

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – to amend Floor Space Ratio Map and Schedule 1 to facilitate a seniors housing development and supporting services at 522 Windsor Road, Baulkham Hills (17/2016/PLP).

ADDRESS OF LAND: 522 Windsor Road, Baulkham Hills (Lot 553 DP 773889 and Lot 22 DP 1075051).

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING	PROPOSED	NET CHANGE
Dwellings	9	190	+190
Jobs	2*	30**	+30

* Based on NSW Educator to Child Ratio of 1:10

** Based on an assumed employment ratio of 38m² per employee, educator to child ratio of 1:10 and estimated registered nurse to resident ratio of 1:8

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 117 Local Planning Directions
Attachment C	Council Report and Minute, 14 February 2017
Attachment D	Draft The Hills Development Control Plan 2012 Part B Section 2 – Residential
Attachment E	Proponent's Amended Planning Proposal, 25 October 2016
Attachment F	Council Report and Minute, 12 July 2016
Attachment G	Proponent's Original Planning Proposal, 20 November 2015

THE SITE:

The subject site has an area of approximately 20,483m². The site has a street frontage of approximately 127 metres to Windsor Road and a street frontage of approximately 27 metres to Saint Michael's Place.

The site currently contains a convent, a 16 place child care centre, a family centre and nun's housing. To the south of the site is a locally listed heritage item known as St Michael's Church while another locally listed heritage item known as Alliance Church is located to the north of the site. It is surrounded by low and medium density residential development, a three (3) storey Hills Private Hospital to the east of the site (on the opposite side of Windsor Road) and St Michael's primary school to the west.

The site is located approximately 864 metres south of the Castle Hill Industrial Area, approximately 2.2 kilometres south-east from Norwest Business Park and approximately 1.8 kilometres north of Baulkham Hills Town Centre.

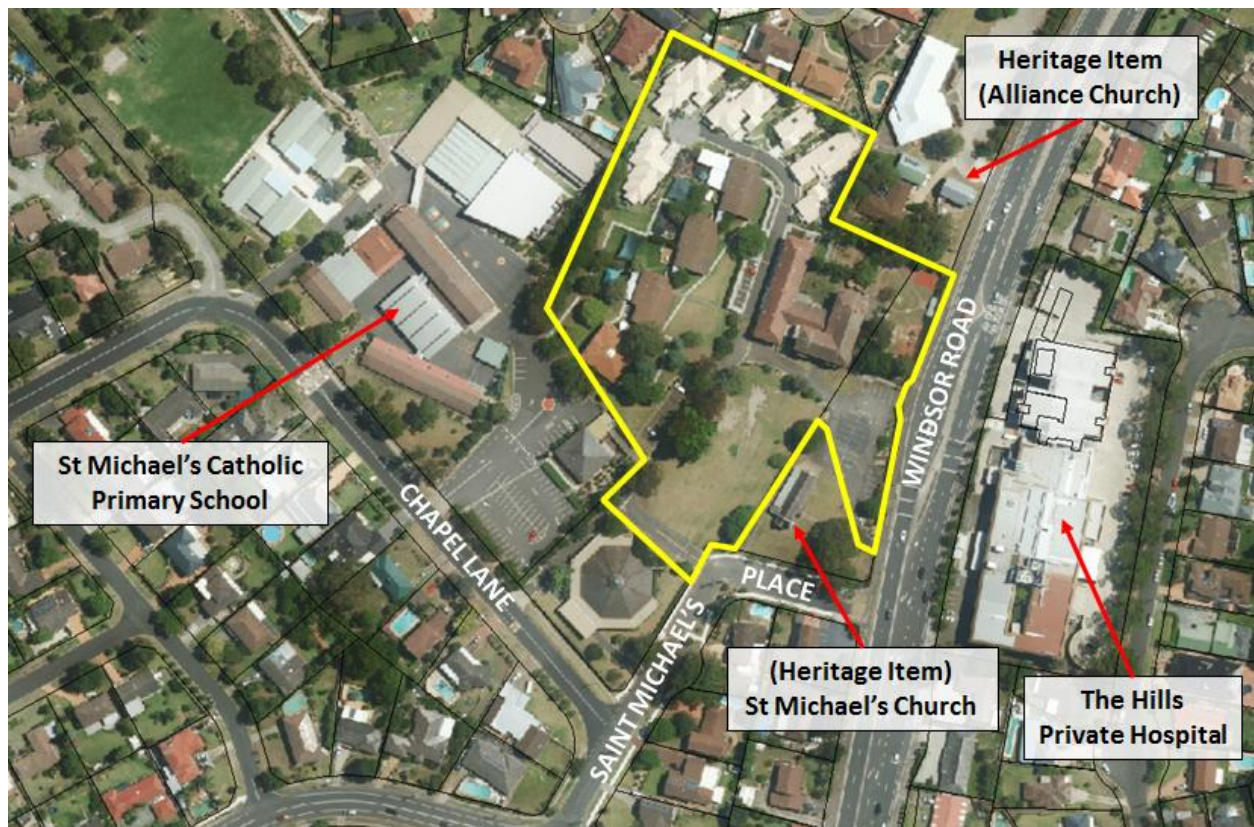


Figure 1
Locality Map (site outlined in yellow)

PART 1 OBJECTIVES OR INTENDED OUTCOME

The objective of the planning proposal is to facilitate a seniors housing development (comprising of 120 residential aged care beds and 70 independent living units) and supporting services such as a small café, hairdresser, medical rooms for general practitioners, visiting specialists and physiotherapists, along with health and fitness related classes.

PART 2 EXPLANATION OF THE PROVISIONS

The planning proposal seeks to amend LEP 2012 as follows:

- Apply a floor space ratio of 0.9:1 to the site;
- Amend Schedule 1 to include the following additional permitted uses:
 - 'seniors housing' capped at a total of 190 residential aged care beds and self-care units, comprising no more than of 120 residential aged care beds and no more than 70 self-care units,
 - 'restaurant or café' with the amount of floor space capped at 100m²,
 - 'shops' with the amount of floor space capped at 100m²,
 - 'child care centre',
 - 'health consulting rooms' with the amount of floor space capped at 150m²,
 - 'business premises' with the amount of floor space capped at 100m²; and
- Identify the site on the Additional Permitted Uses Map.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of any strategic study or report?

No, the planning proposal is not the result of any strategic study or report. The planning proposal has been initiated by a private landowner.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site.

The original proposal involved rezoning the site from R2 Low Density Residential to R4 High Density Residential and amending the maximum height of buildings from nine (9) metres to 16 metres. At its meeting of 12 July 2016, Council considered a report on the proposed and resolved that the matter be deferred to allow the applicant to submit a revised concept that would address issues relating to the impact on Council's zone hierarchy and amenity impact on adjoining uses.

The amended planning proposal, as submitted retains the low density residential zone and nine (9) metre height control and proposes to facilitate the desired development through capped additional permitted uses. This option allows for a built form that is considered to be consistent with the zoning objectives and would not impact the amenity of adjoining uses.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

Yes, a discussion of consistency is provided below.

- **A Plan for Growing Sydney**

The proposed development aims to provide additional housing stock to cater to the increasing population that are aged 55 years and over. Further, the proposed development concept indicates that a variety of dwelling types will be provided to accommodate differing levels of care that may be needed. The planning proposal would also facilitate supporting services to be provided on site, such as medical rooms, general store and hairdresser that would meet the day-to-day needs of local residents who are located outside of a walking catchment to local shops.

Specifically, the planning proposal is considered to be consistent with *Direction 2.1: Accelerate housing supply across Sydney* and *Direction 2.3: Improve housing choice to suit different needs and lifestyles*.

- **Draft West Central District Plan**

While couples with children are anticipated to remain the predominant household type in the West Central district, and more specifically, the Hills Shire, the number of seniors is anticipated to grow significantly by 2036. This will result in an increase in demand for smaller homes and seniors housing in the area.

The draft Plan states that the best way to provide seniors housing and aged care is to co-locate them in areas that have a mix of different uses and services, with good quality footpaths and pedestrian connections so that people can meet their day to day needs, or visit health services and community and cultural facilities. The planning proposal aims to provide a mix of aged care and independent living facilities which provides local residents with the option to age in place. The planning proposal would facilitate supporting services to be offered on site. Further, the surrounding locality has high quality footpaths and pedestrian connections with good access to public transport, with frequent services to Rouse Hill Town Centre, Parramatta Interchange, Norwest Business Park, Macquarie Park, Chatswood and the CBD. The planning proposal is therefore considered to be consistent with the objectives of the draft Plan to support planning for adaptable housing and aged care.

To deliver housing diversity, the draft Plan urges planning authorities to consider the needs of the local population base to deliver high quality design outcomes for both buildings and places (Liveability Priority 2). As the planning proposal addresses the need for additional housing stock and services that allow the population to 'age in place' and would enable the provision of a range of housing options for seniors and people with a disability, it is considered to be consistent with the draft Plan.

4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes, a discussion of consistency is provided below.

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Plan articulates The Hills Shire community's and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities. It is a direction that creates a picture of where the Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal is consistent with the outcomes and strategies of The Hills Future as it would contribute to housing diversity and would accommodate for an ageing population with a range of capabilities.

- **Local Strategy**

The Hills Residential Direction aims to accommodate an ageing population in well located areas supported by services and facilities. The Direction supports seniors living developments in areas close to centres which incorporate retail, medical and community facilities and have access to public transport. Larger seniors housing developments that provide opportunities to 'age in place' with a range of self-care, low-care and high-care living options are encouraged as these developments also tend to have better access to medical and transport facilities.

Whilst seniors housing developments located in close proximity to local centres are preferred, the additional support services and the sites proximity to a prominent public transport service make it an appropriate location for this type of development. Further, the density proposed is similar to what could be achieved under Seniors Housing SEPP, as such, the proposed amendments do not undermine the zoning hierarchy under LEP 2012. The planning proposal and proposed development is therefore consistent with The Hills Residential Direction and Local Strategy.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The consistency of the planning proposal with State Environmental Planning Policies is detailed within Attachment A. A discussion on the consistency of the proposal with the relevant Policy is provided below.

- **State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

The planning proposal would permit seniors housing development on the site pursuant to the SEPP.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes. The consistency of the planning proposal with the s.117 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with each relevant Direction is provided below.

- **Direction 2.3 Heritage Conservation**

To be consistent with this Direction, a planning proposal must contain provisions that facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.

The site adjoins two (2) local heritage items to the north and south of the site St Michael's Church (I34) and Alliance Church (I36) and from Windsor Road (I28). To retain sight lines between these two heritage items, the planning proposal includes an amendment to The Hills Development Control Plan Part B Section 2 – Residential that will prohibit any development within the front setback that would inhibit sight lines. The planning proposal has addressed impacts to adjoining heritage items and mitigated where possible through appropriate building placement that retains visual corridors between local heritage items.

Noting the above, the planning proposal is considered to be consistent with this Direction.

- **Direction 3.1 Residential Zones**

This Direction encourages a variety and choice of housing types to provide for existing and future housing needs. The Direction also requires that future residential development should ensure that new housing has appropriate access to infrastructure and services. As the site is located in an established residential area with sufficient access to infrastructure, including the provision of additional supporting services within the development, the planning proposal is considered to be consistent with this Direction.

- **Direction 3.4 Integrated Land Use**

The proposal is considered consistent with Direction 3.4 Integrated Land Use and Transport as it improves access to housing, jobs and services in close proximity to walking, cycling and public transport.

- **Direction 6.1 Approval and Referral Requirements**

The purpose of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development by minimising the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. The proposal is considered to be consistent with this Direction as it does not include any concurrence, consultation or referral provisions and does not identify any development as designated development.

- **Direction 6.3 Site Specific Provisions**

The proposed 'additional permitted uses' are currently prohibited on land zoned R2 Low Density Residential. This planning proposal presents a unique opportunity to provide seniors housing and associated uses as well as a child care centre to be permitted in the area where there is a strong need for such a use and existing public infrastructure available to support them. As such, a planning proposal seeks to permit these uses as additional uses on the site. This is preferred over rezoning the site to R4 High Density Residential, as originally proposed, as it will allow for low scale development to operate with minimal impacts to adjoining neighbours and provides greater certainty as to the future development outcome on the site.

This planning proposal is considered to be consistent with the direction as it will allow for the proposed development to be permitted with consent on the site without the need to rezone the land.

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No, the planning proposal is not in close proximity to any critical habitat or threatened species, populations or ecological communities, or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The proposed development concept includes a built form of two (2) and three (3) storeys located in the centre of the site and the retention of existing nine (9) dwellings for nun accommodation. The nun accommodation is located on the northern boundary, the only site boundary directly adjoining low density residential uses and can act as a buffer from the proposed development. The built form is considered to be compatible with the surrounding development. The density and built form being proposed is similar to the density achievable under the current controls and as such a development of this scale is unlikely to have a significant impact on the surrounding locality.

It is noted that the proposed development is likely to increase the number of vehicles leaving and accessing the site. It is considered that the proposed seniors housing is unlikely to have a significant impact on traffic within the locality. However, the amended proposal also includes small-scale supporting business uses and a child care centre, the traffic impacts of which have not been discussed in the amended planning proposal. Given the small-scale child care centre proposed, traffic impacts are considered negligible. Further consultation with the Roads and Maritime Services will be required, should the planning proposal proceed.

9. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal would result in additional housing stock available to seniors and people with a disability and would contribute to housing diversity in an area that is predominately characterised by single detached dwellings. Additionally, the proposed development would give an opportunity for existing residents to 'age in place'.

SECTION D - STATE AND COMMONWEALTH INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

Yes, the surrounding locality has high quality footpaths and pedestrian connections with good access to public transport, with frequent services to Rouse Hill Town Centre, Parramatta Interchange, Norwest Business Park, Macquarie Park, Chatswood and the CBD.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal? (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal is completed following consultation with those public authorities identified in the gateway determination.)

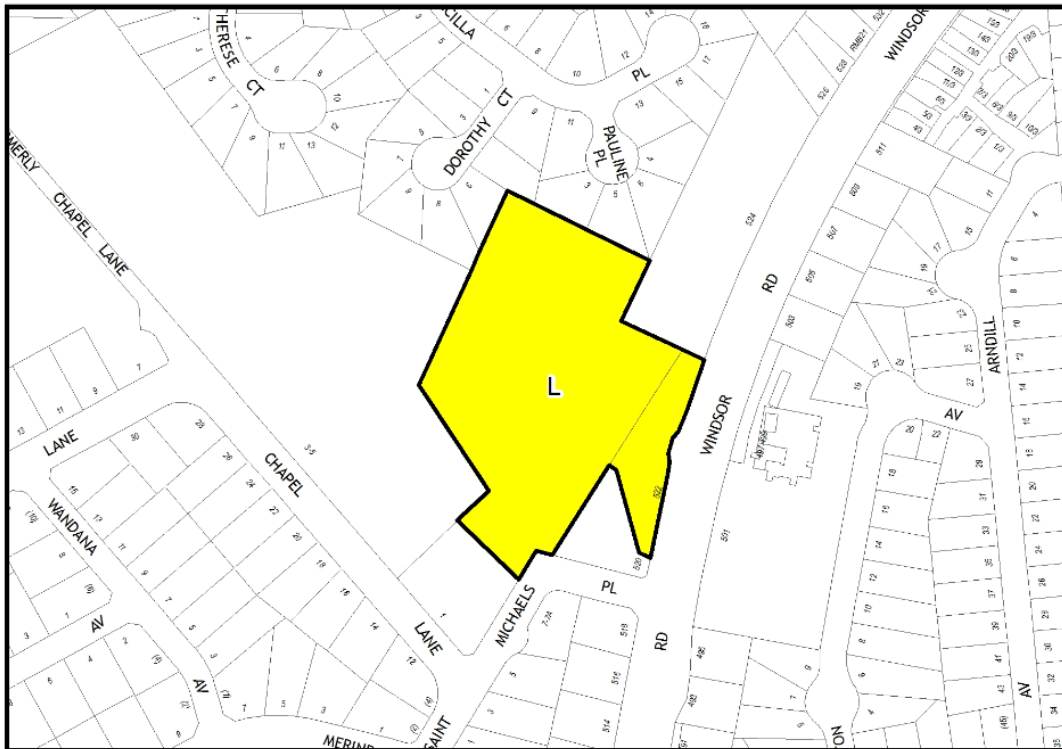
It is envisaged that the following public authorities will be consulted as the planning proposal progresses:

- Transport for NSW;
- Roads and Maritime Services;
- Office of Environment and Heritage – Heritage Division;
- Ambulance Service of NSW; and
- Family and Community Services – Ageing Disability and Home Care.

A list of all relevant agencies would be determined as part of the Gateway Determination. Following the Gateway determination, all relevant agencies would be consulted.

PART 4 MAPPING

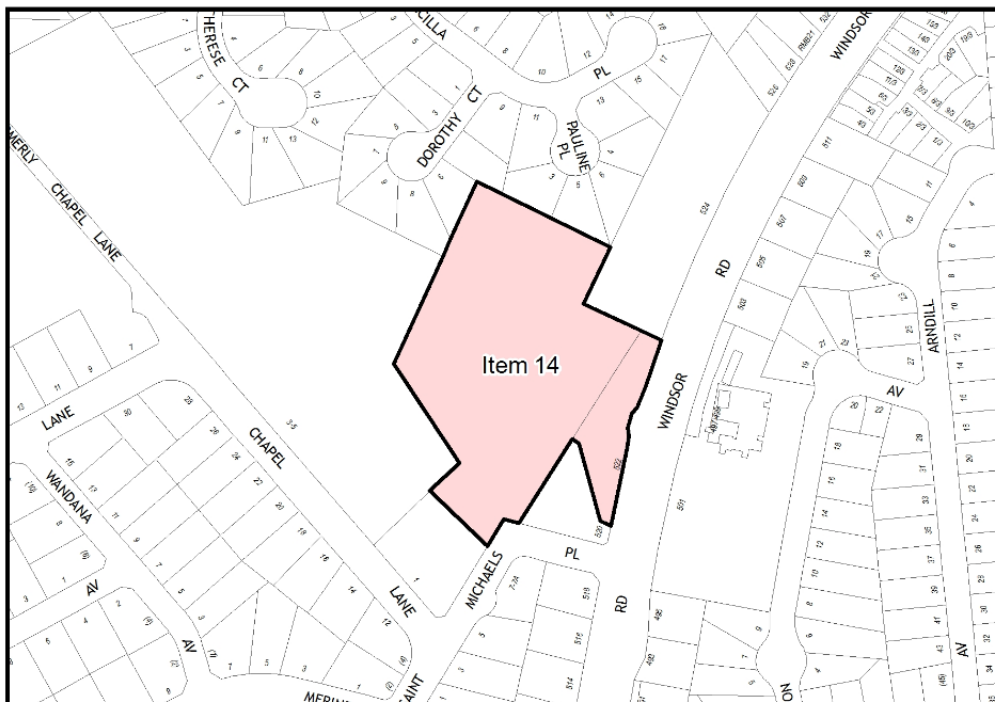
The planning proposal seeks to amend the following maps:



Maximum Floor Space Ratio (FSR) (n:1)

L 0.9

Proposed Floor Space Ratio Map



Additional Permitted Uses (APU)

Item 14 refer to schedule 1

Proposed Additional Permitted Uses Map

PART 5 COMMUNITY CONSULTATION

The planning proposal would be advertised in local newspapers and on display at Council's administration building and Baulkham Hills Library. The planning proposal would also be made available on Council's website.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	April 2017
Government agency consultation	May 2017
Commencement of public exhibition period (14 days)	May 2017
Completion of public exhibition period	June 2017
Timeframe for consideration of submissions	July 2017
Timeframe for consideration of proposal post exhibition	July 2017
Report to Council on submissions	August 2017
Planning Proposal to PCO for opinion	September 2017
Date Council will make the plan (if delegated)	September 2017
Date Council will forward to department for notification (if delegated)	September 2017