

Planning | Development | Management

SITE COMPATIBILITY CERTIFICATE APPLICATION

Proposed Senior's Facility

Rockford Road, Remembrance Driveway, Stratford Road, Hawkins Road, Tahmoor

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EXECUTIVE SUMMARY

The purpose of this Report is to provide information to the Department of Planning & Environment (DPE) to assist in the determination of an application for a Site Compatibility Certificate (SCC) pursuant to the provisions of Part 1A State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP).

It is proposed to seek approval for the erection of a **Residential Care Facility** (RCF) with a capacity for 200 beds and 210 associated **Self-care or Serviced Self-care Dwellings**. The subject site is zoned partly R2 Low Density Residential and the remainder RU4 Primary Production Small Lots, pursuant to Wollondilly Local Environmental Plan 2011 (LEP). The Land Use table contained within the LEP permits **Senior's Housing** (which is a type of **Residential Accommodation**) in the R2 zone, but does not permit Senior's Housing in the R4 zone. However, the RU4 component of the site is immediately adjacent to land zoned "...primarily for urban purposes". Therefore, senior's housing is permissible on the R2 component of the land, pursuant to the LEP, and on the RU4 component of the land, subject to the issue of an SCC for that purpose by the DPE.

The subject site is known as "Stratford House", Rockford Road Tahmoor. The title details are as follows:1

- Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096
- Lots 2 and 3 DP 236262

Currently occupying the site is a two storey dwelling, with associated structures. The existing dwelling is an item of local heritage significance under the LEP.

The site is bounded by Rockford Road to the east; Remembrance Driveway to the northwest, Hawkins Road to the south and Stratford Road to the west. The total site comprises 20 separate titles and contains an area of 13.33ha. Land uses surrounding the site include residential dwellings, rural residential (hobby farm) uses, a hotel, public school and an electrical substation.

The RCF is a compatible land use for this location and, as discussed later in this report, there is a demonstrable need for more RCF beds in the local area. A high quality RCF on this site may be achieved with negligible environmental impact and a positive social and economic impact. The location of the site at the southwestern edge of the township of Tahmoor makes an ideal context for such a facility. Large regional centres in proximity to the site include Campbelltown, Bowral, Camden and Narellan. Tahmoor itself contains all major banks, a credit

¹ See copy of Site Survey at Annexure A



union, post office, medical centres, dentist, solicitors, accountants, hairdressers, fast food outlets, restaurants, supermarkets and the like. The nearest public hospital is in Campbelltown.

An existing sheltered bus stop is located near the front of the site, with a concrete constructed continuous path of travel to and from all services in the Tahmoor township.

The site will be serviced with electricity, telephone, Sydney Water sewerage and water connections and natural gas.

Discussions have occurred with Wollondilly Council in relation to this proposal, specifically with Council's Manager of Planning David Smith. Subject to the issuing of a Site Compatibility Certificate and a proper assessment process, David Smith has indicated he supports the proposal.

Based on investigations represented in this report, it is concluded that the site is suitable for the proposed development and worthy of support by DPE for the issue of a SCC.

Previous SCC issued for this land

The Department of Planning & Environment ('DPE') has previous issued a SCC for the subject land, dated 4 November 2015. As SCC's have a 2 year validity, the SCC has now expired. This application is intended to have a new SCC issued for the identical area of land, however with a slight reduction in the number of self-care or serviced self-care units proposed, from 226 to 210. The bed number for the proposed residential care facility remains the same, at 200 beds. The layout of the proposal is different from the original proposal, as the self-care/serviced self-care units are now on independent lots rather than apartment or duplex style.



INTRODUCTION

1.1 BACKGROUND

This Report is intended to accompany an application to Department of Planning & Environment (DPE) for a Site Compatibility Certificate (SCC), pursuant to the provisions of Part 1A State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP). The report addresses the relevant requirements contained in clauses 24 and 25 of the SEPP.

It is proposed to seek approval for the erection of a **Residential Care Facility** (RCF) with a capacity for 200 beds and 210 **Self-care or serviced Self-care Dwellings**.

1.2 SITE IDENTIFICATION

The land to which this report relates is known as "Stratford House", Rockford Road Tahmoor, located within the Wollondilly Local Government Area. Title particulars are as follows:

- Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096
- Lots 2 and 3 DP 236262

The land has street frontage to Rockford Road, Remembrance Driveway, Hawkins Road and Stratford Road, although its commonly used vehicular access is from Rockford Road.





FIGURE 1Rockford Road (site is on right hand side of this photograph)

Rockford Road, Hawkins Road and Stratford Road are two rural roads in reasonable condition. Remembrance Driveway is a main road under the control of Roads and Maritime Services (RMS).



FIGURE 2
Stratford House – set amongst manicured gardens





FIGURE 3Stratford House – existing driveway off Rockford Road



FIGURE 4 Locality plan



1.3 ZONING AND PERMISSIBILITY – Legislative framework

The subject land is contained partly within the R2 Low Density Residential zone and the remainder within the RU4 Primary Production Small Lots zone, pursuant to the LEP. It adjoins R2 Low Density Residential to the west and south.

Wollondilly LEP 2011 (LEP)

Senior's housing is a type of **residential accommodation** in the dictionary contained in LEP.

R2 Low Density Residential zone

The LEP land use table for the R2 zone permits the following land uses, with consent:

Bed and breakfast accommodation; Boarding houses; Cemeteries; Child care centres; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Homebased child care; Home businesses; Home industries; Home occupations (sex services); Neighbourhood shops; Places of public worship; Recreation areas; Residential accommodation; Respite day care centres; Roads; Sewerage systems; Signage; Veterinary hospitals; Water supply systems

The Land Use Table prohibits certain types of *Residential Accommodation* in the R2 zone, namely:

Attached dwellings; Multi dwelling housing; Residential flat buildings; Rural workers' dwellings; Shop top housing;

As *Senior's Housing* is not listed in the prohibited land uses, it is a use that is permissible with consent in the R2 zone.

RU4 Primary Production Small Lots

The LEP land use table for the RU4 zone permits the following land uses, with consent:

Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Cellar door premises; Cemeteries; Child care centres; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Research stations; Respite day care centres; Roads; Roadside stalls; Rural supplies; Secondary dwellings; Signage; Veterinary hospitals; Water supply systems



Residential Accommodation is not listed as a use that is permissible with consent in the RU4 zone and Senior's Housing is not listed as one of the exceptions.

This means that seniors housing, is a *prohibited* land use in the RU4 zone.

SEPP (Housing for Senior's or People with a Disability)

The SEPP applies to the Wollondilly LGA and has the effect of setting aside any controls within an environmental planning instrument that would otherwise prevent the development of housing specified by the SEPP, provided it meets the development criteria and standards specified.

Clause 4(1) of the SEPP provides as follows:

This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

- (a) development for the purpose of any of the following is permitted on the land:
 - (i) dwelling-houses,
 - (ii) residential flat buildings,
 - (iii) hospitals.
 - (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or
- (b) the land is being used for the purposes of an existing registered club.

Note 1

Part of the land is located in the RU4 Primary Production Small Lots zone under the LEP. This is <u>not</u> land ".... Zoned primarily for urban purposes". However, the land immediately adjoins land zoned R2 Low Density Residential (which is land "....zoned primarily for urban purposes") on its northern and eastern boundaries.

Note 2

Dwelling-houses are permitted on land zoned RU4 Primary Production Small Lots under LEP (for relevance, see cl.4(1)(a)(i) of the SEPP, quoted above).

Note 3

Because the land adjoins land zoned primarily for urban purposes, and dwelling-houses are permitted on land in the RU4 zone, the SEPP enables certain **seniors housing** to be erected on the subject land.

Note 4

Clause 17(1) of the SEPP permits the following categories of **seniors housing** to be erected on land adjoining land zoned primarily for urban purposes:



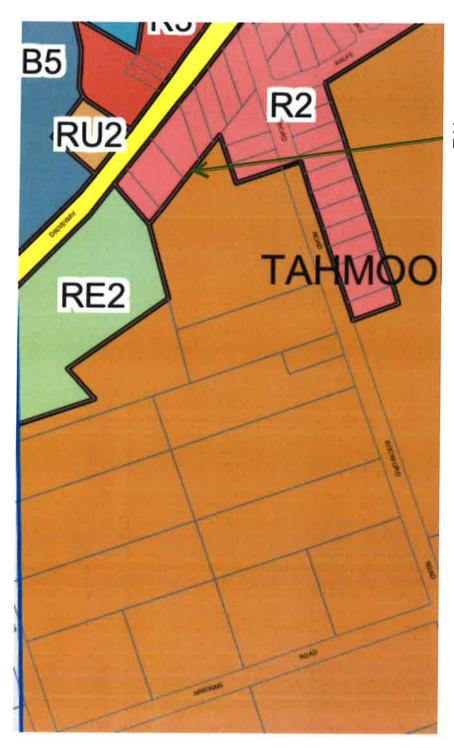
- A hostel
- A residential care facility
- Serviced self care housing

Clause 17(2)(b) of the SEPP requires that serviced self care housing on land adjoining land zoned primarily for urban purposes must only be approved if it is in combination with a residential care facility.

Self-care housing may be erected on the R2 zoned part of the site.

The proposal is consistent with these subclauses, as it seeks to develop a residential care facility for 200 beds and 210 associated self-care and serviced self-care houses.





Interface between R2 and RU4 zones

FIGURE 5 Zone map - LEP



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1.4 GENERAL SUMMARY OF SITE CHARACTERISTICS

Characteristic	Analysis
Property description	Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096 and Lots 2 and 3 DP 236262
Location, dimensions, shape, area, orientation	Frontage to Rockford Road, Remembrance Driveway, Hawkins Road and Stratford Road. Area is 13.33ha, irregularly shaped.
Access	Access to the land is Rockford Road
Contours and levels	The land is relatively flat, as depicted on the plan at Annexure A.
Existing vegetation	The vegetation around the existing dwelling consists mainly of exotic tree species, including large pine trees. Some native vegetation exists near the intersection of Rockford Road and Remembrance Driveway, Otherwise the remainder of the site consists of isolated paddock trees and pasture grass.
Existing improvements	Two storey masonry dwelling with attached living area and sheds
Significant views to and from the site	There are no district or regional views of significance either to or from the site
Stormwater	Surface water flows in the direction of the slope of the land
Electricity	Overhead supply available
Water	Reticulated water supply available
Sewer	Sydney Water sewerage infrastructure connection available
Gas	Gas supply is available
Microclimate	Predominant breeze from the southwest. Summer storms from the west, south and southwest. The location and topography of the site does not create a microclimate
Existing overshadowing	Not relevant
Fences, boundaries, easements	Mixture of fence types; generally rural type fencing. The land is not affected by any easements
Natural features	There are no noteworthy natural features
Adjacent and opposite buildings / development	Residential development to the north and east; rural residential to the south; hotel; and rural residential to the west.
Street frontage features	There are no noteworthy street frontage features
Height differences between subject and adjoining land	No significant changes
Significant noise sources	No significant noise sources affecting the land other than Remembrance Driveway traffic noise
Bushfire risk	Land is NOT shown as bushfire prone on Council maps



Contamination	No investigation has been carried out at this stage
Salinity	No investigation has been carried out at this stage
Acid sulphate soil	No investigation has been carried out at this stage
Flooding	Not considered flood-prone

TABLE 1General Summary of Site Characteristics



2 THE PROPOSAL

2.1 RESIDENTIAL CARE FACILITY

Part of this proposal is the erection of a 200 bed residential care facility.

Clause 11 of the SEPP defines a *residential care facility* as follows:

In this Policy, a **residential care facility** is residential accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hostel, hospital or psychiatric facility.

This definition is replicated in the LEP.

A plan showing the location of the proposal has been prepared by McCabe Architects (Annexure B). At this stage, only the designated area of the site has been identified on the land. This area occupies that part of the site fronting Stratford Road.

The facility will be accessed from Stratford Road.

The facility will utilize the existing Stratford House building for community uses and an indoor swimming pool.

2.2 SELF-CARE AND SERVICED SELF-CARE HOUSING

Part of this proposal is the erection of 210 independent living units (ILUs)(SELF-CARE AND serviced self-care housing).

Clause 13(1) of the SEPP defines defined by the SEPP as **self-care housing** as follows:

In this Policy, a **self-contained dwelling** is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.

Clause 13(3) of the SEPP defines defined by the SEPP as **serviced self-care housing** as follows:



In this Policy, **serviced self-care housing** is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

For the 210 ILUs, **self-care housing** is permitted in the area currently zoned R2 and **serviced self-care housing** is permitted in the balance of the site, adjoining land zoned primarily for urban purposes. At this stage, it has not been determined whether the 210 ILUs, which extend into the area zoned R2, will be all **serviced self-care housing**, or part **self-care housing**. In any event, this should have lifftle bearing on the issuing of the SCC.

A plan showing the location of the proposal has been prepared by McCabe Architects (Annexure B). The layout is indicative at this stage, but will generally follow the topography of the land.

The 210 ILUs are made up of detached dwellings.

Access to this section of the site will be from Rockford Road.

The **serviced self-care housing** will operate in synergy with the RCF in order to provide meals, cleaning services, personal care, nursing care, thus meeting the definition requirements.

It is possible that the construction of the ILUs will be staged to meet demand.

2.3 DESIGN PHILOSOPHY

The proposed residential care facility will provide varying levels of 24hr care to 200 residents who are no longer independent.

Residents will be accommodated in a building, most likely over two levels. Residents will be accommodated in single and double rooms. Dining and lounge facilities will be provided to all residents and served in-house catering and support services.

Specifically designed indoor and outdoor activity spaces will be created to provide an environment that will be peaceful and relaxed. This will include facilities proposed for the existing dwelling.

Residents will be supported by nursing and administrative staff 24hrs a day as their care needs dictate.

A day care centre for the aged will form part of the design of the new residential care facility.

2.4 NEARBY SERVICES

The facility will be located at the southwest edge of the existing township of Tahmoor. In addition to a typical ribbon-style main street, Tahmoor boasts a range of services, as detailed in Table 3, in s.3 of this report.



Campbelltown is the largest regional centre, approximately 36kms via Menangle Road or 42kms via the freeway. Campbelltown is a major regional centre servicing southwest Sydney, with two major retail shopping centres, several railway stations, a hospital and many specialist medical services, entertainment precinct and many other services.



3

SITE COMPATIBILITY CERTIFICATE CRITERIA

3.1 SEPP REQUIREMENTS

Part 1A, clauses 24 and 25 of the SEPP outline the requirements and criteria for the determination of an application to the Director General for an SCC.

Clause 24

SEPP Reference	Requirement	Response
Cl.24(1)(a)	Application of the clause	The land adjoins land zoned primarily for urban purposes
Cl.24(1A)	Permissibility under another EPI	We are not aware of any other EPI which permits senior's hosing on this land
Cl.24(2)	SCC required	Purpose of this current application
Cl.24(3)	Consent authority still required to determine application	Noted

TABLE 2Response to Clause 24 SEPP

Clause 25

Cl.25(5)(b)(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 local environment consists of relatively flat topography, an overland flow path leading to a farm dam and some species of native vegetation. Development in the vicinity of the site consists of residential development to the east and north, rural residential development to the south and a hotel and rural residential development to the west.

The topography is shown on the plan by Sydney Land Surveyors (Appendix A). The overland flow path will be treated in accordance with Water Sensitive Urban Design Principles and is not considered a barrier to the proposal.

The vegetation will be investigated as part of the development application process. However, it is not considered significant.



The land is not shown as bushfire prone on Council's bushfire prone land maps.

The previous application for a SCC detailed how the nearby Inghams Turkey Processing Plant was preparing to connect to Sydney Water's sewerage reticulation. Such connection would be beneficial to the area, as the method of effluent management historically had been a series of open settlement ponds. Occasionally, these ponds produced odour impacts.

It can now be confirmed that the Plant is now connected to Sydney Water's reticulated sewer. Therefore, the potential for odour affecting this site is significantly reduced.

Cl.25(5)(b)(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 proposal is residential in nature. It is noted that Wollondilly Council has, in its Growth Management Strategy (2011), identified this land for potential residential development in the future. The proposal is therefore consistent with Council's future plans.

In addition, it is noted that a significant commercial development is proposed for land recently rezoned to B5 Business Development on the opposite side of Remembrance Driveway. The senior's living proposal will not conflict with the commercial development in any way.

The proposal will be compliant with the built form controls of the SEPP.

Cl.25(5)(b)(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

A bus stop is located within 50m of the northwest corner of the site (in addition, the facility will operate its own bus service), which can transport patrons to Tahmoor, Picton, Camden and Campbelltown, as well as the railway stations.

The proposed facility is able to achieve compliance with the provisions of cl.26 of the SEPP. The site is located less than 100 metres from the commercial centre of Tahmoor and approximately 8kms to Picton, 28 kms to Camden, 33 kms to Narellan and between 36 and 42 kms to Campbelltown (depending on the route taken).

Services in Tahmoor, with distances from the site are shown in Table 3 below:

Service	Distance from site
Pedestrian crossing (over Remembrance Driveway)	60
Bus shelter (NW side of Remembrance Driveway)	80



Service	Distance from site
Community Centre	120
Tahmoor Shopping Village (Radiology, St George Bank, Pharmacy, Medical Centre)	140
Dentist	190
Barber	210
Aldi Supermarket	330
Anglican Church	490
Solicitor	490
NAB	520
Credit Union	540
Post Office	610
Optometrist	615
Tahmoor Town Centre (Woolworths, Pharmacy, Cafes, Butcher, Hairdresser, KFC, Caltex S/S, Variety store	620-750
Baptist Church	800

TABLE 3Services in Tahmoor and distance from the site

Cl.25(5)(b)(iv)

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

Not applicable.

CI.25(5)(b)(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 proposed facility will be compatible with existing and approved development and appropriate for the location, being less than 500m from the railway line and on the edge of the commercial centre of Tahmoor.

The application will include a comprehensive landscape strategy, integrated with the building design, to maximize occupant amenity and minimize visual impacts. The strategy will incorporate retention of existing trees where possible.

CI.25(5)(b)(vi)

If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the <u>Native Vegetation Act 2003</u> – the impact



that the proposed development is likely to have on the conservation and management of native vegetation.

Some minor clearing is required, as previously noted. However, the clearing is of such a minor nature that its impact on the conservation and management of native vegetation is negligible. It is also noted that the *Native Vegetation Act 2003* has now been repealed.

3.2 APPLICATION REQUIREMENTS (s.C1 of application form)

Category	Description	Response
Context		
	Location, zoning and surrounding uses	See s.1.2 and 1.3 and Figure 5
	Description of surrounding environment	See s.1.4 and Table 1
	Access to services and facilities	See s.2.4 and Table 3
	Open space and special uses provisions	N/A
	Agricultural capability of the site and adjoining land	Minimal due to size of land and potential conflicts with adjoining land uses
	Type, values and significance of native vegetation on the site	Isolated paddock trees only
Proposal		
	Description of the proposal	See s.1.1, s.2.1 and plan at Annexure B
	Site description	See s.1.2 and s.1.4 (Table 1)
- EVS-201-EU	Building envelope	See plan at Annexure B
	Proposed extent of native vegetation clearing	Isolated paddock trees only
Strategic justification		
	Relationship with regional and local strategies	Future use for residential purposes is consistent with Wollondilly Council's Growth Management Strategy 2011 for this land
	Public interest reasons	There is a lack of RCF beds in the Wollondilly area. This proposal serves a demonstrable public interest need in the LGA
	Adequacy of services and infrastructure to meet demand	See Table 3. All these existing services will benefit from increased patronage. Infrastructure services will be augmented where required, at full cost to th proponent
Pre-lodgment consultations		
	Evidence of consultation	Meeting with Council's Manager of Development David Smith. No written response provided



Category	Description	Response
DY Y	Issues raised in	No negative issues raised, subject to normal DA
	consultation	assessment processes

TABLE 4Response to matters raised in section C1 of application form



4 CONCLUSION

The proposed facility will assist to provide increased housing choice for seniors and people with a disability in the local area. The proposed location is ideally suited to the development, being on the edge of the Tahmoor township.

It is proposed that the operator will manage this facility in conjunction with their existing portfolio. It is expected that this development will also be in high demand based on allocations being made by the Department of Social Services in 2014.

The site is also located in the immediate vicinity of a range of services and transport infrastructure, Place of Public Worship and medical facilities. The proposed facility may be erected with minimal environmental impact.

Wollondilly Council has already verbally indicated support in principle to the concept of an aged care facility as a compatible use.

Subject to DPE support for this application, it is intended to proceed with the preparation of a Development Application to Wollondilly Council at the earliest opportunity.

We look forward to your favorable reply.

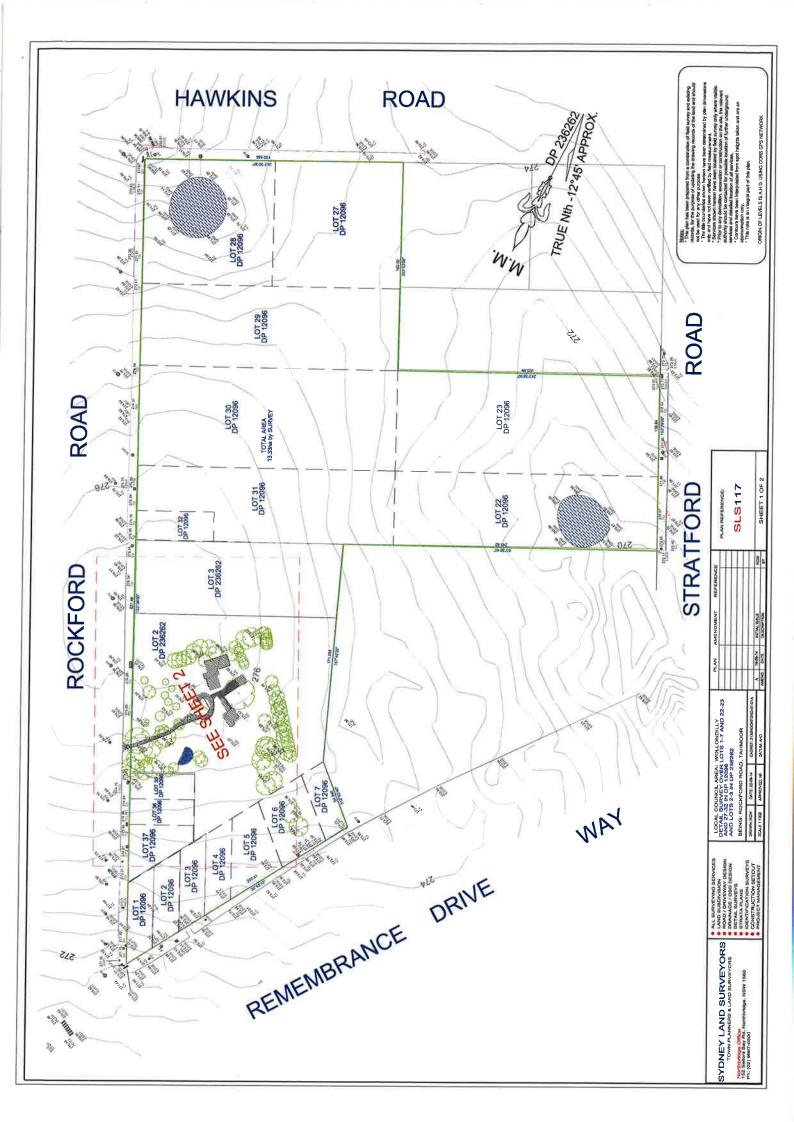
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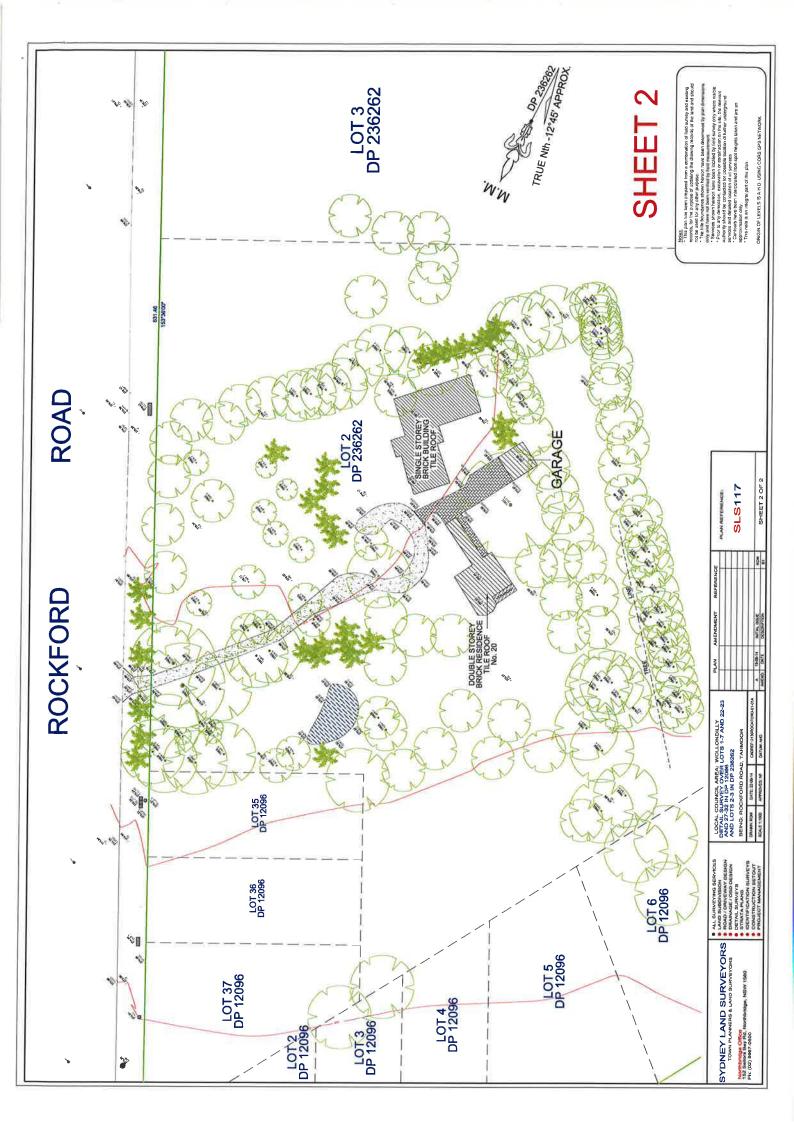


Appendix "A"

SITE SURVEY







Appendix "B"

CONCEPT PLAN



