

20 January 2011

**Concept Plan and Project Application for an Aged Care Facility
at 137 Victoria Street, Ashfield (Cardinal Freeman Village)**

Proposal

The proposal seeks approval for:

- A Concept Plan comprising the redevelopment of the existing retirement village over 5 stages including 13 residential buildings of 3 to 5 storeys in height to accommodate approximately 225 Independent Living Units (ILUs) and a 160 bed residential aged care facility (RACF) with associated landscaping, community facilities, internal road network and parking; and
- A Project Application for stages 1 and 2 of the development. Stage 1 is for the construction of the Village Green precinct consisting of 54 ILUs and community facilities. Stage 2 is for the construction of the Care Precinct which includes a 160 bed RACF and 46 ILUs.

Delegation to the Commission

The application was submitted with a Political Donations Disclosure Statement disclosing a reportable political donation.

The project application fulfils the existing terms of delegation and the Planning Assessment Commission may determine the Project Application under delegated authority. However, the concept plan falls outside the general terms of delegation issued by the Minister on 18 November 2008 to the Planning Assessment Commission.

On 20 December 2010, the Minister for Planning delegated his powers and function as an approval authority for the concept plan to the Planning Assessment Commission for determination.

On 12 January 2011, the Deputy Director General of the Department of Planning referred the project (MP 08_0245 and MP 08_260) to the Planning Assessment Commission for determination under delegations issued by the Minister on 18 November 2008 and 20 December 2010.

The Commission consisted of Ms Gabrielle Kibble (chair) and Ms Donna Campbell (member of the PAC). They met with Departmental staff, Mr Richard Pearson and Mr Andrew Smith on 20 January 2011 for a briefing. The Commission also visited the project site.

Key issues

The DG's report identified the following key issues:

- Construction impacts on village residents
- Built form
- Future amenity
- Heritage
- Accessibility and traffic
- Section 94 contributions

A total of 39 submissions from the public and agencies were received by the Department during the public exhibition period. The Department considered the issues raised in these submissions can be addressed through appropriate conditions of consent and is satisfied that potential impacts have been adequately addressed by the proponent via the Environmental Assessment, Response to Submissions, Statement of Commitments and the Department's recommended conditions of approval.

Commission's Comment

Following the Commission members' examination of the documents and plans provided by the Department, the Commission noted that the development will increase the overall building heights on the site compared to existing conditions. However, the Commission considers the site location and topography lends itself to this level of development. The development will also assist in improving housing choice to enable the existing community to 'age in place', which is a requirement of the draft Inner West Sub-Regional Strategy.

The Commission sought clarification from the Department during the briefing on a number of minor issues, including the amount of visitor car parking and the adequacy of building separation between residential buildings. The Department confirmed the proposal complied with the requirements of SEPP (Seniors housing) for visitor car parking. The Department also confirmed that appropriate building facade design elements will minimise overlooking between buildings and ensure adequate privacy for residents. Such elements include the positioning of windows and balconies and the use of privacy shutters.

The Commission noted an error in the calculation of the Section 94 contribution attributed to the RACF in stage 2 of the project. The proposed RACF will increase the number of aged care beds on the site by 41 (i.e. from a total of 119 to 160 beds), as opposed to 13 beds. In accordance with Council's Section 94 Plan, the contribution attributed to the RACF is calculated to be \$12,536.60 (based on \$305.77 per bed for a total of 41 beds).

As such, Condition B18 is amended to read as follows:

B18. Section 94 Contributions for Stage 2 (Care Precinct)

In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate for Stage 2 to cater for the increased demand for community infrastructure resulting from the development:

	CONTRIBUTIONS (NEW DEVELOPMENT)		TOTAL
	Seniors Housing (self-care)	Residential Care Facility	
Number of Dwellings / Beds or GFA	34 ILU's	41	N/A
Local Roads	\$1,256.08	\$1,829.26	\$3,085.34
Local Public Transport Facilities	\$14,354.71	\$0.00	\$14,354.71
Local Car Parking Facilities	\$0.00	\$0.00	\$0.00
Local Open Space and Recreation Facilities	\$252,435.57	\$0.00	\$252,435.57
Local Community Facilities	\$15,593.38	\$0.00	\$15,593.38
Plan Preparation and Administration	\$11,469.53	\$10,707.34	\$22,176.87
TOTAL	\$295,109.25	\$12,536.60	\$307,645.85

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$C}_c = \frac{\text{\$C}_p \times \text{CPI}_c}{\text{CPI}_p}$$

Where:

\\$ C_c is the amount of the contribution for the current financial quarter

\\$ C_p is the amount of the original contribution as set out in this development consent

CPI_c is the Consumer Price Index (Sydney – All Groups) for the current financial quarter as published by the ABS.

CPI_p is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Planning Division on 9716 1800. Payment may be made by cash, money order or bank cheque.

The Commission is satisfied that the issues raised in submissions have been fully considered by the Department in their assessment and support their recommended conditions of approval, except as amended by the Commission. The application should be approved subject to conditions.



Gabrielle Kibble AO
PAC Chair



Donna Campbell
PAC Member