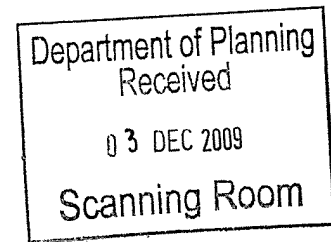


OUR REF: P4558.330-02
YOUR REF:

1 December 2009

Department of Planning
Sydney East Region
GPO Box 39
SYDNEY NSW 2001



Attention: Nicholas Carlton

Dear Sir,

RE: State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 – Application for a site compatibility statement - Cyprus Community Club at 58-76 Stanmore Road, Stanmore

Reference is made to your letter dated 29 October 2009 in relation to an application for a site compatibility certificate (Ref: No: S08/00938) under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 for the above-described property. Council apologises for not providing the comments in a more timely manner.

As pointed out in the planning report submitted with the application for a site compatibility certificate, a development application is currently before Council for the redevelopment of the existing Cyprus Club and associated facilities. The original development application was reported to the Development Assessment Committee Meeting on 6 October 2009. The originally proposed development (which included a seniors living housing component containing 27 x 1 bedroom dwellings) was considered to be an overdevelopment of the site which would result in significant and unacceptable impacts on the residential amenity enjoyed by residents of adjoining and surrounding development and it was recommended that Council refuse the application. However, in dealing with the application, Council resolved:

“THAT the matter be **ADJOURNED** to allow the applicant to submit amended plans within twenty-eight (28) days, including payment of fees in accordance with Council's adopted fees and charges.”

Given the above resolution, the applicant has submitted amended plans for the redevelopment of the Cyprus Club site which include a seniors living housing component containing 60 x 1 bedroom dwellings. The following issues are noted in relation to the seniors living component of the proposed development:



ENGLISH

IMPORTANT

This letter contains important information. If you do not understand it, please ask a relative or friend to translate it or come to Council and discuss the letter with Council's staff using the Telephone Interpreter Service.

GREEK

ΣΗΜΑΝΤΙΚΟ

Αυτή η επιστολή περιέχει σημαντικές πληροφορίες. Αν δεν τις καταλαβαίνετε, παρακαλείστε να ζητήσετε από ένα συγγενή ή φίλο να σας τις μεταφράσει ή να έλθετε στα γραφεία της Δημαρχίας και να συζητήσετε την επιστολή με προσωπικό της Δημαρχίας χρησιμοποιώντας την Τηλεφωνική Υπηρεσία Διερμηνέων.

PORTUGUESE

IMPORTANTE

Este carta contém informação importante. Se não o compreender peça a uma pessoa de família ou a um/a amigo/a para o traduzir ou venha até à Câmara Municipal (Council) para discutir o assunto através do Serviço de Intérpretes pelo Telefone (Telephone Interpreter Service).

ARABIC

هَامَ

تحتوي هذه الرسالة معلومات هامة. فإذا لم تستوعبها يرجى أن تطلبوا من أحد أقربائكم أو أصدقائكم شرحها لكم، أو تفضلوا إلى البلدية واجلبوا الرسالة معكم لكي تناقشوها مع أحد موظفي البلدية من خلال الإستعانة بخدمة الترجمة الهاتفية.

VIETNAMESE

THÔNG TIN QUAN TRỌNG

Nội dung thư này gồm có các thông tin quan trọng. Nếu đọc không hiểu, xin quý vị nhờ thân nhân hay bạn bè dịch giúp hoặc đem đến Hội đồng Thành phố để thảo luận với nhân viên qua trung gian Dịch vụ Thông dịch qua Điện thoại.

MANDARIN

重要资料

本信写有重要资料。如果不明白，请亲友为您翻译，或到市政府来，通过电话传译服务，与市政府工作人员讨论此信。

(i) Proposed Road Realignment (Clause 46)

The subject site is affected by a proposed road realignment pursuant to Clause 46 of Marrickville Local Environmental Plan 2001 (MLEP 2001). The proposed road realignment (PNA) affects that portion of the site which fronts Alma Avenue and measures 5 metres in depth.

Council's Development Control Engineer provided the following comments in relation to traffic and the proposed road realignment:

- “• *5m road widening consistent with the PNA will be required in Alma Avenue to provide suitable vehicular and pedestrian access to the site. This will allow for two way traffic movements in Alma Avenue (widened section), a pedestrian footpath and a parking lane. Additional widening in the form of 3m x 3m splays will also be required at the intersections of Stanmore Road with both Tupper Street and Alma Avenue;*
- *The widened section of Alma Avenue will need to be closed near the intersection of Harrington Street to prevent “club” traffic from impacting on the surrounding streets. This will require a cul-de-sac to be constructed to allow vehicles to turn around and exit via Stanmore Road. Alma Avenue, south of Harrington Street will remain one-way with access from Harrington Street;*
- *It is proposed to distribute the traffic as follows:*
 - i. *All access to the “senior’s living units” shall be from a separate access off Tupper Street;*
 - ii. *Service vehicles, club staff and parking for the “club guest rooms” shall have access off Tupper Street; and*
 - iii. *Parking for club patrons, the child care centre and community facilities shall be from the widened section of Alma Avenue;*
- *A detailed traffic study will need to be submitted with any development application addressing the impact that this development will have on existing traffic flows in area and detailing the proposed vehicular access arrangements and anticipated traffic generation rates;*
- *Consultation will need to be undertaken with the Roads and Traffic Authority (RTA) as this development will impact on traffic flows in Stanmore Road at its intersections with Tupper Street and Alma Avenue; and*
- *Parking spaces and vehicular access arrangements are to be designed in accordance with AS2890.1-2004 for Off Street Parking, AS2890.2-2002 Off-Street commercial vehicle facilities and RTA requirements.*

Please note: *This is preliminary traffic advice and that final traffic and parking requirements will take in consideration the findings of the traffic study to be submitted, community consultation and the recommendations of the RTA and the Local Traffic Committee.”*

The plans submitted with the application for a site compatibility certificate do not respect the proposed road realignment.

(ii) Floor Space Ratio

Pursuant to State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004 a maximum FSR of 0.5:1 applies to that portion of the site to be developed for seniors living housing. It is noted that the seniors living housing development submitted with the application for a site compatibility certificate exceeds the maximum FSR prescribed under the SEPP having a FSR of 1.15:1.

(iii) Development on land used for the purposes of existing registered club

Pursuant to the SEPP a consent authority must not consent to a senior's housing development unless it is satisfied that the proposed development provides for appropriate measures to separate the club from the residential areas of the proposed development and that 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. It is considered that these matters need to be addressed before the application for a site compatibility certificate can be determined.

(iv) Height

Pursuant to the SEPP:

- the height of the seniors living development must be 8 metres or less;
- a building that is adjacent to a boundary of the site must not be more than two (2) storeys in height; and
- a building located in the rear 25% area of the site must not exceed 1 storey in height.

The proposed development has a maximum height of four (4) storeys and/or 12.9 metres thereby exceeding the above-described controls. Furthermore, a portion of the development is proposed to be located on land zoned Residential 'A' under MLP 2001, a residential zone where residential flat buildings are not permitted and as such the proposed development does not satisfy the development standard for height as prescribed under clause 40(4) of the SEPP.

(v) Private open space

Pursuant to the SEPP private open space for seniors living housing must:

- For dwellings located on the ground floor have an area of not less than 15sqm with a minimum dimension of 3 metres;
- For dwellings above ground floor level have an area of not less than 6sqm with a minimum dimension of 2 metres.

The proposed development appears to comply with the numerical requirements for the provision of private open space. However, concern is raised with the location of the private open space for the ground floor dwellings which front Tupper Street and Alma Avenue. The private open space is located in the front setback area which inhibits the ability of such spaces having reasonable levels of privacy without the provision of high solid front fencing which is

contrary to the provisions contained in Marrickville Development Control Plan No. 35 – Urban Housing (Vol. 2).

It is evident from the above that Council does not support the proposed development scheme in its present form and objects to the issuing of a site compatibility certificate under Clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 until the above matters are addressed.

If you wish to discuss the matter please contact Jamie Erken (Senior Planner) on 9335-2011 from Council's Development and Environmental Services Division.

Yours faithfully



Judy Clark 
Manager Development Assessment and Planning Services

Trim doc: