



Planning

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

Date received: ____/____/____

Site compatibility application no. _____

LODGE

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

A. FLETCHER & ASSOCIATES PTY LTD

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

ANDREW

Family name

FLETCHER

Street address

Unit/street no.
86

Street name

VICTORIA STREET

Suburb or town

GRAFTON

State

NSW

Postcode

2460

Postal address
(or mark 'as above')

PO Box or Bag

1213

Suburb or town

GRAFTON

State

NSW

Postcode

2460

Daytime telephone

66423300

Fax

66425990

Email

afletcher@hotkey.net.au

Mobile

0417 446 977

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

AGED CARE FACILITY - "SIGNATURE CARE GRAFTON"

STREET ADDRESS

Unit/street no.

425

Street or property name

BENT STREET / GRAFTON GOLF COURSE

Suburb, town or locality

SOUTH GRAFTON

Postcode

2460

Local government area


CLARENCE VALLEY

NAME OF PROPERTY

GRAFTON GOLF COURSE

REAL PROPERTY DESCRIPTION


LOT 400 DP 1153969

 **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.

"SIGNATURE CARE GRAFTON" - 144 BED AGED CARE FACILITY
(SEE ATTACHMENT 4)


 **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. **SEE ATTACHMENT 3**

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. **SEE ATTACHMENT 3****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 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.**

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.

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.

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.

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.

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.

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*).

68. ADDITIONAL COMMENTS

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 \$5580

Number of beds or dwellings

144 BEDS\$5,580**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)

R.A. Fletcher

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

SOLE DIRECTOR, A. FLETCHER & ASSOCIATES PTY

Name(s)

R.A. FLETCHER

Date

20/2/2018**D4 LANDOWNER'S CONSENT**

As the owner(s) of the land for which the proposed 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

TOWNSEND

Name

TOWNSEND

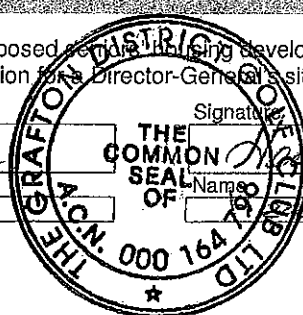
Date

21/2/2018

Signature

Matthew Robinson

Name

Matthew Robinson

C1. Development Proposal Information

1. Context

1.1 Location, Zoning & Surrounding Uses

The proposed Aged Care Facility is to be located on a 2.995ha portion of Lot 400 DP 1153969 (No. 425) Bent Street, South Grafton. Lot 400 contains the Grafton District Golf Club, a registered club, and the 2.995ha portion formed part of the golf course until recently decommissioned as part of a course redesign. See Attachment 1 - Site Plan.

The site is approximately 4.7kms from South Grafton commercial centre and 6.3kms from the commercial centre of the regional city of Grafton. See Attachment 2 - Locality Map.

The 2.995ha portion forms part of a 3.692ha portion of Lot 400 zoned R5 Large Lot Residential (with a minimum lot size of 2000m²). The remaining 6973m² of R5 land will be developed for 3 large residential lots of some 2000m² each. The balance of Lot 400 is zoned RE2 Private Recreation (see Attachment 3 - Zoning Map). Land immediately surrounding the site, excluding the golf course, is also zoned R5 and is subdivided into residential lots ranging from 4000m² to around 1.5ha. Lots tend to be developed with large houses and extensive lawns/gardens though those on the southern side of Bent Street immediately adjoining the site tend to be larger blocks retaining some native vegetation.

1.2 Description of Surrounding Environment

The majority of the site borders the golf course which offers no potential conflict with the aged care facility and in fact provides a pleasing outlook and setting.

The 3 dwellings on the large lots immediately adjoining to the south-west and south are partially screened by existing vegetation.

Dwellings opposite on the northern side of Bent Street have their views generally orientated to their rear view (that is, northwards) away from the single-storey facility that will be located on an excavated platform approximately (on average) 1.7m below road level.

Overall, visual impact of the proposed facility from surrounding residences will be limited, but it will still be a large single storey building in a low density residential setting.

Balanced against that to a degree is the site with, its R5 zoning and approved minimum lot size of 2000m², which has potential for 11 lots, each of which would likely be developed with large residences as is the usual situation in this locality.

Another potential land use conflict is traffic generation. The 144 bed facility requires 15 spaces based on 1 space per 10 beds and also one staff space per 2 employees on duty at any one time. Staffing information for a similar 144 bed facility provided by the developer, shows peak staff numbers of 57 from 11am to 3pm, gradually reducing to an overnight level of 9 staff. Accordingly, 29 staff parking spaces will need to be provided for staff, giving a total provision of 44 spaces. The concept drawing shows some 70 car spaces, including 4 disabled parking spaces.

In addition, there will be service deliveries and also likely to be some ambulance visits. The delivery of supplies would generally be to the separate delivery entrance/dock on the western side of the facility (see Attachment 4 – Signature Care Grafton Concept Plan). Ambulances would generally park in the porte-cochere at the building entrance.

A Traffic Report will be required to be submitted with the development application, but as an indication, the RTA's Guide to Traffic Generating Developments (RTA, 2002) estimates aged and disabled housing generates 1 to 2 daily vehicle trips per dwelling and peak hour generation of 0.1 to 0.2 trips per dwelling.

Adopting the lower end of the range, the facility would generate 144 movements per day and 14 per hour during peaks.

In comparison, the 11 dwellings which could presently be developed on the site would generate an estimated 110 daily trips and 11 per hour during peaks.

The site's natural environment is a combination of grassed former fairways, 2 linear narrow stands of trees (windrows) which bordered those fairways and heavier scattered stands of forest and woodlands in the lower southern portion (see Attachment 5 - Aerial Photograph). A Flora and Fauna Report was prepared by Land & Fire Assessments Pty Ltd for the Planning Proposal for the R5 rezoning and has been updated to address the aged care facility proposal (see Attachment 6).

The Report states that the removal of native vegetation associated with the proposal involves the removal of selected trees along the Bent Street frontage to create driveway access points, the removal of vegetation within the central portion of the site to be levelled and built upon, plus clearing for the necessary bushfire asset protection zone to the south-west of the facility.

The report found:

- *No threatened flora species, populations or Endangered Ecological communities occur on site*
- *Native vegetation comprises "potential" Koala habitat, however the preliminary review of the criteria contained in SEPP44 has been addressed and a Koala Management Plan is not deemed required, though this would be reviewed at the Development Application stage.*

The report concluded:-

"this preliminary assessment has found that the development concerned is not likely to have an adverse effect on the environment and would not cause any unacceptable risks to the land."

The Clarence Valley Council Bushfire Prone Map indicates that a small portion of the site is "Vegetation Categories 1" and much of it is shown as "Buffer". A Bushfire Assessment Report prepared for the previous Planning Proposal by Land & Fire Assessments P/L has also been updated and a copy is attached (see Attachment 7).

The report states that aged care facilities are classified as Special Fire Protection Purposes (SFPP) developments and require greater setbacks from hazardous vegetation (i.e. Asset Protection Zone – APZ) It states:

"SFPP developments are highly dependent on suitable emergency evacuation arrangements, which require greater separation from bushfire threats."

The Report assesses:

- Asset Protection Zones/Separation Distance
- Asset – Internal Roads
- Services; and
- Emergency & Evacuation Planning

It recommends a 60m wide APZ from the south-western boundary though there is potential to reduce the APZ width if "exceptional circumstances" can be demonstrated.

The Report states that the final width of the APZ will be determined at the Development Application stage and that early consultation with RFS should occur at the design stage.

The Concept Design in its current form does not comply with the 60m APZ from the south-western boundary but ancillary facilities such as parking, stormwater detention, wastewater facilities and perhaps a perimeter access road can be located within this zone which allows the opportunity to rearrange the design in a manner that either maintains or slightly reduces the building floor area. In other words, it is considered that "exceptional circumstances" will be demonstrated in the final plan.

The report concludes:

"....this assessment has found that the proposed aged care facility could be designed to comply with acceptable solution to address performance criteria specified in S4.2.7 of PBP. Thus, there is no impediment to the issuing of the Site Compatibility Certificate in terms of meeting bushfire management provision requirements for this proposal."

The Grafton Ngerrie L.A.L.C was also consulted on the Planning Proposal for the R5 zoning and their letter, dated 10th October, 2016 is attached (see Attachment 11). Their comments are also relevant to the proposed aged care facility in that there will not be any impact on the Aboriginal Cultural Heritage values associated with this land due to the current proposal.

1.3 Access to Services & Facilities (Clause 26)

There are no commercial, medical or community services in the immediate vicinity (i.e. within 400 metres) which could be accessed by foot. South Grafton CBD is 4.7kms away directly down Bent Street, and Grafton regional CBD is a further 1.6kms across the Grafton Bridge. The South Grafton CBD contains a medical centre and GP surgeries plus full size supermarket and speciality shops. It also hosts social and community activities and facilities such as the New School of Arts.

Grafton CBD has the full range of higher level services common to regional cities, including the Grafton Hospital.

The local bus service travels past the site along Bent Street at least once per hour between 7.00am and 8pm Monday to Friday, with reduced services on weekends. The bus trip takes 12 minutes from the site to South Grafton CBD; 23 minutes to Grafton CBD, and 33 minutes to Grafton Hospital.

The operators will also provide a free courtesy bus for the use of residents which will operate on a door to door basis for appointments and activities.

Recreational facilities are located throughout the Grafton district, most obviously the adjacent Grafton District Golf Course.

Council lists a number of seniors groups in the Grafton district, including Grafton U3A, Grafton Senior Citizens Inc. & South Grafton Community Visitors Scheme.

1.4 Agricultural Capacity of Land

Although not zoned for urban purposes the site, with its recent use as a golf course and current zoning for large lot residential (with a minimum lot size of 2000m²), has no agricultural capacity.

1.5 Type, value & Significance of native vegetation on-site

See attached Flora & Fauna Assessment Report by Land & Fire Assessments P/L, dated 16th February, 2018 for details of site vegetation and conclusions.

2. The Proposal

Signature Care Pty Ltd has developed, or is in the process of developing 26 aged care facilities in the eastern states. This application proposes the development of a 144 bed facility at Bent Street South Grafton. See Attachment 4.

The single storey facility will be located on a 2.995ha site which forms part of the Grafton District Golf Club. See Attachment 1.

Through cut and fill, two levelled/retained areas will be created for the construction of the building, visitor parking and various ancillary facilities. Staff parking will be provided below the building retained area, maximising its separation from adjoining residences.

A concept layout is attached but as discussed further in this submission, this may change in order to comply with the bushfire protection requirements. The facility shown has a footprint of some 9,000m² which includes internal open areas allowing all rooms to have access to open space courtyards.

Signature Care Pty Ltd have provided the following general information:-

2.1 Facility Standards

Our residents enjoy the privacy of their own large fully air-conditioned bedroom with sliding door access to outside areas from each room and all rooms have ensuite bathroom, giving security and a sense of belonging, much valued during times when friends and family visit. Our current design provides a focus on varying sizes of bedrooms to cater for different client needs. The design of facilities vary according to climatic conditions. All homes have flexible care arrangements to accommodate

couples requiring different levels of care. In addition to providing ageing in place and accommodation for singles and couples, all homes have a dedicated dementia specific wing which meets the specialized needs of residents with dementia. Scattered through our homes are libraries, games areas and multi-purpose areas such as chapel and cafe.

Each facility is personally designed with respect to the land and surrounding environment, creating the most liveable surroundings for aged residents. Each building is built with state of the art specialised safety and fire equipment, sprinklers and smoke detectors and fully equipped with independence devices such as hand rails and non-slip surfaces to assist in the care for our most vulnerable residents. Our facilities are equipped with overhead lifting tracks to minimise manual handling.

Each home is built with the concept of residents belonging to a group of between thirty and thirty six other residents with similar care needs. Dementia specific areas are separated again making an area of between 15 & 18 places for each pod. The home is designed to draw residents to a central dining area typical of a family home, having meals with between two and six other residents at each table depending on friendships and preferences. There are spacious lounges in each wing and tea and coffee making areas for residents and their families.

In all the homes constructed by the Group; fixtures, fittings, floor coverings and furnishings are amongst the highest industry standard. The buildings are appropriately heated & cooled, with occupant controlled air conditioning standard. They also feature large single rooms, café, hair salon, integrated CCTV and computer systems, electric hi low oversize king single beds, over-bed tracking systems and spacious open living areas.

All homes are equipped with specialised aged care equipment. The beds are single king size, high low electric with specialised pressure care mattresses; there are a variety of lifting devices and mobility equipment to assist residents if necessary. Furnishings are designed especially to aid independence, comfort and cleanliness. Residents' chosen doctor is invited into the home and assisted and supported in caring for the resident in a specific medical room designed to meet the needs of the doctor while on site.

Signature Care homes comply with all State and Federal government regulations including Aged Care Accreditation, Certification of Buildings, as required for its operation under the Aged Care Act 1997.

2.2 Local Jobs & Economy

Each 144 Bed Home provides a contribution to Gross Regional Product and is expected to be \$7,780,800 per annum without factoring in the wages regenerated into the local economy. The breakdown of the direct employment extending to 167 full and part time direct staff (144 full time equivalents) will include the following professions:

- Facility Manager 1*
- Admissions Manager 1*
- Care Manager 2*
- Registered Nurses 18*
- Physiotherapists 5*
- Endorsed Nurses 18*
- Administration 5*
- Management Secretary 1*
- Lifestyle Co-ordinators 4*
- Maintenance Manager 1*
- Maintenance & Gardener 3*
- Chef 1*
- Cooks 5*
- Food Assistants 11*

- Laundry Staff 3
- Cleaning Services 16
- Personal Carer 72

Total 167

Even though there is a substantial benefit in direct employment, the economic benefit to the local community through the additional local staffing will be far higher as these wages are expended in the local area and regenerated many times over. The direct wage payments expected to be made once the facility is at full capacity is circa \$6.3M per annum.

The Facility, in construction phase, supports the growth of other businesses as it will require the services/products from:

- concrete suppliers;
- roof truss manufacturers;
- earthworks contractors;
- landscapers;
- concreters;
- plumbing contractors;
- electrical contractors;
- plasterers;
- tilers;
- painters;
- interior decorators; and
- various other trades & suppliers

The Facility, in operational phase, supports the growth of other businesses as it will require:

- food supplies including meat and fresh fruit and vegetables to the value of \$355,000 per annum.
- property services including fire monitoring, responses & testing, pest control, repairs & maintenance expenses and grounds maintenance exceeding \$170,000 per annum.
- medical supplies including medication, medical gases and other general supplies exceeding \$210,000 per annum.
- cleaning and laundry services (excluding labour) of over \$50,000 per annum.
- utilities including direct council rates, waste disposal, water supply, electricity supply and gas supply exceeding \$315,000 per annum.
- Other general expenses including but not limited to local advertising, stationery, printing supplies, staff training and general purchases exceeding \$150K per annum.

2.3 The Facility Details

Key features of the aged care facility include:

- All single bedrooms with ensuite bathrooms.
- Generous communal and utility facilities including central cafe.
- Split system air conditioning with automatic energy saving systems.
- High quality offices.
- Fixtures, fittings, floor coverings and furnishings are of the highest industry standard.

- Full Nurse Call, CCTV security system and fully networked computer system.
- In house catering with home style meals served to dining rooms.
- In house laundry service.
- Library with internet access.
- All bedrooms have King Single Electric Hi/Low beds, quality furnishings.
- Over-bed tracking system for resident lifting system to all bedrooms.
- Extensive external area with shade sails and some gazebos.
- Doctors consulting suite.
- Hair-dressing room.
- Café.

The proposed “Signature Care Grafton” aged care facility will comprise 144 beds providing 24/7 residential care. It will include all facilities noted above.

The site is located on the southern side of Bent Street on South Grafton Hill. It forms part of the Grafton District Golf Club and contains 2 decommissioned fairways plus scattered vegetation. The 2.995ha portion allocated for the aged care facility slopes towards the south and this enables a large levelled area to be created and retained approximately 1.7m below the level of Bent Street.

A small portion of the site is identified as bushfire prone (Vegetation Categories 1) and a larger portion as Buffer. A Bushfire Assessment Report has been prepared by Land & Fire Assessments P/L and concludes that the facility could be designed to comply with the relevant requirements subject to consultation with the RFS. The BA Report is attached (see Attachment 7) and discussed in detail in this application.

No other hazards are present.

The attached concept layout, survey plan with levels and location of closest adjoining dwellings & aerial photo give useful perspective of the site, the concept and surrounding uses.

3. **Strategic Justification**

3.1 **Relationship with regional and local strategies**

The North Coast Regional Plan 2036 (hereafter called the Plan) is the state government blueprint for providing employment and housing opportunities for the additional 76,200 residents anticipated in the region in the next 20 years. The Plan is premised on strengthening existing urban centres through expanding their services and infrastructure and identifying new growth areas.

A goal of the Plan is to develop thriving interconnected communities, to provide services to an ageing population (including health care) and high skilled jobs for those working in the sector. Delivering health facilities in Grafton is included as a regional priority, and the recently approved private hospital in Grafton is a sign that this is occurring.

When you plan to attract residents of working age to grow the local economy, planning must also include the ageing of those workers. The Plan predicts the following increases in the percentage of older residents in the total north coast population:

| | 2016 | 2036 |
|-------|------|------|
| 85+ | 2.8 | 5 |
| 75-84 | 6 | 10.4 |
| 65-74 | 11 | 12.4 |

The facility operator has provided the following regional demographic overview of Grafton.

3.1.1 Demographic – Grafton & Clarence Valley

SA3 Clarence Valley - has a population in 2017 of 51,095 and over 70 population of 9,946 people. By 2027 the over 70 population will increase to 13,503, and the over 80 population will increase by 40% from 2,868 in 2017 to 4,024 people in 2027. This SA3 has 614 operational places and 118 Provisionally Allocated places, totalling 732 places. Currently (2016 data) there is shortfall of 142 places. If all provisional allocations are activated by 2021 there will still be a shortfall of 193 places which will increase to a shortfall of 324 places in 2026.

SA2 Grafton: The Grafton SA2 has five operational facilities, currently 312 operational and 68 Provisionally Allocated places. This SA2 currently has 3,762 people over 70 years which will increase by 41% to 5,303 places by 2027. The over 80 population will increase from 1,233 in 2017 to 1,811 people in 2027. This SA2 currently has a surplus of 29 places. If the current provisional allocations are activated by 2021 there will be a surplus of 20 places which will become a shortfall of 34 places in 2026.

The Grafton SA2, Clarence Valley SA3 & Coffs Harbour – Grafton SA4 planning regions are made up in the below table:

| SA4 | Coffs Harbour - Grafton | Population Data 2017 | ABS Estimates (Over 70's) | | | | ABS Estimates (Over 80's) | |
|-------|-------------------------|----------------------|---------------------------|-----------|-----------|-----------|---------------------------|-----------|
| SA3 | Clarence Valley | | | | | | | |
| SA2 | | 2017 | 2017 Est. | 2020 Est. | 2023 Est. | 2027 Est. | 2017 Est. | 2027 Est. |
| 11080 | Grafton | 19,218 | 3,762 | 4,337 | 4,785 | 5,303 | 1,233 | 1,811 |
| 11081 | Grafton Region | 15,483 | 2,687 | 3,067 | 3,385 | 3,708 | 663 | 992 |
| 11082 | Maclean - Yamba - Iluka | 16,394 | 3,497 | 3,767 | 4,078 | 4,492 | 972 | 1,221 |
| Total | | 51,095 | 9,946 | 11,171 | 12,248 | 13,503 | 2,868 | 4,024 |

| SA4 | Coffs Harbour - Grafton | Population Data 2017 | ABS Estimates (Over 70's) | | | | ABS Estimates (Over 80's) | |
|----------------------|-----------------------------|----------------------|---------------------------|-----------|-----------|-----------|---------------------------|-----------|
| SA3 | Coffs Harbour | | | | | | | |
| SA2 | | 2017 | 2017 Est. | 2020 Est. | 2023 Est. | 2027 Est. | 2017 Est. | 2027 Est. |
| 11083 | Bellingen | 6,095 | 1,126 | 1,311 | 1,468 | 1,658 | 417 | 624 |
| 11084 | Coffs Harbour - North | 17,185 | 1,990 | 2,073 | 2,228 | 2,474 | 728 | 781 |
| 11085 | Coffs Harbour - South | 10,447 | 2,395 | 2,681 | 2,929 | 3,213 | 1,231 | 1,692 |
| 11086 | Coramba - Nana Glen - Bucca | 3,884 | 830 | 1,049 | 1,227 | 1,441 | 116 | 693 |
| 11087 | Dorrigo | 3,537 | 521 | 609 | 710 | 832 | 156 | 282 |
| 11088 | Korora - Emerald Beach | 8,492 | 700 | 739 | 805 | 925 | 196 | 274 |
| 11089 | Sawtell - Boambee | 19,786 | 1,827 | 1,835 | 1,948 | 2,160 | 446 | 423 |
| 11090 | Urunga | 4,979 | 565 | 584 | 638 | 738 | 293 | 355 |
| 11091 | Woolgoolga - Arrawarra | 11,900 | 1,459 | 1,496 | 1,609 | 1,796 | 618 | 694 |
| Total | | 86,305 | 11,413 | 12,377 | 13,562 | 15,237 | 4,201 | 6,018 |
| SA4 - Combined SA3's | | 137,400 | 21,359 | 23,548 | 25,810 | 28,740 | 7,069 | 10,042 |



Over 80 years data: The over 80 year old population of the Grafton SA2 will increase from 1,233 in 2017 to 1,811 in 2027, an increase of 46%. This represents an additional 578 people in the high risk category of needing residential aged care accommodation. Our catchment includes the Grafton Region SA2 which has 663 people over 80 years and will increase to 992 people in 2027, and the Maclean-Yamba-Iluka SA2 currently has 972 people over 80 years which will increase to 1,221 people 2027. This represents another additional 1,156 people in our catchment in the high risk category of needing residential aged care accommodation within the decade.

The increase in both percentages and actual number of aged care residents requires services and facilities such as that proposed by Signature Care Grafton and are best provided in identified centres such as Grafton/South Grafton where existing health facilities can be utilised and grown.

In light of this, the proposal is very much in keeping with the Regional Plan.

Clarence Valley Council has a range of local strategies which encourage sustainable growth, including the provision of improved services to cater for the increased population. South Grafton is identified as a Growth Area in both the current and previous regional strategic plans and Councils response to that is the South Grafton Heights Precinct Strategy (2007 - amended 2011). The Strategy acknowledges future growth in the precinct and recognises the need to protect and grow the provision of services in Grafton. The Strategy therefore is based on population growth at the periphery of the city strengthening and growing services, including health services, in Grafton.

Although at the time the Strategy proposed large lot residential development for the site, the current proposal also accords with this approach, in fact to a greater degree.

3.2 Public Interest Reasons for Applying for Seniors Housing in this Locality

The public interest is served by:-

- a) providing adequate services for all groups in the community including the aged; and
- b) by encouraging growth which supports employment and strengthens existing services such as health care, and
- c) providing this growth in appropriate locations.

This proposal satisfies the public interest and it is the contention of this submission that the location is appropriate due to its low density surrounds, lack of hazards other than fire which is manageable through building location and operational procedures and connectivity with the full range of services in Grafton/South Grafton.

Residents in the vicinity may not agree with this conclusion and it will be tested through the future development application process, including public and agency consultations and professional assessment.

3.3 Adequacy of Services & Infrastructure

Council have provided information on availability and adequacy of services to the site (DMU 2017/0126 minutes – see Attachment 8).

Water and sewer infrastructure are available to the site and staff have raised no initial concerns subject to detailed reports being prepared at the DA stage.

An option for managing stormwater in conjunction with the golf course is discussed, requiring a Stormwater Management Plan to be prepared.

Bent Street provides good access to the site and direct connection to Grafton and South Grafton. The adequacy of available power supply will be the subject of future discussions with the supplier.

4. Pre-Lodgement Consultation

A copy of Clarence Valley Council's Development Management Unit minutes (DMU2017/0126) is attached (see Attachment 8). Council is the water and sewer authority and infrastructure issues in respect of those services are included.

This application for a Site Compatibility Certificate is a response to the permissibility issues raised in the DMU meeting, while the remainder of issues are directed to the requirements of a future development application.

NSW Planning and Environment were also consulted and their written advice that a Site Compatibility Certificate can be considered if there is a registered club on the land is attached (see Attachment 9).

C2. Statement Addressing SEPP Site Compatibility Criteria

The Natural Environment

1. The attached Flora & Fauna Assessment Report by Land & Fire Assessments P/L defines the site as a managed environment, being largely 2 former golf course fairways with fringing linear stands of trees and scattered areas of remnant forest and woodlands in the south-west section. That Report determined that there are no threatened flora species or populations of EEC's on the site, and although native vegetation comprises "potential" Koala habitat, a Koala Management Plan is not required at this stage though that will be reviewed at DA stage.

That Report concluded that the proposed development is not likely to have an adverse effect on the environment and would not cause any unacceptable risk.

The attached Bushfire Assessment Report by Land & Fire Assessments P/L determined that a 60m APZ is required from the south-west boundary and that although the current concept design encroaches into that zone the facility could be designed to comply with acceptable solutions, involving early consultation with the RFS. There is also the possibility of reducing the 60m requirement if "exceptional circumstances" can be established and this will be subject to discussions with the RFS during the design phase. It is considered that "exceptional circumstances" will be demonstrated in a number of ways.

Existing uses are large lot residential to the north and west, some existing and future residential to the east and golf course to the east and south east. The site has capacity for some 11 large residential lots with a 2000m² minimum lot size. Although the scale of the proposed building will be greater than the possible cumulative building footprint of those 11 lots, it will be single storey and located on the levelled and retained area approximately (on average) 1.7m below road level. Aged care facilities are "quiet" operations with the possible exception of staff entering and leaving after hours which can be managed to a degree through locating the staff car park away from existing dwellings. Delivery vehicles can also be managed in terms of loading bay location and delivery hours.

The site benefits from being surrounded by large lot residential development and the golf course, yet only 400m away from the commencement of the R1 General Residential zone to the east along Bent Street where the use is permissible but, likely to impact on a greater number of existing residences.

2. The sale of the subject site by the Grafton District Golf Club will secure the future of the Golf Club and so it can be concluded that it will continue to operate and the aged care facility will have no impact on it. The small balance of undeveloped R5 land to the east will be developed for that purpose and prospective purchasers will be aware of this proposal.
3. Clause 26 requires aged care facilities outside of Sydney to have access to a transport service connected to shops, medical, recreational and community services that is located not more than 400m from the site and connected by a pathway with an average gradient of 1:14.

A bus service runs at least hourly along Bent Street fronting the site and travels to South Grafton and Grafton's CBDs where all required services are available. The operators will also provide a free courtesy bus for the use of residents.

The floor level of the facility is approximately (on average) 1.7m below Bent Street and a 1:14 gradient requires a 24m long pathway with constant gradient which can be provided from the front door approximately 45m from the roadway.

Water, sewer and power infrastructure are available in the vicinity, Clarence Valley Council as the water and sewer services provider has provided the following information.

- water mains are located on both sides of Bent Street along the frontage of the site, and connection to this service will require liaison with Councils Water Cycle Section
- A sewer servicing plan will need to be lodged with the DA with a number of options raised such as connecting to the existing pump station in the vicinity, or providing a new pump station to connect to existing reticulation.

The attached Clarence Valley Council servicing plan (see Attachment 10) shows the location of these services and DMU 2017/0126 minutes (see Attachment 8) includes Council comment regarding service options and infrastructure charges (water and sewer headworks charges)

4. N/A

5. The building and site layout indicated on the attached “Signature Care Grafton” Concept Design Plan (see Attachment 4) may not be that which will eventually be applied for due to the impact of the required Asset Protection Zone though this is not certain as consultation with RFS may result in alternative protection measures which would permit this building. The final design will be prepared in consultation with the RFS and reflect the recommendations of the Bushfire Assessment Report. It cannot be prepared until this Site Compatibility Certificate Application has been approved.

Nevertheless, the design approach will be similar with:-

- a single-storey building located on a levelled and retained area approximately 1.7m below road level
- car parking located away from existing dwellings, with visitor car parking at grade with the building
- retained existing vegetation along Bent Street frontage with the exception of driveway access points.

The three residences to the west all have existing stands of trees on their properties between their homes and the proposed building. Also their primary orientations appear to be downhill to the south, away from the facility.

Dwellings on the opposite side of Bent Street are likewise screened by the existing row of trees along its frontage and have their primary orientation downhill to the north.

A building of this scale cannot be fully screened from adjoining residences, but the combination of screening, excavation to lower the single-storey building streetscape impact and the view orientation of those residences away from the site will reduce the impact.

The future 3 dwellings on the 6973m² balance of R5 land to the east would likely also orientate away from the facility and across the golf course and can also have screened boundary plantings on the site and their own plantings.

6. The amount of native vegetation clearing required is addressed in the Flora & Fauna Assessment Report which concludes that it is not likely to have an adverse impact on the environment or pose unacceptable risks, but further studies are likely to be required at DA stage.

INDEX OF ATTACHMENTS

1. SITE PLAN – DWG NO. 7520SUB
2. LOCALITY MAP
3. a) ZONING MAP

b) R5 LARGE LOT RESIDNEITAL – CV LEP 2011
ZONE OBJECTIVES & CONTROL TABLES
4. SIGNATURE CARE GRAFTON CONCEPT PLAN
5. AERIAL PHOTOGRAPH SHOWING SITE & SURROUNDS
6. FLORA & FAUNA ASSESSMENT – LAND & FIRE ASSESSMENTS P/L
7. BUSHFIRE ASSESSMENT – LAND & FIRE ASSESSMENTS P/L
8. DMU2017/0126 – MINUTES
9. EMAIL FROM NSW PLANNING & ENVIRONMENT (PAUL GARNETT)
10. CLARENCE VALLEY COUNCIL WATER/SEWER PLAN
11. GRAFTON NGERRIE L.A.L.C LETTER


ATTACHMENT 1

SITE PLAN – DWG. No. 7520SUB

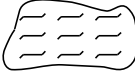
- NOTES:
1. THIS PLAN WAS PREPARED FOR GRAFTON GOLF CLUB AS A POSSIBLE SUBDIVISION LAYOUT FOR CONSIDERATION PRIOR TO LODGEMENT OF A REDEVELOPMENT APPLICATION OVER THIS PART OF THE EXISTING GOLF COURSE & SHOULD NOT BE USED FOR ANY OTHER PURPOSE.
 2. TOPOGRAPHICAL DETAIL SHOWN IN THIS SKETCH IS BASED ON DIGITAL MAPPING DATA SUPPLIED BY ROGER DWYER & ASSOCIATES, MAPPING CONSULTANTS, DERIVED FROM AERIAL PHOTOGRAPHY FLOWN 8/6/1997.
 3. THE ROUTES OF ALL PROPOSED SEWER & DRAINAGE LINES ARE APPROXIMATE ONLY & SUBJECT TO FINAL, DETAILED DESIGN.
 4. THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.

- (A) - RIGHT OF ACCESS 7 WIDE & RESTRICTIONS ON USE
- (B) - RESTRICTION ON USE TO MAINTAIN EXISTING TREES (EXCEPT FOR DRIVEWAYS) AND HAVE FRONT SET-BACK OF 10 METRES.
- (G) - PROPOSED 10m WIDE BUFFER FOR BUSHFIRE PURPOSES (POSITIVE COVENANT)


LEGEND




- GREEN OR TEE



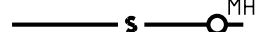
- DAM OR POND




- TREELINE



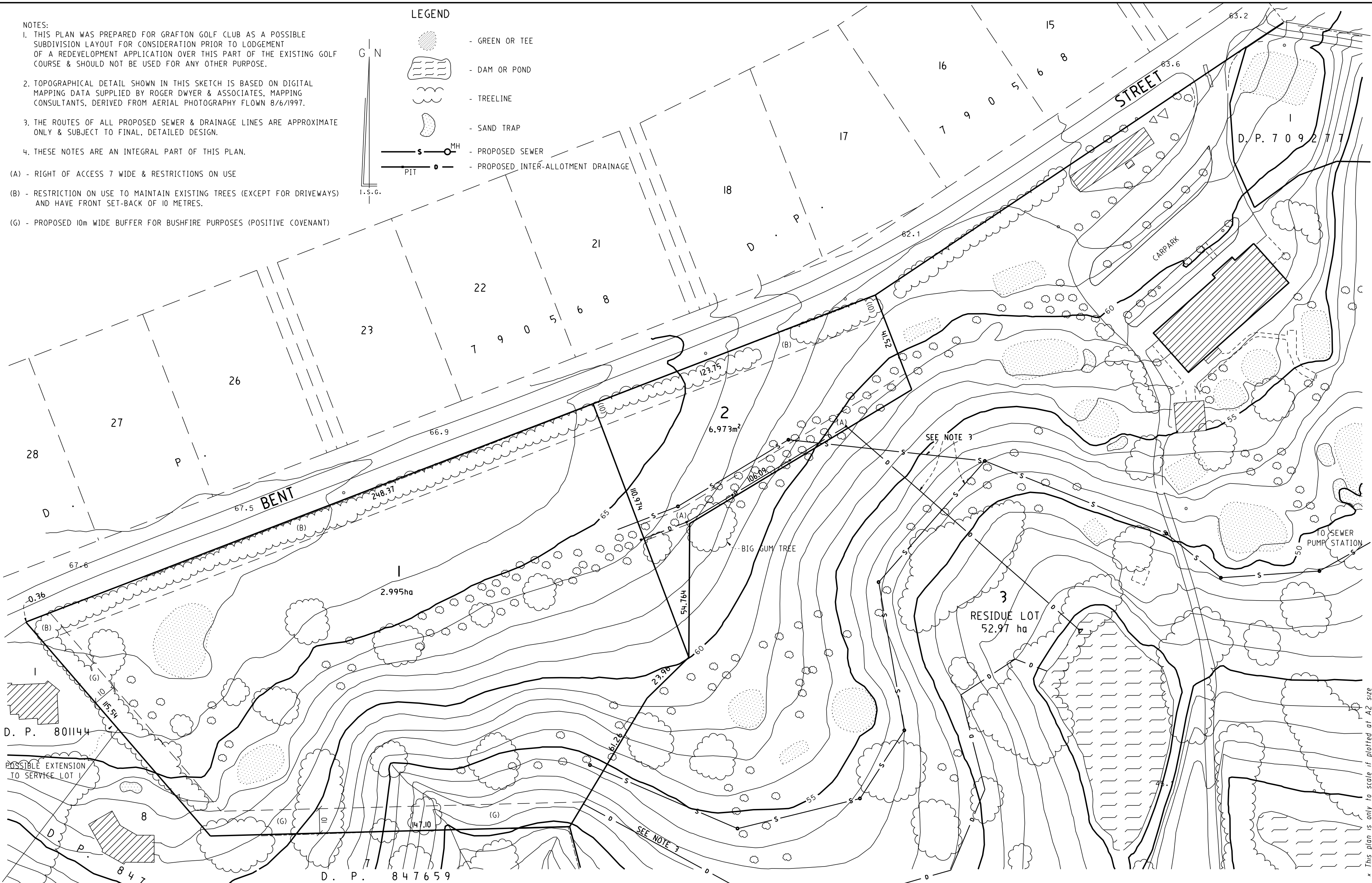
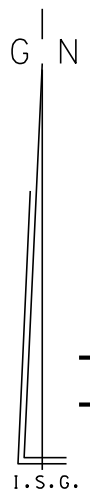
- SAND TRAP



- PROPOSED SEWER



- PROPOSED INTER-ALLOTMENT DRAINAGE




D. P. 801144

POSSIBLE EXTENSION TO SERVICE LOT 1

8 4 7 6 5 9

D. P. 8 4 7 6 5 9

Liberty limited by a scheme approved under Professional Standards Legislation.



| REVISIONS | | | | | |
|-----------|---------|------|------|--|--|
| Rev. | Date | Drn. | Chk. | Description | |
| A | 29-1-18 | BF | AF | AMEND RESIDUE LOT (TO LOT 3) & EAMEND EASEMENT | |

A. FLETCHER & ASSOCIATES
Pty. Ltd.

Land and Engineering Surveyors
Development Consultants

86 Victoria Street, P.O. Box 1213, Grafton, 2460
Ph. (02) 6642 3300, Fax (02) 6642 5990
Email: afletcher@hotkey.net.au

PLAN OF PROPOSED TWO LOT SUBDIVISION OF
LOT 400 DP 1153969
GRAFTON GOLF COURSE, 425 BENT STREET
SOUTH GRAFTON

CLIENT: GRAFTON DISTRICT GOLF CLUB LIMITED

| | | |
|---------------|------------------------------|-------------------------|
| SURVEY: AF | DRAWING No. 7520SUB | |
| DESIGN: BF | ORIGIN: | Sheet No. 1 of 1 Sheets |
| DRAWN: BF | DATUM: A.H.D. | |
| DATE: 25/9/17 | C.I.: 1.0m | |
| SCALE: 1:1000 | CAD REFERENCE | Revision: A |
| | Z:\7520\Draw\7520SUB2LOT.dgn | |

* This plan is only to scale if plotted at A2 size

ATTACHMENT 2

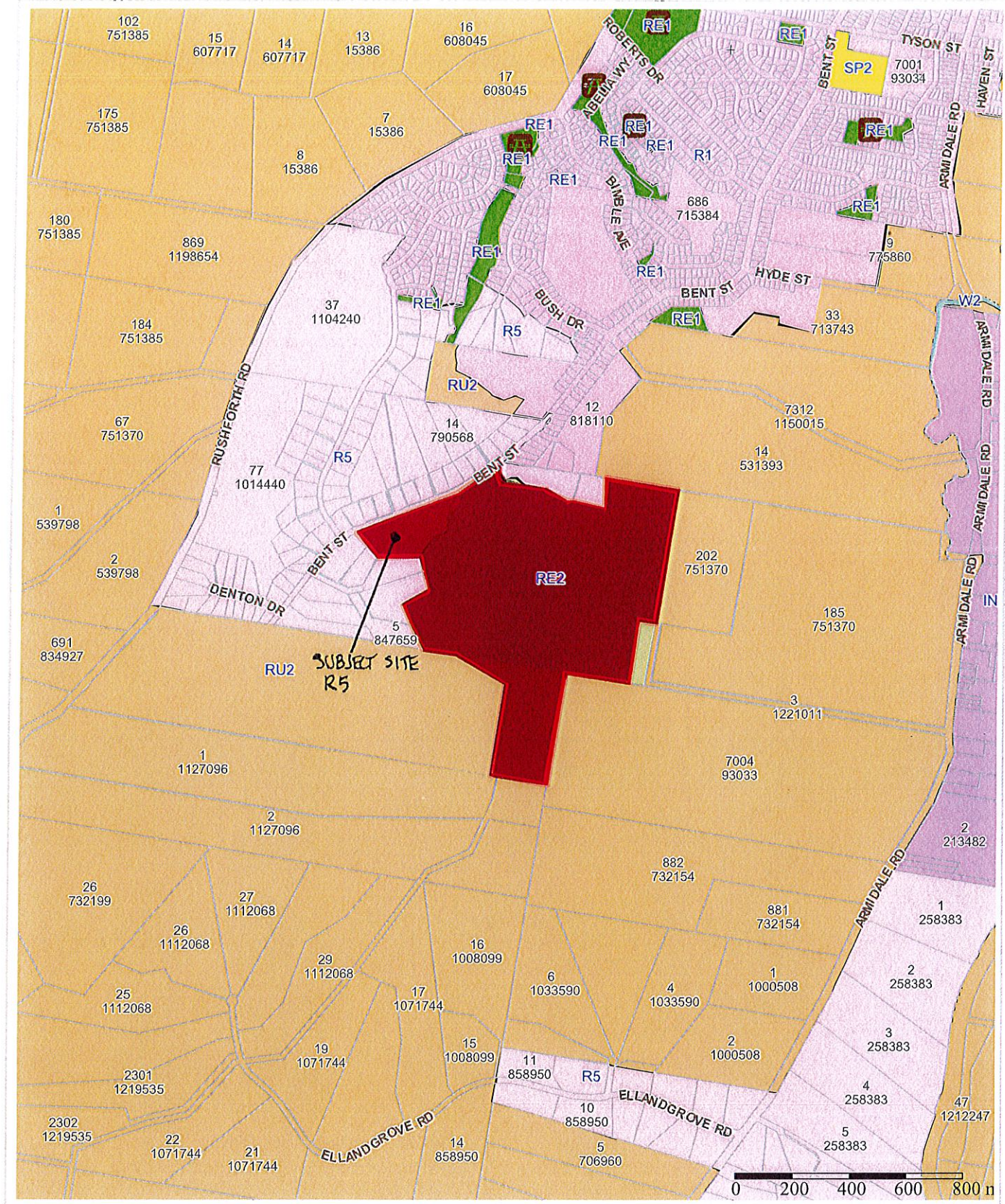
LOCALITY MAP



ATTACHMENT 2 - LOCALITY SKETCH

ATTACHMENT 3

- a) ZONING MAP
- b) R5 LARGE LOT RESIDENTIAL – CV LEP 2011
ZONE OBJECTIVES & CONTROL TABLES



Locked Bag 23 GRAFTON NSW 2640 t 02 6643 0200 w www.clarence.nsw.gov.au



IMPORTANT NOTICE

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Clarence Valley Council nor this PI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and accepts no responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages, including indirect or consequential damage and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

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© Clarence Valley Council



Drawn By:

Projection: GDA94 / MGA zone 56

Date: 20/02/2018 6:19 PM

Map Scale: 1:18326 at A4

ATTACHMENT 3 a)

ATTACHMENT 3.b)

~~apartments; Water recreation structures~~

~~4 Prohibited~~

~~Rural workers' dwellings; Shop top housing; Any other development not specified in item 2 or 3~~

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 allotments 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 the zone and land uses within adjoining zones.
- To ensure development is not adversely impacted by environmental hazards.
- To protect areas of vegetation and waterways with conservation value and scenic amenity.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations; Home occupations (sex services)

3 Permitted with consent

Bed and breakfast accommodation; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Flood mitigation works; Home businesses; Home industries; Horticulture; Information and education facilities; Neighbourhood shops; Recreation areas; Respite day care centres; Roads; Roadside stalls; Secondary dwellings; Viticulture

4 Prohibited

Any development not specified in item 2 or 3

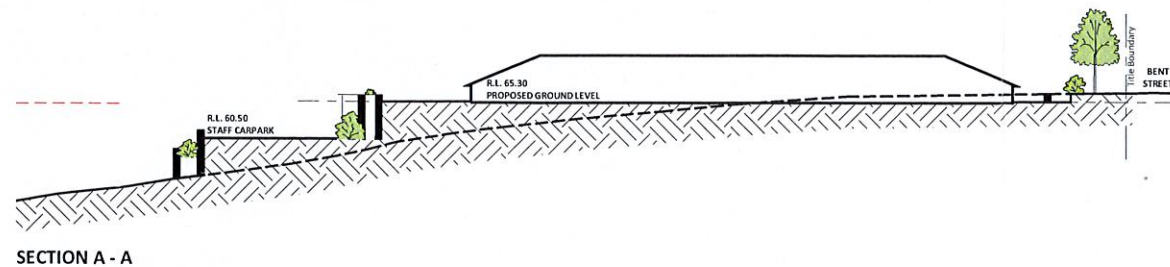
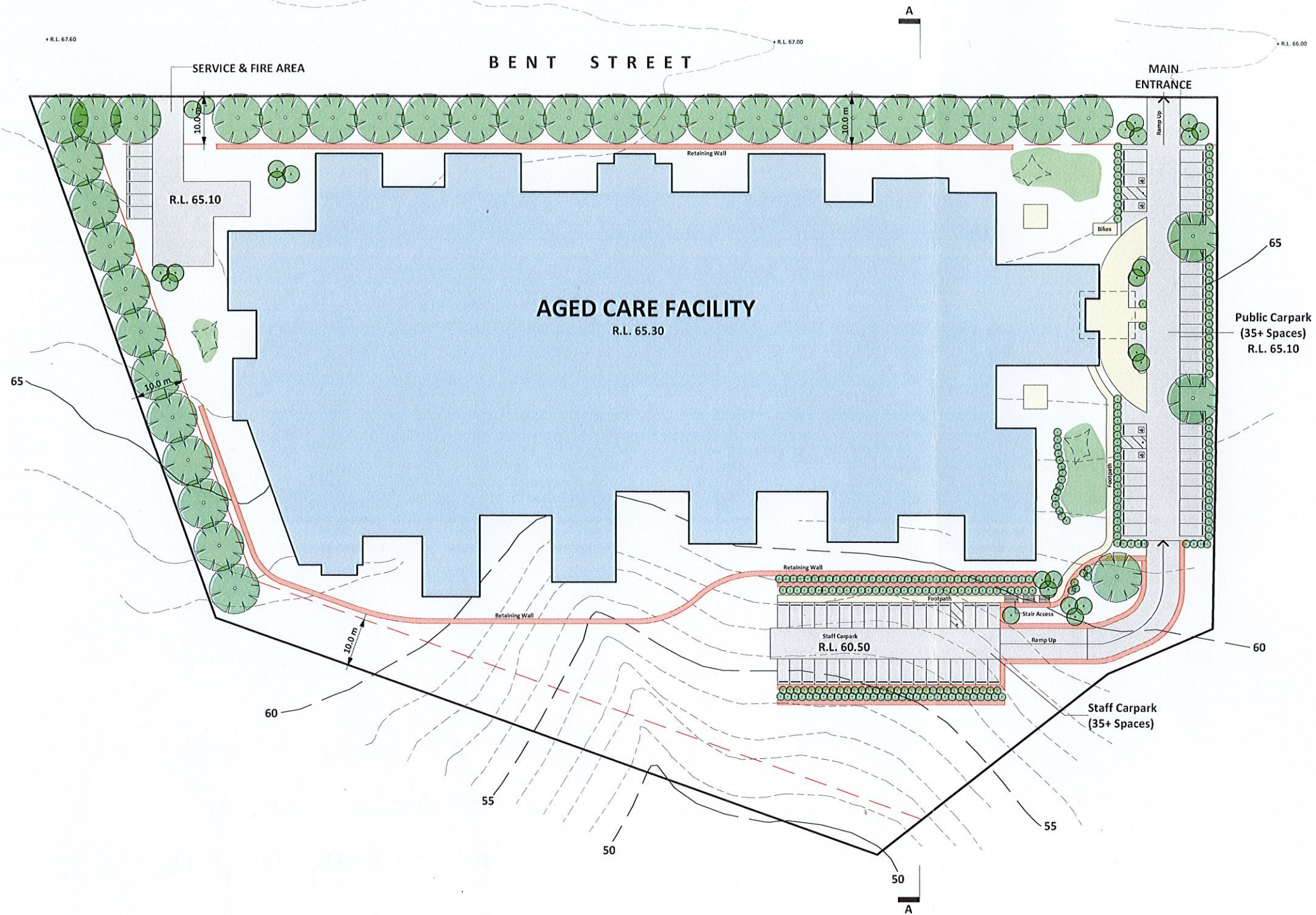
Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To reinforce the neighbourhood centres of Coutts Crossing, Glenreagh,

ATTACHMENT 4

SIGNATURE CARE GRAFTON CONCEPT PLAN



AERIAL PHOTO OF SURROUNDING AREA
*TITLE BOUNDARY SHOWN IS A GUIDE FOR DISCUSSION PURPOSES ONLY



AERIAL PHOTO OF SUBJECT SITE
*TITLE BOUNDARY SHOWN IS A GUIDE FOR DISCUSSION PURPOSES ONLY

PROJECT
SIGNATURE CARE GRAFTON

ADDRESS
Bent Street, South Grafton

CLIENT
CROFT DEVELOPMENTS

SCALE @ A1
1 : 500
DATE
DECEMBER 2017

ATTACHMENT 5

AERIAL PHOTOGRAPH SHOWING SITE & SURROUNDS

ATTACHMENT 6

FLORA & FAUNA ASSESSMENT

LAND & FIRE ASSESSMENTS P/L – 16TH FEBRUARY, 2018



Land & Fire Assessments Pty Ltd

PO BOX 104
Wardell
NSW 2477
ACN 160 897 343
www.landandfireassessments.com.au

Flora and Fauna Assessment

**For Proposed Aged Care Facility
Site Compatibility Certificate
On Part Lot 400 DP1153969,
425 Bent Street,
SOUTH GRAFTON, NSW**



**Prepared by: Tony Coyle
Land & Fire Assessments Pty Ltd
For: Croft Developments P/L for Signature Care
Project No.: LFA15007.X2
Date: 16 February 2018**

Disclaimer

Land & Fire Assessments Pty Ltd (LFA) have conducted work concerning the environmental status of the site, which is the subject of this report, and has prepared this report on the basis of that assessment. The work was conducted, and the report has been prepared, in response to specific instructions from the client or a representative of the client to whom this report is addressed, within the time and budgetary requirements of the client, and in reliance on certain data and information made available to LFA. The analysis, evaluations, opinions and conclusions presented in this report are based on that information, and they could change if the information is in fact inaccurate or incomplete.

While due care was taken during field survey and report preparation, LFA accepts no responsibility for any omissions that may have occurred due to the nature of the survey methodology. LFA has made no allowance to update this report and has not taken into account events occurring after the time its assessment was conducted.

Due consideration has been given to site conditions and to appropriate legislation and documentation available at the time of preparation of the report. As these elements are liable to change over time, the report should be considered current at the time of preparation only.

This report is intended for the sole use of the client and only for the purpose for which it was prepared. Any representation contained in the report is made only to the client unless otherwise noted in the report. Any third party who relies on this report or on any representation contained in it does so at his or her own risk.

Revision List

| Revision No. | Revision date | Report Title | Report Author | Field work by | Status |
|--------------|---------------|---|---|---------------|------------------|
| 01 | 11.05.15 | Flora and Fauna Assessment For Proposed Rezoning of Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW | Principal Author: Tony Coyle (Senior Ecologist – 0427 483 099) | Tony Coyle | Final |
| 02D | 01.02.18 | Flora and Fauna Assessment For Proposed Aged Care Facility Site | Review & Edits: Paola Rickard (Senior Environmental Planner – 0427 809 352) | | Draft for review |
| 02 | 16.02.18 | Compatibility Certificate On Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW | | | Final |

LFA contact details: Paola Rickard: 0427 809 352 and Tony Coyle: 0427 483 099



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1. Introduction and Background

1.1 Introduction

This Flora and Fauna Assessment has been prepared by Land & Fire Assessments Pty Ltd (LFA) on behalf of Croft Developments P/L for Signature Care to inform the preparation of a Site Compatibility Certificate (SCC) application for Aged Care Facility on Part Lot 400 DP1153969, 425 Bent Street, South Grafton, NSW. The land, as shown on Figs. 1 and 2, is located in the Clarence Valley Council (CVC) Local Government Area.

Notably, LFA compiled a Flora and Fauna Assessment in May 2015 as part of the rezoning submission of Part Lot 400 DP1153969. The rezoning proposal of the land in question to R5 Large Lot Residential was successful and the planning proposal was gazetted on 4th August 2017.

The assessment work undertaken by LFA in May 2015 is still relevant. Thus this current assessment will revisit the site assessment findings as they apply to the SCC application. When submitting a SCC application it is required to ensure that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable risks to the land. Accordingly, review of potential flora and fauna impacts is an important consideration in the preparation of the SCC application.

Native vegetation on the Site comprises linear strips of mature trees and shrubs that are found either side of two open grassland areas that comprised former fairways of the golf course.

The assessment will describe the potential impacts on both flora and fauna posed by the potential development of the Site into an aged care facility, and if required will recommend mitigation measures to ameliorate impacts.

This assessment is in three parts:

- The first part (Sections 1 to 4) outlines the sites geophysical and zoning characteristics, the methodology, the site assessments undertaken, and the results of the relevant desktop searches and findings.
- The second part (Section 5) addresses relevant environmental legislation, which must be addressed in future proposals to develop the site.
- The third part (Sections 6 to 7) addresses the ecological values of the site and identifies ecological constraints of relevance to the proposed use, provides a summary assessment of potential impacts of development, outlines recommended ameliorative measures, and presents a conclusion statement and a reference list.

1.2 Subject Site

The Subject Site (or the Site) for the purpose of this assessment is Part Lot 400 DP1153969, 425 Bent Street, South Grafton NSW, as shown on Fig. 2. The combined area of the Site is 3.3963 ha. The Site occurs on the southern-western edge of South Grafton. Landuse in the general locality comprises large residential allotments and rural holdings.

Native vegetation in the locality comprises linear strips of trees and shrubs associated with fairways of the Grafton District Golf Course and scattered areas of remnant forest and woodland associated with rural and residential properties. The scattered remnant and regrowth native vegetation in the locality comprises a loose corridor that connects more extensive areas of forest to the east and west of Grafton.



1.3 Proposed Development

The proposal involves the developing of Part Lot 400 DP1153969 or future Lot 1 (i.e. the Subject Site) which is shown on Figs. 1 & 2, as an Aged Care Facility as shown on Fig. 3.

However, before such proposal could be considered it is required to prepare a Site Compatibility Certificate (SCC) application to NSW Planning to determine whether it would be possible to then lodge a subsequent Development Application for a proposed aged care facility. The SCC and the subsequent Development Application will be made under the SEPP (Housing for Seniors or People with a Disability) 2004. Notably, native vegetation found along Bent Street and along the south and southwestern boundaries of future Lot 1 is planned to be retained where possible.

Removal of native vegetation associated with the proposal involves the removal of selected trees along the edge of the Site adjacent to Bent Street to allow the creation of driveway access points, and removal of vegetation within future Lot 1 to accommodate the proposal and necessary bushfire asset protection zones.





Figure 1. Subject Site relative to other locations in the broader locality (Source: SixMaps 2015)



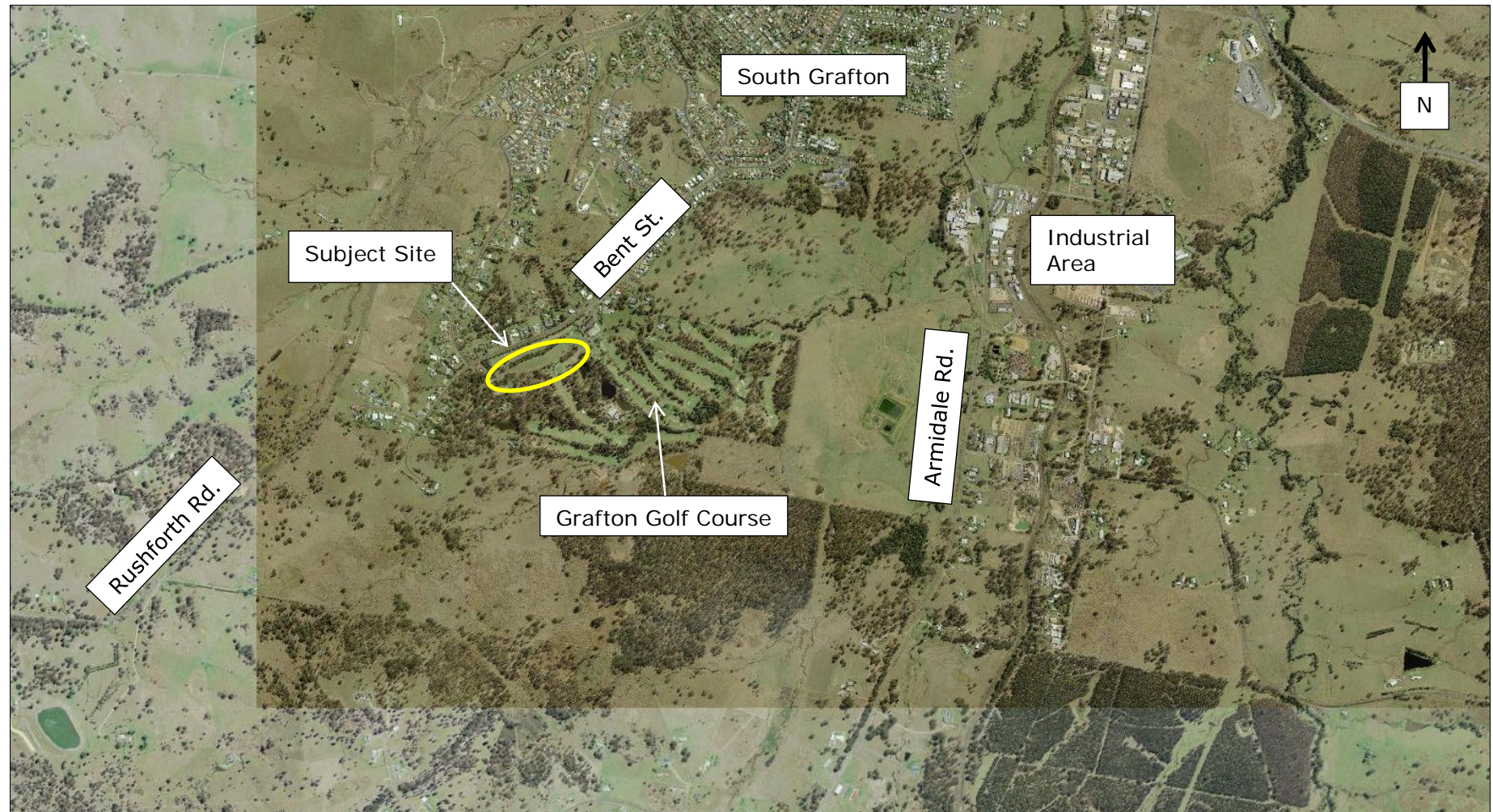


Figure 2. Subject Site relative to surrounding landuse and main roads (Source: SixMaps 2015)



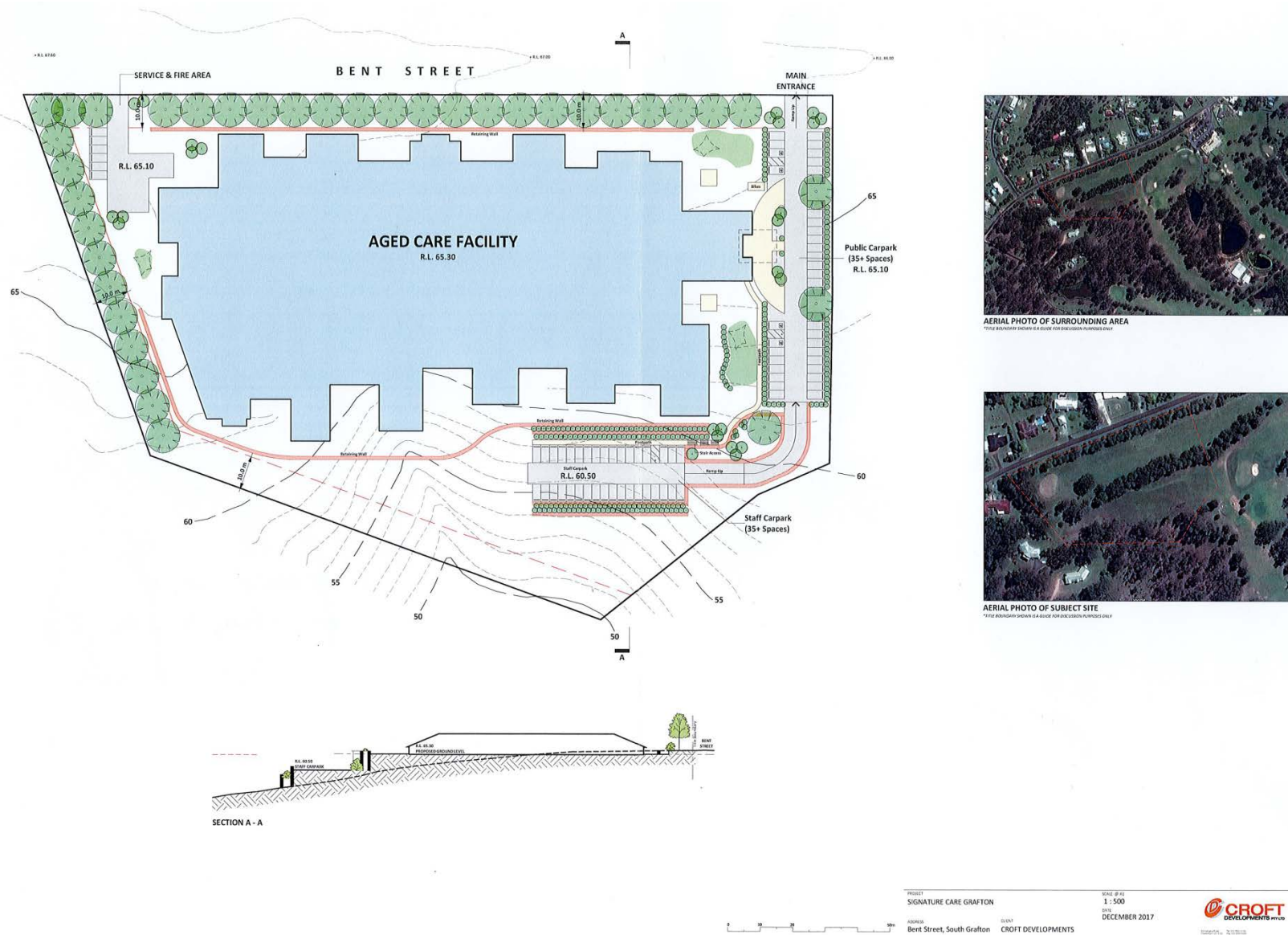


Figure 3. Subject Site - Proposed Aged Care Development. Source: Croft Developments



Land & Fire Assessments Pty Ltd

-Environmental Impact Assessments – Project Management –
--Compliance & Monitoring – Bushfire Planning & Design –

2. Methods

2.1 General Investigation Methodology

As discussed in s.1.1, this assessment is based on previous work by LFA (2015). Accordingly, the methodology used to conduct this assessment is replicated from the LFA (2015) study and is described as follows:

1. Review of the NSW Office of Environment and Heritage Wildlife Atlas records (NSW OEH 2015) for the Koala, Endangered Populations and other species listed as threatened in the *NSW Threatened Species Conservation Act 1995* (TSC Act)¹
2. Search of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) Protected Matters database (SEWPAC 2015)
3. Walking survey of the Site to identify and describe flora communities present and to search for threatened flora, Endangered Ecological Communities (EECs) and threatened fauna habitat
4. Undertake five Spot Assessment Technique (SAT) plots (Phillips and Callaghan 2008)
5. Identification of possible adverse impacts from the proposed development on existing flora and fauna, and the development of mitigation measures.

2.2 General Field Survey Approach and Effort

Field surveys were undertaken by Tony Coyle and Paola Rickard on 24 Aprilth 2015.

2.2.1 Flora Survey

An initial desktop review (refer s.3.1) was undertaken to identify threatened flora and EECs previously recorded on the NSW Wildlife Atlas within a 10 x 10 km area of the site. Vegetation mapping available through VIS Classification was accessed to provide an indication of plant community types within the locality. Aerial images available on GoogleMaps and SixMaps were reviewed to cross reference VIS Classification vegetation mapping prior to the Site visit.

The aim of the field survey was to identify and describe plant community occurrence and to search for threatened flora and EECs. Site surveys comprised meandering transects across the Site and the recording of floristic data from the vegetation communities present and directly adjacent. Total field effort for the meandering transects was 2 person hours, which also included fauna habitat surveys (refer s.2.2.2).

2.2.2 Fauna Habitat Survey

An initial desktop review (refer s.3.2) was undertaken to identify threatened fauna previously recorded on the NSW Wildlife Atlas within a 10 x 10 km area of the site, or with potential to occur at the Site based on a review of aerial images of the Site.

Field inspections were undertaken in order to determine the likelihood of threatened species occurring based on the available habitat. Opportunistic observations of fauna species were recorded also. The full extent of the Site was traversed as far as practical.

¹ The *Biodiversity Conservation Act 2016* (BC Act) replaces the *Threatened Species Conservation Act 1995*; species previously listed under the TSC Act are now listed in the BC Act. However, due to transitional arrangements (see s. 5.2.2), the TSC Act provisions will still apply to this proposal



Koala Habitat Searches

Spot Assessment Technique (SAT) plots were undertaken on approximately 150 m x 150 m grid centres across the Site. Five SAT plots were undertaken (refer to Fig. 4).





Figure 4. Location of SAT plots, habitats and the Grey-crowned Babbler nest near the Site. (Source: SixMaps 2015)



3. Results – Desktop Review

3.1 Threatened Flora

Four threatened plant species have been recorded previously on the *NSW Wildlife Atlas* within the 10 x 10 km search area. These species and their threatened listing status under the TSC Act (as noted previously, transitional provisions are in place concerning the adoption of the BC Act - refer to s.5.2.2) and the EPBC Act are listed in Table 1, as well as a brief discussion on the potential to occur at the Site.

Table 1. Threatened flora species recorded previously on the NSW Wildlife Atlas (V = Vulnerable; E = Endangered)

| Common Name | Scientific Name | TSC Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|------------------------------|-------------------------------|------------|-------------|--|--|
| Spiny Mint-Bush | <i>Prostanthera spinosa</i> | V | n/a | Occurs on elevated sites with shallow soils derived from sandstone and on deeper alluvial sands besides watercourses | Low – site is elevated, however soils are not shallow. Understorey is cleared |
| Sandstone Rough-barked Apple | <i>Angophora robur</i> | V | V | Dry open forest in sandy or skeletal soils on sandstone, or occasionally granite, with frequent outcrops of rock | Low –soils are not skeletal. Conspicuous tree, not detected |
| Square-fruited Ironbark | <i>Eucalyptus tetrapleura</i> | V | V | Dry or moist eucalypt forest on moderately fertile soil, often in low areas with poor drainage | Low – Conspicuous tree, not detected |
| Rusty plum | <i>Neimeyera whitei</i> | V | n/a | Rainforest and adjoining moist eucalypt forest | Low – no suitable habitat on site |

No threatened plant populations or Endangered Ecological Communities were recorded on the Atlas.

Based on a review of the plant species listed in the Atlas relative to the habitat that occurs at the Site, none of the four listed species are considered likely to occur at the Site or on adjoining land (refer to Table 1).

3.2 Threatened Fauna

Thirty-eight threatened fauna species and one endangered population have been recorded previously on the *NSW Wildlife Atlas* within the 10 x 10 km search area. These species, the endangered population and their threatened listing status under the TSC Act² and the EPBC Act are listed in Table 2, as well as a brief discussion on the potential to occur at the Site or on adjoining land.

² The *Biodiversity Conservation Act 2016* (BC Act) replaces the *Threatened Species Conservation Act 1995*; species previously listed under the TSC Act are now listed in the BC Act. However, due to transitional arrangements (see s. 5.2.2), the TSC Act provisions will still apply to this proposal



Table 2. Threatened fauna species and populations recorded previously on the NSW Wildlife Atlas (V = Vulnerable; E = Endangered)

| Common Name | Scientific Name | TSC Act/BC Act Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|---|---|-----------------------|-------------|---|--|
| Aves | | | | | |
| Red Goshawk | <i>Erythrotriorchis radiatus</i> | E | V | Along or near watercourses, swamp forest and woodlands on the coastal plain | Medium – the Site and adjoining areas comprises woodland/open forest |
| Little Eagle | <i>Hieraaetus morphnoides</i> | V | n/a | Open eucalypt forest, woodland or open woodland. Sheoak or acacia woodlands and riparian woodlands of interior NSW are also used | Medium – the Site and adjoining areas comprises woodland/open forest |
| Square-tailed Kite | <i>Lophoictinia isura</i> | V | n/a | Dry woodland and open forest, particularly along major rivers and belts of trees in urban or semi-urban areas. Home range can extend over at least 100 km ² | Medium – the Site and adjoining areas comprises woodland/open forest |
| Eastern Osprey | <i>Pandion cristatus</i> (formerly <i>Pandion haliaetus</i>) | V | n/a | Forage for fish in fresh, brackish or saline waters of rivers, lakes, estuaries with suitable nesting sites nearby | Low - no suitable habitat present on or adjoining the Site |
| Magpie Goose | <i>Anseranas semipalmata</i> | V | n/a | Shallow wetlands (<1 m deep), large swamps and dams with dense growth of rushes or sedge | Low - no suitable habitat present on or adjoining the Site |
| Bush Stone-curlew | <i>Burhinus grallarius</i> | E | n/a | Lightly timbered open forest and woodland, and partly cleared farmland with woodland remnants, preferring areas with dry leaf-litter, fallen timber and sparse ground cover | Medium – suitable habitat is limited on Site due to the cleared understorey and maintained grounds, however suitable habitat does occur in the locality |
| Emu population in the NSW North Coast Bioregion and Port Stephens LGA | <i>Dromaius novaehollandiae</i> | E | n/a | Open forest, woodland, coastal heath, coastal dunes, wetland areas, tea tree plantations and open farmland, and occasionally in littoral rainforest | Low - suitable habitat is limited on Site due to the cleared understorey and maintained grounds |
| Black-necked Stork | <i>Ephippiorhynchus asiaticus</i> | E | n/a | Swamps, mangroves, mudflats, dry floodplains | Low - no suitable habitat present on or adjoining the Site |
| Brown Tree Creeper | <i>Climacteris picumnus</i> | V | n/a | Eucalypt forests and woodlands of inland plains and slopes of the Great Dividing Range, and less commonly on coastal plains and ranges | Medium – the Site and adjoining areas comprises woodland/open forest |
| Diamond | <i>Stagonopleura</i> | V | n/a | Grassy eucalypt woodlands, | Medium – the Site |



| Common Name | Scientific Name | TSC Act/BC Act Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|---|-------------------------------------|-----------------------|-------------|---|--|
| Firetail | <i>guttata</i> | | | open forest, mallee, temperate grassland, and secondary grassland derived from other communities, riparian areas, and sometimes in lightly wooded farmland | and adjoining areas comprises woodland/open forest |
| Pied Oystercatcher | <i>Haematopus longirostris</i> | E | n/a | Open beaches, intertidal flats, sandbanks and occasionally rocky headlands | Low - no suitable habitat present on or adjoining the Site |
| Comb-crested Jacana | <i>Irediparra gallinacea</i> | V | n/a | Among vegetation floating on slow-moving rivers and permanent lagoons, swamps, lakes and dams | Low – no suitable habitat on Site, however suitable habitat could occur in the locality on golf course/farm dams etc |
| White Tern | <i>Gygis alba</i> | V | n/a | Marine environments, coastal tall open forest up to 1 km inland | Low - no suitable habitat present on or adjoining the Site |
| Sooty Tern | <i>Sterna fuscata</i> | V | n/a | Breeds in large colonies in sand or coral scrapes on offshore islands and cays including Lord Howe and Norfolk Islands | Low - no suitable habitat present on or adjoining the Site |
| Black-chinned Honeyeater (eastern subspecies) | <i>Melithreptus gularis gularis</i> | V | n/a | Drier open forests or woodlands dominated by box and ironbark eucalypts, and open forests of smooth-barked gums, stringybarks, ironbarks and tea-trees | Medium – the Site and adjoining areas comprises woodland/open forest with Ironbark and Grey Box as co-dominant tree species |
| Varied Sittella | <i>Daphoenositta chrysoptera</i> | V | n/a | Inhabits eucalypt forests and woodlands, especially rough-barked species and mature smooth-barked gums with dead branches, mallee and Acacia woodland | Medium – the Site and adjoining areas comprises woodland/open forest |
| Speckled Warbler | <i>Pyrrholaemus sagittatus</i> | V | n/a | Eucalyptus dominated communities with sparse shrubs and grassy understorey. Favours deep, permanent, well vegetated freshwater swamps especially with beds of <i>Typha</i> sp | Medium – the Site and adjoining areas comprises woodland/open forest with sparse understorey |
| Flame Robin | <i>Petroica phoenicea</i> | V | n/a | Dry forests, open woodlands,, pastures, native grasslands and occasionally occurs in temperate rainforest, herbfields, heathlands, shrublands and sedgeland at high altitudes | Medium – the Site and adjoining areas comprises woodland/open forest with sparse understorey |
| Scarlet Robin | <i>Petroica</i> | V | n/a | Dry eucalypt forests and | Medium – the Site |



| Common Name | Scientific Name | TSC Act/BC Act Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|-------------------------|---|-----------------------|-------------|--|---|
| | <i>boodang</i> | | | woodlands, usually with an open grassy understorey with few scattered shrubs. An abundance of logs and fallen timber appear to be an important habitat feature for this species | and adjoining areas comprises woodland/open forest with sparse understorey, however there is a lack of fallen debris and logs at the Site |
| Grey-crowned Babbler | <i>Pomatostomus temporalis temporalis</i> | V | n/a | Box-Gum Woodlands on the slopes, and Box-Cypress-pine and open Box Woodlands on alluvial plains | Detected – a nesting pair observed utilising trees and grassland in the golf course carpark. |
| Little Lorikeet | <i>Glossopsitta pusilla</i> | V | n/a | Distributed in forests and woodlands from the coast to the western slopes of the Great Dividing Range, extending westwards to the vicinity of Albury, Parkes, Dubbo and Narrabri | Medium – the Site and adjoining areas comprises woodland/open forest with sparse understorey |
| Masked Owl | <i>Tyto novaehollandiae</i> | V | n/a | Dry eucalypt forest and woodlands | Medium – the Site and adjoining areas could be utilised as foraging habitat. No tree hollows observed onsite for nesting |
| Mammals | | | | | |
| Spotted-tailed Quoll | <i>Dasyurus maculatus maculatus</i> | V | E | Dry and moist eucalypt forests and rainforests, fallen hollow logs, large rocky outcrops | Medium – the Site and adjoining areas comprises woodland/open forest with sparse understorey. No suitable denning habitat onsite |
| Brush-tailed Phascogale | <i>Phascogale tapoatafa</i> | V | n/a | Drier forests and woodlands with hollow-bearing trees and sparse ground cover | Medium – the Site and adjoining areas could be utilised as foraging habitat. No tree hollows observed onsite for nesting/shelter |
| Koala | <i>Phascolarctos cinereus</i> | V | V | Appropriate food trees in forests and woodlands, and treed urban areas. | High – Known to occur in the locality, particularly along the creekline at the southern end of the golf course |
| Squirrel Glider | <i>Petaurus norfolcensis</i> | V | n/a | Blackbutt, bloodwood and ironbark eucalypt forest with heath understorey in coastal areas, and box-ironbark | Medium – the Site and adjoining areas could be utilised as foraging habitat. No |



| Common Name | Scientific Name | TSC Act/BC Act Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|-------------------------------|--|-----------------------|-------------|--|--|
| | | | | woodlands and River Red Gum forest inland. | tree hollows observed on Site for nesting/shelter |
| Rufous Bettong | <i>Aepyprymnus rufescens</i> | V | n/a | Tall moist eucalypt forest to open woodland with tussock grass understorey. | Low – no suitable habitat on Site due to cleared understorey. Potentially would utilise nearby habitat with tall grassy understorey |
| Yellow-bellied Sheathtail-bat | <i>Saccolaimus flaviventris</i> | V | n/a | Forages in a variety of habitats, roosts in tree hollows and buildings. | Medium – the Site and adjoining areas could be utilised as foraging habitat. No tree hollows observed onsite for roosting |
| Eastern Freetail-bat | <i>Micronomus norfolkensis</i> | V | n/a | Occurs in dry sclerophyll forest and woodland east of the Great Dividing Range. Roosts in tree hollows. | Medium – the Site and adjoining areas could be utilised as foraging habitat. No tree hollows observed on Site for roosting |
| Grey-headed Flying-fox | <i>Pteropus poliocephalus</i> | V | V | Subtropical and temperate rainforests, tall sclerophyll forests and woodlands, heaths and swamps as well as urban gardens and cultivated fruit crops | High – likely to utilise trees on Site during flowing episodes |
| Hoary Wattled Bat | <i>Chalinolobus nigrogriseus</i> | V | n/a | Dry open eucalypt forest dominated by spotted gum, boxes and ironbarks. Also healthy coastal forests where Red Bloodwood and Scribbly Gum are common. Naturally sparse understorey is favourable | Medium – suitable foraging habitat present. No tree hollows observed on Site for roosting |
| Little Bentwing-bat | <i>Miniopterus australis</i> | V | n/a | Moist eucalypt forest, rainforest and dense coastal scrub | Medium – suitable foraging habitat present. No caves or rock overhangs present for roosting |
| Eastern Bentwing-bat | <i>Miniopterus schreibersii oceanensis</i> | V | n/a | Forest or woodland, roost in caves, old mines and stormwater channels. | Medium – suitable foraging habitat present. No caves or rock overhangs present for roosting |
| Southern Myotis | <i>Myotis macropus</i> | V | n/a | Bodies of water, rainforest streams, large lakes, reservoirs. | Medium – no suitable foraging habitat present on Site, however |



| Common Name | Scientific Name | TSC Act/BC Act Status | EPBC Status | Habitat Requirements | Likelihood To Occur at the Site |
|------------------------------|-----------------------------------|-----------------------|-------------|--|---|
| | | | | | suitable habitat at the dam on the golf course. No caves, rock overhangs or structures present on Site for roosting |
| Greater Broad-nosed Bat | <i>Scoteanax rueppellii</i> | V | n/a | Woodland through to moist and dry eucalypt forest and rainforest, though it is most commonly found in tall wet forest | Medium – suitable foraging habitat present. No tree hollows observed on Site for roosting |
| Eastern Cave Bat | <i>Vespadelus troughtoni</i> | V | n/a | Cave roosting species found in dry open forest and woodland near cliffs and rocky overhangs | Medium – suitable foraging habitat present. No caves or rock overhangs present for roosting |
| Amphibians | | | | | |
| Wallum Froglet | <i>Crinia tinnula</i> | V | n/a | Acid paperbark and sedge swamps known as ‘wallum’, this is a banksia-dominated lowland heath ecosystem characterised by acidic waterbodies | Low – no suitable habitat present on or adjoining the Site |
| Reptiles | | | | | |
| White-crowned Snake | <i>Cacophis harriettae</i> | V | n/a | Low to mid-elevation dry eucalypt forest and woodland with well-developed litter layer | Low - understorey cleared at the Site |
| Pale-headed Snake | <i>Hoplocephalus bitorquatus</i> | V | n/a | Dry eucalypt forests and woodlands, cypress woodland and occasionally in rainforest or moist eucalypt forest. Favours streamside areas, particularly in drier habitats | Low - understorey cleared at the Site |
| Three-toed Snake-tooth Skink | <i>Coeranoscincus reticulatus</i> | V | V | Rainforest and occasionally moist eucalypt forest, on loamy or sandy soils | Low – no suitable habitat on Site |

3.3 Fauna Corridors for North East NSW

Neither the Site nor adjoining land is mapped as a fauna corridor under the *Fauna Corridors for North East NSW*. The nearest corridor occurs south of the Site along the southern boundary of the Golf Course. The mapped corridor links Bom Bom State forest with extensively forested areas to the west.



4. Results - Site Assessment

4.1 Flora

4.1.1 Vegetation Description

Vegetation at the Site consists of two rows of planted trees comprising predominantly Slash Pine (*Pinus elliotii*), Tallowwood (*Eucalyptus microcorys*) and Ironbark (*E. siderophloia*). Callistemon and Melaleuca shrubs are planted intermittently amongst the trees. As the Site was previously the 10th and 11th holes of the golf course, groundcover is limited to maintained grassland (refer to Plates 1 & 2). Flora species list is provided in Appendix A.

Plate 1. View looking east along the northern boundary with Bent Street



Plate 2. View looking south-west along the southern boundary and central portion of the Site



A number of large and small remnant trees also occur including Forest Red Gum (*E. tereticornis*), Spotted Gum (*Corymbia henryi*) and Grey Box (*E. moluccana*). The location of these trees generally coincides with the planted rows as described above. The southern portion of the Site comprises a moderate slope to the west that supports remnant/regrowth open forest/woodland comprising Spotted Gum, Ironbark, Grey Box and Forest Red Gum. The understorey in this area contains a mixture of native and introduced grasses and weeds including Lantana (*Lantana camara*) and Farmers Friends (*Bidens pilosa*) (refer Plates 3 & 4).





Plate 3. View looking south-east at the remnant/regrowth open forest/woodland



Plate 4. View looking south-west at the remnant/regrowth open forest/woodland

4.1.2 Conservation Significance

No threatened flora species or Endangered Ecological Communities (EECs) were detected on or adjacent to the Site.

4.2 Fauna

4.2.1 Habitat Description

Fauna habitats at the Site are shown in Fig. 4 and include the following:

Maintained Open Grassland

Mixed mown grasses.

Windrows of planted trees/shrubs and mature remnant/regrowth

Two windrows of trees and shrubs that comprise predominantly planted Slash Pine, Tallowwood and Ironbark and remnant/regrowth Spotted Gum, Forest Red Gum and Grey Box with a very short understorey of maintained grass. No fallen timber or bush rock.

Regrowth/Remnant Open Forest/Woodland

Remnant/regrowth Spotted Gum, Ironbark, Forest Red Gum and Grey Box. Trees mostly small to medium in size. No tree hollows observed. Understorey of mixed grasses and weeds.



4.2.2 Fauna Occurrence and Usage

Fauna recorded at the Site are listed in Appendix B.

Birds

The grassland at the Site offers foraging habitat for several common bird species such as magpies and mudlarks, however due to the lack of structural features such as scattered shrubs in the understorey, grass tussocks, fallen timber and leaf litter, woodland/forest birds are unlikely to utilise the Site on a regular basis. These features would otherwise provide foraging habitat for a number of threatened woodland birds recorded previously in the locality such as the Bush Stone-Curlew, Brown Treecreeper, Rose Robin, Flame Robin, Speckled Warbler, Diamond Firetail and Varied Sittella.



A pair of threatened Grey Crowned Babbler birds were observed attending a nest and foraging in the carpark area of the Golf Club (Plates 5 & 6 and Fig. 4), which is located to the east of the Site. Two babbler were also observed moving through the trees within the Site during the site survey, however no nests were observed.

Plate 5 (Left). Grey Crowned Babbler birds in carpark area
Plate 6 (Below). Grey Crowned Babbler's nest in the carpark



Nesting opportunities for birds is limited to nest building species, as no tree hollows were observed on Site or on land directly adjoining the Site. The only nest observed was that of the Grey Crowned Babbler, the nest being located offsite within the Golf Course carpark area.

The variety of mature trees provides foraging resource for nectar feeding birds throughout the year/seasons. It is possible that groups of threatened species such as the Black-chinned Honeyeater and Little Lorikeet would utilise the trees at the Site periodically, particularly during flowering events.

The Site does offer foraging habitat for a number of threatened birds of prey, including the Masked Owls, Red Goshawk, Square Tailed Kite and Little Eagle. All of these birds have very large territories; therefore, the Site would contribute only a very small portion to any given foraging territory. No habitat features such as very large old growth trees or large tree holes occur at the Site that would offer suitable nesting opportunities for any of these species.

There is a low likelihood of Emus occurring at the Site, due to the limited habitat features required by the species such as a diversity of native flowering/fruited plants, grass seeds or habitat supporting insects such as grasshoppers.



Ground-dwelling Mammals



The grassland areas of the Site does offer suitable grazing habitat for the Eastern Grey Kangaroo (Plate 7) and other species known to utilise modified grasslands such wallabies, bandicoots, rabbits and hares. The lack of tall grass at the Site limits the likely occurrence of threatened macropods such as the Rufous Bettong.

Plate 7. Eastern Grey kangaroo foraging at the Site

The lack of habitat features such as fallen logs and rock shelves limits the potential for threatened species such as Spotted-tailed Quolls to attend the Site. The potential remains however due to the Sites loose connection with larger forested areas via scattered woodland and open forests further to the south, and the large home range of this species.

Arboreal Mammals

Threatened species with the potential to utilise trees on the Site include the Brush-tailed Phascogale, Squirrel Glider and Koala. The open understorey at the Site would be attractive to Phascogales; however, the absence of tree hollows for nesting reduces its likely occurrence. Utilisation of the Site by Squirrel Gliders would be opportunistic at best due to the absence of banksia and acacia as an understorey stratum, as well as the absence of large mature trees with hollows for nesting.

Koalas

Koalas are known to occur in the locality, and are sighted occasionally further to the south in trees occurring along the creekline. Two neighbouring property owners reported to LFA in 2015 that they have seen a Koala in trees at the western end of the Site and to the north across Bent Street.

Five SAT plots were undertaken across the Site, resulting in the search for Koala scats at the base of 150 trees within the Site and just over the eastern Site boundary. This number of trees comprised approximately 90% of all trees within the Site boundary with a diameter at breast height (DBH) >10cm. A single Koala scat was detected from the base of two separate trees from within SAT 1 (Tallowwood dbh: 30cm) and SAT 3 (Forest Red Gum dbh: 110 cm) (refer to Fig. 4). Applying the methods described by Phillips and Callaghan (2008), the resulting activity level for SAT 1 and SAT 3 would be determined as 3% (i.e. $1/30 = 0.03 = 3$ percent). As per Table 2 of Phillips and Callaghan (2008), this is considered to be 'low use'.

Additional to the scat data, scratches were observed on a number of the smooth-barked trees, however none of the scratches appeared to be obviously those of a Koala, and the number of scratches observed was limited to very occasional.

Of the 150 trees surveyed, Tallowwood and Forest Red Gum are considered 'primary Koala food tree' species (SEPP 44_Circular NoB35). Fifty-nine Tallowwood and five Forest Red Gum trees were recorded amongst the 150 trees surveyed. Although both species are considered 'primary food trees', the minimal usage of these trees, indicated by the lack of scats (and scratches), as well the minimal number of sightings (particularly by golfers and neighbours) in proximity of the Site, suggests that a sedentary population of Koalas does not occur at the or near to the Site. More so, the



occasional Koala that does utilise the Site is likely to either be in transit from other areas supporting a sedentary population, or is utilising the remnant open forest habitat that connects the south-west corner of the Site to the creekline habitat along the southern boundary of the Golf course, where Koalas are occasionally observed.

The locations of the SAT plots are provided in Fig. 4, and the results of the SAT plots are provided in Appendix C.

Flying Foxes and Microbats

Eight threatened microbat species and the Grey-headed Flying-fox have been detected in the locality previously as detailed on Table 2. The Site offers primarily foraging habitat for a number of these species, with the lack of habitat features such as tree hollows, large timber structures (e.g. bridges, towers) and caves restricting roosting opportunities at the Site.

Foraging activity is likely to increase when trees at the Site are flowering, particularly when flowering coincides with warmer humid conditions and insect activity also increases.

No flying-fox camps occur at or adjacent to the Site.

Reptiles and Amphibians

Three threatened reptiles and one threatened frog species has been recorded previously in the locality (Table 2). None of the threatened reptiles are likely to utilise the Site due to the absence of suitable habitat or habitat features. The absence of ground cover such as leaf litter is a limiting factor for all species.

The Wallum Froglet is an acid frog that utilises wallum habitat, which does not occur at or adjacent to the Site.



5. Statutory Requirements

5.1 Introduction

This Section identifies relevant environmental legislation, which must be addressed in future proposals to develop the Site:

- The *Environmental Planning and Assessment Act 1979*, specifically:
 - Section 5AA – *Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994*
- The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- Clarence Valley Council Residential Zones DCP - - Part Y Controls for Biodiversity and Habitat Protection
- The *Threatened Species Conservation Act 1995*
- The *Fisheries Management Act 1994*
- The *Local Land Services Act 2013 as amended 2016*
- The *Environment Protection and Biodiversity Conservation Act 1999*

The following review identifies whether the proposal can satisfy the relevant legislative requirements.

5.2 NSW Environmental Planning and Assessment Act 1979

5.2.1 State Environmental Planning Policy No. 44 – Koala Habitat Protection

SEPP 44 encourages the conservation and management of natural vegetation areas that provide habitat for Koalas to ensure permanent free-living populations will be maintained over their present range. Local councils cannot approve development in an area affected by the policy without an investigation of core Koala habitat. The following questions are set out in the policy in order to identify whether core koala habitat is found within the proposal area.

Does the subject land occur in a Local Government Area identified in Schedule 1?

The Site is located in the Clarence Valley Council Local Government Area, which is listed in Schedule 1.

Is the land to which the development application applies smaller than 1 hectare in area?

Lot 400 DP 1153696 is >1 ha in area.

Does the site contain areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15 percent of the total number of trees in the upper or lower strata of the tree component?

Two trees (Tallowwood and Forest Red Gum) listed in Schedule 2 occur and constitute a total of >15% of trees in the upper or lower strata of the tree component. In terms of applying the criteria as described in the Circular B35, the Site does constitute ‘potential’ Koala habitat due to the total number of trees in the upper or lower strata of the tree component comprising less than 15% of those tree species listed in Schedule 2.

Is the land potential Koala habitat?

As per the Policy definitions (DUAP 1995), the land comprising Lot 400 does comprise ‘potential Koala habitat’.



Is there core habitat on the subject land?

Core koala habitat is defined as “...an area of land with a resident population of koalas, evidenced by attributes such as breeding females...and recent sightings of and historical records of a population”.

Based on the paucity of Koala records for the locality and the lack of Koala scats detected during the Site survey, the vegetation on Site would not be considered ‘core Koala habitat’.

Is there a requirement for the preparation of a Plan of Management for identified core Koala habitat?

Since no ‘identified core Koala habitat’ as defined in the Policy was found on Site, the preparation of a Koala Plan of Management (KPOM) is not required.

Importantly, the application of SEPP 44 does not apply to the SCC application process. Regardless, the questions set out in the policy are useful in identifying whether core koala habitat is found within the proposal area and, if so, whether it could present a significant constraint to the future development.

This assessment found that although Koala feed trees listed under Schedule 2 of SEPP 44 occur at the Site, Koala usage of the Site is considered to be ‘low’, and a sedentary population of Koalas does not occur at the Site.

Therefore, based on these findings and provided that mitigation measures are incorporated in future development proposals to minimise impact on the Koala, the development as proposed is unlikely to have a significant impact on this species. Nevertheless, the SEPP 44 assessment will need to be undertaken at the development application stage. Thus, final determination of whether a KPOM is required will be reassessed at that point.

5.2.2 Section 5AA of the Environmental Planning and Assessment Act

The previous Section 5A and Section 5C of the EP&A Act have been replaced with the following provisions:

Environmental Planning and Assessment Act 1979 No 203

Part 1 Section 5AA

5AA Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994* that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

Note. Those Acts contain additional requirements with respect to assessments, consents and approvals under this Act

5A–5D (Repealed)

Accordingly, the previous provisions detailed in the *Threatened Species Conservation Amendment Act 2002* which established the Assessment of Significance (7-part test) in Section 5A of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act) and Section 94 of the *Threatened Species Conservation Act 1995* (TSC Act) are no longer current. Instead, it is now required to address Part 7 of the *Biodiversity Conservation Act 2016*.

Nevertheless, the NSW Government has established transitional arrangements related to biodiversity assessment for the various categories of development consent or approval that are underway or have already been made. Concerning local developments, such as this proposal, proponents will have six months from 25 August 2017 to submit a development application under the previous legislation (Source: <http://www.environment.nsw.gov.au/biodiversity/transitional.htm>).



Since this SCC application is being prepared within the transitional period, the TSC Act legislation will be applied when undertaking the Assessment of Significance, which is to be considered when determining whether a proposed action (development) is likely to have a significant effect upon listed threatened species, populations or ecological communities, or their habitats, therefore determining if a Species Impact Statement is required.

Two threatened fauna species were detected on the Site during the Site inspection (refer s. 4.2) (i.e. Koala via scat and Grey-crowned Babbler). No EECs are present on the Site.

A preliminary impact assessment for a number of threatened species has been undertaken in Section 6 and a number of mitigating measures have been put forward (refer to s. 6.1). Provided that these recommendations are implemented, the development of the Site as an aged care facility as proposed is unlikely to have a significant effect on these identified threatened species.

Nevertheless, an Assessment of Significance for these species will need to be undertaken once detailed and specific development plans are prepared.

Although Section 5C of the EP&A Act has been repealed, it has been replaced by 's. 5AA Application of Part 7 of *Biodiversity Conservation Act 2016* and Part 7A of *Fisheries Management Act 1994*'. The provisions of s.220ZZ under the Fisheries Management Act concerning 'Significant effect on threatened species, populations or ecological communities, or their habitats' have not changed. Accordingly, the requirement to apply the Assessment of Significance under Section 220ZZ of the Fisheries Management Act has been addressed in Section 5.4.

5.2.4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP) is one of a suite of Land Management and Biodiversity Conservation (LMBC) reforms that commenced in New South Wales on 25 August 2017. The Vegetation SEPP works together with the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016* to create a framework for the regulation of clearing of native vegetation in NSW.

The aims of the Vegetation SEPP are:

- (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
- (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The Vegetation SEPP regulates clearing of native vegetation on urban land and land zoned for environmental conservation/management that does not require development consent. The SEPP applies to the R5 - Large Lot Residential zone.

Although applicable to the R5 (urban) zoned portion of the proposal, the Vegetation SEPP regulates clearing that is not ancillary to development requiring consent. Clearing that is ancillary to development requiring consent will be assessed as part of the development assessment process, and may require further assessment and approval under the *Biodiversity Conservation Act 2016*. Council consent to clear to accommodate the proposed aged care facility will be required to implement the proposal. Accordingly, such clearing would be deemed ancillary to the proposal; therefore, the Vegetation SEPP provisions would not appear to apply in this case.

Regardless, even if the SEPP was deemed to apply, it calls for assessments of vegetation clearing to be undertaken in accordance with the *Biodiversity Conservation Act 2016* provisions. However, the provisions of the Biodiversity Conservation Act are not in force yet as discussed in s.5.2.2.

5.2.5 Clarence Valley Council Residential Zones DCP - Part Y

Part Y - Controls for Biodiversity and Habitat Protection of the Clarence Valley Council Residential Zones Development Control Plan 2011 (DCP) applies to the R5 - Large Lot Residential, which is the land zoning applicable to the Subject Site. The planning provisions described within Part Y of the DCP provide a framework for assessing development that is likely to impact on native vegetation and biodiversity. Accordingly, depending on the classification of the habitat present at the development site, the ecological assessments requirements are prescribed as follows:

- Green Flag areas (cleared areas) - no ecological assessment required
- Amber Flag areas (low conservation value)- Baseline Ecological Assessment required
- Red Flag areas (high conservation value) - Baseline Ecological Assessment and supplementary threatened and significant fauna/flora assessment required

Based on the site assessment undertaken to date, the Site could be classified as Green Flag area. This is due to the fact that it is extensively cleared as a golf course and predominantly contains planted native vegetation as part of the strips of trees and shrubs associated with fairways. Still this planted vegetation does have some habitat value, thus the Amber Flag Areas requirement to undertake a Baseline Ecological Assessment at the DA stage might still be triggered. Consultation with Council (or relevant consent authority) will be required to clarify the applicability of the biodiversity assessment for this proposal. In any case, the impact of future development at Site on biodiversity values is considered to be low regardless of development type and does not prevent the issuing of an SCC.

5.3 NSW Threatened Species Conservation Act 1995

As noted previously, the TSC Act provisions still apply during this transitional period. Specifically, the provisions of Section 94 of the TSC Act were called in the EP&A Act by virtue of Section 5A, which required that the Assessment of Significance is to be considered when determining whether a proposed action (development) is likely to have a significant effect upon listed threatened species, populations or ecological communities, or their habitats, therefore determining if a Species Impact Statement is required.

The appropriate provisions prescribed in Section 94 are identical to those found in the EP&A Act and have been discussed in s. 5.2.2 of this report.

5.4 NSW Fisheries Management Act 1994

The *Fisheries Management Act 1994* (FM Act) aims to protect fish and fish stocks and protect threatened species, populations and ecological communities of fish and marine vegetation. No habitat suitable for utilisation by any species listed under the FM Act occurs on or adjacent to the Site and therefore assessment under the provisions of Section 220ZZ of the *Fisheries Management Act 1994* has not been undertaken.

5.5 Local Land Services Act 2013

The *Local Land Services Act* (LLS Act), as amended by the *Local Land Services Amendment Act 2016* (LLSA Act), provides a new regulatory framework for the management of native vegetation in NSW.

The relevant provisions concerning native vegetation are detailed in Part 5A Land Management (native vegetation). The LLS Act regulates clearing of native vegetation in rural areas. As noted previously (s. 5.2.4) the Vegetation SEPP instead applies to the R5 - Large Lot Residential zone.

Accordingly, since the proposal occurs on land zoned R5 - Large Lot Residential to (CVLEP 2011) the provisions of the LLS Act do not apply.



5.6 Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth mechanism for national environment protection and biodiversity conservation is the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act provides for:

- Identification and listing of Threatened Species and Threatened Ecological Communities;
- Development of Recovery Plans for listed species and ecological communities;
- Recognition of Key Threatening Processes; and where appropriate; and
- Reducing these processes through Threat Abatement Plans.

The EPBC Act states that a person must not, without approval under the act, take an action that has or will have, or is likely to have a significant impact on a matter of National Environmental Significance (NES). NES matters include:

- The world heritage value of a declared World Heritage property;
- The national heritage value of a National Heritage Place;
- The ecological character of a declared Ramsar wetland;
- An action in a Commonwealth Marine Area;
- A Threatened Ecological Community listed under the Act;
- A Threatened Species listed under the Act; and
- A Migratory Species listed under the Act.

The EPBC Act also identifies a number of Other Matters it protects. These include:

- Commonwealth Lands;
- Commonwealth Heritage Places;
- Places on the Register of the National Estate;
- Listed Marine Species;
- Whales and other Cetaceans;
- Critical Habitats, and
- Commonwealth Reserves.

Table 3 summarises the assessment of the proposed rezoning with regard to NES and Other Matters listed under the EPBC Act, based on a search using the Protected Matters Search tool within 1km of the Site.

Table 3. Assessment of Impacts on NES and Other Matters as Described in the EPBC Act

| Matter | Impact | Comment |
|--|-----------------|---|
| National Environmental Significance | | |
| World Heritage Properties | None | The Site is not a recorded World Heritage Property and none are listed as occurring within 1 km of the Site. |
| National Heritage Places | None | The Site is not a recorded National Heritage Place and none are recorded within 1 km of the Site. |
| Ramsar Sites | None | The Site is not a Ramsar wetland, or located within 1 km of a Wetland of International Significance. |
| Commonwealth Marine Areas | None | The Site is not a Commonwealth Marine Area, or located within 1 km of a Commonwealth Marine Area. |
| Threatened Ecological Communities | None | The results from the EPBC Act Protected Matters Report indicate that one Threatened Ecological Community, Lowland Rainforest of Subtropical Australia, may occur within a 2 km radius of the site. The results of the Site inspection indicate this community does not occur on the Site and has not been detected in the locality. |
| Threatened Species | Not Significant | The results from the EPBC Act Protected Matters Report indicate that 21 threatened species may occur within a 2 km radius of the Site. The |



| Matter | Impact | Comment |
|------------------------------|-----------------|---|
| | | EPBC listed species which appeared in the <i>NSW Wildlife Atlas</i> are listed on Tables 1 & 2 The requirement to assess those species, which might utilise the Site on an opportunistic basis and are listed under the <i>TSC Act 1995</i> is addressed with regard to the TSC Act in s.5.3. The preliminary impact assessment undertaken in s.6 notes that the proposal is unlikely to have a significant impact these species, provided that the recommended management measures listed in s.6.2 are implemented in future Development Applications |
| Migratory Species | Not Significant | A search of the Protected Matters database indicates that habitat for 13 migratory species may occur in the vicinity of the Site |
| Other | | |
| Commonwealth Land | None | The proposal is not on Commonwealth Land |
| Commonwealth Heritage Places | None | No Commonwealth Heritage Places occur recorded within 1 km of the Site. |
| Places on the RNE | None | The Site is not a Place on the RNE |
| Marine Species | None | The proposal is unlikely to result in any potential impacts to any marine species |
| Whales and Cetaceans | None | No species of Whales and Cetaceans may occur in proximity to the Site |
| Critical habitats | None | There are no Critical Habitats recorded at, or within 1 km of the Site |
| Commonwealth Reserves | None | There are no Commonwealth Reserves recorded at, or within 1 km of the Site |

Table 3 demonstrates that the proposed development is unlikely to have a significant impact on NES or Other Matters as described under the EPBC Act. Therefore, referral to the Minister for the Environment for future approval is unlikely.



6. Impact Assessment

6.1 Discussion of Constraints

Native vegetation present on Site does not include any threatened flora species, populations or EECs.

Threatened fauna species habitat is restricted to foraging resources and to the occurrence of 'potential' Koala habitat only. Nevertheless, although the identified ecological features found at or in proximity of the Site are limited, they still provide potential constraints to the future development of the Site. The actual constraints presented and, if required, the means to mitigate potential future development impacts on these identified ecological features are discussed as follows.

Native vegetation and associated fauna habitat at the Site is essentially limited to the occurrence of planted and regrowth/remnant trees. Utilisation of these trees by native fauna, in particular threatened fauna species is considered to be very limited.

Koala usage of the Site is 'low' based on the results of the SAT surveys undertaken, and information provided by neighbours and golf course staff. Potential exists for Koalas to utilise the regrowth/remnant open forest/woodland that occurs in the south-west portion of the Site, more so than the remainder of the Site. This habitat extends down an ephemeral drainage line to the creek along the southern boundary of the golf course where Koalas are occasionally sighted by golfers. This habitat supports Forest Red Gums which are likely to be one of the primary food trees being utilised by Koalas in the locality. It should be noted that the Tallowwood, which is the other 'primary' food tree that occurs commonly on the Site, does not occur naturally in the locality. The results of the SAT survey undertaken for this investigation indicates the Tallowwood receive very limited visitation by Koalas, which is potentially a result of the nutrient deficient substrate. Therefore, based on the results of the SAT survey, Tallowwood at the Site do not appear to be an important food source for Koalas in the area.

The central row of trees that occur through the middle of the Site generally comprises a planted windrow of Tallowwood, although several other species do occur. As discussed above, although Tallowwood are recognised as a 'primary feed tree' for Koalas, the Tallowwood on the Site do not appear to be utilised by Koalas. In this regard, the loss of the windrow of Tallowwood is not considered significant, particularly with consideration of the extent of remnant forest available to Koalas throughout the remainder of the Golf Course.

Areas of the remnant/regrowth open forest/woodland that occurs on the slope in the south-west of the Site will be directly affected by the Proposal. The number of mature trees to be cleared from this area however should be minimised so as to maximise the number of trees available in this portion of the Site for use by Koalas. The maintenance of access for Koalas to trees in this area of the Site would be beneficial; hence, if a boundary fence or other infrastructures are to be installed in the future, consideration should be given to designs that allow free Koala movement.

Where native trees are required to be removed in the future from the Site, consideration should be given to maintaining remnant and regrowth trees such as Forest Red Gum, Grey Box and Spotted Gum over the planted trees such as Tallowwood and Ironbark.

Potential exists for Grey Crowned Babblers to nest within the Site; however, similar habitat occurs throughout the Golf Course and adjoining land, which is just as likely to be utilised by the species. The grassland area and scattered trees at the Site and around the golf course generally, appears to offer suitable foraging habitat for this threatened woodland bird species. As noted in s.4.2.2, a pair of Grey Crowned Babblers happily nests in the carpark to the north of the clubhouse and are unperturbed by the movement of cars and people using the carpark.



Potential impacts on the grassland habitat at the Site are considered minimal. To some degree this habitat will remain available to native fauna, particularly on the larger lots, as boundary fences do not appear to have been used widely in the adjoining residential areas. Regardless, areas of open grassland are very common elsewhere throughout the golf course, and also occur widely on land throughout the locality.

6.2 Recommendations

In summary, the following measures are recommended to mitigate potential future development impacts on the identified ecological features found at or in proximity of the Site:

1. Further detailed assessment is undertaken once the aged care facility plans are developed and consultation with Council (or relevant consent authority) undertaken to clarify the applicability of the biodiversity assessment requirements for this proposal
2. During the design stage consideration should be made to minimise removal of native trees at the Site generally (where possible), in particular remnant/regrowth trees comprising Forest Red Gum, Grey Box and Spotted Gum. Opportunities to retain native vegetation will present in particular along Bent Street (but still allowing for access) and along the south and southwestern boundaries of future Lot 1
3. If trees are required to be removed, preference should be given to the removal of non-endemic Slash Pines and planted trees such as Tallowwood and Ironbark
4. If infrastructure or fencing is to be installed along the western edge of the Site, consideration should be given to the design (where possible) so as to maximise the potential for this area to be utilised by Koalas for moving north and south.

Provided that the mitigation measures outlined above are implemented, the aged care facility as proposed is unlikely to have a significant effect on locally occurring threatened species, populations and EECs.

Thus this preliminary assessment has found that the development concerned is not likely to have an adverse effect on the environment and would not cause any unacceptable risks to the land. In any case, the impact of future development at Site on biodiversity values is considered to be low regardless of development type and does not prevent the issuing of an SCC.

7. Summary & Conclusion

Land & Fire Assessments Pty Ltd (LFA) has been commissioned by Croft Developments P/L for Signature Care to review a Flora and Fauna Assessment undertaken in 2015 by LFA to inform the preparation of a Site Compatibility Certificate (SCC) application for Aged Care Facility on Part Lot 400 DP1153969, 425 Bent Street, South Grafton, NSW. It is submitted that:

- No threatened flora species, populations or Endangered Ecological Communities occur on the Site.
- Native vegetation comprises 'potential' Koala habitat based on the occurrence of a total of >15% of trees in the upper or lower strata of the tree component. **However, the preliminary review of the criteria contained in SEPP 44 has been addressed and a Koala Management Plan is not deemed required.** This will however need to be reviewed at the Development Application stage.
- Five SAT plots were undertaken comprising searches for koala faecal pellets under 150 trees (approx. 90% of trees at the Site with a dbh>10cm). One faecal pellet was found in each of two SAT plots, indicating 'low use' Koala activity level.
- Based on SAT plot results, distribution of remnant vegetation communities/corridors and information provided by neighbours and golf course staff, Koala usage of trees at the Site appears to be limited to the remnant/regrowth open forest/woodland in the south-west of the Site.
- One scat was found under one of the 59 Tallowwood trees surveyed. Consequently, it has been established that Tallowwood trees at the Site receive very limited visitation by Koalas, which is potentially a result of the nutrient deficient substrate.
- Fauna habitat at the Site is restricted to foraging resources for more mobile species. Significant habitat features such as tree hollows are not found on Site.
- An Assessment of Significance (7-part test) for all threatened flora and fauna with potential to utilise the Site, with regard to the provisions of Section 5AA of the EP&A Act, will need to be undertaken once detailed and specific development plans are prepared. However, provided that the mitigation measures outlined in s. 6 are implemented, the aged care facility as proposed is unlikely to have a significant effect on locally occurring threatened species, populations and EECs.
- A preliminary impact assessment has been undertaken in s. 6 and a number of mitigating/management measures have been put forward (refer to s. 6.1 & 6.2). Provided that these recommendations are implemented as part of future development proposal for the Site, the assessment findings do not preclude the granting of a Site Compatibility Certificate.
- The proposed development is unlikely to have a significant impact on NES or Other Matters as described under the EPBC Act. Therefore, referral to the Minister for the Environment for future approval is unlikely.

In conclusion this preliminary assessment has found that the development concerned is not likely to have an adverse effect on the environment and would not cause any unacceptable risks to the land.



References

Clarence Valley Council 2011, Clarence Valley Local Environmental Plan (CVLEP) 2011, Clarence Valley Council, Grafton, NSW.

Department of Sustainability, Environment, Water, Population and Communities (SEWPAC), 2013, EPBC Act Protected Matters Search Tool. <http://www.environment.gov.au/epbc/pmst/index.html>. Accessed 29nd April 2015.

Land & Fire Assessments Pty Ltd (LFA) 2015, *Flora and Fauna Assessment For Proposed Rezoning of Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW*, Report dated May 2015.

NSW Department of Urban Affairs and Planning (DUAP), 1995, *State Environmental Planning policy No. 44 – Koala Habitat Protection, Circular No. B35*, NSW Department of Urban affairs and Planning, Sydney, New South Wales.

NSW Office of Environment and Heritage (NSW OEH) 2015, *NSW Office of Environment and Heritage Wildlife Atlas*. http://www.environment.nsw.gov.au/atlaspublicapp/UI_Modules/ATLAS_/atlasreport.aspx. Accessed 29th April 2015.

Phillips and Callaghan, 2008, *The Spot assessment Technique: a toll for determining levels of localised habitat use by Koalas Phascolarctos cinereus*, Australian Koala Foundation, Brisbane Queensland.



Appendices

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Appendix A – Flora Species List

| Family | Scientific Name | Common Name |
|------------------|---|------------------------|
| ASTERACEAE | <i>Bidens pilosa</i> * | Farmers Friends |
| ASTERACEAE | <i>Ageratum houstonianum</i> * | Blue Billy Goat Weed |
| BIGNONIACEAE | <i>Pandorea pandoreana</i> | Wonga Wonga Vine |
| CASUARINACEAE | <i>Allocasuatina littoralis</i> | Black She-oak |
| COMMELINACEAE | <i>Commelina benghalensis</i> * | Hairy Commelina |
| CONVOLVULACEAE | <i>Ipomoea cairica</i> * | Coastal Morning Glory |
| DENNSTAEDTIACEAE | <i>Pteridium esculentum</i> | Bracken |
| FABACEAE | <i>Glycine sp.</i> | Glycine |
| LAURACEAE | <i>Cinnamomum camphora</i> ⁴ | Camphor Laurel |
| LOBELIACEAE | <i>Pratia purperescens</i> | White Root |
| LUZURIAGACEAE | <i>Eustruphus latifolius</i> | Wombat Berry |
| LUZURIAGACEAE | <i>Geitonoplesium cymosum</i> | Scrambling Lily |
| MYRTACEAE | <i>Callistemon linearifolius</i> | Bottlebrush |
| MYRTACEAE | <i>Callistemon salignus</i> | Weeping Bottlebrush |
| MYRTACEAE | <i>Corymbia intermedia</i> | Pink Bloodwood |
| MYRTACEAE | <i>Corymbia henryi</i> | Spotted Gum |
| MYRTACEAE | <i>Eucalyptus microcorys</i> | Tallowwood |
| MYRTACEAE | <i>Eucalyptus moluccana</i> | Grey Box |
| MYRTACEAE | <i>Eucalyptus siderophloia</i> | Ironbark |
| MYRTACEAE | <i>Eucalyptus tereticornis</i> | Forest Red Gum |
| MYRTACEAE | <i>Melaleuca quinquenervia</i> | Broad-leaved Paperbark |
| PINACEAE | <i>Pinus elliotii</i> * | Slash pine |
| POACEAE | <i>Andropogon virginicus</i> * | Whiskey grass |
| POACEAE | <i>Chloris gayana</i> * | Rhodes Grass |
| POACEAE | <i>Imperata cylindrica</i> | Bladey Grass |
| POACEAE | <i>Sporobolus sp.</i> * | a grass |
| POACEAE | <i>Paspalum dilatatum</i> * | Paspalum |
| POACEAE | <i>Melinis repens</i> * | Red Natal Grass |
| SOLANACEAE | <i>Solanum mauritianum</i> | Tobacco Bush |
| VERBENACEAE | <i>Lantana camara</i> ⁴ | Lantana |
| VERBENACEAE | <i>Verbena bonariensis</i> | Purpletop |

Key:

* non-endemic and or environmental weed

4 Class 4 *Noxious Weeds Act 1993*: Plants that pose a potentially serious threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.



Appendix B – Fauna Species List

| Group | Scientific Name | Common Name | Status |
|---------|---------------------------------|-----------------------|----------------------|
| Aves | <i>Gymnorhina tibicen</i> | Australian Magpie | - |
| | <i>Platycercus eximius</i> | Eastern Rosella | - |
| | <i>Eolophus roseicapillus</i> | Galah | - |
| | <i>Pomatostomus temporalis</i> | Grey-crowned Babbler | Vulnerable (TSC Act) |
| | <i>Grallina cyanoleuca</i> | Magpie-lark | - |
| | <i>Manorina melanocephala</i> | Noisy Minor | - |
| | <i>Anas superciliosa</i> | Pacific Black Duck | - |
| | <i>Trichoglossus haematodus</i> | Rainbow Lorikeet | - |
| | <i>Corvus orru</i> | Torresian Crow | - |
| Mammals | <i>Macopus gigantus</i> | Eastern Grey Kangaroo | - |
| | <i>Gymnorhina tibicen</i> | Australian Magpie | - |



Appendix C – SAT Plot Data

| SAT 1 | Easting: 492232.37 m E | Northing: 6710909.32 m S | |
|---------|------------------------|--------------------------|-----------------------------|
| Tree No | Species | Size (dbh) (cm) | Occurrence of Faecal Pellet |
| 1 | Ironbark | 31 | x |
| 2 | Spotted Gum | 34 | x |
| 3 | Spotted Gum | 34 | x |
| 4 | Ironbark | 37 | x |
| 5 | Spotted Gum | 24 | x |
| 6 | Tallowwood | 30 | ✓ |
| 7 | Spotted Gum | 27 | x |
| 8 | Spotted Gum | 25 | x |
| 9 | Spotted Gum | 32 | x |
| 10 | Tallowwood | 17 | x |
| 11 | Spotted Gum | 23 | x |
| 12 | Tallowwood | 17 | x |
| 13 | Ironbark | 25 | x |
| 14 | Spotted Gum | 45 | x |
| 15 | Tallowwood | 25 | x |
| 16 | Tallowwood | 30 | x |
| 17 | Tallowwood | 30 | x |
| 18 | Spotted Gum | 36 | x |
| 19 | Tallowwood | 30 | x |
| 20 | Tallowwood | 30 | x |
| 21 | Tallowwood | 30/16 | x |
| 22 | Ironbark | 25 | x |
| 23 | Spotted Gum | 38 | x |
| 24 | Tallowwood | 24 | x |
| 25 | Spotted Gum | 43 | x |
| 26 | Tallowwood | 21 | x |
| 27 | Spotted Gum | 32 | x |
| 28 | Spotted Gum | 16 | x |
| 29 | Spotted Gum | 38 | x |
| 30 | Ironbark | 24 | x |



| SAT 2 | Easting: 492083.53 m E | Northing: 6710849.31 m S | |
|---------|------------------------|--------------------------|-----------------------------|
| Tree No | Species | Size (dbh) (cm) | Occurrence of Faecal Pellet |
| 1 | Spotted Gum | 28 | x |
| 2 | Spotted Gum | 38 | x |
| 3 | Ironbark | 18 | x |
| 4 | Spotted Gum | 18 | x |
| 5 | Tallowwood | 28 | x |
| 6 | Spotted Gum | 27 | x |
| 7 | Spotted Gum | 24 | x |
| 8 | Spotted Gum | 32 | x |
| 9 | Spotted Gum | 30 | x |
| 10 | Spotted Gum | 21 | x |
| 11 | Tallowwood | 21 | x |
| 12 | Spotted Gum | 28 | x |
| 13 | Spotted Gum | 40 | x |
| 14 | Ironbark | 24 | x |
| 15 | Spotted Gum | 37 | x |
| 16 | Spotted Gum | 33 | x |
| 17 | Spotted Gum | 37 | x |
| 18 | Tallowwood | 20 | x |
| 19 | Spotted Gum | 36 | x |
| 20 | Spotted Gum | 30 | x |
| 21 | Ironbark | 34 | x |
| 22 | Spotted Gum | 37 | x |
| 23 | Spotted Gum | 20 | x |
| 24 | Spotted Gum | 30 | x |
| 25 | Spotted Gum | 36 | x |
| 26 | Spotted Gum | 30 | x |
| 27 | Spotted Gum | 45 | x |
| 28 | Spotted Gum | 32 | x |
| 29 | Spotted Gum | 25 | x |
| 30 | Spotted Gum | 25 | x |



| SAT 3 | Easting: 492162.40 m E | Northing: 6710748.76 m S | |
|---------|------------------------|--------------------------|-----------------------------|
| Tree No | Species | Size (dbh) (cm) | Occurrence of Faecal Pellet |
| 1 | Forest Red Gum | 110 | √ |
| 2 | Spotted Gum | 700 | x |
| 3 | Grey Box | 700 | x |
| 4 | Broad-leaved Paperbark | 34/12/24 | x |
| 5 | Tallowwood | 30 | x |
| 6 | Tallowwood | 30/30 | x |
| 7 | Tallowwood | 40 | x |
| 8 | Tallowwood | 30 | x |
| 9 | Tallowwood | 27 | x |
| 10 | Forest Red Gum | 27 | x |
| 11 | Spotted Gum | 90 | x |
| 12 | Grey Box | 40 | x |
| 13 | Grey Box | 48 | x |
| 14 | Spotted Gum | 60 | x |
| 15 | Tallowwood | 34 | x |
| 16 | Spotted Gum | 80 | x |
| 17 | Spotted Gum | 20 | x |
| 18 | Grey Box | 12 | x |
| 19 | Spotted Gum | 12 | x |
| 20 | Spotted Gum | 15 | x |
| 21 | Grey Box | 70 | x |
| 22 | Grey Box | 13 | x |
| 23 | Grey Box | 13 | x |
| 24 | Forest Red Gum | 60 | x |
| 25 | Grey Box | 14 | x |
| 26 | Spotted Gum | 26 | x |
| 27 | Spotted Gum | 26 | x |
| 28 | Spotted Gum | 18 | x |
| 29 | Grey Box | 40 | x |
| 30 | Grey Box | 28 | x |



| SAT 4 | Easting: 492166.00 m E | Northing: 6710817.00 m S | |
|---------|------------------------|--------------------------|-----------------------------|
| Tree No | Species | Size (dbh) (cm) | Occurrence of Faecal Pellet |
| 1 | Spotted Gum | 100 | x |
| 2 | Tallowwood | 30 | x |
| 3 | Tallowwood | 23 | x |
| 4 | Tallowwood | 29 | x |
| 5 | Tallowwood | 26 | x |
| 6 | Tallowwood | 30 | x |
| 7 | Forest red Gum | 38 | x |
| 8 | Tallowwood | 28 | x |
| 9 | Tallowwood | 33 | x |
| 10 | Tallowwood | 22 | x |
| 11 | Spotted Gum | 50 | x |
| 12 | Tallowwood | 28 | x |
| 13 | Tallowwood | 28 | x |
| 14 | Tallowwood | 26 | x |
| 15 | Tallowwood | 23 | x |
| 16 | Tallowwood | 26 | x |
| 17 | Tallowwood | 12/12/2014 | x |
| 18 | Tallowwood | 25/16 | x |
| 19 | Tallowwood | 22 | x |
| 20 | Tallowwood | 23/21/22 | x |
| 21 | Forest red Gum | 29 | x |
| 22 | Spotted Gum | 42 | x |
| 23 | Tallowwood | 46 | x |
| 24 | Tallowwood | 24 | x |
| 25 | Tallowwood | 37 | x |
| 26 | Forest red Gum | 60 | x |
| 27 | Tallowwood | 22 | x |
| 28 | Tallowwood | 23/28 | x |
| 29 | Tallowwood | 22/21 | x |
| 30 | Tallowwood | 30 | x |



| SAT 5 | Easting: 492259.00 m E | Northing: 6710857.00 m S | |
|---------|------------------------|--------------------------|-----------------------------|
| Tree No | Species | Size (dbh) (cm) | Occurrence of Faecal Pellet |
| 1 | Tallowwood | 20 | x |
| 2 | Tallowwood | 20/30 | x |
| 3 | Tallowwood | 18 | x |
| 4 | Tallowwood | 23/14 | x |
| 5 | Tallowwood | 20/20 | x |
| 6 | Tallowwood | 22 | x |
| 7 | Tallowwood | 20 | x |
| 8 | Spotted Gum | 45 | x |
| 9 | Bloodwood | 18/50/22 | x |
| 10 | Willow Bottlebrush | 15 | x |
| 11 | Tallowwood | 23 | x |
| 12 | Tallowwood | 23 | x |
| 13 | Spotted Gum | 110 | x |
| 14 | Tallowwood | 16 | x |
| 15 | Tallowwood | 30 | x |
| 16 | Tallowwood | 22/17/35 | x |
| 17 | Tallowwood | 26/01/1900 | x |
| 18 | Tallowwood | 27 | x |
| 19 | Tallowwood | 26 | x |
| 20 | Tallowwood | 29 | x |
| 21 | Tallowwood | 22 | x |
| 22 | Tallowwood | 45 | x |
| 23 | Tallowwood | 37 | x |
| 24 | Tallowwood | 24 | x |
| 25 | Tallowwood | 14/13 | x |
| 26 | Tallowwood | 60 | x |
| 27 | Tallowwood | 32 | x |
| 28 | Tallowwood | 32 | x |
| 29 | Tallowwood | 32 | x |
| 30 | Tallowwood | 24/27 | x |



ATTACHMENT 7

BUSHFIRE ASSESSMENT

LAND & FIRE ASSESSMENTS P/L – 16TH FEBRUARY, 2018



Land & Fire Assessments Pty Ltd

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BUSHFIRE ASSESSMENT

**For Proposed Aged Care Facility
Site Compatibility Certificate
On Part Lot 400 DP1153969,
425 Bent Street,
SOUTH GRAFTON, NSW**



Prepared By: Paola Rickard
BPAD – Level 3 Accredited Practitioner – BPAD-21855
Land & Fire Assessments Pty Ltd
For: Croft Developments P/L for Signature Care
Project No.: LFA15007.X2
Date: 16 February 2018

Disclaimer

Land & Fire Assessments Pty Ltd (LFA) have conducted work concerning the environmental status of the site, which is the subject of this report, and has prepared this report on the basis of that assessment. The work was conducted, and the report has been prepared, in response to specific instructions from the client or a representative of the client and in reliance on certain data and information made available to LFA. The analysis, evaluations, opinions and conclusions presented in this report are based on that information, and they could change if the information is in fact inaccurate or incomplete.

Due consideration has been given to site conditions and to appropriate legislation and documentation available at the time of preparation of the report. As these elements are liable to change over time, the report should be considered current at the time of preparation only. Should further information become available regarding the conditions at the site, LFA reserves the right to review the report in the context of the additional information. LFA has made no allowance to update this report and has not taken into account events occurring after the time its assessment was conducted.

This report is intended for the sole use of the client and only for the purpose for which it was prepared. Any representation contained in the report is made only to the client unless otherwise noted in the report. Any third party who relies on this report or on any representation contained in it does so at his or her own risk

Revision List

| Revision No. | Revision Date | Report Title | Report Author | Field Survey By | Status |
|--------------|---------------|---|--|-----------------|------------------|
| 01 | 11.05.15 | Bushfire Constraint Assessment For Proposed Rezoning of Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW | Main Author: Paola Rickard (LFA - Senior Environmental Planner & BPAD – Level 3 Accredited Practitioner – no. BPAD-21855) | Paola Rickard | Final |
| 02D | 01.02.18 | Bushfire Assessment For Proposed Aged Care Facility Site Compatibility Certificate On Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW | | | Draft for review |
| 02 | 16.02.18 | | | | Final |

LFA contact details: Paola Rickard: 0427 809 352 and Tony Coyle: 0427 483 099



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1. Introduction

1.1 Background

This Bushfire Assessment report has been prepared by Land & Fire Assessments Pty Ltd (LFA) in accordance with the relevant provisions of Planning for Bushfire Protection 2006 (PBP) (RFS 2006) on behalf of Croft Developments P/L for Signature Care to inform the preparation of a Site Compatibility Certificate (SCC) application for Aged Care Facility on Part Lot 400 DP1153969, 425 Bent Street, South Grafton, NSW (refer to Figs. 1, 2, 3 & 4).

The addressing of bushfire protection measures is required because:

- The site contains land designated as 'Vegetation Categories 1' and 'Buffer' on the Clarence Valley Council Bushfire Prone Land Map, hence the site occurs on bushfire prone land (refer Fig. 1); and
- Future development proposed for the site is considered a 'high risk' development as it will involve a Special Fire Protection Purposes development.

Notably, LFA compiled a Bushfire Constraint Assessment in May 2015 as part of the rezoning submission of Part Lot 400 DP1153969. The rezoning proposal of the land in question to R5 Large Lot Residential was successful and the planning proposal was gazetted on 4th August 2017.

The assessment work undertaken by LFA in May 2015 is still relevant. Thus this current assessment will revisit the site assessment findings as they apply to the SCC application. When submitting a SCC application it is required to ensure that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable risks to the land. Accordingly, review of bushfire management provisions requirements are important considerations in the preparation of the SCC application.

Importantly, aged care facilities are treated differently in PBP and falls into the classification of Special Fire Protection Purposes (SFPP) developments. SFPP developments requires greater setback from hazardous vegetation (i.e. Asset Protection Zone or APZ). In fact, BPB states that *'when it comes to SFPPs developments, there is more reliance on space around buildings (as defensible space and APZs for fuel load control) and less reliance on construction standards.'*

According to PBP, *'SFPP developments are highly dependent on suitable emergency evacuation arrangements, which require greater separation from bush fire threats.'* Accordingly, there is an added emphasis on access, greater APZ, and emergency and evacuation planning. It is also noted that under s. 91 of the *Environmental Planning and Assessment Act 1979* and s. 100B of the *Rural Fires Act 1997* a Bushfire Safety Authority (BFSa) is required from the Commissioner of the NSW Rural Fire Service (RFS) for SFPP developments.

In summary, this bushfire assessment report aims to ascertain whether the proposal can satisfy the broad aim and objective of PBP, the specific objectives for the development type, as well as the performance criteria for the various proposed Bushfire Protection Measures (BPMs) applicable to SFPP developments.

Thus this bushfire constraint assessment will identify elements (if any), which may restrict development or that will be impacted upon by development such as water supply, access and evacuation.



Bush fire Prone Map Printed On Tuesday, 17 March 2015

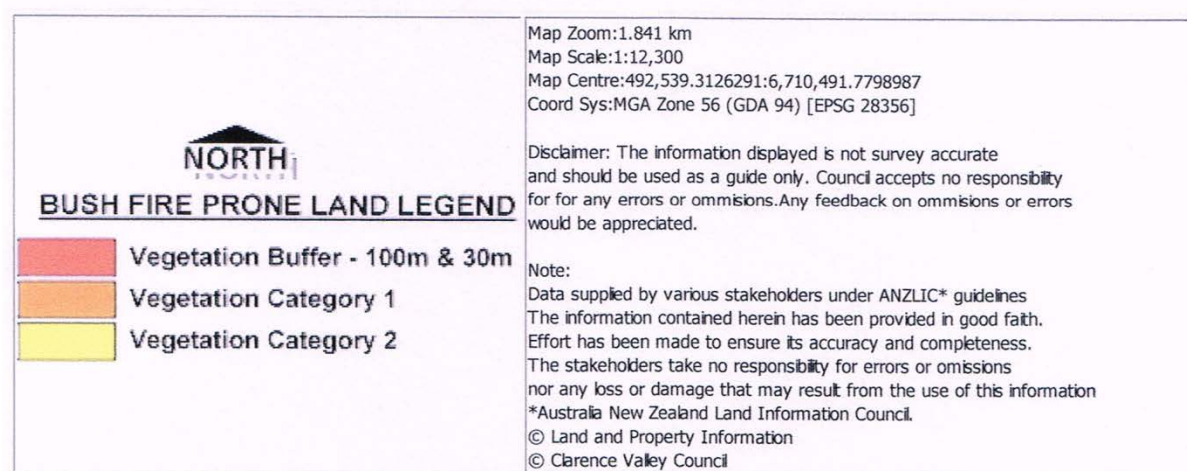
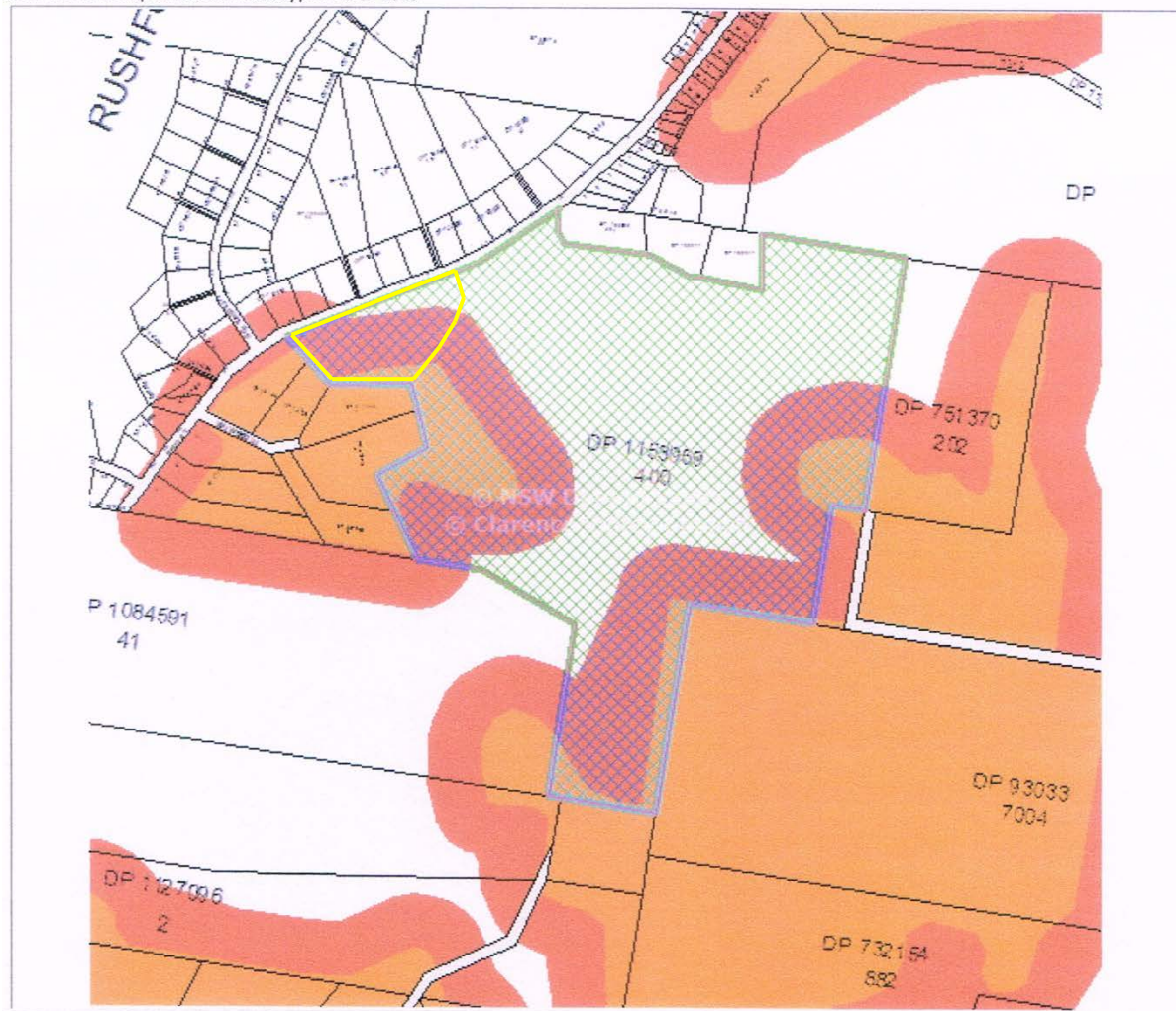


Figure 1. Bushfire mapping for the Subject Site (Yellow Boundary). Source: Clarence Valley Council, March 2015



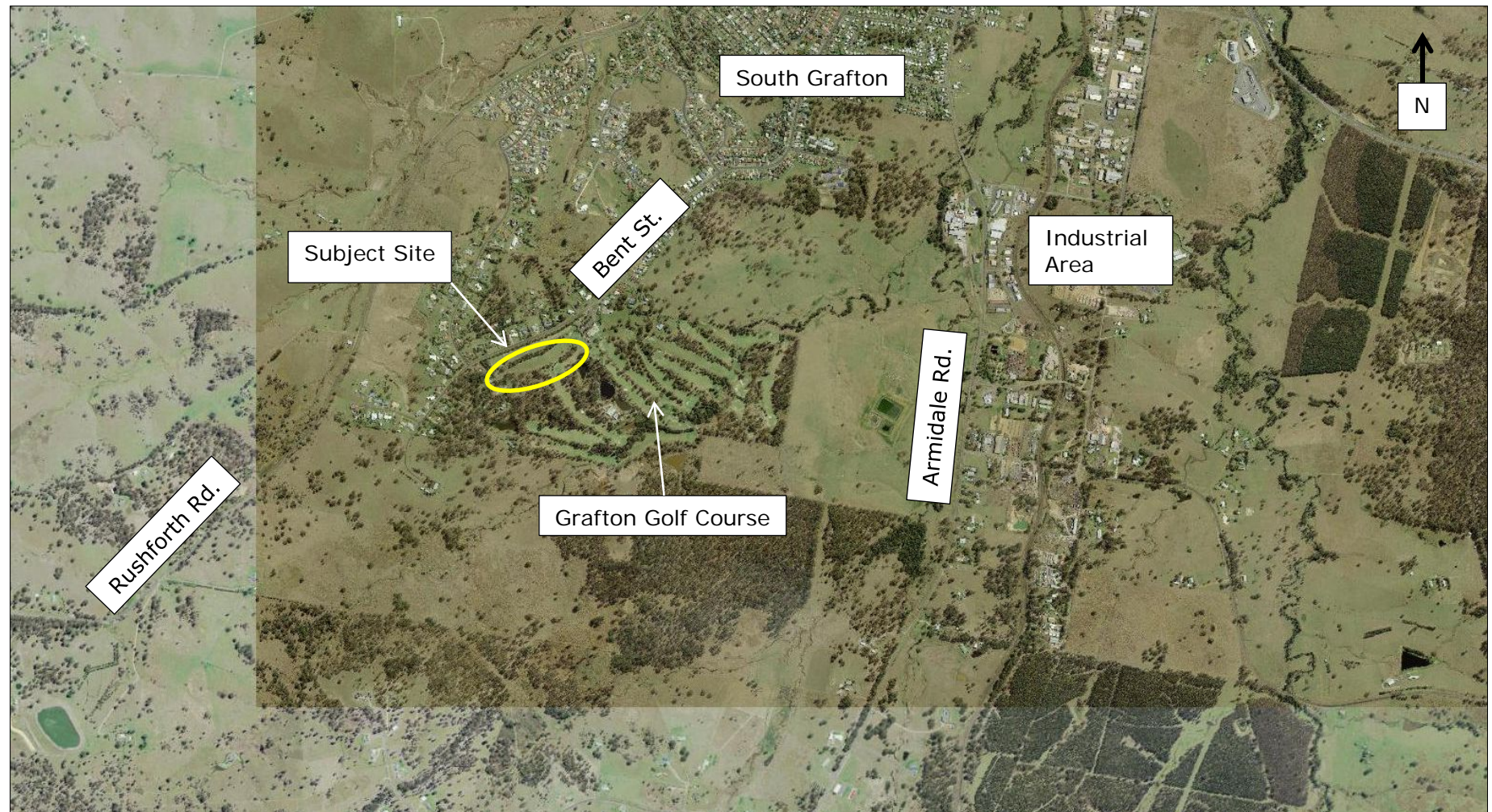


Figure 2. Locality plan and Subject Site. Source: <http://maps.six.nsw.gov.au/>



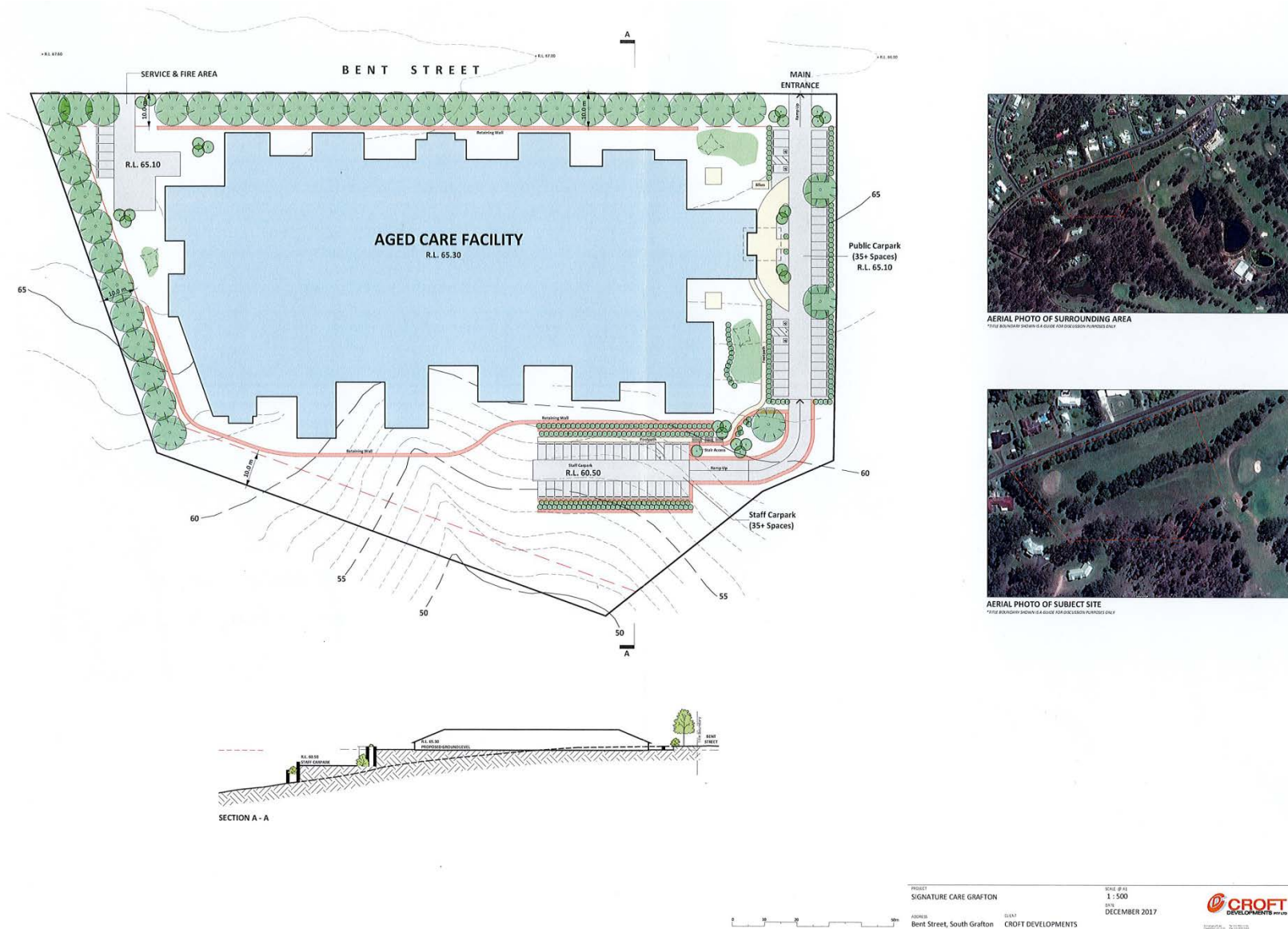


Figure 3. Close up of Lot 400 DP1153969 (Grafton Golf Course) and proposal site (i.e. the Subject Site). Source: <http://maps.six.nsw.gov.au/>



Figure 4. Approximate location (yellow boundary) of Part Lot 400 proposal site (i.e. the Subject Site) and slopes. Source: <http://maps.six.nsw.gov.au/>





1.2 The Subject Site

The Subject Site (or the Site) for the purpose of this assessment is Part Lot 400 DP1153969, 425 Bent Street, South Grafton NSW, as shown on Figs. 1-4. The remainder of Lot 400 is occupied by the Grafton District Golf Club (Figs. 2 & 3). The Site (Plate 1) occurs on the southern-western edge of South Grafton. Landuse in the general locality comprises large residential allotments and rural holdings. The Site is located in the Clarence Valley Council Local Government Area.

Native vegetation on the Site comprises linear strips of mature trees and shrubs that are found either side of two open grassland areas that comprised former fairways of the golf course. No structures are present within the proposal Site.

The Site is bound by Bent Street to the north, residential development to the west and the Grafton Golf Club to east and south and is zoned R5 - Large Lot Residential in the Clarence Valley Local Environmental Plan 2011.



Plate 1. Grafton District Golf Club grounds and approximate location of Subject Site - looking west

1.3 Proposed Development

The proposal involves the developing of Part Lot 400 DP1153969 or future Lot 1 (i.e. the Subject Site) which is shown on Figs. 3 & 4, as an Aged Care Facility as shown on Fig. 5.

However before such proposal could be considered it is required to prepare a Site Compatibility Certificate (SCC) application to NSW Planning to determine whether it would be possible to then lodge a subsequent Development Application for a proposed aged care facility. The SCC and the subsequent Development Application will be made under the SEPP (Housing for Seniors or People with a Disability) 2004. Notably, native vegetation found along Bent Street and along the south and southwestern boundaries of future Lot 1 is planned to be retained where possible.

Removal of native vegetation associated with the proposal would be limited to the removal of trees along the edge of the Site adjacent to Bent Street to allow the creation of driveway access points, and removal of vegetation (if required) associated with creating necessary asset protection zones for the SFPP proposal.

1.4 Site Topography and Slope

The majority of the proposal Site is flat, it then grades to a gentle slope to the south ranging from 3.55° to 8.5° as shown on Fig. 4. Elevations within the Subject Site range between approximately 60m AHD on the central portion of the Site to 50m AHD to the south.

1.5 Significant Environmental Features

Native vegetation present on Site does not include any threatened flora species, populations or Endangered Ecological Communities. Threatened fauna species habitat is restricted to foraging resources and to the occurrence of 'potential' Koala habitat only. Native vegetation and associated fauna habitat at the Site is essentially limited to the occurrence of planted and regrowth/remnant trees. Utilisation of these trees by native fauna, in particular threatened fauna species is considered to be very limited.

Koala usage of the Site is 'low' based on the results of the LFA (2015) survey undertaken, and information provided by neighbours and golf course staff. Potential exists for the threatened Grey Crowned Babblers to nest within the Site; however, similar habitat occurs throughout the Golf Course and adjoining land, which is just as likely to be utilised by the species. The grassland area and scattered trees at the Site and around the golf course generally, appears to offer suitable foraging habitat for this threatened woodland bird species. A pair of Grey Crowned Babblers happily nests in the carpark to the north of the clubhouse and are unperturbed by the movement of cars and people using the carpark.

The Site does not occur in proximity (5km radius) to a World Heritage Property, National Heritage Place, Wetland of International Significance, Commonwealth Marine Area or Commonwealth Heritage Place considered a Matter of National Significance under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

No searches have been conducted with regards to Aboriginal Cultural heritage sites or artefacts.

2. Risk Assessment and Consultant Qualifications

As noted in s. 1.2, the Site occurs within the manicured lawns (fairways) and planted windrows of the Grafton District Golf Club and it is surrounded by residential development. To the south west of the Site are scattered eucalyptus trees and woodland associated with residential properties. Beyond the scattered vegetation are predominantly cleared lands, as shown on Figs. 2 & 3. Therefore, the Site is considered to have a low bushfire risk.

This report has been prepared by Paola Rickard.

The Fire Protection Association Australia (FPA) **has in place the Bushfire Planning and Design Accreditation Scheme (BPAD), which is recognised by the NSW Rural Fires Services (RFS).** Paola Rickard is a **BPAD - Level 3 Accredited Practitioner** (Accreditation no. BPAD 21855) and is listed on the FPA Australia web site register.

BPAD- Level 3 Accredited Practitioner can perform the following:

- *BPAD- Level 3 Accredited Practitioner meet specific requirements in relation to identifying bushfire prone land, assessing potential bushfire impact, and submitting designs and plans, both deemed to satisfy and alternate solution, to meet the performance requirements of the Building Code of Australia and the specific state or territory legislation, for subdivisions, new buildings or modification to existing buildings aiming to minimise the risk to future developments, their occupants and responding emergency services from a bushfire event.*

Paola holds a **Graduate Diploma in Design for Bush Fire Prone Areas with Distinction** from the University of Western Sydney and is a **bronze corporate member of the Fire Protection Association Australia (FPA Australia).** She is a participating **member of the FPA Technical Advisory Committee (TAC) /20 Bushfire Safety.** The TAC provides a nationally focussed forum for discussion between practitioners, fire services and regulators on the design and construction of property in areas prone to bushfires.

Since 2015, Paola has been appointed as a **BPAD member to the NSW Bushfire Working Group (NSWBWG)** set up by FPA Australia. The NSWBWG provide a forum to discuss the application, interpretation and periodic review of NSW Government-based bushfire related regulatory requirements governing land use planning and building construction in areas subject to bushfire impact.

Paola also holds a **Bachelor Degree in Applied Science, a Certificate in Bushland Regeneration,** and is a member of the **Australian Association Bush Regenerators.** She has over 18 years of experience in flora surveys and vegetation management issues, and **has been undertaking bushfire assessments since 2003.**

Paola has attended the “NSW Consulting Planners Bushfire Training Course” in Sydney in 2003 and has attended the “Planning for Bushfire Protection Short Course” held by the University of Technologies (UTS) Sydney in 2007. She has obtained certification for the short course. In November 2010, Paola attended the “One-day Planning for Bushfire Prone Areas Update Course” conducted by the Centre for Local Government UTS, Sydney. Additionally, Paola has a ‘Basic Bush Fire Awareness’ certificate and has experience in fire control and planning while living on a rural land sharing community.

3. Site Vegetation and Classification

3.1 Site & Surrounding Vegetation

Vegetation at the Site consists of two rows (bounding the fairways) of planted trees comprising predominantly Slash Pine (*Pinus elliotii*), Tallowwood (*Eucalyptus microcorys*) and Ironbark (*E. siderophloia*). Callistemon and Melaleuca shrubs are planted intermittently amongst the trees. As the Site was previously the 10th and 11th holes of the golf course, groundcover is limited to maintained grassland (refer to Plates 2 to 7). Main vegetation communities are shown on Fig. 6.



Plates 2- 5 (Above clockwise). (2) Looking south west along central windrow. (3) looking west along central fairway. (4) looking east area - fairway between the two windrows. (5) looking south east

Plate 6 (right). Looking west along fairway and towards neighbouring houses



A number of large and small remnant trees also occur including Forest Red Gum (*E. tereticornis*), Spotted Gum (*Corymbia henryi*) and Grey Box (*E. moluccana*). The location of these trees generally coincides with the planted rows as described above. The southern portion of the Site comprises a moderate slope to the west that supports scattered remnant/regrowth open forest comprising Spotted Gum, Ironbark, Grey Box and Forest Red Gum. The understorey in this area contains a mixture of native and introduced grasses and weeds including Lantana (*Lantana camara*) and Farmers Friends (*Bidens pilosa*) (refer Plates 8 to 10). This vegetation is modified and open (as it is part of the managed Golf Course) and behaves more as Woodland.

Native vegetation in the locality comprises linear strips of trees and shrubs associated with fairways of the Grafton District Golf Course and scattered areas of remnant forest and woodland associated with rural and residential properties. The scattered remnant and regrowth native vegetation in the



locality comprises a loose corridor that connects more extensive areas of forest to the east and west of Grafton.



Plate 7. Looking east across central portion of Site from western boundary



Plate 8 (above). Looking north along western boundary- note neighbouring dwelling and landscaped garden

Plate 9 (right). Neighbouring dwelling to the south west



Plate 10. Looking north east from the southwestern corner of the Site





Figure 6. Close up of predominant vegetation at the Site



4. SFPP Bushfire Requirements

4.1 Introduction

Section 4.2 of PBP (RFS 2006) prescribes the planning controls for Special Fire Protection Purposes (SFPP) development. These are reproduced as follows:

The specific objectives for SFPP developments are to:

- provide for the special characteristics and needs of occupants. Unlike residential subdivisions, which can be built to a construction standard to withstand the fire event, enabling occupants and firefighters to provide property protection after the passage of fire, occupants of SFPP developments may not be able to assist in property protection. They are more likely to be adversely affected by smoke or heat while being evacuated.
- provide for safe emergency evacuation procedures. SFPP Developments are highly dependent on suitable emergency evacuation arrangements, which require greater separation from bush fire threats. During emergencies, the risk to firefighters and other emergency services personnel can be high through prolonged exposure, where door-to-door warnings are being given and exposure to the bush fire is imminent.

A bush fire emergency management plan should minimise risks to emergency services personnel and exits should be located away from the hazard side of a building. It is for this reason that setbacks for special fire protection purposes are larger than most normal residential buildings, as the radiant heat exposure can be unacceptable for emergency workers assisting residents in the open compared to being inside the building.

In all cases the intent and performance criteria of each BPM must be satisfied, as per the Performance Tables that follow (see section 4.2.7). Exceptional circumstances must be demonstrated for reductions in APZ (required by Appendix 2) or APZ on adjoining land (see section 3.3).

4.2.4 Matters for consideration for specific SFPPs

e) State Environmental Planning Policy (SEPP) – Seniors Living

The policy aims to increase the supply and diversity of housing to meet the needs of older people or people with a disability, while making efficient use of existing infrastructure and services. The policy does not apply to land described as ‘environmentally sensitive land’ which can include land identified as being bush fire prone land. Consequently SEPP Seniors Living proposals may not be permitted in these areas.

The nature of Seniors Living developments determines that a relatively less mobile residential population is present and, as such, creates difficulties when evacuation is required. These residents cannot generally be expected to defend the property from bush fire attack.

The consent authority is also required under the Policy to consider **additional matters** for SEPP Seniors Living developments in the vicinity of bush fire prone land and take into consideration the means of access to the general location and other relevant matters.

In these cases, the consent authority must also consult with the Commissioner of the RFS. The requirements on this type of development are of a higher order than other special fire protection purpose developments.

The specific requirements for SFPP development and the Seniors Living consideration prescribed in PBP 2006 (and reproduced above) will be addressed in the following sections by assessing the acceptable solution for each applicable BPMs as specified in s. 4.2.7 of PBP so to ensure that development is capable of complying with PBP.

Thus, this assessment will address the following:

- Asset Protection Zones/Separation Distance;
- Access - Internal Roads;
- Services; and
- Emergency and Evacuation Planning

4.2 Asset Protection Zones

4.2.1 General Requirement for Asset Protection Zones

Asset Protection Zones (APZs) are buffer areas between development and a fire hazard, which aim to protect human life and property. The APZ comprises an Inner Protection Area (IPA) and an Outer Protection Area (OPA). These areas are to be managed to reduce the bushfire hazard. The general requirements for APZs are described in Tables 1 and 2.

Table 1. Inner Protection Area (IPA) General Requirements

| Specifications and Management | |
|--------------------------------|--|
| Location | The IPA extends from the edge of the OPA to the development. |
| Purpose | Ensures that the presence of fuel, which could become involved in fire, is minimised. |
| Depth | Varies from 10 to 100 metres. |
| Fuel Loading | Minimum fine fuel at ground level, which could be set alight by bushfire. |
| Vegetation Requirements | Do not touch or overhang the building; Are well spread out and do not form a continuous canopy; Are not species that retain dead material or deposit excessive quantities of ground fuel in a short period; and Are located far enough away from the house so that they will not ignite the house by direct flame contact or radiated heat emissions. |
| Uses Within the Area | Tennis courts, swimming pools and gardens are permitted. Woodpiles, wooden sheds, combustible material storage areas, large quantities of garden mulch, stacked flammable building materials are not permitted. |
| Maintenance | This Area should be regularly mowed and all fuel removed e.g. fallen branches, leaf build-up. |

Table 2. Outer Protection Area (OPA) General Requirements

| Specifications and Management | |
|--------------------------------|--|
| Location | Located adjacent to the hazard. Originally the OPA would have formed part of the bushfire hazard but becomes an area where the fuel loadings are reduced. |
| Purpose | Reduction of fuel in this area substantially decreases the intensity of an approaching fire and restricts the pathway of crown fuels; reducing the level of direct flame, radiant heat and ember attack on the IPA. |
| Depth | Varies from 0 to 25 metres. |
| Fuel Loading | Fine fuel loads should be kept to a level where the fire intensity expected will not impact on adjacent developments. In the absence of any policy to the contrary, 8 tonnes per hectare of fuel is commonly used. In grasslands, fuel height should be maintained below 10 centimetres. |
| Vegetation Requirements | Any trees and shrubs should be maintained in such a manner that the vegetation is not continuous. |
| Maintenance | This Area should be regularly mowed and all excess fuels should be removed e.g. fallen branches, leaf build-up. |

4.2.2 Applicable Asset Protection Zones/Separation Distance

As noted, the predominant vegetation is manicured lawn within the Site, and to the east and south east. Planted windrows are also found as two rows within the Site. To the north is Bent Street and beyond it is Residential development. Residential development is also found to the west. The only area of scattered remnant vegetation is found to the south west. This vegetation is modified and open (as it is part of the managed Golf Course) and behaves more as Woodland. Thus, to the north, east, west and south east the Site is surrounded by residential development and managed/landscaped vegetation, which is classified as low threat vegetation and non-vegetation areas. The only classified vegetation, which is a potential bushfire hazard, is the Woodland from the south western corner.

Based on the predominant slope (7.8°- refer to Fig. 4) and the Classified Woodland vegetation, Appendix 2 of PBP requires a **60m wide APZ for SFPP developments**. **The APZ would apply from the southern western boundary of the proposal Site.**

As noted in s.1.1, SFPP developments requires greater setback from hazardous vegetation (i.e. Asset Protection Zone or APZ). In fact, BPB states that *'when it comes to SFPPs developments, there is more reliance on space around buildings (as defensible space and APZs for fuel load control) and less reliance on construction standards.'*

There is enough room to accommodate a 60m setback from the south western boundary. However it is noted that the current proposal shown on Fig. 5 would need to be revised to accommodate such APZ.

Still, final width of APZ could be reduced if the portions of the Woodland within the Golf Club grounds and to the south of the affected allotments were managed by keeping the undergrowth maintained and lower branches of trees pruned. **In any case, and assuming the SCC is issued, final APZ will be determined at the Development Application stage for the aged care facility.**

In addition, PBP (see s. 4.1) indicates that it could be possible to revise final APZ width provided that *'Exceptional circumstances must be demonstrated for reductions in APZ (required by Appendix 2) or APZ on adjoining land (see section 3.3)'*. **Early consultation with RFS at the design stage is recommended if the exceptional circumstances provisions are to be contemplated.**

A number of other provisions concerning APZ for SFPP development are specified in s.4.2.7 of PBP. For instance it is required to ensure that exits are located away from the hazard side on the 'building' and APZs are not located on slopes exceeding 18 degrees. Current layout would be able to comply with this requirement.

It is further required that mechanisms be in place to provide for the maintenance of the APZ over the life of the development and that APZ are managed and maintained to prevent the spread of a fire towards buildings. Similarly vegetation is to be managed to prevent flame contact and reduce radiant heat to buildings, minimise the potential for wind driven embers to cause ignition and reduce the effect of smoke on residents and fire-fighters. These requirements can easily be complied with and will be addressed at the DA stage.

In summary, the proposed development is capable of complying with the APZ requirements set in s.4.2.7 and Appendix 2 of PBP for SFPP developments.

4.3 Internal Roads

4.3.1 Public Roads

The Site is accessed from the north from Bent Street. Thus Bent Street complies with the relevant requirements of PBP which state that public roads should:

- Be two wheel drive;
- Be all weather;
- Be two way, that is, at least two traffic lane widths (8m minimum) with shoulders on each side, allowing traffic to pass in opposite directions.;
- Be limited in terms of the use of speed humps and chicanes to control traffic;
- Be through roads;
- Have sufficient capacity to carry fully loaded fire fighting vehicles;
- Have curves with a minimum inner radius of 6m and minimum distance between inner and outer curves of 6m;
- Not exceed a gradient of 10°;
- Have a minimum vertical clearance of 6m;
- Roads should provide sufficient width to allow fire fighting vehicle crew to work with fire fighting equipment about the vehicle;
- Be clearly sign posted; and
- Not traverse areas of inundation.

4.3.2 Internal Access Roads

The need for safe access for emergency services in case of a bushfire is paramount with this type of developments. PBP (RFS 2206) provides the following guidance for access road design:

- For internal roads, at least one alternative access road needs to be provided for individual dwellings or groups of dwellings more than 200 metres from a public through road. The routes of these roads should be selected to ensure that both roads are unlikely to be simultaneously cut by a fire.
- Short access roads are preferable to long ones for the safe evacuation of residents and for emergency service personnel. Therefore, dwellings should be sited as close as possible to public through roads. Large numbers of vehicles may be attempting to simultaneously enter or leave an area, congesting roads and restricting fire services and other emergency services personnel accessing an area. For this reason, roads should be planned for suitable widths to permit access into and out of the area during such situations.

Accordingly, design of appropriate access for the proposed aged care facility will need to comply with above guidance and the acceptable solutions to address performance criteria of s.4.2.7 of PBP, which are reproduced in Table 3.

Table 3. Performance criteria for internal roads (as per s.4.2.7 PBP)

| Performance Criteria | Acceptable Solutions |
|--|---|
| Internal road widths and design enable safe access for emergency services and allow crews to work with equipment about the vehicle | <ul style="list-style-type: none"> • internal roads are two-wheel drive, sealed, all-weather roads; • internal perimeter roads are provided with at least two traffic lane widths (carriageway 8 metres minimum kerb to kerb) and shoulders on each side, allowing traffic to pass in opposite directions; • roads are through roads. Dead end roads are not more than 100 metres in length from a through road, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end; • traffic management devices are constructed to facilitate access by |



| Performance Criteria | Acceptable Solutions |
|----------------------|--|
| | <p>emergency services vehicles.</p> <ul style="list-style-type: none"> • a minimum vertical clearance of four metres to any overhanging obstructions, including tree branches, is provided. • curves have a minimum inner radius of six metres and are minimal in number to allow for rapid access and egress. • the minimum distance between inner and outer curves is six metres. • maximum grades do not exceed 15 degrees and average grades are not more than 10 degrees. • crossfall of the pavement is not more than 10 degrees. • roads do not traverse through a wetland or other land potentially subject to periodic inundation (other than flood or storm surge). • roads are clearly sign-posted and bridges clearly indicate load ratings. • the internal road surfaces and bridges have a capacity to carry fully-loaded firefighting vehicles (15 tonnes). |

The proposed aged care facility design will need to demonstrate compliance with the measures prescribed in Table 3 and the applicable guidance principles. **Nevertheless, it is purported that internal access arrangements for the facility should be able comply with stated requirements.**

4.4 Water, Gas and Electricity Supply

Services are already available to the Site; any upgrades, which might be required for the provision of services to this development, will need to comply with acceptable solutions to address performance criteria of s.4.2.7 of PBP, which are reproduced in Table 4.

Table 4. Performance criteria for water, gas and electricity supply (as per s.4.2.7 PBP)

| Performance Criteria | Acceptable Solutions |
|---|--|
| <p>Reticulated water supplies</p> <p>Water supplies are easily accessible and located at regular intervals</p> | <ul style="list-style-type: none"> • access points for reticulated water supply to SFPP developments incorporate a ring main system for all internal roads. • fire hydrant spacing, sizing and pressures comply with AS 2419.1 – 2005. Where this cannot be met, the RFS will require a test report of the water pressures anticipated by the relevant water supply authority, once development has been completed. In such cases, the location, number and sizing of hydrants shall be determined using fire engineering principles. • the provisions of public roads in section 4.1.3 in relation to parking are met. |
| <p>Electricity Services</p> <p>Location of electricity services limits the possibility of ignition of surrounding bushland or the fabric of buildings.</p> | <ul style="list-style-type: none"> • electrical transmission lines are underground. |
| <p>Gas Services</p> <p>Location of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.</p> | <ul style="list-style-type: none"> • reticulated or bottled gas is installed and maintained in accordance with AS 1596 - 2002 and the requirements of relevant authorities. Metal piping is to be used. • all fixed LPG tanks are kept clear of all flammable materials and located on the non hazard side of the development. • If gas cylinders need to be kept close to the building, the release valves are directed away from the building and away from any combustible material, so that they do not act as a catalyst to combustion. Connections to and from gas cylinders are metal. • Polymer sheathed flexible gas supply lines to gas metres adjacent to buildings are not used. |



4.5 Emergency and Evacuation Planning

In acknowledgement of the fact that residents in aged care facilities are particularly vulnerable to the impacts of a bushfire and might not be able to readily evacuate it is required to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

Accordingly the provisions detailed on Table 5 concerning the preparation of an emergency and evacuation plan will need to be implemented as part of the proposal at the DA stage

Table 5. Performance emergency and evacuation planning (as per s.4.2.7 PBP)

| Performance Criteria | Acceptable Solutions |
|--|--|
| An Emergency and Evacuation Management Plan is approved by the relevant fire authority for the area. | <ul style="list-style-type: none"> an emergency/evacuation plan is prepared consistent with the RFS Guidelines for the Preparation of Emergency/Evacuation Plan. compliance with AS 3745-2002 'Emergency control organisation and procedures for buildings, structures and workplaces' for residential accommodation'. compliance with AS 4083-1997 'Planning for emergencies- for health care facilities'. <p><i>Note: The developer should provide a copy of the above document to the local Bush Fire Management Committee for their information prior to the occupation of any accommodation of a special fire protection purpose or community title subdivision.</i></p> |
| Suitable management arrangements are established for consultation and implementation of the emergency and evacuation plan. | <ul style="list-style-type: none"> an Emergency Planning Committee is established to consult with residents (and their families in the case of aged care accommodation and schools) and staff in developing and implementing an Emergency Procedures Manual. detailed plans of all Emergency Assembly Areas including "onsite" and "offsite" arrangements as stated in AS 3745- 2002 are clearly displayed, and an annual (as a minimum) trial emergency evacuation is conducted. |

5. Conclusion

This Bushfire Assessment report has been prepared by Land & Fire Assessments Pty Ltd in accordance with the relevant provisions of Planning for Bushfire Protection (PBP) behalf of Croft Developments P/L for Signature Care to inform the preparation of a Site Compatibility Certificate (SCC) application for Aged Care Facility on Part Lot 400 DP1153969, 425 Bent Street, South Grafton, NSW.

This assessment has used work undertaken by LFA as part of the rezoning submission of Part Lot 400 DP1153969 undertaken in 2015. When submitting a SCC application it is required to ensure that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable risks to the land. Accordingly, review of bushfire management provisions requirements are important considerations in the preparation of the SCC application.

The proposed Aged Care Facility is deemed Special Fire Protection Purposes (SFPP) developments. PBP (REF 2006) notes that *'SFPP developments are highly dependent on suitable emergency evacuation arrangements, which require greater separation from bush fire threats.'* Accordingly, there is an added emphasis on access, greater APZ, and emergency and evacuation planning.

Given the above, this bushfire assessment has looked at whether the proposal could be implemented while ensuring compliance with the relevant SFPP provisions specified in s. 4.2.7 of PBP. It has also identified any elements, which may restrict development or that will be impacted upon by development such as water supply, access and evacuation.

Particular attention will be required to comply with APZs and internal access road requirements.

It was calculate that a 60m wide APZ would be required from the southern western boundary of the proposal Site. There is enough room to accommodate this setback; however, the current proposal layout would need to be revised to accommodate such APZ. In any case, and assuming the SCC is issued, final APZ will be determined at the Development Application stage for the aged care facility. In addition it might also be possible to apply for exceptional circumstances for reductions in APZ or APZ on adjoining land. Early consultation with RFS at the design stage is recommended if the exceptional circumstances provisions are to be contemplated.

In conclusion, this assessment has found that the proposed aged care facility could be designed to comply with the acceptable solutions to address performance criteria specified in s.4.2.7 of PBP. Thus, there is no impediment to the issuing of the Site Compatibility Certificate in terms of meeting bushfire management provisions requirements for the proposal.

6. References

CFA 2004, *Living in the Bush – Bushfire Survival Plan Handbook*, CFA Headquarters, East Burwood, Victoria.

Keith, D. A. 2004, *Ocean Shores to Desert Dunes*, Department of Environment and Conservation (NSW), Hurstville NSW.

Queensland Government, 2000, *Protecting Your Home against Bushfire Attack*, Department of Communication and Information, Local Government, Planning and Sport.

Land & Fire Assessments Pty Ltd (LFA) 2015, *Bushfire Constraint Assessment For Proposed Rezoning of Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW*, Report dated May 2015.

Land & Fire Assessments Pty Ltd (LFA) 2015, *Flora and Fauna Assessment For Proposed Rezoning of Part Lot 400 DP1153969, 425 Bent Street, SOUTH GRAFTON, NSW*, Report dated May 2015.

Ramsay, C & Rudolph, L 2006, *Landscape and Building Design for Bushfire Areas*, CSIRO Publishing.

Rural Fire Service (RFS) 2010a, *BCA 2010 - Fast Fact 01/10*, NSW Rural Fire Service.

Rural Fire Service (RFS), 2006, *Planning for Bushfire Protection*, Produced by NSW Rural Fire Service in cooperation with the Department of Planning.

Rural Fire Service (RFS), 2007, *Building in Bush Fire Prone Areas - Single Dwellings*, NSW Rural Fire Service.

Rural Fire Service (RFS), 2010b, *Addendum: Appendix 3 - Planning for Bushfire Protection*, Produced by NSW Rural Fire Service.

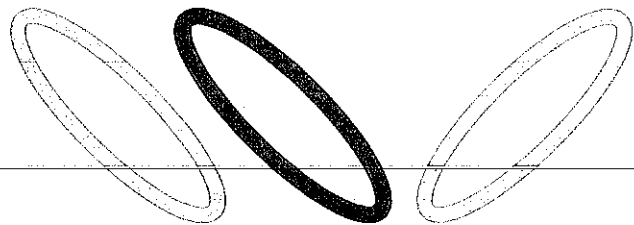
Rural Fire Service NSW (RFS), *Standards for Asset Protection Zones*, viewed 24 May 2008b http://www.rfs.nsw.gov.au/file_system/attachments/State/Attachment_20060130_7DE0A145.pdf

Standards Australia 2011, *Construction in Bushfire Prone Areas – AS3959-2009 (incorporating Amendments nos 1 and 2)*, Standards Australia International.



ATTACHMENT 8

DMU 2017/0126 - MINUTES



8 January 2018

Reference: 2030897
Contact: Cheryl Sisson: TM
Your Reference: N/A

A Fletcher & Associates
PO Box 1213
GRAFTON NSW 2460

Development Management Unit Deputation

DMU Number: DMU2017/0126

Development Proposal: DMU Preliminary Assessment - DMU Commercial

Property Address: 425 Bent Street SOUTH GRAFTON NSW 2460

Legal Description: Lot 400 DP 1153969

Attached is a meeting record of your deputation on 13 December 2017 to Council's Development Management Unit.

If you believe any aspect of these Minutes is incorrect or any matter discussed has not been included, please advise Council in writing.

Note that where development is permissible with consent this does not necessarily mean that a development application will be approved. As outlined at the DMU Meeting, there is a range of information which you will need to submit with your application. Council will assess any application under the requirements of the Environmental Planning and Assessment Act 1979. As a result of that assessment a determination of the application will be made which could be:

- Approval;
- Approval with conditions; or
- Refusal.

If you require further information please contact Cheryl Sisson of Council's Environment, Development and Strategic Planning section on (02) 6643 0200 between 8.30 am and 11.00 am.

Yours faithfully



Cheryl Sisson

Locked Bag 23 GRAFTON NSW 2460

Development Services Coordinator

Development Management Unit Meeting Minutes

Date: 13 December 2017

Time: 11:30am

Applicant: A Fletcher & Associates

Present: Applicant:
Andrew Fletcher
Graham Croft
Matt Dougherty

Council:
Cheryl Sisson (Development Services Coordinator)
Kerry Harre (Building & Environmental Services Coordinator)
Nigel Sutton (Development Engineer)
Chris Dear (Trainee Development Engineer)
Shaun Ulrick (Trade Waste Officer)

Property Address: 425 Bent Street SOUTH GRAFTON NSW 2460

Legal Description: Lot 400 DP 1153969

Zoning:
Clarence Valley LEP2011 RE2 Private Recreation
RU2 Rural Landscape
R5 Large Lot Residential

Development Proposal: Aged care facility

File: N/A

Receipt No: 756233

Important Note:

These minutes are the professional opinion of the Council Officers attending this meeting, in specific reference to this site, and the proposal and plans presented at this meeting only. A site inspection has not been undertaken, and as such, site and locality specific constraints may exist that could affect the development potential of the allotment as discussed herein.

Should an application require notification and/or advertising, any submission received must be given due consideration and may alter what is/is not considered acceptable.

Should an application require referral to a Council meeting for determination, the professional opinions expressed in these minutes may/may not be supported by Council.

In the event that Council policy or a relevant DCP is amended, or the proposal or plans changed by the client, the professional opinions expressed in these minutes may no longer be applicable. In these circumstances, the client is advised to seek current advice from Council.

Proposal:

The proposal is to construct a single storey residential aged care facility consisting of approximately 144 beds with ensuites. This will be developed in accordance with the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP). It is understood that the development will take account of the site slope, by dropping the building away from the road frontage.

Planning Considerations:

The main issue for consideration is the 'permissibility of the development on the land that is zoned R5. The use would be defined as 'seniors housing' under the CVC LEP which is a prohibited use under that Instrument. Therefore, the SEPP is the only way forward with this proposal.

However, the provisions of the SEPP also raise issues of permissibility. Under that document, land zoned R5 is not considered to be 'urban' and as such it could be taken (in the first instance) that the SEPP cannot be applied (see below).

'4 Land to which Policy applies

(1) General This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

(a) development for the purpose of any of the following is permitted on the land:

- (i) dwelling-houses,*
- (ii) residential flat buildings,*
- (iii) hospitals,*
- (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or*

(b) the land is being used for the purposes of an existing registered club.

(2) Land that is not zoned primarily for urban purposes For the avoidance of doubt, land that is not zoned primarily for urban purposes includes (but is not limited to) land that is within any of the following zones under another environmental planning instrument:

- (a) a zone that is identified as principally for rural uses,*
- (b) a zone that is identified as principally for urban investigation,*
- (c) a zone that is identified as principally for residential uses on large residential allotments (for example, Zones R5 Large Lot Residential and RU6 Transition referred to in the standard instrument for principal local environmental planning instruments prescribed by the Standard Instrument (Local Environmental Plans) Order 2006).*

Notwithstanding the above, clause 24 of the SEPP provides some opportunity to obtain a Site Compatibility Certificate while the land is owned by the Golf Club (see clause 1(a)(iii) below).

24 Site compatibility certificates required for certain development applications

(1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) if:

(a) the development is proposed to be carried out on any of the following land to which this Policy applies:

- (i) land that adjoins land zoned primarily for urban purposes,*

(ii) land that is within a zone that is identified as "special uses" under another environmental planning instrument (other than land on which development for the purposes of hospitals is permitted),

(iii) land that is used for the purposes of an existing registered club, or

(b) the development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45.

(1A) Despite subclause (1), this clause does not apply to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing if the proposed development is permissible with consent on the land concerned under the zoning of another environmental planning instrument.

(2) A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the Director-General has certified in a current site compatibility certificate that, in the Director-General's opinion:

(a) the site of the proposed development is suitable for more intensive development, and

(b) development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).

Note.

Clause 50 (2A) of the Environmental Planning and Assessment Regulation 2000 requires a development application to which this clause applies to be accompanied by a site compatibility certificate.

(3) Nothing in this clause:

(a) prevents a consent authority from:

(i) granting consent to a development application to which this clause applies to carry out development that is on a smaller (but not larger) scale than the kind of development in respect of which a site compatibility certificate was issued, or

(ii) refusing to grant consent to a development application to which this clause applies by reference to the consent authority's own assessment of the compatibility of the proposed development with the surrounding environment, or

(b) otherwise limits the matters to which a consent authority may or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies.

Note.

Nothing in this clause affects a consent authority's duty to give effect to non-discretionary standards set out in this Policy. See, for example, clauses 48, 49 and 50.

(4) (Repealed)..."

The application of the SEPP to this proposal and the ability to secure a Site Compatibility certificate is now the major matter to consider before proceeding any further. If such cannot be obtained, then you may need to discuss options with Council's strategic planning section in regard to a Planning proposal.

Once the permissibility is determined, further discussion could ensue in regards to specific provisions such as parking, DA requirements, integrated development and the like. To assist you at this stage some further comments are below.

- It is noted that parking is required at the following rates for residents and visitors:

(i) 1 parking space for each 10 beds in the residential age care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and

- (ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and
- (iii) 1 parking space suitable for an ambulance.

- It was noted that the land is covered by the Bushfire Prone land overlay and as such it will be Integrated Development, requiring referral to the NSW Rural Fire Service (RFS). This will incur an additional fee when submitting the application. A bushfire consultant's report will need to accompany the development application. Proposed building envelopes should be identified on the plan submitted.
- The proposal will be advertised and notified.
- A site plan, landscape concept plan, stormwater concept plan and elevations will be required with the development application along with information on the additional impact on Bent Street this development will have. The SEPP sets out the requirements for site coverage, landscaped areas, private open space and car parking. These requirements are to be fully addressed in the Statement of Environmental Effects.
- Information is to be provided to satisfy Council that any contamination at the site is at or below acceptable levels for the proposed use. That is, it must be demonstrated that the site is suitable for residential use, and that any intervening use has not affected the land. SEPP 55 will provide more guidance.
- It is suggested that you undertake significant consultation with the immediate community, who have raised concerns about the impact of a large scale residential development in the area [re, impact on amenity (visual and social), traffic (regular and during shift changes), access, etc].

DCPs Applicable: @www.clarence.nsw.gov.au

Clarence Valley Council DCP – Development in Residential Zones

Section 94 Contributions:

Section 94 contributions may be payable. However, there appears to be some exemptions for social housing providers...see following link. If that is not applicable, contribution amounts can be provided.

<http://www.planning.nsw.gov.au/~media/Files/DPE/Directions/environmental-planning-and-assessment-act-1979-revocation-of-direction-in-force-under-section-94e-direct-under-section-94e.ashx>

Engineering Requirements:

The proposed development would need to be undertaken in accordance with the SEPP (Seniors Living) and the requirements of the Clarence Valley Council Residential Zones Development Control Plan (DCP) 2011. The DCP lists the applicable engineering standards.

Water connection issues:

Two water mains are located on either side of Bent Street. It will be necessary to liaise with Council's Water Cycle section regarding details of the alignment, depth, available pressure and preferred connection points from these mains. Initial advice is that mains

pressure is managed by a booster pump, however it may or may not meet the specific demands of the proposed facility.

The development will need to be serviced with a suitably sized connection and water meter to cater for the site requirements, including firefighting. An assessment of the water demand by a suitably qualified hydraulic designer is to be submitted with the development application. Council requires a single water meter for the development. Charges to make the connection to the water main, and provision of the meter will be subject to the costs outlined in Council's Schedule of Fees and Charges.

Sewer connection issues:

Council is not in favour of the discharge from the proposed facility being directed to the existing private pump station at the Grafton Golf Club which then pumps to Council's pump station located in Lot 10 DP 818110. It will be necessary to liaise with Council's Water Cycle section to determine the most suitable means of servicing the development and preferred discharge point. A sewer servicing plan will need to be prepared and lodged with the DA which outlines the proposed strategy.

Options to consider include:

- Cater for the proposed facility and provide a stand-alone private pump station, rising main and/or gravity main(s).
- Cater for the proposed facility, the potential adjacent residential allotments and the Golf Club and provide a pump station, rising main and/or gravity main(s) which would become Council assets.
- Discharge to the existing Council pump station located in Lot 10 DP 818110. This may require upgrading of the pumps.
- Discharge to the gravity sewer network on the northern side of Bent Street. This would require negotiation of easements through any affected properties and meeting all costs to make the connection. This option would also require assessment of the downstream network capacity to cater for the discharge.

Headwork Charges:

Council's Development Servicing Plans for Water Supply and Sewerage Services identify capital contributions called Headworks Charges that are charged on new development within the catchment areas of the water and sewer systems, in accordance with section 64 of the Local Government Act.

Sewer: The proposal will be assessed for sewer headworks at the rate of 0.75 equivalent tenant (ET) per bed under the category of Nursing Home / Special Care Home. The calculation will be made based on the proposed development configuration at the time the DA is being assessed, less the applicable credit upon proposed subdivision. The Contribution rate is \$6,450.00 per additional ET at 2017-18 rates.

Water: The proposal will be assessed for water headworks at the rate of 0.50ET per bed under the category of Nursing Home / Special Care Home. The calculation will be made based on the proposed development configuration at the time the DA is being assessed, less the applicable credit upon proposed subdivision. The Contribution rate is \$4,715.00 per additional ET at 2017-18 rates.

Indicative headworks contributions, based on 144 bed facility are:

- Water: 0.5 ET per bed @ \$4,715.00 per ET, so for 144 beds will be 0.5×144 (72 ET) $\times \$4,715.00 = \$339,480.00$
- Sewer: 0.75 ET per bed @ \$6,450.00 per ET, so for 144 beds will be 0.75×144 (108 ET) $\times \$6,450.00 = \$696,600.00$

The water and sewer contributions have been calculated based on the information supplied. These amounts will be confirmed with the DA and may change.

Access and Parking:

A traffic assessment is to be provided with the DA to identify the traffic impact from the development on Bent Street. Any new parking areas will be required to be designed and constructed in accordance with AS2890, with adequate manoeuvring areas to enable all vehicles to enter and leave the site in a forward direction.

Vehicular access and turning movements will need to be demonstrated via manoeuvring diagrams prepared in accordance with AS2890. These must include consideration of service and emergency vehicles and will need to be submitted with the DA.

Vehicular accesses provided for the development shall satisfy safe intersection sight distance requirements considering the horizontal, vertical alignments and speed zoning for Bent Street.

Council may require provision of a pedestrian footpath linking the proposed facility to the Golf Club.

Stormwater Drainage

All stormwater falling on the property is to be collected within the property and discharge managed in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans and NRDC. An option to direct discharge to stormwater collection and reuse dams within the Golf Club will be considered, subject to calculation demonstrating that the dams have the capacity to cater for the total catchment they serve. This may reduce the extent to which the runoff from the proposed facility will require on-site detention, but will also require suitable easements to be provided. A Stormwater Management Plan (SWMP) will be required with the DA to quantify the impact of this development on the existing downstream drainage flow paths and properties. The objective is to demonstrate achievement of a neutral or beneficial outcome when comparing the pre and post development flow conditions.

Earthworks

The proposal indicates some excavation and filling, as well as construction of retaining walls. All earthworks must be carried out in a manner that does not negatively impact any neighbouring properties.

Design and construction of retaining walls must certify structural suitability to cater for the earth loadings being supported. It will be necessary to provide adequate capacity for tree roots to ensure the walls do not compromise the health of adjacent trees, whether in a cut or fill situation..

Easements:

An 88b instrument is to be provided as required for services (water, sewer, stormwater drainage, power, and telephone), reciprocal easement or right of way for access over any

sites where access is granted through another lot unless the lots are consolidated with the Development Consent. This shall be shown with the Development Application, to demonstrate how the applicant wishes to address these situations.

Health and Building Requirements:

Building Class – 9C

Rise in Storeys – 1

Type of Construction Required - Type C

Sprinkler Systems in Aged Care Facilities

The BCA sets standards for the design and construction of new buildings and building work. Currently, in so far as the BCA applies to residential accommodation for the aged, the BCA 'deemed-to-satisfy provisions' only require fire sprinkler systems in Class 9c buildings and buildings taller than 25m in effective height.

From 1 January 2013 in NSW, a fire sprinkler system must also be provided in any new Class 3 or 9a building, or new part of such a building, that will contain a 'resident area', where that building or part is in a 'residential care facility' for 'seniors'. The terms 'residential care facility' and 'seniors' are defined under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

A fire sprinkler system required by the BCA must comply with the BCA. A fire sprinkler system otherwise required must comply with the Fire Sprinkler Standard.

Fire Protection:

If the buildings contain fire compartments greater than 500m² then a system of fire hydrants and fire hose reels will need to be provided to service the building(s). Maximum fire and smoke compartment sizes will apply to the building if it is a Class 9c building.

Street hydrants may suffice in lieu of on site hydrants if all parts of the buildings requiring fire hydrant coverage are within 90m of a street hydrant.

If street hydrants are to be utilised in lieu of on site hydrants then Council will need to be satisfied that the street hydrants are operational and can deliver water at the required flow rate and pressure. This may require testing to be carried out. If pressure and flow rates are not adequate for fire hydrant purposes then on site water storage and/or boosting may be necessary.

If fire hydrants are required/proposed then a hydraulic engineer's design of the system will need to be submitted with the Construction Certificate application.

Any proposed internal walls designed to act as fire walls separating fire compartments will need to achieve a minimum 90/90/90 FRL.

Buildings having a floor area greater than 300m² are generally required to be provided with an Exit and Emergency lighting system.

All required egress doors will need to swing in the direction of egress

Portable fire extinguishers will need to be installed within the building.

Energy Efficiency Requirements

Part J - Energy Efficiency of the BCA will apply to the building. A Part J consultant's compliance report will need to be submitted with the Construction Certificate application.

Plumbing and Drainage Requirements

All new plumbing, drainage and stormwater work must be the subject of a Section 68 Local Government Act application and will need to be carried out by a NSW licensed plumber and drainer in accordance with the plumbing and drainage regulations. These applications can be lodged concurrent with your Development Application/Construction Certificate applications and approval must be obtained before any work commences. Full hydraulic details for all plumbing and drainage services, prepared by an appropriately qualified person, are to accompany the Section 68 application for connection to Council's water and sewer services.

Access for Persons with Disability

Access for persons with a disability will need to be provided to and within the building in accordance with the requirements of Part D3 of the BCA.

Parking spaces for persons with a disability will need to be provided.

Parking spaces for persons with a disability will need to be provided if on site car parking is required, though the space(s) do not need to be designated where there is at total of not more than 5 car parking spaces, so as to restrict the use of the car parking space(s) only for people with a disability.

A continuously accessible path of travel must be provided to a building required to be accessible from the main point(s) of a pedestrian entry at the allotment boundary and from any required accessible car parking space on the allotment.

Waste Management

Council's Waste Not Policy will apply to this development. A waste management plan must be submitted with the development application. A waste management plan template can be downloaded from Council's website.

Council will not support garbage vehicles undertaking reversing manoeuvres in new developments. The DA must include details of waste vehicle manoeuvres and appropriate sizing of any garbage collection areas. Locations of proposed bin storage & pick-up will need to be shown on the drawings submitted with the DA.

Waste Management

Council's Waste Not Policy will apply to this development. A waste management plan must be submitted with the development application. A waste management plan template can be downloaded from Council's website.

Trade Waste Approval

An approval to discharge liquid trade waste is required as the development proposes to discharge liquid trade waste to Council's sewer. The applicant is required to submit the application form for assessment to determine compliance with Councils liquid trade waste policy.

The application form and fee can be submitted at Construction Certificate stage with detailed hydraulic plans showing locations and dimensions of all trade waste drainage and pre treatment equipment. A grease arrestor will be required to treat the wastewater from the kitchen and other serveries. A cooling pit with lint basket installed will be required to treat the wastewater from the laundry. The grease arrestor and cooling pit are to be located in an accessible area for the pumpout contractor. Trade waste discharge can include wastewater from a laundry, kitchen, café, hairdresser, garbage bin cleaning area etc.

Information regarding the trade waste streams that are proposed to be discharged should be included in the development application to enable assessment for compliance with Councils trade waste policy.

A second DMU meeting is available at no additional charge if within 12 months from the date of the minutes.

ATTACHMENT 9

EMAIL FROM NSW PLANNING & ENVIRONMENT
(PAUL GARNETT), DATED 14TH DECEMBER, 2017

A Fletcher & Associates

From: Paul Garnett <Paul.Garnett@planning.nsw.gov.au>
Sent: Thursday, 14 December 2017 9:36 AM
To: A Fletcher @ Associates
Cc: Tamara Prentice; 'Cheryl Sisson'
Subject: RE: Proposed Residential Care Facility on Part of The Grafton Golf Course Under the SEPP (Housing for Seniors...) 2004 - Signature Care

Andrew,

The SEPP (Housing for Seniors or People with a Disability) 2004, states that R5 zoned land is land which is "not zoned primarily for urban purposes" (Clause 4(2)). Therefore in order to obtain approval for seniors housing on R5 zoned land a site compatibility certificate for the land would still be required.

A site compatibility certificate can only be issued for land that adjoins land zoned primarily for urban purposes or if there is a registered club on the land.

If the R5 zoned land is subdivided from the land containing the registered club then the R5 zoned land would need to meet the requirement to be "land adjoining land zoned primarily for urban purposes" in order for a site compatibility certificate to be issued for the land.

If the R5 zoned land did not meet the requirement to be "land adjoining land zoned primarily for urban purposes" and it was subdivided from the land containing the club then a site compatibility certificate could not be issued for the land and the proposed seniors housing would not be permissible unless the Clarence Valley LEP 2011 was amended to permit seniors housing on the site.

Clause 4(4) of the SEPP clarifies what constitutes land that adjoins land zoned primarily for urban purposes.

If the R5 zoned land does not constitute "land adjoining land zoned primarily for urban purposes" it may not be appropriate to subdivide it from the land containing the registered club once the site compatibility certificate was issued and the development application for the seniors housing lodged with Council. However this would be a matter for Council to consider.

Regards

Paul

Paul Garnett
Senior Planner
Department of Planning & Environment
Northern Region
Locked Bag 9022
Grafton NSW 2460
T 02 66416607
E paul.garnett@planning.nsw.gov.au



Planning &
Environment

Please consider the environment before printing this email.

From: A Fletcher @ Associates [<mailto:afletch@hotmail.net.au>]
Sent: Wednesday, 13 December 2017 3:59 PM

To: Paul Garnett <Paul.Garnett@planning.nsw.gov.au>

Cc: Tamara Prentice <Tamara.Prentice@planning.nsw.gov.au>; 'Cheryl Sisson' <Cheryl.Sisson@clarence.nsw.gov.au>

Subject: Proposed Residential Care Facility on Part of The Grafton Golf Course Under the SEPP (Housing for Seniors...) 2004 - Signature Care

Importance: High

Hi Paul

You may recall that we came in on 28 November, 2017 to discuss the above matter with you & the need, or otherwise, for a Site Compatibility Certificate (SCC) Application. The proposed development is on that part of Lot 400 DP 1153969 that is zoned R5 Large Lot Residential. As this lot is also part of the Grafton Golf Club, a registered club, then it was determined that a SCC Application was required.

Would this requirement change if the R5 zoned land was subdivided from the rest of Lot 400? That is, there was no longer a registered club on the subject land. In addition, could this subdivision process be considered as part of the DA for the residential care facility (a 24/7 operation) & the subdivision of the land made a condition of consent?

Your earliest advice would be greatly appreciated & do not hesitate to contact me if any queries.

regards

Andrew Fletcher

A.Fletcher & Associates Pty Ltd

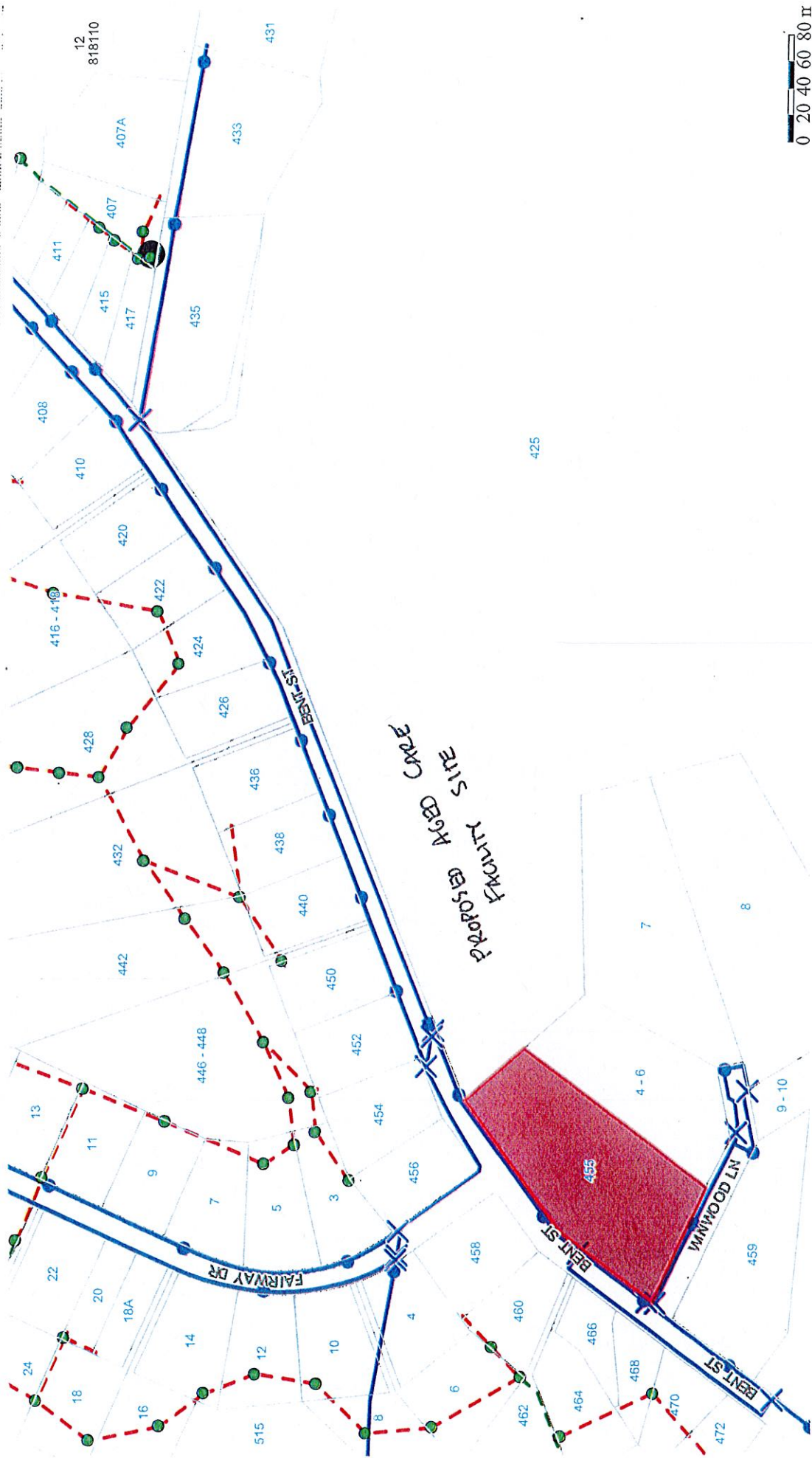
Consulting Surveyors

P.O.Box 1213, Grafton. 2460

(02) 66423300 Mob.0417 446 977

ATTACHMENT 10

CALRENCE VALLEY COUNCIL WATER/SEWER PLAN



Map Scale: 1:3939 at A4

Locked Bag 23 GRAFTON NSW 2640 02 6643 0200 www.clarence.nsw.gov.au

Projection: GDA94 / MGA zone 56

Date: 18/12/2017

Drawn By:

[illegible]

clarence
VALLEY COUNCIL

ATTACHMENT 10

ATTACHMENT 11

GRAFTON NGERRIE L.A.L.C LETTER,
DATED 10TH OCTOBER 2016

GRAFTON NGERRIE LOCAL



ABORIGINAL LAND COUNCIL

PHONE: 02 6642 6020
FAX: 02 6642 6994
EMAIL: gnlalc@bigpond.com
ABN 65-563-910-928

50 WHARF ST
SOUTH GRAFTON
PO BOX 314
SOUTH GRAFTON NSW 2460

**RE: 425 Bent Street South Grafton
Lot 400 DP 1153969**

10/10/2016

To whom it may concern

The Grafton Ngerrie Local Aboriginal Lands Council were contracted by A Fletcher and associates PTY LTD to undertake a Cultural site survey of the above describe land parcel.

The GNLALC were provided detailed maps and documentation relating to the proposed development. The GNLALC was also afforded unlimited access to the land parcel to conduct the Cultural works required, we would like to thank A Fletcher and associates for their professional and meaningful engagement regarding this development proposal.

The GNLALC have determined that the development of this parcel of land, as proposed, will NOT impact on the Aboriginal Cultural Heritage values associated with the section of the Gumbayngirr traditional Lands. As a result the GNLALC are supportive of the proposal and wish the development proponents the best of luck with their proposal.

Should any further clarification be required please don't hesitate to contact the GNLALC CEO in the first instance.

Yours Sincerely

Brett Tibbett
CEO GNLALC

ATTACHMENT 11