



2 May 2018

Attn: Mr Glen Horal  
Senior Planning Officer  
Department of Planning and Environment  
PO Box 1148  
GOSFORD NSW 2250

Dear Mr Horal

**APPLICATION FOR SITE COMPATIBILITY CERTIFICATE FOR 85 WAHROONGA ROAD KANWAL (SEPP SENIORS)**

Thank you for the opportunity to provide comment on the site compatibility certificate for Lot 2 DP 17453, No. 85 Wahroonga Road Kanwal. Council has reviewed the information attached to the email dated 28 March 2018 and your request to consider the consistency of the proposed development with the criteria listed in Clause 25(5) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and provides the following comments for your consideration.

**(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***

- Natural Environment

A substantial portion of the subject site (north) is identified as containing an Endangered Ecological Community (EEC) known as Swamp Sclerophyll Forest on Coastal Floodplains. As the proposed development involves clearing of native vegetation, a Flora and Fauna Assessment (FFA) will be required to be submitted with the Development Application (DA). The FFA is to be prepared by a suitably qualified and experienced Ecologist and must be consistent with Council's Flora and Fauna Survey Guidelines (Survey Guidelines) available on Council's website with the appropriate surveys completed prior to lodgement of the DA.

The FFA should have regard for the assessment and recommendations contained within the bushfire report.



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- Waterfront Land

A watercourse traverses the northern part of the site and a watercourse is located east of the subject site. The plans submitted to Council as part of the site compatibility certificate application indicate the proposed development is located beyond 40m from the top of bank of the watercourse that traverses the northern part of the site. However, Swamp Sclerophyll Forest on Coastal Floodplains is a vegetation type that may comprise waterfront land.

If the proposed development is located within 40m of waterfront land (includes a river, a lake or an estuary) the proposed development will require an integrated referral to Department of Industry – Water to issue a controlled activity approval under the *Water Management Act 2000*.

- Bushfire

The subject site has been identified as containing bushfire prone land category 1 and 2 vegetation and buffer zone. As such the development will be referred to NSW Rural Fire Service as a Special Fire Protection Purpose.

The plans submitted to Council as part of the site compatibility certificate application do not define the asset protection zone. The bushfire report should also have regard for the FFA.

- Flooding

The northern part of the subject site has been identified as being impacted by the 1% Annual Exceedance Probability (AEP) flood event. The Porters Creek Flood Study identifies that the flood level is RL 16.15m AHD. This study also identifies the Probable Maximum Flood (PMF) level as being RL 16.45m AHD with the PMF level in the channel adjacent to the subject site being unknown.

The proposed development should be located outside the PMF level and this contour line should be plotted by survey on the proposed development plans. The plans submitted to Council as part of the site compatibility certificate application indicated the proposed development is located outside of the 1% AEP flood event but did not include details of the PMF.

- Existing and approved uses in the vicinity of the proposed development

Existing and approved uses in the vicinity of the proposed development include rural residential and residential development comprising predominantly single dwellings, an aged care facility incorporating self-care units and a nursing home, a nursing home comprising 100 beds, Wyong public hospital and a private hospital currently under construction. The proposed development would be a commensurate use with other development in the locality.

**(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***

- Proposed Use

The development proposes a self-care facility, however, no details have been proposed as to whether the proposal will satisfy the requirements under Clause 42(1). Previous information provided to Council states Oak Tree Retirement Village will be providing a group of self-contained dwellings which are prohibited in the zone.

- Future Uses

The subject site is zoned RU6 Transition. The subject site has been identified within the Central Coast Regional Plan 2036 as an urban release area adjacent to the Wyong hospital precinct. Several aged care facilities have been approved in proximity to the proposed development and the Department has issued two site compatibility certificates within close proximity to the subject site. Due to the proximity of Wyong Hospital and the approved private hospital, as well as the proximity to other services and facilities, this area is considered suitable for facilitating an aged care facility.

**(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***

- Infrastructure

A 100mm AC water main is located in road frontage adjacent to the front boundary. Any new access will require the replacement of AC to PVC.

Sewer is available on the eastern and northern boundaries of the subject site.

- Services

The subject site is in proximity to a local bus service, which provides access to centres including Wyong, Lake Haven, Tuggerah, Kanwal and Wadalba. In addition, the subject site is also in proximity to Wyong hospital, medical centres and sporting facilities.

The location of the proposed development is considered suitable having regard for the adequate provision of infrastructure and services.

- (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,**

This subject site is zoned RU6 Transition under Wyong Local Environmental Plan 2013 (WLEP 2013), therefore this criteria does not apply.

- (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,**

- Adjoining Development/Land Use

The adjoining land is zoned R2 Low Density Residential, RU6 Transition and E2 Environment Conservation under WLEP 2013 and contains rural residential development and an aged care facility.

The plans submitted to Council as part of the site compatibility certificate application indicate the proposed development is of a similar size and scale to existing development in proximity to the subject site.

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Mr Glen Hornal, Senior Planning Officer

Department of Planning and Environment

Application for Site Compatibility Certificate - 85 Wahrenonga Road, Kanwal (Sepp Seniors)

***(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.***

Even though the *Native Vegetation Act 2003* (NVA) has been repealed, the flora and fauna assessment should have regard for any impacts on existing and surrounding vegetation.

Should you require any further assistance or clarification in relation to the above, please contact Council's Senior Development Planner, Tracy Sharp on (02) 4350 5715 or via email at [tracy.sharp@centralcoast.nsw.gov.au](mailto:tracy.sharp@centralcoast.nsw.gov.au).

Yours faithfully

A handwritten signature in black ink, appearing to read "EG", followed by a horizontal line.

Emily Goodworth

**Section Manager**

**DEVELOPMENT ASSESSMENT**



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