PCU54951

NSW GOVERNMENT | Planning

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

Date received: ____/____/____

Site compatibility application no. _____

Instructions to users

This application form is to be completed if you wish to apply to the Director-General of the Department of Planning for a site compatibility certificate under Chapter 3, Part 1A of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the SEPP).

A site compatibility certificate is required under section 50(2A) of the Environmental Planning and Assessment Regulation 2000 to accompany development applications for certain proposed developments under the SEPP. The types of development applications to which the Regulation applies are listed in clause 24 of the SEPP.

Before lodging this application, it is recommended that you consult with the Department of Planning concerning your development proposal, including whether a site compatibility certificate is required and what application fee will apply.

To ensure that your application is accepted, you must:

- complete **all** parts of this form, **and**
- submit **all** relevant information required by this form, **and**
- provide **3 copies** of this form and attached documentation,
- provide form and documentation in **electronic format** (e.g. CD-ROM).

NB: The Department of Planning may request further information if your application is incomplete or inadequate.

All applications **must be lodged** with the Director-General, by courier or mail. Applications can be lodged with the relevant regional office of the NSW Department of Planning. Please refer to www.planning.nsw.gov.au for contact details.

PART A — APPLICANT AND SITE DETAILS

Department of Planning
Received
11 AUG 2014
Scanning Room

Company/organisation/agency: Waterbrook Bayview Pty Ltd

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name: Kevin

Family name: Ryan

Street address — Unit/street no.: L32, B5 — Street name: Castlereagh Street

Suburb or town: Sydney — State: NSW — Postcode: 2000

Postal address (or mark 'as above') — PO Box or Bag: — Suburb or town: As above

State: — Postcode: — Daytime telephone: — Fax:

Email: kevinryan@waterbrook.com.au

Mobile: 0419 221 575

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

NAME OF PROPOSAL

Seniors Housing Development
Self contained dwellings with ancillary services and facilities.

STREET ADDRESS

Unit/street no.: Lot 1, DP 66290

Street or property name: Bayview Golf Course

Suburb, town or locality: Cabbage Tree RD, Bayview

Postcode: 2104

Local government area: Pittwater

NAME OF PROPERTY

Bayview Golf Course

REAL PROPERTY DESCRIPTION

Lot 1, DP 66290

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.

Seniors Living Development incorporating 115 self contained dwellings with ancillary services and facilities including basement carpark for 218 vehicles as nominated on presentation package pages 1-21 dated 30.07.14 prepared by Marchese Partners.

Attach—copy of proposed site layout.

PART B — PROPOSAL'S CONSISTENCY WITH THE SEPP

Answer the following questions to identify whether the SEPP applies to the land you propose to develop.

1.1. Is the subject site land zoned primarily for urban purposes? ☒ Yes ☐ No

OR

1.2. Is the subject site land adjoining land zoned primarily for urban purposes? ☐ Yes ☒ No

Attach—copy of zoning extract or other evidence of zoning.

If you have answered **no** to **both** questions 1.1 and 1.2, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

1.3. Are dwelling houses, residential flat buildings, hospitals or special uses permitted on the site? ☐ Yes ☒ No

Attach—copy of development control table.

OR

1.4. Is the land being used for the purposes of an existing registered club? ☒ Yes ☐ No

If you have answered **no** to **both** questions 1.3 and 1.4, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

1.5. Is the subject site excluded from the application of the SEPP under clause 4(6)—*Land to which Policy does not apply*?

- Environmentally sensitive land (Schedule 1). ☐ 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 question1.5, then the SEPP does not apply to the land and a site compatibility certificate will not be issued.

SECTION B1 — SUMMARY CHECK

Continue to fill out this application form **only** if you have answered:

☒ Yes to questions 1.1 and 1.2, **and**
☒ Yes to questions 1.3 and 1.4, **and**
☒ No to **all** subsections in question 1.5.

If you have satisfied the Summary Check—**proceed to Section B2.**

Identify the reason why you need to apply for a Director-General's site compatibility certificate.

2.1. Is the proposed development for the purpose of seniors housing permissible with consent on the land under the zoning of an environmental planning instrument? (*See* clause 24 [1A].) ☐ Yes ☒ No

2.2. Is the proposed development staged development of a kind saved under the savings provisions of the SEPP? (*See* clause 53.) ☐ Yes ☒ No

If you have answered YES to **either** question 2.1 **or** question 2.2 your proposal does not require a site compatibility certificate. You can submit your application directly to the relevant local council.

2.3. A site compatibility certificate is required because: (*see* clause 24[1])

- the land adjoins land zoned primarily for urban purposes ☐ Yes ☐ No
- the land is within a zone that is identified as 'special uses' (other than land on which hospitals are permitted) ☐ Yes ☐ No
- the land is used for the purposes of an existing registered club ☒ Yes ☐ No
- the proposed development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45. ☐ Yes ☐ No

If you have answered NO to **all** subsections in question 2.3, your proposal does not require a site compatibility certificate.

SECTION B2 — SUMMARY CHECK

Continue to fill out the application form **only** if you have answered:

☒ No to **both** question 2.1 and question 2.2, **and**
☒ Yes to **any** subsection in question 2.3 above.

If you have satisfied the Summary Check—**proceed to Section B3.**

Does the proposed development include any of the following?
If yes, please indicate in the appropriate space/s provided the number of beds or dwellings that are proposed

A residential care facility	☐ Yes ☒ No		Beds
A hostel	☐ Yes ☒ No		Dwellings
Infill self-care housing (urban only and not dual occupancy)	☒ Yes ☐ No	115	Dwellings
Serviced self-care housing	☐ Yes ☐ No		Dwellings
A combination of these	☐ Yes ☐ No		Beds ____ Dwellings

If you answered **yes** to serviced self-care housing—**proceed to Section B4**. Otherwise—**proceed to Part C.**

If the proposed development includes serviced self-care housing on land adjoining land zoned primarily for urban purposes, will the housing be provided:

- for people with a disability? ☐Yes ☐No
- in combination with a residential care facility? ☐Yes ☐No
- as a retirement village within the meaning of the *Retirement Villages Act 1999*? ☐Yes ☐No

If you answered **no** to **all** questions in Section B4, it is unlikely that the proposal will satisfy the council when you submit a development application (*see* clause 17[2] of the SEPP) and also unlikely that a site compatibility certificate would be issued.

PART C — SITE COMPATIBILITY OF THE PROPOSED DEVELOPMENT

In this Part, please **attach** documentation to describe the development proposal, its context and strategic justification.

1. CONTEXT

The context for development can be presented through photos, maps at an appropriate scale and written evidence.

- Location, zoning of the site and representation of surrounding uses
- Description of surrounding environment:
  - built form
  - potential land use conflicts
  - natural environment (including known significant environmental values and resources or hazards)
- Access to services and facilities and access (clause 26):
  - accessibility and interrelationships with the surrounding area—transport infrastructure and services, accessible pedestrian routes
  - location and description of available shops, banks and other retail and commercial services, community services and recreational facilities, medical facilities
- Open space and special use provisions (if relevant)
- Agricultural capability of the site and adjoining land if the proposal affects land not zoned primarily for urban purposes
- Type, values and significance of native vegetation on site, if land is not located in an urban LGA or urban zone listed under Schedule 1 of the Native Vegetation Act 2003. (nb: separate Guideline available for further information)

2. PROPOSAL

The proposal can be presented through photos, maps and written evidence

- Description of the proposal including the type(s) of seniors housing proposed including numbers of beds/units, community facilities and any ancillary development
- Site description—natural elements of the site (including known hazards and constraints)
- Building envelope—footprint and height relative to adjoining development/uses and indicative layout of proposed uses in relation to adjoining development/uses
- proposed extent of native vegetation clearing, if land is not located in an urban LGA or urban zone listed under Schedule 1 of the Native Vegetation Act 2003

3. STRATEGIC JUSTIFICATION

Brief description of the proposed development—10 pages limit

- Relationship with regional and local strategies
- Public interest reasons for applying for seniors housing in this locality
- Adequacy of services and infrastructure to meet demand

4. PRE-LODGEMENT CONSULTATION WITH THE CONSENT AUTHORITY (COUNCIL) AND INFRASTRUCTURE/SERVICE PROVIDERS

Attach evidence of pre-lodgement consultation

- Evidence of consultation
- Description of and response to issues raised in consultation

Note: Pre-lodgement discussion with the council and with agencies such as the Roads and Traffic Authority, Rural Fire Service and providers of infrastructure and services such as health, community, transport, electricity, water, and sewerage infrastructure and services, will assist in preparation and assessment of your application.

Applicants should provide a statement demonstrating whether the site is suitable for more intensive development and is development for the purposes of seniors housing of the kind proposed in the application compatible with the surrounding environment, having regard to (at least) the following matters for consideration outlined under clause 25(5)(b) of the SEPP:

1. THE NATURAL ENVIRONMENT (INCLUDING KNOWN SIGNIFICANT ENVIRONMENTAL VALUES, RESOURCES, OR HAZARDS), AND THE EXISTING USES AND APPROVED USES OF LAND IN THE VICINITY OF THE PROPOSED DEVELOPMENT.

Please refer to accompanying submission dated August 2014, prepared by Boston Blyth Fleming Town Planners.

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.

Please refer to separate submission.

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.

Please refer to separate submission.

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.

Please refer to separate submission.

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.

Please refer to separate submission.

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).

Please refer to separate submission.

Please refer to separate submission.

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 compatibly. 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 $5000.

Number of beds or dwellings: 115 dwellings

Estimated project cost: 90 million

D3 CERTIFICATE APPLICANT 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):

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

Name(s):

Date:

D4 LAND OWNER'S CONSENT

As the owner(s) of the land for which the proposed seniors' housing development is located and in signing below, I/we hereby agree to the lodgement of an application for a Director-General's site compatibility certificate.

Signature:

Name: Marten Touw

Date: 7/8/14

Signature:

Name:

For Bayview Golf Club Limited as secretary/General Manager