

24 April 2018

Mr. Terry Doran
Department of Planning and Environment – Sydney Region West
GPO Box 39
SYDNEY NSW 2001

Dear Mr. Doran,

Response to Issues Raised by Camden Council in Relation to a Site Compatibility Certificate Application under the SEPP (Housing for Seniors and People with a Disability) 2004 on Part Lot, 50 DP 1221870 at 50E Raby Road, Gledswood Hills.

Thank you for providing the opportunity to respond to the issues raised by Camden Council in their submission to the Department of Planning and Environment (DPE) in relation to a Site Compatibility Certificate (SCC) under the SEPP (Housing for Seniors and People with a Disability) 2004 on Part Lot 50, DP 1221870 at 50E Raby Road, Gledswood Hills.

Following lodgement of the SCC on 9 February 2018, the application was referred to Camden Council for comment who resolved at their Ordinary Council Meeting held on 10 April 2018 to object to the proposal. Council raises the following issues as being inconsistent with the relevant provisions of **Clauses 4(1)(b), 4(5)(b), 24(2)(a)(b) and 26** of SEPP Seniors Housing:

- Location adjoining land zoned for urban purposes & an existing registered club;
- Suitability of the site for more intensive development;
- Surrounding approvals & future use of the site as a golf course;
- Access to services, infrastructure and facilities;
- Unacceptable visual and heritage impacts;
- Proposed location, bulk & scale of seniors housing; and
- Unplanned additional residential development.

Council also details additional information that should be submitted and considered by the DPE prior to determination of the application. A response to the concerns raised is detailed in this letter.

A pre-development application meeting was held with Camden Council on 8 December 2015 that raised no major issues with the proposal. However, the issues now raised by Council in their submission to DPE are none that were previously flagged. The plans presented to Camden Council at the pre-development application meeting are identical to the plans submitted with the SCC application that is currently under assessment by DPE. Any concerns raised by Camden Council in their letter dated 23 December 2015 has been addressed throughout the documentation provided with the SCC application therefore, the application has progressed on this basis.

1.0 Location Adjoining Land Zoned for Urban Purposes & An Existing Registered Club

Council claims that the proposal is inconsistent with the relevant provisions of **clauses 4(1)(b) and 4(5)(b)** of SEPP Seniors Housing in that the proposal does not satisfy locational requirements. The following is outlined in their submission:

- *The subject land is located approximately 330m in a direct line from the existing clubhouse so the proposed seniors housing would be isolated from the existing clubhouse.*
- *Land for a registered club may be restricted to the clubhouse only and not apply to other land on the golf course.*
- *The majority of the land that adjoins the subject site is zoned RE2 Private Recreation under Camden LEP 2010 and forms part of the golf course. The intention is for this land to be used for private open space and recreational purposes.*

Comment

- The distance between the existing registered club and the proposed seniors housing development is **not** a consideration under the provisions of SEPP Seniors Housing. Further investigations reveal two (2) examples of seniors housing developments on golf courses that have been approved and that have a considerable distance between the registered club on site and the seniors housing development. These examples are detailed below.
- **Site 1 – Castle Hill Country Club Golf Course, Baulkham Hills**

Castle Pines Retirement Village is a large-scale seniors housing development that has been partly constructed on the Castle Hill Country Club Golf Course and is located 288m from the Castle Hill Country Club (registered club) on site. The seniors housing development adjoins land zoned for urban purposes and has been integrated with the surrounding urban development. The site is not considered to be isolated.

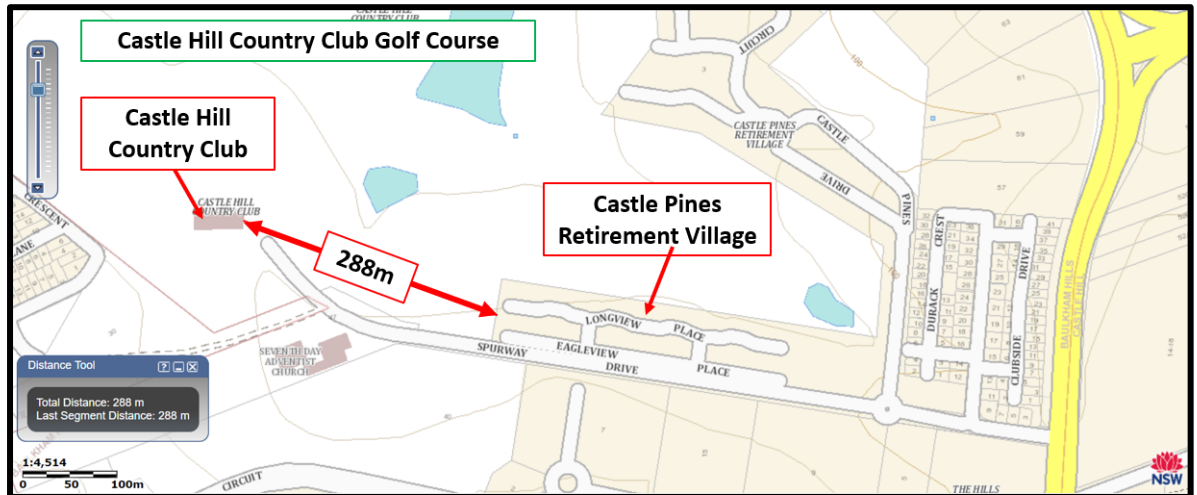


Figure 1: Location Plan demonstrating the location of Castle Pines Retirement Village.



Figure 2: Site Aerial demonstrating the scale of Castle Pines Retirement Village.

○ **Site 2 – Bayview Golf Course, Mona Vale**

Approval for the construction of 95 apartments across 7 buildings for seniors housing has been approved on Bayview Golf Course and will be located approximately 481m from the Bayview Golf Club (registered club) on site. The seniors housing development will be adjacent to land zoned for urban purposes across Cabbage Tree Road in order to be integrated with the surrounding urban development. The site is not considered to be isolated.



Figure 3: Location Plan demonstrating the approximate location of a future retirement village.

- The location of the proposed seniors housing development on the site adjoins land zoned for future urban purposes, similarly to that demonstrated in the examples above. Therefore, contrary to Council's belief, the proposed seniors housing development will not be isolated. Furthermore, concerns regarding residential amenity arise if the proposed seniors housing development was to be located in closer proximity to the registered club. These residential amenity concerns are detailed further in this letter.
- The seniors housing development will be sited on the same land containing the existing registered club therefore, the land belonging to the registered club is inclusive of the land proposed to contain the seniors housing development.
- **Section 4.7** of our original report details the impacts upon the existing golf course and open space provisions on site. As demonstrated, the golf course is being reconfigured to accommodate the residential precincts on the site and the location of the proposed seniors housing development will not result in a loss of golf playing areas (refer to **Figure 21** in the original report). Therefore, the site will continue to operate as an 18-hole golf course with the proposed development. The retirement village is being proposed on land which is not required for the purpose of playing 18 holes of golf.
- As demonstrated above, the proposal is fully compliant with the provisions of **clauses 4(1)(b) and 4(5)(b)** of SEPP Senior's Housing.

2.0 Suitability of the Site for More Intensive Development

Council states that the proposal is inconsistent with the relevant provisions of **clause 24(2)(a)** of SEPP Seniors Housing in that the site is considered to be unsuitable for more intensive development because:

- *The site is zoned RE2 Private Recreation and is within an existing golf course;*
- *The site has no existing road and pathway for access as required under the SEPP.*

- *The proposal may have unacceptable visual impacts on a key viewpoint from the state heritage listed Gledswood Estate;*

Comment

- The subject development area complies with the relevant location criteria and is therefore suitable for more intensive development. As previously stated, the proposal would not result in a loss of golf playing areas and the site will continue to provide private recreation facilities for existing and future residents. The golf course itself comprises of over 65ha and the proposed development would see a maximum of 13.8ha.
- The development is considered to have suitable access to services and amenities. *Refer to **section 4.0** of this letter for a discussion on access to services and amenities.*
- The development is not considered to result in adverse visual and/or heritage impacts. *Refer to **section 5.0** of this letter for discussion on the potential visual and heritage impacts.*
- The proposed retirement village has a maximum height of only two storeys that is no higher than the future residential dwellings in the area. Furthermore, the proposed seniors housing development is of a similar scale to that of other examples of seniors housing developments on golf courses so the site is considered to be able to comfortably accommodate the proposed development. The site is suitable for more intensive development and is therefore compliant with **clause 24(2)(a)** of SEPP Seniors Housing.

3.0 Surrounding Approvals & Future Use of the Site as a Golf Course

Council believes that the proposal is inconsistent with the relevant provisions of **clauses 24(2)(b)(i), (ii) and (iv)** of SEPP Seniors Housing in that the proposal is incompatible with the surrounding existing uses, approved uses and natural environment. The following is stated in their submission:

- *The subject site is zoned RE2 Private Recreation and is intended to remain for the use of the existing golf course.*
- *There is land already zoned R1 General Residential within Camden Lakeside for the purpose of providing a mix of housing, which can accommodate the proposed seniors housing.*
- *The proposal would impact upon the existing golf course requiring modifications to recreational areas to allow for the seniors housing development, including new roads and a pathway to meet requirements for access under the SEPP.*
- *It is considered the future use of the land will remain predominantly for use as a golf course with only the residential zones to be developed and with the remnant vegetation on the site to be protected.*

Comment

Impact on Existing & Future Uses

- As previously discussed, **Section 4.7** of our original report demonstrates that the proposed seniors housing development will have no impact upon the site operations as an existing 18-hole golf course. The golf course is currently undergoing modifications to accommodate the Camden Lakeside residential precincts and **Figure 21** of the original report demonstrates that the subject development area will not result in a loss of golf playing areas.
- Whilst there is existing R1 zone land in the lakeside precinct that does permit seniors housing, we are not aware of the developer's intention to pursue seniors housing on that R1 zoned lands. Seniors Housing on the R1 zoned lands would in any case have the same impacts as it would if built on the RE1 lands which for very specific reasons, the SEPP allows for.

Impact on the Natural Environment

- **Sections 3.5 and 4.3** of our original report detail the current vegetation that is currently located on the site and is inclusive of the subject development area. As demonstrated in **Figure 9** of the original report, no classified vegetation is located on the proposed development site and the existing ground cover is identified as 'exotic grassland'. Therefore, the development does not impact upon any protected vegetation.
- The golf course land will continue to be retained and used predominantly as a golf course similar to range of other seniors housing developments that have been approved on RE1 lands in conjunction with registered clubs.
- Given the above, the proposal has demonstrated to be compatible with the existing and future land uses as well as the natural environment and is therefore compliant with the provisions of **clauses 24(2)(b)(i), (ii) and (iv)** of SEPP Seniors Housing.

4.0 Access to Services, Infrastructure & Facilities

Council claims that the proposal is inconsistent with the relevant provisions of **clauses 24(2)(b)(iii) & 26** of SEPP Seniors Housing in that the seniors housing development does not have adequate access to services, infrastructure and facilities. A response to Council's concerns is provided below:

4.1 Existing Road Network

Council outlines the following concerns regarding the reliance of the proposal on Golf Course Drive as providing access to the site:

- *There is no existing pathway from the site to either Raby Road or Camden Valley Way.*

- *There is no certainty that the required road network (Golf Course Drive) will be delivered within the 2 year time frame that a SCC is valid for.*
- *Council officers recommend until the road network is completed, a SCC should not be issued.*

Comment

- It is considered that the development of Camden Lakeside, including its internal road network is imminent. This is because *SH Camden Valley (Sekisui House)* are preparing to lodge a development application with Council in the following months for a development in Precinct 1 that will result in the construction of the road identified as 'Entry Drive' on the Camden Lakeside Indicative Road Structure Map. This in-turn connects with the envisaged 'Golf Course Drive' that will provide access to the subject development area, so it is logical to assume that this road will be constructed in the near future.
- In the event that construction works of Camden Lakeside do not occur as envisaged, it is understood that any SCC issued for the site will become null and void after two (2) years. This is not considered to be a concern when deciding to issue a SCC.
- Furthermore, it is not uncommon for a SCC to be issued without an existing road network in operation. Therefore, any development application for the proposal could be conditioned to ensure that the development of the subject site for seniors housing does not occur until appropriate infrastructure (road network) has been constructed.

This is reflective of a number of DA approvals issued by Camden Council in recent months whereby DA's have been issued subject to roads and services being in place prior to the issue of an Occupation Certificate.

4.2 Transport Services

Council raises concern regarding the limited bus services that are currently available from Raby Road and Camden Valley Way on weekends. In particular, the following is stated:

- *Distance from services and facilities will require a reliable and adequate transport service.*
- *A future bus route will utilise the internal road network and bus stops are located on Raby Road and Camden Valley Way that will provide access to nearby town centres, however, the services are limited during the weekend. No information has been provided with the SCC to demonstrate compliance.*

Comment

- As mentioned in our original report, the seniors housing development will be provided with a private shuttle bus service to transport residents to nearby services and facilities.

- It is logical to assume that as the development of Camden Lakeside and surrounding precincts such as Emerald Hills progress, the additional population in the locality will result in increased public transport facilities in response to the increased demand. Therefore, the future growth of the precinct will be sufficient to sustain additional bus services to the locality.
- The Master plan for Camden lakeside also identifies a bus route on the road immediately at the front door of the proposed retirement village and this will be provided for once that road is in play and operational.

4.3 Facilities

Council believes that the SCC application has not demonstrated that all services and facilities will be available and completed in time to support the proposed seniors housing development. In particular, the following is stated in Council's submission:

- *The nearest existing shop, banks and medical centres are located are in Gregory Hills approximately 2.8km away.*
- *The timeframe for the commencement of works for the Emerald Hills Neighbourhood Centre and its completion is unknown at this stage.*

Comment

- As discussed in our original report, a shuttle bus service will be in operation to transport residents of the seniors housing development to surrounding services and facilities. Therefore, the concerns raised by Council are not considered to be an issue in the context of this application.
- Site works at Emerald Hills is already underway so the development of the Emerald Hills Neighbourhood Centre is considered to be imminent and likely to commence within the next two (2) years.
- A number of large scale hospital and medical facilities are now under construction in Gledswood Hills which sits to the south of the site and approximately 4km from the subject site.
- The site also sits approximately 8Km from both the Narellan Shopping Centre the Oran Park shopping Centre which are both large scale and offer a range of retail/banking/medical/business and restaurant/food services. All these services are in existence and in full operation.

Therefore, the proposal demonstrates compliance with the relevant provisions of **clauses 24(2)(b)(i), (ii) and (iv)** of SEPP Seniors Housing.

4.4 Infrastructure

In Council's submission, it is stated that the *"SCC application does not demonstrate that there is existing infrastructure readily available to service the seniors housing at the subject site"*. However, given that the surrounding area is planned to accommodate future residential development, it is considered that there would be infrastructure available to service the senior's housing development once constructed.

Furthermore, required infrastructure and services is a standard condition of consent that can be placed upon any determination of the development once a development application is lodged with Council. Therefore, at this current time, it is not necessary for infrastructure to be readily available but it has been demonstrated that the site will have access to future infrastructure and services.

5.0 Unacceptable Visual & Heritage Impacts

Council believes that the proposal results in unacceptable visual and heritage impacts and is therefore inconsistent with the relevant provisions of **clause 24(2)(b)(v)** of SEPP Seniors Housing. The following is stated in their submission:

- *No assessment against the Gledswood CMP has been made. It is unclear if part of the proposed development would encroach into a key viewpoint from Gledswood Estate to the east towards the Sydney Water Upper Canal. The SCC application should be required to address this matter prior to the determination of the SCC.*
- *The LVI's recommended mitigation measure of a vegetated landscape buffer to reduce visual impact is inconsistent with the Gledswood CMP's recommendation that vegetation and plantings should be managed to prevent obscuring significant views.*
- *The proposal would also limit the existing views from Gledswood Estate to the north through Camden Lakeside.*
- *Should the SCC be issued, a suitable mechanism would need to be in place to ensure the recommended visual impact mitigation measures will be undertaken.*
- *The SCC application has not provided a heritage impact assessment to assess the impact of the proposal on the state heritage items in the vicinity.*
- *It is recommended that Sydney Water and the Office of Environment and Heritage (OEH) be consulted prior to determination of the SCC application for the reasons outlined in this report. This assessment is significant and should not be left to the consideration of a DA on the site.*

Comment

- As per the Landscape and Visual Assessment submitted with the application, a viewpoints assessment from Gledswood Homestead has already been undertaken that identified a moderate visual impact rating resulting from the proposed development. The impacts on any significant viewpoints and the conservation of Gledswood Homestead are identified and discussed in **Sections 3.6, 3.7, 4.4 and 4.5** of our original report.
- Our original report also stated that that this moderate impact on Gledswood Homestead can be reduced to a low impact with the planting of vegetation to soften the built form of the proposed development. This planting will not obscure any significant views as the vegetation will be grown to a specific height that will be used to soften the built form rather than screen it, when viewed from Gledswood Homestead that is approximately 200m away from the subject development area.
- Furthermore, Council has previously approved a maintenance shed with dimensions of approximately 20m x 8m in the location between the proposed seniors housing development and Gledswood Homestead which has already altered the view line from Gledswood Homestead to the site.
- As per the Landscape and Visual Assessment submitted with the application, we disagree that the proposal would limit the existing views from Gledswood Estate to the north through Camden Lakeside.
- The heritage impacts to Gledswood Homestead are discussed in our original report in a level of detail that is suitable for the current stage of the project and the subsequent issue of a SCC. As stated in **Section 8.0** of our original report, a Heritage Impact Assessment would form part of any development application lodged with Council. However, should a Heritage Impact Assessment be requested by DPE to determine the SCC, this can be provided to further the application.
- Given the above, the proposal is compliant with **clause 24(2)(b)(v)** of SEPP Seniors Housing.

6.0 Proposed Location, Bulk & Scale of Seniors Housing

Council believes that the proposed development would be better located in Residential Precinct 1 of Camden Lakeside that would comply with the relevant provisions of **clause 24(2)(b)(v)** of SEPP Seniors Housing. The following is outlined in their submission:

- *The scale of the proposed seniors housing would be reduced in precinct 1 as the development could utilise the existing services offered by the clubhouse.*
- *The proposed seniors housing development would have less visual impact on the Gledswood Estate, view corridors and the visual qualities of the landscape if located in precinct 1.*

Comment

- The placement of the proposed development in Residential Precinct 1 is not a viable option given this land is not owned by the registered club land owners. It is further noted that a DA which proposes standard house and land packages has already been detailed to Camden Council within Precinct 1 and that DA is due to be lodged in the coming weeks.
- If the development was located in closer proximity to the registered club, adverse acoustic amenity impacts would arise due to the nature of operations at the club and the more sensitive use as seniors housing.
- This may also result in safety concerns for elderly residents of the seniors housing development due to disorderly behaviour of patrons accessing the club facilities.
- Furthermore, as discussed in **Section 3.5** of our original report, the proposed development site does not contain any classified vegetation and is identified as being covered by 'exotic grassland'. However, as identified in **Figure 9** of the original report, land near Precinct 1 contains classified vegetation belonging to the Shale Plains Woodland vegetation community. Therefore, it is not considered suitable to further disrupt the natural environment of this area to accommodate the proposed development in closer proximity to the registered club facility.
- Given the above, the proposal is demonstrated to be compliant with the relevant provisions of **clause 24(2)(b)(v)** of SEPP Seniors Housing.

7.0 Unplanned Additional Residential Development

Council states that the proposal is inconsistent with the relevant provisions of **clause 24(2)(b)(v)** of SEPP Seniors Housing because it results in unplanned additional residential development within the Camden Lakeside precinct. The following is stated in their submission:

- *The proposed 99 dwellings represent approximately 26% of the planned residential capacity for Camden Lakeside.*
- *Should the SCC proceed, the bulk and scale of the proposal should be subject to further consideration.*

Comment

- As discussed in **section 2.0** of this letter, the site proven to be suitable for accommodating more intensive development. The proposed retirement village only occupies 1.38 hectares of the 65 hectares owned by the Club.

- The additional accommodation for seniors housing is considered to be well-integrated within the site and adjoining land zoned for urban purposes. This is similar to that of other examples of seniors housing developments such as those previously discussed in Baulkham Hills and Mona Vale that propose a comparable bulk and scale to the subject development.
- The detailed design of the bulk, scale and density can be further worked through at detailed Pre DA and subsequent DA stage should an SCC be issued.
- Given the above, the proposal is compliant with the relevant provisions of **clause 24(2)(b)(v)** of SEPP Seniors Housing and is therefore suitable development within the Camden Lakeside Precinct.

8.0 Further Information Required

Council has requested that the following additional information is required to address the issues raised in their submission:

- *Demonstrate compliance with Clauses 4(1)(b), 4(5)(b), 24(2)(a)(b), 26 of the SEPP Seniors Housing;*
- *Referral to Sydney Water and NSW Office of Environment and Heritage (OEH);*
- *European Heritage Impact Assessment;*
- *Access Report;*
- *Bush Fire Assessment; and*
- *An assessment of potential contamination.*
- *Additional Permissible Uses - Determination of the SCC should be limited to seniors housing use. The proposed café will need to demonstrate that it is ancillary to the seniors housing at any future development application stage.*

Comment

- Our original report demonstrates compliance with Clauses 4(1)(b), 4(5)(b), 24(2)(a)(b), 26 of SEPP Seniors Housing and this has been reiterated in this letter.
- Council's request for the SCC to be referred to Sydney Water and NSW OEH is not applicable to the development at its current stage. The surrounding area is planned to accommodate future residential development so it is considered appropriate that referrals to external agencies will only be required once a Development Application is lodged.
- A Landscape and Visual Assessment has been submitted with the SCC application, detailing the potential impacts to the surrounding heritage items, including Gledswood Homestead. This is further discussed in our original report in a level of detail that is suitable for the current stage of the project and the subsequent issue of a SCC. As stated in **Section 8.0** of our original report, a Heritage Impact Assessment would form part of any development application lodged with Council.

- **Section 3.8** of our original report provides details of the existing and future site access to services and facilities that is considered to be adequate in demonstrating compliance with Clause 26 of SEPP Seniors Housing for an SCC to be issued. Furthermore, as stated in **Section 8.0** of our original report, an Access Report is listed as documentation that would be provided with any future development application. Therefore, given the existing site access and information available on future facilities that are to be provided, an Access Report is not necessary to issue a SCC for the proposal.
- As per **Section 4.6** of our original report, it is acknowledged that the site is identified as bushfire prone land (buffer and vegetation category 2) however, the subject development area is not mapped as being bushfire prone land. This is also demonstrated in **Figure 5** of our original report. However, should a bushfire report be required, it is considered that this is more appropriate to be submitted with the lodgement of a Development Application rather than at SCC application stage, given that part of the site is planned for future residential development.
- Council indicated that no information regarding any potential contamination has not been provided with the application however, as stated in our original report, the site has been utilised as a golf course so contamination is considered to be highly unlikely. Furthermore, as stated in **Section 8.0** of our original report, a contamination and rehabilitation report is listed as documentation that would be provided with any future development application. Therefore, given the history and use of the site and surrounds, a Potential Contamination Assessment is not necessary to issue a SCC for the proposal.
- The additional permissible uses specified by Council in their submission can be applied as an ongoing condition of consent once a development application is lodged and approved for the development on the site. Therefore, this element is irrelevant to the issue of a SCC.

9.0 Conclusion

Therefore, the proposed development satisfies the relevant provisions of **clauses 24(2)(b)(i), (ii) and (iv)** of SEPP Seniors Housing and concerns raised by Council are not considered to be an issue. The proposal is compliant as follows:

- The proposed location is suitable as it adjoins land zoned for urban purposes and contains and existing registered club;
- The site is proven to be suitable for accommodating a seniors housing development that would provide high quality housing on a golf course in close proximity to a range of services and facilities;
- The development does not adversely impact upon existing or approved developments in the locality and the site will continue to operate as an 18-hole golf course;
- The development will provide adequate access to services, infrastructure and facilities;
- The proposal does not result in unacceptable visual and/or heritage impacts; and
- The bulk and scale of the development is comparable to that of other seniors housing developments approved on golf course land.

Site Compatibility Certificate – Camden Lakeside Retirement Village
Response to Concerns Raised by Camden Council

- The proposal aligns with the recent comments of the State Planning Minister, Anthony Roberts, who was quoted on page 17 of the Sydney Morning Herald (issue Sunday, 22 April 2018) as: *“With the growing and ageing population in NSW there is a need for greater variety of houses to suit the range of needs and lifestyles, including growing families and empty nesters”*.

It is in our professional opinion that the proposed development is suitable in the site context and should be approved for the issue of a SCC. We would be happy to provide any additional information requested by DPE to further the application if necessary.

Thank you for providing the opportunity to respond to Camden Council’s concerns regarding the SCC at Part Lot 50 DP 1221870 at 50E Raby Road, Gledswood Hills. Should you wish to discuss any of the details of this submission please do not hesitate to contact me on (02) 9690 0279 or mairead@hawesandswan.com.au.

Yours sincerely,



Mairead Hawes

DIRECTOR

Hawes and Swan Planning Pty Ltd