

**SUPPORTING DOCUMENTATION
FOR A SITE COMPATIBILITY
CERTIFICATE**

***BANGALOW TERRACES
@ BANGALOW***

***Prepared by
TATTERSALL LANDER PTY LTD
Development Consultants
April 2016***

DEVELOPMENT CONSULTANTS IN ENGINEERING, SURVEYING AND PLANNING



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Annex A – Proposed Development Layout Plans

Annex B – Byron LEP 2014 Land Zoning Map

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Annex D – Dwelling Plans and Architectuals

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1.0 Introduction

This supporting information included in this report has been collated to provide the Department with a clear picture of the proposal and the site constraints. Overall the project has been determined to have significant merit and the attached documentation indicates that the request for a Site Compatibility Certificate should be approved.

The report has been structured to provide an overview of all matters relevant to the Site Compatibility Certificate Application Form but also includes additional information to allow the Department to understand that this Application has attempted to investigate all relevant matters and to provide a logical process for the dealing with those issues that have been raised by Council and our internal investigations.

The Layout Plans for the development are listed below with the following details:-

Sheet No	Details – Annex A
1	Regional Context and Village Town Plan. Details of the availability of services within the Town.
2	Overall Site Plan in relation to the subject Lot 39 DP 625255.
3	Detailed Site Plan indicating 78x 4Plexes, 10xDuplexes, Orchards, Tennis Courts, Caravan & Boat Storage, Farm Machinery Shed, Mens Shed Workshop, Community Gardens, Coffee Shop/Café and Community Clubhouse and Pool.
4	Constraints Plan indicating contours, Water Management Act Riparian Corridors and streams, RFS required Asset Protection Zones, Section Lines and the existing Easement for Water Pipelines 10 wide.
5	Sections Plan indicating the typical arrangements over the existing landform.
Additional Plans – Annex B	
	Byron Shire Council's LEP Land Zoning Map with site indicated.

2.0 Development Proposal Information – Site Compatibility Criteria

2.1 Natural Environments

- a) The site contains some areas of native vegetation that Council had indicated on their Planning Maps as DM (Deferred Matter) under the Byron LEP 2014 and these areas are in fact 1(b1) Agricultural Protection under Byron LEP 1988. These DM areas are to the north of the proposed location of the Village and will not be impacted by the proposed development. Council has advised that these areas are likely to be rezoned to the surrounding RU1 Rural Production zoning into the future.

The existing top of the small ridge is occupied by a substantial single storey brick dwelling that is surrounded by minor amenity domestic landscape plantings surrounding the immediate dwelling enclosure. The adjoining paddocks are covered and generally lined along old fencelines by *cinnamomum camphora* (Camphor Laurel) that make up >95% of the farms vegetation cover.



Photograph 1 – Existing single storey brick dwelling



Photograph 2 – Typical Camphor Laurel vegetation over the property

- b) The farm is currently leased to an adjoining cattle farmer but given the existing grass cover in the photographs' few cattle are physically on site.
- c) Council has advised (refer Annex C for Minutes of the DAP Meeting) that the following constraints are recorded within their GIS:-
 - Flood Liable Land– this will only affect those parts of the land that adjoin the riparian corridors and are not within the proposed Village footprint.
 - Bush Fire Prone Land – the design of the Village has been carefully arranged to have it comply with the Planning for Bushfire Protection 2006 and the current layout is compliant in this regard.

- Dip Site and Cattle Dip Buffer – An area to the southwest of the land and adjoining Rifle Range Road has been identified as a previous cattle dip site and Council has advised that SEPP No 55 – Remediation of Land will need to be addressed. The Dip site together with its buffer will be the subject of a detailed Stage 2 Contaminated Land Assessment Report that would be provided to Council as part of the Statement of Environmental Effects (SEE) to show that it is possible to remediate this part of the land.
- High Conservation Value Vegetation – These areas are indicated on the Council LEP Plan, refer Annex B, as a Deferred Matter (DM) and are outside of the Village footprint. Council has advised that should we seek to develop close to any of these areas, a full Flora and Fauna Assessment involving a Seven Part Test will need to be undertaken. It is proposed that in any event the development will be providing a full Flora and Fauna Assessment for the project.
- Drinking Water Catchment – The site is within the Drinking Water Catchment, as is the whole of the Town of Bangalow and most of the land to the south of Bangalow Road and west of the coastal fringe of the Shire. Given that the development will need to address the respective Byron Shire Council's Comprehensive Stormwater Management DCP, the drinking water catchment will be well protected.

2.2 Impact on the future Use of land in the Vicinity

The proposed development of this site will see the part utilisation of the current RU1 Primary Production land used for general grazing being converted to a more intensive agricultural activity being an orchard. It will be proposed that this orchard will undertake the growing of tropical fruits, nuts and coffee. This produce will be marketed out of the proposed coffee shop/café as part of a program to engage the residents in an optional commercial operation. It should be noted that whilst the original advice to Council did not include the option for a coffee shop/café, the DAP Meeting did discuss that option and Council verbally advised that such a venture would receive reasonable consideration. The activity is permitted under the current zoning.

The insertion of this Retirement Village and orchard operation into the rural landscape is not considered to raise any adjoining owner concerns as all of the adjoining farming operations are cattle grazing with limited adjoining owner impacts. Both cattle grazing and orchard activities would be able to coexist and given that the orchard will provide a higher agricultural commercial return, the objectives of the RU1 Primary Production zoning are achieved by increasing agricultural diversity and enhancing the regions agricultural resource base.

2.3 Servicing and Infrastructure

- a) Available Services – the adjoining Town of Bangalow has a very vibrant commercial and service orientated focus that provides the following services:-
 - Medical Centre
 - Doctors Surgeries
 - Dentists

- Podiatrists
- Pharmacy
- Post Office
- Newsagent
- Hairdressers
- Supermarket
- Butcher
- Credit Union and ATM's
- Bowling Club
- Other Shops and Retailers

The Village will provide Village transport services for the residents to access the Bangalow facilities.

- b) Sewer & Water – Council has advised that the subject land is sewered and it will be proposed that this connection will be maintained for the development. Council has also advised that a Hydraulic Consultant will need to provide Council with expected loadings so that Council can accommodate these additional sewerage flows.

Given that Council and Rous Water levy significant Section 64 charges for the provision of water and sewer services to a development, it is expected that the supply of these services will be appropriately accommodated. Council has also advised that Bangalow will soon be supplied with an additional water supply reservoir so water should not be an issue.

Rous Water has a reticulated water carrier main, refer Sheet 4, Annex A, within the land and this piece of infrastructure will be relocated at the cost of the developer to an appropriate and agreed position with Rous Water concurrence.

- c) Electrical and Communications.– The land has immediate access to the reticulated 3 phase 11Kv which will be utilised for the main power supply to the proposed Village. Photograph 3 below also includes the current pole mounted transformer that will be the link to the existing reticulated power network.

The site has access to communications but given the scale of the proposed village, significant upgrades are to be organised.

- d) Traffic Impacts – Council has indicated that some upgrades for Rifle Range Road would be expected and that a Traffic Impact Assessment (TIA) will need to be undertaken to provide advice on the potential traffic impacts on the intersections adjoining the development as well as potential impacts on the Town of Bangalow. It is proposed that a TIA will be provided as part of the SEE documentation. As regards the upgrades for Rifle Range Road, the current extent of the road is of a limited serviceability but it is a relatively minor matter to have it upgraded to a fully functional road.



Photograph 3 – Current Rifle Range Road formation looking north just south of the proposed entrance to the Village which will be at the top of the hill

- e) Financial Infrastructure Provision – With the exception of the water and sewer servicing, which are levied by Council as part of their Section 64 Charges, the upgrading and relocation of services will be specifically borne by the development as is usual Council practice and this will include and not be limited to:-
- Road upgrades
 - Intersection upgrades
 - Relocation of the Rous Water Main that currently transects the property
 - Relocation of Service Authorities services if required ie electrical, communications etc.

2.4 Impact on Open Space

Not applicable for the Town of Bangalow or local region and in respect to the Village itself more than 70% of the site area will be either orchard or remain part of the current cattle grazing operations.

2.5 Impact of the Bulk Scale and Built Form

The development will be generally well hidden from the existing residential development to the immediate south and east of the proposed Village. From the existing dwelling on site which is probably the currently most exposed location, very few properties have any sort of view corridor onto the proposed Village location and none of the adjoining residential properties will, under the developed site, be able to view the project.

The Village will be appropriately landscaped with vegetation that will encourage the residents into an active retirement. A typical sort of Village with exactly the same proposed built form has already been developed and the following photographs are indicative of the typical residential landscape that would be expected to be provided within this Village.



Photograph 4 – Typical Retirement Village with fully landscaped roads



Photograph 5 – Typical 4 plex buildings as per the Proposed Village (recently constructed and 4 years old)

The scale of the development is significant both in terms of the Town of Bangalow and the local region. These Retirement Villages need scale to be operational and the need for such a village is recognised by Council and operators in the area. There is a significant need to provide these sorts of facilities within the area as there is a critical shortage of this accommodation type that can be utilised by the local community to allow for the community to provide a local solution for its elderly residents in a purpose built local village.

The proposed village will easily comply with the required FSR required by the SEPP and given careful attention to detailed layouts as per the attached proposed plans,

refer Annex A, Sheet 3, the built form will provide an attractive and visually stunning environment that will be incorporated into an area of great natural beauty.

The built form will be generally as per the attached dwelling plans, refer Annex D and Photographs 4 and 5 above, with roof types and colours being undertaken to suit the local area.

All proposed dwellings are accessible and have been designed to comply with current disability codes.

The visual impact of the Village is expected to be minimal given that substantial vegetation surrounds the existing residential development and there is also a proposal for the orchard to be undertaken on the site. Riparian corridors also exist between the existing residential areas of Bangalow and the proposed Village so that when these areas are revegetated and rehabilitated with the weed species removed, the visual impacts will be mitigated.

As regards economic impacts on the Town of Bangalow, the Village will mature over time so that residents will become, as they age in place, dependent on more services from the local community. This provides a significant employment base to the local community specifically in relation to personal care and cleaning needs.

Given the proposed size of this village, it would be expected that up to 70 construction jobs per year over a 10 year period would be generated as well as around 25-30 full time jobs within the Village at its completion.

2.6 Impact on Native Vegetation

As indicated above, the site contains two (2) small pockets of important native vegetation that will not be impacted by the development. These areas are indicated on the LEP plan in Annex B as a Deferred Matter (DM). Other areas of minor native vegetation, generally individual paddock trees, within the village site that will be impacted by the proposed location of the Village, are not significant and will be appropriately addressed within the SEE.

In the DAP meeting with Council, general discussion regarding the overall vegetation of the land was raised and Council acknowledged that the site generally contained only significant areas of Camphor Laurel and introduced weeds (Lantana and Blackberry) and Council would be supporting any proposal to have this weed species brought under control.

As part of this development proposal a Weed Management Plan will be prepared as part of the SEE as well as a Riparian Corridor Plan to indicate that specific areas that are currently completely dominated by weed species will be rehabilitated. These plans will also be incorporated with the technical advice that will be available from the Flora and Fauna Assessment regarding corridors and any other specific matter that the ecological assessment investigates.

2.7 Additional Comments

- a) Local Heritage – The subject site does not adjoin Councils' Heritage Areas and the DAP Meeting confirmed that this would not be a matter for the Development Application.

- b) Cultural heritage - there are no known heritage sites within the area and given that the whole site has been previously cleared about 20 years ago it is expected that no aboriginal site would be located within the land. AHIMS searches have been undertaken and no recordings have been registered on the site or within 200m of the site. There has been 1 registered site within 1km of the subject land. Given the simple landform overview it is unlikely that indications of Aboriginal Cultural Heritage will be present.
- c) Slope Analysis – The project has been initially designed utilising the most recent and available LIDAR data and the contours have been provided on Sheet 4 within Annex A. The Village has been located within that part of the land that can reasonably be utilised for the purposes of the Village. The design of the dwellings fit specifically with the contours and the installation of the village will generally comply with the maximum cuts and fill limitation of Councils development standards. It is likely that only small sections of the proposed village will exceed Council's standards.

Sheet 5, Annex A, provides a view of the proposed cut and fill levels of the project to indicate that general compliance is expected on building heights with some exceedance only occurring on the outside perimeter road for fill levels.

The main entrance road will not be accessible from Rifle Range Road to the Coffee Shop however the adjoining pathway link to Rifle Range Road will be designed and constructed to the relevant disability codes. All internal roads within the Village will be accessible.

- d) Coffee Shop/Café – whilst this option was not originally proposed on the plans and advice to Council, it was discussed at the DAP Meeting with Council and their general comment was that this sort of operation would generally be supported. The coffee shop would be a focal point of this Village both as an activity for the residents to both run and enjoy but also as a point of commercial activity for the produce of the orchards. It is possible that this shop would also provide the opportunity for other local coffee growers to provide a retail outlet for their product.

Following the comments from Council regarding the Coffee Shop/Café, the development plans were amended and the proposed location of the Shop was included into the overall development.

- e) Owners endorsement of the Site Compatibility Certificate– the attached Application Form has been endorsed by the land owner.

3.0 Clause 4 – Land to which Policy applies

The proposed site is land generally zoned RU1 Primary Production under the Byron LEP 2014 and this land immediately adjoins land zoned for residential purposes, refer LEP Plan in Annex B. Under the LEP the following control table confirms that dwelling houses are permitted as are cafés:-

Permitted with consent

Airstrips; Animal boarding or training establishments; Bed and breakfast accommodation; Business identification signs; Camping grounds; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home businesses; Home industries; Industrial retail outlets; Industrial training facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafés; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Veterinary hospitals

4.0 Clause 17 - Development on land adjoining land zoned primarily for urban purposes

It is proposed that a Development Application will be sought for a serviced self-care housing facility on land adjoining land zoned primarily for urban purposes. This housing will be provided as a retirement village under the *Retirement Villages Act 1999*.

5.0 Clause 40 – Development Standards

- a) **Site Size** – the subject lot is 39.15ha which exceeds the minimum requirement of 1,000 square meters.
- b) **Site Frontage** – the subject lot has a frontage to Rifle Range Road of 943.83m which exceeds the minimum frontage of 20m.
- c) **Height of Buildings** – whilst the specific height of all dwellings is < 8m, refer attached building plans in Annex D, it is possible that the landform will be modified so that the height of a building in relation to the existing landform will exceed this limit. Specifically, this will be determined during the detailed design phase for the Development Application. The matter was discussed at the DAP and Council's response was that **Clause 4.6 Exceptions to development standards** would be applicable. It should be noted that Council has a height of building nominated at 9m and it is unlikely that this limit will be exceeded and overall compliance with Council's development standards will be achieved.

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

- a) **Service self-care housing** – the Town of Bangalow provides a wide range of services that includes:-
- Home delivered meals
 - Personal care and home nursing
 - Assistance with housework

Village management will, as part of its overall management arrangements, provide the necessary advice to residents as to the available services.

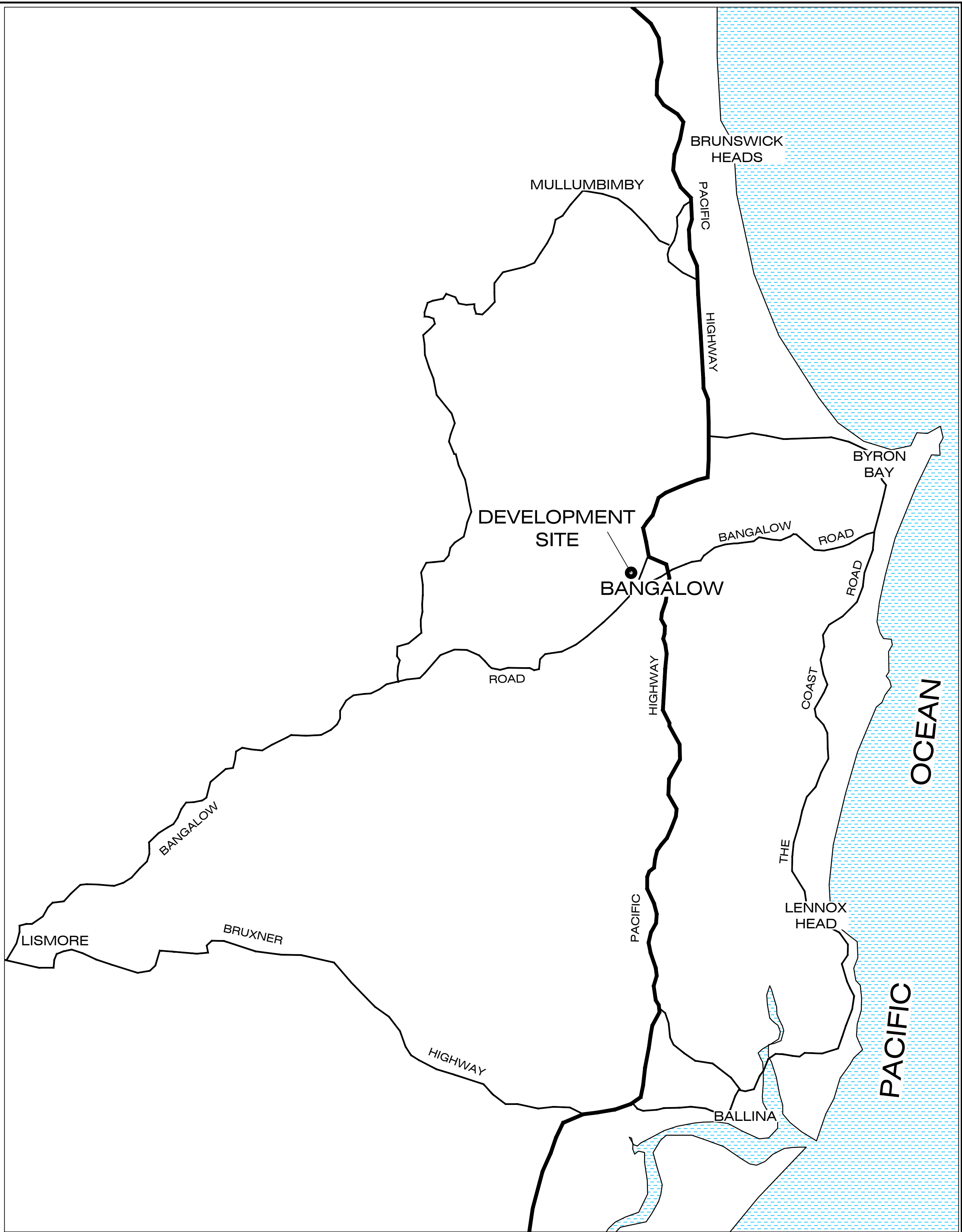
- b) **Transport services to local centres** – the Village will provide a bus with a capacity of at least 10 passengers as part of the village operations. Appropriate timetables and arrangements to allow residents to access the following services will be part of Village operations:-
- Shops, bank providers, retail and commercial services
 - Community services and recreational facilities
 - Medical practitioners
- c) **Availability of facilities and services** – Whilst this will be a matter of the staged construction of the Village, also acknowledged in Council's DAP Minutes as having been discussed, the Village will be providing a range of internal facilities and services. In addition, access from the Town of Bangalow to all appropriate services to cater for the needs of residents will be organised by the Village as at day 1 of an operating village. At no time will the village be operating without the provision of all necessary and timely services for its residents.

Annex A:

Proposed Development Layout Plans



BANGALOW TOWN PLAN
1:5000



LOCALITY PLAN
1:100 000

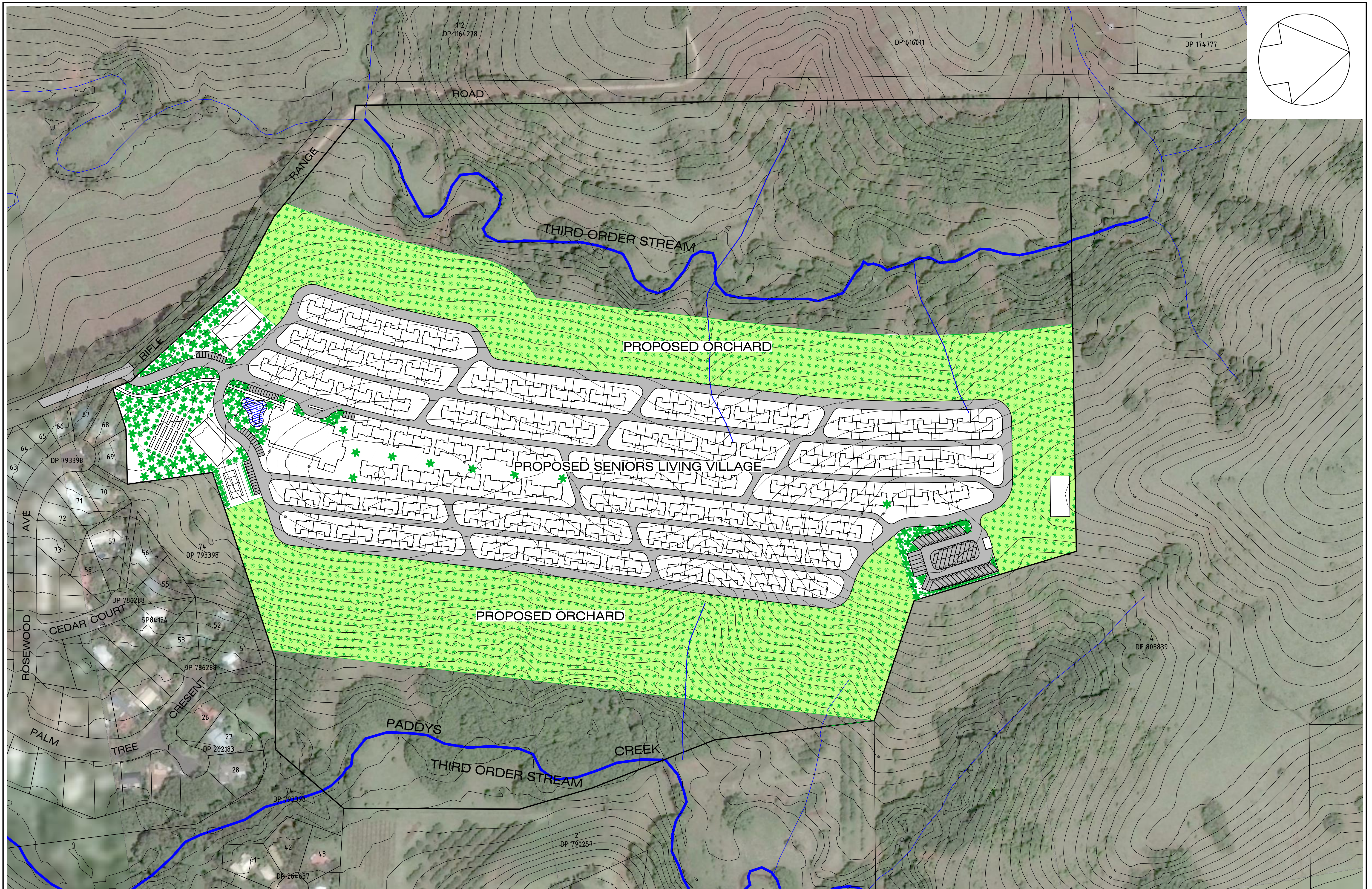
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PROPOSED BANGALOW TERRACES SENIORS LIVING VILLAGE
LOT 39 DP 625255
RIFLE RANGE ROAD
BANGALOW

COUNCIL BYRON SHIRE COUNCIL	REFERENCE 21500236	
PARISH	SHEET SIZE	A1
SCALE AS SHOWN	SHEET No. 1	
DATE :	Plotted 15/19 18/04/16	

CLIENT: LEGATE PTY LTD JOB No.: 215459 COMPUTER FILE : S:\Clients\2015\215459.Dwg\215459 DA Layout Plans.dwg



OVERALL SITE PLAN

1:1500

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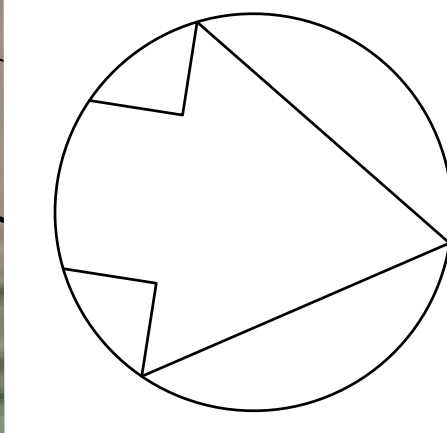
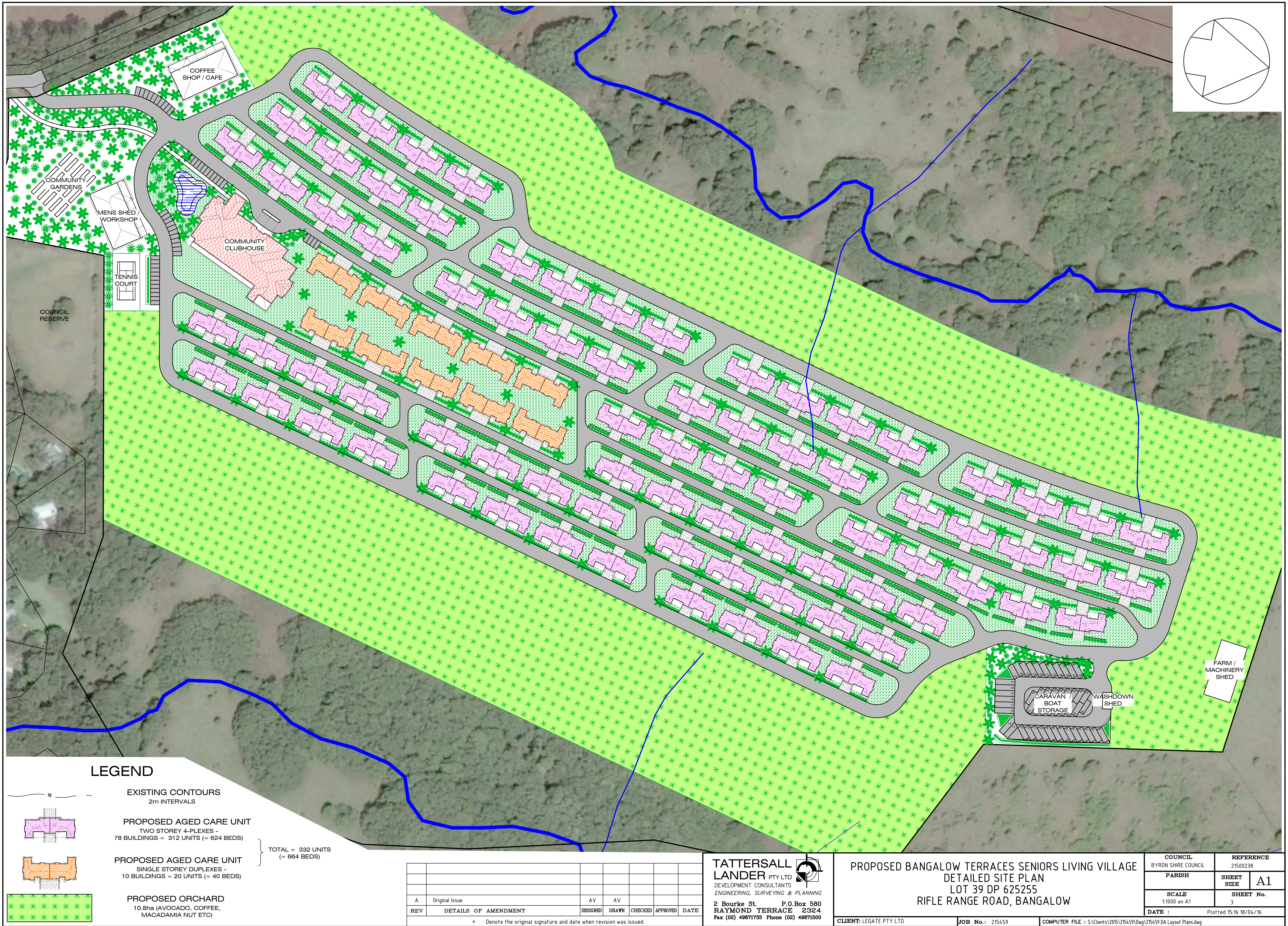
PROPOSED BANGALOW TERRACES SENIORS LIVING VILLAGE
OVERALL SITE PAN
LOT 39 DP 625255
RIFLE RANGE ROAD, BANGALOW

CLIENT: LEGATE PTY LTD

JOB No.: 215459

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COUNCIL BYRON SHIRE COUNCIL	REFERENCE 21500237
PARISH	SHEET SIZE A1
SCALE 1:1500 on A1	SHEET No. 2
DATE : 15/15/18/04/16	



LEGEND

EXISTING CONTOURS
2m INTERVALS

PROPOSED AGED CARE UNIT
TWO STOREY 4-PLEXES -
78 BUILDINGS = 312 UNITS (= 624 BEDS)

PROPOSED AGED CARE UNIT
SINGLE STOREY DUPLEXES -
10 BUILDINGS = 20 UNITS (= 40 BEDS)

PROPOSED ORCHARD
10.8ha (AVOCADO, COFFEE,
MACADAMIA NUT ETC)

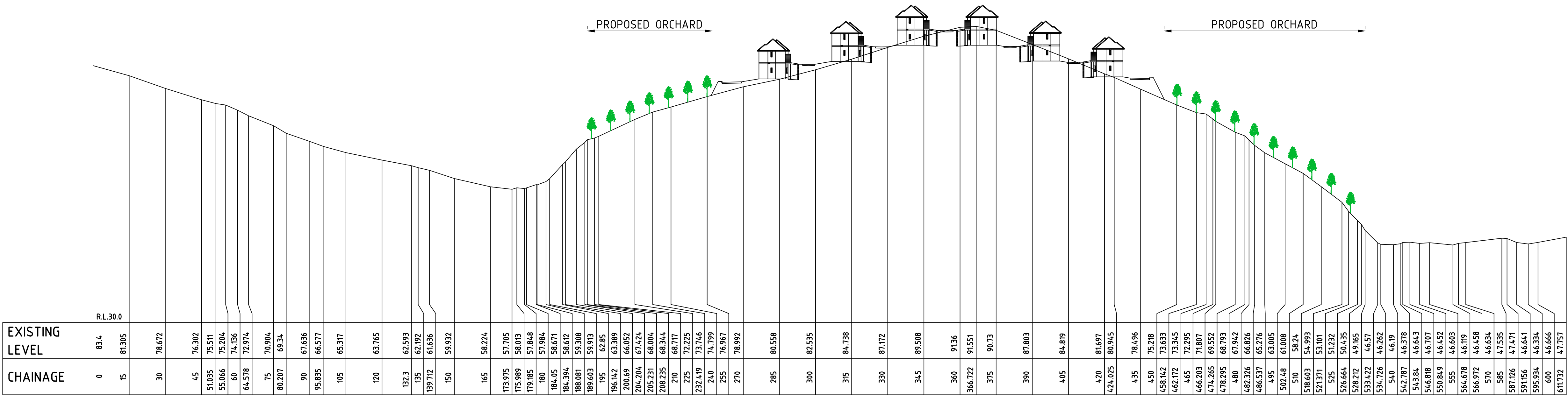
TOTAL = 332 UNITS
(= 664 BEDS)

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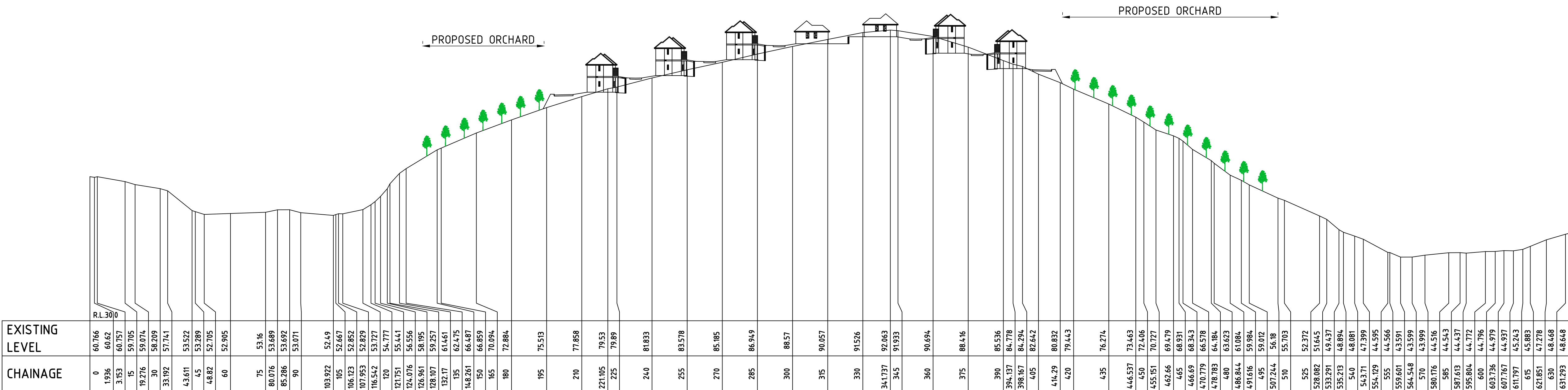
PROPOSED BANGALOW TERRACES SENIORS LIVING VILLAGE
DETAILED SITE PLAN
LOT 39 DP 625255
RIFLE RANGE ROAD, BANGALOW

COUNCIL BYRON SHIRE COUNCIL	REFERENCE 21500238
PARISH	SHEET SIZE A1
SCALE 1:1000 on A1	SHEET No. 3
DATE : Plotted 15/16 18/04/16	



SECTION A-A

H=1:1000 V=1:500



SECTION B-B

H=1:1000 V=1:500

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SCALE :

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DATE : Plotted 16/4/4 18/04/16

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Annex B:

Byron Local Environmental Plan Land Zoning Map



Byron Local Environmental Plan 2014

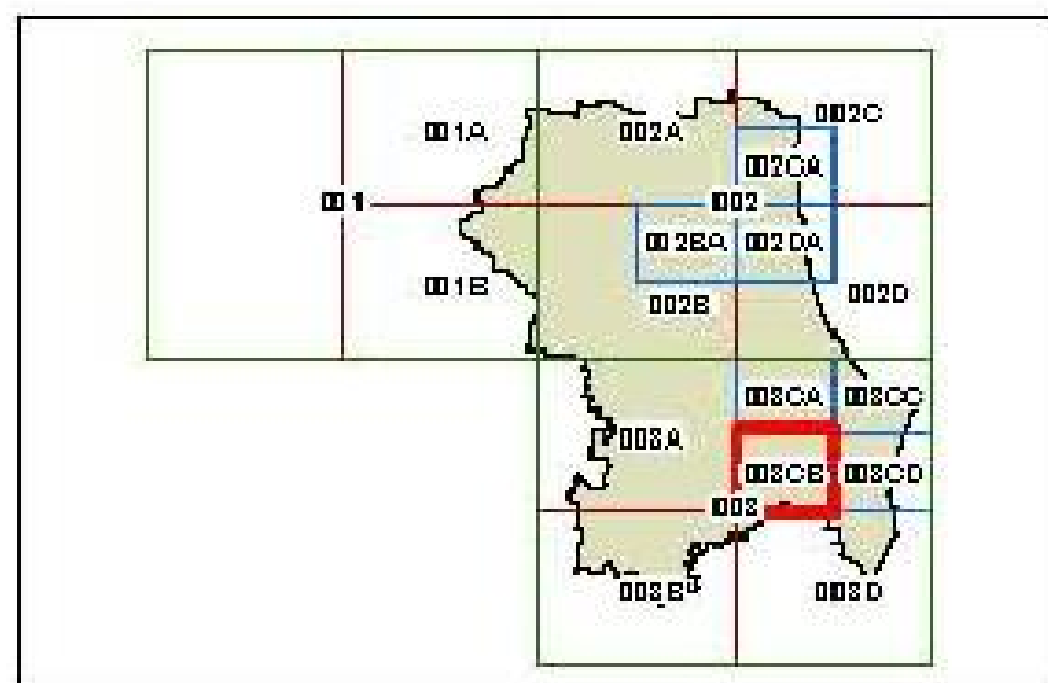
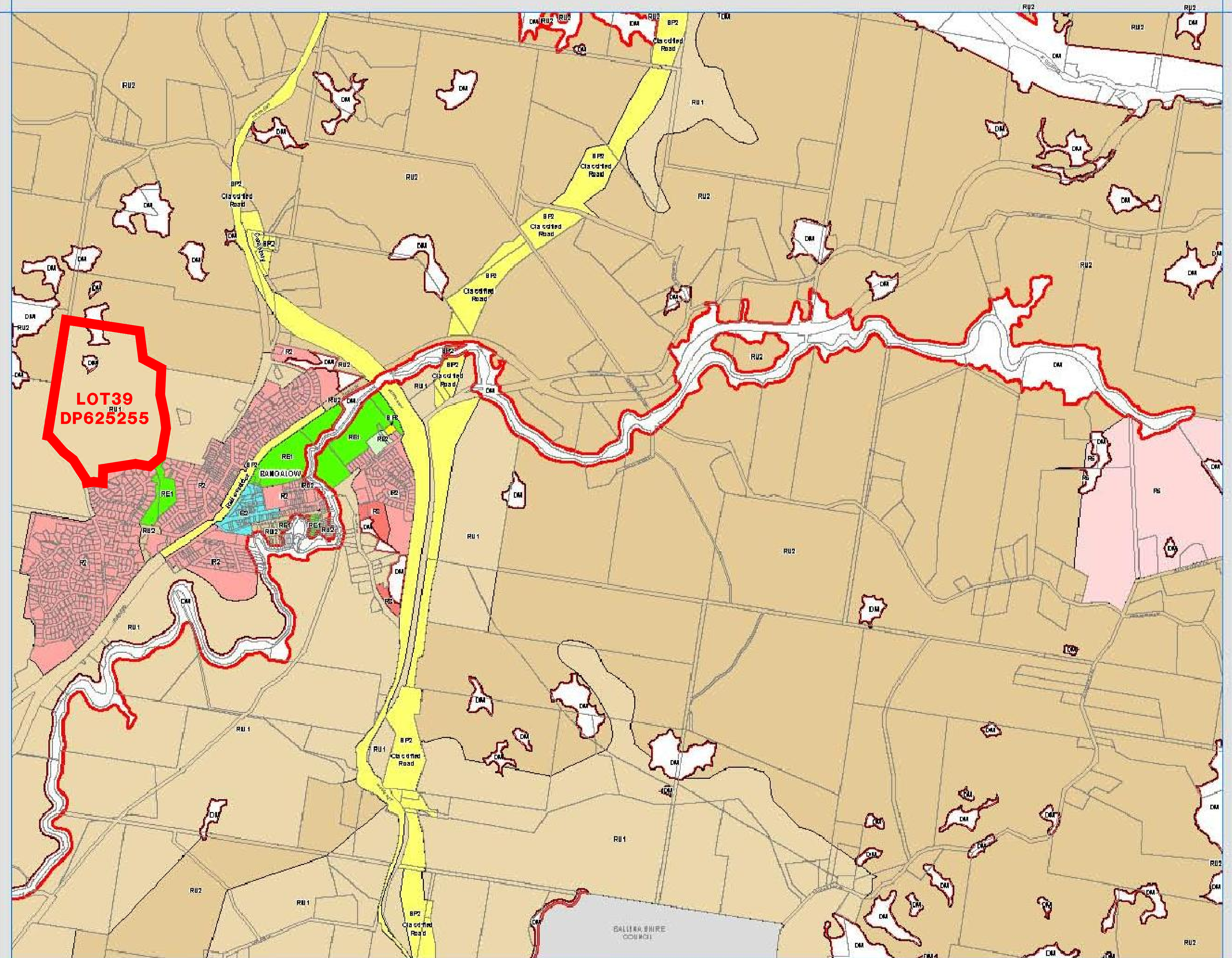
Land Zoning Map - Sheet LZN_003CB

Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use
- B7 Business Park
- E1 National Parks and Nature Reserves
- IN1 General Industrial
- IN2 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU1 Primary Production
- RU2 Rural Landscape
- RU5 Village
- SP2 Infrastructure
- SP3 Tourist
- W1 Natural Waterways
- W2 Recreational Waterways
- DM Deferred Matter

Cadastral

Base data 01/07/1991 © Land and Property Information (LPI)
Addendum data 09/11/2015 © Byron Shire Council



0 200 400 600 Meters

Scale: 1:20,000 @ A3

Projection: GDA 1994
Zone 55

Map Identification number:
126050M_LZN_003CB_020_20151109

Appendix C:

Byron Shire Council Development Advisory Panel Minutes



29 February 2016

Tattersall Lander Pty Ltd
Attention: Bob Lander
PO Box 580
RAYMOND TERRACE NSW 2324

Email: bob@tatland.com.au

Dear Mr Lander

Development Advisory Panel – Tuesday 23 February 2016
Property: LOT: 39 DP: 625255, Rifle Range Road BANGALOW

This letter comments on the Development Advisory Panel meeting on the above date which comprised of Council staff representing the disciplines of planning, engineering and environmental health.

The aim of this Panel is to provide preliminary information and assistance to intending applicants in respect of Council's statutory and policy requirements. The matters raised at the meeting are not exhaustive. It is possible that proposals that appear to be consistent with Council's statutory and policy requirements may be found not to be consistent upon detailed examination of any development application lodged. Any indications or information from the Development Assessment Panel in no way prejudice the determination of any development or related application.

Present: Bob Lander

Council Staff: Wayne Bertram (Manager – Sustainable Development), Greg Smith (Team Leader Planning), Gray Blunden (Development Engineer), Emma Holt (Environmental Officer) and Sharon Roberts (Development Support Officer)

Owner: Legate Pty Ltd

Commenced: 10.00am - **Concluded:** 11.20am

Fee Paid: \$450.00, Receipt No.1536278, Date paid: 6 June 2016

Proposal:

The applicant proposes Housing for Seniors of People with a Disability comprising of the following: 78 two storey buildings, each including 4 dwellings (2 above and 2 below), 10 single storey duplexes, a clubhouse, boat & caravan storage, machinery shed, workshop and associated structures.

Property Description:

The property is described as LOT: 39 DP: 625255, Rifle Range Road BANGALOW 2479. It has an area of 39.15 hectares.

Council's Geographic Information Systems identifies that the land is affected by the following physical constraints:

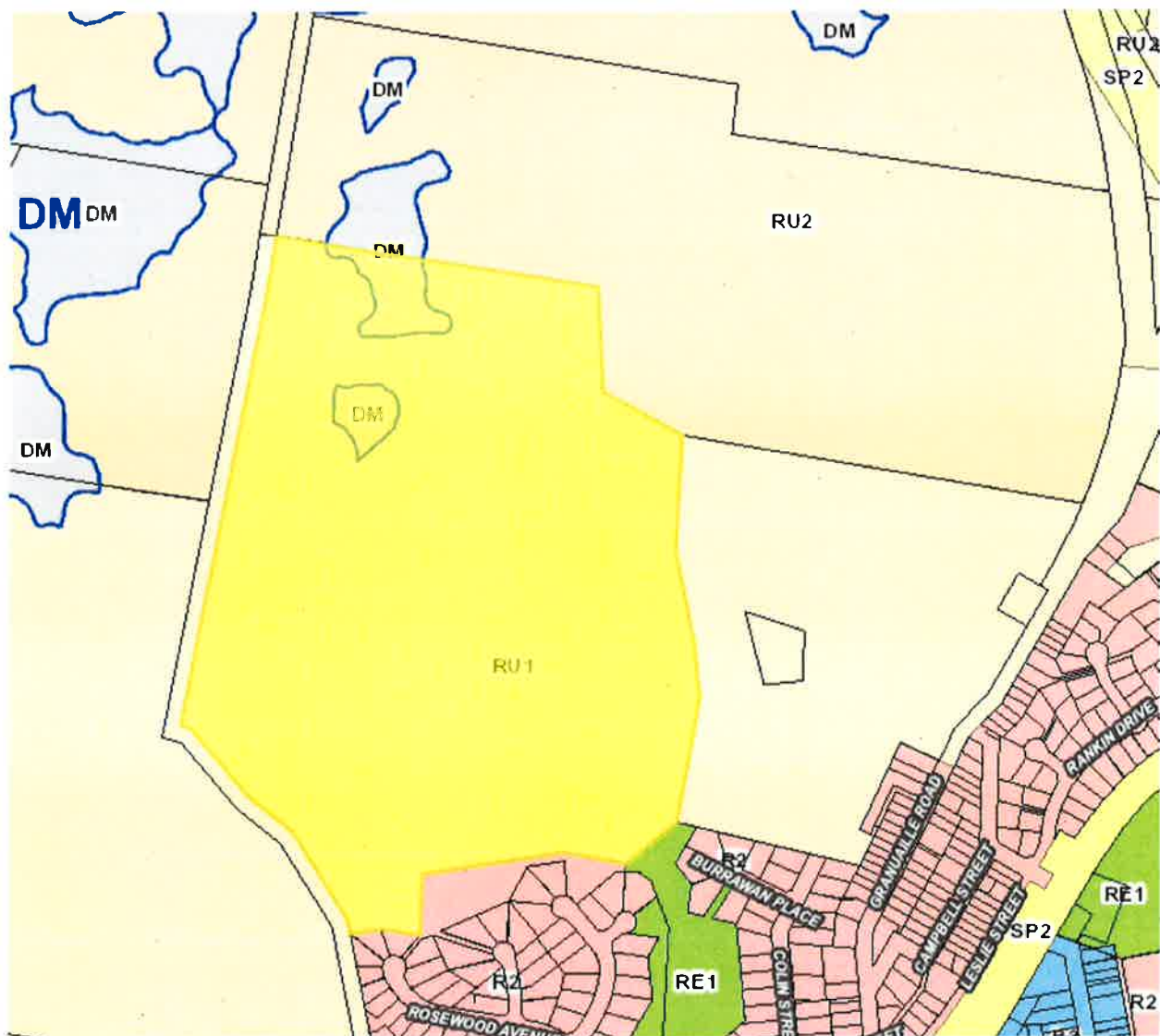
- Flood Liable Land
- Bush Fire Prone Land
- Dip Site
- Cattle Dip Buffer
- High Conservation Value vegetation
- Drinking Water Catchment



The land is within Zone No. RU1 Primary Production under the Byron Local Environmental Plan 2014 (LEP 2014) and 1(b1) Agricultural Protection under the Byron Local Environmental Plan 1988 (LEP 1988). Please see below Zoning Map for further information.

Zoning Map

Note: The areas marked 'DM' are zoned 1(b1) Agricultural Protection under the Byron Local Environmental Plan 1988.



Issues and Advice:

- **General Advice**

The proposal requires the submission of a development application (DA), and would need to be accompanied by a Statement of Environmental Effects (SEE) and plans. The SEE must address at a minimum the relevant provisions of Byron LEP 2014/Byron LEP 1988, Byron DCP 2014/Byron DCP 2010, and Section 79C of the Environmental Planning and Assessment Act, 1979. A development application help guide and document checklist is available at the front counter of Council's administration office in Mullumbimby to assist in the preparation and submission of an application. The plans that accompany the application must be drawn to a scale of 1:100 or 1:200. At a minimum there should be a site survey plan, site development plan, floor and elevation plans, cross section plan and a concept landscaping and stormwater plan.

Environmental Advice

- **Acid Sulfate Soils (CI 6.1 Byron LEP 2014)**

Council's GIS Mapping System indicates that the proposed development site is not constrained by acid sulfate soils.

- **Land Contamination (State Environmental Planning Policy No 55)**

An application must include an evaluation of current and past land uses on the property, or on neighbouring properties where past or current land use practices would have an impact on this property, so that Council can determine whether contamination is an issue on this property, pursuant to State Environmental Planning Policy No. 55 - Remediation of Land. The evaluation must be verifiable and specific to the subject property, and include any supporting documentation. Reference should be made to the NSW EPA *Guidelines for Consultants Reporting on Contaminated Sites* with regards to preliminary investigations, reporting methodology and information sources for obtaining land use history. For details refer to: <http://www.environment.nsw.gov.au/clm/guidelines.htm>.

- **Cattle Dip Sites & Buffers**

Council Geographical Information System indicates that a Cattle Dip Site is located upon the subject property. This matter should be taken into consideration during preparation of Contaminated Land Assessment Report. For further information contact the NSW Department of Agriculture or visit:

<http://www.dpi.nsw.gov.au/agriculture/livestock/health/images/information-by-species/cattle/ticks/cattle-dip-site-locator>

Note: In the first instance it is recommended that you contact a Contaminated Land Specialist to determine the cost and extent of remedial works that may be required as a consequence of the dip.

- **Provision of Services (CI 6.6 Byron LEP 2014)**

The site can connect to Council's reticulated water and sewer infrastructure services. Section 68 Approval will be required for Water and Sewer Connection. Consent conditions would be applicable should an application be successful.

- **Land Use Conflict Risk Assessment**

An application should take into consideration potential land use conflicts arising between immediate neighbours in particular associated with noise generated during operation of the proposed development. Reference should be made to *EPA NSW Industrial Noise Policy 2000* and relevant standards.

Consideration should also be given to the proposed agricultural use of land surrounding the proposed development in particular the requirement for Vegetative Spray Drift Buffers. Guidance on the design and maintenance of such buffers is available from NSW Agriculture and in publication *Planning Guidelines: Separating Agricultural and Residential Land Uses* published by the Department of Natural Resources, Queensland.

<http://www.dilgp.qld.gov.au/resources/policy/plng-guide-sep-ag.pdf>

- **Waste Management**

The proposed development includes demolition, construction and future occupation of buildings on the subject site. Each of these activities has an associated capacity to generate wastes and needs to be managed appropriately within the boundaries of the subject land.

Any application to council should provide detailed assessment of the nature and quantities of waste that will be generated during each phase, and the most sustainable options to reduce environmental impacts. Chapter B8 of the Byron Development Control Plan (DCP) "Waste Minimisation and Management" sets out the matters which must be addressed in any application.

- Foods Act and Food Standards

Any fit-out involving food preparation or service the applicant will have to take into consideration the requirements set out under the Foods Act and Food Standards.

- Integrated Development

Preliminary plans locate the development foot print within forty (40m) metres of a waterway and therefore integrated development is triggered. The applicant is advised to contact the NSW Office of Water in Murwillumbah for advice. http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity/rights_controlled_faq and <http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity/controlled-activities-in-riparian-corridors-frequently-asked-questions>

Planning Advice

- LEP 2014 applies to the majority of the site, but does not apply to the part of the site identified as "Deferred Matter" on the LEP 2014 Land Application Map (refer to extract above). LEP 1988 applies to the part of the land that is identified as "Deferred Matter".
- The part of the land to which LEP 2014 applies is zoned RU1 Primary Production. Refer for example to clauses 1.3, 1.4, 1.7, 2.1, 2.2, 2.3, 4.3, 5.10, 6.2, 6.3, 6.4, 6.5 and 6.6 of LEP 2014: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+297+2014+cd+0+N>. The LEP 2014 Height of Building Map indicates a 9m maximum height applying to the part of the site to which LEP 2014 applies. You mentioned the possibility of a variation to this development standard, in which case you should refer to clause 4.6 of LEP 2014 (and also for example: <https://www.caselaw.nsw.gov.au/decision/54cef2b3e4b0268efc6f0eae> and <https://www.caselaw.nsw.gov.au/decision/556d0be1e4b06e6e9f0f6131>). Council encourages compliance with all applicable development standards.
- Byron Shire Development Control Plan 2014 (DCP 2014) applies to the part of the land to which LEP 2014 applies. Refer for example to Chapters A, B2, B3, B4, B5, B6, B7, B8, B9, B10, B12, B13, B14, C2, C3, C4, D2 and E2: <http://www.byron.nsw.gov.au/publications/development-control-plan-dcp-2014>.
- The part of the land to which LEP 1988 applies is zoned 1(b1) Agricultural Protection. Refer for example to clauses 1, 2A, 5, 8, 9, 15, 24, 31, 40, 45, 52, of LEP 1988: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+329+1988+cd+0+N>
- Byron Shire Development Control Plan 2010 (DCP 2010) applies to the part of the land to which LEP 1988 applies. Refer for example to Chapter 1: Parts A, C, G, K and N, and Chapter 12: <http://www.byron.nsw.gov.au/publications/development-control-plan-2010>
- It is understood that the development application will be relying on the provisions of State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004. Refer to: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+143+2004+cd+0+N>. You indicated your intention to obtain a Site Compatibility Certificate from the NSW Department of Planning & Environment in accordance with the requirements of the SEPP prior to the lodgement of the development application.
- The following State Environmental Planning Policies are also, or likely to be, applicable:
 - (a) State Environmental Planning Policy No. 44 – Koala Habitat Protection. Refer to: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+5+1995+cd+0+N>
 - (b) State Environmental Planning Policy No. 55 – Remediation of Land. Refer to: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+520+1998+cd+0+N>
 - (c) State Environmental Planning Policy (Infrastructure) 2007. Refer to: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+641+2007+cd+0+N>. The development application may need to be referred to the NSW Roads & Maritime Services and Council's Local Traffic Advisory Committee.

(d) State Environmental Planning Policy (Rural Lands) 2008. Refer to:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+128+2008+cd+0+N>

- Refer also to these policies in relation to requirements applying to the possible incorporation of a cafe, restaurant, rural industry, agricultural use etc. Food manufacturing will also need to meet applicable food standards.
- It is understood that you would be applying for integrated development approvals with the development application as referred to in section 91 of the Environmental Planning and Assessment Act 1979 (<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N>), including approvals from the NSW Rural Fire Service and the NSW Department of Environment and Heritage: Office of Water.
- You indicated that you intend to lodge the development application on the basis of carrying out the development in stages, but not as an application for staged development consent.
- You mentioned that demolition of existing structures is likely to be involved, refer for example to clause 92 of the Environmental Planning and Assessment Regulation 2000 (<http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+557+2000+cd+0+N>).
- The site contains high conservation value vegetation and threatened fauna habitat, and you indicated that a flora and fauna assessment would be submitted with the development application.
- The site is bush fire prone land. The development application will need to demonstrate compliance with the relevant requirements of the Environmental Planning and Assessment Act 1979 and Planning for Bush Fire Protection 2006 (<http://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area/planning-for-bush-fire-protection>). You indicated that you would engage a recognised bush fire consultant.
- A BASIX Multi Dwelling Certificate will need to be submitted with the development application, which is likely to also require the submission of an Assessor Certificate (as referred to on page 2 of the BASIX Certificate) and Assessor stamped plans (<https://www.basix.nsw.gov.au/basixcms/>).
- Section 94 contributions and section 64 charges will be applicable to the proposed development. For more information in this regard, refer for example to: <http://www.byron.nsw.gov.au/development-contributions-plans-section-94-and-64>
- It is expected that the development application will need to be referred to the Joint Regional Planning Panel (Northern Region) for determination given that the cost of work will exceed \$20 million. Refer for example to: <http://www.legislation.nsw.gov.au/fragview/inforce/act+203+1979+sch.4a+0+N?tocnav=y> and <http://www.jrpp.nsw.gov.au/>.
- You mentioned the possibility of excavation exceeding 1m and fill exceeding 1m. Council recommends compliance with the requirements of relevant development standards and controls, and any variations will need to be appropriately justified.
- The possible inclusion of storage detention basins for stormwater was discussed in concept but not in any detail. Stormwater re-use may be an option in BASIX, including separate rainwater tanks for dwellings (combining the BASIX requirements and on-site stormwater detention in one appropriately designed tank for each individual dwelling).
- The proposal would be a major extension to Bangalow into the adjoining rural area and includes an agriculture use with possible spray drift. The proposal is expected to generate significant Council and community reaction / interest.

Engineering Advice

- Two Rous Water water mains are located on this site. Easements over these will apply. Rous Water will provide advice regarding this and will advise if there is any possibility of diverting the

main. For further information see http://rouswater.nsw.gov.au/cp_themes/default/home.asp or contact Rous Water on (02) 6623 3800.

- Another Reservoir is proposed to be built in Bangalow, supply of water should not be an issue.
- With regard to sewer, a Hydraulic Consultant will be required to provide calculations regarding additional loading impacts on Council's system. Staging the development will help to meet these demands.
- Access to gravity sewer and Byron Shire Council's water supply is available off Rifle Range Road.
- Trade waste maybe required if clubhouse has a commercial kitchen or hairdressing salon. For further information please contact Council's Systems Planning Department on 6685 9346.
- Stormwater from all hard standing areas must to be captured and detained in accordance with Byron Shire Council's Comprehensive Guidelines for Stormwater Management, onsite stormwater detention, which is to be designed by a consulting Engineer. Please see the following link to the Guidelines for further information:
<http://www.byron.nsw.gov.au/publications/comprehensive-guidelines-for-stormwater-management>.
- With regard to traffic, the impact on Bangalow and Rifle Range Roads may require possible upgrades. Car movements of approximately 70 cars a day (300 x 0.2). A Traffic Report by a suitably qualified person will required.
- Internal carparking and bus bays to be addressed. Please see the following link to the Byron Shire Development Control Plan 2014, in particular note Chapter B4, Traffic Planning, Vehicle Parking, Circulation and Access: <http://www.byron.nsw.gov.au/publications/development-control-plan-dcp-2014>.

Please be advised that failure to provide all of the required information up front with the Development Application will only result in delays in processing.

Should you seek further clarification on any of the issues raised above please contact me on (02) 6626 7000 or email council@byron.nsw.gov.au.

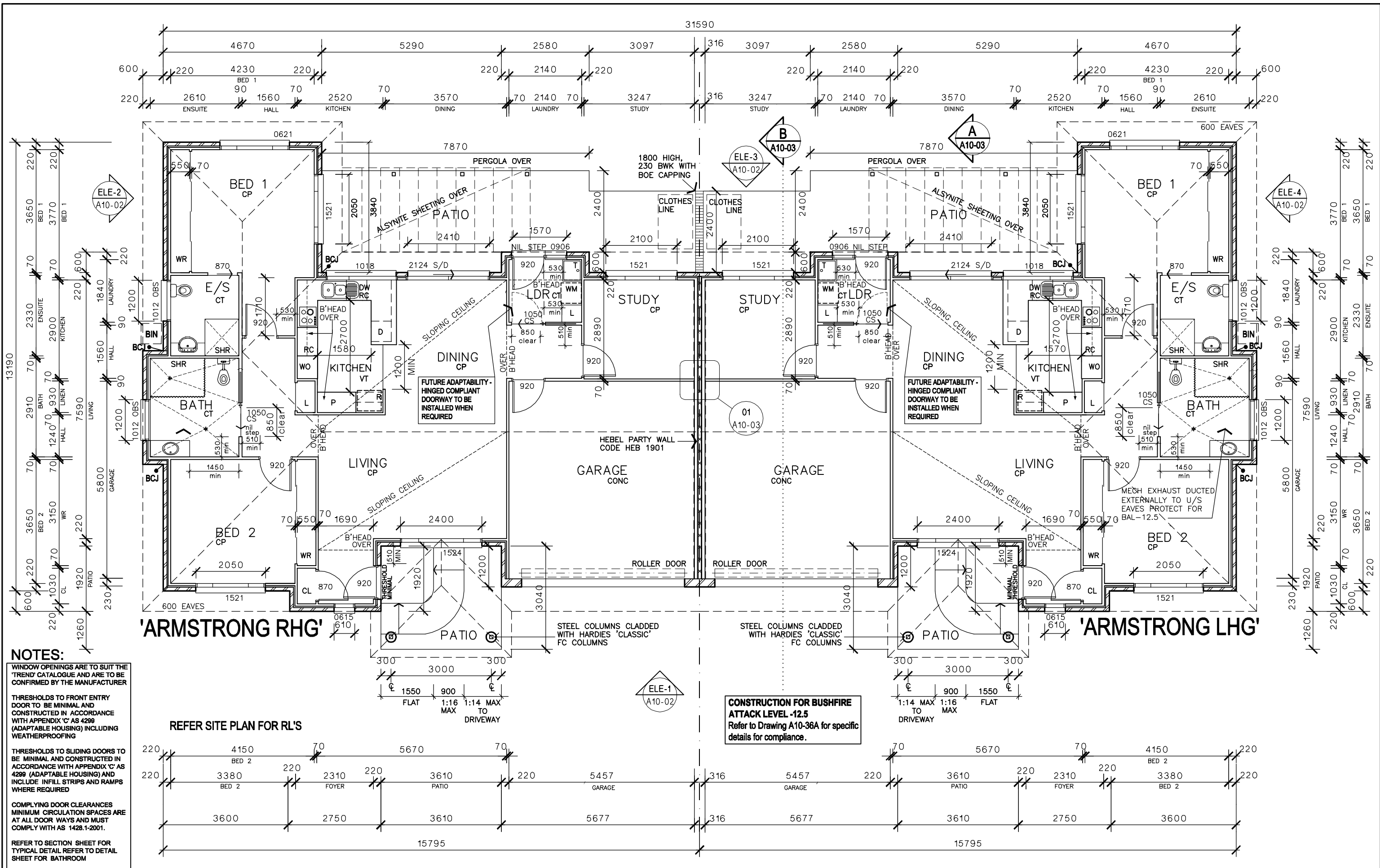
Yours sincerely



Greg Smith
Team Leader - Planning

Annex D:

Dwelling Plans and Architectuals



NOTES:

WINDOW OPENINGS ARE TO SUIT THE 'TREND' CATALOGUE AND ARE TO BE CONFIRMED BY THE MANUFACTURER

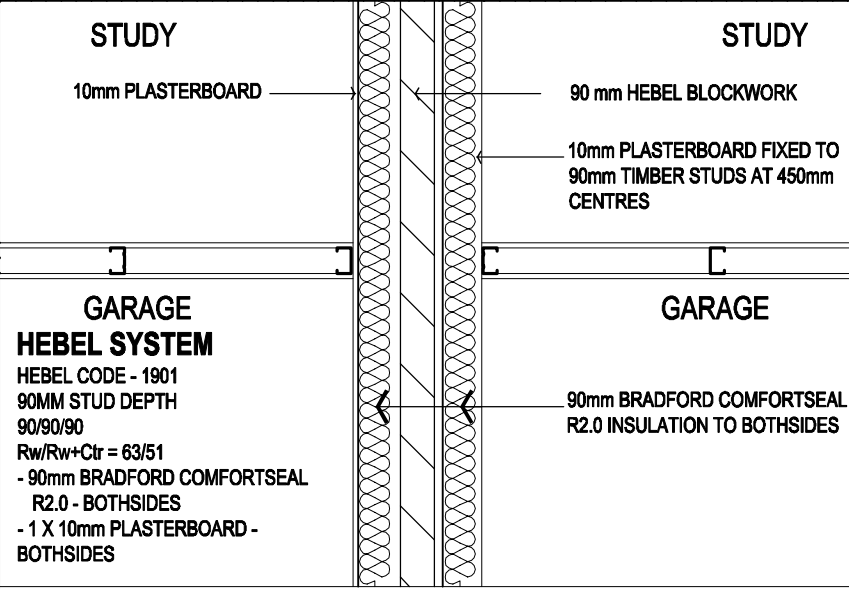
THRESHOLDS TO FRONT ENTRY DOOR TO BE MINIMAL AND CONSTRUCTED IN ACCORDANCE WITH APPENDIX 'C' AS 4299 (ADAPTABLE HOUSING) INCLUDING WEATHERPROOFING

THRESHOLDS TO SLIDING DOORS TO BE MINIMAL AND CONSTRUCTED IN ACCORDANCE WITH APPENDIX 'C' AS 4299 (ADAPTABLE HOUSING) AND INCLUDE INFILL STRIPS AND RAMPS WHERE REQUIRED

COMPLYING DOOR CLEARANCES MINIMUM CIRCULATION SPACES ARE AT ALL DOORWAYS AND MUST COMPLY WITH AS 1428.1-2001.

REFER TO SECTION SHEET FOR TYPICAL DETAIL REFER TO DETAIL SHEET FOR BATHROOM

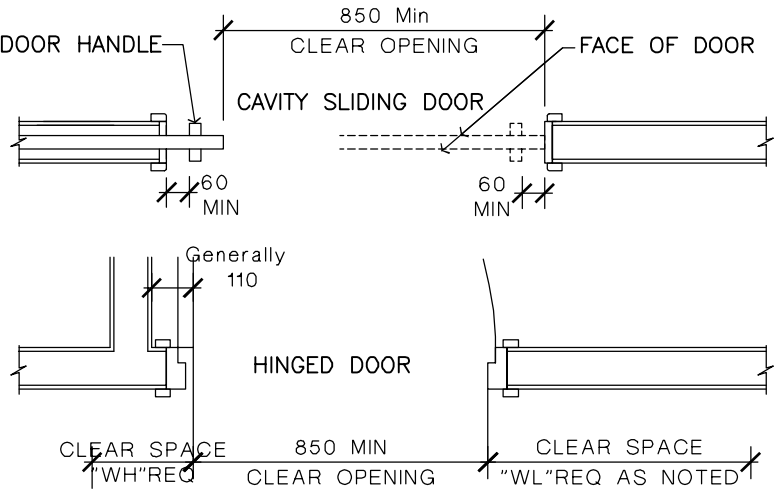
LEGEND					
AB	ADJUSTABLE BENCH	DW	DISHWASHER	ST	STOVE
BC	BROOM CUP'D	L	LINEN CUP'D	T	LAUNDRY TUB
BCJ	BRICK CONTROL JOINT	P	PANTRY	V	VINYL
B	BATH	OBS	OBSCURE	VT	VINYL TILES
CP	CARPET	R	REFRIGERATOR	WB	WASH BASIN
CT	CERAMIC TILES	RC	REMOVABLE CUPB'D	WM	WASHING MACHINE
CS	CAVITY SLIDER	SB	SKYTUBE	WO	WALL OVEN
D	DRAWER UNIT	S	SINK	WR	WARDROBE



DETAIL 01

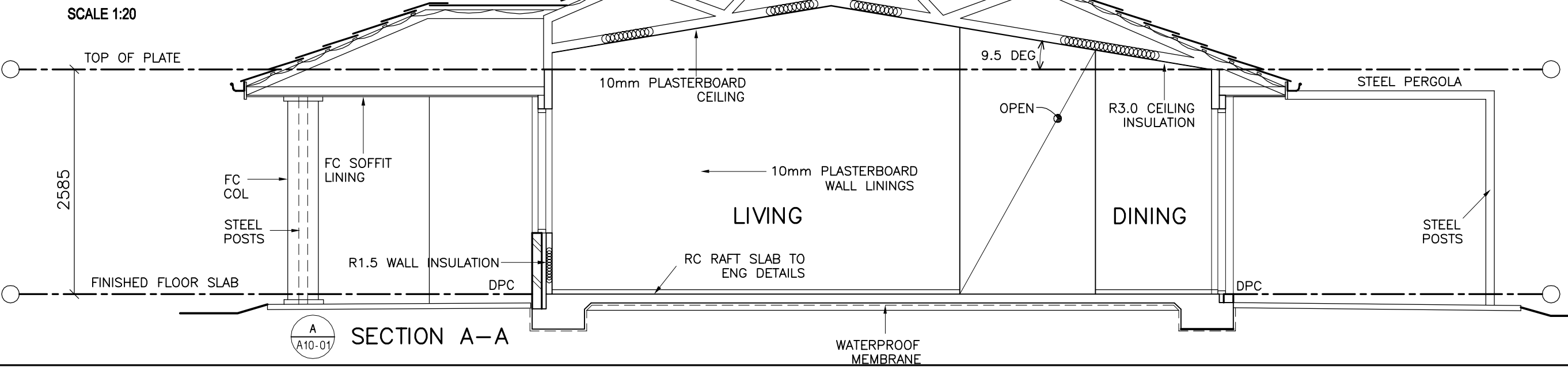
01
A10-01

Scale 1:20



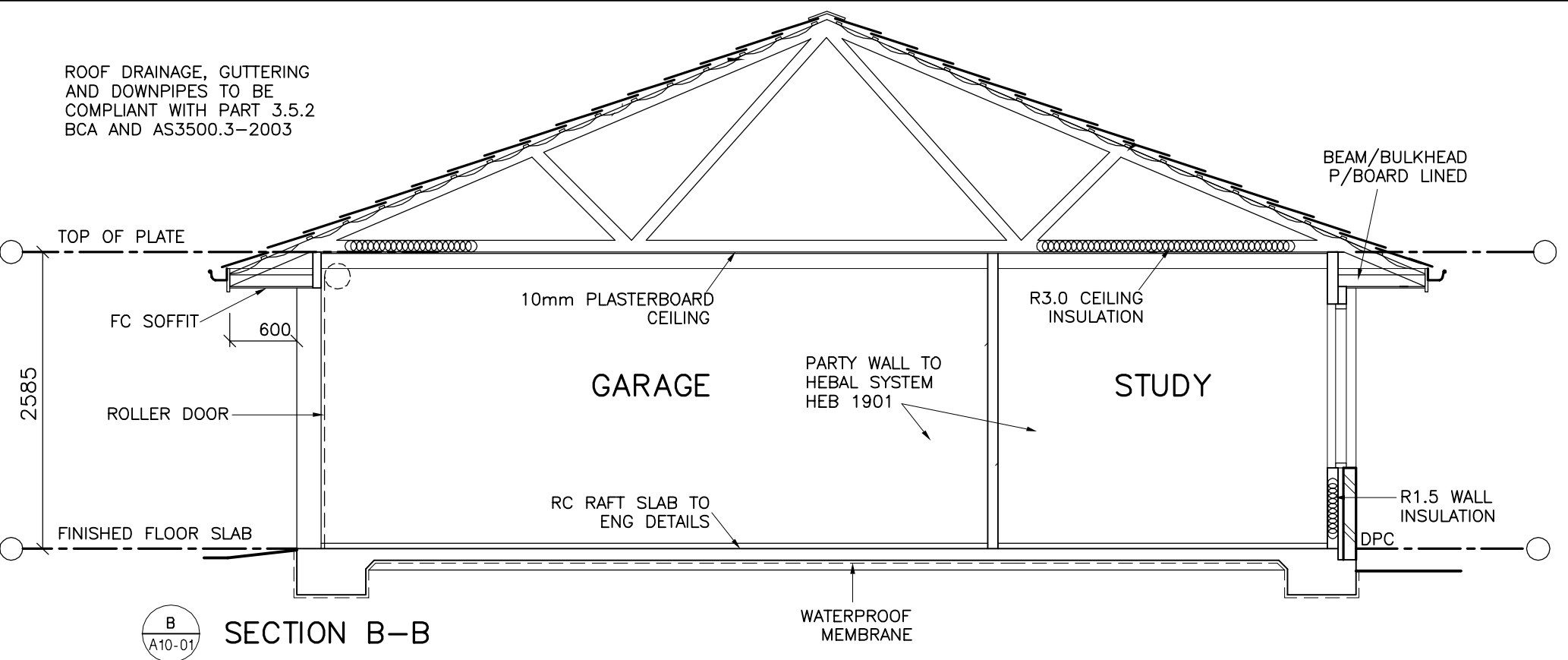
CIRCULATION SPACES AT DOORWAYS-TYPICAL

SCALE 1:20



A
A10-01

SECTION A-A



B
A10-01

SECTION B-B

CONSTRUCTION FOR BUSHFIRE
ATTACK LEVEL -12.5
Refer to Drawing A10-36A for specific details for compliance.



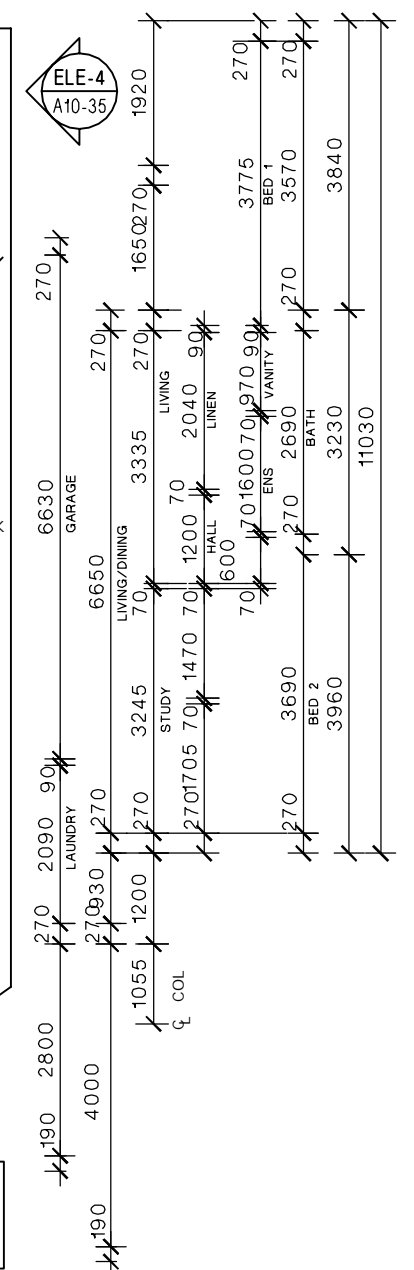
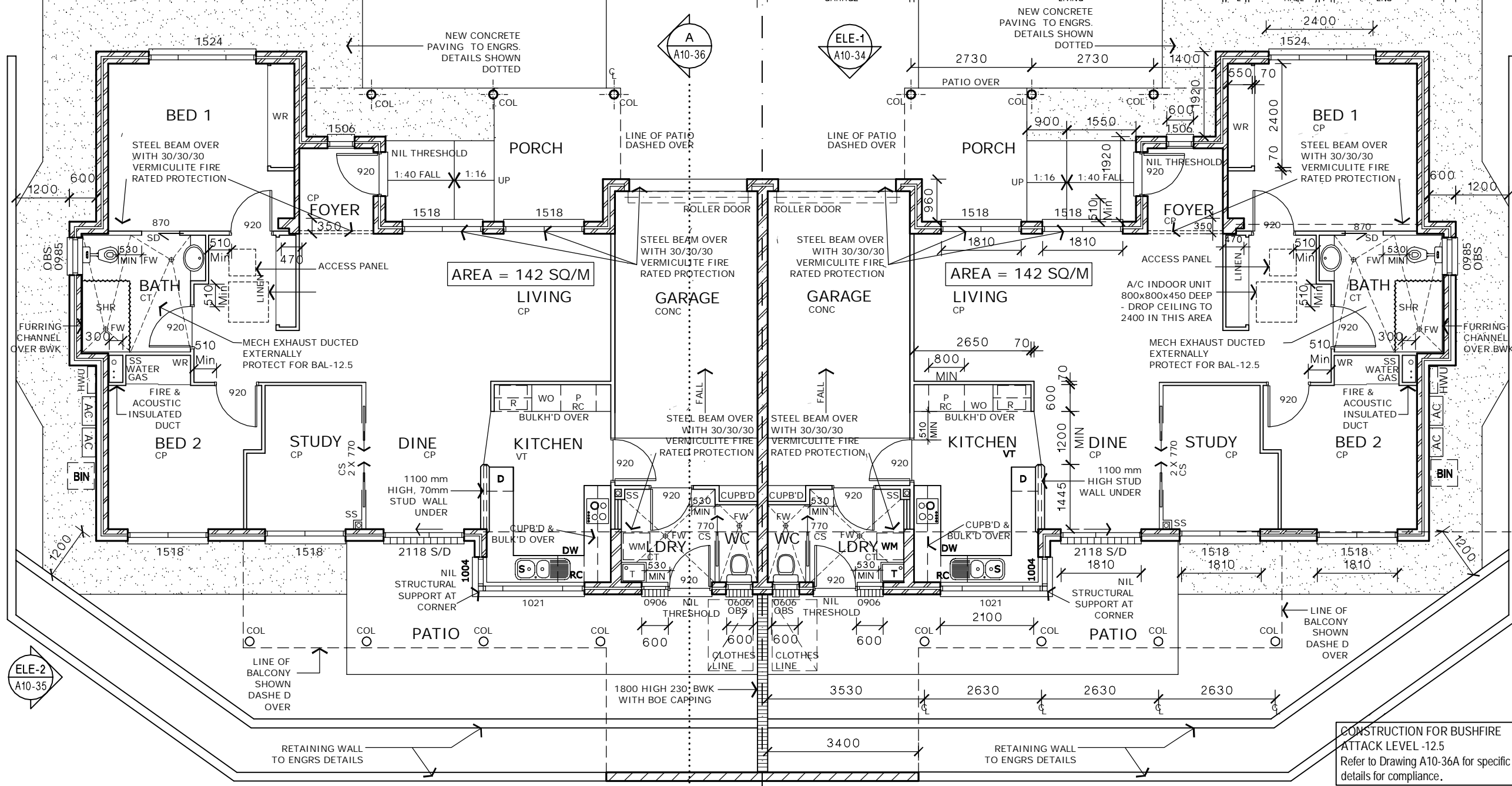
- LEGEND**
- | | | |
|---------------------|----------------------|--------------------|
| AB ADJUSTABLE BENCH | L LINEN CUP'D | T LAUNDRY TUB |
| BC BROOM CUP'D | OBS OBTUSE GLASS | V VINYL |
| B BATH | P PANTRY | VT VINYL TILES |
| CP CARPET | R REFRIGERATOR | WB WASH BASIN |
| CT CERAMIC TILES | RC REMOVEABLE CUPB'D | WM WASHING MACHINE |
| CS CAVITY SLIDER | SB SKYTUBE | WO WALL OVEN |
| D DRAWER UNIT | S SINK | WR WARDROBE |
| DW DISHWASHER | ST STOVE | |

NOTES:

ALL GROUND FLOOR EXTERNAL CAVITY BRICK WALLS ARE TO HAVE FOIL SISALATION UNDER FURRING CHANNELS AND PLASTERBOARD - REFER TO DETAIL 02/A9-21

COMPLYING DOOR CLEARANCES MINIMUM CIRCULATION SPACES ARE AT ALL DOORWAYS AND MUST COMPLY WITH AS 1428.1-2001.

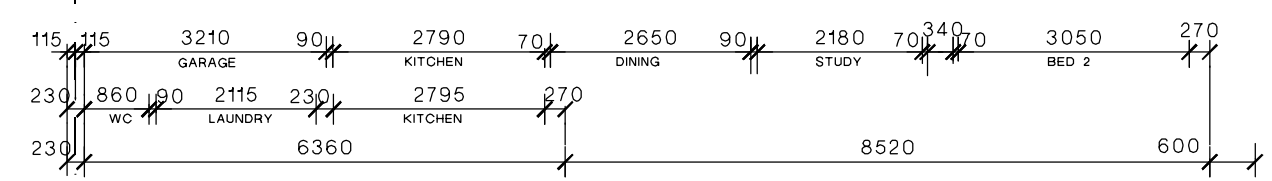
REFER TO SECTION SHEET FOR TYPICAL REFER TO DETAIL SHEET FOR BATHROOM DETAILS



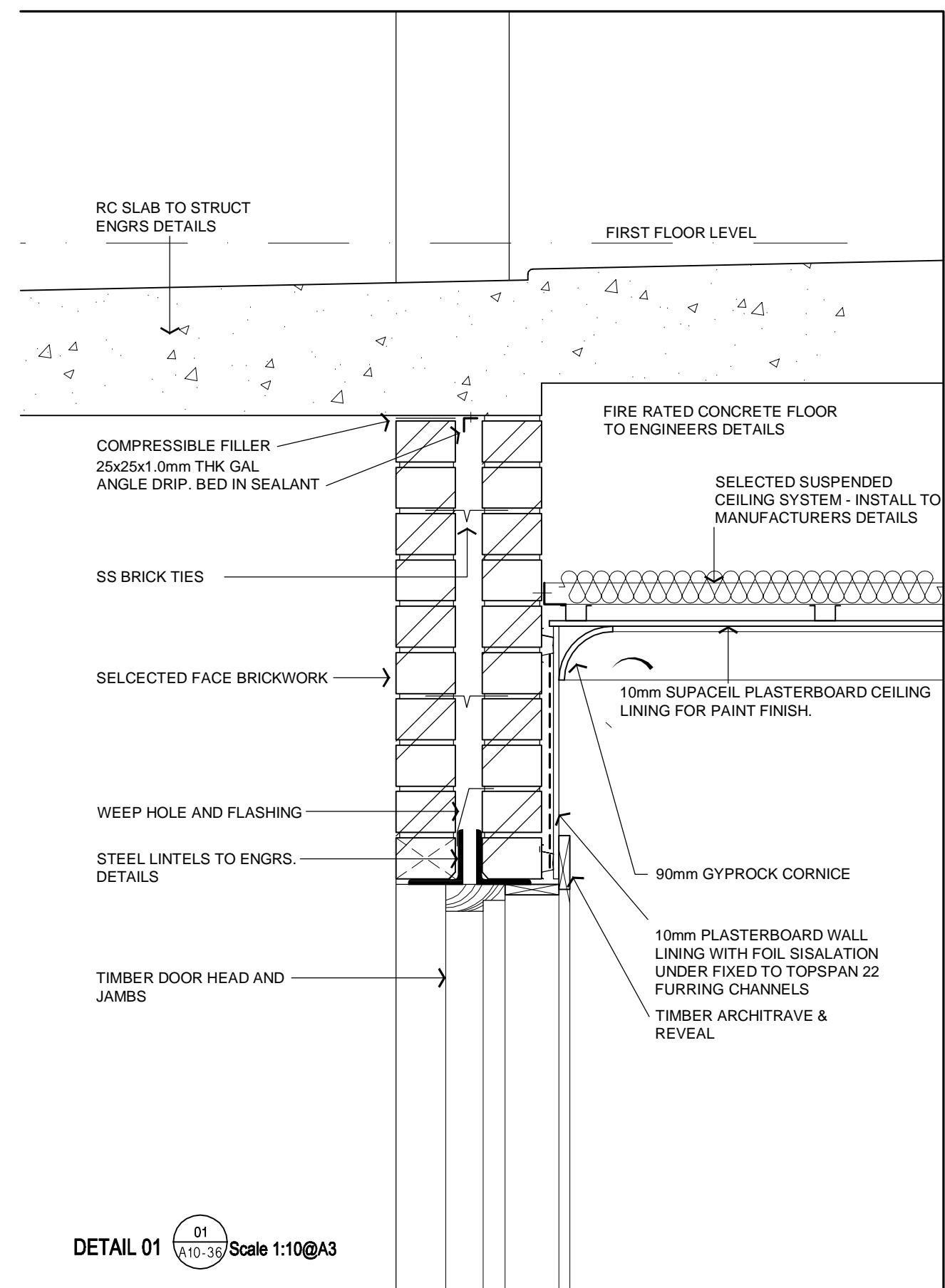
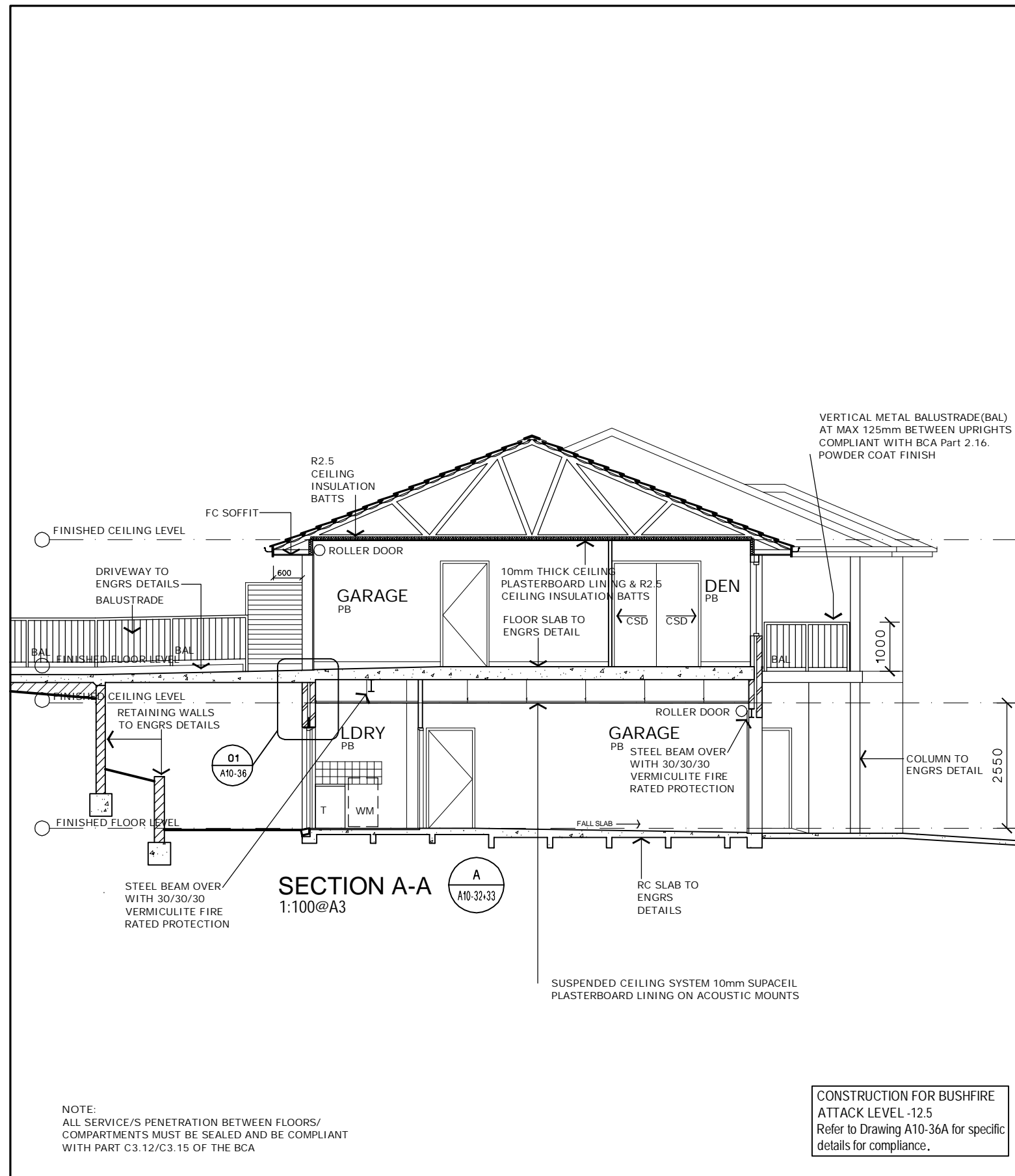
ASHER UNITS

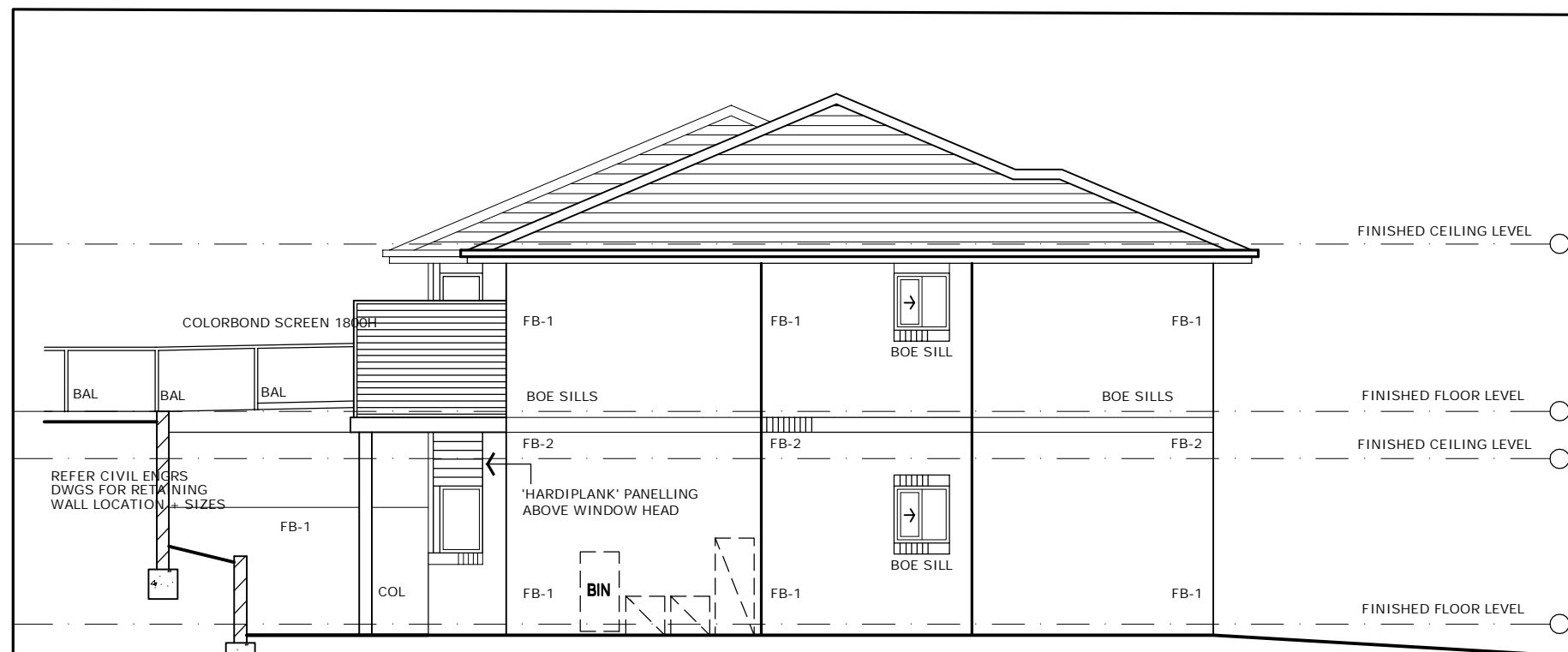
GROUND FLOOR PLAN

REFER SITE PLAN FOR RL'S



BUCHANAN UNITS
UPPER FLOOR PLAN
REFER SITE PLAN FOR RL'S



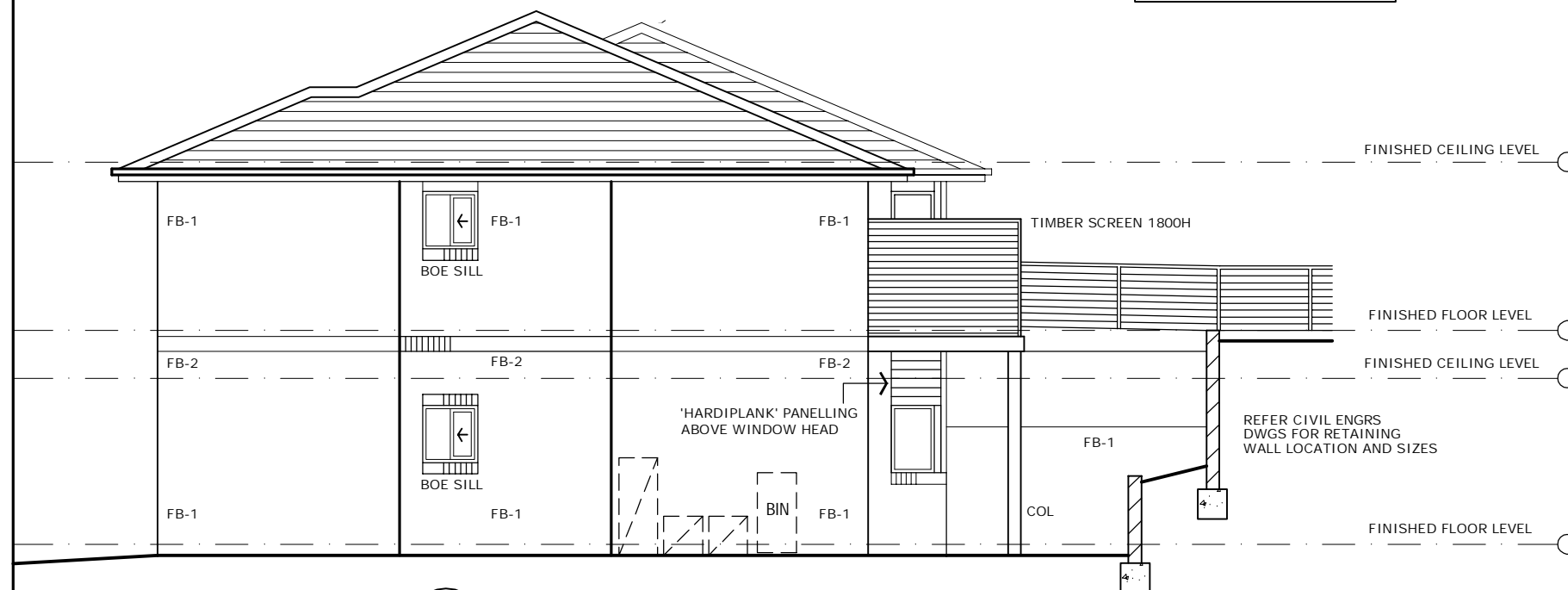


ELEVATION 4

ELE-4
A10-32/33

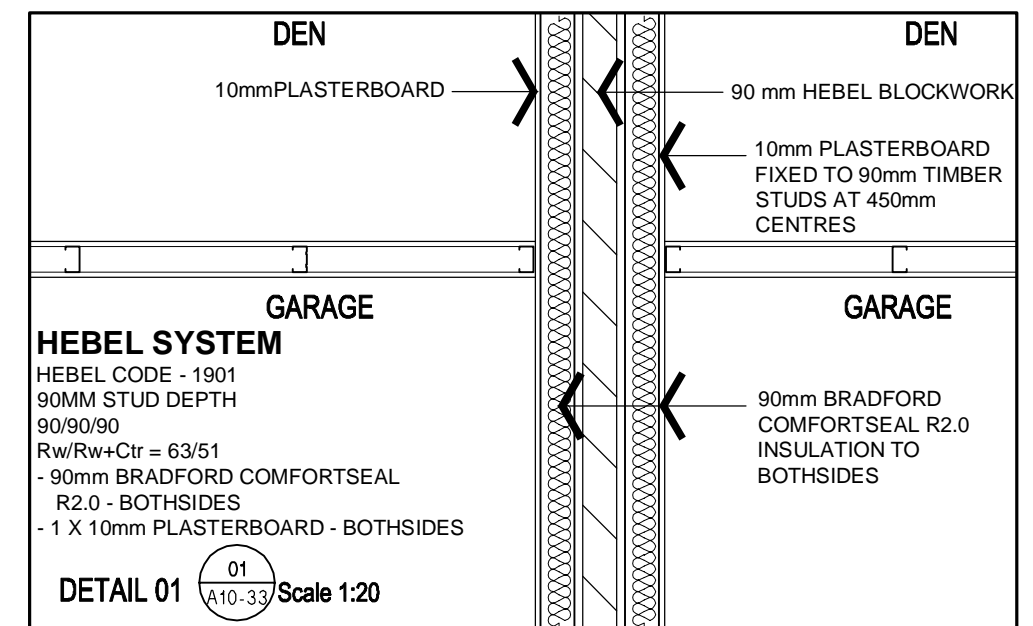
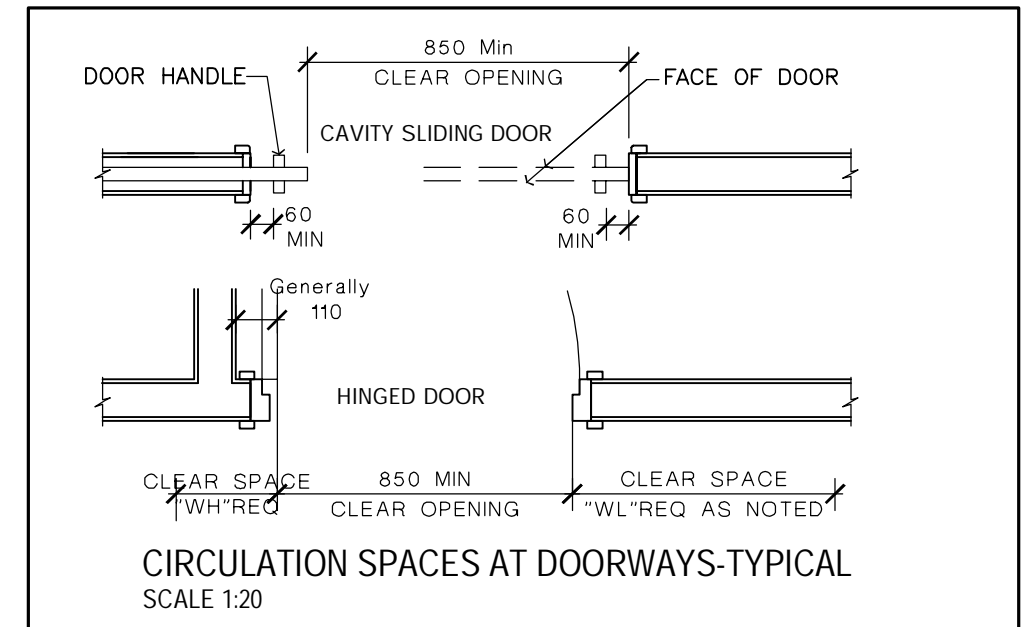
ROOF DRAINAGE, GUTTERING AND
DOWNPIPES TO BE COMPLIANT
WITH PART 3.5.2 BCA AND
AS3500.3-2003

CONSTRUCTION FOR BUSHFIRE
ATTACK LEVEL -12.5
Refer to Drawing A10-36A for specific
details for compliance.



ELEVATION 2

ELE-2
A10-32/33



Annex E:

Site Compatibility Certificate Application Form



Planning

SEPP (HOUSING FOR SENIORS OR
PEOPLE WITH A DISABILITY) 2004
DIRECTOR-GENERAL'S
SITE COMPATIBILITY CERTIFICATE
APPLICATION

Date received: ____/____/____

Site compatibility application no. _____

LODGEMENT

Instructions to users

This application form is to be completed if you wish to apply to the Director-General of the Department of Planning for a site compatibility certificate under Chapter 3, Part 1A of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the SEPP).

A site compatibility certificate is required under section 50(2A) of the Environmental Planning and Assessment Regulation 2000 to accompany development applications for certain proposed developments under the SEPP. The types of development applications to which the Regulation applies are listed in clause 24 of the SEPP.

Before lodging this application, it is recommended that you consult with the Department of Planning concerning your development proposal, including whether a site compatibility certificate is required and what application fee will apply.

To ensure that your application is accepted, you must:

- complete **all** parts of this form, **and**
- submit **all** relevant information required by this form, **and**
- provide **3 copies** of this form and attached documentation,
- provide form and documentation in **electronic format** (e.g. CD-ROM).

NB: The Department of Planning may request further information if your application is incomplete or inadequate.

All applications **must be lodged** with the Director-General, by courier or mail. Applications can be lodged with the relevant regional office of the NSW Department of Planning. Please refer to www.planning.nsw.gov.au for contact details.

PART A — APPLICANT AND SITE DETAILS

A1 APPLICANT FOR THE SITE COMPATIBILITY CERTIFICATE

Company/organisation/agency

TATTERSALL LANDER PTY LTD

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

BOB

Family name

LANDER

Street address

Unit/street no.

2

Street name

BOURKE STREET

Suburb or town

RAYMOND TERRACE

State

NSW

Postcode

2324

Postal address
(or mark 'as
above')

PO Box or Bag

P.O. BOX 580

Suburb or town

RAYMOND TERRACE

State

NSW

Postcode

2324

Daytime telephone

4987 1500

Fax

4987 1733

Email

bob@tatland.com.au

Mobile

0408 497 657

A2 SITE AND PROPOSED DEVELOPMENT DETAILS

Identify the land you propose to develop and for which you seek the Director-General's site compatibility certificate.

NAME OF PROPOSAL

SEPP (SENIORS HOUSING) BANGALOW

STREET ADDRESS

Unit/street no.

Street or property name

RIFLE RANGE ROAD

Suburb, town or locality

BANGALOW

Postcode

2479

Local government area

BYRON SHIRE COUNCIL

NAME OF PROPERTY

REAL PROPERTY DESCRIPTION

LOT 39 DP 625255

**Attach**—map and detailed description of land. REFER SHEET 1

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands. Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma to distinguish between each real property description.

DESCRIPTION OF PROPOSED DEVELOPMENT (as it is to appear on the Director-General's certificate) Refer to the proposed site layout by title or drawing number to enable reference in the certificate.

PROPOSED SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004
COMPREHENSIVE 78X2 STOREY FOURPLEXES, 10 SINGLE STOREY DUPLEXES, CLUBHOUSE
BOAT & CARAVAN STORAGE, COFFEE SHOP & ASSOCIATED STRUCTURES - REFER SHEET 3

**Attach**—copy of proposed site layout.**PART B — PROPOSAL'S CONSISTENCY WITH THE SEPP****B1 THE PROPOSED SITE**

Answer the following questions to identify whether the SEPP applies to the land you propose to develop.

1.1. Is the subject site land zoned primarily for urban purposes?

☐ Yes ☒ No**OR**

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

☒ Yes ☐ No**Attach**—copy of zoning extract or other evidence of zoning.

If you have answered **no** to **both** questions 1.1 and 1.2, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

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

☒ Yes ☐ No**Attach**—copy of development control table.**OR**

1.4. Is the land being used for the purposes of an existing registered club?

☐ Yes ☒ No

If you have answered **no** to **both** questions 1.3 and 1.4, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

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). ☐ Yes ☒ No
- Land that is zoned for industrial purposes (except Warringah LGA). ☐ Yes ☒ No
- Land in Warringah LGA located in localities identified in clause 4(6)(c) of the SEPP. ☐ Yes ☒ No
- Land to which Sydney Regional Environmental Plan No. 17—Kurnell Peninsula (1989) applies. ☐ Yes ☒ No

If you have answered **yes** to **any** subsection in question 1.5, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

SECTION B1 — SUMMARY CHECK

Continue to fill out this application form **only** if you have answered:

- ☒ Yes to questions 1.1 ^{OR} 1.2, **and**
- ☒ Yes to questions 1.3 and 1.4, **and**
- ☒ No to **all** subsections in question 1.5.

If you have satisfied the Summary Check—**proceed to Section B2.**

B2 SITE COMPATIBILITY CERTIFICATE REQUIRED FOR CERTAIN DEVELOPMENT APPLICATIONS

Identify the reason why you need to apply for a Director-General's site compatibility certificate.

- 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].) ☐ Yes ☒ No
- 2.2. Is the proposed development staged development of a kind saved under the savings provisions of the SEPP? (See clause 53.) ☐ Yes ☒ No

If you have answered YES to **either** question 2.1 **or** question 2.2 your proposal does not require a site compatibility certificate. You can submit your application directly to the relevant local council.

2.3. A site compatibility certificate is required because: (see clause 24[1])

- the land adjoins land zoned primarily for urban purposes ☒ Yes ☐ No
- the land is within a zone that is identified as 'special uses' (other than land on which hospitals are permitted) ☐ Yes ☒ No
- the land is used for the purposes of an existing registered club ☐ Yes ☒ No
- the proposed development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45. ☐ Yes ☒ No

If you have answered NO to **all** subsections in question 2.3, your proposal does not require a site compatibility certificate.

SECTION B2 — SUMMARY CHECK

Continue to fill out the application form **only** if you have answered:

- ☒ No to **both** question 2.1 and question 2.2, **and**
- ☒ Yes to **any** subsection in question 2.3 above.

If you have satisfied the Summary Check—**proceed to Section B3.**

B3 TYPES OF SENIORS HOUSING

Does the proposed development include any of the following?

If yes, please indicate in the appropriate space/s provided the number of beds or dwellings that are proposed

- A residential care facility ☐ Yes ☐ No Beds
- A hostel ☐ Yes ☐ No Dwellings
- Infill self-care housing (urban only and not dual occupancy) ☐ Yes ☐ No Dwellings
- Serviced self-care housing ☒ Yes ☐ No Dwellings
- A combination of these ☐ Yes ☐ No Beds Dwellings

If you answered **yes** to serviced self-care housing—**proceed to Section B4.** Otherwise—**proceed to Part C.**

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

If the proposed development includes serviced self-care housing on land adjoining land zoned primarily for urban purposes, will the housing be provided:


- for people with a disability? ☒ Yes ☐ No
- in combination with a residential care facility? ☐ Yes ☒ No
- as a retirement village within the meaning of the *Retirement Villages Act 1999*? ☒ Yes ☐ No

If you answered **no** to **all** questions in Section B4, it is unlikely that the proposal will satisfy the council when you submit a development application (see clause 17[2] of the SEPP) and also unlikely that a site compatibility certificate would be issued.


PART C — SITE COMPATIBILITY OF THE PROPOSED DEVELOPMENT

In this Part, please **attach** documentation to describe the development proposal, its context and strategic justification.


C1 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
 - Description of surrounding environment:
 - built form
 - potential land use conflicts
 - natural environment (including known significant environmental values and resources or hazards)
 - Access to services and facilities and access (clause 26):
 - accessibility and interrelationships with the surrounding area—transport infrastructure and services, accessible pedestrian routes
 - location and description of available shops, banks and other retail and commercial services, community services and recreational facilities, medical facilities
 - Open space and special use provisions (if relevant)
 - Agricultural capability of the site and adjoining land if the proposal affects land not zoned primarily for urban purposes
 - Type, 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. (nb: separate Guideline available for further information)


2. PROPOSAL

-  The proposal can be presented through photos, maps and written evidence
- Description of the proposal including the type(s) of seniors housing proposed including numbers of beds/units, community facilities and any ancillary development
 - Site description—natural elements of the site (including known hazards and constraints)
 - Building envelope—footprint and height relative to adjoining development/uses and indicative layout of proposed uses in relation to adjoining development/uses
 - 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 Act 2003

3. STRATEGIC JUSTIFICATION


-  Brief description of the proposed development—10 pages limit
- Relationship with regional and local strategies
 - Public interest reasons for applying for seniors housing in this locality
 - Adequacy of services and infrastructure to meet demand

4. PRE-LODGE MENT CONSULTATION WITH THE CONSENT AUTHORITY (COUNCIL) AND INFRASTRUCTURE/SERVICE PROVIDERS

-  Attach evidence of pre-lodgement consultation
- Evidence of consultation
 - Description of and response to issues raised in consultation

Note: Pre-lodgement discussion with the council and with agencies such as the Roads and Traffic Authority, Rural Fire Service and providers of infrastructure and services such as health, community, transport, electricity, water, and sewerage infrastructure and services, will assist in preparation and assessment of your application.

C2 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:

1. 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.

REFER ATTACHED REPORT

2. 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.

REFER ATTACHED REPORT

3. 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.

REFER ATTACHED PLAN - SHEET 1 & REPORT

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 OR SPECIAL USES IN THE VICINITY OF THE DEVELOPMENT.

NOT APPLICABLE - REFER REPORT

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.

REFER ATTACHED REPORT

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 (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).

REFER ATTACHED REPORT


C3 ADDITIONAL COMMENTS

REFER ATTACHED REPORT

PART D — CHECKLIST, PAYMENT AND SIGNATURES**D1 APPLICATION CHECKLIST**

Please check that you have provided all the information required for your application.

I have completed all sections of this application form.

☒ Yes ☐ No
 I have attached supporting information. If yes, please check boxes below, as relevant.
☒ Yes ☐ No

Map and detailed description of land

A copy of proposed site layout

A copy of zoning extract or other evidence

A copy of development control table

Proposal information—context, proposal and strategic justification

Additional information for statements against site compatibility criteria (optional)

☐I have addressed the following SEPP site compatibility matters in **section C2** of the form.☒ Yes ☐ No

1. Existing environment and approved uses

2. Impact on future uses

3. Availability of services and infrastructure

4. Impact on open space and special uses provision

5. Impact of the bulk and scale of the proposal

6. Impact on conservation and management of native vegetation

☒
 I have provided **three** hard copies of this form and all relevant supporting information
☒ Yes ☐ No

I have provided the application form and supporting information in electronic format

☒ Yes ☐ No

I have enclosed the application fee (see below for details)

☒ Yes ☐ No**D2 APPLICATION FEE**

You are required to pay a fee for the assessment of an application for the Director General's certificate for site compatibility. This fee is based on the estimated number of beds of the SEPP Seniors Housing Facility. The Department may require that you pay a proportion of the total fee with this application. You should consult with the Department before lodging this application to determine the proportion to be paid. The maximum fee payable is \$5000.

Number of beds or dwellings

332 DWELLINGS & 664 BEDS

Estimated project cost

\$85M**D3 CERTIFICATE APPLICANT'S AUTHORISATION**

By signing below, I/we hereby:

- apply, subject to satisfying the relevant requirements under State Environmental Planning Policy ((Housing for Seniors or Persons with a Disability) 2004 for a Director-General's site compatibility application pursuant to clause 50(2A) of the Environmental Planning and Assessment Regulation 2000
- provide a description of the proposed seniors housing development and address all matters required by the Director-General pursuant to clause 25(5)(b) of the State Environmental Planning Policy (Housing for Seniors or Persons with a Disability) 2004
- declare that all information contained within this application is accurate at the time of signing.

Signature(s)

Robert Zander

In what capacity are you signing if you are not the owner of the land

PROJECT MANAGER

Name(s)

BOB LANDER

Date

20-4-2016**D4 LAND OWNER'S CONSENT**

As the owner(s) of the land for which the proposed seniors' housing development is located and in signing below, I/we hereby agree to the lodgement of an application for a Director-General's site compatibility certificate.

Signature

LEGATE PTY LTD

Name

LEGATE PTY LTD

Date

20/4/16

Signature

SOLE DIRECTOR

Name