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Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND ENVIRONMENT

Housing, Growth and Economics

SITE COMPATIBILITY CERTIFICATE APPROVAL - STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 FOR SITE COMPATIBILITY CERTIFICATE 15 OLD GLENHAVEN RD, GLENHAVEN

PURPOSE

To recommend the Secretary determine the application for a site compatibility certificate under clause 25(4)(a) of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* by issuing a certificate.

RECOMMENDATION

It is RECOMMENDED that the Secretary:

- **note** the regional team report at **Tag A**
- **consider** comments received from the Hills Shire Council concerning the consistency of the proposed development with criteria in clause 25(5)(b) *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Tag A - Page 2)*
- **form the opinion** that the site of the proposed development is suitable for more intensive development
- **form the opinion** that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having had regard to the criteria specified in clause 25(5)(b)
- **determine** the application for a site compatibility certificate by issuing a certificate (**Tag B**)
- **sign** letters to the applicant and Council advising of this determination.

CURRENT POSITION

- Living Choice Australia has submitted an application for a site compatibility certificate under the *State Environmental Planning Policy (Seniors Housing)*.
- The *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* allows seniors housing development to be carried out on land which under current zoning is prohibited and where the Secretary has issued a site with a compatibility certificate.
- A site compatibility certificate can only be issued where the proposal adjoins land zoned for urban purposes (eg. residential or business) and where the land is suitable for more intensive development.
- The subject site is currently zoned RU6 Transition under The Hills Local Environmental Plan 2012, seniors housing and residential care facilities are prohibited in this zone. Adjoining lands within The Hills Local Environmental Plan 2012 are zoned R2 Low Density Residential, and RU6 Transition. As this certificate refers to Stage 3 of an existing development, adjoining land is also used as seniors living housing.
- The subject site adjoins land that is zoned for urban purposes and therefore fulfils requirements under clause 4(1) of the *Seniors Housing State Environmental Planning Policy* which enables adjoining land to be zoned for urban purposes.


- Approval of a site compatibility certificate is recommended in this instance as the proposal forms part of the staged development of an existing senior's housing development site and is compatible with development in the adjoining residential zone.
- Whilst the development has commenced to which the original site compatibility certificate was issued, internal legal advice has confirmed it appropriate for a new certificate to be issued as no substantial commencement provisions apply to site compatibility certificates.
- The proposal is unlikely to result in significant environmental impact and is considered compatible with the existing and future land uses in the area.
- **Council's position:**
The Hills Shire Council supports the proposal (**Tag D**) for the following reasons:
 - there is a strong demand for aged care services, in an appropriate location;
 - the proposal represents a logical extension to the existing seniors development in the locality and is separated by a road from the nearest rural-residential development;
 - the site is within 20 metres of a public bus stop and has access to water and sewerage services; and
 - as long as the built form is compatible, the proposal will be in keeping with the likely future character of the area.

BACKGROUND


- The proposal forms part of the Glenhaven retirement village complex. A Site Compatibility Certificate for the land was originally signed by the then Director General on the 5 March 2009. Under this Certificate, Stages 1 and 2 of the development have been constructed under staged development consent. Stage 1 comprised the construction of 100 self-contained dwellings [approved in 2003] and Stage 2 included 115 self-care units [approved in 2010].
- A locality map is enclosed (**Tag C**).

 7.8.14

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 7/8/14

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Carolyn McNally
Secretary

Approved / Not Approved / Noted

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