



Figure 2: Site context map – the subject site is outlined in red (zoned RU4 Primary Production Small Lots), with the area not subject to the SCC application circled in light blue (zoned R2 Low Density Residential) (source: Nearmap).

APPLICANT: Precise Planning on behalf of Common Ground Property Pty Ltd submitted a site compatibility certificate (SCC) application to the Department on 26 March 2018 (**Attachments B1–B5**). Further information regarding the proposed built form was provided to the Department on 19 April.

PROPOSAL: The application report (**Attachment B1**) details an SCC sought as part of the concept plan for the broader site to permit a residential care facility. The application report describes the proposal for a seniors living development comprising a 200-bed residential care facility and 210 serviced or self-care dwellings however there were inconsistencies in the numbers provided in the documentation provided to support the application and as such clarification was sought from the applicant. The

applicant clarified on 4 June 2018 (**Attachment B5**) that the proposal was for 220 serviced or self-care bed and 120 residential care beds, with a maximum building height of 9m (two storeys) and a maximum FSR of 0.2:1. (Figure 3).

The Department has made its assessment based on the cap of 220 serviced/self-care beds and 120 residential care beds as clarified by the applicant.

The mix of serviced and/or self-care single-storey dwellings has yet to be determined by the applicant. The residential care facility will use the Stratford House building for community uses.



Figure 3: Concept layout of the proposed development.

The following additional supporting documentation was provided with the application:

- site surveys;
- a concept plan; and
- clarification of the proposed dwelling and bed numbers and the maximum height and FSR.

LGA: Wollondilly

PERMISSIBILITY STATEMENT

The overall development concept encompasses 20 contiguous allotments, with 10 allotments (the subject of this SCC application) zoned RU4 Primary Production Small Lots and a further 10 zoned R2 Low Density Residential under the provisions of the Wollondilly LEP 2011.

Lots 1-7 and 35-37 DP 12096, with frontage to Remembrance Driveway and Rockford Road, are zoned R2 Low Density Residential. While the future development proposal intends to include this land, the R2-zoned land does not form

part of this SCC application as it is already zoned for urban purposes. The remainder of the site is zoned RU4 Primary Production Small Lots and directly adjoins the R2 Low Density Residential land. Therefore, the subject site can use the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP).

The planning controls for the subject site and surrounding land under the Wollondilly LEP 2011 are provided in Table 1 and Figure 4.

Table 1: Site and surrounds LEP controls.

	Land zones	Maximum height of buildings	Minimum lot size
The site	R2 Low Density Residential (part of site not subject to SCC application)	9m	700m ²
	RU4 Primary Production Small Lots (part of site subject to SCC application)	N/A	2ha
Land adjoining the site (north)	R3 Medium Density Residential (north of Remembrance Driveway)	9m	975m ²
Land adjoining the site (east)	Part R2 Low Density Residential and Part RU4 Primary Production Small Lots	9m and N/A	700m ² and 2ha
Land adjoining the site (south)	RU4 Primary Production Small Lots (part of site subject to SCC application)	N/A	2ha
Land adjoining the site (west)	Part RE2 Private Recreation Part RU4 Primary Production Small Lots (part of site subject to SCC application)	9m and N/A	N/A and 2ha

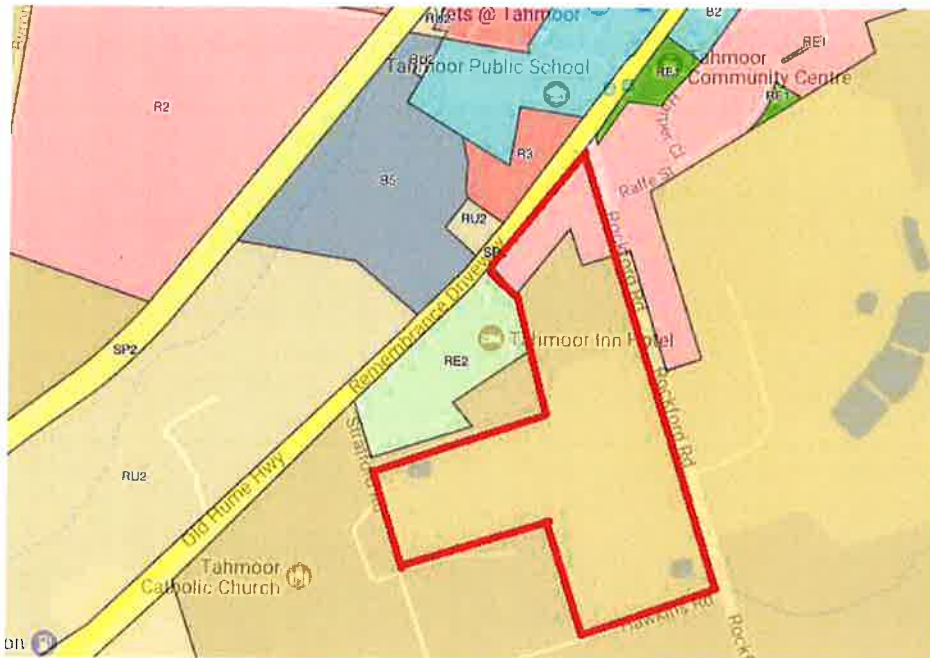


Figure 4: Land zone map (site outlined in red).

The provisions under clause 4 of the Seniors Housing SEPP provide that an SCC can be issued for the site as it satisfies the following:

- development for the purpose of dwelling houses is permitted on the land, satisfying clause 4(1)(a);
- land that is primarily zoned for urban purposes adjoins the site to the north and north-east and is zoned R2 Low Density Residential, satisfying clause 4(5)(b); and
- the land to which the SCC applies is not covered by any of the exclusions listed in schedule 1 of the Seniors SEPP, satisfying clause 4(6).

Some general considerations for the site that will be required to be addressed as part of any future development application include:

- an item of local heritage significance – I235 Stratford House – at 20 Rockford Road and 2705 Remembrance Driveway (Lot 2 DP 236262 and Lot 6 DP 12096) listed under schedule 5 of the Wollondilly LEP 2011 is intended to be incorporated into the development proposal;
- the site is part of the Bargo Mine Subsidence District; and
- there is vegetation on-site.

However, the above considerations are not environmental considerations as defined under schedule 1 of the Seniors Housing SEPP and there are no permissibility matters that would preclude the issuing of an SCC on the subject site (as discussed later in this report).

PREVIOUSLY ISSUED SITE COMPATIBILITY CERTIFICATE ON THE LAND

On 4 November 2015, an SCC was issued for the site to which this application applies. This previous SCC expired on 4 November 2017.

PROXIMITY OF SITE TO WHICH THERE IS A CURRENT SITE COMPATIBILITY CERTIFICATE, OR AN APPLICATION HAS BEEN MADE BUT NOT YET DETERMINED

There are no issued SCCs or undetermined applications for an SCC within a 1km radius of the site.

CLAUSES 24(2) AND 25(5)

The panel must not issue a certificate unless the panel:

- (a) has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received from the general manager of the council within 21 days after the application for the certificate was made;
- (b) is of the opinion that:
 - (i) the site of the proposed development is suitable for more intensive development; and
 - (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

CLAUSE 25(2)(C)

A cumulative impact study has not been prepared as there are no other issued or new SCC applications within a 1km radius of the site.

COUNCIL COMMENTS

On 27 March 2018, the Department forwarded the SCC application to Wollondilly Shire Council for comment.

Council provided its response to the Department (**Attachment C**). Council acknowledged that the site is adjacent to land primarily zoned for urban purposes and may therefore seek an SCC.

Council also notes that its comments and position on the proposal have not changed since the initial SCC was approved (Council comments for the initial SCC were provided on 16 April 2015).

Council indicated that it generally supports the proposal and identified several matters for consideration during the development assessment process. Council comments are summarised in the following table:

Issue	Council comments
1. Vegetation communities on-site	<p>Previous comments from Council (16 April 2015) indicated an Upper Georges River Sandstone Woodland vegetation community was identified on-site. However, Council's current review (18 May 2018) notes it is unclear how this vegetation community was identified.</p> <p>Council's most recent comments note that its mapping indicates there are Cumberland Plain Woodland native vegetation communities on-site (which are identified as a 'critically endangered ecological community' under the state <i>Biodiversity Conservation Act 2016</i> and 'critically endangered' under the federal <i>Environment Protection and Biodiversity Conservation Act 1999</i>).</p>

Issue	Council comments
	<p>Council recommends a flora and fauna report be required as part of any future development application for the site.</p> <p><u>DPE response</u></p> <p>As discussed in this report, both Upper Georges River Sandstone Woodland and Cumberland Plain Woodland have been identified as potential vegetation communities on-site. However, vegetation on-site should not preclude the issuing of an SCC as this can be assessed as part of the development application process. It is recommended the SCC include a requirement for a flora and fauna report to be prepared as part of any future development application for the site. Any mitigation measures required can be sufficiently implemented as part of the development application.</p>
<p>2. Potential noise impacts from neighbouring property</p>	<p>The Tahmoor Inn (which holds live music events) and the Ingham's processing plant, both neighbouring the subject site, may have potential noise impacts on the proposed development. Council recommends an acoustic report be required as part of any future development application for the site.</p> <p><u>DPE response</u></p> <p>As discussed in this report, the subject site is considered suitable for more intensive development. The neighbouring commercial uses should not preclude the issuing of an SCC for the subject land, and any potential noise impacts of surrounding development on the proposal can be assessed as part of the development application process. It is recommended the SCC include a requirement for an acoustic report to be prepared as part of any future development application for the site. Any mitigation measures required can be sufficiently implemented as part of the development application.</p>
<p>3. Potential odour impacts from neighbouring property</p>	<p>The Ingham's processing plant neighbouring the subject site may have potential odour impacts on the proposed development. Council recommends an odour assessment be required as part of any future development application for the site.</p> <p>The plant was connected to Sydney Water's reticulated sewerage infrastructure in 2015, which significantly reduced the potential for odours beyond the boundary of the plant's site. However, Council notes the sewerage infrastructure incorporates a pond treatment system and if there were any major issues with the ponds, there may be the potential for odour impacts beyond the plant's boundaries.</p>

Issue	Council comments
	<p><u>DPE response</u></p> <p>As discussed in this report, the subject site is considered suitable for more intensive development. Any potential odour impacts from the neighbouring plant should not preclude the issuing of an SCC for the subject land as this can be assessed as part of the development application process. It is recommended the SCC include a requirement for an odour report to be prepared as part of any future development application for the site. Any mitigation measures required can be sufficiently implemented as part of the development application.</p>
<p>4. Consideration of nearby planning proposals</p>	<p>Council has received two draft planning proposals for sites near the subject land. One draft proposal seeks to enable shop-top housing above existing commercial on land bound by York Street, George Street, Larkin Street and Thirlmere Way in Tahmoor, approximately 560m from the subject site. It seeks to enable a six-storey apartment building with 432 units. The other draft planning proposal, currently on public exhibition, seeks to rezone rural land to enable housing and environmental conservation to provide for 260 dwellings.</p> <p>Council notes these proposals should be considered in the assessment of the SCC.</p> <p><u>DPE response</u></p> <p>The Department notes Council's concerns about the planning proposals. However, these are not relevant considerations under the Seniors Housing SEPP. Council will be able to assess any future development application on the site under section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>, particularly section 4.15(1)(a)(ii), which includes consideration of any proposed instrument (i.e. planning proposal) that is or has been the subject of public consultation.</p>
<p>5. Metropolitan rural area</p>	<p>Council notes the subject land is located within the metropolitan rural area and the proposal is not considered to impact future rural-residential land uses in the area.</p> <p><u>DPE response</u></p> <p>As discussed in this report, the development of seniors housing in accordance with the provisions of the Seniors Housing SEPP is considered appropriate as the locality is undergoing a transition to urban use and this will help to provide housing choice in appropriate locations.</p>
<p>6. Heritage</p>	<p>Council notes the proposal will result in a significant modification to the driveway off Rockford Road and Remembrance Driveway, which leads to the local heritage</p>

Issue	Council comments
	<p>item on the subject site, Stratford House. Council notes the proposal may have a detrimental impact on the sightlines to and from the heritage item as viewed from the public domain. Council recommends a detailed heritage report be required as part of any future development application for the site.</p> <p><u>DPE response</u></p> <p>As discussed in this report, the consideration of the heritage item on part of the subject site should not preclude the issuing of an SCC for the subject land.</p> <p>It is considered that these matters may be appropriately addressed as part of the development assessment process. However, given that the outcomes of the heritage study may affect or limit development potential on the site, it is recommended that a requirement be included in the SCC for a heritage impact statement to be prepared as part of any future development application.</p>
<p>7. Wastewater capacity in the area</p>	<p>Council notes that although the SCC applicant states the site will be serviced by Sydney Water for sewerage and water connections, Council's recent experience with a planning proposal to rezone land indicates there is limited wastewater capacity in the area. Council notes Sydney Water is planning the development and implementation of a long-term effluent management strategy for the area and should be notified about the subject application and proposals in the area.</p> <p><u>DPE response</u></p> <p>While the Department notes the challenges Council faces regarding development in rural areas and supporting infrastructure, the Department is of the view that applicants should have the opportunity to submit SCC applications and for them to be assessed on their merit consistent with the Seniors Housing SEPP. It is considered that these matters may be appropriately addressed as part of the development assessment process. However, it is recommended that the SCC include a requirement for Council to seek comments from Sydney Water in relation to any future development application of the land.</p>
<p>8. Open space shortage</p>	<p>Council notes a need for high-quality open space to be provided within the site.</p> <p><u>DPE response</u></p> <p>While the Department notes Council's need for open space, this does not preclude the issuing of an SCC for the subject land. Provision of open space on the subject</p>

Issue	Council comments
	<p>site is a matter Council can negotiate with the applicant at the development application stage, and Council may be better positioned to address consistency with its Open Space, Recreation and Community Facilities Strategy (2014). It is recommended that the SCC include a requirement for the applicant to consider private open space provision on the subject land as part of any future development application.</p>
<p>9. Unclear description of proposed built form</p>	<p>Council notes the description of the proposal in the SCC application documentation and additional information provided by McCabe Architects (19 April 2018) are inconsistent and clarification should be sought.</p> <p><u>DPE response</u></p> <p>Further clarification was received from the applicant on 4 May 2018 confirming the proposal details have been updated since the SCC application documentation was lodged. The proposal is as follows:</p> <ul style="list-style-type: none"> - 220 self-contained dwellings; - a 120-bed residential aged care facility; - a maximum FSR of 0.2:1; and - a maximum height of 9m (two storeys).

SUITABILITY FOR MORE INTENSIVE DEVELOPMENT

The panel must not issue a certificate unless the panel is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)):

1. The site of the proposed development is suitable for more intensive development (clause 24(2)(a))

The site is approximately 500m south of the Tahmoor town centre, which includes a supermarket, a pharmacy and various retail stores, and is approximately 150m south of the Tahmoor shopping village, which includes a medical centre, a bank, a supermarket and retail stores. Bus stops are located within 100m of the subject site with services to Picton and Bargo.

The land is occupied by a two-storey heritage-listed dwelling and associated structures. While the site has been used for dairy farming, it immediately adjoins land zoned primarily for urban purposes. Land uses surrounding the site include residential dwellings, rural-residential uses, a hotel, a public school and an electrical substation.

The site is in the Bargo Mine Subsidence District. The concurrence of Subsidence Advisory NSW is required prior to the lodging of any development application. Preliminary advice was received from the NSW Department of Trade and Investment Division of Resources and Energy as part of the previous SCC application that raises no objection to the subject site being developed and notes the proposal will not have any detrimental impact on the mine subsidence district.

There are no known environmental constraints (as per schedule 1 of the Seniors Housing SEPP) that would preclude the development of the site for seniors housing (discussed later in this report).

The proposed development would contribute to meeting the need for seniors housing in Tahmoor by providing housing options that will give residents of Wollondilly Shire the opportunity to access appropriate forms of housing as their needs change over time.

The residential-zoned lots which form part of the subject site are identified in the Wollondilly LEP 2011 height of building map as having a maximum building height of 9m. Any future development on these lots would be limited to 9m in height. There is no provision for a maximum FSR for the subject site and surrounds. However, the proposal's maximum FSR of 0.2:1 is considered to be suitable for the area and can sufficiently be assessed through any future development assessment process.

The site's current land-use zones permit a mix of activities including dwelling houses, community facilities, intensive plant agriculture, recreation areas and neighbourhood shops. The broader area has a diversity of land uses and activities and the proposed seniors housing on the subject site will not limit or hinder the mix of appropriate land uses in the area.

As part of the previous SCC application, the applicant provided evidence that all required utilities were either available or could be provided to service the proposed development (as discussed later in this report).

Given the nature of the site, the availability of services and infrastructure and the mixed land uses in the surrounding area, the site is considered suitable for more intensive development (as discussed below).

COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES

The panel must not issue a certificate unless the panel is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))

Ecology

The subject site has areas of vegetation, with some significant vegetation identified as Upper Georges River Sandstone Woodland and Cumberland Plain Woodland present. The Upper Georges River Sandstone Woodland community is not considered a threatened or endangered ecological community under the federal *Environmental Protection and Biodiversity Conservation Act 1999* or the state *Biodiversity Conservation Act 2016*. The Cumberland Plain Woodland is identified as a 'critically endangered ecological community' under the *Biodiversity Conservation Act 2016* and 'critically endangered' under the *Environment Protection and Biodiversity Conservation Act 1999*.

Any impact of the proposal on native vegetation will need to be assessed through the development application process. Further, the site is not identified as 'sensitive land' on the natural resources biodiversity map in the Wollondilly LEP 2011. Accordingly, it

is considered that the nature of the vegetation on the site would not preclude the issue of an SCC.

Mining

The site is in the Bargo Mine Subsidence District. Advice received on 27 May 2015 from the NSW Department of Trade and Investment Division of Resources and Energy indicates the agency has no objections to this location being developed, that the Bulli seam has been extracted from below the site and the site lies within a mine subsidence district. As noted above, the applicant will need to consult with Subsidence Advisory NSW prior to lodging a development application with Council.

Bushfire risk

While the land is not shown as bushfire prone on Council's mapping, any future development application will need to demonstrate that the NSW Rural Fire Service would be able to provide an appropriate response in any bushfire event for the site.

Other existing and approved uses in the vicinity

The Ingham's processing plant is 500m to the north-east of the site. Regarding the potential risk that the site will experience odour impacts, residential developments within Ralfe Street, Harper Close and Rockford Road are also within 500m of the Ingham's processing plant. Any odour impacts arising from this plant would therefore be expected to affect adjacent lands that have been deemed suitable for residential use.

Accordingly, it is considered that the risk of odour impact arising from the proximity of the site to the Ingham's processing plant is not of such significance that it would preclude the issue of an SCC. However, the potential for odours to impact on the proposed seniors housing development will need to be thoroughly assessed through the development application process.

The proposal does not remove any approved uses and is considered to be compatible with existing and approved uses of the surrounding area, which comprises both rural and urban uses (this is discussed further below).

2. The impact that the proposed development is likely to have on the uses that, in the opinion of the Panel, are likely to be the future uses of that land (clause 25(5)(b)(ii))

Permissible and future land uses

The site's land-use zones permit a mix of activities including dwelling houses, community facilities, intensive plant agriculture, recreation areas and neighbourhood shops. The broader area has a diversity of land uses and activities and the proposed seniors housing on the subject site will not limit or hinder appropriate land uses in the area.

As noted above, the site is not used for agricultural purposes and the agricultural capability of the site is considered to be minimal. The proposal is not likely to impact on future rural-residential land uses in this area.

Heritage

Stratford House is identified as Heritage Item I235 under schedule 5 of the Wollondilly LEP 2011. The location of the proposed residential care facility will have a potential detrimental impact on the sightlines to and from the heritage item as viewed from the public domain. It would need to be demonstrated as part of any

development application for the proposed use that the heritage value of Stratford House is protected. Any application will need to include a detailed heritage report identifying the potential impacts and how the heritage value will be protected from those impacts in the long term.

It is considered that these matters may be appropriately addressed as part of the development assessment process. However, given the outcomes of the heritage study may affect or limit development potential on the site, it is recommended that a requirement be included in the SCC for a heritage impact statement to be prepared as part of any future development application.

Further strategic justification

When considering an SCC application, the assessment can only consider matters outlined in clause 25(5) of the Seniors Housing SEPP. This clause relates to council comments, the natural environment, the impact on future uses of the land, services and infrastructure, the bulk and scale of the development and the removal of native vegetation. The SEPP does not reference the local, district or regional strategic plans for consideration. However, the following strategic plans identify the need to provide seniors housing close to public transport and amenities and are considered below to provide a broader picture of the strategic context:

Greater Sydney Region Plan

- Objective 6 of the plan indicates the need to plan for health services to respond to growth in the ageing population, ensuring there are services that respond to the needs of the community. The proposed development will assist in providing access to services required by elderly people and intends to provide health care facilities on-site; and
- Objective 7 relates to the need to ensure people have access to services and social networks. The proposed development is adjacent to an urban area, parks and open space and schools, allowing connectivity to the local community.

Western City District Plan

- The plan notes the projected population change from 2016 to 2035 of people aged 65-84 is just over 100% and of people aged 85 and over is just over 250%.

The Department notes the suitability of the site's location adjoining low density residential land and improved housing diversity in servicing the increasing numbers of people aged 65 or older in the locality. The proposal is therefore considered to be consistent with the likely future uses on the land.

3. 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 (clause 25(5)(b)(iii))

Location and access to facilities

Clause 26 of the Seniors Housing SEPP requires that residents of a proposed development have access to:

- (a) shops, bank service providers and other retail and commercial services that residents may reasonably require;
- (b) community services and recreation facilities; and

(c) the practice of a general medical practitioner.

The clause notes that access is complied with if:

- the facilities and services are located no more than 400m from the site; or
- if these facilities are not so located, there is a public transport service available that will take residents within 400m of the required facilities.

The site is approximately 500m south of the Tahmoor town centre, which includes a supermarket, a pharmacy and various retail stores, and is approximately 150m south of the Tahmoor shopping village, which includes a medical centre, a bank, a supermarket and retail stores. Bus stops are located within 100m of the subject site with services to Picton and Bargo.

Clause 26 of the Seniors Housing SEPP requires the consent authority at the development application stage to ensure that pedestrian access footpaths comply with the gradient requirements.

A footpath is not provided within the portions of Remembrance Driveway or Rocklands Road immediately adjacent to the site. However, a path is located on Remembrance Driveway, approximately 70m north of the site, extending from the pedestrian crossing adjacent to Tahmoor Public School and north on both sides of the road, providing access to the services and facilities referred to above.

The terrain near the subject site is relatively flat, and the gradients to and through the Tahmoor commercial area are likely to comply with the standards set out in clause 26 of the SEPP. It is therefore considered that the provision of path paving extending south along Remembrance Driveway to provide the required access to the site may be appropriately addressed as part of the development assessment process.

Access to the proposed facilities and services and the provision of public transport meet the minimum requirements of the Seniors Housing SEPP. As mentioned above, it is considered that further information regarding pedestrian access to these local services will need to be provided as part of any future development application. This should not preclude the issuing of an SCC as pedestrian accessibility and formalised footpaths can be assessed and negotiated to the satisfaction of the consent authority as part of the development assessment process.

It is considered that the proposal complies with the requirements for access to public transport and services/facilities (clause 26(2)).

Services infrastructure

As part of the previous SCC application, the applicant provided evidence that all required utilities were either available or could be provided to service the proposed development, including:

- water: Clause 4.1 of Sydney Water's feasibility letter advises, "Initial servicing investigations indicate that a DN150 water main in Rockford Road could provide for the domestic needs of the proposed development."

- sewer: Clause 4.2 of Sydney Water’s feasibility letter advises, “While this proposed Residential Care Facility development is not in the latest Council or DPI forecast, an early high-level assessment shows that the trunk sewer system has capacity to service the proposed development.”
- electricity: Clause 5.0 of the electrical infrastructure report by Power Line Design advises, “This site is in an ideal location for the connection of Electricity from the Endeavour Network.”

The provision and augmentation of essential infrastructure services will be resolved with the respective infrastructure/supply authorities. It is recommended that the SCC include a requirement for the applicant to seek comments from Sydney Water in relation to the area’s service capacity to accommodate any future development application on the subject land.

4. 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 and special uses in the vicinity of the development (clause 25(5)(b)(iv))

The site is not zoned open space or special uses. The proposed development will not reduce the provision of land for open space or special uses within this locality.

5. 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 (clause 25(5)(b)(v))

The built form of the proposed single self-contained dwellings and the residential care facility has not been designed in detail as part of the concept plan with the SCC application. In summary, the general details of the proposal are:

- 220 self-contained dwellings;
- a 120-bed residential aged care facility;
- a maximum building height of 9m (two storeys); and
- a maximum FSR of 0.2:1.

It is considered that any potential impact on neighbours can be minimised through building design, setbacks and landscaping, and any privacy and amenity issues can be addressed as part of Council’s development assessment process.

Development and built form matters are to be considered as part of any future development application subject to further refinement to align with built form controls, which will be appropriately addressed as part of the development assessment process and compliance with the Seniors Housing SEPP and section 4.15 of the *Environmental Planning and Assessment Act 1979*.

6. 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 (clause 25(5)(b)(vi))

The *Native Vegetation Act 2003* was repealed on 24 August 2017. Native vegetation clearing is addressed earlier in this report.

7. The impacts identified in any cumulative impact study provided in connection with the application for the certificate (clause 25(5)(b)(vii))

As there are no issued SCCs or undetermined applications for an SCC within a 1km radius of the site, a cumulative impact study is not required to address the impacts of multiple SCCs within the vicinity.

CONCLUSION

The site adjoins land for urban purposes, meeting the requirement of the Seniors Housing SEPP. The proposed development will provide Wollondilly Shire with housing diversity for seniors and care facilities for those with a disability in a locality where there are no significant constraints to more intensive development.

The SCC application is consistent with clause 25 of the Seniors Housing SEPP and it is considered that housing for seniors or people with a disability is a suitable use of the site and compatible with the surrounding land as:

- it is consistent with local and state government strategic plans; and
- there are adequate and suitable:
 - services and utilities available; and
 - public transport and pedestrian access routes.

Council supports the proposal but has raised several concerns. It is considered that these matters can be adequately addressed at the development application stage and this should not preclude the issuing of an SCC.

The proposed requirements to be imposed on the SCC are as follows:

1. The applicant is to consult with Subsidence Advisory NSW during the preparation of concept plans prior to the lodgement of a development application with Council;
2. The applicant is to consult with Sydney Water during the preparation of concept plans prior to the lodgement of a development application with Council;
3. The applicant shall submit the following to Council at the development application stage:
 - (i) a heritage impact statement. This is required as Stratford House is identified as Heritage Item 1235 under schedule 5 of the Wollondilly LEP 2011;
 - (ii) a flora and fauna assessment. This is required as significant and endangered vegetation communities have been identified on the site;
 - (iii) an acoustic report. This is required to assess any potential noise impacts of the nearby Ingham's processing plant and Tahmoor Inn on the development proposal;
 - (iv) an odour assessment. This is required to assess any potential odour impacts resulting from the nearby Ingham's processing plant on the development proposal; and
 - (v) an assessment addressing Council's Open Space, Recreation and Community Facilities Strategy (2014) to respond to the need for private open space.

ATTACHMENTS

Attachment B1 – SCC application report and attachments

Attachment B2 – SCC application form

Attachment B3 – owner's consent

Attachment B4 – additional information – height and FSR

Attachment B5 – additional information letter to the Department

Attachment C – Wollondilly Shire Council comments

Contact officer: Edith Barnes
Technical Specialist, Sydney Region West
Ph: 8289 6624