



Office of the Director General

Ms Meredith Wallace
General Manager
Rockdale City Council
PO Box 21
ROCKDALE NSW 2216

12/02696

Attention: Ms Suzanne Wren

Dear Ms Wallace,

Application for a site compatibility certificate – 50A, 56 & 58 Francis Ave, Brighton-Le-Sands - State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Thank you for your letter dated 3 February 2012 concerning the application for a site compatibility certificate for 50A, 56, 58 Francis Ave, Brighton-Le-Sands.

I have determined the application for a site compatibility certificate cannot be accepted as it does not meet requirements under clause 4 and 24 of the SEPP. In this regard under clause 4(1) and clause 24(1) of the SEPP, an application can only be made for "land that is being used for the purposes of an existing registered club". As the application indicates the use of the land for a club has ceased, the application does not comply with this requirement.

In addition, under clause 4 (1), the SEPP only applies to "land adjoining land zoned primarily for urban purposes" if dwelling houses, residential flat buildings, hospitals or special uses are permitted on the land. These uses are not permitted under the RE2 Private Recreation zone under Rockdale Local Environmental Plan (LEP) 2011 which covers most the site.

The SEPP only applies to that part of the site which is zoned R2 Low Density Residential because it is land zoned primarily for urban purposes and on which dwelling houses are permitted (provided that the land is not environmentally sensitive land). However, a SCC is not required for this land as seniors housing is already permitted in the zone.

I note Council does not support the application. Accordingly, I have advised the applicant the application cannot be accepted and indicated any future development options for the site should be discussed with Council.

If you have any questions in relation to this matter, I have arranged for Ms Juliet Grant, Regional Director of the Department's Sydney Region East planning team to assist. Ms Grant can be contacted on telephone number 9228 6113.

Yours sincerely


Sam Haddad
Director General

30/3/2012