



6 September 2019

Department of Planning, Industry and Environment  
Sydney West Region  
Locked Bag 5020  
PARRAMATTA NSW 2154

Attention: Angela Hynes, Acting Team Leader, Sydney West Region

Dear Ms Hynes,

**Site Compatibility Certificate Application – 3 Quarry Road and 4 Vineys Road, Dural**

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I refer to the amended Site Compatibility Certificate (SCC) application currently under consideration by the Department for a seniors living development at 3 Quarry Road and 4 Vineys Road, Dural and Council's recent letter dated 22 August 2019 raising objections to the SCC.

We have received representations from community members concerning the development application considered in the recent court appeal, raising specific merit assessment issues with the proposal. As this is an unusual situation where there is already a development application being considered through the court process while an SCC is under assessment by the Department, we consider it appropriate to forward a copy of the community submission (attached) so that the Department can consider the merit issues raised with regards to the actual development proposal.

As per Council's request in our correspondence dated 22 August, we urge the Department and the Sydney North Planning Panel to recommend refusal to the SCC application to provide certainty that an inappropriate seniors living development cannot be achieved on the site.

I trust our comments on this matter will be given due consideration.

Yours faithfully

A handwritten signature in black ink, appearing to read "K Vickery", written in a cursive style.

Katherine Vickery  
Manager, Strategic Planning

TRIM Reference: F2007/01473

## Katherine Vickery

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**From:** Katherine Vickery <KVickery@hornsby.nsw.gov.au>  
**Sent:** Friday, 6 September 2019 1:41 PM  
**To:** Katherine Vickery  
**Subject:** FW: Further Comments RE: 3 Quarry Rd and 4 Vineys Rd Dural

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**From:** Ben Seale <[ben@sealegroup.com.au](mailto:ben@sealegroup.com.au)>  
**Sent:** Thursday, 5 September 2019 10:18 PM  
**To:** Philip Ruddock <[PRuddock@hornsby.nsw.gov.au](mailto:PRuddock@hornsby.nsw.gov.au)>  
**Subject:** Further Comments RE: 3 Quarry Rd and 4 Vineys Rd Dural

Dear Mayor Ruddock,

I've been closely following the Development Application and associated L&E court progress on the seniors living development at 3 Quarry Road and 4 Vineys Road Dural (DA/668/2018).

Recently, the applicant has amended a Site Compatibility Certificate (SCC) application in the hope that their L&E appeal will be upheld and they can try and get an approval.

Having read councils response to the recent SCC, I believe it has left out some critical points that may assist in having the SCC refused, if this is still councils position.

I would encourage council to write to the Department of planning and provide further comments in relation to the SCC.

I have outlined below some points for consideration.

1. This application was refused by the SNPP in Dec 18 – this has not been mentioned in the timeline, nor highlighted in the response.
2. Setbacks
  - a. Setbacks to intense agriculture is 50m (horticulture) with both setbacks to the Dural flower Farm (10m) and Green Gallery (20m) failing to meet the min setback. The applicant is relying on significant screening which must grow to the height of the building to reduce the setback to 20m as per the DCP, but the site is incapable of achieving significant screening as it is to be managed as an APZ. This creates a land use conflict, a condition of the original SCC approval.
  - b. Bushfire experts (the council didn't have one at the court hearing) have deemed the land to be flat as assessed 140m from the development. This is completely false. A slope of 0 degrees results in a reduced setback of 42m, down from 79m putting the elderly and disabled at greater risk. The slope as assessed by other expert reports are between 4-6 degrees.
3. Vineys Road width

- a. Vineys Road is approx. 4m wide. The applicant has proposed a 10m passing bay to help reduce conflicts between cars, whilst the experts agreed this would reduce the conflict, it's certainly not an acceptable solution. Council should not support this mitigation
  - b. This road is incapable of taking 2 way traffic and can't accommodate emergency vehicles in each direction.
4. Council should be raising bulk and scale with the DPE. 2 storey plus attic (where a residence is contained wholly within an attic) is against the Hornsby Height Control.
5. There are still unresolved issues around emergency evacuation, especially during peak school times and the narrow access via Vineys lane
6. There is no traffic mitigation at Vineys & Old Northern, Quarry and Old Northern
7. There is insufficient protection for significant trees on adjoining properties
8. Perimeter roads must be sealed, not grassed road areas.
9. There have been over 200 objections from the community about this DA.

As this will be a supplementary submission from council to the Department of Planning, naturally time is of the essence and the sooner council write a further submission to the Department, the greater chance it will be looked at by the independent panel.

Thank you for taking the time to consider this submission.

Regards

Ben Seale

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