



Submission to the Department of Planning and Environment
Part Lot 50 DP 1221870 at 50E Raby Road, Gledswood Hills.

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Application for a Site Compatibility Certificate (SCC) under the SEPP (Housing for Seniors and People with a Disability) 2004 for Part Lot 50 DP 1221870 at 50E Raby Road, Gledswood Hills.

Council officers have undertaken a review of the SCC information as provided by the Department of Planning and Environment and consider the SCC application has not demonstrated compliance with the SEPP Seniors Housing and has not demonstrated planning merit.

A summary of the planning issues identified by Council are provided below.

Consistency with the SEPP Seniors Housing

Council officers have assessed the SCC application against the SEPP Seniors Housing and identified the SCC application has not demonstrated compliance with the SEPP as outlined below.

Clause 4(1) Land to which Policy applies that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if: (b) the land is being used for the purposes of an existing registered club.

Clause 4(1)(b) requires 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 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) Application of Policy to land zoned for special uses and existing registered clubs

Clause 4(5)(b) further requires that the consent authority must 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 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. This means the SCC application has not demonstrated compliance with the SEPP Seniors Housing because the site is not adjoining land zoned for urban purposes.

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

The SCC application for the seniors housing is prepared on the basis that the subject land adjoins



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

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 proposal may have unacceptable visual impacts on a key viewpoint from the state heritage listed Gledswood Estate;
- the site has no existing road and pathway for access as required under the SEPP.

Council is not satisfied that the site meets the criteria that the Director General must consider in terms of its suitability for more intensive development.

Clause 24(2)(b) - The site of the proposed development is development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).

- i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,***

Existing Uses:

- The seniors housing is proposed on land zoned RE2 Private Recreation in the golf course.
- There is some land outside the subject site zoned E2 Environmental Conservation with the aim to protect remnant native vegetation on the site.
- There is an existing clubhouse and ancillary maintenance shed.

Approved Uses:

- Other land within Camden Lakeside is zoned R1 General Residential. Development consent to enable its development is yet to be obtained.
- Camden LEP 2010 includes an Additional Permitted Use (APU) for a potential hotel site.

Natural Environment:

- Modified open space for use as a golf course and other protected areas for remnant native vegetation on the site.
- 4 Lakes/dams.
- European Heritage in the vicinity:
 - Gledswood Estate (State listed item)
 - SCA Upper Canal (State listed item)
 - Raby House (State listed item)
- Transmission Easement.
- Information regarding any potential contamination has not been provided.
- Portions of the site are identified as bushfire prone land.

Approved uses of land in the vicinity of the proposed development:

The surrounding lands in the vicinity include a mix of zones for the various purposes, which include rural, private recreation and new urban development. New urban development has commenced at Emerald Hills, whilst other areas for urban development are in the early stages of development.

- ii) the impact that the proposed development is likely to have on the uses that, in the***

opinion of the Director-General, are likely to be the future uses of that land,

The subject site for the proposed seniors housing is zoned RE2 Private Recreation and is intended to remain for the use of the existing golf course.

The proposed future use of the subject site as a golf course is consistent with the RE2 zone objectives to enable land to be used for private open space or recreational purposes and other compatible land uses and to ensure the protection and enhancement of the natural environment for recreational purposes.

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.

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.

iii) 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,

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

The time frame for the delivery of Golf Course Drive is unclear and no Development Application 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 that a SCC is valid for, if issued.

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

The site's distance from services and facilities will require a reliable and adequate transport service. However, the SCC has identified that 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.

Refer to the separate discussion with regard to the location and access requirements set out in clause 26.

The SCC application does not demonstrate that there is existing infrastructure readily available to service the seniors housing at the subject site.

iv) 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.



Whilst the land is not zoned RE1 Public Open Space, the land is zoned for recreation purposes as RE2 Private Recreation.

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.

- v) ***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,***

Visual & Heritage Impacts

Camden Lakeside has important visual qualities. The Camden LEP 2010 and Camden Development Control Plan 2011 (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's 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 emphasises the Gledswood Estate is 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. Refer to the **Figure 1** at the end of this submission, which provides a map of key viewpoints from Gledswood Estate. 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 Gledswood CMP recommends the key viewpoints should be conserved, maintained and enhanced. It also recommends that vegetation and plantings should be managed to prevent obscuring significant views.

Council officers agree with the LVI's assessment that the proposed development will change the existing character of the 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 be issued, a suitable mechanism would need to be in place to ensure the recommended visual impact mitigation measures will be undertaken.

The proposal may have an unacceptable visual impact on a key viewpoint from the 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.

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.

Proposed Location, Bulk and Scale of Seniors Housing

Residential precinct 1 is located in the northern part of Camden Lakeside adjacent to Raby Road as shown in the master plan for Camden Lakeside in **Figure 2** at the end of this submission. Camden DCP 2011 identifies precinct 1 will contain a mix of housing, which includes detached dwellings, town houses, residential flat buildings and seniors housing.

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 in 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 to be 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.

Unplanned Additional Residential Development

Camden Lakeside Development will comprise of a mix of housing set amongst a golf course and clubhouse facilities. Camden DCP 2011 states the entire Camden Lakeside development has a capacity of 380 dwellings, which is spread over 5 residential precincts.

The proposed seniors housing would be located outside of the approved residential precincts. 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.

- vi) ***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***

The seniors housing is proposed to be located in the RE2 Private Recreation zone and is clear of the protected native vegetation found in the E2 Environmental Conservation zone.

Clause 26 Location and access to facilities

Location and access to facilities

(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:

- (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and***
- (b) community services and recreation facilities, and***
- (c) the practice of a general medical practitioner.***

Council Response

No, does not comply.

- The site is located approximately 550m from Raby Road and approximately 570m from Camden Valley Way.
- There is no existing road or accessible pathway from the site to either Raby Road or Camden Valley Way.
- Bus stops located on Raby Road and Camden Valley Way have limited services on weekends. No information has been provided with the SCC to demonstrate compliance.
- The nearest existing shop, banks and medical centres are located in Gregory Hills approximately 2.8km away and the Emerald Hills neighbourhood centre is not constructed.

(2) Access complies with this clause if:

(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, or alternative gradients on the pathway are also acceptable as per the clause

Council Response

No, does not comply.

- The facilities and services are located further than 400m away and no pathway has been provided.

(b) in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development:

- (i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and***

Council Response

No, does not comply.

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.

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

- (ii) *that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1),*

Council Response

No, does not comply.

Additional transport such as a mini-bus service is proposed to be provided to and from a bus stop on Golf Course Drive. However, Golf Course Drive is yet to be constructed.

- (iii) *that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive).*

Council Response

Bus services on Camden Valley Way and Raby Road comply.

Further information required

Prior to the DPE determining the SCC application, the following is required to be addressed:

- 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.

1. 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.

Conclusion

The application for a site compatibility certificate to permit a serviced self-care retirement village, comprising of 99 dwellings with ancillary buildings and a separate café under the SEPP Seniors Housing has not demonstrated compliance with the SEPP Seniors Housing and has not demonstrated planning merit for the reasons as outlined in this submission.

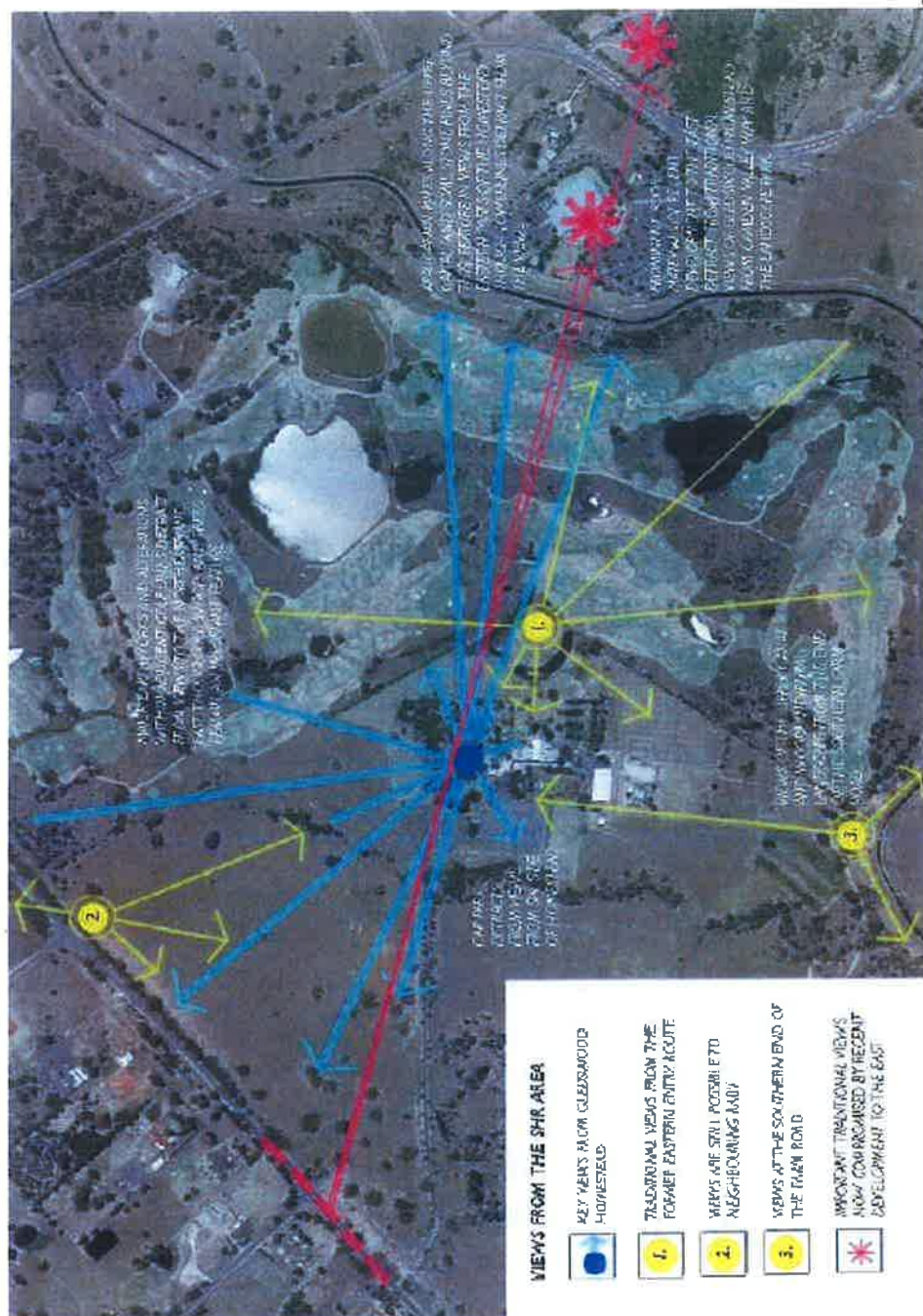


Figure 1 - key viewpoints from the Gledswood Estate Conservation Management Plan (Gledswood CMP)

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