

22 February 2019

Department of Planning & Environment  
PO Box 1226  
NEWCASTLE NSW 2300

Ref: PK 20037  
Your ref: IRF 19/56  
Enquiries: Robyn Shelley

Attn.: Ben Holmes

Dear Ben

**Application for a site compatibility certificate - SCC\_2019\_MCOAS\_001\_00 - Lot 3 DP 778263, No 15 Chapmans Road, Tuncurry**

Council appreciates the opportunity to respond to an application for a site compatibility certificate for No.15 Chapmans Road, Tuncurry, for a proposal to construct 28 hostel accommodation units in accordance with *State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004* (SEPP).

The proposal information provided by the Department of Planning & Environment has been assessed in accordance with the provisions of Chapter 3 Part 1A Site compatibility certificates State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. In this regard the following comments are provided in response to the relevant sections of the SEPP:

**24 Site compatibility certificates required for certain development applications**

- (1) *This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) if:*
- (a) *the development is proposed to be carried out on any of the following land to which this Policy applies:*
    - (i) *land that adjoins land zoned primarily for urban purposes,*
    - (ii) *land that is within a zone that is identified as "special uses" under another environmental planning instrument (other than land on which development for the purposes of hospitals is permitted),*
    - (iii) *land that is used for the purposes of an existing registered club, or*

The proposal for 28 hostel accommodation units is within the R5 Large Lot Residential zone of Great Lakes Local Environmental Plan (LEP) 2014.

Seniors housing, including a hostel for the purposes of the SEPP, is not identified in LEP 2014, as being permitted with consent within the R5 Large Lot Residential Zone.

The property is located on Chapmans Road Tuncurry. The majority of land on the northern side of Chapmans Road is zoned R5 Large Lot Residential and R2 Low Density Residential land to the south. The road itself is zoned RU2 Rural Landscape.

The predominant form of development across both residential zones is of single storey detached dwelling houses and ancillary structures.

- (b) the development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45.*

Great Lakes LEP 2014 allows for a floor space ratio of 0.4:1 within the R5 Large Lot Residential zone.

**25 Application for site compatibility certificate**

- (5) The Director-General must not issue a site compatibility certificate unless the Director-General:*
- (a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and*
  - (b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:*
    - (i) 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,*

The site has Class 4 Acid Sulphate Soils.

Council is not aware of any Aboriginal Cultural Heritage sites or items on this property.

The site is not affected by flooding or coastal wetlands. However, development of the scale proposed would be required to address water quality and stormwater runoff impacts which would necessitate preparation of a water management strategy, inclusive of MUSIC modelling.

The majority of land in the immediate vicinity of the site is zoned either R5 Large Lot Residential or R2 Low Density Residential and has been developed for the purposes of single storey detached dwelling houses. The site immediately adjoining the eastern boundary of the subject site is zoned R5 Large Lot Residential and has been developed for the purposes of seniors housing under *SEPP (Housing for Seniors or People with a Disability) 2004*.

Other land uses in the vicinity include dual occupancies; a jockey club racing track and track with other recreational activities; a place of public worship; and landscaping material supplies/garden centre.

- (ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,*

The following development activities are permissible with consent in the R5 Large Lot Residential zone in Great Lakes LEP 2014: Agriculture; Animal boarding or training establishments; Bed and breakfast accommodation; Cellar door premises; Child care centres; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Educational establishments; Emergency services facilities; Exhibition homes; Farm buildings; Farm stay accommodation; Home-based child care; Home businesses; Home industries; Information and education facilities; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation areas; Respite day care centres; Roadside stalls; Secondary dwellings; Veterinary hospitals.

- (iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements*

*set out in clause 26) and any proposed financial arrangements for infrastructure provision,*

The site is located approximately 2.5 kilometres (km) from the Tuncurry CBD where a range of retail facilities including medical services, are available. The site is located approximately 5km from the medical precinct and 6km from Stockland Shopping Village, in Forster. The nearest public hospital is located in Taree which is approximately 35 km away.

While a bus stop is located on Chapmans Road within 100 metres of the subject site, services are primarily provided for school children and other public services are limited.

*(v) 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,*

The predominant built form in this location is of single storey detached dwelling houses. A maximum building height of 8.5m applies throughout this location, which would generally allow for building construction up to two storeys.

*(vi) 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.*

Council is not aware of any significant native vegetation on this site. The Commonwealth listed Tuncurry Midge Orchid and other endangered ecological communities have been identified on the eastern side of The Lakes Way, but are not expected to be located on the subject site.

In conclusion, based on the above preliminary assessment findings, Council does not have any objection to a Site Compatibility Certificate for Seniors Housing being issued for Lot 3 DP 778263, No.15 Chapmans Road Tuncurry.

Should you have any enquiries in relation to any matters raised within this submission, please contact me on 6591 7345.

Yours sincerely



**Robyn Shelley**  
Senior Assessment Planner

