



Our Ref: P51061 (1258516)

Phone Enquiries: 4934 9700

22 November 2016

Department of Planning and Environment
PO Box 1226
NEWCASTLE NSW 2300
Att: Katrine O'Flaherty



Dear Katrine,

Re: Site Compatibility Certificate Application – Seniors Housing – 37-39 Metford Road, Tenambit

Council has reviewed the information supporting the application for a site compatibility certificate for seniors housing at 37-39 Metford Road, Tenambit.

In regard to the matters listed under clause 25(5)(b) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 Council provides the following response:

Subclause 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 subject lots immediately adjoin the MWWTP operated by Hunter Water. Hunter Water maintains a buffer zone policy that was developed with the guidance of the Department's "EIS Guideline – Sewerage Systems" and "Circular E3 – Guidelines for buffer around sewerage treatment plants." The circular advocates a minimum buffer of 400m from the property boundary. A copy of Hunter Water's response to questions raised by Council, the "Buffer Zone Policy – Wastewater Treatment Plants" and a plan of the buffer around the MWWTP is attached.

Further discussion with Hunter Water has confirmed that an updated odour assessment will need to be carried out either prior to the granting of a Site Compatibility Certificate or in conjunction with any DA Assessment that may follow.

Subclause 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 site is zoned RU2 Rural Landscape under the Maitland Local Environmental Plan 2011. It is not identified for any other purpose in Council's strategic planning documents. The land north of the site is the Morpeth Cemetery that is zoned SP1 Special Purposes (Cemetery). Council's draft Conservation Management Strategy for the cemetery acknowledges the importance of its historic setting. Any development on the site will have to demonstrate consistency with the strategy. Land to the east of the site is occupied by the MWWTP. This is essential infrastructure for the future development of Maitland.

Land to the south of the site is zoned RU2 Rural Landscape and is characterised by low density residential uses. This area provides an effective transition from the general residential area of Tenambit to the rural and environmental areas along Four Mile Creek. The proposed development will fundamentally change this transition area and may create an expectation of further residential development south of Metford Road. Development in this area is not anticipated by Council's strategic planning documents.

Subclause 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

The site is generally well serviced by infrastructure. Hunter Water has confirmed that water and sewer is available to the site. The site is within 400m of the 183 and 184 bus lines that travel to East Maitland, Greenhills, the Victoria Street Train Station and Central Maitland. A formal path way is not currently available.

Subclause 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.

Subclause 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 area to the west of Metford Road is characterised by the existing and future residential areas of Tenambit. The area east of Metford Road, including the subject site, is characterised by large lot residential lots, rural uses, the Morpeth Historic Cemetery and the MWWTP. Any intensification in the built form on this site is uncharacteristic of development west of Metford Road. The proponent has included an indicative layout for 165 dwellings and associated buildings. Council has not considered any element of the design or layout. Therefore, this letter should not infer any support for the design, layout or any other matter that would be subject to a future development application on the site.

(vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003—the impact that the proposed development is likely to have on the conservation and management of native vegetation.

Not applicable.

In conclusion, clause 25(5)(b) of the SEPP requires that the proposal is compatible with the surrounding land uses having regard to 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.

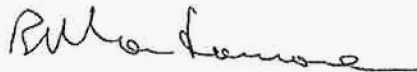
The MWWTP is essential infrastructure to support the growth of the Maitland Local Government Area and in particular those urban release areas in the eastern sector. It is imperative that the current operation, modification and future development of the MWWTP are protected from any

incompatible development within the vicinity of the facility. In addition, the development is uncharacteristic of development east of Metford Road that currently provides a transition area between urban and rural uses.

There are a number of other potential impacts from the operation of the MWWTP. on the proposed sensitive land use that are not addressed in the application. These include the potential impact of light, noise and vibration.

If the Department determines that the application has merit to progress further Council recommends that a proposal specific odour assessment and an acoustic and vibration impact assessment be prepared.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bernie Mortomore', with a long horizontal flourish extending to the right.

Bernie Mortomore
Acting General Manager