

**No 6 Fairway Drive Kellyville  
Proposed seniors living site compatibility certificate application**

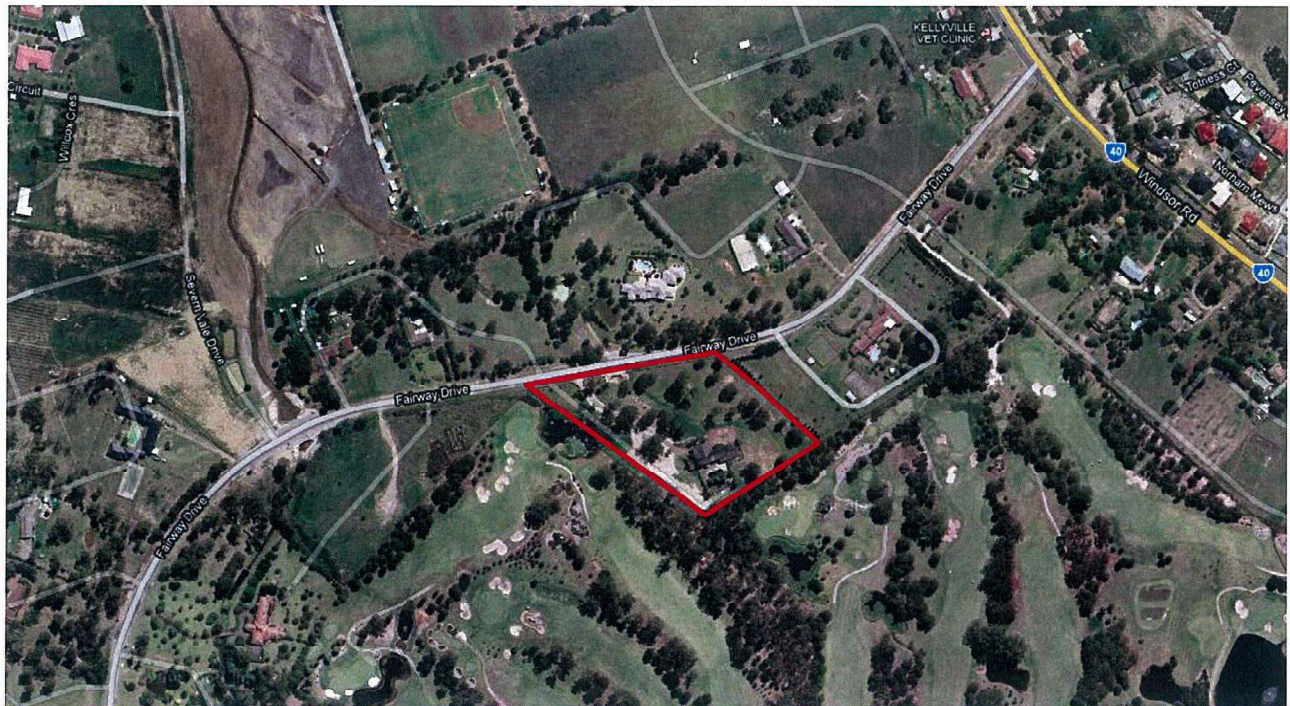
**Attachment PART C 1 “Development Proposal Information”**

**1 Context**

**1.1 Location**

The site is located on Fairway Drive some 350 metres south west of the intersection of Fairway Drive with Windsor Road in the suburb of Kellyville. The site the subject of this site compatibility certificate application is shown below red in Figure 1.

Figure 1 - Locality Plan - 6 Fairway Drive, Kellyville





## 1.2 Zoning

### 1.2.1 Current Zoning

Baulkham Hills Local Environmental Plan 2005 (BHLEP 2005) is the current LEP which zones the subject site as part Residential 2(b1) and part Special Uses 5(a) Trunk Drainage.

Residential 2(b1) objectives include:

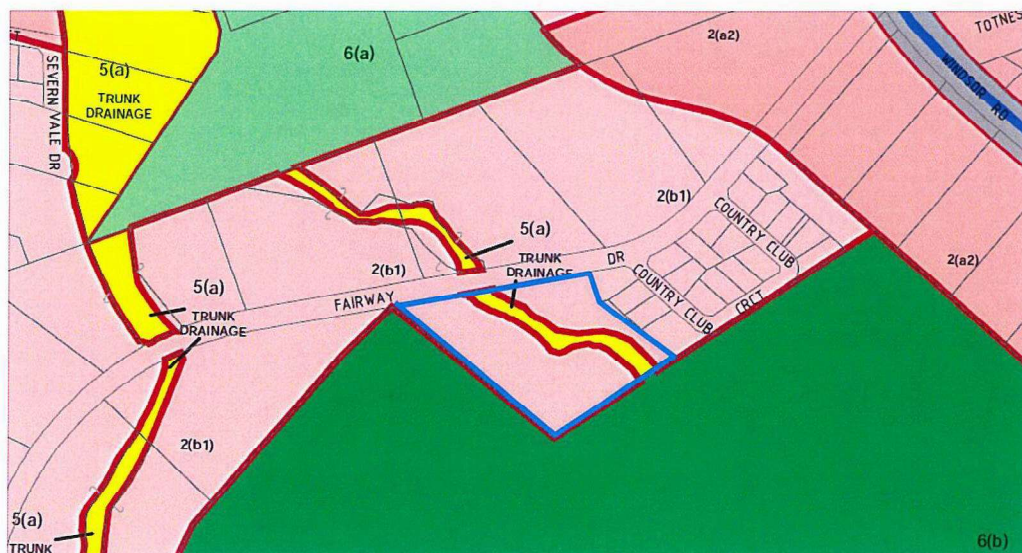
(a) low density residential character and (d) to allow a range of developments, ancillary to residential uses, that:

- (i) are visually integrated with development carried out on the land and in the surrounding area, and
- (ii) serve the needs of the surrounding population without conflicting with the residential intent of the zone, and
- (iii) do not place excessive demand on services.

Special Uses 5(a) Trunk Drainage objectives include:

- (a) to identify land to be or currently used by public authorities, private organisations and the Council on which development may be carried out that assists the operation and functioning of development in adjoining residential areas, and
- (b) to identify land reserved for future acquisition by the Council for a range of community facilities and services, and
- (c) to identify land that has been reserved at the request of public authorities for their future acquisition on which development may be carried out that assists the operation and functioning of development in adjoining residential areas, and
- (d) to identify land that has been acquired by private organisations and provide

Figure 2 – Extract from BHLEP 2005 Zoning Plan - 6 Fairway Drive, Kellyville



### 1.2.2 Draft Zoning

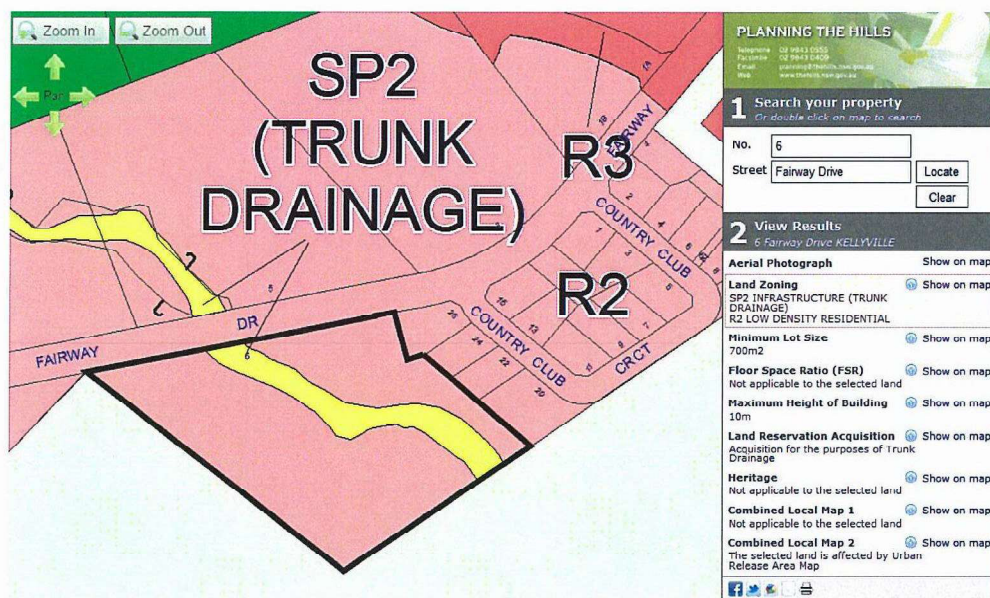
The Hills Council has exhibited Baulkham Hills Draft Local Environmental Plan 2010 (DBHLEP 2010) that zones the subject site part R3 Low Density Residential and part SP2 Trunk Drainage.

Zone R3 Low Density Residential objectives include: “to enable other landuses that provide facilities or services to meet the day to day needs of residents”.

Zone SP2 Trunk Drainage Objectives include: ”

- “To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.”

Figure 3 - BHLEP 2005 Zoning Plan - 6 Fairway Drive, Kellyville



## 1.3 Description of the Surrounding Environment

### 1.3.1 Built form –

The subject site is within the Balmoral Road Release Area currently consist of large holdings that are currently being subdivided in accordance with Council’s DCP for the area. The locality is undergoing transformation from large lot Rural Residential style development into traditional detached housing on suburban scale lots. The land immediately to the south and west is part of the Castle Hill Country Club golf course that has access off Windsor Road.

Opposite the subject site No.3 Fairway Drive on the west side of Fairway Drive a DA has been approved for the subdivision of No.3 into 22 x 700m<sup>2</sup> lots for detached housing. Council, in 2009 issued consent for a Seniors Living development consisting of 119 units at No 8 Fairway Drive adjacent the subject site. A Seniors Living development for 148 dwellings was also approved for No. 10-14 Fairway Drive in 2009. The approval of these Seniors Living developments indicates that Council is satisfied with this type of built form as part of the future character of the locality. In view of this fact,



the built form of the proposed development will be compatible with that anticipated by Council in the locality.

The site's south and east boundary abuts the golf course of the Castle Hills Country Club so there is no built form surrounding half of the site's perimeter. It can be seen from Figure 1 that the only adjacent lots that are developed for residential use are those backing onto the north boundary of the subject site, these lots are No.s 16 – 19 fronting Country Club Circuit and are in excess of 600m<sup>2</sup>.

#### 1.3.2 Potential land use conflicts -

As discussed above, the subject site is adjacent to the rear of 5 large residential lots to the north on Country Club Circuit. Considering the nature of the proposed seniors living development is residential, as is the land use of the adjacent properties, no land use conflict will occur. A similar compatibility will exist between the proposal and the large lot detached residential developments that will occur on the land opposite the subject site on the west side of Fairway Drive.

#### 1.3.3 Natural Environment (including known significant environmental values and resources or hazards)

The subject site has been developed as a residential property for several decades. The existing substantial 2 storey dwelling is surrounded by mown lawns with several remnant mature Eucalyptus trees that are the only remaining natural environment features. The site is crossed by 2 drainage lines that run from the golf course land adjacent to the south across the site into the culvert on the north boundary of the site with Fairway Drive. There are no known significant environmental values, resources or hazards on the site.

### 1.4 Access to Services and Facilities and Access

Access to services and facilities and access (clause 26) : SEPP Clause 26 requires that residents will need to have access to: *Shops, bank service providers and other retail and commercial services that residents may reasonably require and community services and recreation facilities and the practice of a general medical practitioner.*

The facilities and services referred to above in the SEPP Clause 26 are located at Norwest Shopping Centre which is 2 km along Fairway Drive to the south of the site. The subject site is within the distance for access to a bus stop on Windsor Road; however it needs to be verified that the route would meet the accessibility requirements. Fairway Drive is a major collector road and there are transport plans showing a bus service to Norwest shopping Centre, this service will pass in front to the subject site.

Notwithstanding, the operators of the development will provide a private bus service for the residents to access Norwest Shopping Centre. In addition, the following services are proposed within the development for the use of residents:

- General practitioner visiting rooms
- Visiting specialist aged care personal services eg physiotherapy or massage
- Hairdresser

### 1.5 Open space and special use provisions

The subject site includes a trunk drainage corridor zoned Special Uses 5(a) Trunk Drainage. This site compatibility certificate application is required under Clause 24 (1) (ii) of the SEPP Seniors Living as the land is "within a zone identified as 'special uses' under another Environmental Planning instrument."



This site compatibility statement application relies on the proposed trunk drainage strategy to relocate the drainage lines from the golf course so as to run along the sites southern boundary, which is a different position of the trunk drainage corridor than is shown on the zoning and development control plans. A subdivision application to the Hills Council was accompanied by a Stormwater Report and Concept Plan for the trunk drainage land to cater for the catchment from the adjoining golf course and surrounding area that drains across the subject site. The proposed corridor is generally 15m wide abutting the golf course along the subject site's southern boundary. The drainage design makes provision to accommodate and make a water feature of an existing dam that straddles the property boundary between subject property and the golf course.

Consultation has occurred with Sydney Water during the preparation of the subdivision application and a letter of support accompanied this Application. The new position of the trunk drainage corridor abuts Castle Hill Country Club golf course and every endeavour has been made to consult and address with the golf club requests during the preparation of this application with several meetings occurring with the CEO of the Country Club.

Council issued development consent DA 1258/2011/Za on 14 April 2011 for the relocation of the trunk drainage with the concurrence of Sydney water. The purpose of the relocation of the drainage corridor and subdivision was to rationalise the site and facilitate the future development of the remainder of the land for residential purposes.



## 2 PROPOSAL

### 2.1 Description of types of seniors housing and other facilities proposed

The proposed seniors living development comprises 'Residential care facilities' for 160 beds and 'Self contained dwellings' for 39 units.

The type(s) of seniors housing proposed including numbers of beds/units, community facilities and any ancillary development are set out below:

#### SCHEDULE OF AREAS

Site area	20,719 m <sup>2</sup>			
Max permissible RCF FSR	1:1	Per SEPP (Housing for Seniors)		
Max permissible SCH FSR	0.5:1	Per SEPP (Housing for Seniors)		
<u>Residential Care Facility Gross Floor Area (GFA)</u>				
Basement	0 m <sup>2</sup>	Excluded from SEPP definition of GFA		
Ground floor	4,791 m <sup>2</sup>			
First floor (incl 2.01/2.02)	4,362 m <sup>2</sup>	(includes void)		
Wellness centre	165 m <sup>2</sup>			
Total RCF GFA	9,318			
RCF site area	9,310 m <sup>2</sup>			
<b>RCF Floor Space Ratio</b>	<b>1.00 :1</b>			
<u>Self Care Housing Gross Floor Area (GFA)</u>				
		2B	2B+ST	3B
SCH 1	2,176 m <sup>2</sup>	6	8	2
SCH 2 (excl café void)	1,455 m <sup>2</sup>	4	3	2
SCH 3	994 m <sup>2</sup>	2	2	2
SCH 4	1,068 m <sup>2</sup>	2	4	2
		14	17	8
Total SCH GFA	5,693 m <sup>2</sup>			
SCH site area	11,872 m <sup>2</sup>			
<b>SCH Floor Space Ratio</b>	<b>0.50 :1</b>			

All areas are based on SEPP (Housing for Seniors) GFA definition, based on pre-DA plans and are to be confirmed by a licensed surveyor.

#### SCHEDULE OF ACCOMMODATION & PARKING

<u>Residential Care Facility</u>			
Total number of beds	160		
<u>Self Care Housing</u>			
2 bed units	14		
2 bed + study units	17		
3 bed units	8		
Total units	39		
<u>CARPARKING</u>			
RCF beds	160		
Carparking = 1 per 10 beds	16	Min required for visitors	
Staff	40		
Carparking = 1 per 2 staff	20	Min required for staff	
Total required carparking RCF	36	Min required by SEPP	
Total proposed	42	(38 basement / 4 surface)	
SCH beds	86		
Carparking = 0.5 per bed	43	Min required by SEPP	
2 bed units @ 2 spaces each	62	(includes 2bed + study)	
3 bed units @ 3 spaces each	24		
Visitors	8		
Total carparking proposed	94		

#### SEPP SENIORS LANDSCAPE REQUIREMENTS

RCF (required)	4,000	25sqm per bed
SCH (required)	1,365	35sqm per dwelling
Total required	5,315	
<b>TOTAL PROPOSED</b>	<b>10,818</b>	

All areas given are local Council Floor Space areas based on pre DA lodgement plans and are to be confirmed by a licensed surveyor. These areas exclude basement service areas such as laundry, kitchen and storage and carparking.

### 2.2 Site description — natural elements of the site (including known hazards and constraints)

The subject site has been developed as a residential property for several decades. The existing substantial 2 storey dwelling is surrounded by mown lawns with several remnant mature Eucalyptus trees that are the only remaining natural environment features. The site is crossed by 2 drainage lines that run from the golf course land adjacent to the south across the site into the culvert on the north boundary of the site with Fairway Drive. There are no known hazards or constraints on the site.



### 2.3 Building envelope — footprint and height relative to adjoining development/uses and indicative layout of proposed uses in relation to adjoining development/uses

The image below is an overlay of the proposed development on the subject site to indicate the proposed indicative layout. It also shows the footprint of the approved seniors living development adjacent at 8-10 Fairway Drive.

Figure 4 –Proposed development in context with existing and approved Seniors Living development to the west



Figure 5 - Building Height relative to adjoining development/uses





## **2.4 Proposed extent of native vegetation clearing, if land is not located in an urban LGA or urban zone listed under Schedule 1 of the Native Vegetation Act 2003**

A specialist tree report has been commissioned to assess the existing trees and impacts of the development.

## **3 Strategic Justification**

### **3.1 Brief Description of the proposal**

The numerical details of the proposal are provided in the preceding section of this document. The proposal combines residential care facilities as defined in Cl 42 of the SEPP with self contained dwellings as defined in Cl 50 of the SEPP. The theme of the development is a relaxed and open country club style with a range of social and recreational facilities. The site, although constrained by the existing drainage line across it, is ideally suited to a seniors living development in terms of its context, orientation, access, topography and location. The placement of buildings landscaping and site design take advantage of the sites setting of two common boundaries with the well established golf course, giving a soft edge and views into and out of the development.

The site conditions and the built forms of the two types of accommodation dictate that the development is designed in two distinct but compatible halves. Both accommodation types are accessed from a common entry exit driveway from Fairway Drive. The arrival point to the self contained dwellings features a reception café / function area overlooking the ornamental pond bordering the golf course. The arrival point to the residential care facilities is at a porte cochere via a bridge over a central landscaped court.

Strategically, the proposal responds to a combination of demographic conditions, locational advantages of the site also to the current and future supply and demand projections for the types of housing provided for by the Seniors Living SEPP that are suited to the subject site. The locality, context feature close proximity to the services and facilities at Norwest 'Town Centre and the attractive golf course setting that is very well suited to creating an ambience and sense of place upon which the success of such developments rely.

The design and target marketing of the proposal is in concurrence with the following strategic planning directions adopted by Council to encourage Seniors Living Developments in the locality.

### **3.2 Relationship with Regional and Local Strategies**

#### **3.2.1 The Hills Council - Adopted Draft Strategy 2006 in response to the 2007 Sydney Metro Strategy and North West Sub regional Strategy**

The 2007 Sydney Metro Strategy and North West Sub regional Strategy identified dwelling targets for the Shire out to 2031, the Strategy's housing objectives and targets include for the Shire : "Identify areas for additional housing, provide housing for seniors and people with a disability". Council's 2008 Policy response to the Strategy was the document "Residential Direction Planning Protection and Management of the Shires' residential development". Regarding residential development the policy identified:



### **Draft Strategy 2006 Residential Directions:**

In developing objectives, strategies and actions to respond to the identified housing issues four key directions emerged, two of which are particularly relevant to this Seniors Living application (pg 36):

#### **R1 Accommodate population growth**

- Ensure that planning controls effectively provide for balanced growth in the Shire's population.
- Provide for well located housing close to services supported by appropriate infrastructure.

#### **R2 Respond to changing housing needs**

From Council's demographic and housing market analysis (pg 43) the required strategic focus includes:

- "... Providing a diversity of housing choice that is appropriate to residents changing needs.

- Promoting a range of housing that is affordable to households of varying financial capacity."

Responses (pg 43) are required for:

- "... Smaller household sizes.

Whilst this factor is not likely have an immediate impact, given the tendency to acquire larger homes than needed, there is likely to be a gradual increase in demand for smaller homes especially if affordability continues to decline;

- Increasing household diversity.

Decline in the proportion of family households and increases in the proportion of single people and couples without children will increase the demand for a wider variety of dwelling types in the future. Location will be critical, with demand likely to continue to focus around main centres;

- Increasing aging population.

A choice of housing that suits older people will be important in the future with demand likely to be for options including good quality small lot and medium density homes in accessible locations, purpose built housing and adaptable dwellings;

- Loss of young adult residents."

The above references illustrate Councils strategic commitment to increasing the amount of Seniors living in parts of the shire that are close to existing centre and facilities and upon sites that are compatible with their context in terms of desired future character, environment and their measures of suitability stipulated in Council's LEP and DCPs.

Regarding Seniors Living, Council notes (pg 43):

"To appropriately address the housing needs of seniors and people with a disability in the Shire, the approach should have regard to:

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

- Opportunities for residents to ‘age in place’ in larger developments with a range of self care, low care and high care living options.

In order to provide a range of opportunities, permissibility of seniors housing across the range of residential and business zones is recommended. Encouragement in appropriate locations, compatible with the local environment will be addressed by review of development controls. This review will also consider increases to the proportion of accessible and adaptable multi unit dwellings at certain locations. Community Planning is undertaking a Positive Ageing Strategy which will provide research and data to refine the planning responses to housing for seniors and people with a disability.”

### 3.2.1 Baulkham Hills LEP 2005

The site is zoned Residential 2 (b1) and part Special Uses ‘Trunk Drainage’. Council’s commitment to increasing the amount of seniors living accommodation in the Baulkham Hills locality is evidenced by its approvals for several seniors living developments in the vicinity of the subject site in recent years. A Seniors Living development for 148 dwellings was approved for No. 10-14 Fairway Drive in 2009 a similar seniors living development at 8 Fairway Drive for 118 dwellings was approved by Council in 2010. Therefore by Council issuing development consents for these Seniors Living developments close to the subject site, the compatibility of the proposal with the future built form character of the locality that is desired Council by has been confirmed. In view of this fact, the built form of the proposed development will be compatible with that sought by Council. Both these developments were approved including SEPP 1 variations of building height limits and building within the 20m setback from a creek that crosses the site.

Opposite the subject site No.3 Fairway Drive on the west side of Fairway Drive a DA has been approved for the subdivision of No.3 into 22 x 700m<sup>2</sup> lots for detached housing. Council, in 2009 issued consent for a Seniors Living development consisting of 119 units at No 8 Fairway Drive adjacent the subject site. Thus the locality is currently transforming from rural residential to suburban residential with an open space network including the creek lines in the area with the golf course which is a major open space and visual asset of the area. The site planning and building design of the proposal has a design principle to feature the landscape character of the locality and respect the scale of built form adjacent the site. In these ways the proposal would be consistent with Councils recent approvals of similar developments at No.s 8 and 10 – 14 Fairway Drive

There are clear public interest reasons for applying for seniors housing in this locality. The proposal, in addition to its compatibility in the physical, design and amenity terms referred to above, would meet the relevant LEP zone and housing strategy objectives. In this way the housing choice available in the area would be increased; specifically targeting seniors living and taking advantage of its proximity to the facilities at the Norwest Centre. Accordingly the public interest is served through the compliance of the proposal with the hierarchy of controls from regional down to local.

Adequacy of services and infrastructure to meet demand has been addressed by arrangements that have been made to provide water and sewer services to Fairway Drive.

### **4.Pre-Lodgement Consultation with the Consent Authority (Council) and Infrastructure/Service Providers : Description of and response in consultation**

A pre-lodgment consultation with Council was held. Below is reproduced the minutes of the Pre DA meeting held with The Hills Council on 16 December 2011.



*"Please find attached the Pre-lodgement Notes from the Hills Shire Council from 16 Dec meeting.*

*The following actions are arising:*

- *SEPP 1 objection to rear 25% as single storey;*
- *Clause 45 of the LEP requires evidence of satisfactory arrangements for water, sewer and electricity*
- *NSW Office of Water requires consultation in preparation of DA, this necessitates input from Stormwater Engineer and nominated Landscape consultant (Cranbrook to advise);*
- *Required 20m setback – SEPP 1 objection;*
- *Work on golf course associated with rebuilding dam;*
- *Acoustic report – consultant to be appointed (Cranbrook)*
- *Further meeting required with detailed plans prior to lodging DA."*

The following is the applicant's response to the issues raised by Council as they relate to this application for a site compatibility certificate:

## No 6 Fairway Drive Kellyville Proposed seniors living site compatibility certificate application –

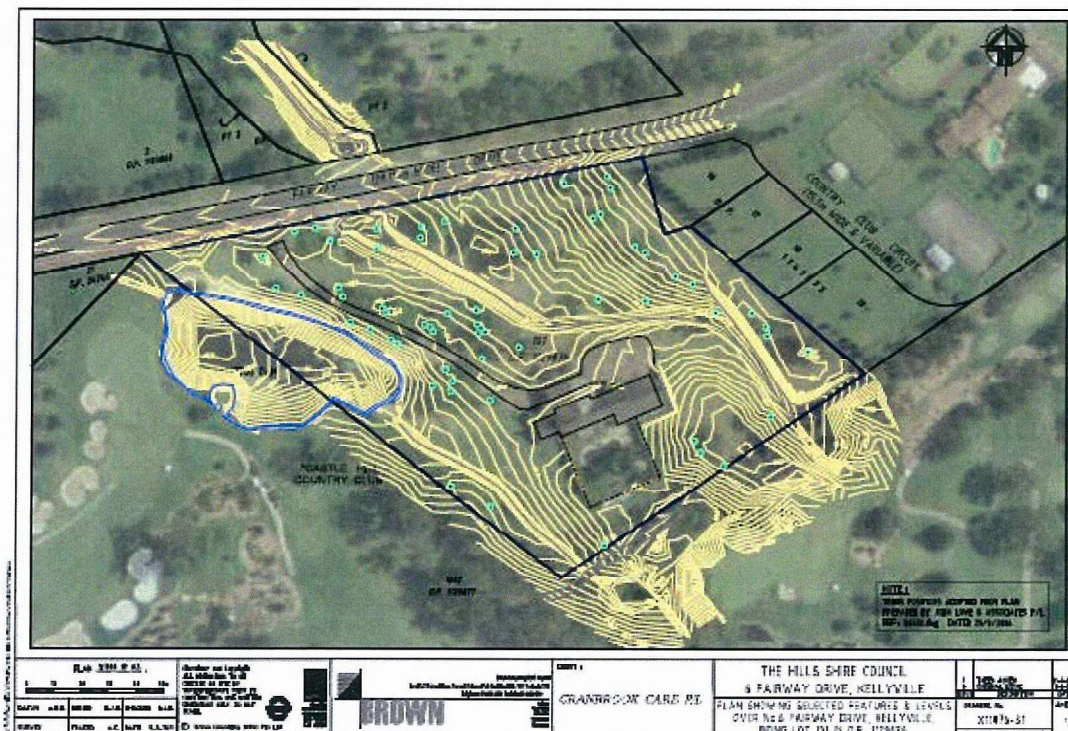
### Attachment PART C 2 “Statement Addressing SEPP Site Compatibility Criteria”

The following statement demonstrates that the site is suitable for more intensive development. Also that the proposed development for the purposes of seniors housing is compatible with the surrounding environment, having regard to the following matters for consideration outlined under clause 25(5)(b) of the SEPP:

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

The existing substantial 2 storey dwelling is surrounded by mown lawns with several remnant mature Eucalyptus trees that are the only remaining natural environment features. The site is crossed by 2 water courses that run from the golf course land adjacent to the south across the site into the culvert on the north boundary of the site with Fairway Drive. It is proposed to carry out works on the site's eastern water course so it flows into the western water course and to alter the shape of the existing dam on the west boundary of the site adjacent to the golf course. It is proposed to create a water feature as part of the re-design of the flow characteristics of the water course in its progress across the site towards the culvert. There are no known hazards or constraints on the site.

Figure 6 – Proposed drainage works to rationalise overland flow paths and create water feature



The image above shows the site contours, existing building and driveway, water course and vegetation. The proposal, with its open space provision, landscaping and improvements to the water course would



be compatible with the natural environment. These works will increase plant diversity on the site which will in turn increase animal species diversity in response to the improvement of wildlife habitat and food sources. The proposed uses are compatible with the adjacent residential uses in terms of its built form and quiet characteristics of its future residents. Traffic to and from the site will be via directly access to Fairway Drive. The proposal will not have any impact on the operation or amenity of the golf course that abuts its south and west boundary.

The bulk, scale, built form and character of the 2 storey RCF buildings proposed will not have any overshadowing or amenity impacts on the residential development at No.s 16 – 19 fronting Country Club Circuit adjacent the subject site to the N East.

2. *The impact that the proposed development is likely to have on the uses that are likely to be the future uses of the land in the vicinity of the development.*

The proposal is compatible with the adjoining approved seniors living development. The proposal will also be of a compatible scale to the 2 storey house adjacent to the east due to the compliance of the two residential care facility buildings with the height limit and landscape open space requirements of the SEPP. Similarly, the proposed open resort style layout and built form will be compatible with the open landscape of the Golf Course and Council's desired future character for the future residential development the west side of Fairway Drive

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

Adequate arrangements can be made for water and sewer services available to the area. Access can be provided to services for retail shopping, community, medical and transport.

4. *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 or special uses in the vicinity of the development.*

The drainage lines running through the site is zoned Special Uses Drainage, this is the reason for the application requiring a site compatibility certificate application. The subject site, including the drainage corridor is in private ownership and therefore not available to the public for open space or other sorts of Special Uses. Hence the proposal would have no impact on the provision of land for open space or special uses in the vicinity of the development.

Notwithstanding the private ownership of the Special use drainage corridor BLEP 2005 Clause 25(1) requires that development not be carried out within 20m of the creek unless Council is convinced that no environmental impacts will result. The proposal includes the rerouting of one of the existing overland flow paths so as to combine with the other so as to form a creek along the sites south boundary. This work will include creek bank native landscaping and the enlargement of the existing pond that will discharge the sites stormwater via the culvert under Fairway Drive. These works will improve the creek and its banks ecological integrity, a specialist environmental consultants report will be submitted with the development application to Council to confirm this improved environmental outcome.

5. *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 site's south and east boundary abuts the golf course of the Castle Hills Country Club so there is no built form surrounding half of the site's perimeter. The proposed development would not, therefore affect the future operation of the golf course.

It can be seen from Figure 1 that the only adjacent lots that are developed for residential use are those backing onto the north boundary of the subject site, these lots are No.s 16 – 19 fronting Country Club Circuit and are in excess of 600m<sup>2</sup>. This relationship maximises the separation distances between the proposed seniors living buildings and the dwellings fronting Country Club Circuit. The potential for disparity in scale between the proposed 2 storey RCF buildings and these lots is thus minimised due to the subject site being adjacent the rear of those lots and the proposed RCFs being in compliance with the 8m height limit. The relative bulk, scale and prominence of the RCF building is further reduced due to the proposed excavation to make the finished ground level several metres lower than those properties (See section drawings above). Thus the impacts of visual proximity of the proposed buildings to its nearest neighbours which are themselves 2 storey, is satisfactorily mitigated by separation distances, change in levels and screen planting.

The proposal will not have unreasonable impacts on existing, approved or future uses of land in the vicinity of the development. The particular context of the site has 2 of its boundaries abutting the open space of a golf course. Due to these conditions, several SEPP Seniors Living Standards, which are more relevant to infill developments in built up localities, do not reasonably apply to the subject site. Accordingly several SEPP 1 variations to the SEPP Seniors standards are proposed including:

6. *If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the native vegetation act 2003—the impact that the proposed development is likely to have on the conservation and management of native vegetation (nb: this criteria does not apply to land in urban local government areas or urban zones listed under schedule 1 of the native vegetation act 2003).*

A separate tree report will be submitted with the Development Application to Council.

### C3 ADDITIONAL COMMENTS

N/A