



Minto Planning Services

Town Planning Consultants

**REVISED TOWN PLANNING REPORT
SITE COMPATIBILITY CERTIFICATE**

**PROPOSED HOUSING FOR SENIORS OR PEOPLE
WITH A DISABILITY**

25 LAITOKI ROAD, TERREY HILLS

**On behalf of
Tolucy P/L**

April 2020

NOTE: This document is Copyright. Apart from any fair dealings for the purposes of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced in whole or in part, without the written permission of Minto Planning Services Pty Ltd, Suite 14, 265-271 Pennant Hills Road, Thornleigh, NSW 2120.

**TOWN PLANNING REPORT
SITE COMPATIBILITY CERTIFICATE**

PROPOSED HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY

25 LAITOKI ROAD, TERREY HILLS

**Prepared under instructions from
Playoust Churcher Architects**

Minto Planning Services Pty Ltd ABN 68 091 465 271
Town Planning Consultants
14/265-271 Pennant Hills Road
Thornleigh NSW 2120
Tel: (02) 9875 4788
Email: planning@mintoplanning.com.au

TABLE OF CONTENTS

1.	INTRODUCTION	4
2.	THE SITE	6
3.	THE SURROUNDING ENVIRONMENT	9
4.	THE PROPOSAL	11
5.	ZONING & DEVELOPMENT CONTROLS	13
6.	SECTION 4.15(1) ASSESSMENT	39
7.	CONCLUSION	41

1. INTRODUCTION

This Town Planning Report accompanies an Application lodged with the NSW Department of Planning & Infrastructure for a Site Compatibility Certificate in relation to the construction of 54 dwellings pursuant to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 upon land identified as Lot 261 in DP 775299 and which is known as 25 Laitoki Road, Terrey Hills.

It is advised that the need for a Certificate of Site Compatibility arises as a result of the land the subject of this application being zoned RU4 - Primary Production Small Lots under the provisions of the Warringah Local Environmental Plan 2011 and adjoining land zoned R2 - Low Density Residential. In such circumstances Clause 24(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 states that:

- (2) *A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the Director-General has certified in a current site compatibility certificate that, in the Director-General's opinion:*
- (a) *the site of the proposed development is suitable for more intensive development, and*
- (b) *development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).*

In addition to this report the proposal is described in the following documentation:

- Detailed Site Survey Plan prepared by Bee & Lethbridge P/L, Ref No. 20773, Sheets 1 to 3 and dated 12/12/18.
- Architectural Plans prepared by Playoust Churcher Architects, Project No. 17-750, Revision A and dated 14/12/18.
- Landscape Concept Plan prepared by Paul Scrivener Landscape, Job No. 18/2035, Issue A and dated 24/12/18.
- Arboricultural Impact Assessment prepared by Urban Arbor, Ref. No. 18/12/17/25LRTH and dated 17/12/18.
- Site Compatibility Certificate Environmental Assessment prepared by Narla Environmental P/L and dated 16/11/18.
- Preliminary Engineering Site Stormwater and Flooding Constraints Assessment prepared by Martens Consulting Engineers, Project No. P1806682JC01V01 and dated 25/1/19.
- Preliminary Flood Assessment prepared by Martens Consulting Engineers, Ref. No. P180682JR05V01 and dated 30/1/19.
- Preliminary Watercourse and Riparian Assessment prepared by Martens Consulting Engineers, Ref. No. P1806682JR04V01 and dated 30/1/19.

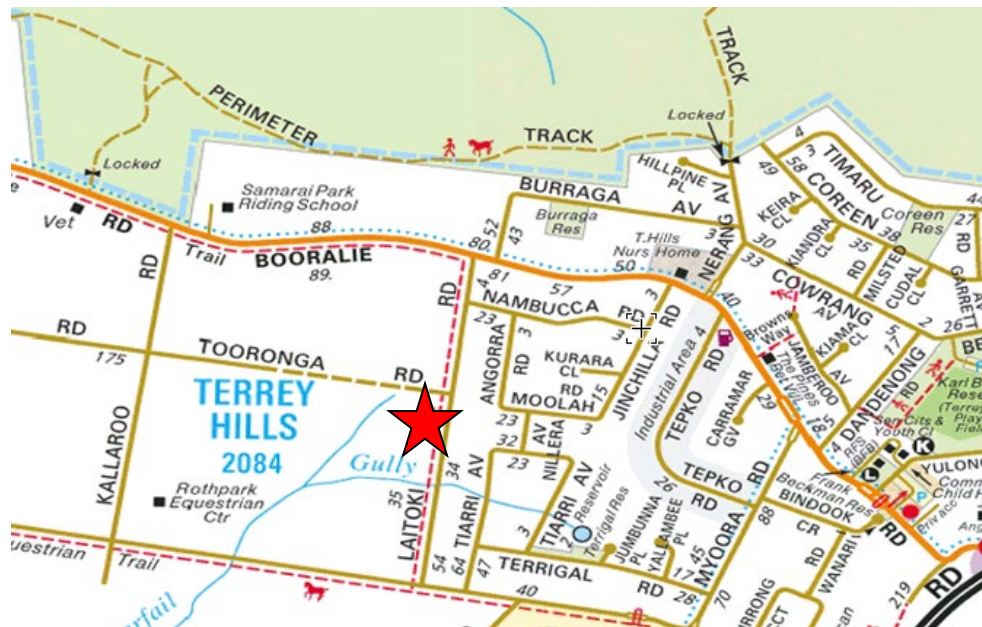
- Preliminary Site Investigation prepared by Martens Consulting Engineers, Ref. No. P1806682JR02V01 and dated 30/1/19.
- Desktop Geotechnical Report prepared by Martens Consulting Engineers, Ref. No. P1806682JR01V01 and dated 30/1/19.
- Preliminary Servicing Assessment prepared by Martens Consulting Engineers, Ref. No. P1806682JR03V01 and dated 4/2/19.
- Traffic and Parking Assessment Report prepared by Varga Traffic Planning P/L, Ref. No. 18716 and dated 15/12/18.
- Assessment of Road & Public Transport Infrastructure Report prepared by Transport & Traffic Planning Associates, Ref. No. 219/2019, Issue B and dated February 2020.
- Social Impact Statement prepared by Judith Stubbs & Associates and dated February 2020.

This Report describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed.

It provides an assessment of the proposed development against the requirements of Clause 25(5)(b) of the SEPP. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Department.

2. THE SITE

The site the subject of this application is identified as Lot 261 in DP 775299 and is known as 25 Laitoki Road, Terrey Hills. The subject property is located on the south western corner of the intersection of Tooronga Road (unmade section of road) which forms the northern boundary of the site and Laitoki Road which forms the sites eastern boundary.



Site Location Map

The subject property is a rectangular shaped allotment having a total site area of 2.023ha with a width (frontage to Laitoki Road) of 100.585m and a site depth of 201.22m.

The site is a sloping allotment of land having a gradual fall from the eastern and western boundaries through to the existing watercourse which diagonally traverses through the centre of the site in a north to south direction. The total fall over the site is approximately 14.66m. The existing watercourse flows from the north east to the south west and is piped both upstream and downstream of the site. The watercourse downstream of the site forms part of Neverfail Gully and which eventually flows into Cowan Creek. The section of watercourse which flows through the site is severely weed infested and displays evidence of significant bank erosion.

All surface water from the property currently drains to the existing watercourse.

Narla Environmental P/L have prepared a Site Compatibility Certificate Environmental Assessment which identifies the vegetation upon the site. Their assessment identified the following:

Parts of the property have been historically cleared of vegetation and the remaining area of the subject site contains native trees and shrubs.

The remaining vegetation on the subject site is separated into seven main zones, covering the northern, eastern and southern borders and a large zone that covers the mid-western section of the subject site. This vegetation is dominated by Eucalyptus piperita, Angophora costata, Acacia elata and Eucalyptus sieberi over a dense shrub layer of Callicoma serratifolia, Pittosporum undulatum, Acacia parramattensis.

This vegetation is dominated by woody weeds listed as noxious in the Northern Beaches Council area under the Biosecurity Act 2015. Weed species includes, Ligustrum sinense, Ligustrum lucidum, Salix spp., Cestrum parqui and Lantana camara.

Owing to the weed-infested and degraded condition of the subject site, it is not expected that any threatened flora species would occur.

Other vegetation of note located upon the property comprises the riparian areas associated with the watercourse and which also extends to the area located to the north of the watercourse.

These areas are covered with dense thickets and a disturbed forest of noxious and environmental weeds.

An Arboricultural Impact Assessment Report has been prepared for the site by Urban Arbor and accompanies this application. That report reached the following conclusions in relation to the proposal:

- The report identified 240 trees located upon or directly adjoining the site.
- 149 trees are proposed for removal due to either impacts from the development or due to their current condition. Of the 149 trees to be removed, 70 trees are Category A Retention Value trees whilst 79 trees are Category Z trees.
- The proposal provides for the retention of a total of 91 trees upon the site.

Existing improvements located upon the site include a two storey brick dwelling house with a tiled roof together with a number of rural shed structures. The existing structures are located upon the front portion of the site adjacent to Laitoki Road.

The subject property is not heritage listed and is not considered to have any heritage significance which would be impacted upon by the proposed development.

Vehicular access to the property is currently provided via the north eastern corner of the site from Laitoki Road.



A view of the existing dwelling from Laitoki Road



An aerial view of the subject site

3. THE SURROUNDING ENVIRONMENT

The subject property, as evidenced from the following extract from the Warringah LEP Zoning Map below, is located on the western side of the zone boundary between the RU4 - Primary Production Small Lot zone which comprises land on the western side of Laitoki Road and which includes the subject site and the land on the eastern side of Laitoki Road and which is zoned R2 - Low Density Residential.



Extract from Warringah LEP Zoning Map

As a consequence of the above there has traditionally been a clear distinction between the character of the lands located on either side of Laitoki Road. In this respect the western side which is zoned RU4 and which includes the subject site is characterised by properties of similar size and characteristics to the subject site whilst the R2 zoned land located on the eastern side is characterised by conventional 600-700m² low density residential allotments supporting a mix of one and two storey detached dwelling houses.

This traditional relationship is currently in transition as a result of recently constructed and currently proposed (DA pending/SCC issued) Seniors Developments located to the north and south of the site. The proposal is considered to be consistent with the existing/future character resulting from these developments.

Specific features of the surrounding locality of relevance to the proposal include:

- 50 dwellings (serviced self-care housing) located to the north of the site at 83 Booralie Road.
- A proposed development comprising of a 94 bed Residential Aged Care Facility (RACF) and 60 Independent Living Units located at 58 Laitoki Road (to the south of the subject site). This application is subject to an approved SCC with the DA currently under assessment by the Council.

- The Terrey Hills Shopping Centre which is located approximately 750m to the east of the site on Booralie Road and which contains a range of retail and commercial services likely to be required on a daily basis.
- The Terrey Hills Nursing Home which is a large scale aged care facility and which is located approximately 450m to the north east of the site on Booralie Road.

The site is also located approximately 285m to the south of the bus stops located on either side of Booralie Road which are serviced by regular bus services and which provide access to the Terrey Hills Shops, the Forest Way Shopping Centre at Frenchs Forest and the Chatswood regional shopping and business precinct.

The character of the surrounding locality is evident in the aerial photograph below.



An aerial view of the subject and adjoining properties

4. THE PROPOSAL

The proposal seeks approval for the erection of 54 dwellings upon the subject site pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The proposed dwellings are to be constructed in the form of 8 detached single storey houses, 4 attached single storey dual occupancies, 5 x two storey apartment blocks comprising of 32 units and 10 attached two storey terrace houses. The development will also comprise of one community centre for the use of future residents.

The proposed buildings are typically to have a rendered finish with a pitched roof.

The detached dwellings and dual occupancies are proposed to be located on the western side of the watercourse with carparking at grade. The apartments and terrace dwellings are proposed on the eastern side of the watercourse with basement carparking. A bridge is proposed over the watercourse to connect the western portion of the development to the common access driveway from Laitoki Road.

The proposed buildings are to be provided with a minimum 10m setback from all boundaries.

An Arboricultural Impact Assessment has been prepared by Urban Arbor P/L. The report has identified the following to facilitate the proposed development:

- *One hundred and forty-nine (149) trees have been recommended for removal due to impacts from the proposed development works or due to their current condition. Seventy (70) of these trees are higher value category A retention value trees. Seventy-nine (79) of these trees are lower value category Z retention value trees.*
- *Fifteen (15) trees will be subject to TPZ encroachments greater than 10%, including tree 2, 3, 6, 8, 52, 56, 96, 113, 145, 168, 179, 224, 231, 232 and 233. These trees will remain viable for retention providing the proposed hard surfacing within the TPZ is constructed on or above grade.*
- *The remaining seventy-six (76) trees will be subject to minor and acceptable TPZ encroachments of 10% or less and can be retained in a viable condition.*

In response to the findings of the Arboricultural Impact Assessment, the accompanying Landscape Plan seeks to maintain and supplement the existing indigenous trees along Laitoki Road. Weed species will be removed throughout and supplemented with multi-layered indigenous species. Indigenous forest species are to be planted along the side and rear boundaries to maintain the character of the existing area. Rehabilitation and bank stabilisation of the creek will be incorporated into the proposal as detailed in the Preliminary Watercourse and Riparian Assessment.

It is also proposed as part of the development to create a perimeter walking track and which will meander through the proposed revegetation zones.

The indicative development indices associated with the proposal are detailed below:

Site Area:	20,232m²
Floor Area:	7,990m²
Floor Space Ratio:	0.395:1
Landscape Area:	10,788m² or 53.5%
Deep Soil Area:	8,600m² or 42.5%

5. ZONING AND DEVELOPMENT CONTROLS

The proposed development is identified as Integrated development and is permissible with the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979 and SEPP (Housing for Seniors or People with a Disability) 2004. Consent is also required from the NSW Office of Water under the Water Management Act in respect of the watercourse which traverses the subject site.

The following is an assessment of the proposal against the relevant provisions of the Act, the SEPP (Housing for Seniors and People with a Disability) and all of the relevant planning instruments and policies of Northern Beaches Council.

5.1 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Background

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the SEPP) came into effect on the 31st March 2004 and replaced the previous State Environmental Planning Policy (SEPP) No. 5 - Housing for Older People or People with a Disability.

The aim of this policy is to:

- (a) *Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and*
- (b) *Make efficient use of existing infrastructure and services, and*
- (c) *Be of good design.*

The policy allows for the provision of this form of housing on land zoned for urban purposes or upon land adjoining land zoned for urban purposes. The subject land is zoned RU4 - Primary Production Small Lots under the Warringah Local Environmental Plan 2011 and adjoins land zoned R2 - Low Density Residential. The proposal is therefore considered to satisfy the definition of land adjoining land zoned for urban purposes under Clause 4(4) of the SEPP.

Clause 24(1)(a)(i) of the SEPP applies to land adjoining land zoned for urban purposes and requires the obtaining of a Site Compatibility Certificate.

Clause 24(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 states that:

- (2) *A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the Director-General has certified in a current site compatibility certificate that, in the Director-General's opinion:*

- (a) *the site of the proposed development is suitable for more intensive development, and*
- (b) *development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).*

This application is provided in response to the above requirements.

Clause 13 - Self-contained dwellings

The subject application proposes development of the subject site for a purpose defined under the SEPP as being ‘serviced self-care housing’ and which is defined as:

***serviced self-care housing** is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care*

and where a ‘**self contained dwelling**’ is defined as;

a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing

The subject application provides for a total of fifty four (54) self-contained dwellings which satisfy these definitions and comprises of 8 detached dwellings, 4 attached dual occupancies, 10 attached terrace dwellings and 5 apartment blocks containing 32 units.

The required services will be provided via an external service provider.

Clause 17 - Development on land adjoining land zoned primarily for urban purposes

In accordance with the requirements of this clause it is advised that the proposal does provide for serviced self-care housing and the housing will be suitable for occupation for people with a disability.

A detailed Accessibility Report demonstrating compliance will be prepared and submitted as part of the Development Application.

Clause 21 - Subdivision

Clause 21 of the SEPP permits land on which development has been carried out under this chapter to be subdivided with the consent of the consent authority.

The proposal seeks to subdivide the subject land in accordance with this provision by way of either a Strata or Community title subdivision. The final form of the subdivision will form part of the Development Application.

Part 1A - Site Compatibility Certificates

Clause 24 - Site Compatibility Certificates Required for Certain Development

Clause 24(1)(a)(i) of the SEPP applies to land adjoining land zoned for urban purposes and requires the obtaining of a Site Compatibility Certificate.

Clause 24(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 states that:

- (2) A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the Director-General has certified in a current site compatibility certificate that, in the Director-General's opinion:*
 - (a) the site of the proposed development is suitable for more intensive development, and*
 - (b) development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).*

This application is provided in response to the above requirements.

Clause 25 - Application for Site Compatibility Certificate

Pursuant to Clause 25(1) of the SEPP this application is made on behalf of Tolucy P/L and who have the written consent of the owners of the land. That consent forms part of the information accompanying this application.

It is considered that the form of this application and the supporting documentation satisfies the requirements of Clause 25(2) of the SEPP.

In accordance with Clause 25(2D) of the SEPP it is advised that as part of its initial assessment of this Site Compatibility Certificate that the Sydney North Planning Panel on the 8th August 2019 resolved that a Cumulative Impact Study is required in relation to this application.

Cumulative Impact Study

Pursuant to the requirements of Clause 25(C2) of the SEPP the following cumulative impact study is provided. This study is based upon the following documentation:

- *Assessment of Road & Public Transport Infrastructure Report prepared by Transport & Traffic Planning Associates, Ref. No. 219/2019, Issue B and dated February 2020.*
- *Social Impact Statement prepared by Judith Stubbs & Associates and dated February 2020.*
- *Preliminary Servicing Assessment prepared by Martens Consulting Engineers, Ref. No. P1806682JR03V01 and dated 4/2/19.*

It is submitted based upon the above documentation that:

- (a) *take into account the capacity of existing or future services and infrastructure (including water, reticulated sewers and public transport) to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision, and*

Comment

It is my opinion based upon the above reports that there is sufficient capacity of existing or future services and infrastructure (including water, reticulated sewers and public transport) to meet the demands arising from the proposal.

Informing this opinion reference is made to the following:

Page 15 - Preliminary Servicing Assessment prepared by Martens Consulting Engineers

A preliminary review of the availability of utility services has been completed for the site. It shows that, subject to detailed design of the development, utility services shall be generally available to the development.

Page 15 - Assessment of Road & Public Transport Infrastructure Report prepared by Transport & Traffic Planning Associates

- *the transport needs of residents, visitors and staff will be adequately catered for by the nearby bus services.*
- (b) *take into account the capacity of existing or future road infrastructure to meet any increase in traffic as a result of proposed development.*

Comment

It is my opinion based upon the above reports that there is sufficient capacity of existing or future road infrastructure to meet any increase in traffic as a result of proposed development.

Informing this opinion reference is made to the following:

Page 15 - Assessment of Road & Public Transport Infrastructure Report prepared by Transport & Traffic Planning Associates

- *there will be no adverse or unsatisfactory traffic implications even in an emergency evacuation circumstance.*
- *the envisaged vehicle access, internal circulation, parking and servicing provisions will be quite suitable and appropriate.*

In addition to the above reference is made to the Social Impact Statement prepared by Judith Stubbs & Associates and which at page 5 of that report examines the Cumulative Impact of the proposal and wherein it is stated that:

The proposal will add to the cumulative impact of existing and approved seniors' developments in the Terrey Hills suburb. Apart from Terrey Hills Nursing Home (102 high care places), these developments have been approved and undertaken since the ABS 2016 Census.

The 62 new residents of proposal contribute 24% of the cumulative impact of the seniors' developments to the total population. The cumulative impact to population of 263 people represents an 8% increase in the Terrey Hills suburb and a minor 0.1% increase in the Northern Beaches LGA.

As the proposal does not include a RACF, its contribution to the cumulative impact of need for assistance is minor at 9% (10 people in need of assistance), compared with the additional 104 people in need of assistance in the existing retirement village and approved development due to the much higher rate of need for assistance among those residing in nursing homes. That said, the services required to meet the needs of people in nursing homes are delivered entirely on-site and do not add need to the general population.

The provision of public transport is limited in this part of Terrey Hills and would impact each of the new and approved seniors' developments in the area. The provision of on-site private transport in the adjacent development (83 Booralie Road) is unknown, while it is understood that private transport (minibus) will be provided at the development at 58 Laitoki Road. Again, there may be potential expansion of transport services to the proposal site which would mitigate the impact to transport services and unmet transport need among older residents, and

this (together with on-demand individual transport) is recommended as the primary mitigation.

On the basis of the above it is considered that the cumulative impact of the proposal on surrounding infrastructure, services and public transport is considered to be acceptable.

In accordance with the requirements of Clause 25(5)(b) of the SEPP, the following assessment is provided.

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

- (b) *is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:*
- (i) *the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,*

Comment

It is advised that Development Consent has previously been granted for the construction of 50 dwellings to be used as serviced self care housing upon No. 83 Booralie Road. That consent has since been constructed.

Site Comptability Certificates have also been approved upon 83-85 Booralie Road and 58 Laitoki Road which demonstrates that land within this vicinity is capable of accommodating serviced self care housing.

An Arboricultural Impact Assessment has been prepared for the site by Urban Arbor P/L. The report has identified the following to facilitate the proposed development:

- *One hundred and forty-nine (149) trees have been recommended for removal due to impacts from the proposed development works or due to their current condition. Seventy (70) of these trees are higher value category A retention value trees. Seventy-nine (79) of these trees are lower value category Z retention value trees.*
- *Fifteen (15) trees will be subject to TPZ encroachments greater than 10%, including tree 2, 3, 6, 8, 52, 56, 96, 113, 145, 168, 179, 224, 231, 232 and 233. These trees will remain viable for retention providing the proposed hard surfacing within the TPZ is constructed on or above grade.*
- *The remaining seventy-six (76) trees will be subject to minor and acceptable TPZ encroachments of 10% or less and can be retained in a viable condition.*

In response to the findings of the Arboricultural Impact Assessment, the accompanying Landscape Plan seeks to maintain and supplement the existing indigenous trees along Laitoki Road. Weed species will be removed throughout and supplemented with multi-layered indigenous species. Indigenous forest species are to be planted along the side and rear boundaries to maintain the character of the existing area.

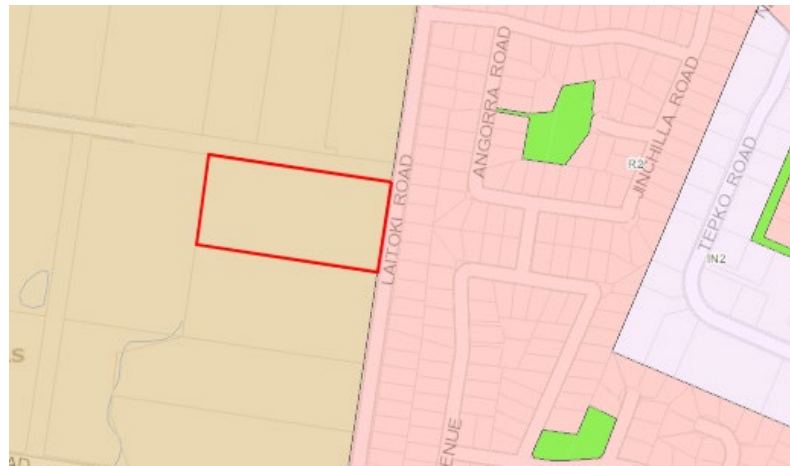
The existing watercourse as a result of the above weed infestation together with bank erosion and destabilization is in a degraded state and requires rehabilitation. In this regard it is considered that rather being a constraint to development that the development actually provides for an opportunity for the enhancement of the watercourse.

In consideration of the above issues reference is made to the following accompanying documentation:

- Arboricultural Impact Assessment prepared by Urban Arbor, Ref. No. 18/12/17/25LRTH and dated 17/12/18.
- Site Compatibility Certificate Environmental Assessment prepared by Narla Environmental P/L and dated 16/11/18.
- Preliminary Engineering Site Stormwater and Flooding Constraints Assessment prepared by Martens Consulting Engineers, Project No. P1806682 and dated 19/12/18.
- Preliminary Flood Assessment prepared by Martens Consulting Engineers, Ref. No. P180682JR05V01 and dated 18/12/18.
- Preliminary Watercourse and Riparian Assessment prepared by Martens Consulting Engineers, Ref. No. P1806682JR04V01 and dated 20/12/18.
- Preliminary Site Investigation prepared by Martens Consulting Engineers, Ref. No. P1806682JR02V01 and dated 17/9/18.
- Desktop Geotechnical Report prepared by Martens Consulting Engineers, Ref. No. P1806682JR01V01 and dated 1/8/18.

It is also considered that the topography of the site and which is gently sloping does not present any impediment to the development of the site.

The subject property as evidenced from the following extract from the Warringah LEP Zoning Map is located on the zone boundary between RU4 - Primary Production Small Lot zoned land which comprises land on the western side of Laitoki Road and which includes the subject site and the land on the eastern side of Laitoki Road and which is zoned R2 - Low Density Residential.



Extract from Warringah LEP Zoning Map

As a consequence, there is a clear distinction between the historical character of the lands located on either side of Laitoki Road. In this respect the western side which is zoned RU4 and which includes the site is characterised by properties of similar size and characteristics to the subject site whilst the R2 zoned land located on the eastern side is characterised by conventional 600-700m² low density residential allotments supporting a mix of one and two storey detached dwelling houses.

It is considered that the development proposed by this application as a result of features such as the provision of landscaped setbacks and a one and two storey built form will provide for an appropriate transition between both the RU4 and R2 zoned lands and a compatible land use and built form outcome.

- (ii) *the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,*

Comment

The subject land is currently zoned RU4 - Primary Production Small Lots.

It is not considered that the site is currently used for any significant agricultural use. Further it is not considered that the site is suitable for any significant agricultural use without the undertaking of significant land clearing and landform modification.

Further it is considered that by virtue of the redevelopment of the adjoining site to the north for Seniors Housing and the proposed development of land to the south at 58 Laitoki Road for Seniors Housing, both via Site Compatibility Certificates issued by the Department that it has already been accepted by the Director-General that the lands located on the western side of Laitoki Road are no longer required for primary production purposes.

- (iii) *the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,*

Comment

The site is located approximately 285m to the south of bus stops located on either side of Booralie Road which are serviced by regular bus services and which provide access to the Terrey Hills Shops, the Forest Way Shopping Centre at Frenchs Forest and the Chatswood regional shopping and business precinct.

At each of these locations residents are able to access a wide range of commercial and retail services and facilities.

Importantly, the Terrey Hills Shopping Centre which is located approximately 750m to the south east of the site on Booralie Road contains a range of retail and commercial services likely to be required on a daily basis.

In addition to the above and consistent with the requirements of Clause 43 of the SEPP the proposal will be provided with a minimum 10 seat mini-bus which will be available to take residents to shops and services as well as on day trips.

It is also advised that pursuant to Clause 44 of the SEPP that the proposal will be required to have in place prior the occupation of the development a service agreement for the provision of services such as meals, cleaning services, personal care and nursing care should they be required by residents.

On this basis it is my opinion that residents of the proposed development will be provided with appropriate access to the required shops and services.

- (iv) *in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,*

Comment

The subject site is not zoned open space or special uses.

- (v) *without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,*

Comment

It is my opinion that the proposal is of a height, bulk and scale commensurate with a transitional site situated on the interface between rural zoned lands and a low-density environment. This has primarily been achieved through the provision of appropriate setbacks to the site boundaries and which are proposed to be extensively landscaped together with the provision of a compatible built form.

- (vi) *if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003—the impact that the proposed development is likely to have on the conservation and management of native vegetation.*

Comment

The Native Vegetation Act 2003 was repealed by sec 3 of the *Local Land Services Amendment Act 2016 No 64* with effect from 25/8/17.

It is therefore my opinion based upon this assessment that the subject site is suitable for the development as proposed.

Part 2 - Site Related Requirements

Clause 26 - Location and Access to Facilities

Clause 26(1) ordinarily provides that Council must be satisfied by written evidence that residents of the proposed development will have access (in accordance with subclause 2) to:

- "a. shops, banks and other retail and commercial services that residents may reasonably require, and*
- b. community services and recreation facilities, and*
- c. the practice of a general medical practitioner."*

In this regard the SEPP defines "access" at Clause 26(2).

In the case of a development on land adjoining land zoned primarily for urban purposes it is submitted that Clause 43 of the SEPP overrides the requirements of Clause 26 (refer to discussion regarding Clause 43 below).

Clause 27 - Bushfire Prone Land

The subject site is not classified as being located upon Bushfire Prone Land.



Extract from Council Bushfire Prone Land Map

Whilst the site is not bushfire affected and does not adjoin bushfire prone land it is located within proximity to bushfire prone land. A detailed assessment of the proposal against the requirements of Clause 27(2) of the SEPP will form part of the information accompanying the Development Application.

Clause 28 - Water & Sewer

It is advised that the sewer is currently not available to the subject site.

Consistent with the approach adopted and approved for the adjoining development at 83 Booralie Road and the proposed development at 58 Laitoki Road sewerage from the proposed development will be pumped to the existing sewer main.

Details of the proposed water and sewerage service will form part of the Development Application documentation.

Part 3 - Design Requirements

Clause 30 - Site Analysis

Clause 30 provides as follows;

- (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.*

(2) A site analysis must;

- (a) contain information, where appropriate, about the site and its surrounds as described in subclauses (3) and (4), and*
- (b) be accompanied by a written statement (supported by plans including drawings of section and elevations, and in the case of the proposed development on land adjoining land zoned primarily for urban purposes, and aerial photograph of the site):*
 - (i) explaining how the design of the proposed development has regard to the site analysis, and*
 - (ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.*

A site analysis plan has been prepared by Playoust Churcher Architects and forms part of the plans accompanying this application. The site analysis plan is to be read in conjunction with the site survey and supporting reports. It is considered that these documents when read in conjunction with this Planning Report satisfy the requirements of Clause 30 of the SEPP.

Clause 32 - Design of Residential Development

Clause 32 of the SEPP requires that consent must not be granted unless Council is satisfied that adequate regard has been given to the following design principles.

Neighbourhood Amenity & Streetscape

The proposal has been designed so as to provide an amenity and streetscape which is responsive to both the rural character of the subject site and adjoining lands to the south and west together with the adjoining low-density residential lands located to the east and seniors housing development to the north of the site.

In this regard the proposal seeks to provide for a minimum 10m setback from all boundaries.

In all instances the proposed setbacks are to comprise extensive vegetative screening comprising of both existing retained vegetation and new replenishment vegetation.

In addition to the proposed setbacks the proposal seeks to provide for a low to medium density form of development comprising of various forms of self-contained dwellings. The proposed buildings will have a maximum height of 2 storeys and are to have a reduced height and density towards the rear of the site. The buildings will be of a modern design with pitched roofs and will be compatible with surrounding built forms.

Access to the site is proposed to be via a single entry point which is located centrally within the Laitoki Road street frontage.

It is considered that the proposed buildings will be provided with appropriate separation from surrounding dwellings which will allow for appropriate levels of amenity to be retained by those dwellings as well as providing appropriate amenity for the future residents of the development.

As previously detailed the proposal will retain significant tree species located on the site which will assist in maintaining the existing landscape character of the locality. In addition, a Landscape Plan is proposed which will identify additional plantings, including screen planting and canopy trees, to be provided on site to enhance the landscape character of this development.

In my view the proposal will result in a development that will be of a form and scale compatible with the existing character of this location.

Visual and Acoustic Privacy

The development has been designed having regard to the visual and acoustic privacy of both the future residents of the development together with the adjoining property owners. In this regard it is considered that the development will provide future residents with a private and quiet living environment.

This has primarily been achieved through the provision of generous setbacks particularly from the front, side and rear boundaries and which will be provided with extensive landscaping.

In terms of internal visual privacy for future occupants of this development, measures such as window placement and the provision of landscaping and courtyard fencing have all been incorporated into the design so as to ensure that there will be appropriate amenity provided to future residents.

Solar Access and Design for Climate

The SEPP requires that the design of the proposed development ensures adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space.

As a result of the orientation of the site and the 10m setback to all boundaries, it is considered that the proposal will not result in any unreasonable overshadowing of the adjoining properties.

In relation to the provision of appropriate solar access to the future residents of the development it is considered that the dwelling design and orientation will allow for compliance with this requirement.

It is considered that the proposed development satisfies the requirements of this design element.

Stormwater

The proposal will provide for the detailed management of stormwater from the site. In this regard a Stormwater Management Plan will be prepared for the site consistent with both the requirements of Council and BASIX.

Stormwater management associated with the proposal is detailed in the accompanying Stormwater Management Report and Plans and provides for all collected surface water to be discharged to the existing watercourse via a headwall and includes separate on-site detention systems together with water quality recommendations. It is noted that if internal dwelling rainwater re-use is proposed, Council is likely to consider an offset in OSD volume commensurate with rainwater tank sizing and re-use.

Crime Prevention

The occupants of the development will be provided with a secure living environment. Appropriate lighting and security measures will be incorporated into the construction of the development.

Each dwelling is also provided with a secure courtyard/terrace area.

Accessibility

The proposal has been designed so that each dwelling will be accessible by a wheelchair bound person via suitably graded pathways.

Each dwelling has also been designed so as to provide for a bedroom and all essential facilities capable of satisfying the applicable Australian Standards.

The site is also considered to be provided with appropriate vehicular and pedestrian access.

Waste Management

At this time it is proposed that each dwelling will be provided with an area suitable for the storage of individual waste and recycling receptacles and which would in turn be serviced on the site by Council's designated waste contractor.

The proposal is therefore considered to be capable of satisfying the requirements of Clause 32 of the SEPP.

Part 4 - Development Standards**Clause 40 - Development Standards - minimum sizes and building height**

Clause 40 (1) provides that a consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this Clause.

Clause	Standard	Proposal	Compliance
Clause 40(2) - Lot Size	Minimum 1000m ²	Site Area: 22,232m ²	Yes
Clause 40(3) - Site Frontage	Minimum 20m measured at the building line.	100.585m to Laitoki Road	Yes
Clause 40(4) - Height in zones where residential flat buildings are not permitted	(a) 8 metres or less (b) No more than 2 storeys adjacent to a boundary (c) Max. 1 storey in rear 25% of site	Refer to plans.	(a) - Yes (b) - Yes (c) - Yes

Clause 41 - Self-contained dwellings - standards concerning access and useability

Clause 41 of the SEPP states:

- 41. A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.*

The proposal will be designed so as to comply with the requirements of this Clause.

Part 5 - Development on land adjoining land zoned primarily for urban purposes**Clause 42 - Serviced self-care housing**

Clause 42 of the SEPP states that:

- (1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have reasonable access to:*

- (a) *home delivered meals, and*
 - (b) *personal care and home nursing, and*
 - (c) *assistance with housework.*
- (2) *For the purposes of sub clause (1), residents of a proposed development do not have reasonable access to the services referred to in sub clause (1) if those services will be limited to services provided to residents under Government provided or funded community based care programs (such as the Home and Community Care Program administered by the Commonwealth and the State and the Community Aged Care and Extended Aged Care at Home programs administered by the Commonwealth).*

In order to satisfy this clause it is proposed to submit with the Development Application a preliminary agreement from an appropriate service provider detailing their ability to provide the required services to future residents of the development.

It is also advised that pursuant to Clause 44 of the SEPP that the proposal will be required to have in place prior the occupation of the development a service agreement for the provision of services such as meals, cleaning services, personal care and nursing care should they be required by residents.

Clause 43 - Transport services to local centres

In accordance with the requirements of this clause a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development and which will be available to provide residents with access in accordance with the following:

- (a) *that will drop off and pick up passengers at a local centre that provides residents with access to the following:*
 - (i) *shops, bank service providers and other retail and commercial services that residents may reasonably require,*
 - (ii) *community services and recreation facilities,*
 - (iii) *the practice of a general medical practitioner, and*
- (b) *that is available both to and from the proposed development to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day.*

The proposed bus will be administered by the owner's corporation of the development.

Clause 44 - Availability of facilities and services

Pursuant to Clause 44 of the SEPP the proposal will be required to have in place prior the occupation of the development a service agreement for the provision of services such as meals, cleaning services, personal care and nursing care should they be required by residents.

Division 4 - Self contained dwellings**Clause 50 - Standards that cannot be used to refuse development consent for self-contained dwellings**

This clause provides additional standards for self contained dwellings which is summarised below:

Clause	Standard	Proposal	Compliance
Clause 50(a) - Building Height	Buildings not to exceed 8.0m in height	Refer to plans.	Yes
Clause 50(b) - Density and Scale	Floor Space Ratio not to exceed 0.5:1	0.395:1	Yes
Clause 50(c) - Landscaped Area	30% of site area to be landscaped	53.5%	Yes
Clause 50(d) - Deep Soil Zones	15% of the site area with 10% preferably at the rear	42.5%	Yes
Clause 50(e) - Solar Access	70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter	Refer to plans	Yes
Clause 50(f) - Private Open Space	15m ² of private open space per dwelling	Refer to plans	Yes. All dwellings are provided with in excess of 15m ² of private open space.
Clause 50(h) - Parking	0.5 space per bedroom	Each dwelling is to be provided with two car parking spaces and no more than 3 bedrooms therefore exceeding the minimum requirements of the SEPP.	Yes

Summary

Based upon the responses above it is my opinion that the proposed development of the subject site as serviced self-care housing and which involves the erection of 54 dwellings is capable of complying with the requirements of this SEPP.

5.2 Warringah Local Environmental Plan 2011

The subject land is zoned RU4 - Primary Production Small Lots under the provisions of the Warringah Local Environmental Plan 2011.



Extract of Council Zoning Map

Under the RU4 zone the use of land for the purpose of Housing for Seniors or People with a Disability is prohibited.

The proposal therefore relies upon SEPP (Housing for Seniors or People with a Disability) 2004 for its permissibility.

As detailed in the following extract of the zoning table for the RU4 zone dwelling houses are permissible upon the site.

Zone RU4 Primary Production Small Lots

1 Objectives of zone

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To minimise the impact of development on long distance views of the area and on views to and from adjacent national parks and bushland.*
- *To maintain and enhance the natural landscape including landform and vegetation.*
- *To ensure low intensity of land use other than land uses that are primary industry enterprises.*
- *To maintain the rural and scenic character of the land.*

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Environmental protection works; Extensive agriculture; Farm buildings; Home businesses; Home industries; Intensive plant agriculture; Landscaping material supplies; Plant nurseries; Recreation areas; Respite day care centres; Roads; Roadside stalls; Rural supplies; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

Notwithstanding the proposed development being prohibited under the LEP, the following is an assessment of the proposal against the relevant provisions of the LEP which would otherwise apply to the subject site.

Clause 4.3 - Height of Buildings

Under Clause 4.3 of the LEP the subject site is located within the “I” Height Zone and as such is subject to a maximum building height of 8.5m.

The proposal provides for two storey dual occupancies, apartments and terraces which would typically have a maximum building height of approximately 8m and which would comply with this requirement.



Extract from Council Height Map

Clause 4.4 - Floor Space Ratio

This clause does not apply to the Warringah LEP.

Clause 5.10 - Heritage Conservation

The subject site is not heritage listed and is not located adjacent to a heritage item or within a heritage conservation area.

Clause 6.1 - Acid Sulfate Soils

The subject site is not identified on Council's Acid Sulfate Soils Map as containing acid sulphate soils and as such is not subject to the requirements of this provision.

Clause 6.3 - Flood Planning

The subject site is in part traversed by an existing watercourse and which forms part of Neverfail Gully.

A Flood Study was prepared in support of the proposal and found that the subject site was subject to only minimal flooding and which was largely confined to the existing channel.

It is understood that six buildings (community centre, dwelling 1, 8, 9, 11 and 12) were located within the 1% AEP and PMF levels. The habitable floor areas are however proposed above the 1% AEP and PMF levels. All internal driveways are flood free during the PMF events with evacuation being available to Laitoki Road.

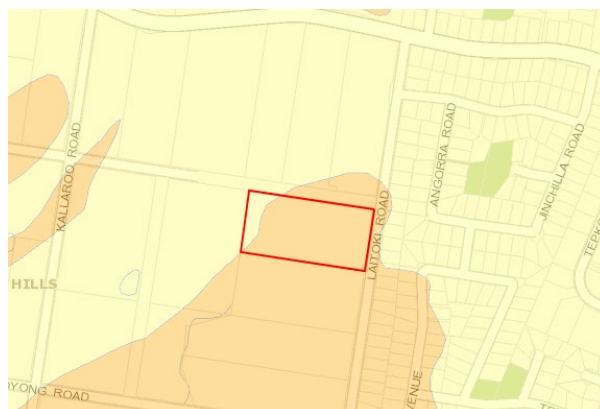
The Flood Study will be updated so as to reflect the current proposal and will form part of the information accompanying the Development Application.

Clause 6.4 - Development on Sloping Land

The subject site is located on a combination of Area A & B zoned land on Council's Landslip Risk Map and as such the provisions of Clause 6.4 of the LEP apply to the proposal.

In response to this clause a Geotechnical Assessment of the site was prepared by Marten Engineering Consultants. That report identified that subject to compliance with a number of recommendations that the site was suitable for development.

The subject report will be updated so as to reflect the current proposal and will form part of the information accompanying the Development Application.



Extract from Council's Landslip Risk Map

Summary

There are no other provisions of the Warringah Local Environmental Plan which it is considered are relevant to the proposal.

The proposal is therefore considered to be capable of satisfying the requirements of the Warringah Local Environmental Plan 2011.

5.3 Warringah Development Control Plan

The Warringah DCP would ordinarily apply to development permitted under the LEP.

Notwithstanding that the proposal is permitted under the provisions of SEPP (Housing for Seniors or People with a Disability) 2004 the following is an assessment of the proposal against the applicable provisions of the DCP.

The following is an assessment of the applicable prescriptive requirements of the DCP as they apply to the proposal.

Control	Requirement	Proposal	Compliance
B1 - Wall Height	<ul style="list-style-type: none">Maximum of 7.2m measured to the underside of the ceiling	<ul style="list-style-type: none">Refer to Plans	Yes
B3 - Side Boundary Envelope	<ul style="list-style-type: none">Not Applicable	<ul style="list-style-type: none">Not Applicable	Not Applicable
B5 - Side Boundary Setbacks	<ul style="list-style-type: none">Minimum of 10m	<ul style="list-style-type: none">Minimum of 10m to side boundaries	Yes
B7 - Front Boundary Setbacks	<ul style="list-style-type: none">20m	<ul style="list-style-type: none">Minimum of 10m	No. See comments below.
B9 - Rear Boundary Setbacks	<ul style="list-style-type: none">10m	<ul style="list-style-type: none">Minimum of 10m	Yes
D1 - Landscaped Open Space	<ul style="list-style-type: none">Minimum of 30% of site area	<ul style="list-style-type: none">53.5%	Yes
D2 - Private Open Space	<ul style="list-style-type: none">A minimum of 60m²Minimum dimension of 5m	<ul style="list-style-type: none">Refer to Plans	Yes

Front Setback

The proposal seeks to have a front setback of 10m which is consistent with the residential development located on the opposite side of Laitoki Road. A variation to this control is considered to be appropriate in this instance noting that the development located on the opposite eastern side of Laitoki Road is provided with setbacks in the vicinity of 10m.

The provision of a 10m setback is consistent with both the existing development at 83 Boorlaie Road and the proposed development at 58 Laitoki Road.

In addition to the prescriptive requirements of the DCP there are also a number of performance based controls which apply to the proposal. The following is an assessment of the proposal against those provisions.

C3 - Parking Facilities

The proposal provides for garage structures which are both integrated into the detached dwelling and dual occupancy designs and basement parking for the apartments and attached terrace dwellings. Both parking facilities are compatible with the proposed design and the surrounding locality in that parking will not dominate the development and streetscape presentation.

The proposal provides for 2 car parking spaces for each dwelling.

The proposal is therefore considered to satisfy this element of the DCP.

C4 - Stormwater

The proposal will provide for the detailed management of stormwater from the site. In this regard a Stormwater Management Plan will be prepared for the site consistent with both the requirements of Council and BASIX. In this regard the proposal will provide for individual rainwater re-use tanks for each dwelling with retained water to be used for toilet flushing, washing machines and garden watering consistent with the requirements of BASIX with any overflow from the system being directed to the existing watercourse which traverses the site.

An on-site stormwater detention system will also be provided as part of the proposal so as to ensure that stormwater discharge from the development does not impact on downstream properties.

Appropriate pollution control devices will be incorporated into the design of the proposal to prevent pollutants from the internal road entering the watercourse.

The proposal is therefore considered to satisfy this element of the DCP.

C5 - Erosion and Sedimentation

A sediment and erosion control plan will be prepared for the site and will form part of the Development Application documentation.

It is considered that subject to compliance with the requirements of this plan that the proposal will satisfy this element of the DCP.

C7 - Excavation and Landfill

The proposal does involve minor cutting and filling of the site so as to create appropriate building zones above the 1% AEP and PMF level.

The cutting and filling is considered to be of a minor nature and is located appropriate distances from the boundaries of the site.

It is therefore my opinion that the proposed filling of land associated with the proposal is acceptable in the circumstances of this case.

C8 - Waste Management Plan

A waste management plan will be prepared for the site and will form part of the information accompanying the Development Application.

The proposal is therefore considered to satisfy this element of the DCP.

D6 - Access to Sunlight

The proposal provides for one and two storey buildings which as a result of the setbacks proposed will not result in any overshadowing of adjoining properties.

Appropriate solar access will be provided to each of the proposed dwellings and its associated private open space.

D7 - Views

It is not considered that the proposal will unreasonably impact upon the views of adjoining properties.

D8 - Privacy

The objectives of this section of the DCP relate to ensuring the siting and design of buildings provide reasonable visual and acoustic privacy for residents and their neighbours and to ensure the rights of owners to privacy are balanced with the public benefit of maintaining streetscape character.

In response to this design element it is submitted that the proposal will not result in a loss of privacy to the adjoining properties given the proposed separation distances and landscaping proposed.

In terms of internal visual privacy for future occupants of this development, measures such as window placement and the provision of landscaping and courtyard fencing have all been incorporated into the design so as to ensure that there will be appropriate amenity provided to future residents.

D9 - Building Bulk

It is submitted that the proposal provides for a high quality design outcome for the site and in a manner which will make a positive contribution to the character of the surrounding locality.

It is submitted that the proposal is in keeping with the height, bulk and scale of surrounding development and that it will not result in any unreasonable impacts.

On this basis it is submitted that the proposal provides for an appropriate building bulk.

D10 - Building Colours & Materials

The proposal is considered to provide for materials and colours which are in keeping with the character of the surrounding area and which will ensure that the proposal makes a positive contribution to the streetscape of the locality.

E10 - Landslip Risk

The subject site is located on Area B zoned land on Council's Landslip Risk Map and as such the provisions of Clause 6.4 of the LEP apply to the proposal.

In response to this clause a geotechnical assessment of the site was prepared in respect of the original Development Application. That report identified that subject to compliance with a number of minor works that the site was suitable for development.

The subject report will be updated so as to reflect the current proposal and will form part of the information accompanying the Development Application.

Summary

There are no other provisions of the Warringah DCP applicable to the proposal.

The proposal is therefore considered to comply with the applicable prescriptive requirements of the DCP together with the applicable performance based controls.

5.4 - State Environmental Planning Policy No. 55 - Remediation of Land

In accordance with Clause 7 of the SEPP an assessment of the site to determine the presence of contamination was undertaken by Martens & Associates and forms part of the information accompanying this application.

That assessment involved a Preliminary Site Investigation and which identified that some remediation may be required in order to render the site suitable for residential development, particularly around the existing dwelling and shed structures.

It is considered that subject to compliance with those recommendations and which will be dealt with as part of the Development Application documentation that the site is capable of being appropriately remediated and made suitable for the proposed residential use.

6. SECTION 4.15(1) ASSESSMENT

Environmental Planning Instruments - Section 4.15(1)(a)

The subject site is zoned RU4 - Primary Production Small Lots under the provisions of the Warringah Local Environmental Plan 2011. The subject site is located adjacent to land zoned for urban purposes and as such is only permitted to be used for housing for seniors or people with a disability upon issue by the Director General of the Department of Planning of a Site Compatibility Certificate pursuant to Clauses 24 & 25 of State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The proposal has been assessed against the objectives and all of the provisions of SEPP (Housing for Seniors and People with a Disability) 2004 and the Warringah LEP 2011 together with Council's DCP as detailed within this report.

The proposal is considered to satisfy the requirements of these documents and in my opinion is worthy of support.

There are no other environmental planning instruments or draft environmental planning instruments, which are applicable to the proposal.

Impacts of the Development - Section 4.15(1)(b)

It is not considered that the proposal will result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area. The proposal will provide for 54 dwellings designed specifically for seniors or people with a disability in a location considered suitable for this form of development.

It is my opinion based upon this report and the current Development Consent granted for the site that the proposal will not result in any unreasonable impacts upon adjoining properties or the streetscape.

This is particularly the case in relation to existing vegetation, threatened species and the existing watercourse located upon the site.

Similarly, it is considered that the proposal will not result in any unreasonable impacts upon the adjoining properties or upon the character of the surrounding locality.

Suitability of the Site - Section 4.15(1)(c)

It is considered that the suitability of the site for this form of development has previously been demonstrated by the construction for a 50 dwelling serviced self-care housing development to the north of the site upon No. 83 Booralie Road, Terrey Hills and the issuing of a Site Compatibility Certificate in relation to a 94 bed Residential Aged Care Facility (RACF) and 60 Independent Living Unit development at 58 Laitoki Road, Terrey Hills.

In this respect it is considered that in the absence of any detrimental impacts associated with this proposal that the subject land is suitable for the proposed development as demonstrated by the accompanying documentation.

Public Interest - Section 4.15(1)(e)

The proposed development is considered to be in the public interest as it seeks to provide a much needed form of housing specifically designed for the areas older and disabled population in a built form which does not result in any unreasonable detrimental impacts.

7. CONCLUSION

In conclusion it is considered that this report and the supporting documentation have demonstrated that the subject site is worthy of the granting by the Director-General of the Department of Planning of a Site Compatibility Certificate pursuant to Clauses 24 & 25 of SEPP (Housing for Seniors or People with a Disability) for the construction of 54 serviced self-care dwellings upon land at 25 Laitoki Road, Terrey Hills.

Andrew Minto
Graduate Diploma (Urban & Regional Planning), Associate Diploma (Health & Building Surveying). MPIA.
MINTO PLANNING SERVICES PTY LTD
April 2020