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8317 site compatibility certificate cover letter

9 May 2017

The Director-General
NSW Department of Planning and Environment
Locked Bag 9022
GRAFTON NSW 2460

Dear Sir/Madam

**re: Director-General's Site Compatibility Certificate Application
SEPP (Housing for Seniors or People with a Disability) 2004
Lot 72 DP 1228271, North Street, Grafton**

Ardill Payne & Partners has been commissioned by the Midson Group Pty Ltd [on behalf of Southern Cross Care (NSW & Act) Ltd] to provide town planning services in the preparation and lodgement of a site compatibility certificate application with the Director-General as required under Chapter 3, Part 1A of SEPP (Housing for Seniors or People with a Disability) 2004.

Please find attached the following:

- completed SEPP (Seniors Housing) 2004 Site Compatibility Certification Application form
- supporting town planning report
- landowner's authorisation to making of the application
- Cheque for \$2170.00 payable to the NSW Department of Planning (being \$280.00 + \$1890.00)

Should you require any further information or clarification in respect of this application please contact me on 6686 3280 or pauls@ardillpayne.com.au.

Yours faithfully

Paul Snellgrove

ARDILL PAYNE & PARTNERS

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Engineers | Planners | Surveyors | Environmental | Project Management

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Planning

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

Date received: ____/____/____

Site compatibility application no. _____

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

Company/organisation/agency

SOUTHERN CROSS CARE (NSW+ACT) Inc.

☐ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Family name

Street address

Unit/street no.

16-18

Street name

BRIDGE STREET

Suburb or town

EPPIING

State

NSW

Postcode

2121

Postal address
(or mark 'as
above')

PO Box or Bag

Suburb or town

State

Postcode

Daytime telephone

Fax

02-97909400

Email

mgardner@sccliving.org.au

Mobile

0408 468 671

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

NAME OF PROPOSAL

S.C.C St Catharines Aged Care - Grafton.

STREET ADDRESS

Unit/street no.

126 NORTH STREET

Street or property name

Suburb, town or locality

GRAFTON

NSW

Postcode

2460

Local government area

CLARENCE VALLEY COUNCIL

NAME OF PROPERTY

Southern Cross St Catharines.

REAL PROPERTY DESCRIPTION

72//1228271

Attach—map and detailed description of land.

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.

Alterations & additions to existing residential age care facility.

Attach—copy of proposed site layout.

PART B — PROPOSAL'S CONSISTENCY WITH THE SEPP

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). | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ▪ Land that is zoned for industrial purposes (except Warringah LGA). | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ▪ Land in Warringah LGA located in localities identified in clause 4(6)(c) of the SEPP. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ▪ Land to which Sydney Regional Environmental Plan No. 17—Kurnell Peninsula (1989) applies. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 and 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.

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.

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.

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.


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.

 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.

see attached

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.

see attached

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.

see attached

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.

see attached

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.

see attached


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*).

see attached

PART D — CHECKLIST, PAYMENT AND SIGNATURES

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

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 \$5580

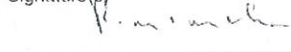
Number of beds or dwellings

42

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)



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

CHIEF EXECUTIVE SCC

Name(s)

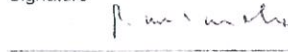
Paul Mc Mahan CE

Date

2.5.17

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



Signature

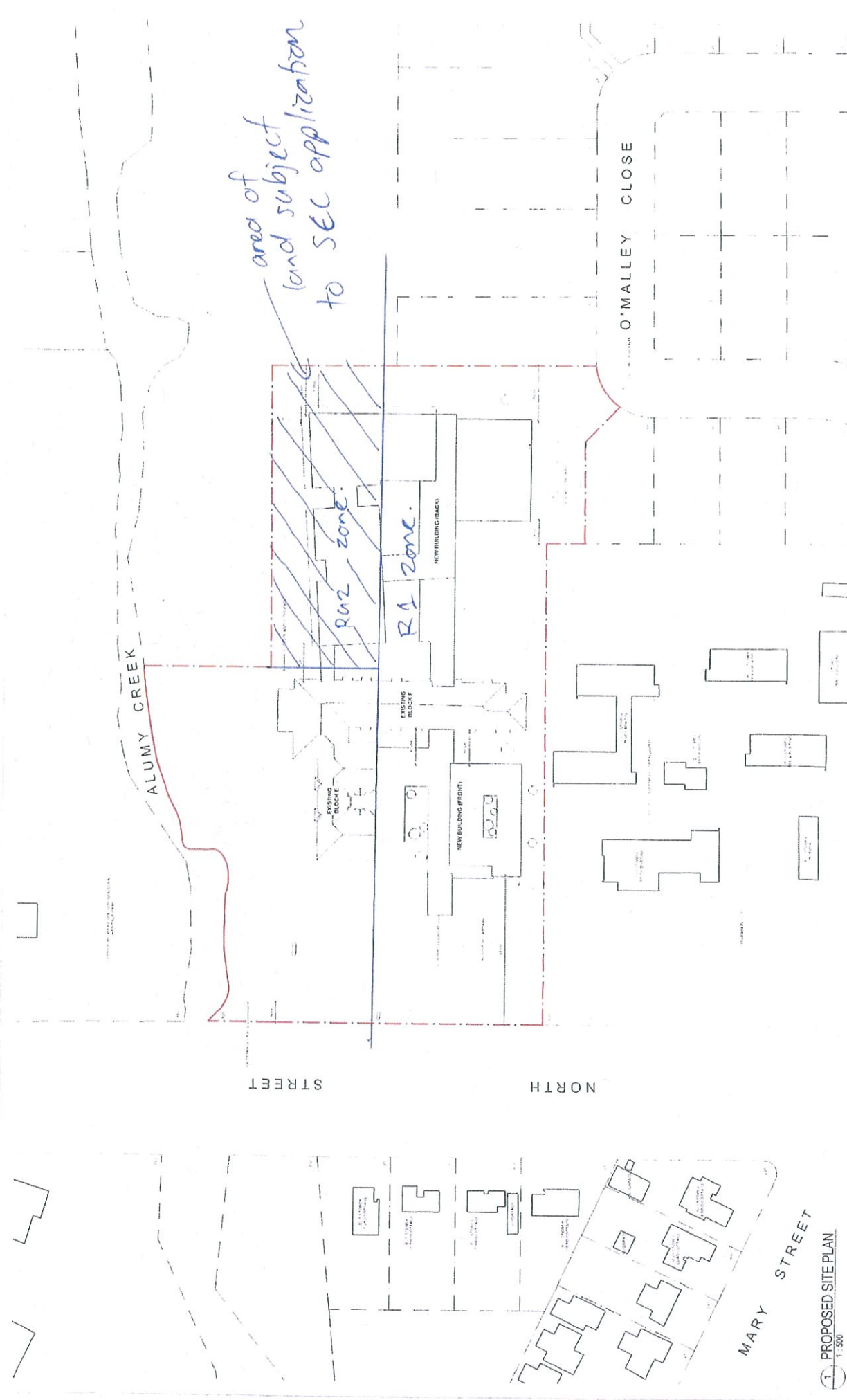
Name

Paul Mc Mahan

Name

Date

2.5.17



PROPOSED SITE PLAN
1:500

PROJECT MANAGER	PROJECT MANAGER	PROJECT MANAGER	PROJECT MANAGER
Milken Group	Milken Group	Milken Group	Milken Group
TOWN PLANNING	TOWN PLANNING	TOWN PLANNING	TOWN PLANNING
Angie Payne	Angie Payne	Angie Payne	Angie Payne
Architects Pty Ltd	Architects Pty Ltd	Architects Pty Ltd	Architects Pty Ltd

DATE	DATE	DATE	DATE
14/04/11	14/04/11	14/04/11	14/04/11
As indicated	As indicated	As indicated	As indicated
A1	A1	A1	A1

ST. CATHERINES VILLAS, GRAFTON	ST. CATHERINES VILLAS, GRAFTON	ST. CATHERINES VILLAS, GRAFTON	ST. CATHERINES VILLAS, GRAFTON
SCC PROPOSED SITE PLAN	SCC PROPOSED SITE PLAN	SCC PROPOSED SITE PLAN	SCC PROPOSED SITE PLAN
AR.DD.SCC.1011	AR.DD.SCC.1011	AR.DD.SCC.1011	AR.DD.SCC.1011

Tanner Kibble Denton Architects Pty Ltd
10/100 Dalhousie Street, Grafton NSW 2460 Australia
P 02 6621 2222 F 02 6621 2223
www.tkd.com.au

TKD Architects
Tanner Kibble Denton



SITE COMPATIBILITY CERTIFICATE APPLICATION

Submission to Director-General
NSW Department of Planning & Environment

To undertake alterations and additions to an
existing aged care facility pursuant to
SEPP (Housing for Seniors or People with a
Disability) 2004

Lot 72 DP 1228271
North Street, Grafton

for:
Midson Group Pty Ltd
[on behalf of Southern Cross Care
(NSW & Act) Ltd)]

May 2017

Document Control Sheet

Filename:	8317 Site compatibility certificate application planning report	
Job No.:	8317	
Job Captain:	Paul Snellgrove	
Author:	Paul Snellgrove	
Client:	Midson Group Pty Ltd	
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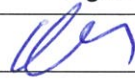
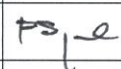
Revision No:	Date:	Checked By		Issued By	
		Name	Signed	Name	Signed
0	9.5.17	D Roberts		P Snellgrove	
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1 Introduction

1.1 Background

Ardill Payne and Partners (APP) has been commissioned by the Midson Group Pty Ltd [on behalf of Southern Cross Care (NSW & Act) Ltd and the Trustees of the Roman Catholic Church for the Diocese of Grafton] to provide town planning services in the preparation and lodgement of a site compatibility certificate application with the Director-General of the NSW Department of Planning & Environment as required by Part 1A – Site Compatibility Certificates of Chapter 3 Development for Seniors Housing of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

1.2 Structure and Scope of Report

Section 2	Describes the subject land and its local and regional environmental context.
Section 3	Describes the development proposal.
Section 4	Reviews the proposal's consistency with the SEPP.
Section 5	Assesses the proposal against the SEPP site compatibility criteria.
Section 6	Reviews the proposal's consistency with local and regional strategies.
Section 7	Provides a summary and conclusions.

A number of attachments form part of this report being:

Attachment 1	Aerial photograph of subject and adjoining land
Attachment 2	Copy of deposited plan and detail survey
Attachment 3	Conceptual site and floor plans of development

1.3 Overview of Statutory Framework

Clarence Valley Council will be the consent authority for the development application as defined in Clause 4(1) and pursuant to Section 80 of the *EP & A Act 1979*.

The development may comprise integrated development for the purposes of Section 91 of the EP & A Act 1979 if there are works proposed within 40m of Alamy Creek.

If this is the case, a Controlled Activity Approval from the Office of Water under the Water Management Act 2000 may be required. The requirement for such would be confirmed during the DA process.

1.4 Council Communications

APP's Dwayne Roberts' discussed the subject land and proposed development (particularly with respect a site compatibility certificate) with Council's Cheryl Sisson during May 2017.

1.5 Landowner, Project Proponent and Applicant Details

The land that is subject of this application is owned by Southern Cross Care (NSW & Act) Ltd and the Trustees of the Roman Catholic Church for the Diocese of Lismore.

The applicant is Ardill Payne & Partners, PO Box 20, Ballina.

2 The Site and Its Context

2.1 Location and Property Description

The land that is subject of this application is described in real property terms as Lot 72 DP 1228271, LGA: Clarence Valley, Locality: Grafton. The land is situated on the northern side of North Street, Grafton.

The land was previously described Lot 1 DP 1018427, Lot 2 DP 1098482 and Lot 66 DP 1213643. These lots were recently consolidated, resulting in DP 1228271 being registered on the 6th March 2017.

The adjoining and adjacent land uses are evident on the aerial photograph provided at **Attachment 1**. A copy of the deposited plan is provided at **Attachment 2**.

2.2 Site Analysis

As shown on the DP at **Attachment 2**, the subject land is irregular in shape with a frontage of 82.49m to North Street, 13.73m to O'Malley Close and 119.04m to Alamy Creek. The land has an area of 1.901ha.

Existing on the land is the St Catherine's residential aged care facility that contains 63 beds, as well as car parking areas, landscaping and mown grass.

2.2.1 Flooding

The subject land is mapped on the CV LEP 2011 Flood Planning Map – Sheet CLI_007H as being within a flood planning area.

2.2.2 Acid Sulfate Soils

The subject land is mapped on the CV LEP 2011 Acid Sulfate Soils Map – Sheet ASS_007 as being part Class 3 and part Class 4 land. The Class 3 land is the higher level and consent is required in Class 3 land for:

- works below beyond 1m below the natural ground surface or
- works by which the watertable is likely to be lowered beyond 1m below the natural ground surface

The future development of the land would likely have to be subject of an acid sulfate soils management plan should such soils be disturbed.

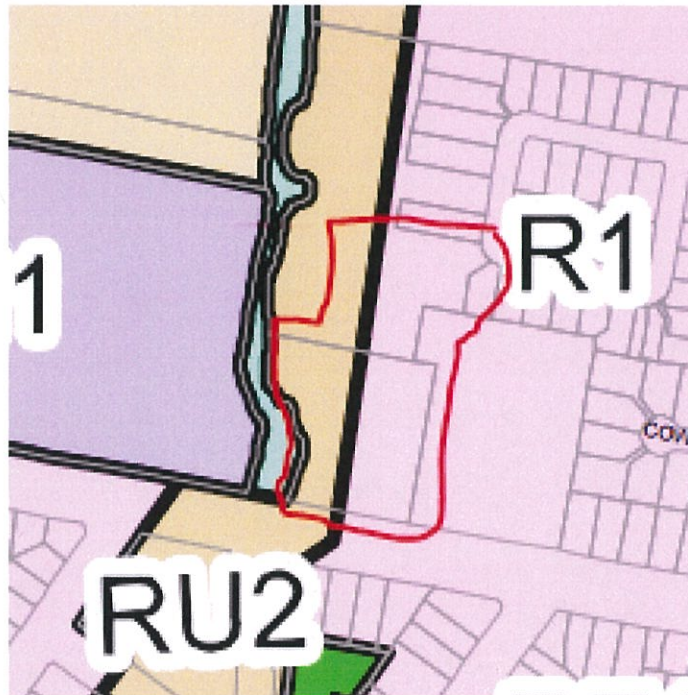
2.2.3 Other matters

Planning investigations into the subject land have confirmed that it is **not**:

- mapped as being subject to coastal hazards or processes (other than flooding)
- mapped as being bushfire prone
- identified as being or containing an item of environmental heritage under the CV LEP 2011 – General Item 1972 is adjacent to the subject land to the west
- identified as including or comprising critical habitat as prescribed in the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*
- identified as being affected by the operation of Sections 38 or 39 of the *Coastal Protection Act 1979*
- affected by any road widening or realignment proposal under either Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or any resolution of Council
- identified as being subject to acquisition by a public authority under the provisions of any environmental planning instrument, deemed or draft environmental planning instrument
- likely to be contaminated as a consequence of the prior and current use as a residential aged care facility

2.3 Zoning

As shown below and outlined in red, the subject land is zoned part R1 – General Residential and part RU2 – Rural Landscape under the provisions of the Clarence Valley LEP 2011.



Extract: CVLEP 2011 Land Zoning Map – Sheet LZN_007H

Below are the zoning tables for both R1 and RU2 zones:

Clarence Valley Local Environmental Plan 2011

Current version for 10 February 2017 to date (accessed 24 March 2017 at 16:01)

Land Use Table > Zone R1

< >

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Attached dwellings; Boarding houses; Caravan parks; Child care centres; Community facilities; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Food and drink premises; Group homes; Home businesses; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential accommodation; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tourist and visitor accommodation

4 Prohibited

Rural workers' dwellings; Any other development not specified in item 2 or 3

Clarence Valley Local Environmental Plan 2011

Current version for 10 February 2017 to date (accessed 24 March 2017 at 16:00)

Land Use Table > Zone RU2

< >

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To provide land for less intensive agricultural production.
- To prevent dispersed rural settlement.
- To minimise conflict between land uses within the zone and with adjoining zones.
- To ensure that development does not unreasonably increase the demand for public services or public facilities.
- To ensure development is not adversely impacted by environmental hazards.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Horticulture; Viticulture

3 Permitted with consent

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Child care centres; Community facilities; Correctional centres; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Health consulting rooms; Helipads; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Neighbourhood shops; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Signage; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

As noted above, "Seniors housing" is an expressly permitted use with consent within the R1 zone but is a prohibited use in the RU2 zone.

2.4 Access to Services and Facilities

The subject land contains an existing RACF and is approximately:

- 800m from the Grafton Base Hospital
- 2.5km from the center of the Grafton CBD

The Grafton CBD contains a broad and diverse range of community, commercial, retail, educational, health and medical and other ancillary services and facilities.

Grafton Busways provides bus services to the local area. Bus Route 377 services Grafton – Junction Hill (via the hospital) and passes along North Street in front of the subject land.

The site already contains an operational RACF and is thus well situated in respect of proximity and access to the full range of retail, financial, health, commercial, recreational and community services.

2.5 Infrastructure Provision

The subject land and general locality is connected to and serviced by reticulated water, sewerage, electricity, stormwater and telecommunications systems.

3 Description of Proposal

The proposed current development concept involves the redevelopment/expansion of the existing Residential Aged Care Facility (RACF). The majority of the works are permissible with consent as they are either located in the R1 zone or have existing use rights.

The portion of the concept that is currently prohibited and requires a Site Compatibility Certificate to enable Council to favourably assess and determine a development application, will contain 42 beds and is located in the north-western portion of the newly registered Lot.

A conceptual site plan of the proposed development is provided at **Attachment 3**. It should be noted that the footprint and density is conceptual at this stage as detailed site investigations and planning is continuing and may result in a number of changes to such.

4 **Proposals consistency with the SEPP**

The proposed development relates to an existing lot that contains an RACF, with part of the land upon which future expansion of the existing operation is to be extended being zoned RU2 – Rural Landscape.

The proposal involves alterations and additions to the existing RACF so as to increase the number of beds from 63 to approx. 87 beds.

A site compatibility certificate is required due to the fact that the development is to be carried out on land that adjoins land that is zoned primarily for urban purposes (Clause 24(1)(a)(i)).

The proposal is consistent with the objectives of the SEPP in that the development will:

- (a) increase the supply and diversity of residences within Grafton to meet the needs of seniors
- (b) make efficient use of existing infrastructure and services and in particular of those of the existing adjoining nursing home
- (c) be of good design

5 Statement on the Proposal SEPP Site Compatibility Criteria

5.1 Criteria 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.

Details of the natural and man-made environment are provided in **Section 2** of this report. The land is situated within a built urban environment, being characterised by a mix of residential and commercial type uses.

Existing on the subject and adjoining land is an operational RACF, with the proposal involving alterations and additions and expansion onto undeveloped parts of the site.

The subject land identified as being impacted by a number of constraints (flooding and acid sulfate soils) however from the investigations that have been undertaken to date, the constraints are not such that would preclude or substantially constrain the development and are such that can be readily and practically managed and/or ameliorated.

The proposed development is considered appropriate having regard to the local context, existing, adjoining and adjacent land uses and to the opportunities and constraints of the site.

5.2 Criteria 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.

The use of the land for a seniors living development is considered to be the most appropriate short term and long term use for the site having regard to the following:

- the site contains an existing RACF

- the proximity and accessibility of the site to full range of retail, commercial, recreational, health, welfare and educational services and facilities
- a high demand exists for such residential accommodation within the local area and region

5.3 Criteria 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.

Details on the location and access to facilities are provided in **Section 2.4** of this report.

Details on infrastructure (water and sewer) to service the proposed development are provided in **Section 6.3** of this report.

5.4 Criteria 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.

The subject land is not zoned open space or special uses and therefore this matter is not applicable.

5.5 Criteria 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.

The development has been expressly designed such that its bulk and scale is compatible with and sympathetic to the bulk and scale of the existing development and adjacent residential areas.

5.6 Criteria 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*).

There is no native vegetation that is subject to the provisions of Section 12 of the Native Vegetation Act 2003 required to be removed.

6 Consistency with Local and Regional Strategies

6.1 CV LEP 2011

Part of the subject land is zoned R1 – General Residential and contains an existing RACF. The proposal to extend the existing RACF on the same block of land and onto that part of the lot that is zoned RU2 – Rural Landscape is considered to be appropriate.

There is scope under Clause 5.3 of the CV LEP 2011 for up to 20m of the RU2 zoned land to be used/developed as if it were zoned R1, however, the proposed development extends further than 20m and thus a site compatibility certificate is required.

6.2 Mid North Coast Regional Strategy 2006-31

The subject land is mapped as “Existing Urban Footprint” on the Growth Areas Map 2 – Clarence South.

The Strategy reports that:

- over the next 25 years, median age is expected to increase from 44 years in 2006 to 55 years in 2031, and the population aged 65 years and over will more than double and at the same time the proportion of children under 15 years will decline from 19 per cent to 14 per cent of the regional population – there will thus be a consequential increase in demand for seniors living housing
- there will be a greater demand for diversity in housing form to match the requirements of changing household structures, particularly an increase in 1 and 2 person households

The proposal consistent with the objects and principles of the Strategy.

6.3 Adequacy of Infrastructure

The local reticulated sewerage system has sufficient spare capacity to service the loads that would be imparted by the proposed development.

7 Conclusion

Existing on the land is an RACF containing 63 beds that is situated on land zoned R1 – General Residential. It is proposed to undertake alterations and additions (including expansion of footprint) of the facility onto part of the site that is zoned RU2 – Rural Landscape.

The proposal development is generally consistent with the CV LEP 2011 and the Mid North Coast Regional Strategy. The proposal is considered to be an appropriate use of the land having regard to the existing RACF and to the adjoining and adjacent land uses and the proximity and accessibility of the site to a broad range of retail, commercial, health, medical and recreational services and facilities.

In conclusion and having regard to the particular circumstances of this case, it is respectfully requested that the Director-General issue a Site Compatibility Certificate for the subject land to enable a development application to be prepared and lodged with Clarence Valley Council.

8 Scope of Engagement

This report has been prepared by Ardill Payne & Partners (APP) at the request of the Midson Group Pty Ltd [on behalf of Southern Cross Care (NSW & ACT) Ltd and the Trustees of the Roman Catholic Church for the Diocese of Grafton] for the purpose of the lodgment of a Site Compatibility Certificate Application with the Director-General of the NSW Department of Planning & Environment and is not to be used for any other purpose or by any other person or corporation.

This report has been prepared from the information provided to us and from other information obtained as a result of enquiries made by us. APP accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for a purpose other than that described above.

No part of this report may be reproduced, stored or transmitted in any form without the prior consent of APP.

APP declares that it does not have, nor expects to have, a beneficial interest in the subject project.

To avoid this advice being used inappropriately it is recommended that you consult with APP before conveying the information to another who may not fully understand the objectives of the report. This report is meant only for the subject site/project and should not be applied to any other.

9 Attachments

Attachment 1 Aerial photograph of subject and adjoining land

Attachment 2 Copy of deposited plan and detail survey

Attachment 3 Conceptual site and floor plans of development

ATTACHMENT 1

Attachment 1
Aerial photograph of subject
and adjoining land

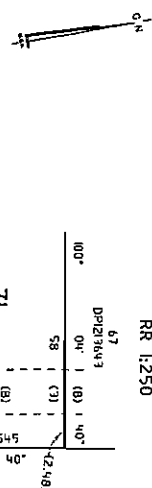


ATTACHMENT 2

Attachment 2
Copy of deposited plan and
detail survey

DIAGRAM AA

RR 1:250

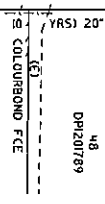


O'MALLEY

- (A) EASEMENT TO DRAIN WATER 5' WIDE & VARIABLE WIDTH
 (B) EASEMENT TO DRAIN SEWAGE VARIABLE WIDTH (DP1213643)
 (C) EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP1098482) ~ PART TO BE RELEASED
 (D) EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP1098482)
 (E) EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP1098482)
 (F) EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP1098482)
 (G) EASEMENT TO DRAIN WATER 3' WIDE (DP1098482)
 (H) TIMBER & SHADECLUTCH GREENHOUSE
 (I) METAL GARDEN LOCKER & AVIARY
 (J) COLOURBOND SHED & CI ROOF & FIBREGLASS ROOF LEAN-TO
 (K) COLOURBOND SHED & CI ROOF
 (L) METAL GARDEN LOCKER
 (M) PVC WATER TANK

DIAGRAM AB

RR 1:250



NO	CHORD		ARC	RADIUS	REMARK
	BEARING	DISTANCE			
1	186° 40'	2.04	2.04	17	LOT 65 DP1213643
2	159° 24'	13.73	14.135	17	LOT 72
3	117° 50'	10.37	10.535	17	LOT 59 DP1213643
4	354° 54'	4.935	4.935	17	EASEMENT (B)

(WALL CL 0.485)

(WALL CL 0.53)

(WALL CL 0.53)

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(WALL CL 0.53)

Surveyor: JAMES PATRICK O'DONNELL
 12 PRINCE STREET GARDON 2400
 Date of Survey: 10.03.2016
 Surveyor's Ref: 18416

PLAN OF SUBDIVISION OF
 LOT 1 IN DP108427
 LOT 2 IN DP1098482 &
 LOT 66 IN DP1213643

LGA: CLARENCE VALLEY
 Locality: GRAFTON
 Subdivision No: SubC2016/0047
 Lengths are in metres. Reduction Ratio: AS SHOWN

Registered
 6.3.2017

DP1228271


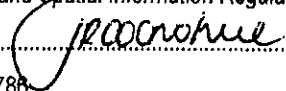
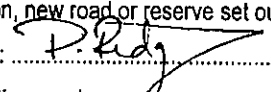
PLAN FORM 6 (2012)

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 3 sheet(s)

Office Use Only		Office Use Only	
Registered:  6.3.2017		DP1228271	
Title System: TORRENS			
Purpose: SUBDIVISION			
PLAN OF SUBDIVISION OF LOT 1 IN DP1018427 LOT 2 IN DP1098482 & LOT 66 IN DP1213643		LGA: CLARENCE VALLEY Locality: GRAFTON Parish: GREAT MARLOW County: CLARENCE	
Crown Lands NSW/Western Lands Office Approval I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office:		Survey Certificate I, JAMES PATRICK O'DONOHUE of BOTHAMLEY & O'DONOHUE PTY LTD 12 PRINCE STREET GRAFTON NSW 2460 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2012, is accurate and the survey was completed on..... *(b) The part of the land shown in the plan being LOTS 72 & 73 & CONNECTIONS was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i> , is accurate, the survey was completed on the 10.03.2016 and the part not surveyed was compiled in accordance with that Regulation. *(c) The land shown in this plan was compiled in accordance with the Surveying and Spatial Information Regulation 2012. Signature:  Dated: 31.07.2016 Surveyor ID: 1788 Datum Line: X-Y Type: *Urban/*Rural- The terrain is *Level-Undulating / *Steep-Mountainous- *Strike through if inapplicable. *Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.	
Subdivision Certificate I, <u>PATRICK RIDGWAY</u> *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature:  Accreditation number: Consent Authority: CLARENCE VALLEY COUNCIL Date of endorsement: <u>20 OCTOBER 2016</u> Subdivision Certificate number: <u>SUBCT2016/0017</u> File number: <u>SUB2016/0017</u> *Strike through if inapplicable.			
Statements of intention to dedicate public roads, public reserves and drainage reserves.		Plans used in the preparation of survey/compilation. DP700538 DP1018427 DP1098482 DP1197005 DP1201789 DP1213643 If space is insufficient continue on PLAN FORM 6A	
Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A		Surveyor's Reference: 11846B	

PLAN FORM 6A (2012)

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 3 sheet(s)

Registered:



6.3.2017

Office Use Only

Office Use Only

DP1228271

PLAN OF SUBDIVISION OF
LOT 1 IN DP1018427
LOT 2 IN DP1098482 &
LOT 66 IN DP1213643

Subdivision Certificate number: *SUBCT 2016/0047*

Date of Endorsement: *20 OCTOBER 2016*

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2012*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO:-

A. CREATE:-

1. EASEMENT TO DRAIN WATER 5 WIDE & VARIABLE WIDTH
2. RESTRICTION(S) ON THE USE OF LAND
3. RESTRICTION(S) ON THE USE OF LAND

B. RELEASE:-

1. EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP1098482) ~ PART

SCHEDULE OF STREET ADDRESSES

LOT	STREET NUMBER	STREET NAME	STREET TYPE	LOCALITY
71	32	O'MALLEY	CLOSE	GRAFTON
72	126	NORTH	STREET	GRAFTON
73	120	NORTH	STREET	GRAFTON

If space is insufficient use additional annexure sheet

Surveyor's Reference: 11846B

PLAN FORM 6A (2012)

WARNING: Creasing or folding will lead to rejection

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 3 of 3 sheet(s)

Registered:  6.3.2017

Office Use Only

Office Use Only

DP1228271

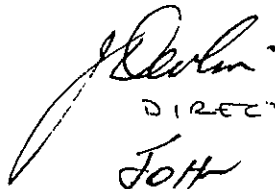
PLAN OF SUBDIVISION OF
LOT 1 IN DP1018427
LOT 2 IN DP1098482 &
LOT 66 IN DP1213643

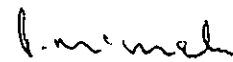
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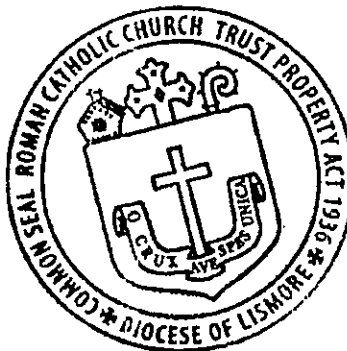
Subdivision Certificate number: SUBCT 2016/0047

Date of Endorsement: 20 OCTOBER 2016

EXECUTED BY SOUTHERN CROSS CARE (NSW + ACT) LIMITED,
ACN 131 082 374 pursuant to s.127 of the Corporations
Act 2001


DIRECTOR
JOHN DEVLIN


DIRECTOR/SECRETARY
PAUL MCMAHON





The common seal of the Trustees of the Roman Catholic Church for the Diocese of Lismore was hereunto affixed in the presence of Most Reverend Geoffrey Hyton Jarrett, DD, Bishop of the Diocese of Lismore, under and in pursuance of a delegation made to him under section 9B of the Roman Catholic Church Trust Property Act, 1936.

If space is insufficient use additional annexure sheet

Surveyor's Reference: 11846B

- (A) Easement to Drain Water 5 Wide & Variable Width (DP1228271)
(B) Easement to Sewage Variable Width (DP1213643)
(C) Easement to Drain Water Variable Width (DP1098482)
(D) Easement to Drain Water 3 Wide (DP1018427)

0 5 10 20 30 40 50m
SCALE 1:500



Note - Level Datum

Level Datum: AHD
Origin: PM43236 (RL 4.594 AHD)
Contour Interval: 0.25m

NOTE: For Surveyed Points, refer to Autocad Layers:
"X-MARK" "X-CODE" & "X-RL"

Note - Underground Services

The location of the services shown hereon have been derived from the field survey of visible components. The exact location of these services, and any others may therefore vary and should be verified with the relevant authorities and/or the "Dig before you Dig" service prior to any works being undertaken. Should any work be undertaken on or adjacent to the site to which this survey refers it is the responsibility of the person doing the work to locate any service that may be affected by that work. Whilst due care was used in compiling this information, no responsibility will be accepted or taken by Ardill Payne & Partners for any inaccuracies or omissions shown or not shown hereon.

Note - Survey Intent

This survey was undertaken to locate the visible site features, including the topography & improvements thereon. As such, no boundary fixation was undertaken to accurately determine the parcel boundaries, the available land area or it's dimensions. The dimensions shown have been derived from the relevant registered plans held by the Land Titles Office. No work was undertaken to verify these dimensions. Should accurate boundary locations be required, further survey work would need to be undertaken to accurately locate the boundaries, which may include the registration of a survey redefining the property.

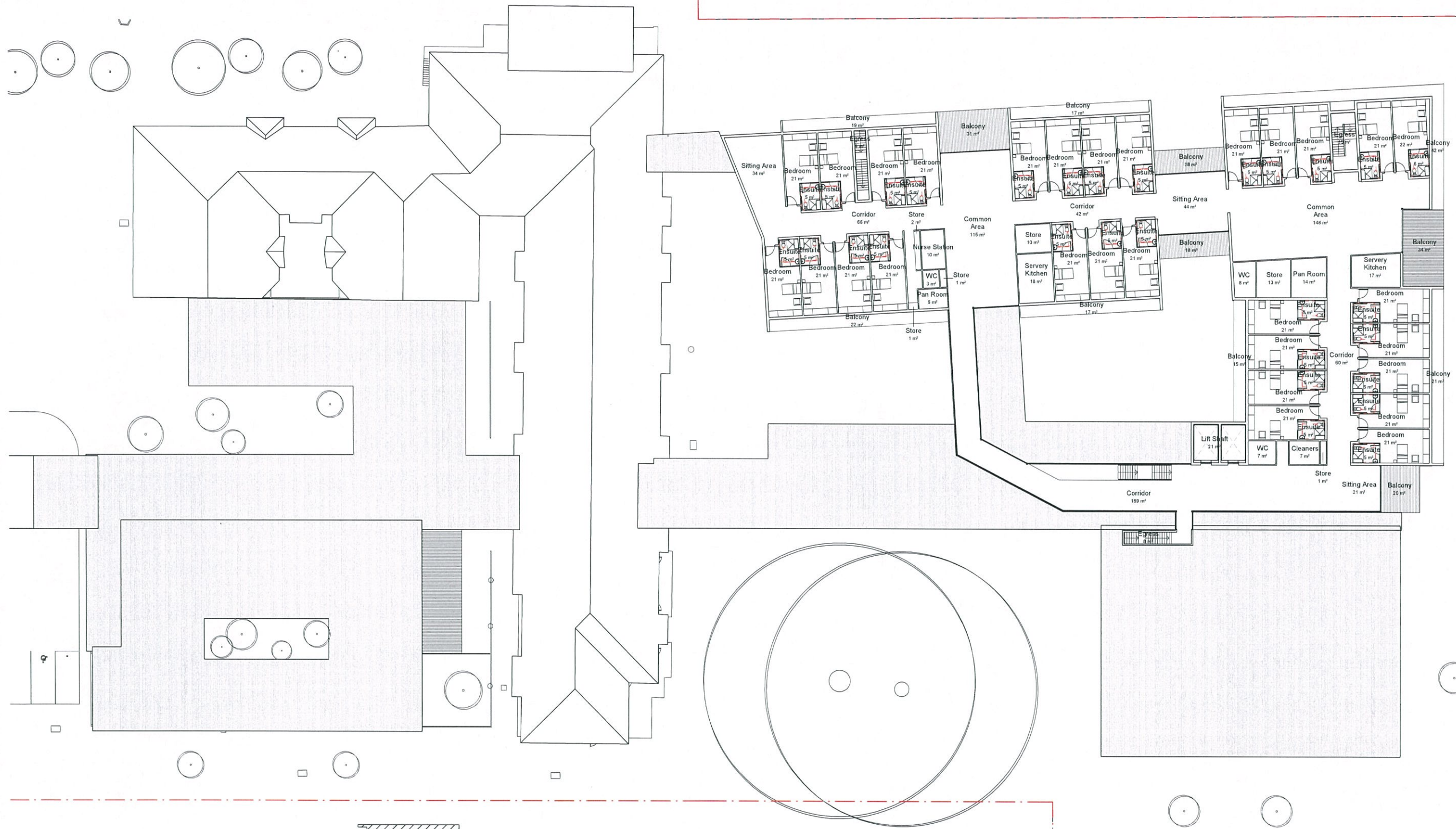
LEGEND

- Grease Trap
- Grease Arrestor
- Sewerage Manhole
- Sewerage Inspection Point
- Sewerage Maintenance Shaft
- Fire Hydrant
- Water Valve
- Water Meter
- U/G Electricity Pit
- Electricity Light Pole
- Electricity Pillar
- Communications Pit
- Tree (Spread approx. to scale)
- Stormwater Pit (1100x1100)
- Bench Mark
- Communications Main
- Nextgen Main (Located by Services Contractor)
- Water Main
- Fence
- Edge of Bitumen
- Road Centreline
- Concrete Footpath
- Overhead Electricity Line
- Sewer Main
- Sewer Rising Main
- Garden
- Stormwater Pipe
- Roof Eave
- Planning Zone Boundary

Table of mile-metres				Client:		Project:		Title:		ARDILL PAYNE		Surveyed RJJ		Scale at A1: 1:500	Date 30/3/17
				Southern Cross Care (NSW & ACT) Pty Ltd		SCC St Catherines RACF 126 North St, Grafton NSW		CONTOUR & DETAIL SURVEY		ENGINEERS PLANNERS SURVEYORS ENVIRONMENTAL PROJECT MANAGEMENT		Drawn RJJ		Datum A.H.D.	
										BALLINA 45 River Street Ph. 02 6686 3280		Checked RJJ		Acad File 8317DS.DWG	
										SOUTH BRISBANE 89 Grey Street Ph. 07 3123 6675		Approved		Magnet File 8317DS.mjo	
										GUNNEDAH 285 Conadilly Street Ph. 02 6742 9955		Job No. 8317		Dwg No. S01	Issue B
				Issue		Date		Amendment		App'd					
				B		7/04/17		Zone Boundary Added		RJJ					

ATTACHMENT 3

Attachment 3
Conceptual site and floor
plans of development



1 PROPOSED LEVEL 01 1:200

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BCA CONSULTANT

Blackett Maguire + Goldsmith

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CONSTRUCTION ADVICE

Woolam Construction

T+ 07 3456 1900

Rev	Date	Description	Checked	Auth.	Legend / Abbreviations
A	09/05/17	Issued for SCC	DE	DE	

Proj. Dir	Proj. Arch	Drawn
MM	DE	TS
Job No.	Scale	Sheet
142041	1:200	A1

NSW Nominated Architects:
Robert Denton Reg. No. 5782
Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies.

10 20 30 40 50

Project
ST. CATHERINES VILLAS,
GRAFTON

Drawing Title
SCC PROPOSED LEVEL 01
PLAN

Drawing No. AR.DA.SCC.1003 A
Revision

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1 PROPOSED GROUND FLOOR 1:200

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CONSTRUCTION ADVICE
Woollam Construction

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A	09/05/17	Issued for SCC	DE	DE	

Proj. Dir	Proj. Arch	Drawn
MM	DE	TS
Job No.	Scale	Sheet
142041	1:200	A1

NSW Nominated Architects:
Robert Denton Reg. No. 5782
Alex Kibble Reg. No. 6015

Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

10 20 30 40 50

Project
ST. CATHERINES VILLAS,
GRAFTON

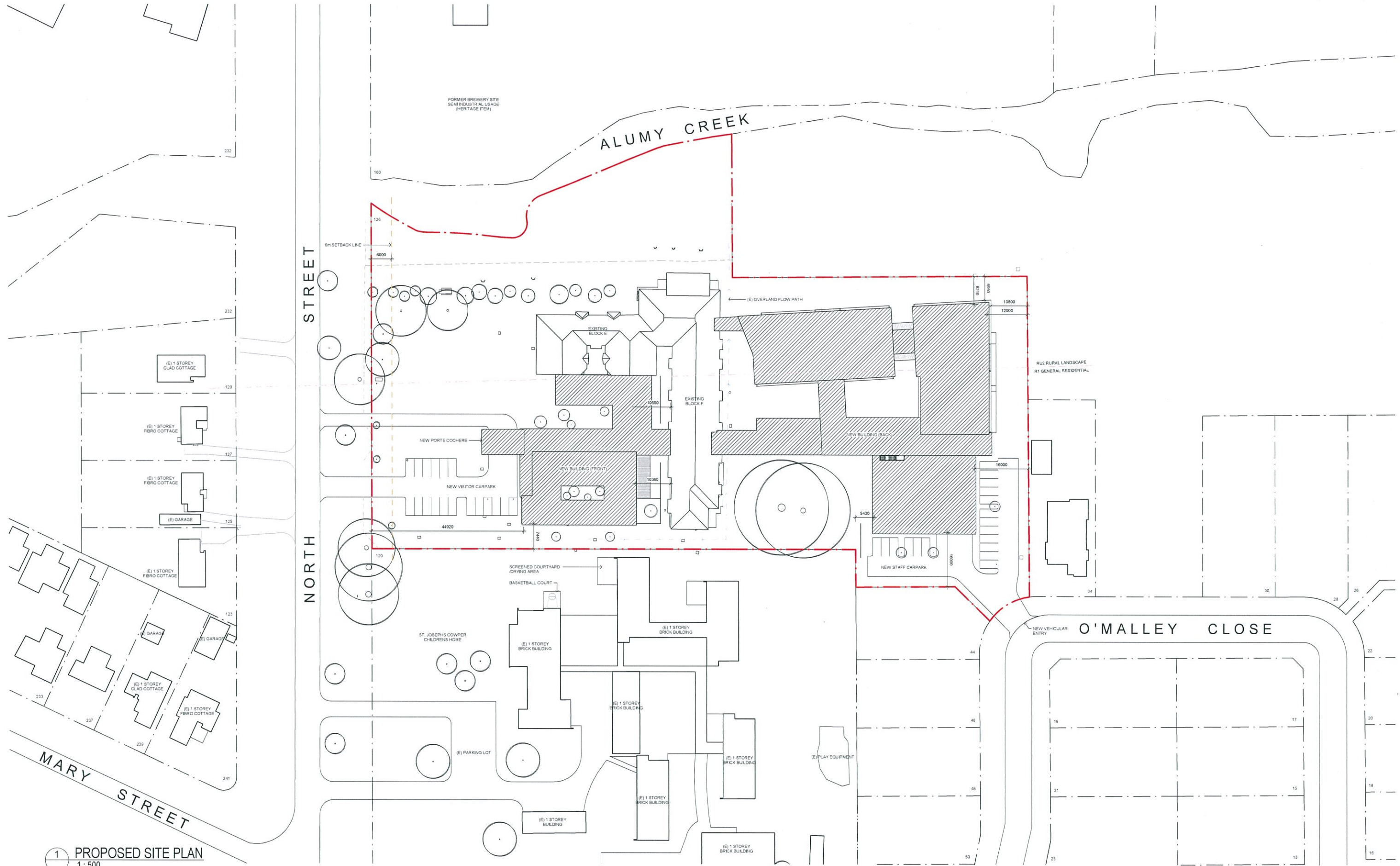
Drawing Title
SCC PROPOSED GROUND
FLOOR PLAN

Drawing No. AR.DA.SCC.1002 A

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Level 1, 19 Foster Street, Surry Hills NSW 2010 Australia
T +61 2 9281 4399
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www.tkda.com.au



Tanner Kibble Denton



1 PROPOSED SITE PLAN
1:500

CLIENT
Southern Cross Care

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T+ 02 9211 7777

CONSTRUCTION ADVICE

Woolam Construction

T+ 07 3456 1600

Rev	Date	Description	Checked	Auth.
A	09/05/17	Issued for SCC	DE	DE

Legend / Abbreviations

PROPOSED BUILDING FOOTPRINT

Proj. Dir	Proj. Arch	Drawn
MM	DE	TS

Job No.	Scale	Sheet
142041	As indicated	A1

NSW Nominated Architects:

Robert Denton Reg. No. 5782

Alex Kibble Reg. No. 6015

Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

10 20 30 40 50

Project
ST. CATHERINES VILLAGES,
GRAFTON

Drawing Title
SCC PROPOSED SITE PLAN

Drawing No. Revision

AR.DA.SCC.1001 A

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