

MINUTES OF PRE-LODGMET ADVISORY MEETING

PROPERTY ADDRESS: 266 Longueville Road, Lane Cove

DATE: 22 March 2017

PROPOSAL: Seniors Living Development across three (3) interconnected buildings comprising 70-bed residential aged care facility, 93 self-contained dwellings, recreational facilities over basement car parking, new public park and public pathway.

ATTENDEES:

Development Representatives

Mahi Lau – Thomson Adsett (ML)
Joseph Paonessa - Thomson Adsett (JP)
Rob Puflett – Thomson Adsett (RP)
Gary Shiels – GSA Planning (GS)
Lorraine Calder – Australian Unity (LC)

Lane Cove Council Officers

Michael Mason – Executive Manager – Environmental Services (MM)
Tim Shelley – Consultant Planner (TS)
Diep Hang – Senior Development Assessment Planner (DH)
Christopher Pelcz – Acting Manager Strategic Planning (CP)
Terry Tredrea – Strategic Social Planner (TT)
David Wilson – Manager Environmental Health (DW)
Abdullah Uddin – Manager Traffic & Transport (AU)
Sashika Perera – Transport Engineer (SP)
Ted Webster – Landscape Architect (TW)
Kerry Heatley – Assistant Manager Open Space (KH)
Peter Maish – Senior Tree Assessment Officer (PM)
Ray Bechara – Development Engineer (RB)
Ruth Jacka – Community Development Officer (RJ)

ISSUES DISCUSSED:

- MM – welcome and introduction provided. Noted that DA to be assessed by Independent Consultant Tim Shelley of Tim Shelley Planning as Council owned land involved.
- LC – provided summary of company and development as follows:
 - Want to do co-located facilities and preferred bidder for site.
 - Policy of co-located facilities for continuum of care and age in place
 - Also do home care (recently acquired NSW Home)
 - Like to develop in established communities to retain residents in same location
 - Have own aged care model “Better Together” (focuses on small areas and households with outdoor space).

- RP – showed 3D flyover and discussed factors informing design being: topography, contamination, landscape character of site, connection to surrounding parklands, sensitivities and issues of surrounding residents; and connection of site to community.
 - Went through design in further detail as follows:
 - 150 car spaces in basements
 - 70 aged care beds
 - 93 Independent Living Units (ILU's)
 - 2 main courtyards
 - Hairdresser
 - Cinema room
 - Care product to be on two levels (street level and one below)
 - Café and pocket park near Longueville Road
 - Porte-cochere drop off at southern end of site off Longueville Road
 - Pedestrian link through buildings
 - Highlighted areas of non-compliant height on buildings B and C.
- GS – re-iterated above issues and assets of the site, such as proximity to local centre and community; parkland and trees and orientation of open space to the north.
- RP – seeking feedback on issues for design team to address as part of DA.

Council Officers then provided a range of specific comments in relation to their field of expertise as follows:

Note: *Where necessary, additional comments or clarification of issues raised at the meeting have been included to further assist the applicant.*

1. **Traffic Management (AU)**

- Compliance of car park in accordance with relevant Australian Standards.
- Provision of car parking in accordance with the Seniors SEPP.
- Proposed relocation of the bus stop at Longueville Road is subject to Local Traffic Committee's consideration. Approval for the relocation of the existing bus stop should be sought prior to the lodgement of the DA.
 - *GS – AU considering provision of traffic signals into site at their cost.*
- Any vehicular access proposal to the site incorporating a roundabout or traffic lights etc is subject to Local Traffic Committee's consideration.
 - *MM – Traffic signals could be problematic and would require separate approval from the RMS. Suggest up front liaison with RMS if signals proposed.*
- The applicant needs to investigate the creation of a right of carriageway benefiting both the proposal and the neighbouring property "Timbertops" at No. 268-270 Longueville Road.
 - *RP – advised this is a ROW over both lots.*
 - *MM – looks to be shared access with change in levels. Encouraged early liaison contact with Timbertops re this issue. Suggest this be done prior to lodgement of DA. Can involve Council and be done at Council.*
- Pedestrian access to the site needs to be separated and must comply with relevant standards.
- Loading bays must comply with relevant standards.
- A comprehensive traffic report will be required with the DA and must address cumulative traffic impact from surrounding site (both existing and proposed developments).

2. Environmental Health (DW)

- Site continued. RAP already done and site being audited.
- Need following info with DA:
 - Construction Noise Management Plan
 - Environmental Management Plan (for construction)
 - Waste Management Plan (Part Q – deemed to be commercial)
- Will need to address NSW Food Act
- Will need to address golf ball strike
 - *MM – also need to address closest residences during construction.*
 - *TS – also need Acoustic Report to address traffic noise from Longueville Road.*

3. Trees (PM)

- Design generally in line with advice provided on site and generally OK from arboriculture point of view.
- Need to retain specific trees near park.
- Needs to know what trees are being removed for construction of pathway.
 - *MM – need to demonstrate how pathway addresses AS 1428.*
 - *KH – need to provide details of pathway construction with DA.*

4. Stormwater/Engineering (RB)

- On-site detention to be designed in accordance with Part O – Stormwater Management of the DCP. Needs to address BASIX.
- The site falls to the rear. Plans will need to show how the proposed stormwater system will connect to the existing drainage network (i.e. the proposed piping to the existing drainage system). This will also need to be discussed with Council's Bushland section with respect to the route proposed and impacts on existing bushland on the site.
- Liaison with Sydney Water is required to determine the location of sewer on the site.
- Soil and Water management Plan required.
- Construction Management Plan required.
- Geotechnical Report required to address extent and impact of bulk earthworks and whether excavation will intersect groundwater.
- All proposed driveway ramps will require a long section for assessment to meet the requirements of the AS2890 series.

5. Landscape Architect (TW)

- Detailed landscape documentation prepared by a qualified Landscape Architect or Landscape Designer including sections, elevations, construction details, plant selection, extensive and in-depth annotations are required to be submitted for the proposal given the scale of the development.
- The landscape plan shall include detail design of any raised planter boxes, indicating construction materials and methods, waterproofing, soil profile, depth and volume as well as irrigation.
- Plants are to be selected from Appendix 1 "Plant Lists" of Part J of the DCP.
- Three distinct levels of planting, canopy, mid-storey, and shrub and ground cover shall be implemented with trees selected and located in an area so that they have the potential to reach at least the height of the building.
- Areas of open lawn sufficient for active outdoor recreation are encouraged.
- Consideration for the street tree planting scheme and reference to Council's Street Tree Master Plan shall form part of the tree selection process.

- Due to the existing bushland to the eastern part of the site, all natural features shall be properly surveyed, identified, and considered in the final design.
- Permeable paving ground treatments shall be considered where appropriate.
- A detailed irrigation design shall form part of the DA and a water use table shall be provided with the final plant schedule which can be acquired from the Sydney Water website.
- No indigenous areas are to be disturbed as a result of the proposed development.
- A minimum of 25% of the total site area shall be designed and designated as communal open space and provide amenities such as BBQ facilities, toilets and access to running water. The space shall be large enough to accommodate gatherings of varying sizes.
- The proposed playground area located in the north-west corner shall provide adequate fencing, signage, a water bubbler, seating, access to public toilets, visitor parking and all abilities play equipment. The park and associated parking shall be DDA compliant.
- The pedestrian link to the golf course should ideally be DDA compliant and an in-depth investigation into possible design solutions shall be undertaken if DDA compliance is not able to be achieved.
- Link also needs to address 24 hour access. Will need a Plan of Management to address.
- Public areas are to avoid items of high maintenance.

6. **Bushland Management (KH)**

- The following bushland issues need to be considered in the preparation of DA documentation for the development:

a) Public Access

- The proposed development should maintain public access.
- Opportunities for public access should be considered

b) Aboriginal Heritage

- Review of the Aboriginal Sites Register to determine if any sites are located on or adjacent to the development site.

c) Vegetation Communities

- Site doesn't contain any endangered ecological communities but some may be present on adjoining sites. Need to check Council's Vegetation maps.
- Need to undertake a flora survey to identify the vegetation communities present on the site.
 - *CP – was done as part of Planning Proposal so this document would be a good source and starting point.*
- Need to consider the cumulative effect of developments proposed in the area. If the DA involves the removal of Threatened Vegetation Communities, there is a need to consider the cumulative effect of the removal of the vegetation from this development site and other developments proposed for the area.
- An Assessment of Significance (Seven Part Test) is required if the proposed development is likely to impact upon Threatened Vegetation Species.

d) Flora and Fungi

- Undertake a flora and fungi survey to identify the species present on the site.
- Determine if any Threatened Flora and/or Fungi Species are present on the site or in adjacent bushland/reserve.
- Need to consider the cumulative effect of developments proposed in the area. If the DA involves the removal of Threatened Flora/Fungi, there is a need to consider the

cumulative effect of the removal of the vegetation from this development site and other developments proposed for the area.

- An Assessment of Significance (Seven Part Test) is required if the proposed development is likely to impact upon Threatened Flora/Fungi Species.

e) Fauna

- Undertake a Fauna survey to identify the species present on the site and in the adjacent bushland/reserve.
- Undertake an assessment of fauna habitat on the development site and the potential for Threatened Species, migratory birds etc to occupy this habitat.
- Determine if any Threatened Fauna Species are present on the site or in adjacent bushland/reserve.
- Need to consider the cumulative effect of developments proposed in the area. If the DA involves the removal of Threatened Fauna Species, there is a need to consider the cumulative effect of the removal of wildlife habitat from this development site and other developments proposed for the area.
- There is a need to consider the cumulative impact of this development and adjacent proposed developments on the viability of local/regional wildlife corridors. Is the development likely to reduce the value of the wildlife corridor?
- An Assessment of Significance (Seven Part Test) is required if the proposed development is likely to impact upon Threatened Fauna Species.

f) Other matters

- Consider the impact of lighting on bushland on private and public land and also on Powerful Owl and bats.
- Use indigenous plants for landscaping works.
- Undertake bushland regeneration works on private land, works to be maintained over the long term.
- Visibility and screening. Need to retain screening from vistas to east and retain bushland views.

Useful documents

- Part H – Bushland Protection - Lane Cove Development Control Plan.
- Native Vegetation of the Lane Cove Council Local Government Area – Storm Consulting 2010.
- Plan of Management for Bushland in Lane Cove 2007.
- Wildlife Habitat Corridor Study for Lane Cove Council 1995.
- Flora and Fauna Lists for specific reserves.
- RFS Fast Fact 6/07 – Plans of Management.

7. Community Development Officer (RJ)

- Would like to see more 3 bedroom units as this product is in high demand in LGA.
- Provision of greater recreation areas for residents to sit with families and encourage social interaction.
- Need to provide covered areas and pathways for residents to travel between buildings.
- Increase size of men's shed.
- Provision of a community garden required.
- Would like outdoor area provided for exercise programs to encourage activeness. Increase size of gym.
- Pathway through site needs to provide access for prams and address DDA and AS1428.
 - *LC – can't build to this standard due to height drop in gradient. Can provide through building to each courtyard and then to bottom of site.*

- *RB – needs to be accessible and available to entire public (all groups).*

8. Planning Issues (CP and DH)

- **State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

Site Compatibility Certificate

A site compatibility certificate is required for the proposed development in accordance with Clause 24(b) and 24(1A) of SEPP Seniors. An application for a site compatibility certificate for the purposes of Clause 24 must be made to the Director General. Clause 50(2A) of the Environmental Planning and Assessment Regulation 2000 requires a DA to which Clause 24 of SEPP Seniors applies, to be accompanied by a site compatibility certificate.

A comprehensive SEPP Seniors compliance table is required to accompany the DA. The compliance table is to assess the proposal against the development standards and design requirements and principles contained within the SEPP Seniors both the residential care facilities and self-contained dwelling components of the proposed development.

Accompanying plans and documentation is required to demonstrate compliance with Part 2 Site-related requirements, specifically location and access to facilities. A detailed survey plan including the Council reserve land fronting the site is required to ensure that the gradients along the pathways are acceptable.

The proposed development is for seniors living accommodation which consists of both residential care facilities and self-contained dwellings. The proposed development is required to consider the provisions of the *Seniors Living Policy: Urban Design Guideline for Infill Development*, published by the Department of Infrastructure, Planning and Natural Resources in March 2004, in addition to the design requirements outlined in the Seniors SEPP.

Residential care facilities

Development standards concerning accessibility and useability for residential care facilities are outlined in the Commonwealth aged care accreditation standards and the Building Code of Australia.

Self-contained dwellings

All three (3) buildings contain independent living units. Each independent living unit will need to be designed to comply with the Standards concerning accessibility and useability self-contained dwellings outlined in Schedule 3 of the Seniors SEPP.

- **State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development**

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) applies to the development as the building is more than 3 storeys in height and contains a residential component.

Schedule 1 of SEPP 65 sets out 9 design quality principles. The proposed development is required to demonstrate how the design of the building meets the objectives of the 9 design quality principles in addition to the requirements outlined in the Apartment Design Guide (ADG).

The applicant needs to demonstrate that the proposed development is compatible with the character of the local area, and the following documentation is required to be submitted to address SEPP 65:

- SEPP 65 Report and Design Verification.
- A design verification statement by a registered architect outlining that he or she designed or directed the design and how the 9 design quality principles are achieved.
- The design verification statement must also demonstrate how the objectives of Parts 3 and 4 of the ADG have been achieved.
- ADG Compliance table.

- **State Environmental Planning Policy No. 19 – Bushland in Urban Areas**

The subject site is zoned and adjoins bushland. In this regard, the proposal will need to address SEPP 19.

- **State Environment Planning Policy No. 55 – Remediation of Land**

Contamination assessment required – Site Auditor to review and comment on Remediation Action Plan.

- **Lane Cove Local Environmental Plan 2009**

Building Height

The variation to the LEP building height development standard (above the LEP's max. RL of 62.8) is unlikely to be supported, and will require a Clause 4.6 variation to be submitted for Council's consideration. The proposed bulk and scale of the buildings has in the past attracted a large amount of community concern. Concerns relating to district views across the site from the north, and shade impacts on the building to the south, among other issues of local character arise from the departure sought to the building height.

The building height of the proposal should therefore be reduced to comply or sufficient grounds be submitted for Council's consideration for the variation sought to the LEP development standard (see below).

It is noted that the proposed basement parking excavation is not consistent with the DCP (Page 31). The DCP indicates that excavation is physically possible beneath Buildings B and C. The proposed basement is mostly beneath Building A, to a depth of two levels. This could affect the final heights of buildings.

Floor Space Ratio

The maximum permitted FSR prescribed within the LEP for the site is 1.1:1. In accordance with Clause 45(2) Vertical Villages of SEPP Seniors, consent may be granted for a bonus of 0.5 above the max. LEP FSR permitted. Gross floor area calculation plans and tables are required to be submitted with the DA.

The proposal will need to demonstrate compliance with Clause 45(6) in order to be granted to 0.5 FSR bonus.

Clause 4.6 Exceptions to Development Standards

Any variation to development standards to building height or floor space ratio must be accompanied by a written request prepared in accordance with Clause 4.6 of the LEP 2009 for Council's consideration.

- **Lane Cove Development Control Plan**

A comprehensive Statement of Environmental Effects addressing the below sections of the DCP will need to be submitted:

- Part B – General Controls
- Part C – Residential Development – C.3 Residential Flat Buildings
- Part C – Residential Localities – Locality 7 – 266 Longueville Road
- Part F – Access and Mobility
- Part H – Bushland Protection
- Part J – Landscaping
- Part N – Signage and Advertising (if signage proposed as part of the DA)
- Part O – Stormwater management
- Part Q – Waste Management and Minimization

Note: Some sections/provisions may not be relevant and/or will be overridden by SEPP Seniors Living or SEPP 65/ADG. These instances are to be noted in the relevant section of the table.

- **Park**

Design detail is required to be submitted for the proposed park located in the north-west corner of the site – Refer to Landscape Architect comments below.

It was outlined in the meeting that a right of carriageway will be created which permits public access for residents and visitors to use the park, and that maintenance will be carried out by Australian Unity. These arrangements need to be confirmed in documentation submitted to Council.

Public amenities (toilets) are required to be provided for users of the park. It is recommended that the toilet facility block be attached to the café and not be provided as a free-standing building.

- **Cafe**

Council at its meeting held on 10 April 2017, resolved to adopt a series of housekeeping amendments to its LEP, one of which included the addition of 'restaurants and cafes' as a permissible use with consent within the R4 High Density Residential zone. In this regard, the proposed café use can be lodged with the overall development.

Please note that toilet facilities will need to be provided for the café based on the seating capacity of the café, in accordance with the BCA.

- **Shop and Music Room**

It is unclear what the shop use will be, and if the first use of the shop forms part of the DA. The only retail use permitted within the R4 zone are 'neighbourhood shops'. Should approval for the use of the shop be sought as part of the DA, it will need to satisfy the definition of a 'neighbourhood shop' as defined by Lane Cove LEP 2009.

Clarification on whether the music room is part of the seniors living development for residents, or is a community facility for the public is required.

- Site no longer bushfire prone and hence no APZ's required nor any bushfire report.

Additional information is required for the submission of the development application as follows (in addition to that advised by specialist officers above):

- Model
- Survey Plan
- Plans showing extent of proposed earthworks, retaining walls with TOW, and cut and fill across the site
- Architectural Plans clearly showing existing and finished ground levels, and RLs of any lift overruns and uppermost ridge of buildings, FFLs and ceiling levels
- Site Compatibility Certificate
- Detailed Statement of Environmental Effects (needs to include level by level breakdown of development and key statistics i.e. gross floor area, height, room size and bedroom mix of units, landscaped and deep soil calculations etc)
- Written request to development standards pursuant to Clause 4.6 of Lane Cove LEP 2009
- SEPP Seniors Compliance Table
- Letter of Support Services
- SEPP 65 Report and Design Verification, and ADG Compliance Table
- Lane Cove Development Control Plan Compliance Table(s)
- BASIX Certificate and Stamped Plans
- Contamination Assessment and Remediation Action Plan prepared and reviewed by a site auditor.
- Geotechnical report – if the report outlines that the proposed excavation will intersect with groundwater, the proposal will require an aquifer interference approval from the Department of Primary Industries (Water). In this regard, the proposal is identified as Nominated Integrated Development pursuant to Section 91(3) of the Environmental Planning and Assessment Act 1979 and will need to be advertised for a period of 30 days. An administration fee of \$140 to process the external referral, and advertising fee of \$1,105 is required to be made out to Council. A separate cheque to the amount of \$320 is required to be made out to the Department of Primary Industries (Water) for Council to refer the proposal for comment.
- Traffic Impact Statement
- Heritage Impact Statement to assess impact of the proposed development on the heritage item located opposite the site at No. 231 Longueville Road (Item No. I182).
- Comprehensive Arboricultural report (identifying all trees on site and within 10m of the site boundary on all sides) and Tree Protection Plan prepared by a qualified AQF Level 5 Arborist
- A driveway cross section at various points is required to clearly understand whether the proposal will impact on the existing vehicular access for the adjacent site (No. 268-270 Longueville Road), and driveway grade compliance with AS2890.1.
- The existing ground level lines to be shown on the sections.
- Acoustic Report is to be submitted addressing road traffic noise impacts, and the noise impact of vehicles entering and leaving the site on surrounding development.
- Construction Noise Management Plan to be submitted addressing noise and vibration impacts and controls during construction.
- Environmental Management Plan addressing – water, dust and sediment controls.
- Waste management plan is to be submitted addressing Part Q of the DCP. (Note: All waste is to be collected on site).
- NSW Food Authority to be contacted regarding their construction requirements for an aged care facility i.e. kitchen fit out.

- Quantity Surveyor Report
- BCA Report
- Stormwater Management Plans with Council's On-site Detention Checklist
- Landscape Plans
- Plan of Management for the public pathway
- Access Report (to satisfy provisions of SEPP Seniors)
- Crime Risk/CPTED Assessment
- Land owners consent from Lane Cove Council
- Preliminary advice from Sydney Water, Ausgrid and RMS. If a substation is required, this is to be shown on plans.

14 copies of the above documentation are required to be submitted with the DA, in addition to a USB flash drive or CD.

- Notification

The proposal will be notified for a period of 4 weeks. An information evening with the community may be useful following the completion of the notification period.

- Consultation with the adjoining neighbours

To consider the raised concerns at the design stage.

Access arrangements for the proposal are also to be resolved with the adjoining neighbouring property to the south prior to the lodgement of the DA.

Final Comments (MM)

- DA to go to JRPP for determination.
- Pedestrian path – if DDA compliance not practicable, needs to be addressed and detailed.
- Diep Hang will be the main/ongoing contact from Council. Contact with Tim Shelley is to go through Diep.

Advisory comments:

The advice provided from this meeting is 'without prejudice' basis and is based on the information submitted to Council. This advice does not preclude the need for carrying out notification and full assessment of the application. Further, you should note that designing in accordance with the advice does not ensure consent will be granted to the proposal.