



Planning & Environment

SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 SITE COMPATIBILITY CERTIFICATE APPLICATION

Date received: ____/____/____

Site compatibility application no. _____

LODGEMENT

Instructions to users

A site compatibility certificate is required under clause 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.

Please note, amendments to the SEPP in October 2018 require you to submit a cumulative impact study if your proposed development is located within a 1km radius of 2 or more other parcels of land which have either a current site compatibility certificate or a site compatibility certificate application that has been made but not yet determined.

In addition, the amendments made in October 2018 also affect the way the SEPP applies to a site that includes land over which a previous site compatibility certificate has been issued (see clause 25(5)(c) and 25(5A)). As a result, you will now be required to include details of all previous site compatibility certificates that were issued over any portion of the land to which this application relates.

Before lodging this application, it is recommended that you contact the relevant regional office of the Department of Planning and Environment concerning your development proposal to arrange a pre-lodgement meeting.

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 a **copy** of this form and attached documentation in **hard copy**,
- provide form and documentation in **electronic format** (e.g. Memory stick).
- **provide** a cumulative impact study, if required.
- **provide** copies of any previously issued site compatibility certificates for the land, or any part of the land, to which the application relates.

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

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

APPLICANT FOR THE SITE COMPATIBILITY CERTIFICATE

Company/organisation/agency

PRECISE PLANNING

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

JEFFREY

Family name

BULFIN

Street address

Unit/street no.

LVL 26, 1

Street name

BLIGH STREET

Suburb or town

SYDNEY

State

NSW

Postcode

2000

Postal address
(or mark 'as
above')

PO Box or Bag

PO BOX 426

Suburb or town

NORTHBRIDGE

State

NSW

Postcode

1560

Daytime telephone

9967 0500

Email

jeff@deepriver.com.au

Mobile

0415 225 732

2. SITE AND PROPOSED DEVELOPMENT DETAILS

Identify the land you propose to develop and for which you seek a site compatibility certificate.

NAME OF PROPOSAL

STRATFORD HOUSE

STREET ADDRESS

Street no.

20-30

Street or property name

ROCKFORD ROAD

Suburb, town or locality

TAHMOOR

Postcode

2573

Local government area

WOLLONDILLY

NAME OF PROPERTY

STRATFORD HOUSE

REAL PROPERTY DESCRIPTION (Lot and DP, section)

LOTS 1 to 7, 22, 23, 27-32, 35-37 DP 12096

Attach—map and detailed description of land.

LOTS 2 + 3 DP 2362 2
LOT 11 DP 739884

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 NSW Land Registry Services. 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. Refer to the proposed site layout by title or drawing number to enable reference in the certificate.

→ 120 BED RESIDENTIAL CARE FACILITY
→ UP TO 230 INDEPENDENT LIVING UNITS (SELF CARE /
SERVICED SELF CARE) AS SHOWN ON PLAN BY MCCABE.
ARCHITECTS AT APPENDIX B OF REPORT BY PRECISE PLANNING

Attach—copy of proposed site layout.

3. RELEVANCE OF SEPP

Please explain how the SEPP applies to your proposal?

THE LAND IS BOTH ZONED PRIMARILY FOR URBAN
PURPOSES AND ADJOINING LAND ZONED PRIMARILY
FOR URBAN PURPOSES

4. LAND TO WHICH YOUR APPLICATION RELATES TO

In accordance with Clause 24(1)(a), the proposed site is on land: partly

- (i) that adjoins land zoned primarily for urban purposes
- (ii) that is zoned as 'special uses' under another EPI
- (iii) that is used for the purposes of an existing registered club

Yes ☒ No ☐
Yes ☐ No ☐
Yes ☐ No ☐

5. PREVIOUS SCC CERTIFICATES

Has an SCC previously been issued for any part of the land to which this application applies?

Yes ☒ No ☐

If yes, please provide details and a copy of the previous certificate/application.

1) ORIGINAL SCC DATED 4 NOV 2015 (NOW EXPIRED)
2) CURRENT SCC DATED 22 MAR 2019 (COPY ATTACHED)

6. CUMULATIVE IMPACT STUDY

Has a cumulative impact study been submitted with this application?

Yes ☐ No ☒

Please provide an explanation to support/explain your response above.

THIS APPLICATION IS ALMOST IDENTICAL TO THAT WHICH WAS APPROVED ON 22 MAR 2019. IT INCLUDES ONE ADDITIONAL EXISTING LOT WITH A MARGINAL INCREASE IN SERVICED SELF-CARE DWELLINGS

7. APPLICATION FEE

You are required to pay a fee for the assessment of an application for the 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 and/or dwellings

120 BEDS; UP TO 230 DWELLINGS

8. 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 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)



Name(s)

JEFFREY BULFIN

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

PROJECT PLANNER

Date

2 AUGUST 2019

LANDOWNER'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 site compatibility certificate.

Signature



Signature

Name

Phil Purnell DIRECTOR

Name

Date

COMMON GROUND PROPERTY
3.08.19 (NSW) P/L

Mr Jeff Bulfin
Precise Planning
PO Box 426
NORTHBRIDGE NSW 1560

Dear Mr Bulfin

Determination of application for a site compatibility certificate for Stratford House, Rockford Road, Tahmoor – State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

I refer to your application of 26 March 2018 for a site compatibility certificate under clause 25(1) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP) in relation to Stratford House, Rockford Road, Tahmoor.

The Sydney Western City Planning Panel has assessed the application and is satisfied of the matters in clause 24(2) and determined the application under clause 25(4) of the Seniors Housing SEPP by issuing a site compatibility certificate [subject to the satisfaction of certain requirements specified in the certificate]. I have enclosed the site compatibility certificate which is valid for 24 months after the date of issue.

If you have any questions in relation to this matter, please contact Edith Barnes in the Department of Planning and Environment's Sydney Region West office on 8289 6624

Yours sincerely



Justin Doyle
Chair
Sydney Western City Planning Panel


Encl: Site compatibility certificate

**State Environmental Planning Policy (Housing for Seniors or People with a
Disability) 2004
Certificate of Site Compatibility**

The Sydney Western City Planning Panel has determined the application made by Precise Planning on behalf of Common Ground Property Pty Ltd on 26 March 2018 by issuing this certificate under clause 25(4) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The panel certifies that in its opinion:

- the site described in Schedule 1 is suitable for more intensive development;
- the development described in Schedule 1 is compatible with the surrounding environment having had regard to the criteria specified in clause 25(5)(b);
- that development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding land uses only if it satisfies certain requirements specified in Schedule 2 of this certificate.



Justin Doyle
Chair
Sydney Western City Planning Panel

Date certificate issued: 22 March 2019

Please note: This certificate will remain current for 24 months from the date of this certificate (clause 25(9) and cannot be varied during its currency to cover additional land.

SCHEDULE 1

Site description: Stratford House, Rockford Road, Tahmoor (Lots 22, 23 and 27-32 DP 12096 and Lots 2-3 DP 236262).

Development description: A (maximum) 120-bed residential care facility and (maximum) 220 serviced and self-care units with a maximum floor space ratio of 0.2:1 and a maximum building height of 9m (two storeys).

SCHEDULE 2

Requirements imposed on determination:

1. Consultation with the Subsidence Advisory NSW during the preparation of concept plans prior to the lodgement of any development application with Wollondilly Shire Council.
2. Consultation with Sydney Water during the preparation of concept plans prior to the lodgement of any development application with Council.
3. The final layout, building construction and on-site facilities accompanying any development application is to be subject to satisfactory resolution of issues relating to:
 - A heritage impact statement to address heritage impacts on Stratford House (Heritage Item 1235 under schedule 5 of the Wollondilly Local Environmental Plan 2011), including the visual character of and views to Stratford House from key points in the vicinity;
 - A flora and fauna assessment to examine significant and endangered vegetation communities identified on the site and whether the concept should be amended to reduce the need for avoidable removal of vegetation even where it may reduce the total yield of the development below the approved maximums;
 - An acoustic report to assess any potential noise impacts of the nearby Ingham's processing plant and Tahmoor Inn on the development proposal, including potential traffic movements to and from the processing plant;
 - An odour assessment to assess any potential odour impacts of the nearby Ingham's processing plant on the development proposal, including the appropriateness of residential dwellings along Rockford Rd;
 - Infrastructure requirements generated by the development on Rockford, Stratford and Remembrance Driveway, eg. Pedestrian connectivity to the town

and train station, including pathways and crossings including potentially pedestrian connectivity through the site;

- An assessment addressing Council's Open Space, Recreation and Community Facilities Strategy (2014) to respond to the need for private open space;
- Built form arrangements and interfaces between the 3 storey element of the development and neighbouring properties;
- Provision of higher levels of care being sequenced in early stages of the development, to cater to the full range of resident needs;
- Subdivision design and landscaping and building form of the development to remain consistent with the character of Tahmoor village and its rural edge; and
- Stormwater management treatment, including impacts on the Bargo River catchment.

Note: For the avoidance of doubt, resolution of the nominated requirements may require amendment to the concept plan accompanying the application.



Planning & Environment

Office of the Secretary

Mr Jeffrey Bulfin
Precise Planning
PO Box 426
Northbridge NSW 2063

Contact: Rachel Cumming
Phone: 02 9860 1174
Email: rachel.cumming.nsw.gov.au

Our ref: 15/05153
Your ref: 1343

Dear Mr Bulfin

Determination of application for a site compatibility certificate for land known as 'Stratford House', Rockford Road, Tahmoor - State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

I refer to your application for a site compatibility certificate under clause 25(1) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP (Seniors Housing)) in relation to land known as 'Stratford House', Rockford Road, Tahmoor.

I have determined the application under clause 25(4)(a) of the SEPP (Seniors Housing) by issuing a site compatibility certificate. In issuing this certificate I have specified certain requirements (clause 25(7)) that will need to be met by the applicant before they lodge a development application for seniors housing on the site. I have attached the Certificate of Site Compatibility.

Should you have any further enquiries about this matter, please contact for Ms Rachel Cumming, Director, Metropolitan (Parramatta), at the Department on (02) 9860 1174.

Yours sincerely

Carolyn McNally
Secretary

3.11.15

Enc: SCC certificate



**State Environmental Planning Policy (Housing for Seniors or People with a Disability)
2004
Certificate of Site Compatibility**

I, the Secretary of the Department of Planning and Environment determine the application made by Precise Planning on 13 November 2014 by issuing this certificate under clause 25(4)(a) of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

I certify that in my opinion:

- the site described in Schedule 1 is suitable for more intensive development; and
- the development described in Schedule 1 is compatible with the surrounding environment having had regard to the criteria specified in clause 25(5)(b).

Under clause 25(7), this certificate is only valid in relation to development that satisfies the requirements specified in Schedule 2 of this certificate.

Carolyn McNally
Secretary

Date certificate issued: 4.11.15

Please note: This certificate will remain current for 24 months from the date of this certificate (clause 25(9)).

SCHEDULE 1

Site description: 'Land encompassing Stratford House', Rockford Road, Tahmoor, comprising (Lots 22-23 and 27-32 DP 12096 and Lots 2 & 3 DP 236262) in Wollondilly Local Government Area.

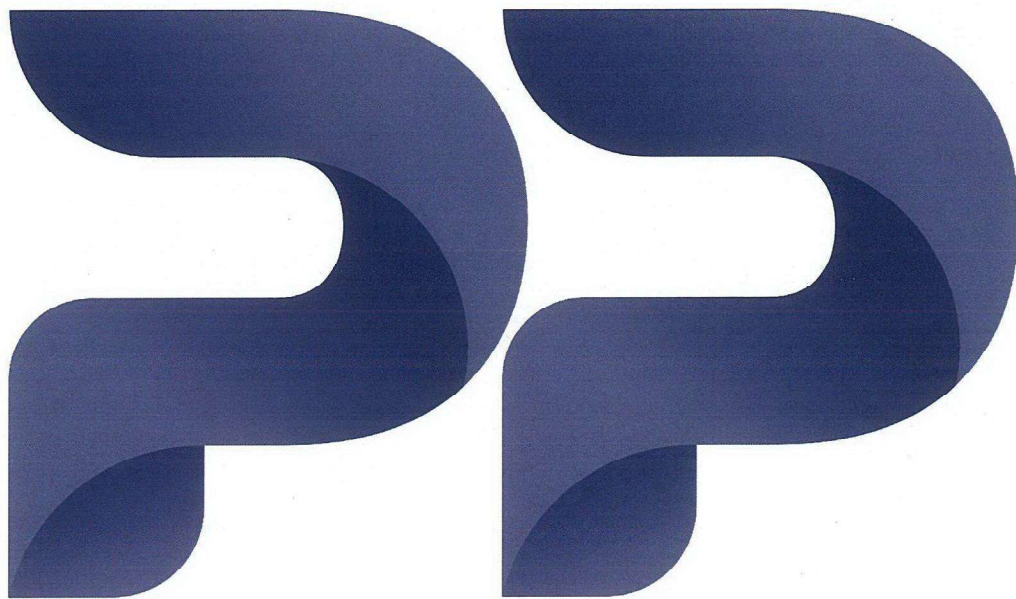
Project description: the erection of a seniors housing complex encompassing the site including a residential care facility and serviced self-care dwellings.

SCHEDULE 2

Application made by: Mr Jeffery Bulfin of Precise Planning

Requirements imposed on determination:

1. The applicant is to consult with the Mine Subsidence Board during the preparation of concept plans, prior to lodgement of the Development Application with Council.
2. The applicant shall submit the following to Wollondilly Shire Council at the development application stage:
 - (i) A Heritage Impact Statement. The Heritage Impact Statement is required as "Stratford House" is identified as Heritage Item 1235 under Schedule 5 of the *Wollondilly Local Environmental Plan 2011*.



PRECISE PLANNING

Planning | Development | Management

SITE COMPATIBILITY CERTIFICATE APPLICATION

***Proposed Senior's Facility
'Stratford House'***

Rockford Road, Remembrance Driveway, Stratford Road, Hawkins
Road, Tahmoor

August 2019

Level 26, 1 Bligh Street, Sydney, NSW 2000
(02)9967 0500 | preciseplanning.com.au

Table of Contents

EXECUTIVE SUMMARY.....	3
1. INTRODUCTION.....	5
1.1 BACKGROUND.....	5
1.2 SITE IDENTIFICATION.....	5
1.3 ZONING AND PERMISSIBILITY – Legislative framework.....	8
1.4 GENERAL SUMMARY OF SITE CHARACTERISTICS.....	11
2. THE PROPOSAL.....	13
2.1 RESIDENTIAL CARE FACILITY.....	13
2.2 SELF-CARE AND SERVICED SELF-CARE HOUSING.....	13
2.3 DESIGN PHILOSOPHY.....	14
2.4 NEARBY SERVICES.....	14
3. SITE COMPATIBILITY CERTIFICATE CRITERIA.....	16
3.1 SEPP REQUIREMENTS.....	16
3.2 PLANNING SUMMARY.....	21
4. CONCLUSION.....	22

EXECUTIVE SUMMARY

The purpose of this Report is to provide information to the Department of Planning & Environment (DPE) to assist in the determination of an application for a Site Compatibility Certificate (SCC) pursuant to the provisions of Part 1A *State Environmental Planning Policy (Housing for Seniors or People with a Disability)* 2004 (SEPP).

Existing Site Compatibility Certificates

Two (2) previous SCCs have been issued for this site, dated 3 November 2015 (DPE ref 15/05153) and 22 March 2019 (Planning Panels ref 2019SWC008). The validity of the earlier SCC has expired, however the latter SCC remains current. A copy of both certificates is attached.

Purpose of this application

The proponent has now acquired an additional lot (Lot 11 DP 739884), immediately adjoining the original land holding, and now seeks consent for this additional lot to be included in, and covered by, the SCC. Lot 11 DP 739884 immediately adjoins lot 22 DP 12096 on its north-west boundary and has a road frontage to Stratford Road.

The additional lot will provide the opportunity for a number of ancillary facilities, such as storage for boats and caravans, as well as additional serviced self-care dwellings. The current SCC authorizes permissibility for up to 220 self-care or serviced self-care dwellings. This new application seeks to increase this number so that it is 'up to 230 self-care or serviced self-care dwellings'.

Details of the proposal

It is proposed to seek approval for the erection of a **Residential Care Facility** (RCF) with a capacity for 120 beds and up to 230 associated **Self-care or Serviced Self-care Dwellings**. The subject site is zoned partly R2 Low Density Residential and the remainder RU4 Primary Production Small Lots, pursuant to Wollondilly Local Environmental Plan 2011 (LEP). The Land Use table contained within the LEP permits *Senior's Housing* (which is a type of *Residential Accommodation*) in the R2 zone, but does not permit Senior's Housing in the R4 zone. However, the RU4 component of the site is immediately adjacent to land zoned "...primarily for urban purposes". Therefore, senior's housing is permissible on the R2 component of the land, pursuant to the LEP, and on the RU4 component of the land, subject to the issue of an SCC for that purpose by the Sydney Western City Planning Panel.

The subject site is known as "Stratford House", Rockford Road Tahmoor. The title details are as follows:¹

- Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096
- Lots 2 and 3 DP 236262
- Lot 11 DP 739884

Currently occupying the site is a two storey dwelling, with associated structures. The existing dwelling is an item of local heritage significance under the LEP.

The site is bounded by Rockford Road to the east; Remembrance Driveway to the northwest, Hawkins Road to the south and Stratford Road to the west. The total site comprises 21 separate titles and contains an area of about 13.68ha. Land uses surrounding the site include residential dwellings, rural residential (hobby farm) uses, a hotel, public school and an electrical substation.

The RCF is a compatible land use for this location and, as discussed later in this report, there is a demonstrable need for more RCF beds in the local area. A high quality RCF on this site may be achieved with negligible environmental impact and a positive social and economic impact. The location of the site at the southwestern edge of the township of Tahmoor makes an ideal context for such a facility. Large regional centres in proximity to the site include Campbelltown, Bowral, Camden and Narellan. Tahmoor itself contains all major banks, a credit union, post office, medical centres, dentist, solicitors, accountants, hairdressers, fast food outlets, restaurants, supermarkets and the like. The nearest public hospital is in Campbelltown.

An existing sheltered bus stop is located near the front of the site, with a concrete constructed continuous path of travel to and from all services in the Tahmoor township.

The site will be serviced with electricity, telephone, Sydney Water sewerage and water connections and natural gas.

Discussions have occurred with Wollondilly Council in relation to this proposal, specifically with Council's [then] Manager of Planning David Smith. Subject to the issuing of a Site Compatibility Certificate and a proper assessment process, David Smith indicated at the time he supported the proposal.

Based on investigations represented in this report, it is concluded that the site is suitable for the proposed development and worthy of support by DPE for the issue of a SCC.

¹ See copy of Site Survey at Annexure A

1

INTRODUCTION

1.1 BACKGROUND

This Report is intended to accompany an application to Department of Planning & Environment (DPE) for a Site Compatibility Certificate (SCC), pursuant to the provisions of Part 1A State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP). The report addresses the relevant requirements contained in clauses 24 and 25 of the SEPP.

It is proposed to seek approval for the erection of a **Residential Care Facility** (RCF) with a capacity for 120 beds and up to 230 **Self-care or serviced Self-care Dwellings**.

1.2 SITE IDENTIFICATION

The land to which this report relates is known as "Stratford House", Rockford Road Tahmoor, located within the Wollondilly Local Government Area. Title particulars are as follows:

- Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096
- Lots 2 and 3 DP 236262
- Lot 11 DP 739884

The land has street frontage to Rockford Road, Remembrance Driveway, Hawkins Road and Stratford Road, although its commonly used vehicular access is from Rockford Road.



FIGURE 1

Rockford Road (site is on right hand side of this photograph)

Rockford Road, Hawkins Road and Stratford Road are rural roads in reasonable condition. Remembrance Driveway is a main road under the control of Roads and Maritime Services (RMS).



FIGURE 2

Stratford House – set amongst manicured gardens



FIGURE 3
Stratford House – existing driveway off Rockford Road



FIGURE 4
Locality plan

1.3 ZONING AND PERMISSIBILITY – Legislative framework

The subject land is contained partly within the R2 Low Density Residential zone and the remainder within the RU4 Primary Production Small Lots zone, pursuant to the LEP. It adjoins R2 Low Density Residential to the west and south.

Wollondilly LEP 2011 (LEP)

Senior's housing is a type of **residential accommodation** in the dictionary contained in LEP.

R2 Low Density Residential zone

The LEP land use table for the R2 zone permits the following land uses, with consent:

Bed and breakfast accommodation; Boarding houses; Cemeteries; Child care centres; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Neighbourhood shops; Places of public worship; Recreation areas; Residential accommodation; Respite day care centres; Roads; Sewerage systems; Signage; Veterinary hospitals; Water supply systems

The Land Use Table prohibits certain types of *Residential Accommodation* in the R2 zone, namely:

Attached dwellings; Multi dwelling housing; Residential flat buildings; Rural workers' dwellings; Shop top housing;

As *Senior's Housing* is not listed in the prohibited land uses, it is a use that is permissible with consent in the R2 zone.

RU4 Primary Production Small Lots

The LEP land use table for the RU4 zone permits the following land uses, with consent:

Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Cellar door premises; Cemeteries; Child care centres; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Research stations; Respite day care centres; Roads; Roadside stalls; Rural supplies; Secondary dwellings; Signage; Veterinary hospitals; Water supply systems

Residential Accommodation is not listed as a use that is permissible with consent in the RU4 zone and *Senior's Housing* is not listed as one of the exceptions.

This means that seniors housing, is a **prohibited** land use in the RU4 zone.

SEPP (Housing for Senior's or People with a Disability)

The SEPP applies to the Wollondilly LGA and has the effect of setting aside any controls within an environmental planning instrument that would otherwise prevent the development of housing specified by the SEPP, provided it meets the development criteria and standards specified.

Clause 4(1) of the SEPP provides as follows:

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.

Note 1

Part of the land is located in the RU4 Primary Production Small Lots zone under the LEP. This is not land "... Zoned primarily for urban purposes". However, the land immediately adjoins land zoned R2 Low Density Residential (which is land "...zoned primarily for urban purposes") on its northern and eastern boundaries.

Note 2

Dwelling-houses are permitted on land zoned RU4 Primary Production Small Lots under LEP (for relevance, see cl.4(1)(a)(i) of the SEPP, quoted above).

Note 3

Because the land adjoins land zoned primarily for urban purposes, and dwelling-houses are permitted on land in the RU4 zone, the SEPP enables certain **seniors housing** to be erected on the subject land.

Note 4

Clause 17(1) of the SEPP permits the following categories of **seniors housing** to be erected on land adjoining land zoned primarily for urban purposes:

- A hostel
- A residential care facility
- Serviced self-care housing

Clause 17(2)(b) of the SEPP requires that serviced self-care housing on land adjoining land zoned primarily for urban purposes must only be approved if it is in combination with a residential care facility.

Self-care housing may be erected on the R2 zoned part of the site.

The proposal is consistent with these subclauses, as it proposes a residential care facility for 120 beds and up to 230 associated self-care and serviced self-care dwellings.

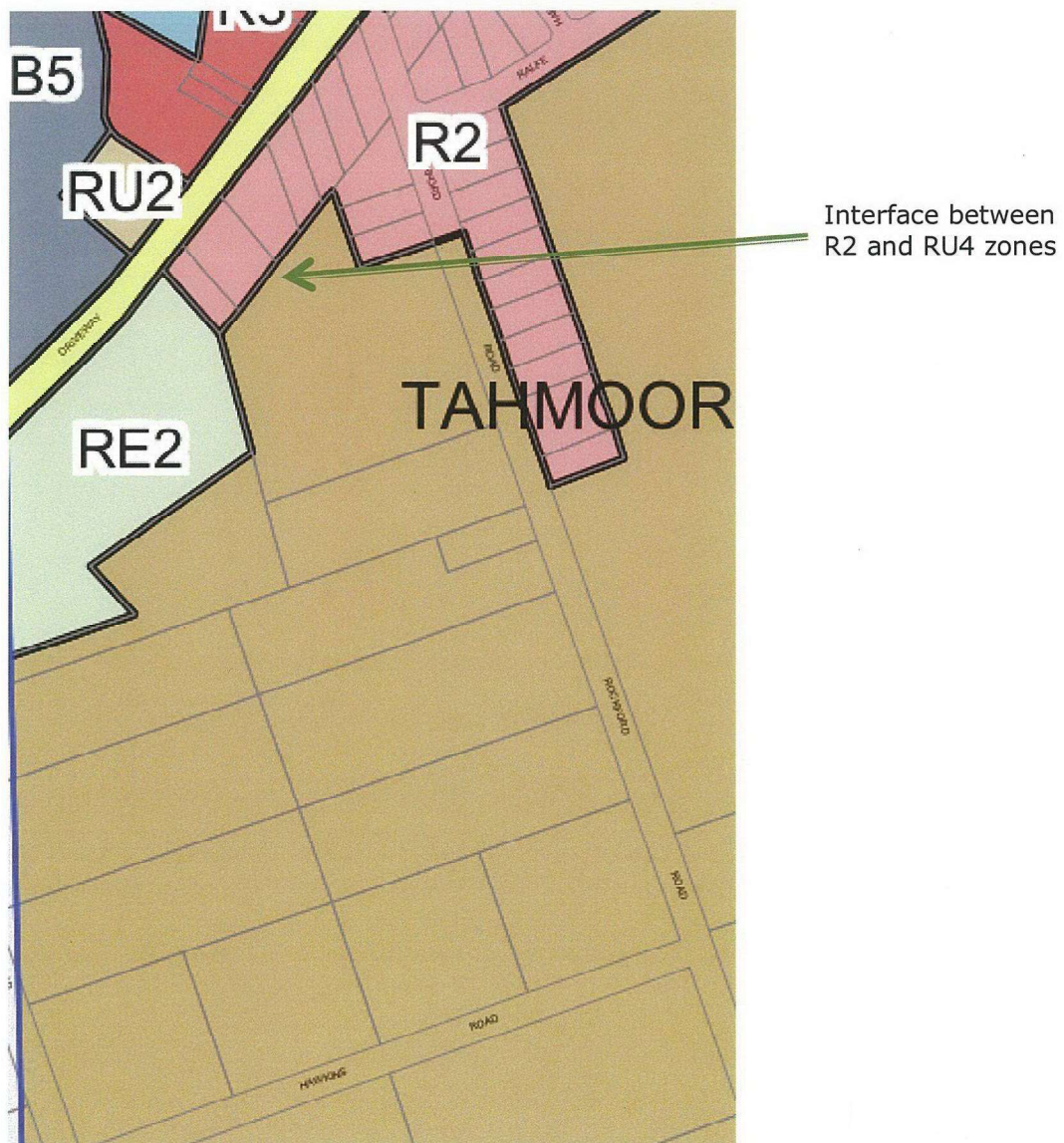


FIGURE 5
Zone map – LEP

1.4 GENERAL SUMMARY OF SITE CHARACTERISTICS

Characteristic	Analysis
Property description	Lots 1, 2, 3, 4, 5, 6, 7, 22, 23, 27, 28, 29, 30, 31, 32, 35, 36 and 37 DP 12096, Lots 2 and 3 DP 236262, Lot 11 DP 739884
Location, dimensions, shape, area, orientation	Frontage to Rockford Road, Remembrance Driveway, Hawkins Road and Stratford Road. Area is 14.33ha, irregularly shaped.
Access	Access to the land is Rockford Road
Contours and levels	The land is relatively flat, as depicted on the plan at Annexure A.
Existing vegetation	The vegetation around the existing dwelling consists mainly of exotic tree species, including large pine trees. Native vegetation exists in patches across the site
Existing improvements	Two storey masonry dwelling with attached living area and sheds on Lot 2 DP 236262 and a single storey dwelling and sheds on Lot 11 DP 739884
Significant views to and from the site	There are no district or regional views of significance either to or from the site
Stormwater	Surface water flows in the direction of the slope of the land
Electricity	Overhead supply available
Water	Reticulated water supply available
Sewer	Sydney Water sewerage infrastructure connection will become available
Gas	Gas supply is available
Microclimate	Predominant breeze from the southwest. Summer storms from the west, south and southwest. The location and topography of the site does not create a microclimate
Existing overshadowing	Not relevant
Fences, boundaries, easements	Mixture of fence types; generally rural type fencing. The land is not affected by any easements
Natural features	There are no noteworthy natural features
Adjacent and opposite buildings / development	Residential development to the north and east; rural residential to the south; hotel; and rural residential to the west.
Street frontage features	There are no noteworthy street frontage features
Height differences between subject and adjoining land	No significant changes
Significant noise sources	No significant noise sources affecting the land other than Remembrance Driveway traffic noise
Bushfire risk	Land is NOT shown as bushfire prone on Council maps
Contamination	No investigation has been carried out at this stage

Salinity	No investigation has been carried out at this stage
Acid sulphate soil	No investigation has been carried out at this stage
Flooding	Not considered flood-prone

TABLE 1
General Summary of Site Characteristics

2

THE PROPOSAL

2.1 RESIDENTIAL CARE FACILITY

Part of this proposal is the erection of a 120 bed residential care facility.

Clause 11 of the SEPP defines a **residential care facility** as follows:

*In this Policy, a **residential care facility** is residential accommodation for seniors or people with a disability that includes:*

- (a) meals and cleaning services, and*
- (b) personal care or nursing care, or both, and*
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,*

not being a dwelling, hostel, hospital or psychiatric facility.

This definition is replicated in the LEP.

A plan showing the location of the proposal has been prepared by McCabe Architects (Annexure B). At this stage, only the designated area of the site has been identified on the land. This area occupies that part of the site fronting Stratford Road.

The facility will be accessed from Stratford Road.

The facility will utilize the existing Stratford House building for community uses and an indoor swimming pool.

2.2 SELF-CARE AND SERVICED SELF-CARE HOUSING

Part of this proposal is the erection of up to 230 independent living units (ILUs)(*Self-care and serviced self-care housing*).

Clause 13(1) of the SEPP defines defined by the SEPP as **self-care housing** as follows:

*In this Policy, a **self-contained dwelling** is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.*

Clause 13(3) of the SEPP defines defined by the SEPP as **serviced self-care housing** as follows:

In this Policy, **serviced self-care housing** is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

For the up to 230 ILUs, **self-care housing** is permitted in the area currently zoned R2 and **serviced self-care housing** is permitted in the balance of the site, adjoining land zoned primarily for urban purposes. At this stage, it has not been determined whether the up to 230 ILUs, which extend into the area zoned R2, will be all **serviced self-care housing**, or part **self-care housing**. In any event, this should have little bearing on the issuing of the SCC.

A plan showing the location of the proposal has been prepared by McCabe Architects (Annexure B). The layout is indicative at this stage, but will generally follow the topography of the land.

The up to 230 ILUs are made up of detached dwellings.

Access to this section of the site will be from Rockford Road.

The **serviced self-care housing** will operate in synergy with the RCF in order to provide meals, cleaning services, personal care, nursing care, thus meeting the definition requirements.

It is possible that the construction of the ILUs will be staged to meet demand.

2.3 DESIGN PHILOSOPHY

The proposed residential care facility will provide varying levels of 24hr care to residents who are no longer independent.

Residents will be accommodated in a building, most likely over two levels. Residents will be accommodated in single and double rooms. Dining and lounge facilities will be provided to all residents and served in-house catering and support services.

Specifically designed indoor and outdoor activity spaces will be created to provide an environment that will be peaceful and relaxed. This will include facilities proposed for the existing dwelling.

Residents will be supported by nursing and administrative staff 24hrs a day as their care needs dictate.

A day care centre for the aged is likely to form part of the design of the new residential care facility.

2.4 NEARBY SERVICES

The facility will be located at the southwest edge of the existing township of Tahmoor. In addition to a typical ribbon-style main street, Tahmoor boasts a range of services, as detailed in Table 3, in s.3 of this report.

Campbelltown is the largest regional centre, approximately 36kms via Menangle Road or 42kms via the freeway. Campbelltown is a major regional centre servicing southwest Sydney, with two major retail shopping centres, several railway stations, a hospital and many specialist medical services, entertainment precinct and many other services.

3

SITE COMPATIBILITY CERTIFICATE CRITERIA

3.1 SEPP REQUIREMENTS

Part 1A, clauses 24 and 25 of the SEPP outline the requirements and criteria for the determination of an application to the Planning Secretary for an SCC.

Clause 24

SEPP Reference	Requirement	Response
Cl.24(1)(a)	Application of the clause	The land partly contains and partly adjoins land zoned primarily for urban purposes
Cl.24(1A)	Permissibility under another EPI	We are not aware of any other EPI which permits senior's hosing on this land
Cl.24(2)	SCC required	Purpose of this current application
Cl.24(3)	Consent authority still required to determine application	Noted

TABLE 2

Response to Clause 24 SEPP

Clause 25

Cl.25(1)(b)

An application for a site compatibility certificate for the purposes of clause 24 may be lodged with the Department:

(b) by any other person, with the consent of the owner of that land.

This application is being lodged by Precise Planning, with the consent of the owner of the land (refer to the owner's consent page of the application form).

Cl.25.(2)

An application:

(a) Must be:

- (i) In writing
- (ii) In the form (if any) approved by the Planning Secretary from time to time;
- (iii) Accompanied by such documents and information as the Planning Secretary may require

- The application is in writing;

- The application is in a form required by the Planning Secretary;
- The application is accompanied by documents as required by clause 25 of the Senior's SEPP

(b) *Specify, in the manner required by the Planning Secretary, whether any site compatibility certificates have previously been issued in respect of the land (or any part of the land) to which the application relates;*

Two (2) previous SCCs have been issued for this site, dated 3 November 2015 (DPE ref 15/05153) and 22 March 2019 (Planning Panels ref 2019SWC008). The validity of the earlier SCC has expired, however the latter SCC remains current. A copy of both certificates is attached.

(c) *For land that is next to proximate site land – must be accompanied by a cumulative impact study that has been prepared in accordance with any guidelines issued by the Planning Secretary from time to time;*

Not applicable.

CI.25(2A)

Not applicable.

CI.25(2B)

Not applicable

CI.25(2C)

Not applicable

CI.25(2D)

Not applicable

CI.25(5)(b)(i)

The natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development

The local environment consists of relatively flat topography, an overland flow path leading to a farm dam and some species of native vegetation. Development in the vicinity of the site consists of residential development to the east and north, rural residential development to the south and a hotel and rural residential development to the west.

The topography is shown on the plan by Australian Survey Solutions (Appendix A). The overland flow path will be treated in accordance with Water Sensitive Urban Design Principles and is not considered a barrier to the proposal.

The vegetation will be investigated as part of the development application process. However, it is not considered significant.

The land is not shown as bushfire prone on Council's bushfire prone land maps.

The nearby Inghams Turkey Processing Plant is now connected to Sydney Water's reticulated sewer. Therefore, the potential for odour affecting this site is significantly reduced.

Cl.25(5)(b)(ii)

The impact that the proposed development is likely to have on the uses that, in the opinion of the relevant panel, are likely to be the future uses of that land

The proposal is residential in nature. It is noted that Wollondilly Council has, in its Growth Management Strategy (2011), identified this land for potential residential development in the future. The proposal is therefore consistent with Council's future plans.

In addition, it is noted that a significant commercial development is proposed for land recently rezoned to B5 Business Development on the opposite side of Remembrance Driveway. The senior's living proposal will not conflict with the commercial development in any way.

The proposal will be compliant with the built form controls of the SEPP.

Cl.25(5)(b)(iii)

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

A bus stop is located within 50m of the northwest corner of the site (in addition, the facility will operate its own bus service), which can transport patrons to Tahmoor, Picton, Camden and Campbelltown, as well as the railway stations.

The proposed facility is able to achieve compliance with the provisions of cl.26 of the SEPP. The site is located less than 100 metres from the commercial centre of Tahmoor and approximately 8kms to Picton, 28 kms to Camden, 33 kms to Narellan and between 36 and 42 kms to Campbelltown (depending on the route taken).

Services in Tahmoor, with distances from the site are shown in Table 3 below:

Service	Distance from site
Pedestrian crossing (over Remembrance Driveway)	60
Bus shelter (NW side of Remembrance Driveway)	80
Community Centre	120
Tahmoor Shopping Village (Radiology, St George Bank, Pharmacy, Medical Centre)	140
Dentist	190
Barber	210
Aldi Supermarket	330
Anglican Church	490
Solicitor	490
NAB	520

Service	Distance from site
Credit Union	540
Post Office	610
Optometrist	615
Tahmoor Town Centre (Woolworths, Pharmacy, Cafes, Butcher, Hairdresser, KFC, Caltex S/S, Variety store)	620-750
Baptist Church	800

TABLE 3

Services in Tahmoor and distance from the site

CI.25(5)(b)(iv)

In the case of applications in relation to land that is zoned open space or special uses – the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development

Not applicable.

CI.25(5)(b)(v)

Without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development

The proposed facility will be compatible with existing and approved development and appropriate for the location, being less than 500m from the railway line and on the edge of the commercial centre of Tahmoor.

The application will include a comprehensive landscape strategy, integrated with the building design, to maximize occupant amenity and minimize visual impacts. The strategy will incorporate retention of existing trees where possible.

CI.25(5)(b)(vi)

If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003 – the impact that the proposed development is likely to have on the conservation and management of native vegetation.

It is noted that the *Native Vegetation Act 2003* is now repealed. Nevertheless, some minor clearing is required, as previously noted. However, the clearing is not considered to have a significant impact on endangered ecological communities.

CI.25(5)(b)(vii)

Not applicable.

CI.25(5)(c)

*In relation to an application that applies to land in respect of which a site compatibility certificate has previously been issued (the **previously certified land**) and other land (the **additional land**) – is of the opinion that:*

- (i) *The additional land (independently of the previously certified land) adjoins land zoned primarily for urban purposes or subclause (5A) applies;*

The 'previously certified land' included all lots the subject of this application, except Lot 11 DP 739884. Lot 11 DP 739884 is the 'additional land'.

Lot 11 DP 739884 (the additional land) does not share a common boundary with 'land zoned primarily for urban purposes'. However, there is no doubt that lot 11 DP 739884 'adjoins' land zoned primarily for urban purposes, based on the NSW Land & Environment Court judgment in *ACN 115 840 509 Pty Limited v Kiama Municipal Council* [2006] NSWLEC 151, as follows:

31 These cases of the Court of Appeal and this Court are consistent in holding that it is not necessary, in order for the subject land to answer the description of being land that "adjoins" land zoned primarily for urban purposes, to be conterminous with (that is, have a common boundary with) or be immediately adjoining the 2(a) Residential land. It is sufficient that the subject land is "near to" or is "neighbouring on" or is "in sufficient proximity to" the 2(a) Residential land which is land zoned primarily for urban purposes.

This principle was reinforced in a more recent judgment in *Treysten Pty Limited v Hornsby Shire Council* [2011] NSWLEC 1364.

- (ii) *If a site compatibility certificate was issued in respect of the previously certified land on the basis that the land adjoined land zoned primarily for urban purposes—the previously certified land continues to adjoin land zoned primarily for urban purposes.*

Land zoned primarily for urban purposes form part of the subject of this application, being lots 1 to 7 inclusive and lots 35, 36 and 37, DP 12096. The remaining lots all 'adjoin' land zoned primarily for urban purposes. The zones of the adjoining land have not changed since the previous SCCs were issued.

CI.25(5A)

Not applicable

CI.25(6)

No adverse environmental effects on the environment are anticipated.

CI.25(7)

Noted

CI.25(9)

Noted

CI.25(10)

Noted

3.2 PLANNING SUMMARY

Category	Description	Response
Context		
	Location, zoning and surrounding uses	See s.1.2 and 1.3 and Figure 5
	Description of surrounding environment	See s.1.4 and Table 1
	Access to services and facilities	See s.2.4 and Table 3
	Open space and special uses provisions	N/A
	Agricultural capability of the site and adjoining land	Minimal due to size of land and potential conflicts with adjoining land uses
	Type, values and significance of native vegetation on the site	Will be assessed in detail at DA stage in line with current legislation
Proposal		
	Description of the proposal	See s.1.1, s.2.1 and plan at Annexure B
	Site description	See s.1.2 and s.1.4 (Table 1)
	Building envelope	See plan at Annexure B
	Proposed extent of native vegetation clearing	Any existing native vegetation is likely to be removed, but will not have a significant impact on threatened species or their habitats
Strategic justification		
	Relationship with regional and local strategies	Future use for residential purposes is consistent with Wollondilly Council's Growth Management Strategy 2011 for this land
	Public interest reasons	There is a lack of RCF beds in the Wollondilly area. This proposal serves a demonstrable public interest need in the LGA
	Adequacy of services and infrastructure to meet demand	See Table 3. All these existing services will benefit from increased patronage. Infrastructure services will be augmented where required, at full cost to the proponent
Pre-lodgment consultations		
	Evidence of consultation	Previous meeting with [then] Council's Manager of Development David Smith. No written response provided
	Issues raised in consultation	No negative issues raised, subject to normal DA assessment processes

TABLE 4
Planning summary

4

CONCLUSION

The proposed facility will assist to provide increased housing choice for seniors and people with a disability in the local area. The proposed location is ideally suited to the development, being on the edge of the Tahmoor township.

It is proposed that the operator will manage this facility in conjunction with their existing portfolio. It is expected that this development will also be in high demand based on allocations being made by the Department of Social Services in 2014.

The site is also located in the immediate vicinity of a range of services and transport infrastructure, Place of Public Worship and medical facilities. The proposed facility may be erected with minimal environmental impact.

Wollondilly Council has already verbally indicated support in principle to the concept of an aged care facility as a compatible use.

Subject to DPE support for this application, it is intended to proceed with the preparation of a Development Application to Wollondilly Council at the earliest opportunity.

We look forward to your favorable reply.

PRECISE PLANNING

2 August 2019

Appendix “A”

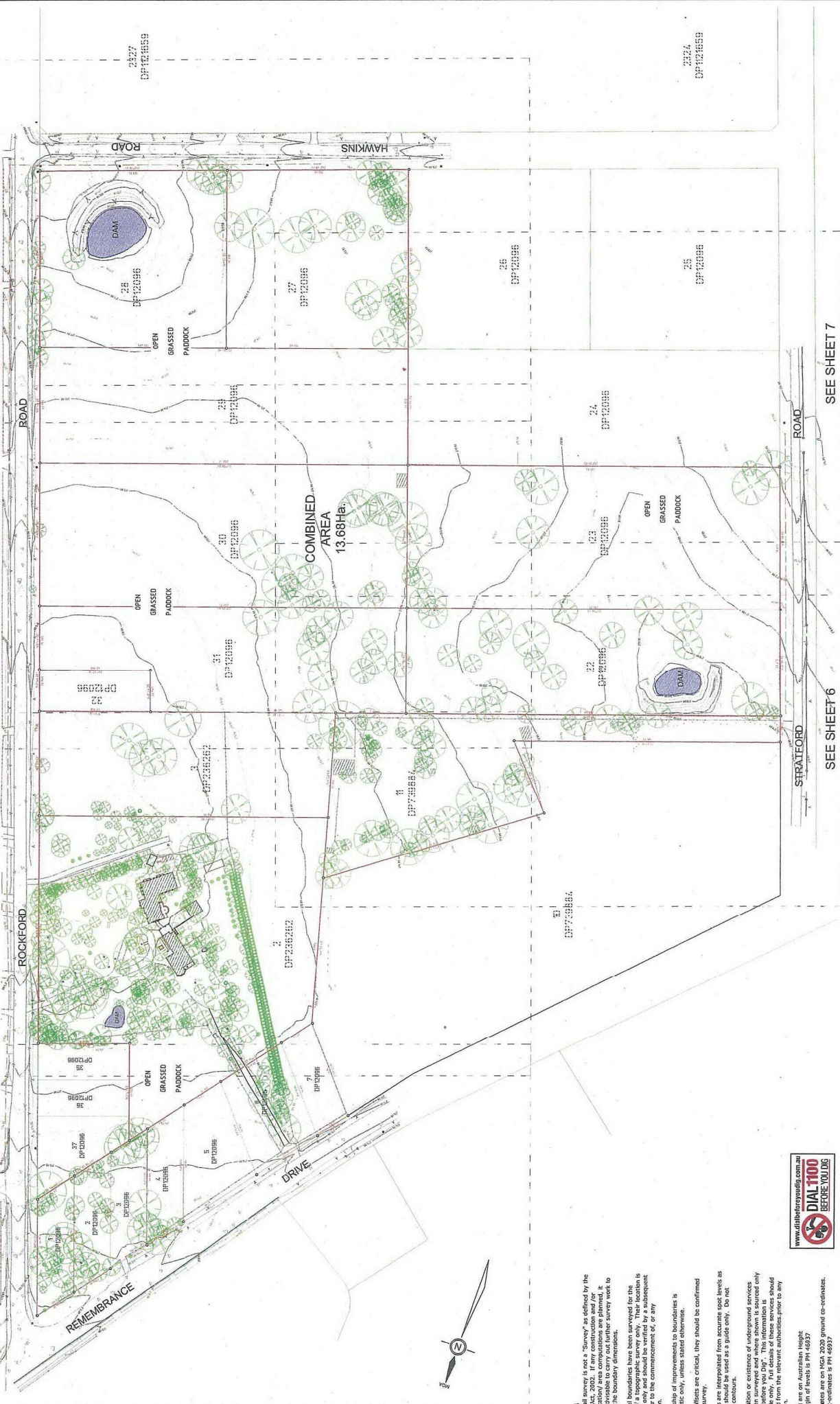
SITE SURVEY

SEE SHEET 2

SEE SHEET 3

SEE SHEET 4

SEE SHEET 5



SEE SHEET 7

SEE SHEET 6

CAUTION

1. This detail survey is not a "Survey" as defined by the Surveying Act, 2002. If any construction and/or other works are carried out on the land, it would be advisable to carry out further survey work to determine the boundary dimensions.

2. Cadastral boundaries have been surveyed for the purposes of a topographic survey only. Their location is shown for reference only and should not be relied upon for any legal or other purposes. Further details of these services should be obtained from the relevant authorities prior to any construction.

3. Relationship of improvements to boundaries is diagrammatic only, unless stated otherwise.

4. Where offsets are critical, they should be confirmed by further survey.

5. Contours are interpolated from accurate spot levels as shown and should be used as a guide only. Do not incorporate contours.

6. The position or existence of underground services has not been surveyed and where shown is assumed only for reference. It is the responsibility of the user to obtain approximate only. Full details of these services should be obtained from the relevant authorities prior to any construction.

7. All levels are on Australian Height Datum. Origin of levels is PH 46537.

8. Co-ordinates are on MGA 2020 ground co-ordinates. Origin of co-ordinates is PH 46537.

These notes form an integral part of this plan.



SERVICES & FEATURES LEGEND

PP	POWER POLE	---	FENCE
TM	TEL. TOWER	---	TOP OF KERB
WM	WATER METER	---	INVERT OF KERB
SV	STOP VALVE	---	UP OF KERB
HYD	HYDRANT	---	SWALE
SHM	SHOULDER HOLE	---	
TOP	TOP	---	

A1

SHEET

CONTOUR (MAJOR)	100
CONTOUR (MINOR)	50
TOP OF BANK	1:1000
BOTTOM OF BANK	
SWALE	

ISSUE	AMENDMENT	DRAWN	DATE
A	INITIAL ISSUE	PSW	24/07/19
B	ADD ROAD WIDENING BOUNDARIES	SV	28/19

COPYRIGHT: Concepts and information contained within these drawings and related documents are the copyright of Australian Survey Solutions. Unauthorised copying of part or whole of the documents is a breach of the copyright.



Australian Survey Solutions

PO Box 489, 489/19 NSW
 T: 1300 49 38 79
 M: 0417 49 38 79
 enquiry@aussurvey.com.au
 www.aussurvey.com.au

Client: Common Ground Property NSW	DETAIL SURVEY
LOCAL GOVERNING AREA OF WOLLONOLLY	STRATFORD TOWNHOO
TYPE OF PLAN SHOWING BOUNDARIES, RELATIVE HEIGHTS AND PHYSICAL FEATURES OVER LOTS 1-7, 22-23, 27-32	ISSUE
DP 12096, LOTS 2-3, DP 28952, LOT 1, TOP 73884	DRAWN - PSW
20-30 FOUR-AND ROAD, TAINHON	CHECKED - PB
SCALE: 1:1000	DRAWING
DATE: 24 July 2019	190529
SHEET 1 OF 7	

Appendix “B”

CONCEPT PLAN

