

**SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 DIRECTOR
GENERALS SITE COMPATIBILITY CERTIFICATE APPLICATION**
SERVICED SELF-CARE SENIORS HOUSING

Submitted to NSW Department of Planning , Industry and Environment (DPIE)



Chatswood Golf Club, Chatswood

128 Beaconsfield Road, Chatswood

- Part Lot 163 in DP 752067
- Part Lot 1 in DP 651667
- Part Lot 1 in DP 1124646
- Part Lot 22 in DP 626634

Prepared by:

Levy Planning

Suite 67, 330 Wattle Street
ULTIMO NSW 2007
Ph: 9211 3366

Email: admin@levyplanning.com

Prepared for:



16 December 2020

CONTENTS

1.0	INTRODUCTION	1
2.0	BACKGROUND	3
	2.1 – Club Background and Future Strategy	3
	2.2 – Development Planning and History	5
3.0	CONTEXT	8
	3.1 – Site context, development site and site photos	8
	3.2 – Description of surrounding environment	11
	3.3 – Planning Context	29
	3.4 – Open Space and Special use provisions	46
	3.5 – Agricultural capability of the site and adjoining land	46
	3.6 – Type, values and significance of native vegetation on site	46
4.0	PROPOSAL	49
	4.1 – Description of proposal	49
	4.2 – Environmental Assessment	57
	4.3 – Site description – Natural Elements of the site	60
	4.4 – Building Envelope	60
	4.5 – Proposed extent of native vegetation clearing	63
5.0	STRATEGIC JUSTIFICATION	64
	5.1 – Relationship with regional and local strategies	64
	5.2 – Public interest for applying for seniors housing in this locality	66
	5.3 – Adequacy of services and infrastructure to meet demand	67
6.0	PRE-LODGEMENT CONSULTATION	68
	6.1 – Evidence of consultation	68
	6.2 – Description of and response to issues raised in consultation	69
7.0	SEPP SITE COMPATIBILITY CRITERIA	76
	7.1 – Clause 25(5) SEPP Seniors	76
8.0	CONCLUSION	81

ANNEXURES			
Index	Plans and Documentation	Prepared By	Date
Annexure 1	Survey Plan	JBW Surveyors	10.03.20
Annexure 2	Architectural Drawings, Photomontage and Architectural Design Statement	Marchese partners	June 2017
Annexure 3	Landscape Plan and Landscape Design Statement	Somewhere Landscape Architects	01.06.17
Annexure 4	Traffic and parking impact assessment	Ray Dowsett Traffic	29.06.17
Annexure 5	Flora and fauna Study	Travers Bushfire and Ecology	July 2017
Annexure 6	Bushfire constraints assessment	Travers Bushfire and Ecology	01.06.17
Annexure 7	Arboricultural impact assessment report	Glenice Buck	17.6.2017
Annexure 8	Flood analysis report	Marchese partners	14.06.17
Annexure 9	Infrastructure Services report	Building Services Engineers	10.1.20
Annexure 10	Geotechnical Report	JK Geotechnics	12.05.17
Annexure 11	Stage 1 and 2 Environmental Assessment	EIS	16.03.17
Annexure 12	Letters from Chatswood Golf Club	CGC	27.06.17 15.4.2020
Annexure 13	SCC Assessment and Approval documents	DPIE/SNPP	June 2019
Annexure 14	Access review	Funktion	July 2017
Annexure 15	Golf Course Design Statement	CGC	29.4.20
Annexure 16	Record of Pre-development application meeting	Willoughby Council	31.10.19
Annexure 17	Resident Care Services	Vitalis	17.4.20
Annexure 18	Photo Panel	Levy Planning	17.1.20
Annexure 19	Community Consultation	CGC & Watermark	20.5.20
Annexure 20	Certificate of Golf Club Registration	CGC	14.12.05
Annexure 21	S.10.7 Certificate Chatswood Golf Club (Lot 163)	Willoughby City Council	18.7.19

1.0 INTRODUCTION

This Site Compatibility Certificate (SCC) application has been prepared by Levy Planning on behalf of the applicants **Watermark Chatswood Pty Ltd** to obtain a (second) SCC which will facilitate the on-going assessment of a Development Application (**DA 2020/117**) submitted to Willoughby City Council (WCC) for the construction of a mixed-use development comprising Seniors Housing in the form of 106 “serviced self-care housing” apartments and a “Registered Club” on part of the land at Chatswood Golf Club (CGC) at 128 Beaconsfield Road, Chatswood.

A previous near identical SCC application was approved by Sydney North Planning Panel (SNPP) on 13 June 2019. Refer DPIE report recommending approval and approved SCC documents at **Annexure 13**. *Note: Where changes have been made to the previous SCC Planning Report, they are highlighted in blue font for clarity.* Due to delays likely to be encountered over the Christmas break, the applicant and Willoughby City Council officers are concerned that the 24 month SCC validity will expire before the DA has been determined by Sydney North Planning Panel.

Draft amendments to SEPP Seniors provisions under a new consolidated *Housing Diversity SEPP* dated July 2020 were exhibited for public comment. Notably the introduction to the “Explanation of Intended Effect for a new Housing Diversity SEPP” states;

“As NSW recovers from the COVID-19 pandemic the planning system has an important role to play. Changes have already been made to fast-track planning projects and allow for new construction jobs and construction work to continue where possible. Moving forward, there will be a focus on ensuring that the planning system supports the recovering economy, particularly through facilitating new projects which make a significant contribution to the retention and creation of jobs..”

A key proposed changes/clarifications to the SEPP Seniors are;

Validity of Site Compatibility Certificates

A site compatibility certificate (SCC) is usually valid for 24 months. Once a SCC has been issued, development consent is sought through a development application lodged with the consent authority, which is usually the local council.

Because of the 24 month timeframe for the validity of a SCC, and the time needed to prepare and assess seniors housing proposals, SCCs sometimes expire before a development application has been determined.

It is proposed to introduce provisions in the new SEPP so that a SCC is valid for 5 years, provided that a development application is lodged within 12 months of the date on which the SCC is issued.

The 5 year timeframe is consistent with the current timeframe for SCCs in Division 5 of the ARHSEPP for development of residential flat buildings by public authorities or social housing providers.

Registered clubs

Currently, a SCC application can be made on land that is used as an existing registered club. Over the years, there have been a number of SSC applications made on land on which a registered club is no longer viable.

To improve certainty for all stakeholders, it is proposed to reinforce the requirement that if a SCC application is being made on the basis that the land is being used for the purpose of a registered club, the club must be a registered club at the time the SCC application is made.

The DA was lodged 22 May 2020 (within 12 months of the SCC being issued) and the current SCC will lapse 13 June 2021 unless the above exhibited changes to the SEPP are not gazetted prior to this date. As there is no certainty with respect to the timing of the gazettal or whether the extension will apply to current SCC's, the applicant must lodge a fresh SCC application to ensure the SCC does not expire before Council has completed their assessment and SNPP has determined the DA. The Club is still operating (in a limited capacity due to Covid-19) and its future financial survival is dependant upon the approval of the subject DA.

The seniors housing will be owned and operated by Watermark which currently operate a retirement village at Castle Cove, Watermark Freshwater and also established Watermark Wagga in 2003. Watermark pride themselves on providing high quality seniors housing to residents in a safe, comfortable and secure homelike environment with appropriate support services.

The site is zoned RE2 Private Recreation under Willoughby Local and Environmental Plan 2012 (WLEP 2012). Development for the purposes of a “Registered Club” is permissible in the RE2 zone while all other forms of Seniors Housing is prohibited.

Pursuant to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors), development may be considered for the purpose of seniors housing despite the use being prohibited under the WLEP 2012. An SCC is required under the provisions of Clause 25 of SEPP HSPD and clause 50(2A) of the Environmental Planning and Assessment Regulation 2000 which states the following:

“A development application that relates to development in respect of which a site compatibility certificate is required by a State Environmental Planning Policy must be accompanied by such a certificate”

An SCC is required to accompany a DA where the land is zoned primarily for urban purposes, or land that adjoins land zoned primarily for urban purposes, but only if the land is being used for the purposes of an existing registered club.

The subject site comprises an existing registered club (golf club) which is located within the residential precinct of Chatswood and is surrounded by residential dwellings and some medium density (seniors) housing developments. This SCC application has been prepared in accordance with Chapter 3, Part 1A of SEPP Seniors and demonstrates the site’s compatibility with the existing and future intended surrounds. Reference is also made to *Project Venture Pty Ltd v Pittwater Council (2005) NSW LEC 191*, where principles of determining “compatibility” are established by responding to the two following questions;

- *Are the proposal’s physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- *Is the proposal’s appearance in harmony with the buildings around it and the character of the street?*

The site is approximately 60m from land that is zoned R2 Low Density Residential. The Land and Environment Court (*Wirrabara Village Pty Ltd v The Hills Shire (2018) NSW LEC 1187* decision dated 19-4-2018) has previously determined rural land at 3-5 Pellitt Lane, Dural within 71.1m of land zoned primarily for an urban purpose is in ‘sufficient proximity’ to be considered to be land which adjoins land primarily for urban purposes. On this basis the Department was previously satisfied that the site at Chatswood Golf Club adjoins land primarily for urban purposes and therefore seniors housing is permitted on the subject site in accordance with the Seniors Housing SEPP.

The SCC report has been prepared to address all the relevant provisions under Part C – *Site compatibility of the proposed development*, listed in the Departments SCC application form and consideration has been given to feedback received during pre-consultation with Willoughby Council and liaison with officers from the NSW Department of Planning Industry and Environment.

2.0 BACKGROUND

2.1 – Club Background and Future Strategy

Club Background: -

The Chatswood Golf Club (CGC), established in 1955, is a registered club within the meaning of the Registered Clubs Act 1976 and holds a certificate of registration to that effect. A small parcel of Chatswood Golf Club owned land (being part Lot 163 in DP 752067 located at the western end (terminus) of Beaconsfield Road, was rezoned from 6(d) Private Recreation to E4 Environmental Living under WLEP 2012 to facilitate a subdivision to create “Lot 10” for a future residence. This was intended as a solution to the Club’s financial stress.

The subdivision (DA2013/316) to create a separate 1104m² parcel was approved by Willoughby Council 20-11-2012 & modified 25-7-2014, and a Construction Certificate (CC 2014/386) issued for driveway, turf and swale works which were subsequently commenced. The approved subdivision was not completed or registered with Land Titles Office, as it became apparent that the one-off sale of a parcel of golf-course land to build a private residence would only provide a temporary solution that would not solve the financial problems for the Club on a permanent basis.

Future Strategy: -

The Club has determined that they should pursue a long term and sustainable financial solution – incorporating a seniors housing development with support services which importantly, **involves a financial operating structure that provides a boost to Club membership and moreover, a permanent income stream for the CGC from the retirement village use.** In doing so, this will preserve the “greenspace” of the golf course by utilising the existing developed elevated portion where the club house and carpark are currently sited.

In the current market, public golf courses or a mixed private/public course - such as Chatswood, have to compete with larger and more challenging courses on the North Shore to attract membership and social golfers. Maintaining a golf course to keep it competitive is costly and subject to the vagaries of the weather. Golf courses need to compete in the Sydney leisure market which is extremely varied and rich with younger generations with limited time for leisure sports. The new strategy is to revitalise the existing Club facilities by focussing on a seniors, less agile and beginner market to ensure the long-term sustainability and ongoing viability of the club.

Watermark Living were approached by the Club with a view to achieving a more robust long-term solution to the Clubs finances by engaging in a joint venture to develop a serviced self-care retirement village on the eastern part of the Golf Club site where it adjoins properties with frontages to Colwell Crescent and the eastern end of Beaconsfield Road. The proposed development site is currently occupied by the Club-house building and car parks.

Under the terms of the agreement between Watermark and CGC, a new Club-house building is proposed to be constructed along with a 106 dwelling retirement village (serviced self-care units) and car parking accessed from Beaconsfield Road. Watermark and CGC would have reciprocal rights-of-way over the respective developments to facilitate vehicular and pedestrian access.

A key feature of the financial arrangement is that Watermark will fund the construction of the new Club-house facility which is to be in Club ownership and will then provide recurrent funding via a lease arrangement which enables the facility to also be jointly utilised by the residents in the retirement village. This arrangement will ensure the long-term viability of the Club and the co-location will also ensure Club membership levels are increased.

In anticipation of this new financial solution, the Club and Watermark Living jointly agreed to remove all poker machine facilities from the clubhouse in 2017, so that the co-location and shared use of the Clubs facilities would not have any adverse social impacts on club members. Residents and local community.

The following management statement has been provided by Chatswood Golf Course and Watermark Chatswood Pty Ltd regarding the proposed partnership between the Seniors Housing and Chatswood Golf Club

"The proposed development and resulting partnership between CGC and Watermark Chatswood is a collaboration of work between CGC and WM. Initiated by the CGC as a means to address their deteriorating financial position. Fundamental to the project model are a number of key principles which are summarised as follows;

- Alignment of interest of CGC and Watermark Chatswood, promote inter-generational community project ensuring the long-term viability of CGC*
- Long term partnership of CGC and Seniors living resulting in mutual benefits to all stakeholders from a range of services and facilities*
- CGC services and facilities extend well beyond those who would expect in conventional golf club. Seniors living services and facilities will also extend beyond those you would expect in a conventional Seniors Living project.*
- CGC will provide 150 years lease to Seniors living residents over all the shared facilities. This includes bar and dining, recreational areas, gymnasium, pool, cinema, function areas and meeting rooms.*
- CGC will have a 20% interest in the future revenue stream generated from Seniors Living business model.*
- Operationally the Seniors living community will contribute service fees to CGC*
- Joint management committee will be formed with two representatives from each CGC and Watermark Chatswood to manage all operations aspects of shared facilities.*
- All Seniors living residents will have lifelong membership of the golf club, pool and gymnasium*
- The rights and interests of the stakeholders are protected for the long-term should their respective Boards or shareholdings change.*
- All the above is intended to create an inter-dependency across the two main stakeholders"*

This is a new business model of joint venture between the two parties ensuring the long-term economic viability of Chatswood Golf Course with mutual benefits to all the stakeholders. It provides a robust enduring solution for the on-going functionality and maintenance of the Club and notably is notably absent of relying on income generated from poker machines.

2.2 – Development and Planning History

Date	Details
1947	Use of Crown/Council leased lands for golf course fairway purposes.
1955	The Chatswood Golf Club (CGC), established in 1955, is a registered club within the meaning of the Registered Clubs Act 1978 and holds a certificate of registration to that effect. Refer copy of registration at Annexure 21 .
2004	In June 2004 an application was submitted to Council to rezone part of the Chatswood Golf Course land (known as Lot 163 DP 752067) from 6(d) Private Recreation to 2(a2) Residential Scenic Protection under the Willoughby LEP 1995 (<i>as reported in the Council delegated report for DA/2013/316</i>). The purpose was to facilitate subdivision for 3 residential housing lots as a temporary solution to the CGC's financial stress. Only 1 of the original 3 sites earmarked was subsequently approved for rezoning by Council. This was the irregular shaped area of 1104m ² located adjacent to the west of 156 Beaconsfield Road. The rezoning of this parcel did not occur until the gazettal of WLEP 2012 on 7 th January 2013 which adopted the Department of Planning's standard template E4 zoning.
2004	DA2004/56 consent granted for reposition and refurbishment of green and surround
2011	DA2011/69 and CC2011/289 consent granted for alterations and additions to existing wash bay area (near Mooney Street) and installation of Waste 2 Water fully closed loop treatment system and installation of above ground fuel tank.
2011	DA2011/624 consent for installation of safety screen
2013	<p>The Willoughby LEP (WLEP) 2012 commenced on 7 January 2013 and superseded the former WLEP 1995 planning instrument.</p> <p>This WLEP zoned the whole of the Chatswood Golf Course to a mix of zones comprising;</p> <ul style="list-style-type: none"> • <u>Leasehold Lands</u>: RE1 Public Recreation & E2 Environmental Conservation • <u>Golf Club owned Lands</u>: RE2 Private Recreation, E4 Environmental Living and E2 Environmental Conservation. <p><u>Note</u>: WLEP 2012 also rezoned the land immediately adjacent to the Golf Course from its previous 2(a2) Residential Scenic Protection Zone to E4 Environmental Living. While "seniors housing" was permitted on the 2(a2) lands pursuant to SEPP Seniors, under the WLEP 1995, "seniors housing" became a prohibited use on the same lands following the gazettal of WLEP2012.</p>
2013	DA/2013/316 approved the Torrens Title subdivision of Lot 163 DP 752067 into two (2) allotments, with a small residential housing lot (Lot 10) having a site area of 1104m ² to reflect the E4 zone and the residual Golf Course land (Lot 11) retaining a site area of 4.337 hectares. An operative consent was issued on 23 November 2013.

2013	DA/2013/316 subdivision modified conditions 5,13,14,18,19
2014	Renewal of Crown & Council owned leasehold lands (northern part of golf course)
2015-2016	CC2014/386 issued for driveway and turfed swale construction. The CC was subsequently modified to achieve minor relocation of the swale to be clear of the stormwater pipe. Some driveway works commenced, however the subdivision has not been completed or registered with the Land Titles Office.
2017	A Site Compatibility Certificate (SCC) application was lodged with the Department of Planning 14-7-17 to facilitate permissibility for seniors housing on the site (not including that part zoned E4) under SEPP (Housing for Seniors or People with a Disability) 2004 ("SEPP Seniors")
2019	The Site Compatibility Certificate SCC was approved by SNPP on 6 th June 2019 and the SCC notice was issued 13 th June 2019 for the proposed seniors housing development within the approved boundary.
2020	Development Application 2020/117 lodged with Willoughby City Council on 22 nd May 2019 for 106 serviced self-care seniors apartments and new Clubhouse building with associated carparking, site works and landscaping

Table 1: Approvals History

The majority of the Golf Club site is zoned **RE2 – Private Recreation** pursuant to the Willoughby Local Environment Plan 2012 (WLEP 2012), which permits development for the purpose of a 'Registered club' with consent. Refer **Figure 1** overleaf.

State Environmental Planning Policy (Housing for Seniors or people with a Disability) 2004 (SEPP Seniors) includes provisions which state that it applies to '*land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes*' but only if the land is '*being used for the purposes of an existing registered club*'. The subject site contains an Existing Registered Club (operating since 1955) on Private Recreation RE2 zoned lands. Neighbouring lands directly abutting the eastern boundary of the site are zoned E4 Environmental Living Zone pursuant to WLEP 2012 and occupied by 1-2 storey housing fronting Colwell Crescent/Beaconsfield Road. Land 60m to the east fronting Colwell Crescent is zoned R2 Low Density Residential.

Having regard the above and recent Land and Environment Court decision *Wirrabara Village Pty Ltd v The Hills Shire Council 2018 NSWLEC1187*, the Department of Planning and Environment (now DPIE) and Sydney North Planning Panel (SNPP) expressly considered the issue of permissibility under the SEPP during the previous Site Compatibility Certificate (SCC) considerations and determined that the SEPP (Seniors) applies on the basis of being only 60m distance from the R2 zone lands, which was less than the 71m accepted distance in the *Wirrabara Village* court decision.

A Site compatibility Certificate (SCC) for the seniors housing development was issued by Sydney North Planning Panel on **13th June 2019**. The SCC and related documents including WCC submission to DPIE, Assessment Report by DPIE & related architectural drawings are provided at **Annexure 13**.

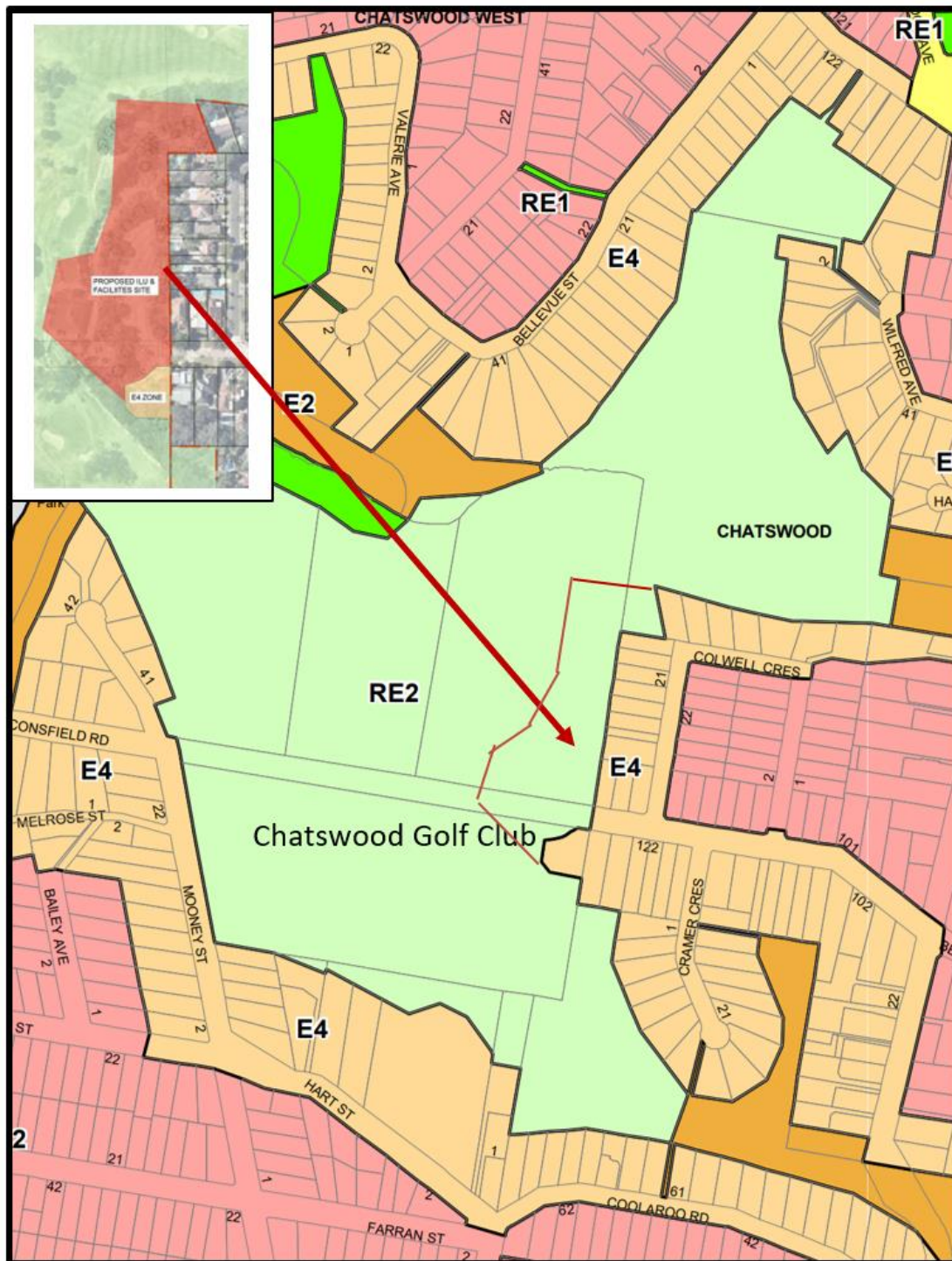


Figure 1 – Extract from Willoughby Land Zone Map. Source -<http://www.legislation.nsw.gov.au/>

3.0 CONTEXT

3.1 – Site context, development site and site photos

Site Context

The subject site forms part of the Chatswood Golf Course within the suburb of Chatswood which is located in the Willoughby Local Government Area (refer to **Figure 2** and **3** overleaf). Chatswood Golf Course is located approximately 1km from Chatswood CBD and is situated in an expansive and picturesque valley crossing Swaines Creek and backing onto the Lane Cove River and surrounded by low density residential development to the east.

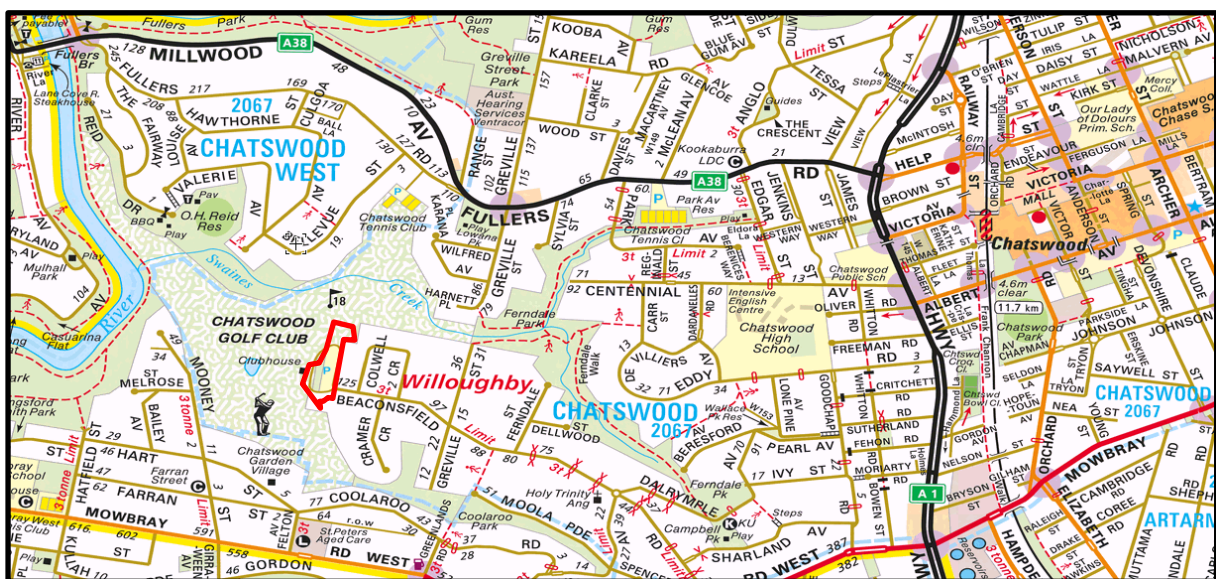


Figure 2: Site Location Map showing subject site and surrounding land.

Source - <http://www.street-directory.com.au/>

The site is located within an undulating topographic setting. The site itself is located on the side of a west facing hillside slope which appears to fall to the west at approximately 7-10° towards the Lane Cove River. The Clubhouse site levels have previously been altered to accommodate the upper carpark level (RL 40) and lower level car parks (RL 35 to RL 37), and the existing club house building (max ridge height RL 40.69). Parts of the site have steeper slopes (up to about 30°) particularly at the southern end of the site. Refer **Figure 3** overleaf.

The contours and features of the site are depicted on the Survey Plan at **Annexure 1**. Along the eastern boundary of the subject site are some outcrops of sandstone which are also found within the vegetated slope separating the two carparks. The areas of the site that are not paved and do not contain any buildings or structures are densely vegetated, containing medium to large canopy trees and smaller shrubs.



Figure 3: Extract of survey plan (near clubhouse) with RLs notated

(Source – JBW Surveyors)



Figure 4: Aerial Map showing subject SCC site

Source: Sixmaps

Chatswood Golf Course is made up of fourteen (14) separate lots comprising 11 lots owned by the Club and (part) 3 leased lots. Refer **Figure 5** below.

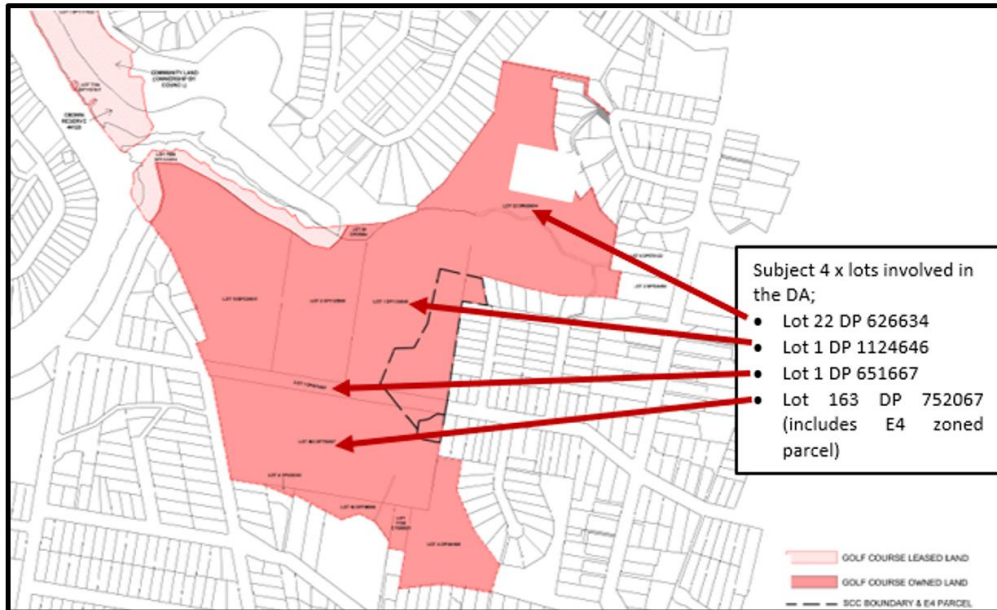


Figure 5: Lot Plan showing subject SCC site & E4 parcel in context of Golf Course lots Source – Marchese partners

The proposed development site for the redevelopment of the club house and Seniors housing development only traverses four (4) lots (14ha) which are illustrated in **Figure 6** below. The retirement village and Club development site is approximately 14,843m² in area and largely comprises the existing upper and lower carpark sites, internal driveways, the club house and the land immediately adjacent to the existing club house. The Club carpark is located at the end of Beaconsfield Road, Chatswood and is also the primary entrance to the Chatswood Golf Club (CGC).

The existing carpark site is approximately 7500m² in area with the long axis on a north-south alignment. The existing upper carpark is relatively level and affords 180 degree views of the golf course. The four (4) lots which make up proposed development site for the proposed development are located on the eastern-most portion of the golf club grounds on the following allotments;

Part Lot 163 in DP 752067	Part Lot 1 in DP 1124646
Part Lot 1 in DP 651667	Part Lot 22 in DP 626634



Figure 6: Lot Plans showing subject SCC site overlay with relevant allotments (outlined in blue)

Development Site

The proposed boundary of the SCC development site is depicted at **Figure 6 & 7** below and has been informed by a detailed site and contextual analysis as well as the advice received from consultants in the fields of Bushfire, Traffic, Geotechnical, Flooding, Access, Arboriculture and Ecology. The development site was established so future development can utilise the existing topography of the land and to maintain existing views and generous separation from the adjoining residential properties located directly to the east of the site.

The proposed boundary of the development site that fronts the golf course has been positioned with consideration of the proposed reconfiguration of the golf course so it does not impact on the operation of the course. Consideration of the dimensional safety setbacks between the adjoining holes of the course have also informed the proposed boundary of the subject site.

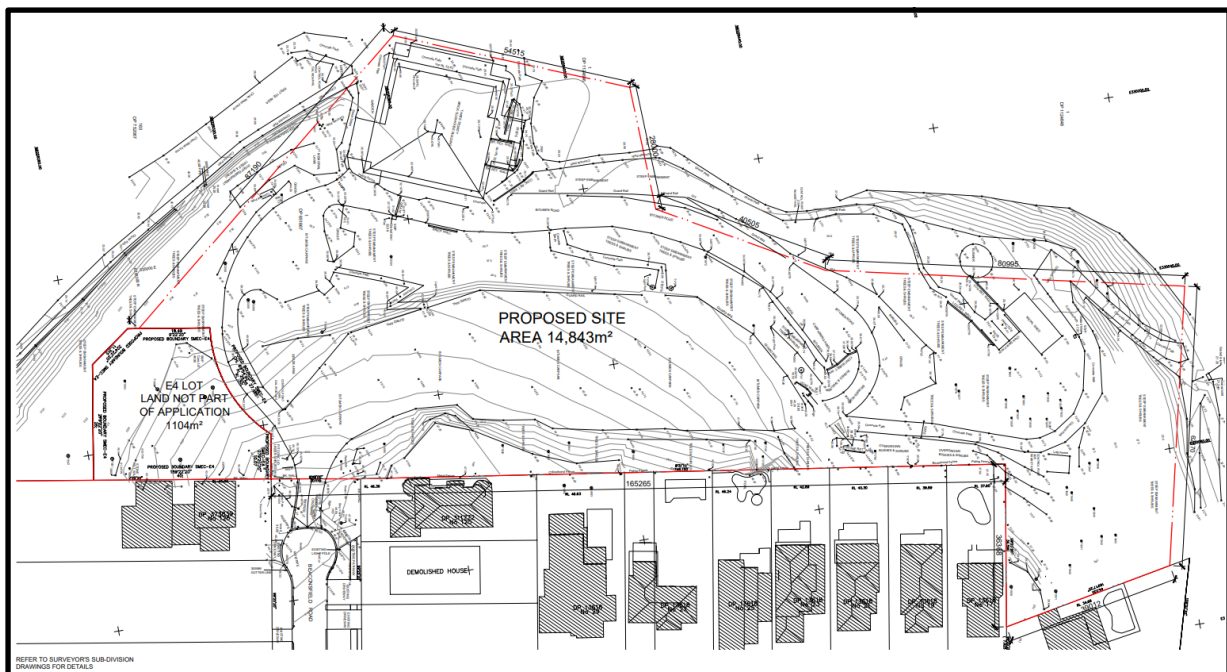


Figure 6: Survey Plan and SCC site (dashed line) with adjacent E4 parcel (solid line)

Source – Marchese partners

A large portion of the development site comprises existing paved areas that form the existing car parking and driveways for the Club. There are some densely vegetated areas within the proposed development site, some of which will require removal. A preliminary flora and fauna Study observed that *“No threatened flora species have been observed or considered likely to occur in a natural state”* and *“No hollow-bearing trees, nor any drainages or important Koala feed trees occur within the proposed development areas”*.

There is an existing bus stop on the northern side of Beaconsfield Road new Colwell Crescent, which is located approximately 90m from the entrance into the site. The bus service connects with Chatswood Train Station, where all the services to meet the requirements of SEPP Seniors are located.



Figure 7: SCC Proposed Footprint plan (Dec 2020)

Source – Marchese Partners

Site Photos



Photo 1 – Fairway looking east to Clubhouse and subject site



Photo 2 – Fairway looking east to Clubhouse and SCC site



Photo 3 – View looking south-east to Clubhouse site



Photo 4 – View looking south to Clubhouse site



Photo 5 – View looking south-east to Clubhouse & carpark



Photo 6 – View from fairway looking south to No 15G Colwell Cres



Photo 7 – View of vegetation at northern end of SCC



Photo 8 – View looking to (northern) driveway link to carpark



Photo 9 – Existing Clubhouse (eastern elevation)



Photo 10 – View of southern end of development site



Photo 11 – View of southern end of E4 parcel



Photo 12 – Area to the south-east of E4 parcel



Photo 13 – Chatswood Golf Club Carpark – upper level



Photo 14 – Club Carpark – driveway from upper level



Photo 15 – View from site entry looking east along Beaconsfield Road (bus is turning into Colwell Crescent)

Surrounding Development

The nearest residential properties that adjoin the village/Club development site are the houses to the east fronting Beaconsfield Road and Colwell Crescent which comprise 1-2 storey residential housing.

No 17-29 Colwell Crescent and 125 Beaconsfield residential properties are located approximately 1.5m to 2m above the existing level of the Club's upper carpark. No 126 abuts the eastern boundary of the E4 parcel so that the dwelling largely overlooks a vacant landscaped block to the west and bushland/golf course to the south.



Photo 16 - Site looking east to 15G Colwell Cres



Photo 17 – Rear yard No 17 Colwell Crescent



Photo 18 – Rear yard No 19 Colwell Crescent



Photo 19 - Rear yard No 21 Colwell Crescent)



Photo 20 – Rear yard No 23 Colwell Crescent



Photo 21 – Rear yard No 25 Colwell Crescent)



Photo 22 – Rear fence No 27 Colwell Crescent



Photo 23 – Rear No 29 Colwell Crescent



Photo 24 – Eastern boundary No 125 Beaconsfield Rd



Photo 25 – No 126 Beaconsfield Road – abuts E4 parcel

Refer to “View Analysis” prepared by Marchese Architects at **Annexure 2** and example extracts below at **Figure 8**.




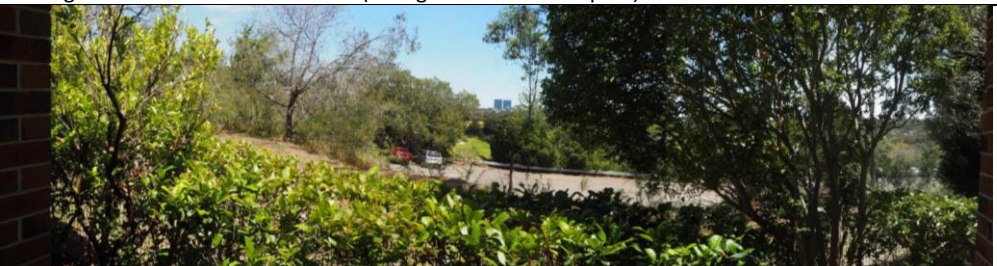
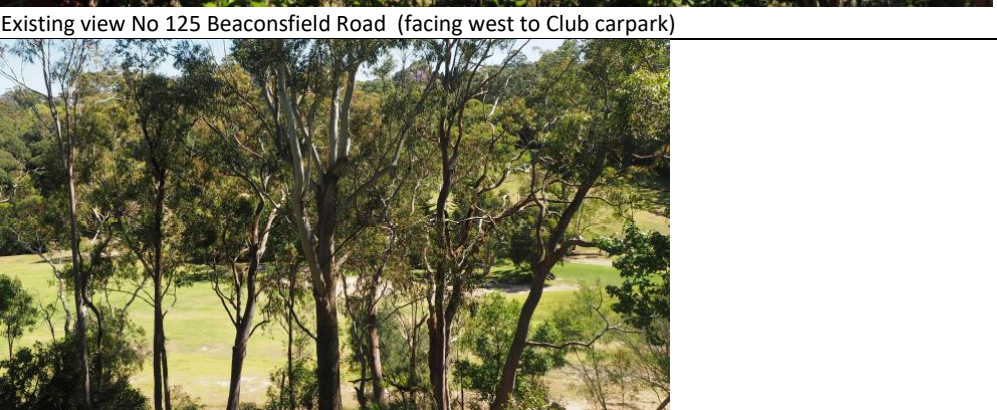
	
	
	
	
	
	

Figure 8: Photo of Views looking west to development site from neighbour properties

Source – Marchese partners



Figure 9: Photo of typical houses in the vicinity of the subject site.

Source – Marchese partners

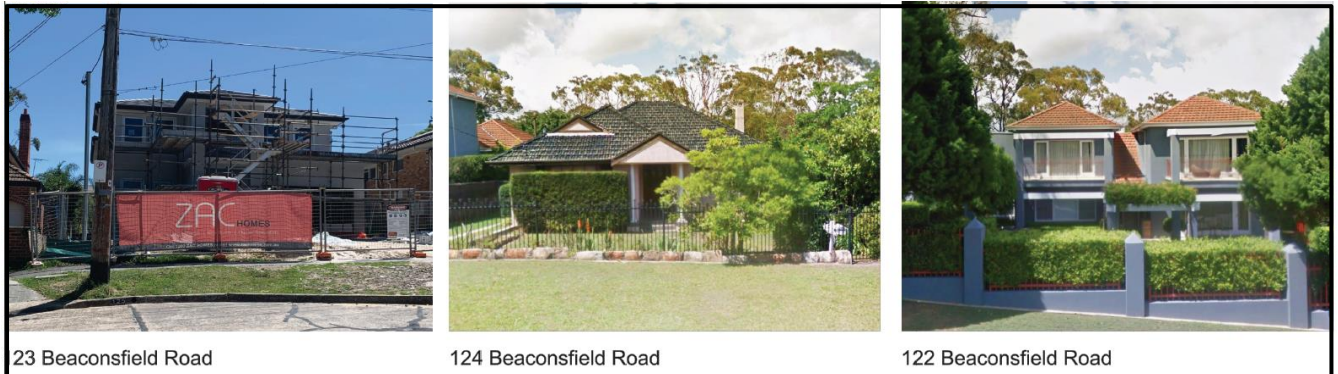


Figure 10: Photo of typical houses in the vicinity of the subject site.

Source – Marchese partners

The residential areas to the north, west and south of the development site are separated by the golf course fairway so that the nearest residential properties surrounding the golf course are located in excess of 200m away as denoted on **Figure 11** below.



Figure 11: Aerial Photo showing subject site overlay with approximate distances to residential receivers

Source: Sixmaps

To the north of the subject site and on the opposite side and uphill of Swaines Creek (192m distance) are houses on Bellevue Street, Chatswood. The houses a considerable distance, uphill and largely screened from the development site by bushland. A photo taken from the subject site looking north is provided at **Photo 26** below.



Photo 26: View from northern end of site looking north to Bellevue Street houses (Photo 13 on Annexure 25 Photo Panel)

On the southern side of the golf-course at No 5-9 Hart Street is “*Lane Cove Gardens*” a multi storey retirement village on E4 zoned lands. **Photo 27** below illustrates the subject development site viewed from a “*Lane Cove Gardens*” apartment.



Photo 27: View from “Lane Cove Gardens” apartment looking north to the Clubhouse

Source: Google

Photo 28 below is a photo taken from the southern end (E4 parcel/proposed Lot 10) looking south to “Lane Cove Gardens” across the golf course fairway. Filtered views are available from the E4 parcel due to existing vegetation on the subject site and across the golf course fairway.



Photo 28 : Photo view from E4 parcel looking south to “Lane Cove Gardens” retirement village (Photo 33 on Annexure 25 Photo Panel)



Photo 29: View from southern end of golf course near 13 Hart St

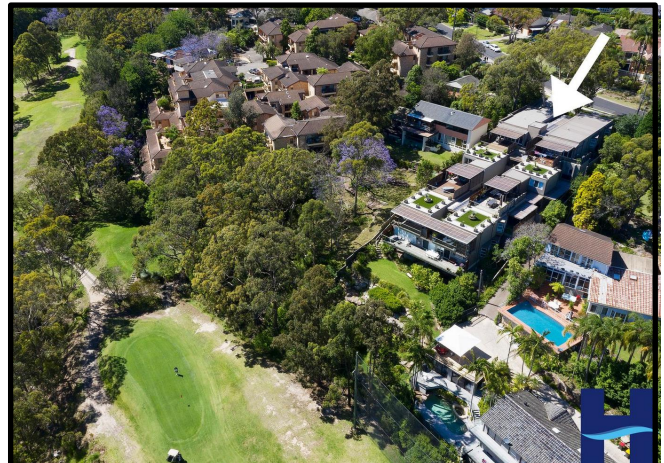


Photo 30: No 13 Hart St apartments (Source: [Realestate.com.au](https://www.realestate.com.au))

Additional photos taken from the fairway adjacent to the rear of other properties to the south of the subject site are provided at **Annexure 18** photo panel.

On the western side of the golf course fairway are houses fronting Mooney Street which are 260-330metres distance from the development site. Refer Photo Panel at **Annexure 18** and extracts below.

The below **Photo 31** illustrates the distance and vegetation screening between neighbouring houses on Mooney Street and the proposed development site.



Photo 31: View from fairway near rear yard of 41 Mooney Street - approx. 250m distance to clubhouse. (Photo 3 on Photo panel)



Photo 32: Photo view from the golf course fairway to rear yard of 41 Mooney Street (Photo 3b on Annexure 25 Photo panel)

Vehicular Access

The primary vehicle access to the Golf Club site is currently provided via Beaconsfield Road from the eastern section of the site.



Photo 33 Site photo looking east from driveway to Beaconsfield Rd entry



Photo 34: Looking east along Beaconsfield from site entry

Beaconsfield Road is a local road that generally runs in a north-south direction between Mowbray Road West in the south and a cul-de-sac which is formed in the north. It is subject to a 50km/hr speed zoning, carries a single lane of traffic in each direction and permits unrestricted kerbside parallel parking along both kerbsides. Colwell Crescent intersects Beaconsfield Road near the cul-de-sac terminus. Colwell Crescent runs in a loop between Beaconsfield Road and carries a single lane of traffic in each direction. Public buses use the (western) intersection of Colwell Crescent and Beaconsfield Road to turn round at the terminus of Route 255.

A secondary (maintenance) vehicle access point to the golf course fairways is located off Mooney Street on the western side. This 3.5m wide driveway is accessible to golf course maintenance vehicles. Where the driveway reaches the fairway it becomes 3m wide and extends to the central dam.



Photo 35: Golf course maintenance entry from Mooney St



Photo 36: Looking east from Mooney St internal driveway to Clubhouse site

Potential Land use conflicts

The subject site is surrounded by an operational golf course. A separate Development Application is being prepared by the Club which will upgrade the course (including reduction in holes from 18 to 12) to achieve improved playability/course quality and reduction of cross-overs to achieve a higher level of safety for people on the course whilst maintaining the same amount of greenspace. Notably, the course will be designed to ensure that location of the holes in close proximity to the subject site would not pose an unreasonable risk to future residents and occupants of the development (refer to CGC Design Statement at **Annexure 15**) or neighbour housing.

Clause 23 of SEPP HSPD requires there are appropriate measures to separate the club from the residential areas of the proposed development to avoid land use conflicts. To assist in ensuring the financial viability of the club, the arrangement between CGC and Watermark includes the sharing of a number of the facilities which include meeting rooms, functions areas, recreational facilities including gym, hydrotherapy pool, wellness centre, a café and restaurant. There will be separate entrances for the club and the seniors housing development and some facilities will be for use exclusively by senior's residents. A detailed plan of management accompanied DA2020/117 and this will be further expanded following determination of the application so that it clearly outlines the management of the shared

uses and the systems and protocols put in place to ensure there will be no direct or unmanageable social or land use conflicts. The Club's former poker machines were removed prior to issue of the initial SCC in 2019 will not form part of the new Club premises so that co-location and shared use of the Clubs facilities will have no adverse social impacts on the residents of the retirement village.

Natural Environment

Ecology

A Flora and Fauna Study was prepared by Travers Ecology and Bushfire and is provided at **Annexure 5**. The study included an ecological compatibility study for the suitability of the subject site for the proposed development and the following conclusions were made:

"The proposed future development of the subject site within Parts of Lot 163 DP 752067, Part Lot 1 DP 651667, Part Lot 1 DP 1124646 and Part Lot 22 DP 626634, Beaconsfield Road, Chatswood is unlikely to have a significant impact upon threatened species, endangered populations or endangered ecological communities. This is due to the low value of the subject site with respect to habitat values for threatened flora and fauna.

No threatened flora species have been observed or considered likely to occur in a natural state, although Syzygium paniculatum or Eucalyptus scoparia may occur as planted specimens as these species are available for sale at nurseries and are commonly used for landscaping or street tree purposes. A similar species to Syzygium, namely Acmena smithii was observed onsite, however this species is not listed as threatened. The vegetation present within the subject sites is not attributable to any locally occurring endangered ecological community.

Whilst fauna survey has not been undertaken in a comprehensive manner using overnight trapping, microchiropteran bat echolocation recording, spotlighting or owl calling, it is considered that the habitat attributes within the subject site do not provide any significant or unique habitat of breeding importance for any threatened fauna species. Remnant and planted vegetation may provide low key foraging value only. No hollow-bearing trees, nor any drainages or important Koala feed trees occur within the proposed development areas.

No endangered flora or fauna populations occur within the Willoughby LGA. The site is not within the recognised area for any threatened population. Therefore no endangered fauna populations are considered likely to utilise the subject site. It is therefore concluded that the proposed development is not likely to be constrained by matters pertaining to section 5 of the EP&A Act. A Species Impact Statement is not likely to be required for the proposal.

The proposal was considered unlikely to have any significant impact on threatened or migratory fauna species listed as matters of national environmental significance under the EPBC Act. As such, a referral to the Commonwealth Department of Environment (DOE) is unlikely to be required.

The proposed development appears to be ecologically compatible with the site in regard to the expected impacts on threatened flora and fauna species, endangered ecological communities and populations. Subject to detailed fauna survey the proposed development is not expected to cause a significant impact on any threatened fauna species or associated habitat."

(emphasis added)

Existing Trees

A preliminary Arboricultural Impact Assessment has been prepared by Glenice Buck Design for the proposed seniors housing and Club house development site was prepared in 2017 and is provided at Annexure 7. The report by Glenice Buck Design identified and assessed a total of 45 trees – and 5 additional dead trees, within the development site and established that the subject trees showed varying levels of vigour and health. The Glenice Buck report was not a comprehensive assessment of all individual trees within / adjoining the subject site, which was intended to be undertaken for the detailed DA stage with input from bushfire consultants. Further, it grouped large stands of trees into several “tree groups” rather than addressing the trees individually. Her report at page 27 notes the Groups 1, 2, 5-11 will be impacted by the proposed development but does not detail an exact number of trees within the group. Since the initial SCC approval the Planning for Bushfire Protection (PBP) Guidelines have been updated and necessitated removal of additional trees to maintain a compliant Asset Protection Zones (APZ).

The proposed development has been designed to maintain the maximum number of trees, particularly along the eastern boundary and on the E4 parcel to the south, but there are unavoidable encroachments of a large number of trees which will need to be removed as a result of the proposal and the works required to create an accessible and bushfire safe development. Importantly, as concluded in the Flora and Fauna report, there were no threatened species observed or considered likely to occur in a natural state on the development site. It is proposed to remove the large existing bitumen carpark and replace with an extensive landscaped area which will provide significant opportunities for vegetation restoration and opportunities for the planting of new replacement indigenous species. Further, the combined 14ha area of the site, most of which is to be retained as golf course / vegetated green space, provides ample opportunity for off-set plantings within the golf course property. Anticipated off-set plantings to the golf course are in the order of **650 new trees**.

Flooding

The northern end of the golf course is traversed by Swaines Creek flowing in a westerly direction towards the Lane Cove River. While Swaines Creek exhibits the features of a defined channel with bed and banks, the drainage lines traversing the development site are largely piped and no longer have the features of a watercourse. There are also overland flow corridors including the Beaconsfield Road and Colwell Crescent overland flow paths and the Northern flow path upstream of Fullers Road together with a wider gully traversing the golf course. Willoughby City Council Swains Creek Flood Study was prepared by Lyall & Associates (dated March 2014). Refer to below extracts;

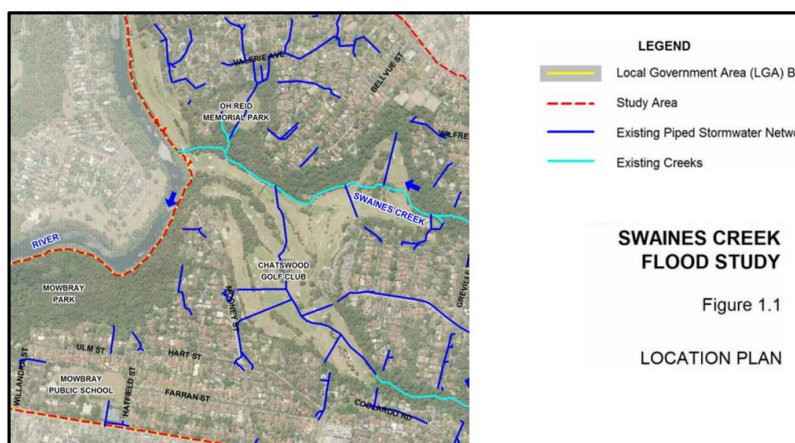


Figure 12: Existing stormwater network over Chatswood Golf Course (Source – Willoughby Council Swaines Creek Flood Study 2014)

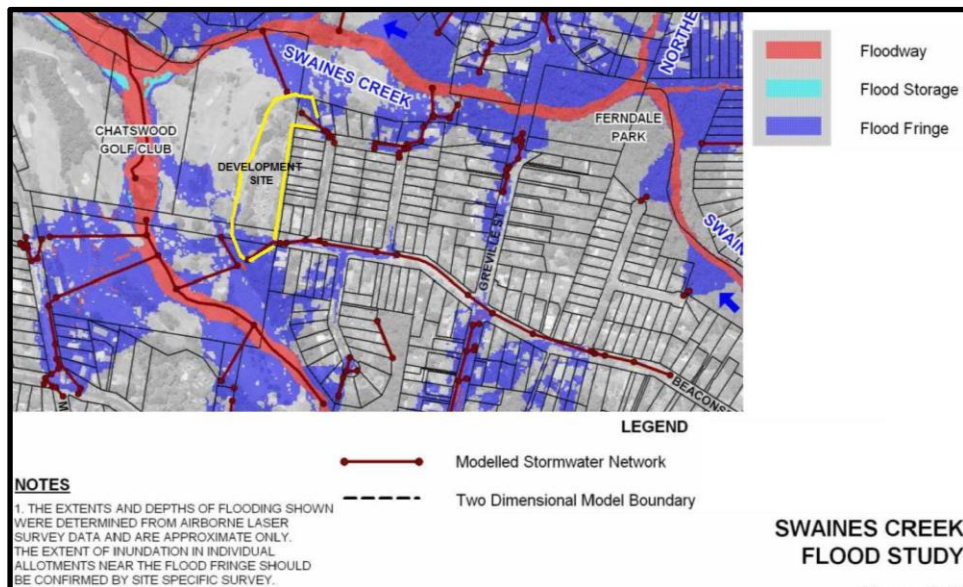


Figure 13: Floodway/Flood Storage over Chatswood Golf Course (Source – Willoughby Council Swaines Creek Flood Study 2014)

A Flood Analysis report was prepared by Marchese Partners and is provided at **Annexure 8**. The Flood Analysis report has identified three overland flow corridors being:

- The Beaconsfield Road and Colwell Crescent overland flow paths;
- The Northern flow path upstream of Fullers Road;
- A wider gully traversing the golf course immediately to the north of the temporary Golf Club and carpark.

The following conclusions were made in the report:

"The results of the analysis show that the site will be affected by overland flow emanating from Beaconsfield Road and the immediate upstream residential properties immediately to the east within Colwell Crescent. The Flood Analysis model from DRAINS modelling software was completed for the existing condition. The proposed mitigation measures include the following (Refer Appendix A Drawing DA-C-0002):

- *A surface inlet grade to be constructed across the end of Beaconsfield Road which will capture the full 100 Year ARI overflow. Sizing of the inlet will be subject to detailed design but at this stage the nominal may be 6m long by 1m wide by 1m deep.*
- ***An overland flow diversion swale of 4m wide with 1(V):4(H) batters and 1m depth at the invert of the easement. Its purpose will be to divert overland flow from the adjacent residential properties. Diversion of flow will be around to the north of the Club House development.***

*The Northern flow path follows the creek and collects upstream flow from Fullers road and overflows onto the northern edges of the golf course and then out to the river. **The analysis demonstrates that there is no impact on the course or the building development and neither will the proposed buildings impact on the current natural flows. These flows are contained within the current creek and therefore there is no perceived additional risk to life and property.***

*To the south of the proposed building there is a natural gully traversing the golf course. **The analysis shows that neither the new building nor the temporary building will affect these natural flows. The temporary building Finished Floor Levels will be set a minimum 500mm above the calculated overland flow levels.*** (emphasis added)

Bushfire

The proposed development site is identified on Willoughby Council's Bushfire Prone Land Map as containing Category 2 Vegetation and the 30m and 100m buffer zone from designated Category 1 and 2 Vegetation at the southern tip. Refer [Figure 14](#) below.

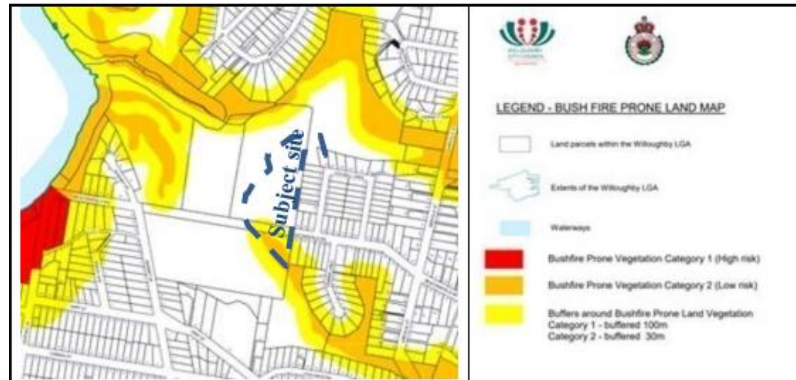


Figure 14: Extract from Willoughby Bush fire prone land map dated August 2017

A preliminary assessment of the bushfire constraints for the future development of the site has been undertaken by Travers Bushfire and Ecology to identify asset protection zones (APZ) requirements, establish the required building setbacks and to determine the available area for the development of habitable dwellings on the site (refer to **Annexure 6**). The boundaries of the subject site and the building setbacks have been informed by this advice and the necessary separation from the bushfire prone vegetation has been provided. Further details in relation to bushfire is provided under section 3.3 of this report.

Having regard to the preliminary findings from the Ecologist, Arborist, Flood engineer and Bushfire consultant, it is considered that the proposed development will not create any unreasonable impacts on the natural environment.

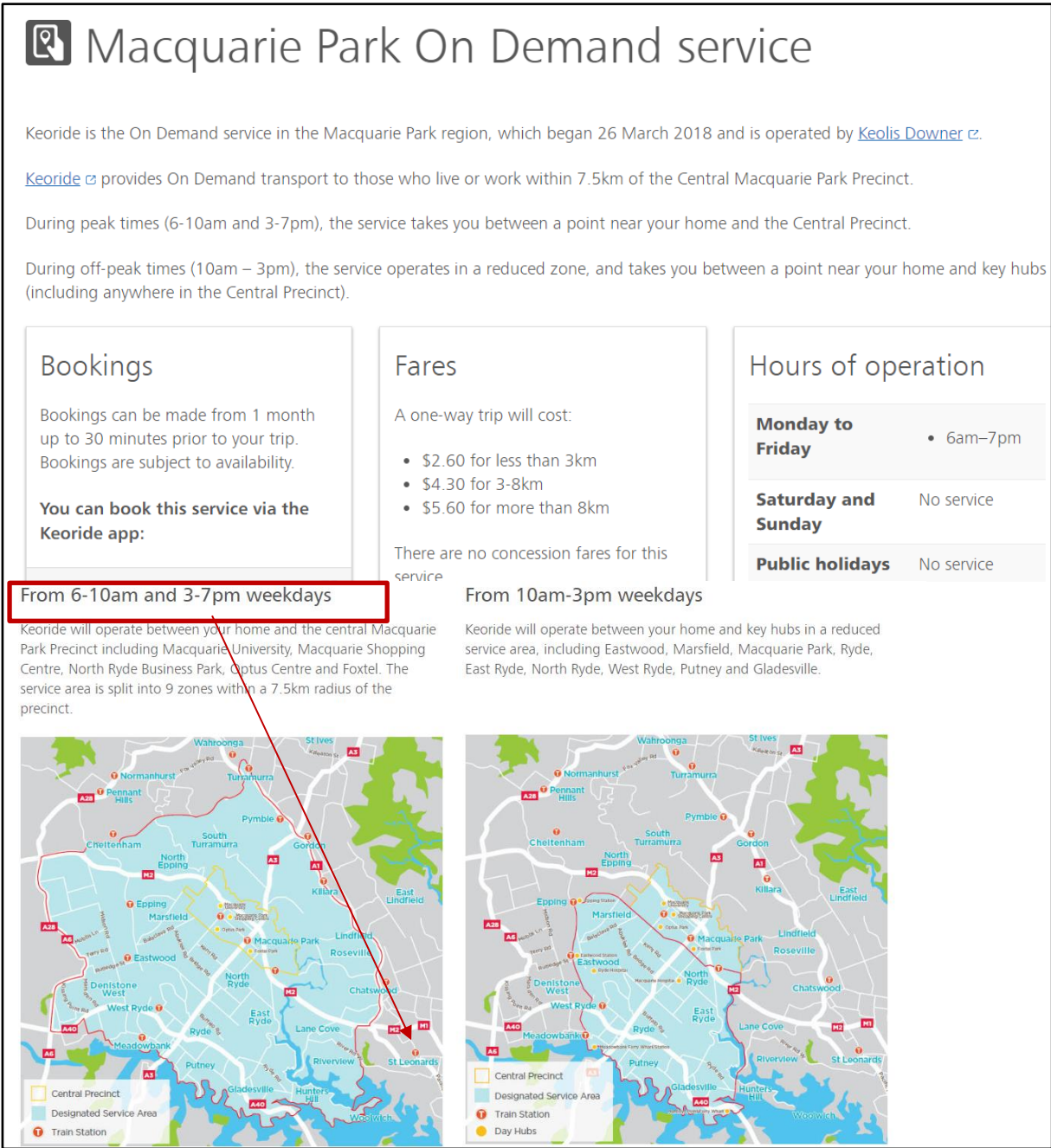
Public Transport

The site is conveniently located in relation to public transport services. There is an existing bus stop in Beaconsfield Road between Colwell Crescent and Cramer Crescent, which is located approximately 90-100m to the east of the entrance to the Golf Club site. Refer to [Figure 15](#) below; A sealed pathway on the northern side of Beaconsfield Road links the CGC site entry to the bus stop.



Figure 15: Bus stop route to northern bus stop in Beaconsfield Road

Source - <http://maps.six.nsw.gov.au/>



State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 applies to the subject site. Clause 7(1) (a) of SEPP 55 states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

A Preliminary Stage 1 Environmental assessment and preliminary Stage 2 Environmental Site Assessment was undertaken by EIS and is provided at **Annexure 11**. The preliminary Site Assessment identified an elevated concentration of lead in one of the samples above the site assessment criteria and encountered fibre cement fragments containing asbestos on the ground surface in the south section of the site.

In summary, EIS concluded the following:

“EIS consider that the site can be made suitable for the proposed development provided that the following recommendations are implemented to address the data gaps and to characterise the risks:

- 1. Undertake an additional ESA to address the data gaps identified in **Section 10.3**;*
- 2. Prepare a Remediation Action Plan (RAP) to outline remedial measures for the site;*
- 3. Prepare a Validation Assessment (VA) report on completion of remediation; and*
- 4. Undertake a Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition work.”*

(emphasis added)

Accordingly, provided that the recommendations are implemented, it is considered that the proposed development can be made suitable for the proposed use, therefore is consistent with the requirements of SEPP 55.

State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development

SEPP 65 is triggered when the (mixed use) building concerned is at least 3 or more storeys in height and contains at least 4 or more dwellings. The proposed development seeks to construct two (2) x 5 storey buildings containing serviced self-care seniors housing comprising a total of 106 dwellings, accordingly, the provisions of SEPP 65 applies to the DA lodged.

SEPP 65 requires the following:

- A design verification statement from a qualified designer, verifying they have completed the design of the residential flat development, and that the design quality principles set out in Schedule 1 of SEPP 65 - Design Quality of Residential Flat Development are achieved; and*
- In determining a development application for consent to carry out residential flat development, the consent authority is to take into consideration the publication the ‘Apartment Design Guide’.*

The proposed development has been designed to generally comply with the relevant bulk and scale provisions of SEPP 65 and a Design Verification Statement has been provided with the submission of the [DA 2020/117](#).

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

The proposed development provides Seniors Housing in the form of **serviced self-care** housing comprising a total of 106 dwellings, therefore it is subject to the provisions and requirements of SEPP (Seniors Housing and People with a Disability) 2004 (SEPP Seniors).

The following provides a summary of the key controls and provisions within SEPP Seniors that apply to the proposed development:

Clause 4 – land to which Policy Applies

SEPP Seniors sets aside Local planning controls and allows Seniors Housing development on land when it ordinarily wouldn't be permissible. Clause 4(1) states the following:

(1) General

*This Policy applies to land within New South Wales that is land zoned primarily for urban purposes **or land that adjoins land zoned primarily for urban purposes**, but only if:*

(a) development for the purpose of any of the following is permitted on the land:

- (i) dwelling-houses,*
- (ii) residential flat buildings,*
- (iii) hospitals,*
- (iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, **or***

(b) the land is being used for the purposes of an existing registered club.'
(emphasis added)

As highlighted above, clause 4(1)(b) of SEPP Seniors also identifies land 'being used for the purposes of an existing registered club'.

The subject site is currently being used for the purposes of a golf course and an existing registered club, (being CGC which includes the club house and the facilities and the golf course), which meets the definition of a registered club as defined in SEPP Seniors:

existing registered club means a registered club in existence on land immediately before the date on which State Environmental Planning Policy (Seniors Living) 2004 (Amendment No 2) commences.

registered club means a club in respect of which a certificate of registration under the Registered Clubs Act 1976 is in force.

Clause 4(5) of SEPP Seniors states that a consent authority must not treat land that is being used for the purpose of an existing registered club as being land that is being land zoned primarily for urban purposes unless it is satisfied that most of the land that it adjoins is land zoned for urban purposes. Clause 4(5) states the following:

'(5) Application of Policy to land zoned for special uses and existing registered clubs

*For the purposes of this Policy (and for the avoidance of doubt), **a consent authority must not treat:***

(a) land on which development for the purposes of special uses is permitted, or

*(b) **land that is being used for the purposes of an existing registered club,***

as being land zoned primarily for urban purposes unless it is satisfied that most of the land that it adjoins is land zoned for urban purposes.

(emphasis added)

The majority of the Golf Club site is zoned **RE2 – Private Recreation** pursuant to the Willoughby Local Environment Plan 2012 (WLEP 2012), which permits development for the purpose of a 'Registered club' with consent, but prohibits all forms of 'Seniors Housing'.

State Environmental Planning Policy (Housing for Seniors or people with a Disability) 2004 (SEPP Seniors) includes provisions which state that it applies to '*land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes*' but only if the land is '*being used for the purposes of an existing registered club*'. The subject site contains an Existing Registered Club (operating since 1955) on Private Recreation RE2 zoned lands. Neighbouring lands directly abutting the eastern boundary of the site are zoned E4 Environmental Living Zone pursuant to WLEP 2012 and occupied by 1-2 storey housing fronting Colwell Crescent/Beaconsfield Road. Land 60m to the east fronting Colwell Crescent is zoned R2 Low Density Residential.

Having regard the above and recent Land and Environment Court decision *Wirrabara Village Pty Ltd v The Hills Shire Council 2018 NSWLEC1187*, the Department of Planning and Environment (now DPIE) and Sydney North Planning Panel (SNPP) expressly considered the issue of permissibility under the SEPP during the previous Site Compatibility Certificate (SCC) considerations and determined that the SEPP (Seniors) applies on the basis of being only 60m distance from the R2 zone lands, which was less than the 71m accepted distance in the *Wirrabara Village* court decision.

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

(1) Subject to subclause (2), a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following:

(a) a hostel,

(b) a residential care facility,

(c) serviced self-care housing.

The proposed seniors housing development is for “serviced self-care housing”, therefore satisfying the requirements under clause 17(1) of the SEPP Seniors.

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; and
- nursing care.

In addition, **clause 17(2)** provides that a consent authority must not consent to a development application to carry out development for the purposes of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that the housing will be provided:

- *for people with a disability, or*
- *in combination with a residential care facility, or*
- *as a retirement village (within the meaning of the Retirement Villages Act 1999).*

The proposed serviced self-care housing development on the site will be operate as a retirement village within the meaning of the Retirement Villages Act 1999, satisfying the requirements of clause 17(2) of the SEPP Seniors.

Clause 23 – Development on land used for the purpose of an existing registered club

Clause 23 of SEPP Seniors contains requirements to ensure there are no unreasonable land conflicts between the registered club and the proposed residential areas. The consent authority must not consent to a development unless it is satisfied that:

- (a) *the proposed development provides for appropriate measures to separate the club from the residential areas of the proposed development in order to avoid land use conflicts, and*
- (b) *an appropriate protocol will be in place for managing the relationship between the proposed development and the gambling facilities on the site of the club in order to minimise harm associated with the misuse and abuse of gambling activities by residents of the proposed development.*

It is considered that there are no unreasonable land conflicts between the club and the proposed seniors housing. A detailed assessment of the criteria listed in Clause 23 is provided under section 3.2 of this report.

Clause 24 - Site compatibility certificates required for certain development applications

Pursuant to Clause 24 certain types of development applications for seniors housing requires the preparation of a site compatibility certificate. This clause applies to the following:

'(iii) land that is used for the purposes of an existing registered club'

A Site compatibility Certificate (SCC) for the seniors housing development was previously issued by Sydney North Planning Panel on **13th June 2019 and is current until 13th June 2021**. The SCC and related documents including WCC submission to DPIE, Assessment Report by DPIE & related architectural drawings are provided at **Annexure 13**. DA 2020/117 was lodged with Willoughby Council in May 2020 however the assessment of the application and preparation of a report to Sydney North Planning Panel (SNPP) will not likely occur until the first half of 2021. In the circumstances, both the proponent and Willoughby Council are of the view a further SCC application should be lodged to avoid risk of the current SCC lapsing ahead of the SNPP determination. Exhibited draft amendments to the SEPP as part of the draft Housing Diversity SEPP indicate the potential for SCCs to be extended to be valid for 5 years instead of the current 2yrs. As there is no certainty with respect to the timing of the gazettal or whether the extension will apply to current SCC's, the applicant must lodge a fresh SCC application to ensure the SCC does not expire before Council has completed their assessment and SNPP has determined the DA.

Clause 24(2) of SEPP Seniors states that:

'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).'

Accordingly, a **Site Compatibility Certificate (SCC) is required** for the proposed Seniors Housing development to demonstrate that the site is suitable for more intensive development, and that the proposal is compatible with the surrounding environment.

Clause 25 of SEPP Seniors :- Application for site compatibility certificate

- (1) An application for a site compatibility certificate for the purposes of clause 24 may be lodged with the Department—*
 - (a) by the owner of the land on which the development is proposed to be carried out, or*
 - (b) by any other person, with the consent of the owner of that land.*
- (2) An application—*
 - (a) must be—*
 - (i) in writing, and*
 - (ii) in the form (if any) approved by the Planning Secretary from time to time, and*
 - (iii) accompanied by such documents and information as the Planning Secretary may require, and*
 - (b) specify, in the manner required by the Planning Secretary, **whether any site compatibility certificates have previously been issued in respect of the land** (or any part of the land) to which the application relates, and*
 - (c) for land that is next to proximate site land—must be accompanied by a cumulative impact study that has been prepared in accordance with any guidelines issued by the Planning Secretary from time to time.*

A Site Compatibility Certificate was issued 13th June 2019 and is valid till **13th June 2021**. Refer SCC Assessment Report and associated SCC documents issued.

*(2A) Land is next to proximate site land for the purposes of this clause if the land (or any part of the land) is located **within a one kilometre radius of 2 or more other parcels of land** (the proximate site land) in respect of each of which either—*

(a) there is a current site compatibility certificate, or

*(b) an application for a site compatibility certificate has been made **but not yet determined**.*

(2B) However, any other parcel of land for which development consent for the purposes of seniors housing has been granted is to be disregarded when determining whether land is next to proximate site land even if a site compatibility certificate has been granted in respect of that parcel.

The nearest SCC issued for seniors housing is located at 243-245 Penshurst Street and 26 Crabbes Avenue, North Willoughby. Determination of the application by SNPP is pending. This development is not within 1km of the Chatswood Golf Club and is located 3.2km to the east of the golf club.

(2C) A cumulative impact study for the purposes of this clause is a study that considers whether the impacts associated with the proposed development on the land to which an application relates (when considered together with the impacts of proposed developments on the proximate site land concerned)—

(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

(b) take into account the capacity of existing or future road infrastructure to meet any increase in traffic as a result of proposed development.

(2D) Without limiting subclause (2), the relevant panel may require an applicant to provide a cumulative impact study even if it has not been provided with the application if the relevant panel considers that it is necessary for it to be provided to determine whether the land concerned is suitable for more intensive development.

There are no current SCCs or pending applications for SCCs for land near the site. As such, a cumulative impact study is not triggered and therefore, has not been provided.

However, under 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 if the panel considers that it is necessary for it to be provided to determine whether the subject land is suitable for more intensive development. It is noted that this clause was referenced at page 9 of the 2019 SCC assessment report prepared by DPIE officers (IRF: 18/2035) and the SNPP issued the SCC for Chatswood Golf Club without the requirement for a cumulative impact study.

- (5) *The relevant panel must not issue a site compatibility certificate unless the relevant panel—*
- (a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and*
 - (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,*
 - (ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the relevant panel, are likely to be the future uses of that land,*
 - (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,*
 - (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,*
 - (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,*
 - (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,*
 - (vii) the impacts identified in any cumulative impact study provided in connection with the application for the certificate, and*
 - (c) in relation to an application that applies to land in respect of which a site compatibility certificate has previously been issued (the previously certified land) and other land (the additional land)—is of the opinion that—*
 - (i) the additional land (independently of the previously certified land) adjoins land zoned primarily for urban purposes or subclause (5A) applies, and*
 - (ii) if a site compatibility certificate was issued in respect of the previously certified land on the basis that the land adjoined land zoned primarily for urban purposes—the previously certified land continues to adjoin land zoned primarily for urban purposes.*
- (5A) This subclause applies for the purposes of subclause (5) (c) if—*
- (a) the proposed development on the additional land does not include any new or additional structures for use as accommodation, and*
 - (b) where the previous site compatibility certificate specified a maximum number of dwellings for the previously certified land—the total number of dwellings on the additional land and previously certified land combined will not exceed that maximum number.*
- (6) Without limiting subclause (4) (a), the relevant panel may refuse to issue a certificate if the relevant panel considers that the development is likely to have an adverse effect on the environment.*

- (7) *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.*
- (8) *(Repealed)*
- (9) *A certificate remains current for a period of 24 months after the date on which it is issued by the relevant panel.*
- (10) *To avoid doubt, a site compatibility certificate—*
- (a) *cannot be varied during its currency to cover additional land, and*
- (b) *does not affect the zoning of the land to which it relates under another environmental planning instrument.*

The subject proposal for SCC does not involve additional lots or an expansion of the previous SCC footprint approved 13-6-2019. While the drawing package dated July 2017 showed the correct boundary alignment, there was an error with respect to “slippage” of the printing of the separate SCC plan subsequently prepared in April 2019 which has been rectified in the current Footprint Plan dated December 2020. The current 2020 SCC proposal is identical to the SCC plans lodged in 2017 (except that the temporary clubhouse on the western boundary has been deleted. This accords with Willoughby Council preference to not have a temporary clubhouse (Refer Council comments on 2017 SCC at **Annexure 13**). The SCC report prepared by DPIE officers in 2019 recommended support for the proposal (page 16) to the SNPP having regard to the provisions of SEPP clauses. Refer DPIE assessment report prepared June 2019 at **Annexure 13**.

A more detailed response to the above items is provided at **Section 7** of this report.

Clause 26 – Location and access to facilities

Clause 26 of SEPP Seniors requires seniors housing to be located within 400m of specific services and facilities or have a public transport service that is located within 400m of the site that can access the specified facilities and services. Access to the public transport service must be via a suitable pathway which must comply with specific gradients stipulated in cl. 26 of SEPP HSPD. An Access Review has been prepared by Funktion and is provided at **Annexure 14**. The report made the following conclusions regarding the accessibility provisions in the proposed development:

“This review addresses the requirements for access by people with a disability or who are older, to the proposed development as residents and visitors and is reviewed for capability to comply with the Disability (Access to Premises - Buildings) Standards 2010, relevant sections of the Building Code of Australia (BCA) 2016, Australian Standards on Access and Mobility and State Environmental Planning Policy, Housing for seniors or people with a disability (SEPP). It is our opinion that the accessibility provisions in the proposed Golf Clubhouse, independent living units, parking and landscaping are capable of complying with the accessibility requirements in these documents.”

The site is located within 400m of a bus stop that provide access to/from the required services and facilities (approximately 90m to the bus “zone”) Refer to **Figure 22** below. While there is a second bus stop diagonally across the road, the bus Route 255 is a loop service so that residents can arrive and depart from the same (northern) bus stop. Refer **Figure 23** overleaf.

The existing footpath to the northern stop appears to comply with the functional gradients required to meet the requirements of SEPP Seniors, however some portions of the footpath are uneven and will need to be upgraded. Survey information will be provided with the DA to demonstrate that the path of travel to the bus stop complies with the permissible gradients. There is also a part time “Bus On Demand” services that operates weekdays from West Chatswood and pursuant to SEPP clause 43 requirements for serviced self-care sites adjoining urban areas, the proponent will provide a private mini-bus for use by residents, which will offer convenient access to Chatswood CBD and be available for outings and other activities by residents.



Figure 22: Bus stop route to northern bus stop in Beaconsfield Road

Source - <http://maps.six.nsw.gov.au/>

The bus service Route 255 connects Beaconsfield Road with Chatswood Train Station (10mins travel time), where all the services to meet the relevant requirements of SEPP (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors) are located. The service between Colwell Crescent and Chatswood CBD/train station operates weekdays between 6.50am-6.23pm and Saturdays 9.10am to 5.25pm. There is currently no service on Sundays.

Refer Figure 23 Bus Route 255 map below. The buses currently undertake a 3-point turn at the terminus of Beaconsfield Road as this is the end stop on the 255 bus route.

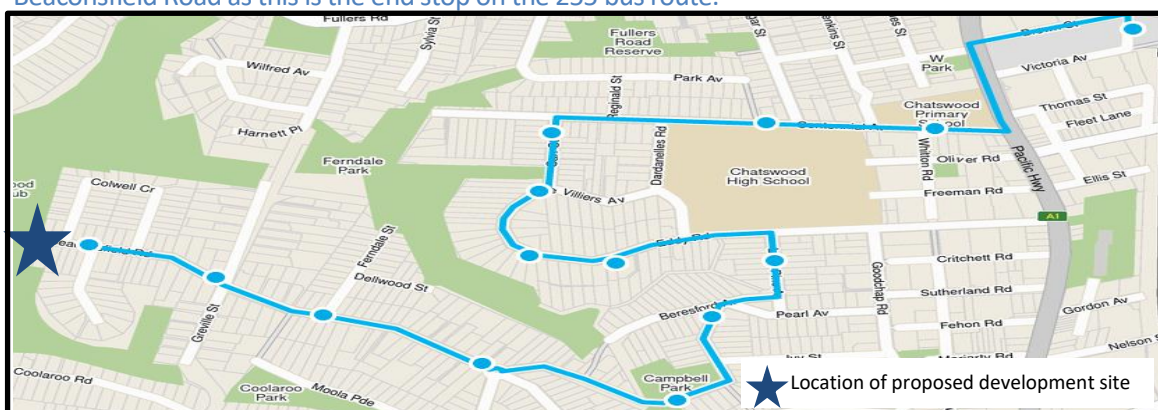


Figure 23: Route 255 Bus route

Source: <http://www.transportnsw.info/>

It is proposed to provide a landscaped pathway from the seniors housing to the bus top which will include accessible gradients, cross falls and rest seating at least every 60m.

Given the steep topography of the site and changes in level from the site entry to the entrance to the seniors housing, the access consultant has provided the following recommendations:

“Recommendations

To provide direct pedestrian access from the site entrance level to the clubhouse entrance level, the following approach is proposed:

- 1. “Provision of golf buggies to transfer residents or visitors, including one wheelchair accessible buggy. An operational management plan would be required to be developed to ensure that a staff member is available to drive a buggy for a resident or visitor.*
- 2. A communication system to call for pickup would be required. This could be operated by staff during daylight hours. A system of this type has been implemented at Greenhill Manor in Figtree, where the site is similarly steep.*
- 3. Provision of a regular site bus that picks up residents and drops them to selected nearby locations e.g. Chatswood Shopping Centre, Chatswood Station”*

Clause 27 – Bush fire prone land

Clause 27 of SEPP Seniors contains provisions which relate to sites that are bushfire prone. Clause 27(1) states that:

‘A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as “Bush fire prone land—vegetation category 1”, “Bush fire prone land—vegetation category 2” or “Bush fire prone land—vegetation buffer” unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.’

The proposed development site is identified on Willoughby Councils 's Bushfire Prone Land Map as containing Category 2 Vegetation and the 30m and 100m buffer zone from designated Category 1 and 2 Vegetation (refer to **Figure 18** below). The application of Planning for Bush Fire Protection 2006 and Australian Standard 3959 - 2009 is therefore triggered. The proposed development would be considered ‘integrated development’ under Section 4.46 of the Environmental Planning and Assessment Act 1979. Consequently, any application for development on the site will require a Bushfire Safety Authority from the NSW Rural Fire Service (RFS).

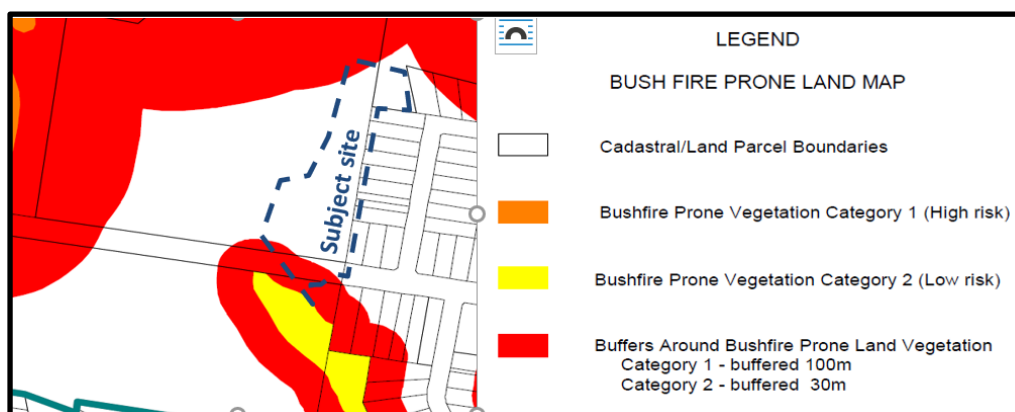
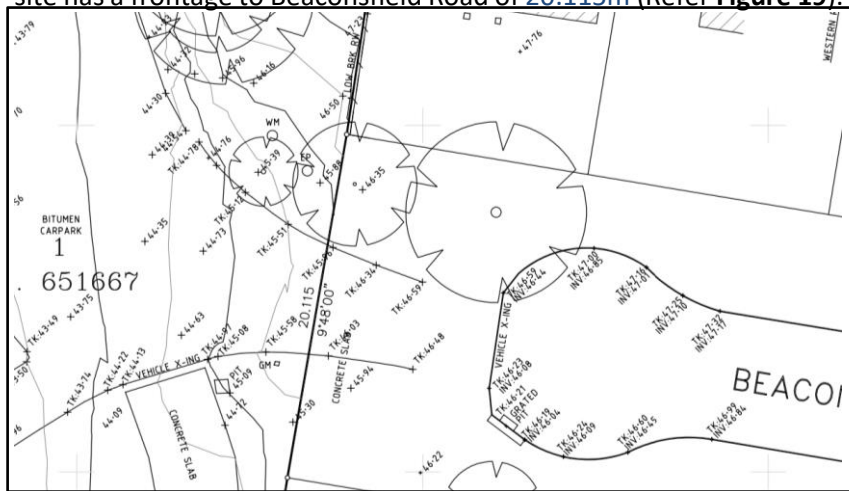


Figure 18: Willoughby Bush fire prone land map

As previously discussed, a preliminary assessment of the bushfire constraints for the future development of the site has been undertaken by Travers Bushfire and Ecology and is provided at **Annexure 6**. The boundaries of the subject site and the building setbacks have been informed by this advice and the necessary separation from the bushfire prone vegetation has been provided.

Advice has also been obtained in relation to building construction, access, water supply and emergency management in compliance with the NSW Rural Fire Service land development policy document Planning for Bushfire Protection (PBP). These advices have been incorporated into the proposed development.

Clause 40 – Development Standards – minimum sizes and building height

Division 1 General 40 Development Standards – minimum sizes and building height	
Site Size	<p>The prescribed minimum lot size under Clause 40 (2) of SEPP Seniors is 1000m².</p> <p>Comment: The proposed development site has a total area that exceeds 1000m².</p>
Site Frontage	<p>The site frontage must be at least 20m wide measured at the building line pursuant to Clause 40 (3) of SEPP Seniors.</p> <p>Comment: Lot 1 in DP 651667 which forms part of the development site has a frontage to Beaconsfield Road of 20.115m (Refer Figure 19).</p>  <p>Figure 19: Survey extract showing site frontage. Source – JBW Surveyors</p>
Building Height	<p>If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>(a) <i>the height of all buildings in the proposed development must be 8 metres or less, and</i></p> <p><i>Note. Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See clauses 48 (a), 49 (a) and 50 (a).</i></p>

	<p><i>(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</i></p> <p><i>Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.</i></p> <p><i>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</i></p> <p>Height of buildings is defined as follows pursuant to the SEPP:</p> <p><i>“height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point”</i></p> <p>Comment: This clause does not apply as the subject site is <u>not</u> located within a ‘residential zone where residential flat buildings are <u>not</u> permitted’.</p> <p>The maximum building height for the two (2) buildings containing seniors housing exceeds 8m in height, but have been designed to follow the topography of the land and will remove the existing golf course car park and replace this area with landscaping so existing views to the residential allotments to the east of the subject site will be maintained and possibly improved.</p>
--	--

Table 2: SEPP Seniors Clause 40 assessment.

During the assessment of the proposal in 2017-2019 the subject proposal was determined by DPIE to be development on land adjoining land zoned primarily for urban purposes. Accordingly the following provisions under Part 5 apply.

Part 5 Development on land adjoining land zoned primarily for urban purposes

42 Serviced self-care housing

(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 subclause (1), residents of a proposed development do not have reasonable access to the services referred to in subclause (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).

The proponent will provide the required on-site services to satisfy the requirements for home delivered meals, personal care and home nursing, and assistance with housework. Refer accompanying Resident Services Statement at **Annexure 17**.

43 Transport services to local centres

(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 that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development—
(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.
(2) Subclause (1) does not apply to a development application to carry out development for the purposes of the accommodation of people with dementia.
(3) In this clause, bank service provider has the same meaning as in clause 26.

A private village mini bus service will be provided by the proponent in accordance with SEPP clause 43 requirements. The driveway and port cochere (3.5m clearance) have been designed to accommodate the mini-bus so that residents can arrive/depart under cover from Level 3 carpark (ground level).

44 Availability of facilities and services

A consent authority must be satisfied that any facility or service provided as a part of a proposed development to be carried out on land that adjoins land zoned primarily for urban purposes will be available to residents when the housing is ready for occupation. In the case of a staged development, the facilities or services may be provided proportionately according to the number of residents in each stage.

The development is to be constructed in one stage, so that the resident services within the clubhouse and landscape gardens/pathway link to Beaconsfield Road will be completed prior to occupation.

Willoughby Local Environment Plan 2012

The Willoughby Local Environment Plan 2012 (WLEP 2012) is the primary local planning instrument controlling development of the site. It is noted that a development for Seniors Housing could not be lodged pursuant to the controls of the Willoughby Local Environment Plan 2012 (WLEP 2012) as it is prohibited under the permissible uses of the RE2 – Private Recreation Zone.

Table 3 below provides a summary of the controls that apply to the site:

Willoughby Local Environment Plan 2012

RE2 – Private Recreation Zone

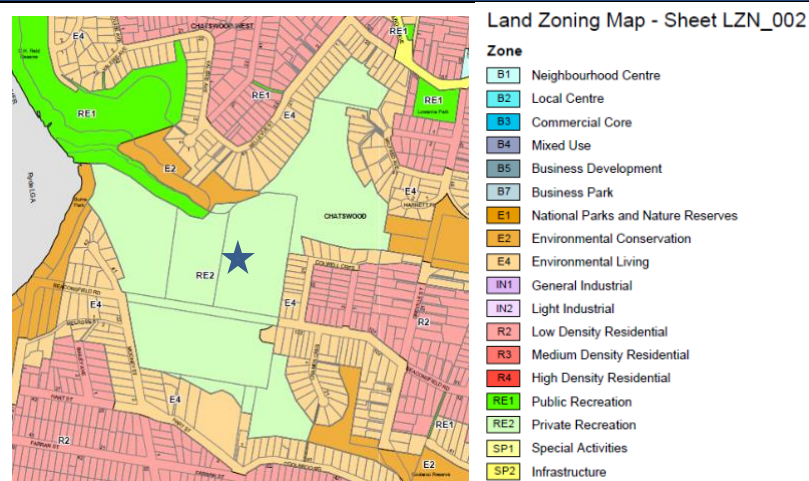


Figure 20: Land Zone Map.

Source - <http://www.legislation.nsw.gov.au/>

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To minimise the potential for adverse effects from new development on the amenity of the locality.

2 Permitted without consent - Nil

3 Permitted with consent

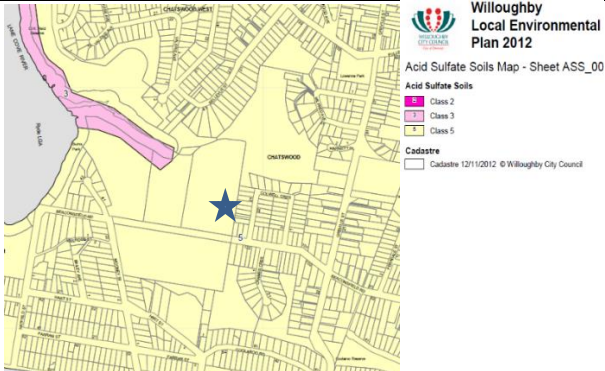
Child care centres; Community facilities; Environmental facilities; Environmental protection works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); **Registered clubs**; Respite day care centres; Roads

4 Prohibited - Any development not specified in item 2 or 3

Comment

Development for the purposes of a 'Registered club' is permissible in the RE2 zone while all forms of 'seniors housing' is prohibited and relies upon SEPP seniors for permissibility.

Part 4 Principal Development Standards	
4.1 – Minimum subdivision lot size	Willoughby Council <u>does not</u> contain a minimum subdivision lot size within their current LEP for the subject site.
4.3 Height of Buildings	<p>Willoughby Council <u>does not</u> contain any Height of building controls within their current LEP for the subject site.</p> <p>Comment Block A (Southern block) has a maximum building height of 7m from existing ground level (measured to the underside of the upmost ceiling as per SEPP Seniors) and Block B (Northern Block) has a maximum building height of 15.2m from existing ground level (measured to the underside of the upmost ceiling as per SEPP Seniors). To put these heights into context, the max RL's for the seniors housing building and club building range from RL 40.90 to RL 44.00 whilst the max RL's for the properties to the east are approximately RL 48 to RL 56.</p> <p>The proposed development responds to the sloping topography of the site and varying levels changes and has been designed to retain existing views from the properties to the east. The development proposes to remove the upper level car park which is visible from a number of the properties directly to the east of the subject site, and landscape this area to ensure all existing views are maintained and possibly improved.</p>
4.4 Floor Space Ratio	<p>Willoughby Council <u>does not</u> contain any Floor Space Ratio Controls within their current LEP for the subject site.</p> <p>Comment The previous SCC issued in 2019 was for the approval of 106 seniors dwellings (in addition to the new clubhouse which is permissible under Willoughby LEP 2012). The subject SCC is for the same 106 seniors dwellings (in addition to the new clubhouse).</p>
5.9 Preservation of trees and vegetation	<p>Clause 5.9 – <i>Preservation of Trees or Vegetation</i> applies to species or kinds of trees or other vegetation that are prescribed in the Willoughby Development Control Plan 2012. The control requires development consent for the following:</p> <p><i>“A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:</i></p> <p><i>(a) development consent, or</i></p> <p><i>(b) A permit granted by the Council.”</i></p> <p>Comment The subject site is surrounded by extensive vegetation and contains a number of established mature trees and there are a number of established mature trees on adjoining properties, none of which will be impacted by the proposed development.</p>

	<p>A preliminary Arboricultural Impact Assessment has been prepared by Glenice Buck design for the proposed Seniors Housing and Club house development site and is provided at Annexure 5.</p> <p>The proposed development has been designed to limit the number of trees removed, but there will be unavoidable encroachments on a number of trees and a number of trees/vegetation required to be removed to comply with PBP 2019 which will need to be removed as a result of the proposal. (Note: PBP 2019 was legislatively adopted in the Environmental Planning & Assessment Regulations on 1 March 2020 which post dated the Glenis Buck Arboricultural Assessment Report dated 2017.</p> <p>A detailed breakdown of the proposed extent of vegetation clearing has been provided with DA 2020/117. It is noted that the proposed development will provide significant opportunities for vegetation restoration and upgrades given 5,304m² of landscaped area is proposed.</p>
<p>5.10 Heritage Conservation</p>	<p>The subject site is not a heritage item and is not located in a heritage conservation area or located within close proximity of any heritage items or conservation areas. The site is not a known archaeological site or Aboriginal place of heritage significance</p>
<p>6.1 Acid Sulfate Soils</p>	<div data-bbox="507 981 1114 1350">  </div> <p>Figure 21: Acid Sulfate Soils Map. Source http://www.legislation.nsw.gov.au/</p> <p>Clause 6.1 applies to land that is shown on the Acid Sulfate Soils Map as being of a particular class. As illustrated in Figure 21, the subject site is shown to be affected by acid sulfate soils and contains Class 5 acid sulfate soils. Pursuant to Clause 6.1, development consent is required for land to be effected by Class 5 acid sulfate soils when:</p> <p><i>“Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.”</i></p> <p>The proposed development includes excavation to depths greater than 5m below natural ground, therefore consent will be required from Council and an acid sulfate soils management plan will need to be prepared by a suitably qualified geotechnical engineer and an assessment of the potential for presence of acid sulfate soils within the development site will need to be provided.</p>

6.3 Flood Planning

Clause 6.3 applies to land that has been identified as being subject to flooding. A Flood Analysis report was prepared by Marchese Partners and is provided at **Annexure 8**. The Flood Analysis concluded the following:

“The analysis demonstrates that there is no impact on the course or the building development and neither will the proposed buildings impact on the current natural flows. These flows are contained within the current creek and therefore there is no perceived additional risk to life and property.”

Table 3: WLEP 2012 controls

3.4 – Open Space and Special use provisions

Pursuant to the WLEP 2012, the subject site zoned RE2 – Private Recreation, accordingly it is not zoned for ‘Public Open Space’ or a ‘Special use’ and the proposed development has been designed to ensure the continued operation of the existing golf course.

3.5 – Agricultural capability of the site and adjoining land

The subject site and the surrounding land is zoned primarily for urban purposes, accordingly, the proposed development will not have any impact on the agricultural capability of the site and the adjoining land.

3.6 – Type, values and significance of native vegetation on site

Existing Flora

A Flora and Fauna Study was prepared by Travers Ecology and Bushfire and has been provided at **Annexure 5**. The study provides a comprehensive assessment of the vegetation communicates located within the site and reported on the investigation of any threatened flora species, flora populations, endangered ecological communities and endangered wetland communities. The study concluded the following:

“ No threatened flora species have been observed or considered likely to occur in a natural state, although Syzygium paniculatum or Eucalyptus scoparia may occur as planted specimens as these species are available for sale at nurseries and are commonly used for landscaping or street tree purposes. A similar species to Syzygium, namely Acmena smithii was observed onsite, however this species is not listed as threatened. The vegetation present within the subject sites is not attributable to any locally occurring endangered ecological community.”

(emphasis added)

The field verification of the study area identified the following vegetation communities:

- Urban Exotics and Natives
- Coastal Sandstone Foreshores Forest
- Managed Greens and Fairways

The Flora and Fauna Study at **Annexure 5** provides a detailed description of the canopy, shrub layer, ground layer, disturbance and classification of each of the vegetation communities.

Threatened flora species

The assessment concluded that there were no threatened flora species identified on the site and made the following conclusions:

“ All threatened species in both the Bionet (NSW) and EPBC coordinate search (National) were considered to have no suitable habitat because of previous clearing and landscaping works, and lack of required habitats such as unsuitable soils / geology, unsuitable previous vegetation type, large distance to known specimens or long time since local records.”

(emphasis added)

Endangered Flora Populations

The assessment concluded that there were no endangered flora populations to occur within the Willoughby LGA and species and made the following conclusions:

“two endangered flora populations have been recorded within 10 km of the subject site. These populations are:

- *Pomaderris prunifolia* in the Parramatta, Auburn, Strathfield and Bankstown Local Government Areas, and
- *Wahlenbergia multicaulis* (Tadgell's Bluebell) in the local government Areas of Auburn, Bankstown, Baulkham Hills, Canterbury, Hornsby, Parramatta and Strathfield.

No specimens of these endangered flora populations were observed and nor were they considered to have any potential habitat within the subject site.”

(emphasis added)

Endangered Ecological Communities

The assessment concluded that there were no endangered ecological communities and made the following conclusions:

“The site is not on a floodplain and there are no freshwater wetlands. The site is not on a sea cliff, and there is no littoral rainforest present. Vegetation within the subject site is highly modified and does not form part of any locally occurring EEC.”

(emphasis added)

Endangered wetland communities

The assessment concluded that none of the wetland communities listed as an 'endangered ecological community' under the NSW TSC Act were observed onsite or within 40m of the site.

Existing Trees

A preliminary Arboricultural Impact Assessment has been prepared by Glenice Buck Design for the proposed seniors housing and Club house development site and parking area site and is provided at **Annexure 7**.

The report identified and assessed a total of 45 trees within the development site and identified an additional five (5) trees which were dead. The report made the following findings:

'All of the subject trees show varying levels of vigour and growth. The health varies between all trees. We have given a high retention value to those trees that are in good health, are mature in size and improve the aesthetic of the site and have the potential to continue to do this. These trees also provide a habitat for the local fauna.'

- Trees 1 - 10, 21 and 22 are all growing along the eastern boundary of the site. These trees should be retained to provide a buffer between the properties and screening.
- Trees 11- 16 and Tree 20 are all growing on the steep embankment between the two car park areas.
- Tree 11,12,14,15 and 20 have all been given high retention values. Tree 16 has a low retention value and Tree 13 has a medium retention value.
- Trees 17, 18 and 19 all have medium - high retention values.
- Trees 23 and 24 have a high retention value. Tree 25, 32 - 35 have low retention values. Trees 13, 26, 36, 41, 42 and 44 have a medium retention value
- Trees 27 - 31, 43, 45 - 50 all have of these trees have high retention values.
- Trees 7, 25 and 37-40 have a low retention value."

Table 3 below provides a summary of the retention value of all the trees assessed on the site:

Retention Value	Tree Number	Total Number of Trees Removed	Total Number of Trees Retained
Low - Dead	7, 37, 38, 39, 40	5 (ALL DEAD)	0
Low	5, 16, 22, 25, 32, 33, 34, 35	6	2
Low - Medium	1	1	0
Medium	4, 8, 9, 13, 17, 18, 26, 36	4	4
Medium - High	2, 3, 19, 41, 42, 44	5	1
High	6, 10, 11, 12, 14, 15, 20, 21, 23, 24, 27, 28, 29, 30, 31, 43, 45, 46, 47, 48, 49, 50	12	10
TOTALS	45 Trees Total (plus 5 dead trees)	28 (plus 5 trees which are already dead)	17

Table 3: Retention value of trees on site

Source: Glenis Buck Arboricultural Assessment

(Note: Additional trees for Asset Protection Zones are required to be removed pursuant to PBP2019 that came into effect 1 March 2020, after the Arboricultural Assessment report was undertaken in 2017 for the initial SCC application.

4.0 PROPOSAL

4.1 – Description of Proposal

The intention of this application is to obtain a SCC and then lodge a DA to Willoughby Council which will seek approval for the following:

- Site preparation works;
- Demolition of existing golf club buildings;
- Construction of two (2) x 5 storey buildings for the purpose of serviced self-care housing comprising a total of 106 apartments;
- Construction of a 4-storey building containing a new club house. The club house will comprise a restaurant, cafe/ bistro, function room, pro shop, golf preparation area, wellness centre with lap pool and specialist consulting rooms, gymnasium, cinema, games room, art room, library, meeting rooms and other ancillary facilities for shared use between residents, club members and the general public;
- 2 levels of basement car parking and an “at grade” level parking for a total of 295 spaces (145 for club and 150 for seniors housing);
- Torrens Title subdivision of existing lots to create separate allotments for the Seniors Housing and Club house;
- Removal of trees and vegetation;
- Associated landscaped works;

The proposal is detailed in the Architectural drawings prepared by Marchese Partners which are provided at **Annexure 2**.

The proposed development has been designed to utilise the existing topography of the land and to maintain generous spatial separation from the adjoining residential properties, specifically those located directly to the east of the site. The proposed design has had consideration of the proposed reconfiguration of the golf course and the dimensional safety setbacks between the adjoining holes to ensure the safety of future residents.

The sloping topography of the site affords a 4 and 5 storey built form and scale that will minimise the perceived height of the building, thereby maintaining the existing views from the closest residential receives which are located to the east of the site as illustrated in the view analysis at **Figures 22 and 23**.

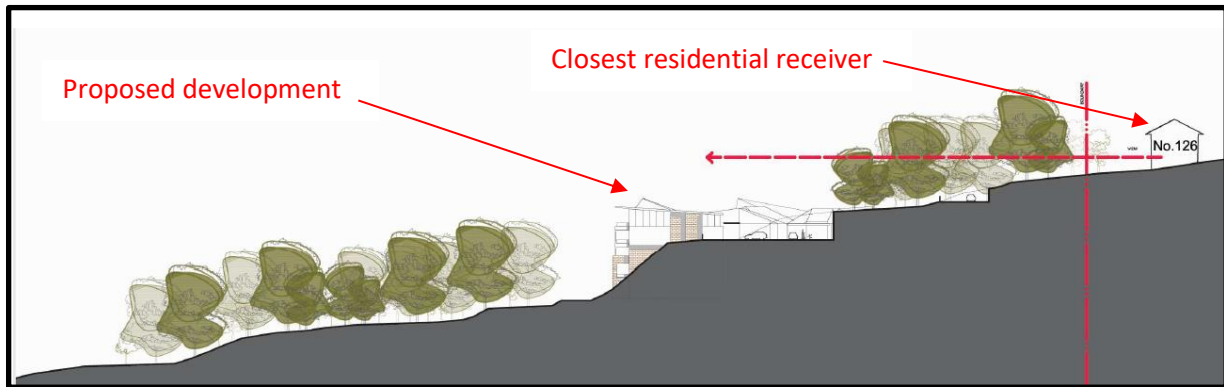


Figure 22: View Analysis. Source – Marchese partners

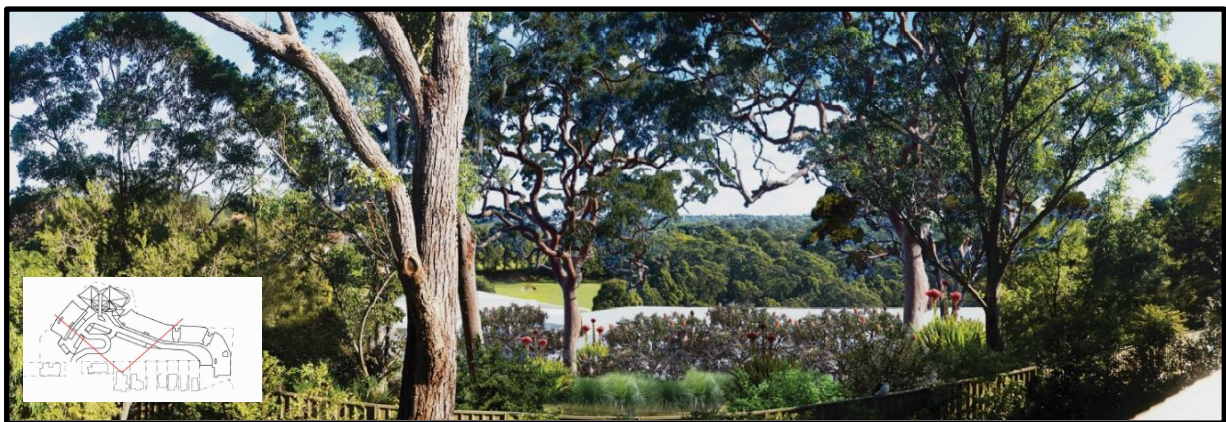


Figure 23: Visual impact assessment illustrating Approximate proposed view from living room balcony to 29 Colwell Crescent. Source – Marchese partners

The proposed development seeks to remove and upper level car park and landscape this area which will significantly improve the acoustic and visual amenity for the eastern adjoining residents.

Figure 24 below illustrates the current outlook from 29 Colwell Crescent over the large car park and provides an indicative outline of the roof line to the proposed building.

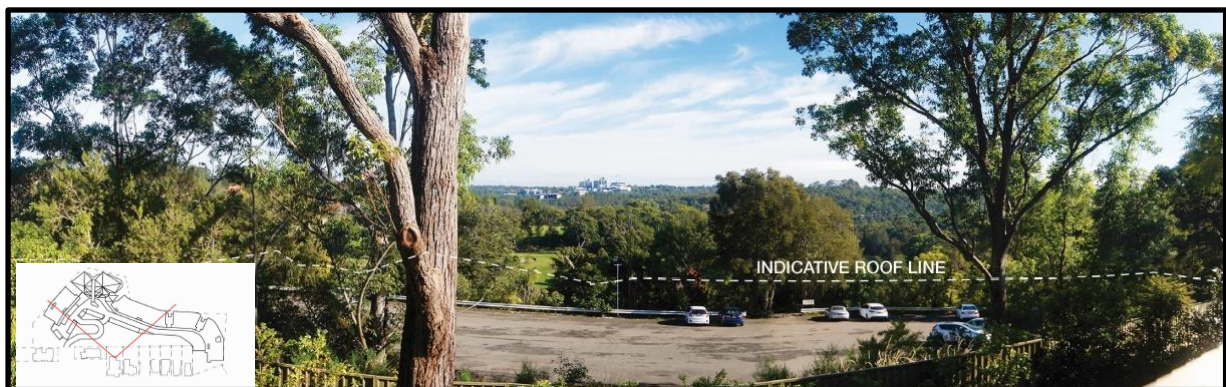


Figure 24: Visual impact assessment illustrating existing view from living room balcony to 29 Colwell Crescent. Source – Marchese Partners

The proposed development site is predominantly surrounded by the existing golf course with most residential properties located in excess of 200m from the subject site boundary as illustrated on **Figure 25**. In addition to the substantial spatial separation from the site, any views to the proposed development from the residential properties around the perimeter of the golf course to the north, west and south are obscured by the existing dense vegetation which separates the residential properties and the fairways of the golf course.



Figure 25: Aerial Map showing subject site overlay with approximate distances to closest residential receivers Source: Sixmaps

The setbacks from the development to the eastern properties are depicted on **Figure 26** below and range from 26.34m from Block A (Southern Block) and 8.4m (at the northern end of the Seniors Housing Building B which steps down the site to follow the natural fall of the land) and extends up to 55.69m to the clubhouse.



Figure 26: Site Plan depicting building setbacks. Source – Marchese partners

Architectural Statement

The following architectural statement has been provided by Marchese Partners:

“MAJOR DESIGN PARAMETERS AND GOALS

In conceptualising the Development, the following issues have been identified as important design parameters and goals, and have been carefully considered for the proposal;

- 1. Respect the site by working with the existing topography; the buildings have been sited so to follow and tuck into the existing escarpment to form a flowing and liner building form that reflects the natural topography of the site. This approach minimises the perceived height of the proposed buildings and thereby maintains existing views over the proposed buildings for the adjoining properties. The building steps down at the northern end following the natural fall in the land. The proposal retains existing trees along the sandstone outcrop and embankment to the east of the site; maintaining significant screening and providing a generous separation from the development to the adjoining eastern boundary properties*
- 2. Design an attractive and modern Independent Living Unit development that provides a mix of apartment types and sizes with excellent natural light and amenity*
- 3. Take advantage of the existing use of the site. The proposal enhances the amenity of the existing CGC by providing a new purpose built Clubhouse facility for use of Residents, Members and the Community*
- 4. Provide appropriate on site services for the use of the ILU residents and integrate services with the local community*

5. *Health, wellbeing and opportunity for social interaction are an integral part of designing for Seniors Living. The new Club will incorporate the following:*
 - *Wellness Centre with a lap pool, specialist consulting rooms and a gym*
 - *Restaurant and Café/Bistro*
 - *Games and cards room, billiards room and art and craft room*
 - *Library*
 - *Resident workshop which can also be accessed by the local community*
 - *Cinema*
 - *Resident notice board*
 - *Conference room for resident meetings and local community use*
6. *Provide pedestrian connection for Residents from the ILU entry points to the local bus stop situated on Beaconsfield Road*
7. *Quality landscape that connects with the building, provides quality buffer to adjoining properties and encourages Resident interaction. An accessible pathway meanders from the street entry to the ILU's. The form of the pathway creates small pocket parks and zones of interest along the way; providing an opportunity for activity and encourages interaction between residents*
8. *Basement car parking incorporates clear separation between the ILU's and Club, with direct access to each area including the Wellbeing Centre.*

THE PROPOSAL

The site at CGC represents a unique opportunity to deliver a well designed Independent Living Unit development of 106 ILU apartments and associated facilities. All units will be high quality with excellent amenity and will have direct access to and be associated with the new Clubhouse and its facilities.

The design has been informed by fundamental design principles which have been incorporated into the current proposal. These include design principles of familiarity, legibility, distinctiveness, accessibility, connectivity, safety & individual choice. These principles translate to the following elements that are incorporated into the current design:

- *An formal and clearly defined point of arrival*
- *A public interface with the Club and community facilities, and the landscape zone to the east and golf course to the west*
- *Community interaction*
- *Passive and active outdoor spaces incorporating landscape pockets*
- *Well planned modern accommodation with excellent amenity.*

AESTHETICS

A concise palette of materials has been carefully selected to create a warm tactile contemporary building sympathetic to the site and the broader local area.

The footprint follows existing contours as the podium rises up from the golf course resembling a sandstone escarpment. Above the podium the building is light and articulated and is finished with a floating roof form. The overall design of the ILU's and the Club, it's facilities and garden areas will deliver a project that has far reaching health, wellbeing and social benefits for the future residents of the development and to the wider Chatswood community."

Key Development Statistics

The key statistics for the concept proposal are summarised in **Table 4** below.

Component	Proposed
Site Area	14,843m ²
Gross Floor Area	<p>Golf Club/ Facilities 2658.2m²</p> <p>Seniors Building A (South Building) 3084.6m²</p> <p>Seniors Building B (north Building) 10,982.5m²</p> <p>Total – 16,725.3m² (approx.)</p>
Building Height	<p>Maximum Building height</p> <p>Golf Club/ facilities 4 storeys</p> <p>Seniors Building A (South Building) 5 storeys</p> <p>Seniors Building B (north Building) 5 storeys</p>
Floor Space Ratio	<p>The proposed buildings that comprise the Seniors Housing has an approximate FSR of 0.94:1 as calculated across the SCC development site (excludes E4 parcel). The Seniors Housing and Club house building combined has an approximate FSR of 1.12:1 as calculated across the SCC development site (excludes E4 parcel).</p>
Landscaped Area	5235m ² (35.6%)
Total number of dwellings	<p>Seniors Building A (South Building) 2 bedroom - 4 2 bedroom+ - 16 3 bedroom - 4 <u>Total – 24</u></p> <p>Seniors Building B (north Building) 2 bedroom - 40 2 bedroom+ - 29 3 bedroom - 13 <u>Total -82</u></p> <p>Total 2 bedroom - 44 (42%) Total 2 bedroom/ study – 45 (42%) Total 3 Bedroom – 17 (16%) Total –106 dwellings</p>

Car Parking Spaces	145 spaces	
Club and facilities	150 spaces	
Serviced self-care housing and visitor parking	Total – 295 spaces	
	1 x mini-bus Parking Space	
	1 x loading dock space	1 x Ambulance bay

Table 4: Key Development Statistics

Landscaping

The proposed development will extensively landscape the site and will provide a total landscaped area of approximately 5,235m² which equates to 35.6% of the development site. The key landscaped area and private open space for the Seniors housing will be to the east of the Northern Block (Block B) and will replace the large concrete parking area. A Landscape Plan and landscape report have been prepared by Somewhere Landscape Architects and is provided at **Annexure 3**. The key features of the eastern landscape zone are as follows:

“The proposed landscape for the private open space area to the east of the ILU complex will draw on existing geological features by creating a layered landscape. This will include built sandstone walls, and generous layered plantings to create smaller, intimate nooks for seating and quiet reflection as well as a larger central space for gatherings. Facilities featured in this zone includes BarBQ and picnic tables as well as linking paths, at an appropriate grade, that join from the ILU level up to street level at Beaconsfield Road. Included within this zone is existing storm-water that will be managed sensitively and integrally through the landscape. Where space permits, endemic vegetation will be used to enhance the possible connectivity of wildlife movements through the site. As per the Flora and Fauna report, species consistent with the Coastal Sandstone Foreshores Forest should be incorporated. Some of these species are already apparent on site and additional plantings will strengthen the connectivity of the site. Planting will also be used to aid in absorbing the scale and bulk of the development into the site by incorporating varied tree forms that retain the organic and eclectic character of the site whilst creating a green outlook.” An extract from the proposed landscape plan is provided below at **Figure 27**.

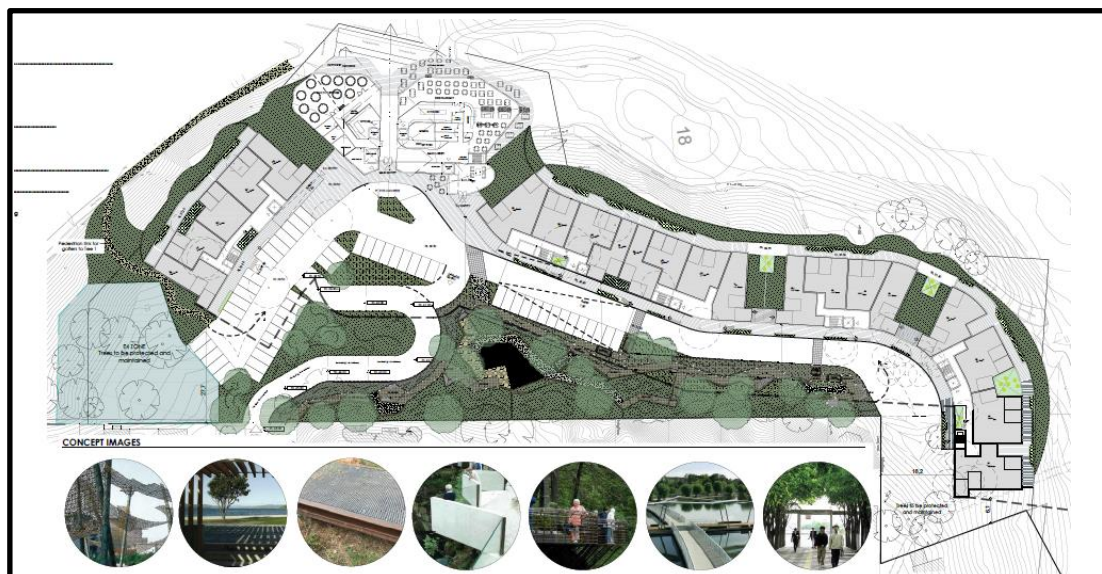


Figure 27: Extract from proposed Landscape Plan – Somewhere Landscape Architects

Management Statement

The following management statement has been provided by Watermark Chatswood Pty Ltd and CGC regarding the proposed partnership between the Seniors Housing and CGC.

“The proposed development and resulting partnership between CGC and Watermark Chatswood is a collaboration of 18 months of work between CGC and WM. Initiated by the CGC as a means to address their deteriorating financial position.

Fundamental to the project model are a number of key principles which are summarised as follows;

- *Alignment of interest of CGC and Watermark Chatswood, promote inter-generational community project ensuring the long term viability of CGC*
- *Long term partnership of CGC and Seniors living resulting in mutual benefits to all stakeholders from a range of services and facilities*
- *CGC services and facilities extend well beyond those who would expect in conventional golf club. Seniors living services and facilities will also extend beyond those you would expect in a conventional Seniors Living project.*
- *CGC will provide 150 years lease to Seniors living residents over all the shared facilities. This includes bar and dining, recreational areas, gymnasium, pool, cinema, function areas and meeting rooms.*
- *CGC will have a 20% interest in the future revenue stream generated from Seniors Living business model.*
- *Operationally the Seniors living community will contribute service fees to CGC*
- *Joint management committee will be formed with two representatives from each CGC and Watermark Chatswood to manage all operations aspects of shared facilities.*
- *All Seniors living residents will have life long membership of CGC, golf club, pool and gymnasium*
- *The rights and interests of the stakeholders are protected for the long-term should their respective Boards or shareholdings change.*
- *All the above is intended to create an inter-dependency across the two main stakeholders”*

4.2 – Environmental Assessment

The following section provides a brief environmental assessment of the proposed development.

Bushfire

The subject site is located on land mapped by Willoughby Council as being bushfire prone. Accordingly, a Bushfire Constraints Assessment has been prepared by Travers Bushfire and Ecology and is provided at **Annexure 6**. The assessment concluded that the proposed development complies with the requirements within the performance criteria of Planning for Bushfire Protection.

Flooding

The subject site has been identified as being subject to flooding. A Flood Analysis report was prepared by Marchese Partners and is provided at **Annexure 8**. The Flood Analysis concluded that there is no perceived additional risk to life and property.

Ecology

A Flora and Fauna Study was prepared by Travers Ecology and Bushfire and is provided at **Annexure 5**. The study included an ecological compatibility study for the suitability of the subject site for the proposed development and concluded that the site is not within the recognised area for any threatened population and the proposed development appears to be ecologically compatible with the site in regard to the expected impacts on threatened flora and fauna species, endangered ecological communities and populations.

Geotechnical Investigations

A Geotechnical Investigation was prepared by JK Geotechnics and is provided at **Annexure 10**. The investigation provides comments and recommendations on site stability, excavation conditions and support, retaining walls, footings, on-grade floor slabs and external pavements. The report provides several key recommendations relating to the construction of the development to be addressed in the DA.

Preliminary Stage 1 Environmental Assessment and Preliminary Stage 2 Environmental Site Assessment

A Preliminary Stage 1 Environmental assessment and preliminary Stage 2 Environmental Site Assessment was undertaken by EIS and is provided at **Annexure 11**. The preliminary Environmental Site Assessment identified an elevated concentration of lead in one of the samples above the site assessment criteria and encountered fibre cement fragments containing asbestos on the ground surface in the south section of the site. Notwithstanding, the preliminary Environmental Site Assessment concluded that the site can be made suitable for the proposed development provided that the recommendations within the report are implemented.

Access

An Access Review has been prepared by Funktion and is provided at **Annexure 14** and a detailed assessment against the requirement of cl 26 of SEPP Seniors is provided under section **3.3** of this report. Accessibility has been one of the key drivers of the proposed development and the development incorporates accessible pathways for future residents of the seniors housing. The review of the scheme by the access consultants concluded that the development was capable of complying with the accessibility requirements of the relevant standards and recommends that a mini-bus service is provided to achieve a better than technical compliance outcome.

Traffic

A Traffic and Parking Assessment has been prepared by Ray Dowsett Traffic and Transport Planning Pty Ltd and is provided at **Annexure 4**. The report provides a comprehensive assessment of the road and traffic conditions, the availability of public transport, vehicular access arrangements, parking provisions and layout and traffic generation and impacts. The report included the following description of the road networks predominately serving the site:

***“Mowbray Road West** - a classified ‘Regional’ road performing a ‘Sub-Arterial’ road function providing access between Pacific Highway to the east and Centennial Avenue to the west with a carriageway constructed on a curving alignment generally carrying one lane of traffic in each direction on a modest downgrade east to west; centrelines markings to RMS standards; a 50km/h speed limit and street lighting to ‘Sub-Arterial’ road standard.*

***Beaconsfield Road** – a Council ‘Local’ road running northerly from Mowbray Road West terminating at the entrance to Chatswood Golf Club. The road has the following features and traffic facilities relative to this study:-*

- *carriageway 7.2m wide between kerbs providing for one lane of moving traffic in each direction with unrestricted kerbside parking; 3 Tonne Load Limit; a 50km/h speed limit and street lighting to local road standard*
- *single lane roundabout at the intersection with Dalrymple Avenue*
- *a number of single lane speed humps strategically placed along its length to control vehicle speeds*
- *traffic control signals at its intersection with Mowbray Road West/Ralston Avenue incorporating right turn bays in each approach of Mowbray Road West for the right turns into Beaconsfield Road and Ralston Avenue; “Left Turn Only Buses Excepted” turn restriction for traffic exiting Beaconsfield Road; left and right turns only for traffic existing Ralston Avenue (no access to Beaconsfield Road); controlled pedestrian crossings across all legs of the intersection (including marked footcrossing on the left turn slip lane from Ralston Avenue*
- *Bus Stop on northern side east of Colwell Crescent; “No Parking 6.30am – 7.00pm Mon. – Sat.” restriction signposted on the southern side opposite Colwell Crescent to assist bus manoeuvring*

A 24 hour 7 day traffic flow survey was undertaken on the vehicle access driveway to the CGC from Beaconsfield Road from Friday 28 April to Thursday 4 May 2017. The results are summarised in the below table and revealed that highest two-way peak traffic flows at the golf club access were recorded on the Thursday & Friday between 7.00am – 8.00am for the am period and the Thursday between 2.00pm – 3.00pm for the pm period.

Day/ Date	Direction	AM Peak Flows (7am – 8am)	Pm Peak Flows (2pm – 3pm)
Thursday 4 April 2017	Entry (Westbound)	33	11
	Exit (Eastbound)	0	31
	Total	33	42

Table 5: Golf Club peak Traffic Flows

Traffic counts were also undertaken at the intersections of the following intersections to provide an indication of the peak hour traffic flows on the roads servicing site:

- Beaconsfield Road/Dalrymple Avenue - roundabout
- Beaconsfield Road/Mowbray Road West/Ralston Street - traffic signals
- Mooney Street/Hart Street – “STOP” sign
- Mooney Street/Mowbray Road West – ‘T’ intersection

The result of the traffic counts at the intersections revealed that they are all operating at a satisfactory level with acceptable vehicle delays and spare capacity for additional vehicles.

The traffic report also provided an assessment of the proposed traffic generations and impacts and summarised the proposed traffic generation and impact from the Seniors Housing as follows:

“The Roads and Maritime Services ‘Guide to Traffic Generating Developments V2.2’ provides data on traffic generation rates for various forms of land use. Seniors housing developments are typically low traffic generators with the RMS advising that for housing for seniors each dwelling unit generates 0.4 weekday peak vehicle trips (pvt) noting that the AM site peak hour does not generally coincide with the road network peak hour.

Application of the above rates indicates the following traffic generation for the residential component: -

106 dwellings @ 0.4 weekday pvt/dwelling = 42.4 (say 43) pvt

Accordingly, the seniors living component of the development scheme is assessed as having the potential to generate some 43 peak vehicle trips (noting that these trips do not generally coincide with the network am peak hour).”

The key consideration from the proposed trip additional traffic generation from the Seniors Housing is that the additional trips **will generally not coincide with the am road network peak hour**, accordingly they are unlikely to have any unacceptable traffic impacts.

In summary, the report made the following conclusions:

“An assessment of the impact of the additional traffic in Mooney Street during the temporary club house arrangements reveals there will be no adverse impact on intersection operation nor traffic conditions in the immediate area.”

“A robust assessment of post development traffic conditions along Beaconsfield Road and associated intersections reveal satisfactory operating conditions with no unacceptable impact.”

"An assessment of the existing operating conditions of relevant intersections in the area reveal they are operating at the satisfactory LOS 'C' or better with acceptable average vehicle delays and spare capacity. Existing traffic flows on the immediate road system are consistent with their functional classifications."

"The proposed car parking provision exceeds the existing golf club parking on the site and the SEPP's requirements for the seniors living component. All car parking and internal roads will be designed to comply with the relevant requirements in 'AS/NZS 2890.1:2004', 'AS/NZS 2890.6:2009' and 'AS 2890.2-2002'."

"The site has convenient access to public transport providing residents with access to Chatswood Rail Station and shopping precinct."

"It is considered that, in respect to traffic impacts, the proposed development scheme site would not have any unacceptable traffic, parking or traffic related environmental implications resulting from the proposal."

Having regard to the findings of the report, it is considered that the proposed development will not have any unacceptable traffic implications in terms of road network capacity.

4.3 – Site description – Natural elements of the site (including known hazards and contrasts)

The subject site and surrounding land contains the following natural elements and know hazards and constraints:

- Bushfire prone land
- Flood risk
- Existing vegetation

A detailed assessment of the natural elements and known hazards and contrasts is provided under sections 3.2 and 3.3 of this report.

4.4 – Building Envelope

The proposed building envelope has been designed with consideration of the existing golf course and the location of the existing Club house building and paved areas that comprise the club's car park and internal driveways. The building envelope has been positioned to tuck into the existing escarpment to allow for a flowing and linear building form that reflects the natural topography of the site to minimise the perceived height of the proposed buildings and maintains existing views over the proposed buildings for the adjoining properties. The Architectural Design Statement provides the following description of the building footprint:

"The footprint follows existing contours as the podium rises up from the golf course resembling a sandstone escarpment. Above the podium the building is light and articulated and is finished with a floating roof form."

The proposed built form is partially connected from the ground level to level 2 and then there is generous separation between the club house and the respective northern and southern blocks containing the seniors housing as illustrated in **Figure 28** below.

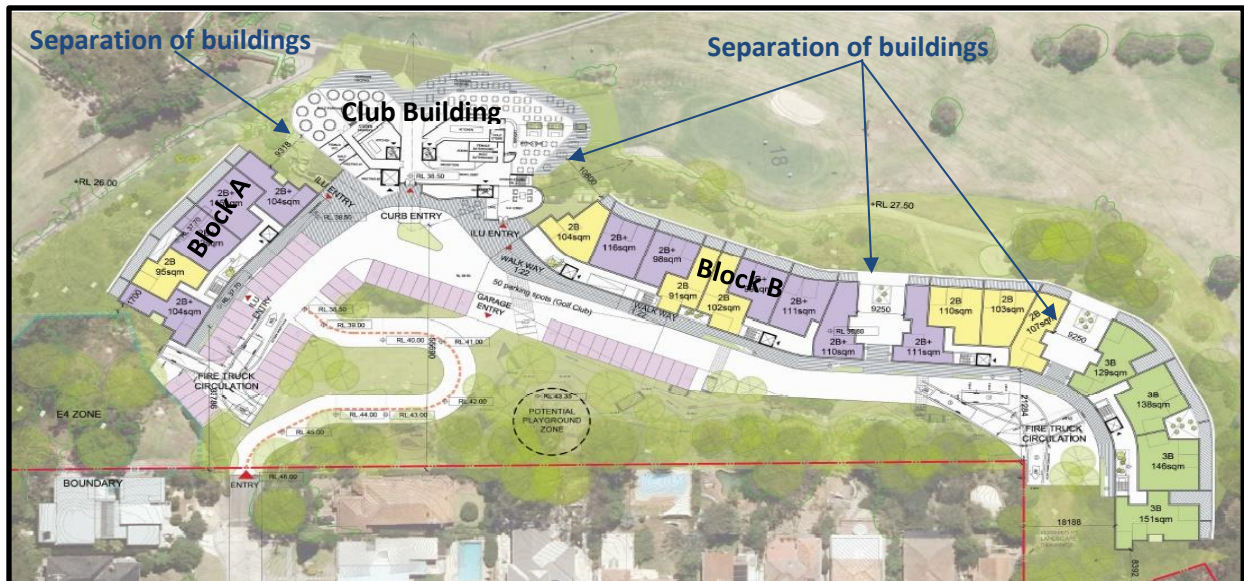


Figure 28: Level 3 plan illustrating separation between Club building and Blocks A and B.

Source – Marchese partners

The Southern block (Block A), has a five (5) storey envelope, but as it follows the sloping topography of the land, the height of the development is not visible from the eastern properties or upon entering the site from Beaconsfield Road (refer to sections B and C at **Figure 29** below) and is substantially separated from the closest residential properties to the south, north and west.

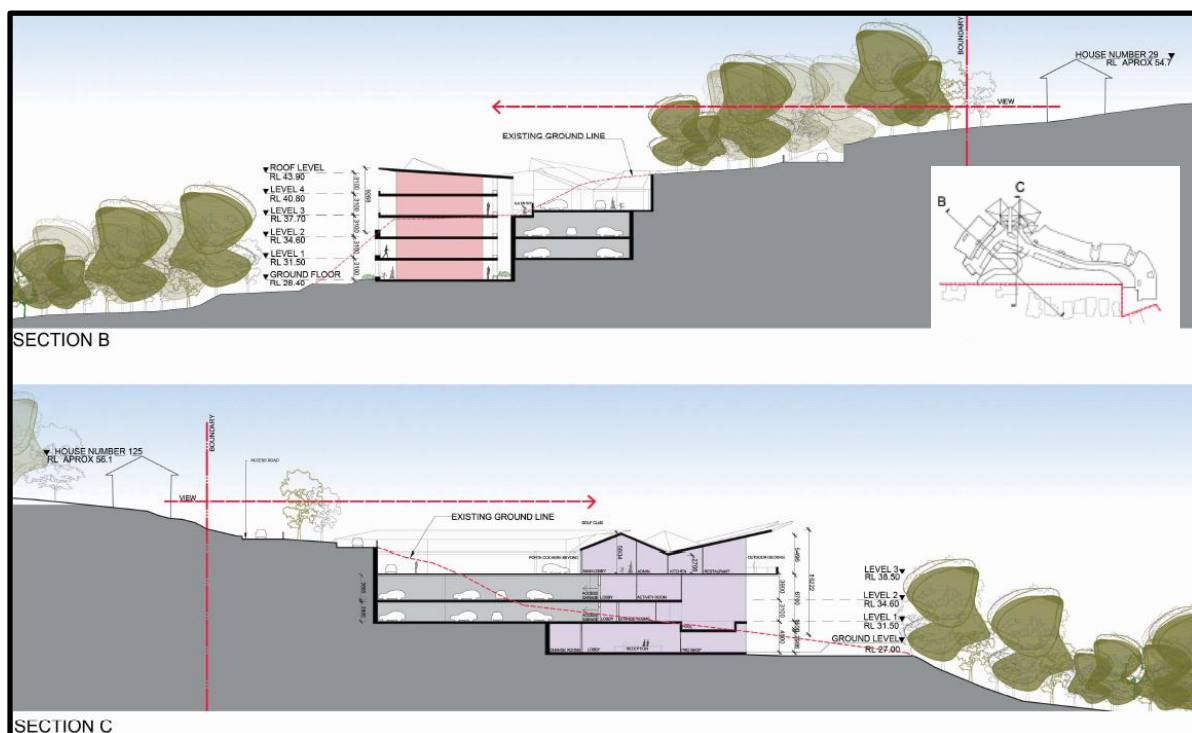


Figure 29: Section B & C illustrating view lines from eastern properties.

Source – Marchese partners

The Northern Block (Block B) has a five (5) storey envelope, but like Block A and the Club house building, it follows the sloping topography of the land so the height is not visible when viewed from the eastern properties and is also substantially separated from the closest residential properties to the south, north and west. There is a considerable fall in the land to the north of the site, as such the northern block steps down to follow this fall creating a more responsive design. On level 3, which comprises the main entrances to the club and village, the built form has been physically separated to ensure sightlines onto the golf course from the east are maintained and to reduce the perceived bulk of the buildings from adjoining properties, the golf course and from the open space areas within the subject site .

The Club house building, which separates Block A and Block B, has a four (4) storey envelope, and the bulk of the building envelope extends westward away from the Block A and B. The visible separation between all buildings assist to break up the buildings mass and provide articulation to the built form and allows for solar access and sightlines to the golf course to be maintained.

The subject site is predominantly bound by the existing golf course, with the closest adjoining properties located to the east of the site and comprising single and two storey dwellings on detached allotments. Given the substantial spatial separation from adjoining dwellings, the existing and proposed landscaping and design features incorporated into the proposed design to maintain existing views and sightlines, it is considered that the proposed building footprint and envelope is an appropriate response for the site in relation to the adjoining development.

In comparing the footprint and height and scale of development in close vicinity of the site, the most relevant development to compare would be that of the Lane Cove Gardens Retirement Village (LCGRV), which is located at 5-9 Hart Street, Lane Cove North. It is located approximately 204m from the subject site to the south and separated by the golf course (refer to **Figure 30** below). Similar to the subject site, LCGRV has a direct frontage onto the golf course and is bound by lower density development comprising single and two storey dwellings. LCGRV comprises a number of separate buildings which follow the natural topography of the land, most of which are four (4) storeys in height and up to 7 levels. A new seniors apartment building is also located at 13 Hart Street. Refer **Figure 31**.



Figure 30: Aerial Map showing approximate distances to LCGRV

Source: Sixmaps

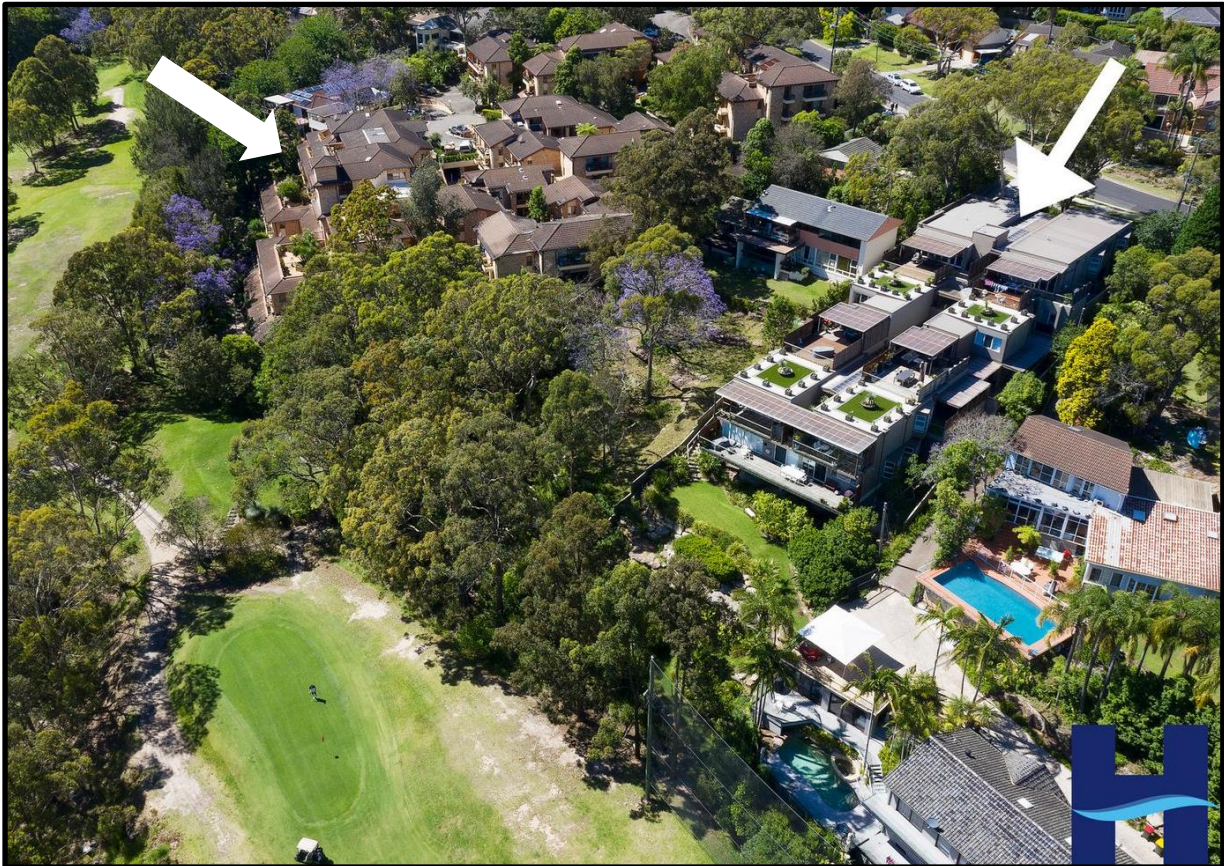


Figure 31: “Lane Cove Gardens” Retirement Village (left side) & No 13 Hart St seniors units (Source: Realestate.com.au)

4.5 – Proposed extent of native vegetation clearing

The proposed development will result in removal of trees, in part due to building works/site excavation and also to comply with bushfire asset protection zone requirements which are expanded for seniors housing (*Special Fire Protection Purpose* under the Rural Fires Act 1997). The Flora and Fauna report findings were that there were no threatened species observed or considered likely to occur in a natural state on the development site. Notwithstanding, it is proposed to mitigate the tree loss with **650** off-set plantings to the adjacent golf course under DA2020/117.

Within the SCC development site, it is proposed to provide a total landscaped area of approximately 5,235m² or 35.6% of the site area which will provide significant opportunities for vegetation restoration and opportunities for the planting of new replacement indigenous species.

It is considered that the proposed number of trees to be removed is acceptable given that none of the trees were identified as rare or endangered and the proposed Landscape Scheme provides significant opportunities for planting of new indigenous species to mitigate the loss of the trees required to be removed.

5.0 STRATEGIC JUSTIFICATION

5.1 – Relationship with regional and local strategies

The relevant non-statutory framework considered relevant to the assessment comprise;

- A Metropolis of Three Cities – the Greater Sydney Region Plan;
- Eastern City District Plan

Greater Sydney Region Plan: “A Metropolis of Three Cities- the Greater Sydney Region Plan” (GSRP) was released in March 2018 and replaces “A Plan for a Growing Sydney” . The Plan encompasses a global metropolis of three cities – the Western Parkland City, the Central River City and the Eastern harbour City. It is envisaged that people of Greater Sydney will live within 30 minutes of their jobs, education and health facilities and services. The relevant sections of the GSRP are addressed in **Table 6** below;

Direction	Comment
Chapter 4 – Livability A City for the People Housing for the City A city of great places	Greater Sydney is forecast to grow from 4.7million people to 8million people by 2056. Housing targets include 750,000 additional homes over the next 20 years and 817,000 new jobs to meet the needs of a changing economy. The proposal for a mixed use deveopment that generates both houses and jobs is an appropriate response to meeting the intent of the liveability chapter.
Chapter 5 – Productivity A well connected city Jobs and Skills for the city	Integration of housing, community facilities and serviced self care housing for seniors/people with a disability in close proximity to Chatswood comercial centre, hospitals and public transport is consistent with the aims. The proposal will ensure the long term viability of the club and employment for the local community.
Chapter 6 – Sustainability A city in its landscape An efficient city A resilient city	The proposal confines the development to the approved SCC footprint on the “brown fill” elevated portion of the Chatswood Golf Course adjacent to existing residenital development, and retains the remainder of the golf course for open space. The proposal incorporates solar panels, provision for communal (electric) share cars and community transport to reduce reliance on private car ownership, and achieves a development which will ensure financial viability and on-going provision of the golf course recreation facility and clubhouse services/facilities for the benefit of the local community. Proximity to a large outdoor greenspace is an important feature.

Table 6 – GSRP response table

North District Plan:

The District Plans support the objectives of “A Metropolis of Three Cities- the Greater Sydney Region Plan” and inform local planning. The North District Plan provides a series of priorities and actions to guide development and accommodate the expected growth across the district. The District Plans have been prepared to give effect to the GSRP.

The North District is the northern part of the Eastern Harbour City, being well serviced, highly accessible and well established. The vision is to improve the District’s lifestyle and environmental assets and includes;

- Improving walking and safe cycling ways
- Enhancing fore shore access to Sydney Harbour and the Districts waterways.

- Creating and renewing great places while protecting heritage and local character and improving places for people; and
- Protecting and enhancing the District's unique natural assets including waterways, coastline and bushland.

It is expected the North District will continue to grow over the next 20 years with demand for an additional 92,000 dwellings. This will be provided through urban renewal, around new and existing infrastructure, land release and infill developments. The focus will be on well-connected walkable places that build on local strengths and deliver quality places.

Liveability is about people's quality of life. Maintaining and improving liveability requires housing, infrastructure and services that meets people's needs and the provision of a range of housing types in the right locations with measures to improve affordability. This enables people to stay in their neighbourhoods and communities as they transition through life.

Improving sustainability will include incorporating natural landscape features into the urban environment. The Greater Sydney Green Grid will provide green links through the District. This is the regional network of high-quality green spaces and tree lined streets that support walking, cycling and community access to open spaces.

The proposed development is consistent with the objectives and actions of this plan. The proposal provides a mixed-use development comprising "serviced self-care" seniors housing and on-site services, facilities on the "brown fill" portion of an existing developed site whilst retaining a large recreation open space area and adjacent bushland for the benefit of both the village residents and the wider community. The 2020 pandemic has highlighted the importance of maintaining quality open spaces for the community.

Willoughby City Strategy

The Willoughby City Strategy is the community plan which underpins everything the Council does. It sets the strategic direction for the City, its policies, services and activities. The strategy has 6 Key Strategic Directions which are as follows:

- Community and Cultural Life
- Natural Environment
- Homes
- Infrastructure
- Economic Activity
- Governance

The strategy has 2 overarching principles of sustainability and social justice which underpin all the activities that will be carried out by Council through each of the key strategic direction.

One of the goals within the strategy identifies the need to address the housing needs of the ageing population and the need to provide housing diversity that is of a high quality and character. The proposed development will assist in addressing the demand for housing for seniors and those with a disability in Willoughby LGA and will provide senior housing that is of a high quality and offers high levels of amenity and will provide access to on-site services and existing public transport options.

5.2 – Public interest for applying for seniors housing in this locality

The proposed development of the site for seniors housing is considered to be in the public interest for the following reasons.

Increase in supply of suitably located housing for seniors/ people with a disability

The proposed development will assist in addressing the high demand for seniors housing that is being experienced a local, state and national level. An analysis of data from the Australian Bureau of Statistics (ABS) indicates that the Willoughby LGA has experienced a significant increase in the number of empty nesters and retirees aged over 60 since 2006 as illustrated in **Figure 25** below.

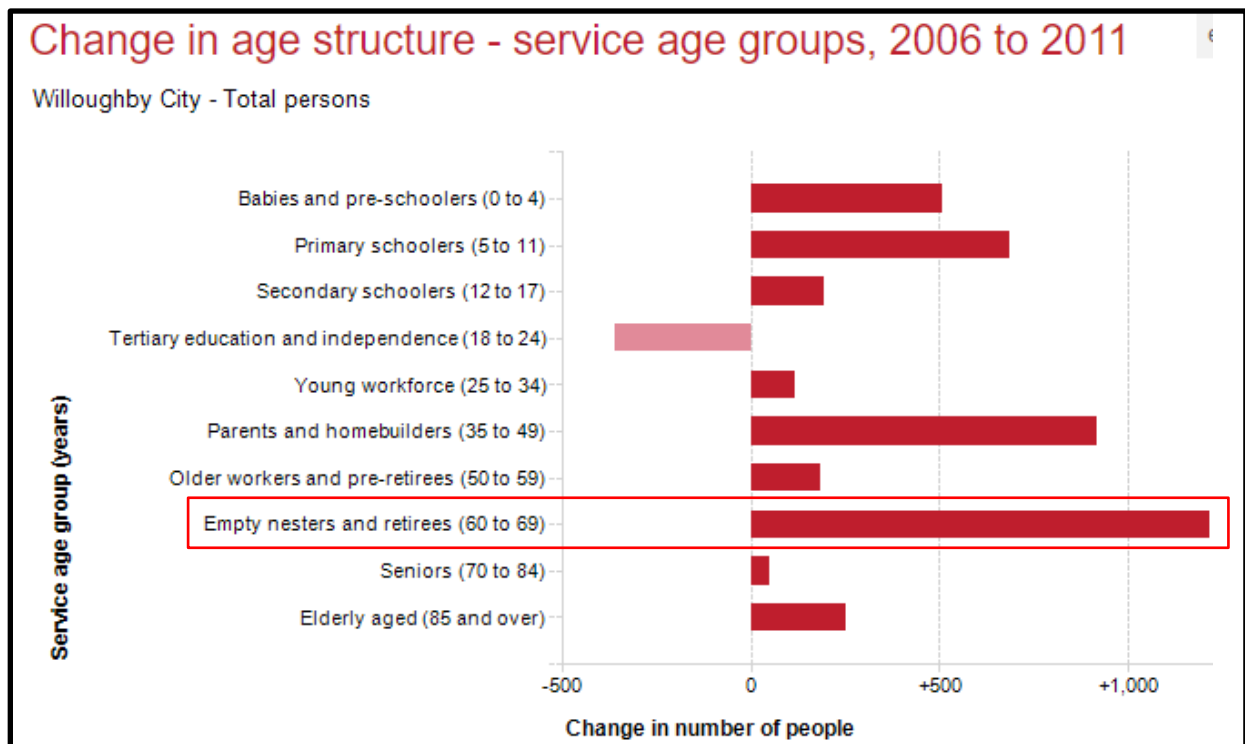


Figure 25 – Data from Profile id illustrating change in age structure from 2006 to 2011

Given the large increase in empty nesters and retirees, a large percentage are likely to downsize and be looking to relocate into more suitably sized dwellings of a high quality within the area which can provide access to existing public transport and required services and facilities and offer greater health and lifestyle activities.

Given the shortage of suitably located land in the area capable of a development of this scale, the proposed development is ideally located and offers a unique opportunity to increase the supply and diversity of seniors housing of a high amenity with an assortment of enhanced facilities that will directly benefit the future residents, club members and the local community with minimal social, environmental and economic impact.

Long term viability of the club

The proposed development will address the CGC's deteriorating financial position and secure its long-term future for members, players and the local community. Through the partnership with Watermark Chatswood and the range of community facilities envisaged, CGC will be able to change its business model and diversify its revenue streams to sustain the Club's financial viability and attract new membership. Collectively, these measures will ensure the ongoing viability of the golf course and club which is an important community asset given it is a publicly accessible recreation facility.

Community benefit

The proposed development includes a range of improved facilities that will benefit the Club members, future residents, the public and the local community. These facilities include the following:

- Meeting rooms for local sporting teams and social clubs
- Function area facilities
- Recreations facilities including gymnasium, hydrotherapy pool, rooms available for pilates, yoga or other activities.
- Wellness centre
- Restaurant and Café/ bistro
- Enhanced landscaped areas that complement the natural course landscape

The development is will also provide extensive employment opportunities both during construction and once operational which will have a positive economic impact on the locality.

For the reasons outline above, the proposed development and its location and responds to a demand for quality seniors housing in the local area without detrimentally impacting on the amenity of adjoining properties.

5.3 – Adequacy of services and infrastructure to meet demand

Services

The subject site has a bus stop located approximately 90m from the entrance to the site which provides direct access to Chatswood CBD. Chatswood CBD is located approximately 3.2km by bus from the site and contains all the necessary services and facilities required by future residents of the seniors housing including a trains station, retail outlets, post office, banks, community services and facilities, food and drink outlets, medical centres and a hospital. It is also noted that the subject site is in close proximity to existing motorways and to the Royal North Shore Hospital and Macquarie Private Hospital.

Infrastructure

An Infrastructure Services report was prepared by BSE and is provided at **Annexure 9** and concluded the following:

- Water: The existing golf clubhouse is connected to a Ø100mm Cast Iron Cement Lined Pipe (CICL) located within Beaconsfield Road. We anticipate that this will be adequate for the potable water for the proposed development subject to Sydney Water application and approval. However, a pump will be required for potable water and pumps and tanks will be required for fire protection services
- Sewer: The existing golf clubhouse is connected to a Ø150 Polyvinyl Chloride (PVC) sewer main located to the South underneath the golf course. We anticipate that the connection will require amplification to serve the proposed development subject to Sydney Water application and approval
- Gas: There is an existing 50mm Nylon (NY) 210kPa gas main available for connection within Beaconsfield Road. We anticipate that this existing gas main will be adequate for the proposed development subject to Jemena application and approval
- Electrical Power: The maximum demand of the proposed development is approximately 760kVA. We propose that a new 1,000kVA kiosk substation is provided with connection to the existing HV feeder within Colwell Crescent. Final arrangements are subject to Ausgrid application and approval
- Communications: the existing golf clubhouse is provided with connection to the existing Telstra and Optus networks. NBN Co. is available for the proposed development via HFC technology. Final arrangements are subject to NBN Co. application and approval
- We have received the Pressure and Flow statement from Sydney Water which notes slightly less available pressure and flow in comparison to the onsite pressure tests carried out by Fire Compliance and Maintenance to provide this advice (refer to appendix)

Having regard to the preliminary finding, it appears that the existing infrastructure is adequate to meet the demand of the proposed development.

6.0 PRE-LODGMET CONSULTATION

6.1 – Evidence of consultation

Council Consultation

Preliminary discussions were held between Council and representatives of CGC and Watermark Chatswood Pty Ltd on 6 July 2016 and 20 October 2016. A formal pre-development application meeting was convened with Willoughby Council on 26 April 2017 and 31 October 2019 to discuss the proposed development.

Council were generally supportive of the proposal and were of the opinion that the proposed design has merit. Formal minutes were issued following the meeting and have been provided at **Annexure 16**.

Department of Planning , Industry and Environment





The initial SCC application was assessed by DPIE over a 23month period. The only issue which arose in late 2017 was the proximity to urban zoned lands as the E4 zone was determined to be non-urban despite the obvious physical similarities with the residential housing / lot size in the adjoining R2 zone. The *Wirrabara Village Pty Ltd V The Hills Shire 2018 NSW LEC 1187* determination assisted in the resolution of the matter by determining that urban lands (R2 zone) located within 71m distance from the subject site satisfies the SEPP Seniors adjoining provisions as the subject site is 60m to the west of R2 zoned lands in Colwell Crescent.

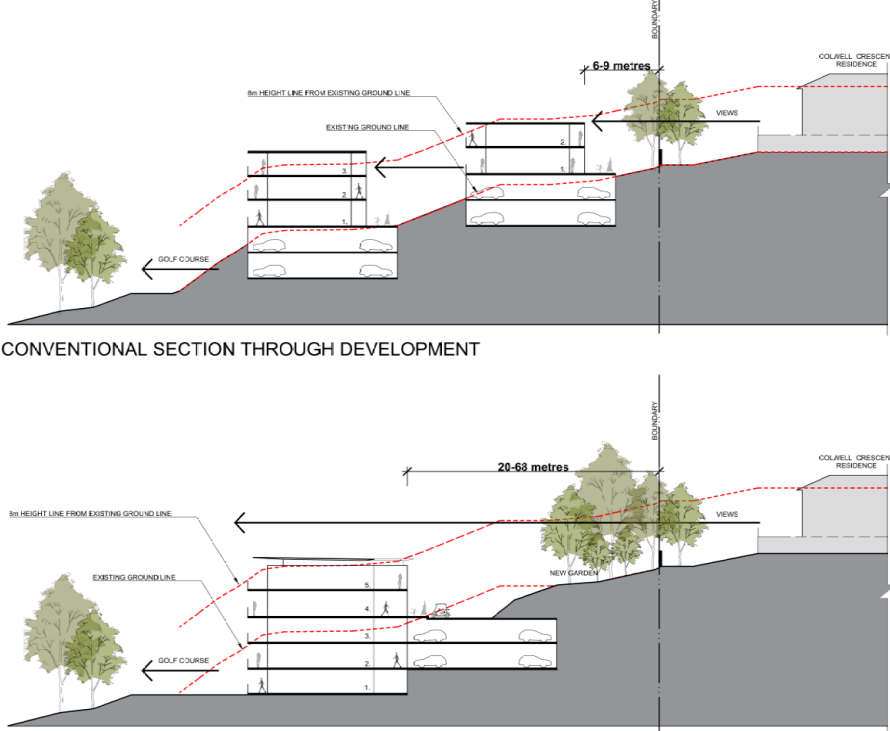
Community Consultation



CGC and Watermark Living have been active in keeping club members and residents informed of the proposed development and they value the importance of providing all stakeholders an opportunity to voice their opinions and concerns. A comprehensive formal community consultation process was undertaken and a copy is provided at **Annexure 19**.

6.2 – Description of and response to issues raised in consultation

Pre-DA Summary		
Issues	Council Comments	Response
SCC	SCC must be submitted to Council	Refer Annexure 13
Clause 26 Bus	Clause 26 of the SEPP is a development standard - 255 service operates from the bus stops near Colwell Crescent 6 days/week. If no service is available at least once between 8am and 12pm 7 days per week – please provide legal advice that the proposal satisfies Cl 26 provisions.	SEPP Seniors cl 26 requires a public bus service that operates Monday to Friday. The intent of the SEPP provisions are clear that the service must operate in the morning <u>and</u> afternoon Monday to Friday. In contrast to SEPP cl 43 (private transport service), there is no clear stated requirement for a <u>daily</u> public bus service in the mornings and a <u>weekday</u> service in the afternoon. Further, it is considered illogical that the SEPP would require residents to only have an outbound bus service and no return service on the weekends.
Temporary Clubhouse Facilities	There might be issues with the temporary facilities as these are proposed to be converted into permanent maintenance facilities at completion of works. This might not be possible if these structures are not part of the site compatibility certificate.	The application does <u>not</u> propose to build temporary club facilities, rather, the premises will not be operating as a golf club during the construction stage.
SEPP cl 50	Development Standards contained in clause 50 of the Seniors Living SEPP justifying any non-compliance While some other non-compliances might be able to be supported due to various constraints of the site, please ensure compliance with FSR and height controls specified in the SCC	SEPP Cl 50 comprises “ <i>Standards that cannot be used to refuse development consent for self-contained dwellings</i> ” . The SCC limits density to 106 seniors dwellings. There are no height/FSR development standards within the SEPP/WLEP2012 for the land covered by the SCC footprint.

<p>Neighbour Impacts</p>	<p>Views (from neighbouring properties and of the finished buildings as viewed from the golf course) and other impacts on amenity of neighbours. Please submit sections and photomontages to demonstrate view preservation.</p> <p>The proposal should also consider other potential impacts on the amenity of the adjoining properties (noise, traffic etc).</p>	<p>DA 2020 was accompanied by Site Response drawings and detailed “View Analysis” drawings (with sections & 3D montages), to illustrate the view corridors/impacts when viewed from residential properties to the east. Montages viewed from the golf course were also provided to illustrate the design context and visibility from other residential properties to the north, south and west (typically 200-300m+ from the development site).</p>
	<div data-bbox="491 640 1311 828">  <p>01 EXISTING VIEW</p> </div> <div data-bbox="491 887 1311 1075">  <p>02 PROPOSED VIEW - 3D MONTAGE</p> </div> <p>Figure 26 : Extract “View Analysis” Drawings – Existing View No 29 Colwell Cres & and Proposed Montage DA9.15</p>	
	<div data-bbox="507 1144 1295 1406">  <p>01 EXISTING VIEW</p> </div> <div data-bbox="507 1447 1295 1751">  <p>02 PROPOSED VIEW - 3D MONTAGE</p> </div> <p>Figure 27 : Extract “View Analysis” Drawings – Existing View & Proposed Montage from Mooney St (due west)</p> <p><i>Source: Marchese Partners</i></p>	

<p>Site Impacts</p>	<p>Minimal impact to natural features should occur. Consideration is to have regard to the contribution of natural features to the visual amenity, drainage patterns and potential aboriginal heritage issues. Extent of excavation – please minimize.</p>	<p>A key feature of the design is to utilise the existing sloping topography and to set the buildings into the western side of the hillside whilst maximising landscape setbacks & retention of natural features along the eastern side where the site abuts residences to the east.</p> <p>To achieve this aim, and to provide adequate basement carparking, excavation of the site is necessary. The alternative design scenario that minimises excavation for the basement would result in a higher built form, increased view loss and greater shadow impacts on neighbouring houses to the east.</p>
	 <p>CONVENTIONAL SECTION THROUGH DEVELOPMENT</p> <p>PROPOSED SECTION THROUGH DEVELOPMENT</p>	<p>A CONVENTIONAL DESIGN APPROACH TO THIS SITE WOULD BE TO BUILD A 2 STOREY BLOCK ON THE EXISTING FLAT CARPARK SITE AND A 3 STOREY BLOCK AT THE EDGE OF THE GOLF COURSE. HOWEVER THIS WOULD LOCATE THE PROPOSED BUILDINGS MUCH CLOSER TO THE REAR OF THE EXISTING DWELLINGS ON COLWELL CRESCENT. THIS LEADS TO A POORER OUTCOME.</p> <p>THE PROPOSED DESIGN APPROACH LOCATES THE ENTIRE DEVELOPMENT IN A 5 STOREY BUILDING AT THE EDGE OF THE GOLF COURSE THAT TAKES ADVANTAGE OF THE EXISTING NATURAL GROUND LEVEL CHANGE. THIS LOCATES THE BUILT FORM A LONG WAY AWAY FROM THE EXISTING COLWELL CRESCENT DWELLINGS AND PROVIDES THE OPPORTUNITY FOR A NEW LANDSCAPED GARDEN TO BE LOCATED BETWEEN THE NEW DEVELOPMENT AND EXISTING COLWELL CRESCENT RESIDENCES WITH A SEPARATION DISTANCE OF 20m - 68m FROM THE BOUNDARY.</p>
<p>Trees</p>	<p>An Arborists Report is required in respect to trees to be removed and trees to be retained in close proximity to works. The development should be designed to retain significant trees where possible.</p>	<p>An arborist report has been prepared to facilitate an integrated response to tree retention/bushfire Asset Protection Zones and biodiversity constraints.</p>
<p>Setbacks</p>	<p>Bulk and scale of development. Building with nil setback from boundary should be re-considered</p>	<p>The setbacks to the proposed golf course lot boundary are consistent with the layout approved under the SCC building footprint.</p>

Traffic	Safe manoeuvrability for both vehicles & pedestrians.	Pathway links with landscaping and seating/rest-stops are provided from the development up to Beaconsfield Road. Internal pedestrian walkways link the apartments to the Clubhouse. A pedestrian pick up/ drop-off pull-over bay is provided at the covered entry to the Clubhouse building.
Traffic	Pattern of use of facilities on-site (eg gym, pool and wellness centre), evaluating potential impact on local traffic. A Plan of Mgt should incorporate these issues.	A detailed Operational Plan of Management accompanied DA2020/117.
Materials & Colours	Materials (to blend with natural environment).	Darker grey tones have been incorporated to the deep recesses and to the roof and top floor of the development so that the top of the building recedes and tones back into the tree line when viewed from across the golf course, emphasising the middle 3 levels over a sandstone base.
<div style="text-align: center;">  <p>SCC 2017 / Pre-DA montage 2019</p>  <p>DA2020/117 montage 2020</p> </div>		

SEPP 65	Internal amenity and external appearance (SEPP 65 and Apartment Design Guide – a design verification statement is required).	A Design Verification Statement accompanied DA2020/117.
Safety Nets	Safety (any netting to prevent balls leaving the course should have minimal impact on visual amenity and views from surrounding properties).	The subject DA is for the buildings within the SCC footprint. A separate DA for the upgrades and reduction in holes to the golf course fairway will be submitted at a later time. Chatswood Golf Club have provided a Design Statement (Annexure 15) which clarifies this intention and that the design of the golf course will be tailored to negate the need for high nets being installed on this part of the golf course which could intrude into outlook for the subject apartments and/or neighbour dwellings.
Construction	Construction Management	Construction Management Plans accompanied DA2020/117.
Flood	Flooding	A Stormwater Management and Flood Management Report accompanied DA2020/117.
Loading	Loading facilities	The ground level carpark (Level 3) is designed to accommodate an 8.8m sized MRV including turning area. A B99 loading area is provided on (basement) Level 2.
Crown consent	Crown Land - submit consent from NSW Government (Crown Lands) for lodgment of DA for any parcels of Crown Land	No works are proposed to lands under lease from the Crown.
Bushfire	As the site classifies as bushfire prone, evacuation plans must be submitted. Appropriate solution should be incorporated into the proposal at early stages – RFS comments should be incorporated into the proposal. The application would be Integrated Development and following lodgement the approval of RFS will be sought	A Bushfire Report and Evacuation Plan accompanied DA 2020/117.
Environmental Assessment	<i>A Stage 1 Preliminary Site Investigation should be carried out to assess the potential for site contamination in accordance with SEPP 55, Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land, and the EPA's Guidelines for Reporting on Contaminated Sites. Particular attention should be paid to any fill material on the proposed development site. If the potential/actual contamination is found, progression to a Stage 2 Detailed Site Investigation and Remedial Action Plan should occur prior to lodging a DA</i>	Stage 1, Stage 2 & Remediation Action Plan (RAP) accompanied DA 2020/117.

Acoustic	<i>An acoustic assessment should be carried out by a suitable qualified acoustic consultant and a report with recommendations submitted with a DA. The assessment should include potential noise sources, identify relevant criteria, background noise measurements & predicted noise levels, and should look at external sources impacting on residents and the use impacting on surrounding residential properties. If there is potential for a gymnasium causing vibration impact, then this should be included as well</i>	An Acoustic Report accompanied DA 2020/117.
Kitchen	<i>Plans should be provided for food preparation areas (restaurant, café or bars) with enough detail for officers to assess compliance with AS4674 and the National Food Safety Standards</i>	A kitchen consultant is to be appointed when an operator has been appointed. A separate application is to be submitted for the kitchen fit-out.
Traffic	<i>Please note that the existing cul-de-sac turning area at the western end of Beaconsfield Rd is undersized. Requirements to provide an adequate turning area at the end of Beaconsfield Rd are insufficient at this stage. Please provide comments & requirements regarding this matter, including size of design vehicle etc. prior to finalisation. Turning area is extremely important for access by fire trucks etc</i>	A traffic report accompanied DA2020/117.
Flood	Flooding - <i>The property in the vicinity of the proposed development is affected by overland flooding. An overland flow/ flood impact study prepared by a qualified civil engineer, experienced in flood modeling, prepared in accordance with Part C5 of WDCP and Technical Standard No. 3 is required to be submitted with any future DA.</i>	A Stormwater Management and Flood Management Report accompanied DA2020/117.
Setbacks	Building form and character – <i>The proposed development does not have street frontage</i> <i>*The upper level(s) of the proposed development are generally low scale with a continuous generally unbroken elevation</i> <i>*The Golf course interface has 4-5 level elevation</i> <i>Noting that the golf course elevation has the most impact on the adjacent golf</i>	The architectural package includes photomontages of the development when viewed from the east (Colwell Crescent) north and around to the south-west. The houses located to the east of the development will have landscaped gardens abutting their rear/side boundaries and building heights of 1-2 storeys in the distance.

	<p><i>course, this views are generally shown in the presentation package.</i></p> <p><i>*There is also impact on longer more distant views from adjacent properties into the golf course. The visual intrusion of the proposed development will be significant as the current view is primarily of open space (golf course) and the current smaller scale clubhouse.</i></p> <p><i>*The DA package is to include visual analysis and renderings showing how the development will affect views from the north around to the south west</i></p>	<p>The houses to the north, west and south-west are remote from the proposed buildings, in the order of 200-300m distance and are separated by the golf course which incorporates large tree plantings.</p>
Landscape	<p>The landscape areas provided in the interface with the existing residential properties.</p> <p><i>While ensuring that views from adjacent properties are retained, the proposed landscape treatment is to predominantly utilize endemic species to allow for revegetation and habitat restoration</i></p>	<p>The landscape scheme has been prepared having regard to the ecological and bushfire related constraints .</p> <p>Further, the applicant has engaged in extensive consultation with residents who live in the immediate vicinity of the development site. The applicant's intention is to have further on-going consultation with adjacent neighbours to the east to fine tune species/screening and management of vegetation heights along the shared boundary, working towards and agreed Landscape Management Plan prior to commencement of any building works.</p>
Excavated material	<p><i>The use of the fill material of the Golf Course may be subject to a separate approval process, noting that re-shaping and fill may affect the existing vegetation/habitat values and viewshed of the Golf course environs</i></p>	<p>The proposal seeks to stockpile clean fill within the golf course fairway to facilitate proposed upgrades to the golf course.</p> <p>A separate DA will be lodged for the redesign of the golf course as stated in Chatswood Golf Club design statement at Annexure 15. Retention of significant trees/ vegetation will be a consideration in the golf course design for ecological and visual impact reasons.</p>
Model	<p>A model to scale is required to be submitted with the application</p>	<p>A physical model accompanied DA2020/117.</p>

Table 7: response to issues raised in pre-development application meeting.

7.0 SEPP SITE COMPATIBILITY CRITERIA

7.1 – Clause 25(5)(b) SEPP Seniors

Pursuant to cl 25(5) of SEPP Seniors, The [relevant Panel](#) must not issue a Site Compatibility Certificate unless the [relevant panel](#) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to the criteria listed under cl 25(5)(b). **Table 8** below provides a detailed response to these criteria.

CI 25(5)(a) SEPP Seniors

(a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and

CI 25(5)(b) SEPP Seniors Criteria	Assessment
(i) <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,</i>	<p>The proposed development has been designed with consideration of the surrounding land uses in close proximity to the site and the natural environment and relevant hazards including bushfire and flooding.</p> <p>An ecological assessment of the site has been undertaken and is provided at Annexure 5. The assessment determined that the proposed development is ecologically compatible with the site with regard to the expected impacts on threatened flora and fauna species, endangered ecological communities and populations. Further discussion in relation to this is provided in section 3.2 of this report.</p> <p>A Flood Analysis report was prepared by Marchese Partners and is provided at Annexure 8. The Flood Analysis demonstrates that flood poses no risk to the future residents provided the recommendations are incorporated and there is no impact on the course or the building development and the proposed buildings will not impact on the current natural flows.</p> <p>A preliminary assessment of the bushfire constraints for the future development of the site has been undertaken by Travers Bushfire and Ecology to identify asset protection zones (APZ) requirements, establish the required building setbacks and to determine the available area for the development of habitable dwellings on the site (refer to Annexure 6). The assessment concluded that the proposed development complies with the requirements of Planning for Bushfire Protection.</p>

	<p>A detailed assessment of the surrounding built form has been provided under Section 3.2 of the report and provides details of the closest residential receivers. The proposed development is considered compatible with the surrounding built form and land uses given the substantial spatial separation between the proposal and the adjoining residential properties, most of which are in excess of 200m from the subject site and separated by the golf course by densely vegetated areas.</p> <p>The topography of the site allows for a larger built form which ensures that the development does not result in any adverse visual impacts when viewed from its surrounds - especially when viewed from the properties directly to the east of the site. A key driver in the design of the proposal development has been to ensure that the existing views from the properties that surround the subject site are retained.</p>
<p>(ii) <i>The impact that the proposed development is likely to have on the uses that, in the opinion of the relevant Panel, are likely to be the future uses of that land in the vicinity of the development,,</i></p>	<p>The subject site is primarily zoned RE2 Private Recreation Zone under the WLEP 2012. The permitted uses in the RE2 zone are as follows:</p> <p style="text-align: center;"><i>3 Permitted with consent</i></p> <p style="text-align: center;"><i>Child care centres; Community facilities; Environmental facilities; Environmental protection works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads</i></p> <p>The proposed development has been designed to ensure the continued operation of the existing golf course (Recreational facilities (outdoor)) and will upgrade the existing club house (registered Club) and provide a variety of facilities that will benefit existing club members, future residents and the wider community at large.</p> <p>It is considered that the proposed development is compatible with the surrounding land within close vicinity of the site and will not unreasonably compromise the future use of the land for any of the permitted used in the RE2 zone.</p>

<p>(iii) <i>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,</i></p>	<p>A detailed assessment against the relevant criteria within cl 26 is provided under Section 3.4 of this report and is supported by an access review which is provided at Annexure 14. It is considered that the proposed development meets the relevant criteria within cl 26 of SEPP HSPD as there is a bus stop within 400m of the subject site and the footpath to the bus stop comply with the functional gradients required.</p> <p>The bus stop located directly near the sites entrance provides direct access to Chatswood CBD. Chatswood CBD is located approximately 3.2km from the site and contains all necessary services and facilities required by future residents of the seniors housing including a trains station, retail outlets, post office, banks, community services and facilities, food and drink outlets, medical centres and a hospital. It is also noted that the subject site is in close proximity to existing motorways and to the Royal North Shore Hospital and Macquarie Private Hospital.</p> <p>An Infrastructure Services report has been prepared by BSE and is provided at Annexure 9 and details the existing infrastructure either on or in close proximity to the site which is adequate to meet the demand of the proposed development.</p>
<p>(iv) <i>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 ,</i></p>	<p>The subject site is zone RE2 and forms part of the Chatswood Golf course. The development site is largely comprised of the land currently used for car parking, internal driveways and the existing club house. The proposed development has been designed to ensure the continued operation of the 18-hole golf course, accordingly it is not considered that the development will have any impact on the provision of land for open space and special uses.</p>
<p>(v) <i>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,</i></p>	<p>The subject site is unique in this locality due to its scale, topography and substantial spatial separation from most surrounding residential receivers. Due to these features, the site affords the opportunity to accommodate a larger built form.</p> <p>The proposed built form provides a sympathetic response to the surrounding area and maintaining amenity of the adjoining residential development has been a key driver in the design.</p>

	<p>Due to the steep topography of the site, the proposed development will sit largely below the current level of Beaconsfield Road and that of the existing properties on Colwell Crescent directly to the east. The proposed development will not inhibit the future use of the residential uses of the surrounding properties and the design ensures that existing views are maintained. The removal of the large upper carpark and replacement with a landscaped area will soften any views towards the development from the east and the landscaped area in front of the development will soften the visual impact of the development when viewed from the golf course.</p>
<p>(vi) <i>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</i></p>	<p>Pursuant to Part 3 of Schedule 1 of the Native Vegetation Act 2003, Willoughby LGA is excluded from the operation of the Native Vegetation Act 2003.</p>
<p>(vii) <i>The impacts identified in any cumulative impact study provided in connection with the application for the certificate and</i></p>	<p>A Cumulative Impact study is not triggered as the site is 3.2km from the nearest site with current SCC application and DA not yet determined by SNPP.</p>
<p><i>(c) in relation to an application that applies to land in respect of which a site compatibility certificate has previously been issued (the previously certified land) and other land (the additional land)—is of the opinion that—</i></p> <p><i>(i) the additional land (independently of the previously certified land) adjoins land zoned primarily for urban purposes or subclause (5A) applies, and</i></p> <p><i>(ii) if a site compatibility certificate was issued in respect of the previously certified land on the basis that the land adjoined land zoned primarily for urban purposes—the previously certified land continues to adjoin land zoned primarily for urban purposes.</i></p>	<p>The subject proposal for SCC does <u>not</u> involve additional lots or an expansion of the previous SCC footprint approved by SNPP 13-6-2019.</p> <p><u>Note:</u> While the drawing package dated July 2017 showed the correct boundary alignment, there was an error with respect to “slippage” of the printing of the separate SCC plan subsequently prepared in April 2019 which has been rectified in the current Footprint Plan dated December 2020.</p> <p>The SCC report prepared by DPIE officers in 2019 recommended support for the proposal (page 16) to the SNPP having regard to the provisions of SEPP clauses and the L&E Court determination that 71m (or 60m in this instance) constitutes adjoining lands to the R2 zone in Colwell Crescent. Refer DPIE assessment report prepared June 2019 at Annexure 13.</p>

<p><i>(5A) This subclause applies for the purposes of subclause (5) (c) if—</i></p> <p><i>(a) the proposed development on the additional land does not include any new or additional structures for use as accommodation, and</i></p> <p><i>(b) where the previous site compatibility certificate specified a maximum number of dwellings for the previously certified land—the total number of dwellings on the additional land and previously certified land combined will not exceed that maximum number.</i></p>	<p>The current 2020 SCC architectural design for 106 seniors dwellings is identical to the SCC plans lodged in 2017 which contained 106 seniors dwellings.</p>
<p><i>6) Without limiting subclause (4) (a), the relevant panel may refuse to issue a certificate if the relevant panel considers that the development is likely to have an adverse effect on the environment.</i></p> <p><i>(7) 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.....</i></p> <p><i>(9) A certificate remains current for a period of 24 months after the date on which it is issued by the relevant panel.</i></p> <p><i>(10) To avoid doubt, a site compatibility certificate—</i></p> <p><i>(a) cannot be varied during its currency to cover additional land, and</i></p> <p><i>(b) does not affect the zoning of the land to which it relates under another environmental planning instrument.</i></p>	<p>It is noted that draft exhibited Housing Diversity SEPP proposes to amend the SCC currency from 2yrs to 5yrs. Should the new SEPP provisions be gazetted (with savings provisions) then the SCC issued in 2019 will be extended to 13-6-2024.</p> <p>In those circumstances, the 2020 SCC application could simply be withdrawn.</p>

Table 8: Response to criteria in cl 25(5) within SEPP Seniors

8.0 CONCLUSION

This 2020 Site Compatibility Certificate (SCC) application has been prepared by Levy Planning on behalf of the applicants **Watermark Chatswood Pty Ltd** to obtain a SCC which will facilitate the completion of the assessment of DA2020/117 by Willoughby City Council and determination by SNPP for the construction of a mixed-use development comprising Seniors Housing in the form of 106 “serviced self-care” apartments and a “Registered Club” on part of the land at CGC (128 Beaconsfield Road, Chatswood).

This SCC Application has been prepared in accordance with the provisions of Chapter 3, Part 1A of SEPP Seniors, in particular the criteria listed in cl 25 and demonstrates the proposed development is compatible with the surrounding environment and is suitably located for more intense development.

The subject site is ideally located for the proposed development and offers a unique opportunity to address the CGC’s deteriorating financial position and secure its long-term future for members, players and the local community. The proposed development will also increase the supply and diversity of suitably located seniors housing with a high level of amenity and excellent access to services and facilities and provide an assortment of enhanced facilities that will directly benefit the future residents, club members and the local community with minimal social, environmental and economic impact. The site has convenient access to public transport and will not result in any unacceptable traffic, parking or traffic related environmental implications.

This application has demonstrated that there are minimal environmental impacts and the proposed development is consistent with the goals and objectives of the regional and local strategic plans and is consistent with the location and access to facilities requirements within SEPP Seniors.

The proposal is for 106 seniors dwellings on the same development site and has significant merit, meets the requirements of cl 25 of SEPP Seniors and is worthy of the Department’s support and SNPP granting a second Site Compatibility Certificate.