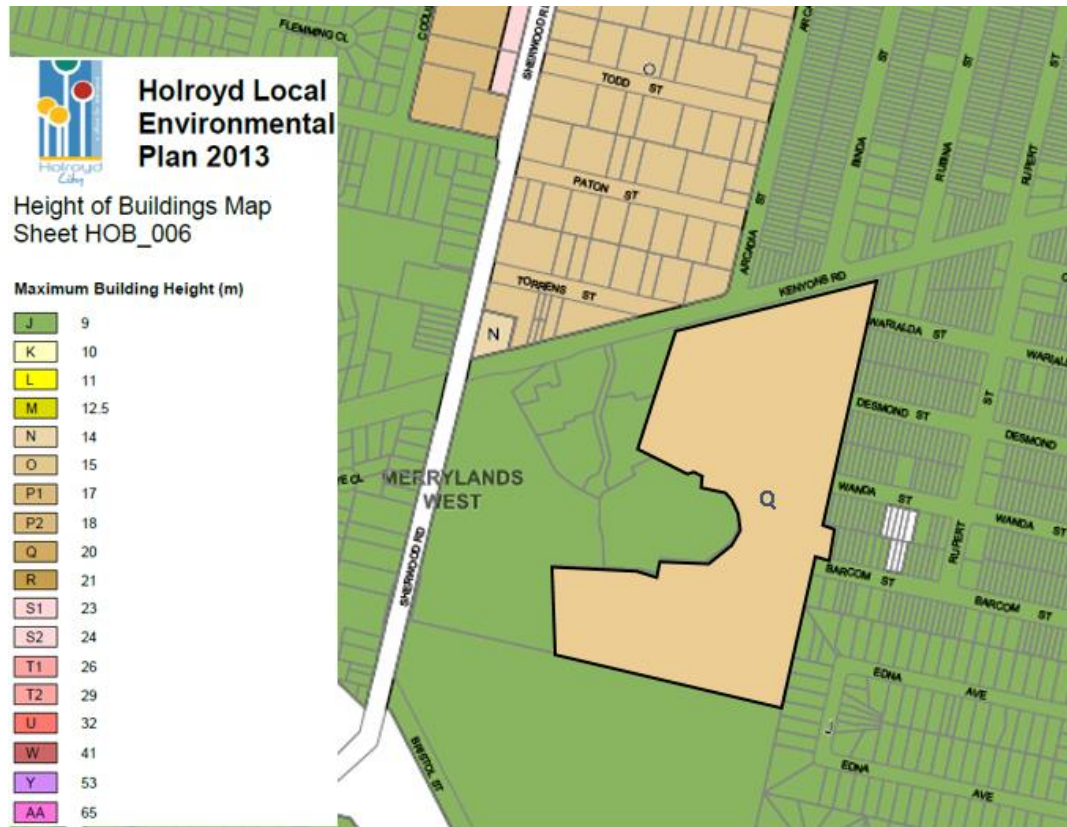


Figure 21: Proposed amendment to Height of Buildings Map to HLEP 2013



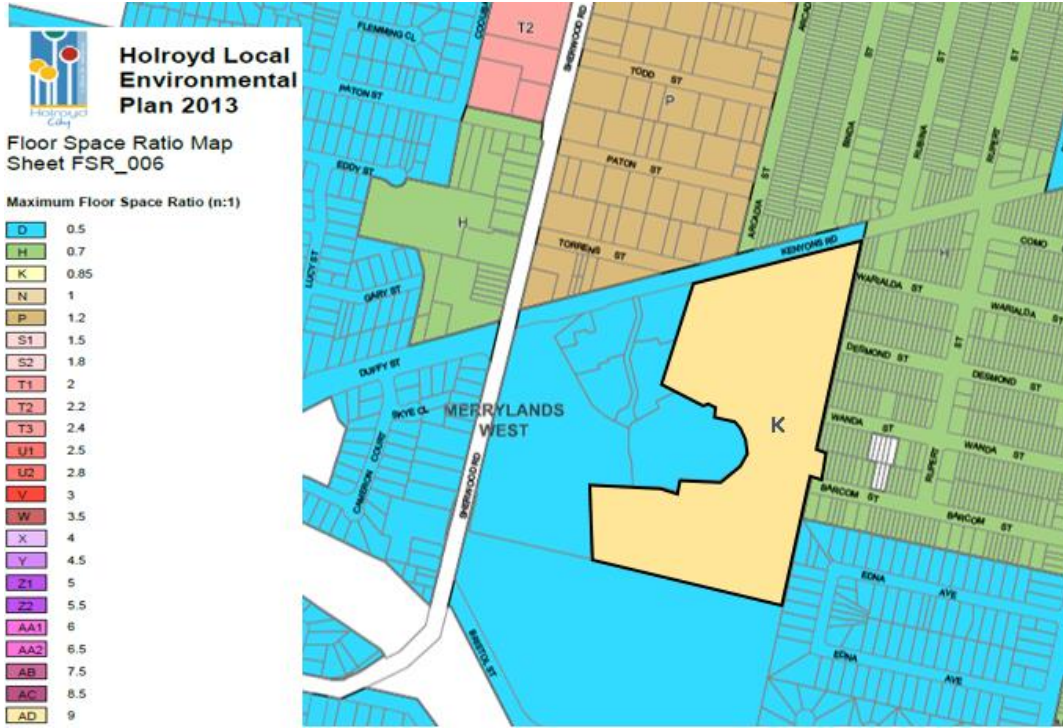


Figure 22: Proposed amendment to the FSR Map to HLEP 2013

5. Planning Proposal

5.1 OBJECTIVES OR INTENDED OUTCOMES – PART 1 OF THE GUIDE

5.1.1 Objectives

The objectives for this Planning Proposal are:

- i. Establish a 'landmark' development for Seniors and People with a Disability and deliver a mix of high quality Seniors Housing to meet a demonstrated need;
- ii. Ensure development is of a scale, location and design to have a positive impact on the visual amenity of the locality whilst being compatible with the surrounding built and natural environment;
- iii. Provide ancillary community facilities to support the residents and their guests by providing a destination space for Seniors and People with a Disability;
- iv. Address housing affordability by providing a mix of housing choices;
- v. Establish an appropriate mix of ancillary community and small-scale permissible non-residential uses on the site to service the day to day needs of the local community;
- vi. Create new vehicular and pedestrian connections and strengthen existing links to public transport;
- vii. Enhance pedestrian permeability through the site to link surrounding sites and publicly accessible spaces;
- viii. Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Merrylands West; and,
- ix. Deliver the highest standards of urban planning and excellence in architectural design.

5.1.2 Intended Outcomes

The Planning Proposal will amend HLEP 2013 to facilitate redevelopment of the site in a manner presented in detail in the concept masterplan prepared by Ethos Urban. The intended outcomes are as follows:

- i. Assist with meeting strategic development outcomes for high quality Seniors Housing Developments to enable the philosophy of "aging in place" within a highly accessible location;
- ii. Deliver a redevelopment proposal that facilitates and supports a vibrant range of integrated land uses, quality publicly accessible (in private ownership) open spaces and through site links;
- iii. Contribute to meeting new dwelling and employment targets set by state, regional and local strategies;
- iv. The provision of 460 ILU's and a 153 bed RACF to meet the increasing demand for Seniors Housing by a registered social housing provider will act as a catalyst for redevelopment of surrounding land;
- v. The provision of a series of high quality buildings which will enable permissible non-residential uses that provide much needed local services, activation and vitality for occupants and surrounding residents;
- vi. Provide new non-residential uses such as kiosks, neighbourhood shops and medical suites on the ground level fronting Kenyons Road to contribute towards the daily convenience needs of the residents and contribute to the economic vitality of the locality within easy and safe walking distance to a catchment of local residents;
- vii. Creating new housing opportunities for Seniors and People with a Disability in an area with high amenity and good access to a variety of transport, social infrastructure and recreational spaces;
- viii. Establish planning controls with the potential to deliver a new built form which integrates with the setting and context of the established character and built form in the surrounding area;
- ix. The retention of significant trees and green open space areas will promote the "green heart" of the site and reduce the Urban Heat loads caused by surrounding development;

- x. To achieve a public benefit in terms of providing a mix of compatible land uses without a significant loss of amenity for adjoining properties; and,
- xi. Allow for the orderly and economic development of the land.

The indicative concept proposal is based on a detailed urban design analysis of the site and its setting combined with input from specialist studies for traffic and movement, detailed modelling of visual impacts and solar access and the feedback provided throughout the assessment process.

5.2 EXPLANATION OF PROVISIONS – PART 2 OF THE GUIDE

The proposed outcome will be achieved by amending the HLEP 2013 as follows:

- amend the land zoning map to apply an R4 High Density Residential zoning as shown in Figure 20;
- amend the height of buildings map to apply a maximum building height as shown in Figure 21; and
- amend the floor space ratio map to apply a maximum FSR as shown in Figure 22.

5.3 JUSTIFICATION – PART 3 OF THE GUIDE

This section details the reasons for the proposed LEP amendments and is based on a series of questions as outlined in the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals'. The matters to be addressed include the strategic planning context of the amendments, potential State and Commonwealth agency interests, environmental, social and economic impacts.

Questions for consideration in demonstrating justification

5.3.1 Section A - The Need for the Planning Proposal

Q1: Is the Planning Proposal the result of any strategic study or report?

In part. There are no strategic studies or reports that directly address the subject site. Nonetheless, the Planning Proposal has been initiated by Southern Cross Care to address a recognised need for housing in the locality and metropolitan region, particularly housing for seniors and people with a disability. In this regard, the Central City District Plan clearly identifies the need for additional Seniors Housing as the preamble for Direction 3 – Liveability states:



As the District's 2016 population of around 970,000 increases, it is ageing. By 2036, the number of residents over 65 is expected to grow by 106 per cent (an additional 122,100 people). The number of single-person households is expected to grow by 81 per cent, although couples with children are expected to remain the dominant household type.

As such, the proposal is consistent with the relevant state, regional or local strategic strategies.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?

Yes. A Planning Proposal is the best and only means of achieving the objectives and intended outcomes discussed in Part 5.1.1 and 5.1.2 of this report.

The current provisions of HLEP 2013 do not permit the built form as described in the supporting Masterplan and indicative concept proposal prepared by Ethos Urban and therefore cannot deliver the opportunity to achieve orderly and economic development on the subject site.



The site has been demonstrated to have a variety of attributes conducive to a higher density development comprising a mixture of permissible non-residential, ancillary community and residential uses as well as the delivery of numerous public benefits. The public benefits of the redevelopment include the following:

- The renewal of the existing Seniors Housing development will act as a catalyst for the future redevelopment of the surrounding R3 and R4 zoned land;
- The provision of 460 ILU's and a 153 bed RACF to meet the increasing demand for Seniors Housing by a registered social housing provider;
- The provision of a series of high quality buildings which will provide permissible non-residential uses (such as kiosk, neighbourhood shop and medical suites) on the ground level fronting Kenyons Road will provide much needed local services, activation and vitality for occupants and surrounding residents;
- The provision of publically accessible (in private ownership) open space in the centre of the site will promote social interaction and forms the fulcrum of the site between the northern and southern precincts;
- The retention of significant trees and green open space areas will promote the "green heart" of the site and reduce the Urban Heat loads caused by surrounding development;
- Connectivity between adjoining properties of different uses can be provided which will enhance linkages with Merrylands High School, Cerdon College, Sherwood Scrubs (Youth Off the Streets) and surrounding residential uses.
- Improvements to public safety and amenity by providing a new vehicular access point on Kenyons Road and providing a one way loop road system around the northern and southern precincts;
- Increased activation and natural surveillance of the public domain, and
- Deliver the highest standards of urban planning and excellence in architectural design.

The public benefits and additional residential density can only be delivered through changes to the current planning provisions.

5.3.2 Section B - Relationship to the Strategic Planning Framework

Assessment against the following matters for consideration listed in The Guide (Questions 3-6) demonstrate that the Planning Proposal has clear strategic planning merit.

This Planning Proposal is consistent with the applicable regional and sub regional strategies. The strategic plans identify the need to deliver a mixture of new housing for a variety of age groups throughout the established urban metropolitan area, particularly in locations that are in close proximity to a variety of public transport options. This Planning Proposal seeks a mix of residential, permissible non-residential and ancillary community uses on a site in an established urban environment that is well served by infrastructure, utilities and public transport which is consistent with the relevant regional and metropolitan plans because the proposal will:

- Increase housing choice and availability in a highly accessible location;
- Deliver redevelopment at a scale which is compatible with the existing and desired future character of the locality;
- Permit future residents and visitors access to well-established services and facilities within the locality with access to various local, strategic and metropolitan centres;
- Increase tree canopy cover to mitigate the urban heat loads; and,
- Permit future occupants and visitors to have the potential to use environmentally efficient buildings with thermal and water efficient design and will have options to use a wide range of transport options.

Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or subregional strategy?

A Metropolis of 3 Cities: The Greater Sydney Region Plan (March 2018)

On 23 March 2018, the Greater Sydney Commission released A Metropolis of 3 Cities: The Greater Sydney Region Plan. The new Regional Plan contains a revised ten directions for the Greater Sydney Metropolitan Area. The Directions include the following:

1. A city supported by infrastructure;
2. A collaborative city;
3. A city for people;
4. Housing the city;
5. A city of great places;
6. A well connected city;
7. Jobs and skills for the city;
8. A city in its landscape;
9. An efficient city;
10. A resilient city.

The Metropolitan Strategy identifies the site as being located within the “Central River City” as detailed in Figure 23.

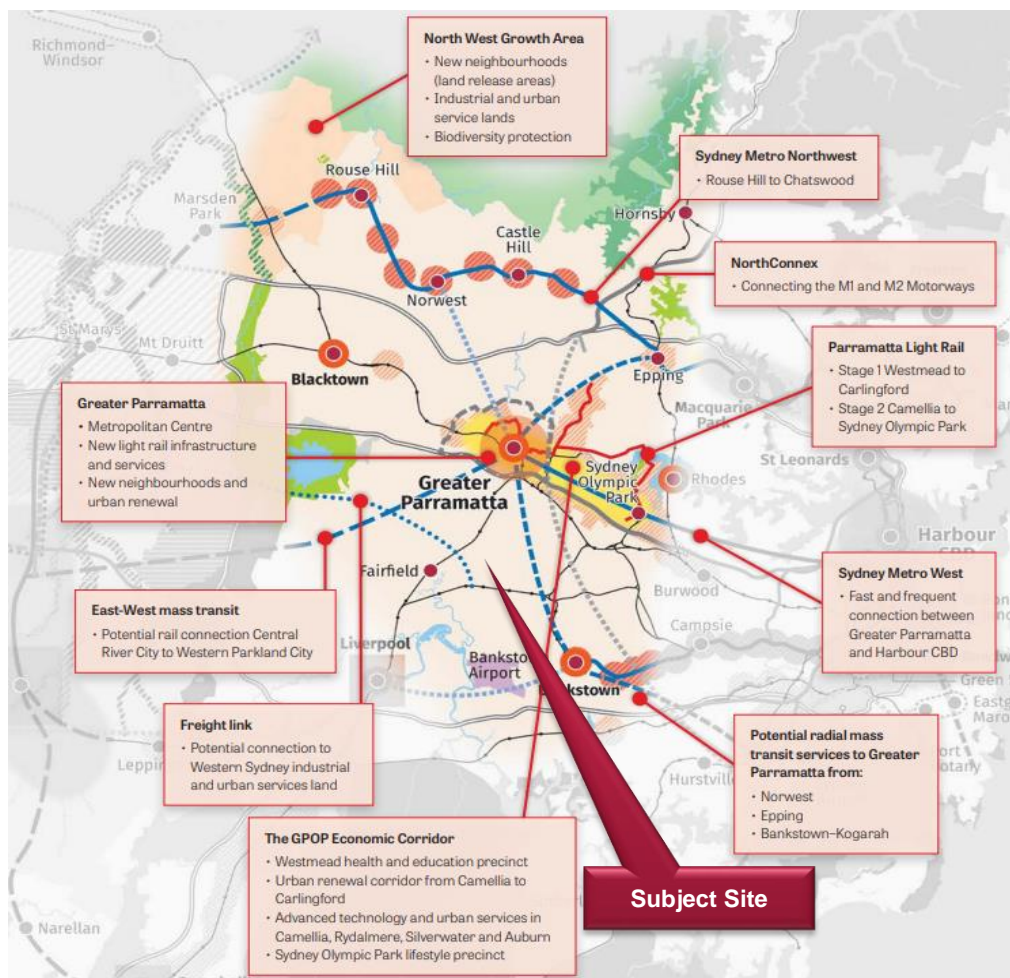


Figure 23: The Central River City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan)

An assessment against the relevant directions and their objectives is provided in the table below.

Table 5 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

Direction 3 – A city for people

Objective 6: Services and infrastructure meet communities' changing needs

This objective is about providing social infrastructure and public places that reflect the needs of the community now and in the future.

The indicative concept proposal will provide high quality adaptable housing, purpose built for older people and people with a disability in an accessible location to meet population demand and the changing demographic of the locality. The proposed R4 – High Density Residential zoning will permit a range of permissible non-residential uses and health services facilities under the Infrastructure SEPP to be located on the Kenyons Road frontage. The Planning Proposal is consistent with this objective.

Objective 7 Communities are healthy, resilient and socially connected

This objective is about creating a lively connected neighbourhood that is in close proximity to shops, creative arts centres, schools, health care centres and community facilities. It promotes the benefits of mixed use centres and the opportunities for public and alternative forms of transport.

The subject site is well-located, accessible to local infrastructure, including public transport, health services and amenities. Space will also be provided on site for publicly accessible open space (in private ownership) to benefit the wider local community. The indicative concept proposal indicates a mixture of residential, permissible non-residential and ancillary community uses on the site, with enhanced pedestrian permeability through the site, including a new vehicular entrance on Kenyons Road. This will enhance the connectivity through the site, enabling improved pedestrian and cycling movements.

Strategy 7.1 specifically seeks to co-locate schools, health, aged care, sporting and cultural facilities and the redevelopment of the subject site for Seniors Housing will promote permeability and increased linkages with surrounding lands uses such as Sherwood Scrubs (Youth Off The Streets), Merrylands High School, Cerdon College and other residential land uses. The Planning Proposal is consistent with this objective.

Objective 8 - Greater Sydney's communities are culturally rich with diverse neighbourhoods

This objective is about fostering cultural diversity and facilitating their growth.

The indicative concept proposal will provide for a mix of one, two and three bedroom apartments (ILU's) and a 153 bed RACF which will provide accommodation for a broad cross section of the community. Southern Cross Care is a registered social housing provider and the redevelopment of the Cardinal Gilroy Village will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to "age in place". The Planning Proposal is consistent with this objective.

Direction 4 – Housing the city

Objective 10 - Greater housing supply

The NSW Government has identified that 725,000 new homes will be needed to meet demand based on current population projections to 2036. Sustained population growth over the coming decades will require a minimum of 36,250 new homes every year. Combined with changing demographics and housing affordability challenges, greater housing choice will be needed.

Table 5 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

The Central City will require 53,500 homes up to 2021 and 207,500 homes up to 2036. In 2016 the proportion of the population over the age of 65 in the Central River City was 12%. This demographic is estimated to rise to 16% of the population, therefore significantly increasing demand for housing for older people.

The indicative concept proposal will provide a supply of high quality housing for older people and people with a disability. The indicative concept proposal will provide for 460 ILUs and a 153 bed RACF within an accessible location in terms of public transport, services and community facilities. Southern Cross Care is a registered social housing provider and the redevelopment of the Cardinal Gilroy Village will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to “age in place”. The Planning Proposal will contribute towards providing purpose built Seniors Housing to cater for the ageing population and will assist in meeting the dwelling targets for the Central City and is consistent with this objective.

Objective 11 - Housing is more diverse and affordable

The Plan encourages the provision of a supply of diverse housing supply and encourages the provision of Affordable Housing.

In providing a supply of apartments for Seniors and people with a disability, the indicative concept proposal will add to the diversity of accommodation in the Merrylands West area. The indicative concept proposal outlines that the housing mix will comprise of 93 x 1 bedroom (20%), 348 x 2 bedroom (76%), and 19 x 3 bedroom (4%) ILUs, as well as a 153 bed RACF.

Southern Cross Care is a registered social housing providing and has deep roots in the community with the establishment of the Cardinal Gilroy Village in 1973. The indicative concept proposal seeks to deliver accessible housing to broad spectrum of Seniors and people living with a disability. The Planning Proposal is consistent with this objective.

Direction 5 – A city of great places

Objective 12 - Great places that bring people together

The Metropolitan Plan promotes the following principles for the design of great places:

- People friendly public open space areas and streets;
- Fine grain fabric and activity;
- A diverse mix of uses;
- A socially connected region;
- Ensure adequate car parking which takes into account access to public transport; and
- Encourage the use of car sharing and hybrid vehicles.

The indicative concept proposal will provide through site connections as well as a mix of residential, permissible non-residential and ancillary community uses that directly accords with the plans ambition. The mix of uses on site will encourage social interaction and provide for greater services in close proximity to Seniors Housing. The central open space area is publicly accessible land (in private ownership) will act as a fulcrum for the northern and southern precincts of the site which is directly linked to all other buildings on the site and surrounding land uses.

The site is in an accessible location and the provision of car parking will be cognisant of the use of the site for Seniors and people with a disability and the sites proximity to public transport and surrounding services. Alternative forms of transport, car sharing and electric vehicles will be encouraged and detailed at the development application stage. The Planning Proposal is consistent with this objective.

Table 5 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

Objective 13 – Environmental heritage is identified, conserved and enhanced

The Plan seeks to manage and monitor the cumulative impact of development on the heritage values and character of places.

The subject site is adjacent to a local heritage item and the indicative concept proposal outlines the appropriate scale and location of built form to ensure that redevelopment of the site will assimilate with the existing heritage item to the west. A Heritage Impact Statement has been prepared by NBR Architecture and Heritage to consider the heritage impacts of the indicative concept proposal. The Planning Proposal is consistent with this objective.

Direction 8 – A city in its landscape

Objective 30 - Urban tree canopy cover is increased

The Metropolitan Plan seeks to expand the urban tree canopy in the public realm.

The indicative concept proposal will retain seventy eight (78) trees on the site, including most *'priority for retention'* trees and a large portion of the *'consider for retention'* trees. The trees to be removed will be more than compensated by a significantly improved and structured landscaped proposal to ensure the long term retention of the trees and a high level of amenity for the subject site (refer to the Landscape Plan prepared by Site Image Landscape Architects). There will be adequate opportunities for compensatory planting to enhance the streetscape and the microclimatic conditions within the site which will be detailed at the development application stage. The urban tree cover will be enhanced by the proposed development which will also reduce urban heat loads in the locality.

The choice of landscaping and its placement around the periphery of the site and within the publicly accessible and communal open spaces at ground level will enhance ground level amenity and provide a leafy outlook for workers and residents on the site. The Planning Proposal is consistent with this objective.

Direction 9 – An efficient city

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

The Metropolitan Plan supports precinct based initiatives to increase renewable energy generation and efficiencies.

It is proposed to explore a number of sustainability measures through the development of the site including rainwater harvesting, increased landscaping and tree canopy cover, and the use of natural ventilation and lighting where possible. Southern Cross Care are a Silver Partner under the Sustainability Advantage program coordinated by the NSW Office of Environment and Heritage. In 2016, Southern Cross Care were awarded the Age and Community Services Gareth Williamson Sustainability Award for their achievements. Therefore sustainability will be an integral part of any future development application. The Planning Proposal is consistent with this objective.

Direction 10 – A resilient city

Objective 38: Heatwaves and extreme heat are managed

The Metropolitan Plan seeks to mitigate the urban heat island effect and reduce vulnerability to extreme heat.

It is proposed to explore a number of measures in design and material choices that will reduce the urban heat loads and therefore reduce the reliance on mechanical ventilation. The indicative concept proposal shows an increase in landscaping on the subject site to enhance the tree canopy coverage on the site. The Planning Proposal is consistent with this objective.

Central City District Plan

In March 2018, the Greater Sydney Commission released the Central City District Plan. The Central City District Plan is a guide to implementing the Greater Sydney Region Plan at a District level. It provides a 20-year plan to manage growth and achieve the 40 year vision.

The Central City District Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. Of particular reference to the subject Planning Proposal is liveability priorities (Direction 3). The preamble for Direction 3 – Liveability states:

As the District's 2016 population of around 970,000 increases, it is ageing. By 2036, the number of residents over 65 is expected to grow by 106 per cent (an additional 122,100 people). The number of single-person households is expected to grow by 81 per cent, although couples with children are expected to remain the dominant household type.

Additional housing to improve diversity and affordability co-ordinated with transport, centres and services are required in response to population growth and the ageing population. As such, the local area will require more dwellings, jobs and infrastructure in order to accommodate the needs of the growing and aging population. In addition, economic investigation has shown there is a strong demand for certain medium density housing typologies, including Seniors Housing.

The District Plan outlines actions how the Central City District will work towards meeting the priorities and objectives of the Regional Plan. Figure 24 details the land within the Central City District Plan which details that Merrylands West is a Local Centre:

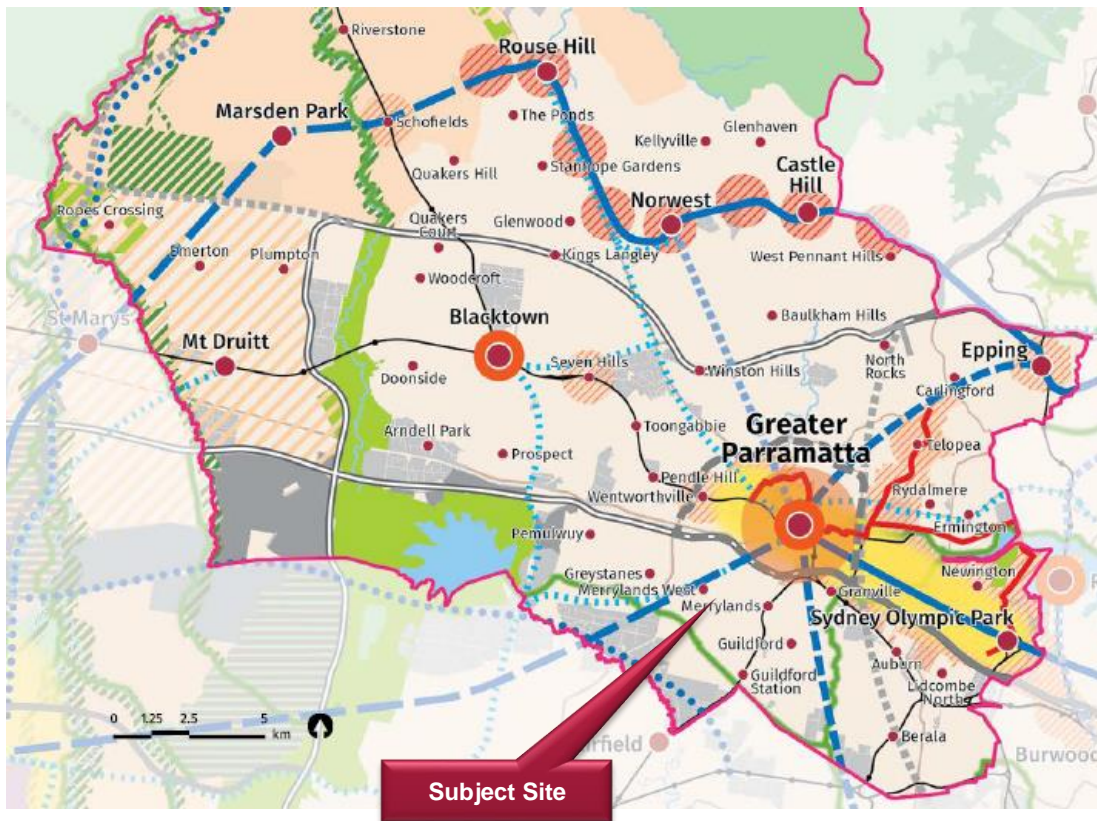


Figure 24: The Central City District Plan locality (Source: Central City District Plan)

The Planning Proposal supports a number of the actions outlined in the plan as outlined in the following table:

Table 6 Central City District Plan	
Direction 3 – A city for people	
Planning Priority C3 Providing services and social infrastructure to meet people’s changing needs	
8. Deliver social infrastructure that reflects the needs of the community now and in the future.	It is estimated that there will be a 183% increase in people aged 85 and over and a 95% increase in the 65-84 age group in the district by 2036. The indicative concept proposal seeks to increase the availability of housing for older people and people with a disability on the subject site to support this growth in demographic. The Planning Proposal is consistent with this objective.
Planning Priority C4 Fostering healthy, creative, culturally rich and socially connected communities	
10. Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by: <ul style="list-style-type: none"> a. providing walkable places at a human scale with active street life b. prioritising opportunities for people to walk, cycle and use public transport c. co-locating schools, health, aged care, sporting and cultural facilities d. promoting local access to healthy fresh food and supporting local fresh food production. 	<p>The indicative concept proposal intends to create high quality and accessible areas for new residents, visitors and neighbours and cater for a wide variety of people and day to day activities through the introduction of new community facilities.</p> <p>The indicative concept proposal will deliver a mixture of residential, permissible non-residential and ancillary community uses in a well-connected location, in close proximity to services and amenities. The subject site is connected to a number of strategic and local centres and comprises of a bus stop within the subject site which will be retained. Alternatively, the site is also less than 500m walking distance of numerous bus stops and will promote alternative forms of transport. The Planning Proposal is consistent with this objective.</p>
15. Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places.	<p>The indicative concept proposal is expected to have a positive social impacts when factoring in the key social-economic indicators of population, ancestry, employment and housing tenure and will not result in any negative impacts on the social fabric of the surrounding area.</p> <p>A Social Impact Statement has been prepared by Ethos Urban and is submitted with this Planning Proposal (refer to Annexure E). The Planning Proposal is consistent with this objective.</p>
Direction 4 – Housing the city	
Planning Priority C5 Providing housing supply, choice and affordability with access to jobs, services and public transport	
16. Prepare local or district housing strategies that address the following:	Cumberland Council is required to provide an additional 9,350 dwellings from 2016-2021. The concept proposal provides for up to 460 dwellings for Seniors and people with a disability and a 153

Table 6 Central City District Plan

<p>a. the delivery of five-year housing supply targets for each local government area</p> <p>b. the delivery of 6-10 year (when agreed) housing supply targets for each local government area</p> <p>c. capacity to contribute to the longer term 20-year strategic housing target for the District</p> <p>d. the housing strategy requirements outlined in Objective 10 of A Metropolis of Three Cities that include:</p> <ul style="list-style-type: none"> i. creating capacity for more housing in the right locations ii. supporting planning and delivery of growth areas and planned precincts as relevant to each local government area iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure iv. supporting the role of centres. 	<p>bed RACF. The indicative concept proposal will provide a development that will respond to two key issues by providing additional housing and providing additional housing for an aging population.</p> <p>Southern Cross Care is a registered social housing provider and the redevelopment of the Cardinal Gilroy Village will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to “age in place”.</p> <p>The site is currently underdeveloped and the indicative concept proposal represents an opportunity for an appropriate uplift to provide for a variety of permissible npn-residential uses, ancillary community and residential uses in an accessible area.</p> <p>The Planning Proposal will contribute towards providing purpose built Seniors Housing to cater for the ageing population and will assist in meeting the dwelling targets for the Central City and is consistent with this objective.</p>
<p>Direction 5 – A city of great places</p>	
<p>Planning Priority C6 Creating and renewing great places and local centres, and respecting the District’s heritage</p>	
<p>1. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> a. prioritising a people-friendly public realm and open spaces as a central organising design principle b. recognising and balancing the dual function of streets as places for people and movement c. providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres d. integrating social infrastructure to support social connections and provide a community hub e. recognising and celebrating the character of a place and its people. 	<p>The subject site is well-located, with good levels of access to a number of local, strategic and metropolitan centres.</p> <p>The Central open space area which is publicly accessible land (in private ownership) will act as a fulcrum for the northern and southern precincts of the site which is directly linked to all other buildings on the site and surrounding land uses. The high level of permeability and through site links will promote great places and social interaction.</p> <p>The indicative concept proposal provides permissible non-residential uses and ancillary community facilities that are integrated with the proposed and existing residential uses in the locality. It is anticipated that this will support social connections in the locality. The Planning Proposal is consistent with this objective.</p>
<p>2. Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place 	<p>The indicative concept proposal sets out the appropriate location, scale, massing and form of development that can be achieved on the subject site without adversely impacting existing heritage values and character in the area.</p>



Table 6 Central City District Plan	
<p>b. applying adaptive re-use and interpreting heritage to foster distinctive local places</p> <p>c. managing and monitoring the cumulative impact of development on the heritage values and character of places.</p>	<p>A Heritage Impact Statement has been prepared by NBRS Architecture and Heritage and is submitted with this Planning Proposal. The Planning Proposal is consistent with this objective.</p>
Direction 8 – A city in its landscape	
Planning Priority C16 Increasing urban tree canopy cover and delivering Green Grid connections	
<p>68. Expand urban tree canopy in the public realm.</p>	<p>The indicative concept proposal will enhance the public domain by providing significant trees around the periphery of the site to expand the urban tree canopy and make connections with the existing tree network. There will be adequate opportunities for compensatory planting to enhance the streetscape and the microclimatic conditions within the site which will be detailed at the development application stage. The urban tree cover will be enhanced by the proposed development which will also reduce urban heat loads in the locality.</p> <p>The choice of landscaping and its placement around the periphery of the site and within the publicly accessible and communal open spaces at ground level will enhance ground level amenity and provide a leafy outlook for workers and residents on the site. The Planning Proposal is consistent with this objective.</p>
Direction 10 – An efficient city	
Planning Priority C19 Reducing carbon emissions and managing energy, water and waste efficiently	
<p>77. Protect existing and identify new locations for waste recycling and management.</p> <p>78. Support innovative solutions to reduce the volume of waste and reduce waste transport requirements.</p>	<p>It is proposed to explore a number of sustainability, waste and recycling measures through the development of the site, including the use of solar panels, green roofs and walls, rainwater harvesting, stormwater management, and the use of natural ventilation where possible.</p> <p>Southern Cross Care are a Silver Partner under the Sustainability Advantage program coordinated by the NSW Office of Environment and Heritage. In 2016, Southern Cross Care were awarded the Age and Community Services Gareth Williamson Sustainability Award for their achievements. The Planning Proposal is consistent with this objective.</p>
Planning Priority C20 Adapting to the impacts of urban and natural hazards and climate change	
<p>83. Mitigate the urban heat island effect and reduce vulnerability to extreme heat.</p>	<p>Various measures will be explored to mitigate the urban heat island effect, including choices in materials and increasing tree canopy cover on the site. The Planning Proposal is consistent with this objective.</p>



Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?

Cumberland Community Strategic Plan 2017-27

The Cumberland Community Strategic Plan 2017-2027 was adopted by Council after extensive community engagement. The Plan has been prepared by Council through a series of community consultations. This Plan sets out the community's vision for the next 10 years and sets out six strategic goals to deliver that vision:

- Goal 1 – A great place to live
- Goal 2 – A safe accessible community
- Goal 3 – A clean and green community
- Goal 4 – A strong local economy
- Goal 5 – A resilient built environment
- Goal 6 – Transparent and accountable leadership

The following table details how the Planning Proposal is consistent with the relevant vision and strategic goals of the Cumberland Community Strategic Plan:

Table 7 Cumberland Community Strategic Plan	
Goal 1 - A great place to live	
<p>We have positive connections within our local community through our local programs and services that reflect our unique identity</p> <p>We have high quality community facilities and spaces that fit our purposes</p> <p>We live healthy and active lifestyles</p>	<p>The indicative concept proposal provides for a mixture of residential, permissible non-residential and ancillary community uses on the subject site that will be tailored to the needs of the local community. Pedestrian walkways are proposed throughout the site to encourage walking and will provide access to both Barcom Street and Kenyons Road.</p> <p>The indicative concept proposal will provide potential through site links to Merrylands High School, Cerdon College, Sherwood Scrubs (Youth Off The Streets) and surrounding residential uses to promote permeability and social interaction. The Central open space area will be publicly accessible land (in private ownership) and provides the fulcrum for the proposed development. The connectivity and social interaction proposed in the indicative concept proposal will be a significant public benefit to occupants and surrounding uses.</p>
Goal 2 – A safe accessible community	
<p>We feel safe in all areas of Cumberland at all times</p> <p>We have equal access to local services and facilities</p>	<p>It is anticipated that the redevelopment of the site will enable better design, utilising CPTED principles. The indicative concept proposal shows that pedestrian walkways and open spaces throughout the site are located in between buildings to maximise passive surveillance opportunities. The site will be open and accessible to the public during daylight hours and controlled after dark. Ancillary community facilities will be available to residents and their guests.</p>
Goal 3 – A clean and green community	



Table 7 Cumberland Community Strategic Plan	
<p>We have great natural and green spaces that suit a variety of uses</p> <p>We value the environment and have measures in place to protect it</p>	<p>The indicative concept proposal provides for an increase in landscaped area and green spaces throughout the site. These will be in the form of communal gardens, including the publicly accessible (in private ownership) central open space area. These landscaped areas will allow the retention of significant trees and the planting of new trees to benefit local biodiversity as well as assist in mitigating urban heat loads for the locality.</p>
Goal 5 – A resilient built environment	
<p>Our planning decisions and controls ensure the community benefits from development</p>	<p>The indicative concept proposal provides for a mixture of residential and community uses, delivered by Southern Cross Care (NSW & ACT), a specialist provider of integrated services for older people. The proposal includes the provision of housing for older people and people with a disability as well as ancillary community facilities and associated open spaces to serve the wider community and will have clear benefits for the local community. Furthermore, the indicative concept proposal seeks to establish a high degree of design excellence that will be highly compatible with the character of the local area and enhance the visual amenity of the site and surrounds.</p>

Draft Cumberland 2030: Our Local Strategic Planning Statement

On 1 July 2019, the draft Cumberland 2030: Local Strategic Planning Statement was placed on exhibition until 30 August 2019.

Local Strategic Planning Statements (LSPS) are a new legislative requirement for Councils, requiring a 20-year vision for land use, as well as outlining strategies for managing change and preserving the unique character of their areas. The draft LSPS will provide Council with strategic direction for planning and help facilitate a coordinated approach to managing growth and development in the Cumberland area. The draft LSPS will align with the Community Strategic Plan and Central City District Plan.

The following table details how the Planning Proposal is consistent with the relevant vision and strategic goals of the draft Cumberland LSPS:

Table 8 Draft Cumberland Local Strategic Planning Statement	
Priority 2 – Place and spaces for everyone	
<p>Local Planning Priority 5 – Deliver housing diversity to suit changing needs</p>	<p>Cumberland Council is required to provide an additional 9,350 dwellings from 2016-2021. The concept proposal provides for up to 460 dwellings for Seniors and people with a disability and a 153 bed RACF. The indicative concept proposal will provide a development that will respond to two key issues by providing additional housing and providing additional housing</p>



Table 8 Draft Cumberland Local Strategic Planning Statement

	<p>for an aging population. The Planning Proposal is consistent with this planning priority.</p>
<p>Local Planning Priority 6 – Deliver affordable housing suitable for the needs of all people at various stages of their lives</p>	<p>The indicative concept proposal provides for up to 460 dwellings for Seniors and people with a disability and a 153 bed RACF. Southern Cross Care is a registered social housing provider and the redevelopment of the Cardinal Gilroy Village will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to “age in place”. The Planning Proposal will contribute towards providing purpose built Seniors Housing to cater for the ageing population and will assist in meeting the dwelling targets for the Central City and is consistent with this planning priority.</p>
<p>Local Planning Priority 9 – Provide high quality, fit-for-purpose community and social infrastructure in line with growth and changing requirements</p>	<p>The indicative concept proposal will provide potential through site links to Merrylands High School, Cerdon College, Sherwood Scrubs (Youth Off The Streets) and surrounding residential uses to promote permeability and social interaction. The central open space area will be publicly accessible land (in private ownership) and provides the fulcrum for the proposed development. The connectivity and social interaction proposed in the indicative concept proposal will be a significant public benefit to occupants and surrounding uses. The Planning Proposal is consistent with this planning priority.</p>
<p>Priority 3 – Local jobs and businesses</p>	
<p>Local Planning Priority 11 – Promote access to local jobs, education opportunities and care services</p>	<p>Southern Cross Care is a registered social housing provider and the redevelopment of the Cardinal Gilroy Village will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to “age in place”. The indicative concept proposal will include residential, permissible non-residential and ancillary community uses on the site which will provide for care services for Seniors and people with a disability and much needed jobs for local residents. The Planning Proposal is consistent with this planning priority.</p>
<p>Priority 4 – The great outdoors</p>	
<p>Local Planning Priority 13 – Protect, enhance and increase our natural and green spaces</p>	<p>The indicative concept proposal will retain seventy eight (78) trees on the site, including most ‘<i>priority for retention</i>’ trees and a large portion of the ‘<i>consider for retention</i>’ trees. The trees to be removed will be more than compensated by a significantly improved and structured landscaped proposal to</p>

Table 8 Draft Cumberland Local Strategic Planning Statement

	ensure the long term retention of the trees and a high level of amenity for the subject site (refer to the Landscape Plan prepared by Site Image Landscape Architects). There will be adequate opportunities for compensatory planting to enhance the streetscape and the microclimatic conditions within the site which will be detailed at the development application stage. The urban tree cover will be enhanced by the proposed development which will also reduce urban heat loads in the locality. The Planning Proposal is consistent with this planning priority.
Local Planning Priority 15 – Plan for a resilient city that can adapt to natural hazards and climate change	Southern Cross Care are a Silver Partner under the Sustainability Advantage program coordinated by the NSW Office of Environment and Heritage. In 2016, Southern Cross Care were awarded the Age and Community Services Gareth Williamson Sustainability Award for their achievements. These sustainability measures will be implemented at the development application stage. The Planning Proposal is consistent with this planning priority.
Local Planning Priority 16 – Support urban cooling to minimise heat island effects	The urban tree cover will be enhanced by the proposed development which will also reduce urban heat loads in the locality. The Planning Proposal is consistent with this planning priority.

Q5: Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

There are no State Environmental Planning Policies (SEPPs) or draft Policies or Deemed SEPPs that would prohibit or restrict this Planning Proposal. A list of relevant SEPPs is included in Table 9.

Table 9: Relevant State Environmental Planning Policies

SEPP	Relevance	Consistency	Comments
SEPP No 55- Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land.	Yes	The subject site has a long history of residential uses. This Planning Proposal will not result in any activities which would be likely to expose humans or the environment to risks of contamination. This application does not change the manner in which this SEPP applies to the site.
SEPP (Building Sustainability)	This SEPP requires residential development to achieve minimum performance standards for thermal comfort	Yes	This Planning Proposal does not change the manner in which this SEPP will apply to any future development application for new dwellings.



Table 9: Relevant State Environmental Planning Policies

SEPP	Relevance	Consistency	Comments
Index: BASIX) 2004	and water efficiency with the intention of reducing demand for energy and potable water.	Yes	The site is within an accessible location and the provision of the SEPP would apply to the site. This Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Affordable Rental Housing) 2009	This SEPP facilitates the provision of affordable rental housing and retention of existing affordable housing as well as encourages the siting of affordable housing in accessible locations through bonus incentives.		
SEPP (Housing for Seniors or People with a Disability) 2004	This SEPP facilitates the provision of housing for Seniors and People with a Disability as well as encouraging services for residents and affordable housing in accessible locations through bonus incentives.	Yes	The site is within an accessible location and the provision of the SEPP would apply to the site. Given the site is zoned R2 – Low Density Residential it is the SEPP Seniors that makes the existing development permissible. The Planning Proposal seeks to change to zoning to R4 – High Density Residential where Seniors Housing is permissible thereby reducing reliance upon SEPP Seniors. Despite this, this Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Exempt and Complying Development Codes) 2008	This SEPP defines types of development for which development consent is not required.	Yes	This Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Infrastructure) 2007	This Policy aims to facilitate the delivery of new infrastructure and protect the safe and efficient operation of existing infrastructure.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.





Table 9: Relevant State Environmental Planning Policies

SEPP	Relevance	Consistency	Comments
SEPP 64 – Advertising and Signage	This SEPP aims to facilitate and regulate advertising and signage.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.
SEPP 65 (Design Quality of Residential Apartment Development)	This SEPP aims to improve the design quality of developments containing apartments. The SEPP is linked to the Apartment Design Guide (ADG) which includes specific objectives and recommendations for detailed design requirements.	Yes	<p>This Planning Proposal seeks increased height and FSR controls to increase the scale of future built form on the site. The provisions of SEPP 65 will apply to the site.</p> <p>The indicative concept proposal prepared by Ethos Urban and submitted with the application demonstrates that the proposal is capable of general compliance with the ADG provisions, including, but not limited to the following:</p> <ul style="list-style-type: none">• A mix of apartment sizes of sufficient area;• Solar access to more than 70% of apartments;• Cross ventilation to more than 60% of apartments;• Building separation;• Sufficient deep soil landscaping; and• Communal open space and solar access to 50%. <p>The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.</p>
SEPP (Vegetation in Non-Rural Areas) 2017	This SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.



Q6: Is the Planning Proposal consistent with the applicable Ministerial Directions?

The consistency of the Planning Proposal with the relevant Ministerial Directions is demonstrated in Table 10.

Table 10: Section 9.1 Ministerial Directions			
Ministerial Direction	Relevance	Consistency	Implications
2. Environment and Heritage			
2.3 Heritage Conservation	<p>(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>This direction applies to all planning authorities when preparing a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.</p>	Yes	<p>Direction 2.3 applies to this Planning Proposal as the subject site is located in the vicinity of a local heritage item.</p> <p>The indicative concept proposal provides indicative building heights and separation distances to the adjacent heritage item to ensure that its heritage significance and setting will not be prejudiced. This will be detailed within the Site Specific DCP submitted with this Planning Proposal.</p> <p>A Heritage Impact Assessment has been prepared by NBR Architecture and Heritage and is submitted with the Planning Proposal.</p> <p>The Planning Proposal is therefore broadly consistent with Direction 2.3.</p>
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<p>(1) The objectives of this direction are to:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs;</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p> <p>The Direction applies to all planning authorities and applies when a relevant planning authority prepares a planning proposal that will affect land within an</p>	Yes	<p>Direction 3.1 applies to this Planning Proposal as the subject site is within a zone where significant residential development is permitted.</p> <p>This Planning Proposal will facilitate the construction of 460 ILUs and a 153 bed RACF, which is a significant increase in density for the site. The new housing will be primarily for Seniors and people living with a disability and will represent the orderly and economic use of the land, which is in an accessible location and is currently under-developed.</p> <p>As detailed in the indicative concept proposal, the proposed massing will be compatible with surrounding built form. The dwellings proposed</p>



	<p>existing residential zone or a zone which permits significant residential development.</p> <p>A planning proposal must encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden choice of building types and locations; (b) make more efficient use of existing infrastructure and services; (c) reduce land consumption on the urban fringe; (d) be of good design. <p>A Planning Proposal must:</p> <ul style="list-style-type: none"> (a) contain a provision that residential development is not permitted until land is adequately serviced; and (b) not contain provisions that reduce density. 		<p>will be high quality and are capable of compliance with the relevant provisions of the SEPP (Housing for Seniors or People with a Disability) and the ADG.</p> <p>The additional density will be serviced by the existing and planned infrastructure and services in the locality.</p> <p>The Planning Proposal is therefore consistent with Direction 3.1.</p>
<p>3.4 Integrating Land Use and Transport</p>	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. <p>This direction applies to all relevant planning authorities and to all Planning Proposals that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>Yes</p>	<p>This Direction applies to this Planning Proposal as it seeks to increase housing densities within urban zoned land.</p> <p>This Planning Proposal seeks to increase the density of residential development and provide permissible non-residential uses of a limited scale to serve the day to day convenience needs of the locality. The proposed ancillary community uses will be accessed via new pedestrian walkways, which is likely to encourage pedestrian activity and social interaction.</p> <p>A Traffic Report has been prepared by TTW which concludes that the indicative concept proposal will have a minimal impact on traffic generation for the site and is capable of providing parking to cater for the redevelopment of the site. The detailed parking and traffic designs will be developed at the development application stage.</p> <p>A new bus stop will also be located within the site, in the approximate location of the existing,</p>





	<p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>		<p>to encourage public transport use for residents, employees and visitors.</p> <p>The Planning Proposal is therefore consistent with Direction 3.4.</p>
4. Hazard and Risk			
<p>4.3 Flood Prone Land</p>	<p>The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>This direction applies to all relevant planning authorities and to Planning Proposals that create, remove or alter a zone or a provision that affects flood prone land.</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the development of that land,</p> <p>(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</p>	<p>Yes</p>	<p>The South-western corner of the site is flood affected land. A Flooding and Stormwater Assessment has been undertaken by Northrop which conclude as follows:</p> <p><i>“The south-eastern part of the site is known to be flood affected, with the existing flow path (floodway) having contributing catchments from upstream properties as well as the subject site. To enable development to occur within this area, it is suggested the upstream catchments be diverted around the proposed building footprints and conveyed to the existing point of discharge, via a pit and pipe network and overland flow path. Our assessment indicates that this is feasible and that the required conveyance capacity and flood storage volume can be accommodated spatially within the proposed masterplan.”</i></p> <p>Northrop has been engaged with the Planning Proposal from early design stages to provide advice and design guidance to mitigate the impacts of flooding. It is concluded that the risks associated with flooding and overland flow can be controlled and mitigated. Detailed design development will be undertaken at the development application stage. Therefore any impacts are considered to be of minor significance.</p> <p>The Planning Proposal is therefore consistent with Direction 4.3.</p>





	<p>(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</p> <p>(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>		
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6. Local Plan Making

<p>6.3 Site Specific Provisions</p>	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>This direction applies to all relevant planning authorities and to all Planning Proposals.</p> <p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> - allow that land use to be carried out in the zone the land is situated on, or - rezone the site to an existing zone already applying in the 	<p>Yes</p>	<p>This application for a Planning Proposal seeks amendments to HLEP 2013 to:</p> <ul style="list-style-type: none"> • apply Zone R4 – High Density Residential to the site at No. 45 Bacrom Street, Merrylands; • apply height of buildings controls which will increase the height from 9m to 20m; and • apply FSR controls which will increase the FSR from 0.7:1 to 0.85:1. <p>The Planning Proposal will be accompanied by a Site Specific DCP that seeks to control development as a result of the change to the HLEP 2013. The amendment is consistent with Direction 6.3 because it:</p>
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	<p>environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <ul style="list-style-type: none"> - allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>		<ul style="list-style-type: none"> • does not introduce a new land use zone that is not already contained in HLEP 2013; and • does not introduce new development standards that are not already contained in the HLEP 2013. <p>The application for a Planning Proposal is therefore consistent with Direction 6.3.</p>
7. Metropolitan Planning			
<p>7.1 Implementation of A Plan for Growing Sydney</p>	<p>This Direction applies to all Planning Proposals in nominated Local Government Areas and seeks to give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in <i>A Plan for Growing Sydney</i>.</p> <p>A Planning Proposal must be consistent with the Plan unless the inconsistency is of minor significance and the planning proposal achieves the overall intent of the Plan.</p>	<p>Yes</p>	<p>A Plan for Growing Sydney has been superseded by the Greater Sydney Commission's Greater Sydney Region Plan (A Metropolis of Three Cities). For the reasons discussed in Table 5, the Planning Proposal is consistent with the broader strategic planning for Greater Sydney and the Central City District.</p>

5.3.3 Section C - Environmental, Social and Economic Impacts

Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A Preliminary Arboricultural Assessment has been prepared by Tree IQ and accompanies the Planning Proposal (Appendix D). The Assessment identifies that there are 320 trees on or directly adjacent to the site. The Preliminary Arboricultural Assessment report states as follows:

Aerial images of the site from 1943 show a concentration of mature vegetation in the northern half of the site with small groups, rows and individual trees scattered throughout the southern half of the site. Five (5) mature specimens of Eucalyptus crebra (Narrow Leaf Ironbark) and Eucalyptus moluccana (Grey Box) were identified throughout the site with the highest concentration along the northern boundary. It is not possible to determine the exact age of these trees however the larger specimens are likely to predate 1943. The two (2) large Melaleuca decora (White Feather Honey myrtle) identified as Trees 125 and 301 can be clearly identified as mature specimens in this aerial imagery. The large size of the trees in 1943 may suggest that Trees 125 and 301 are remnant vegetation or early plantings associated with European colonisation.

Eucalyptus scoparia Wallangarra White Gum (Trees 159 & 211) is listed as Endangered under the NSW Biodiversity Conservation Act (2016) and Vulnerable under the Commonwealth Environment Protection and



Biodiversity Conservation Act (1999). Eucalyptus nicholii Narrow Leaf Peppermint (Tree DP) is listed as Vulnerable under the NSW Biodiversity Conservation Act (2016) and the Commonwealth Environment Protection and Biodiversity Conservation Act (1999). However, these trees are planted specimens and are not a component of a locally indigenous vegetation community. No other individual threatened tree species listed within the BioNet Atlas of NSW Wildlife Database for the area were identified during the field investigations of the site.

As such, it is concluded that no critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

Q8: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Solar Access

The general controls under Part B of Holroyd DCP 2013 details the following solar access requirements:

C5. New dwellings shall be designed to ensure direct sunlight access for a minimum of 3 hours between 9.00am and 4.00pm at the winter solstice (22 June) is provided to at least one main living area of the proposed dwelling/s.

C6. The shadow effect from a proposed development on existing adjacent dwellings must be such that a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June) is to be provided to at least one main living area of existing dwellings.

C7. The living rooms and private open spaces for at least 70% of dwellings within a residential flat development shall receive a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June).

C8. A minimum of 50% of the required private open space areas of the proposed dwellings and any adjacent dwellings shall have access to 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June).

The additional height and FSR proposed for the subject site above that currently permitted (9m and 0.7:1 respectively) will have varying degrees of impact on the solar access of the adjoining properties. The location of the site on the southern side of Kenyons Road and partially bounded by non-residential uses (schools) on the southern and western sides assists in minimising the extent of overshadowing to neighbouring properties.

The building envelope of the indicative concept proposal has been extensively tested and designed to ensure the apartments will comply with the solar access requirements under the Apartment Design Guide (ADG) and will minimise the impact on the solar access of nearby residential properties and open spaces within the site. The Site Specific DCP submitted with this Planning Proposal will establish building heights and setbacks that will reinforce the separation requirements to maintain solar access for occupants, open space and adjoining properties in accordance with the above requirements.

Shadow diagrams and 'views from the sun' perspectives have been prepared by Ethos Urban in the indicative concept proposal (refer to Annexure A) for mid-winter to demonstrate the extent of overshadowing on adjoining properties in **Figure 25**. The diagrams indicate that there are unlikely to be any unreasonable adverse impacts on solar access to neighbouring properties.

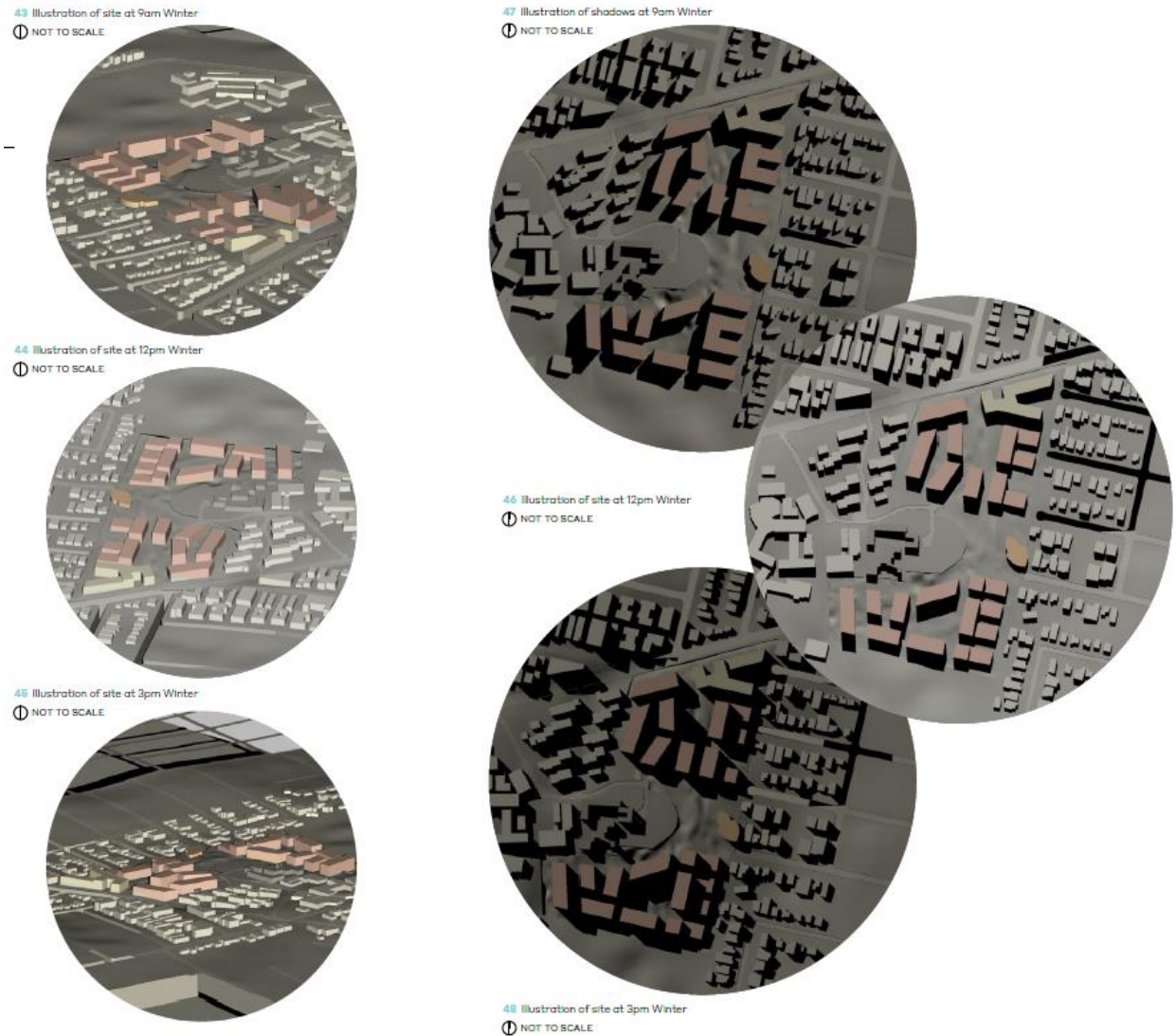
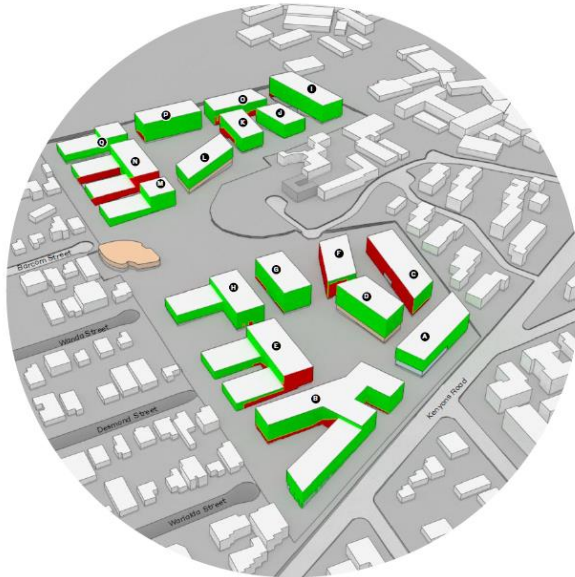


Figure 25: Shadow study for the indicative concept masterplan proposal (Source: Ethos Urban)

Solar studies for the proposed buildings have also been outlined in the indicative concept proposal and demonstrate the capability to comply with the relevant parts of the ADG. These are outlined in **Figure 26** below:





LEGEND

- Site Boundary
- ADG Compliance Surface
- ADG Non-Compliance Surface



Figure 26: Solar studies of the indicative concept masterplan proposal against the ADG (source: Ethos Urban)

It is therefore considered that the extent of overshadowing to future and existing residential development is capable of satisfying the solar access requirements of the ADG and HDCP 2013. A detailed overshadowing analysis will be submitted as part of any future development application.

Visual Impact

The additional height and FSR proposed for the subject site above that currently permitted (9m and 0.7:1 respectively) will have varying degrees of impact on the visual impact on the locality.

The visual catchment of the subject site comprises of an eclectic mix of buildings forms and typologies. The surrounding development from the north-west to south-east is characterised by high to medium density residential land uses with a mix of building forms and typologies. Specifically, development to the north-west of the site is zoned R4 – High Density



Residential with buildings typically containing 3-4 residential levels above semi-subterranean car parking and a pitched roof which gives the visual impression of buildings 5-6 storeys in height. Development to the north and east is zoned R3 – Medium Density Residential and generally comprises of one-two storey buildings with a pitched roof which gives the visual impression of buildings up to 3 storeys in height. While development to the south and south-west is zoned R2 – Low Density Residential these areas are currently used for Merrylands High School and Cerdon College which have an array of building forms which gives the visual impression of 4-5 storey buildings.

The indicative concept proposal comprises of 18 buildings across the site, ranging from 2 to 6 storeys in height. The location and scale of the buildings has been extensively tested and designed to ensure the indicative concept proposal will satisfy the requirements of the ADG and minimise the impact on the amenity of adjoining properties. A massing model has been provided by Ethos Urban in the masterplan (refer to Annexure A) to consider the visual impact from several key locations surrounding the site as detailed in **Figure 27** below.

4.2.3 Massing Model

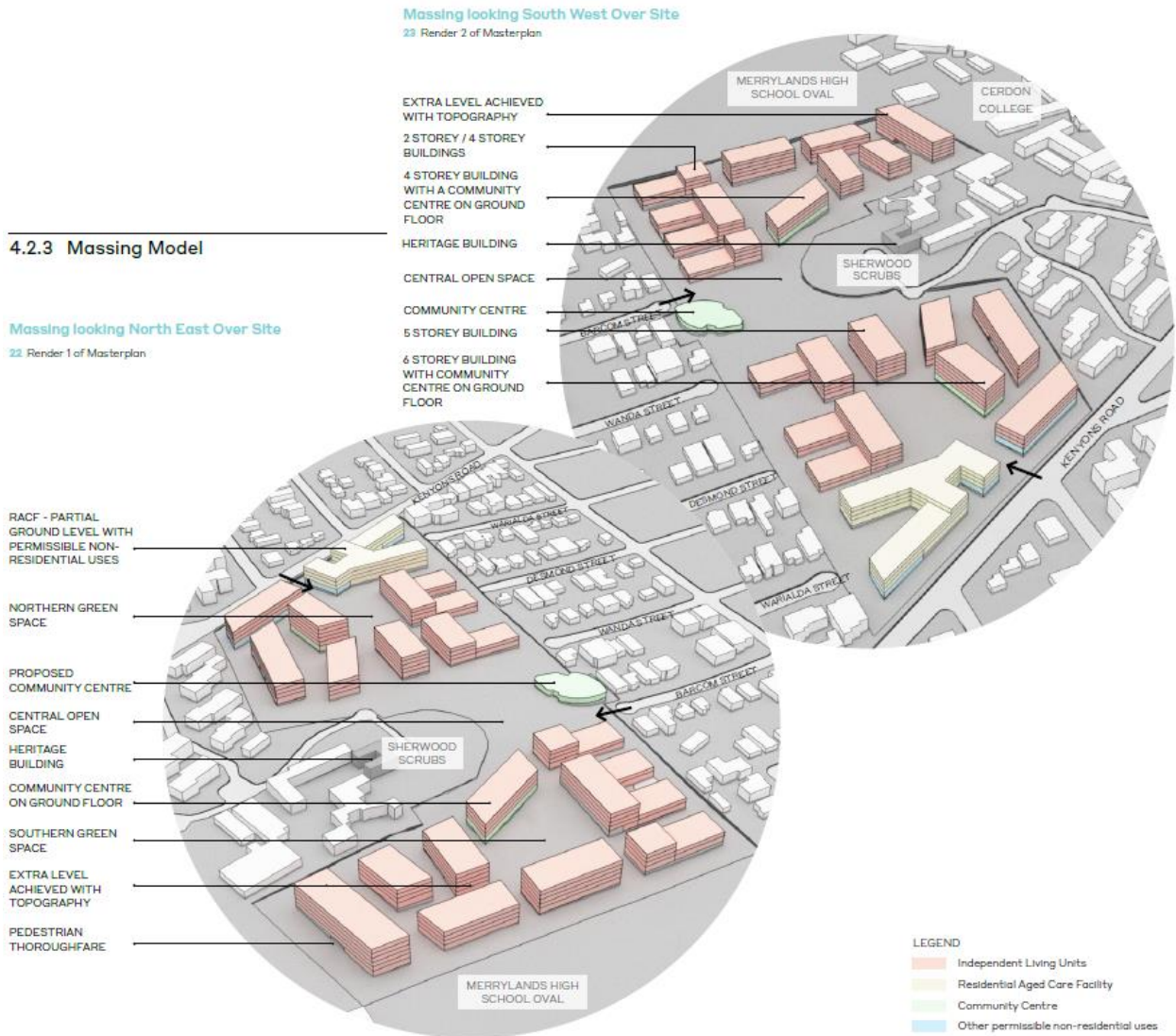


Figure 27: Massing model of the indicative concept masterplan proposal (source: Ethos Urban)





The massing models prepared by Ethos Urban demonstrates that the proposed LEP amendments and indicative concept proposal will enable the redevelopment of the site in an appropriate manner that will be compatible with the scale and character of the site and surrounds. The proposal includes the configuration of the subject site so that buildings are sized and located to transition to surrounding lower density residential development to the east and positively respond to adjoining heritage buildings to the west.

In addition, a Visual Impact Assessment (VIA) has been prepared by Ethos Urban (refer to Annexure G) which concludes the following:

The visual impact of the proposal in its surroundings has been managed through appropriate design and planning mitigation measures. These measures have been demonstrated to reduce the overall visual impact of the proposal to a low level. To the casual observer the proposal does not appear visually jarring from any of the public viewpoints....

Overall the visual impact of the proposal on the surrounding context can be deemed as low and acceptable. The masterplan is providing a new open space accessible to the public and offers opportunities for interaction between the retirement village and the schools, Cerdon College and Merrylands High School oval. In the instances where visual impact is moderate, mitigation measures have been taken through extensive setbacks, retaining of mature trees and proposed new landscaping and vegetation.

The overall masterplan has been designed sensitive to the surrounding visual character and this is evident through the 10 key view points assessed. The design principles mitigating the visual impact and allowing for the final outcome to be low will be maintained through the site specific DCP for Cardinal Gilroy Village.

A detailed assessment of the visual impact of the proposal is provided in the VIA prepared by Ethos Urban, however, for completeness, consideration of the visual impact from the north and east (residential areas), south (Merrylands High School) and west (Sherwood Scrubs), including a conclusion from the VIA is provided below.

Visual impact from the north and east

The visual impact on the residential context can be considered low as there is no current significant or scenic value to these views. The visual impact is not high as measures have been taken to ensure the increase in density is achieved sensitively to these neighbours. This can be seen through the stepping of heights in the built form and extensive setbacks.





Figure 28: Visual Impact Assessment from the R4 High Density Residential Area north (looking east) (Source: Ethos Urban)



Figure 29: Visual Impact Assessment from the R3 Medium Density Residential Area (looking west) (Source: Ethos Urban)



Visual impact from the south

The visual impact on the Merrylands High School can be considered acceptable as there is no current significance to these views other than the expansiveness of the oval and 'greenness' of it. These buildings overlooking the open space can be physically absorbed by the context and do not take away from the 'greenness' of the view. The indicative layouts in the urban design report show how there will be 1-2 apartments per a level south facing in these buildings overlooking the Merrylands High School oval, hence reducing impact on any viewer sensitivity.



Figure 30: Visual Impact Assessment from Merrylands High School (looking north) (Source: Ethos Urban)

Visual impact from the west

Within the heritage site the visual impact of the proposal can be considered a residual visual impact. Due to the private nature and importance of the heritage site, viewer sensitivity and use being low, this visual impact can be deemed as acceptable in the circumstances.





Figure 31: Visual Impact Assessment from Sherwood Scrubs (looking west) (Source: Ethos Urban)

Overall, the indicative concept proposal will provide for a well-considered intensification of development on a site that achieves a better urban design outcome than that established by the existing buildings on site and the current permissible building envelope controls. Therefore, the proposal, will have a positive visual impact on the locality.

Visual and Acoustic Privacy

The indicative concept proposal has been extensively designed and tested to ensure compliance with the separation requirements of the ADG, both for occupants within the site and adjoining the site. This is assisted by the incorporation of an internal road network that will follow the boundary of the site and provide physical separation between buildings on the site and neighbouring sites. These physical separation distances will be further augmented by the planting of dense landscaping around the periphery of the site.

The buildings that are proposed to be located adjacent to the eastern boundary will be lower in scale to be compatible with the scale of the 1-2 storey buildings in the R3 Medium Density Residential zone. Furthermore, mounding and dense landscaping will be provided at the interface to enable the built form of the indicative concept proposal to respond to the lower scale of development but also limit opportunities for overlooking towards the east.

Separation distances to properties to the north and west of the site will be significant and comfortably capable of complying with the ADG requirements. To further reduce opportunities for loss of visual and acoustic privacy to neighbouring properties, it is anticipated that a number of substantial trees will be retained around the perimeter of the subject site, with further trees planted as part of any development application for the site. This will create natural screening between buildings on the subject site and neighbouring sites.

These separation requirements discussed above will be reinforced in the Site Specific DCP submitted with this Planning Proposal. As such, appropriate measures to protect visual and acoustic privacy will be provided at the development

application stage when the design, uses and location of private open space and windows are confirmed. The site is capable of having no adverse impact on the visual and acoustic privacy of adjoining properties.

Traffic and Parking

A Transport Impact Assessment (TIA) has been prepared by TTW Pty Ltd and is attached as Annexure B. The TIA provides consideration on the pedestrian and vehicular movements, quantum of car parking as part of the indicative concept proposal and the transport impact on the surrounding road network. The conclusions of the TIA are as follows:

The traffic generated from this modification has been assessed and based on those results it was found that:

- *The proposed masterplan could generate up to 81 net additional trips during any peak hour.*
- *Based on the future road network and proposed additional access to the site via the roundabout intersection of Kenyons Road and Arcadia Street, the net additional trips from the proposed development are more likely to be distributed among two access points to the development.*
- *Given the satisfactory traffic conditions of the local intersections, the additional peak hour trips are not expected to generate significant impact to intersection performance, delays, or queues. This would be confirmed in future development applications through detailed traffic modelling.*
- *The proposed development would provide parking provision to comply with parking controls outlined in SEPP (Housing for Seniors or People with a Disability) 2004.*

Based on the assessment provided within this report, the intent of the Planning Proposal can be supported with regards to traffic and transport,

The conclusions for the car parking generation rates and traffic generation will be examined in more detail below.

Car Parking Generation Rates

The indicative concept proposal generates the following car parking rate:

Table 11 Car Parking Generation				
Car Parking	Apartments/beds	HDCP 2013	SEPP Seniors	Spaces Provided
1 bedroom	93	1 space (93)	1 car space / 5 dwellings (for a social housing provider)	557 Residential and visitor spaces (Complies with the HDCP parking rates)
2 bedroom	348	1 space (348)		
3+ bedroom	19	1.2 spaces (22.8)		
Visitor Space		1/5 apartments (92)	Total 92 spaces required.	
Total Residential	460 ILUs	556 spaces	92 spaces	557 spaces
RACF	Beds = 153 Staff = 70 (max at change over)	N/A	<ul style="list-style-type: none"> • 1 space / 10 beds (16) • 1 space / 2 employees • 1 ambulance space 	<ul style="list-style-type: none"> • 16 spaces • 35 spaces for employees • 1 ambulance
Permissible non-residential	1,480sqm of permissible non-residential	1 space/30sqm (49.3)	-	50 spaces
Total Required		606 spaces (excluding RACF)	143 spaces (excluding non-residential)	659 spaces

Table 11 demonstrates that the proposed development will generate between 194-659 off street car parking spaces dependant on the calculations used under the HDCP 2013 or SEPP Seniors. The indicative concept proposal will provide at least 659 car parking spaces in the basements. Whilst the indicative basement parking may exceed the required number of spaces for the ILU's and RACF, the car parking controls under Part 3.1 (Part A) of HDCP 2013 stipulate a minimum car parking requirement and does not stipulate a maximum. As the proposed car parking requirements exceed the HDCP 2013 minimum rates, compliance is achieved.

Similarly, Clauses 48(d) and 50(h) of SEPP Seniors are standards that cannot be used to refuse development consent, or effectively deemed to satisfy provisions. Again, as the quantum of car parking proposed exceeds the SEPP Seniors requirements, these cannot be used as a reasons to refuse consent.

It is not anticipated that there are any geotechnical or hydrogeological factors that would limit the provision of basement car parking. Northrop were engaged at an early stage in this Planning Proposal process to ensure basement entries are away from the areas subject to flooding and sufficient freeboard can be provided for the proposed buildings. These issues will be considered in more detail at the development application stage.

The conclusion to be reached is that the increased car parking generated by the increased density under the proposed amendments to the HLEP 2013 can be accommodated on the site.

Traffic Generation

The TIA details the following traffic generation rates during the peak hours when calculated using the RMS Traffic Generation Rates:

Table 12 RMS Traffic Generation Rates		
Existing (236 ILU and 123 RACF)	Proposed (460 ILU and 153 RACF)	Difference
143	276	+ 133

However, traffic counts on the existing Cardinal Gilroy Village undertaken by TTW indicate that the existing development only generates up to 50% of the trips when compared with the RMS Traffic Generation Rates. As discussed in the TIA prepared by TTW, based on the existing movements, when a site specific generation rate of 0.2 trips per dwelling is applied, the following traffic generation rates during the peak hours are anticipated:

Table 13 Site Specific Traffic Generation Rates		
Existing (236 ILU and 123 RACF)	Proposed (460 ILU and 153 RACF)	Difference
73	153	+ 81

The TIA considers the distribution of traffic and intersection performance to determine the acceptability of the increase in density. The TIA prepared by TTW Pty Ltd concludes as follows:

The masterplan concept includes an adjustment to the road network where a second access to the site is proposed off the roundabout intersection of Kenyons Road and Arcadia Street. It is expected that with the proposed access to the site, combined with the division of the site in northern and southern precinct, the traffic to and from the site will be more staggered and would have less impact on any one site access or adjoining roads.

Such that, the proposed development could generate circa 50 additional vehicles on adjoining intersections to the Barcom Street and Kenyons Road accesses. Therefore, given the satisfactory traffic conditions of the local intersections (see Section 2.5.2 above), the additional peak hour trips would not generate significant impact and could be accommodated within the local road network.

Pedestrian Linkages

Pedestrian pathways will be provided throughout the site, connecting to entrances on Barcom Street and Kenyons Road, whilst limiting opportunity for conflicts with internal roads. The north-south and east west pedestrian connections will provide opportunities to link with adjoining sites and land uses including the Merrylands High School, Cerdon College, Sherwood Scrubs (Youth Off the Streets) and other residential areas. After-hours access will be controlled to promote safety and security for the residents.

Landscaping

The indicative concept proposal will provide a useable open space area of 46,803sqm (62.5%) which, despite the increase in density, represents an increase on the useable open space area of the existing development by 74sqm (46,728sqm (62.4%). The proposed development will enhance the existing landscaping on the site by providing a structured landscape scheme which focuses landscaping between buildings and on the periphery of the site to ensure the landscaped character of the site is maintained and maximise screening. A Landscape Scheme has been prepared by Site Image Landscape Architects (refer to Annexure H) and indicative images are provided in Figures 32 and 33 below.



Figure 32: Indicative concept landscape scheme (Source: Site Image Landscape Architects)



Figure 33: Montage of the central open space area and ancillary community centre (right) (Source: Site Image Landscape Architects)

Demands for infrastructure, utilities and services

The increase in building height and FSR for the indicative concept proposal will translate to additional dwellings, permissible non-residential uses and ancillary community floor space. The demand for infrastructure, utilities and services to support the day to day demands of future land uses are likely to be within the functional capacity of infrastructure, utilities and services augmented in response to specific development proposals.

Q9: Has the Planning Proposal adequately addressed any social and economic effects?

Social Impact

The social impact of the indicative concept proposal will be positive. It is considered that the indicative concept proposal will contribute to the overall wellbeing of residents within the locality and within the wider Cumberland LGA as the indicative concept proposal will:

- support the provision of residential accommodation, especially accommodation for Seniors and people with a disability, given its location near to a number of local, strategic and metropolitan centres, and access to transport, services and employment;
- provide for specialist housing for Seniors and people living with a disability that will meet a defined need within the area by supporting a growing and aging population;
- provide community facilities on the site that will be available for use by residents and their guests which will encourage greater social interactions and social cohesion;
- deliver an inclusive, welcoming and accessible village; and
- not be of a scale that the available health, education, employment and other social support infrastructure and facilities would be unable to cope or suffer a reduced level of service as a direct consequence of this development.

A Social Impact Assessment (SIA) has been prepared by Ethos Urban (Annexure E) and is submitted with this Planning Proposal. The SIA considers the following:

The demographic mix of the Cumberland LGA is forecast to change significantly between 2016 and 2036. The largest percentage increase between 2016 and 2036 is forecast to be for residents aged 85 years and over, accounting for a 101.47% increase. Closely behind, residents aged between 80 to 84 years, accounting for a 92.4% increase. There is also significant population growth seen in those aged between 55 and 79. This growth is especially relevant to the suburb of Merrylands (see Table 3) for the ageing population snapshot for Merrylands West)....

The redevelopment of the Cardinal Gilroy Village is ultimately in keeping with the Living Longer Living Better aged care reforms and trends in the demand for retirement living and residential aged care. The proposed redevelopment will bring the Village up to current good practice standards and provide a positive outcome for residential care in the Merrylands area. Providing an aesthetically improved, safe and healthy physical environment will ultimately enhance quality of life for residents and the working environment for the Village staff....

Importantly, the SIA demonstrates that there is a reasonable demand for a Seniors Housing development of this scale as:

A review of the forecast social context of the Cumberland LGA highlights the following considerations for the proposed development:

- The population of Cumberland LGA is forecast to grow by over a third. This will create significant housing demand within the area and will put pressure on the provision of housing which supports residents to age-in-place.*
- Forecast statistics show the Cumberland LGA population is ageing, which will increase the demand for age appropriate housing and residential aged care facilities in the LGA over the next 20 years.*
- The increase in the number of people aged 55 and over will contribute to an increased demand for seniors housing and aged care facilities within the Cumberland LGA, as people seek to downsize their dwellings, seeking to age-in place.*
- With significant cultural diversity in the local area, as well as being non homogenous in relation to levels of advantage and disadvantage, there will be a need to ensure housing is designed to meet the cultural and economic needs of the local residents.*

The indicative concept proposal incorporating a mixture of residential and community uses is a significant improvement on the existing situation and will undoubtedly have only positive social benefits for Merrylands West and the wider Cumberland LGA. The Cardinal Gilroy Village services align with the trends in retirement village living, assisting people to age in a community setting, connected to their local area. With village services that include entertainment, social, lifestyle, and health at home the village lifestyle fosters a sense of community with the benefit of 24/7 emergency call systems. As such, the proposal will have a positive social impact and meets the needs of a growing and aging population.

Economic Impact

The existing site currently accommodates housing for Seniors and people with a disability, comprising 236 ILUs and a 123 bed RACF. A Community Centre is provided at the entry from Barcom Street for the enjoyment of residents and their guests. There are no separate publicly accessible areas or non-residential uses on the site.

The indicative concept proposal will provide an for 460 ILUs and a 153 bed RACF, alongside 1,311sqm of ancillary community floor space (excluding the Community Centre building currently being assessed under DA2019/105) and 1,480sqm of permissible non-residential floor space. This will provided for a wider range of uses and higher intensity of housing on site. An Economic Impact Assessment has been undertaken by Location IQ (refer to Annexure F) which concluded the following:

- i. *The proposed mixed-use development is located at Merrylands West, within the Cumberland Council Local Government Area (LGA), some 25 km west of the Sydney Central Business District (CBD).*
- ii. *The suburb of Merrylands West is an established residential area located to the east of Betts Road and south of Merrylands Road.*
- iii. *The Cardinal Gilroy Village site enjoys a high-profile and easily accessible location that is well-positioned to serve the local community. The existing facility is now proposed for a significant redevelopment, which includes:*
 - *Retirement Living: a total of 460 independent living units are planned. These dwellings are anticipated to house a resident population of approximately 750 persons.*
 - *Aged Care: an aged care facility including some 155 beds.*
 - *Retail/Commercial: a total of 1,480 sq.m of retail and complementary non-retail floorspace is planned across the ground and first floors of Buildings A and B. The range of retail and commercial uses to be provided is likely to vary, including retail specialty floorspace, medical suites and the like.*
- iv. *The defined Cardinal Gilroy Village main trade area population is currently estimated at 23,570 (2018) and is projected to increase to 27,670 by 2036, representing an average annual growth rate of around 0.9%.*
- v. *The socio-economic profile of main trade area residents reflects an established, lower-income, traditional family-based population, with a slightly higher proportion of overseas born persons. With the proposed redevelopment of the Cardinal Gilroy site, the population and socio-economic profile of residents will to continue to evolve, including an increase in the number of aged persons (over 65 years) on-site.*
- vi. *Local residents would likely have a strong affinity with convenience-based retail facilities within close proximity of their place of residence.*
- vii. *There are currently no full-line supermarkets provided across the main trade area, with Merryway Shopping Centre comprising the only supermarket-based offer, namely a Supa IGA of approximately 1,700 sq.m. The centre is located some 800 metres north of the subject site along Sherwood Road.*
- viii. *A small collection of food catering operators is also provided along Sherwood Road and includes key national tenants McDonalds, Pizza Hut, KFC and Subway. In this respect, there is a very limited provision of retail floorspace provided across the main trade area and, in particular, close proximity of the subject site.*
- ix. *There are currently no competitive retail developments planned throughout the main trade area, with key developments beyond the main trade area of limited competitive relevance and unlikely to impact the projected sales or viability of proposed retail floorspace at subject site*
- x. *The main trade area is currently significantly underprovided in terms of doctors, with estimated demand for some 25 GPs currently served with a provision of just nine doctors. Compounding this, the additional population within the main trade area over the forecast period, at around 4,100 persons, would demand up to five additional doctors.*
- xi. *The proposed retail component of the development is projected to record retail sales of \$6.3 million in 2021/22 (constant 2019-dollar terms), with key impacts as follows:*
 - *The largest impact in dollar terms would be on the Merrylands Town Centre, at some \$2.9 million or around 0.6%. At these levels, impacts would not affect the viability of any retail facilities.*
 - *The next highest impact (at around \$0.6 million) is expected to occur on Merryway Shopping Centre, with most of this impact to fall on the Supa IGA supermarket at the centre. In percentage terms this equates to an impact of around 3.8%, well within the normal competitive range. A similar impact of \$0.6 million or less than 0.1% is projected to occur on the expanded Westfield Parramatta.*
 - *All other projected impacts on represented centres are below \$0.6 million, or 0.6% of respective centre sales.*

- *Around \$0.8 is likely to be made up of small impacts on a range of other retail facilities within and (primarily) beyond the main trade area that are not currently represented in this analysis.*
- xii. *Overall, the proposed retail component of the Cardinal Gilroy Village development would not impact on the viability or continued operation of any retail facilities or specialty shops within the main trade area or the surrounding region.*
- xiii. *Projected retail sales of \$6.3 million for the retail development would make up around one year of retail sales growth for the main trade area (excluding inflation), with future population growth offsetting competitive impacts.*
- xiv. *With regard to impacts likely to arise from medical and other complementary health uses at the site – the existing under provision of such facilities, as well as demand generated by new residents at the site would indicate that impacts are likely to spread farther afield and across a range of different facilities. Like the retail component however, impacts would not affect the viability of any one medical or complementary facility in the local area or broader region.*
- xv. *It is the conclusion of this report that a substantial net community benefit would result from the proposed retail and commercial component of the Cardinal Gilroy Village redevelopment. Offsetting the trading impacts on some existing retailers, there are very substantial positive impacts including the following:*
- *Significant improvement in the range of retail, medical and other facilities that would be available to local residents, particularly for the aged population that will occupy the site.*
 - *The proposed development would improve choice of location and allow for price competition. The inclusion of a full-line supermarket would represent the only such offer within the defined main trade area.*
 - *The addition of retail and complementary non-retail facilities at the subject site would also result in the retention of spending currently being directed to other facilities (often at or surrounding major shopping centres) situated beyond the trade area, thereby reducing the need for local residents to travel further afield for these needs.*
 - *The offer will enable the development to serve the growing population and associated demand for additional retail floorspace, medical services and the like.*
 - *The creation of additional employment which would result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. In total, some 134 jobs are likely to be created both directly and indirectly as a result of the retail and commercial component of the Cardinal Gilroy Village development alone*
 - *This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.*
- xvi. *It is concluded that the combination of the substantial positive economic impacts serve to more than offset the trading impacts that could be anticipated for a small number of existing facilities throughout the broader region. Further, the impacts would not threaten the viability of any existing facilities.*

As such, the indicative concept proposal will provide significance economic benefits to the locality. In addition to the above-mentioned positive economic benefits, the following additional benefits are anticipated:

- Provide more housing and greater housing diversity to combat affordability constraints;
- Provide for a range of employment opportunities on site in a number of industries, including care services, professional, medical, retail and community jobs;
- Creation of short-term jobs through the design and construction of the redevelopment;
- Encourages social well-being through the provision of day to day services and the promotion of walking on site, which will improve mental and physical health in the community and therefore reduce the impacts on local medical facilities; and

- An increase in tax revenue (rates, stamp duty, contributions) for local and state government, supporting increased and improved services and amenity within Cumberland Council.

The indicative concept scheme incorporating a mixture of residential and non-residential uses will undoubtedly have significant economic benefits for the Merrylands West locality and wider Cumberland LGA.

5.3.4 Section D - State and Commonwealth Interests

Q10: Is there adequate public infrastructure for the Planning Proposal?

The site is within an existing residential urban area that is well serviced by infrastructure, utilities, public transport and a variety of social support services and recreational facilities. The additional development potential facilitated by the proposed LEP amendments will not exceed the capacity or availability of public infrastructure.

Appropriate Development Contributions will be levied at the time of development consent for any future building work. In addition, the applicant has provided to Council a letter of offer for a VPA, the details of which will be subject to further negotiation following a positive Gateway determination. This is considered to be a substantial public benefit as the 'physical' infrastructure will be delivered and co-ordinated with the population generated by the development.

Q11: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

A future Gateway determination will specify the list of agencies and public authorities required to be consulted and the methods and timing of such consultation. The Gateway determination may identify additional agencies to be consulted.

5.4 STRATEGIC MERIT TEST

The Department of Planning in Circular PS 16-004 Issued 30 August 2016 released updated criteria relating to strategic merit. They include:

The key factor in determining whether a proposal should proceed to a Gateway determination should be its strategic merit. The Department has strengthened the Strategic Merit Test and proposals will now be assessed to determine if they are:

- *consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- *consistent with a relevant local strategy that has been endorsed by the Department; or*
- *responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.*

A proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test.

The HLEP 2013 commenced in 2013 and is over 5 years old, however the strategic merit test is still a relevant consideration for the Planning Proposal. For the reasons discussed above, the proposed changes sought to HLEP 2013 are, at the very least, consistent with the relevant local, regional and state government plans and strategies.

The most significant reasons to undertake this planning proposal are:

- The existing buildings at the Cardinal Gilroy Village are nearing the end of their economic life and do not provide the level of residential amenity or facilities expected in modern retirement villages; and

- The Greater Sydney Region Plan and Central City District Plan highlight that there is an aging population that is not specifically catered for under the current planning controls.

The SIA prepared by Ethos Urban (refer to Annexure E) details that there is a strong demand for Seniors Housing in the locality which is only expected to grow over the next 20 years. The SIA details:

- *The population of Cumberland LGA is forecast to grow by over a third. This will create significant housing demand within the area and will put pressure on the provision of housing which supports residents to age-in-place.*
- *Forecast statistics show the Cumberland LGA population is ageing, which will increase the demand for age appropriate housing and residential aged care facilities in the LGA over the next 20 years.*
- *The increase in the number of people aged 55 and over will contribute to an increased demand for seniors housing and aged care facilities within the Cumberland LGA, as people seek to downsize their dwellings, seeking to age-in place.*
- *With significant cultural diversity in the local area, as well as being non homogenous in relation to levels of advantage and disadvantage, there will be a need to ensure housing is designed to meet the cultural and economic needs of the local residents.*

The revised concept proposal responds to a change in circumstances, particularly the aging population, which is not well catered for under the Holroyd LEP 2013. In addition to the strategic merit test, there must be sufficient site specific merit having regard to the following:

- *the natural environment (including known significant environmental values, resources or hazards);*
- *the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and*
- *the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The response to these issues have been discussed in depth above. There is sufficient strategic and site specific merit to warrant changes to the existing planning controls under HLEP 2013.

5.5 PART 4 - MAPPING

Proposed amendments to LEP maps are indicated in Figures 20, 21 and 22. Should Council resolve to support the Planning Proposal, proposed mapping amendments will be prepared by Council staff.

5.6 PART 5 - COMMUNITY CONSULTATION

It is anticipated that a draft Planning Proposal would be publicly exhibited for a period of 28 days. The exhibition material will include documents as specified in the Gateway determination and will include a copy of the Planning Proposal, an explanation of provisions, draft LEP maps and an indication of the timeframes for completion of the process as estimated by Council.

It is anticipated that the Community Consultation methods will include forwarding copies of relevant documents to appropriate State and Commonwealth agencies, notice of public exhibition in a local newspaper and on Cumberland Council's website, providing copies of exhibition material in electronic and hard copy form at relevant local government premises and letters of notification to nearby and potentially affected land owners.

5.6.1 Project Timeline

The estimation of the project timeline is provided below with the intention of optimising efficiency in the process:



Phase	Timing
Gateway determination date	TBD (by Department of Planning & Environment)
Completion of required technical information	Technical information is annexed to this application
Government agency consultation (pre-exhibition)	Not required
Government agency consultation (during exhibition)	Concurrent with public exhibition (28 days)
Commencement and completion dates for public exhibition period	TBD
Consideration of submissions	Two weeks from close of public exhibition
Post-exhibition consideration of the application by IHAP	Four weeks from close of public exhibition
Date of submission to the Department to finalise the LEP / anticipated date RPA will make the plan (if delegated)	Six weeks from close of public exhibition



6. Conclusion

This Planning Proposal has been prepared for Southern Cross Care (NSW & ACT), owner of No. 45 Barcom Street, Merrylands West. This application is a request to Council to seek a Gateway Determination under the provisions of Section 3.34 of the *Environmental Planning & Assessment (EP&A) Act, 1979*. This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act, 1979* as well as the NSW Department of Planning publication "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

The primary intent of the application is to initiate a Planning Proposal process to amend the provisions of HLEP 2013 to:

- amend the zoning of the site from R2 Low Density Residential to R4 High Density Residential;
- amend the height of buildings control to permit buildings to a maximum height of 20m; and,
- amend the FSR control to permit a maximum FSR of 0.85:1.

This Planning Proposal was initiated by Southern Cross Care who have identified that the existing buildings, accommodation and facilities on the site are nearing the end of their economic life and are in urgent need of an upgrade to provide comparable accommodation and facilities to other, newer, Seniors Housing developments in the locality. The Central City District Plan clearly identifies the need for additional Seniors Housing as the preamble for Direction 3 – Liveability states:

As the District's 2016 population of around 970,000 increases, it is ageing. By 2036, the number of residents over 65 is expected to grow by 106 per cent (an additional 122,100 people). The number of single-person households is expected to grow by 81 per cent, although couples with children are expected to remain the dominant household type.

As Southern Cross Care is a not-for-profit registered social housing provider, the additional accommodation on the site is required to fund the redevelopment of the site to meet the growing demand for Seniors Housing in the locality.

The undertaking of the Planning Proposal will provide a unique opportunity to unlock the development potential of the subject site and significantly increase the quantum and quality of much-needed Seniors Housing and ancillary community facilities in the locality. The redevelopment of the subject site presents a unique opportunity to set a high standard for redevelopment in this precinct and to deliver a suite of public benefits that will not be realised if the current planning controls are retained and the opportunity for redevelopment passes.

This Planning proposal relates to a high quality, well planned housing development for Seniors or People with a Disability in Merrylands West. The concept scheme has been specifically designed to incorporate the needs and character of its unique surrounding area. This has been achieved through a design, layout and concept that, with the "aging in place" philosophy at its core, focuses upon putting in place the building blocks that are essential for the growth of a cohesive, functioning community. The proposal incorporates two levels of care with the range of accommodation for this project comprising both ILU's and a RACF.

The requested changes to the planning controls will:

- Establish a 'landmark' development for Seniors and People with a Disability and deliver a mix of high quality Seniors Housing to meet a demonstrated need;
- Ensure development is of a scale, location and design to have a positive impact on the visual amenity of the locality whilst being compatible with the surrounding built and natural environment;

- Provide ancillary community facilities to support the residents and their guests by providing a destination space for Seniors and People with a Disability;
- Address housing affordability by providing a mix of housing choices;
- Establish an appropriate mix of ancillary community and small-scale permissible non-residential uses on the site to service the day to day needs of the local community;
- Create new vehicular and pedestrian connections and strengthen existing links to public transport;
- Enhance pedestrian permeability through the site to link surrounding sites and publicly accessible spaces;
- Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Merrylands West; and,
- Deliver the highest standards of urban planning and excellence in architectural design.

In addition, the redevelopment of the combined sites will provide a significant number of public benefits which are discussed throughout this application for a Planning Proposal. The application is entirely consistent with the local, regional and state strategic planning directions.

The Masterplan and indicative concept proposal prepared by Ethos Urban demonstrate a high quality redevelopment scheme integrated with pedestrian links and movement paths, landscaped areas, solar access and a variety of building forms. The Urban Analysis comprehensively demonstrates that the proposed building form to be achieved from this application will:

- Fit with the anticipated future urban form;
- Deliver additional residential accommodation, especially for Seniors and people with a disability in addition to new open space areas of high quality and generally compliant with the requirements of SEPP 65 and the ADG;
- Provide increased housing opportunities to optimise the efficient use of infrastructure, services and facilities; and,
- Maintain a mix of land uses expected to facilitate the orderly and economic development of the site with no detrimental impacts to the amenity and accessibility of public open spaces and at a density which will be within the capacity of augmented infrastructure.

This Planning Proposal is consistent with the local, regional and state planning strategies for Cumberland LGA and the Central City District Plan within the Sydney Metropolitan Area. This Planning Proposal has the potential to make a substantial positive contribution to the quality and quantum of Seniors Housing, ancillary community and permissible non-residential uses in the locality, on a well-serviced site. The indicative concept proposal will ensure that a diverse and vibrant community will be created that is entirely compatible with neighbouring properties and delivers a high quality urban environment.

This application for a Planning Proposal is entirely worthy of Council's support.

