

**Report to the Secretary on an application for a Site Compatibility Certificate.
State Environmental Planning Policy (Housing for Seniors or People with a
Disability) 2004**

SITE: Lots 8 and 9 DP 7105242 – 2-4 Hilda Close, Taree.

The site compatibility certificate (SCC) application was received on 27 April 2018. It was deemed adequate on 16 July 2018 after an ecology assessment of the development impacts on native vegetation was submitted. The Hunter regional team inspected the land on 6 June 2018.

The subject site has a total area of 1.47ha and is vacant with limited vegetation. The site is within an urban area and has frontages to Wingham Road, which is a classified state road (MR192), Kathryn Place and Hilda Close (Figure 1). There are residential dwellings along the northern (opposite) side of Wingham Road and there are large areas zoned for residential expansion further to the north and east. There are large-lot residential allotments containing dwellings to the south and west. Kathryn Place and Hilda Close provide vehicle access to eight other large residential allotments. The site is 4km from the Taree town centre and 10km from Wingham (Figure 2, next page).



Figure 1: Context map.



Figure 2: Locality map.

The site is zoned R5 Large Lot Residential under the Greater Taree Local Environmental Plan (LEP) 2010. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) applies to the site because it adjoins land zoned R1 General Residential on the opposite side of Wingham Road to the north.

APPLICANT: The Salvation Army – Aged Care Plus

PROPOSAL: The proposal is for an 80-bed residential care facility, including a dementia-specific unit. It will provide care for seniors and people with disabilities.

The proposed building is single storey and has an articulated design, which provides variable setbacks to the respective street frontages to minimise its bulk and scale. Each building wing contains its own common living and dining facilities, and each room will have its own private ensuite bathroom facilities.

Vehicle access is proposed from Kathryn Place and Hilda Close because MidCoast Council advised that no direct access to Wingham Road would be supported. The proposed residential care facility provides 56 parking spaces and an ambulance bay, which is 34 additional spaces above what is required under clause 48 of the Seniors Housing SEPP (Figure 3, next page).

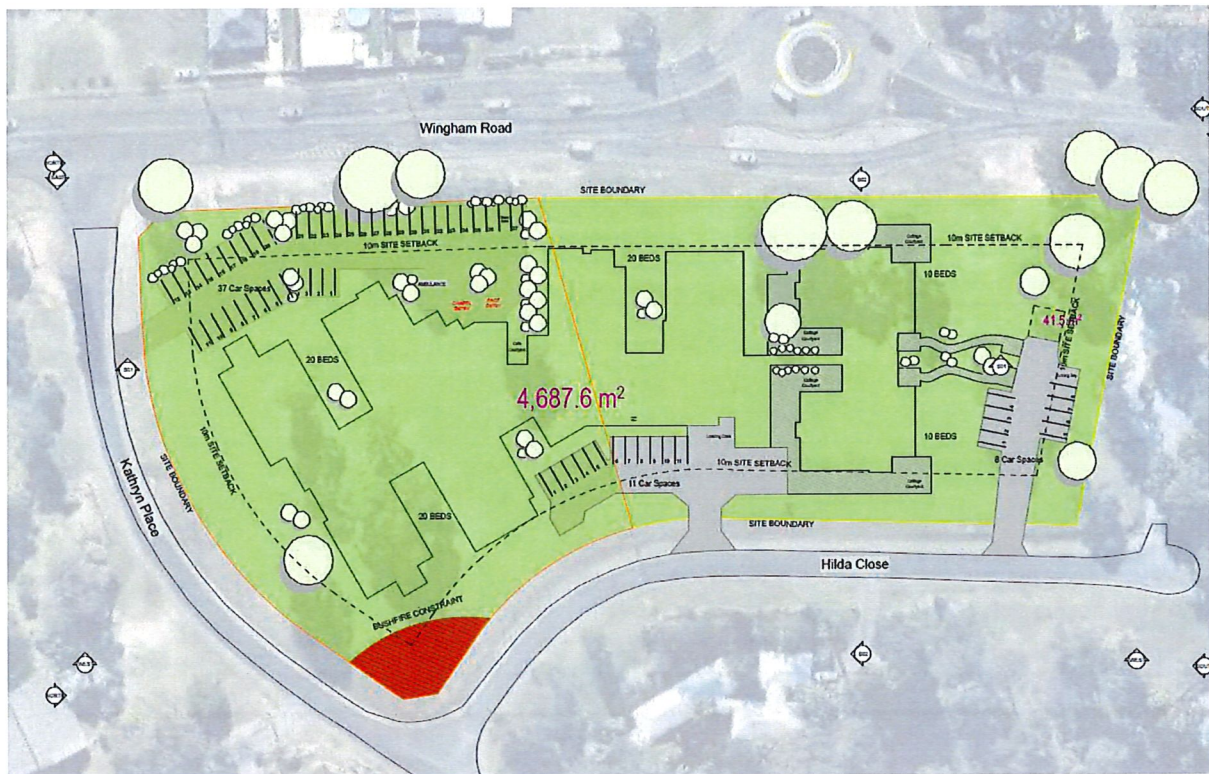


Figure 3: Site plan.

LGA: MidCoast

PERMISSIBILITY STATEMENT

The Seniors Housing SEPP applies to land that is zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, where it satisfies the additional requirements in clause 4 of the Seniors Housing SEPP.

The site is zoned R5 Large Lot Residential under the Greater Taree LEP 2010. The site adjoins land zoned R1 General Residential on the opposite side of Wingham Road (Figure 4, next page).

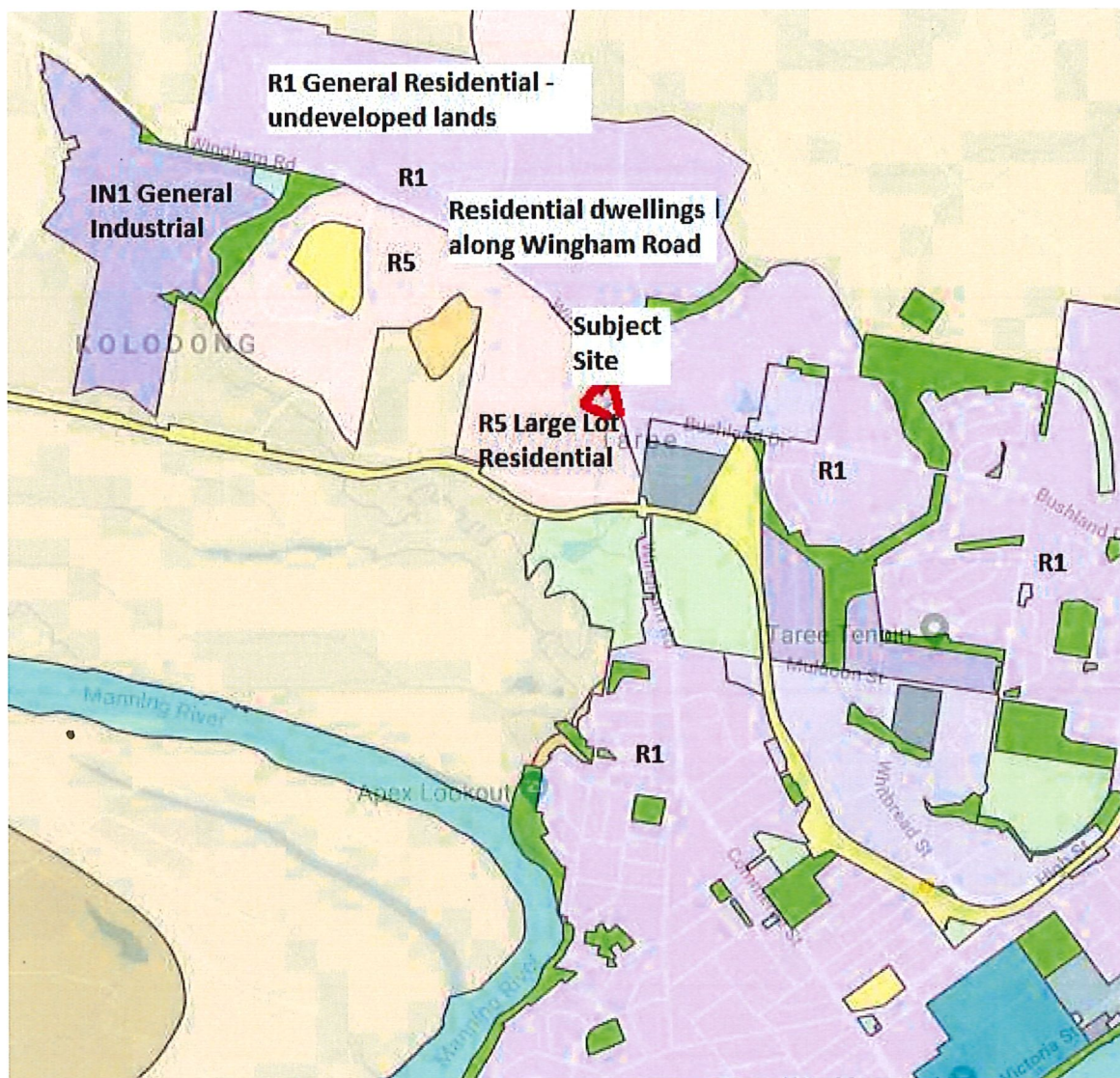


Figure 4: Zoning map.

An SCC can be issued for this site because it satisfies the requirements of clause 4 of the Seniors Housing SEPP. It adjoins land zoned R1 General Residential, dwelling houses are permissible with consent in the R5 Large Lot Residential zone and the land is not excluded by *Schedule 1 (Environmentally sensitive land)* of the SEPP.

Schedule 1 only excludes the issue of SCCs on environmentally sensitive land where it is defined in another environmental planning instrument such as coastal protection, conservation, environmental protection, high flooding hazard, water catchment and natural wetland.

The type of seniors housing that may be developed on this land is identified in clause 17 of the Seniors Housing SEPP. The proposed development satisfies this requirement by providing a residential care facility.

CLAUSES 24(2) AND 25(5)

The Secretary must not issue a certificate unless the Secretary:

- (a) has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received

from the General Manager of the council within 21 days after the application for the certificate was made; and

(b) is of the opinion that:

- (i) the site of the proposed development is suitable for more intensive development; and
- (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

COUNCIL COMMENTS

On 1 May 2018, Council was consulted about the proposed seniors housing development and given 21 days to respond in accordance with the requirements of the Seniors Housing SEPP.

On 14 May 2018, Council advised that it had no objections to the proposed seniors housing development and the application appeared to have considered the pre-lodgement advice provided by Council's Development Assessment Panel on 25 July 2017. Council also commented that a detailed landscape plan was required to assess amenity impacts and vegetation loss (**Attachment B**).

The Development Assessment Panel recognised that the site was mostly grasslands with several scattered trees. It suggested the retention of trees (for amenity) where possible; however, there are no ecological constraints.

Department response

Planning issues such as visual impacts, vehicle access, landscaping, bushfire asset protection zones and connection to reticulated water and sewer can be adequately resolved through the development application process.

SUITABILITY FOR MORE INTENSIVE DEVELOPMENT

The Secretary must not issue a certificate unless the Secretary is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)):

1. The site of the proposed development is suitable for more intensive development (clause 24(2)(a))

The site is within an urban area. Residential dwellings exist along the northern (opposite) side of Wingham Road and there are large areas zoned for residential expansion further to the north and east. There are large-lot residential allotments containing dwellings to the south and west. The subject land consisting of two lots has no further subdivision potential.

Kathryn Place and Hilda Close provide vehicle access to eight other large residential allotments and should be able to accommodate the additional traffic generated by the proposed residential care facility. Kathryn Place and Hilda Close also provide physical separation between the proposed residential care facility and the rural-residential allotment to the south and west. The eastern boundary of the site adjoins a dwelling on a large residential allotment, but the proposed building setback of approximately 35m and future landscaping around the small car park for eight vehicles should maintain residential amenity.

The proposed residential care facility for seniors and people with disabilities is supported because the land is level and separated from the large-lot residential allotments to the south and west by Kathryn Place and Hilda Close. These types of residential care facilities are required to meet the needs for seniors housing around Taree and make better use of available infrastructure and services.

There are no known environmental constraints that would preclude the development of the site for seniors housing. A detailed assessment of the environmental constraints is provided below.

The proponent advises that it is possible for the proposed development to be connected to reticulated sewer and water. Electricity and telecommunication networks can also be provided to the site.

Given the nature of the site within an urban area and the availability of services and infrastructure, the site is considered suitable for more intensive development.

COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES

The Secretary must not issue a certificate unless the Secretary is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))

Ecology

The subject site contains 21 scattered trees with a grassy understorey. The vegetation has been highly modified and subject to routine slashing to maintain the ground cover.

The proposed residential care facility requires the removal of all native vegetation. An ecology assessment was prepared by AEP to determine the development impacts on native vegetation. It found no threatened flora or fauna species on-site and advised that threatened species are considered unlikely to occur given the disturbed nature of the site. A detailed assessment of the development impacts on native vegetation is provided below.

The SCC includes a requirement to submit a detailed landscape plan to compensate for the proposed clearing of native vegetation. Future landscaping should include species endemic to the area, including the replacement of species currently on-site. It will need to be prepared in accordance with the Greater Taree Development Control Plan 2010 and comply with the *Planning for Bushfire Protection 2006* requirements.

Flooding

The subject site is not flood prone under the Manning River Flood Study 2016.

Bushfire

The site is mapped as bushfire-prone vegetation buffer (100m of designated Category 1 vegetation and 30m of designated category 2 vegetation).

The preliminary bushfire assessment prepared by Building Code and Bushfire Hazard Solutions concludes that the seniors housing development should be able to comply

with the *Planning for Bushfire Protection 2006* requirements. Kathryn Place and Hilda Close provide a perimeter access road around the proposed development.

At the development application stage, the proposed development will be categorised as a special fire protection purpose and require a Bushfire Safety Authority certificate from the NSW Rural Fire Service under section 100B of the *Rural Fires Act 1997*. A full bushfire report will need to be submitted with the development application.

Other existing and approved uses in the vicinity

The site is within an urban area, surrounded by residential and large-lot residential land uses. A naturopath health professional operates on the opposite side of Wingham Road and there is a Bunnings Warehouse and the Taree golf course within 300-350m. The Manning Hospital and Taree town centre are approximately 4km south-east of the site.

Residential dwellings on larger allotments are considered compatible with the proposed residential care facility and residential dwellings along Wingham Road. It is concluded that the proposed residential care facility is suitably located to help meet the demand for aged housing around Taree.

2. The impact that the proposed development is likely to have on the uses that, in the opinion of the Secretary, are likely to be the future uses of that land (clause 25(5)(b)(ii))

The subject land is zoned R5 Large Lot Residential under the Greater Taree LEP 2010 and has no further subdivision potential. The current R5 Large Lot Residential zone permits a range of urban uses and home-based businesses.

The R5 Large Lot Residential zoning and minimum lot size of 1.5ha respond to the undulating natural topography, which slopes away from Wingham Road. The subject site is considered suitable for more intensive development because it is reasonably level and Kathryn Place and Hilda Close provide a physical divide between the proposed residential care facility and the large-lot residential allotments to the south and west.

The Hunter Regional Plan 2036 recognises the importance of continuing to provide housing diversity, especially for the ageing population, which is expected to continue to congregate around Newcastle and coastal communities in the Port Stephens and MidCoast local government areas.

The proposed residential care facility is considered compatible with the likely future uses and should maintain an adequate level of residential amenity. It is considered an improved planning outcome by making better use of existing infrastructure and services.

3. The services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision (clause 25(5)(b)(iii))

Location and access to facilities

The subject site is approximately 4km from the Manning Hospital and Taree town centre, which provides the retail, banking, medical, recreational facilities and community services as required under clause 26 of the SEPP. The residential care facility will also provide a café, hairdresser and chapel for residents.

Public bus services (Route 319) operate regularly throughout the day along Wingham Road and provide access to Taree and Wingham. The nearest bus stop is 1.5km to the north-west along Wingham Road and there are no footpaths.

The Seniors Housing SEPP requires the nearest bus stop to be located within 400m unless private transport services are provided. The application advises that the Salvation Army will provide a community bus to comply with the SEPP requirements. The SCC includes a requirement to reinforce the need to provide private transport services.

Traffic

The site fronts Wingham Road which is a major collector road in Taree, but no vehicle access will be made from Wingham Road to the site. Vehicle access will be from Kathryn Place and the traffic impact assessment found that the Kathryn Place/ Wingham Road intersection would continue to operate at good levels of service after the development was completed. No other impacts on the street network performance have been identified by traffic impact assessment or raised by Council.

Infrastructure

The proponent advises that it is possible for the proposed development to be connected to reticulated sewer and water. Electricity and telecommunication networks can also be provided to the site.

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 and special uses in the vicinity of the development (clause 25(5)(b)(iv))

The site is not zoned open space or special uses. The proposed development will not reduce the provision of land for open space or special uses in this locality.

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 (clause 25(5)(b)(v))

Kathryn Place and Hilda Close provide physical separation between the proposed residential care facility and the nearby large-lot residential allotments, with the exception of the dwelling house to the east. There are eight single-storey dwellings along Kathryn Place and Hilda Close. More residential allotments occur on the opposite side of Wingham Road and there are large areas zoned for residential expansion further to the north and east. The immediate character of this locality can be described as predominantly low-scale residential development on larger allotments.

The proposed residential care facility is a single-storey building with an articulated design broken into various wings. It provides a 35m setback from the adjoining dwelling to the east to maintain residential amenity. It provides a minimum setback of 10m to Wingham Road, Kathryn Place and Hilda Close. The proposed setbacks and future landscaping should minimise the development's visual impact on adjoining properties.

The proposed seniors housing development in terms of bulk, scale and built form should be acceptable considering the surrounding residential and large-lot residential developments.

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 (clause 25(5)(b)(vi))

The *Native Vegetation Act 2003* was repealed on 24 August 2017 and replaced with the *Biodiversity Conservation Act 2016*.

The residential care facility requires the removal of all native vegetation. An ecology assessment was prepared by AEP to determine the development's impacts on native vegetation.

The site contains around 21 semi-mature and mature trees, with evidence of some regeneration in proximity to these trees. Tree species identified on the site include *Corymbia maculata* (Spotted Gum), *Eucalyptus moluccana* (Grey Box), *Eucalyptus siderophloia* (Grey Ironbark) and *Eucalyptus tereticornis* (Forest Red Gum). The vegetation on-site was likely to be Grey Box, Forest Red Gum and Grey Ironbark open forest of the hinterland ranges of the North Coast prior to past clearing of the site. The ecology assessment found no threatened flora species on site.

There are a significant number of koala records in the area, and the presence of Forest Red Gum on-site will likely make the site potential koala habitat. However, there was no sign of koala usage on the site and the removal of the few canopy trees from the site is unlikely to reduce connectivity in the locality. No hollow-bearing trees or nests were noted on the site. The ecology assessment found no threatened fauna species on-site and it is considered unlikely that the site would provide meaningful habitat for any known threatened fauna species.

The proposed clearing of native vegetation is considered unlikely to have any adverse impacts on the conservation and management of native vegetation.

CONCLUSION

The Hunter Regional Plan 2036 recognises the percentage of people aged over 65 years is projected to increase from 19 per cent to 25 per cent until 2036. The proposed residential care facility will accommodate seniors, people with dementia and people with disabilities.

The development's visual appearance is considered compatible with the surrounding residential and large-lot residential land uses. This is achieved by its built form being broken into different wings, articulated facades with windows and entrances addressing all street frontages, maintaining a minimum boundary setback of 10m and future landscaping to be approved as part of the development application.

It is concluded that the residential care facility is suitably located to help meet the demand for aged housing around Taree.

RECOMMENDATION

It is recommended that the Executive Director, Regions, as delegate of the Secretary:

- **note** this report;
- **consider** Council's written comments (**Attachment B**);
- **form the opinion** that the site of the proposed development is suitable for more intensive development;
- **form the opinion** that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having had regard to the criteria specified in clause 25(5)(b);
- **determine** the application for a site compatibility certificate by issuing a certificate (**Attachment C**) for 2-4 Hilda Close, Taree; and
- **sign** the letters to the applicant and Council advising of this determination (**Attachment D and E**).



31/8/2018

Monica Gibson

Director Regions, Hunter

 5 September 2018

Stephen Murray
Executive Director, Regions
Planning Services

Approved / ~~Not Approved~~ / ~~Noted~~

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