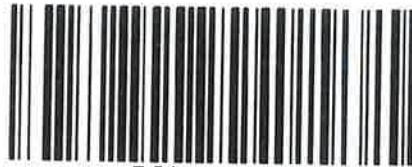


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SC5554
18/106995
DPE Ref: EF18/2679

11 April 2018

Terry Doran
Team Leader
Sydney Region West (Planning Services)
NSW Department of Planning & Environment
GPO Box 39 SYDNEY
NSW 2001



Application for a Site Compatibility Certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 at 50E Raby Road, Gledswood Hills - Council Submission

Dear Terry,

I refer to the Department's letter to Council inviting comments on this matter.

This matter was considered by Council at its meeting held on 10 April 2018. As a result, Council resolved to endorse a submission to be forwarded to the Department for its consideration.

Please find attached to this letter a copy of the Council report and Council's submission.

Should you have any questions regarding this matter, please contact me on 4654 7833 or alternatively heath.james@camden.nsw.gov.au

Yours sincerely,

Heath James
Team Leader Land Use Planning

Attachments: Council report & submission



ORDINARY COUNCIL

ORD01

SUBJECT: RESPONSE TO SITE COMPATIBILITY CERTIFICATE APPLICATION
AT 50E RABY ROAD, GLEDSDOOD HILLS

FROM: Director Planning and Environment

TRIM #: 18/67785

PURPOSE OF REPORT

The purpose of this report is to advise Council of an application for a Site Compatibility Certificate (SCC) under the SEPP (Housing for Seniors and People with a Disability) 2004 (SEPP Seniors Housing) at 50E Raby Road, Gledswood Hills and seek Council's endorsement to forward a submission to the Department of Planning and Environment (DPE) in response to the application. A draft submission is provided as an **attachment** to this report.

BACKGROUND

The subject site is known as 50E Raby Road, Gledswood Hills (Part Lot 50 DP 1221870). The site is within the Camden Lakeside Golf Course and is situated approximately 500m from Raby Road and 70m from the nearest boundary with the state heritage listed Gledswood Estate. The site has an area of approximately 1.38ha. **Figure 1** shows the location of the site and the surrounds.



Figure 1 shows the location of the site and the surrounds.

The proposed seniors housing is on golf course land zoned RE2 Private Recreation under the Camden Local Environmental Plan 2010 (Camden LEP 2010).

Other land on the golf course is zoned R1 General Residential and E2 Environmental Conservation under the Camden LEP 2010. In addition, the Camden LEP 2010 includes an additional permitted use for a hotel site. **Figure 2** shows the site's zoning.

Seniors housing is prohibited in the RE2 Private Recreation zone. Permissible uses in this zone include the following:

camping grounds; caravan parks; community facilities; environmental facilities; environmental protection works; flood mitigation works; function centres; kiosks; recreation areas; recreation facilities (indoor); recreation facilities (major); recreation facilities (outdoor); registered clubs; roads; signage; water recycling facilities and water supply systems.

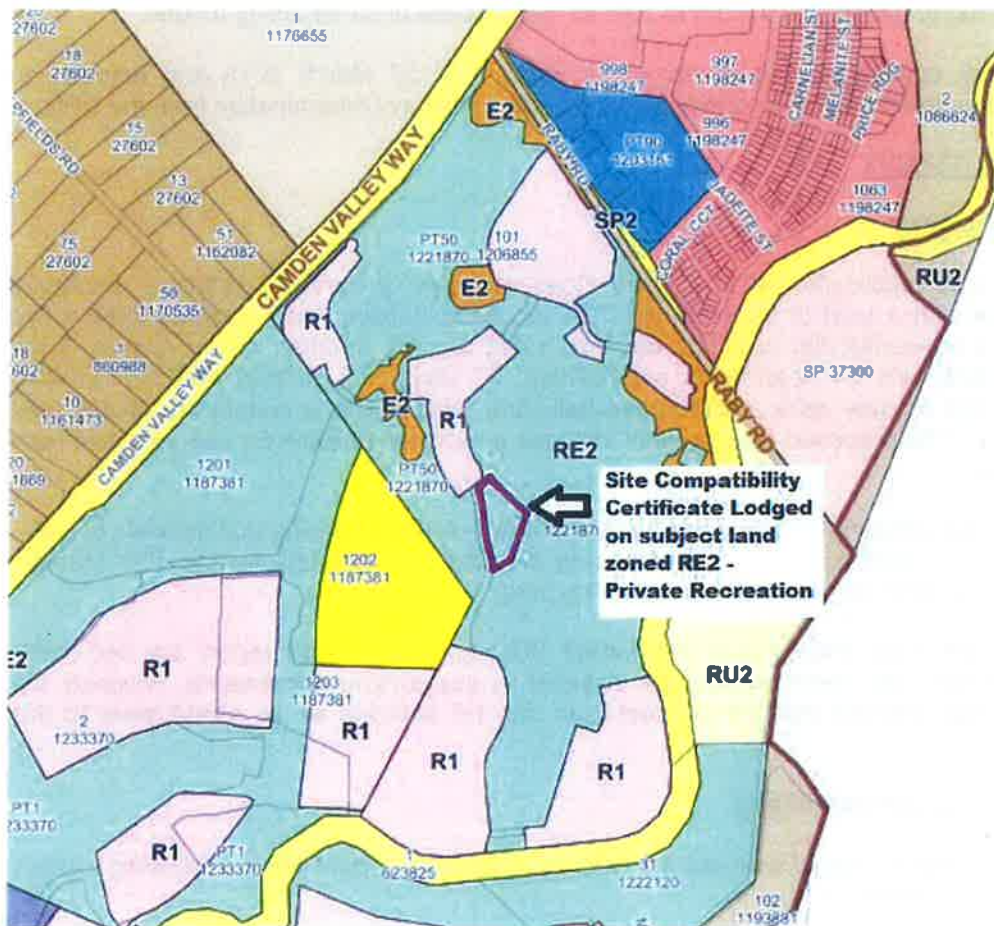


Figure 2 - Zoning under Camden LEP 2010 (Source: Council)

Site Compatibility Certificate

On 9 February 2018, a SCC application was lodged with DPE to permit seniors housing on the site. The DPE has invited Council to provide comment on the SCC application. Council was provided 21 days to make comment to DPE. The DPE has noted the matter is being considered by Council tonight.



A SCC under the SEPP Seniors Housing is a mechanism to permit seniors housing in locations where it is a prohibited use under an LEP. A SCC can be issued to allow the proposed use, however it does not amend the zoning of the land. Development consent is still required to be obtained through the development application (DA) process.

Councillors were briefed on the SCC application on 13 March 2018.

Adjacent Development Proposal

In addition to this SCC, Council is in receipt of a Planning Proposal for the same land. In May 2017, a Planning Proposal was lodged by Hawes and Swan on behalf of the landowners (Narellan Property Holdings) to amend the Camden LEP 2010 Height of Buildings Map (HOB) applying to a portion of the site labelled as a potential site for a hotel in **Figure 1**. The intent of the Planning Proposal is to amend the HOB Map applying to the site from 9.5m to 22m for the purpose of constructing a hotel.

Council considered this matter at its meeting of 27 March 2018 and resolved to endorse the draft Planning Proposal and seek Gateway Determination from the DPE.

MAIN REPORT

The Proposal

The SCC application at 50E Raby Road proposes a serviced self-care retirement village with a total of 99 dwellings. The proposed building form includes three x two storey residential flat buildings and basement carpark (number of car spaces is not provided) with 24 apartments per building, 27 villas (one storey) and two ancillary buildings for use as a multipurpose hall (one storey) and a community facility (one storey). The proposed development includes a separate building for use as a café (one storey).

Serviced self-care housing units are defined as – seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

The DPE has advised that the formal SCC application and report are not public documents and therefore they are included as **supporting documents**. However, the DPE has advised that the concept plan can be included as an **attachment** to this report.

Planning Considerations

Council officers have reviewed the SCC application and identified the following matters for consideration.

Compliance with SEPP requirements (Housing for Seniors and People with a Disability) 2004

SCC Application

The applicant has provided a response to the requirements of the SEPP Seniors Housing, stating the proposed seniors housing is compatible with the surrounding environment. The application has been made on the basis the subject land adjoins



land zoned primarily for urban purposes and is being used for the purposes of an existing registered club.

Officer Comment

Consistency with the SEPP Seniors Housing

Council officers have assessed the application against the SEPP Seniors Housing. Detailed assessment of SEPP compliance is provided in the draft submission to the DPE provided as an **attachment to this report**. It is considered the application has not demonstrated full compliance with the SEPP for the reasons outlined below:

- Clause 4(1)(b) of the SEPP (Seniors Housing) requires that the adjoining land is zoned primarily for urban purposes and that the land is being used for the purpose of a registered club.

The subject land is located approximately 330m in a direct line from the existing clubhouse. Council officers consider the proposed seniors housing would be isolated from the existing clubhouse.

Additional information is required to confirm the relationship between the existing club and the proposed development to satisfy the requirements of this clause. This is because land for a registered club may be restricted to the clubhouse only and not apply to other land on the golf course.

- Clause 4(5)(b) of the SEPP (Seniors Housing) requires that the consent authority consider and be satisfied that most of the land that it adjoins is land zoned for urban purposes.

While there is some land zoned R1 General Residential adjoining the subject land, the majority of the land that adjoins the subject site is zoned RE2 Private Recreation under the 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. As such, the application has not demonstrated compliance with the SEPP Seniors Housing because the site is not adjoining land zoned for urban purposes.

The SEPP compliance assessment provided in the draft submission to DPE and provided as an **attachment** to this report raises concerns that the application may also be non-compliant with the following requirements:

- Access for transport and services;
- Access pathway gradient controls; and
- Whether the café is permissible as an ancillary use to the seniors housing.

Visual Impacts and Heritage Considerations

SCC Application

The SCC application includes a Landscape and Visual Impact Assessment (LVI) of six viewpoints taken from the surrounding area.

In summary, the LVI states that while there are opportunities to view the proposed site from identified locations, visual impacts generally range from low to negligible due to a



range of factors including existing trees, land forms, current residential and urban development and distance.

The LVI considers the viewpoint from the Gledswood Estate to be the most critical. The LVI states the proposal will change the existing character of the view from a more pastoral, managed landscape to a suburban character. The viewpoint is assessed as having a high sensitivity rating (sensitivity refers to the character of a setting, the quality of the view and how sensitive it is to the proposed change).

The LVI states that in consideration of the approved development planned in neighbouring properties, the magnitude rating (the degree of change the visual landscape will undergo as result of the proposed development) is considered low and results in an overall moderate visual impact.

The LVI states the visual impacts could be diminished through the implementation of mitigation measures with landscaping considered to be the most effective mitigation measure.

The following mitigation measures are recommended:

- Use of finishes and materials that are complementary to the existing locality and landscape;
- Minimal reflective surfaces and preferred use of muted/less intrusive colours recessive toned colours particularly the north and western facades;
- Lighting mitigation strategy;
- Where feasible use trees and /or other screening vegetation to assist in reducing the visual prominence of the structure, particularly along the northern and southern façade.

The SCC application states the proposed development has been designed so that it is compatible with surrounding land uses in the vicinity of the site.

Officer Comment

Camden Lakeside has important visual qualities. The Camden LEP 2010 and Camden DCP 2011 seek to protect important visual elements within the landscape including distant views, vegetation, water bodies and cultural elements. Camden DCP 2011 also seeks to ensure that new urban form is subservient to the landscape.

Camden Lakeside's residential precincts are intentionally irregular in their shape and size and have been specifically planned and located to maintain the landscape's visual importance and protect identified view corridors.

There are 3 state heritage items in the vicinity of the site – the Gledswood Estate, Raby Homestead and the Sydney Water Upper Canal.

Camden DCP 2011 recognises the Gledswood Estate as the most visually and culturally significant built form adjacent to Camden Lakeside. Maintenance of views from the golf course to Gledswood Estate, particularly the views to the north, is a key outcome sought by Camden DCP 2011.

The Gledswood Estate Conservation Management Plan (Gledswood CMP) identifies a number of key viewpoints from the Estate. This figure is included in the draft submission to DPE provided as an **attachment** to this report. 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.

The Gledswood CMP recommends that key viewpoints be conserved, maintained and enhanced. It also recommends that vegetation and plantings be managed to prevent obscuring significant views.

Council officers agree with the LVI's assessment that the proposed development will change the existing view from Gledswood Estate from a more pastoral managed landscape to a suburban character. 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 application be supported, a suitable mechanism would need to be in place to ensure the recommended visual impact mitigation measures will be undertaken.

Furthermore, 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. This assessment is significant and should not be left to the consideration of a DA on the site.

Unplanned Additional Residential Development

SCC Application

The application proposes an additional 99 residential units within Camden Lakeside. The SCC states the development would be situated within Camden Lakeside's proposed residential cluster.

Officer Comment

Camden Lakeside will comprise a mix of housing set amongst a golf course and clubhouse facilities. Camden DCP 2011 states the entire Camden Lakeside development has a capacity for 380 dwellings, distributed over five residential precincts.

The proposed seniors housing would be located outside of the approved residential precincts. The proposed 99 dwellings represent an increase of approximately 26% in the planned residential capacity for Camden Lakeside.

Proposed Location, Bulk and Scale of Seniors Housing

SCC Application

The concept plan includes three x two storey residential flat buildings, each with 24 apartments and 27 attached and detached villas (one storey). The proposal includes two ancillary buildings for the purposes of community facilities including a multipurpose hall and a café.



The SCC application states the proposed development would maintain an appropriate built form, scale and character and is consistent with the planning principles for Camden Lakeside as set out in the Camden DCP 2011.

Officer Comment

Residential Precinct 1 is located in the northern part of Camden Lakeside adjacent to Raby Road (refer to **Figure 3**). Camden DCP 2011 identifies Precinct 1 will contain a mix of housing, which includes detached dwellings, town houses, residential flat buildings and seniors housing.



Figure 3 - Camden Lakeside Master Plan with proposed seniors housing site (Source: Camden DCP 2011)

Precinct 1 is located near the clubhouse which currently offers meals and holds functions. The DCP requires that all recreational facilities be located adjacent to the clubhouse to provide residents with social interaction opportunities. Precinct 1 will offer better transport options and access to services when compared to the proposed location in the SCC.

It is considered the location of the proposed seniors housing would be more suitable within precinct 1 and 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.

If the proposed development was located in Precinct 1, it would have less visual impact on the Gledswood Estate, view corridors and the visual qualities of the landscape.

When compared to the proposed development site, Precinct 1 is a more suitable location for the proposed development.

Access to Transport & Services

SCC Application

The SCC application outlines the following transport provisions will be provided to the seniors housing:

- Internal road network will connect to the Camden Lakeside indicative road structure that is set out in the Camden DCP 2011. The main internal road through the site is to be known as Golf Course Drive.
- A future bus route will utilise the internal road network and bus stops are located on Raby Road and Camden Valley Way (approximately 550m to the north east and 570m to the northwest of the development area respectively). This will provide access to nearby town centres, however the services are limited during the weekend.
- A mini-bus service is proposed to be provided to and from a bus stop on Golf Course Drive and has the potential to provide access to surrounding neighbourhood centres.
- Golf Course Drive will provide pedestrian and cycle opportunities.

The SCC application states there will be access to services and facilities, including Emerald Hills neighbourhood centre located to the north of the site, Narellan town centre (6.3km away), Camden Town Centre (11km away), Macarthur Square Shopping Centre (12km away).

A range of other services exist in the Gregory Hills precinct approximately 2.8km away. In addition, recent developments have been approved which, when developed, will contribute towards servicing future residents and include the Camden Medical Campus and a private hospital in Gregory Hills.

Officer Comment

The SCC application relies heavily on the new road, Golf Course Drive, being completed in time to provide a connection through the Camden Lakeside development to Raby Road.

The time frame for the delivery of Golf Course Drive is unclear and no DA has been submitted to Council for the road and related residential precincts. As a result, there is no certainty that the required road network will be delivered within the 2 year time frame for when a SCC is valid, if issued.



Council officers recommend that until the road network is completed, an SCC should not be issued.

The site's distance from services and facilities will require a reliable and adequate transport. However, the SCC has identified the bus services are limited during the weekend.

The Emerald Hills neighbourhood centre located on the northern side of Raby Road is identified as the nearest centre to the site. DA approval has been issued for the centre, however, the timeframe for the commencement of works and its completion is unknown at this stage. The SCC application has not demonstrated that all services and facilities will be available and completed in this centre to support the seniors housing.

Locations for Seniors Housing within Camden LGA

SCC Application

The SCC identifies that the forecast for the Camden Local Government Area (LGA) is for a further increase in the ageing population. Therefore, Camden will continue to have a demand for accommodation for aged care and people with disabilities.

Officer Comment

The need for seniors housing in well planned and suitable locations is supported. The proposed addition of 99 additional serviced self-care units within the Camden LGA would provide a social benefit to the community.

It is considered that the proposed development at this location is unsuitable for the reasons outlined in this report. This report has also outlined the proposed development would have an unacceptable level of impact on the important visual qualities and cultural elements of the site and its surrounds. The proposed location of seniors housing within Camden Lakeside would be more suitable within Precinct 1 in proximity to the existing club and future amenities and better access to transport options at Raby Road.

Summary

The proposed development has not demonstrated planning merit for the reasons outlined in this report and as summarised below.

- The SCC application has not demonstrated compliance with Clauses 4(1)(b) and 4(5)(b) of the SEPP Seniors Housing and its requirements that the subject land is adjoining land zoned primarily for urban purposes and that the subject land is being used for the purposes of an existing registered club.
- The SCC application has not satisfied the requirements for access to transport and services under the SEPP Seniors Housing.
- The proposed seniors housing may have unacceptable visual impacts on a key viewpoint from the state heritage listed Gledswood Estate.
- 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.



- The proposed seniors housing would be located outside of the approved residential precincts and the proposed addition of 99 dwellings will exceed the planned capacity of Camden Lakeside.
- The proposed bulk and scale of the seniors housing is not supported in this location.
- Until the road network is completed, an SCC should not be issued.

FINANCIAL IMPLICATIONS

There are no financial implications for Council as a result of this report.

CONCLUSION

The application for an SCC seeks to permit a serviced self-care retirement village, comprising of 99 dwellings with ancillary buildings and a separate café under the SEPP Seniors Housing.

Council officers have assessed the SCC application and consider it has not demonstrated planning merit to proceed as outlined in the report.

It is suggested that Council endorse the attached draft submission to be forwarded to the DPE for consideration.

RECOMMENDED

That Council endorse the submission to be forwarded to the Department of Planning and Environment for consideration.

ATTACHMENTS

1. Submission to the Department of Planning and Environment(3) 4/4/18
2. SCC Appendix A - Site Concept & Layout Plan
3. Application Form SCC - *Supporting Document*
4. SCC Site Compatibility Report by Proponent - Camden Lakeside - *Supporting Document*

