

Ordinary Meeting of Council

Tuesday, 11 August 2015

THE HILLS SHIRE COUNCIL

ITEM-7	PLANNING PROPOSAL - CIRCA SENIORS LIVING (15/2015/PLP)
THEME:	Balanced Urban Growth
OUTCOME:	7 Responsible planning facilitates a desirable living environment and meets growth targets.
STRATEGY:	7.2 Manage new and existing development with a robust framework of policies, plans and processes that is in accordance with community needs and expectations.
MEETING DATE:	28 JULY 2015 COUNCIL MEETING
GROUP:	STRATEGIC PLANNING
AUTHOR:	FORWARD PLANNING COORDINATOR MEGAN MUNARI
RESPONSIBLE OFFICER:	MANAGER FORWARD PLANNING STEWART SEALE

EXECUTIVE SUMMARY

This report recommends that Council seek a Gateway determination from the Department of Planning and Environment to make '*seniors housing*' permissible at the subject site via an amendment to Local Environmental Plan 2012 Schedule 1 Additional Permitted Uses. The provisions of the *State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004* apply but do not permit the retirement precinct development concept envisioned for the site.

The concept for the retirement precinct includes the development of 466 'independent living units' and a 144 bed 'residential aged care facility', as well as a range of facilities to meet the daily needs of residents. The proposal creates approximately 120 jobs in the health and personal services sectors to serve both the residents of the residential aged care facility and independent living units.

The proposal provides an appropriate transition from the business park to the low density residential dwellings to the south, is located close to services for the residents and expands on the medical precinct associated with Norwest Private Hospital. The site is located over 2 kilometres from both the Bella Vista and Norwest stations and is therefore not the most desirable location for high intensity commercial and business park uses without other support services to enable workers to utilise the rail for commuting.

The proposal does not require changes to development standards that apply to the land namely maximum building height and floor space ratio. This planning proposal is a relatively simple amendment that would be held up unnecessarily if it were to remain part of the same proposal for the larger commercial component of the Circa Precinct. It is recommended that a separate planning proposal for the retirement precinct be forwarded to the Department of Planning and Environment for a Gateway determination as a separate planning proposal.

APPLICANT

Mulpha Norwest Pty Ltd.

OWNERS

AVEO Southern Gateway Pty Ltd.

THE HILLS LOCAL ENVIRONMENTAL PLAN 2012

Zone:	B7 Business Park
Minimum Lot Size:	8000m ²
Maximum Height:	RL108 and RL116
Maximum Floor Space Ratio:	1:1

POLITICAL DONATIONS

No donations.

HISTORY

10/04/2015	Circa Precinct planning proposal lodged
12/5/2015	The Circa Precinct planning proposal was presented to a Councillor workshop.
30/06/2015	Circa Precinct Seniors Housing proposal request received

BACKGROUND

Mulpha Norwest Pty Ltd have lodged a planning proposal to amend the planning controls applicable to land known as the Circa Precinct in Bella Vista (part of the overall Norwest Business Park). The planning proposal seeks to facilitate development of an additional 450,000m² of floor space (under the current controls 240,000m² could be delivered) through a range of developments which could provide up to 25,000 additional jobs and house more than 1,000 residents (in serviced apartments, aged care and retirement facilities).

The Circa Precinct is a large land holding and the planning proposal submitted to Council that would permit an additional 450,000m² of floor space has many matters for consideration that will likely take time to resolve. These include:

- Building height impacts relating to the view corridors to and from the heritage item Bella Vista Farm Park;
- Capacity of roads and intersections within and surrounding the precinct to accommodate traffic, whilst noting that the Circa precinct is outside of the 800 metre walkable catchment of Norwest and Bella Vista stations;
- Interface of the potential retirement precinct component with the adjoining low density residential development;
- Consistency with the Bella Vista Station Structure Plan and The Hills Rail Corridor Land Use Strategy; and
- Consistency with Council's Local Strategy for providing employment.

This planning proposal will be the subject of a separate report to Council.

Given the complexity of this proposal and the subsequent timeframes associated with this, Mulpha Norwest Pty Ltd have requested that the retirement precinct amendment be pursued ahead of the remaining commercial part of the Circa Precinct concept.

REPORT

The purpose of this report is to consider an amendment to permit '*seniors housing*' on the site via an amendment to Local Environmental Plan 2012 Schedule 1 Additional Permitted Uses.

THE SITE

The site consists of 26, 28 and 30 Norbrik Avenue, Bella Vista and is located in the southern portion of the Circa Precinct, outlined in red in Figure 1. It is bounded by Norbrik Drive to the north, the Quest serviced apartment development (currently under construction) to the north east, low density residential dwellings to the south and Old Windsor Road to the west.

The seniors living site is approximately 5.9 hectares of undeveloped land. Earthworks have been undertaken previously on the site and there are a number of earth mounds within the site that would need to be removed or reshaped for future development to occur.

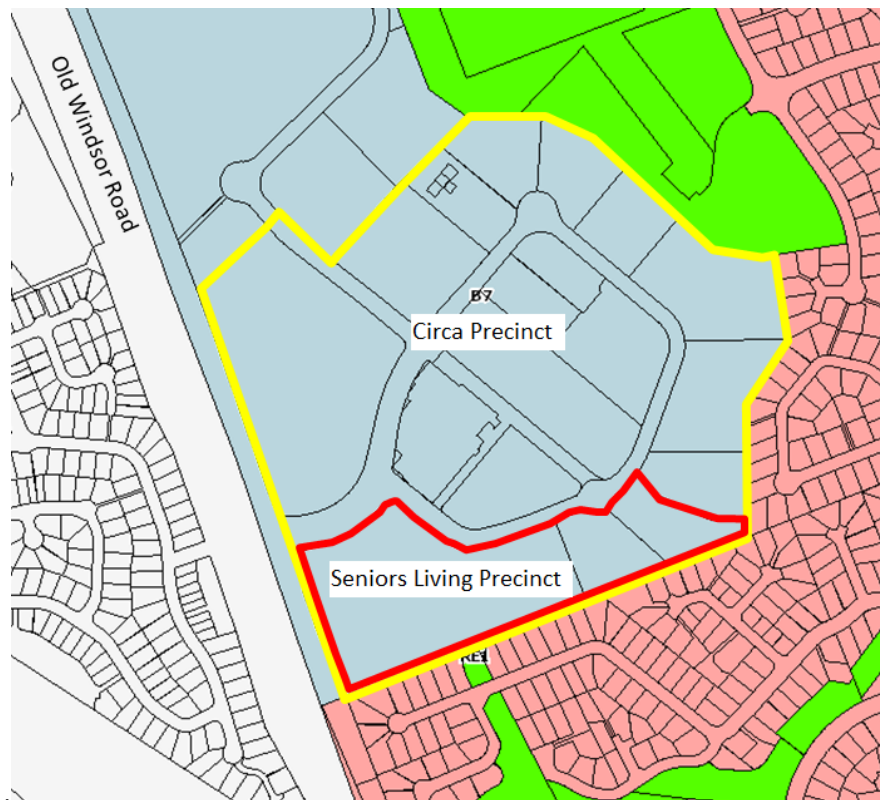


Figure 1
Subject site

The site is located within the Bella Vista Station Precinct, which is identified as a Priority Precinct by the NSW Department of Planning and Environment. The North West Rail Link Corridor Strategy and the Bella Vista Station structure plan apply to the site.

The site forms the southern most point of the Norwest Business Park and is located over 2 kilometres from both the Bella Vista station and Norwest station.



Figure 2
Norwest Business Park and Circa Precinct

PLANNING PROPOSAL

Description of Proposal

The concept for the retirement precinct, where it is proposed to include '*seniors living*' as an additional permitted use, includes the development of 466 'independent living units' and a 144 bed 'residential aged care facility', as well as a range of facilities to meet the daily needs of residents. The proposal will create 120 jobs in health and personal services that will serve both the residents of the aged care facility and independent living units.

Concept Plan

The proposed concept is illustrated by Figures 3, 4 and 5. The retirement precinct development is between 4 and 8 storeys in height and is within the existing height limits of RL108 and RL116 on the site. The tallest proposed building is RL100 at its tallest point. Therefore, no amendments to the maximum building height are required. The building height in the concept considers the interface with residential properties to the south and provides a transition from the business park and Circa commercial core.

The proposal does not seek amendment to the applicable floor space ratio control of 1:1 which facilitates the concept and will ensure built form is consistent with the planned character of the precinct.

The planning proposal only includes the additional permitted use of '*seniors housing*' over the subject site to facilitate development of the retirement precinct.



Figure 3
Concept of retirement living precinct showing building heights



Figure 4
Concept of the retirement living precinct showing interface with existing residential to the south



Figure 5
Plan view of the site showing concept building heights below the current height limits

Additional Permitted Use

Within the B7 Business Park zone, '*seniors housing*' is currently a prohibited use, as is all residential accommodation. However, under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, (Seniors Housing SEPP) '*seniors housing*' is made permissible despite the zone prohibition of this use.

However, the Seniors Housing SEP only enables development up to two storeys in height, unless residential flat buildings are also permissible, regardless of the maximum building height applicable to the site.

Permitting residential flat buildings in the B7 Business Park zone, or rezoning the site to a zone which permits '*seniors housing*' would be contrary to the Local Strategy and undermine the employment delivery objectives of the zone. The retirement precinct concept on this site will provide employment in the health and personal care sectors and is part of a wider strategy for the Circa Precinct that will deliver a substantial amount of employment land. The increase in potential commercial floor space proposed in other parts of the Circa precinct will offset job loss that will likely arise from the use of the site for '*seniors housing*'.

Schedule 1 Additional Permitted Uses is the most appropriate way to facilitate the retirement precinct concept. It will permit '*seniors housing*' on the land and allow the retirement precinct concept to be realised without undermining the objectives of the B7 Business Park zone and the Local Strategy for delivering employment.

STRATEGIC CONTEXTA Plan for Growing Sydney

In the next 20 years, Sydney's population will grow by 1.6 million people. To meet the needs of a larger and changing population a wider variety of housing is needed to suit the changing make-up of the population. More than 1 million people will be over the age of 65 years by 2031.

Goal 2 of 'A Plan for Growing Sydney' is to 'provide a city of housing choice', with homes that meet our needs and lifestyles. As the population ages, many people will choose to downsize their homes, with most preferring to remain in their communities. Research from the Metropolitan Development Program and the Demography Unit at the Department of Planning and Environment estimates that around 50 per cent of people looking to purchase a new residence stay within their current Local Government Area. Housing choice is also increasingly about 'universal housing' that allows people to stay in their home as they age. The private sector, supported by community groups and governments, are making this type of housing more available. The proposal would include dwellings that are designed in accordance with 'universal housing' principles.

The Hills Shire has an ageing population and the delivery of this specific type of housing will meet the metropolitan housing choice goal as well as a key need in the Shire. It will increase housing choice close to existing services and with access to public transport. The retirement precinct in this location will provide a more manageable housing opportunity for empty nesters and seniors, looking to downsize, remain close to family and maintain social networks. Empty nesters and seniors were the two largest growing age groups in The Hills Shire increasing from 13.6% of the Shire's population to 16.6% from 2006 to 2011.

Bella Vista Station Structure Plan

The site is identified in the Bella Vista Station Structure Plan as 'Business Park'. It anticipates built form consisting of four to six storey commercial offices. The objective of this area is to provide for the employment needs of a growing community and to

encourage the emergence of a prominent employment area with direct access to the new rail link and station.

The subject site is approximately 2 kilometres from both the Bella Vista and Norwest Stations, outside the ideal 400 to 800 metre walking distance for commuters. This distance makes the site less desirable for high intensity commercial or business park development.

While the seniors housing and residential aged care facility are not business park uses, the development will provide approximately 120 jobs in the service and support industries. It will also provide a catalyst for other development and activity in this area.

The retirement precinct will provide a transition from commercial activity to the existing low density residential uses to the south. The proposed built form of 4 storeys with a 15 metre setback adjacent to the low density residential character is consistent with the Bella Vista Station Precinct Structure Plan.

The proposed land use is inconsistent with the Bella Vista Station Precinct Structure Plan. However, the distance from the stations, the job creation and the transition to the low density residential character to the south result in an outcome superior to that envisioned in the structure plan.

Local Strategy

The Residential Direction forms part of the Draft Local Strategy and considers how housing for seniors can be accommodated in The Hills Shire. It references the Seniors Housing SEPP 2004 and describes how it seeks to increase the supply and diversity of accommodation for seniors and people with a disability.

The Residential Direction outlines the approach to appropriately address housing needs for seniors and people with a disability:

- *Encouragement in areas close to centres which incorporate retail, medical and community facilities and access to public transport (not necessarily commuter transport);*
- *Opportunities for residents to stay in areas they are familiar with so that social networks can be retained;*
- *Discouragement in isolated areas without sufficient infrastructure or with environmental or topographical constraints;*
- *Encouragement of a high proportion of adaptable dwellings in multi unit housing developments; and*
- *Opportunities for residents to 'age in place' in larger developments with a range of self care, low care and high care living options.*

The site is located adjacent to the existing Circa Shopping Centre, which includes retail and medical facilities. The development is nearby existing residential areas and will diversify the housing choice in this location for people looking to downsize and remain in a familiar area.

The subject site is consistent with this direction and the approach in the Residential Direction.

ISSUES

Traffic and Car Parking

The development of the retirement precinct on the site may result in traffic generation that has not previously been anticipated.

The anticipated traffic generation from the residential aged care facility is approximately 20 trips in the morning and afternoon peak periods and approximately 80 trips from the seniors living development. It is also noted that the seniors living development's peak period does not generally coincide with network peak periods.

This traffic generation will be catered for by existing traffic management facilities. The intersection of Norbrik Drive and Old Windsor Road is already signalised and provides appropriate access from the arterial road network to the site.

The traffic generation from the retirement precinct development will impact on the operation of the Lexington Avenue / Norwest Boulevard roundabout. The site is subject to The Hills Section 94A Plan and will pay contributions under this plan toward the provision of traffic signals at this intersection.

Interface with Low Density Residential

The subject site is located adjacent to existing low density residential development. The interface between the higher density seniors living development and the existing character needs to be managed.

Part B Section 6 Business of Development Control Plan 2012 applies to the site and requires a 15 metre rear setback where the boundary is adjacent to housing, which is provided in the concept plan. An application for seniors housing on this site would be required to comply with Development Control Plan 2012 in this respect.

Development Controls

Development controls that will apply to a development application for '*seniors housing*' on this site come from SEPP (Housing for Seniors and People with a Disability) 2004, Local Environmental Plan 2012 and Development Control Plan 2012 Part B Section 6 Business.

Employment

While the retirement precinct is not a business park use, the development will provide approximately 120 jobs. In addition, it generates demand for associated services such as medical suites that would generate additional employment opportunities and activity in the locality. Medical suites in this location could capitalise on the demand generated from the seniors housing and proximity to Norwest Private Hospital.

The site is located over 2 kilometres from both the Bella Vista and Norwest stations and is therefore not suitable located for high intensity commercial and business park uses. Support services such as a shuttle bus or regular bus service would be required to enable workers to utilise the rail for commuting.

The B7 Business Park zone and the Local Strategy seek to develop employment opportunities closer to home and increase job containment within the Shire. A retirement precinct restricted to seniors housing only supports these objectives through diversifying development types in a part of the business park that is otherwise not ideal for high intensity commercial development.

CONCLUSION

This report recommends that '*seniors housing*' be made permissible on the site via an amendment to Local Environmental Plan 2012 Schedule 1 Additional Permitted Uses, as the B7 Business Park zone prohibits residential uses. The provisions of the *State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004* apply but do not permit the retirement precinct development concept envisioned for the site.

'Seniors housing' is considered appropriate, as a transition from the business park to low density residential dwellings to the south. It is located close to retail services and complements the medical precinct associated with Norwest Private Hospital.

The proposal does not include any changes to development standards and only involves amending Schedule 1 Additional Permitted Uses to include *'seniors housing'* for the subject site and a minor amendment to Development Control Plan 2012.

This is a relatively simple amendment that would be held up unnecessarily with the remainder of the Circa Precinct proposal. It is recommended that it be forwarded to the Department of Planning and Environment for a Gateway determination as a separate planning proposal.

IMPACTS

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future - Community Strategic Plan

The proposal is consistent with the vision and objectives of The Hills Future – Community Strategic Plan as it will create a desirable area to live.

RECOMMENDATION

A planning proposal to amend Schedule 1 Additional Permitted Uses of The Hills Local Environmental Plan 2012 to permit *'seniors housing'* at 26, 28 and 30 Norbrik Avenue, Bella Vista (Lots 1 and 2 DP1195652 and Lot 701 DP1198639) be forwarded to the Department of Planning and Environment for Gateway Determination.

ATTACHMENTS

Nil.

