

**Ordinary Council Meeting 15 April 2013**  
**LEP AMENDMENT: 266 LONGUEVILLE ROAD PLANNING PROPOSAL**

**Subject:** LEP Amendment: 266 Longueville Road Planning Proposal  
**Record No:** SU4645 - 14534/13  
**Division:** Environmental Services Division  
**Author(s):** Christopher Pelcz; Stephanie Bashford

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**Executive Summary**

Council is requested to adopt for exhibition a planning proposal to rezone part of its property at 266 Longueville Road from the current open space zoning to permit residential development, predominantly seniors' living, and to reclassify the land from community to operational.

This Council-owned site has been identified in Council's Major Projects Plan 2007-2016 as redevelopment for seniors' living. The Major Projects Plan is a significant and comprehensive program for the redevelopment of a series of underused Council properties in order to provide public benefits, including modern community facilities, across Lane Cove. The 266 Longueville Rd seniors' living redevelopment is one of the public infrastructure projects identified in the Plan.

The western two-thirds portion of the site proposed for change was formerly occupied by the Lane Cove Ladies Bowling Club, the previous clubhouse is used by the Music and Cultural Centre. To the extent that developments under the Major Projects Plan involve loss of open space, it provides that part of the proceeds would be used to enhance usable open space in other areas.

The open space zonings (Environmental Conservation E2 and Public Recreation RE1) and uses of the bushland and golf course in the eastern third of the site are not proposed to be changed. It is recommended that a site-specific DCP be prepared for 266 Longueville Rd, to provide detailed planning controls for the development's relationship with residential properties and the public domain, including open space, in the vicinity. There is also a current planning proposal to redevelop the north-eastern side of the nearby Northwood Centre. Additionally Council is planning to develop a Recreation Facility fronting the golf course. The three proposals are separate, though possibly complementary land uses.

Council and the community in 2007 endorsed the purpose of the planning proposal for 266 Longueville Road, to provide seniors' living housing appropriate for Lane Cove's ageing population under Metropolitan Strategy residential growth, and to provide public benefit with the income derived from the project including from developer (Section 94) contributions. On this basis, and the fact that the density proposed would be consistent with that of other retirement centres and with the flats adjacent, the proposal is supported.

Council is requested to adopt the planning proposal for submission to the Department of Planning & Infrastructure. If Gateway approval is given for formal exhibition, an independent traffic study should be undertaken prior to the exhibition commences.

The planning proposal has been submitted by Don Fox Planning on behalf of Council's Open Space & Urban Services Division, and reviewed by Council's Strategic Planning Section. A summary is attached as **AT-1** and the full proposal is attached as **AT-2**. A range of consultant studies were provided in support of the planning proposal. Given the large size of these documents they have been attached electronically as **AT-3** to **AT-11** and can be viewed online. The planning proposal application covering letter is attached as **AT-12** and an excerpt from the Major Projects Plan is provided at **AT-13**.

## Background

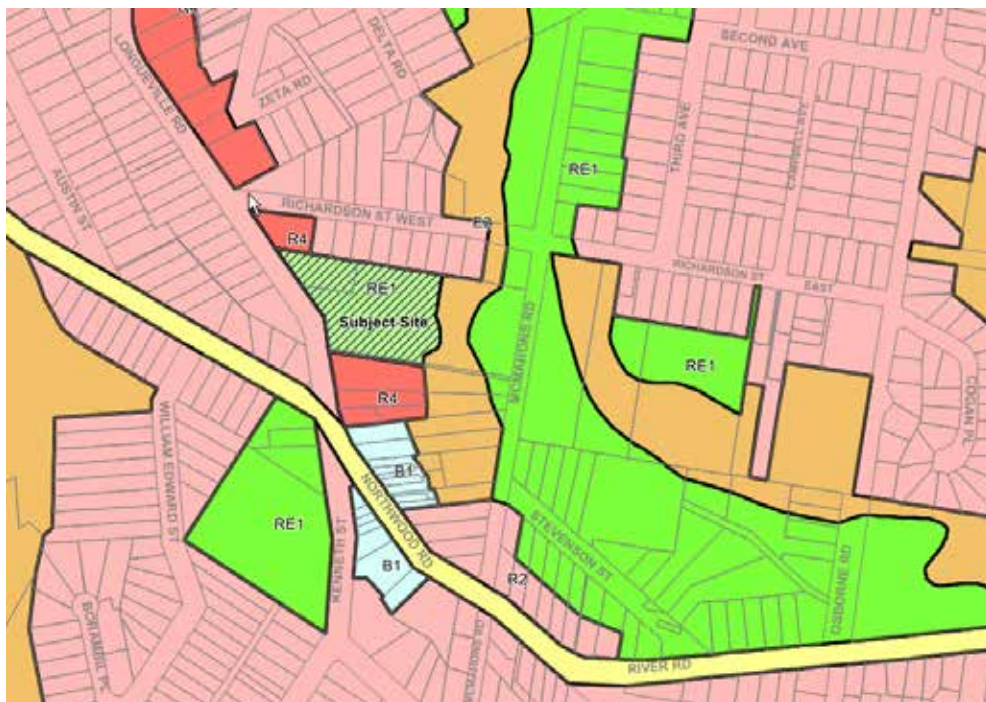
### Location

**Figure 1: Aerial Photograph**



The site comprises three lots and is currently zoned a combination of RE1 Public Recreation and E2 Environmental Conservation, as shown in the diagram below. The land proposed to be rezoned and reclassified is a portion of that property, being the area to the west of the brown E2 zone line (shown by diagonal lines):-

**Figure 2: Current Zoning**



### Major Projects Plan

The redevelopment of 266 Longueville Road is identified within Council's Major Projects Plan 2007/2016, which was endorsed by Council in November 2007 and involved in-depth community consultation. The Major Projects Plan provides a comprehensive, orderly program for the redevelopment of a series of Council properties. The purpose of this redevelopment program is to provide up-to-date community facilities, including public car parking, child care, recreational and cultural facilities, in many cases with residential development to provide funding.

It was accepted under the Plan that some loss of open space would be involved, but that this related to areas such as disused bowling greens, with the proceeds to be used to contribute to the embellishment of usable open space in other areas.

Projects would also in many cases provide funding for development of other facilities. The redevelopment of 266 Longueville Road is one such project, being intended to contribute towards the provision of a new multi-purpose Recreation Facility at the golf course, including youth activities identified in the Social Plan as a need for the locality, such as possible indoor basketball courts.

Implementation of the Major Projects Plan commenced with the new Library and car parking for the Village, followed by Meeting House residential flats with increased child care, Little Lane mixed use with car parking and community facilities, and preliminary work underway for Rosenthal Avenue car parking with public plaza and 314 Burns Bay flats with community facility and park. The 266 Longueville Rd seniors' living redevelopment is the next in this suite of long-term public infrastructure projects.

### Strategic Context

#### (i) Current and Future Development

The proposed R4 High Density Residential Zone would be consistent with the existing flats' R4 zone extending to the north and south of the site along the eastern side of Longueville Rd.

As discussed, three current proposals have the potential to result in complementary redevelopment and an attractive new precinct as a whole: Council's redevelopment of 266 Longueville Road and the Recreation Facility proposed at the golf course, with pedestrian links be created between Council's two sites, as well as the Northwood Centre retail and shoptop housing proposal due for exhibition shortly.

Other amenity and facilities in the vicinity of 266 Longueville Rd also include Central Park with the bowling and tennis facilities.

#### (ii) Metropolitan Strategy

Under the Metropolitan Strategy, Council's population is to be significantly increased. The twenty-five year residential target of 3,900 new dwellings is being realized and may be raised further. The number of seniors in Lane Cove will rise proportionately, and the proposed seniors' living development would respond to this anticipated demand.

### **Discussion**

#### The Site

The total property (shown cross-hatched in Figure 2) comprises Lot 1 DP 321353, Pt Lot 322 DP 1102537 and Lot 1 DP 91655. The site proposed to be rezoned and reclassified is a portion (60%)

of that property, being the area to the west of the brown E2 zone line. This boundary is located between the lower of the two former bowling greens and the top of a vegetated slope descending eastwards to the golf course.

The site at 266 Longueville Road comprises an area of approximately 15,000m<sup>2</sup> (1.5ha), of which only 9,200m<sup>2</sup> is proposed to be rezoned from RE1 Public Recreation to R4 High Density Residential. This includes a vegetated area 30 metres wide, extending along the northern side of the lower bowling green, which will be retained as mature landscaping within the site.

The site was used as a Ladies Bowling Club from 1958 through to 1995. Since then the former club house has been leased to the Lane Cove Music and Cultural Society. The Men's Bowling Club, located nearby at the intersection of River Road West and Longueville Road, continues to operate as the Longueville Sporting Club.

The Major Projects Plan identified the upper part of the site as suitable for residential units including the provision of aged care housing as noted in the Lane Cove Social Plan, adaptable housing or housing designed to include seniors' living. Only part of the site is suitable for development for seniors housing due to the bushfire affectation caused by the Environmental Conservation zone located at the rear of the property, the zoning of which would remain unchanged.

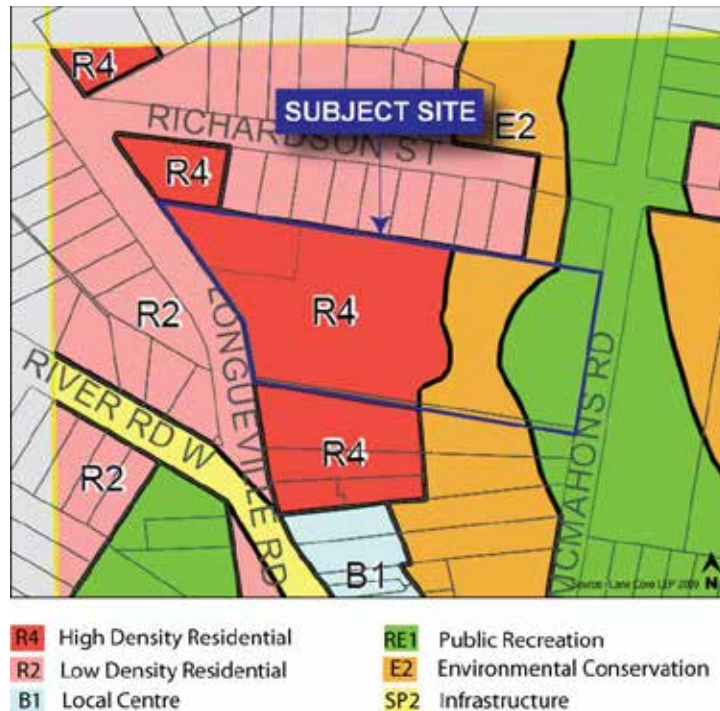
Caveats and trusts are present on each of the three lots proposed for rezoning, relating to the land's public reserve status. It is proposed to extinguish these through the reclassification of public land process in accordance with the Local Government Act 1993 and Environmental Planning & Assessment Act 1979.

#### LEP Amendments

To achieve the redevelopment of 266 Longueville Rd, the planning proposal would amend Council's Local Environmental Plan (LEP) as follows:-

- (i) Zoning: Rezone the western part of the site from RE1 Public Recreation to R4 High Density Residential, to allow development for residential purposes, including seniors housing.
- (ii) FSR: Apply a floor space ratio of FSR 1.1:1 i.e. up to FSR 1.6:1 with a Seniors Living SEPP bonus.
- (iii) Height: Permit a height of 2-4 storeys towards Longueville Rd and up to 7 storeys at the rear:-
  - o In place of a building height expressed in metres and following the topography, the maximum building height would be expressed as a Relative Level: RL 65.5. This would be a line extending horizontally from the top of a potential building set 3 storeys above road level, so that at the rear of the site, where the land falls away, a taller building of up to 7 storeys could be built without rising above the Longueville Rd façade.
  - o This would take into account possible changes in ground level due to the future need to remove fill from the centre and rear of the site.
- Public land: Reclassify part of the site from community to operational and remove the reserve status and caveats (not from the eastern part of the site) to allow sale or lease of the units.

**Figure 3: Proposed Rezoning**



### Building Scale

#### (i) Floor Space Ratio

*(Note: The floor space ratio is calculated on only the area of the site to be rezoned, not the open space component of the property).*

The planning proposal seeks a potential floor space ratio of FSR 1.6:1. This is based on two factors:-

- (i) FSR of 1.1:1 was considered as a minimum viable scale by OSUS' economic consultant, as allowing for a 20 per cent development profit margin.
- (ii) Additionally, the NSW State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 provides for a bonus FSR provision of 0.5:1 for the development of seniors housing, resulting in the total FSR 1.6:1.

This scale is consistent with that of other seniors' living sites under LEP 2009 such as Waterbrook and Caroline Chisholm retirement centres (FSR 1.5:1).

It is also comparable with the FSR of 1.5:1 of the adjacent flats at 268-270 Longueville Rd (Timbertops), although Council's development would be set at a lower level than those flats after the removal of fill from the site.

#### (ii) Height

Don Fox Planning Consultants have recommended that RLs be used as a height control rather than metres, as this provides for greater flexibility in design and built form for this particular site. A Relative Level of RL 65.5 would restrict height to the moderate 3 storeys (plus lift overrun) above street level fronting Longueville Rd, but takes into account possible changes in ground level due to the future need to remove fill from the site at the rear allowing the potential for 7 storeys plus lift overrun at the rear.

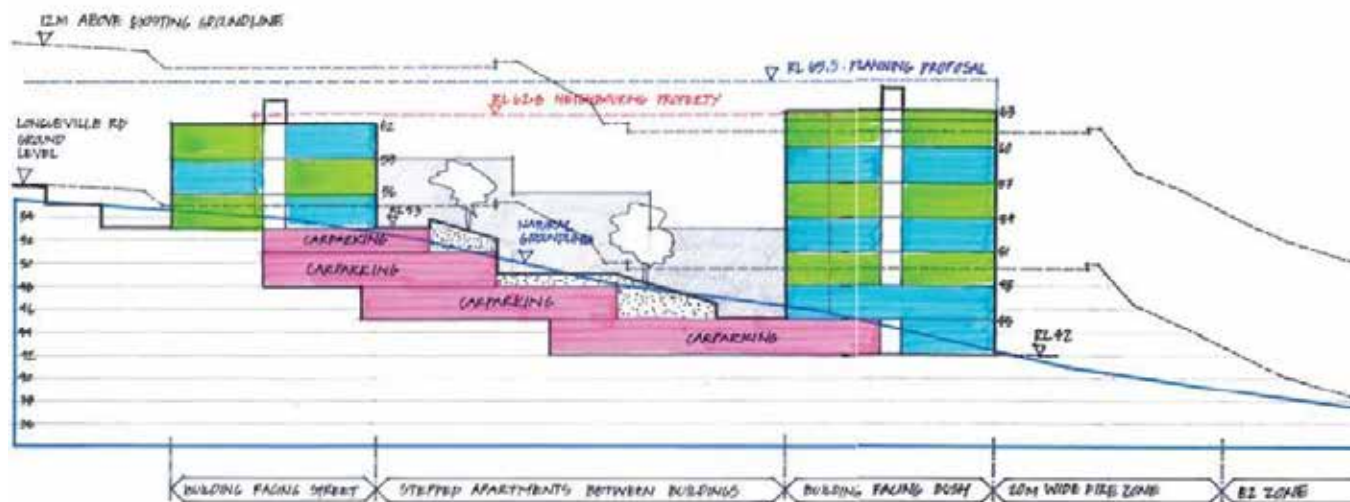


The consultant has taken into account the existing ground level, topography, surrounding building heights, and views through the site, as well as the desired future character. It was considered that “a suitable height for the subject site is one which retains a consistent bulk and scale at the street frontage and yet responds appropriately to topography and surrounding development”.

This includes the relationship with the flats adjacent to the south at 268 Longueville Rd, which are 2 storeys on Longueville Rd and 5 storeys at the rear (4 storeys above ground-level garages). Council’s proposal seeks to respond to this context by providing:-

- (i) 3 storeys above street level fronting Longueville Rd (and partly below the street level) to be compatible with the existing streetscape;
- (ii) a central section, continuing the moderate height, set lower (with fill removal) than many of the main balconies of the flats at No. 268, to enable its residents to continue to view trees and sunlight to the north across the new development; and
- (iii) a rear section with the same roof height as those flats but set an additional 2 storeys downhill below them.

**Figure 4 – Indicative Section**



No.268-270 has an FSR of 1.5:1 and 40% landscaping.

As mentioned above, under the new NSW Standard Technical Requirements for LEP Maps (November 2012), the RLs planning approach is now permissible in certain circumstances, especially where topography is variable, as would be the case with the removal of the currently-terraced bowling greens.

The low density residential zone to the north, with houses fronting Richardson St West, is separated by a vegetated area 30 metres wide, extending along the northern side of the lower bowling green, which Council does not intend to develop. Nevertheless the building form at the DA stage should seek to minimize the visual impact from this side. These issues would be addressed in the proposed DCP to guide development on this site.

### Density

Supporting studies for this proposal, prepared by urban planning and economic consultants and Council staff, indicate that the maximum development potential of this site may be approximately

60 to 100 (depending on bedroom mix) seniors living apartments, with possibly some standard apartments to the rear where bushfire provisions may not permit seniors living, as the rear of property is classified as bushfire prone land.

The site is constrained by bushfire prone land. The E2 zone at the rear of the site is reasonably vegetated and is a bushfire issue which may restrict the senior living area towards the rear of the block. A bushfire assessment has been provided as part of the planning proposal. The appropriate asset protection zone is currently being discussed with the NSW Rural Fire Service, with the aim of maximizing the potential number of seniors' units.

At this early stage, only an estimate of dwelling numbers is possible, as such would depend on the balance of seniors and standard units. Firstly, this will affect the floor area for which a bonus FSR may be obtained. For the standard units, the type and configuration of dwellings would be guided by a site-specific DCP that has regard to seniors' living.

#### Development Control Plan

It is recommended that a site-specific DCP be prepared for 266 Longueville Rd, to provide detailed planning controls for the development's relationship with residential properties and the public domain, including open space, in the vicinity. This would assist in assessing the appropriate bonus floor space to be permitted, according to the proportion of seniors' living units allowable on the site, after RFS and other matters have been clarified.

The DCP should provide setbacks, articulation, varied form and materials, landscaping etc to minimize the relative bulk of the proposed development to all frontages, relating in particular to the neighbouring properties to the south.

Filtered views to this 7-storey rear building would also be visible from the golf course, and the ability to supplement trees in the E2 zone to reduce view lines may be limited by bushfire issues, so that any design should be sensitive to this perspective also.

The general approach in Lane Cove for apartment developments is to require setbacks for the upper levels, rather than allowing a vertical-wall effect, and this is recommended to be considered within this site's DCP.

#### Traffic and Access

The analysis by Council's Traffic & Transport Section within the OSUS Division which submitted the application, states that the proposal is supportable on traffic planning grounds.

The estimate of up to 100 three-bedroom apartments has been used as an indicative figure representing the maximum likely number of apartments under FSR 1.3:1. Applying that baseline, based on Council's DCP parking requirements, there is a potential for an additional 225 car spaces (including resident and visitor). The assessment states that "based on trip rates proposed by RTA Guide to Traffic Generating Developments (October 2002) for 'Housing for ages and disabled persons', a development accommodating 100 apartments units for seniors would generate up to 200 vehicle trips per day and up to 40 evening peak hour vehicle trips. This traffic generation would replace the traffic generation that currently exists with the Music and Cultural Centre".

While 100 three bedroom apartments is not considered to be the final number of apartments, it is expected that this may generate 200 vehicle trips per day and up to 40 evening peak hour vehicle trips. The 100 three-bedroom apartment outcome may not be the figure achieved, but represents a reference point for possible traffic impacts.

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However, it is recommended that an independent traffic assessment be undertaken following Gateway approval, but prior to the formal exhibition commencing, taking into account the traffic impacts of proposals and developments in the precinct generally.

#### Reclassification Process

All of one lot and part of the remaining 2 lots are to be reclassified from “community” to “operational” land with reserve status removed (“interests changed”), enabling the units to be leased or sold.

In these circumstances relating to Council-owned land, Council is not permitted to use delegated authority to make the LEP amendment, under the NSW Department of Planning & Infrastructure's Guide to Preparing Local Environmental Plans.

A Public Hearing will be held after the formal LEP exhibition is completed, as required under the Local Government Act 1993 and Environmental Planning & Assessment Act 1979 for the reclassification of community land to operational land.

#### **Community Consultation**

##### Statement of Intent

The consultation is designed to inform the community and ascertain the level of public support in regards to the Planning Proposal. Any comments received would be reviewed and evaluated to determine whether or not to proceed with the proposal.

Consultation is proposed to be undertaken in two stages:-

- (i) Formal exhibition after Gateway approval; and
- (ii) Public Hearing for the reclassification of public land.

During the preparation of the Planning Proposal a Public Meeting was held onsite to provide surrounding neighbours with information on the proposal and a section has been included on Council's website outlining the scheme.

##### Method – Formal Exhibition After Gateway Notification

|                               |                                          |                                            |                                                          |
|-------------------------------|------------------------------------------|--------------------------------------------|----------------------------------------------------------|
| <b>Level of Participation</b> | Inform                                   | Inform                                     | Consult                                                  |
| <b>Form of Participation</b>  | Open                                     | Targeted                                   | Open                                                     |
| <b>Target Audience</b>        | Lane Cove Community and community groups | Local residents and community associations | Lane Cove Community                                      |
| <b>Proposed Medium</b>        | Advertisement and eNewsletter            | Notification Letters                       | Public Exhibition, Website Exhibition and Public Hearing |
| <b>Indicative Timing:</b>     | 6 weeks plus Public Hearing              | 6 weeks plus Public Hearing                | 6 weeks plus Public Hearing                              |

#### **Conclusion**

The Planning Proposal to rezone part of 266 Longueville Road from the current open space zoning to permit residential development, and to reclassify that land from community to operational, supports the Major Projects Plan 2007-2016. It is recommended for endorsement by Council, as it



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aims to provide seniors' living for the growing population under the Metropolitan Strategy, and the proceeds of leases or sale of units and developer contributions be used to provide further public benefit for Lane Cove, including the development of a Recreation Facility in the locality.

It is recommended that a site-specific DCP be prepared for 266 Longueville Rd, while the LEP is on formal exhibition, to provide detailed planning controls for the development's relationship with residential properties and the public domain, including open space, in the vicinity. This would follow clarification of the appropriate bonus floor space to be permitted, according to the proportion of seniors' living units allowable on the site, after RFS and other matters have been clarified.

It is also recommended that an independent traffic assessment be undertaken following Gateway approval, but prior to the formal exhibition commencing, taking into account the traffic impacts of the site and proposals and developments in the precinct generally.

## RECOMMENDATION

That:

1. Council adopt the Planning Proposal for submission to the Department of Planning and Infrastructure for Gateway approval to rezone the portion of 266 Longueville Rd west of the E2 Environmental Conservation Zone to R4 High Density Residential, with an FSR of 1.1:1 and a height of RL 65.5.
2. Council commence the process to reclassify the portion of 266 Longueville Rd west of the E2 Environmental Conservation Zone from Community to Operational, with interests changed and reserve status removed, under the Local Government Act 1993 and Environmental Planning & Assessment Act 1979.
3. Site-specific planning controls be prepared for 266 Longueville Rd for incorporation within the Lane Cove Development Control Plan when the LEP amendment comes into effect.
4. An independent traffic assessment be undertaken following Gateway approval, but prior to the formal exhibition commencing, taking into account the traffic impacts of the site and proposals and developments in the precinct generally.

Michael Mason  
**Executive Manager**  
**Environmental Services Division**

## ATTACHMENTS:

|                                   |                                                                                           |           |                         |
|-----------------------------------|-------------------------------------------------------------------------------------------|-----------|-------------------------|
| <b>AT-1</b> <a href="#">View</a>  | Summary of Don Fox Planning Proposal                                                      | 4 Pages   | <i>Available Online</i> |
| <b>AT-2</b> <a href="#">View</a>  | Planning Proposal - Don Fox Planning                                                      | 46 Pages  | <i>Available Online</i> |
| <b>AT-3</b> <a href="#">View</a>  | Appendix A Part 1 – Site Survey West                                                      | 1 Page    | <i>Available Online</i> |
| <b>AT-4</b> <a href="#">View</a>  | Appendix A Part 2 – Site Survey East                                                      | 1 Page    | <i>Available Online</i> |
| <b>AT-5</b> <a href="#">View</a>  | Appendix B – Ecological Impact Assessment                                                 | 49 Pages  | <i>Available Online</i> |
| <b>AT-6</b> <a href="#">View</a>  | Appendix C – Geotech and Environmental Investigation Report                               | 241 Pages | <i>Available Online</i> |
| <b>AT-7</b> <a href="#">View</a>  | Appendix D – Bushfire Review Report                                                       | 23 Pages  | <i>Available Online</i> |
| <b>AT-8</b> <a href="#">View</a>  | Appendix E – Economic Feasibility Report                                                  | 59 Pages  | <i>Available Online</i> |
| <b>AT-9</b> <a href="#">View</a>  | Appendix F – Land Reclassification Report - Final                                         | 44 Pages  | <i>Available Online</i> |
| <b>AT-10</b> <a href="#">View</a> | Appendix G – SMEC Testing Services – Soil Classification Report                           | 134 Pages | <i>Available Online</i> |
| <b>AT-11</b> <a href="#">View</a> | Appendix H – Traffic Assessment Statement                                                 | 20 Pages  | <i>Available Online</i> |
| <b>AT-12</b> <a href="#">View</a> | Planning Proposal Covering Letter from Open Space & Urban Services Division 27 March 2013 | 2 Pages   |                         |
| <b>AT-13</b> <a href="#">View</a> | Major Projects Plan 2007-2016 excerpt                                                     | 5 Pages   |                         |