

Report to the Secretary on a resubmission of an application for a Site Compatibility Certificate State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

SITE: 347 Narellan Road, Currans Hill (Lot 2 DP 1019708)

APPLICANT: Jeff Bulfin (Precise Planning)

PROPOSAL:

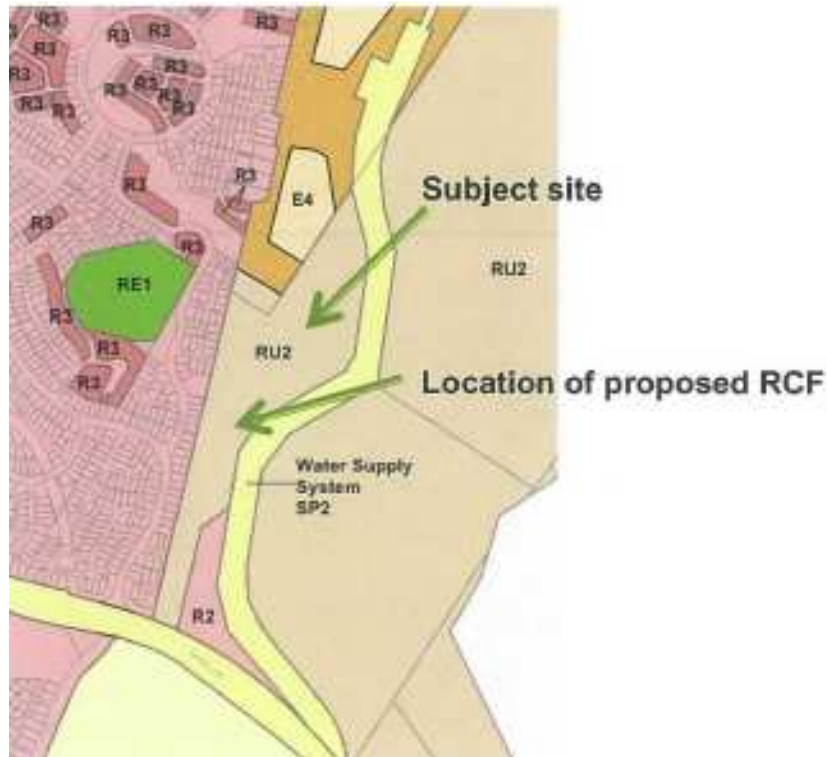
- The application is for a site which had a Site Compatibility Certificate for the same proposal previously approved 28 September 2015.
- This proposal is required as the former Certificate expired on 28 September 2017. A copy of the previous report and Certificate is attached (**Attachment G**).
- The proposal is for a 150 bed residential care facility in a two-storey building and ten (10) attached, single storey, self-care dwellings.
- The proposed development includes a car parking area and a community park. The proposal also includes retention of an existing farm dam.
- The total floor space ratio is 0.75:1, based on 7,300 sq. metres for the residential care facility and 1,400 sq. metres for the serviced self-care housing.

LGA: Camden Council



PERMISSIBILITY STATEMENT

- The land is Zoned RU2 Rural Landscape under the Camden LEP 2010. Seniors housing is not a permitted land use within the RU2 Zone.
- The provisions under clause 4 of the Seniors Housing SEPP provide that a Certificate can be issued for the site because:
 - dwelling houses are permissible in the RU2 Rural Landscape Zone under the Camden LEP 2010;
 - the site adjoins land to the west and south east that is primarily zoned for urban purposes, being R2 Low Density Residential; and
 - the land to which the Certificate applies is not covered by any exclusions listed in Schedule 1 of the SEPP.



CLAUSES 24(2) AND 25(5)

The Secretary must not issue a certificate unless the Secretary:

- (a) has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received from the General Manager of the council within 21 days after the application for the certificate was made; and is of the opinion that:
 - (i) the site of the proposed development is suitable for more intensive development; and
 - (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

COMMENTS FROM COUNCIL

Council at its meeting on 24 October 2017 resolved to again support in-principle the application subject to the same conditions recommended in the original approval. The key issues in summary raised in Council's comments (**Attachment B**) were the same as for the former Certificate, and are:

Traffic Issues

It is considered that traffic generated by the proposed use can be appropriately considered in detail at the development application stage, including the issues raised by Council regarding the capacity of the private road serving the site which meets Narellan Road at a signalised intersection.

It is anticipated a traffic study will be prepared and assessed at the development application stage. Any mitigation and management measures required to support the proposal will be considered by Council, and where necessary, can be applied as a condition of consent.

Bulk and scale

The proposal comprises a two-storey building consisting of 6 wings. The area is generally characterised by low scale residential buildings except for the existing church building to the north, and the 54 approved seniors units that will adjoin to the south, which each contain 2 storey elements.

Due to the existing low scale nature of the development in the area, it is considered important that the detailed design and construction of the built form be addressed in the development application process. Council has also requested that the same condition imposed on the previous certificate stating *“The building design should not exceed two storeys in height above natural ground level”* again be imposed to help address bulk and scale issues. This is considered appropriate and is supported.

Visual impacts

The subject site is located to the west of Kenny Hill, which is part of ‘Scenic Hills’ which separates the Camden and Campbelltown local government areas.

It is considered that the identification of critical view points can be adequately considered and addressed at development application stage. It is anticipated that any future development application will be supported by a visual impact statement, and if necessary, proposed mitigation measures put in place, such as landscaping, building design and location.

Heritage consideration

The proposal adjoins the Upper Canal System which is identified on the State Heritage Register. The Heritage Council does not have an approval role in the development proposal and therefore no additional comments were provided.

Camden Council also suggested that the Sydney Catchment Authority be consulted over the Upper Canal and Warragamba Pipelines located adjacent to the site.

The matter was discussed with WaterNSW, who are now responsible for the assets. No objections were raised. Consideration was made by WaterNSW with regards to security fencing, access, stormwater management and road layout. These matters can be addressed as part of a future development application and, if approved, through the attachment of conditions to a consent.

Transmission Easement

The subject site is adjacent to a large power transmission easement measuring 60.96 metres wide. The concept proposal indicates car parking and vehicular access facilities will be located within the easement, however, the main building will not be located within the easement.

Transgrid have previously been consulted and advised for public safety reasons, the design and placement of any proposed development should avoid the easement and infrastructure.

In light of this advice, and in view of the proposed placement of car parking only (including access arrangements) within the easement, it is not considered that this matter would preclude a site compatibility certificate being issued. This matter can be adequately considered and addressed at development application stage. It is recommended that a specific condition again be imposed on certificate to ensure this matter is appropriately dealt with during the development assessment process.

Drainage and flooding

Council has advised that the site is affected by flooding and that the proposed development is classified as critical utilities and public infrastructure under Council's Flood Risk Management Policy. It was considered this is a matter for consideration at development application stage and does not hinder the issue of a certificate. At that time, the applicant would need to demonstrate compliance with all the controls for this classification. This would include the provision of an evacuation plan for emergency situations.

Social impacts

The forecast for the Camden local government area 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 development of 150 beds within a 24-hour care facility and 10 additional serviced self-care units would confer social benefit upon the local community in the form of housing for an ageing population. Council notes that proposal would provide a social benefit to the local community.

SUITABILITY FOR MORE INTENSIVE DEVELOPMENT

The Secretary must not issue a certificate unless the Secretary is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)):

1. The site of the proposed development is suitable for more intensive development (clause 24(2)(a))

The area of the site to be developed is currently vacant and presents no environmentally significant features. Directly to the north on the site is an existing place of worship and Mount Annan Christian College.

The proposed development will contribute to meeting the need for seniors housing in this locality and there are no significant constraints to more intensive development, as:

- traffic and access arrangements can be adequately managed;
- the proposed bulk and scale of the building is suitable for its location and for the locality (with the recommended attachment of a condition to the certificate);
- proposed development would not adversely impact on future uses of the land;
- any visual considerations do not impede the issue of a certificate;
- consulted agencies, including Camden Council officers, have not objected to the proposal;
- adequate and suitable services are available to support the proposal; and
- there are no environmental constraints to the proposed development, such as drainage and flooding, open space, and vegetation issues, or heritage matters.

It is also noted that Council staff in their recent report to Councillors on this matter concluded that *"The proposal would be located in between the existing urban areas of Currans Hill and the seniors living development located at 359 Narellan Road. The proposal is considered to represent a logical extension to these existing urban areas"*.

On this basis, it is considered the site is suitable for more intensive development.

COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND SURROUNDING LAND USES

The Secretary must not issue a certificate unless the Secretary is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))

The area of the site to be developed is currently vacant and contains no environmentally significant features. It is considered there are no natural environmental issues that would impede the issue of a site capability certificate.

The existing and approved uses around the proposal include a place of public worship and a Christian College within the site to the north, low density residential development to the west, an existing self-care retirement village to the south and rural grazing land to the north and east. The proposal is considered to be consistent and compatible with the existing and approved uses in the area and unlikely to create any additional land use conflict issues.

2. The impact that the proposed development is likely to have on the uses that, in the opinion of the Secretary, are likely to be the future uses of that land (clause 25(5)(b)(ii))

The subject land is zoned RU2 Rural Landscape. While the key objectives of the zone are to maintain the rural landscape character of the land, and to protect and enhance its scenic value, it is noted the site is currently vacant and is not used for rural or agricultural purposes. The proposal will therefore result in no loss of land currently in agricultural production. The size, location and proximity of urban uses also makes any future use of the land for commercial agriculture unlikely. As discussed previously, it is also considered that the issue of potential visual impact can be adequately addressed at the development application stage.

It is considered that the proposal would not adversely impact on future uses of the land.

3. The services and infrastructure that are or will be available to meet the demands 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 (clause 25(5)(b)(iii))

The site is not located in close proximity to retail/commercial outlets and social services, however it is located within 400 metres of a bus stop on Narellan Road. The bus stop is serviced by multiple bus routes which leave at least once every hour between the hours of 8am and 6pm, Monday to Friday. It is envisaged that the bus stop would be readily accessible by an access path from the development site, should the development proceed.

Water supply and sewer facilities

The applicant has provided information confirming that sewer and water is available in the vicinity of the site.

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 and special uses in the vicinity of the development (clause 25(5)(b)(iv))**

Not applicable as the land is not zoned for open space purposes.

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 (clause 25(5)(b)(v))**

As discussed previously the proposal comprises a large building at a height of two-storeys in an area that is currently characterised by low scale residential buildings with some existing and approved buildings that contain 2 storey elements.

Due to the existing low scale nature of the development in the area, it is considered important that the detailed design and construction of the built form be addressed in the development application process. Council has also requested that the same condition imposed on the previous certificate stating *“The building design should not exceed two storeys in height above natural ground level”* again be imposed to address bulk and scale issues. This is considered appropriate and is supported.

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 (clause 25(5)(b)(vi))**

The subject land is relatively clear of native vegetation. Any minor removal of trees would be a matter for consideration at development application stage.

RECOMMENDATION

It is recommended that the Executive Director, Regions as delegate of the Secretary:

- **note** the previous site compatibility certificate for the site (**Attachment G**) and written comments from Camden Council (**Attachment B**);
- **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 (**Attachment C**) for 347 Narellan Road, Currans Hill; and
- **sign** the letters to the applicant and Council advising of this determination (**Attachments D and E**).



17/11/17

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