

8 July 2019

Graham Towers
Team Leader, Southern Region
Planning Services
Department of Planning, Industry & Environment

Hello Graham,

Application for a site compatibility certificate – SCC_2019_KIAMA_001_00

Council has reviewed the information that was submitted with the application concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP)*. Council would like the following comments to be considered by the Southern Planning Panel.

General Comments

There are a number of inconsistencies and errors contained in the submitted Site Compatibility Report and the accompanying appendices.

The Site Compatibility Report makes references to attached correspondence from Dial Before You Dig and LandTeam Engineers and an Agreement from Kiama Mini Coaches. These documents are not included as part of the information submitted with the application.

The Site Plan, contained in Appendix 3, is inconsistent with the Architectural Plans, contained in Appendix 13. The Architectural Plans do not include floor plans or elevations. This restricts Council's ability to comment on the consistency of the proposed development with the criteria referred to in clause 25(5)(b) of the SEPP (refer to relevant comments below). Council is unsure if recommendations of the Accessibility Report, contained in Appendix 9, have been incorporated into plans. The Architectural Plans do not include the fire trials recommended by the Bushfire Report in Appendix 10.

The Feasibility Letter from Sydney Water, contained in Appendix 4, is not specific to the proposal as it refers to a different development and is seriously outdated. Council is continuing to liaise with Sydney Water regarding capacity issues of the sewerage network in the area.

The Site Compatibility Report outlines that the proposal includes the subdivision of the site into:

- 21 dwellings made up of single storey stand alone dwellings

- 1 Communal Lot
- 1 Development Lot
- 1 Residual Lot

It would appear that the applicant seeks to subdivide the site under the provisions of the *Community Land Development Act 1989*. Council understands that the subdivision component of the proposal is not a matter for consideration by the Southern Planning Panel. However, Council is unsure what is meant by 'Residual Lot'. The submitted Architectural Plans are inconsistent with the Site Compatibility Report as they do not refer to a 'Residual Lot' but rather 'residue land'. From the Architectural Plans it would appear that the 'residue land' will form the 'Development Lot'.

The Traffic Assessment, contained in Appendix 8, and the Accessibility Report, contained in Appendix 9, are inconsistent. Each report states that a different number of dwellings will obtain access off the proposed internal road.

Consistency with subclause (b)(i)

Neither the Architectural Plans, Agreement for Provision of Bus Services, Traffic Assessment, nor the Accessibility Report show the location of the proposed bus pick up. Council are unable to comment on the proposal's compatibility with the natural environment and existing and approved uses in the vicinity.

Consistency with subclause (b)(ii)

As outlined above, Council are unable to comment on the impact of the proposed development on existing and approved uses in the vicinity. It is noted that the Site Compatibility Report indicates that the proposed dwellings will be single storey. Council requests that elevation plans are provided to ensure that this is the case and to enable Council to comment on potential view sharing issues.

Consistency with subclause (b)(iii)

Neither the Architectural Plans, Agreement for Provision of Bus Services, Traffic Assessment, nor the Accessibility Report show the location of the proposed bus pick up. Council are unable to comment on the proposal's compliance with clause 26(2)(c) without this information.

The Agreement for Provision of Bus Services does not outline where the bus will travel to. In this regard, Council are concerned that the Agreement Transport does not ensure compliance with clause 26(2)(c) as the facilities/services listed in 26(1) have not been referenced. It is noted that the Accessibility Report indicates that the bus service will provide a virtual door to door service for residents and that there are many shops and services and recreational opportunities along Terralong Street that are within 400 metres of a central drop-off and pick-up point near the Collins Street – Shoalhaven Street block adjoining Terralong Street. However, this level of service has not been included in the Agreement for Provision of Bus Services.

Council has concerns with the wording of point 3 in Agreement for Provision of Bus Services. It would appear that if the residents decide that the transport services are no longer required this service will cease. This is not the intention of clause 26.

The Agreement for Provision of Care Services refers to a different development. Council has concerns with the wording of point 2 in Agreement for Provision of Care Services. It would appear that if the residents decide that the services are no longer required this service will cease. This is not the intention of clause 26.

Consistency with subclause (b)(iv)

Not applicable.

Consistency with subclause (b)(v)

Council are unable to comment on bulk scale, built form and character of the proposed development as no elevations, floor plans etc. have been submitted.

The rear and side yards of Dwellings 1-6 Rear yards will face Old Saddleback Road. For the Senior Living Development at 58 Old Saddleback Road Council requested an highly permeable boundary fence treatment to ensure the character of the development was consistent with the prevailing rural character of the area. It is noted that the Bushfire Report recommends installing a 1.8m high colorbond fence along the common boundary of Lot 33 DP709582 to the subject property. The Bushfire Report recommends also recommends partly extending the colorbond fence approximately 50 metres along the western boundary of the site. This recommendation will result in a poor scenic outcome.

Consistency with subclause (b)(vi)

The Site Compatibility Report outlines that the Proposed Seniors Living Development will be carried out on cleared land and would not require the removal of any vegetation. It would appear that this is not the case. The Bushfire Report recommends establishing and maintaining an APZ east to the 80m contour. This will require the removal of vegetation, identified as Sub-Tropical Illawarra Rainforest by the Vegetation Assessment, contained in Appendix 12. The Bushfire Report also recommends establishing a fire trail through this ecological community. The amount of vegetation to be removed has not been quantified and as such Council cannot determine if the proposal complies with the requirements of the *Biodiversity Conservation Act 2016*.

Consistency with subclause (b)(vii)

No cumulative impact study provided.

Should you wish to discuss this matter, please feel free to contact me on (02) 4232 0444.

Yours faithfully



Ed Paterson

Acting Manager Strategic Planning