

SNPP REPORT - ADDENDUM

26 Crabbes Avenue & 243, 247 - 255 Penshurst Street NORTH WILLOUGHBY NSW 2068.

SNPP NO: PPSSNH-26

COUNCIL: WILLOUGHBY CITY COUNCIL

ADDRESS: 26 CRABBES AVENUE & 243, 247 - 255 PENS Hurst STREET NORTH WILLOUGHBY NSW 2068.

DA NO: DA-2019/247

PROPOSAL: DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A NEW REGISTERED CLUB, SENIORS LIVING CONTAINING SELF CONTAINED DWELLINGS, A RESIDENTIAL AGED CARE FACILITY, NEW SHOP TOP HOUSING, BASEMENT CARPARKING AND ANCILLARY USES INCLUDING A NEW PUBLICLY ACCESSIBLE PARK.

RECOMMENDATION: APPROVAL

ATTACHMENTS: 1. UPDATED SITE COMPATIBILITY CERTIFICATE (SCC)

RESPONSIBLE OFFICER: IAN ARNOTT (PLANNING MANAGER)

AUTHOR: CHRISTOPHER NGUYEN - DEVELOPMENT ASSESSMENT OFFICER

DATE: 22-OCT-2020

1. ADDENDUM TO ASSESSMENT REPORT

This report is an addendum to the original Assessment Report submitted to the Department of Planning, Industry and Environment (DPIE) on 19 October 2020 for the determination of development application DA-2019/247. The addendum seeks to address the updated Site Compatibility Certificate issued by DPIE on 23 September 2020.

The original Assessment Report submitted to DPIE addresses the original set of conditions within the original SCC. This addendum seeks to address the revised set of conditions provided within the updated SCC.

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ATTACHMENT 1: UPDATED SITE COMPATIBILITY CERTIFICATE (SCC)

1.0 Requirements under the Site Compatibility Certificate

The original SCC was issued by DPIE on 30 August 2018. The Assessment Report submitted to DPIE on 19 October 2020 addresses the original set of conditions within the original SCC.

As the original SCC expired on 30 August 2020, the applicant submitted an application to DPIE for a new SCC. A new SCC was issued by the DPIE on 23 September 2020. This addendum addresses the new set of requirements stipulated within the new SCC.

1.1 Site Compatibility Certificate Conditions

Note: the SCC was issued for the allotments within 26 Crabbes Avenue and 243 Penshurst Street (Lots 4 to 11 Section C DP 6291; Lot B DP 364487; Lots A and B DP 438684; Lot 1 DP 950651; and Lots 1 and 2 DP 950652) in accordance with the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

The requirements within Schedule 2 do not apply to the proposed development within the allotments of 247-255 Penshurst Street (zoned R3 Medium Density Residential).

Condition 1

This condition requires the Seniors Housing development to be limited to the land as indicated within the SCC application. Seniors Living development is only proposed within the allotments zoned RE2 and R2 where the land is currently used for the purposes of an existing registered Club. Therefore the development complies with this condition.

Condition 2(a) - Floor Space Ratio

The maximum floor space ratio (FSR) for the entire site (being the allotments within 26 Crabbes Avenue and 243 Penshurst Street) is 1.35:1. Below is a table which provides the proposed FSR and Gross Floor Area (GFA):

	Lots zoned RE2	Lot zoned R2	Total
Total Land Size	13231 sqm	558 sqm	13789 sqm
Permissible Gross Floor Area (GFA)	17861.85 sqm	753.3 sqmm	18615.15 sqm
Proposed Gross Floor Area (GFA)	15744.89 sqm	664.02 sqm	16408.91 sqm
Permissible Floor Space Ratio (FSR)	1.35:1	1.35:1	1.35:1
Proposed Floor Space Ratio (FSR)	1.19:1	1.19:1	1.19:1

Table 1: Proposed FSR for allotments within RE2 and R2 zones (Seniors Living, RACF, Club)

Table 1 indicates the proposed FSR and GFA comply with the maximum requirement of 1.35:1 for the entire site. Council conducted its own calculation of the proposed gross floor area and finds the measurements of GFA and FSR to be accurate.

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Condition 2(b) - Transition of building levels

Condition 2(b) states the following requirement:

A transition of building heights from five storeys at the centre of the site, graduating down to three storeys at the northern boundary and two storeys at the eastern and southern boundaries.

The development application proposes the following building heights for each relevant building:

Proposed Building	Location	Proposed Storeys	Maximum Storeys stated in Condition 2(b)	Compliance
Building A	Centre of site	5 storeys with a part 6 storey element	5	No
Building B	Northern End	4 storeys	3	No
Building C	Eastern End	3 storeys	2	No
Residential Aged Care Facility	Southern End	3 storeys	2	No

Table 2: The proposed number of storeys for each building

As can be seen from Table 2, the proposed development does not comply with the number of allowed storeys for each building. Although the proposal does not comply with the maximum number of storeys permitted for the centre and northern end of the site, Council has conducted an assessment of each building and concludes the proposed number of storeys to be acceptable.

Building A – Non-compliance with Maximum Storeys

Building A proposes five (5) storeys with a part six (6) storey towards the eastern end of the building. The communal open garden is on the eastern end of the building, above the fifth storey. The non-compliance occurs due to the fall of the existing ground level of the site. As the fifth storey extends to the east, the building contains a six (6) storey element.

The proposed six (6) storey element and communal garden is not considered to have an adverse or unreasonable impact on the amenity of surrounding residents or the locality. The sixth storey is set back 33m from the eastern boundary and 34m from the southern boundary. Therefore the sixth storey element is not considered to have a large visual bulk and scale impact when viewed from dwellings within Summerville Crescent and Horsley Avenue.

Building A was found to not have an adverse impact on solar access due to the orientation of the site. When considering the setback distance provided by Building A from each relevant boundary, there is significant distance in order for visual and acoustic privacy to be maintained.

When considering the above outcomes, the non-compliance is found to be acceptable and is supported.

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Building B – Non-compliance with Maximum Storeys

Building B proposes four (4) storeys of Seniors Living Housing. The fourth storey does not extend the entire length of the building as there is an open communal garden to the eastern end of the building.

The fourth storey is set back within the third storey of Building B with a setback distance of 13.39m from the northern boundary (along Crabbes Avenue) to the façade of the fourth storey. The setback distance is considerable and effective in minimising the visual impact when viewed from Crabbes Avenue.

Crabbes Avenue transitions from one to two storeys dwellings, increasing in height to three and four storey medium density development along Penshurst Street. When considering the location of the site at the corner of Crabbes Avenue and Penshurst Street, Building B is considered to be in an appropriate location to represent this transition from two storey development to three and four storey development along Penshurst Street.

The SCC concludes the site is compatible for more intensive development with the allowance of five storeys at the centre of the site. When considering the permitted built form provided by the SCC, the provision for a five storey building at the centre of the site, the existing four storey structures along Penshurst Street, Building B and its fourth storey component are considered compatible with the surrounding locality in the immediate vicinity.

Building C – Non-compliance with Maximum Storeys

Building C proposes three (3) storeys of Seniors Living Housing and does not comply with the maximum two (2) storeys. Although the building does not comply, the third storey provides a setback distance of 7.4m to the boundary adjoining the properties within Summerville Crescent.

The setback distance provided by the third level is considered sufficient in maintaining privacy and to not appear visually excessive when viewed from surrounding properties. There are no balconies on the third level which face towards the neighbouring properties. The third storey does not result in an adverse impact on solar access for surrounding properties.

The proposed three (3) storeys is found to be compatible with the overall height of the development indicated within the revised SCC, and the three (3) and four (4) storey buildings within Penshurst Street.

When considering the above outcomes, the non-compliance is found to be acceptable and is supported.

Note: Council considers Building C to meet condition 1(b) of the original issued SCC.

Residential Aged Care Facility – Non-compliance with Maximum Storeys

The RACF proposes three (3) storeys and does not comply with the maximum two (2) storeys. Although the building does not comply, the third storey provides a setback distance of 10.7m to the boundary adjoining the properties within Horsley.

The setback distance provided by the third level is considered sufficient in maintaining privacy and to not appear visually excessive when viewed from surrounding properties. There are no balconies on the third level which face towards the neighbouring properties.

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The third storey does not result in an adverse impact on solar access for surrounding properties. When considering the above outcomes, the non-compliance is found to be acceptable and is supported.

The proposed three (3) storeys is found to be compatible with the overall height of the development indicated within the revised SCC, and the three (3) and four (4) storey buildings within Penshurst Street.

When considering the above outcomes, the non-compliance is found to be acceptable and is supported.

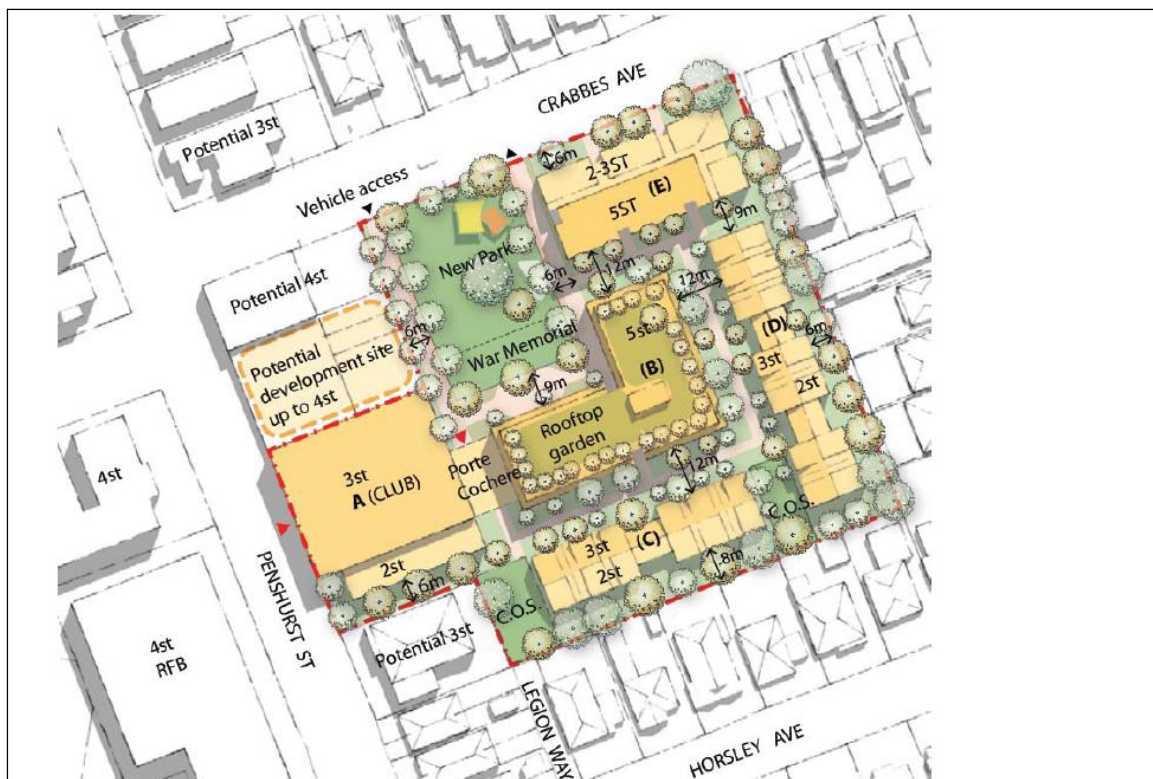
Note: Council considers Building C to meet condition 1(b) of the original issued SCC.

Condition 2(c) – Building height to be measured in relation to the RL of the building

The section drawings provided by the applicant (DA 4.01, DA 4.02, DA 4.03, and DA 4.04, produced by Hyecorp) indicates the vertical distance from the Australian Height Datum to the highest point of the building. The architectural drawings were found to provide relevant RL levels for each floor and roof for each building. The applicant has provided adequate information to address this condition and it is considered adequate.

Condition 2(d) – Setbacks

The proposed development is required to comply with the setbacks as indicated in Figure 14 of the Site Compatibility Certificate (SCC) application. Figure 14 is provided below for reference:



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The proposed development meets all setback requirements as indicated within Figure 14 above. The proposed setback distances of the entire development can be viewed within architectural drawings prepared by Hyecorp Property Group.

Condition 2(e) – Publicly accessible open space as indicated in figure 14 of the site compatibility certificate application.

The proposed development provides a park and an assessment can be found in the original Assessment Report in **Attachment 13**. The location and the amount of open space provided within the park is comparable to that of Figure 14 provided within the SCC application.

The design of the park was found to provide a high level of amenity for the development site and future users. The park is indicated to be publicly accessible by the applicant. Council has imposed conditions for the park to be publicly accessible at all times.

Condition 3 – Retention of canopy trees is to be maximised and tree removal is subject to assessment and approval by the consent authority as part of the development application process.

The development application provides an Arborist Report, prepared by Glenyss Laws, dated 28 June 2019 (Revision A). The report adequately identifies the existing trees on the site (as well as those outside of the site in close proximity), and adequately indicates which trees are proposed to be removed and protected.

The development application provides comprehensive landscape plans and a landscaping report (prepared by Hyecorp) which sufficiently addresses the proposed location of trees and vegetation, the design of the publicly accessible park, communal open spaces and how the landscaping impacts the surrounding locality.

An assessment of the proposed public park and landscaping of the site can be found in **Attachment 13** of the original Assessment Report. The proposed landscaping of the park, private open spaces and communal open spaces are found to be acceptable.

Condition 4 – Satisfaction of the requirement relating to on-site support services under clause 45 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The Plan of Management for the Residential Aged Care Facility (RACF) indicates that the facility shall provide on-site support services as defined under clause 45 of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. There is a condition of consent imposed for the Plan of Management for the RACF to be adhered to in perpetuity. The proposed development is considered to fulfil this condition.