

File No: 17/052764

Report to the Executive Director, Regions as delegate of the Secretary on an application for a Site Compatibility Certificate *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

## SITE

266 Longueville Road, Lane Cove. Lot 1 DP 321353, Lot 1 DP 1227921 and Lot 2 DP 1227921



## LOCAL GOVERNMENT AREA

Lane Cove Council

## APPLICANT

Australian Unity Limited.

## PROPOSAL

Seniors housing development comprising of a 70-bed residential aged care facility, 93 self-contained dwellings for seniors, support facilities for residents and basement car parking for 148 vehicles.

## PERMISSIBILITY STATEMENT

The site is located on land zoned primarily for urban purposes under Clause 4 of the Seniors Housing SEPP. The current zoning of the site is R4 High Density Residential shown in figure 2 below.



Figure 2: Zoning Map

A site compatibility certificate is required as the proposal is a vertical village and the proposed scheme relies on Clause 45 of the Seniors Housing SEPP. This clause enables for development to exceed the maximum permitted FSR by a bonus of 0.5:1, provided that on-site support services will be provided to residents and at least 10% of the dwellings will be affordable places. A detailed assessment of the proposal against the Seniors SEPP provisions will be provided as part of a future DA. It is recommended that a condition in Schedule 2 be applied to ensure compliance with the provision of on-site support services and affordable places.



## CLAUSES 24(2) AND 25(5)

The Secretary must not issue a certificate unless the Secretary:

- (a) has taken into account any written comments from council concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) submitted within 21 days after the application for the certificate was made; and



(b) is of the opinion that:

- (i) the site of the proposed development is suitable for more intensive development; and
- (ii) the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having regard to the criteria specified in clause 25(5)(b).

#### **COMMENTS FROM LANE COVE COUNCIL**

On 11 May 2017, the Department sought comments on the SCC application from Lane Cove Council. The comments were received on 1 June 2016.

Council makes the following comments on the site compatibility certificate application:

- the proposed building envelopes have taken into consideration the natural characteristics of the land having regard to existing native vegetation and the sloping topography of the land;
- the future Development Application will need to address SEPP 19 - Bushland in Urban Areas and Council's bushland requirements contained in the Development Control Plan;
- the non-compliance to the maximum building height of RL62.8 may potentially impact the amenity of neighbouring properties to the north and south;
- further consideration of the bulk and scale of any proposed buildings should be given by the applicant in the final design of the proposal with regards to the amenity impacts on neighbouring properties, especially to the north and south; and
- the proposed seniors housing development is broadly compatible with the surrounding environment and locality and can proceed to lodgement of a development application.

Council's comments are provided at Tab B. The matters raised by Council are considered further within this report.

#### **SUITABILITY FOR MORE INTENSIVE DEVELOPMENT**

The Secretary must not issue a certificate unless she is of the opinion that the site of the proposed development is suitable for more intensive development (clause 24(2)(a)):

##### **1. The site of the proposed development is suitable for more intensive development (clause 24(2)(a))**

The site is considered suitable for more intensive development for the following reasons:

- the subject site is in an urban area;
- the site is located approximately 800m away from the Lane Cove Village, which contains a wide range of social, retail, commercial, medical, community and recreational services;
- a bus stop is located in front of the site on the Longueville Road, providing access to services in Lane Cove Village; and
- there are no major environmental or heritage constraints which make the site unsuitable for more intensive development.

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

The Secretary must not issue a certificate unless she is of the opinion that the proposed development for the purposes of seniors housing is compatible with the surrounding

environment and surrounding land uses having regard to the following criteria (clause 25(5)(b)) and clause 24(2)(b)).

**1. The natural environment (including known significant environmental values, resources or hazards) and the existing and approved uses of land in the vicinity of the proposed development (clause 25(5)(b)(i))**

The subject site is not affected by flood or bushfire hazards.

The natural topography of the site involves considerable fall from west to east. Parts of the site were filled with imported material and benched in order to create the existing bowling greens.

The proposal will remove the existing fill and undertake excavation to accommodate the development, including car parking. The majority of this excavation will occur away from the site's boundaries and neighbouring properties. A geotechnical investigation has not been undertaken. The application suggests a geotechnical report be prepared as part of a future Development Application. It is considered that this matter can be adequately considered and addressed at the development application stage.

**2. The impact that the proposed development is likely to have on the uses that, in the opinion of the Secretary, are likely to be the future uses of that land (clause 25(5)(b)(ii))**

The site is located on underutilised Council owned land that has been earmarked for redevelopment to improve the social and community outcomes for the locality. Development in the surrounding area comprises a mix of single and two storey free standing dwelling houses, residential flat buildings, a Buddhist temple and recreational facilities. It is considered that the proposal will be compatible with the likely future surrounding uses.

**3. 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 (clause 25(5)(b)(iii))**

Service

The site is within an established urban area. Electricity, telephone, water and sewerage are also readily available and can be suitably connected and upgraded as required to suit the development.

Infrastructure

The site is located approximately 800m away from Lane Cove Village, which contains a wide range of social, retail, commercial, medical, community and recreational services. A bus stop is located on the eastern and western sides of Longueville Road, in front of the site. This provides direct access to regular public transport services along Longueville Road via Sydney buses route numbers 253 and 254. These services have bus stops well within 400m of the facilities in and around Lane Cove Village, from which there are connecting bus services to Chatswood, North Sydney and surrounding suburbs. This is considered to be appropriate and consistent with the requirements of the Seniors Housing SEPP.

Traffic

A preliminary Traffic Report has been prepared by the Transport Planning Partnership Pty Ltd to examine the traffic, parking and access implications of the proposed development. The report concludes that the site is feasible for the proposed development and that traffic and



parking effects will be manageable. It is considered that this matter can be adequately considered and addressed at the development application stage.

4. **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 (clause 25(5)(b)(iv)).**

There are no special use or open space zones that adjoin the site. The subject site is zoned R4 High Density Residential. Adjacent land on the eastern side is zoned E2 Environmental Conservation under the Lane Cove LEP 2009.

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)).**

Built form

The proposed built form has been designed to cater for the natural land form and is unlikely to result in any unreasonable amenity impacts on adjoining development. In respect of solar access, shadow diagrams have been prepared by Thomson Adsett architects which indicate that any solar impacts associated with the bonus floor space will be minimal. This can be considered in more detail and addressed appropriately at the DA stage.

Bulk and Scale

When viewed from Longueville Road, the proposal will appear as a part two and part three storey development which is contextually compatible with development in the locality. As the existing bushland to the east of the development site will be retained, the proposal will be largely screened when viewed from the golf course. By providing three separate built forms with central courtyards and setbacks of up to 25m, there is a high degree of articulation and opportunities for substantial landscaping.

The inclusion of a public park and through site link on the northern side will provide additional recreational facilities, provide visual connectivity with the communal courtyards within the development and create a more engaging public/private interface. No adverse impacts associated with the bonus floor space permitted by Clause 45 of the Seniors Housing SEPP that cannot be appropriately considered and addressed at the development stage are anticipated.

Council has expressed concerns over the bulk and scale of the proposed scheme in their comments. Council suggested a condition be placed to consider the bulk and scale of any proposed buildings with regard to the amenity impacts on neighbouring properties, especially to the north and south. This is considered appropriate and is supported.

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 *Native Vegetation Act 2003* does not apply to the subject site.

## RECOMMENDATION

It is recommended that the Executive Director, Regions, as a delegate of the Secretary:

- **note** this report;
- **consider** any written comments from Council concerning the consistency of the proposed development with the criteria referred to in clause 25(5)(b) attached at (Tab B);
- **form the opinion** that the site of the proposed development is suitable for more intensive development;
- **form the opinion** that the proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having had regard to the criteria specified in clause 25(5)(b); and
- **determine** the application for a site compatibility certificate under clause 25(4)(a) by issuing a certificate subject to satisfaction of certain requirements specified in the certificate (Tab C) for 199 Longueville Road, Lane Cove.



4/7/17

**Craig Diss**

**Acting Director, Sydney Region East**



6 July 2017

**Stephen Murray**  
**Executive Director, Regions**  
**Planning Services**