



Lane Cove Council

48 Longueville Road, Lane Cove NSW 2066

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Date: 17 March 2017
Doc Ref: 15162/17
Your Ref: 17/03623

Mr. Martin Cooper
A/Director, Sydney Region East, Planning Services
Dept of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr. Cooper,

Re: Request for Response to Rezoning Review – PGR_2017_LANEC_001_00

I refer to your request for Council's response to a Rezoning Review dated 1 March 2017 submitted for consideration by the Sydney North Planning Panel (Planning Panel).

The Planning Proposal is for the site 274 & 274A Longueville Road and 4-18 Northwood Road, Lane Cove, to amend the current permissible uses in the B1 zone in order to permit a 130-bed residential care facility above age-related retail uses on the site. This Proposal was reviewed by staff and reported to Council for determination. At its 20 February 2017 Meeting, Council resolved not to support the planning proposal (see **AT-1** – Council Report & **AT-2** – Council Resolution).

Council confirms that Planning Proposal 29 (PP 29) submitted for a Rezoning Review is the same proposal considered by Council.

Council's view

Planning Proposal 29 was not supported on the following grounds:

- The proposed Northwood Road street frontage is four storeys. Viewed from behind it appears as six storeys.

The proposed bulk and scale is out of proportion with the surrounding 1-2-storey context of the area. It is also inconsistent with the existing planning controls for the B1 Neighbourhood Centre zone which envisage a maximum of 3 storeys, fronting Northwood Road.

- The Lane Cove Village CBD, zoned B2 Local Centre, has a height restriction of 9.5m and FSR of 2:1.

The proposed height and FSR controls challenge the primacy of the Village CBD, sending mixed messages to other uses in this and other B1 Neighbourhood Centres.

- Council's Development Control Plan (*Part D – Localities*, pages 27-28) identifies this northern side of Northwood Road as suitable for retail uses "to activate the street edge". Above ground-floor residential uses are identified as more suitable for Kenneth Street.
- The proposal does not make a sufficient case for the land use change to allow a residential care facility in this B1 Neighbourhood Centre location. The



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proponent argued that Lane Cove's aging population is likely to "increase demand for aged care services significantly". However, the conclusion that the subject site is therefore "an appropriate location, in addition to support facilities and convenience retail opportunities" is not made, other than by reference to "access to bushland" (Planning Proposal 8.3.3).

- As confirmed in the Proponent's community consultation, traffic concerns are considered highly important by the local community. Council's traffic review concluded that the traffic analysis provided is likely to underestimate the impact on the state and local roads, in particular, traffic impacts to the Northwood residential precinct remain poorly understood. As such, the following concerns remain:
 - a. Existing trip generation surveys should be made at existing driveways, not intersections;
 - b. The subject two intersections should be analysed together in coordination, not separately;
 - c. Analysis should occur on Saturdays as the highest trip generation time (say 11am), not mid-week;
 - d. Inbound and outbound trip assignment diagram (Traffic report - figure 8 on page 42.) should be more detailed to show routes;
 - e. The traffic report fails to demonstrate how illegal right turning vehicular entry from Northwood Road (from east) would be enforced;
 - f. As stated in the RMS letter (dated 7 September 2012), the design and geometry of the intersection should be provided and a road safety audit be undertaken for Council & RMS consideration. This position could well have changed in four years, while the conditions for that support, which were based on the previous Planning Proposal, have not been addressed; and
 - g. The potential traffic increase in local roads such as Arabella or Woodford Street should be undertaken, to demonstrate that the estimated traffic increase in local roads would not exceed the RMS maximum environmental capacity for local roads.
- Council has amenity and safety reservations about the location of a residential care facility on such a busy intersection. This is a noisy, heavily-used state road. The Urban Design Report (pg 10) states:

The major arterial road (River/Northwood Road) ... is also a noise generator...
- The report advised that the development would have the effect of isolating No.272 Northwood Road and prevent it from achieving Council's minimum site area (1,500 sqm) for residential flat developments in an R4 zone. At present, it is a small scale residential flat building with a site area of approximately 1,100 sqm and only 4 units. Bearing such in mind, Council would concede that the site isolation issue is no longer considered a relevant ground for refusal.



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- The site is adjacent to SEPP19 bushland. The draft plans submitted would need to be modified to comply with DCP Part H for land adjacent to bushland.

Additional matters

In addition to the items discussed in the attached Council report, Council wishes to raise the following points:

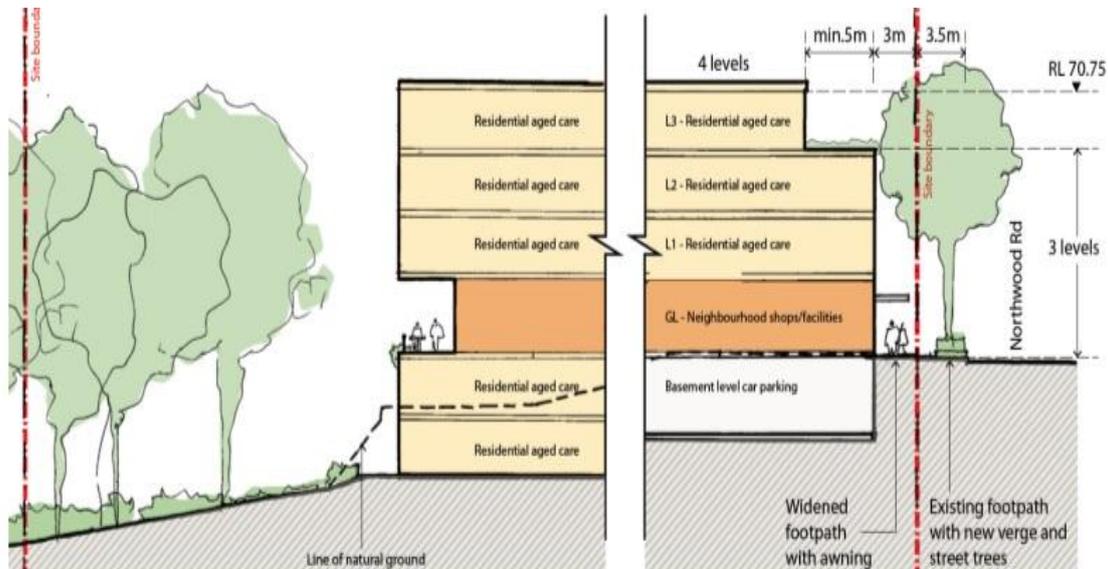
- The proposal is not supported by any economic analysis; therefore the merits of the proposed FSR and height controls have not been made.

In contrast, the planning proposal for Council's site (known as 266 Longueville Road) contained independent economic feasibility advice for Seniors Living development. It demonstrated that an FSR of 1:1 (at a minimum) would be needed to make Seniors Living development viable.

It should also be known that this analysis was undertaken based on the Seniors Living development building footprint of 4,250 m² – similar to the proponent's designs.

- A comparison of this proposal (PP29) and the previously refused proposal (PP14) shows that the bulk and scale is similar:

Current Proposal (cross section)





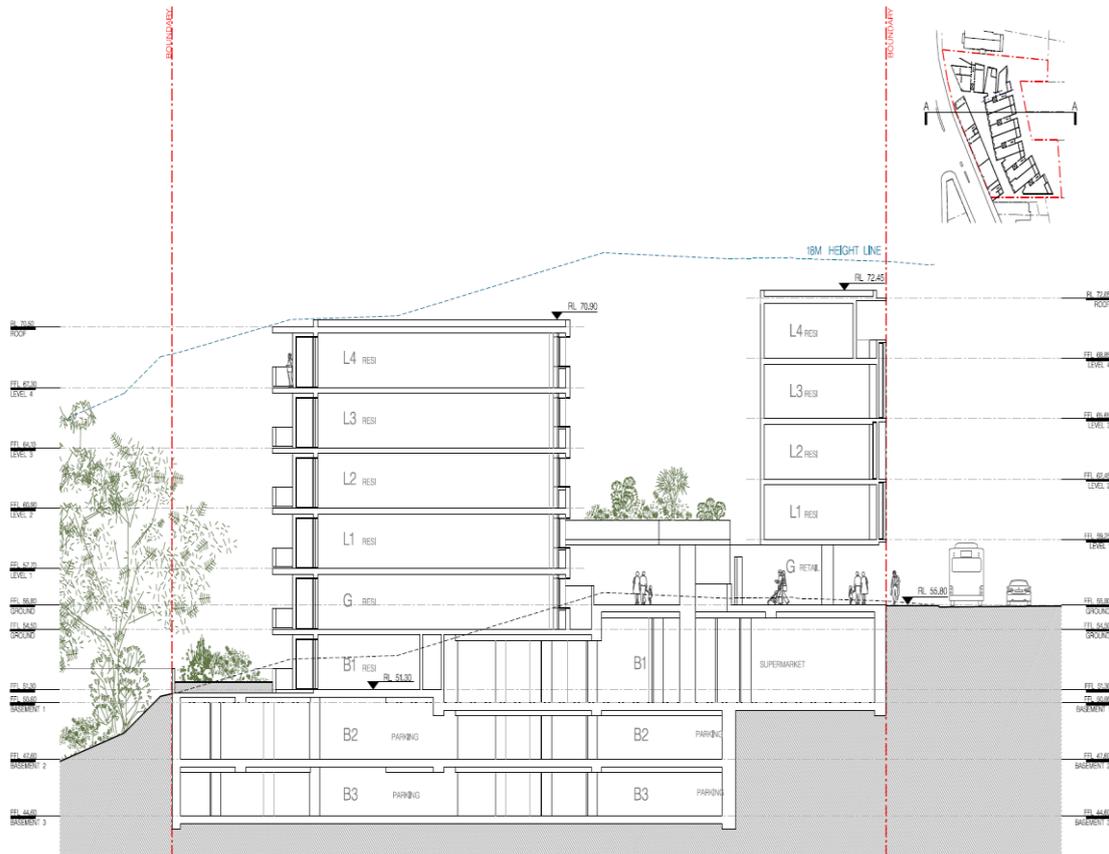
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Previous Proposal (cross-section)



Comparison

	PP14 – Northwood Centre	PP29 – Northwood Shops
Re-zoning	Rezone all to B1 Neighbourhood Centre	No change (additional use only)
Proposed use	Shop-top housing. 85-105 units;	Residential care facility (130 beds) – to trigger the Seniors Housing SEPP
Height	18m (varying from RL70.9, at rear, to RL72.45, at front)	14m – 22m front-to-rear (RL70.25)
FSR	2.25:1	1.98:1
Site Area	5,013sqm	

The proposed scale has been reduced from the previous Planning Proposal, it has only been a slight height reduction of 2.2 metres. While this would result in the potential loss of one storey fronting Northwood Road, it would allow for the same built form at the rear of the site.



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Conclusion

For the reasons of merit listed above, Council does not support the proposal in its current form. The applicant was advised of Council's decision on 24 February 2017, via letter (**AT-3**).

It should be noted that the proposal was not assessed against the draft North District Plan given the draft status. However, Council is of the view that PP 29 is not of regional or district significance and is considered of only local significance where the local context is to be determined by Council.

This Neighbourhood Centre zone is one of seven in Council's Local Environmental Plan. Council is of the view that any planning proposal that changes FSR and/or building height controls may embolden claims for similar zones and raise expectations for similar proposals.

Council's resolution is clear in its concern and reasons why it does not support Planning Proposal 29.

Subsequent to the consideration and determination of PP 29, Council staff met with the proponent and his consultant to advise why it could not support the planning proposal in its current form. I also took the opportunity to advise that Council would consider a more modest proposal that was measured and sought to resolve the streetscape and traffic issues.

If you wish to discuss this matter, please feel free to contact Michael Mason, Executive Manager – Environmental Services.

Yours sincerely,

Craig Wrightson,
General Manager

Attachments:

- AT-1**– Report Northwood Shops Planning Proposal 29
- AT-2**– Minute Northwood Shops Planning Proposal 29
- AT-3**– Letter to applicant advising outcome of Council meeting