818 Pacific Highway, Gordon NSW 2072
Locked Bag 1006 Gordon NSW 2072
T 02 9424 0000 F 02 9424 0001
DX 8703 Gordon TTY 133 677
E krg@krg.nsw.gov.au
W www.krg.nsw.gov.au
ABN 86 408 856 411

Ku·ring·gai Council

Contact: Luke Donovan

Ref:
SSD-48028209

24 June 2024

Department of Planning Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Via: NSW Major Projects portal

Attention: Stephen Dobbs

Dear Sir,

RE: SUBMISSION TO SSD-48028209, OPAL ST IVES BOTANICA CARE COMMUNITY
Address: 285, 287, 287A, 289 Mona Vale Road and 1 Flinders Avenue, St Ives

Thank you for the opportunity to comment on State Significant Development (SSD) application (SSD-48028209) for the proposed new seniors housing development comprising a Residential Care Facility (RCF) at 285, 287, 287A, 289 Mona Vale Road and 1 Flinders Avenue, St Ives.

This submission should be considered as an objection to the proposal. The submission (**Attachment 1**) gives a detailed explanation of the reasons for Council's objection.

Council's key issues with the proposal include the lack of clause 4.6 requests for minimum frontage width to Flinders Avenue and building height, inadequate building setbacks, amenity impacts to an adjoining property, lack of solar amenity to internal courtyards, design of entries, building massing to side boundaries, stormwater management and deep soil landscaping.

It is requested that the Applicant's Response to Submissions (RtS) is forwarded to Council for review prior to a determination being made. Council will be able to provide recommended conditions of consent following review of the RtS, unless there are substantial unresolved issues.

Subject to satisfactory resolution of the issues raised in this submission, Council may withdraw its objection to the proposal.

Should you have any further enquiries, please contact Luke Donovan, Executive Assessment Officer on 02 9424 0920.

Yours sincerely,

Michael Miocic
Director Development and Regulation

ATTACHMENT 1

Ku-ring-gai Council's objection to SSD- 48028209, Opal St Ives Botanica Care Community at 285, 287, 287A, 289 Mona Vale Road and 1 Flinders Avenue, St Ives

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1. PLANNING

(a) Frontage to Flinders Avenue

The proposed development is for the purposes of senior housing and involves the erection of a building. The development standards in Part 5, Division 3, s84 of SEPP (Housing) 2021 therefore apply to the assessment of the application.

Subsection (2)(b) in s84 of SEPP (Housing) 2021 states the following:

> *(2) Development consent must not be granted for development to which this section applies unless—*
> *(b) the frontage of the site area of the development is at least 20m measured at the building line"*

The site area of the development has frontages to both Mona Vale Road and Flinders Avenue. The frontage to Flinders Avenue is angled. The survey plan submitted with the application indicates that the total length of the frontage is 19.5m. The proposed building line is not parallel to the Flinders Avenue frontage. The frontage of the site area, when measured from the proposed building line that fronts Flinders Avenue is approximately 17.7m and less than the required 20m.

A written request pursuant to clause 4.6 in the Standard Instrument is required seeking a variation to the minimum street frontage development standard *(s84(2)(b) of SEPP (Housing) 2021)*.

(b) Building height

The Standard Instrument states that "building height" is *"the vertical distance from ground level (existing) to the highest point of the building"*. Ground level (existing) means *"the existing level of a site at any point."*. The site is zoned R2 Low Density Residential and residential flat buildings are not permitted, therefore the maximum building height (excluding servicing equipment for plant) is 9.5m *(s84(2)(c)(i) of SEPP (Housing) 2021)*.

The subject site contains existing swimming pools which are proposed to be demolished including one at the rear of the dwelling house at 287 Mona Vale Road. The ground level (existing) in the location of the swimming pools should be measured from the bottom of the swimming pool as this is the existing level of the site at this point. The component of the development notated "FOH & Home" 3 storey wing (notated on site plan – western side of courtyard 01) will breach the maximum 9.5m height of building development standard when measured from the existing ground level below the existing swimming pool at rear of the dwelling house at 287 Mona Vale Road. This is confirmed by Section E-E.

A written request pursuant to clause 4.6 in the Standard Instrument is required seeking a variation to the 9.5m building height development standard *(s84 (2)(c)(i) of SEPP (Housing) 2021)*.

(c) Neighbourhood amenity

Section 97 of SEPP (Housing) 2021 requires that a consent authority be satisfied that the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for senior housing set out in Schedule 8.

Aspects of Design Principle1 'neighbourhood amenity and streetscape' and Design Principle 3 'solar access and design for climate' in Schedule 8 of SEPP (Housing) 2021 are not achieved by the proposed

development, specifically the following –

1. Neighbourhood amenity and streetscape

Seniors housing should be designed as follows—

(a) to maintain reasonable neighbourhood amenity and appropriate residential character by—
(b) providing building setbacks to reduce bulk and overshadowing,

2. Solar access and design for climate

The design of seniors housing should—

(a) for development involving the erection of a new building—provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, (underline emphasis added)

The development has failed to give due consideration to the design and orientation of existing developments on adjoining properties and the location of their living areas and private open spaces. Townhouses 1, 2, 3 and 4 at 283 Mona Vale Road, have north facing courtyards that face the subject site. These courtyards will be adversely affected by overshadowing of their private open space. The impact is caused by the scale of the proposed development at two and three storeys and the minimal 3m side setback. This is contrary to Design Principles 1 and 3 in Schedule 8 of SEPP (Housing) 2021.

The shadow diagrams submitted with the application indicate a percentage of the adjoining site that is overshadowed by the existing and proposed development at different times of the year. The percentage of an adjoining site that is overshadowed is not considered an appropriate measure of impact, particularly in circumstances where the impact is to the private open spaces of a number of the townhouses. The design should be amended to reduce overshadowing impacts to preserve a greater proportion of daylight to the adjoining private open spaces.

(d) Building setback to Mona Vale Road and Flinders Avenue

(i) Mona Vale Road setback

The average building setback to Mona Vale Road of 15.12m across the length of the building's frontage is acknowledged. However, the minimum setback of 5.9m (north-western corner) is insufficient and not consistent with the established front building setback of developments fronting Mona Vale Road, as evidenced in ***Figure 1*** below. This significantly reduced front setback in the north-western corner of the site, limits opportunities for landscaping including tree plantings and does not assist in softening the three storeys scale of the development.

The north-western corner of the building must be further setback including a redesign of the vehicular and pedestrian entries to create opportunities for additional deep soil landscaping consistent with the character of the streetscape.

(ii) Flinders Avenue setback/setback to southern boundary

The 6-8m setback to Flinders Avenue and the 3m setback to the southern boundary is insufficient and not consistent with other low density residential dwelling houses that front this cul-de-sac, as evidenced in ***Figure 1*** below. These other dwelling houses are generally well setback from the front boundary within an established landscape front garden. The fact that this part of the subject site is irregular shaped and located on the high side of Flinders Avenue demands the need for a greater setback to this frontage of the site and the southern boundary (east of fire stair 8).

The building setback of the ground level of Home A and Level 1 of Home C that fronts Flinders Avenue and the southern boundary (east of fire stair 8) should be increased to enable additional landscaping including canopy trees to be consistent with the landscape character of this part of Flinders Avenue (see ***Figure 2*** below).

Figure 1 *– Aerial photography of subject site and surrounding development along both Mona Vale Road and Flinders Avenue. The red is the outline of the subject site (Source: Geocortex Viewer)*

Figure 2 *– Looking north-west from Flinders Avenue towards the subject site and adjoining properties (site photo taken 31/05/2024)*

2. URBAN DESIGN

(a) Site analysis – urban response

Arrangement of massing – Boundary interface conditions

a) Interface sensitivities with the R2 zone and site specific conditions of the lower density development around the site require further consideration in the design response.

b) The inherent scale differential between low density R2 housing and residential aged care facility (RAC) building typologies in combination with FSR bonuses within a limited permitted height is challenging for R2 zones. However, this reinforces the imperative for all neighbouring boundary interfaces to be sensitively considered.

   The proposed arrangement of massing into defined components/fingers along the eastern boundary neighbouring properties in Flinders Avenue is generally well resolved. However, this is not achieved around the north, south and south-western perimeter boundaries, where proposed massing becomes monolithic. In combination with uniform 3-metre setbacks, there is little to no relief of the building form for neighbouring properties.

   The lack of opportunity for deep soil screening and canopy landscape and the lack of similar building modulation as is achieved along the eastern side has not adequately responded to the interface conditions for neighbouring residents' amenity, achieving Ku-ring-gai's landscaped urban character, or adequately addressing the visual dominance of massing experienced by neighbouring properties.

   The modulation required to retain Tree 80 is positive, however, all site boundary interfaces need to introduce similar increased setbacks. This should be considered with accommodating a northerly facing courtyard.

c) The interface along the shared boundary with 283 Mona Vale Road requires further consideration of the impacts to private open spaces, living rooms and outlook amenity of the existing townhouse dwellings. Views-from-the-sun solar access and overshadowing modelling is required to demonstrate solar performance and impacts to the neighbouring properties noting shading from fences is to be excluded. It appears the proposed massing and setbacks result in significant amenity impacts to those dwellings and private open spaces. The walled character of the subject development rounding that corner boundary requires further consideration.

Courtyard arrangements

The proposed arrangement results in three of four courtyards opening to an easterly aspect and one courtyard enclosed on all sides. All have building mass along their long northern sides with building separations that results in self-shadowing for nearly the entirety of all external courtyard spaces during colder months. No courtyards propose an unobstructed northern aspect and landscaped outlook. Increasing building separations and/or an alternative site arrangement for an unobstructed north-facing courtyard is required.

It is reasonable for all residents to expect that at least 50% of ground level courtyards provide more than 2-hours of direct solar amenity across a large area so they and their visitors have opportunities to enjoy options for sunny ground level access to connect with nature, landscape and high-quality outlook at different times of the day.

Outdoor communal open spaces above ground level

Proposed above-ground terraces are supported, however, are insufficient to offset the poor ground level solar amenity across the site during colder months.

Policy considerations:
SEPP (Housing) 2021 – Schedule 8 - Design Principle 1
Seniors Housing Design Guide – Part 2 Guidance Chapters

4.1 Urban identity
4.2 Typology & scale
4.3 Setbacks
4.4 Height
4.5 Storeys

4.6 Social infrastructure
4.7 Local character

(b) Neighbourhood amenity and streetscape

Ku-ring-gai's urban character of deep soil landscape

a) Boundary setbacks of 3 metres are generally uniform around the site and are not achieving the deep soil landscape and canopy expected of all development in Ku-ring-gai. Accommodating wide pedestrian egress paths around northern, north-eastern, southern boundaries limits landscape options. This results in minimal opportunities for meaningful larger scale planting expected and needed along all boundary interfaces in this R2 zone.

b) Setback areas need to provide variety in screen plantings and canopy scales for visually interesting urban character and mitigate the scale differential between the residential aged care (RAC) typology and R2 housing types in Ku-ring-gai.

c) Areas of increased setbacks, such as proposed along the eastern boundary adequately transition between the proposed development. This is due to the combination of appropriate massing interspersed with courtyards and the varying increased setbacks.

Arrangement of massing

a) Massing at the interface around the south-western corner boundaries of the neighbouring site 283 Mona Vale Road (neighbouring site's northern and eastern boundaries) is largely walled in character. Wall height is approximately 7.5 metres (varying) within a minimal 3-metre setback to the boundary, the perception of excessive bulk is thus exacerbated by the building typology, in combination with minimal opportunity for effective screen planting within the setback due to the egress path and level changes being accommodated.

While the 3rd storey of Home J is set back from the subject site's southern boundary by approximately 10 metres, the setback space itself is dominated by hardstand comprising the driveway at 8-8.5 metres, retaining walls and egress path, the building mass of the ground and first floor levels of the main entry, plus walls accommodating the corridor, lobby and lift shafts for Homes A, B, C, D and E. This creates an oppressive interface and impacts on outlook amenity for the neighbouring property independent living units and provides little opportunity for Ku-ring-gai's urban landscape character.

Policy considerations:
NSW Urban Greening policy
SEPP (Housing) 2021 – Schedule 8 - Design Principle 1
Seniors Housing Design Guide – Part 3 Density and related design principles
12.3.5 Break down massing into smaller elements to respond to local scale & streetscape pattern & surrounding built character.

(c) Entrances

Mona Vale Road – entry character

a) The main site entry prioritises car movements into/out of the site. The proposed pedestrian entry location and configuration is therefore not easily identifiable along Mona Vale Road.

b) The entry location at the far north-eastern corner of the site is constrained spatially and is not visible in the street on arrival from the south where staff and visitors may reasonably be expected to park in Killeaton Street to walk the short distance to the subject site. This will result in staff and visitors needing to walk across the full site frontage to the north-western corner or intuitively will be using the driveway as their visual desire-line.

c) There is little to differentiate the egress path character at the south-western corner of the site from the

main pedestrian entry at the north-west corner. The loss of clarity as a main entry is further exacerbated by the northern egress path along the northern boundary and clear line of sight from the main pedestrian entry point extending along the length of the northern boundary. The minimal 3msetback along the boundary provides limited landscape opportunity. By useful comparison, the nearby Residential Aged Care facility at 103 Killeaton Street (Thompson Aged Care) provides a 6-metre setback from its northern boundary to achieve the required egress and adequate deep soil canopy plantings that can achieve Ku-ring-gai's expected landscape character.

Street entry relationship to main building entry and foyer

a) The pedestrian entry location and internal planning arrangement results in an indirect and secondary relationship from the pedestrian entry to the main building entry, which is located adjacent to the southern driveway.

b) The north-western corner entry point is diagonally opposite to the main pedestrian entry foyer of the building. This requires travelling across the front of the building which appears secondary to the vehicle entry and presents as more of an egress in character.

Reconsideration of the pedestrian entry or entries in the street and connection to the building entry would benefit the streetscape, building presence and pedestrian amenity.

Entry sequence from the main building entry/reception to Homes A and C

The south eastern wing is far removed from the main entrance requiring multiple corridor turns, level changes and travelling a walking distance of approximately 110m. This appears excessive for a facility of this size.

Policy considerations:
SEPP (Housing) 2021 – Schedule 8 - Design Principle 6
Seniors Housing Design Guide – Part 3 Density and related design principles

12.4.4 Clearly identify arrival points for visitors & deliveries
12.4.5 Street entries & driveway(s) to be in safe & appropriate locations
12.4.6 Provide clearly identifiable entry
12.4.7 Separate service driveway & back-of-house access from public & resident paths.
12.4.8 Provide safe & identifiable pedestrian access to the building.
12.4.9 Identify arrival point where visitors entry and exit
12.4.10 Entry to be visible from the street for easy wayfinding

(d) Solar Access and design for climate

Communal open space courtyards

No courtyards propose an unobstructed northerly aspect nor provide solar access amenity in winter – a small component close to the eastern boundary in the early morning provides inadequate amenity. Offerings of alternative sunny spaces are not demonstrated for each ground floor residential home.

Providing sunny ground-level courtyards during colder months should be a priority for all courtyard spaces.

Communal open space in setback areas

The Mona Vale Road, northern, north-eastern, southern and western setback areas are common landscape spaces but should be excluded from useable communal open space amenity and space calculations.

The walking paths are egress paths rather than walking paths. There are no clear lines of sight from internal common spaces or direct functional relationship to/from communal spaces, which would need to be demonstrated if contributing to useable open space amenity.

The front setback area (Mona Vale Road) is fully landscaped, has poor acoustic amenity and has no relationship to the homes within the development.

The proposed Mona Vale Road setback area appears to generally provide adequate space to achieve reasonable streetscape landscaping noting the impacts due to the substation requirements and additional hardstand for the porte cochere.

Self-shadowing

Internal courtyards are self-shadowed due to a combination of inadequate building separation with the proposed massing across their northern sides, which together prevents northern sun from reaching the ground and into some ground floor internal communal spaces.

Outlook

Home A proposes subterranean rooms in the south-western corner. These offer poor daylight and outlook amenity, which is further exacerbated by their southern aspect.

All setback zones need to provide landscaping of a scale that provides residents with high-quality outlooks.

Urban response to Climate

The site arrangement into proposed wings or 'fingers' results in many rooms with a favourable northern aspect, but also results in approximately 50% of the proposed rooms having a southern aspect, receiving no solar amenity throughout the year. Direct external solar access amenity that is directly associated with each home at each level must be accommodated so all residents (particularly those whose rooms have a full aspect to south) are offered equitable and adequate solar amenity. This may require reconsideration of the site layout to increase the number of resident rooms receiving solar access, still maximizing a northern aspect through considered design.

Performance glazing

Further confirmation is required to ensure grey and darker tinted glazing is not used for achieving building performance and thermal comfort. Grey and dark tinted glazing creates poor outlook amenity and prevents beneficial solar warmth in colder months.

Policy considerations:
SEPP (Housing) 2021 – Schedule 8 - Design Principle 3
Seniors Housing Design Guide – Part 3 Density and related design principles

12.8.1 Design buildings that suit the climate zone
12.8.2 Design for: thermal comfort; humidity; air-movement; shading; daylight; solar access
12.8.3 Building envelope to optimise thermal protective quality; maximise efficient energy use for heating & cooling
12.8.4 Maximise natural daylight to reduce electric lighting
12.8.5 Site analysis & building orientation – design to maximise cross breezes & solar access/protection
12.8.6 Avoid dark roof colours; insulate roofs
12.8.7 Design for natural cross ventilation; provide ceiling fans & shading allows for winter sun & summer protection
12.8.8 Appropriate glazing to insulate glazed areas & maximise for daylight access.

3. LANDSCAPING

(a) Landscaped area

By the applicant's calculations the development will result in a landscape area of 4013sqm / 30sqm per resident, exceeding the minimum 15sqm/2175sqm by 1838sqm. No landscape area calculation/compliance plan was submitted confirming compliance with this non-discretionary standard in SEPP (Housing) 2021 (s107 (2)(e)). It is requested the Applicant provide a compliance plan highlighting

the areas included within the calculations consistent with the SEPP definition, to enable assessment of compliance.

(b) Deep soil zone

By the applicant's calculations the development will result in a deep soil zone of 1531sqm or 16.4% (Ground Floor 1086sqm, L01 445sqm) exceeding the minimum 15% requirement by 135sqm. Some of the areas within the applicant's deep soil calculable area should not be included, the discrepancies include:

- The proposed shade/pergola structures x 3 (considered structures above ground level).
- Awning overhangs (considered structures above ground)

The cumulative areas of these structures in conjunction with adjacent dimensions less than 6.0m is likely to exceed the available 135sqm exceedance, as calculated by the Applicant and therefore the proposal is inconsistent with the minimum numeric requirements for deep soil zones in s107(2)(f) in SEPP (Housing) 2021. To enable compliance with the minimum deep soil zone, the shade structures should be deleted.

(c) Tree removal and retention

Proposed tree removal across the site is extensive (100 trees), with the wholesale removal of trees and vegetation across the development site. Most trees to be removed are less than 8m in height, and while providing on-site amenity, do not have broader landscape significance. The most significant/prominent trees on site or associated with the site (being located adjacent to site boundaries within neighbouring properties) are proposed to be retained, primarily trees: No.41 Cedrus deodar (Himalayan Cedar) located adjacent to the Mona Vale Road site frontage, No.70 Metasequoia glyptostroboides (Dawn redwood) located centrally on site, and trees A, B, C, D, E, F, H and K located adjacent to site boundaries within neighbouring properties.

Trees N, O and P are street trees within the Mona Vale Road nature strip. The trees have been heavily lopped for overhead wires and because of their proximity to the outside lane, which has compromised their structural form. It is recommended trees N, O and P be removed.

Trees I and J are street trees located within the Flinders Avenue nature strip. Tree I Platanus orientalis (Plane Tree) only has branching on one side and is an uncharacteristic species, which can have very large dimensions at maturity and unsuitable to the location. Tree J Nyssa sylvatica (Tupelo) is a large tree species with a distinctive pyramidal form, the tree has been lopped due to overhead wires and its location is unsuitable due to ongoing conflict and pruning outcomes. It is recommended trees I and J be removed and replaced with a single tree planting suited to the location.

(d) Tree impacts

Proposed development is located within the tree protection zones of numerous retained trees, including trees: 5-7, 19, 41, 48, 64, 65, 70, 80, 110, A-I and K, which has the potential to adversely impact their ongoing health and viability. A detailed arboricultural impact assessment report is submitted. The Arborists assessment is concurred with, and recommendations made can be conditioned. Development encroachment is generally within acceptable thresholds of retained trees.

Tree 41 Cedrus deodar (Himalayan Cedar) located within the site frontage to Mona Vale Road. The tree is visually prominent due to its stature and visibility within the site frontage. The proposed fire hydrants and associated pipes are located within the tree protection zone and will have an adverse impact due to the likely excavation and root severance. As no other trees are to be retained within the site frontage, there is design opportunity to relocate the fire hydrants so that they are located outside of the tree's protection zone to avoid impact in this regard.

Tree K Liquidambar styraciflua (Sweet Gum) located within 3 Flinders Avenue adjacent to the southern site boundary. The consulting Arborist has assessed that Tree K – Liquidambar styraciflua (Sweet Gum) is required to be pruned. As stated by the applicant's arborist:

'Pruning is required to provide access for a 10m piling rig for construction of the boundary wall.

From Level 2, the buildings step back away from the trees and there will be minimal crown extension over the roofs of the buildings.

Tree K has been subject to a number of live branch failures in the lower crown. Anecdotally, Liquidambar has relatively weak woody tissues that may increase the susceptibility of the species to storm damage. In addition, where larger branches fail, it is not uncommon to see additional branch failures due to altered wind loading on the tree's crown. Although the pruning specified in this AIA could be undertaken without significantly impacting the amenity value of the tree, the altered wind loading resulting from a combination of pruning and the construction of new buildings within the vicinity of the tree may increase the likelihood for further branch failures. Based on the above, consideration should be given to the removal of Tree K and replacement with an advanced size new tree of a more appropriate species. Tree removal would require both the tree owners and Council consent.

Concurrence is given to the Arborist assessment. The recommended pruning is significant and will alter the trees structural form and potentially impacting its viability (as detailed by the consulting arborist). To avoid tree impact due to canopy pruning, it is recommended the building setback from Tree K be increased to enable its retention without pruning of second order branching. Owner's consent to the proposed pruning is likely to be required.

(e) Landscape setback

Mona Vale Road landscape setback - The proposed setback from Mona Vale Road at the north-western site corner at approximately 6m in conjunction with a pedestrian entry path and driveway entry does not provide a viable soft landscape area sufficient for the provision of amenity plantings and tree planting to soften the built form. It is also inconsistent with the established streetscape/landscape character that has building setbacks greater than that proposed. It is recommended the building setback from Mona Vale Road be increased to enable the provision of deep soil landscape area for the planting of trees and vegetation.

Flinders Avenue landscape setback - The proposed development setback of 6.4m in part is inconsistent with the established single residential dwelling frontage setback within Flinders Avenue. The single residential streetscape is dominated by deeply landscaped site frontages dominated by mature gardens surrounding lawn areas and mature trees. The building setback to Flinders Avenue needs to be increased to enable the planting and growth of larger canopy trees.

(f) Landscape design outcomes

The landscape design raises the following concerns:

- The north-west site corner fronting Mona Vale Road with a reduced building setback, which includes the driveway and primary pedestrian access significantly limits the ability for this part of the site to provide meaningful landscape outcomes for amenity and tree replenishment planting, which is uncharacteristic of the established landscape character. It should be further setback from Mona Vale Road to enable the provision of additional unconstrained deep soil landscape area for the provision of tree and amenity plantings to screen and soften the development proposal when viewed from the public domain.
- The planting of 2 x Eucalyptus paniculata (Grey Ironbark) and 1 x Angophora costata (Sydney Red Gum) within the Flinders Avenue frontage with a minimal setback is impractical as there is insufficient area for the future growth and establishment of such large tree species without ongoing conflict with the building and overcrowding. The area is only sufficient for one taller tree planting if it is in proximity to the site frontage, which is insufficient for a development of this size in an R2 Low Density Residential zone area. For example, Angophora costata (Sydney Red Gum) has mature dimensions 15m+ high x 12-15m + canopy spread at maturity.
- It is recommended trees I and J within the Flinders Avenue nature strip and trees N, O, and P within the Mona Vale Road nature strip in front of the site be removed.
- Only one exotic tree species is proposed. To complement and enhance the established urban landscape character it is requested that a minimum of 50% of tree varieties be exotic species. Selected species shall include both deciduous and evergreen species.

- To complement and enhance the established and desired landscape character it is requested that a minimum 50% of the shrub layer be exotic species.
- To provide clarity of landscape design outcomes a detailed planting plan is requested.

4. STRATEGIC PLANNING

The proposal should be amended to consider the following key strategic aspects -

(a) The proposal is inconsistent with the objective of the R2 Low density zone – '*To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai*' . It does not support the Ku-ring-gai character of buildings within a garden setting including tall canopy trees:

- Building setbacks to boundaries should be increased to enable the long term protection of existing canopy trees along the boundaries as well as increase opportunities for the planting of small to medium trees on the site to maintain the environmental character of this low density residential area.

(b) The proposal does not appear to adequately consider the amenity of its residents, especially high-quality outdoor areas:

- The communal courtyards are minimalistic (in their dimensions) and do not provide sufficient outdoor areas for the large number of residents. Their quality, size and ability to contain substantial canopy trees has not been given sufficient consideration.
- Similarly, the garden areas along the boundaries are minimal and again only serve the building windows. There is no consideration of the external landscaped areas, their hierarchy, their planting and their usability for a variety of outdoor recreational spaces for the residents' welfare.
- It is unclear where the residents will be moved to in an emergency evacuation of the building, there are no large outdoor safe areas, nor for the multiple ambulances that would be required for any evacuation.

(c) The proposal has failed to give due consideration to the amenity to the neighbouring developments:

- The 3m building setbacks to the majority of side boundaries are insufficient to reduce the visual impact of the development and enable long term retention of existing and proposed landscaping including trees.

<u>The following recommendations are made</u> –

a) the number of rooms be reduced to better balance the amenity for the on-site residents and for the neighbouring developments
b) the communal courtyards be enlarged and enable the planting of tall canopy trees
c) increase all minimum side setbacks to greater than 3m and include substantial landscaped garden areas including tall canopy trees
d) roof top landscaped gardens be provided for residents to enjoy the outdoors and sunshine, and enable workers and visitors to equally be able to have outdoor space without overcrowding
e) locate basement parking only under the building footprint to enable substantial deep soil areas of minimum 6m x 6m
f) remove all built form encroachment into existing tree TPZ and retain more of the existing central area mature trees within the proposed courtyard areas
g) clarify where residents will be safely moved to on site during an emergency evacuation and how multiple ambulances will be accommodated on site.

5. STORMWATER MANAGEMENT

The following issues are identified in respect of stormwater management –

a) The site is burdened by existing easements which may need to be extinguished as part of this development. Clarification is sought as to the existing easements rights and whether the terms of the beneficiaries that connect into the easement is required to be modified.
b) A water balance model is required to evaluate the size of the rainwater tank to capture all roof runoffs. This should be accompanied by supporting hydraulic calculations.
c) No clarification has been provided as to the purpose of the proposed rainwater tank given that a retention component would also be required.
d) The basement pump-out pit within the basement has not been shown. It would need to be designed to capture the driveway area and basement perimeter subsoil drainage. The pump-out tank volume should be of a sufficient size to cope with a 100 year 2 hour storm. The rising main is required to be discharged to the OSD system.

Council provides the following recommendation in respect of stormwater management –

a) All roof areas should be directed to the rainwater tank and into the detention tank prior to discharging to Council's public drainage system.

6. DEVELOPMENT CONTRIBUTIONS

Clarification is required on the capacity of the residents to access the proposed infrastructure. The accommodation is referred to as high-care but it is not clarified if the entire facility is purpose-built high-care and/or dementia.

The applicant needs to provide more information on the design, management model and proposed residents. The given percentage of 75% (for the reduction of the contributions levied) seems arbitrary. Council cannot agree with an arbitrary figure, this requires much more robust reasons to justify the request for Council's consideration.