

THE HILLS SHIRE COUNCIL

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3 July 2016

Mr Adrian Hohenzollern
Team Leader, Sydney Region West Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 162294804
Your Ref: 17/07653

Dear Mr Hohenzollern

Application for a Site Compatibility Certificate – SEPP (Housing for Seniors or People with a Disability) 2004 – 77-79 Castle Street, Castle Hill (Lot 1 DP 1080161 and Lot 1 DP 227204)

I refer to your letter dated 30 May 2017 seeking comments with respect to an application for a Site Compatibility Certificate for seniors housing at 77-79 Castle Street, Castle Hill (Lot 1 DP 1080161 and Lot 1 DP 227204). Seven (7) new buildings are proposed as part of a Seniors Living Precinct which will have a combined gross floor area of 65,000m² and overall floor space ratio of 1.28:1, inclusive of some additions and alterations to the existing RSL club.

The subject proposal involves the following:

- Independent Living Units (five (5) x six (6) – seven (7) storey buildings, 329 x 2 beds)
- Serviced care apartments (one (1) x four (4) storey building, 90 x 1 bed)
- Residential Aged Care Facility (one (1) x four (4) storey building, 90 x 1 bed ensuite)
- Basement parking for approximately 690 vehicles in addition to the existing 820 car parking spaces)
- Vehicular access to and from the site
- Associated landscaping and public domain improvements
- Alterations to the existing overland flowpath and stormwater infrastructure
- Alterations and additions to the existing RSL club being:
 - o Community facilities (2,800m²)
 - o Retail (1,650m²) and
 - o Club expansion (1,700m²)

It is proposed to develop the "Seniors Living Precinct" in stages, commencing with part of the independent living units followed by the serviced care apartments and residential aged care facility, to provide a logical sequence of ageing in place model. The additional community facilities, retail and RSL club expansion are to improve the functionality and commercial viability of the club over the long term whilst integrating with the proposed Seniors Living Precinct.

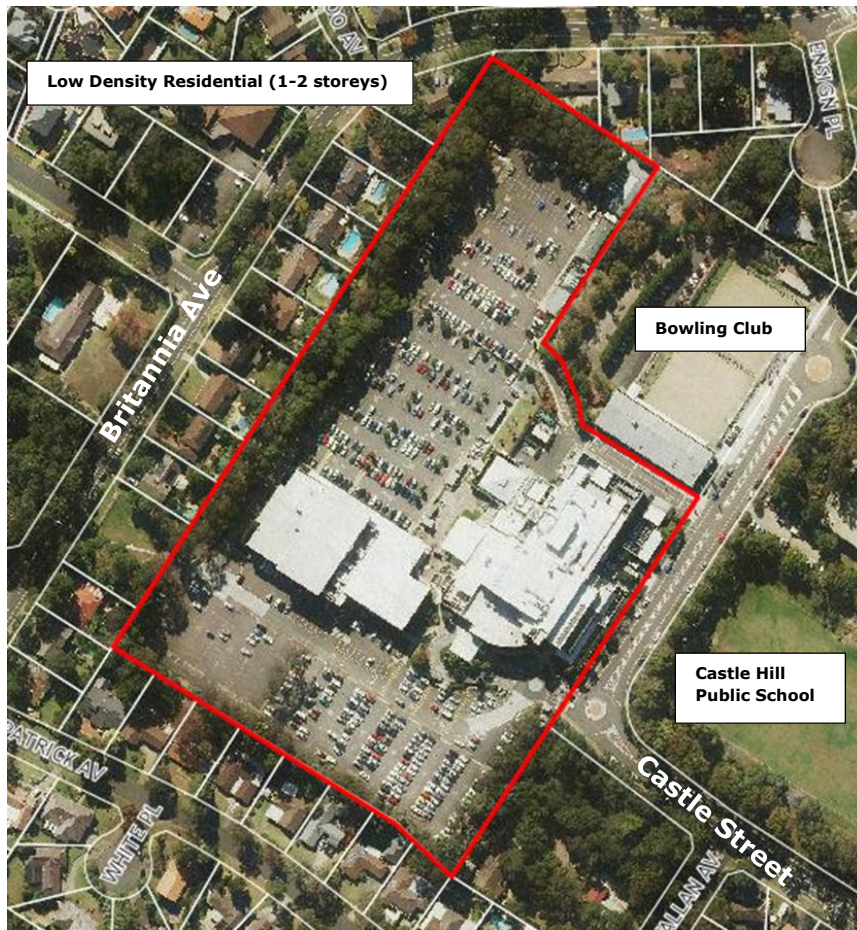


Figure 1
Locality Plan



Figure 2
Site Plan

Permissibility

The site is zoned RE2 Private Recreation under The Hills Local Environmental Plan 2012. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies to the site since the land is zoned primarily for urban purposes and is being used for the purposes of an existing registered club. However the applicant should be required to demonstrate that the club is a 'registered club' as per the Standard Template LEP definition as part of the Development Application, and must provide a copy of the certificate of registration.

Suitability of the site

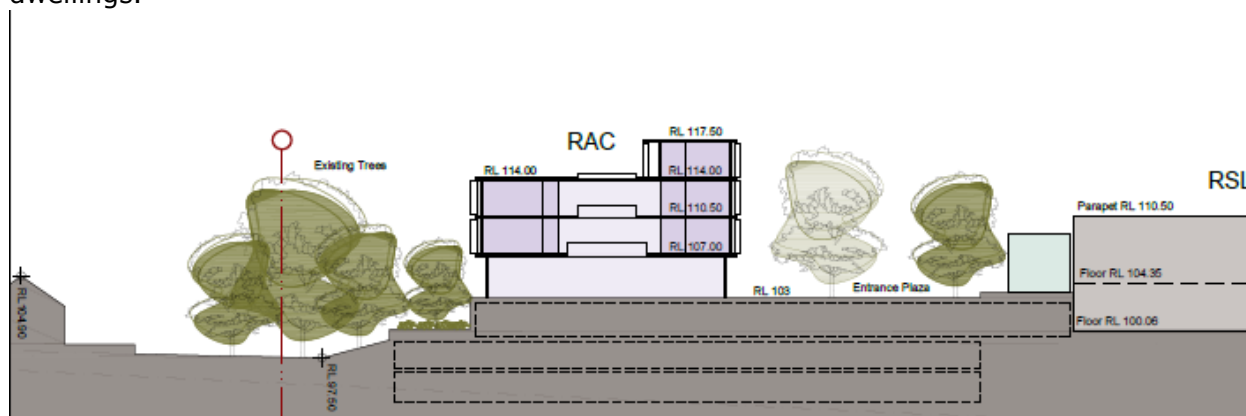
The site adjoins land zoned R2 Low Density Residential on all sides, and also shares a boundary with the Castle Hill Bowling Club zoned RE2 Private Recreation to the north, and a small pocket park zoned RE1 Public Recreation to the west. The site has through connections to Britannia Avenue via the pocket park and via Ensign Place which is accessed from a walkway at the end of Castle Street. The site is located opposite Castle Hill High School and is approximately 1 kilometre from the future Castle Hill Train Station.

In principle, the location and existing use of the site appears suitable to accommodate a seniors housing development and the proposed use has potential to integrate well into the functions of the RSL site. Any future application must clearly address the issue of separation of public and private areas on the site to ensure safety of future residents of the site.

Built Form, Scale and Character

The existing RSL buildings are generously set back from adjoining residential property boundaries (minimum 70 metres), with the exception of the two (2) storey sports centre which is set back approximately 20 metres at its closest point. Substantial landscaping is already in place along the northern and western boundaries and provides an effective privacy screen between the existing open car park and adjoining dwellings. Landscaping on the southern boundary is present to a lesser extent, consisting mainly of mature trees.

Setback measurements have not been provided on the architectural plans to allow a complete understanding of the siting of the proposal however the submitted sections illustrate the proposed scale of the four (4) and seven (7) storey buildings in relation to adjoining residential dwellings.



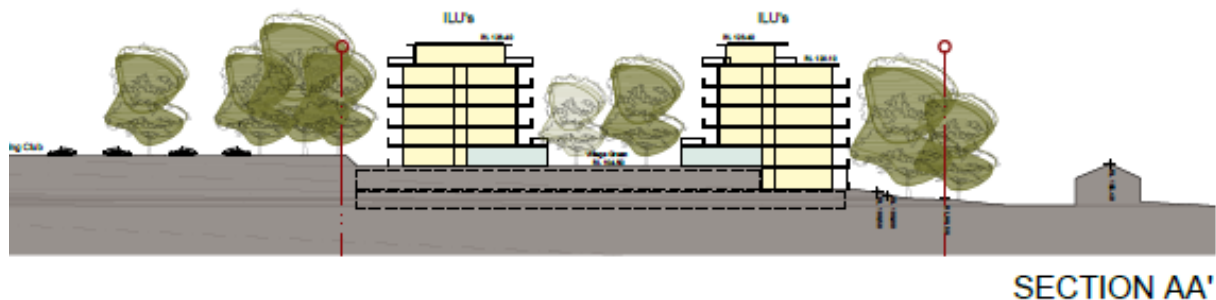


Figure 3
Sections showing proposed building height in relation to adjoining dwellings

The Site Compatibility Certificate Application notes that the upper floors (one, as indicated in the section diagrams) will be recessed and the development will be screened through the existing significant trees around the perimeter of the site. Associated landscaping will also be integrated into the design of the built form. The application advises that the proposed landscaping concept and new planting will complement the existing vegetation and further provide a screen between the proposal and adjoining residential dwellings, and that the proposed development is split into several building envelopes with visible separation to ensure permeability and to reduce perceived bulk.

The Hills LEP 2012 does not specify a maximum building height or floor space ratio for the site, consistent with its approach for all recreation zoned land. The residential land adjoining the subject site has a nine (9) metre height limit. Whilst an eight (8) metre height limit and single storey height limit under the SEPP applies only to applications for seniors housing on residential zoned land (Part 4 Division 1 (40)), Council has consistently applied the eight (8) metre height limit where considering works under the SEPP on land adjoining urban zoned land. It is considered that the built form, scale and character of the proposed development is unacceptable and could have significant adverse impacts on the visual amenity and privacy of adjoining low density residential development. The recession of the uppermost floor of each building and proposed landscaping is not sufficient to reduce the overall impacts of large scale buildings with multiple units and balconies that will overlook the private open space of adjoining residential properties.

Overshadowing

No shadow diagrams have been provided to enable an assessment of the likely shadow impacts on adjoining properties. Given the orientation of the site and the building heights proposed there is potential for overshadowing impacts on the private open space of adjoining residential properties to the west and south of the site.

Accessibility

SEPP (Housing for Seniors or People with a Disability) 2004 requires that developments be situated in locations that have good access via public transport to shops, retail services, medical practitioners and the like.

The site is located approximately 1 kilometre away from the location of the Castle Hill Train Station. It is also located approximately 500 metres from bus stops on Showground Road. A footpath connects the site to Showground Road via Castle Street and Rohallan Avenue. It is

noted that a future application will include an accessibility report to confirm compliance with gradients and other accessibility requirements.

Traffic

A traffic report has been prepared based on the post-development of the site. A future development application must also be accompanied by a detailed construction management plan to address traffic impacts during the construction phase.

Flooding

In general terms it is acknowledged that the site compatibility assessment identifies that the property is affected by an overland flowpath flowing through the south western carpark. This is also associated with an 1800mm diameter stormwater pipe under the carpark draining the upstream catchment. Stormwater then discharges via a culvert under Britannia Road, into a tributary of Cattai Creek that flows through downstream private property.

Figure 4 illustrates the overland flowpath constraint over the property (and its surrounds) as defined in Council's draft Urban Overland Flood Study, May 2017. Council has provided the applicant's consultant with relevant flood modelling and flood information (for the catchment upstream of the property) and stormwater infrastructure information.

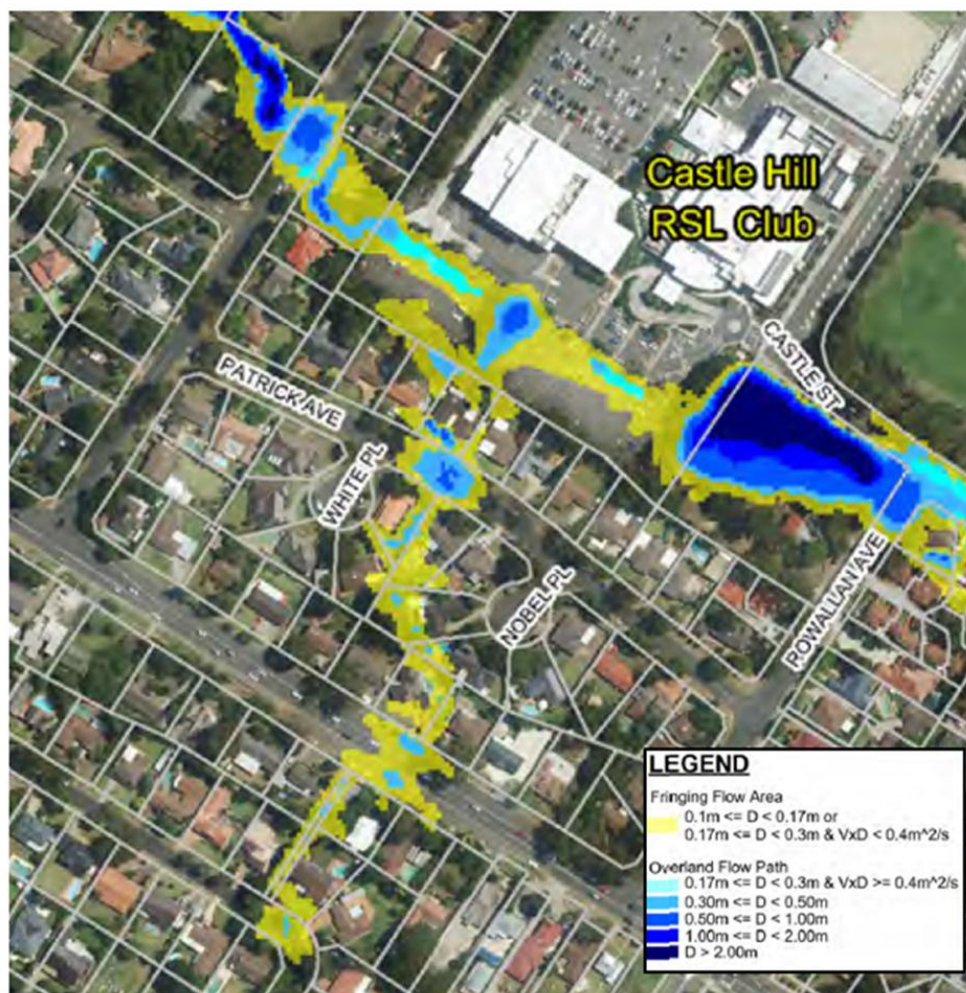


Figure 4
100 Year ARI Overland Flow Path Affecting Castle Hill RSL

A flood analysis and stormwater concept plan was presented in support of the Site Compatibility Certificate. This concept recommended diverting both the stormwater pipes and overland flowpath around the rear of the new development.

This concept option is not favoured. Council would encourage that the existing overland flowpath constraint be generally maintained in its current location through the property and be incorporated as a landscape feature rather than being hidden behind the Serviced Care Apartments and RAC Building, being relocated adjacent to existing private property and potentially becoming a problematic asset to manage in the future.

The preliminary DRAINS modelling presented provides an assessment of discharge through the site and the "engineered" concept solution. The DRAINS model did not appear to have an input from the south western catchment from Showground Road that joins the main overland flowpath and stormwater network through the site. This would have an influence on any drainage concept presented. Note that the DRAINS model was not available for review as part of these comments.

The management of stormwater quality discharged from the proposed site has not been considered within the site compatibility assessment and would need to be addressed through appropriate treatment train measures with pollution reduction targets demonstrated in a MUSIC model.

The requirements of the following documents and guidelines should be applied in any further planning and design of this development with regard to (but not limited to) new stormwater infrastructure, stormwater pipe blockage, overland flow, flood risk, flood free access and stormwater pollution reduction:

- Council's Flood Controlled Land DCP;
- Appendix B of Council's DCP - Water Sensitive Urban Design;
- Council's Design Guidelines Subdivision/Developments;
- The principles of the NSW State Governments Floodplain Development Manual;
- Australian Rainfall and Runoff 2016,

Detailed two dimensional overland flow modelling with associated DRAINS modelling of the stormwater system and MUSIC modelling, would be required if the proposal were to continue, along with discussion with Council's Subdivision and Waterways Teams in terms of any proposed stormwater infrastructure, overland flowpaths and stormwater quality treatment.

Whilst there is demand for aged care services and residential care facilities in appropriate locations to meet the needs of an ageing population, objection is raised to the issuing of a Site Compatibility Certificate in relation to the submitted proposal. It is considered that the development as proposed has potential for adverse impacts on the amenity of adjoining low density residential development in terms of visual amenity and privacy and possibly overshadowing and impacts from overland flow and stormwater quality. Proposed upper floor setbacks and landscaping may not be sufficient to address these impacts. Any future proposal should be reduced in height and scale.

Should you require any further information please contact Senior Town Planner, Kate Clinton on 9843 0129.

Yours faithfully



Nicholas Carlton
ACTING MANAGER FORWARD PLANNING