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***Report for Motel Links Pty Ltd, NSW Department of Planning and Environment and Wagga Wagga City Council***

***Application for site compatibility certificate for serviced self-care housing under the SEPP (Housing for Seniors or People with a Disability) 2004, at 567A Koorinal Road Wagga Wagga***

*12 January 2016*



**PIA** Planning  
Institute  
Australia

Member No. 6868

## 1 Introduction

This report accompanies an application for a site compatibility certificate (the certificate) for serviced self-care housing under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (the SEPP) for the land known as 567A Kooringal Road Wagga Wagga - Lot 2, DP 1049218.

The subject site is located on land *adjoining land zoned primarily for urban purposes*. The serviced self-care housing is intended to be provided as a retirement village within the meaning of the *Retirement Villages Act 1999*.

The land is not environmentally sensitive land within the meaning of Schedule 1 of the SEPP and otherwise meets the provisions of the SEPP as discussed herein. The land is located within the local government area of Wagga Wagga and discussions have been held with the Council's Manager Development Services, who is expecting this application. It is the understanding of Newland Planning based on Council advice that the Council will consider an application for serviced self-care housing as a retirement village (*within the meaning of the Retirement Villages Act 1999*) on a statutory and merit assessment basis.

The land benefits from a physically commenced development approval for a 72 bed aged care facility. The developer wishes to provide a development of less scale and density than that facility, hence this application for the certificate.

## 2 Zoning of the land

The site is zoned *R5 Large Lot Residential* under the *Wagga Wagga Local Environmental Plan 2010* (the LEP). The land is directly opposite (north and south of) land zoned *R1 General Residential* under the LEP. South of the land is a formed and grassed drainage channel, formerly part of Marshalls Creek. This channel is zoned *RE1 Public Recreation* under the LEP, and links with a public reserve – Steve O'Halloran Park, to the east, to then flow into Lake Albert directly to the south.

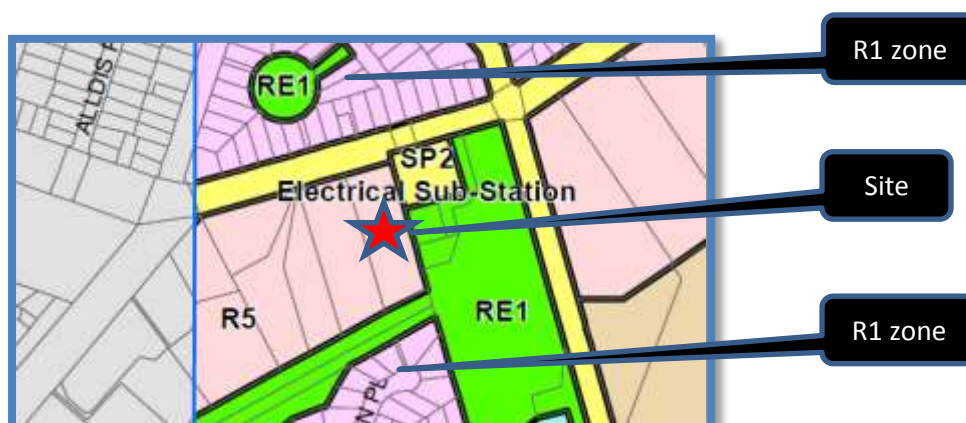


FIGURE 1 EXCERPT OF MAP SHEET LZN\_004F OF THE LEP

Within the R5 zone, dwellings are permissible with development consent. Appendix 1 to this report is an excerpt of the LEP R5 zone development control table.

### 3 Strategic planning context of the site

The subject land is contained within the urban bounds of the city of Wagga Wagga. The site's R5 Large Lot Residential zoning represents a swathe of land adjoining the former Marshalls Creek. The R5 land was redeveloped in the 1990's.

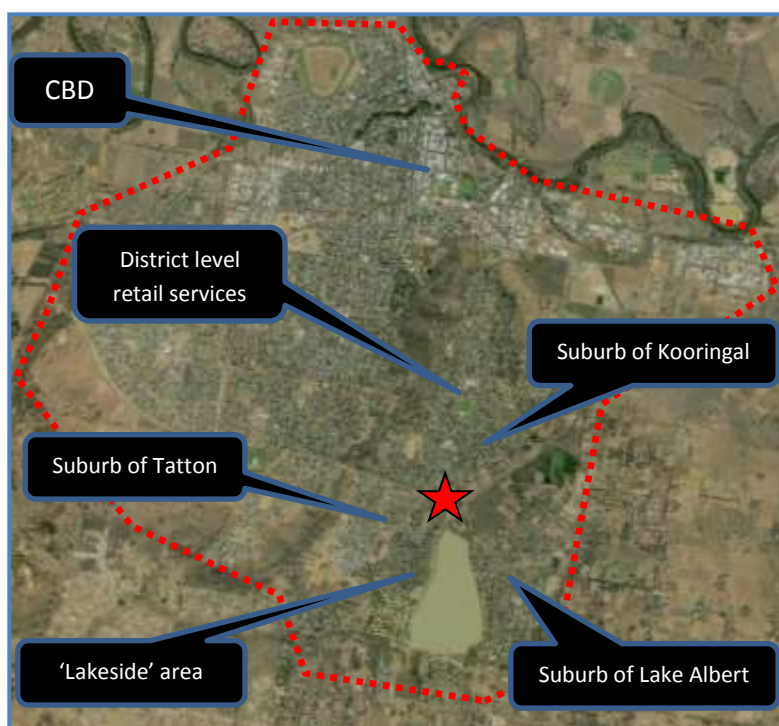


Figure 2 shows the site location in the context of the *main* urban area of Wagga Wagga.

**FIGURE 2 LOCATION OF SITE WITHIN THE WAGGA WAGGA URBAN AREA.**  
SOURCE: NSW DEPARTMENT OF LANDS 2013

The land is located within the suburb of Lake Albert, on the border of the suburbs of Tatton and Koorungal. Koorungal is one of Wagga's most populous suburbs, and substantial residential populations exist around the site. The land has nearby residential development

running from the north, to the west and around to the south west.

Koorungal Road is a local arterial road and links nearby with other local arterial roads - Red Hill Road, and Lake Albert Road, which leads into the central Wagga area.

At the local scale to the south of the subject site and the drainage channel is an established residential area forming part of the area known as 'Lakeside', which began development in the 1980's. North of the site and Koorungal Road is the southern area of the suburb of Koorungal which had suburban development origins in the 1960's and 1970's.

Aside from the R5 land with larger lots, local development consists predominantly of single storey detached housing in R1 zones, with a single legacy walk up flat building on Koorungal Road nearby.

A major residential care facility known as Caloola Court is located 250m to the west on the corner of Koorungal Road and Red Hill Road. The planning context of the surrounding area is predominantly urban.



#### 4 Site location and description

The site is located on Koorungal Road, a local arterial route forming part of the peripheral road system linking suburbs within Wagga Wagga. The land has an area of approximately 9,653m<sup>2</sup> and boundary dimensions of approximately 165m x 60m. The land has a gradual fall to the rear (south) to the Tatton drain.



FIGURE 3 THE SITE ON KOORUNGAL ROAD AND IMMEDIATE LOCALITY. SOURCE: NSW DEPARTMENT OF LANDS SIX VIEWER 2014

The current condition of the land is shown in Figure 4 below.



FIGURE 4 CURRENT CONDITION OF THE LAND, TREES REMOVED AND BENCHED IN AUGUST 2015

Figure 4 above shows that the land has had trees removed and has been benched as part of the acknowledged physical commencement of an approved development (see below). To the left of the Figure (east) is a Girl Guides hall and a community building, located on land zoned *RE1 Public Recreation* under the LEP. Out of picture to the far left is an electrical substation located 15m off the common boundary, zoned *SP2 Electrical Sub-Station* under the LEP. To the right of the Figure (west) is an adjoining large dwelling in the R5 zone with a large greenhouse and shedding to the rear.

## 5 Recent site history

In 2005 the Council approved a 50 bed seniors living development on the subject land. This development did not proceed. In December 2008 the Council approved development of a 72 bed aged care facility (defined as a residential care facility under the SEPP) through DA 08/0021. This development has been physically commenced (as acknowledged by the Council via CC 15/0303).

Appendix 2 is a copy of the approved site and ground floor plan for the approved and commenced development. The site plan shows the building footprint relative to the site boundaries.

## 6 Outline of intended development

The development intended for the land is *serviced self-care housing* as a retirement village. Preliminary designs for the land indicate that the land could be developed for approximately 19 two bedroom self-contained dwellings, based on the current filling platform and flood modelling. The flood assessment results are discussed below.

## 7 Environmentally sensitive land

Clause 4(6)(a) of the SEPP provides that the Policy does not apply to land described in Schedule 1 (environmentally sensitive land).

Appendix 3 is an excerpt of Schedule 1 of the SEPP. With regard to Schedule 1 the subject land does not form part of a zone or area which is described or related to coastal protection, conservation (nor heritage conservation), critical habitat, environment protection, open space, escarpment, floodway, high flooding hazard, natural hazard, scenic, water catchment, natural wetland or a bush fire evacuation risk area as mapped.

With particular regard to flooding and flood hazard, and natural hazard, the land is affected by the 1 in 100 year flood event of the Tatton drain to the rear (south), but not the 1 in 10, 20 and 50 year flood.

Accompanying this application is a flood assessment by WMA Water, who carried out the original *Wagga Wagga Major Overland Flow Flood Study* (MOFFS, WMAwater, 2011) for this area, and also the recent 2015 review of that work. The objective of the WMA Flood Assessment is to provide information as required by the Wagga Council. This includes presenting the location of the proposed

development relative to 1% AEP flood depths, levels, velocity, hazard and hydraulic category; and to assess the impact of the development on adjoining flood levels.

The assessment report considers the flood impact of the approved 72 bed nursing home and the proposed serviced self-care housing development, represented by a proposed fill platform to the 1 in 100 year level, which prevents the 1 in 100 year flood from entering the filled part of the site.

The assessment notes on pages 2 and 3 that:

- The subject site is subject to low hazard flow only during a 1% AEP flood event. High hazard occurs only within existing drainage easements.
- It can be ascertained that the site is not subject to a floodway hydraulic categorisation as per the NSW Floodplain Development Manual (NSW, 2005). The floodway is limited to the area of flow contained in the swale and those areas immediately adjacent to the channel.

With respect to environmentally sensitive land, the subject site as designated in the assessment is not a floodway and is not subject to high flooding hazard. The site as designated does not have any natural hazards. The site as designated is not environmentally sensitive land.

### 7.1 Bushfire Prone Land

The subject land, according to the Wagga Wagga City Council online mapping tool, is not located within a bushfire prone area. See Figure 5 below.

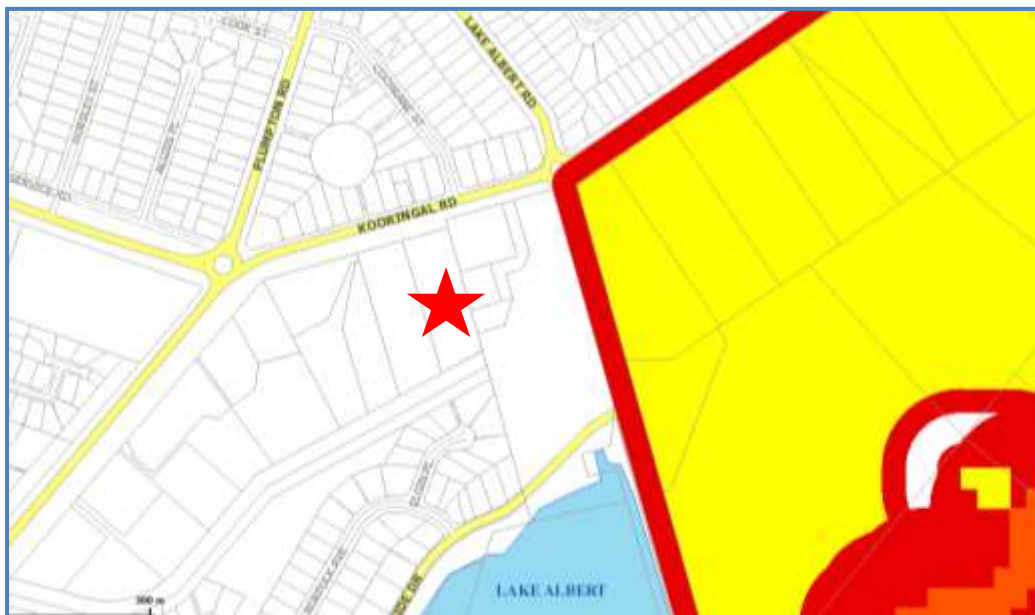


FIGURE 5 BUSHFIRE PRONE LAND. SOURCE: WAGGA WAGGA ONLINE MAPPING TOOL

## 7.2 Native vegetation

The land benefits from a physically commenced development for a 72 bed nursing home, and vegetation was removed pursuant to that approval to facilitate the commencement, see Figure 4 above.

## 8 Key issues for the consideration of the Director General in issuing a certificate.

Clause 25 (5) (b) of the SEPP provides as follows (see clause excerpt below and commentary).

### *25 Application for site compatibility certificate*

*(1) ....(2) ....(3) .....(4) ....*

*(5) The Director-General must not issue a site compatibility certificate unless the Director-General:*

*(a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and*

*(b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:*

*(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,*

### **Comment: The natural environment**

The land is not environmentally sensitive land, as discussed in section 7 above.

The use of the land for a type of seniors housing is not incompatible with the Girl Guides Hall and community hall to the east and the dwelling houses to the west in the subject R5 zone.

The use of the land for serviced self-care housing is compatible with the approved and commenced 72 bed nursing home development on the site. The proposed development is less intense than the nursing home development. Notwithstanding this point nursing homes are not an unusual feature of the surrounding urban area, as the Caloola Court nursing home 250m to the west has existed for four decades and is a significant facility in Wagga.

The proposed use is compatible with the surrounding natural and built environment.



*(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,*

**Comment: Impact on future uses of the land**

The proposed development will occupy the whole of the site, which is a single parcel of land with distinct neighbouring land uses. The proposed use is compatible with the subject land.

*(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,*

**Comment: Access to services**

Seniors housing requires good public transport links to medical, retail, social and recreational facilities. The subject land is opposite a bus stop on Koorungal Road, which forms part of Route 960 operated by 'Busabout'. Figure 6 shows part of Route 960 to the Koorungal Mall district level centre (Location E on the Figure). Location 'I' on the Figure represents the subject site.

The Koorungal Mall is a district level centre with a full service level supermarket, 20 specialty stores including chemist and an adjacent medical centre, bank ATM's and a Building Society branch.

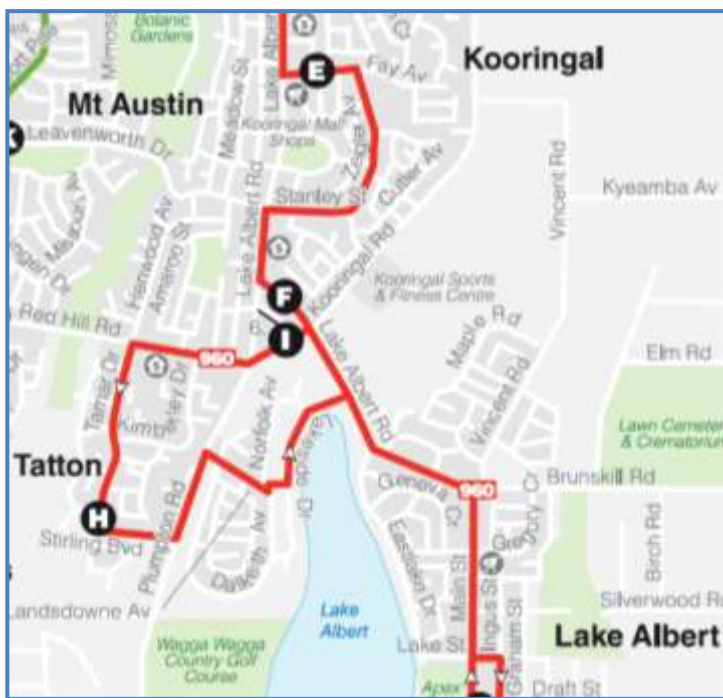


FIGURE 6 SITE LOCATION ON BUSABOUT ROUTE 960 TO KOORUNGAL MALL. SOURCE [HTTP://WWW.BUSABOUTWAGGA.COM.AU/](http://www.busaboutwagga.com.au/)

Route 960 also travels past Koorungal to the central business area of Wagga Wagga, where regional level social, specialist medical, banking, commercial, retail and recreational facilities are available. Route 960 provides hourly weekday and Saturday morning services to the Koorungal Mall and central area.

A local convenience store with food services is also located five minutes' walk (450m) from the site,

on Lake Albert Road, with a convenient road gradient (Location F on Figure 5). Busabout Route 960 also stops opposite the convenience store.



The land has excellent access to convenient public transport, and necessary urban services.

**Comment: Infrastructure needs**

The land is located on a strategic arterial road corridor with a wide verge. The availability of services has been assessed by local firm MJM Consulting Engineers. The land is able to be serviced with natural gas, reticulated water and sewer, electricity and communication services. Local infrastructure will be capable of meeting the demands of the proposed development, which will be paid for by the developer. No unreasonable amplification of services is expected, based on analysis by MJM Consulting Engineers (Wagga based).

*(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,*

**Comment: Impact of proposed development on open space**

The subject land is not zoned for open space or special uses. However the subject land is situated next to Steve O'Halloran Park (zoned RE1) and close to the Lake Albert open space area, and has excellent access to passive recreation facilities and pleasant walking tracks.

*(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,*

**Comment: Impact of the development on existing, approved and future uses**

The Council has previously approved a 50 bed and a 72 bed aged care facility on the land, which represents a considerable density of site development and site coverage. The Council has previously found that the impacts of single storey development of this nature have not been considered so adverse as to warrant refusal of the applications.

It is envisaged that the development of single storey serviced self-care seniors housing on the land will be to a lesser density and site coverage than previous approvals. This of course will have to be established on merit, and the impacts carefully assessed by the consent authority and applicant.

It is reasonable to expect though that the impact on the amenity of the area from development of the land for the proposed purposes can be minimised.

*(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.*

#### **Comment: Impact on Native Vegetation**

The development will have no adverse impact on native vegetation. The physical commencement of the approved 72 bed nursing home provided for the removal of existing vegetation across a large portion of the site, which has occurred.

## **9 Other matters to consider in relation to serviced self-care housing**

### **Urban salinity**

The subject land is close to Lake Albert, and some properties in the vicinity of the Lake are subject to groundwater levels which are closer than 2m to the surface, placing them in the higher risk category for urban salinity.

The subject land though, according to the Wagga Wagga City Council online mapping tool, is located within an area where groundwater levels are between 2m – 5m below the surface. The mapping indicates that the land directly opposite, north of Koorungal Road, has groundwater levels between 5m – 10m below the surface. Urban salinity is not expected to be a constraint to development of the land.

## **10 Summary**

From this SCC assessment and detail of the existing approval on site it would be reasonable of the Department to support the site compatibility certificate application, to then allow the Council to carry out a full merit assessment of any future DA for serviced self-care housing.

## Appendix 1 Excerpt of R5 zone Wagga Wagga LEP 2010

Current version for 14 August 2015 to date (accessed 6 December 2015)

[Land Use Table](#) » Zone R5

### Zone R5 Large Lot Residential

#### 1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To ensure that the clearing of native vegetation is avoided or minimised as far as is practicable.

#### 2 Permitted without consent

Home businesses; Home occupations; Roads

#### 3 Permitted with consent

**Dwelling houses;** Hardware and building supplies; Home industries; Neighbourhood shops; Rural supplies; Timber yards; Vehicle sales or hire premises; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Multi dwelling housing; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; **Seniors housing;** Serviced apartments; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

## Appendix 2 Excerpt of plan of commenced 72 bed aged care facility development on site





## **Appendix 3 Environmentally sensitive land – Schedule 1 of the SEPP**

Current version for 30 October 2015 to date (accessed 6 December 2015)

### **Schedule 1**

#### **Schedule 1 Environmentally sensitive land**

(Clause 4 (6) (a))

Land identified in another environmental planning instrument by any of the following descriptions or by like descriptions or by descriptions that incorporate any of the following words or expressions:

- (a) coastal protection,
- (b) conservation (but not land identified as a heritage conservation area in another environmental planning instrument),
- (c) critical habitat,
- (d) environment protection,
- (e) open space,
- (f) escarpment,
- (g) floodway,
- (h) high flooding hazard,
- (i) natural hazard,
- (j) (Repealed)
- (k) scenic (but not land that is so identified if:
  - (i) the land is within a residential zone in which development of two storeys or more in height is permitted, or
  - (ii) an adjacent residential zone, also identified as scenic, permits development of two storeys or more in height),
- (l) water catchment,
- (m) natural wetland.

Land shown cross-hatched on the bush fire evacuation risk map.