

Site Compatibility Certificate

SEPP (Housing for Seniors or People with a
Disability) 2004

McFarlanes Road Berry Park



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Document Control

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INTRODUCTION

The following report accompanies an application for a Site Compatibility Certificate (SCC) for a proposed seniors living development permissible under SEPP (Housing for Seniors or People with a Disability) 2004 on Lot 13 DP 1122688 - 40 McFarlanes Road Berry Park, Lot 14 DP 1122688 - 54 McFarlanes Road Berry Park and Lot 1 DP 797227 - 54 McFarlanes Road Berry Park in the Maitland local government area.

This report will explain how the future proposed development is compatible with the surrounding land uses and will also address the criteria within the SEPP and provide the relevant information as identified under the SCC application form.

PART A – APPLICANT AND SITE DETAILS

A1 APPLICANT FOR THE SITE COMPATIBILITY CERTIFICATE

Teakmill Pty Ltd is the applicant for the subject Site Compatibility Certificate. Further details are provided on the application form.

A2 SITE AND PROPOSED DEVELOPMENT DETAILS

Name of Proposal

At this preliminary stage, the future development proposal of this site is known as McFarlanes Gardens.

Property Description

The subject site is identified as follows:

- Lot 13 DP 1122688, 40 McFarlanes Road Berry Park;
- Lot 14 DP 1122688, 54 McFarlanes Road Berry Park; and,
- Lot 1 DP 797227, 54 McFarlanes Road Berry Park.

The subject site contains three (3) separate allotments that form a rectangular parcel of land from McFarlanes Road Berry Park.

Copies of the Deposited Plan for the subject land are attached as **Appendix A**.

The subject site is located within the Maitland Local Government Area.

The subject site is owned by Teakmill Pty Ltd as confirmed on the Certificate of Title attached as **Appendix B**.

The consent of Teakmill Pty Ltd for the lodgement of the SCC is provided on the application form.

The site is located close to the junction of McFarlanes Road and Raymond Terrace Road Berry Park.

The site is located approximately 2.6km to Thornton Shopping Centre, 2.2km to the Chisholm Shopping Centre which is currently under construction, 5.8km from the Greenhills Regional Shopping Centre, 4.8km to the new Maitland (Lower Hunter) Hospital and approximately 4km to the south east of the village of Morpeth.

Description of the Proposed Development

The proposed McFarlanes Gardens Retirement Village consists of the following components:

- 233 Serviced Self-Care Dwellings;
- Community Centre and Community Facilities;
- Associated site infrastructure.

The dwellings will consist of demountable dwellings/mobile homes.

A draft concept plan for the proposed development is provided in **Appendix C**.

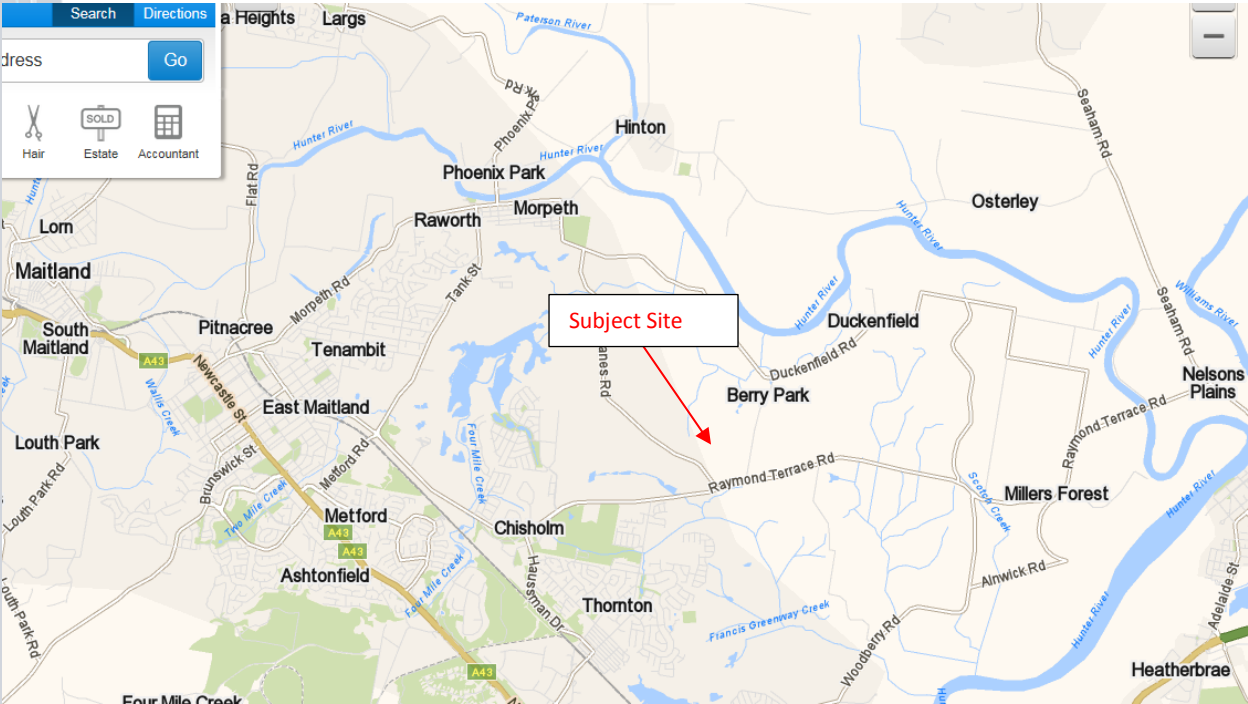


Figure 1 – Locality Map

PART B – PROPOSAL'S CONSISTENCY WITH THE SEPP

B1 THE PROPOSED SITE

1.2 is the subject site land adjoining land zoned primarily for urban purposes?

Yes – The subject site is located within the RU1 Primary Production Zone adjacent to R1 General Residential zoned land on the opposite side of McFarlanes Road.

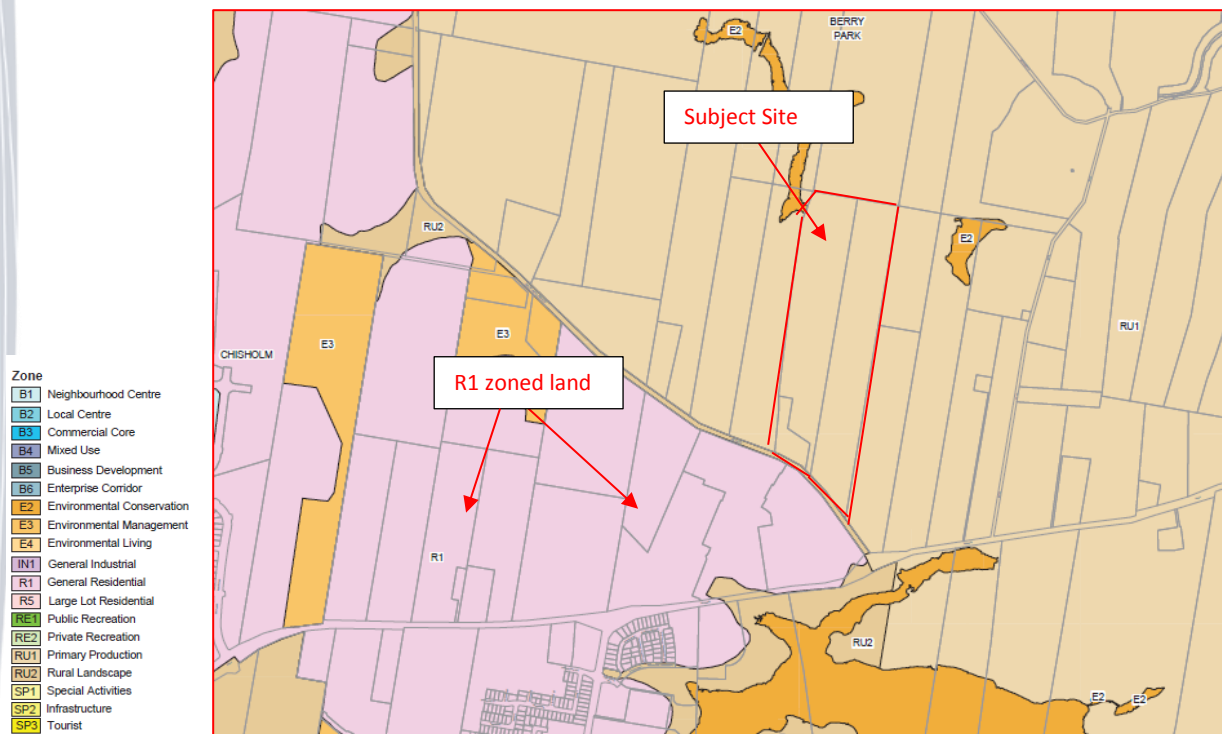


Figure 2 – Zoning Plan (extract from Maitland LEP 2011)

1.3 Are dwelling houses, residential flat buildings, hospitals or special uses permitted on the site?

Yes – Dwelling houses are permitted with consent on the subject site – see Land Use table below.

Table 1 – Maitland LEP 2011 Land Use Table

Maitland Local Environmental Plan 2011

Current version for 3 April 2018 to date (accessed 10 April 2018 at 16:21)

[Land Use Table Zone RU1](#)

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Extensive agriculture; Home occupations; Intensive plant agriculture

3 Permitted with consent

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Cellar door premises; Dual occupancies; **Dwelling houses**; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Intensive livestock agriculture; Jetties; Landscaping material supplies; Markets; Open cut mining; Plant nurseries; Recreation areas; Roads; Roadside stalls; Rural industries; Rural supplies; Signage; Turf farming; Water supply systems

4 Prohibited

Any other development not specified in item 2 or 3

1.5 Is the subject site excluded from the application of the SEPP under clause 4(6) – Land to which Policy does not apply?

- **Environmentally sensitive land (Schedule 1)**
Schedule 1 of the SEPP provides the following:

Land identified in another environmental planning instrument by any of the following descriptions or by like descriptions or by descriptions that incorporate any of the following words or expressions:

- (a) coastal protection,
- (b) conservation (but not land identified as a heritage conservation area in another environmental planning instrument),
- (c) critical habitat,
- (d) environment protection,
- (e) open space,
- (f) escarpment,
- (g) floodway,
- (h) high flooding hazard,
- (i) natural hazard,
- (k) scenic (but not land that is so identified if:
 - (i) the land is within a residential zone in which development of two storeys or more in height is permitted, or
 - (ii) an adjacent residential zone, also identified as scenic, permits development of two storeys or more in height),
- (l) water catchment,
- (m) natural wetland.

Land shown cross-hatched on the bush fire evacuation risk map.

No – the subject land on which the proposed development will be located is not described as any of the expression listed within Schedule 1 within any Environmental Planning Instrument. A portion of the subject land is affected by flooding however the proposed development will not be located within this area.

Land that is zoned for industrial purposes (except Warringah LGA)

No.

Land in Warringah LGA located in localities in clause 4(6)(c) of the SEPP

No

Land to which Sydney Regional Environmental Plan No. 17 – Kurnell Peninsula (1989) applies.

No

B2 SITE COMPATIBILITY CERTIFICATE REQUIRED FOR CERTAIN DEVELOPMENT APPLICATIONS

2.1 Is the proposed development for the purpose of seniors housing permissible with consent on the land under the zoning of an environmental planning instrument? (see clause 24 (1A))

No – Seniors housing is not permissible with consent within land zoned RU1 Primary Production under Maitland LEP 2011.

2.2 Is the proposed development staged development of a kind saved under the savings provisions of the SEPP (See clause 5.3)?

No.

2.3 A site compatibility certificate is required because (see clause 24(1))

The subject land adjoins land zoned primarily for urban purposes.

B3 TYPES OF SENIORS HOUSING

The proposed development will comprise 233 Serviced self-care housing dwellings.

B4 'GATEWAY' FOR SERVICED SELF-CARE HOUSING ON LAND ADJOINING URBAN LAND

The proposed development will include serviced self-care housing on land adjoining land zoned primarily for urban purposes and will be provided as a Retirement Village within the meaning of the Retirement Villages Act 1999.

PART C - SITE COMPATIBILITY OF THE PROPOSED DEVELOPMENT

C.1 DEVELOPMENT PROPOSAL INFORMATION

1. CONTEXT

The context for development can be presented through photos, maps at an appropriate scale and written evidence.

Location, Zoning of the Site and representation of Surrounding uses

Location

The subject site is located on the north-eastern side of McFarlanes Road. As demonstrated by the aerial photograph and site photographs on the following pages, the site is predominantly rural land cleared of any significant vegetation. An existing dwelling is located on the site.

The northern portion of the site is affected by flooding resulting in the proposed development needing to be located generally within the southern part of the property.



Figure 3 – Aerial Map



Figure 4 – Subject Site to the east



Figure 5 – Subject Site to the north



Figure 6 – Subject Site from McFarlanes Road



Figure 7 – Subject Site from McFarlanes Road

Zoning

The subject site is completely zoned RU1 Primary Production Zone under Maitland LEP 2011 (see Figure 2). Land immediately opposite the subject site is zoned R1 Residential under Maitland LEP 2011 and represents a new urban release area for Maitland City Council.

Council has recently approved a subdivision application on that land and the land is currently being developed for residential housing.

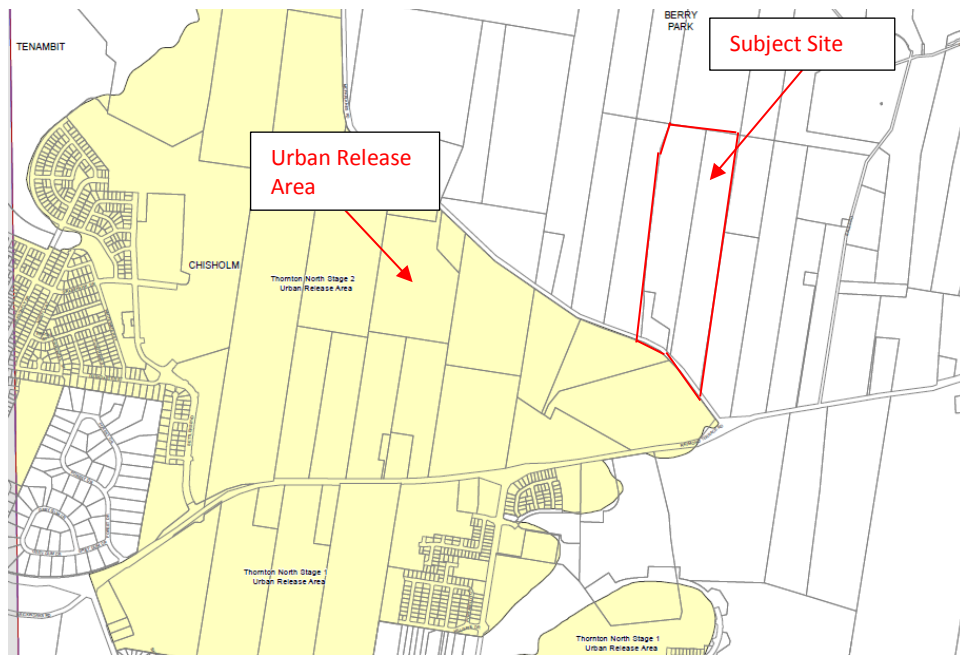


Figure 8 – Urban Release Plan (extract from Maitland LEP 2011)

Description of Surrounding Environment

Built form

The site is generally located within a semi-rural setting where remaining agricultural pursuits are slowly being replaced by rural living type development. Part of the surrounding area is affected by flooding and this has limited the development potential of the land.

The land directly opposite the site is zoned for residential purposes. Development application for the residential subdivision of the land has been recently approved by Council for the subdivision of 227 allotments.

A Retirement Village consisting of 162 dwellings on land on McFarlanes Road north of the subject site has also been approved by Maitland City Council and is yet to be developed.

Further south and to the west, the land is zoned for residential purposes and is currently being developed. Land to the east and north is agricultural land.



Figure 9 – Aerial Photo (Near Map 2018)

The township of Morpeth is located approximately 4km to the north west of the site and Thornton is located 2.6km to the south of the site. Both Morpeth and Thornton provide a range of services including general practice surgery, church, bowling club, shops, cafes, restaurants, post office and similar local retail services. Greenhills Shopping Centre, a Regional shopping centre has been recently redeveloped and is located 5.8km from the subject site.



Figure 10 – Land directly opposite the site will be developed

The immediate area is currently undergoing a transition with land uses changing from predominantly agricultural uses to residential development.

A number of development applications for residential subdivision have been lodged and are either approved or pending with Maitland City Council.

Figure 11 below shows land surrounding and directly opposite the subject site and the development applications that have been lodged with Maitland City Council which are as follows:

- DA15-2670 – Lot 10 DP 1155452 Duckenfield Road (McFarlanes Road) Berry Park, Seniors Housing – 74 Self-contained dwellings, Community Centre, associated site works and site re-grading approved on 14th June 2016
- DA 16-1858 - Lot 10 DP 1155452 Duckenfield Road (McFarlanes Road) Berry Park, Seniors Housing – 88 dwellings, Community Centre, Mens Shed and Associated Infrastructure and Site Works approved on 28th March 2017.
- DA 2016-0432 – Lot 1 and 2 DP 797020 and Lot 1 DP 1144068 Raymond Terrace Road Chisholm, 227 lot staged residential subdivision approved on 23rd June 2017.
- DA 2016-2377 – Lot 18 DP 999725, 93 McFarlanes Road Chisholm, 85 residential subdivision – pending
- DA 2016-2323 – Lot 20 and 21 DP 832786, Lot 1 DP 1032753 and Lot 1 DP 198776, Raymond Terrace Road, Thornton, 400 lot residential subdivision – pending.

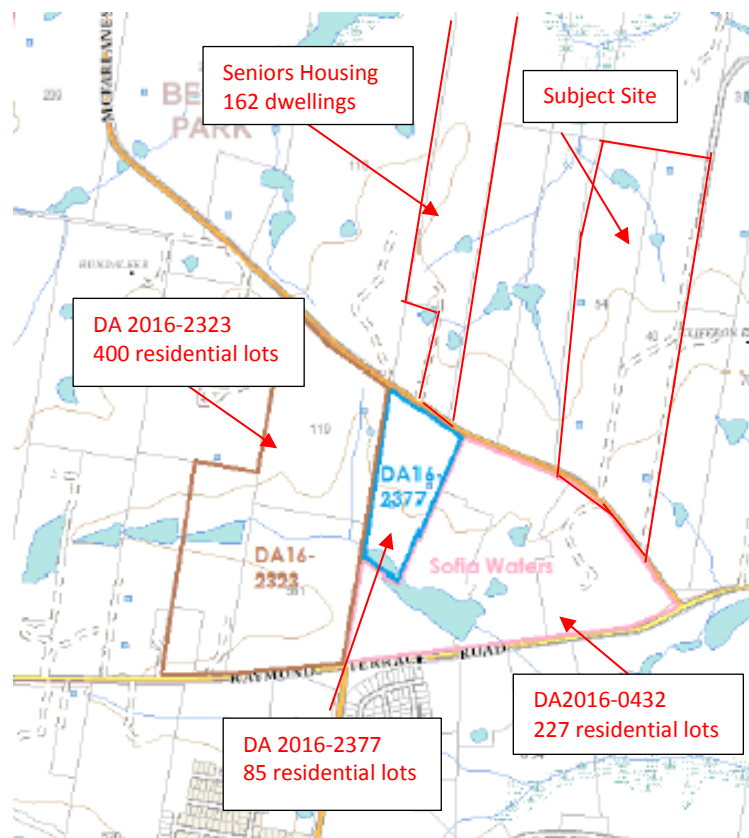


Figure 11 – Development applications either approved or pending for residential subdivision directly opposite the site will be developed

A total of 712 residential lots are proposed directly opposite the subject site. Land further north of the site on McFarlanes Road is also proposed for residential development - DA 17-2573 for 379 lots is proposed and currently under assessment by Council.

Potential Land Use Conflicts

As shown in Figure 11 above, the area is currently undergoing a transition with land uses changing from predominantly agricultural uses to residential development. The area to the north of McFarlanes Road is now only partly dominated by agriculture with the approval of a Retirement Village adjacent to the site and land immediately to the south of the subject site will be developed as residential housing. Should the remaining surrounding land continue to operate agriculturally, land use conflicts are unlikely given that future residents will chose the area with surrounding farming uses in mind. These uses and the rural and agricultural character of the surrounding area will attract residents to this location.

Natural Environment

Bushfire

The subject site is predominantly cleared but some vegetation is located to the north of the site and on adjacent sites to the north-west which resulted in the site being identified as partially affected by bushfire prone on Council's Bushfire Prone Land maps (see **Figure 12** below).

The land to be developed is not located in the bushfire prone area.



Figure 12- Bushfire Prone Map (Source: Maitland City Council).

Flooding

Part of the subject site is affected by flooding. This is identified in blue shading on Figure 13 below. However, the area proposed to be developed is to be located within the unaffected southern portion of the property.

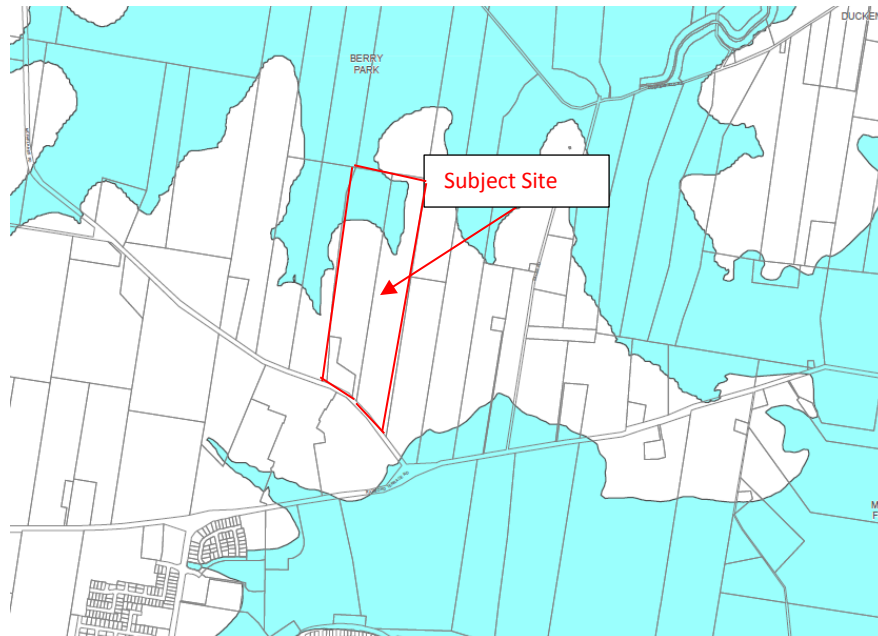


Figure 13 - Flood Planning Map (Source: Maitland LEP 2011)

Watercourses

No watercourses are located on the subject site as shown in Figure 14 below therefore the site is not affected by restrictions or provisions in relation to the Water Management Act 2000.

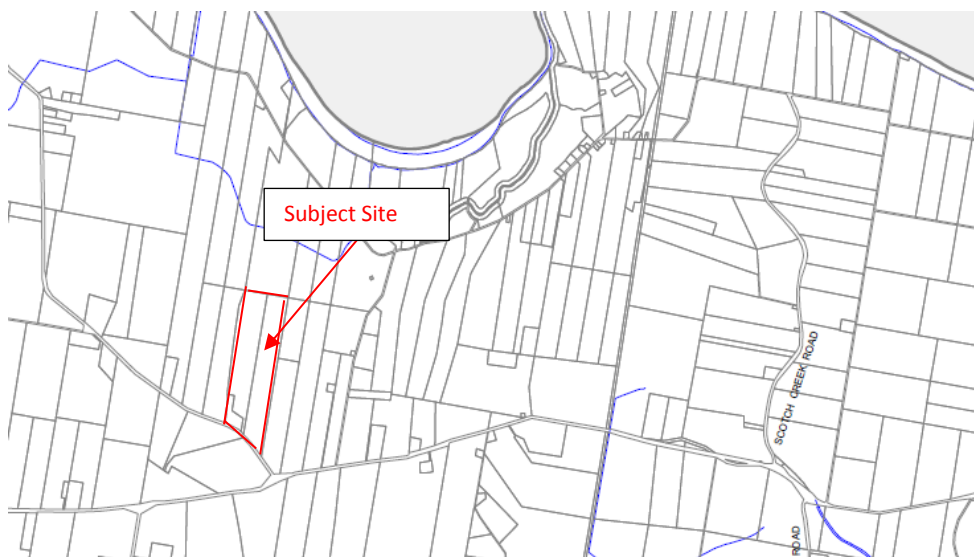


Figure 14 - Watercourse Map (Source: Maitland LEP 2011)

Access to Services and Facilities and Access (Clause 26)

The subject site is located 2.2km from Chisholm Shopping Centre (currently under construction), 2.6km from Thornton shopping centre and 3 kms from Thornton Train Station. The site is also 4km from the township of Morpeth, 4.8km from the new Lower Hunter-Maitland Hospital and 5.8km from Greenhills Shopping Centre – a major regional shopping centre.

In accordance with Clause 26(2)(c), any future development on the site would provide a regular private bus service for residents into these areas. Pick-up and delivery would be available from residents homes to the door of (or in close proximity to) the required services in each area.

Residents also have the option of using the train station services at Thornton which runs generally every half an hour to Newcastle. Taxi services are also available.

The land directly opposite will be developed in the very near future and as yet, there are no pedestrian footpaths linking the subject site to any of these centres. However, as stated above, future residents of the Retirement Village will have access to a regular community bus service which would provide then a safer transport system to Thornton or Greenhills Shopping Centre. The provision of this door to door services negates the need to address the gradient requirements under Subclause 3 of Clause 26.

Location and description of available shops, banks and other retail and commercial services, community services and recreational facilities, medical facilities.

The closest commercial site to the subject site are Thornton Shopping Centre and Morpeth Town Centre. Thornton and Morpeth both contain a small range of services whilst East Maitland and Maitland are larger centres catering for a much higher order of goods and services.

The range of retail outlets and services in Thornton include:

- Coles supermarket;
- Chemist, newsagency, discount retailer, bakery;
- Café, take away shops and bottle shop; and,
- Medical centre.

The range of services in East Maitland and Maitland include:

- Regional shopping centre – Greenhills Shopping Centre;
- Maitland Shopping Mall and “The Levee Central Maitland”;

- The (new) Lower Hunter-Maitland Hospital;
- Maitland Community Care Service – providing specialised support for elderly and disabled people;
- East Maitland Community Health Centre;
- Thornton, East Maitland, Metford and Maitland Railway Stations;
- Maitland Senior Citizens and Pensions Association;
- Numerous pharmacies, optometrists, dental surgeries and medical imaging facilities;
- Numerous legal services; and,
- Numerous banks.

The range of services in Morpeth town centre include the following:

- Morpeth Family Medical Practise, Close Street Surgery;
- Numerous take away shops, cafes and bakeries plus a hotel and tavern.
- Newsagency, general store and women's clothing shop, hair salon;
- Morpeth Bowling and Recreational Club; and,
- Uniting Church, St James Anglican Church and related community facilities.

These services in addition to others are all located within the Thornton, East Maitland, Maitland and Morpeth centres. Given the provision of a private bus service, the drop off locations of residents can be adjusted to suit the demand of the day.

Open space and special use provisions (if relevant)

There are no open space or special use provisions relevant to the subject site.

Agricultural capability of the site and adjoining land if the proposal affects land not zoned primarily for urban purposes

The subject site and surrounding lands are not identified as regionally significant agricultural lands under the lower Hunter Regional Strategy.

Types, values and significance of native vegetation on site, if land is not located in an urban LGA or urban zone listed under Schedule 1 of the Native Vegetation Act 2003.

The area proposed to be development is completely void of vegetation.

2. PROPOSAL

Description of the proposal including the type(s) of seniors housing proposed including numbers of beds/units, community facilities and any ancillary development.

The proposal includes:

- The erection of 233 serviced self-care dwellings; and,
- Community Facilities

Encompassed within this development will be all internal roads and services, a communal facility for the use of the residents and extensive landscaping.

The dwellings are to comprise a range of one, two and three bedroom units. All units will be single storey and could comprise demountable dwellings/mobile homes. The units would be designed and placed within the site so as to ensure minimal impacts associated with bulk and scale when observed from within and from the outside of the site.

All dwellings are to be sited on the southern portion of the site and clear of the floodplain to the north of the site.

Site Description – Natural Elements of the Site (including known hazards and constraints)

Flooding

As detailed above, part of the site is subject to flooding. However, the entire development, including access, would be above the planning line as depicted on Maitland City Council LEP planning maps.

Slope

The site is gently undulating, falling generally to the north and towards the Hunter River and south to McFarlanes Road. The future development would be located within the southern area of the site with the slope able to be used to aid in the design of the building to reduce its bulk and scale when viewed from McFarlanes Road. An appropriately engineered solution will be adopted to ensure suitable access arrangements for both pedestrian and vehicle movements.

Bushfire

As previously mentioned, the site is generally cleared of vegetation with some vegetation located to the north of the site and on adjacent sites to the north-west which resulted in the site being identified as partially affected by bushfire on Council's Bushfire Prone Land maps. The land to be developed is not located in the bushfire prone

area. The overall bushfire threat posed to the site and the proposed development is likely to be low and therefore considered to be only a minor constraint and one that can be easily designed around.

A bushfire assessment identifying the threat posed and the necessary mitigation measures to be implemented would be provided with any future development application for the project and subsequently referred to the Rural Fire Service for approval.

Services

There are no services that traverse the site.

Building envelope – footprint and height relative to adjoining development/uses and indicative layout of proposed uses in relation to adjoining development/uses.

The nature and size of the site is such that development of the height proposed is unlikely to impact in any way on adjoining sites. There would be no overshadowing of adjoining properties and negligible (if any) overlooking impacts due to the location of the proposed development and given adjoining parcels consist generally of vacant pastures.

A detailed Visual Impact Analysis prepared by Moir Landscape Architecture demonstrating the minor potential visual impact of the facility is provided in **Appendix D**.

Proposed extent of native vegetation clearing, if land is not located in an urban LGA or urban zone listed under Schedule 1 of the Native Vegetation 2003.

As mentioned above and as demonstrated on the various photographs of the site (including the aerial photograph), the site of the proposed development and all associated works is clear of vegetation.

3. STRATEGIC JUSTIFICATION

Relationship with Regional and Local Strategies

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 will guide the NSW Government's land use planning priorities and decisions over the next 20 years by providing an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions.

The Hunter Regional Plan makes the following observations:

- Population growth from 732,400 in 2016 to 862,250 in 2036.
- 25% of the population will be aged over 65 years by 2036 – 69,500 more people aged over 65 years by 2036.
- Provide over 61,500 new jobs by 2036 and ensure an adequate supply of employment land.

- Reinforce the role of the Newcastle City Centre as the Regional City.

The Plan states that an additional 70,000 dwellings will be needed in the region by 2036 and trends that will shape housing demand in the Hunter region to 2036 include an increase in the aging population. The Plan also discusses the resultant demand on a range of dwelling types to cater for the changing population. Better understanding the needs of older people will help inform strategic and infrastructure planning and delivery. The Plan encourages housing diversity to match forecast changes in household sizes and looks to develop strategies to respond to housing needs, including social and affordable housing, and support initiatives to increase the supply of affordable housing.

To achieve the above housing target, Maitland local government area is required to accommodate 12,550 new dwellings.

The proposed development would accommodate the development of approximately 233 new dwellings directly opposite land that has been recently approved for residential subdivision. As discussed in this report, the site can be easily serviced and all infrastructure is available.

The figure below from the Hunter Regional Plan 2036 shows the location of the subject site as part of the Greater Newcastle Metropolitan Area 2036. The plan indicated that the site is located within/adjacent to a growth area. The land is not mapped as National Park and Reserve/State Forest.

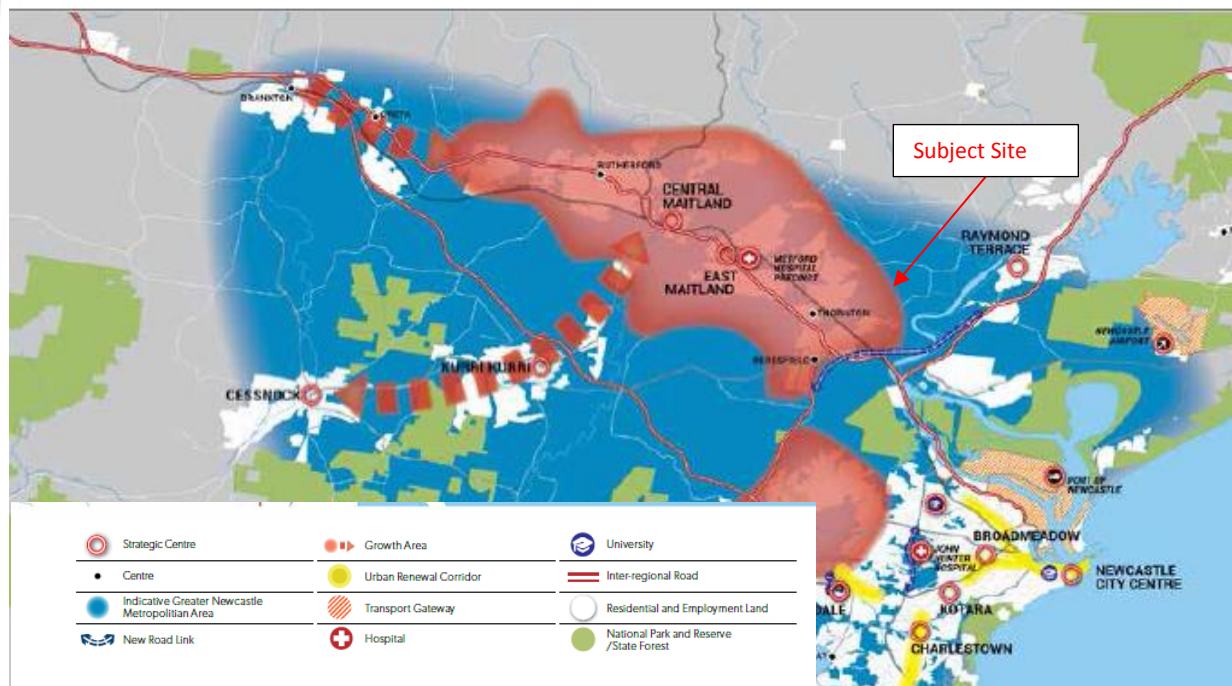


Figure 15 – Greater Newcastle 2036 (Source: Hunter Regional Plan 2036)

The development being proposed is considered to be consistent with the aims and objectives of the Hunter Regional Plan 2036 and the population and housing projections espoused therein.

Maitland Urban Settlement Strategy

The Maitland Urban Settlement Strategy (MUSS) recognises the Maitland Local Government Area as a key urban growth corridor in the Lower Hunter with its proximity to transport corridors, commercial and industrial lands, and potential greenfield development sites. The MUSS identifies suitable land for a variety of growth types, with the subject site being located directly opposite land zoned for undeveloped residential land. As detailed in this report, the land directly opposite this site has recently been approved for residential subdivision and construction of the subdivision is expected to commence shortly. The MUSS map below is dated 2013.

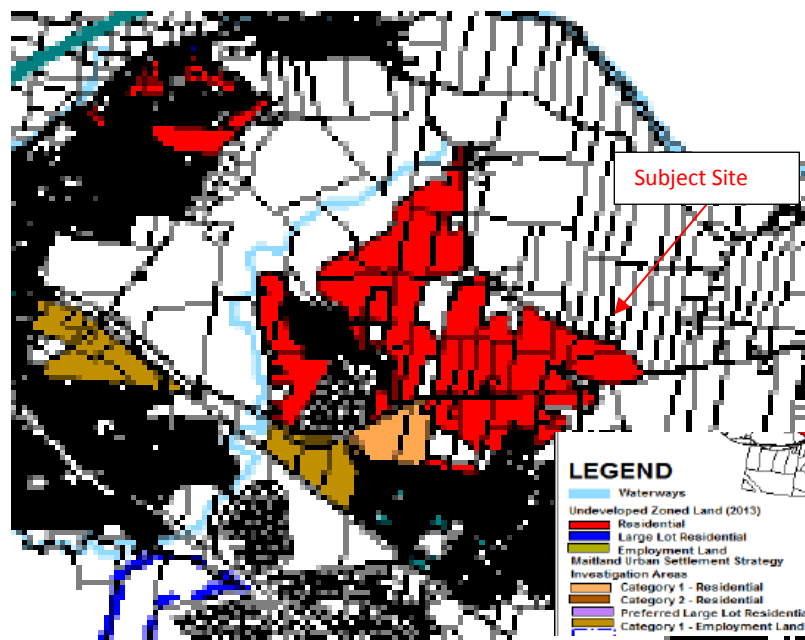


Figure 16- MUSS Urban Settlement Plan 2012

Public interest Reasons for Applying for Seniors Housing in this Locality

The Local Government Area of Maitland has a growing aging population and one which needs to be adequately catered for in well planned senior's accommodation. The advantage of the proposed development is that it will provide a range of housing choices catering to those that wish the security and lifestyle benefits a community living situation affords.

Adequacy of Services and Infrastructure to Meet Demand

As mentioned earlier, land directly across the road to the subject site has been approved for residential subdivision. All services will be made to that site. That land is known as the Allum site.

Hunter Water was consulted with respect to the provision of water and sewer services to the subject site in December 2017 with an application made to Hunter Water for Preliminary Servicing Advice (refer to Section 4 for more information).

Water

In relation to water, Hunter Water has advised the following:

Hunter Water expects to soon approve lead-in watermain designs for extensions along Raymond Terrace Rd. These network extensions will be delivered in accordance with the approved Interim Water Servicing Strategy prepared by ADW Johnson for the Allum Property Group (refer to Figure 1).

These extensions will provide supply for the future reticulation network through the Allum site. This reticulation network may then be extended to service your proposed development on McFarlanes Rd.

Hunter Water have advised that they are aware of other proposed developments on McFarlanes Road and have requested the preparation of a Water Servicing Report for water assets to be designed and constructed.

Wastewater Transportation

Hunter Water have advised that given the local sewer network extensions, it will be possible to provide the development with a sewer point of connection.

Hunter Water has approved lead-in sewermain design plans from Thornton 3 Wastewater Pumping Station (WWPS) to the Allum site. These network connections may then provide a point of connection for the future reticulation network through the Allum site and the reticulation network may then be extended to service this development.

Water and Sewer Reticulation

Thornton 3 WWPS

There is sufficient capacity in Thornton 3 WWPS to service the development.

Wastewater Treatment

The proposed development falls within the Morpeth Wastewater Treatment Works (WWTW) catchment.

Hunter Water have advised that this facility can be upgraded to meet demand for growth if required.

Other services

Other services, such as electricity and telecommunications are also currently available to the site, whilst it is expected that gas and recycled water would be available to the site in conjunction with the future residential development on the adjoining R1 zoned land.

McFarlane Road is presently a two lane sealed roadway with low levels of traffic which as a result could accommodate the additional traffic generated by the development.

As part of any future development, it is expected that works across the front of the development would be undertaken to improve access, sight distance and general traffic conditions.

McFarlanes Road will also be substantially upgraded as part of the future residential development of the R1 zoned land opposite the subject site. Thereby further improving the condition, safety and capacity of the road.

Drainage and stormwater facilities will be provided as part of the development. Given the substantial size of the land, such facilities could be easily accommodated on the site with further details provided with the development application.

Figure 17 below is provided by Hunter Water as an excerpt of the Thornton North Interim Water Strategy.

Figure 1 – Thornton North Interim Water Strategy Excerpt

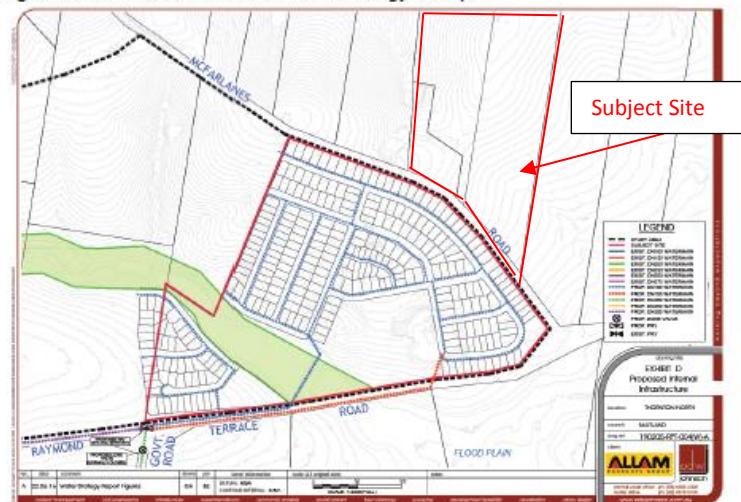


Figure 2 – Thornton North Wastewater Strategy Excerpt

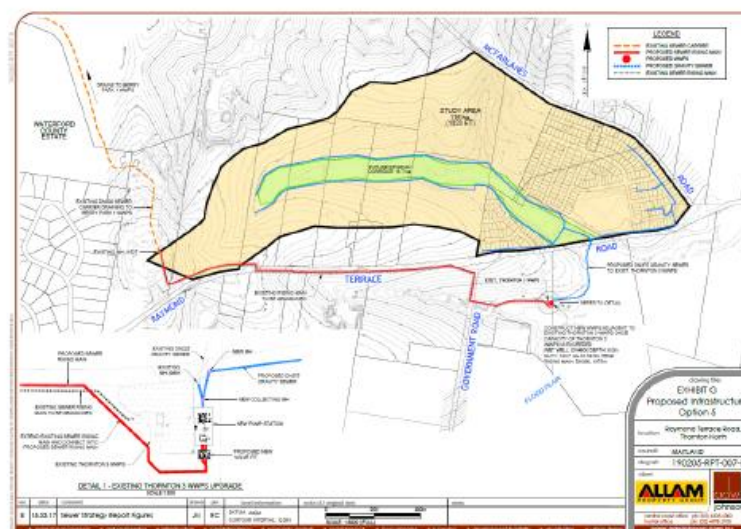


Figure 17 –Sewer Servicing Plan from Hunter Water

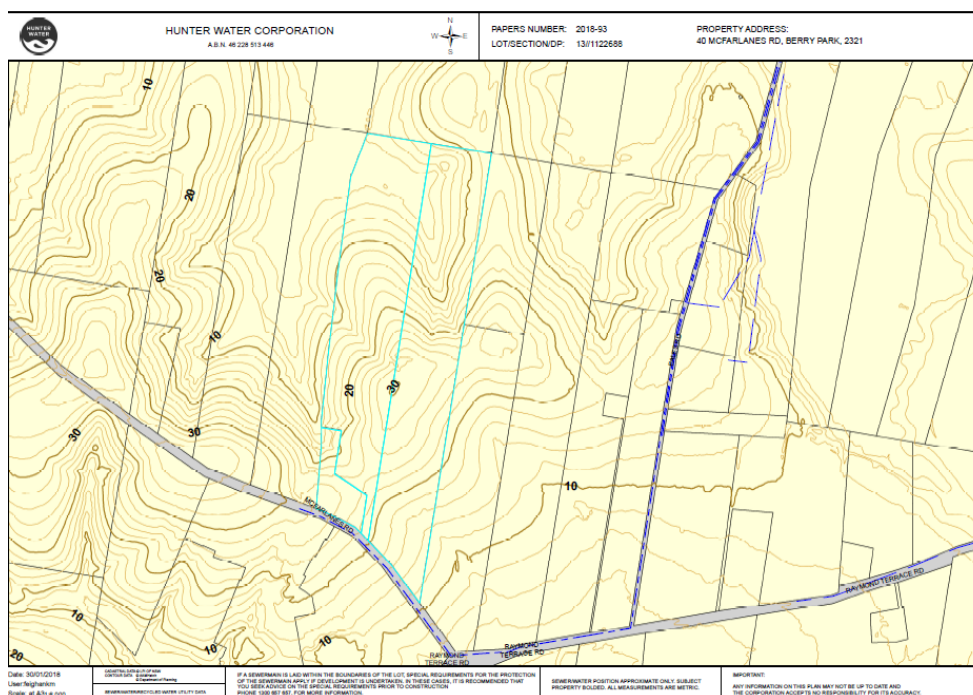


Figure 18 –Sewer Servicing Plan from Hunter Water

4. Prelodgement consultation with the Consent Authority (Council) and Infrastructure Providers

Evidence of Consultation

As noted above, Hunter Water was consulted with respect to the provision of water and sewer services to the subject site in December 2017 with an application made to Hunter Water for Preliminary Servicing Advice. In response, the details as identified above were provided by Hunter Water to demonstrate the proposed development could be serviced. A copy of the formal response from Hunter Water is provided in Appendix E.

Before preparing this application, discussion took place with Maitland City Council who were informally advised of this proposal. Maitland City Council's, Principal Planner, Stephen Punch inspected the site and agreed that the site was suitable for a Retirement Village and had no objection to the lodgement of a Site Compatibility Certificate application.

Information throughout this report has suitably demonstrated that the site meets the criteria of the SEPP and can accommodate more intensive development due to its location directly opposite the R1 Residential zoned land that has been approved for residential subdivision.

C.2 STATEMENT ADDRESSING SEPP SITE COMPATIBILITY CRITERIA

Applicants should provide a statement demonstrating whether the site is suitable for more intensive development and is development for the purposes of seniors housing of the kind proposed in the application compatible with the surrounding environment, having regard to (at least) the following matters for consideration outlined under clause 25(5)(b) of the SEPP:

THE NATURAL ENVIRONMENT (INCLUDING KNOWN SIGNIFICANT ENVIRONMENTAL VALUES, RESOURCES, OR HAZARDS), AND THE EXISTING USES AND APPROVED USES OF LAND IN THE VICINITY OF THE PROPOSED DEVELOPMENT.

As detailed above, the site possesses few constraints and those which are present can easily be catered for without the need for detrimental works or an adverse impact on the surrounding environment. The setting of the site, being directly opposite soon to be developed residential land but still surrounded by agricultural land uses, presents an unique opportunity to provide seniors accommodation in a quiet, tranquil and rural environment whilst still being within close proximity to services and infrastructure. To this end, care will be taken with the design to ensure that the built form will be of an appropriate scale and appearance which responds to the topography of the site and blends with the character of the surroundings area.

Given that the development will be on a rural/urban interface, the site will be within close proximity to various existing agricultural processes. To this end, these processes and general land use activities will be known to future residents up front and likely appreciated by – again emphasising interest of the site.

As such, the proposed site offers the best of both living experiences, in that it will be located within and enjoy a unique rural and agricultural setting but in close proximity to be compatible with and enjoy the facilities and services that come with a residential environment.

THE IMPACT THAT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE USES THAT ARE LIKELY TO BE THE FUTURE USES OF THE LAND IN THE VICINITY OF THE DEVELOPMENT.

Future development in the vicinity of the site will take the form of low residential subdivisions within the recently approved residential subdivision directly opposite the subject site. The proposed development will be directly related to this future residential area through upgraded infrastructure being able to benefit from a shared outlay perspective.

No industrial growth areas have been identified within close proximity to the site and existing flood restrictions and the RU1 zoning will limit residential growth to the north and allow for the continuation of agriculture and

other low impact rural uses. For these reasons, the proposed development is unlikely to have a negative impact on likely future uses in the vicinity of the subject site.

THE SERVICES AND INFRASTRUCTURE THAT ARE, OR WILL BE AVAILABLE, TO MEET THE DEMANDS ARISING FROM THE DEVELOPMENT (PARTICULARLY, RETAIL, COMMUNITY, MEDICAL, AND TRANSPORT SERVICES HAVING REGARD TO THE LOCATION AND ACCESS REQUIREMENTS SET OUT IN CLAUSE 26 OF THE SEPP) AND ANY PROPOSED FINANCIAL ARRANGEMENTS FOR INFRASTRUCTURE PROVISION.

Clause 26 of the SEPP provides:

26 Location and access to facilities

(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with sub clause (2) to:

- (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and*
- (b) community services and recreation facilities, and*
- (c) the practice of a general medical practitioner.*

(2) Access complies with this clause if:

(c) in the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport service available to the residents who will occupy the proposed development:

- (i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and*
- (ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in sub clause (1), and*
- (iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in sub clause (1)) complies with sub clause (3).*

As detailed previously in this report, the proposed development will provide a regular bus service to Thornton, Greenhills Regional Shopping Centre, Maitland and Morpeth allowing access to a number of shops, banking facilities, restaurants, cafes and general services. Numerous bowls facilities, sporting and recreational clubs are located throughout the area.

A number of General Practitioners plus the new Maitland (Lower Hunter) Hospital and Maitland Private Hospital are located within the local area. Maitland Hospital and other specialised health services are located within Maitland.

The proposed bus service will meet the requirements of sub-clause 2 with details to be provided through the development application process. Given that the facility will provide a specialised service for residents only, it will be able to provide a door to door service, negating the need to adhere to gradient requirements.

Clause 26 also refers to Part 5 of the SEPP which states:

Part 5 Development on land adjoining land zoned primarily for urban purposes

42 Serviced self-care housing

- (1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have reasonable access to:
 - (a) home delivered meals, and
 - (b) personal care and home nursing, and
 - (c) assistance with housework.
- (2) For the purposes of sub clause (1), residents of a proposed development do not have reasonable access to the services referred to in sub clause (1) if those services will be limited to services provided to residents under Government provided or funded community based care programs (such as the Home and Community Care Program administered by the Commonwealth and the State and the Community Aged Care and Extended Aged Care at Home programs administered by the Commonwealth).

The proposed development will provide all services required under Clause 42 (1). Full details will be provided with the future development application.

43 Transport services to local centres

- (1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development:*
- (a) that will drop off and pick up passengers at a local centre that provides residents with access to the following:*

- (i) shops, bank service providers and other retail and commercial services that residents may reasonably require,*
- (ii) community services and recreation facilities,*
- (iii) the practice of a general medical practitioner, and*
- (b) that is available both to and from the proposed development to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day.*
- (2) Subclause (1) does not apply to a development application to carry out development for the purposes of the accommodation of people with dementia.*

The proposed development will provide a bus service as required under Clause 43(1). Full details will be provided with the future development application.

44 Availability of facilities and services

A consent authority must be satisfied that any facility or service provided as a part of a proposed development to be carried out on land that adjoins land zoned primarily for urban purposes will be available to residents when the housing is ready for occupation. In the case of a staged development, the facilities or services may be provided proportionately according to the number of residents in each stage.

The proposed development will ensure that upon first occupancy all required services as listed above will be available. This would presumably be a condition on any consent issued by Council attached to the Notice of Determination.

IN THE CASE OF APPLICATIONS IN RELATION TO LAND THAT IS ZONED OPEN SPACE OR SPECIAL USES—THE IMPACT THAT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE PROVISION OF LAND FOR OPEN SPACE OR SPECIAL USES IN THE VICINITY OF THE DEVELOPMENT.

N/A

WITHOUT LIMITING ANY OTHER CRITERIA, THE IMPACT THAT THE BULK, SCALE, BUILT FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE EXISTING USES, APPROVED USES AND FUTURE USES OF LAND IN THE VICINITY OF THE DEVELOPMENT.

Due to the location of the site and the residential land directly opposite the site, the proposed development will have a limited visual impact in the locality and rural character of the catchment.

The Visual Impact Analysis has provided a number of mitigation measures to further reduce the impact of the proposed development including:

- Provision of landscape buffers at the interface of the floodplain and proposed development areas with the provision of landscape vegetation within open space areas and along higher more visible parts of the site.
- Structural landscaping (Street tree planting) along perimeter roads and internal streets.
- The incorporation of vegetation endemic to the area will provide visual integration with surrounding bushland or pockets of native vegetation, in particular the large canopies which will have a positive impact in the broader view.
- Locally sourced native plant species, especially trees, should be utilised throughout the development.
- Controls on the built form such as limited two storey development or designated ridge top open space areas.
- Consideration should be given to controlling the type and colour of building materials used especially with the use of light, highly reflective cladding, brick and tile materials which contrast dramatically with the surrounding landscape.
- Rural style perimeter fencing such as post and rail at the interface with rural land assists in providing a sensitive transition and integration with the rural character of the area.

These measures will be incorporated into the development application for the proposal ensuring that the proposal contributes positively to the visual quality and character of the visual catchment and the character of the Maitland LGA.

IF THE DEVELOPMENT MAY INVOLVE THE CLEARING OF NATIVE VEGETATION THAT IS SUBJECT TO THE REQUIREMENTS OF SECTION 12 OF THE *NATIVE VEGETATION ACT 2003*—THE IMPACT THAT THE PROPOSED DEVELOPMENT IS LIKELY TO HAVE ON THE CONSERVATION AND MANAGEMENT OF NATIVE VEGETATION (NB: *THIS CRITERIA DOES NOT APPLY TO LAND IN URBAN LOCAL GOVERNMENT AREAS OR URBAN ZONES LISTED UNDER SCHEDULE 1 OF THE NATIVE VEGETATION ACT 2003*).

No clearing of native vegetation is required to be undertaken.

C.3 ADDITIONAL COMMENTS

This report demonstrates that the site is suitable for a seniors living development given that it is located directly opposite land that has recently been approved for residential subdivision. The site also exhibits few physical constraints that would preclude the development from being undertaken, whilst the future development can be designed and sited to limit the visual impact and blend with the topography of the surrounding development.

The site can be readily serviced by all necessary infrastructure and Hunter Water are already catering for this development given the approved residential subdivision directly opposite the subject site.

The site is located in close proximity to a range of necessary support services.

On this basis, the Director General is requested to issue a Site Compatibility Certificate for the proposed development.