

## Miscellaneous Report No. M5/17

**Subject:** Site Compatibility Certificate  
Application for Maroubra  
Bowling Club Site.



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### Introduction

On 6 June 2017, the Department of Planning and Environment (DPE) notified Council that it had received a Site Compatibility Certificate (SCC) application and associated documents for a seniors housing proposal at the Maroubra Bowling Club site (No. 481-499 Malabar Road, Maroubra) pursuant to Clause 24 of the Seniors Housing SEPP. Specifically, Clause 24 (1) (a) (iii) of the Seniors Housing SEPP requires a Site Compatibility Certificate for development applications on land that is, among other things, used for the purposes of an existing registered club.

### Background

In relation to the Maroubra Bowling Club site, it should be noted that the following resolution was made at the Ordinary Council Meeting on 22 March 2016:

*"(Shurey/Andrews) that Randwick Council builds on its submission to the Boundaries Commission Inquiry concerning preserving the Maroubra Bowling Club site for the community by:*

- a) seeking assurances from the State Government that it will not allow any gateway approval under the Environmental Planning and Assessment Act 1979 that allows for residential or commercial rezoning;*
- b) urging the State Government to enter into negotiations with the RSL to acquire the site at fair and reasonable cost to maintain it as a community asset managed by Randwick City Council or its successor; and*
- c) advising the Government that it is willing to seek expressions of interest from the community for membership on a Trust to carry out the delegated responsibility of the Council similar to the successful Wylies Baths Trust model."*

Council has assessed the proponent's SCC application against the matters for consideration listed under Clause 25(5)(b) of the SEPP which is outlined below. This assessment has been forwarded to the DPE in a draft letter (copy attached) on 21 July 2016. Council has advised DPE that the letter will be finalised following Council's resolution of this matter, and that Council will advise the DPE of any other additional requirements/comments arising from Council's resolution. Council's assessment of the SCC Application raises the following issues:

#### ***(i) Natural environment and existing and approved uses in the vicinity***

The subject site is zoned RE2 Private Recreation and its existing recreational use forms an integral part of the overall network of existing recreational areas in the vicinity extending to Maroubra Beach which serves the local as well as broader residential community. All the existing and approved uses in the subject site and in the vicinity site were evaluated and confirmed as part of the Randwick LEP 2012 review and are considered to be compatible and complementary to each other. In this

context, the proposed removal of the recreational use on the subject site will not meet the criteria for site compatibility relating to existing and approved uses in the vicinity of the subject site.

On a site area of approximately 10,000 sqm, with a proposed 108 Residential Aged Care beds and 70 Independent Living Units, the proposed seniors housing facility will result in a significantly higher residential density, when compared to the density of the existing low and medium density residential uses in the locality. Given the significant disparity in residential density to existing adjoining residential land, and the development and amenity pressures flowing from this, the proposal does not meet the criteria for site compatibility relating to existing and approved uses in the vicinity of the subject site.

***(ii) Impact on the future uses of the land***

The future uses of the land are governed by the current RE2 Private Recreation zoning of the subject land in which Seniors Housing is prohibited. There are a number of permissible uses in the land use table under the RE2 zoning that align well with the existing surrounding development and, comparatively, have a similar, if not better, compatibility with surrounding uses than the proposed seniors housing facility. These include "Community facility", "Recreation areas", "Recreation facilities (indoor)", "Recreation facilities (major)" and "Recreation facilities (outdoor)".

The SCC application has not made any in-depth analysis of the recreational needs of the locality and the demand for recreational facilities especially in the context of increasing future population density scenarios under the Central District Plan strategy. Without such an analysis Council is not in a position to support the issue of a SCC for the proposed development as it cannot be ascertained that the proposal can positively meet the site compatibility criteria relating to impact on future uses of the land.

No Social Impact Analysis has been made of the community value of the site as a club and bowling facility as well as any future variation of that use. In this regard a social impact assessment would assist in showing the impact of the loss of the existing Club and greens in terms of their value as community and social capital. Without this assessment, Council is not in a position to support the issue of a SCC for the proposed development as it cannot be ascertained that the proposal can positively meet the site compatibility criteria relating to impact on future uses of the land.

Council has previously indicated its commitment to the future use and retention of the subject site for community purposes. In this regard, Council resolved at the Council meeting on 22 March 2016, that a submission be made to the Boundaries Commission Inquiry concerning preserving the Maroubra Bowling Club site for the community pursuant to a resolution of Council dated 22 March 2016. Council subsequently also wrote to both the Minister for Planning and the Minister for Lands and Water requesting that the subject site be preserved for the community in perpetuity. It remains Council's position that the Maroubra Bowling Club site should be held and retained for community use in perpetuity.

***(iii) Services and infrastructure to meet the demands of the proposed development***

The SCC Application has provided a preliminary servicing assessment of water, sewer, telecommunications and power available to the site which is capable of being connected and extended for the proposed seniors housing facility. However, preliminary discussions with Sydney Water and relevant utility companies to ascertain their design and engineering requirements should be undertaken and factored into the development scheme. Additionally, the site is subject to flooding and, while a concept stormwater plan and Flood Assessment Report have been prepared, details

to indicate that habitable floor levels in accordance with Probable Maximum Flood (PMF) events can be achieved to provide protection to future occupants and internal building areas are critical and will be required with any future development application. There is also inadequate detail provided in the SCC in relation to water sensitive urban design measures to ensure water quality targets for rainwater reuse, bio-retention and proprietary devices are met in any future seniors housing facility.

***(iv) Impact on the provision of special uses in the vicinity of the development***

Any seniors housing facility on the subject site will need a range of retail and commercial uses and services in close proximity to the proposed facility that residents can access. Apart from shops, a newsagent, restaurants and cafés, there are no banks, medical centres, community centres and community facilities (eg., library, senior citizens centres, etc) that are within walking distance to the proposed development with the closest centre for these facilities located in the Maroubra Junction town centre some 3-4km away.

The proposal potentially will also result in the loss of a site that is currently a key component of an existing local and regional network of recreation and open space that includes the John Shore Park, Broadarrow Reserve and Maroubra Beach which will be diminished in terms of availability and accessibility should the proposed seniors housing facility be built. Therefore, the proposed development is considered to adversely affect the provision of recreational uses in the surrounding area and therefore does not meet the criteria relating to impacts on uses in the vicinity of the subject site.

***(v) Impact of the bulk, scale, built form and character of the proposed development***

Built form and façade articulation:

- The proposed buildings will be 2-3 storeys in height mainly along the site perimeter with a 4 storey and 5 storey component concentrated in the centre of the subject site. While there is some 4 and 5 storey buildings in the locality, these are few and far between and do not represent the dominant character of the locality. Furthermore, the buildings of these heights were purpose-built and come from a period associated with the then Housing Commission public housing program (notable examples being at 259 Fitzgerald Avenue and 19 Gregory Street).
- The sizeable footprint of the proposed 4 and 5 storey towers significantly add to the visual bulk and scale of the development. These tower components would be visually intrusive and appear dominant and overbearing in the immediate context of the existing low/medium density neighbourhood.
- The perimeter building alignment at 3 storeys high and running fully along the Malabar Road and Mons Avenue frontages, with inadequate setbacks of 3m, not only accentuates the visual bulk of the development but also gives the perception of a gated community with poor legibility in terms of access and entry paths. This design approach would tend to lock-out the site from any wider public use and will be at odds with the open nature of the existing bowling greens and that of any potential future recreational uses.

Landscape:

- A number of the proposed gardens within the complex will be embedded within the Independent Living Unit building envelope which, together with the proposed 5 storey tower component, will overshadow these gardens, all indicative of a poor design and planning.
- The capacity of the proposed landscaping to offset visual bulk is questionable. In particular, no details of basement car parking have been provided as these potentially can occur under the landscape area raising questions as to the degree and extent of deep soil landscape areas in the proposal.

**Overshadowing:**

- The subject site is bounded by roads on the western and southern sides where overshadowing will occur. Notwithstanding this, any future proposal should clearly demonstrate the extent of overshadowing on any residential dwellings especially on the adjoining eastern town-house complex as well as, internally, upon the proposed residential aged care and independent living units and their associated private open spaces.

**Loss of views**

- The applicant has undertaken a preliminary analysis of the view impacts of the proposal essentially using a limited number of properties to the west and concluding that the Maroubra Seals building to the east already creates a "view shadow" such that the proposed seniors housing building will not result in any view loss as these are already blocked by the existing Maroubra Seals Club building. Council raises concern that this "view shadow" approach is applicable only in relation to the line-of-sight of a small number of select properties but will not be valid for a majority of other affected properties to the west, north-west and south-west. A more comprehensive and wider analysis of view catchment loss should be undertaken which potentially would indicate that there is a significant view loss concern for a significant number surrounding residents.

**Privacy**

- No analysis of the privacy impacts on the locality has been undertaken. Additionally, no details of the location of service and deliver docks have been provided especially as these will be significant sources of noise to residential uses.

***(vi) Conservation and management of native vegetation***

The proposal does not involve clearing of native vegetation as there are none existing on the subject site.

**Relationship to City Plan**

The relationship with the City Plan is as follows:

- |               |  |
|---------------|--|
| Outcome 2:    | A vibrant and diverse community.   |
| Direction 2d: | New and upgraded community facilities that are multipurpose and in accessible locations. |
| Outcome 4:    | Excellence in urban design and development.  |
| Direction 4a: | Improved design and sustainability across all development.                               |

**Financial impact statement**

There is no direct financial impact for this matter.

**Conclusion**

The issues raised in response to the matters requiring consideration before a site compatibility certificate can be issued indicate that Council is not in a position to support the issue of a SCC for the proposed development. In particular, Council is unable to ascertain that the proposal can positively meet all relevant site compatibility criteria for the proposed seniors housing facility on the subject site and in the local area. This advice has been forwarded to the DPE in a draft letter on 21 July 2017, a copy of which is attached for Council's endorsement.

**Recommendation**

That Council endorse the draft letter sent to the Department of Planning and Environment on 21 July 2017.

**Attachment/s:**

1. [!\[\]\(ce77bba2916ff045bdb9f4584b191293\_img.jpg\)](#) Draft letter to the Department of Planning and Environment dated 21 July 2017.

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