



REQUEST FOR VARIATION TO GUIDELINES IN CLAYMORE URBAN RENEWAL DEVELOPMENT CONTROL GUIDELINES (DCG) May 2012

**Prepared by BBC Consulting Planners
5 September 2017**

1. Introduction

Development applications DA566/2017 and DA567/2017 lodged by NSW Land & Housing Corporation with Campbelltown City Council seek consent for new seniors housing being:

- DA566/2017 for the construction of a seniors living development containing 35 dwellings and parking for 35 vehicles at Lot 1069 in DP 1203266, Rosslyn Drive Claymore (Rosslyn Drive Development);
- DA567/2017 for the construction of a seniors living development containing 20 dwellings and parking for 20 vehicles at Lot 1064 DP 1203266, 2 Dowie Drive Claymore (Dowie Drive Development).

DA566/2017 is a part 2, part 3 and part 4 storey seniors living development. Parts of the development form breach the 9.5m height limit contained within the Claymore Urban Renewal Development Control Guidelines (DCG) dated May 2012.

DA567/2017 is a part 2 and part 3 storey seniors living development. The elevations show that components of the development form breach the 9.5m height limit at a number of localised points.

1.1 Claymore Renewal Concept Plan

The Concept Plan for the Claymore Renewal Project was approved by the Minister for Planning (via his delegate) on 24 May 2013, as described in Schedule 1 of the approval.

The Minister also determined that the project is no longer a project to which part 3A applies and that all subsequent approvals were to be subject to Council assessment under Part 4 of the EP&A Act. Therefore, future proposals could be considered by Council on their merits, generally in accordance with the terms of the Concept Plan approval.

The Concept Plan was approved subject to various terms of approval and modifications in Schedule 3. Term of approval No 2 requires the proponent to carry out the Concept Plan generally in accordance with, relevantly, the Environmental Assessment Report

accompanying the application and the Response to Submissions and Preferred Project Report and Appendices.

As part of the approved Concept Plan, the Claymore Urban Renewal Development Control Guidelines (DCG) (dated May 2012) were established to guide future development within the Project area. These guidelines include a reference to a maximum building height of 9.5 metres.

Clause 1.5 of the Claymore Urban Renewal Development Control Guidelines (DCG) dated May 2012 states:

The consent authority may consider variations to the requirements of the DCG in certain circumstances. Requests for variations are required to be in writing and shall clearly demonstrate the reason(s) why the variation sought would not adversely impact on the environment or local amenity and would not erode the relevant standard and requirement. Any such variations are to be justified in the circumstances of the case including an indication of how the objectives of the guidelines are met.

This report has been prepared to formally request a variation from Council to the building height control contained within the approved DCGs, as applicable to both DA566/2017 and DA567/2017.

2. Grounds for the request

2.1 Extent of Non-compliance

The Dowie Drive development generally achieves compliance with the 9.5m building height guideline, save some minor parapet and lift housing intrusions. However, all habitable floors are within the 9.5m guideline. Therefore, the extent of non-compliance is relatively minor.

For the Rosslyn Drive development, Blocks A & D achieve full compliance but elements of Blocks B & C exceed the 9.5m level, particularly at the corner of Rosslyn Drive and Arkley Avenue. This zone of non-compliance is where Block B has a fourth storey to deal with the fall of the finished ground level. This design outcome seeks to maintain even floors across the complex without needing to step the floor levels internally, so that better access to multiple lifts is provided for the units. On balance, the desire to design the seniors living units relative to the slope of the land, with even floors and limited steps, is considered a better design outcome in light of the future clientele of elderly residents.

2.2 Impact on the environment or local amenity

Both sites are well serviced by public transport services (via bus).

The site on Rosslyn Drive has superior amenity, through its location next to the recently constructed Badgally Reserve as well as through its location opposite the future new retail centre envisaged for Claymore. Transport for NSW has also advised that a new bus service will be commenced along Badgally Road (from Gregory Hills, future Route 840) around Christmas 2017, well in advance of completion of the complex programmed for mid-2019.

The bus stops will be made available as part of the forthcoming Stage 3 subdivision works, which are programmed to commence on site in early 2018.

The bulk and scale of the Rosslyn Drive proposal seeks to take advantage of this superior amenity, and to increase the density level appropriately around the new town centre precinct. This outcome further satisfies the Concept Plan desires for more surveillance over the adjoining Badgally Reserve as well as greater accessibility to retail, open space and public transport services for incumbent future residents.

The site on the corner of Dowie Drive and Glenroy Drive is already serviced by the existing Route 880 running along Glenroy Drive (i.e. Dobell Road). The site is also located approximately 250m from the completed Badgally Reserve.

The Statement of Environmental Effects accompanying the development applications indicate that the developments do not have an impact on the amenity of the surrounding area.

2.3 Variation does not erode the relevant requirement

The Concept Plan for the Claymore Urban Renewal Area intends for the predominant built form to be detached and attached dwelling houses, with some small lot housing forms and some seniors units. The Concept Plan envisages four additional seniors housing developments and indicative locations for seniors housing is shown on the Concept Plan.

Both proposed developments are on sites that are earmarked for seniors housing and are well located in proximity to open space and the future retail centre. They are ideally located for higher density development and for higher built forms.

The provision of seniors housing across the urban renewal area is to be limited, with regular residential flat buildings not permissible under the land use zoning applying to the sites. Consequently, the variation to the controls in the circumstances of these two cases would not erode the veracity and potency of the approved guidelines.

2.4 Objectives of the guidelines

Section 3.1 of the DCGs outlines the objectives of the development guidelines:

- Encourage diversity in housing types to that there is a choice of housing that is affordable and capable of meeting the needs of a range of household types;
- Encourage good house designs on a range of lot sizes including compact lots;
- Create attractive landscaped front gardens;
- Ensure an acceptable level of amenity for residents and neighbours;
- Encourage quality-designed dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood;
- Encourage homes that achieve good environmental performance.

It is considered that the developments meet these objectives in the following manner:

- they encourage diversity in housing through the provision of seniors housing in apartment building forms that are affordable and for social housing designed to meet the requirements of older person seniors household types;
- the developments are well designed and provide variety and diversity whilst ensuring that the overall concept plan provides a range of lot sizes;
- the designs of the developments provide adequate landscaped building setbacks consistent with the emerging character of the area;
- they provide an acceptable level of amenity for residents and neighbours through dwelling design, solar access, private open space and relationship to neighbours;
- they provide quality-designed dwellings that make a positive contribution to the streetscape and amenity of the neighbourhood;
- the developments achieve good environmental performance through passive thermal building design measures, landscaping, and BASIX compliance.

The objectives of the guidelines are directed to the predominant form of housing in the renewal area being detached dwellings. However, the proposed development meets these objectives notwithstanding partial non-compliance with the building height guideline.

2.5 Circumstances of the case

In the context of the favourable location of the developments, the lack of adverse environmental impact and the Concept Plan's desire for increased density around the future retail centre, this degree of non-compliance with the guidelines is justified in the circumstances of the case. This is supported by the strongly expressed design preference of the Council and the community strongly for:

- Multiple lift cores to be provided within the buildings (further recognising the need for these lifts to be economically viable through additional units);
- Higher density to be provided on the approved seniors housing sites, observing their superior access to public transport and other community facilities.

The non-compliance of the four-storey element of the Rosslyn Drive development, is where Block B has a fourth storey to deal with the fall of the ground level. The design outcome seeks to maintain even floors across the complex without needing to step the floor levels internally, so that better access to multiple lifts is provided for the units.

3. Concluding Comments

The approved Concept Plan for the Claymore Renewal Project and the DCGs provides necessary flexibility for the construction of new Seniors Housing developments, considering key design issues, the needs of seniors, the effective provision of lift access, encouraging more housing in appropriate locations and the evolution of these elements during the implementation phases of the Concept Plan. These key issues are identified in both the Concept Plan approval as well as the SEPPHS, and generally advocate for:

- Good access to public transport and retail services;
- Proximity to open space areas, particularly when they can offer passive surveillance;

- Appropriate bulk and scale given the building siting context;
- Good site planning and design;
- Streetscape presentation and relationship to neighbours;
- High quality amenity for future residents considering matters of cross ventilation, solar access, internal accessibility and car parking provision.

Both proposals are sited on locations that were identified for seniors housing within the approved Concept Plan and have been developed in consultation with Council and the local community. Both applications have been supported by planning and legal advice concerning Council's ability to grant consent to the applications.

In our view, the detailed design of both proposals has achieved compliance with these abovementioned key design issues and variation to the building height control in the DCGs are justified in the circumstances of both cases.

A handwritten signature in blue ink, consisting of a large, stylized initial 'L' followed by a series of loops and a final flourish.

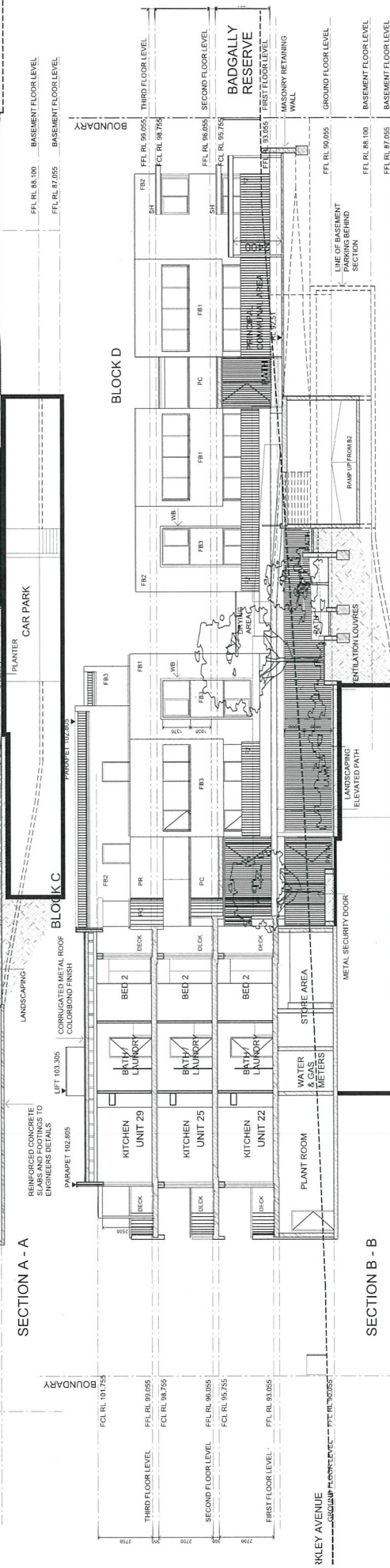
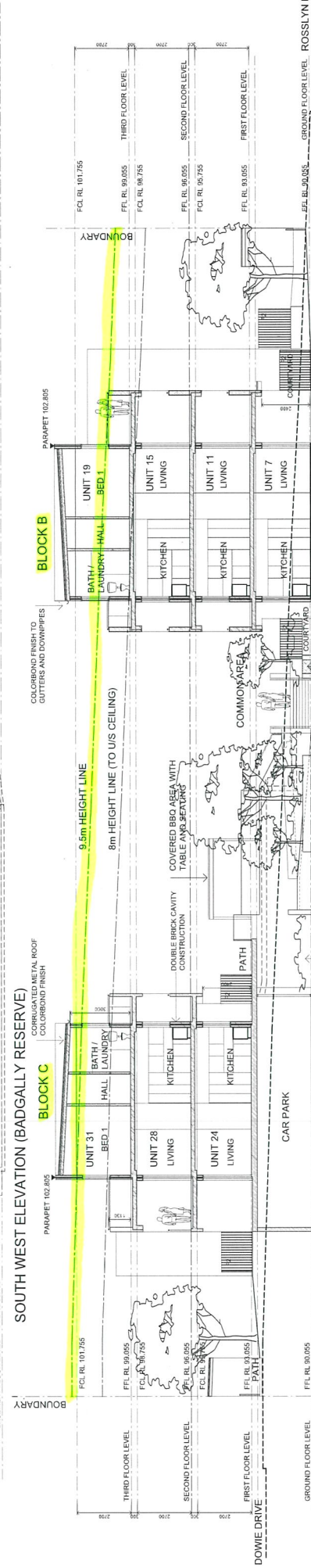
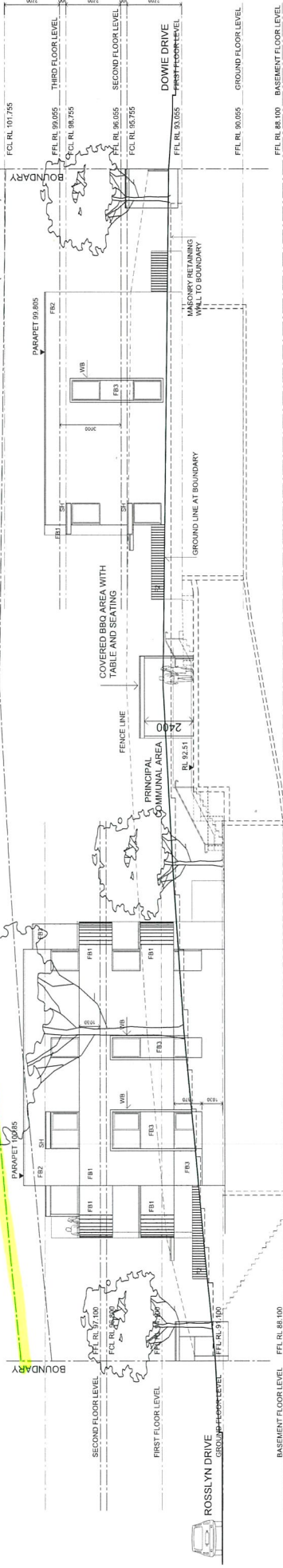
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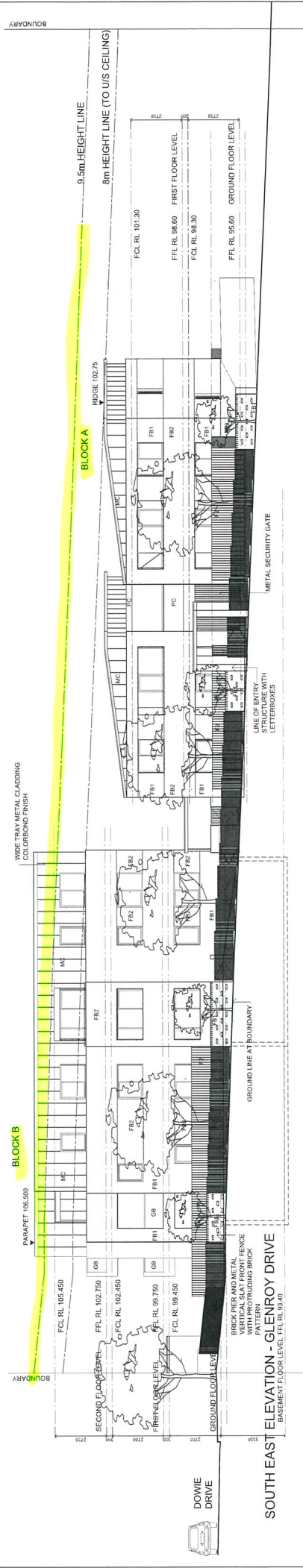
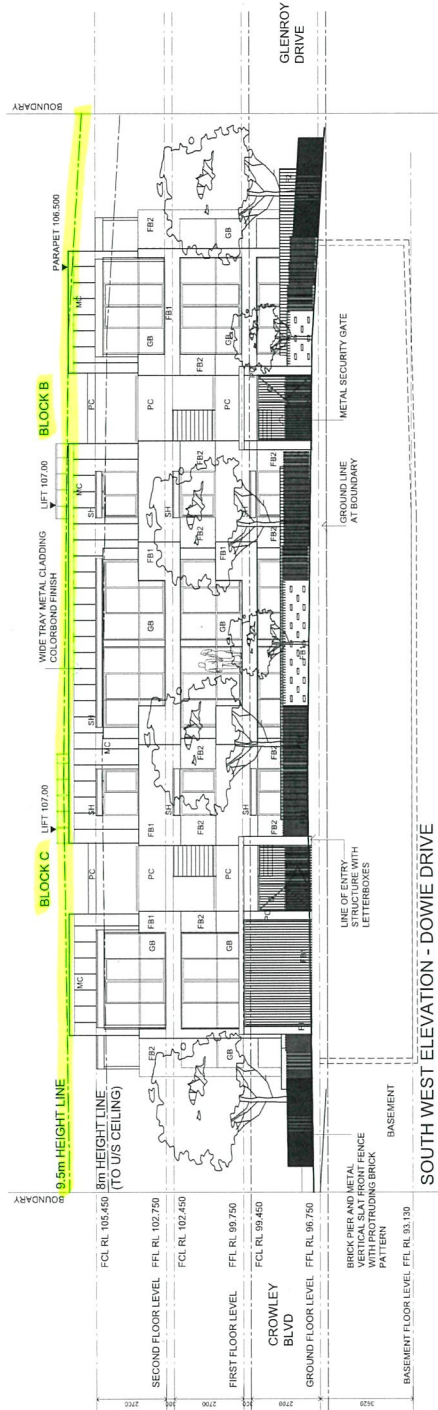
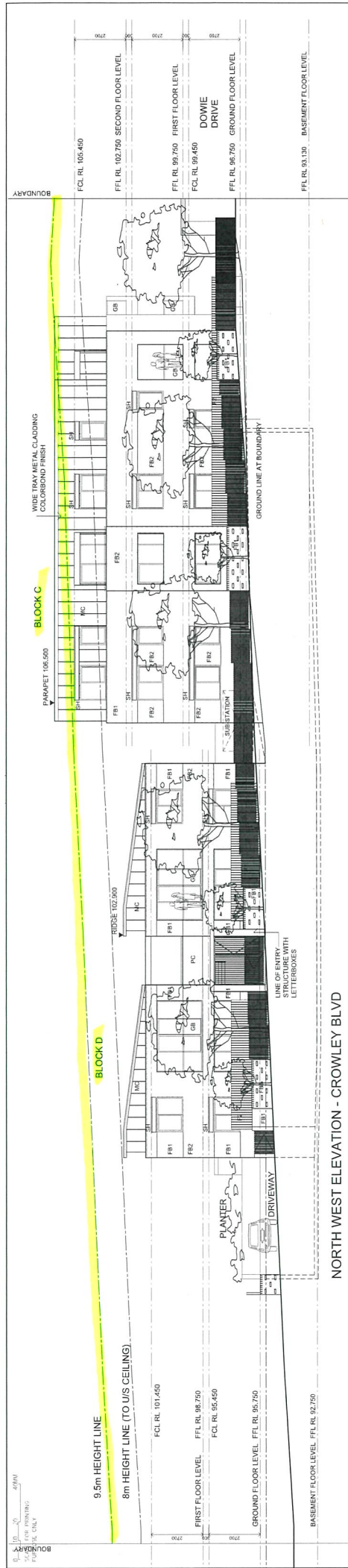


Attachment 1: 9.5m height level for proposed elevations



BLOCK D 9.5m HEIGHT LINE

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