

18 February 2020

Luke Downend  
Acting Director, North District  
Eastern Harbour City  
NSW Department of Planning Industry & Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Luke

**Re: Site Compatibility Certificate – SSC\_2020\_WILLO\_001\_00 at 26 Crabbes Avenue, North Willoughby**

Thank you for inviting comments on the application for a Site Compatibility Certificate (SCC) under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in relation to 26 Crabbes Avenue, North Willoughby.

I understand from information provided by Nick Armstrong that the reason for the application is to extend the timing of the existing SCC which expires on 30 August 2020.

As the proposal details have not changed, the previous comments provided by Council on 20 March 2018 (attached) still stand. The Development Application for the site is currently under assessment.

It is requested that the Department keep Council directly informed of the progress of this application.

If you have any further enquiries please contact Jane Gibson, on 9777 7672.

Yours sincerely



IAN ARNOTT  
PLANNING MANAGER



20 March 2018

Wayne Williamson  
Team Leader, Sydney Region East  
Planning Services  
NSW Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Wayne

**Re: Site Compatibility Certificate – 26 Crabbes Avenue, North Willoughby**

Thank you for inviting comment on the application for a Site Compatibility Certificate under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in relation to 26 Crabbes Avenue, North Willoughby.

The proposal is to enable the development of approximately 99-125 self-contained dwellings and approximately 36-72 bed residential care facility. The proposal will also comprise a redevelopment of the Willoughby Legion Ex-Services Club.

Proposals that reduce the availability of recreation space in the local government area (including Private Recreation RE2 zoned land) are not supported. It is noted that the reduction, in this instance, of privately used bowling greens, will be partly compensated by the provision of a new publicly accessible open space. Even so, a larger amount of public open space would be preferable. The applicant has not provided specific information on site areas, however, from a desktop assessment, a loss of approximately 3,000m<sup>2</sup> open space is estimated. It was also noted by Council staff, that on a site inspection, the bowling greens were being used by a local school for netball courts.

Strong justification should be provided to demonstrate the validity for the loss of open space land. To date, sufficient justification has not been provided.

The following comments are provided regarding specific aspects of the proposal:

#### HEIGHT AND FLOOR SPACE RATIO

It is noted that the proposed height is inconsistent with that provided in the SEPP. However, the varying height across the site is preferable with a higher focus in the centre transitioning down towards the boundaries. Any Development Application for the site should reflect the indicative scheme provided in the application (Figure 14), ie 5 storeys at the centre of the site, graduating down to 3 storeys and 2 storeys at the north, east and south boundaries.

The applicant has submitted that 3 storeys equates to 15.7m and 5 storeys equates to 20.5m. Even taking account for lift over-run, these metre equivalents appear to be high. Whilst the number of storeys are acceptable in principle, supporting information will be

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required to clarify how the equivalent metre notations match these storeys in height. A Reduced Level (RL) height control may be more appropriate in this instance. Concern is also raised regarding the proposed heights adjoining the conservation area. This is detailed further in the Heritage section below.

The concept proposal for a maximum FSR of 1.35:1 for the entire site is acceptable. The proposed setbacks to the Horsley Avenue Conservation Area are acceptable.

The SCC should stipulate these specific controls as the basis for any future Development Application.

### OPEN SPACE PROVISION

- The provision of publically accessible open space is supported. It would be expected that whilst the park should be publically accessible at all times, ongoing maintenance of the park and relevant insurances would be at the expense of the development rather than Council.
- The proposed park is surrounded on all sides by road / driveway. In view of the likely mix of elderly and young patrons, a better alternative should be considered.
- The north facing aspect of the park is supported.

### HERITAGE

The site adjoins Horsley Avenue Conservation Area. Houses along the northern side of Horsley Avenue and western side of Summerville Crescent adjoin the subject site. Along these boundaries the subject site has been filled to create a level surface for the bowling greens. This is a sensitive interface with the conservation area as the houses are at a lower level, are single storey and usually located less than 10 metres from the rear boundary.

Proposed buildings on the subject site are setback 8 metres from the shared boundary. These buildings are 2 storey in elevation but rise to 3 storeys within 7 metres. Thus at a distance of 15.0 metres from the boundary the proposed height will be 11.5 metres. The plans do not illustrate whether the height is measured from existing ground level.

It is recommended that

- (a) Within 15 metres of the southern boundary at the rear of Lot 7 to Lot 11 DP 14241 the maximum height of any building must not exceed RL 104.0 Australian Height Datum (AHD)
- (b) Within 15 metres of the eastern boundary for a distance of 50 metres from the southern boundary, the maximum height of any building must not exceed RL 102.5 (AHD).
- (c) A minimum building setback of 8 metres must be provided from the southern and eastern boundaries. This setback includes any basement to ensure that deep soil is provided to enable substantial tree growth.

These height restrictions will allow 2 storey dwellings but require the heights to be adjusted to take account of the site being filled for the bowling greens. A height control of 8.5 metres measured from the existing level of the bowling greens would produce buildings with an

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apparent height of 3 storeys. Alternatively, if the fill associated with the bowling greens was removed the buildings could have an actual height of 3 storeys contrary to the intention of the 2 storey scale adjoining the Conservation Area. RL 104.0 and RL 102.5 (AHD) would enable 2 storey buildings subject to the removal of fill and as such provide an appropriate relationship to the adjoining low density dwellings.

### TRAFFIC AND TRANSPORT

- All vehicular access arrangements should be via Crabbes Avenue.
- The forecast traffic generation during the weekday peak periods is low and can be accommodated into the operation of the local road network and the intersection of Penshurst Street and Crabbes Avenue. It is noted that the intersection of Penshurst Street and Crabbes Avenue has left in and out only via Crabbes Avenue and it is considered appropriate to retain this traffic arrangement should the development proceed.
- It is also noted that there appears to be opportunities to improve the internal road network and access arrangements to Crabbes Avenue to:
  - Minimise the number of vehicular access points to Crabbes Avenue, the lower the number of driveways is preferred from a safety perspective.
  - Optimise open space (new park) access and amenity outcomes for pedestrians.
  - For safety and traffic movement benefits it is desirable to have an acceptable separation between the western driveway of the proposal with the existing driveway to 259 Penshurst Street.
- The needs of service vehicles to support the club and other uses is important - all servicing must occur on-site, not on Penshurst Street or Crabbes Avenue.
- The proposed location of the basement parking is not provided. Maximum deep soil planting particularly for the park should be provided.
- The management of the Penshurst Street frontage for the club will need further clarification/ investigation as the club will generate its own internal and external users and needs, if the 'front door' of the club is on Penshurst Street this will generate walk up patrons and pick up/ set down activities along Penshurst Street that may have safety and efficiency impacts. In addition, this may also lead to on-street parking issues – it is important to maintain or increase the level of on street parking around the site and not have to designate valuable road space for club related activities such as pick up/ set down activities.
- It is worth noting that Penshurst Street is a State Road and RMS may wish to change the management i.e. road space provision over time to support their safety and movement outcomes.
- It is noted that a more detailed traffic and transport assessment will be undertaken should a development application be submitted. Comments in relation to traffic management may change following review of this detailed assessment.

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### DRAINAGE

A Stormwater Plan, incorporating On Site Detention and Water Quality Measures will be required to be submitted with any Development Application, in accordance with Part C.5 of Willoughby Development Control Plan.

### CONCLUSION

Loss of a significant amount of open space in a City that is struggling to provide open space resources for its growing population needs to be further justified. The process of Compatibility Assessment would identify the site as appropriate for seniors housing. The critical balance of additional housing of this type and the availability of open space is very difficult.

If the significant loss of open space is considered acceptable, there is no objection in principle to the issue of a Site Compatibility Certificate for a Seniors Living proposal on the land described in the proposal. It is considered that a Seniors Living development appears to be compatible with the subject land in terms of the surrounding environment and locality.

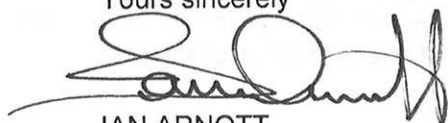
Should the Department of Planning & Environment determine that the issue of a Site Compatibility Certificate is justified in this instance, it is requested that development controls be applied including:

- Maximum FSR of 1.35:1
- Maximum height of 5 storeys centrally located. 5 storey central location height needs further clarification in terms of the associated metre heights provided.
- Height reducing to 2 storeys at the boundaries of the Horsley Avenue Conservation Area (suggested RL of 104.0 and 102.5 AHD as indicated above in Heritage section above).
- Setbacks as indicated in Figure 14 of the Site Compatibility Certificate Application Report (8 metres from properties in Horsley Avenue Conservation Area).
- Publically accessible open space
- Vehicle arrangements as detailed in the Traffic and Transport section above.

It is requested that the Department keep Council directly informed of the progress of these applications.

If you have any further enquiries please contact Jane Gibson, on 9777 7672.

Yours sincerely



IAN ARNOTT  
PLANNING MANAGER

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