



**Planning,
Industry &
Environment**

266 Longueville Road, Lane Cove Site Compatibility Certificate Report

Report to the Sydney North Planning Panel for a site capability certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

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Subject Site

The site is located at 266 Longueville Road, Lane Cove (**Figures 1, 2 and 3**) and comprises three parcels of land described as Lot 1 in DP 321353 and Lots 1 and 2 in DP 1227921 (**Figure 4**) and at **Attachment D**.

The site is irregular in shape and has a total area of 9,204m².

The site has frontage of approximately 103m to Longueville Road, a northern boundary of 147m, an eastern (rear) boundary of 81m and a southern boundary of 83m.

The site slopes significantly from 57.83m AHD at the north eastern corner to 40.00m AHD at the rear boundary, resulting in a fall of 17.83m with an average gradient of 12.1%.

The site currently contains two disused bowling greens, a carpark at the north eastern corner and a two-storey brick and weatherboard building at the south western corner.

One to two-storey low density residential dwellings adjoin the site directly to the north, while an existing five-storey residential flat building known as 'Timbertops' adjoins the site to the south.

Photos of the subject site are provided at **Figures 5 to 10**.

To the east of the site is a public reserve (**Figures 1 and 4**) which contains dense vegetation and includes a portion of the Lane Cove Golf Course.



Figure 1: Aerial photo of site (source: SixMaps).

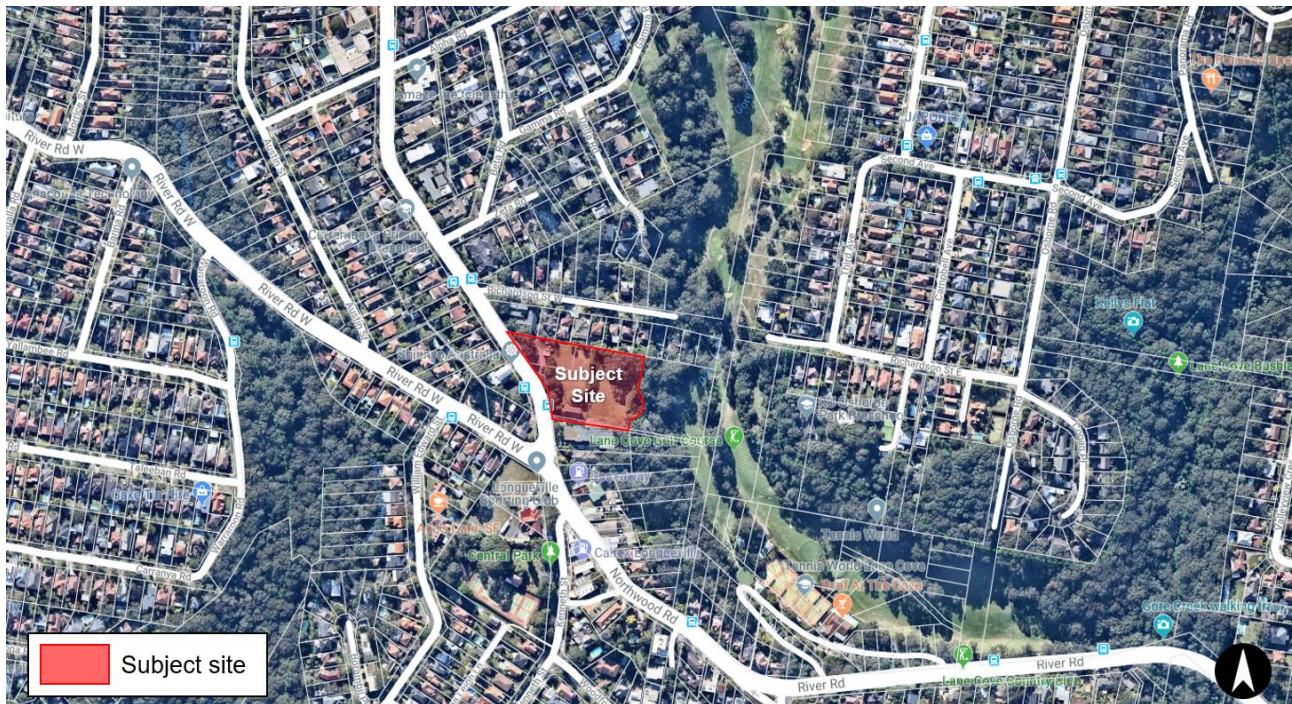


Figure 2: Site context map (source: Nearmap).

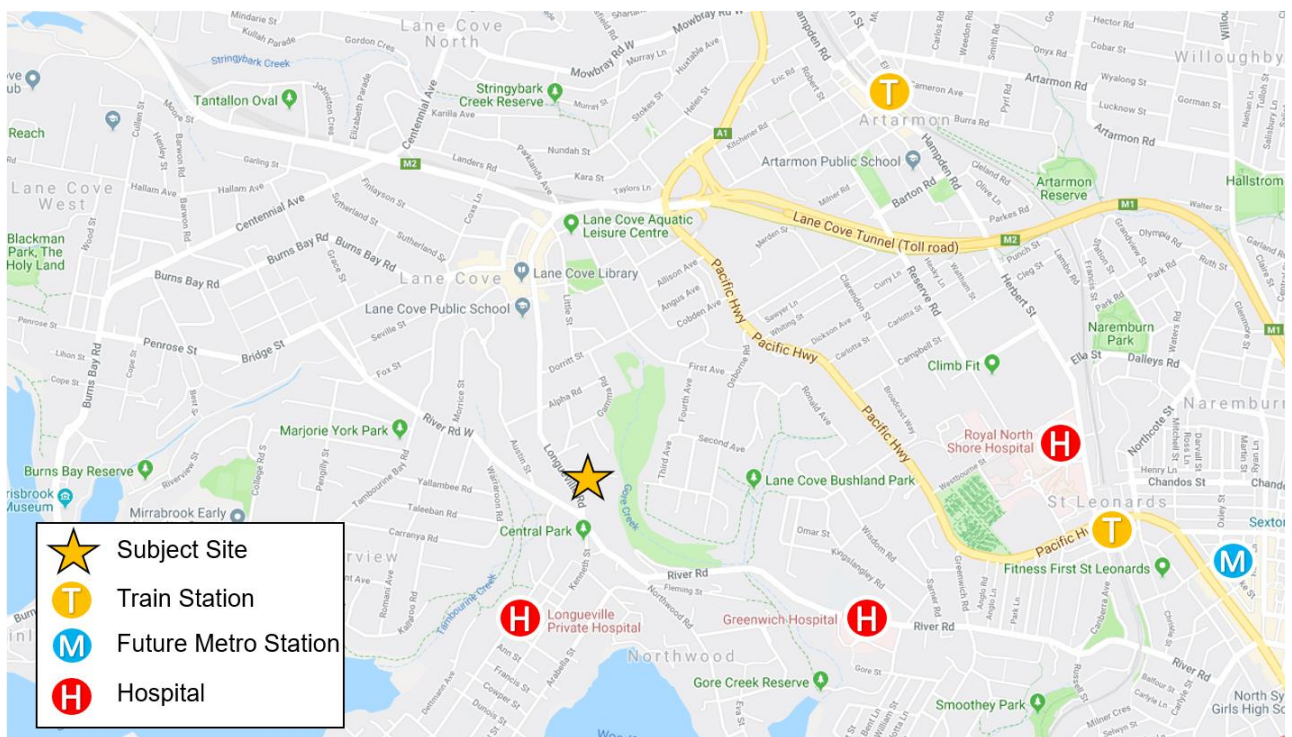


Figure 3: Locality context map (source: Google Maps).

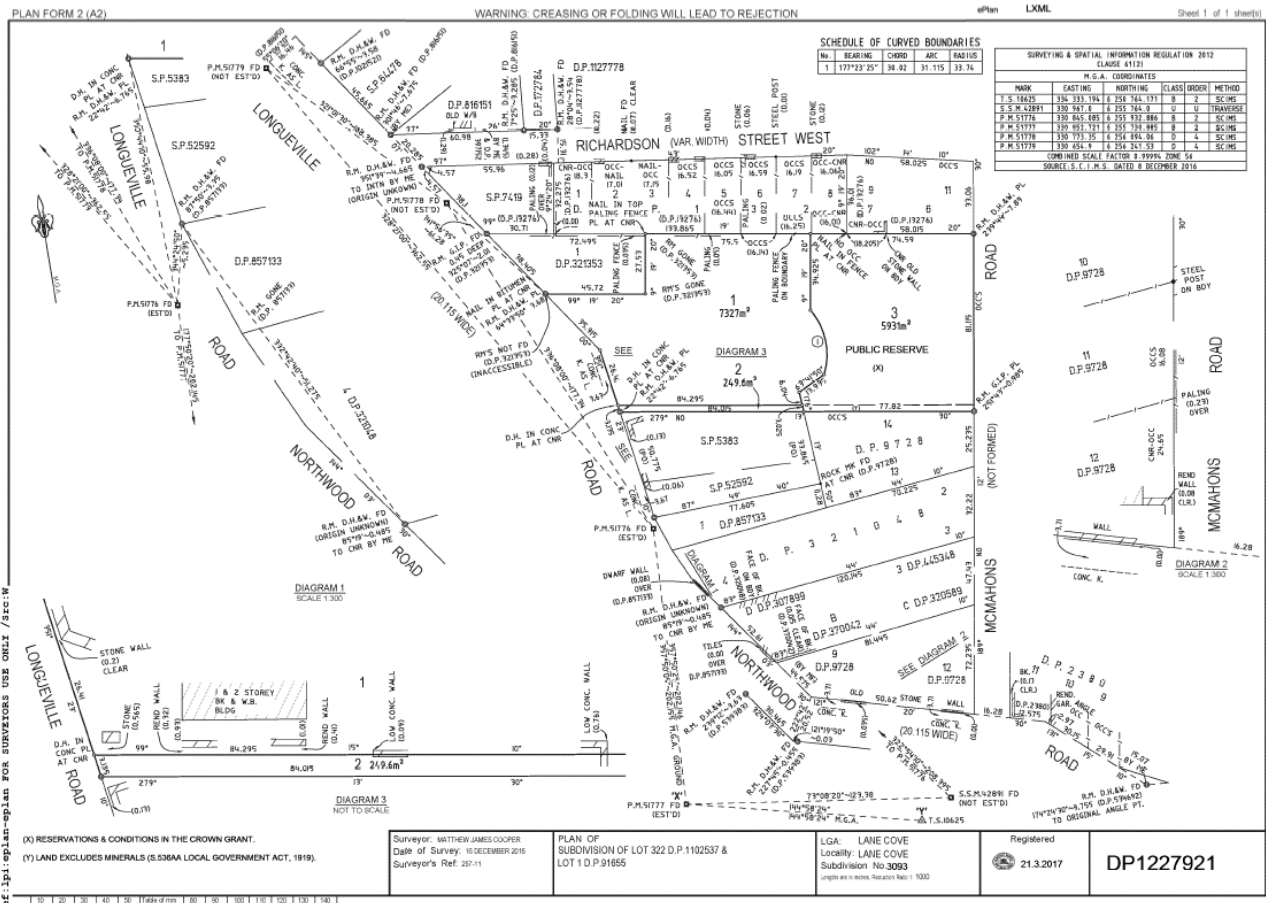


Figure 4: Site survey (source: Land and Property Information NSW).



Figure 5: Subject site viewed from Longueville Road (source: Google Maps).



Figure 6: Subject site viewed from lower bowling green looking west with existing Music and Cultural Centre (pictured centrally) (source: Google Maps).



Figure 7: Subject site viewed from upper bowling green looking south (source: GSA Planning)



Figure 8: Trees located on the northern portion of the subject site looking east (source: GSA)



Figure 9: Overgrown scrub to the east of the lower bowling green looking south (source: GSA)



Figure 10: Neighbouring residential flat building 'Timbertops' to the south of the subject site (source: GSA)

Local Government Area

Lane Cove Council.

Land Ownership

Lane Cove Council with 100 year lease pending approval of a future development application.

Applicant

GSA Planning on behalf of Australian Unity.



Figure 12: Northern and western elevation of plans submitted with current SCC (source: Thomson Adsett).



Figure 13: Southern and eastern elevations of plans submitted with current SCC (source: Thomson Adsett).



Figure 14: Indicative east-west section of proposed scheme (source: Thomson Adsett).



Figure 15: Indicative north-south section of proposed scheme (source: Thomson Adsett).

Background

15 April 2013

Lane Cove Council resolved to support a planning proposal (**Attachment H**) for the subject site to enable the rezoning of land from RE1 Public Recreation to R4 High Density Residential and reclassify the land from community to operational land.

23 May 2013

Council requested the Department to issue a Gateway determination for the subject planning proposal (PP_2013_LANEC_003_00).

26 June 2013

The Department issued a Gateway determination for the subject planning proposal.

23 October – 26 November 2013

The planning proposal was publicly exhibited.

3 December 2013

A public hearing was held by an independent commissioner as the planning proposal intended to reclassify land from community to operational.

17 March 2014

Council resolved to support the plan being forwarded to the Department for finalisation.

28 March 2014

Council requested the Department to make the plan.

31 July 2015

The Lane Cove Local Environmental Plan (LEP) 2009 (Amendment No.17) was notified on the NSW Legislation website.

8 May 2017

The Department received an application for an SCC (Department reference: SCC_2017_LANEC_001_00), prepared by GSA on behalf of Australian Unity Limited, for the subject site. The SCC was for a 70-bed residential aged care facility, 93 self-contained dwellings for seniors, support facilities for residents and basement car parking for 148 vehicles.

6 July 2017

An SCC for the subject site was issued (**Attachment F**).

10 August 2017

A development application (Council reference number: DA117/2017) for a residential aged care facility comprising of 70 beds and 90 independent dwellings was submitted to Lane Cove Council.

22 September 2017

The development application was registered with the Sydney North Planning Panel (SNPP) (panel reference number: 2017SNH069) as the consent authority.

11 July 2018

The development application was deferred by the SNPP for additional information (**Attachment G1**). The applicant was given until 24 August 2018 to submit this information.

8 January 2019

The panel extended the timeframe for the submission of additional information until 29 March 2019 (**Attachment G2**).

6 July 2019

The SCC issued for the subject site expired.

Permissibility Statement

The site is located on land zoned primarily for urban purposes under clause 4 of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors Housing SEPP). Under the *Lane Cove Local Environmental Plan 2009* (Lane Cove LEP 2009), the current zoning of the site is R4 High Density Residential (**Figure 16**).

The subject SCC has been lodged under clause 24(1)(b) of the Seniors Housing SEPP to obtain an FSR bonus, offered under clause 45(2) of the SEPP for development for the purposes of a vertical village. Clause 45(2) enables for development to exceed the maximum permitted floor space ratio on that site by a bonus of up to 0.5:1. This can only be achieved under the circumstances that on-site support services will be provided and at least 10% of all dwellings will be affordable places.

A detailed assessment of the proposal against the provisions of the Seniors Housing SEPP would be required under a future development application. Under the previous SCC, a requirement under Schedule 2 was included to ensure that on-site support services and 10% affordable places were provided. While this is still relevant, it is a requirement under

the Seniors Housing SEPP that the consent authority consider whether this matter has been addressed. Therefore, this is considered to be a duplication and is not recommended to be included within the current SCC as a requirement under Schedule 2.

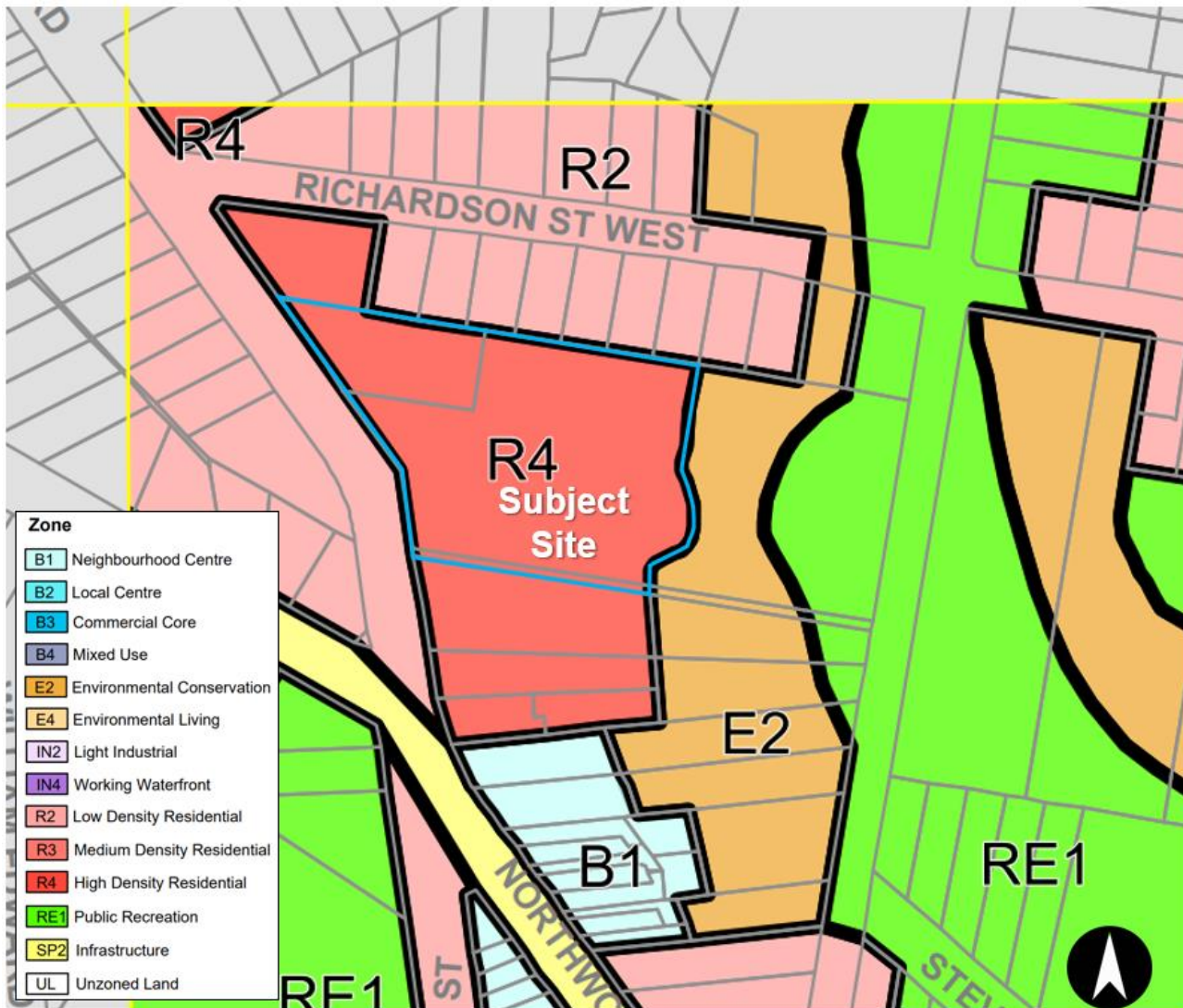


Figure 16: Land Zoning Map (source: Lane Cove LEP 2009 LZN_004).

Current LEP Provisions

Other than being zoned R4 High Density Residential, the site is also subject to the following provisions of the Lane Cove LEP 2009:

- maximum building height of RL 62.8m (**Figure 17**);
- maximum FSR of 1:1 (**Figure 18**); and
- land reclassified as operational land (**Figure 19**).

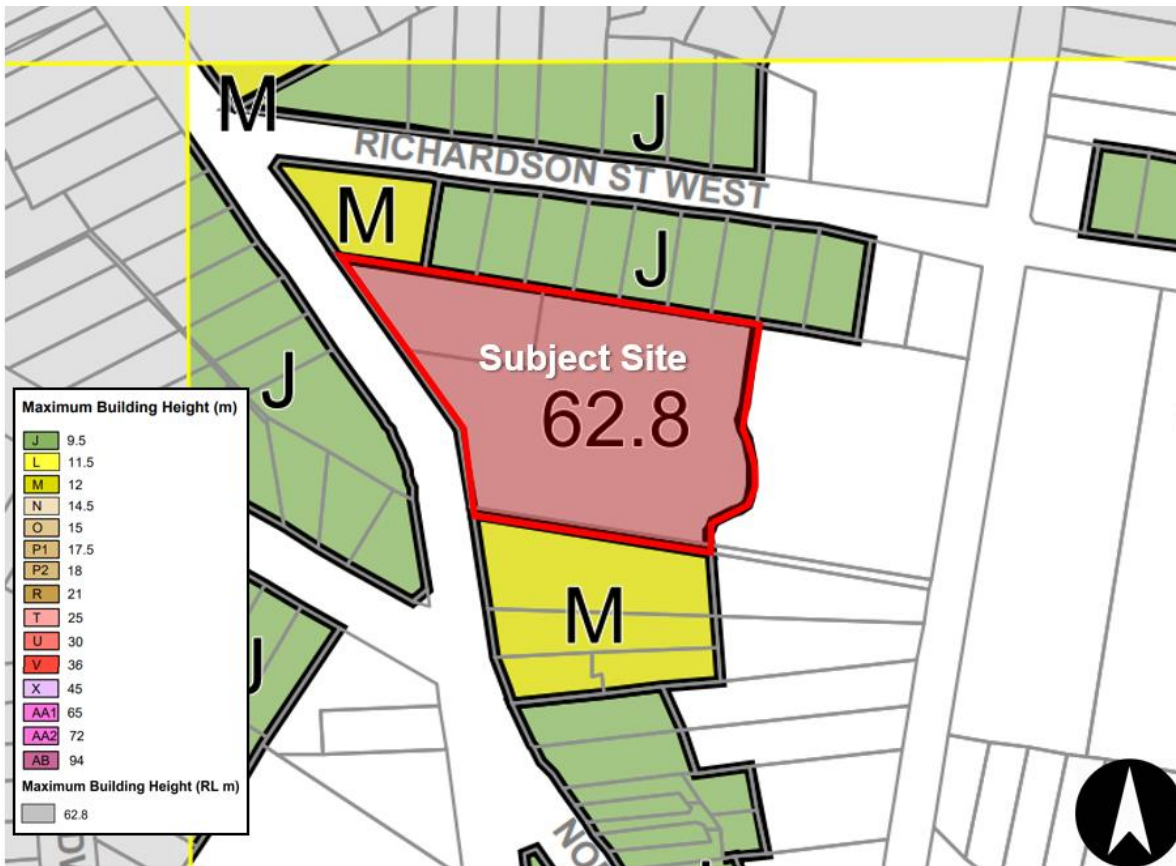


Figure 17: Maximum building height map within Lane Cove LEP 2009 (source: Lane Cove LEP 2009 HOB_004).

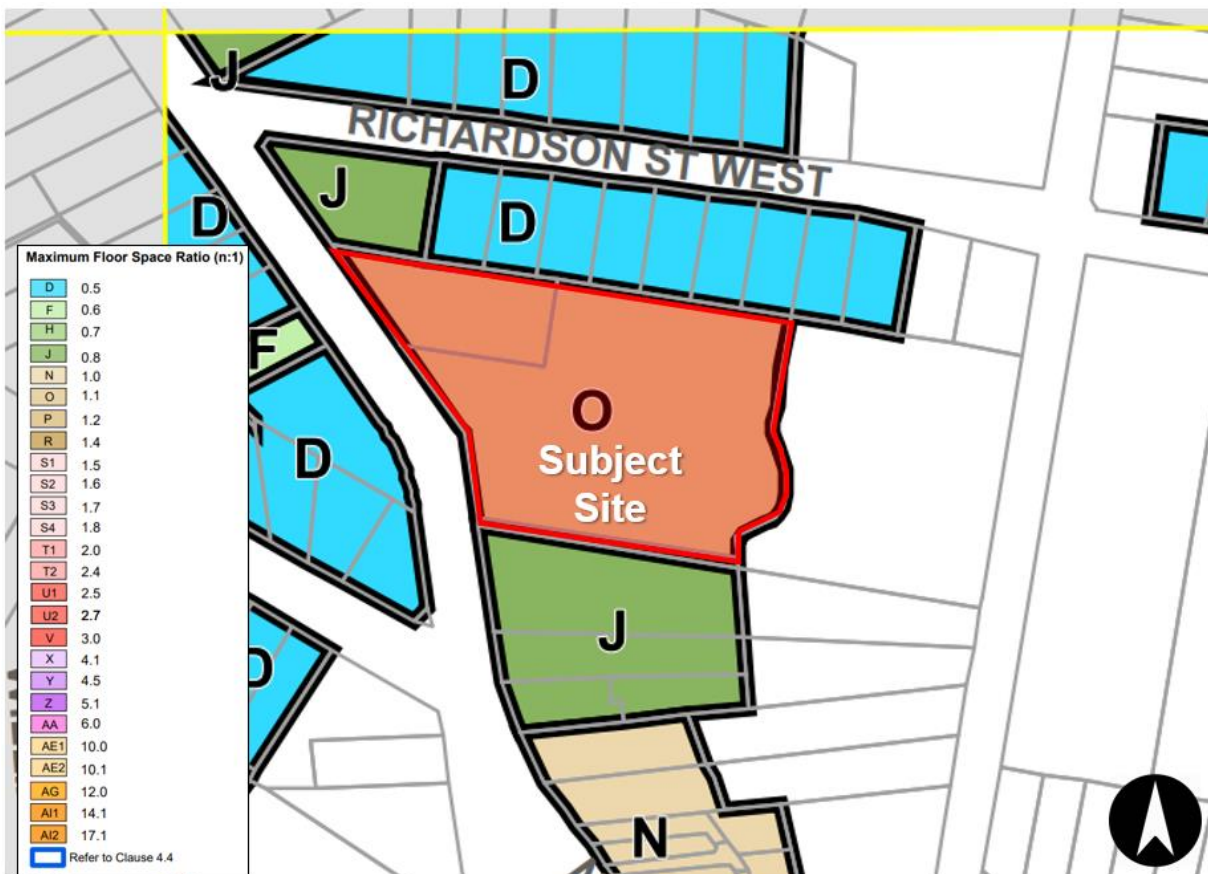


Figure 18: Maximum FSR map within Lane Cove LEP 2009 (source: Lane Cove LEP 2009 HOB_004).

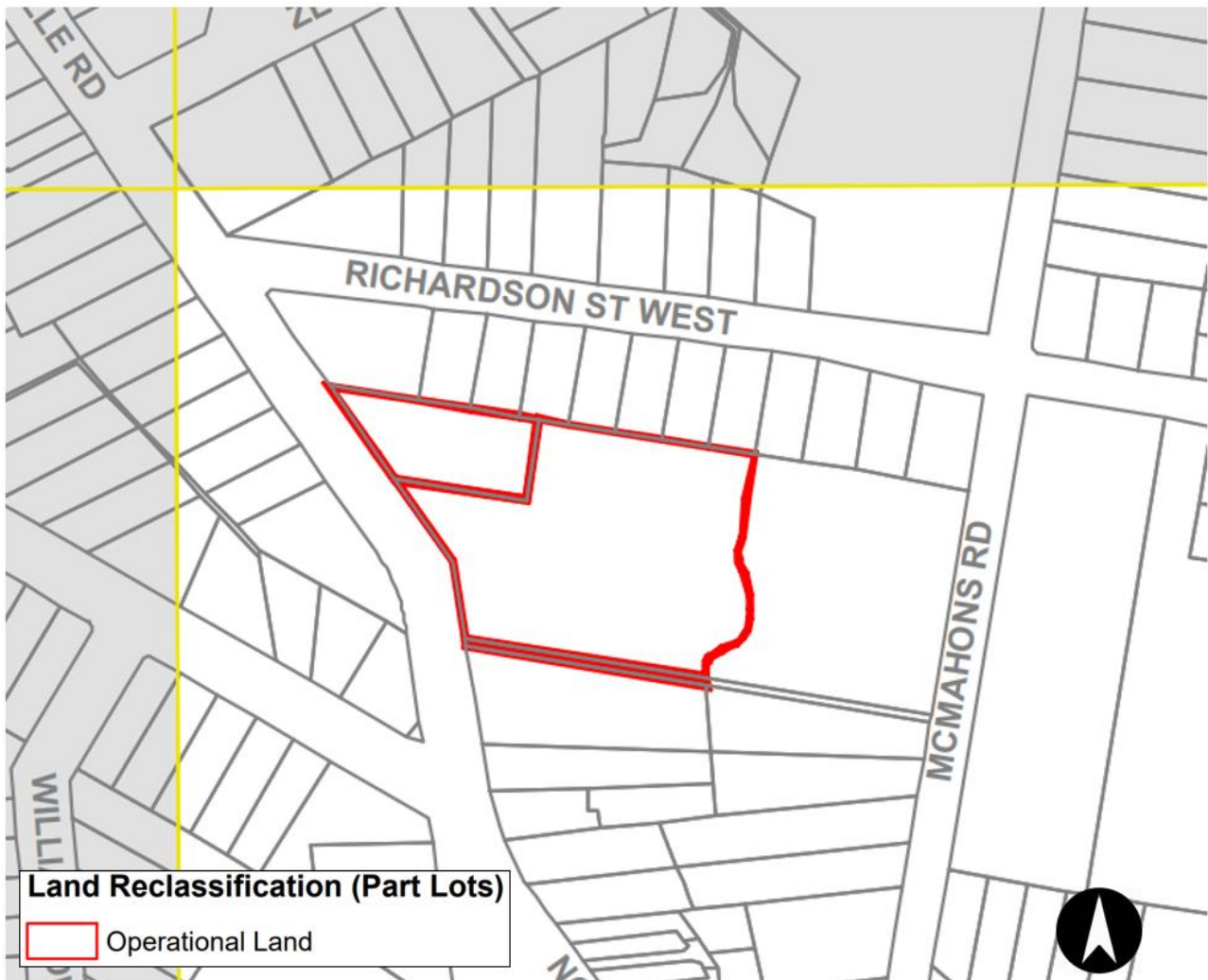


Figure 19: Land reclassification map within Lane Cove LEP 2009 (source: Lane Cove LEP 2009 HOB_004).

Does the Seniors Housing SEPP Apply to the Subject Site?

Subject to other considerations detailed later in this report, the Seniors Housing SEPP applies to land that is:

- zoned 'primarily for urban purposes' or land that 'adjoins land zoned primarily for urban purposes' (clause 4(1)); and
- where development for the purpose of any of the following is permitted on the land:
 - dwelling houses;
 - residential flat buildings;
 - hospitals;
 - development of a kind identified in respect of land zoned as special uses; or
 - the land is being used for the purposes of a registered club.

Is the subject site zoned ‘primarily for urban purposes’ or does it ‘adjoin land zoned primarily for urban purposes’?

Clause 4 of the Seniors Housing SEPP applies to land that is zoned primarily for urban purposes, but only if certain development is permissible on that land. Included in the list of permissible development are residential flat buildings. The site is zoned R4 High Density Residential (**Figure 16**) under the Lane Cove Local Environmental Plan (LEP) 2009 and permits residential flat buildings.

Land zoned primarily for urban purposes for the purposes of this application is considered to be land which is characterised by its intention to provide housing. The land is recognised to be zoned R4 High Density Residential which is the highest order residential zone. The objectives of the R4 zone under the Lane Cove LEP 2009 are:

- To provide for the housing needs of the community within a high density environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a high concentration of housing with good access to transport, services and facilities.
- To ensure that the existing amenity in the neighbourhood is respected.
- To avoid the isolation of sites resulting from site amalgamation.
- To ensure that landscaping is maintained and enhanced as a major element in residential development.

As demonstrated by the zoning objectives the intention of the R4 High Density Residential zone is to provide a range of higher density housing options for the community. The site is therefore considered to be located on land primarily zoned for urban purposes.

Is the land excluded under schedule 1?

Despite the Seniors Housing SEPP applying to the subject site under clause 4(1) of the SEPP, clause 4(6)(a) of the SEPP identifies land where the SEPP does not apply. These include:

- (a) land described in Schedule 1 (Environmentally sensitive land), or
- (b) land (other than land to which *Warringah Local Environmental Plan 2000*) applies that is zoned for industrial purposes, or
- (c) (Repealed)
- (d) the land to which *Sydney Regional Environmental Plan No. 17 – Kurnell Peninsula (1989)* applies, or
- (e) the land to which *State Environmental Planning Policy (Western Sydney Parklands) 2009* applies.

Schedule 1 of the SEPP (Environmentally sensitive land) includes land that is identified in another environmental planning instrument by any of the following descriptions, or by like descriptions, or descriptions that incorporate any of the following words or expressions:

- coastal protection;

- conservation (but not land identified as a heritage conservation area in another environmental planning instrument);
- critical habitat;
- environment protection;
- open space;
- escarpment;
- floodway;
- high flooding hazard;
- natural hazard;
- scenic (but not land that is so identified if:
 - the land is within a residential zone in which development of two storeys or more in height is permitted; or
 - an adjacent residential zone, also identified as scenic, permits development of two storeys or more in height);
- water catchment; and
- natural wetland.

The subject site is not mapped as environmentally sensitive land under an environmental planning instrument by the terms listed in Schedule 1 of the Seniors Housing SEPP.

The land is also not subject to any other environmental planning instrument as listed under Clause 4(6) of the Seniors Housing SEPP.

However, the site is indicated to be mapped as being partially affected by SEPP 19 Bushland in Urban Areas (**Figure 20**) under the Lane Cove DCP 2010. This map serves as a guide only and a DCP is not an environmental planning instrument as defined under the *Environmental Planning and Assessment Act 1979*. Further discussion regarding this is provided under Bushland and ecological management further within this report.

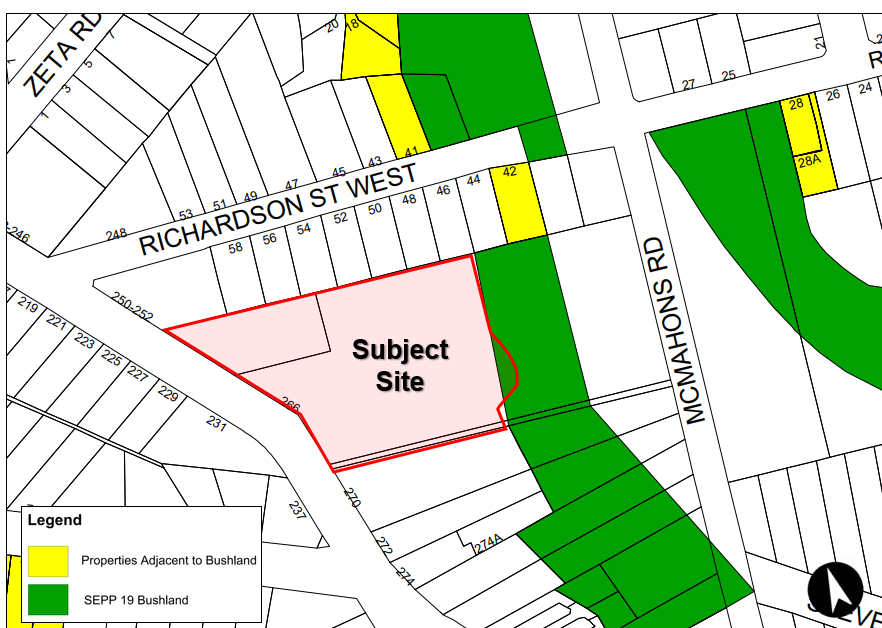


Figure 20: Land adjacent to bushland map (source: Lane Cove DCP 2010).

Previously issued site compatibility certificate on the land

On 6 July 2017, an SCC for residential aged care facility was issued on the subject land (Department reference: SCC_2017_LANEC_001_00). This current certificate does not include any additional land than what was certified under the previous SCC.

Tables 1 and 2 below provide a comparison of the differences in the metrics between in the current SCC as opposed to the SCC issued previously in 2017.

Table 1: Comparison of numeric provisions under previous and current SCC.

	Previous SCC	Current SCC
Maximum Building Height	RL 65.94m (approximately 20.4m above existing ground level)	RL 67.76m (approximately 17.46m above existing ground level)
Maximum FSR	1.58:1	1.572:1

Table 2: Comparison of yield sought under previous and current SCC.

	Previous SCC	Current SCC
Aged Care Beds	70	70
Independent Dwellings		
Studios	9	6
1 Bedroom	3	4
2 Bedroom	55	72
3 Bedroom	26	0
Total	93	82

Proximity of site to which there is a current site compatibility certificate, or an application has been made but not yet determined

There are no current SCCs or pending applications for an SCC for land within 1km of the site.

There are however three separate similar proposals at various stages, which could enable the development of significant seniors housing facilities within proximity to the subject site. A summary of each application has been provided below.

Greenwich Hospital – State Significant Development Application

There is a current application with the Department for a State Significant Development (SSD 8699) for the proposed concept redevelopment of Greenwich Hospital at 97-115 River Road, Greenwich. The hospital is located approximately 975m to the south east of the subject site (**Figure 21**) and both sites are primarily serviced by River Road.

The current hospital contains 58 inpatient hospital beds, facilities for palliative care and 20 beds for acute mental health care in addition to pain clinic health care services.

The proposed concept SSDA for the redevelopment of the hospital is for a 150-bed hospital health care facility and an 89-bed seniors living facility.



Figure 21: Location of Greenwich Hospital in relation to subject site (source: Nearmap).

Northwood Seniors – Planning Proposal

A planning proposal 4-18 Northwood Road and 274-274A Longueville Road, Lane Cove (**Figure 22**) was recently finalised by the Department, approved by the Minister's delegate and the LEP was publicly notified on 20 May 2020. The proposal intends to facilitate the development of a residential aged care facility by changing the planning controls for the site to:

- rezone the site from part B1 Local Centre and R4 High Density Residential to B4 Mixed Use to permit seniors living;
- amend the maximum height of buildings from part 9.5m and 11.5m to 9.5m with incentives to increase the maximum height to RL 66.25m; and
- increase the maximum FSR from part 0.8:1 and 1:1 to 1:1 with incentives to further increase the maximum FSR to 1.85:1.

The concept development submitted with the planning proposal has been designed to fit within an envelope with a maximum height of RL 69.25m to the underside of the ceiling and a maximum FSR of 1.85:1. The concept development indicates that the proposed residential aged care facility could enable the delivery of approximately 126 beds.

The rezoned planning controls introduced a maximum building height of RL 66.25 (as defined within Lane Cove LEP 2009), that would result in an appropriately scaled development being three storeys at Northwood Road and five storeys at the rear. This is consistent with the character of similar higher density development in the local area, while being sympathetic to the surrounding predominately low density residential properties.

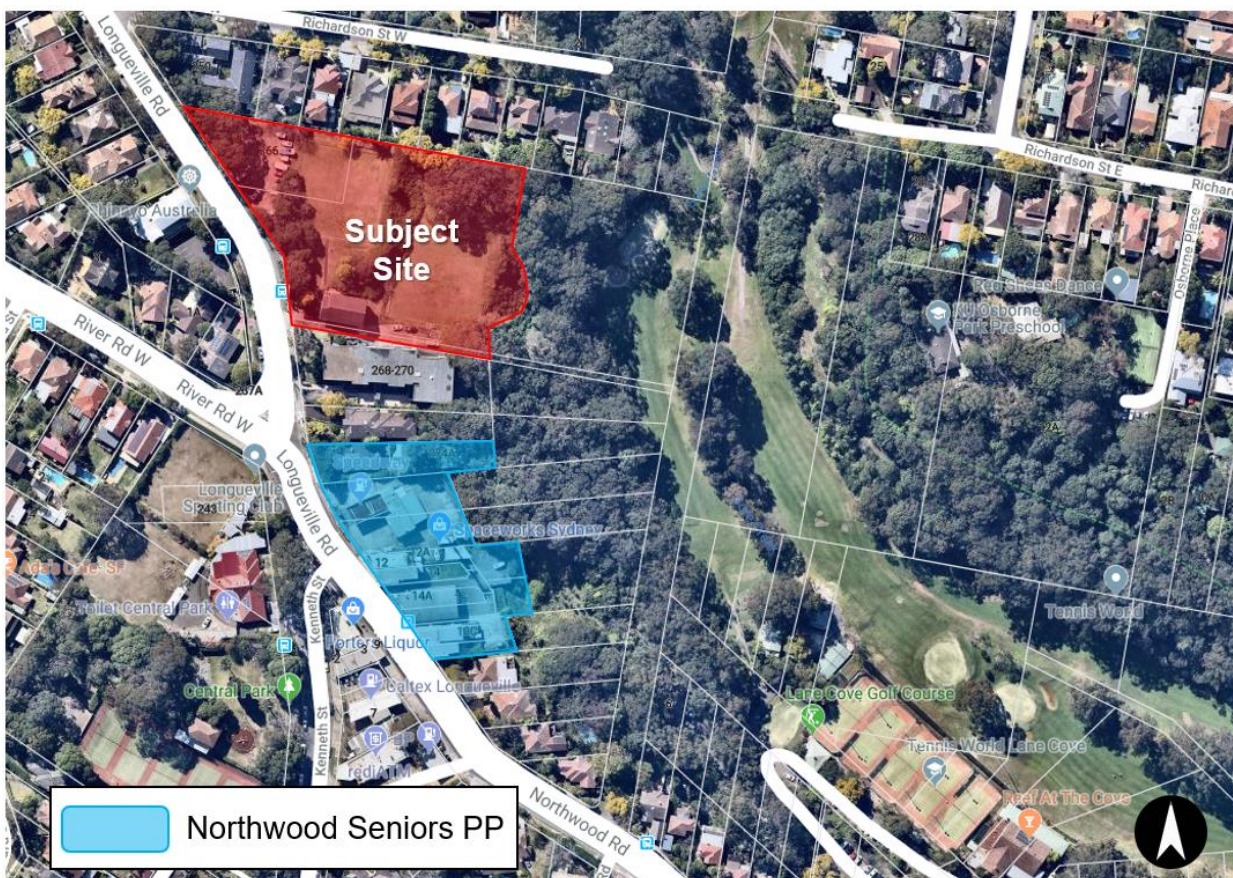


Figure 22: Location of Northwood Road Planning Proposal in relation to subject site (source: Nearmap).

40A Cope Street – Site Compatibility Certificate

An SCC for a seniors housing development has been lodged with the Department at 40A Cope Street, Lane Cove which is located approximately 1.8km to the west of the subject site (**Figure 23**).

The SCC has been lodged for the purpose of a vertical village to obtain the 0.5:1 FSR bonus as permitted under clause 45 of the Seniors Housing SEPP.

If the SCC were to be issued, subject to a development application, the development could enable the delivery of 29 independent living dwellings and 64 assisted care apartments for a total of 93 dwellings.



Figure 23: Location of 40A Cope Street SCC in relation to subject site (source: Nearmap).

As there are no current SCCs submitted to the Department within 1km of the subject site, the Department has not requested a cumulative impact study to be prepared for the subject SCC.

However, subject to clause 25(2D) of the Seniors Housing SEPP, the panel may require an applicant to provide a cumulative impact study even if it has not been provided with the application should the panel consider that it is necessary to determine whether the subject land is suitable for more intensive development.

Panel Requisites for issuing a SCC

The relevant panel must not issue a site compatibility certificate unless the panel:

- (a) **has taken into account any written comments concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) received from the general manager of the council within 21 days after the application for the certificate was made;**
- (b) **is of the opinion that:**
 - (i) **the site of the proposed development is suitable for more intensive development; and**
 - (ii) **the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).**

Council Comments

On 17 September 2019, Lane Cove Council provided comments (**Attachment A1**) noting in-principle support of the SCC. Council reiterated that it provided comments for the previous SCC in June 2017 (**Attachment A2**) which included recommended conditions relating to the maintenance of bushland and reduced building bulk. Conditions addressing these matters were included within the original certificate (**Attachment F**).

Council's previous comments have been provided in **Table 3** below. On 15 May 2020, Council wrote to the Department to provide background information and clarification regarding an appropriate buffer zone and building setback for the proposed development. Council advised the development application stage is the appropriate time to consider the appropriate bushland and building setback as it allows for a detailed site-specific ecological study to be undertaken. A copy of Council's letter is at (**Attachment A3**).

Table 3: Council's comments on previous SCC.

Issue	Council comments
Site topography and vegetation	The proposed building envelopes have taken into consideration the natural characteristics of the land having regard to existing native vegetation and the sloping topography of the land.
SEPP 19 – Bushland in Urban Areas	The future development application will need to Address SEPP 19 – Bushland in Urban Areas and Council's bushland requirements contain in the Lane Cove Development Control Plan 2010.
Building height	The non-compliance to the maximum building height of RL 62.8 may potentially impact the amenity of neighbouring properties to the north and south.

Issue	Council comments
Bulk and scale	Further consideration of the bulk and scale of any proposed buildings should be given by the applicant in the final design of the proposal with regards to the amenity impacts on neighbouring properties, especially to the north and south.

Despite these issues raised, Council is of the position that the proposed seniors housing development is broadly compatible with the surrounding environment and locality and can proceed to the lodgement of a development application.

Suitability for More Intensive Development

The panel must not issue a certificate unless the panel is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)).

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

The site adjoins Lane Cove Golf Course to the east, which is in a valley and slopes down towards the Gore Creek catchment. It adjoins low-density residential development to the north and west and high-density residential development to the north-west and south. The site currently maintains filtered views of the Lane Cove Golf Course and Lane Cove Bushland Park to the east from Longueville Road.

The development intends to provide an additional large landscaped public and private space west of the seniors living development to support senior residents and their visitors.

This space will also act as a vegetation buffer between the proposed development and the neighbouring residential development to the north of the site.

Therefore, the site is considered suitable for more intensive urban development for the following reasons:

- the site is located in an area that is zoned primarily for urban purposes and adjoins other urban land to the north, south and west;
- the site is located approximately 800m from the Lane Cove Village, which contains a wide range of social, retail, commercial, medical, community and recreational services;
- the site is accessible to the key strategic centres of St Leonards and Chatswood, which collectively provide a range of services and facilities;
- the site is 1.3km or a 5-minute drive to the Royal North Shore public hospital;
- a bus stop is located directly in front of the site on Longueville Road, providing direct access to services in Lane Cove Village;
- there are no major environmental or heritage constraints which make the site unsuitable for more intensive development;
- the development proposes a 10m buffer to the neighbouring bushland to the east of the site to enable the preservation of this bushland; and

- the development will help meet the demand for increased seniors housing in the Lane Cove LGA as identified in the Greater Sydney Region Plan and the North District Plan.

Compatibility with the Surrounding Environment and Land Uses

The panel must not issue a certificate unless the panel is of the opinion that the proposed development for the purpose of seniors housing is compatible with the surrounding environment and surrounding land uses, having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)):

1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))

The key site attributes and constraints are listed and discussed below in the context of a proposed residential aged care facility on the land.

Geotechnical Hazards and Land Contamination

The site is not mapped as being affected by any geotechnical hazards.

However, a Geotechnical and Environmental Investigation prepared by SMEC, dated 22 December 2011 (**Attachment G3**) and a Stage 2 – Detailed Environmental Site Investigation prepared by LRN Global, dated August 2018 (**Attachment G4**) were prepared to assess the subsurface conditions of the land and assess the potential for human health and environmental containments.

No geotechnical issues were identified by the investigations which would preclude the issuing of an SCC, although the reports did make recommendations on site stability, excavation conditions, retaining walls, footings, on-grade floor slabs and external pavements.

It is considered that these matters can be suitably addressed at the development application stage and within conditions of consent for ongoing maintenance and further investigations during construction.

The SMEC report identified that the concentrations of chemical contaminants are generally low and below the criteria that are protective for human-health for recreational and high-density residential uses. However, the fill at the eastern portion of the site on the edge of the bowling green below a depth of 1.5m was found to be impacted with lead and polycyclic aromatic hydrocarbons (PAHs) at concentrations which exceeded the relevant health-based criteria.

The LRN Global investigation noted the previous work done by SMEC and indicated that materials containing asbestos, lead, mercury, PAHs and zinc were also present on site. All proposed fill material is intended to be excavated and disposed off-site, lowering the future risk that the site soils pose to human and health.

The investigations both recommend that the site is suitable for the proposed development of an aged care facility with no human-health risk posed following the proposed off-site disposal of any contaminated material.

The assessment of the application has also recommended further conditions for a Stage 3 Remedial Action Plan and Stage 4 Site Monitoring be conditioned under any future development consent to ensure that appropriate management of the land can continue during works.

This matter is considered to have been appropriately addressed for the current SCC and can be further investigated during the assessment and determination of a development application.

Bushland and Ecological Impact

According to Council's SEPP 19 Bushland map (**Figure 20**) the easternmost portion of the site has been identified as containing areas of remnant bushland. This map serves as a guide only and further investigations have been prepared to better investigate the extent of this bushland.

SEPP 19 Bushland in Urban Areas requires the consideration of the general and specific aims of the policy and to give priority to retaining bushland, unless significant environmental, economic or social benefits will arise which outweigh the value of bushland. A Flora, Fauna and Fungi Impact Assessment prepared by Applied Ecology was included as part of the original Gateway determination issued in 2012, (**Attachment H1**) while an Ecological Impact Assessment, prepared by Molino Stewart (**Attachment G5**) and Arborist Report, prepared by Naturally Trees (**Attachment G6**) have been prepared to support the related development application.

Flora, Fauna and Fungi Assessment

The Flora, Fauna and Fungi report identified that the Grey-headed flying fox as well as 9 individual species of fungi were found within the remnant bushland to the east of the site and are all listed as threatened species. Additionally, the Powerful Owl, another threatened species, was likely to nest in the nearby bushland at Lane Cove Bushland Park and potentially uses the subject site for foraging.

The report did however recognise that as the proposed development was generally limited to the areas covered by the bowling greens and existing structures that direct impact of the development on these threatened species could be appropriately reduced and managed.

In its comments on 4 November 2013 (**Attachment H2**), the former Office of Environment and Heritage (OEH) (now NSW Environment, Energy and Science) supported these recommendations and concluded that the development on the western portion of the site will likely not impact on any threatened species, population or ecological habitats subject to the implementation of the recommendations contained within the Flora, Fauna and Fungi Report.

Arboricultural Assessment

The Arborist Report has assessed 129 trees located on the subject site and neighbouring properties that could potentially be affected by the proposed development. The current proposal seeks to retain 69 trees, while removing 14 important trees and 46 low value trees.

56 important trees and 13 low value trees are intended to be protected and retained as part of the works, although the report does note 13 additional important trees may be affected through the disturbance to their Tree Protection Zones by the development.

It is noted however that a significant number of trees that are intended to be removed are not located within the subject site but fall within the E2 Environmental Conservation zoned

land to the east, outside the specified land that is subject to the SCC application. It is questionable as to why these trees are required to be removed when they do not appear to be impacted by the development and fall outside the boundaries of the site.

The removal of these trees is considered to negatively impact upon the perceived built form of the development when viewed from the neighbouring properties, including Lane Cove Golf Course. It is therefore recommended that a draft condition of the SCC be included to ensure that any future development application retains all trees located within the public reserve.

Establishment of Buffer Zone

The proposed development intends to maintain a minimum 10m buffer zone (**Figure 24**) from the established 'Ground Truthing Line' which generally follows the eastern extent of historical filling on the site to establish the point of bushland demarcation. This line has been developed by Council based on investigations conducted by Molino Stewart.

The proposed setback from this Ground Truthing Line is identified as being between 10m and 25.4m. Although some elements of the development which include paving, retaining walls, pathways and the proposed bio-retention basin are intended to be located within the buffer. This is however consistent with Lane Cove DCP Part H Bushland for development permitted within the established buffer zone.

The area west of the Ground Truthing Line, including a portion of the land located within the existing E2 Environmental Conservation Zone, contains vegetation established on the introduced fill and is significantly different from the remainder of the E2 zone, being largely exotic species.

However, while it is acknowledged this area contains vegetation that is significantly altered from the remnant natural vegetation, it is not considered appropriate for the E2 zoned land to be included within the buffer zone as part of this SCC or under a future development application.

The 10m buffer is recommended to be measured from the edge of the subject site boundary. This would allow for the E2 zone to be more effectively protected through future site management conditions and appropriately regenerated by removing existing exotic vegetation which could be replaced with locally native species.

The Department notes Council's comments at **Attachment A3** that the development application stage is the appropriate time to consider the appropriate bushland and building setback as it allows for a detailed site-specific ecological study to be undertaken. Whilst a 10m has been included as a condition within the draft SCC, the Department notes the Panel may, in its determination, consider the appropriateness of this recommendation in light of Council's position.



Figure 24: Proposed 10m buffer to adjoining remnant bushland (source: Thomson Adsett).

Ecological Assessment

The Ecological Impact Assessment considered the previous biodiversity assessments and in its own assessment identified that one endangered species of fungi, one critically endangered fungal community and several fauna species within the remnant E2 zoned bushland corridor. No threatened flora was observed from surveys carried out on the development site.

The assessment found that the removal of trees and disturbance to the development site caused by the subject development is likely to result in some loss of habitat, shelter and food sources through the clearing of vegetation at the eastern part of the site. Despite this, the assessment indicates that no threatened species are likely to be significantly impacted by the proposed development.

A positive impact would also arise from the removal of the extensive weed infestation within the proposed development footprint.

Several mitigation measures to improve the available habitat and minimise the potential impact on flora and fauna have been recommended by the report which include:

- preparation of a biodiversity and vegetation management plan for the site and adjacent E2 Environmental Conservation zone;
- preparation of a soil and water management plan and erosion and erosion and sediment control plan;
- install tree protection recommendations in accordance with the Arborist Report, prepared by Naturally Trees;
- undertake pre-clearance surveys for animals, burrows and nests;
- installation of nest boxes for Powerful Owls;
- requirements for the careful positioning of lighting for the development to minimise that which projects towards to the east into the remnant bushland area; and
- requirements for the ongoing maintenance of the buffer area and E2 Environmental Conservation zone.



Figure 26: Lane Cove Council's current Bushfire Prone Land Map 2016 (source: Lane Cove Council).

Heritage Impact

The Lane Cove LEP 2009 heritage map (**Figure 27**) indicates that the subject site is not identified as a heritage item or falls within a heritage conservation area.

However, directly to the west of the site is the Lane Cove Masonic Temple (item I182) at 231 Longueville Road, Lane Cove (**Figures 28 and 29**) which is a listed heritage item of local significance.

A Statement of Heritage Impact, prepared by Cracknell and Lonergan (**Attachment G7**) for the current development application and concludes that the proposal will not have any adverse impact on the heritage item as:

- there are no intended changes to the heritage item;
- the proposal maintains a 2-3 storey presence at the street frontage, opposite the heritage item (**Figures 30 and 31**);
- the proposal provides adequate setbacks to Longueville Road and the heritage item which ensures that the visual impact to the item is minimised;
- the proposal provides definition to the public domain fronting Longueville Road including landscaping, a courtyard and a café with seating to help improve the curtilage around the heritage item;
- the proposed car park entry/exit has been located at the southern corner, away from the immediate view corridor of the heritage item;
- the proposal preserves views to the heritage item through the maintenance of sight lines and providing adequate building separation; and

- the tone of materials identified in the concept drawings, being a mix of brickwork, timber panelling and steel surfaces are in context with the subdued creams and face brickwork of the heritage item.

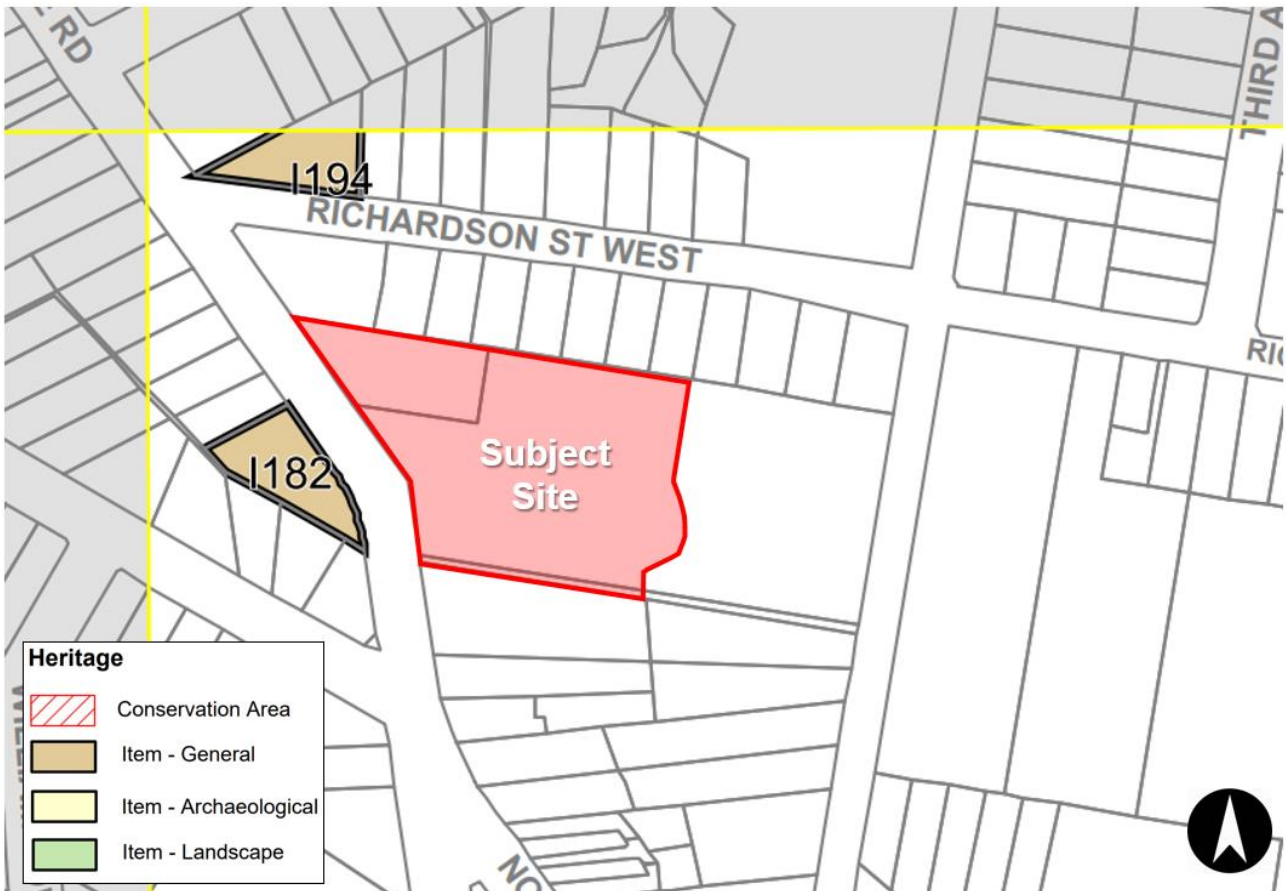


Figure 27: Lane Cove LEP 2009 heritage map (source: Lane Cove LEP 2009 HER_004).



Figure 28: Lane Cove Masonic Temple (pictured left) to the west of the subject site (right) (source: Google Maps).



Figure 29: Lane Cove Masonic Temple (source: Google Maps).



Figure 30: Concept plans – western elevation (source: Thomson Adsett).

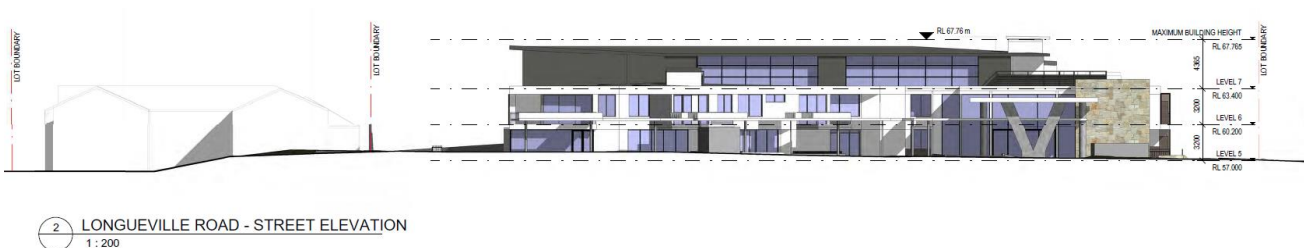


Figure 31: Concept plans – street elevation (source: Thomson Adsett).

2. The impact that the proposed development is likely to have on the uses that, in the opinion of the panel, are likely to be the future uses of that land (clause 25(5)(b)(ii))

The subject site was previously zoned RE1 Public Recreation and was identified under Schedule 4, Part 3 of the Lane Cove LEP 2009 as community land.

The site currently contains two disused bowling greens, a paved car park and a brick and weatherboard building which was occupied by the Lane Cove Music and Cultural Centre that are a result of this previous zoning and community classification.

In 2015, the site was subject to a planning proposal Lane Cove LEP 2009 (Amendment No. 17) which rezoned the land to R4 High Density Residential and reclassified the land from community to operational. The proposal was found to have merit as it would create an opportunity for high density seniors living in an area where there was demand for this type of housing.

The subject development has been established in relation to the Council-led rezoning of the site from RE1 Public Recreation to R4 High Density Residential with the intention of utilising the site for a seniors living development. Considering there is a related development application for the purposes of a residential aged care facility incorporating 70 beds and 82 independent dwellings, the land is unlikely to be used for any future use outside that which is associated with seniors living.

3. 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 (clause 25(5)(b)(iii))

The site is well situated near established services and infrastructure including retail, community and medical services and transport services.

Location and Access to Facilities

The subject site is within 800m to Lane Cove Village, which provides a range of retail, community and medical services including supermarkets, medical centres, a post office, a library, Council chambers and an aquatic leisure centre.

Lane Cove Village is directly accessible from the subject site though a 5-minute commute via bus routes 253, 254 and 261 (**Figure 32**).

Medical centres are located in Lane Cove, St Leonards and Chatswood, while North Shore Private Hospital and Royal North Shore Hospital are approximately 1.6km east of the subject site.



Figure 32: Bus network of surrounding local area (source: Transport for NSW).

Traffic and Transport Services

A revised Traffic and Parking assessment report (**Attachment G8**) has been prepared by Varga Traffic Planning to accompany the current development application and has been submitted with the subject SCC to consider the road and traffic conditions, the availability of public transport, vehicle arrangements, parking provision, traffic generation and impacts.

The revised report has been prepared in response to the SNPP decision on 11 July 2018, to defer the development application and request that an independent peer review of the traffic and parking assessment be prepared and submitted as additional information.

In light of this decision, Lane Cove Council engaged Bitzios Consulting to undertake a peer review (**Attachment G9**) of the original traffic study prepared by Varga, where the Bitzios report recommended the inclusion of further information for trip distributions and modifications to the SIDRA modelling used by Varga.

The amended Varga report includes the changes recommended by the Bitzios peer review in its assessment of the potential impact of the development on the surrounding road network.

The report assumes that the development contains 70 residential aged care beds and 82 independent living units, which are intended to be serviced by 122 car parking spaces in 2 underground basement levels with an ambulance bay (**Figure 33**).

Vehicular access to the site is to be provided by a single entry/exit driveway located at the southern end of the road frontage. This driveway also intends to provide vehicular access to the adjoining 'Timbertops' development via a legal right of way. Entry and exit into the

site has been restricted to a left-in/left-out arrangement, which is consistent with the RMS's standard design. This driveway has also been located 2 metres further north from the original proposal, to allow for a landscaping strip along the southern boundary between the subject site and the 'Timbertops' development.

A porte-cochere is also intended to be provided to the north of the access driveway to facilitate the pick-up and drop-off of elderly passengers, with a one-way driveway located midway along the site frontage and exit via the main access driveway.

The revised traffic report indicates that the potential traffic generation created by the proposal would not result in the reduction in the level of service to nearby intersections (**Tables 4, 5 and 6**). These revised assumptions have now included changes to the SIDRA model, as recommended by the Bitzios report, to adopt the RMS's concept signal plan realignment for Longueville Road and River Road. The changes would allow for right turn movements from Longueville Road on River Road West for all traffic, not just buses as permitted under current intersection conditions.

Table 4: SIDRA analysis for Longueville Road and River Road intersection
(source: Varga Traffic Planning).

SIDRA Analysis – Longueville Road and River Road				
	Existing		Proposed	
	AM	PM	AM	PM
Average Vehicle Delays	67.3	16.5	28.8	21.3
Level of Service	E	B	C	B

Table 5: SIDRA analysis for Northwood Road and Kenneth Street intersection
(source: Varga Traffic Planning).

SIDRA Analysis – Northwood Road and Kenneth Street				
	Existing		Proposed	
	AM	PM	AM	PM
Average Vehicle Delays	16.1	23.9	17.3	21.4
Level of Service	B	B	B	B

Table 6: SIDRA analysis for Longueville Road and site access driveway intersection
(source: Varga Traffic Planning).

SIDRA Analysis – Longueville Road and Site Access Driveway				
	Existing		Proposed	
	AM	PM	AM	PM
Average Vehicle Delays	0.0	0.1	0.2	0.2
Level of Service	A	A	A	A

The traffic report indicates that the development would provide 122 car parking spaces, (**Table 7**), plus an ambulance bay which is consistent with the requirements of the Seniors Housing SEPP and Council's DCP.

Table 7: Proposed parking distribution (source: Varga Traffic Planning).

Parking Allocation	Spaces
Independent Living Units	76.5
Independent Living Units Visitors	21
Residential Aged Care	7
Residential Aged Care Staff	17
Total	122

The traffic report noted that the proposed development is projected to have a maximum of 61 vehicle trips during the AM and PM commuter peaks when the standard traffic generation rates for seniors housing of 0.4 peak hour trips per dwelling are applied. Although, the report notes that in practice the actual traffic generation is likely to be less as residential aged care beds tend to generate less traffic than independent living units.

The traffic report and SCC application state that the proposal is consistent with clause 26 of the Seniors Housing SEPP as there is direct access to regular public transport services along Longueville Road via bus routes 253, 254 and 261. These services connect the site to the Lane Cove Village, St Leonards, Chatswood, North Sydney and surrounding suburbs.

The revised traffic report is considered to have adequately considered and assessed parking, servicing and post-development traffic conditions along Longueville Road and associated intersections. Additionally, Bitzios has peer reviewed Varga's revised report and considers that the methods used for assessment and conclusions made are acceptable.

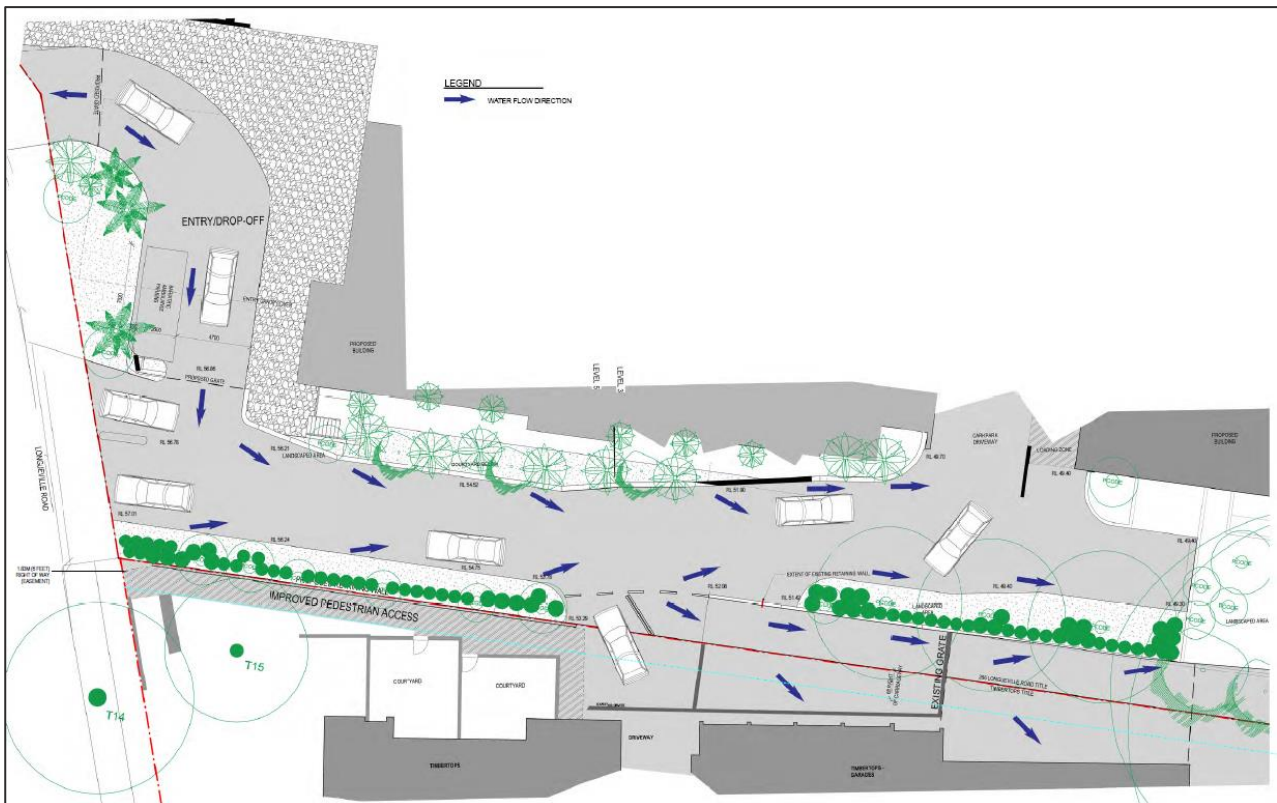


Figure 33: Proposed vehicular access arrangement (source: Thomson Adsett).

Servicing

The site is in an established urban area and has access to water, gas, electricity, communications and sewer infrastructure and has adequate capacity to service the subject site pending final approval from the relevant authorities and services providers. It is considered that matters regarding provision and capacity of services can be addressed through the development application and appropriately conditioned if any upgrades are necessary.

The proposal confirms that the footpath appears to comply with Australian Standard AS1428.1-2009 Design for Access and Mobility and this is further supported by a Disability Access Report prepared by Accessible Building Solutions as part of the related development application. This is acceptable and this matter can be further considered prior to the determination of the development application.

4. 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 (clause 25(5)(b)(iv))

The site was previously zoned RE1 Public Recreation and was formerly used as a lawn bowls club. In 2015, the site was rezoned to R4 High Density Residential and reclassified from community to operational land Lane Cove LEP 2009 (Amendment No. 17). While this LEP amendment did reduce the land available for public space within the Lane Cove LGA, the current proposal will not impact nearby public spaces including Lane Cove Golf Course. The proposal will also seek to provide additional and new formalised public and private open space and through-site links on the site for future residents and visitors.

The proposal is considered to have no detrimental impacts on the provision of land for public open space or special uses.

5. 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 (clause 25(5)(b)(v))

Visual Impact and View Loss

The surrounding local area is characterised predominately by 1-2 storey single detached dwellings in a landscaped setting. However, higher density residential development does exist in the form of the 2-5 storey residential flat building known as 'Timbertops' adjoining the site to the south. Several medium-density townhouse developments are also present along Longueville Road to the north between Richardson Street West and Alpha Road.

The Lane Cove Development Control Plan 2010 identifies that the subject site is recognised to be 'underutilised'. Although, as a result of Lane Cove LEP 2009 (Amendment No. 17) being gazetted the land was rezoned for the purposes of high-density residential development and specifically to permit a future seniors living development.

The concept plans submitted with the SCC at **Attachment E4** and **Figures 10-15** propose a built form comprising of 3 buildings that includes:

- Building A – a 2-5 storey structure containing 20 independent dwellings, an auditorium and publicly accessible shops;
- Building B – a 6-7 storey structure containing communal facilities, 32 independent dwellings and 53 aged care beds; and
- Building C – a 6 storey structure containing 30 independent dwellings and 17 residential aged care beds.

Visual Impact Assessments have been prepared by Richard Lamb and Associates (RLA) (**Attachment G10-11**) to provide an analysis of the perceived visual impact of the development when viewed from nearby public places. This impact is also detailed in **Figures 36, 37** and **38** below.

When viewed from Longueville Road looking east, the proposed development will present as a part two and part three storey development, which is consistent with the character of the existing locality. Some filtered views of the development are also available through the tree canopy when viewed from Lane Cove Golf Course (**Figure 37**).

It is however noted that the submitted Arborist report indicates multiple trees are intended to be removed within the E2 zoned land between the subject site and Lane Cove Golf Course as part of the proposed development application. The visual assessment has not considered the impact of this tree removal and if it would likely further expose the proposed development when viewed from the golf course.

As discussed previously, a draft condition of the former SCC has been recommended to ensure that no trees are to be removed on neighbouring sites as a result of any future development consent and where possible, this bushland area is to be regenerated.

However, there is concern that the most significant visual impact created by this development will be when viewed from the adjoining residential properties located to the north and south of the site. **Figure 35** which has been taken by a drone at RL 65.10, being

approximately Level 7 of the proposed development, demonstrates that the building will also be located above the existing tree canopy. This is largely because the development does not fall with slope of the subject site, accentuating the perceived height of the middle and increase in height at the rear (Buildings B and C). This 'stepping-up' of the development would also reduce the effectiveness of current and future vegetation used to screen the buildings.

Artist's impressions of the likely proposed impact have been detailed in **Figures 39** and **40**, although these have only been taken from the perspective of the 'Timbertops' development to the south. The visual impact to the low-density residential properties to the north has not been mapped. The proposal appears to be heavily reliant on the proposed landscape screening along the northern and southern boundaries.

While a visual assessment has been done of what parts of the proposed development may be seen from Richardson Street (**Figure 36**), there isn't assessment of what visual loss of views may occur when viewed from the backyards of these adjoining properties in Richardson Street.

On review of the 3D shadow diagrams in the architectural drawings, these provide some picture of what the proposed scale and density of the building proposed will be relative to the adjoining dwellings to the north and to the south (**Figure 41**). Unlike surrounding development, the proposed seniors development does not step down with the topography, but rather increases in height at the site's eastern part. This increase in height is nearly 5 metres on part of the site more than permitted on the site under the LEP, which makes the scale of the building at the rear more apparent and emphasized. For these reasons additional view loss assessment should be considered as part of the development application for the proposal.



Figure 35: Drone photo taken at RL 65.10 looking north towards low density residential properties (source: GSA)



Figure 36: View from Richardson Street West with visible building envelope outlined in red (source: RLA)



Figure 37: View from Lane Cove Golf Course with visible building envelope outlined in red (source: RLA)



Figure 38: View from Longueville Road with visible building envelope outlined in red (source: RLA)



Figure 39: View from proposed driveway and Longueville Road looking east (source: Thomson Adsett)



Figure 40: Built form perspective from the proposed shared driveway with the neighbouring 'Timbertops' development to the south (source: Thomson Adsett).



Figure 41: 3D perspective of the proposed development and the existing development to the north and the south (source: Thomson Adsett).

Building Height

It is noted that this land was the subject of a recent Lane Cove LEP amendment in 2015, which introduced a maximum building height for the land of RL 62.8 (**Figure 11**) to facilitate the redevelopment of the site for the purposes of a future seniors living development.

The built form currently proposed would result in a maximum building height of RL 67.76 which would breach the maximum building height development standard for this land by 4.96m. The extent of this breach has been annotated in **Figure 42**.

This proposed height also represents an additional 2.26m above the maximum building height initially proposed within the concept plans submitted as part of the previous SCC application (**Figures 43 and 44**).

As viewed from Longueville Road, the proposal will read as a three-storey building, but with overall increased height at the rear of the property and with the steep fall of the site, the development results in a 7-storey building at its eastern part.

Specifically, the resultant built form that is proposed to be located above the maximum building height includes the following features:

- Building A – ranging from 0.9m-2.1m above the maximum height control and includes:
 - the ceiling of Level 6; and
 - roof, lift overrun and roof plant enclosure.
- Building B – ranging from 4.21m-4.96m above the maximum height control and includes:
 - the ceiling of Level 6;
 - the entirety of Level 7; and
 - roof, lift overrun and roof plant enclosure.
- Building C – ranging from 0.6m-4m above the maximum height control and includes:
 - the ceiling of Level 6;
 - roof terrace; and
 - roof, stairs, lift overrun and roof plant enclosure.

The applicant has stated that the height breach is necessary to accommodate the appropriate internal ceiling heights, provision of lift overruns, associated structures and to relocate an additional storey from Building C to Building B to reduce the overshadowing and visual impact to neighbouring development. A Clause 4.6 submission has been submitted by the applicant with the associated development application to request a variation to the height of buildings development standard.

While it is recognised that some elements of the building and associated roof features can be acceptable above the maximum prescribed building height of RL 62.8AHD, the additional storey above the maximum permitted building height at the rear of the property is not considered acceptable. A reduction in the building height by one storey at the rear of the site from 7 storeys to 6 storeys is considered appropriate as this would:

- result in a scale of development intended by the maximum height control permitted for the site;

- result in less overshadowing to the adjoining development to the south during the hours of 9am and 10am mid-winter (**Figure 45**);
- be more compatible with the existing five storey adjoining development to the south; and
- creates a less imposing scale of development when compared to storey scaled development to the north of the site.

Moreover, any increases in floor space permitted by the Seniors Housing SEPP should be readily accommodated without the need for substantial increases in building height beyond the site's height control.

Considering there has been previous issues raised regarding the potential visual impact, bulk and character of the building as viewed from the neighbouring properties, the height of the development at rear does not appropriately respond to the site's context, constraints and neighbouring development.

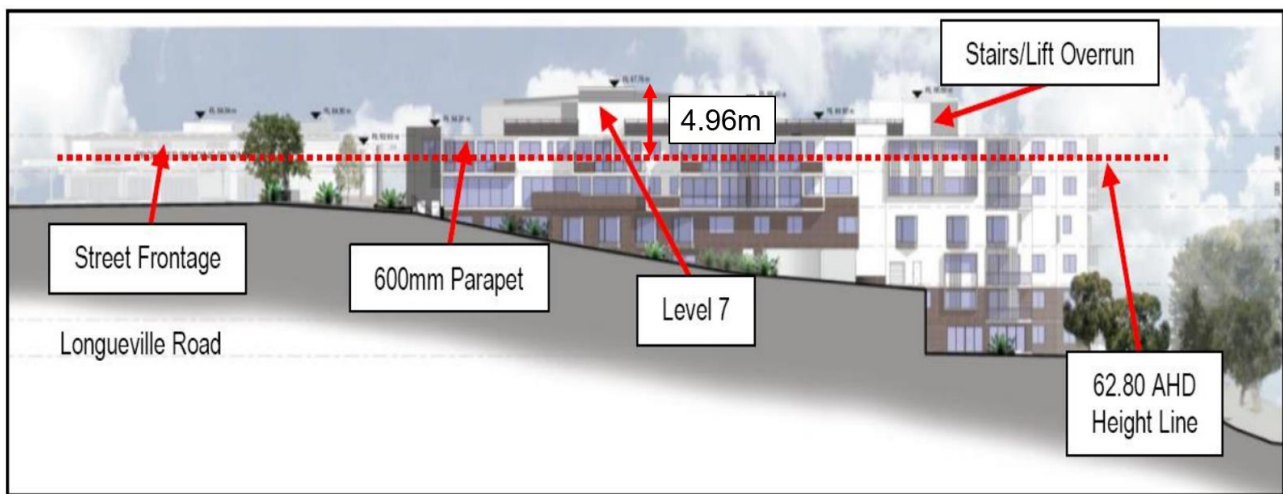


Figure 42: Annotated plan showing the extent of the proposed development located above the maximum building height for this land under Lane Cove LEP 2009 (source: Thomson Adsett).



Figure 43: Northern and southern elevations of concept plans submitted with previous SCC application (source: Thomson Adsett).



Figure 44: Eastern and western elevations of concept plans submitted with previous SCC application (source: Thomson Adsett).



1 DA 22 JUNE 900 HRS



2 DA 22 JUNE 1000 HRS

Figure 45: Shadow Diagrams - 3D view of the development, with adjoining development looking south (source: Thomson Adsett).

Setbacks

The development submitted currently proposes the following setbacks as illustrated in **Figure 46**:

- 8m from Longueville Road to Building A and a nil setback to the entry portico;
- 12m-25m to the northern boundary, which adjoins low-density residential properties;
- 12.7m to the southern boundary, which adjoins the 'Timbertops' residential flat building; and
- a minimum of 3.9m to the rear eastern boundary, which adjoins the adjoining E2 Environmental Conservation zoned land.



Figure 46: Proposed layout for the site illustrating the separation to adjoining sites

Setbacks for the development along the northern boundary and southern boundaries are compliant with the minimum setback requirements as indicated within Part C Section 3.5 of the Lane Cove DCP 2010 for residential development within R4 zones.

The articulated 'E-shaped' building form will create some built form and visual relief between adjoining properties to the north and presents an opportunity for landscaping to be provided and solar access into the buildings.

In assessing the current development application for the proposal the SNPP recommended increasing the southern setback by at least 1m and a 2m landscaping strip to be provided to provide additional visual relief between the development and the 'Timbertops' building. The plans submitted as part of this current SCC application have addressed this matter. However, it is noted that two significant trees at the south eastern portion of the site (Trees 92 and 93) won't be retained even with increased setbacks (see Arborist Report at **Attachment G6**).

In total the proposal seeks to remove 34 (or 87%) of the 39 trees on the site, leaving only five trees across the site (one of which is identified as a significant tree). However, there does not seem to be adequate reasons to remove Trees 92 and 93 as there is no proposed built form or driveway or excavation at this part of the site, and the extent of the 'built form layout' shown in the Arborist report does not correlate to the architectural plans.

Of all trees identified on and adjoining the site, Trees 92 and 93 should be preserved as they are two of three highest value trees identified by the Arborist report to be removed from the site would have the benefits of:

- providing immediate screening for the adjoining development to the south;
- retaining mature landscaping on the site; and
- ensuring the development will retain three of the four most significant trees on the site.

For these reasons it is recommended as a requirement of the SCC that the development for the proposal should look to retain and preserve Trees 92 and 93 on the site.

The proposed 3.9m rear setback to the neighbouring bushland is non-compliant with the Lane Cove DCP 2010 for buildings of this scale. The application has attempted to address this through the creation of a 'Ground Truthing Line' as discussed previously to establish the current line and pattern of bushland on the adjoining E2 zoned land. However, as previously discussed the location of the development this close to the boundary. Consideration will need to be given to what impacts construction (including any construction zone) may have to the adjoining bushland.

Although for the purposes of this SCC sufficient detail regarding the concept built form has been provided. This matter can be further considered and assessed during the detailed design stage as part of the related development application with regard to the bulk and scale impact to the neighbouring properties.

A requirement within Schedule 2, as suggested by Council, was previously included to appropriately consider this matter and is recommended to be maintained should this certificate be issued.

Overshadowing

Shadow diagrams prepared by Thomson Adsett Architects (**Attachment E4**) and an independent overshadowing analysis prepared Steve King (**Attachment G12**) have been provided to support the application. The diagrams (**Figures 44-47**) demonstrate the

current and proposed sun access during mid-winter between the hours of 9am-3pm to the neighbouring 'Timbertops' building as this is the only development to be impacted by the proposal in regard to overshadowing.

The shadow diagrams indicate that the majority of the northern facing living room windows within 'Timbertops' development will receive a minimum of 2 hours solar access during 9am-3pm, with only four of the ground floor windows being potentially impacted between 9am-10:30am. All windows along this elevation will generally receive consistent unimpeded solar access from 11am-3pm. This is consistent with the requirements of the ADG, Lane Cove DCP 2010 and is acceptable for the purposes of this SCC.

However, with the recommended condition to reduce the height at the rear of the proposal and the associated recommendation to increase the rear setback of the development from the adjoining E2 zone, this should result in improving and increasing solar access to the neighbouring 'Timbertops' building.

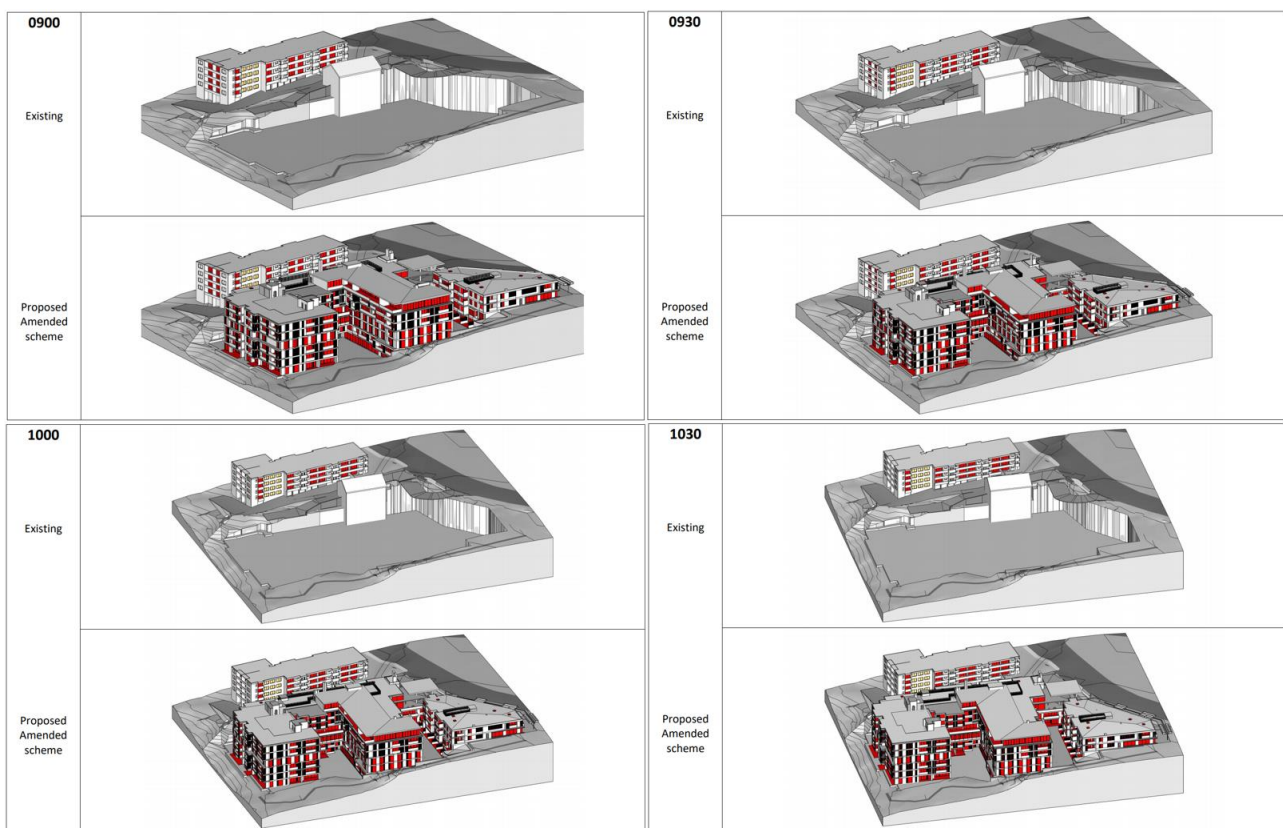


Figure 44: Sun access to neighbouring properties 9am-10:30am (source: Steve King).

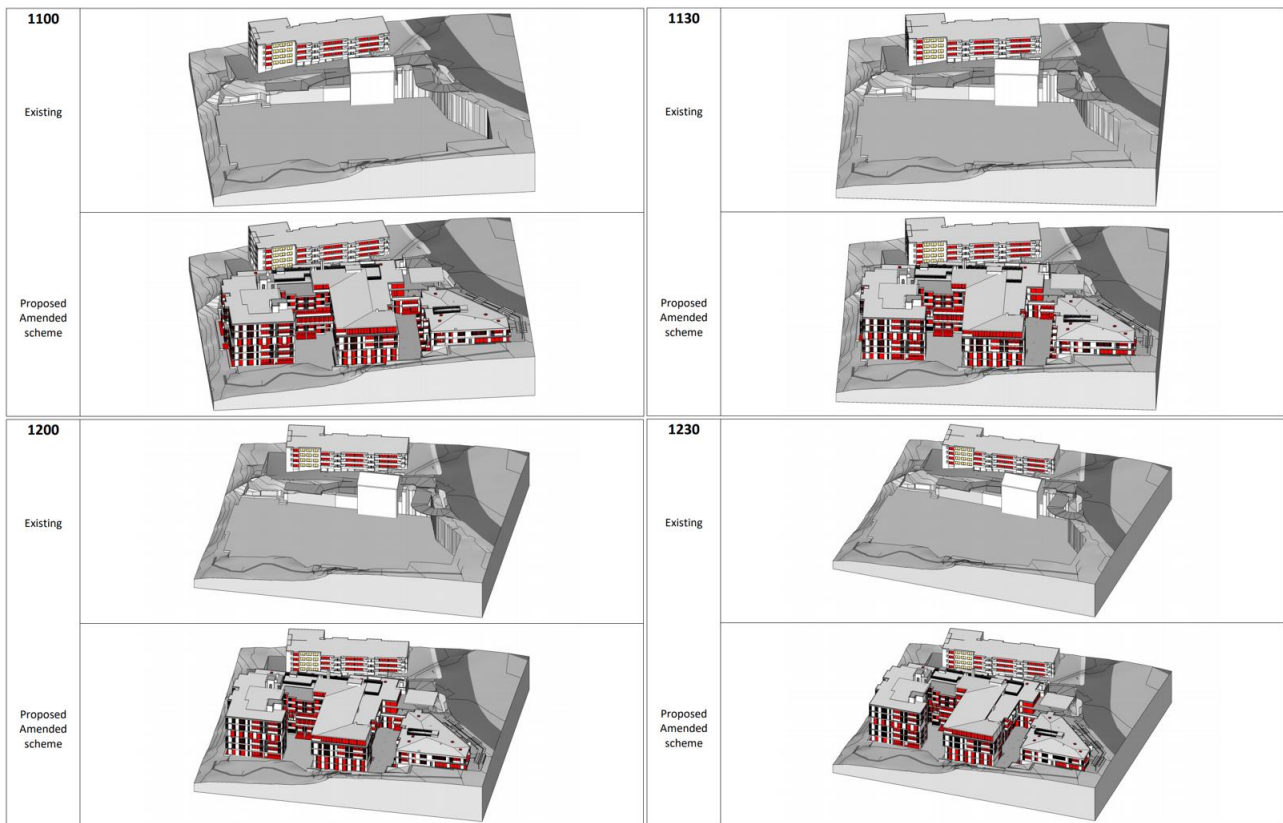


Figure 45: Sun access to neighbouring properties 11am-12:30pm (source: Steve King).

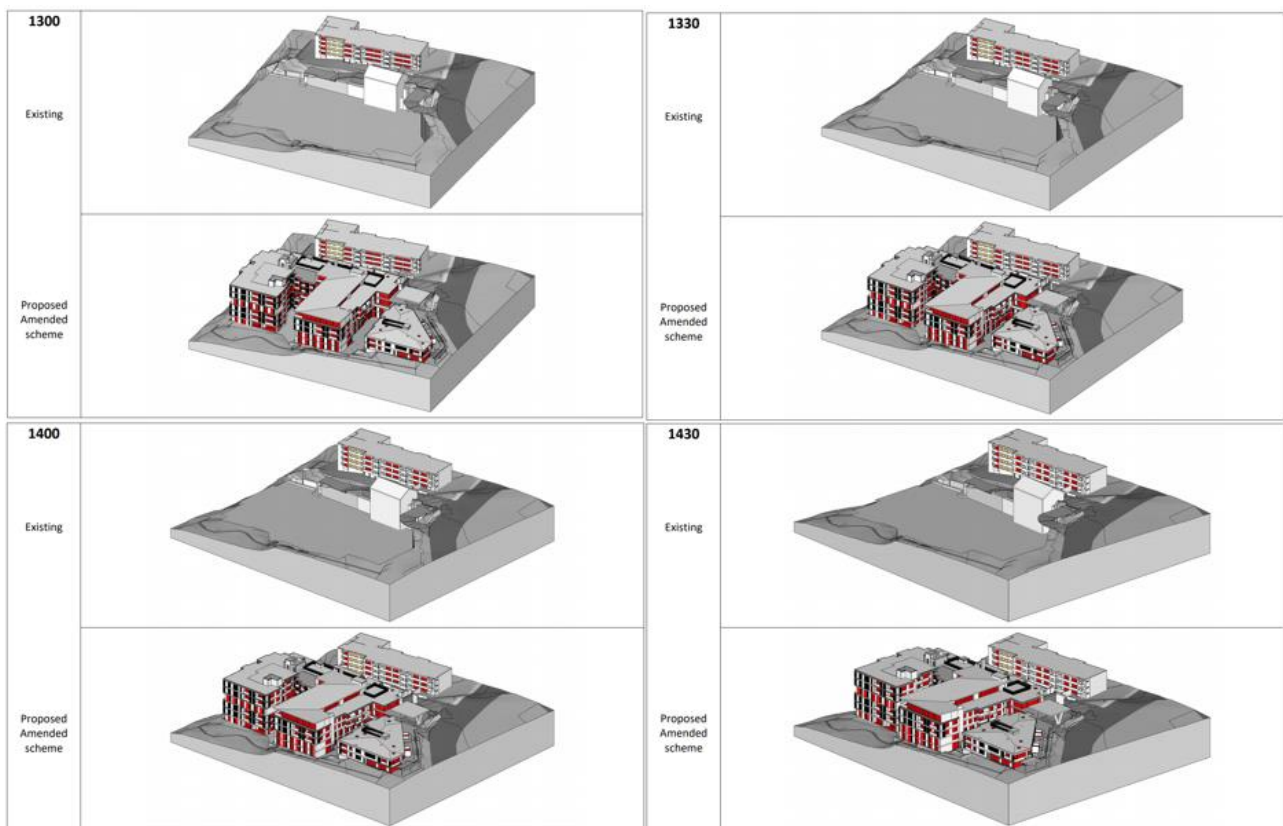


Figure 46: Sun access to neighbouring properties 1pm-2:30pm (source: Steve King).

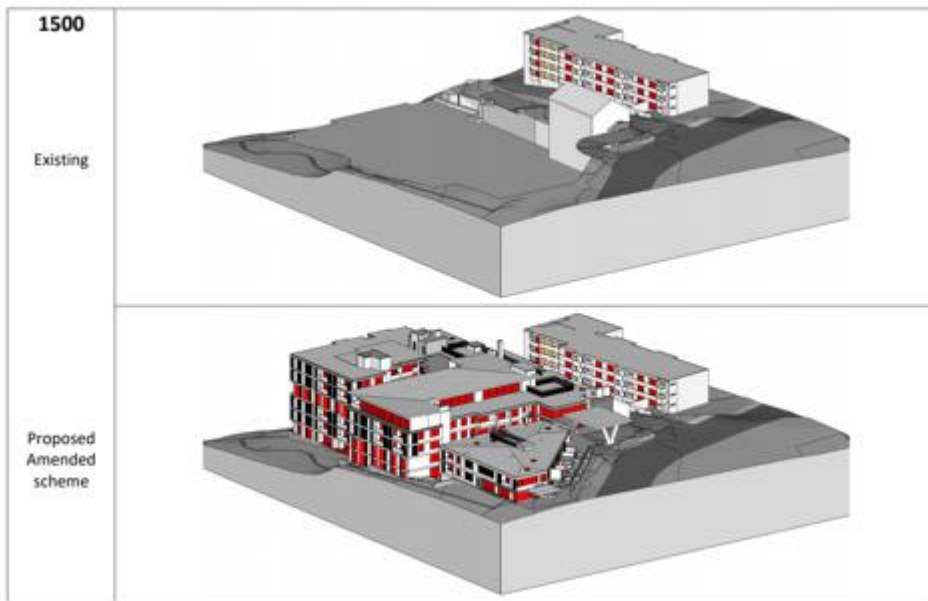


Figure 47: Sun access to neighbouring properties 3pm (source: Steve King).

Summary

The proposed alterations to the proposal to reduce the height of the development at the rear and increase the building setback to the east will likely reduce the quantum of total floor space for the development, but is not likely to significantly alter the floor space such that it will comply with the site's current 1.1:1 FSR control. Therefore, the SCC will still be required to facilitate additional development in accordance with the Seniors Housing SEPP. Whereas the retention of Trees 92 and 93 will help to mitigate the impacts of the development but will also contribute to the development's landscaping.

6. 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 (clause 25(5)(b)(vi))

The *Native Vegetation Act 2003* was repealed on 25 August 2017.

7. The impacts identified in any cumulative impact study provided in connection with the application for the certificate (clause 25(5)(b)(vii))

As raised previously within this report a cumulative impact study has not been requested by the Department for this application. However, the panel may require the applicant to provide a cumulative impact study even if it has not been provided with the application if the panel considers it is necessary for it to be provided to determine whether the land concerned is suitable for more intensive development.

Conclusion

The Department considers that a SCC should be issued for the site on the basis that:

- the proposed use will assist in providing additional housing choice and opportunities for 'ageing in place' for the seniors population in the Lane Cove LGA;
- subject to conditions the proposal generally responds to the intent of the previous Lane Cove LEP amendment for the subject site, to provide seniors housing on an underutilised parcel of land, and can be further refined to more appropriately address the maximum building height control;
- the site is suitable for more intensive use for the purposes of seniors housing, having regard to the criteria set out in clause 25(5)(b) of the Seniors Housing SEPP and further detailed design considerations being undertaken as part of any future development application;
- the proposal will provide seniors housing near Lane Cove Village and public transport, which will help to provide good access to health, retail, banking and other facilities in the area;
- subject to requirements the proposal can be amended to maintain an adequate setback and buffer zone to the E2 Environmental Conservation zone to the east of the site, reduce building height at the rear of the development by one storey and seek to retain existing Trees 92 and 99. Furthermore, appropriate management and mitigation methods to preserve and enhance adjoining bushland can be further refined at a future development application stage; and
- matters regarding land contamination, geotechnical hazards, heritage impact, traffic and access, building bulk, scale and setbacks have been addressed, are acceptable for the purposes of an SCC and can be further considered at the detailed design and development application stage.

SCC requirements

A certificate may certify that the development to which it relates is compatible with the surrounding land uses only if it satisfies certain requirements specified in the certificate (clause 25(4)(a) of the Seniors Housing SEPP).

It is recommended that requirements be included in Schedule 2 of the SCC, being:

1. To achieve a more reasonable height transition to the surrounding area, any future development application is to consider the following:
 - a. The current maximum building height prescribed under the Lane Cove LEP 2009 being RL 62.8 AHD, noting this maximum height was established for the site when the site was recently rezoned in 2015; and
 - b. Reducing the height of the development by one storey at the rear of the site.
2. To ensure that the neighbouring E2 Environmental Conservation land is appropriately protected and managed during the future stages of this development, the development application is to consider the following:
 - a. the establishment of the 10m bushland buffer zone from the boundary of the E2 Environmental Conservation zone as opposed to the 'Ground Truthing Line' as currently intended;
 - b. protection, management and regeneration of remnant bushland to the east;
 - c. the removal of any tree within the adjoining E2 Environmental Conservation land is not authorised under this SCC. All trees on adjoining land are to be retained.
3. To maintain significant trees on the site that will contribute to the site's landscaping and improve interfaces with the adjoining development to the site Trees 92 and 93 should look to be protected during construction and preserved on the site.

Recommended by:

Nick Armstrong

Senior Planning Officer,

North District

Endorsed by:

Malcolm McDonald

Executive Director,

Eastern Harbour City

Attachments

Attachment SCC – Draft Site Compatibility Certificate

Attachment A – Council comments

- **A1** – Council comments for current certificate
- **A2** – Council comments for previous certificate
- **A3** – Council letter dated 15 May 2020 regarding bushland buffer and building setback

Attachment B – Letter to applicant

Attachment C – Letter to Council

Attachment D – Site and locality maps

Attachment E – Applicant's Site Compatibility Certificate documentation

- **E1** – Application form
- **E2** – Site Compatibility Certificate report, GSA Planning
- **E3** – Plan of subdivision
- **E4** – Architectural drawings, Thomson Adsett
- **E5** – Landscaping drawings
- **E6** – Traffic report, Varga Traffic Planning

Attachment F – Previous Site Compatibility Certificate

Attachment G – Current development application

- **G1** – Record of Panel's decision to defer application
- **G2** – Extension of time for submission of additional information
- **G3** – Geotechnical and environmental investigation, SMEC
- **G4** – Stage 2 – Detailed site investigation, LRN Global
- **G5** – Ecological impact assessment, Molino Stewart
- **G6** – Arboricultural impact assessment, Naturally Trees
- **G7** – Statement of heritage impact, Cracknell and Lonergan
- **G8** – Original peer review of traffic report, Bitzios
- **G9** – Final peer review of traffic report, Biztios
- **G10** – Visual impact assessment report, RLA
- **G11** – Visual impact addendum report, RLA
- **G12** – Independent overshadowing analysis, Steve King

Attachment H – Original planning proposal

- **H1** – Flora, fauna and fungi impact assessment, Applied Ecology
- **H2** – OEH comments

