

Report to the Director-General on an application for a Site Compatibility Certificate under SEPP (Housing for Seniors and People with a Disability) 2004

SITE: 58 – 76 Stanmore Road, Stanmore.

APPLICANT: SJB Planning (on behalf of Cyprus Community Club of NSW)

PROPOSAL:

The proposed development forms part of a comprehensive redevelopment of the existing Cyprus Community Club which occupies a large site (7,119 m²) bounded by Stanmore Road, Tupper Street and Alma Avenue, Stanmore (see location map tagged "A"). The proposal seeks approval for the seniors living component of the redevelopment including development of 60 single bedroom self-care seniors housing dwellings on Lot 1 DP 167529, Lots 1, 2 and 3 DP 444675, Lot 1 DP 971516, and a part of Lot 1 DP 105806. The site area for the seniors living component is 3,859.50m² with a proposed gross floor area of 4,451.3m² and proposed FSR is 1.15:1. The proposal allocates 2,041m² (52.9% of the site's area) as landscaped area.

The entire site is currently used and occupied by the Cyprus Community Club of NSW in a three storey building on the corner of Stanmore Road and Tupper Street, Stanmore. Car parking associated with the Club use is provided on the remaining lots, being the area affected by the Site Compatibility Certificate request for seniors housing development.

The proposed seniors housing development for 60 dwellings includes one bedroom self-care accommodation with a combined living and dining room, kitchen and laundry. Each dwelling will be provided with either a courtyard or balcony space. Access to these senior housing dwellings will be provided from the Alma Avenue and Tupper Street frontages of the site. A lift will provide access from seniors housing and other proposed uses to basement car parking.

The redevelopment of the site will also include alterations and additions to the existing Cyprus Community Club building to provide new dining and function facilities and a new open piazza. A new level will be added to the existing Club building for function and guest accommodation facilities, gallery space, and a 3-4 level basement car park for 42 spaces to service the use on the entire site.

LGA:

Marrickville

PERMISSIBILITY STATEMENT

The proposal is for land currently being used for the purposes of an existing registered club. Under Clause 24(1)(iii) of the SEPP (Housing for Seniors or People with a Disability) 2004, a site compatibility certificate is required.

The subject site is currently subject to two zonings and the land surrounding the subject site is zoned Residential 2(A). The subject site is zoned Residential 2(A) and Special Uses 5(A) under the Marrickville Local Environmental Plan 2001 (zoning map tagged "B"). Dwelling houses are permissible with development consent within the Residential 2(A) zone and prohibited within the

Special Uses 5(A) zone under Marrickville LEP 2001. Car parking is a permitted use within the Special Uses 5(A) zone and is not required to be ancillary or incidental to a use permitted in the zone.

The majority of the site that is proposed to be developed for the purpose of seniors housing dwellings is currently zoned Special Uses 5(A). Under Marrickville LEP 2001, only sites within the Residential 2(A) zone with a site area greater than 1,500m² are able to be developed for multi unit housing.

An aged care facility is permissible by virtue of Clause 4(1) of SEPP (Housing for Seniors and People with a Disability) 2004, under which the Policy applies to land zoned primarily for urban purposes with a registered club permitted on the land.

BACKGROUND

A development application was submitted to Marrickville Council in 2008 for the comprehensive redevelopment of the existing Cyprus Community Club and associated facilities. The application was support by a Site Compatibility Certificate issued by the Director General on 3 July 2008 covering Lot 1 DP 167529 only authorising the lodgement of an application for 27 dwellings for seniors housing with Marrickville Council.

Following Council's preliminary assessment and consideration of matters raised in public submissions to Council, the application has now been revised. The modified application has deleted the child care centre and multipurpose hall and reconfigures the club additions. The new application now proposes 60 one bedroom seniors housing self-care dwellings, instead of the previous 27 dwellings. Accordingly, a new Site Compatibility Certificate is now required.

CONSIDERATION UNDER CLAUSE 25(5)

In order to issue a site compatibility certificate, the Director-General must form the opinion that:

- (a) the site of the proposed development is suitable for more intensive development [clause 24 (2) (a)], 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 set out in clause 25 (5) (b)[clause 24 (2) (b)]:*

The Director-General may refuse to issue a certificate if he considers that the development is likely to have an adverse effect on the environment [clause 25(6)].

1. Suitability of the site for more intensive development

The site (approximately 3,859m²) is located on Stanmore Road, Stanmore. The site is currently occupied and owned by the Cyprus Community Club, a grassed area and a large car park. The majority of the proposed seniors housing development would replace the existing car park and grassed area of the site. An aerial photograph (tagged "C") and photographs (tagged "D" and "E") show the area where the majority of the seniors housing dwellings are to be developed.

The site is surrounded by residential development which is characterised by larger 2-3 storey terraced dwellings, a 4 storey residential flat development and single storey dwellings to the south. To the west of the site, along Stanmore Road, there are several 2-3 storey residential developments.

The Enmore Road retail strip is located 300m to the east of the site which includes shopping facilities, chemists, banking facilities and a medical centre. Stanmore Station is approximately 600m from the site. Marrickville Metro Shopping Centre is accessible from the site by bus however the trip from the site to Marrickville Metro would require walking approximately 1,000m in total (on top of the bus trip). The site is well serviced by buses.

Given the site's size, context in terms of its proximity to bus services and the Enmore Road retail strip, and compatibility of the proposed seniors housing development with the surrounding residential land uses, it is considered suitable for more intensive development.

2. Natural environment and the existing and approved uses in the vicinity

25 (5) (b) (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.

The land surrounding the site is predominantly used for residential purposes. This site is located in a developed urban area which to the knowledge of the regional team has no significant environmental values, resources or hazards. Part of the site is already developed for use as an existing Club facility and the remainder is used for car parking.

An aerial photograph (tagged "C") suggests there are several trees/shrubs on the site. The proposal aims to dedicate a portion of the site to landscaping after the redevelopment of the site. The removal of existing trees/shrubs can be appropriately assessed at the development assessment stage.

The proposed development is unlikely to have an adverse effect on existing and approved uses of the land in the vicinity of the proposed development. The proposed development is considered compatible with surrounding land uses and is unlikely to have a major detrimental effect on the natural environment.

3. Impact on the future uses of that land

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

The subject site is located in an urban area and surrounded by residential developments varying from single storey dwellings to 3-4 storey residential flat developments. The portion of the site occupied by the Cyprus Club will continue to be used for this purpose. The remaining portion of the site which is directly affected by this Site Compatibility Certificate request consists of a grassed area and a car park. Considering the site's location in an urban area compatible with the surrounding residential land uses, the development of the site for residential purposes is consistent with the likely future uses of the land in the vicinity.

4. Services and infrastructure

25 (5) (b) (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.

Access to services and facilities

The subject site is located within 250m of Enmore Road retail strip which contains a supermarket, fruit shop, several chemists and various retail stores. A medical centre and Commonwealth Bank Branch are located on Enmore Road about 280m and 430m respectively walking distance from the site. The site has public transport access to the Marrickville Metro

Shopping Village (as defined in the draft South Subregional Strategy) as well as the retail services in Enmore, Newtown and the Sydney CBD. The access to Newtown provides accessibility to a wide range of medical services associated with the medical precinct surrounding Royal Prince Albert Hospital. Marrickville Metro Shopping Centre and Newtown offer access to a range of retail and service facilities including supermarkets, banking, post office, insurance providers, Medicare offices and RTA offices.

The area is well serviced by buses, and the proposed development is approximately 600m from Stanmore Station. The site has public transport access to routes along Stanmore Road and Enmore Road, with several bus stops located within 400m walking distance of the site. All of the dwellings will have an accessible path of travel to a public road. Sydney Buses has advised SJB Planning that the site is serviced by frequent public transport services.

The subject site is located in a developed urban area and is surrounded by low to medium density residential land uses. As the site currently contains a fully operating club premises, existing electricity and sewerage services to the site should be sufficient to support more intensive development of the site for seniors housing.

Infrastructure

There are no known stormwater infrastructure or servicing issues that detrimentally affect the proposed development

Due to the limited information contained in the application, stormwater, drainage, traffic and parking will all be appropriately assessed as part of the development assessment stage when relevant authorities are consulted on the application.

5. Impact on open space and special use land (where relevant)

25 (5) (b) (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.

The portion of the site on which the seniors housing development is proposed is zoned special uses and currently used as a car park. The Cyprus Club is located on the site and it is proposed that it will be refurbished and expanded as part of the redevelopment of the site.

The development of the seniors housing dwellings will decrease the supply of land that can be used for special uses, however, given the existence of the Cyprus Club (special use) on the site already, it is unlikely that the owners of the site will require the provision of more land for special uses in the future.

6. Impact of the bulk, scale, built form and character of the proposed development

25 (5) (b) (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.

The proposal seeks the approval of a development for 60 single bedroom seniors housing dwellings. The proposed development is predominantly 3 storeys, with a small portion of the development on the southern end of the site reaching 4 storeys due to the sloped nature of the land (SJB Planning is currently preparing a SEPP 1 objection concerning the building height of the proposed development). The proposed development is consistent with surrounding residential land uses and developments which vary from single storey residential dwellings to 4 storey residential flat buildings.

There are some potential impacts of the proposed development on the existing land uses surrounding the site. These impacts have been raised by Marrickville Council and relate to the bulk and scale of the proposed development. The proposed FSR for the seniors housing component is 1.15:1, which exceeds the maximum FSR of 0.5:1 under the SEPP. On the Alma Avenue and Tupper Street boundaries of the site, the proposed development has a minimum setback of 3.6 metres, with an approximate setback of 5 metres along the Alma Avenue boundary. On the southern boundary of the site the setbacks range from 5.4 metres to 12.4 metres, and on the northern boundary the setback is 5 metres.

The bulk and scale of the proposed development and the potential impacts of the proposed development on surrounding structures and land uses should be appropriately assessed at the development assessment stage.

In addition, Clause 23 (1) of SEPP (Housing for Seniors and People with a Disability) 2004 states that a consent authority must not consent to a development application to carry out development on land that is used for the purposes of an existing registered club unless the consent authority is satisfied that the proposed development provides for appropriate measures to separate the club from the residential areas of the proposed development. This separation is required to avoid conflict between the existing and proposed land uses, and requires that an appropriate protocol will be in place for managing the relationship between the proposed seniors housing development and the existing use of the Cyprus Club.

As per Clause 23 (2) of SEPP (Housing for Seniors and People with a Disability) 2004, the proposed development provides separate Club access via Stanmore Road and access to the seniors living component via the Alma Avenue and Tupper Street frontages. In order to decrease land use conflict and noise impacts on the seniors living component of the site, the portion of the seniors housing closest to the Club building will have no direct openings, and the bedrooms in the dwellings facing Alma Avenue and Tupper Street will be located furthest from the street frontage.

Facing Club

It is recommended that appropriate separation measures to ensure adequate residential amenity should be implemented as part of the proposed development. This separation requirement should be assessed at the development assessment stage.

COMMENTS FROM THE GENERAL MANAGER OF THE COUNCIL

Clause 25(5)(a) of SEPP (Housing for Seniors and People with a Disability) 2004 requires the Director-General to take into account the written comments of the relevant council in order for the Site Compatibility Certificate to be issued.

A copy of the application was referred to the General Manager of Marrickville Council on 29 October 2009 and comments were received by Council on 1 December 2009 (copy tagged "F"). The following is a summary of Council's comments:

- **Proposed Road Realignment:** The subject site is affected by a proposed road realignment which affects that portion of the site which fronts Alma Avenue and measures 5 metres in depth. 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 the area and detailing the proposed vehicular access arrangements and anticipated traffic generation rates;
- **Floor Space Ratio:** The seniors housing development submitted with the application for a site compatibility certificate exceeds the maximum FSR prescribed under the SEPP.

- **Development on land used for the purposes of an existing registered club:** The proposed development must provide for appropriate measures to separate the club from the residential areas of the proposed development and ensure that appropriate protocol will be in place for managing the relationship between the proposed development and the gambling facilities on the site of the club.
- **Height:** The proposed development has a maximum height of 4 storeys, exceeding the height prescribed in the SEPP.
- **Private Open Space:** The proposed development appears to comply with the numerical requirements for the provision of 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.

It is noted that Council does not support the proposed development scheme in its present form and objects to the issuing of a Site Compatibility Certificate for the seniors housing component until further resolution of the above issues. These issues can be appropriately dealt with by Council during the assessment of the accompanying development application.

OTHER RELEVANT MATTERS

Strategic and Local Planning Context

Metropolitan Strategy

The Metropolitan Strategy seeks to assist in planning for the growth of Sydney by providing access to housing and services in existing urban areas. It recognises the need for more specialised housing to accommodate Sydney's ageing population.

Draft South Subregional Strategy

The proposal is considered to be consistent with the South Subregional Strategy, specifically sections C2.2 – *'Providing self-care housing for seniors and people with a disability'*; and C2.3 – *'Providing a mix of housing'*. The proposed development contributes to the current mix of housing found in the area surrounding the site. The proposed development will provide seniors living housing in Marrickville LGA.

The proposed development is in close proximity (approximately 600m) to Stanmore Village Centre, as identified in the South Subregional Strategy. Marrickville Metro is also identified as a Village Centre in the South Subregional Strategy. The proposed development is in close proximity to these identified centres which can be easily accessed by public transport. The subject site is appropriately located to benefit from the services and activities that occur in these centres. The subject site is also suitably located for more intensive development, given its proximity and access to centres that are identified in the South Subregional Strategy.

Marrickville Urban Strategy

The proposed development will cater for demographic change and an ageing population in Marrickville LGA. The proposed development will increase the number of residential dwellings in and around established centres and community facilities, and will provide for changing housing needs within the Marrickville LGA. The proposed development is considered to be consistent with Marrickville Urban Strategy which provides the strategic local context for Council's draft Comprehensive LEP currently at the pre-section 64 stage.

Public Interest

The proposed development offers a significant opportunity to help accommodate an aging local population and meet an increasing demand for low level care housing.

CONCLUSION

It is appropriate to issue a Site Compatibility Certificate for the proposed seniors housing development.

The site is considered to be suitable for more intensive development for seniors housing due to: its proximity to Stanmore Village Centre, Marrickville Metro Shopping Centre and Enmore Road retail strip, compatibility with surrounding low and medium density residential development and the level of access currently provided by public transport services in the area. The proposed development of the site is consistent with the Metropolitan Strategy, Draft South Subregional Strategy, Marrickville Urban Strategy, and would be compatible with the existing residential land uses currently adjoining the site. The site has adequate access to facilities at nearby village centres and the Enmore Road retail strip, as well as access to public transport routes including Stanmore Station and bus services. There are no known environmental constraints that would preclude the proposed seniors housing development of the site.

The specific design of the seniors housing development on the site should consider the surrounding residential dwellings and minimise the level of overshadowing, especially on the single storey dwellings adjoining the eastern side of the site (4, 6, 8, 10, 12 and 14 Tupper Street). It is also recommended that appropriate separation measures to ensure adequate residential amenity between the proposed seniors housing development and the existing Cyprus Club should be implemented as part of the proposed development. This separation is required to avoid land use conflict between the seniors housing component of the site and the Club component of the site.

Appropriate protocol should be established for managing the relationship between the proposed seniors housing development and the use of the existing Cyprus Club. Design principles should minimise conflict between the existing Club facility and the proposed seniors housing, including the provision of separate pedestrian access points to the seniors housing component of the site and the Club component of the site.

The impact of the specific development including further consideration of infrastructure, parking and design can be appropriately assessed during the development application stage.

RECOMMENDATION

It is recommended that the Director-General:

1. Form the opinion that the site of the proposed development is suitable for more intensive development [clause 24 (2) (a)], and that development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having had regard to (at least) the criteria specified in clause 25 (5) (b);
2. Pursuant to clause 25 (4) (a) of SEPP (Housing for Seniors and People with a Disability) 2004, issue a site compatibility certificate for 58 – 76 Stanmore Road; 2 Tupper Street; 20 Tupper Street; & 3-9 Alma Avenue, Stanmore subject to the requirements described in the certificate, tagged "G"; and
3. sign the letter to the applicant advising of this determination, tagged "H".

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R2.12.09

Endorsed
Regional Director

[Signature]
Endorsed
Executive Director

11.12.09

[Signature]
Deputy Director-General
Plan Making & Urban Renewal

14/12/09

APPROVED

Madadi
Director General
14/12/2009