

**Report to the Director General on an application for a Site Compatibility Certificate under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004***

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**SITE:** The subject 5,400sqm site at 143-157 Princes Highway and 40-48 Chapel Street Kogarah is within the Kogarah LGA and Town Centre (**Tag A**). It is part of the overall 1.2 ha St Patrick's Roman Catholic precinct, incorporating the St Patrick's Primary School and historic church. The site is generally bounded by the church, primary school and St George Hospital to the north, 4-5 storey medium density residential buildings to the west and south, the Princes Highway to the east and single storey health related buildings along Chapel Street to the west. As Bethany College relocated to Hurstville in 2008, the site is surplus to church needs.

**APPLICANT**

The Trustees of the Roman Catholic Church for the Archdiocese of Sydney.

**PROPOSAL**

To develop seniors housing in an integrated care village comprising up to 80 aged care beds and up to 142 independent living units, in three buildings between 4 and 12 storeys around a central north facing village green (**Tag B**):

- the main building (community spaces, aged care, assisted and independent living units) - presenting to Chapel Street as 4 storey, but including 9 and 12 storey components;
- a 4-5 storey building (independent living apartments) - fronting the Princes Highway;
- a similar building towards the southern boundary; and
- a landscaped shared access car parking buffer between the site, church and school.

**PERMISSIBILITY STATEMENT**

The site is zoned SP2 Educational Establishment under Kogarah LEP 2012 (**Tag C**). While respite day care centres are permissible within this zone, aged care and seniors housing are prohibited. *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (the SEPP) applies to the site, as it is zoned for special uses.

The St Patricks and St George Hospital precincts were deferred from DCP 5 - Kogarah Town Centre introduced in 1998, in relation to anticipated redevelopment plans for the Hospital. Council verbally advised that, as very few detailed planning controls apply to the site (eg no height or FSR controls), a predominantly merit based assessment of any development application will be required by Council. The matter is likely to be determined by the Sydney East JRPP, given the proposed development is valued at over \$20m.

**COMMENTS FROM KOGARAH COUNCIL**

Kogarah Council's planning staff did not raise any objections to the proposed site compatibility certificate, when consulted under the requirements of clause 25(5)(a) of the SEPP (**Tag D**). Council referred the proposal to the St George Design Review Panel established by Hurstville, Kogarah and Rockdale Councils to provide advice on proposed developments. The Panel was also supportive, but identified several relatively minor design issues relating to existing context, built form, landscaping, amenity and safety/security matters.

**SUITABILITY FOR MORE INTENSIVE DEVELOPMENT**

Under clause 24(2)(a) of the SEPP, the Director General must not issue a certificate unless he is of the opinion that the site is suitable for more intensive development. It is considered that the site is suitable for more intensive development because:

- its 6 metre cross-fall topography towards the Princes Highway supports larger scale, denser development designed to transition between higher scale special uses development (St George Hospital) to the north of the Church/School and medium density R3 Residential zoned land to south;
- it is within the Kogarah Town Centre, within walkable distance to public transport (rail and bus), shopping, medical and other services; and
- it has no particular environmental, heritage or hazard constraints.

#### **COMPATIBILITY WITH THE SURROUNDING ENVIRONMENT AND LAND USES**

Under clause 25(5)(b) of the SEPP, the Director General must not issue a certificate unless he is of the opinion that the proposed development is compatible with the surrounding environment and land uses, having regard to the following six criteria:

**1. 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 – clause 25(5)(b)(i)**

The submission has demonstrated that there are no known existing environmental values, resources or hazards on the site. However, the development application will need to be prepared having regard to helicopter flight path, obstacle surface limitation (OLS) and acoustic aspects. The proposal is compatible with the surrounding medium density residential, community and large scale medical (St George Hospital) uses.

**2. 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 – clause 25(5)(b)(ii)**

The site, which is surplus to church needs, is zoned SP2 Educational Establishment. As the proposal would complement the existing hospital, church, primary school and residential uses on the surrounding land, it is considered that the proposed development will not have an adverse impact on the likely future uses of this land.

**3. The services and infrastructure that are or will be available to meet the demands arising from proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision – clause 25(5)(b)(iii)**

**Retail, community and medical services:** The subject site is within the Kogarah Town Centre, offering the full range of retail, community, and other professional services.

**Transport services:** The site is well serviced by public transport. The district buses and train station approximately 700m away from the site are accessible by means of relatively flat access pathways suitable for walking, wheelchairs and motorised scooters. A Kogarah Town Centre shuttle bus stop within 100m on Gray Street would also provide access to these services.

**Infrastructure provision:** The submission has confirmed that the site can be adequately serviced by utility infrastructure, with the following necessary augmentations:

- Sydney Water requires a 30m water main upgrade to connect the site, as well as a sewer diversion which is currently being negotiated by the applicant;
- Ausgrid requires a new 1000kva substation located at the southern site boundary;
- gas services are available from the Princes Highway and Chapel Street;
- Telstra copper cable mains are also available from the above frontages; and
- new stormwater connections are needed to the existing Princes Highway network.

4. **In the case of an application in relation to land zoned open space or special uses, the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development – clause 25(5)(b)(iv)**

The proposed development will have no impact on the provision of other special uses land, given the substantial special uses land holdings surrounding the site. The proposal includes the provision of a village green approximately the same size as the Kogarah Town Square.

5. **Without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development – clause 25(5)(b)(v)**

The proposed development has:

- an FSR of approximately 3:1 (providing 16,200 sqm GFA); and
- heights between 4 and 12 storeys over a 5,400sqm site, giving a net dwelling density equivalent of 348 dwellings per hectare.

The submission has generally demonstrated that the proposal will provide a satisfactory transition between the existing higher scale medical uses to the north of the church/school and lower scale medium density residential uses to the south. It has also taken into account the January 2013 masterplan for the redevelopment of the St George Hospital, which includes a doubling of the current total gross floor area of the hospital and heights exceeding 64m RL, and would provide additional synergies with the current proposal.

More specifically:

- the proposed 4-5 storey building to the south is of similar scale to the existing 12m high Bethany College buildings and surrounding existing three storey medium density development;
- the proposed 4-5 storey building along the Princes Highway would also be of similar scale to the existing 12m Bethany College buildings and Council's 18m height vision for development along the highway in this area;
- the proposed 4 storey western presentation to Chapel Street of the multi-level tower building would be of similar scale to Council's vision for 4 storey residential/medical perimeter block buildings in this area under DCP 5; and
- the 9-12 storey components of the multi-level tower are similar to the current and proposed future height of the St George Hospital building to the north.
- Council has not objected to these components.

6. **If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the *Native Vegetation Act 2003* – the impact that the proposed development is likely to have on the conservation and management of native vegetation – clause 25(5)(b)(vi)**

The Kogarah LGA is excluded from the operation of the Native Vegetation Act 2003 and no native vegetation will be cleared.

#### **OTHER RELEVANT MATTERS**

##### **Demand for seniors housing in the South Subregion**

The draft Metropolitan Strategy to 2031 provides a framework for an extra 1.1 million people, including a larger proportion of older people (mainly through the Seniors Housing SEPP). The Strategy identifies Kogarah as a Specialised Precinct and supports opportunities for hospital and medical related industries focussing on St George Hospital.

The proposal would contribute to achieving the Strategy and its vision for Kogarah by providing:

- up to 222 new aged care and retirement beds for the local elderly in a good location;



- over 300 jobs during construction and up to 40 jobs in the operational phase; and
- a direct economic contribution of \$94.5m (\$80m for construction) and \$350m indirectly.

According to the draft South Subregional Strategy, the proportion of people over 65 years of age is likely to grow by 19% (approximately 6,650 people) to 2031. The proposal would help implement Action C2, which aims to provide self care housing for seniors and people with a disability. Council has confirmed the need for this type of housing in the area.

#### **Public consultation**

Public consultation for an application for a site compatibility certificate is not required under the Seniors Housing SEPP and will be undertaken at the development assessment stage.

#### **CONCLUSION**

A site compatibility certificate for aged and seniors housing on the subject site should be approved because the site/proposal:

- would assist the implementation of the draft Metropolitan Strategy and draft South Subregional Strategy objectives particularly relating to providing more housing and housing choice (especially for older people), contributing to the vision for Kogarah Town Centre and stimulating economic growth;
- is compatible with the scale and character of surrounding development;
- is not subject to any particular environmental, heritage or hazard constraints; and
- is close to public transport, the full range of shopping, commercial, medical and other services, and can be serviced by all necessary infrastructure.

It is recommended that the applicant be requested to work with Kogarah Council to resolve the matters identified by the St George Design Review Panel, prior to submitting a development application, and that Council be advised accordingly.

#### **RECOMMENDATION**

It is recommended that the Director General issue a site compatibility certificate under clause 25(4)9a) of the SEPP for an integrated care village comprising up to 80 aged care beds and up to 142 independent living units at 143-157 Princes Highway and 40-48 Chapel Street Kogarah.

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