

11 April 2025  
Our ref: SSD-2/2025

Department of Planning, Housing and Infrastructure  
4 Parramatta Square  
12 Darcy Street  
Parramatta  
NSW 2150

Attention: Director – Development Assessments and Infrastructure  
C/- Tuong Vi Doan

Dear Director - Development Assessments and Infrastructure

**Uniting War Memorial Hospital Site - SSD-61389706**

Thank you for the opportunity to make a submission following the closing date of the exhibition period of the State Significant Application (the application) known as SSD-61389706 at the Uniting War Memorial Hospital Site.

Our submission is attached, noting the agreed extension of the submission deadline to 14 April 2025.

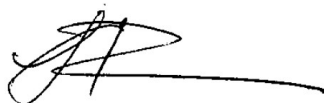
Although there are many positive elements of the proposal, this submission outlines our objection due to key concerns relating to heritage impacts, traffic impacts, and exceedances of the height of buildings development standard.

The contents of this submission follow this cover letter. Section 1 contains matters of objection. Section 2 contains additional advice.

Should the DPHI resolve to support the application, Council officers have prepared conditions of consent that are recommended to be imposed which are available upon request.

If you have any questions, require assistance or further information about the matter, please contact David Knight, Senior Development Assessment Planner at [david.knight@waverley.nsw.gov.au](mailto:david.knight@waverley.nsw.gov.au) or 02 9083 8762 if you need clarification or for further discussion.

Yours faithfully



Fletcher Rayner  
Director  
Planning, Sustainability and Compliance

## **SECTION 1 – MATTERS OF OBJECTION**

### **1. EXCEEDANCE OF THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD**

The proposal exceeds the maximum building height development standard for the site set by *Waverley Local Environmental Plan 2012* (WLEP 2012) clause 6.13(4). The non-compliance relates to Buildings B, C and D within the SP2 zone.

The applicant has submitted a written request under WLEP 2012 clause 4.6 seeking an exception to the development standard. However, the written request does not demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard.

Specifically, the applicant has not demonstrated that dwellings located within the residential flat buildings on the west side of Bronte Road will retain sufficient solar access. The applicant's solar access diagrams depict the windows and/or balconies of units within the following buildings being affected:

- 129-131 Bronte Road at 9am
- 133 Bronte Road at 9am and 10am
- 135 Bronte Road at 9am and 10am
- 137 Bronte Road at 9am
- 139 Bronte Road at 9am and 10am
- 141-43 Bronte Road at 9am

It is also unclear as to whether any views from properties to the north of the site may be affected by the proposed exceedances.

Council officers consider the proposed exceedance of the development standard can only be considered if the applicant provides additional information to demonstrate acceptable amenity will be retained for neighbouring dwellings.

### **2. COMPLIANCE WITH WLEP 2012 SITE SPECIFIC CONTROLS**

The applicant has not demonstrated compliance with the following WLEP 2012 site specific controls:

- (i) Section 6.13(5(a)), which requires 30% of the site to be deep soil area. The applicant's identification of deep soil areas at page 79 of Appendix 27 *Landscape Report* includes road and hard paved areas which are not deep soil areas.
- (ii) Section 6.13(5)(d)(iii) which requires the thermal performance of buildings to meet the requirements of a NatHERS 7 star building. Proposed Buildings A and E do not meet this requirement.

The proposal cannot benefit from the alternative height of buildings and floor space ratio provisions at clause 6.13(4) unless the above requirements are achieved.

### **3. HERITAGE IMPACTS**

#### ***a. Impacts on heritage items***

The western part of the site is listed as a heritage item (I449) named *War Memorial Hospital, Late Victorian buildings and former stables* under WLEP 2012 Schedule 5.

Although no concern is raised to the form and height of buildings adjacent to the heritage items, we consider that the design of proposed buildings has unacceptable negative impacts on the heritage significance of the site as follows:

(i) Axial relationship of **Building A** with the Edina Building (the Edina).

- The design of Building A does not successfully respond to the character and setting of the Edina. The proposed entrance to Building A, alongside other proposed building elements, does not align with the entrance and clock tower of the Edina. The proposed relationship between the two buildings negatively impacts the heritage significance of the Edina.
- To establish a positive relationship between Edina and Building A, the entry and other building elements must align and respond to the axis described above. The changes required go beyond simply aligning the door at ground floor level, but also require alignment with the axis to be expressed in the architecture of the upper levels of the building.
- The breakfront of the upper levels should reflect the Edina with which it has a dialogue across the garden. This should play an important role in reinforcing the axial relationship. It is more important to acknowledge the Edina than a central point in the garden, or the functions within the building.
- Historic photographs of the estate show a continuous axis from Edina to the lower garden where there was a pond and water feature on axis with the Victorian garden and The Vickery House Edina, demonstrating the importance of this axis.
- The water feature in the Building A courtyard should also be on axis for the same reasons.
- The above concerns regarding the axial relationship between Edina and Building A have been raised by Council officers from the early stages of discussions with the applicant regarding this site, and that the importance of the relationship is reflected by Waverley Development Control Plan 2022 (WDCP 2022) section E7 figure 3.

(ii) Architectural language of **Building G**

- Building G forms the northern wall to the new quadrangle garden formed by Edina, the War Memorial Hospital and Building A. Although the overall form of the 4 storey building is not in question, the architectural language is detrimental to the heritage significance of the site.
- A contemporary architecture is appropriate; however, the proposal includes full height columns which are dominant and create a classical order that is at odds with the Victorian architecture of the estate. A lighter verandah type treatment is more appropriate where the verticality of the columns is broken up by the floors so that the columns go from floor to floor rather than from the top floor to the ground.
- The same goes for the side elevations of Building G. These also have the large columns from roof slab to ground which creates a scale difference with the Victorian Houses at the Birrell Street entry.

**b. Conservation Management Plan**

Issues are raised with the *New Conservation Management Plan for Waverley War Memorial Hospital / Former Edina Estate* prepared by NBRIS dated 21 November 2024 (the CMP).

The issues regarding the CMP could be addressed via a condition of consent requiring amendments to the document prior to the issuance of any construction certificate.

#### 4. EXCESSIVE PARKING AND ASSOCIATED TRAFFIC IMPACTS

The proposed 478 car parking spaces is considered excessive, and may result in unacceptable impacts on local traffic and pedestrian networks. The applicant's Traffic Impact Assessment (TIA) is deficient and does not demonstrate acceptable traffic impacts.

The excessive parking provision is contrary to the site-specific objectives of WDCP 2022 section E7.8, which includes:

- (a) To reduce the reliance on private vehicle usage.*
- (b) To minimise conflicts between pedestrians and vehicles.*
- (c) To ensure the provision of an appropriate number of vehicular spaces having regard to the proposed operating activities on the land. The intensity of these uses should aim to minimise traffic congestion and waiting time at intersections.*

The objectives of WDCP 2022 section E7.8 have not been adequately considered or addressed by the Environmental Impact Statement (EIS) and supporting documentation, which is contrary to the requirements of the additional Planning Secretary's Environmental Assessment Requirements (SEARs) dated 18 August 2023.

The development is surrounded by safe and accessible bicycle and walking infrastructure with proximity to existing bus services on Birrell Street, Bronte Road and Carrington Road, and the Bondi Junction train station (10-minute walk). Due to the high level of active/public transport accessibility, the wide range of services and amenities on site, and the potential impacts on the traffic and pedestrian network, the proposed car parking provision should be reduced.

The table below provides Council officers' assessment of the proposed exceedances of the relevant parking rates for the development:

<b>Car Parking Requirements and Provisions</b>				
<b>Land Use</b>	<b>Area/No./Staff</b>	<b>DCP (Parking Zone 1)/SEPP</b>	<b>Requirement (Maximum unless stated)</b>	<b>Proposed</b>
Independent Living Units	Studio - 3 1 bedroom - 32 2 bedroom - 135 3 bedroom - 61	Studio - 0 1 bedroom - 0.4 2 bedroom - 0.7 3 bedroom+ - 1.2	180.5 (181) - DCP	254
		1 space per 7 dwellings (visitors)	33 - DCP	16
Residential Care Facility	105 beds	1 space per 15 beds	7 – SEPP (minimum)	11
	63 staff	1 space per 2 staff	23.5 (24) - for 47* staff – SEPP (minimum)	32
Business and Office Premises - Salon/Spa	47.8m <sup>2</sup> GFA 2 staff	Minimum 0 Maximum 0.66 spaces / 100m <sup>2</sup> GFA	0 - DCP	52

Retail Premises - Café	225m² GFA 4 staff	Minimum 0 Maximum 2.0 spaces / 100m² GFA	4.5 (5) - DCP	
Consultation/Allied Health	5 staff	1 space per 2 staff	2.5 (3) – SEPP (minimum)	
Other Ancillary Facilities	48 staff	1 space per 2 staff	24 – SEPP (minimum)	
Hospital	N/A	Car parking provision unchanged	Justification for existing numbers required	113
Respite Daycare				
Community Facilities				
Total			390**	478 (Unsatisfactory)

\*Note: Council officers have assumed a lower number of on-site staff – see comments.

\*\*This figure allows for the justification for the existing 113 spaces to remain. Noting Council officers believe that these rates should also be in accordance with the parking rates imposed across the rest of the site.

Further details and discussion are provided below.

**a. Parking for independent living units (ILU)**

The proposed 254 car parking spaces for residents of the ILUs is excessive.

*State Environmental Planning Policy (Housing) 2021* (Housing SEPP) Chapter 3, Part 5, Division 7 sets a minimum parking provision of 46 spaces for the ILUs.

WDCP 2022 section B7.2.2 sets a maximum parking provision of 181 parking spaces for residential development within parking zone 1, which includes ILUs. The proposal exceeds the maximum WDCP 2022 parking rates by 73 spaces.

Council officers acknowledge that WDCP 2022 does not apply to State Significant Development, except for WDCP 2022 Part E7 which applies by virtue of the SEARs. Nonetheless, the maximum parking rates set by WDCP 2022 section B7.2.2 form a reasonable foundation for what should be the maximum requirements of the consent authority. The proposal should not exceed the maximum standards to ensure that congestion and reliance of private vehicle usage is minimised.

**b. Parking for residential aged care facility**

The Australian Government Department of Health and Aged Care outlines the minimum number of minutes of direct care per day to each resident and it is described below. Per guidance, an average of 215 minutes of care is required for the total 105 beds proposed, equating to 47 employees required (assuming an average working shift of 8 hours per employee).

The applicant has not provided a rationale behind the currently proposed 63 employees required on-site at any one time. The discrepancy results in 8 excess staff parking spaces at the site.

Source: <https://www.health.gov.au/our-work/care-minutes-registered-nurses-aged-care/care-minutes>

It is noted that WDCP 2022 parking zone 2 requirements have been used by the applicant to calculate parking provision of ancillary use premises. This is incorrect, as the site is within parking zone 1. The updated maximum requirements for parking zone 1 are outlined in the table above.

**c. Impact on gross floor area and floor space ratio**

It is noted that any parking provision above the requirements of the consent authority must be classified as gross floor area (GFA) as defined by the dictionary section of WLEP 2012.

Therefore, Council officers consider that the proposal exceeds the relevant floor space ratio (FSR) development standard for the site. The application should be amended in line with the WDCP 2022 maximum parking rates to ensure compliance with the FSR development standard.

Should the consent authority disagree with the advice above and determine that the WDCP 2022 maximum parking rates cannot be applied in this instance, Council officers consider that the requirements of the consent authority should instead be 46 parking spaces as set by the Housing SEPP 2021. In these circumstances, the proposed GFA calculated in accordance with the WLEP 2022 definition will significantly increase and there will be a substantial exceedance of the FSR development standard for the site.

**d. Traffic impacts**

The applicant's TIA is inadequate as it does not accurately identify the impacts of the proposal. The TIA should be updated in line with the following advice:

- (i) Although the TIA suggests acceptable overall level of service (LOS) at the key intersections surrounding the site for the "existing + development + approved developments" scenarios, it should be noted that specific turning movements and approaches have been analysed to operate at an unacceptable LOS of E and/or LOS F, as follows:

**\*E** being **Unstable Flow** – *low speeds; considerable delay; volume at or slightly over capacity.*

**\*F** being **Forced Flow** – *Very low speeds; volumes exceed capacity; long delays with stop-and-go traffic.*

- Birrell Street/Carrington Road (AM Peak)
  - Carrington Road (south leg)
    - Right turn movement (LOS F)
    - Through movement (LOS E)
    - Whole approach (LOS E)
  - Birrell Street (east leg)
    - Through movement (LOS F)
    - Whole approach (LOS E)
  - Council Street (north leg)
    - Through movement (LOS E)

- Whole approach (LOS E)
- Birrell Street/Bronte Road (AM Peak)
  - Birrell Street (east leg)
    - Left turn movement (LOS E)
    - Right turn movement (LOS E)
    - Through movement (LOS F)
    - Whole approach (LOS F)
  - Bronte Road (north leg)
    - Right turn movement (LOS E)

Consideration should also be made to the pedestrian crossing delays as a result of the development. The Birrell Street/Bronte Road pedestrian crossing has been analysed to operate at LOS E during both AM and PM peaks.

The unacceptable LOS E and F identified above demonstrates that the development will impact the surrounding street system for both traffic and pedestrian networks, and supports the position that car parking provision must be reduced at the site to limit the amount of vehicle trips generated to/from the site.

- (ii) Reference should be made to the current on street parking restrictions and the number of car parking spaces available surrounding the development. In particular, any net loss in the number of on street parking spaces due to the development should be stated.
- (iii) The critical network peaks identified in the TIA is 7am-9am for AM peak and 4pm-6pm for PM peak. Analysis should be conducted during school peak hour periods given the proximity of the development to multiple schools (i.e. Waverley College, Waverley Public School and St Charles' Primary School). Furthermore, Council school trip generation numbers must be analysed within the "approved developments (cumulative impacts)" scenario. This may affect how the proposed development will impact the existing traffic flows and the surrounding street system during school peak hour periods and should be considered as a part of the analysis.
- (iv) Traffic generated by ancillary facilities should be considered. Given the functions of the ancillary facilities, it is anticipated that staff will work during normal business hours and thus travel during network peak hour periods. Any additional staff generated traffic should be included in the analysis.
- (v) A network-based SIDRA analysis approach be conducted to observe how the surrounding key intersections operate in conjunction with each other due to the development.
- (vi) Traffic impacts associated with deliveries to the site should be analysed.

#### ***e. Pedestrian/bicycle circulation and safety***

Minimal information has been received in relation to pedestrian/bicycle circulation and safety. It is recommended that an independent Road Safety Audit be carried out for all internal circulation of users of the site and the four key Council streets surrounding the site.

The audit should also address how drop-off and pick-ups for users of the site will be managed.

#### ***f. Car sharing provision***

The applicant has proposed to provide five Uniting Pool car share spaces which are not publicly accessible.

Five publicly accessible care share spaces should instead be provided, in line with WDCP 2022 section B7.7. They should be located to ensure easy access for members of the public.

***g. Vehicle access within site***

The architectural plans do not demonstrate operational vehicle access points that are capable of underground shared access. Operational vehicle access points for the linking of basement carparks should be provided. The linking of internal basements will improve internal circulation of vehicles around the site and will minimise the requirement for vehicles to carry out unnecessary movements on Council's road network. It is considered that a site as large as this can accommodate linked basements.

***h. Vehicle access from streets***

The proposed driveway widths to Bronte Road, Birrell Street and the north/south link result in an unnecessary loss of on street parking. Both Bronte Road and Birrell Street have a very high parking demand utilised by residents in the area. Furthermore, the unnecessary loss of parking to facilitate a private development (with multiple entrances) goes against multiple current Waverley Council values, objectives and controls.

The following adjustments to the driveway widths are recommended:

- Bronte Road – 3m entry, 3m exit, 1m separation.
- Birrell Street – 3.9m metre driveway inclusive of splays with a waiting bay required within the property boundary if the queueing demand requires per the relevant Australian Standards.
- North/south link – justification required for the proposed 6m entry/exit, otherwise, 3.9m inclusive of splays shall be required.

Some driveway bays may require larger widths to accommodate for the largest expected vehicle. As such, a "Swept Wheel Path" analysis condition could be imposed to demonstrate the exact measurement required.

## **SECTION 2 – ADDITIONAL ADVICE**

### **5. APPLICABILITY OF HOUSING SEPP 2021 CLAUSE 87**

The following is provided as advice only.

Clause 87 the Housing SEPP 2021 provides additional FSR for development on the parts of the site that are zoned R3 *Medium Density Residential*.

The applicant proposes to utilise a 25% uplift in FSR under cl.(87)(2)(b)(iii) on the basis that the development involves both independent living units and residential care facilities are proposed. Council officers are of the opinion that the 25% uplift can only be achieved if the consent authority is satisfied that the proposed development within the R3 zone involves both uses.

### **6. AFFORDABLE HOUSING CONTRIBUTIONS**

The advice below relates to the assessment of the proposal against Clause 6.17 of the WLEP 2012 and the *Waverley Affordable Housing Contribution Scheme 2023 (AHCS)*. The Clause and



Scheme require development for the purposes of a new RFB, multi-dwelling, shop top housing or independent living unit to provide a contribution towards affordable housing in one of the two follows ways:

- (i) Monetary contribution calculated by working out what 1% of the total proposed GFA is and multiplying that result with the suburb sqm rate published on Council's website at [www.waverley.nsw.gov.au/\\_data/assets/pdf\\_file/0009/10206/Affordable\\_Housing\\_Contribution\\_Scheme\\_Calculation\\_Rates.pdf](http://www.waverley.nsw.gov.au/_data/assets/pdf_file/0009/10206/Affordable_Housing_Contribution_Scheme_Calculation_Rates.pdf)
- (ii) In-kind contribution involving the dedication of unit/s within the development to Council for free for Council to use as affordable housing. The units must equate to 1% of the total proposed gross floor area of the development, and each unit dedicated must be at least 50sqm in area. For example, if 1% of the total proposed gross floor area is 40sqm, then 50sqm or more must be dedicated.

In addition, the scheme sets out the following:

- Social and affordable housing developed exclusively for the purposes of affordable housing and residential care facilities are all exempt from the scheme. Whilst this proposal incorporates some affordable housing and residential care facilities it is not being developed exclusively for affordable housing or residential care facilities.
- In addition, Clause 6.17 in the WLEP 2012 outlines the clause does not apply to development 'for the purposes of affordable housing'.
- Sites that have previously received uplift through the planning proposal process and have also provided a contribution in line with Council's AHCS will not be subject to the prescribed levy of 1% of the total GFA at DA stage.

In considering the scheme and the above considerations:

- The residential gross floor area dedicated to affordable housing as independent living units will be excluded from the application of Clause 6.17.
- The residential care facility component (and other ancillary uses) of the proposed development is excluded from the application of the scheme, but the remaining independent living units are not, as the development is not being developed exclusively for the purposes of affordable housing.
- The site, whilst previously having received uplift through the planning proposal, did not provide a monetary contribution or dedication of affordable housing to Council in line with Council's AHCS. Therefore it is subject to the prescribed levy of 1% of the total gross floor area at DA stage.

As such, a calculation is provided as follows, in terms of the application of Clause 6.17.

- Total residential GFA (as independent living units) = 29,132 sqm.
- Total residential GFA affordable housing being provided across the site (as independent living units) = 1,358.80 sqm.
- 29,132 sqm (all residential GFA) – 1358.8 sqm (residential GFA dedicated to affordable housing) = 27,773.2 sqm subject to Clause 6.17.
- 1% of 27,773.2 sqm is 277.73 sqm.

#### Monetary contribution

The proposal is in the Waverley suburb, so the \$22,500 /sqm rate from Council's website is applicable. The monetary contribution payable is therefore 277.73 sqm x \$22,500= **\$6,248,925**, should the applicant seek to apply pay a monetary contribution.

### In-kind contribution

If the applicant chooses to dedicate any units within the development site, each unit must be at least 50 sqm in size (or greater) and clearly marked on the architectural plans as a unit dedicated to Council for affordable housing in accordance with Clause 6.17. If the applicant chooses to dedicate any units the total minimum overall dedication should amount to 277.73sqm.

## **7. WASTE MANAGEMENT**

Waverley Council provides waste collection services to all residential accommodation within the local government area. This includes boarding houses, co-living houses, serviced apartments, retirement villages and independent living. All residential uses incur a domestic waste charge.

The applicant proposes for the development to be serviced by private waste contractors. This is not supported by Council's waste management team. Regardless, the development should be designed in accordance with Waverley Council's waste management requirements to ensure Council can collect waste from the site in the future should the commercial collection of waste cease.

The following waste management issues with the proposal are identified:

Criteria	Comments	Compliance with Waverley's DCP
<b>Residential Waste</b>		
Waste storage areas	<p>Each building has a dedicated storage area for waste bins. The calculations were based on the footprint of the bins and did not include a minimum 20mm for movement between the bins. However, the WMP states that the storage area provided at each building is larger than the minimum requirement. The final waste storage areas built must meet the specifications under 'areas provided per building' totalling 283m<sup>2</sup> of waste storage area.</p> <p>Neither the architectural plans nor the WMP shows dedicated storage space for commercial waste that is separate from the residential waste. This does not meet the Controls of the WDCP 2022 section E7, namely control d that states that <i>"residential waste and recycling are to be clearly separated from RAC, hospital and commercial waste and recycling"</i>.</p> <p>All waste storage areas must be well-lit and ventilated; be equipped with hot and cold water, be graded; and have drainage to sewerage that is approved by Sydney Water.</p>	Not compliant with DCP Control for the Edina Estate (E7 – control d) that states that residential waste should be separate from commercial waste
Bulky waste storage	2m <sup>2</sup> bulky waste storage space proposed within each waste storage room. No dedicated space for bulky waste. It is recommended that an enclosure is built within the waste storage room to store bulky waste.	Not compliant

	2m <sup>2</sup> is insufficient space allocated to each building. Council generally recommends a minimum 4m <sup>2</sup> storage for bulky waste for 6 units (WDCP 2022).	
Bin carting path (from storage to presentation point)		Further information is required to demonstrate the following: <i>Bin carting route from waste storage area to collection point must be safe and convenient, free of steps or steep gradients. Consider bin moving devices if carting paths exceed 30 metres.</i>
Waste collection method	<p>Waste and recycling to be collected twice weekly onsite by private waste contractor. Whilst waste and recycling collection <u>must occur</u> on-site, Council opposes the use of private waste companies to carry out waste and recycling collection for the ILUs.</p> <p>The proposal is for waste from buildings D, E, F and G to be collected by private contractors using Small Rigid Vehicles (SRVs); the proposal also refers to private waste contractors collecting waste from ILUs in building C which has a loading dock within the basement (accessed via Bronte Road) that can accommodate 12.5m Heavy Rigid Vehicles.</p> <p>It is noted that Independent Living is deemed as residential by Waverley Council, with waste being collected by Council and/or its contractors. Domestic Waste Management Charges/ or Waste Availability Charges apply to all residential-rated properties in the Waverley Local Government Area, with annual fees payable by the property owners. The annual fees pay for waste collection and disposal, as well as allied services, such as recycling and problem wastes collections and drop-off opportunities.</p> <p>It is also noted that the WMP refers to Council collection for bulky waste – Council offers residential properties (including ILUs) an all-encompassing collection service for multiple</p>	Not compliant

	waste streams. It is not possible for commercial properties to have access to free of charge bulky waste collection. Such service is funded by the domestic waste management charge payable by all residential properties.	
<b>Commercial Waste</b>		
Waste storage area (bins and other waste)	Waste storage area for commercial waste not shown on plans.  Commercial waste must be stored separately from the residential waste.	Further information required
Bin carting path (from storage to presentation point)		Further information required to demonstrate the following: <i>Bin carting route from waste storage area to collection point must be safe and convenient, free of steps or steep gradients. Consider bin moving devices if carting paths exceed 30 metres.</i>

## 8. URBAN ECOLOGY

### a. Provision of native vegetation

As the development is within a habitat corridor as identified in the WDCP the Landscape Plan should meet the WDCP 2022 control at B3.3.2.

- *A minimum of 50% of the proposed trees, 50% of the proposed shrubs and 50% of the proposed grasses and groundcovers (not including turfed areas) are to be native plants that are listed in Annexure B3-1. Cultivars or hybrids of listed plant species are not to be counted towards this requirement. Landscape plans must include a planting schedule that lists all plant species proposed, the number of plants of each species proposed, and indicate whether each plant species proposed is listed in Annexure B3-1.*

The submitted Landscape Plan does not appear to meet this WDCP 2022 condition for all three strata (groundcover, shrub and tree), although the way it is presented in the planting schedule makes it difficult to assess. The number of native plants could be significantly increased across the planting schedule which would result in a better outcome, noting that

many aspects of the Plan will result in a clear habitat and urban ecology improvement in a number of locations.

The Landscape Plan should be updated and re-submitted with a planting schedule that aligns with the requirements of the WDCP 2022 and specifically identifies plants that are in WDCP 2022 annexure B3-1.

Similarly, the planting schedule in the Landscape Plan does not align with the planting species proposed in E7 of the WDCP 2022 – Edina Estate which outlines a number of preferred species (both native and non-native).

This could be rectified, for example replacing *leptospermum petersonii* with *Leptospermum laeigatum* and/or *Leptospermum squarrosum*

There are 25 *angophoroa costata* and some, but not all, could be replaced with *Eucalyptus haemastoma*. *Banksia integrifolia* is a suitable plant but susceptible to sudden die off in recent times. It would be beneficial to plant additional different banksia species such as *banksia spinulosa* and the other *banksias* specified in E7 of the WDCP2022.

The Landscape Plan could be significantly improved if a broader range of plant species including trees are included. This would have the benefit of increasing the flowering period that occurs which has aesthetic benefits through the year but also habitat benefits. It also supports succession planting as different species have different growth rates.

The proposed *Phoenix canariensis* (Phoenix Palms) are not supported due to their potentially invasive nature, ability to displace native species, safety hazards and potential threat to local fauna, particularly the Grey-headed flying-fox (*Pteropus poliocephalus*), a vulnerable species under state and federal laws. This concern is heightened by the proximity of the Centennial Park flying-fox camp, located approximately two kilometres away. The spines at the base of the leaves can cause injury to flying-foxes fragile wing membranes. The sharp leaf spikes can also cause serious injuries and infections to humans. Alternative species, such as *Livistona australis* (Cabbage Palm) and *Archontophoenix cunninghamiana* (Bangalow Palm) should be considered.

There should also be consideration of succession planting in the memorial lawn on the northern side.

#### **b. Provision of native vegetation**

The site is situated in a habitat corridor that broadly connection between Waverley Park to the north east and Queens Park/Centennial Parklands to the south west.

WDCP 2022 section E7.6 includes the following control:

*(f) In addition to the Habitat Corridor through the site, habitat species are to be planted along the periphery of the site, in the setbacks from the street frontage. This habitat is also to be clearly marked on the Landscape Plan.*

This does not appear to have been maximised in the submitted Landscape Plan with some species proposed on the northern side of the development and very little on the southern side.

Changes to built form and tree removal as proposed in this development will particularly impact the south west part of the site. The location of building A has a significant impact due to associated tree removal, although that building position is unlikely to change.

There is very little space between buildings B & C and the cottages at the corner of Bronte Rd and Church St. In this location an increase in deep soil (potentially) and planting/landscaping could occur to support the movement of fauna from the site through to Queen Park via Waverley Public School and the escarpment running adjacent. Similarly, the Church St entrance has the potential to have entrance planting and also the addition of planting on either side of the entrance including closer to the hospital where there is an excessive amount of impermeable footprint that could be better utilised.

### ***c. Lighting***

A number of areas which have vegetation suited to animal habitat also have potential lighting issues contrary to WDCP 2022 section E7.6 control (k). Lighting should be in accordance with the National Light Pollution Guidelines for Wildlife and it does not appear that this is a consideration in this proposal. The current War Memorial has comparatively low-level overnight lighting levels and this may be a contributing factor for the site commonly seen as having quite a lot of fauna.

### ***d. Water sensitive urban design (WSUD)***

The proposal outlines in the landscape package proposals to incorporate WSUD into public areas to address and improve water management and water flow over site through water rills, rain gardens and swales. These details are not clearly outlined in the stormwater plan. Further details are required to ensure their inclusion maximised WSUD outcomes as these are not included in the engineering plan which focuses on stormwater treatments such as stormwater pits, OSD, rainwater capture and filtration. As much infiltration in the deep soil areas through the proposed WSUD should be designed for to ensure compliance with WDCP 2022 section E7.7.3.

## **9. SUSTAINABLE BUILDINGS**

The following advice is provided regarding sustainable buildings.

- All requirements of the BASIX Certificate should be shown on the DA plans and documentation, and should include the following:
  - BASIX specification block including hot water system, HVAC, lighting, pool/spa commitments.
- Recommendations for improvement to the existing design for energy efficiency include:
  - Motion sensors in switch, garbage and plant room (currently not selected in BASIX)
  - LED lighting with motion sensors to include step-dimming controls
  - Provision of a BMS in each building to effectively manage the building's HVAC.
  - Ceiling fans are provided in all bedrooms and living areas.
- Comments regarding proposed geothermal:
  - Concerns are raised regarding the selection of geothermal for water heating and space heating, due to challenges with maintenance access and associated costs. Additionally, the climate zone of Sydney is not well suited for geothermal heating (where the air temperature is warmer than underground temperature).
  - An air-sourced electric heat pump (as selected in the BASIX Certificate) will provide adequate hot water and heating with easier maintenance access and lower maintenance costs.

- Other comments
  - Two sets of plans are provided. One with the NATHERS certificate and one without. There should be only one set of architectural plans and this should have the NATHERS certificate and BASIX commitments and this should be used for the approval, if granted.

#### **10. STORMWATER MANAGEMENT, PUBLIC DOMAIN WORKS AND TREE MANAGEMENT**

Detailed conditions of consent regarding stormwater management, public domain works and tree management can be provided by Council officers should be application be recommended for approval. Implementation of these conditions is essential to ensure the effective management of the public domain and associated assets.