



Greenwich Community Association Inc

PO Box 5057, Greenwich, NSW 2065

For current committee contact details see www.greenwich.org.au

3 September 2019

The General Manager
Lane Cove Council
PO Box 20
LANE COVE NSW 1595

Dear Sir

DA 103/2019 - 33 Greenwich Road, Greenwich Objection

We refer to the above development application.

Preliminary Comments

The submission of the Greenwich Community Association (GCA) follows but we wish to make some preliminary comments.

1. Notification process

The notification letter to residents was dated 15 August 2019 but not received by them until 20 August.

We thank Council officers for agreeing to extend the exhibition and submission period by one week, thereby allowing residents time to seek advice in respect of the development proposal and respond to Council.

We request Council to explore alternatives to the current notification process to ensure that community members are afforded adequate time to prepare submissions in respect of what are often complex development proposals.

2. Estimate of cost of proposal

We note that the Development Application has nominated a cost of proposal of \$29,148.097 (incl GST).

The GCA is of the view that this cost estimate is extremely low, given that the proposal includes total demolition of the existing building, excavation of two basement levels and fit out of 92 specialised care rooms and additional facilities.

Noting that the threshold for referral of a development application to the Sydney North Planning Panel is a CIV in excess of \$30 million and noting the exclusion of GST in the calculation of CIV, we request Council to seek from the applicant a report by a quantity surveyor to assess the CIV of the works.

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We request that no steps be taken in respect of determination of the application until the report of the quantity surveyor is posted to the Council file on the application.

Objections

The GCA has the following objections to the application:-

1. Comparisons against current approval (DA 130/2017) are not valid

The proposal must be assessed without regard to the approval of DA 130/2017.

DA 130/2017 contemplated retention of the external walls and floor levels of the existing building on the site.

The current application contemplates demolition of the building, thereby lifting the constraints inherent in the existing structure.

It is not valid to use an approval relating to a previous and no longer relevant development configuration to support a development that is totally new.

2. Height in excess of SEPP guidelines not supported

The Statement of Environmental Effects that supports the development states that:-

- the proposed height of the building exceeds the applicable LEP by 5.52m.
- the proposed height of the building exceeds the applicable SEPP by 5m.

This height exceedance must be assessed within terms of Clause 4.6:-

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case,
and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

It is not within the terms of Clause 4.6 to justify the proposed height on the grounds that it is less than that approved by Council in DA 130/2017.

We note that the document designated as Link 20 relates to non-compliances with the Lane Cove LEP 2009 standards:-

http://ecouncil.lanecove.nsw.gov.au/TRIM/documents_TE/548470570/TRIM_LEP%20Clause%204.5%20-%20Height%20of%20Buildings%20-%2033%20Greenwich%20Road%20-%20Greenwich%20-%20DA103%202019_1362854.PDF

This document includes on page 2 the following statement:-

Another Clause 4.6 has been prepared for variations with the height provisions of the SEPP (Housing for Seniors or People with a Disability) 2004 (Housing for Seniors).

We are unable to locate this other document.

3. Landscaped area below SEPP requirements

The landscaped area per bed falls below the SEPP by 3.6sqm.

Given that the applicant is no longer constrained by the original 92-bedroom configuration of the current development, the proponent should reduce the number of beds in the proposed development to allow for the required landscape area provision.

4. Traffic access and egress dangerous

The Traffic and Parking Assessment Report (7 August 2019) does not address the risks associated with access and egress at a location so close to the intersection of Greenwich Road and River Road.

Risks to visitors (who will often be elderly) and road users will occur as follows:-

- traffic is often banked up in Greenwich Road at the lights - drivers will need to force their way by way of a right hand turn between stationary vehicles or vehicles moving at speed to get through the Greenwich/River Road intersection before the lights change
- vehicles waiting to turn right into the facility will cause traffic to bank up where two lanes become one just over the River Road intersection – this could leave vehicles stationary in the middle of River Road
- drivers who enter the facility and find there is no parking will seek to turn right across traffic travelling at speed towards the traffic lights and into the path of vehicles merging as they travel south over River Road.

The relevant SEPP does not preclude refusal of consent on the above grounds.

The GCA requests Council to note the objections to DA 103/2019 outlined above and to refuse the current proposal.

Yours faithfully



Merri Southwood
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