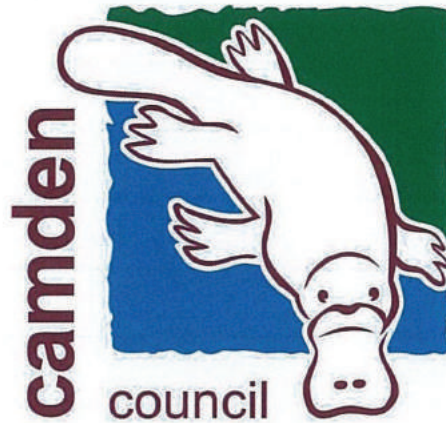




CAMDEN COUNCIL PLANNING PROPOSAL

Amendment No. 31 – 347 Narellan Road,
Currans Hill

Amendment to Camden LEP 2010

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Background

The purpose of the Planning Proposal is for a minor amendment to Camden Local Environmental Plan 2010 (Camden LEP 2010) to amend the minimum lot size on land zoned Rural Landscape (RU2).

The amendment to minimum lot size is sought in response to a Site Compatibility Certificate (SCC) issued for seniors housing on the subject land at Lot 2 of DP 1019708 at 347 Narellan Road, Currans Hill. The Planning Proposal will facilitate the subdivision of a future seniors housing development to be contained on a separate lot from the existing church and school.

The SCC is included as **Attachment 1**.

Scope of this report

This report has been prepared in accordance with the Department of Planning and Environment (DPE) documents "*A Guide to Preparing Local Environmental Plans*" and "*A Guide to Preparing Planning Proposals*." The latter document requires the Planning Proposal to be provided in seven (7) parts:

- Part 1 - A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 - An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 - The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 - Maps;
- Part 5 - Details of the community consultation that is to be undertaken on the Planning Proposal;
- Part 6 - Indicative Project Timeline;
- Part 7 - Conclusion.

Land Description

The site currently comprises a single lot at Lot 2 of DP 1019708 at 347 Narellan Road, Currans Hill. The site is located in the Camden Local Government Area (LGA).

The Site

The site is an irregularly-shaped allotment with a street frontage to the northern side of Narellan Road and has an approximate area of 14.123ha. Vehicle access is achieved via a signal-controlled intersection at Narellan Road in front of the adjoining lot to the east, along a bitumen surfaced private access road contained within a Right of Carriageway, which benefits the subject site. The site contains at its northern end, a church and a private school.

Context

Adjoining the western boundary of the site is the suburb of Currans Hill. Along the eastern boundary is the State heritage listed Sydney Catchment Authority Upper Canal.

Refer to the locality map in Figure 1 with the subject land identified in blue outline.

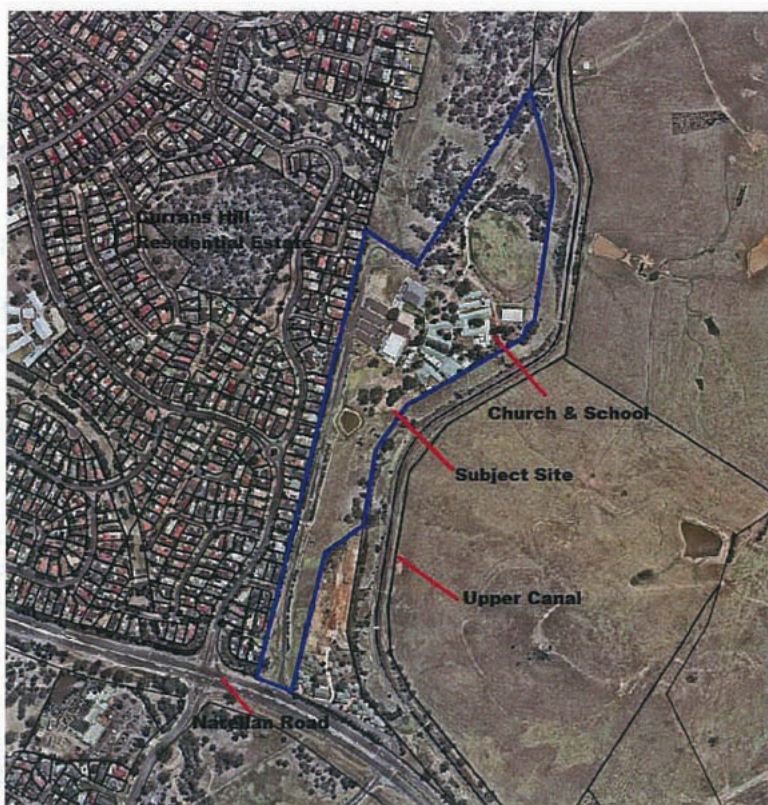


Figure 1: Locality Map (Source: Council Mapping System)

At the southeast boundary is a residential zoned allotment with a partially completed but unoccupied and separate seniors housing development at 359 Narellan Road. The land to the north of the subject site is zoned E2 Environmental Conservation and E4 Environmental Living.

Site Compatibility Certificate

DPE issued a SCC for a seniors housing on the subject land, Lot 2 DP 1019708 at 347 Narellan Road.

The SCC as issued permits a *"two storey building for Residential Aged Care Facility with associated serviced self-care semi-detached houses including community park, ambulance bay & associated car parking"* on the RU2 zoned land as the same land of the existing church and school."

Requirements imposed on determination:

1. *The building design should not exceed 2 storeys in height above natural ground level.*
2. *Future detailed designs must demonstrate compliance with Transgrid guidelines for development within a transmission easement.*

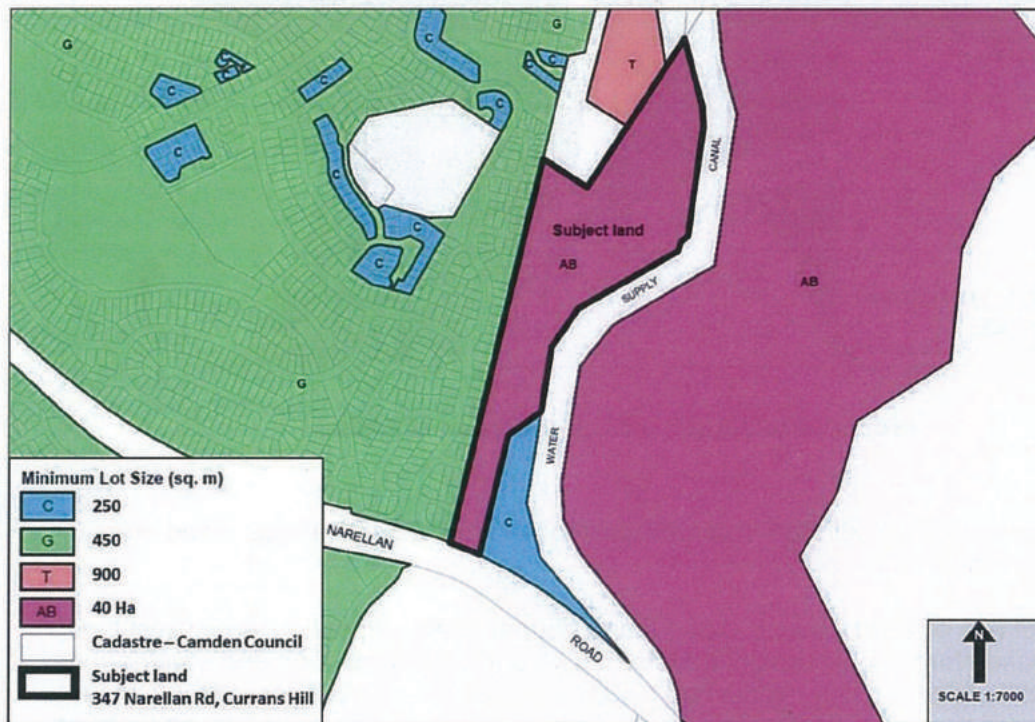
The SCC is valid for a period of 2 years and is not a development approval. It merely permits the use under the SCC and overrides the zoning in Council's LEP 2010. A subsequent

development application (DA) will need to be lodged for the proposal for consideration by the consent authority as per the standard DA process. Refer to attachment

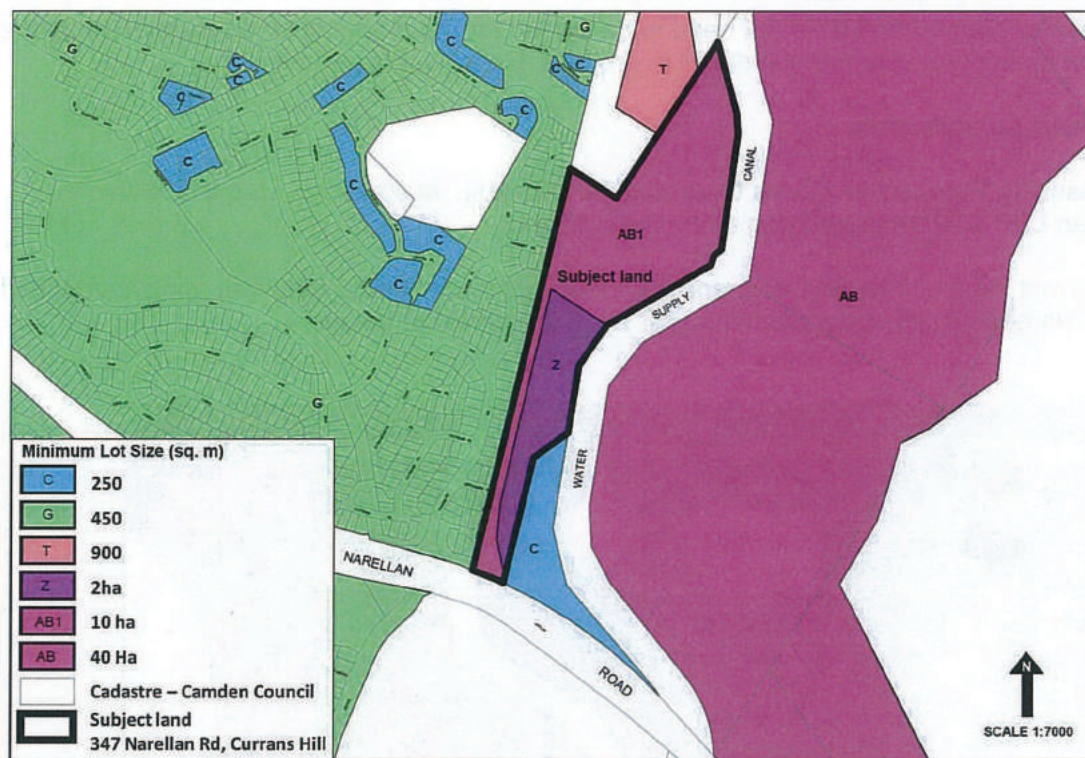
Proposed Amendments

The Planning Proposal proposes to amend the minimum lot size map, LSZ_017, within the Camden LEP 2010 map applying to the subject land.

The current minimum lot size map and proposed minimum lot size map that apply to the land at 347 Narellan Road under Camden LEP 2010 are provided below.



Current minimum lot size - Camden LEP 2010



Proposed minimum lot size - Camden LEP 2010

These proposed minimum lot sizes that will apply to the land at 347 Narellan Road are included in **Attachment 3**.

The proponent has advised Council, that a future boundary adjustment on the subject land will be undertaken for the purposes of transferring an encroachment of an earth batter and detention basin, which is being maintained by 347 Narellan Road, however, belongs to an adjoining development at 359 Narellan Road, Currans Hill. The future boundary adjustment will affect only the smaller portion of the subject land allocated to the minimum lot size of 2 ha.

The future boundary adjustment once completed, will not result in a minimum lot size of less than 2 ha for the smaller portion of land to be allocated to seniors housing.

As such, an approximate area of 3.347 ha is provided to the proposed portion of land for the 2 ha minimum lot size to be shown on the Camden LEP 2010 map and 10.77 ha for the remaining land with the school and church. This will facilitate a future subdivision for the proposed seniors housing to be contained on a separate lot to the existing church and school.

Part 1 – Objectives or Intended Outcomes

The intent of the draft Planning Proposal is to amend the minimum lot size on the subject land zoned Rural Landscape (RU2) under Camden LEP 2010.

The Planning Proposal will reduce the minimum lot size below from the current 40 ha in order to facilitate a 2 lot Torrens Title subdivision to accommodate a seniors housing

development on the smaller lot (2 ha) with the remaining larger lot (10 ha) to retain the existing school and church.

The proposed amendment to Camden LEP 2010 will then ensure that there are no restrictions to a future 2 lot subdivision on the land. Hence, the rationale for proposing an amendment to the minimum lot size prior to the lodgement of a DA for the seniors housing development.

Accordingly, the following amendment is proposed.

Item No	Name of item	Proposal	Map changes
1	Mapping amendment to minimum lot size.	The item seeks an amendment to reduce the minimum lot size below the current 40 ha with one minimum lot size of 2 ha for the purpose of seniors housing development with the remaining larger lot (10 ha) to retain the existing school and church.	<u>Amend Lot Size Map</u> LSZ_017 Amend lot size map from 40 ha (AB) lot size applying to subject land and propose 2 ha (Z) lot size and 10 ha (AB1) lot size.

Part 2 – Explanation of provisions

Item 1 - Mapping amendment to minimum lot size.

The item seeks to make an amendment to the minimum lot size map in Camden LEP 2010 map. **Comparison maps indicating current and proposed changes are included within Attachment 4.**

Item	Current minimum lot size of the subject land under Camden LEP 2010	Action	Map changes
1	Current Lot 2 DP 1019708 at 347 Narellan Road, Currans Hill has a minimum lot size of 40 ha (AB).	Amend the Minimum Lot Size Map No. 17 from 40ha (AB) to 2 ha (Z) for the portion of the land where SCC for seniors housing is issued; Amend the Minimum Lot Size Map No. 17 from 40ha (AB) to 10 ha (AB1) for the remaining portion of the land with the existing church & school.	Amend minimum lot size map LZN_017. Amend lot size map of 40 ha (AB) lot size applying to subject land and propose: - 2 ha (Z) lot size - 10 ha (AB1) lot size.

The Camden LEP 2010 will be amended in the following ways:

- Amendment of Camden LEP 2010 Minimum Lot Size Map No 17 – from 40ha (AB) to 2 ha (Z).
- Amendment of Camden LEP 2010 Minimum Lot Size Map No 17 – from 40ha (AB) to 10ha (AB1).

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is in response to a Site Compatibility Certificate (SCC) issued for seniors housing on the subject land at Lot 2 of DP 1019708 at 347 Narellan Road, Currans Hill. The Planning Proposal will reduce the minimum lot size to facilitate a future subdivision with the aim for the seniors housing to be contained on a separate lot from the existing church and school on the subject land.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the Planning Proposal provides the best way of achieving the intended outcome as it seeks to address the amendment in a relatively prompt and efficient manner.

It represents the most logical way of achieving the intended objective and outcomes, there being no readily available and better alternative under the prevailing legislation.

3. Is there a net community benefit?

Given the minor nature of the matters contained within this Planning Proposal, it is considered that a Net Community Benefit Test is not required to be undertaken.

Section B – Relationship to strategic planning framework.

4. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including A Plan for Growing Sydney and exhibited draft strategies)?

The Planning Proposal is consistent with both the Sydney Metropolitan Strategy “A Plan for Growing Sydney” and the priorities for the South West Subregion.

5. Is the Planning Proposal consistent with the local Council’s Community Strategic Plan, or other local strategic plan?

Camden 2040 - Community Strategic Plan for the People and Place of the Camden Local Government Area (Transforming Community Vision into Action)

Camden 2040 is the principal community derived Strategic Planning document for the Camden Local Government Area. It provides a vision and template for achieving sustainable, holistic growth based on six pillars, namely:

- Key Direction 1: Actively Managing Camden's Growth.
- Key Direction 2: Healthy Urban and Natural Environments.
- Key Direction 3: A Prosperous Economy.
- Key Direction 4: Effective and Sustainable Transport.
- Key Direction 5: An Enriched and Connected Community.
- Key Direction 6: Strong Local Leadership.

The Planning Proposal's relevance to 3 of the key directions above in Camden 2040 are provided below:

Actively Managing Camden's Growth

The Planning Proposal contributes to attainment of this Direction and underpinning objectives by addressing Growth Objective 1.3 in particular, by providing a contribution to greater choice and diversity in housing, so as to meet a range of existing and future community needs.

Healthy Urban and Natural Environments

The Proposal contributes to the attainment of this Direction by addressing Environmental Objective 2.1.4 in particular by providing a future compact development module that minimises the urban footprint associated with housing elderly residents.

A Prosperous Economy

The Proposal will contribute to the attainment of this objective through the continuation and ongoing maintenance phases of the development and subsequent community occupation. Specifically, it will contribute to Objective 3.1 - the local economy is growing. Further, it is consistent with Objective 3.4 in that people can access what they need.

6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal and its consistency to the provisions of the State Environmental Planning Policies are provided in the **Table below**.

<i>Application of State Environmental Planning Policies</i>			
State Environmental Planning Policy	Applicable	Comment	Consistent

Standard Instrument (Local Environmental Plans) Order 2006	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	No		n/a
State Environmental Planning Policy No 14—Coastal Wetlands	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 15—Rural Land sharing Communities	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 19—Bushland in Urban Areas	Yes	The planning proposal is consistent with this policy.	Yes
State Environmental Planning Policy No 21—Caravan Parks	n/a	This SEPP is relevant to specific development not permitted under this Planning Proposal.	n/a
State Environmental Planning Policy No 26—Littoral Rainforests	n/a		n/a
State Environmental Planning Policy No 29—Western Sydney Recreation Area	n/a		n/a
State Environmental Planning Policy No 30—Intensive Agriculture	n/a		n/a
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 33—Hazardous and Offensive Development	n/a		n/a
State Environmental Planning Policy No 36—Manufactured Home Estates	n/a		n/a
State Environmental Planning Policy No 39—Spit Island Bird Habitat	n/a		n/a
State Environmental Planning Policy No 44—Koala Habitat Protection	n/a		n/a
State Environmental Planning Policy No 47—Moore Park Showground	n/a		n/a

State Environmental Planning Policy No 50—Canal Estate Development	n/a		n/a
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	n/a		n/a
State Environmental Planning Policy No 55—Remediation of Land	Yes	The planning proposal is consistent with this policy.	Yes
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	n/a		n/a
State Environmental Planning Policy No 62—Sustainable Aquaculture	n/a		n/a
State Environmental Planning Policy No 64—Advertising and Signage	n/a		n/a
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	n/a		n/a
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy No 71—Coastal Protection	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy (Affordable Rental Housing) 2009	yes	This SEPP is relevant to particular development categories. The Planning Proposal does not alter the application of the SEPP to future development	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	yes	Any subsequent development applications must be compliant with these provisions	yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	yes	This Planning Proposal is consistent with the applications of this SEPP and will facilitate a future subdivision for a seniors housing development.	yes
State Environmental Planning Policy (Infrastructure) 2007	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	n/a		n/a

State Environmental Planning Policy (Kurnell Peninsula) 1989	n/a		n/a
State Environmental Planning Policy (Major Development) 2005	n/a		n/a
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	n/a		n/a
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	n/a		n/a
State Environmental Planning Policy (Rural Lands) 2008	Yes	The land is zoned RU2 Rural Landscaping with existing uses on the site for a School and Church. The land immediately adjoins urban land and has been issued a SCC for seniors housing. The planning proposal will reduce the minimum allotment size only to facilitate the seniors housing on the smaller portioned lot with the issued SCC. As such, the existing rural zoning will be retained and any proposed seniors housing development on the smaller allotment will be confined to 2ha, whilst the remaining larger 10 ha portion of the land will still retain its rural character.	Yes
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	n/a		n/a
State Environmental Planning Policy (State and Regional Development) 2011	n/a		n/a
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Yes	The planning proposal is consistent with this policy and its aims.	Yes
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	n/a		n/a
State Environmental Planning Policy (Urban Renewal) 2010	n/a		n/a
State Environmental Planning Policy (Western Sydney Employment Area) 2009	n/a		n/a

State Environmental Planning Policy (Western Sydney Parklands) 2009	n/a		n/a
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	n/a		n/a
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	n/a		n/a
Sydney Regional Environmental Plan No 16—Walsh Bay	n/a		n/a
Sydney Regional Environmental Plan No 18—Public Transport Corridors	n/a		n/a
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	n/a		n/a
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	Yes	The planning proposal is consistent with this policy.	Yes
Sydney Regional Environmental Plan No 24—Homebush Bay Area	n/a		n/a
Sydney Regional Environmental Plan No 25—Orchard Hills	n/a		n/a
Sydney Regional Environmental Plan No 26—City West	n/a		n/a
Sydney Regional Environmental Plan No 28—Parramatta	n/a		n/a
Sydney Regional Environmental Plan No 30—St Marys	n/a		n/a
Sydney Regional Environmental Plan No 33—Cooks Cove	n/a		n/a
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	n/a		

7. Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant considerations in respect of the Section 117 Directions highlighted to be of relevance are summarised below.

Direction 1.2 Rural Zones

The objective of this Direction is to protect the agricultural production value of rural land.

The proposal will allow the land to retain the current zoning of RU2 Rural Landscape. The land is currently used for a church and school and is not considered prime agricultural land, given its generally modest soil qualities, relative lack of access to secure water supplies and the size of the holding.

Importantly, the land is situated in a principally urban context and is consistent with Metropolitan and Subregional Planning objectives. Hence, the land satisfied the requirements for an SCC for seniors housing for land adjoining an urban area.

Direction 1.3 Mining, Petroleum and Extractive Industries

The objective of this Direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.

The proposal will not adversely impact any future potential subsurface mining program.

Compliance with appropriate mine subsidence parameters would facilitate urbanisation without significantly constraining mining activities, should such occur.

No other activities covered by the Direction are adversely impacted.

Direction 1.5 Rural Lands

The objectives of this Direction are to:

- *protect the agricultural production value of rural land*
- *facilitate the orderly and economic development of rural lands for rural and related purposes.*

The proposal is situated in a principally urban context and is consistent with Metropolitan and Subregional planning. Further, the RU2 Rural Landscaping zoned land is currently used for a School and Church.

The land is not considered to be prime agricultural land and immediately adjoins urban land, which has been issued a SCC for seniors housing. The planning proposal involves a reduction to the minimum allotment size only to facilitate the seniors housing on a smaller portioned lot with the issued SCC.

As such, the existing rural zoning will be retained and any proposed seniors housing development on the smaller allotment will be confined to 2ha, whilst the remaining larger 10 ha portion of the land will still retain its rural character.

Direction 2.1 Environmental Protection Zones

The objective of this Direction is to protect and conserve environmentally sensitive areas.

There is an existing critically endangered ecological community Cumberland Plain Woodland to the north of the school and church site that is in "low condition" as per

the Flora Report prepared by Woodlands Environmental Management and as identified on Council's mapping system of Environmentally Sensitive Land.

The location of the proposed senior housing development as per the SCC application is not located within the northern part of the site, where the school, church and location of the above ecological community.

Further, the planning proposal does not involve any removal of this remnant trees or rezoning of the site and only involves a change only to the minimum allotment size. Any such are matters would be addressed at a future development application stage for the seniors housing. Hence, the Proposal is consistent with the objective.

Direction 2.3 Heritage Conservation (E4)

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The Planning Proposal will not reduce the State heritage significance of the adjoining heritage item, Upper Canal. As such, the planning proposal is considered to be consistent with this direction.

Direction 3.1 Residential Zones

The objectives of this Direction are to:

- a) encourage a variety and choice of housing types to provide for existing and future housing needs;*
- b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and*
- c) to minimise the impact of residential development on the environment and resource lands.*

The objectives are met in that:

- The proposal does not seek to reduce the amount of residential land but will facilitate additional residential development that may assist the Camden LGA in reaching its housing targets, in this case, a proposed seniors housing development in association with the issued SCC.
- The site is located adjacent to existing residential development and related physical and community infrastructure.
- The site is serviced with the appropriate road and utility infrastructure, which can be readily amplified to enable residential development.
- No areas of environmental sensitivity will be adversely impacted, with appropriate conservation strategies implemented if required.
- The development will be compatible with subsurface mining, if such occurs in the future.

Direction 3.4 Integrated Land Use and Transport

The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and direct layouts achieve a comprehensive suite of planning objectives including:

- a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) increasing the choice of available transport and reducing dependence on cars, and*
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) supporting the efficient and viable operation of public transport services, and*
- e) providing for the efficient movement of freight.*

The Proposal is consistent with the Direction in that:

- The site is proximate to existing residential development and school infrastructure which is serviced by public transport.
- The site is accessible to public bus services on the surrounding roads.
- Further the criteria under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for services and infrastructure was considered to be adequate to issue the SCC for seniors housing.

Direction 4.2 Mine Subsidence and Unstable Land

The objective of this Direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.

The land is not within a proclaimed mine subsidence district. No mining activity is currently occurring.

Should future mining occur it is not likely to be such as to preclude standard residential development and service infrastructure, subject to adherence to relevant subsidence parameters.

Direction 4.3 Flood Prone Land

The objectives of this Direction are to:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

The Planning Proposal does not involve flood prone land.

Direction 4.4 Planning for Bushfire Protection

The objectives of this Direction are:

- *to protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land use in bushfire prone areas, and*
- *to encourage sound management of bushfire prone areas.*

The subject land is identified as bushfire prone land on Council's mapping system. The specific bush fire prone land is located within the site, north of the church and school. Any further proposed development for residential purposes will be subject to satisfy the requirements of "Planning for Bushfire Protection 2006."

The planning proposal only involves a change to the minimum allotment size. Hence, the Planning Proposal is consistent with the objective.

Direction 6.1 Approval and Referral Requirements

The objective of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

This Planning Proposal is consistent with the provisions of Camden LEP 2010 and the objective with this Direction.

Direction 6.2 Reserving Land for Public Purposes

The objectives of this Direction are:

- *to facilitate the provision of public services and facilities by reserving land for public purpose, and*
- *to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.*

The Planning Proposal does not propose to create, alter or reduce existing zonings or reservations of land for public purposes.

Direction 6.3 Site Specific Provisions

The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls.

The Planning Proposal does not impose any restrictive development standards or requirements and only involves a reduction in minimum allotment size on the land. The proponent has advised Council that a future boundary adjustment on the subject land will be undertaken for the purposes of transferring an encroachment of an earth batter and detention basin, which belongs to an adjoining development.

The boundary adjustment once completed will not result in the smaller portion of land to be less than the minimum allotment size of 2 ha. Hence, the proposed minimum allotment size as shown on the survey map (**Attachment 3**) is approximately 3.347 ha in area to allow for the loss of land in the boundary adjustment and still provide for a total allotment area minimum allotment size of no less than 2 ha in area for the proposed seniors housing to be contained on a separate lot.

Direction 7.1 Implementation of the A Plan for Growing Sydney

The objective of this Direction is to give legal effect to the vision, land use strategy, policy, outcomes and actions combined in the A Plan for Growing Sydney.

The Planning Proposal is consistent with the *A Plan for Growing Sydney* and the priorities of the South West Subregion.

Section C – Environmental, social and economic impact.

- 8. 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?**

The Planning Proposal involves a change only to the minimum allotment size. These are matters to be addressed at a future development application stage for the seniors housing.

- 9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

No unmanageable adverse environmental impacts are likely as a result of the Planning Proposal.

A preliminary contamination report of the land has established further investigations and likely remedial actions are required for any proposed residential use of the site. This should be undertaken at the DA stage for seniors housing.

Preliminary traffic analysis has identified the adequacy of the immediate road network.

All the preliminary impacts identified are importantly manageable and will inform the final design and development and implementation of management guidelines.

- 10. How has the Planning Proposal adequately addressed any social and economic affects?**

The proposal will assist to meet increasing demand for seniors housing.

Some additional demand on local medical services may result. Such facilities can be accessed by reasonable means. Additional patronage of public transport services will improve viability.

Further, any future development process will have a positive economic impact upon the development / construction industry, inclusive of the prospects of local employment on many fronts, both in design and construction. In addition, local services and business will benefit through increased trade, both construction and ongoing.

Section D – State and Commonwealth interests.

- 11. Is there adequate public infrastructure for the Planning Proposal?**

Reticulated water and sewerage facilities are available to service future development of this land, as is electricity and telecommunications. In the context of a future application for senior's housing, it will be necessary to undertake analysis of their unique needs and how the existing infrastructure responds to and caters for those needs.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The relevant State and Commonwealth public authorities would be consulted following the outcome of the Gateway determination. Council would be responsible for carrying out this consultation in accordance with s.57 of the EPA Act.

The State public authorities likely to be consulted include:

- Rural Fire Service;
- Sydney Water

Part 4 – Maps

Maps will be prepared in accordance with the Standard Technical Requirements for LEP maps with draft maps included as **Attachment 4**.

The following Camden LEP 2010 map will need to be amended:

Lot Size Map LSZ_017

Part 5 – Community Consultation

The matters dealt with in this Planning Proposal are of a minor amendment and do not result in any adverse impacts upon the community. Accordingly, it is considered that an exhibition period of fourteen (14) days is appropriate for this planning proposal.

As the Planning Proposal involves a minor amendment to Camden LEP 2010, it is considered that consultation with Commonwealth public authorities will not be required.

Part 6 – Project Timeline

Based on the project timeline above it is anticipated that a time frame of approximately 6 months would provide sufficient time for the completion of the project and finalisation of the LEP amendments.

Project Detail	Timeframe
Anticipated commencement date (date of Gateway determination)	June 2016
Anticipated timeframe for the completion of required technical information - after Specialist Study requirements determined	N/A
Timeframe for government agency	N/A

consultation (pre and post exhibition as required by Gateway determination).	
Commencement and completion dates for public exhibition	June 2016
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	TBA
Timeframe for the consideration of a proposal post exhibition including amendments and maps and report to Council	TBA
Date of submission to the Department to finalise the LEP (including 6 week period for finalisation)	TBA
Anticipated date RPA will make the plan if delegated	TBA
Anticipated date RPA will forward to the Department for notification	TBA

Part 7 - Conclusion

The Planning Proposal seeks to amend the minimum lot size on the subject land under Camden LEP 2010. The proposed 2 minimum lot sizes of 2 ha and 10 ha on the subject land, Lot 2 of DP 1019708 at 347 Narellan Road, Currans Hill will facilitate a future subdivision to enable seniors housing to be contained on a separate lot from the existing church and school.

The Planning Proposal has been prepared in accordance with the DPE documents *"A Guide to Preparing Local Environmental Plans"* and *"A Guide to Preparing Planning Proposal"*.

Should Council resolve to endorse the Planning Proposal, it will be forwarded to Gateway for determination.

Attachments

Attachment “1”

Site Compatibility Certificate (SCC) issued for Seniors Housing

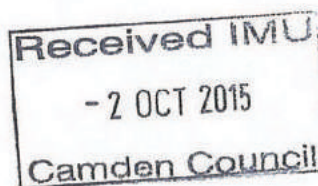


Planning &
Environment

Office of the Secretary

Mr Ron Moore
General Manager
Camden Council
PO Box 183
Camden NSW 2570

Our ref: 14/18577



Attention: Mr Ilyas Karaman

Dear Mr Moore

Determination of an application for a site compatibility certificate for land located at 347 Narellan Road, Currans Hill - SEPP (Housing for Seniors and People with a Disability) 2004

I refer to the above application for a site compatibility certificate for the above site at Currans Hill. I have considered Council's comments in my assessment of this application and thank you for providing these comments.

I have determined the application under clause 25(4)(a) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* by issuing a site compatibility certificate subject to satisfaction of certain requirements in the certificate (clause 25(7)). I have attached a copy of the Certificate of Site Compatibility.

If you have any questions in relation to this matter, please contact Ms Rachel Cumming, Director, Metropolitan (Parramatta), at the Department on (02) 9860 1174.

Yours sincerely

Carolyn McNally
Secretary

28.9.15

Encl: Site Compatibility Certificate



Planning & Environment

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

I, the Secretary of the Department of Planning and Environment, pursuant to clause 25(4)(a) of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, determine the application made by Precise Planning on 21 August 2014 by issuing this certificate.

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
Department of Planning and Environment

Date certificate issued: 28.9.15

Please note: This certificate will remain current for 24 months from the date of issue.

SCHEDULE 1

Site description:

The site is located at 347 Narellan Road, Currans Hill (Lot 2 DP 1019708), within the Camden Local Government Area.

Project description:

The proposal is for a development of a two-storey building for residential care facility and associated serviced self-care semi-detached houses, including a community park, ambulance bay and associated car parking.

SCHEDULE 2

Application made by:

Precise Planning, 152 Sailors Bay Road, Northbridge NSW 2063.

Requirements imposed on determination:

1. The building design should not exceed two storeys in height above natural ground level.
 2. Future detailed designs must demonstrate compliance with Transgrid guidelines for development within a transmission easement.
-

Attachment "2"

September 2014 - Council Report with attached submission to DPE
regarding the SCC and the suitability of the land for the seniors housing.



ORDINARY COUNCIL

ORD04

**SUBJECT: RESPONSE TO THE APPLICATION FOR A SITE COMPATIBILITY
CERTIFICATE AT 347 NARELLAN ROAD, CURRANS HILL**
FROM: Director Planning & Environmental Services
TRIM #: 14/146226

PURPOSE OF REPORT

The purpose of this report is to advise Council of the application for a Site Compatibility Certificate (SCC) under the SEPP (Housing for Seniors and People with a Disability), 2004, (SEPP Seniors) at 347 Narellan Road, Currans Hill, and to seek Council's resolution to forward a submission to the Department of Planning and Environment in response to the application. A draft submission is provided as **Attachment 1 to this report**.

BACKGROUND

On 3 October, 2013 Council received an application from Precise Planning to rezone Part Lot 2 of DP 1019708 at 347 Narellan Road from RU2 Rural Landscape to R2 Low Density Residential for the purpose of a seniors housing development on the land.

During consideration of the rezoning application Council officers raised with the applicant other mechanisms available to them to permit seniors housing without rezoning the land to R2 Low Density Residential.

Mechanisms such as a SCC provide Council and the community with increased certainty as to the final use of the site. The planning proposal was subsequently put on hold whilst the proponent considered other opportunities.

On the 26th August 2014, the Department of Planning and Environment received an application from Precise Planning on behalf of the landowners for a SCC to permit a 150 bed Residential Care Facility and 10 Serviced Self-Care Housing units on the subject land. A site plan is provided as **Attachment 2 to this report**.

The Department of Planning and Environment has invited Council to provide comment on the SCC application. Council was provided 21 days to provide comment (due 16 September 2014). The Department has been provided a copy of Council's Business Paper and advised that Council will be considering the matter at this Council meeting.



Figure 1 – Location of the Subject Site – Lot 2 of DP 1019708 – 347 Narellan Road, Currans Hill

MAIN REPORT

Site Compatibility Certificate (SCC)

The SCC as contained within the Seniors SEPP is a mechanism to permit seniors housing in locations where it is not permissible in the zone under the Local Environmental Plan (LEP).

A SCC is not a development approval it merely permits the use and overrides Council's LEP. A subsequent development application will need to be lodged for the proposal, and considered by Council as per the standard development approval process.

An application for a SCC is not publicly exhibited prior to a determination. Should the SCC be issued, public exhibition would occur at the development application stage. Community comments would then be considered as part of the DA process by the relevant consent authority. Initial estimates of the cost of works for the proposal are

\$22million which would require the proposal to be approved by the Joint Regional Planning Panel (JRPP).

The Proposal

The application for a SCC at 347 Narellan Road proposes a 150 bed Residential Care Facility (RCF) and 10 serviced self care housing units.

A **Residential Care Facility (RCF)** is defined as *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.*

Serviced self care housing units are defined as - *seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.*

The proposal identifies varying levels of 24 hour care to 150 residents who are no longer independent.

It is proposed that the RCF be contained within a 2 storey building with 6 wings. Each wing will accommodate approximately 25 residents in single and double rooms, with dining and catering services in each wing.

The serviced self care housing is proposed to be single storey semi-detached "villa" style accommodation.

Planning Considerations

Council officers have undertaken a review of the information provided by the Department of Planning and Environment and have identified the following issues.

Traffic

The site is accessed via traffic lights at Narellan Road. The access road is a narrow private road that services the existing seniors living at 359 Narellan Road, the school and the C3 Church.

Council has previously expressed concerns with regards to the existing road having sufficient capacity for additional residential purposes. The access road is a private road and currently experiences queuing inside the site at peak times.

Given the queuing at peak times Council's traffic officers have also identified concerns regarding the ability of emergency vehicles to access the site during peak times.

Future proposals will need to demonstrate that the existing road network has capacity for the proposed use and will not unfairly impact on existing uses on the site, and can provide for emergency vehicle access during peak traffic periods.

Bulk and Scale of Proposal

The proposal as contained within the application for the SCC proposes 1 large building with 6 wings and a height of 2 storeys across the proposal.

Whilst only limited information has been provided, the bulk and scale of the proposal is of concern to Council officers. The site is located to the east of Currans Hill which contains largely detached housing forms (many single storey) and to the north of an existing approved seniors housing development (359 Narellan Road) which consists of a number of 1 and 2 storey buildings.

It is recommended that the design of the proposed RCF building be articulated or broken up to reduce the bulk of the proposal and improve its integration with the surrounding development.

Visual Impacts and Heritage Considerations

The site is located to the west of Kenny Hill, a significant component of the scenic hills landscape. Council officers have identified potential concerns with regard to the impact of a larger building mass impacting on the Kenny Hill view corridor.

In addition to the visual impacts it is also noted that the proposal is adjacent to the State Heritage Listed Sydney Water Upper Canal.

The Camden DCP 2010 contains specific controls relating to development adjacent to the Sydney Water Upper Canal and these should be considered as part of any future development.

It is also recommended that Heritage NSW be consulted prior to determination of the SCC application due to the proximity of the State Heritage Item.

Transmission Easement

The site is adjacent to a large transmission easement measuring 60.96m wide. It is noted from the information referred to Council that it is proposed to have car parking and vehicular access located within the easement.

The proposal also proposes the main RCF building to abut the Transgrid easement.

It is recommended that the application be referred to Transgrid for comments with regards to activities within the easement prior to determination of the SCC.

Drainage and Flooding

Council's flood information identifies that the site is affected by flooding from a watercourse and is subject to flood related planning controls.

The proposed development is classified as critical utilities and public infrastructure under Council's Flood Risk Management Policy. Development on this site will need to demonstrate compliance with all controls for this classification. This will include the provision of an evacuation plan up to the PMF flood event.

Social Impacts

The forecast for the Camden LGA is for a further increase in the ageing population. As such, Camden will continue to have a demand for accommodation for aged care and people with disabilities.

The proposed addition of 150 beds within a 24 hour care RCF and 10 additional serviced self care units within the Camden LGA would provide a social benefit to the local community.

Consistency with the Seniors SEPP

Council officers have considered the proposal in accordance with clause 25 (5)(b) of the SEPP. In principle the proposal appears to meet these requirements however, further information is required to demonstrate full compliance with the following:

- Potential Site Contamination – Compliance with SEPP 55;
- Heritage Impact Statement – Impact on the Sydney Upper Water Canal;
- Demonstrated compliance with Clause 26; and
- Detailed traffic impact statement and modeling demonstrating road capacity and impact on existing development.

A detailed analysis of this clause is included as part of **Attachment 1 to this report**.

FINANCIAL IMPLICATIONS

There are no financial implications to Council as a result of this report.

CONCLUSION

The application for a site compatibility certificate to permit a 150 bed residential care facility and 10 units of serviced self care housing under the Seniors SEPP appears to be consistent with the requirements of the SEPP.

Council officers consider that the proposal has planning merit and in principle support seniors housing on the site, subject to detailed design and planning that addresses Council's concerns as outlined in this report and within the attached submission.

RECOMMENDED

That Council:

- endorse the submission to be forwarded to the Department of Planning and Environment for consideration.**

Resolution: Moved Councillor Dewbery, Seconded Councillor Sidgreaves, that Council endorse the submission to be forwarded to the Department of Planning and Environment for consideration.

ORD190/14 THE MOTION ON BEING PUT WAS CARRIED

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Fedeli and Bligh voted in favour of the Motion. Councillor Campbell voted against the Motion.)

ATTACHMENTS

-
1. Attachment Draft Submission to the Department of Planning and Environment
Site Compatibility Certificate
 2. Attachment 2 Amendment 31 - Site Plan

Submission to the Department of Planning and Environment

Planning Considerations

Council officers have undertaken a review of the information provided by the Department of Planning and Environment and have identified the following issues.

Traffic

The subject site is accessed via traffic lights at Narellan Road. The access road is a narrow private road that services the existing seniors living at 359 Narellan Road, the School and the C3 Church.

Council has previously expressed concerns with regards to the existing road having sufficient capacity for additional residential purposes. The access road is a private road and currently experiences significant queuing inside the site at peak times.

Given the extensive queuing at peak times Council's traffic officers have also identified concerns regarding the ability of emergency vehicles to access the site during peak times.

Future proposals would need to clearly demonstrate that the existing road network has capacity for the proposed use and would not unfairly impact on existing uses on the site, and can provide for emergency vehicle access during peak traffic periods.

Bulk and Scale of Proposal

The proposal as contained within the application for the SCC proposes 1 large building with six wings and a height of 2 storeys across the proposal.

The bulk of the proposal is of concern to Council officers. The subject site is located adjacent to the east of the suburb of Currans Hill which is of a domestic scale with a large portion of single storey residential housing, and to the north of an existing approved Seniors Housing development (359 Narellan Road) which consists of a number of 1 & 2 storey buildings.

It is recommended that the design of the proposed RCF building be articulated or broken up, to reduce the bulk of the proposal on the visual landscape, and improve integration with surrounding development.

Visual Impacts and Heritage Considerations

The subject site is located to the west of Kenny Hill a significant component of the scenic hills landscape. Council officers have identified potential concerns with regards to the impact of a larger building mass impacting on the Kenny Hill view corridor.

In addition to the visual impacts it is also noted that the proposal is adjacent to the State Heritage Listed Sydney Water Upper Canal.

The Camden DCP 2010 contains specific controls relating to development adjacent to the Sydney Water Upper Canal and these should be considered as part of any future development.

It is also recommended that Heritage NSW be consulted prior to issue of the SCC due to the proximity of the State Heritage Item.

Transmission Easement

The subject site is adjacent to a large transmission easement measuring 60.96m wide. It is noted from the information referred to Council that it is proposed to have car parking and vehicular access located within the easement.

The proposal also proposes the main RCF building to abut the Transgrid easement.

It is recommended that the application be referred to Transgrid for comments with regards to activities within the easement prior to issue of a SCC.

Drainage and Flooding

Councils flood information identifies that the subject property is affected by flooding by a watercourse and subject to flood related planning controls.

The proposed development is classified as critical utilities and public infrastructure under Council's Flood Risk Management Policy. Development on this site would need to demonstrate compliance with all controls for this classification. This would include the provision of evacuation plan up to PMF flood event.

Social Impacts

The forecast for the Camden LGA is for a further increase in the ageing population. As such, Camden will continue to have a demand for accommodation for aged care and people with disabilities.

The proposed addition of 150 beds within a 24 hour care RCF and 10 additional serviced self care units within the Camden LGA would have significant social benefit to the local community.

SEPP Considerations

Clause 25(5)(b)

Sub Clause	Council Response
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	<u>Existing Uses:</u> Part of the subject land is occupied by a private school catering for children aged from kindergarten to year 12 & a church,. Subject site constrained by An existing High voltage Transmission Line with 60.98 wide easement traverses the site, there <u>are concerns the proposed community park, car park and other structures encroach the existing easement; 2 x storey building on edge of easement;</u> <u>Approved Uses:</u> The adjoining land to the south is approved for a total of 77 dwellings for seniors housing Natural Environment • European Heritage ○ SCA Upper Canal (State listed item) ○ Potential archaeological remnant Kenny Hill Station ○ Transmission Easement 60m wide • Contamination -potential fill on site needs to comply with SEPP 55 Remediation of Lands • Visual Impacts on Kenny Hill scenic hills area
ii. the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,	The site is not identified for future residential purposes. The subject land is zoned RU2 Rural Landscape zone, the key objectives of the zone is to maintain the rural landscape character of the land, protect & enhance the scenic value by minimising development and providing a visual contrast to nearby urban development.
iii. the services and infrastructure that are or will be available to meet the demands	The subject appears to be well serviced in terms of utilities infrastructure. Council officers have

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,	identified concerns with regard to road infrastructure capacity (within the site) and the ability to comply with Clause 26 of the SEPP in terms of location requirements.
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
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 existing bulk and scale is of concern to Council officers. It is recommended that more detailed design be undertaken in conjunction with Council officers should this proposal proceed. The location of building with regards to the transmission easement is also of concern and needs to be considered in the design process. The bulk and scale should be in accordance with the development already approved to the south of the subject site.
vi. If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the <u>Native Vegetation Act 2003</u>—the impact that the proposed development is likely to have on the conservation and management of native vegetation.	The subject site is relatively clear of native vegetation. However this should be confirmed at the DA stage.

Clause 26(e) Location and access to facilities

The subject site does not appear to meet the service requirements as identified in Clause 26 of the SEPP, as the “return” bus stop is located outside of 400m. It would therefore be required that the proposed development provide bus services to residents that would satisfy this requirement.

SEPP Requirement	Council Response
(c) in the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport service available to the residents who will occupy the proposed development:	
(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and	A suitable bus stop and bus route are located on Narellan Road adjacent to the entry to the subject site. The SEPP requires services to and from the site, therefore its also necessary for the bus stop on the return journey to be located within 400m of the subject site. The return bus stop is on the opposite side of Narellan Road near Flower Power. This bus stop appears to be outside of the 400m, and would therefore not comply with the SEPP.
(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and	Bus routes service Camden, Narellan and Macarthur Square and meet these requirements.
(iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive),	The regularity of services appears to meet this requirement.
Gradient Controls and requirements	Further information needs to be provided by the applicant.

Further information required

1. Pre Issue of a Site Compatibility Certificate

- Detailed Traffic Studies
- Clarification regarding compliance with Clause 26 of the Seniors SEPP
- Referral of application to Transgrid
- Referral of application to the Sydney Catchment Authority
- Referral to Heritage NSW

2. As part of future Development application

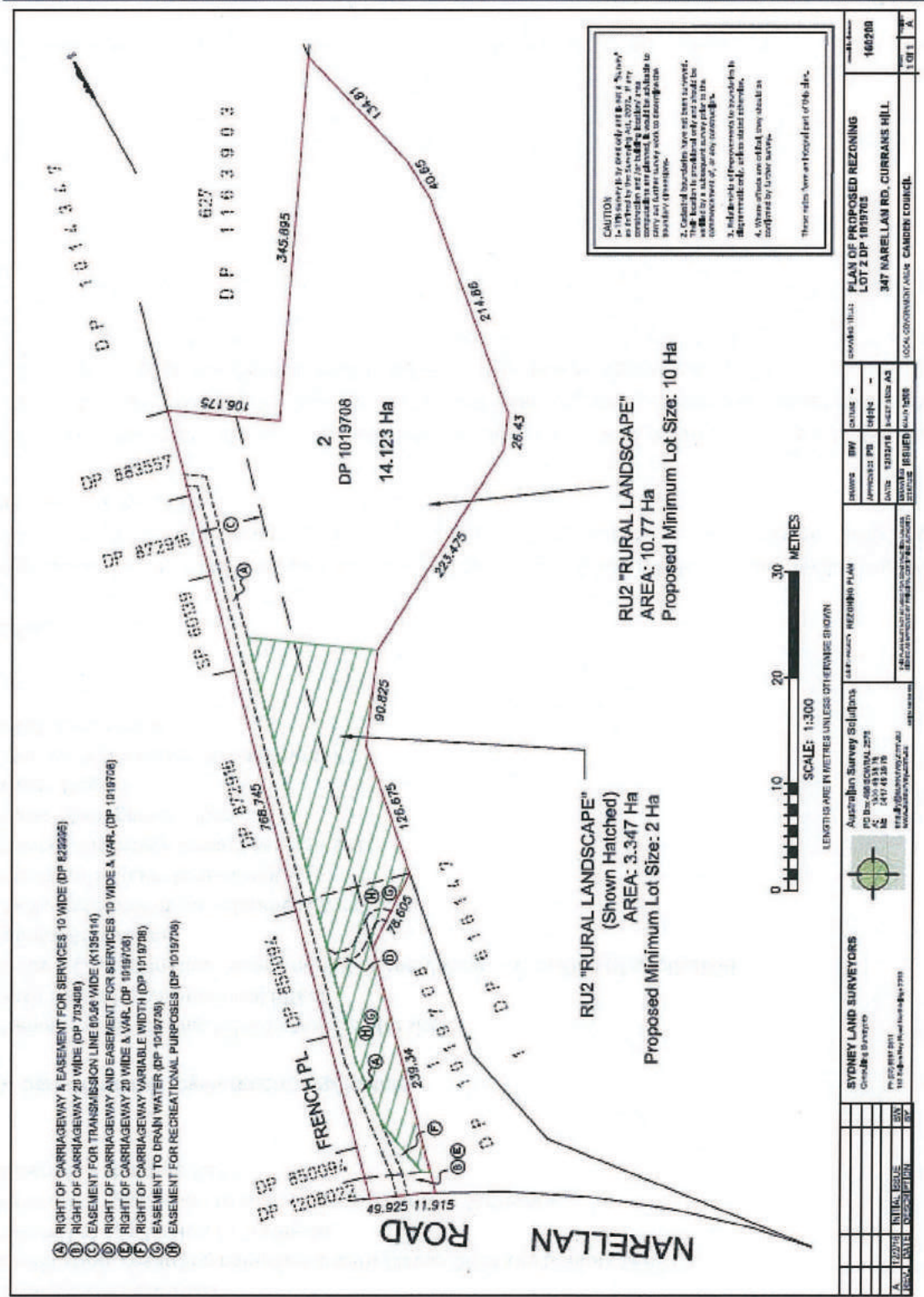
- Drainage and Flooding Information for the site
- Statement of Environmental Effects
- Phase 2 Contamination Assessment & Remediation Action Plan (if applicable)
- Salinity Assessment
- Traffic Assessment (development specific)
- Aboriginal Impact Assessment
- European Heritage Impact Assessment
- Waste Management Plan
- Access Report
- Concept Stormwater Management Plan
- Noise Assessment

Conclusion

The application for a site compatibility certificate to permit a 150 bed residential care facility and 10 units of serviced self care housing under the Seniors SEPP appears to be consistent with the requirements of the SEPP.

Council officers consider that the proposal has planning merit, and in principle support Seniors Housing on the site, subject to detailed design and planning been undertaken that addresses Council's concerns as outlined in this report and within the attached submission.

Proposed Plan with Survey of Minimum Allotment Sizes

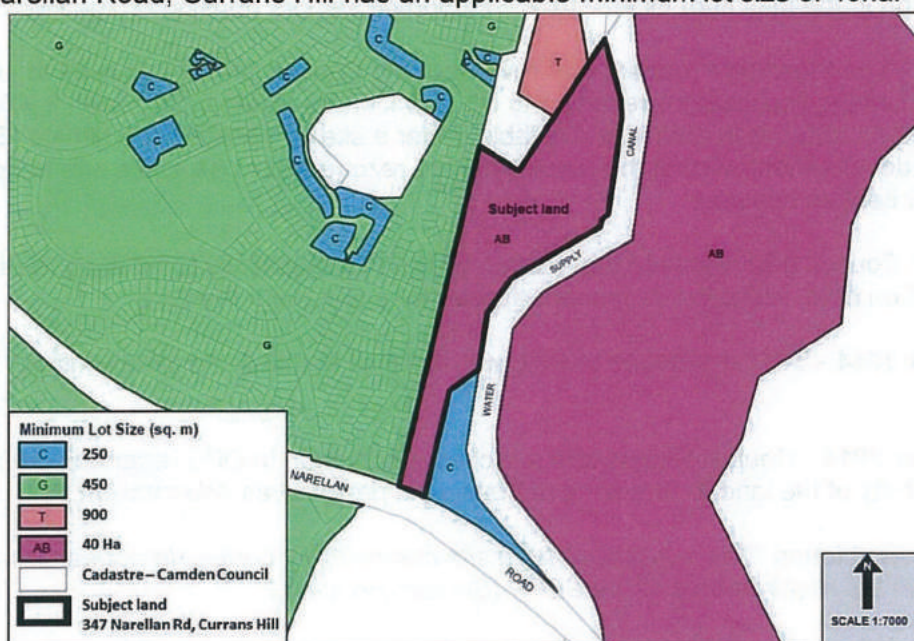


Attachment "4"

Comparison Maps Indicating Current and Proposed Changes

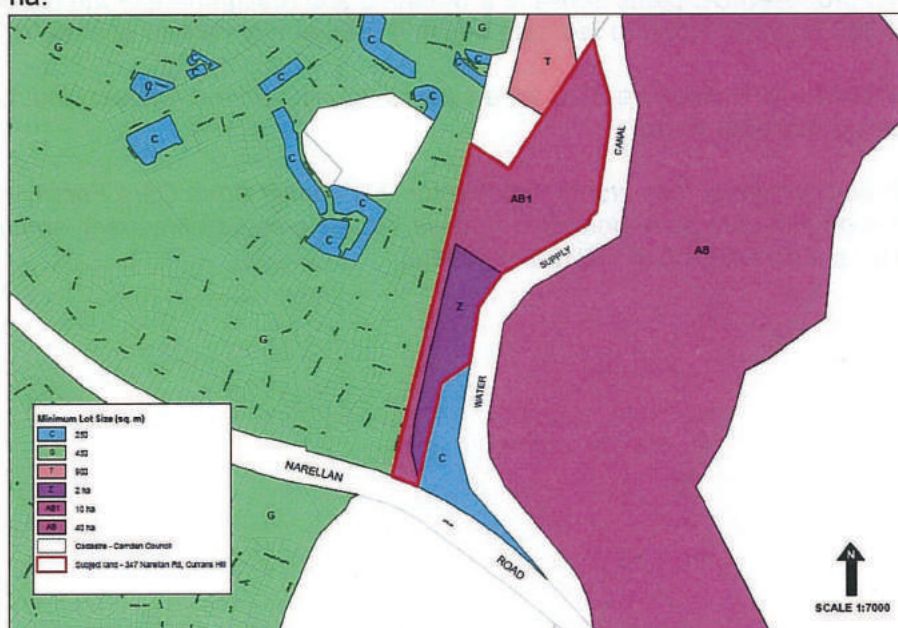
1. Current Lot Size Map

- i. The current lot size map under Camden LEP 2010 for the subject land at 347 Narellan Road, Currans Hill has an applicable minimum lot size of 40ha.



2. Proposed Lot Size Map

- i. The proposed lot size map under Camden LEP 2010 for the subject land at 347 Narellan Road, Currans Hill will have an applicable minimum lot size of 2 ha and 10 ha.



Attachment "5"

History of Planning Proposal and SCC

The key events below provide a history of the Planning Proposal and SCC.

3 October 2013 - Council received the initial Planning Proposal which involved a rezoning of the subject land from RU2 Rural Landscape zone to an R2 Low Density Residential zone and a reduction in the minimum lot size to accommodate seniors housing on the site.

8 April 2014 - The Planning Proposal was reviewed and Council Officers advised to not support the Planning Proposal for rezoning to R2 Low Density Residential zone. It was recommended an alternative path was available under a site compatibility certificate (SCC) to permit the development without the requirement to rezone and to allow the site to be developed for seniors housing.

1 May 2014 - Council advice issued that Planning Proposal is unlikely to be supported and will be placed on hold, whilst the proponent applied for a SCC with the DPE.

2 September 2014 - SCC application to DPE with Council invited to comment within 21 days.

23 September 2014 - Council Report with attached submission to DPE regarding the SCC and the suitability of the land for the seniors housing is provided as **Attachment 2**.

The council report found *"The application for a site compatibility certificate appears to be consistent with the requirements of the SEPP (Seniors Housing.)"*

Council Officers considered that the proposal has planning merit and in principle support seniors housing on the site, subject to detailed design and planning that addresses Council's concerns on Traffic, Bulk and Scale, Visual Impacts and Transmission Easement.

6 May 2015 – Council advice to DPE, **"Modification to the Construction Certificate (CC) - 2770/1999/1-** for existing seniors housing at 359 Narellan Road will be satisfactory in accordance with proposed CC plans showing a widening and realignment of the private access road at 359 Narellan Road to facilitate bus and emergency vehicle access.

28 September 2015 - DPE issued a SCC for a seniors housing on the subject land, Lot 2 DP 1019708 at 347 Narellan Road.

The SCC as issued permits a *"two storey building for Residential Aged Care Facility with associated serviced self-care semi-detached houses including community park, ambulance bay & associated car parking"* on the RU2 zoned land.