

PLANNING PROPOSAL

51-53 ROHINI ST, TURRAMURRA (ANGLICARE)

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the private Planning Proposal for 51-53 Rohini Street, Turramurra (Anglicare Village).

BACKGROUND:

The Planning Proposal was formally submitted to Council for assessment on 26 September 2023. Following two adequacy checks, the proposal was updated by Anglicare and re-submitted with fees.

The Planning Proposal seeks amendment to the *Ku-ring-gai Local Environmental Plan 2015* to enable the following:

- increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1 (the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);
- increase the maximum Height of Building from 11.5m to 17.5m (the Housing SEPP bonus provisions will result in a final Height of 21.3m);
- include certain Local Provisions that allow the inclusion of a Café and a Wellness Centre with an indoor pool.

The key objective of the Planning Proposal is to facilitate the site’s redevelopment as it no longer meets design standards for seniors housing, nor is it in line with current customer expectations.

The Planning Proposal was referred to the Ku-ring-gai Local Planning Panel on 22 July 2024 for advice.

COMMENTS:

The Planning Proposal is generally supported; however, a number of amendments are required to ensure its consistency with State and Local Environmental Planning Instruments, and to make the proposal transparent to the community on the outcomes it will deliver.

RECOMMENDATION:
(Refer to the full Recommendation at the end of this report)

That Council supports the Planning Proposal being submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination subject to the amendments stated in this Report and in the Table of Assessment at **Attachment A1**.

PURPOSE OF REPORT

For Council to consider the private Planning Proposal for 51-53 Rohini Street, Turramurra (Anglicare Village).

BACKGROUND

On 26 September 2023 Council received a Planning Proposal for land at 51–53 Rohini Street, Turramurra, known as the Anglicare Village (housing for seniors).

The site is owned by the Anglican Community Services and contains 110 existing senior's independent living units, generally in a 2-3 storey unit and townhouse style development.

The proposal states that the existing facility has been in operation since the late 1960s and requires complete renewal as it no longer meets accessibility or design standards, nor is it in line with customer expectations and current market demand for larger sized units.

Adequacy checks on submitted documents

The Planning Proposal was formally submitted to Council for assessment on 26 September 2023. Two adequacy checks were conducted to ensure the proposal complied with the Department of Planning and Environment's *LEP Making Guideline August 2023*, Council's Meeting Notes from the two pre-lodgement meetings held with the proponent and to ensure the proposal provided sufficient justification to commence its assessment.

The adequacy checks were sent to the proponent on 10 October 2023 and 28 February 2024.

Updated versions of the Planning Proposal, responding to the issues raised, were submitted by the proponent on 12 December 2023 and again on 2 May 2024.

A number of the issues raised in the adequacy checks remain outstanding and are now listed as part of the required amendments to enable the Planning Proposal to progress to Gateway Determination. These include:

Mapping

- Amendment of the KLEP Maps, not the Written Instrument, is required to deliver the proposed Height and FSR standards.
- The proposed approach is highly irregular and not consistent with LEP Practice note *PN 08-001 - Height and floor space ratio*. Where an LEP contains Clause 4.3 – Height of buildings and/or Clause 4.4 – Floor space ratio, then heights and FSRs are to be specified on the Height of Buildings Map and Floor Space Ratio Map respectively.

Shadow diagrams

- To enable the general public to understand the shadow diagrams, enlarge the provided single colour small thumbnails of the shadow diagrams so they are clearly seen and understood, remove the multiple colours on the provided larger diagrams as the multiple

colours make it difficult to understand the diagrams and appear deceptive with lighter colours being used for the most impactful shadow extents.

- There is no hierarchy in shadow. People cannot differentiate between the shadow from an 11.5m height and shadow from a 21.3m height building. Shadow is homogenous. Use one colour to clearly show the extent and outline of the proposal's shadow for the total built form. These diagrams need to be easily understood by the general public.

Planning Agreement

- The Letter of Offer is to be a stand-alone document. The attached draft Planning Agreement is to be removed. A draft Planning Agreement cannot be created prior to Council agreeing to enter into the Planning Agreement based on the Letter of Offer.
- The items listed for consideration within the Letter of Offer must clearly explain the public benefit proposed and not include items for the sole benefit of the development site.

Assessment Timeframes

Formal assessment of the Planning Proposal commenced on 31 May 2024. To meet the timeframes stated in the *LEP Making Guideline*, this matter must be reported to Council for determination by 29 August 2024; with the next available meeting being the OMC 13 August 2024. Failure to meet this timeframe will enable the proponent to submit a Rezoning Review with the Department of Planning, Housing and Industry (DPHI).

The Site

The land, subject of this Planning Proposal (the Site), is located at 51-53 Rohini Street, Turramurra at the end of a cul-de-sac. It is strategically located close to transport links, shops, services and local facilities including parks, library and gymnasiums.



LOCATION MAP (PLUS Architecture)

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The site is triangular/irregular in shape and adjoins the North Shore train line. The land is generally flat with a fall of 4-7m across the site. The land is elevated and slopes down towards the surrounding lands to the north, east and south.

Turramurra train station, bus interchange and local shops are located within walking distance, 100-200m, south-east of the Site along Rohini Street. Trains and buses connect to other key local centres such as Gordon, Lindfield, Chatswood and Hornsby. The Pacific Highway provides vehicular access to the M1 freeway to the north, Ryde Road connecting to the M2 and M4 freeways linking the western suburbs, and Mona Vale Road connecting to the Northern Beaches.

The Site comprises three lots with a total area of 9,193sqm:

- Lot 2 DP 302942
- Lot 21 DP 533032
- Lot 26 DP 585038

Lot 2 DP 302942 and Lot 21 DP 533032 are not burdened nor benefited by any easements. Lot 26 DP 585038 is burdened by a right of way along the south-east boundary (45m length and 3m width), and contains a separate Lot 25 DP 585038 owned by Ausgrid (containing a sub-station). The Planning Proposal does not seek to discharge any of the existing easements; however, the *Urban Design Report* mentions this may occur at a later date.

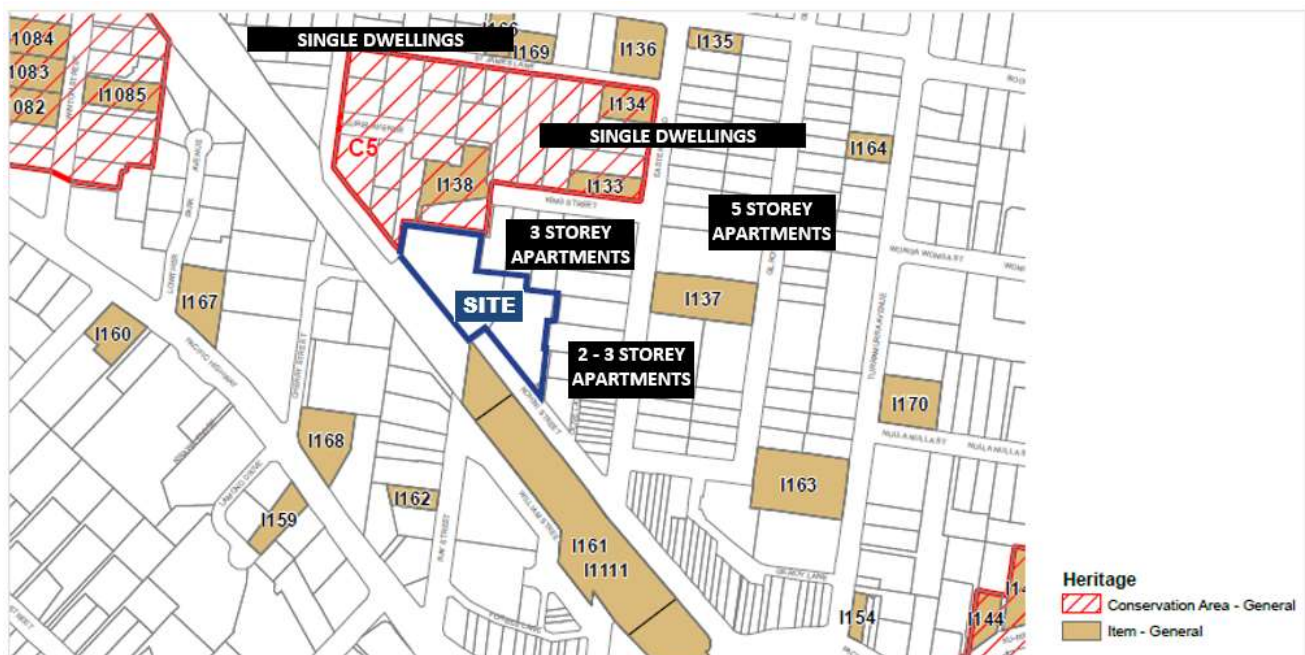


SITE DETAILS – land ownership and use

The Site has a 100 m frontage to Rohini Street and a 100 m frontage to the Turramurra Station railway corridor. A public dog-leg pathway on Council owned land abuts the north-western end of the Site and connects Cherry Street to King Street. A separate pedestrian pathway on the adjacent

Transport for NSW (TfNSW) Railway lands (zoned SP2 Infrastructure) abuts the south-western boundary of the Site, connecting Cherry Street to the Rohini Street cul-de-sac.

The site is surrounded by residential development except along the railway corridor. Adjacent development ranges from one to three storey houses and apartment buildings. Heritage Conservation Area C5 (Laurel Avenue/King Street Conservation Area) is located to the Site's north and mainly comprises single dwellings.



ADJACENT TO THE SITE: 1-3 storey residential development on neighbouring land and HCA C5 to the north

The Planning Proposal

This Report presents the assessment of the Planning Proposal with full details provided in the *Table of Assessment* at **Attachment A1**.

A copy of the proponent's Planning Proposal and its Appendices are included at **Attachments A2-A14** and comprise the following:

- Planning Proposal Anglicare "Rohini Village" 51-53 Rohini Street, Turramurra
 - Appendix A - Urban Design Report and Site Photo Panel
 - Appendix B - Title Documents & Surveys
 - Appendix C - Arboricultural Impact Assessment Report
 - Appendix D - Heritage Impact Statement
 - Appendix E - Traffic & Transport Assessment
 - Appendix F - Utility and Infrastructure Plans
 - Appendix G - Biodiversity Advice
 - Appendix H - Landscape Concept & Drawing Schedule
 - Appendix I - Feasibility Analysis
 - Appendix J - Letter of Offer and Draft Planning Agreement - Rohini Village
 - Appendix K - Rohini Village Study

- Appendix L - Pre-Consultation Minutes and Responses

Planning Standards

In general, the Planning Proposal seeks to make the following amendments to the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015):

1. increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1 (the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);
2. increase the maximum Height of Building from 11.5m to 17.5m/5 storey (the Housing SEPP bonus provisions will result in a final Height of 21.3m/6 storey);
3. include certain Local Provisions that allow the inclusion of a café (Commercial use) and a wellness centre with an indoor pool (Recreational Facility (Indoor) use).

Concept Design Standards

The Planning Proposal is supported by an *Urban Design Report* prepared by Plus Architecture. This presents a concept design for the site.

The purpose of the *Urban Design Report* concept design is to demonstrate that a scheme which represents the proposed maximum Height, FSR and Additional Uses can readily be accommodated on the site, and can comply with applicable controls and requirements without resulting in any unreasonable environmental impacts.

The key development standards achieved in the concept design are indicated in the below Table:

PROPOSED STANDARDS		
Site Area	<ul style="list-style-type: none"> 9,193 m² 	EXISTING STANDARDS
Height	<ul style="list-style-type: none"> 6 storey including the SEPP bonus 	3 storey
FSR	<ul style="list-style-type: none"> 1.725:1 including the SEPP bonus 	0.85:1
Units	<ul style="list-style-type: none"> 110 Independent Living Units 66 x 2 bedroom units 44 x 3 bedroom units 	110 Independent Living Units 82 x 1 bedroom units 24 x 2 bedroom units 2 x 3 bedroom units
Other facilities	<ul style="list-style-type: none"> 700sqm Internal Communal Space (including 100sqm café) Chapel, pool, clinic, salon, library, café, multi-purpose space, communal rooftop and ground level gardens. Communal open space 25% site area 	Lounge areas, library, clinic, salon, dining area, communal gardens, communal laundry
Car parking	<ul style="list-style-type: none"> 2-3 level basement parking Total parking spaces – 199 Residential parking – 171 Emergency parking – 1 Visitor parking – 18 Staff parking – 8 Car share space – 1 Note – these standards are compliant with the SEPP (Housing) 2021 requirements 	42 spaces
Gross Floor Area	<ul style="list-style-type: none"> Total: 15,850 sqm 	
Solar access	<ul style="list-style-type: none"> 77/110 units achieve 2 hour solar access – 70% 22/110 units receive less than 2 hour solar access 11/110 receive no solar access Note – these standards are compliant with the SEPP (Housing) 2021 requirements 	

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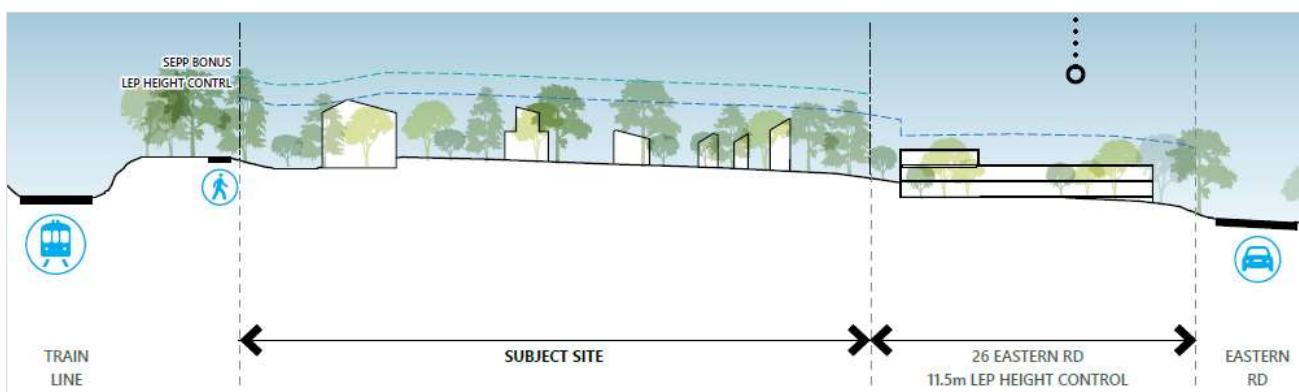
Natural ventilation	<ul style="list-style-type: none"> 86/110 units have natural ventilation – 78% 24/110 units do not have natural ventilation <p>Note – these standards are compliant with the SEPP (Housing) 2021 requirements</p>
<p>Note: The proponent states the concept design achieves the minimum standards of the SEPP (Housing) 2021 and AS1428.1 Design for access and mobility.</p>	

The proposed concept plan retains the same number of independent living units (110), replacing the existing 2-3 storey mainly townhouse style buildings with 6 storey apartment buildings.

The proposal augments the internal community facilities by including a new café and wellness centre with swimming pool which are proposed to be opened to the general public. A clearer through-site link will replace the existing informal access from Rohini Street to King Street and is also proposed to be made open to the wider public via a Planning Agreement between Council and the landowner.



PLANS - EXISTING AND PROPOSED DEVELOPMENT (PLUS Architecture)





SECTIONS - EXISTING AND PROPOSED DEVELOPMENT (PLUS Architecture)

Public Benefit

The Planning Proposal is accompanied by a draft Letter of Offer which seeks to negotiate the delivery of some items claiming public benefit. Whilst the Letter of Offer is unclear and includes items not relevant to the Letter but rather relevant in a subsequent agreement between parties, the following five items are noted as part of the offer:

- Public access across the site from Rohini Street to King Street via an 88m pathway labelled Rohini Walk.
- Upgrades to the turning circle at the end of Rohini Street directly adjacent to the Site.
- Upgrade to part of the footpath to the north-western side of Rohini Street (165m length).
- Upgrade to one section of Council's dog-leg footpath connecting Cherry Street to King Street, the section from the end of the Site to King Street only.
- Creation of a pocket park on the Site adjacent to Rohini Street, comprising a strip of land 25m length x 7m wide.

The Letter of Offer is discussed in detail, including required amendments, at **Attachment A1** to this Report. A summary of the issues are presented in the below Table:

Amendments to the Offer	Reason
<p>Column 1 of the Works Table within the Letter are the key items indicating to Council what the subject of the Planning Agreement negotiations will be.</p> <p>The following item is to be removed from the Letter of Offer as it conflicts with Council's policy on provision of parks. The plans may still be included in the Proponent's landscape plans for their front set-back area if they wish.</p> <p><i>"Creation of new pocket park (25m x 7m) with seating, adjacent to Rohini Street."</i></p> <p>The following item should be extended to include the entirety of Council's public dog-leg footpath abutting the Site, not just one third of that footpath. The negotiation process can determine what constitutes upgrade of the pathway.</p> <p><i>"Upgrade the King Street pedestrian pathway from the 'shared driveway' to the northern end of Rohini Street"</i></p> <p>The following items should be considered carefully given the complexities of upgrading road verges with crossovers into multiple residential properties and underground services and associated liabilities.</p> <p><i>"Upgrade of Rohini Street footpath for the length of 165m, as shown in the Landscape Planning Proposal Concept dated 6 September 2023."</i></p> <p><i>"Upgrade northern end of Rohini Street adjacent to the Site with new turning head."</i></p>	<p>Request must not conflict with Council's policies and equitable consideration of provision of public facilities.</p>

Progression of the Planning Proposal should not be construed as concurrence with the proposed works outlined in the Letter of Offer nor any future Draft Planning Agreement.

COMMENTS

Ku-ring-gai Planning Panel (KLPP)

The Planning Proposal for 51-53 Rohini Street, Turramurra (Anglicare Village) has been referred to the KLPP for advice as required by the Local Planning Panels Direction – Planning Proposals issued by the Minister for Planning under Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The KLPP considered the Planning Proposal on 22 July 2022 and advised the following:

- A. *The Panel advises Council that, following amendments to the Planning Proposal as outlined in the Report and the Table of Assessment at Attachment A1, the Planning Proposal be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.*

That Council authorise the General Manager to correct any minor anomalies of a non-policy and administrative nature that might arise during the plan making process.

The Ku-ring-gai Local Planning Panel recommends deletion of:

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1(b) Floor Space Ratio Map with maximum FSR 1.3:1 contingent on further detailed information from the proponent as per page number 157 of the Assessment Report. The Panel supports the proponent's FSR of 1.5:1.

B. Date of decision: 22 July 2024

C. Reasons for the recommendation:

- 1. The Planning Proposal is consistent with the present R4 high density residential zoning of the site.*
- 2. The Panel supports the findings in the assessment report and endorses the recommendation in that report, subject to the deletion of 1(b) as per page number 157 of the Assessment Report.*
- 3. The Panel concurs with the proponent's preferred FSR of 1.5:1.*
- 4. The site is strategically located close to transport, shops, services and local facilities.*
- 5. The Planning Proposal demonstrates strategic and site specific merit, including being generally consistent with a number of planning objectives, including the Greater Sydney Region Plan, the North District Plan, the Council's Local Strategic Planning Statement, the Council's Community Strategic Plan, the State Environmental Planning Policies and Ministerial directions.*
- 6. The proposal demonstrates a better urban design outcome than the existing development on the site.*

The proponent provided some additional information in response to the KLPP report prepared by Council officers. Further information was also received from Council's Landscape and Ecology Officers. The information and the KLPP's advice have been incorporated into the final recommendations presented in this Report and in the Table of Assessment at **Attachment A1**.

Overview

The aim of the Planning Proposal to increase height and FSR and enable additional uses on the site to allow for the renewal of the Seniors Housing on the site is supported; however, to make the Planning Proposal acceptable for progression to Gateway Determination, a number of revisions are required as stated in this Report and detailed at **Attachment A1**.

The Planning Proposal has been assessed against the provisions of the Department of Planning, Housing and Infrastructure's 'Local Environmental Plan Making Guideline' (August 2023) and section 3.33 of the *Environmental Planning and Assessment Act 1979*.

A Planning Proposal must demonstrate that the proposed amendments to a Local Environmental Plan have strategic and site specific merit. A detailed evidence-based assessment of the Planning Proposal and its supporting studies has been conducted. In summary it has been concluded that the Planning Proposal demonstrates sufficient evidence that the proposal has strategic and site-specific merit subject to recommended amendments. Accordingly, the Planning Proposal is supported in this instance.

The following is a summary assessment of the key planning issues and relevant merits associated with the Planning Proposal.

Strategic Merit

Regional Plan

The Planning Proposal states it is consistent with a number of objectives of the *Greater Sydney Region Plan – A Metropolis of Three Cities*, including:

- Objective 4 – Infrastructure use is optimised
- Objective 6 – Services and Infrastructure Meet Communities’ Changing Needs
- Objective 7 – Communities are healthy, resilient and socially connected
- Objective 10 – Greater housing supply
- Objective 11 – Housing supply is more diverse and affordable
- Objective 13 – Environmental heritage is identified, conserved and enhanced
- Objective 14 – Integrated land use and transport creates walkable and 30 minute cities
- Objective 22 – Investment and business activity in centres
- Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced.
- Objective 30 – Urban Tree Canopy Cover is Increased
- Objective 32 – The Green Grid Links Parks, Open Spaces, Bushland and Walking and Cycling Paths

Whilst the Planning Proposal indicates alignment, additional information is required to fully justify the Planning Proposal against some of these Objectives. The required additional information is noted at **Attachment A1**.

A Metropolis of Three Cities outlines that liveability incorporates access to housing, transport and employment as well as social, recreational, cultural and creative opportunities. Improved health, public transport and accessibility outcomes are achieved through the provision of schools, recreation, transport, arts and cultural, community and health facilities in walkable, mixed-use places co-located with social infrastructure and local services.

Mixed-use neighbourhoods close to centres and public transport improve the opportunity for people to walk and cycle to local shops and services. Enhancing the safety, convenience and accessibility has many benefits, including healthier people, more successful businesses and centres. The proposal is therefore consistent with these principles.

North District Plan

The North District Plan, made in March 2018, highlights that the North District will continue to grow over the next 20 years with demand for an additional 92,000 dwellings. The five-year target (to 2021) for Ku-ring-gai is to provide an additional 4,000 dwellings.

Additional housing is to be provided in locations which are linked to local infrastructure. The focus of growth is therefore on strategic centres and areas close to transport corridors. Whilst the subject site is not within a strategic centre it is in an area close to transport corridors including the Pacific Highway and the North Shore Railway Line.

The Planning Proposal states it is consistent with the following planning priorities of the *North District Plan*:

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- Planning Priority N1 – Planning for a city supported by infrastructure
- Planning Priority N2 – Working through collaboration
- Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs
- Planning Priority N4 – Fostering healthy, creative, culturally rich and socially connected communities
- Planning Priority N5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport
- Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's heritage
- Planning Priority N7 – Growing a stronger and more competitive harbour CBD
- Planning Priority N8 – Eastern Economic Corridor is better connected and more competitive
- Planning Priority N9 – Growing and investing in health and education precinct
- Planning Priority N10 – Growing investment, business opportunities and jobs in strategic centres
- Planning Priority N11 – Retaining and managing industrial and urban services land
- Planning Priority N12 – Delivering integrated land use and transport planning and a 30-minute city
- Planning Priority N16 – Protecting and enhancing bushland and biodiversity
- Planning Priority N17 – Protecting and enhancing cultural landscapes
- Planning Priority N19 – Increasing urban tree canopy cover and delivering green grid connections
- Planning Priority N20 – Delivering high quality open space

Whilst the Planning Proposal indicates alignment, additional information is required to fully justify the Planning Proposal against some of these Priorities. The required additional information is noted at **Attachment A1**.

The Planning Proposal will allow for the rebuild and upgrade of the existing 110 independent living units on the site, including new commercial facilities (café and indoor swimming pool) proposed to be open to the general public on a well-located site close to the Turramurra Local Centre, public transport and major road routes.

The co-location of residential dwellings, social infrastructure and local services in centres provides for a more efficient use of land and enhances the viability of the centres and public transport. The proposal is therefore in accordance with the North District Plan which is to focus housing density in areas close to public transport as well as within the concept of a 30-minute city.

The Government recently (mid 2024) committed to building 377,000 new homes across the State in the next 5 years to align with the *National Housing Accord*. As part of this, it announced new housing targets by LGA. The housing target identified by the State Government for Ku-ring-gai is 7,600 dwellings to be completed by 2029. The Planning Proposal is considered to be consistent with this target as it will maintain the existing 110 dwellings in close proximity to existing infrastructure and services.

Local Strategic Planning Statement

Council adopted its Local Strategic Planning Statement (LSPS) on 17 March 2020. The LSPS draws together the priorities and actions for future land use planning from Council's existing land use plans and policies and presents an overall land use vision for Ku-ring-gai.

The Planning Proposal states it is consistent with relevant planning priorities of the *LSPS* including:

- K1 Providing well planned and sustainable infrastructure to support growth and change
- K2 Collaborating with State Government Agencies and the community to deliver infrastructure projects
- K3 Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community
- K4 Providing a range of diverse housing to accommodate the changing structure of families and households and enable ageing in place
- K5 Providing affordable housing that retains and strengthens the local residential and business community
- K6 Revitalising and growing a network of centres that offer unique character and lifestyle for local residents
- K7 Facilitating mixed-use developments within centres that achieve design excellence
- K10. Promoting Turramurra as a family focused urban village
- K12 Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character
- K13. Identifying and conserving Ku-ring-gai's environmental heritage
- K14. Providing a range of cultural, community and leisure facilities to foster a healthy, creative, culturally rich and socially connected Ku-ring-gai.
- K17 Providing a broad range of open spaces, sporting and leisure facilities to meet the community's diverse and changing needs
- K18. Ensuring recreational activities in natural areas are conducted within ecological limits and in harmony with no net impact on endangered ecological communities and endangered species or their habitats.
- K21 Prioritising new development and housing in locations that enable 30 minute access to key strategic centres
- K23 Providing safe and convenient walking and cycling networks within Ku-ring-gai
- K25 Providing for the retail and commercial needs of the local community within Ku-ring-gai's centres
- K26 Fostering a strong local economy that provided future employment opportunities for both residents and workers within key industries
- K27 Ensuring the provision of sufficient open space to meet the need of a growing and changing community
- K29. Enhancing the biodiversity values and ecosystem function services of Ku-ring-gai's natural assets
- K30. Improving the quality and diversity of Ku-ring-gai's urban forest
- K31 Increasing, managing and protecting Ku-ring-gai's urban tree canopy
- K32 Protecting and improving Green Grid connections
- K33. Providing a network of walking and cycling links for leisure and recreation
- K39. Reducing the vulnerability, and increasing resilience, to the impacts of climate change on Council, the community and the natural and built environment

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- K40 Increasing urban tree canopy and water in the landscape to mitigate the urban heat island effect and create greener, cooler places

Whilst the Planning Proposal indicates alignment, additional information is required to fully justify the Planning Proposal against some of these Priorities. The required additional information is noted at **Attachment A1**.

Having regard to the above, it is considered that the Planning Proposal is generally consistent with the LSPS as it provides for the redevelopment of a site proximate to the Turramurra centre at a scale that is consistent with the locality.

Local Housing Strategy

The revised *Ku-ring-gai Housing Strategy to 2036* was adopted by Council in December 2020. The purpose of the Strategy is to identify how Council intends to respond to the Greater Sydney Region Plan and District Plan and how it plans to deliver on housing targets.

The Housing Strategy identifies that the District Plan sets a target of 4,000 new dwelling in Ku-ring-gai for the 5 year period from 2016 to 2021 (Note: as outlined above this target has recently been updated to 7,600 new dwellings by 2029). It notes that more than half of the required housing supply quota has been met, with the remaining amount fully deliverable through current development approvals and existing capacity within the *Ku-ring-gai Local Environmental Plan 2015*.

The Housing Strategy states that “this means that the 0 - 5 year housing supply target of 4,000 dwellings is achievable under Council’s existing planning policies and no amendment to the Ku-ring-gai Local Environmental Plan is necessary”. It goes on to state:

The Greater Sydney Commission ‘Letter of Support’ issued March 2020 for the Ku-ring-gai LSPS outlined that the Housing Strategy is to show how Ku-ring-gai can meet an indicative draft range of 3,000 – 3,600 dwellings for the 6-10 year housing target. Correspondence from the Minister of Planning dated 8 September 2020 states ‘Ultimately, Council is responsible for deciding the number of dwellings in its local housing supply target’ and ‘the target discussed with the Greater Sydney Commission is not a legal requirement upon Council by the Government.’

Ultimately the Housing Strategy proposes to achieve an increase in dwellings within the LGA to meet demand, as required by the Greater Sydney Region Plan and North District Plan, through existing residual capacity supplemented by seniors housing and alternative dwellings where permissible. Council has not identified land for development uplift and does not consider this necessary to meet the District Plan dwelling target obligations.

The subject Planning Proposal seeks to amend the planning controls applying to the subject site to prevent the further loss in the existing 110 on-site dwellings. The numbers on the site have declined over the past years due to amalgamation of vacant one-bedroom units into larger units to meet the demand for multiple bedroom accommodation allowing family to visit the residents. The prevention of loss of dwelling count on the site is consistent with the Housing Strategy.

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Whilst the Planning Proposal indicates alignment, additional information is required to fully justify Priority H2 – *Encourage diversity and choice of housing*. The required additional information is noted at **Attachment A1**.

Community Strategic Plan – Our Ku-ring-gai 2032 (28-6-2022)

The Planning Proposal is consistent with the *Ku-ring-gai Community Strategic Plan* which is the long-term strategic plan for the future of the Ku-ring-gai Local Government Area. It reflects the vision and aspirations of the Ku-ring-gai community through long-term objectives that address environmental, social, economic and civic leadership issues.

State Environmental Planning Policies (SEPPs) and Ministerial Directions

Whilst the Planning Proposal is generally consistent with the State Environmental Planning Policies (SEPPs) applicable to the site, additional information and amendments are required to clarify and ensure alignment with the following:

- SEPP (Biodiversity and Conservation) 2021
- SEPP (Housing) 2021 – Seniors Housing
- SEPP (Housing) 2021 -Design Quality of Residential Flat Development & Apartment Design Guide (ADG)

The required additional information is noted at **Attachment A1**.

Other studies

The Planning Proposal has demonstrated consistency with the following additional studies:

- *Ku-ring-gai Public Domain Plan (March 2022)* including *Turramurra Public Domain Plan*
- *Ageing Well in NSW: Seniors Strategy 2021–2031 (2020)*

Strategic Merit Assessment Summary

In accordance with the Department of Planning, Housing and Infrastructure's '*Local Environmental Plan Making Guideline*', a Planning Proposal is deemed to have strategic merit if it:

- *Gives effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or*
- *Demonstrates consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or*
- *Responds to a change in circumstances that has not been recognised by the existing planning framework.*

As outlined above it is considered that the Planning Proposal is consistent with the objectives, priorities and strategies of both the Greater Sydney Region Plan and the North District Plan. Further, the Planning Proposal is consistent with the broad intent for Turramurra outlined in the

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LSPS and consistent with the Council's adopted Housing Strategy. The site and its dwellings are well located with good access to infrastructure and services.

Accordingly, it is considered that the Planning Proposal demonstrates strategic merit.

Site Specific Merit

The key objective stated in the Planning Proposal is to facilitate the site's redevelopment as it no longer meets design standards for seniors housing, nor is it in line with current customer expectations. As such the Planning Proposal seeks a significant uplift in standards as follows:

- increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1 (the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);
- increase the maximum Height of Building from 11.5m to 17.5m (the Housing SEPP bonus provisions will result in a final Height of 21.3m).

It also seeks to include certain additional permitted uses to enable the operation of a Café and a Wellness Centre with an indoor pool.

To demonstrate that the proposed Height and FSR is appropriate, having regard to the site's specific opportunities and constraints, an Urban Design Report with a concept plan has been submitted with the Planning Proposal. The concept plan intends to demonstrate site specific merit. Other specialist Attachments to the Planning Proposal also provide discussion and evidence of merit in the Planning Proposal. The Planning Proposal and its Attachments may be viewed at **Attachments A2- A14**.

In general, the Planning Proposal, its concept plan and the other specialist reports demonstrate site specific merit; however, a number of clarifications and amendments are sought prior to any progression of the Planning Proposal.

The required amendments to the Planning Proposal and its Attachments are described in this Report and within the Table of Assessment at **Attachment A1**.


Some of the key considerations requiring further detail and amendment include:

A. MECHANISM TO DELIVER THE NEW BUILDING HEIGHT AND FSR

As indicated in the below table taken from the Planning Proposal, the Planning Proposal seeks to make the amendment to the Building Height, FSR and Additional Permitted Uses only through the KLEP Written Instrument with an Additional Permitted Uses Map:

Table 2: Proposed KLEP Amendments (EXCERPT FROM PLANNING PROPOSAL)

Amendment to the KLEP2015 Schedule 1 - Additional Permitted Uses and Map to denote 51-53 Rohini Street as Area “#” and insert new clause that states the following;
<p>(1) This clause applies to land described as 51-53 Rohini Street, Turrumurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as “Area #” on the <u>Additional Permitted Uses Map</u>.</p> <p>(2) Development for the purposes of the following is permitted with development consent.</p> <p>(a) Independent Living Units and</p> <p>(b) Ancillary resident facilities, recreational facility (indoor) and commercial premises with a maximum gross floor area of 700m².</p>
Proposed Additional Permitted Uses Map



Additional Permitted Uses

Amend KLEP2015 Part 6 Additional Local Provisions and insert the following;

6.14 Rohini Village

- (1) The objective of this clause is to facilitate the renewal of the existing seniors housing development and to provide ancillary community facilities which may be used by the wider community.
- (2) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as “Area #” on the Additional Permitted Uses Map.
- (3) Development for the purpose of Independent Living Units and ancillary community and commercial uses as described in Schedule 1 (“XX”) may have –
 - (a) a maximum Floor Space Ratio of 1.5:1, and
 - (b) a maximum building height of 17.5 m

The above proposed KLEP amendment would not require changes to the Building Height or Floor Space Ratio KLEP 2015 Maps. All other planning controls applying to the Site will remain unchanged.

There are a number of issues associated with this approach as described below:

a. Independent Living Units

The proposal lists “Independent Living Units” as an additional use. This must be removed as it duplicates a use permitted by the *SEPP (Housing) 2021* in the R4 zone. LEP practice note, *PN 11-002 - Preparing LEPs using the Standard Instrument: standard zones* states that

“where the permissibility of certain land uses is provided for under a relevant SEPP..., there is no need to include these types of development in Standard Instrument LEPs”.

b. Additional Uses

The words “Ancillary resident facilities” is not a defined use in the Standard Instrument definitions and therefore must be removed. The relevant definitions to enable the required additional uses are as follows:

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

➤ **Recommendation:**

The wording requesting the additional uses should be corrected to the below recommendation.

KLEP 2015 Schedule 1 Additional permitted uses*Use of certain land at 51-53 Rohini Street, Turrumurra*

- *This clause applies to land at 51-53 Rohini Street, Turrumurra, being Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038.*
- *Development for the following purposes is permitted with development consent.*
 - *recreation facility (indoor)*
 - *commercial premises*
- *Development consent must not be granted under this clause to development that results in the gross floor area of the combined recreation facility (indoor) and commercial premises exceeding 700m².*

c. Additional Permitted Uses map

The Planning Proposal does not require an Additional Permitted Uses map. The description of the Site Lot and DP are sufficient to legally identify the land, and a list of additional uses is sufficient to attach those uses to the site. A map is only useful for complex sites where further issues are required to be addressed in additional clauses within the KLEP.

➤ **Recommendation:**
Remove the Additional Permitted Uses map

d. Additional Local Provisions

The Planning Proposal seeks to make amendment to the FSR and Height on the site via *KLEP Part 6 Additional Local Provisions*.

This approach is highly irregular and not consistent with LEP Practice note *PN 08-001 - Height and floor space ratio*. Where an LEP contains Clause 4.3 – Height of buildings and/or Clause 4.4 – Floor space ratio, then heights and FSRs are to be specified on the Height of Buildings Map and Floor Space Ratio Map respectively. Clause 4.4 does allow for a table to be used in conjunction with a map so that separate FSRs may be set out depending on the mix of land uses.

The effect of the proposed local provision stipulated in the Planning Proposal would be to allow only development for the purpose of Independent Living Units, and ancillary community and commercial uses to achieve the proposed maximum FSR of 1.5:1 and maximum Height of buildings of 17.5m. All other permitted uses on the site would be restricted to the existing FSR of L: 0.85:1 and Height of building of K:11.5m thus removing future flexibility of the land use.

There is no justification in the Planning Proposal for the proposed variation of the development standards to differentiate between the use of the site for independent living units plus ancillary community/commercial uses, and all other potential uses on the site.

It would be assumed that the potential bulk, scale and environmental impact of a seniors housing development would be similar to that of an alternate use such as a residential flat building. Therefore, if it is deemed that the site has the capacity to accommodate the proposed FSR and Height for a seniors housing use, then those standards should apply to all permissible uses on the site.

➤ **Recommendation:**

The proposed amendment to the Height and FSR must be shown on the following KLEP maps:

1. Height of Building Map
2. Floor Space Ratio Map

All references to their inclusion within “Part 6 Additional Local Provisions” are to be removed from the Planning Proposal and all its Attachments.

B. BUILDING HEIGHT AND FSR – RESULTANT DEVELOPMENT OUTCOMES

The Planning Proposal seeks to make the following amendments to the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) mapped standards:

1. increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1
(the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);
2. increase the maximum Height of Building from 11.5m to 17.5m/5 storey
(the Housing SEPP bonus provisions will result in a final Height of 21.3m/6 storey);

The Planning Proposal claims the increased standards will achieve the required compliance with the below policy and guidance:

- SEPP (Housing) 2021
- Seniors Housing Design Guide 2023
- Apartment Design Guide (ADG)

However, some of the claims are questioned and further justifications, amendments, clarifications and considerations must be addressed prior to the proposal being progressed towards any Gateway Determination, and they are to demonstrate both the said compliance and the integration of the development outcomes on a Site located within Ku-ring-gai with its unique high quality environment and housing provision.

Key to the majority of the required amendments and considerations stated in **Attachment A1** is whether the proposed significant increase in FSR will enable development on the site to be reflective of residential flat buildings within the Ku-ring-gai locality.

FSR Considerations

The proposed FSR of 1.5:1, which will be increased to 1.725:1 with the SEPP (Housing) bonus, is inconsistent with the FSR that is generally applied to R4 (High Density Residential) development in Ku-ring-gai - which has an FSR of 1.3:1 associated with the 17.5m Height.

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Similar sites zoned R4 (High Density Residential) in this locality applying the FSR of 1.3:1 and Height of 17.5m standards have delivered buildings which demonstrate cohesion with the Ku-ring-gai character of buildings within high quality landscaped settings including tall canopy trees. The standards have been calculated to ensure achievement of appropriate on and off site amenity, including managing overlooking and over shadowing impacts to neighbouring properties.

The Planning Proposal does not clearly justify the increased 1.5:1 FSR in the following areas:

- achievement of the clear (without paths) 6m dimensioned deep soil as required by the ADG, and the associated delivery of tall canopy trees not identified for delivery;
- whether the landscaped areas that are dissected into small portions by multiple paths and hardstands have the ability to provide large/ mass planting and ability to provide communal garden areas and outdoor recreation/barbeque areas for its senior residents;
- why it has delivered units with no solar access and no natural ventilation;
- why there is a single long building, rather than small footprint buildings, to the south-east boundary to ameliorate overshadowing impacts on the 2-3 storey properties to the south.

The Planning Proposal states minimum compliance with the *SEPP (Housing) 2021* requirements but does not sufficiently consider the Ku-ring-gai locality and character, the elevated position of the site exacerbating overlooking and overshadowing impacts, and importantly, the nature of its residents that will increasingly remain on the site and in their apartments as they move into age related frailty. These issues are required to be satisfied in accordance with the *Apartment Design Guide* (ADG) and the *Seniors Housing Design Guide 2023* including sections on streetscape, local and neighbourhood character and impacts.

According to the ADG the minimum unit sizes required in this proposal would equate to:

- 2 bedroom units with 2 bathrooms: 75sqm
- 3 bedroom units with 3 bathrooms: 100sqm

The proposal seeks to deliver 66 x 2 bedroom units and 44 x 3 bedroom units.

Council has calculated 2 and 3 bedroom units in the current scheme range in size from 115sqm to 145sqm which is significantly larger than standard unit sizes in a residential flat building and much larger than the minimum requirements of the ADG.

As such, Council's calculations of the amendments to the height and FSR across the total site plus the bonus provisions under the Housing SEPP identify there is potential for the scheme to yield an average of the below, noting that:

- 211 units as per the ADG, based on an average unit size of 75m²; and
- 176 units based on an average apartment size of 90m².

Whilst there is no requirement to justify the provision of larger apartments, the issue is that a future DA based on the amended standards will have the right to deliver minimum sized apartments. The consequences of increased units will then impact the traffic, parking and other on-site and neighbouring amenity considerations determined by unit numbers, and

therefore alter the basis of this assessment which considers whether the proposed standards can manage negative impacts.

This issue must be addressed in the Planning Proposal to provide certainty on the site outcomes. The unit size and numbers might be the result of the multiple requirements on the site, such as landscape and deep soil. The reasoning should be provided to avoid question during the exhibition of the proposal.

Commentary on the FSR - KLPP meeting and further information from proponent:

- The issue of the FSR was reported to the KLPP with a recommendation to reduce the Planning Proposal's 1.5:1 FSR. Key to the majority of the required amendments and considerations stated in **Attachment A1** is clarification of calculations on the drivers for the proposed increase in FSR.
- The only further information provided by the proponent is that the extra FSR will enable provision of:
 - the required 700sqm of communal facilities and café, and
 - 110 units that are compliant with seniors housing standards and that meet current market demands.
- The proposal is basically a residential development with some commercial type uses mainly to facilitate the on-site residents. This is similar to other 17.5m high residential flat buildings within Ku-ring-gai with FSR of 1.3:1, and which may also contain a gym, pool and communal rooms for their residents, no additional FSR is granted to those developments.
- The Planning Proposal is not transparent on how they have calculated the proposed FSR 1.5:1 and if they only seek to provide 110 units. While the increased FSR is supported in principle, given the location of the site close to the Turramurra Local Centre, the Planning Proposal must include the evidence/ calculations/ diagrams to support their position for the increased FSR.
- It is unclear how the comparatively minimal commercial floor area, which sits at 4% of the overall site, can drive up the requirement for the excess in FSR. As per the below Table, Council's calculations cannot verify the proponent's claims; therefore clarification from the proponent is required to be inserted into the Planning Proposal.

TOTAL GFA: 15,850sqm	
Residential GFA – 110 independent living units	Commercial GFA – communal facilities and cafe
15,150sqm	700sqm
96%	4%
Proposed communal GFA component is insignificant at approx 0.07:1 FSR. It has no major impact on overall FSR. Proposed 1.5:1 FSR (1.725:1 FSR including SEPP bonus) is driven by abnormally large apartments (avg 135sqm).	

Table – Planning Proposal Residential and Commercial Gross floor Area

- It is unclear why the proposed FSR of 1.5:1 is required to achieve the same number (110) units, with no increase to dwelling yield. Apart from saying the sizes are market driven, there is no evidence attached on this statement.

- Anglicare's recently completed seniors housing units at the Gordon Quarter show units (assumed to be compliant with all the required SEPP (Housing) and Australian Standards) are significantly smaller than those proposed at Rohini Street, with each 3 bedroom unit at Rohini Street being 25sqm larger than those at Gordon Quarter.
- Council's calculations indicate if the FSR is reduced to the standard 1.3:1 (1.495:1 including the 15% bonus) and height to 21.3m (6 storey), the size of the units reduces on average by 14sqm to 121sqm to retain the 110 unit yield. This is still a very large apartment and is representative of other Anglicare developments such as Gordon Quarter. A reduced 1.3:1 FSR and ILU's with a retained yield of 110 would still comply with the requirements of the SEPP Housing Schedule 4 and AS1428.1.

UNIT SIZES				
ADG		Planning Proposal	<u>Recent Anglicare Gordon Quarter Units (link)</u>	
2 bedroom/ 2 bathroom	75sqm	115sqm (66 units)	<i>Advertised Unit sizes (1 bathroom)</i> 101sqm	<i>Units with ADG 5sqm/additional bathroom</i> 106sqm
3 bedroom/ 3 bathroom	100sqm	145sqm (44 units)	110sqm	120sqm
		Yield: 110 units	Yield: 132 units	
<ul style="list-style-type: none">• Proposed units are larger than the recent Gordon Quarter Anglicare units (SEPP and AS 1428 compliant).• Proposed 2 bedroom/2 bathroom units each have an extra 9sqm/unit.• Proposed 3 bedroom/3 bathroom units each have an extra 25sqm/unit.				

Table – Planning Proposal Low Dwelling Yield with Oversized Units

- The key issue regarding the proposed oversized units, which appear to be driving up the FSR to the proposed 1.5:1, is that:
 - when a future Development Application (DA) is submitted for the site, the landowner does not have to adhere to the concept plan being presented here;
 - it is possible for new plans to reduce unit sizes to include a greater dwelling yield in the region of the demonstrated 132 units, 22 extra units.

The Planning Proposal states all minimal requirements under SEPP (Housing) 2021 and the Apartment Design Guide are achieved for 110 units. The concern at this stage are questions around:

- whether the extra dwelling yield of 132 units, possible on the site under the current FSR 1.5:1, will still be able to deliver the claimed compliance;
- what will be the consequence of increased units on the on-site and neighbouring amenity provisions including traffic, parking, solar access, ventilation, landscape, deep soil, overshadowing and overlooking.

No evidence is provided in the Planning Proposal nor its Appendices to verify the figures stated for the majority of the above parameters, which are all claimed to be compliant with *SEPP (Housing) 2021*, *Apartment Design Guide* and *AS1428.1 – Design for Access and Mobility*.

Notwithstanding the above, since the site is located close to the Turrumurra Local Centre and has good access to public transport and other services and facilities, there is merit in the increased FSR to 1.5:1 (1.725:1 with SEPP bonus); however, modifications to the concept plan are required to improve the strategic outcomes of the site and to be consistent with the requirements of the Regional Plan, District Plan, SEPPs, Ministerials and the age-related studies referenced in the Planning Proposal.

➤ **Recommendation following the KLPP meeting:**

The Urban Design Study is to include the following amendments to the concept plan diagrams and demonstrate that the 1.5:1 FSR and 17.5m Height can achieve compliance with the required standards of *SEPP (Housing) 2021*, *Seniors Housing Design Guide 2023*, *Apartment Design Guide*, *AS 1428.1 Design for access and mobility*:

- include the indicated 8 high care units and carer room to result in 115 yield;
- incorporate the recommended design changes provided in relation to T19, T22, T49 and T50 stated in the proposal's *Arboricultural Impact Assessment*;
- amend the single long building to the south-western boundary to smaller footprint buildings that reduce overshadowing impacts to the neighbouring properties;
- amend the building layouts to provide some solar access to all units and remove units with zero sunlight.

The amendments must be reflected in the Planning Proposal and across all Attachments.

C. *PROVISION OF HOUSING CHOICE AND AGEING IN PLACE.*

The proposal comprises seeks to delive110 independent living units as:

- 66 x 2 bedroom units
- 44 x 3 bedroom units.

The proposal does not offer housing choice through a provision of apartment mix. It does not include serviced apartments to enable residents to transition into partial care and further downsizing, nor for high care services.

The concept of "ageing in place" is one where people move into these types of facilities as a last home. Requiring elderly and frail people to be relocated off this site as they deteriorate does not constitute ageing in place.

Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:

- In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of

providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place.

- To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the *Greater Sydney Region Plan* and include them in the appropriate Appendices, noting that other required standards must still achieve compliance.

➤ **Recommendation following the KLPP meeting:**

Include reference to the provision of the following within the body of the Planning Proposal and all Attachments:

- 8 high care units on the site with carer accommodation (to be shown on all Urban Design drawings), and
- in-home care services as required by residents.

D. LANDSCAPED AREA AND DEEP SOIL AREA

The proposal states compliance with the Landscape and Deep Soil requirements of the SEPP (Housing) 2021.

It is noted that the SEPP (Housing) definitions do not exclude the pathways from the calculation of landscaped area. The proposal has extensive hard surfaces/pathway systems all around the buildings, including in the boundary setbacks, with landscaping fitting into the remnant spaces. The ability for large and significant planting, typical of the Ku-ring-gai area, within these relatively small spaces is questionable.

Similarly, while the SEPP (Housing) 2021 speaks of 3m dimensions for deep soil provision, the SEPP (Housing) 2021 shows a clear policy intent that apartment buildings are to align with the *Apartment Design Guide* (ADG) to ensure good outcomes.

This pathway is demonstrated in the *Seniors Housing Design Guideline*, related to the SEPP, which includes a table at *Part 4 - 18.0 Alignment with the Apartment Design Guide (ADG)*, directing designers to the ADG standards. Therefore, the ADG definition, which requires a 6m minimum dimension for effective deep soil around Residential Flat Buildings must be applied to this development. It is unclear if this has been done in the urban design and landscape area calculations.

Provision of effective deep soil and landscaped areas will enable the proposal to comply with the ADG requirements on integration with neighbourhood and area character, and meet the Ku-ring-gai local character of buildings within high quality garden settings including tall canopy trees.

Commentary on the Landscape Area and Deep Soil Area - KLPP meeting and further information from proponent:

- In their response to the KLPP, the proponent provided some further explanation on landscape provisions; however no calculations nor diagrams were included to verify

the figures stated in the Planning Proposal. The proponent also disputes the requirement to align with the *Apartment Design Guide* (ADG) standards and sticks to the minimal compliances under the SEPP (Housing) 2021.

- The *SEPP (Housing) 2021* provides basic standards that apply across all densities including low density, medium density and high density seniors housing. The SEPP then refers to its *Seniors Housing Design Guideline* which is explicit in the requirements for alignment with the ADG for high density development.
- Council has conducted further calculations, with assumptions, and derived numbers that are different to those presented in the Planning Proposal documentation for landscape and deep soil provisions.
- It is unclear how the proponent has calculated the stated 4534sqm landscaped area. Council's calculations based on the current scheme find the following varying landscape areas which differ from that stated in the Planning Proposal:
 - approximately 3444 sqm (excluding all paths/hardscape)
 - approximately 4956 sqm (including all paths/hardscape).
- It is unclear what areas the deep soil calculations have included, particularly with regard to 6m wide areas that will enable the planting of tall canopy trees. The Planting Strategy included in the Planning Proposal attachments states tall tree species, but no indicative location is provided in the landscape diagrams to ensure there is a match between the tall trees and the deep soil.

- **Recommendation following the KLPP meeting:**
Include calculations/diagrams on the provided landscape and deep soil area figures:
- showing the assumptions/inclusions/exclusions that the final figures are based on,
 - giving clear indication where the deep soil areas will be able to sustain tall canopy trees.

E. TREE REMOVAL

The documentation of tree removal to the boundaries of the site is not supported. Only trees clearly identified as weed or having a significant safety concern may be cited for removal at this Planning Proposal stage.

Regardless of trees being identified as having low, medium or high retention value, all trees are to be retained and removal can be documented as part of a future DA application. The Planning Proposal can identify the trees and their value, but removal can only be considered and agreed when a final DA design and detail is developed.

The removal of 4 trees to the centre of the development is agreed as part of this Planning Proposal to facilitate the concept plan as those trees are also identified in the Arborist Report as having limited value. However, all other trees on all boundaries are not to be cited for removal nor pruning at this stage. Reference to the transplanting of the Magnolia is

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equally to be removed as this is not a DA and the proper investigations conducted through a DA cannot be done at this strategic planning proposal stage.

Specific tree removal around the boundary can be nominated at DA stage when detailed investigation into their value and impacts of removal within retained tree TPZs can be explored.

This Planning Proposal is not to fetter investigation nor prematurely influence the tree removal outcomes at the DA assessment stage.

In addition, some inconsistent comment is made regarding the biodiversity mapped land (remnant Blue Gum High Forest) and the impacts on the associated Blackbutt tree. These must be corrected to stress the importance of protecting that single remnant tree.

Commentary on Tree Removal - KLPP meeting and further information from proponent:

- The proponent has provided further information clarifying some of the issues raised on tree removal.
- Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting.

➤ Recommendation following the KLPP meeting:

All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.

F. CANOPY PROVISION

The proposal claims an increase of canopy from the existing 3,656 sqm to the proposed 3,897sqm. However, there is no documentation on the tree species that will contribute to that canopy, nor on the heights of the canopy trees.

Canopy in Ku-ring-gai is delivered through significant numbers of tall trees. The proposal gives no indication on whether this key feature of the LGA will be delivered on this site.

Many of the new trees shown in the diagram are located on top of the basement parking areas or in between the multitudes of path systems which do not provide the dimensions of garden beds able to sustain healthy large specimen trees to contribute to tall tree canopy.

Commentary on canopy - KLPP meeting and further information from proponent:

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- The proponent has provided further information stating trees and species type have been included in the Planning proposal documentation. The Planting Strategy included in the proponent's Landscape Concept and Drawing Schedule names trees, shrubs, and groundcover selected for the landscaping. It includes the mature height and spread of these trees; however, it does not state the location of the trees nor how many trees will be planted. The landscape drawings show good planting outcomes but it is difficult to know what proportion of the canopy will be small trees, medium trees, large trees. A key feature of Ku-ring-gai is its canopy which includes distinctive tall trees both endemic and exotic species.
- The Planting Strategy list names 6 tree species that are 15m+ tall and 4 tree species that are 18m+ tall but no indication of how many of these will be planted and at what location.
- Detail is still required to understand how many and where tall trees will be provided to demonstrate that the deep soil areas are capable of enabling those species to grow and remain healthy, particularly with the criss-cross of pathway systems across the entire site. Without the actual numbers of trees and their location, it is not possible to verify the proponent's claims of providing 3,897sqm of canopy.

➤ **Recommendation following the KLPP meeting:**

The Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy and demonstrate the calculation of the expected tree height and canopy spread. This way the canopy that is claimed to be delivered on the site can be verified.

G. SOLAR ACCESS AND NATURAL VENTILATION

70% of units or 77/110 units achieve the required ADG 2 hour solar access – therefore 33/110 units achieve less than 2 hours solar access of which 11/110 receive no direct sunlight.

Solar access into units designed for ageing in place is vital. Units with no solar access highly compromise the amenity for the 11 elderly people living in the units with zero sunlight especially as they will spend increasing amounts of time within their homes as they age.

78% of units or 86/110 units achieve the required ADG natural ventilation standards - therefore 24 units fail to achieve natural ventilation.

Whilst the provision may comply with the baseline requirements of the SEPP Housing, natural ventilation is important in units designed for an ageing population who will spend increasing amounts of time within their homes as they age.

➤ **Recommendation:**

Given the type of population this Site will house (elderly and vulnerable frail people), the concept design in the Urban Design Report is to be modified to increase numbers of units with solar access and ventilation and reduce the 11 units that will receive zero sunlight.

H. HERITAGE ASSESSMENT

The Heritage Impact Statement, attached to the planning proposal, makes recommendation to retain the pillars as mentioned in the response to Ministerial 3.2. This is supported.

It is noted that the Rohini House gates located on the site are currently listed in Schedule 5 of the KLEP 2015 (Item 161). However, the listing identifies the previous location of the gates (Railway lands; Part Lot 1, DP 1129573) prior to their relocation onto the grounds of Rohini Village.

It is noted that the original pair for No. 2 is different to that photographed in Figure 23 in the Heritage Impact Statement. The second set of pillars shown in Figure 23 of the Statement have three rather than two pillars, with the original post and gate now in the garden bed to the side framing a vehicular entrance, not shown in the photograph, and the third pillar a replica to form a new pedestrian entrance.

The significance is with the original pairs of pillars and associated gates, rather than the replica.

The Chery Kemp Heritage Impact Statement concludes the three sets of pillars meet at least one Heritage Council criterion of heritage significance. This meets the threshold for local heritage listing.

As there are no planning provisions proposed to support retention in the Planning Proposal. The proposal should make provision for conservation of these significant features by inclusion of heritage listing in the Planning Proposal. As such, the description of the locational description of the heritage item in Schedule 5 of Ku-ring-gai Local Environmental Plan should be amended to reflect the current location of the Rohini House Gates.

The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the No. 2 set to capture the original pillars.

➤ **Recommendation:**

The Planning Proposal is to amend Schedule 5 of Ku-ring-gai Local Environmental Plan and the Heritage Map within the KLEP 2015 to reflect the current location of the Rohini House Gates. The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the No. 2 set to capture the original pillars. The curtilage will inform the required amendment to the KLEP Heritage Map for all 3 sets of pillars.

I. OVERSHADOWING OF NEIGHBOURING PROPERTIES

The Planning Proposal's Urban Design Report includes investigation into overshadowing impacts on adjacent properties. The diagrams indicate significant impact on properties to the south of the proposal's site.

The provided shadow diagrams include very small thumbnails in a single colour and larger diagrams of the same in multiple colours. These drawings are sufficient however the size of the thumbnails are too small for most people to see/understand.

The multicoloured diagrams are a good size but difficult to understand. The use of lighter colours for the extreme extents of the shadow diminish and disguise the shadows on the adjacent development.

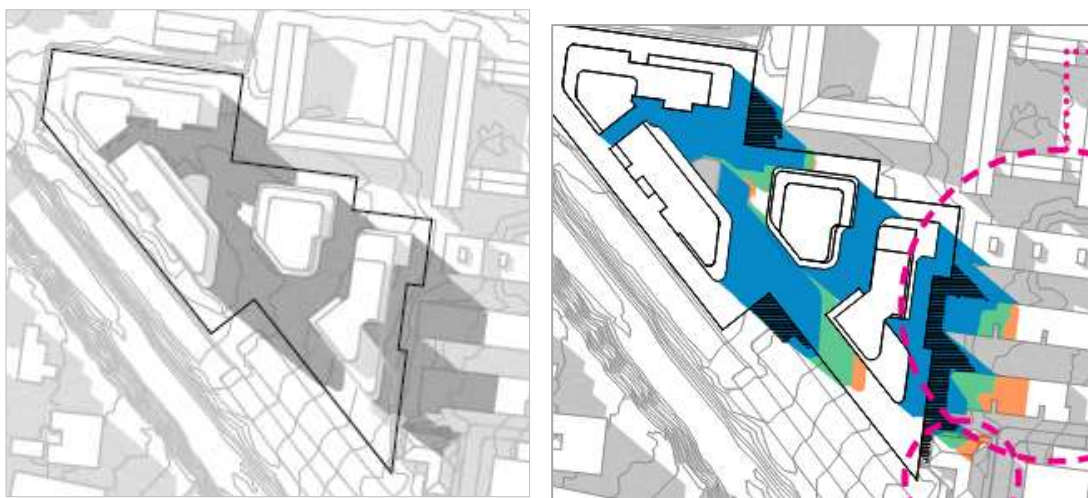
The proponent has been requested multiple times to provide the simple single colour shadow diagrams that will be legible to the general public. The Department of Planning and Environment's LEP Making Guideline August 2023 states "*The planning proposal should be drafted to ensure that a wide audience including departmental staff, authorities and government agencies, councils, stakeholders and the community, can clearly understand the scope and impacts of the proposal.*"

The shadow diagrams are required to be revised to show only a single colour to all shadow cast by the proposed development. This can be produced by enlarging the monochrome thumbnail diagrams so they are easily read.

The redevelopment of the site provides opportunity to deliver improved overshadowing results both on the site and to neighbouring residences by orienteering building footprints and considering building bulk across the site to avoid replicating any poor standards of the existing development.

There is lengthy justification on the solar impacts to the neighbouring properties to the south. The diagrams again utilise the multiple shade shadowing which again visually diminish the shadow impacts and the reach of shading on those neighbouring buildings.

The issue of overshadowing will be dealt with at DA stage, however it is noted that the impacts to the south-eastern neighbours are likely to be high. The planning proposal's concept design should demonstrate it can minimise the impacts by reducing building footprints and altering building orientation to enable solar corridors that reduce the continuous bulk shadow to the south-eastern boundary properties.



SHADOW DIAGRAM MONOCHROME AND MULTICOLOURED (PLUS Architecture)

➤ **Recommendation:**

Amend the concept plans to reduce building footprints and altering building orientation to reduce the continuous bulk shadow to the south-eastern boundary properties at 47-49 Rohini St and 22, 24, 26 Eastern Road, Turramurra.

Amend the shadow diagrams to improve legibility for the general public by making the easily understood small monochrome thumbnails the same size as the multicoloured diagrams.

J. CAR PARKING

A parking assessment was undertaken and found that if car parking for the proposal were to be provided in accordance with SEPP Housing 2021, only 22 resident car parking spaces would need to be provided as Anglicare is deemed to be a 'social housing provider'.

However, the proponent is suggesting that the target market for the new development would be downsizers approaching or in retirement, and is seeking to provide car parking at the equivalent rate to residential flat buildings to cater for this market. This results in the provision of 199 parking (171 resident parking spaces, 18 visitor spaces, 8 staff spaces, 1 ambulance space and 1 car share space).

While the site has the capacity to accommodate this level of car parking (across 2-3 basement levels), a study of current residents conducted by Anglicare attached to the Planning Proposal (*Appendix K: Anglicare Village Study – Rohini Village*) indicates over half the residents at Rohini Anglicare do not drive.

Parking should be provided to closer align with this characteristic from Anglicare's records, which would substantially reduce excavation, material costs and environmental impacts, and improve affordability.

The Anglicare Village Study also indicates that 30% of current residents drive infrequently, so provision of car share vehicles could be increased to further reduce parking provision.

Reduced parking provision over that shown in this Planning Proposal was also supported by Transport for NSW in its early correspondence with the proponent.

Commentary on car parking provision - KLPP meeting and further information from proponent:

- The proponent provided further information again stating the parking provisions are compliant with the SEPP (Housing) 2021 and in line with market requirements.
- The KLPP questioned the excessive parking provision given the location close to public transport.
- It is again noted that Anglicare's own studies show their residents have low car ownership.

➤ Recommendation following the KLPP meeting:

Given the location of the site adjacent to train and bus public transport and close to local shops and facilities, the population profile and statistics from Anglicare showing low car ownership of aged population, the car parking provision is to be

substantially reduced to reflect the strategic approach, both locally and at the State-level, on parking provision close to transport hubs.

In conclusion

Notwithstanding the above issues requiring further consideration, confirmation and amendment, and others noted within **Attachment A1** of this Report, the Planning Proposal is generally considered to have Strategic Merit and Site Specific Merit contingent on the amendments required in this Report and within **Attachment A1**.

Recommendations to progress to Gateway Determination

Having regard to

- the assessment provided in this Report, and
- the **Attachment A1 Table of Assessment**, and
- the advice provided by the KLPP,

it is recommended that Council:

1. supports the Planning Proposal and recommends the matter progress to the Department of Planning, Housing and Infrastructure for a Gateway Determination subject to the Planning Proposal and its Attachments being amended as stated in this Report and within the Table of Assessment at **Attachment A1**, and including:
 - a. provision of three new KLEP Maps showing the proposed amendments within Part 4 of the Planning Proposal (showing existing and proposed maps with keys taken from the Legislation website):
 - i. Height of Buildings Map
 - ii. Floor Space Ration Map
 - iii. Heritage Map
 - b. inclusion of updated amendment to the KLEP Written Instrument
 - i. Schedule 1 - to allow Additional Permitted Uses enabling a café and swimming pool on the site.
 - ii. Schedule 5 - to amend the heritage listing of the three sets of pillars on the site.
2. recommends that the proponent be advised of the above and directed to submit the required amended Planning Proposal and its Appendices, in accordance with the recommendations of this Report and the **Attachment A1 Table of Assessment**, prior to the matter being referred to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

INTEGRATED PLANNING AND REPORTING

Theme 3 - Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai	P2.1.1 Land use strategies, plans and processes are in place to effectively manage the impact of new development	Implement and monitor the Local Environmental Plans and supporting Development Control Plans.

GOVERNANCE MATTERS

The process for the preparation and implementation of Planning Proposals is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

If Council fails to make a decision within 90 days (from the commencement of the review of the application), by 29 August 2024, or if Council makes a decision to not support the Planning Proposal, the Proponent can make a request to the Department of Planning, Housing and Infrastructure for a Rezoning Review.

Local Planning Panels Direction – Planning Proposals issued by the Minister for Planning under Section 9.1 of the *Environmental Planning and Assessment Act 1979* requires Council to refer all Planning Proposals prepared after 1 June 2018 to the Local Planning Panel for advice, before it is forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

RISK MANAGEMENT

This is a Planning Proposal initiated by a private landowner. Council should determine its position on the matter and whether the Planning Proposal should be sent to the Department of Planning, Housing and Infrastructure for a Gateway Determination, having regard to the KLPP’s advice and decide whether to proceed to public exhibition.

Council risks damage to its reputation if it does not undertake strategic land use planning in an effective and timely manner.

FINANCIAL CONSIDERATIONS

The Planning Proposal was subject to the relevant application fee under Council’s 2024/2025 Fees and Charges Schedule. The cost of the review and assessment of the Planning Proposal is covered by this fee.

SOCIAL CONSIDERATIONS

The Planning Proposal is considered to have positive social benefits including the replacement of dated housing for Seniors that no longer meets accessibility standards and current market demand. A Letter of Offer accompanies the Planning Proposal seeking to enter agreement on the provision of a new through site link and upgrades to the public domain.

ENVIRONMENTAL CONSIDERATIONS

The potential environmental impacts of the Planning Proposal have been considered in this assessment and it has been determined that the Planning Proposal should be supported as it will not result in any significant adverse environmental impacts and is suitable for the site, particularly when the required amendments are included. The impacts of any specific development that may occur on the site as a result of the proposal would be considered in detail at the development application stage.

COMMUNITY CONSULTATION

In the event that the Planning Proposal is forwarded for a Gateway Determination and granted a Gateway Determination by the Department of Planning, Housing and Infrastructure, the Planning Proposal would be placed on public exhibition in accordance with the requirements of the Gateway Determination and the Department of Planning, Housing and Infrastructure's publication '*A Guide to Preparing Local Environmental Plans*'.

The public exhibition would also be in accordance with the Ku-ring-gai Community Participation Plan 2020.

INTERNAL CONSULTATION

The assessment of the Planning Proposal has included consultation with Council's Strategic Traffic Engineer, Heritage, Biodiversity, Contributions and Urban Design Officers. Council Officers attended a site inspection. The referrals of specialist staff are included within this Report.

SUMMARY

A Planning Proposal has been submitted for land at 51-53 Rohini St, Turramurra, also known as Anglicare Village. The proposal seeks to make the following amendments to the KLEP 2015:

1. increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1 (the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);
2. increase the maximum Height of Building from 11.5m to 17.5m (the Housing SEPP bonus provisions will result in a final Height of 21.3m);
3. include certain Local Provisions that allow the inclusion of a Café and a Wellness Centre with an indoor pool.

Assessment of traffic and transport, urban design, public benefit, heritage and biodiversity issues have been carried out by Council's Strategic Traffic Engineer, Urban Design, Contributions, Heritage, Biodiversity, Landscape and Ecological Officers respectively.

The assessment of the Planning Proposal, presented at **Attachment A1**, has resulted in a number of revisions being required.

All amendments noted in this **Report** and in **Attachment 1 – Table of Assessment** are to be made and returned to Council for finalisation and forwarding for Gateway consideration. The key amendments to the Planning Proposal include:

- delivery of the increased Height and FSR standards through Mapping amendments consistent with *PN 11-002 - Preparing LEPs using the Standard Instrument: standard*

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zones and PN 08-001 - Height and floor space ratio, with amendment to the Height and the FSR maps;

- amend the heritage listing for the three sets of pillars on the site and include their location and curtilage in an amendment to the KLEP 2015 Heritage Map;
- amend the KLEP Written Instrument to make provision for Additional Permitted Uses in Schedule 1;
- amend the KLEP Written Instrument to describe the heritage listing of the three sets of pillars in Schedule 5;
- other amendments as detailed in this Report and its Table of Assessment at **Attachment A1**.

The following is a summary of all recommendations in this Report, noting that further recommendations are provided at **Attachment A1**.

- The wording requesting the additional uses should be corrected to the below recommendation.

KLEP 2015 Schedule 1 Additional permitted uses

Use of certain land at 51-53 Rohini Street, Turramurra

- *This clause applies to land at 51-53 Rohini Street, Turramurra, being Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038.*
- *Development for the following purposes is permitted with development consent.*
 - *recreation facility (indoor)*
 - *commercial premises*
- *Development consent must not be granted under this clause to development that results in the gross floor area of the combined recreation facility (indoor) and commercial premises exceeding 700m².*

- Remove the Additional Permitted Uses map.
- The proposed amendment to the Height and FSR must be shown on the following KLEP maps:
 1. Height of Building Map
 2. Floor Space Ratio Map

All references to their inclusion within "Part 6 Additional Local Provisions" are to be removed from the Planning Proposal and all its Attachments.

- The Urban Design Study is to include the following amendments to the concept plan diagrams and demonstrate that the 1.5:1 FSR and 17.5m Height can achieve compliance with the required standards of *SEPP (Housing) 2021*, *Seniors Housing Design Guide 2023*, *Apartment Design Guide*, *AS 1428.1 Design for access and mobility*:
 - include the indicated 8 high care units and carer room to result in 115 yield;
 - incorporate the recommended design changes provided in relation to T19, T22, T49 and T50 stated in the proposal's *Arboricultural Impact Assessment*;
 - amend the single long building to the south-western boundary to smaller footprint buildings that reduce overshadowing impacts to the neighbouring properties;
 - amend the building layouts to provide some solar access to all units and remove units with zero sunlight.

The amendments must be reflected in the Planning Proposal and across all Attachments.

- Include reference to the provision of the following within the body of the Planning Proposal and all Attachments:
 - 8 high care units on the site with carer accommodation (to be shown on all Urban Design drawings), and
 - in-home care services as required by residents.
- Include calculations/diagrams on the provided landscape and deep soil area figures:
 - showing the assumptions/inclusions/exclusions that the final figures are based on,
 - giving clear indication where the deep soil areas will be able to sustain tall canopy trees.
- All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.
- The Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy and demonstrate the calculation of the expected tree height and canopy spread. This way the canopy that is claimed to be delivered on the site can be verified.
- Given the type of population this Site will house (elderly and vulnerable frail people), the concept design in the Urban Design Report is to be modified to increase numbers of units with solar access and ventilation and reduce the 11 units that will receive zero sunlight.
- The Planning Proposal is to amend Schedule 5 of Ku-ring-gai Local Environmental Plan and the Heritage Map within the KLEP 2015 to reflect the current location of the Rohini House Gates. The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the No. 2 set to capture the original pillars. The curtilage will inform the required amendment to the KLEP Heritage Map for all 3 sets of pillars.
- Amend the concept plans to reduce building footprints and altering building orientation to reduce the continuous bulk shadow to the south-eastern boundary properties at 47-49 Rohini St and 22, 24, 26 Eastern Road, Turramurra.
Amend the shadow diagrams to improve legibility for the general public by making the easily understood small monochrome thumbnails the same size as the multicoloured diagrams.
- Given the location of the site adjacent to train and bus public transport and close to local shops and facilities, the population profile and statistics from Anglicare showing low car ownership of aged population, the car parking provision is to be substantially reduced to reflect the strategic approach, both locally and at the State-level, on parking provision close to transport hubs.

The assessment of the Planning Proposal finds the proposal has sufficient strategic merit. The proposal indicates it has site specific merit much of which is contingent on the required amendments presented in this Report and in **Attachment 1 Table of Assessment**

It is therefore recommended that Council:

1. supports the Planning Proposal and recommends the matter be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Determination subject to the Planning Proposal and its Attachments being amended as stated in this Report and within the Table of Assessment at Attachment A1, and including:
 - a. provision of KLEP Maps indicating the proposed amendments as follows:
 - i. Height of Buildings Map with maximum Height 17.5m.
 - ii. Floor Space Ratio Map with maximum FSR 1.5:1.
 - iii. Heritage Map listing of pillars and their curtilage.
 - b. inclusion of updated amendment to the KLEP 2015 Written Instrument as follows:
 - i. to allow Additional Permitted Uses enabling a café and swimming pool on the site via amendment to Schedule 1;
 - ii. to amend Heritage listing of the pillars via amendment to Schedule 5.
2. recommends that the Proponent be advised of the above and directed to submit the amended Planning Proposal and its Appendices in accordance with the recommendations of this Report and in **Attachment 1: Table of Assessment**, prior to the matter being referred to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

The Planning Proposal has been assessed against the provisions of the Department of Planning, Housing and Infrastructure's *'Local Environmental Plan Making Guideline'* and section 3.33 of the *Environmental Planning and Assessment Act 1979*.

It is considered that the Planning Proposal demonstrates sufficient strategic and site specific merit such that it should be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination following amendments as outlined in this Report and in the *Table of Assessment* at **Attachment A1**.

RECOMMENDATION:

- A. The Planning Proposal be amended in accordance with the recommendations in this Report and Table of Assessment (Attachment A1).
- B. That the amended Planning Proposal be submitted for a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- C. That Council authorise the Director of Strategy and Environment to correct any minor anomalies of a non-policy and administrative nature that might arise during the plan making process.

Rathna Rana
Senior Urban Planner

Craig Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

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Attachments:	A1↓	Table of Assessment - Planning Proposal - 51-53 Rohini Street, Turramurra (Anglicare)		2024/252285
	A2↓	Planning Proposal Anglicare "Rohini Village" 51-53 Rohini Street, Turramurra		2024/174688
	A3⇒	Appendix A - Urban Design Report	Excluded	2024/174687
	A4⇒	Appendix B - Title Documents & Surveys	Excluded	2024/174686
	A5⇒	Appendix C - Arboricultural Impact Assessment Report	Excluded	2024/174685
	A6⇒	Appendix D - Heritage Impact Statement	Excluded	2024/174684
	A7⇒	Appendix E - Traffic & Transport Assessment	Excluded	2024/174683
	A8⇒	Appendix F - Utility and Infrastructure Plans	Excluded	2024/174681
	A9⇒	Appendix G - Biodiversity Advice	Excluded	2024/174680
	A10⇒	Appendix H - Landscape Concept & Drawing Schedule	Excluded	2024/174678
	A11⇒	Appendix I - Feasibility Analysis	Excluded	2024/174677
	A12⇒	Appendix J - Letter of Offer - Planning Agreement	Excluded	2024/174674
	A13⇒	Appendix K - Rohini Village Study	Excluded	2024/174673
	A14⇒	Appendix L - Pre-Consultation Minutes and Responses	Excluded	2024/174672

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

PLANNING PROPOSAL													
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflecting KLPP advice and further assessment										
Abbreviations: Housing SEPP - State Environmental Planning Policy (Housing) 2021 KLEP – Ku-ring-gai Local Environmental Plan 2015 PP – Planning Proposal		ADG –Apartment Design Guide ILU – Independent Living Units HCA – Heritage Conservation Area RFB – Residential Flat Building											
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION										
EXECUTIVE SUMMARY													
1	<p>This Planning Proposal seeks to replace the existing 110 Independent Living Units (ILUs) on the Site with 110 new modern day ILUs across four buildings, up to 6-storeys in height, and built over a 3-level basement with the following amended standards:</p> <div><div>1. increase the maximum Floor Space Ratio (FSR) from 0.85:1 to 1.5:1 (the Housing SEPP bonus provisions will result in a final FSR of 1.725:1);</div><div>2. increase the maximum Height of Building from 11.5m to 17.5m/5 storey (the Housing SEPP bonus provisions will result in a final Height of 21.3m/6 storey);</div></div>	<p>The ADG Objective 4D-1 states minimum apartment sizes and provides extra area for additional bathrooms, as indicated in the adjacent table.</p> <p>According to the ADG the minimum unit sizes required in this proposal would equate to:</p> <div><div>• 2 bedroom units with 2 bathrooms: 75sqm</div><div>• 3 bedroom units with 3 bathrooms: 100sqm</div></div> <p>The proposal seeks to deliver 66 x 2 bedroom units and 44 x 3 bedroom units.</p> <p>Council has calculated 2 and 3 bedroom units in the current scheme range in size from 115m2 to 145m2 which is significantly larger than standard unit sizes in an RFB and much larger than the minimum requirements of the ADG.</p> <p>As such, Council’s calculations of the amendments to the height and FSR across the total site plus the bonus provisions under the Housing SEPP identify there is potential for the scheme to yield an average of:</p> <div><div>• 211 units as per the ADG, based on an average unit size of 75m2; and</div><div>• 176 units based on an average apartment size of 90m2.</div></div> <p>Whilst there is no requirement to justify the provision of larger apartments, the issue is that a future DA based on the amended standards will have the right to deliver minimum sized apartments in line with the ADG. The consequences of increased units will then impact the traffic, parking and other on-site and neighbouring amenity considerations determined by unit numbers, and therefore alter the basis of this assessment which considers whether the proposed standards can manage negative impacts.</p> <p>This issue must be addressed in the Planning Proposal to provide certainty on the site outcomes. The unit size and numbers might be the result of the multiple requirements on the site, such as landscape and deep soil. The reasoning should be provided to avoid question during the exhibition of the proposal.</p> <p>In addition, the Planning Proposal claims the increased standards will achieve the required compliance with the below policy and guidance:</p> <div><div>• SEPP (Housing) 2021</div><div>• Seniors Housing Design Guide 2023</div><div>• Apartment Design Guide (ADG)</div></div> <p>However, some of the claims are questioned and further justifications, amendments, clarifications and considerations must be addressed prior to the proposal being progressed towards any Gateway Determination, and they are to demonstrate both the said compliance and the integration of the development outcomes on a Site located within Ku-ring-gai with its unique high quality environment and housing provision.</p>	<div><div>Apartments are required to have the following minimum internal areas:</div><table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table><div>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each</div></div> <p>Provide justification for the large unit sizes that are driving the 1.5:1 FSR on the site. Attach material that shows the stated market demand for large size units.</p> <p>The Planning Proposal is to include the indicated 8 high care units and carer room and to show the new 115 yield for the site across all submitted documents, particularly stating consistency with the various policies seeking increased dwelling provision.</p> <p>The Planning Proposal is to demonstrate that the additional unit yield of 115 units is able to maintain compliance with the required SEPP, ADG, AS 1428 standards under the 1.5:1 FSR and 17.5Height.</p> <p>The Urban Design Study is to include the following amendments to the concept plan diagrams and demonstrate that the 1.5:1 FSR and 17.5m Height can achieve compliance with the required standards of <i>SEPP (Housing) 2021</i>, <i>Seniors Housing Design Guide 2023</i>, <i>Apartment Design Guide</i>, <i>AS 1428.1 Design for access and mobility</i>:</p>	Apartment type	Minimum internal area	Studio	35m²	1 bedroom	50m²	2 bedroom	70m²	3 bedroom	90m²
Apartment type	Minimum internal area												
Studio	35m²												
1 bedroom	50m²												
2 bedroom	70m²												
3 bedroom	90m²												

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

PLANNING PROPOSAL			RECOMMENDATION reflecting KLPP advice and further assessment
PAGE	DOCUMENT/SECTION	COMMENT	
		<p>Key to the majority of the required amendments and considerations stated in Attachment A1 is whether the proposed significant increase in FSR will enable development on the site to be reflective of residential flat buildings within Ku-ring-gai locality.</p> <p>FSR Considerations: The proposed FSR of 1.5:1, which will be increased to 1.725:1 with the SEPP (Housing) bonus, is inconsistent with the FSR that is generally applied to R4 (High Density Residential) development in Ku-ring-gai - which has an FSR of 1.3:1 associated with the 17.5m Height.</p> <p>Similar sites zoned R4 (High Density Residential) in this locality applying the FSR of 1.3:1 and Height of 17.5m standards have delivered buildings which demonstrate cohesion with the Ku-ring-gai character of buildings within high quality landscaped settings including tall canopy trees. The standards have been calculated to ensure achievement of appropriate on and off site amenity, including managing overlooking and over shadowing impacts to neighbouring properties.</p> <p>The high FSR sought by this Planning Proposal may be the reason the proposal appears to:</p> <ul style="list-style-type: none">• not achieve the clear (without paths) 6m dimensioned deep soil as required by the ADG, and the associated delivery of tall canopy trees not identified for delivery,• provides landscaped areas that again are dissected into small portions by multiple paths and hardstands limiting the ability to provide large/ mass planting, and the ability to provide communal garden areas and outdoor recreation/barbeque areas for its Senior residents,• delivers units with no solar access and no natural ventilation,• has overshadowing impacts on the 2-3 storey properties to the south. <p>The Planning Proposal states minimum compliance with the SEPP (Housing) 2021 requirements but does not sufficiently consider the Ku-ring-gai locality and character, the elevated position of the site exacerbating overlooking and overshadowing impacts, and importantly, the nature of its residents that will increasingly remain on the Site and in their apartments as they move into age related frailty. These issues are required to be satisfied in accordance with the ADG (including its sections on streetscape, local and neighbourhood character and impacts) and the Seniors Housing Design Guide 2023.</p> <p>The proposal must demonstrate why the application of a 1.3:1 FSR with the added SEPP bonus will not deliver the same number of units and commercial space whilst providing improved outcomes on the site and to its neighbours.</p> <p>Commentary on the FSR - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">• The issue of the FSR was reported to the KLPP with a recommendation to reduce the FSR from the Planning Proposal's 1.5:1 to an FSR of 1.3:1. Key to the majority of the required amendments and considerations stated in Attachment A1 is clarification of calculations on the drivers for the proposed increase in FSR.• The only further information provided by the proponent is that the extra FSR will enable provision of:<ul style="list-style-type: none">- the required 700sqm of communal facilities and café, and- 110 units that are compliant with seniors housing standards and that meet current market demands.• The proposal is basically a residential development with some commercial type uses mainly to facilitate the on-site residents. This is similar to other 17.5m high residential flat buildings within Ku-ring-gai with FSR of 1.3:1, and which may also contain a gym, pool and communal rooms for their residents, no additional FSR is granted to those developments.	<ul style="list-style-type: none">• include the indicated 8 high care units and carer room to result in 115 yield;• incorporate the recommended design changes provided in relation to T19, T22, T49 and T50 stated in the proposal's <i>Arboricultural Impact Assessment</i> pg 26;• amend the single long building to the south-western boundary to smaller footprint buildings that reduce overshadowing impacts to the neighbouring properties;• amend the building layouts to provide some solar access to all units and remove units with zero sunlight. <p>The amendments and new yield must be reflected in the Planning Proposal and across all Attachments.</p>

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

PLANNING PROPOSAL					RECOMMENDATION reflecting KLPP advice and further assessment																																													
PAGE	DOCUMENT/SECTION	COMMENT																																																
		<ul style="list-style-type: none">The Planning Proposal is not transparent on how they have calculated the proposed FSR 1.5:1 and if they only seek to provide 110 units, why that count is not possible within an FSR of 1.3:1. While the increased FSR is supported in principle, given the location of the site close to the Turramurra Local Centre, the Planning Proposal must include the evidence/ calculations/ diagrams to support their position for the increased FSR.It is unclear how the comparatively minimal commercial floor area, which sits at 4% of the overall site, can drive up the requirement for the excess in FSR. As per the below Table, Council’s calculations cannot verify the proponent’s claims; therefore clarification from the proponent is required to be inserted into the Planning Proposal. <table><tr><th colspan="2">TOTAL GFA: 15,850sqm</th></tr><tr><th>Residential GFA – 110 independent living units</th><th>Commercial GFA – communal facilities and cafe</th></tr><tr><td>15,150sqm</td><td>700sqm</td></tr><tr><td>96%</td><td>4%</td></tr><tr><td colspan="2"><ul style="list-style-type: none">Proposed communal GFA component is insignificant at approx 0.07:1 FSR. It has no major impact on overall FSR.Proposed 1.5:1 FSR (1.725:1 FSR including SEPP bonus) is driven by abnormally large apartments (avg 135sqm).</td></tr></table> <p>Table – Planning Proposal Residential and Commercial Gross floor Area</p> <ul style="list-style-type: none">It is unclear why the proposed FSR of 1.5:1 is required to achieve the same number (110) units, with no increase to dwelling yield. Apart from saying the sizes are market driven, there is no evidence attached on this statement.Anglicare’s recently completed seniors housing units at the Gordon Quarter show units, assumed to be compliant with all the required SEPP (Housing) and Australian Standards, are significantly smaller than those proposed at Rohini Street - with each 3 bedroom unit at Rohini Street being 25sqm larger than those at Gordon Quarter.Council’s calculations indicate if the FSR is reduced to the standard 1.3:1 (1.495:1 including the 15% bonus) and height to 21.3m (6 storey), the size of the units reduces on average by 14sqm to 121sqm to retain the 110 unit yield. This is still a very large apartment and is representative of other Anglicare developments such as Gordon Quarter. A reduced 1.3:1 FSR and ILU’s with a retained yield of 110 would still comply with the requirements of the SEPP Housing Schedule 4 and AS1428.1. <table><tr><th colspan="5">UNIT SIZES</th></tr><tr><th></th><th>ADG</th><th>Planning Proposal</th><th colspan="2">Recent Anglicare Gordon Quarter Units (link)</th></tr><tr><td></td><td></td><td></td><td>Advertised Unit sizes</td><td>Units with ADG</td></tr><tr><td>2 bedroom/ 2 bathroom</td><td>75sqm</td><td>115sqm (66 units)</td><td>(1 bathroom) 101sqm</td><td>5sqm/additional bathroom 106sqm</td></tr><tr><td>3 bedroom/ 3 bathroom</td><td>100sqm</td><td>145sqm (44 units)</td><td>110sqm</td><td>120sqm</td></tr><tr><td></td><td></td><td>Yield: 110 units</td><td colspan="2">Yield: 132 units</td></tr><tr><td colspan="5"><ul style="list-style-type: none">Proposed units are larger than the recent Gordon Quarter Anglicare units (SEPP and AS 1428 compliant).Proposed 2 bedroom/2 bathroom units each have an extra 9sqm/unit.Proposed 3 bedroom/3 bathroom units each have an extra 25sqm/unit.</td></tr></table> <p>Table – Planning Proposal Low Dwelling Yield with Oversized Units</p>			TOTAL GFA: 15,850sqm		Residential GFA – 110 independent living units	Commercial GFA – communal facilities and cafe	15,150sqm	700sqm	96%	4%	<ul style="list-style-type: none">Proposed communal GFA component is insignificant at approx 0.07:1 FSR. It has no major impact on overall FSR.Proposed 1.5:1 FSR (1.725:1 FSR including SEPP bonus) is driven by abnormally large apartments (avg 135sqm).		UNIT SIZES						ADG	Planning Proposal	Recent Anglicare Gordon Quarter Units (link)					Advertised Unit sizes	Units with ADG	2 bedroom/ 2 bathroom	75sqm	115sqm (66 units)	(1 bathroom) 101sqm	5sqm/additional bathroom 106sqm	3 bedroom/ 3 bathroom	100sqm	145sqm (44 units)	110sqm	120sqm			Yield: 110 units	Yield: 132 units		<ul style="list-style-type: none">Proposed units are larger than the recent Gordon Quarter Anglicare units (SEPP and AS 1428 compliant).Proposed 2 bedroom/2 bathroom units each have an extra 9sqm/unit.Proposed 3 bedroom/3 bathroom units each have an extra 25sqm/unit.					
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3 bedroom/ 3 bathroom	100sqm	145sqm (44 units)	110sqm	120sqm																																														
		Yield: 110 units	Yield: 132 units																																															
<ul style="list-style-type: none">Proposed units are larger than the recent Gordon Quarter Anglicare units (SEPP and AS 1428 compliant).Proposed 2 bedroom/2 bathroom units each have an extra 9sqm/unit.Proposed 3 bedroom/3 bathroom units each have an extra 25sqm/unit.																																																		

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		<ul style="list-style-type: none"> The key issue regarding the proposed oversized units which appear to be driving up the FSR to the proposed 1.5:1, is that <ul style="list-style-type: none"> when a future Development Application (DA) is submitted for the site, the landowner does not have to adhere to the concept plan being presented here; it is possible for new plans to reduce unit sizes to include a greater dwelling yield in the region of the demonstrated 132 units, 22 extra units. <p>The Planning Proposal states all minimal requirements under SEPP (Housing) 2021 and the Apartment Design Guide are achieved for 110 units. The concern at this stage are questions around:</p> <ul style="list-style-type: none"> whether the extra dwelling yield of 132 units, possible on the site under the current FSR 1.5:1, will still be able to deliver the claimed compliance; what will be the consequence of increased units on the on-site and neighbouring amenity provisions including traffic, parking, solar access, ventilation, landscape, deep soil, overshadowing and overlooking. <p>No evidence is provided in the Planning Proposal nor its Appendices to verify the figures stated for the majority of the above parameters, which are all claimed to be compliant with SEPP (Housing) 2021, Apartment Design Guide and AS1428.1 – Design for Access and Mobility.</p> <ul style="list-style-type: none"> To achieve housing diversity, housing choice and ageing in place the Planning Proposal is required to include the 8 high care units plus carer accommodation as indicated in the Urban Design Report which states these units will replace 3 of the proposed units. This will take the total site yield to 115 units. The Planning Proposal is to show that the new 115 yield under the 1.5:1 FSR and 17.5 Height is able to maintain compliance with the required standards. 	
1	The Planning Proposal includes a café and wellness centre with indoor pool, and a cross-site walking link to King Street made available to both the village residents and the wider local community.	<p>There is no mechanism proposed to deliver on the use of the “café and wellness centre with indoor pool, and a cross-site walking link to King Street” by the wider community outside the Anglicare residents.</p> <p>The land is not intended to be dedicated to Council and no mechanism is stated in the attached Planning Agreement Letter of Offer on how the use of private land will be made available to the public in perpetuity.</p> <p>The proponent should note that Council may not see the proposed benefit if the potential mechanisms for delivery of benefit are not included in the Letter of Offer.</p>	State the mechanisms for delivery of public benefit in the Planning Agreement Letter of Offer to validate the statements in the Planning Proposal.
1	will have a minimal impact on the nearby Heritage Conservation Area and adjacent residential properties	The proposal seeks to justify the placement of 6 storey buildings, with overlooking balconies and windows across the HCA to the north which comprises single dwellings, by referring to an extended setback afforded by Council’s dog-leg pathway that separates the HCA from the site. This pathway is an overgrown path with limited landscape quality and lighting.	The Planning Agreement is to make reference to improvement works (paving, landscaping, lighting etc) to the entire Council owned dog-leg path that the King St section is a part of, and include on and off-site tall canopy trees that can screen the overlooking
2	A public pathway (3.66 m wide) abuts the north-western end of the Site and connects King Street to Cherry Street. The pathway provides a significant landscape separation between the Site and the neighbouring houses which form part of the Heritage Conservation Area (HCA) to the Site’s north.	Whilst this public pathway may provide separation, the Planning Proposal does not include it in its upgrade plans, only seeking to augment one section that links the Site directly to King St. The inclusion of the dog-leg pathway in the proposal’s upgrade is highly recommended as the key to the buffer between the low density and high density areas is reliant on a combined on and off-site quality landscaping, including tall canopy trees. In addition, the proposed cherry picking approach, improving only one section of the path but leaving the rest of it, will result in an inconsistent public domain treatment.	

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					impacts to the low density properties to the north.			
2	Lot 21 DP 533032 and Lot 2 DP 302942 are not burdened or benefited by any easements. Lot 26 is burdened by several easements and also physically encloses a separate Lot 25 which is not part of the Proposal.			Reference is made to Lot 21 DP 533032; Lot 2 DP 302942; Lot 25; Lot 26 however these are not all clearly shown on the diagram and the references to Lot 25 and 26 do not refer to a DP number. These details need to be consistent in the written paragraph and in the drawing. The drawing must clearly illustrate each DP and Lot location. In addition, the diagram should indicate where the mentioned easements are and state their nature.	Provide a plan clearly showing all four Lots that are referenced, include their DP numbers. Show and describe the easements. Show the excluded Ausgrid owned lot.			
2				The reference to the Council Pathway does not clearly indicate the dog-leg Council path linking Cherry St to King St. The diagram needs to be improved to thicken the dotted lines indicating the Council and Railway paths. The reference to the HCA should be removed as it is unclear and does not indicate the extent of the HCA. The HCA can be provided on a separate diagram. This will assist the general public in understanding the site parameters.	Improve the diagram to clearly show the Council and Railway paths. Remove the reference to HCA and provide a separate diagram on the HCA.			
3	All relevant maps which provide current Site context are provided at Table 17 in Part 4 - Maps of this report.			As explained in both the first and second adequacy checks, Part 4 is dedicated to mapping changes that are required to the KLEP. It is not a section that includes maps to describe site context. Refer to the Department’s Local Environmental Plan Making Guideline which also states the expected content within each Part of the Planning proposal. As such this line is to be removed: <i>All relevant maps which provide current Site context are provided at Table 17 in Part 4 - Maps of this report.</i>	Remove the said line: <i>All relevant maps which provide current Site context are provided at Table 17 in Part 4 - Maps of this report</i>			
5	The current development standards that apply to the Rohini Village Site are comparable to R3 Medium Density zoning and not the R4 High-Density Residential Zone objectives			This type of comment is made multiple times within the proposal as a means of justifying the increase to the site’s standards. The FSR and Height standards applied to the site are consistent with sites across Ku-ring-gai that abut low density or Heritage Conservation Areas. Council conducted an interface study which applied a planning mechanism utilising zoning and height/FSR to ameliorate the privacy and overlooking impacts of tall residential buildings on one to two storey houses and on the setting of HCA and Heritage Items. It is recognised that this site is in a strategic location close to transport and facilities, and that it would benefit from the increased standards. The impacts to the northern single dwelling area and the HCA could be managed and buffered by the improved landscaping including tall canopy trees and screening in the site setback and the Council owned dog-leg pathway.	The Planning Agreement is to make reference to improvement works (paving, landscaping, lighting etc) to the entire Council owned dog-leg path and include on and off-site tall canopy trees that can screen the overlooking impacts to the low density properties to the northern HCA.			
4	<table><tr><td>“Seniors Housing”, “Recreational Facility (indoor)” and “Commercial Premises” are prohibited use under KLEP 2015.</td><td>“Independent Living Units”, “Recreational Facility (indoor)” and “Commercial Premises” as an Additional Permitted Use to accommodate</td><td></td></tr></table>			“Seniors Housing”, “Recreational Facility (indoor)” and “Commercial Premises” are prohibited use under KLEP 2015.	“Independent Living Units”, “Recreational Facility (indoor)” and “Commercial Premises” as an Additional Permitted Use to accommodate		The definition of “Seniors Housing” is inclusive of Independent Living Units” (ILU) – see below excerpt from the <i>Standard Instrument-Principal Local Environment Plan</i> and the <i>KLEP 2015</i> . Stating ILU alone is restrictive and does not provide the opportunity for any future development to expand the Seniors offer on the land. <i>independent living unit</i> means a dwelling or part of a building, whether or not attached to another dwelling—	Remove the references to include “Independent Living Units” as an Additional Local Provision from all parts of the Planning Proposal including its attachments.
“Seniors Housing”, “Recreational Facility (indoor)” and “Commercial Premises” are prohibited use under KLEP 2015.	“Independent Living Units”, “Recreational Facility (indoor)” and “Commercial Premises” as an Additional Permitted Use to accommodate							

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	Note: Seniors Housing is permitted under State Environmental Planning Policy (Housing) 2021 (SEPP Housing 2021)	the new Café and Wellness Centre with indoor pool, which will be available to both the Village residents and the wider local community.		<p>(a) used to house seniors or people with a disability, and</p> <p>(b) containing private facilities for cooking, sleeping and bathing, and</p> <p>(c) where clothes washing facilities or other facilities for use in connection with the dwelling or part of a building may be provided on a shared basis, but does not include a hostel.</p> <p>Note— Independent living units are a type of <i>seniors housing</i>—see the definition of that term in this Dictionary.</p> <p><i>seniors housing</i> means a building or place that is—</p> <p>(a) a residential care facility, or</p> <p>(b) a hostel within the meaning of <i>State Environmental Planning Policy (Housing) 2021</i>, Chapter 3, Part 5, or</p> <p>(c) a group of independent living units, or</p> <p>(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for—</p> <p>(e) seniors or people who have a disability, or</p> <p>(f) people who live in the same household with seniors or people who have a disability, or</p> <p>(g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital.</p> <p>Note— Seniors housing is a type of residential accommodation—see the definition of that term in this Dictionary.</p> <p>More importantly, Seniors Housing in R4 (High Density Residential) zoning is determined under the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP). It is not determined under the KLEP 2015.</p> <p>“Independent Living Units” must be removed from the list of proposed Additional Uses as it duplicates a use permitted by the SEPP (Housing) in the R4 zone. LEP practice note, <i>PN 11-002 - Preparing LEPs using the Standard Instrument: standard zones</i> states that ‘where the permissibility of certain land uses is provided for under a relevant SEPP..., there is no need to include these types of development in Standard Instrument LEPs’.</p> <p>Any future DA of this land will be conducted under the Housing SEPP utilising the KLEP 2015 mapping standards (zoning, height, FSR etc) to set the development parameters.</p>
PART 1 - OBJECTIVES AND INTENDED OUTCOMES				
6	<p>Objective</p> <p>..... It also proposes a number of community benefits including publicly accessible private lands comprising a “pocket park”, pedestrian thoroughfare to King Street, landscape communal spaces and other civic amenity improvements to the Council’s public domain.</p>			Make clear, in the Letter of Offer, the mechanisms to deliver the proposed public benefit.
	<p>The Planning Proposal mentions certain attributes (publicly accessible private lands comprising a pocket park, pedestrian thoroughfare to King Street, landscape communal spaces and other civic amenity improvements to the Council’s public domain); however, there is no mechanism included to embed these items as public benefits in perpetuity.</p> <p>For example no mention has been made of dedication to Council of the pedestrian thoroughfare to King Street to ensure public use in perpetuity, nor a mechanism to enable ongoing public use of the proposed communal spaces. Without any suitable mechanism mentioned, the landowner can ‘change their mind’ at any time and remove the mentioned public benefit.</p> <p>Council has pointed out this issue in the two adequacy checks sent to the proponent on 10/10/23 and 28/2/24 prior to the commencement of the assessment of the proposal.</p> <p>The Planning Agreement Letter of Offer attached to the Planning Proposal does not deliver true public benefit as it fails to mention any mechanism for the continued delivery of access to the promised facilities.</p> <p>Therefore either the mechanisms must be clarified in the Letter of Offer, otherwise all mention of community benefit is to be removed from all parts of the Planning Proposal and its Attachments as it is incorrect and misleading. The proponent should note that Council may not see the proposed benefit if the potential mechanisms</p>			

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		for delivery of benefit are not included in the Letter of Offer. Make clear, in the Letter of Offer, the mechanisms to deliver the public benefit.	
	<p>Intended Outcomes</p> <p>a- Contribute to the Village's role as a strategic site providing Seniors Housing, jobs and accessible on-site resident facilities to promote aging in place;</p> <p>b- To achieve a suitable balance between high-density housing and deep-soil landscaped areas, which is only possible through higher-built forms;</p> <p>c- To promote greater social interaction, thereby mitigating isolation for both Rohini Village residents and members of the community;</p> <p>d- Contribute to the activation of Turramurra by providing a safe and pleasant pedestrian walk to St James Church between Rohini Street and King Street;</p> <p>e- Contribute to the rejuvenation of Rohini Street by providing publicly accessible communal open space, along the street frontage to compliment future planned upgrades to the Council public domain along Rohini Street;</p> <p>f- Contribute to pedestrian safety with planned upgrades to the northern end of Rohini Street.</p>	<p>a- The proposal does not “promote ageing in place”. The proposal only delivers large 2-3 bedroom units for independent living. There is no provision for serviced apartments to transition the onsite population as they age, nor is there any high care provision for residents that require it. The aged residents will have to leave the site and move to other facilities offering those levels of care. This is highly disruptive at this stage of life and does not support residents remaining in the local area where they have established networks.</p> <p>The Urban Design Study (pg. 112) mentions 8 studio style apartments to accommodate high care residents. However these are not embedded in the Planning Proposal.</p> <p>There is also no mention of any intermediate level of care and accommodation of those staff/facilities on site to deliver assisted services to residents that are transitioning from healthy to frail.</p> <p>The <i>State Environmental Planning Policy (Housing) 2021</i> makes a distinction on pure ILUs with zero services to transition ageing residents:</p> <p><i>SEPP Housing: Division 2 - 82 Definitions</i> <i>in-fill self-care housing - means seniors housing consisting of at least 2 independent living units and at which none of the following services are provided on the site— (a) meals, (b) cleaning services, (c) personal care, (d) nursing care.</i></p> <p>The Planning Proposal should state it is providing “<i>in-fill self-care housing</i>” so that the type of Seniors housing that will be facilitated by this proposal is transparent. The stated definition will clarify the singular nature of the housing provision and remove any assumption of the provision of partial/full care as is usual with many Seniors housing providers.</p> <p>b- It is unclear if the deep soil calculation have taken into account the multiple hardstands and pathways across the Site.</p> <p>It is also unclear if the calculated deep soil has achieved the required 6m minimum dimension as required in the ADG (<i>The Seniors Housing Design Guide 2023 states Seniors housing is to align with ADG standards</i>).</p> <p>The deep soil is limited to the minimal boundary setback areas due to the massive underground parking excavations. The reason for deep soil provision is to enable the planning of trees and in particular tall canopy trees. While “canopy” is mentioned within the proposal and its attachment, there is no mention of tall canopy trees constituting that canopy, with many new trees being indicated in the central areas or squeezed between multiple pathways indicating only small trees will be planted.</p> <p>c- Reference to “members of the community” is not genuine as the planning proposal and its associated Planning Agreement in no way provide any mechanism for ongoing wider community use of the site, its access and its facilities.</p> <p>The adequacy assessment sent to the proponent suggested entering into a PA that looks to acquire the existing dog leg public pathway to the north west of the site to increase site potential, and the dedication of the proposed through site link to Council to maintain the community access that the Planning Proposal</p>	<p>a- Include the 8 high care units into the Planning Proposal to demonstrate the statement “promote ageing in place”. State mechanism to offer serviced care to residents as they age within their units.</p> <p>b- Check and demonstrate how the calculations for deep soil have been conducted and amend the given figures if required, ensuring that the required minimums are achieved.</p> <p>c- Remove the reference to “members of the community” unless the Planning Agreement is amended to include clear delivery mechanisms within the Letter of Offer.</p> <p>d- Unless the Planning Agreement Letter of Offer is amended, amend the end of the statement to include the words “for its residents”.</p> <p>e- Remove mention of the “pocket park” along Rohini St.</p>

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		<p>repeatedly states is for public use. The proponent’s Letter of Offer has not considered this, nor mentions any mechanism within the Letter on how this can be agreed.</p> <p>d- There is no guarantee that the public will be allowed to use the site’s throughway between Rohini St and King Street, especially as Council’s dog-leg pathway to the north-west remains in place. There is no stated mechanism to deliver on these statements. Their inclusion misleads the reader into superficially accepting the intention without understanding there is no mechanism to ensure the delivery of this in perpetuity. This statement requires clarification - it is only true for the residents of the development.</p> <p>e- The proposed delivery of a “pocket park” along Rohini Street is not possible. The proposed pocket park is substantially smaller than the minimum area targeted for new park delivery in Ku-ring-gai (2,500-3,000sqm) and is considered ineffective.</p> <p>Its offset would reduce the capacity of Council to provide for multi-use parkland, including facilities for seniors, in a larger consolidated park and the limited size on this site would be inefficient and costly to maintain.</p> <p>f- It is likely that the improved turning and vehicle circulation arrangements at the termination of Rohini Street would be primarily required for the efficient operation of the future seniors housing facility and to make good any damage incurred during construction, though this can be subject to further consideration in the context of the proposed development. Similarly, the upgrades to one side of Rohini St leading to the development Site will primarily benefit the residents of the Site. Limited public benefit would apply in delivering these. These matters can be discussed further through any Planning Agreement if Council accept the Letter of Offer.</p>	
PART 2 - EXPLANATION OF PROVISIONS			
7	Intended Provisions This Planning Proposal (PP) seeks to amend the Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015), to facilitate an increase in the provision of Seniors Housing at Rohini Village,	<p>The statement indicates the proposed amendment will “facilitate an increase in the provision of seniors housing at Rohini Village”.</p> <p>This is inconsistent with other statements in the Planning Proposal and its Appendices which state the same number of Independent Living Units (110) will be delivered through the proposed increase in FSR and Height on the site.</p>	<p>Correct the paragraph to reflect the inclusion of 8 high care units taking the site potential to 115.</p>
7	<u>Note:</u> It is proposed to include “Independent Living Units” as part of the new Schedule 1 provisions in order to avoid any doubt about the application of Part 5 of the Housing SEPP 2021, as a consequence of the biodiversity mapping that applies to a very small area of the site and to provide assurances that the intended outcome of providing increased housing for Seniors in close proximity to public transport, shops and services is achieved.	<p>The area on the Site that is mapped on the ‘Biodiversity Values Map’ under Section 7.3 of the <i>Biodiversity Conservation Regulation 2017</i> consists of canopy from the Blackbutt tree that sits outside the Site boundary. Therefore the substantive part of the site is not considered to be ‘Environmentally sensitive land’ under Schedule 3 of the Housing SEPP 2021. It is highly unlikely that this canopy mapping will prevent the delivery of ILUs and redevelopment of the site providing the proposal and any future DA does not impact the tree, its canopy spread and its TPZ.</p>	<p>Remove references to “Independent Living Units” being included as an Additional permitted Use from all parts of the Planning proposal and its Attachments.</p>
8	Table 2: Proposed KLEP Amendments Amendment to the KLEP2015 Schedule 1 - Additional Permitted Uses and Map to denote 51-53 Rohini Street as Area “#” and insert new clause that states the following: (1) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as “Area #” on the <u>Additional Permitted Uses Map</u> .	<p>The Table indicates the wording of the amendment to the <i>KLEP Schedule 1 Additional Permitted Uses</i>, and includes a proposed <i>Additional Permitted Uses Map</i>.</p> <p>Independent Living Units The proposal lists “Independent Living Units” as an additional use. This must be removed as it duplicates a use permitted by the SEPP (Housing) in the R4 zone. LEP practice note, <i>PN 11-002 - Preparing LEPs using the Standard</i></p>	<p>Remove “Independent Living Units” as an Additional Permitted Use.</p> <p>Remove the words “Ancillary resident facilities”.</p>

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	<div>(2) Development for the purposes of the following is permitted with development consent.<div>(a) Independent Living Units and</div><div>(b) Ancillary resident facilities, recreational facility (indoor) and commercial premises with a maximum gross floor area of 700m².</div><div>Proposed Additional Permitted Uses Map</div><div></div><div>Amend KLEP2015 Part 6 Additional Local Provisions and insert the following:</div><div>6.14 Rohini Village<div>(1) The objective of this clause is to facilitate the renewal of the existing seniors housing development and to provide ancillary community facilities which may be used by the wider community.</div><div>(2) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as “Area #” on the <u>Additional Permitted Uses Map</u>.</div><div>(3) Development for the purpose of Independent Living Units and ancillary community and commercial uses as described in Schedule 1 (“XX”) may have –<div>(a) a maximum Floor Space Ratio of 1.5:1, and</div><div>(b) a maximum building height of 17.5 m</div></div></div></div> <div>The above proposed KLEP amendment would not require changes to the Building Height or Floor Space Ratio KLEP 2015 Maps. All other planning controls applying to the Site will remain unchanged.</div>	<div><i>Instrument: standard zones</i> states that “where the permissibility of certain land uses is provided for under a relevant SEPP..., there is no need to include these types of development in Standard Instrument LEPs”.</div> <div>Additional Uses<div>The words “Ancillary resident facilities” is not a defined use in the Standard instrument definitions and therefore must be removed. The relevant definitions to enable the required additional uses are as follows:</div><div><i>commercial premises</i> means any of the following—<div>(a) business premises,</div><div>(b) office premises,</div><div>(c) retail premises.</div></div><div><i>recreation facility (indoor)</i> means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.</div></div> <div>Therefore, the wording requesting the additional uses should be corrected to the following:</div> <div><i>KLEP 2015 Schedule 1 Additional permitted uses</i><div><i>Use of certain land at 51-53 Rohini Street, Turramurra</i><ul style="list-style-type: none"><i>This clause applies to land at 51-53 Rohini Street, Turramurra, being Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038.</i><i>Development for the following purposes is permitted with development consent.</i><ul style="list-style-type: none"><i>recreation facility (indoor)</i><i>commercial premises</i><i>Development consent must not be granted under this clause to development that results in the gross floor area of the combined recreation facility (indoor) and commercial premises exceeding 700m².</i></div></div> <div>Additional Permitted Uses map<div>The Planning Proposal does not require an Additional Permitted Uses map. The description of the site Lot and DP are sufficient to legally identify the land and a list of additional uses is sufficient to attach those uses to the site. A map is only useful for complex sites where further issues are required to be addressed in additional clauses within the KLEP.</div></div> <div>Additional Local Provisions<div>The Planning Proposal seeks to make amendment to the FSR and Height on the site via KLEP <i>Part 6 Additional Local Provisions</i>.</div><div>This approach is highly irregular and not consistent with LEP Practice note <i>PN 08-001 - Height and floor space ratio</i>. Where an LEP contains Clause 4.3 – Height of buildings and/or Clause 4.4 – Floor space ratio, then heights and FSRs are to be specified on the Height of Buildings Map and Floor Space Ratio Map respectively. Clause 4.4 does allow for a table to be used in conjunction with a map so that separate FSRs may be set out depending on the mix of land uses.</div><div>The effect of the proposed local provision stipulated in the Planning Proposal would be to allow only development for the purpose of Independent Living Units, and ancillary community and commercial uses to achieve the proposed maximum FSR of 1.5:1 and maximum Height of buildings of 17.5m. All other permitted uses on the site would be restricted to the existing FSR of L: 0.85:1 and height of building of K:11.5m.</div></div>	<div>Include the provided corrected wording. Make this amendment across the Planning Proposal and all its Attachments.</div> <div>Remove the Additional Permitted Uses Map and all references to it in the Planning Proposal and its Attachments.</div> <div>Amendment to the Height and FSR must be shown on the following KLEP maps:<ul style="list-style-type: none">Height of Building MapFloor Space Ratio Map</div>

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		<p>There is no justification in the Planning Proposal for the proposed variation of the development standards to differentiate between the use of the site for Independent Living Units plus ancillary community/commercial uses, and all other potential uses on the site.</p> <p>It would be assumed that the potential bulk, scale and environmental impact of a seniors housing development would be similar to that of an alternate use such as a residential flat building. Therefore, if it is deemed that the site has the capacity to accommodate the proposed FSR and height for a seniors housing use, then those standards should apply to all permissible uses on the site.</p> <p>Therefore, the proposed amendment to the Height and FSR must be shown on the following KLEP maps:</p> <ol style="list-style-type: none">1. Height of Building Map2. Floor Space Ratio Map <p>All references to their inclusion within Part 6 Additional Local Provisions are to be removed from the Planning Proposal and all its Attachments.</p>	
PART 3 – JUSTIFICATION OF STRATEGIC AND SITE SPECIFIC MERIT			
Section A – Need for the planning proposal			
Q1 – Is the planning proposal a result of an endorsed local strategic planning statement (LSPS)			
9	<p>A number of strategic planning documents are relevant to this Planning Proposal, including the Ku-ring-gai Local Strategic Planning Statement (LSPS), Ku-ring-gai Housing Strategy (2020) and related Department of Planning, Housing and Infrastructure Approval Letter (dated 16 July 2021), the Community Strategic Plan (2022) and Turramurra Public Domain Plan. The Planning Proposal is fully consistent with the visions and goals relating to locating higher density housing adjoining train and bus nodes, in close proximity to commercial centres established under these strategies.</p> <p>Key features of the proposal that give effect to the overall aims of strategic studies are;</p> <ul style="list-style-type: none">• Provides a new-aged housing that is designed to meet the needs and demands of an ageing population, allowing for the community to “age in place” within their established settings and familiar surrounds.• Provides seniors a new facility with excellent access to both services and public transport.• The potential upgrades to Rohini Street proposed under the draft Letter of Offer at Appendix J would be consistent with the following statements in the LSPS (Page 26); <p><i>“Council has commenced a program under ‘Activate Ku-ring-gai’ to upgrade key streets in the Local Centres, the first of these will be St Johns Avenue, Gordon; followed by Rohini Street, Turramurra and Lindfield Avenue and the Pacific Highway, Lindfield”.</i> (LSPS page 26)</p>	<p>This Question is asking about strategic documents that have triggered the Planning Proposal.</p> <p>The content quoted in the adjacent column is not relevant to this question and requires removal. The LSPS and other stated local documents have not cited nor triggered this Planning Proposal. The Planning Proposal is a proponent-led application seeking to improve outcomes on the landowner’s Site.</p> <p>The material is replicated in Question 3.</p>	<p>Remove the stated content quoted in the first column.</p>
13	Biodiversity Advice	<p>The stated percentages of canopy cover need to be checked and amended if required. Further, it appears that small trees may be included in the canopy count. The definition being utilised for canopy needs to be provided and a clear indication of species and tree height must be included. Canopy must include tall canopy trees.</p>	<p>Provide transparent calculations on canopy cover, including the</p>

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	... The Landscape Design Concept retains significant trees on site and achieves a doubling of the existing canopy cover from 22.7% to 54.9% canopy cover ...	It is understood that there is some discrepancy between the Landscape Concept & Drawing Schedule and the Arboricultural Impact Assessment Report with confusion on the difference between the fence line and the boundary line to the public domain boundaries, where the existing fencing has encroached on public land. These documents, and accordingly the Planning Proposal is to be checked. Demonstration of calculation to confirm the stated sums must be clearly set out.	definition of what is being considered as canopy – species, tree heights and numbers, particularly of tall trees.
Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?			
14	Notwithstanding, Feasibility Analysis is provided at Appendix L .	The Feasibility Analysis is provided at Appendix I .	Correct the reference.
15	The fourth option is to lodge a site-specific Planning Proposal.	The reference should be to the fifth option as per the heading, not fourth.	Correct the reference.
Section B – Relationship to strategic planning framework			
Q3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?			
Greater Sydney Region Plan 2056: A Metropolis of Three Cities			
16	Objective 4: Infrastructure Use is Optimised Builds on the Site's location in close proximity to Turramurra shops and public transport	The justification is incomplete. More detail is required to demonstrate the strategic location of the site. Provide specific distances, bus route names and destinations, train line name and destinations, road names and destinations, names and locations of other facilities such as medical care, hospitals, parks, public library, community activities, voluntary services to participate in, educational, recreation and leisure facilities, cinemas/theatres etc.	Provide improved and detailed justification as indicated.
17	Objective 6: Services and Infrastructure Meet Communities' Changing Needs	The justification is incomplete. Objective 6 speaks to the following aspects relevant to this Planning Proposal: <i>Health Services - Tailored services and infrastructure is required for people to age within their communities where being close to friends, family and support networks improves their wellbeing. This means local access to health services, transport and social infrastructure which may require more innovative approaches to delivery (refer to Objective 3).</i> <i>In an age-friendly city, policies, services and infrastructure support and enable people to age actively, which means optimising opportunities for health, participation and security in order to enhance quality of life.</i> <i>Accessibility - Places and transport designed to be accessible by all people, and homes that can be easily adapted to house older people and people with a disability, are increasingly required as the population grows and demographics change.</i> <i>Universal design - Universal design provides safer homes that are easier to enter, move around and live in, and that can be adapted to the changing needs of occupants over time.</i> <i>If 20 per cent of new homes were of universal design, savings to the Australian health system of \$37 million–\$54.5 million per year could arise through reduced hospital stays, accommodation, health and in-home care.</i> Given this Planning proposal makes reference to ageing in place, this objective should be more fully addressed to demonstrate how the development will meet the changing needs of its residents including clearly stating the number of Universal Design units.	Provide full justification giving specific examples of how the proposal and its concept design addresses the Objective.

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17	Objective 7: Communities are Healthy, Resilient and Socially Connected	<p>The justification is incomplete.</p> <p>More specific detail is required including references to the onsite pool and health facilities and the proximity to walking and bike tracks. Explain how the proposal and its location will promote the Site's community to develop into a healthy, resilient and socially connected community.</p>	Provide improved and detailed justification as indicated.
17	Objective 11: Housing is more diverse and affordable	<p>The justification is incomplete.</p> <p>The Planning Proposal delivers a limited type of apartments (66 x 2 bedroom units and 44 x 3 bedroom units) with maximum parking areas. The offer is akin to the private housing market offer of apartment units with onsite pools and other facilities.</p> <p>The proposal provides no additional care service that would speak to a diverse range of housing to meet the ageing community needs (independent units, serviced units and high care units). These aspects require a stronger justification considering the significant uplift being sought for the land. If this was not a seniors development site, a percentage of affordable housing would be mandated in the provision.</p> <p>Elderly people in Ku-ring-gai vary in wealth with many struggling to stay in the familiar area. Consideration should be given to how a more equitable provision can be delivered on the site.</p> <p>The "loan licence tenure under the Retirement Villages Act 1999 which can offer a range of lease contracts to suit the purchaser's affordability requirements" is acknowledged.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place. To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance. 	<p>Provide improved and detailed justification as indicated.</p> <p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <ul style="list-style-type: none"> 8 high care units on the site with carer accommodation, and in-home care services as required by residents.
17	Objective 13: Environmental heritage is identified, conserved and enhanced	<p>This Objective has been omitted.</p> <p>Given the site is adjacent to an HCA and has several Heritage Items in its vicinity, the proposal needs to address the locational factors and provide some argument regarding the impacts on those heritage features. For example including landscaping with tall canopy trees on adjacent Council dog-leg path and the Site's setback areas, and design (paving, planting, lighting etc) of the public domain to lead the pedestrian along both the internal and the dog-leg path towards the HCA with its different scale and character.</p> <p>In addition, the 3 sets of pillars are to be heritage listed through Schedule 5 and mapping in the KLEP 2015.</p>	Provide a response to this Objective to include reference to the HCA and heritage listing of the 3 sets of pillars.
18	Objective 14: A Metropolis of Three Cities – integrated landuse and transport creates walkable and 30-minute cities	<p>The justification is incomplete.</p> <p>Provide specific detail: distances to bus and train and car routes; destinations and places of potential employment for elderly people.</p>	Provide improved and detailed justification as indicated.

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18	Objective 22: Investment and business activity in centre	<p>The justification is incomplete.</p> <p>Provide details on the on-site commercial uses being sought. Demonstrate how the Planning Proposal will contribute to the investment in and revitalising of the Turramurra Local Centre including café, pool and leisure, health and any other speciality rooms that will provide important day-to-day goods and services and local employment. Discuss how the through site link and adjacent public paths and cycling tracks will enhance the accessibility and connectivity of the centre.</p>	Provide improved and detailed justification as indicated.
18	Objective 30: Urban Tree Canopy Cover is Increased	<p>The figures given here must be checked and properly calculated with clear references to the definitions being used to supply the tree species and their heights. Ku-ring-gai's canopy constitute tall trees. The proposal seems to be relying on small trees that could be planted in between the multiple pathways and above the basement parking.</p> <p>The removal of the 42 trees, many of which are not diseased nor in decline is not supported. The removal of boundary trees, particularly those within the TPZ of larger trees is not justified and is a matter that will be dealt with at DA stage. To prevent the fettering of proper DA assessment, all references to tree removal are to be removed.</p> <p>A diagram has been provided, the source should quote the document and page number it is taken from.</p> <p>Commentary on canopy - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information stating trees and species type have been included in the Planning proposal documentation. The Planting Strategy included in the proponent's Landscape Concept and Drawing Schedule names trees, shrubs, and groundcover selected for the landscaping. It includes the mature height and spread of these trees; however, it does not state the location of the trees nor how many trees will be planted. The landscape drawings show good planting outcomes but it is difficult to know what proportion of the canopy will be small trees, medium trees, large trees. A key feature of Ku-ring-gai is its canopy which includes distinctive tall trees both endemic and exotic species. The Planting Strategy list names 6 tree species that are 15m+ tall and 4 tree species that are 18m+ tall but no indication of how many of these will be planted and at what location. Detail is still required to understand how many and where tall trees will be provided to demonstrate that the deep soil areas are capable of enabling those species to grow and remain healthy, particularly with the criss-cross of pathway systems across the entire site. Without the actual numbers of trees and their location, it is not possible to verify the proponent's claims of providing 3,897sqm of canopy. 	To verify the canopy that is claimed to be delivered on the site, the Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy, and demonstrate the calculation of the expected tree height and canopy spread.
19	Objective 32: The Green Grid Links Parks, Open Spaces, Bushland and Walking and Cycling Paths	<p>The discussion should include the potential to improve public domain works including landscaping and tree planting via the Planning Agreement Letter of Offer.</p> <p>The Letter of Offer should consider the inclusion of all the Council owned dog-leg path (not just the section from the development Site to King St), to provide improved landscaping, tall canopy tree planting that would both offer screening to the new development as well as quality green links within and around the site.</p>	Provide improved and detailed justification as indicated.
North District Plan			
20	Planning Priority N3 – Providing Services and Social Infrastructure to meet peoples changing needs.	The justification should mention other on site services such as medical, salon etc that enable the on site ageing population easy access to key services. Mention should also be made of the local Church and the improved accessibility to that via the on-site pathway and the proposed Planning Agreement to improve the Council owned pathway/public domain.	Provide improved and detailed justification as indicated.

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20	Planning Priority N4 – Fostering Healthy, creative, culturally rich and socially connected communities.	The justification needs to make specific reference to aspects of the Site and surrounding paths/bike tracks. They need to be names. Just saying “facilities” is inadequate. The justifications should be such that they are clearly unique to this site, not general statements that could apply anywhere.	Provide improved and detailed justification as indicated.
20	Planning Priority N5 – Providing Housing supply, choice and affordability with access to jobs, services and public transport.	<p>More justification is required around the affordability aspect and the housing choice aspect. This development appears to be aimed at an affluent downsizing population that are capable of living independently. No provision is made for housing choice as the cohort ages, resulting in displacement of people and their networks as they move away to source greater care.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place. To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance. 	<p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <ul style="list-style-type: none"> 8 high care units on the site with carer accommodation, and in-home care services as required by residents.
23	Planning Priority N8 – Eastern Economic Corridor is better connected and more competitive.	The justification should make reference to how the site is connected to the mentioned strategic centres – road/rail/bus, routes and distances.	Provide improved and detailed justification as indicated.
23	Planning Priority N10 – Growing investment, business opportunities and jobs in strategic centres	Show that the proposal has economic value, specifically state the type of employment the Site will generate (nurses, café staff, hairdressers, cleaners, health staff, pool staff etc)	Provide improved and detailed justification as indicated.
23	Planning Priority N12 – Delivering integrated landuse and transport planning and a 30minute city	<p>The justification is incomplete.</p> <p>Provide specific detail: distances to bus and train and car routes; destinations and places of potential employment, voluntary work and activities for elderly people.</p>	Provide improved and detailed justification as indicated.
Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?			
LSPS			
37	K4 – Providing a range of diverse housing to accommodate the changing structure of families and households and enable aging in place.	<p>The justification is incomplete.</p> <p>More justification is required around the affordability aspect and the housing choice aspect. This development appears to be aimed at an affluent downsizing population that are capable of living independently. No provision is made for housing choice as the cohort ages, resulting in displacement of people and their networks as they move away to source greater care.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place. 	<p>Provide improved and detailed justification as indicated.</p> <p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <ul style="list-style-type: none"> 8 high care units on the site with carer accommodation, and

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		<ul style="list-style-type: none"> To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance. 	<ul style="list-style-type: none"> in-home care services as required by residents.
37	K5 – Providing affordable housing that retains and strengthens the local residential and business community	<p>The justification is incomplete.</p> <p>More justification is required around the affordability aspect and the housing choice aspect. This development appears to be aimed at an affluent downsizing population that are capable of living independently. No provision is made for housing choice as the cohort ages, resulting in displacement of people and their networks as they move away to source greater care.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place. To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance. 	<p>Provide improved and detailed justification as indicated.</p> <p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <ul style="list-style-type: none"> 8 high care units on the site with carer accommodation, and in-home care services as required by residents.
37	K7. Facilitating mixed-use developments within the centres that achieve urban design excellence	<p>The justification is incomplete.</p> <p>State the proposal is seeking additional uses, state what they are and describe how they introduce mixed use to the site consistent with the Site's location close to the Local Centre.</p>	Provide improved and detailed justification as indicated.
37	K10. Promoting Turramurra as a family focused urban village	<p>The justification is incomplete.</p> <p>Relate to the type of accommodation being provided and number of bedrooms that will facilitate relatives and immediate family staying with the elderly residents, promoting extended family care.</p>	Provide improved and detailed justification as indicated.
39	K21. Prioritising new development and housing in locations that enable 30minute access to key strategic centres	<p>The justification is incomplete.</p> <p>Name the strategic centres. Provide specific distances, bus route names and destinations, train line name and destinations, road names and destinations. Demonstrate the 30 min travel to the mentioned centres.</p>	Provide improved and detailed justification as indicated.
40	K23. Providing safe and convenient walking and cycling networks within Ku-ring-gai	<p>The justification is incomplete.</p> <p>The justification has omitted mention of the Council and Railway pathways and bike tracks abutting the site, the short circuit through the site and along the public dog-leg path to the north-west providing ageing residents a safe, accessible exercise circuit.</p>	Provide improved and detailed justification as indicated.
40	K27. Ensuring the provision of sufficient open space to meet the need of a growing and changing community	<p>The justification is incomplete.</p>	Provide improved and detailed justification as indicated.

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		Facts regarding the amount of landscaped area, external communal open space on the ground and roof terraces, private open spaces allowing ageing residents to access the outdoors as they become more frail. This type of detail will demonstrate alignment.												
Housing Strategy														
49	H2 – Encourage diversity and choice of housing	<p>The justification is incomplete.</p> <p>More justification is required around the affordability aspect and the housing choice aspect. This development appears to be aimed at an affluent downsizing population that are capable of living independently. No provision is made for housing choice as the cohort ages, resulting in displacement of people and their networks as they move away to source greater care.</p> <p>The proposal delivers the following:</p> <table><tr><td>EXISTING</td><td>PROPOSED</td></tr><tr><td>110 ILUs</td><td>110 ILUs</td></tr><tr><td>82 x 1 bedroom units</td><td>0 x 1 bedroom units</td></tr><tr><td>24 x 2 bedroom units</td><td>66 x 2 bedroom units</td></tr><tr><td>2 x 3 bedroom units</td><td>44 x 3 bedroom units</td></tr></table> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place.To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance.		EXISTING	PROPOSED	110 ILUs	110 ILUs	82 x 1 bedroom units	0 x 1 bedroom units	24 x 2 bedroom units	66 x 2 bedroom units	2 x 3 bedroom units	44 x 3 bedroom units	<p>Provide improved and detailed justification as indicated.</p> <p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <ul style="list-style-type: none">8 high care units on the site with carer accommodation, andin-home care services as required by residents.
EXISTING	PROPOSED													
110 ILUs	110 ILUs													
82 x 1 bedroom units	0 x 1 bedroom units													
24 x 2 bedroom units	66 x 2 bedroom units													
2 x 3 bedroom units	44 x 3 bedroom units													
Q6 - Is the planning proposal consistent with applicable SEPPs?														
67	SEPP (Biodiversity and Conservation) 2021	<p>Reference to tree removal is to be amended.</p> <p>The amendments must be made to the Planning Proposal, to the attached Arborist Report and Urban Design Report, and to any other document in which tree removal appears.</p> <p>The Arborist Report is to remove or amend the following drawings to take out all reference to tree removal, noting that tree removal will be properly considered at the DA stage:</p> <ul style="list-style-type: none">Tree Protection and Removal PlanTree Canopy Pruning PlanTree Assessment Schedule <p>The documentation of tree removal to the boundaries of the site is not supported. Only trees clearly identified as weed or having a significant safety concern may be cited for removal at this Planning Proposal stage.</p> <p>Regardless of trees being identified as having low, medium or high retention value, all trees are to be retained and removal can be documented as part of a future DA application. The Planning Proposal can identify the trees and their value, but removal can only be considered and agreed when a final DA design and detail is developed.</p>		<p>All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.</p> <p>Amendment is to be made to all diagrams and descriptions across the Planning Proposal and all Attachments.</p>										

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		<p>Reference to the transplanting of the magnolia is equally to be removed as this is not a DA and the proper investigations conducted through a DA cannot be done at this strategic planning proposal stage.</p> <p>This Planning Proposal is not to fetter that investigation nor prematurely influence the tree removal outcomes at the DA assessment stage.</p> <p>In addition, the following comment raises concern:</p> <p>Page 69 of the Planning Proposal: <i>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be removed, as it is located within the road reserve-carriageway.</i></p> <p>Any future design of the turning circle to avoid removal of the Blackbutt tree which is part of a Critically Endangered Ecological Community (Blue Gum High Forest). The Biodiversity Letter have noted that the no native trees are proposed to be removed from diversity mapped areas (pg 3). Any future consideration of the impacts to the Blackbutt would need to be investigated through an update to the ecological advice as a BDAR may be required.</p> <p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information clarifying some of the issues raised on tree removal. Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting. 	
73-74	<p>SEPP (Housing) 2021</p> <p>Design Quality of Residential Flat Development & Apartment Design Guide (ADG)</p> 	<p>The impacts of overshadowing, and the proponent's claim of limited impacts to the south-western properties will be verified at DA stage; however, a high level assessment indicates high impact will result from the proposed concept plan. The concept plan requires revision to assure neighbouring properties that their solar access will not be compromised by the increased height to 21.3m including the SEPP bonus. Noted is the elevated topography of this site which will exacerbate overshadowing and overlooking impacts to the neighbouring properties, many of which have very minimal setbacks to the boundary.</p> <p>The issue for the planning proposal is to provide clear, transparent diagrams for the public to understand.</p> <p>The issue of the legibility of the shadow diagrams and transparency of the overshadowing impacts was raised in both adequacy assessments. This aspect will be scrutinised by the community and it is critical the drawings are presented with clarity.</p> <p>The following is again repeated as a requirement to provide transparency on the effects of shadows cast by the proposal:</p> <ul style="list-style-type: none"> Remove the multiple colours (green and orange) that make it difficult to understand the diagrams and appear deceptive with lighter colours being used for the most impactful shadow extents. 	<p>Amend the concept plans to reduce the single building footprint, and altering building orientation to reduce the continuous shadow to the south-eastern boundary properties at 47-49 Rohini St and 22, 24, 26 Eastern Road, Turramurra.</p> <p>Make the easily understood small monochrome thumbnails the same size as the multicoloured diagrams; alternately, amend the multi-coloured diagrams to show a single blue</p>

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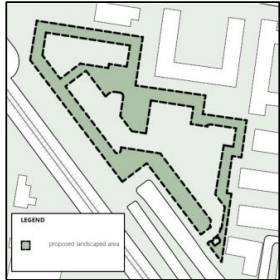
PLANNING PROPOSAL			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflecting KLPP advice and further assessment
		<ul style="list-style-type: none"> - There is no hierarchy in shadow. People cannot differentiate between the shadow from an 11.5m height and shadow from a 21.3m height building. Shadow is homogenous. Use one colour (blue) to clearly show the extent and outline of the proposal's shadow for the total built form. - There is no need to show existing shadow where it falls within the shadow lines of the proposal as it makes the diagrams confusing for the public that will be looking at them. <p>The shadow diagrams require amendment to improve legibility for the general public. This can be done by making the easily understood small monochrome thumbnails the same size as the multicoloured diagrams, alternately amend the multi-coloured diagrams to show a single blue colour shadow.</p>	colour shadow (removing the green and orange colours).
78-79	<p>SEPP (Housing) 2021</p> <p>108 Non-discretionary development standards for independent living units</p> <ul style="list-style-type: none"> • Landscape area for a DA by a Social Housing Provider, the SEPP requires 110 ILUs x 35m² = 3,850m² of "Landscape Area" <p>Rohini's Concept Design = <u>4,534m² of Landscape Area</u> which exceeds the requirement by almost 18% as illustrated in Figure 41</p> <p>Complies</p>  <p>Figure 41: Landscape area</p> <ul style="list-style-type: none"> • Deep Soil minimum requirement under the SEPP = 15% Site Area (and if possible 65% of Deep Soil to be at rear if practicable) <p>Current Village = 46% Deep Soil Planting (4240m²) Concept Design = <u>45% Deep Soil</u> Planting (4136m²) Refer Figure 42</p> <p>Complies</p>	<p>The proposal states compliance with the Landscape and Deep Soil requirements of the SEPP (Housing) 2021.</p> <p>It is noted that the SEPP (Housing) definitions do not exclude the pathways from the calculation of landscaped area. The proposal has extensive hard surfaces/pathway systems all around the buildings, including in the boundary setbacks, with landscaping fitting into the remnant spaces. The ability for large and significant planting, typical of the Ku-ring-gai area, within these relatively small spaces is questionable.</p> <p>Similarly, while the SEPP (Housing) speaks of 3m dimensions for deep soil provision, the SEPP (Housing) shows a clear policy intent that apartment buildings are to align with the ADG to ensure good outcomes. This is demonstrated in the <i>Seniors Housing Design Guideline</i>, related to the SEPP, which includes a table at <i>Part 4 - 18.0 Alignment with the Apartment Design Guide (ADG)</i>, directing designers to the ADG standards. Therefore, the ADG definition, which requires a 6m minimum dimension for effective deep soil around RFBs must be applied to this development. It is unclear if this has been done in the Urban Design calculations.</p> <p>The ADG definition for deep soil states a minimum 6m dimension as follows:</p> <p><i>Glossary</i> <i>Deep soil zone</i> <i>area of soil within a development that are unimpeded by buildings or structures above and below ground and have a minimum dimension of 6m. Deep soil zones exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.</i></p> <p>Commentary on the Landscape Area and Deep Soil Area - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> • In their response to the KLPP, the proponent provided some further explanation on landscape provisions; however no calculations nor diagrams were included to verify the figures stated in the Planning Proposal. The proponent also disputes the requirement to align with the <i>Apartment Design Guide</i> (ADG) standards and sticks to the minimal compliances under the SEPP (Housing) 2021. • The <i>SEPP (Housing) 2021</i> provides basic standards that apply across all densities including low density, medium density and high density seniors housing. The SEPP then refers to its <i>Seniors Housing Design Guideline</i> which is explicit in the requirements for alignment with the ADG for high density development. • Council has conducted further calculations, with assumptions, and derived numbers that are different to those presented in the Planning Proposal documentation for landscape and deep soil provisions. • It is unclear how the proponent has calculated the stated 4534sqm landscaped area. Council's calculations based on the current scheme find the following varying landscape areas which differ from that stated in the Planning Proposal: <ul style="list-style-type: none"> - approximately 3444 sqm (excluding all paths/hardscape) 	<p>Include transparent calculations/diagrams on the provided landscape area and deep soil area figures:</p> <ul style="list-style-type: none"> - showing the assumptions/inclusions/exclusions that the final figures are based on, - giving clear indication where the deep soil areas will be able to sustain tall canopy trees.

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	 <p>Figure 42: Deep Soil Planting</p>	<p>- approximately 4956 sqm (including all paths/hardscape).</p> <ul style="list-style-type: none"> It is unclear what areas the deep soil calculations have included, particularly with regard to 6m wide areas that will enable the planting of tall canopy trees. The Planting Strategy included in the Planning Proposal attachments states tall tree species, but no indicative location is provided in the landscape diagrams to ensure there is a match between the tall trees and the deep soil. 	
Q7 - Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?			
83	3.2 Heritage Conservation	<p>The Heritage Impact Statement, attached to the planning proposal, makes recommendation to retain the pillars as mentioned in the response to Ministerial 3.2. This is supported.</p> <p>It is noted that the Rohini House gates located on the site are currently listed in Schedule 5 of the KLEP 2015 (Item 161). However, the listing identifies the previous location of the gates (Railway lands; Part Lot 1, DP 1129573) prior to their relocation onto the grounds of Rohini Village.</p> <p>It is noted that the original pair for No. 2 is different to that photographed in Figure 23 in the Heritage Impact Statement.</p> <p>The second set of pillars shown in Figure 23 of the Statement have three rather than two pillars, with the original post and gate now in the garden bed to the side framing a vehicular entrance, not shown in the photograph, and the third pillar a replica to form a new pedestrian entrance.</p> <p>The significance is with the original pairs of pillars and associated gates, rather than the replica.</p> <p>The Chery Kemp Heritage Impact Statement concludes the three sets of pillars meet at least one Heritage Council criterion of heritage significance. This meets the threshold for local heritage listing.</p> <p>As there are no planning provisions proposed to support retention in the planning proposal, the proposal should make provision for conservation of these significant features by inclusion of heritage listing in the subject planning proposal. As such, the description of the locational description of the heritage item in Schedule 5 of Ku-ring-gai Local Environmental Plan should be amended to reflect the current location of the Rohini House Gates.</p> <p>The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the No. 2 set to capture the original pillars.</p>	<p>The Planning Proposal is to amend Schedule 5 of Ku-ring-gai Local Environmental Plan and on the Heritage Map within the KLEP 2015 to reflect the current location of the Rohini House Gates.</p> <p>The proponent's heritage consultant is to recommend an appropriate curtilage map, for the pillars.</p> <p>All 3 sets of pillars are to be indicated as heritage items in the KLEP 2015 Maps and have mention in Schedule 5 of KLEP 2015</p> <p>The Ministerial (and all other mentions in the Planning Proposal and its Attachments) are to be updated to reflect the required listing.</p>
Section C – Environmental, social and economic impact			
Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?			
13	P13 notes that only a small portion of the site is identified as biodiversity land and canopy associated with that is being protected.	<p>Only a small portion of the site is identified as biodiversity mapped land (remnant Blue Gum High Forest) and the proposal will not result in removal of remnant canopy. The site has been checked and although there is good remnant native groundcover in the rail corridor, the groundcover around the Blackbutt on site is highly disturbed and dominated by weeds with major encroachments from the hydrant tanks.</p>	The Planning Proposal and its Attachments are to note that no impacts will occur on the mapped Biodiversity area and any future DA will provide the required Biodiversity
4	<i>Appendix G – Biodiversity Advice Travers Environmental</i>	Tree protection measures are proposed to be applied in the area.	

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

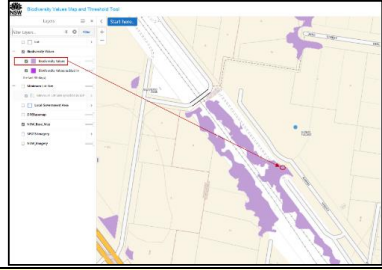
PLANNING PROPOSAL			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflecting KLPP advice and further assessment
Biodiversity Letter	"No native trees are proposed to be removed within the biodiversity mapped area."	<p>The following comment raises concern:</p> <p>Page 69 of the Planning Proposal: <i>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be removed, as it is located within the road reserve-carriageway.</i></p> <p>The removal of Tree 9 would have to be investigated given it is mapped as having biodiversity value and is the last of its species at this location. The removal of trees must be better considered and all measures taken to retain and assist their ongoing health.</p> <p>Any future design of the turning circle is to avoid removal of the Blackbutt tree which is part of a Critically Endangered Ecological Community (Blue Gum High Forest). The Arborist Report and the Biodiversity Letter have made no reference to the Blackbutt tree instead noting that no native trees are proposed to be removed from the biodiversity mapped area. Any future consideration of the impacts to the Blackbutt would need to be investigated through an update to the ecological advice as a BDAR may be required.</p> 	investigations including a BDAR if required.
Q9 – Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?			
13	<p>The landscape design indicates that site can achieve a doubling of canopy <i>from 22.7% to 54.9%</i></p> <p>Noted on P18 of the landscape plan: EXISTING TREE CANOPY AREA:.....2,247 m2 PROPOSED TREE CANOPY AREA:.....3,897 m2</p> <p>Proposal includes:</p> <ul style="list-style-type: none"> recommended removal of 42 trees includes provision for extensive planting throughout site (the number of proposed trees to be planted does not appear to be provided) 	<p>Given the policy intent and link from the SEPP (Housing) to the Seniors housing Design guideline to the ADG, the ADG considerations of neighbourhood integration and area character are required to be demonstrated by any new apartment development, including Seniors Housing developed as apartments. The key aspect of the Ku-ring-gai area is the provision of deep soil that in turn enables the provision of substantial and high quality landscaping including tall canopy trees. The tree canopy is a defining feature of the Ku-ring-gai locality. Therefore the deep soil and canopy provisions of the Ku-ring-gai DCP should be seriously considered as a pathway to demonstrating the alignment with the SEPP (Housing) provisions for neighbourhood and character considerations.</p> <p>The provision of canopy will need to be confirmed at DA stage; many of the proposed trees on the landscape schedule are small trees and may not reach the height/trunk diameter requirements to be defined as "tree" under DCP.</p> <p>Any future DA will need to ensure that the landscaping incorporates a sufficient number of "tall" trees (18m+) as required by the DCP (calculated to be around 30 – the site does not currently achieve this) in addition to the mix of smaller trees, shrubs and groundcovers.</p> <p>The height of buildings may limit spread of canopy (depending on tree height) – this should be carefully considered in any final design.</p> <p>Final landscaping and planting will need to carefully consider the potential for impacts on existing trees to be retained and the design changes outlined in the Arborist report incorporated into final designs to ensure tree protection.</p> <p>There are a few trees proposed for removal within TPZs of trees to be protected and retained. Many of these trees are along the boundary and should not be identified for removal unless they are a weed or there is a significant safety concern. Many of the 'low retention value' trees identified for removal should be retained for screening and biodiversity benefits. Any tree removals along the boundary should be assessed at DA stage and not considered for the planning proposal.</p>	<p>To verify the canopy that is claimed to be delivered on the site, the Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy, and demonstration of the calculation of the canopy based on expected tree number, height and canopy spread.</p> <p>All references to tree removal, tree pruning and tree transplanting in the Planning Proposal, Urban Design Report, Landscape Concept & Landscape Drawings Schedule, Arboricultural Impact Assessment are to be removed to avoid fettering of the DA process.</p>

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PLANNING PROPOSAL			RECOMMENDATION reflecting KLPP advice and further assessment
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		<p>The extent of the proposed underground basement will also impact on the potential to establish large trees (potential for 18m +) as required by the DCP. It is likely that many of the additional trees planted will be small trees and as such not achieve the stated increase to canopy.</p> <p>The proposal should demonstrate that the predicted canopy is achievable – e.g. through specifying tree species that will grow greater than 5m in height.</p> <p>Commentary on canopy and tree removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information stating trees and species type have been included in the Planning proposal documentation. The Planting Strategy included in the proponent's Landscape Concept and Drawing Schedule names trees, shrubs, and groundcover selected for the landscaping. It includes the mature height and spread of these trees; however, it does not state the location of the trees nor how many trees will be planted. The landscape drawings show good planting outcomes but it is difficult to know what proportion of the canopy will be small trees, medium trees, large trees. A key feature of Ku-ring-gai is its canopy which includes distinctive tall trees both endemic and exotic species. The Planting Strategy list names 6 tree species that are 15m+ tall and 4 tree species that are 18m+ tall but no indication of how many of these will be planted and at what location. Detail is still required to understand how many and where tall trees will be provided to demonstrate that the deep soil areas are capable of enabling those species to grow and remain healthy, particularly with the criss-cross of pathway systems across the entire site. Without the actual numbers of trees and their location, it is not possible to verify the proponent's claims of providing 3,897sqm of canopy. The proponent has provided further information clarifying some of the issues raised on tree removal. Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting. 	
22 Arborist Report	Transplantation of Magnolia	<p>Reference to the transplantation will need to be investigated and determined at DA stage if suitable. Citing this at the Planning proposal stage is premature and seeks to lock in an outcome that has not been fully analysed.</p> <p>The arborist report (pg 22) states:</p> <p><i>T68 Magnolia grandiflora (American Bull Bay Magnolia)</i> <i>T68 is rated as a Moderate value tree, as a memorial planting for the centenary of the Anzac Gallipoli Landing and recommended for retention. As it is situated within a proposed major north-south circulation zone and is recommended to be transplanted to a suitable location in the final landscape setting of the site. This would need to be undertaken by a suitably experienced and professional tree transplanter.</i></p> <p>No details from a professional tree transplanter are provided and would need to be assessed at application stage.</p>	All references to tree removal, tree pruning and tree transplanting in the Planning Proposal, Urban Design Report, Landscape Concept & Landscape Drawings Schedule, Arboricultural Impact Assessment are to be removed to avoid fettering of the DA process.
26 Arborist Report	Should the panning proposal be endorsed and accepted we do note two key areas where the design should be modified during detailed designs to support a DA, to minimise potential impacts to the trees and maximise the their successful retention.	<p>Section 3.1 recommendations should be incorporated into final design.</p> <p>Recommendations provided in relation to T19, T22, T49 and T50 should be incorporated to protect mature vegetation on the site.</p>	Incorporate the design changes provided in relation to T19, T22, T49 and T50 into the Planning

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PLANNING PROPOSAL			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflecting KLPP advice and further assessment
	<ul style="list-style-type: none"> In the northeast corner of the site, in the vicinity of T19 and T22, the building should be modified so as to reduce the above ground conflict with the tree canopies and reduce the amount of pruning required. The detailed design of the curved balcony element, adjacent to T22, should be designed and detailed to ensure that it is cantilevered, so that it floats above the ground avoiding impacts to the ground level TPZ of T22. In the northwest corner of the site, the above ground building envelope should be moved further away from T49 and T50, to reduce the requirements for any extensive canopy pruning. 		Proposal concept plan to demonstrate protection of mature vegetation on the site will be possible at the 1.5:1 FSR.
91-93		<p>The content requires adjustment to reflect the requirement for the Heritage Listing of the sets of historical pillars.</p> <p>The Heritage Impact Statement, attached to the planning proposal, makes recommendation to retain the pillars as mentioned in the response to Ministerial 3.2. This is supported.</p> <p>It is noted that the original pair for No. 2 is different to that photographed in Figure 23 in the Heritage Impact Statement.</p> <p>The second set of pillars shown in Figure 23 of the Statement have three rather than two pillars, with the original post and gate now in the garden bed to the side framing a vehicular entrance, not shown in the photograph, and the third pillar a replica to form a new pedestrian entrance.</p> <p>The significance is with the original pairs of pillars and associated gates, rather than the replica.</p> <p>The Chery Kemp Heritage Impact Statement concludes the three sets of pillars meet at least one Heritage Council criterion of heritage significance. This meets the threshold for local heritage listing.</p> <p>As there are no planning provisions proposed to support retention in the planning proposal, the proposal should make provision for conservation of these significant features by inclusion of heritage listing in the subject planning proposal to add these as heritage items in Schedule 5 of Ku-ring-gai Local Environmental Plan.</p> <p>The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the pillars.</p>	<p>Reflect the following requirements in response to Question 9:</p> <ul style="list-style-type: none"> The Planning Proposal is to add the three pillar sets as heritage items in Schedule 5 of Ku-ring-gai Local Environmental Plan and on the Heritage Map within the KLEP 2015. The proponent's heritage consultant is to recommend an appropriate curtilage map for the pillars. The Ministerial (and all other mentions in the Planning Proposal and its Attachments) are to be updated to reflect the required listing.
Q10 – Has the planning proposal adequately addressed any social and economic effects?			
97-101	Public Benefits	<p>Various "public benefits" are listed and illustrated. As the planning proposal's Letter of Offer does not indicate proposed mechanisms to deliver benefit, this content can appear as misleading. The reference to Public Benefit should be removed or amended to refer to "potential public benefit contingent on negotiations through a Planning Agreement with Council.</p> <ul style="list-style-type: none"> Providing "Rohini Walk" 88 m walkway link across the village site. This will comprise a landscaped pedestrian walkway across privately owned Village lands, that allows the wider community access. 	<p>Make amendment as described adjacent and below:</p> <p>Remove this section from the Planning Proposal to take out reference to Public Benefit; or, amend to refer to "<i>potential</i>"</p>

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		<p>The above requires a mechanism to ensure delivery in perpetuity. The Urban Design Study makes reference to “<i>The publicly accessible private open space is intended to provide 24-hour access. However, there may be restricted hours (between 9pm and 7am) if residents are unreasonably impacted</i>”. This highlights Council’s concern regarding the extent of public benefit that will actually be delivered and the landowner’s ability to alter the benefit where there are no agreements in place.</p> <p>Mention is made in the <i>Urban Design Report</i> (pg 50) that the walkway is “<i>intended to remain privately owned, and a Deed of Agreement between Anglicare (as the landowner) and Council is proposed to define the ongoing terms and conditions for public access</i>”. The potential mechanism is to be stated in the Planning Agreement Letter of Offer.</p> <p>The following requires amendment as it seeks to cherry pick a portion of Council’s footpath to benefit the development. The dog-leg footpath in its entirety should be included for consistent public domain upgrade. The excluded portion of the pathway abuts the Site. Its improvement will benefit the units that overlook it, provide screening and shading to the north facing units through landscaping that includes tall canopy trees, and provide a shorter length walking circuit for the Rohini residents unable to manage the longer proposed walking circuit that relies only on the portion of the path linking the Site to King St.</p> <ul style="list-style-type: none">Upgrade of the public pathway connection between the northern end of “Rohini Walk” and King Street. The following are to be removed as they are contrary to Council’s Policies: <p>The following is to be removed from the Planning Proposal as it does not meet Council’s thresholds for a park:</p> <ul style="list-style-type: none">Creation of new pocket park (25m x 7m) with seating being publicly accessible private lands adjacent to Rohini Street public domain. <p>The following appear to primarily benefit the Site development and further discussion via a Planning Agreement process would clarify what, if any , public benefit they would deliver:</p> <ul style="list-style-type: none">Upgrade northern end of Rohini Street adjacent to the site with new turning head. This would involve collaboration with Council regarding creating a turning head to the dead-end road, and provision of publicly accessible private communal open space.Upgrade of Rohini Street footpath for the length of 150 m along the site frontage.	<p><i>public benefit contingent on negotiations through a Planning Agreement with Council</i>”.</p> <p>Consideration should be given to the proposed public domain works incorporating the Council owned dog-leg pathway in its entirety.</p>
PART 4 - MAPS			
109-113		<p>This entire section requires amendment as the Height and FSR amendments must be delivered through amendment to the KLEP Mapping, not through the KLEP Written Instrument. This has been pointed out in both the adequacy checks sent to the proponent and is now repeated here as a required amendment to enable the Council to take on the Planning proposal and progress it through the planning system. The adequacy check illustrates how the required mapping can be structured.</p> <p>The proposed amendment seeks to make amendment to the FSR and Height on the site via KLEP <i>Part 6 Additional Local Provisions</i>.</p> <p>This approach is highly irregular and not consistent with LEP Practice note <i>PN 08-001 - Height and floor space ratio</i>. Where an LEP contains Clause 4.3 – Height of buildings and/or Clause 4.4 – Floor space ratio, then heights and FSRs are to be specified on the Height of Buildings Map and Floor Space Ratio Map respectively. Clause 4.4 does allow for a table to be used in conjunction with a map so that separate FSRs may be set out depending on the mix of land uses.</p> <p>The effect of the proposed Local Provision would be to allow only development for the purpose of Independent Living Units and ancillary community and commercial uses to achieve the proposed maximum FSR of 1.5:1 and</p>	<p>Provide the 3 <i>Mapping</i> amendments and the separate <i>Written Instrument</i> amendments as described in the adjacent column.</p>

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		<p>maximum Height of buildings of P: 17.5m. All other permitted uses on the site would be restricted to the existing FSR of L: 0.85:1 and height of building of K:11.5m.</p> <p>There is no justification in the Planning Proposal for the proposed variation of the development standards to differentiate between the use of the site for Independent Living Units plus ancillary community/commercial uses, and all other potential uses on the site. It would be assumed that the potential bulk, scale and environmental impact of a seniors housing development would be similar to that of an alternate use such as a residential flat building. Therefore, if it is deemed that the site has the capacity to accommodate the proposed FSR and height for a seniors housing use, then those standards should apply to all permissible uses on the site.</p> <p>The Planning Proposal does not require an Additional Permitted Uses map. The description of the site Lot and DP are sufficient to legally identify the land and a list of additional uses is sufficient to attach those uses to the site. A map is only useful for complex sites where further issues are required to be addressed in additional clauses within the KLEP. Remove the Additional Permitted Uses map from all parts of the Planning Proposal and all Attachments.</p> <p>The following is required to be provided within Part 4 under two clear headings:</p> <p>Mapping Amendment Provide the following KLEP comparative maps (from the Legislation website – not from Council’s online map viewer). Place them side by side or one above the other, including a readable legend:</p> <ul style="list-style-type: none">Existing Height of Buildings Map + Proposed Height of Buildings MapExisting FSR Map + Proposed FSR MapExisting Heritage Map + Proposed Heritage Map <p>Only those maps that will be amended need to be shown. All other maps that are not being amended are not to be shown (their inclusion confuses the issue of what is being amended).</p> <p>Written Instrument Amendments Provide the amendments to the Written Instrument as follows:</p> <p>1. KLEP 2015 Schedule 1 Additional permitted uses <i>Use of certain land at 51-53 Rohini Street, Turramurra</i></p> <ul style="list-style-type: none"><i>This clause applies to land at 51-53 Rohini Street, Turramurra, being Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038.</i><i>Development for the following purposes is permitted with development consent.</i><ul style="list-style-type: none"><i>recreation facility (indoor)</i><i>commercial premises</i><i>Development consent must not be granted under this clause to development that results in the gross floor area of the combined recreation facility (indoor) and commercial premises exceeding 700m2.</i> <p>2. KLEP 2015 Schedule 5 Environmental heritage Fill details in the below table:</p> <table><tr><th>Suburb</th><th>Item name</th><th>Address</th><th>Property Description</th><th>Significance</th><th>Item No</th></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>				Suburb	Item name	Address	Property Description	Significance	Item No																			
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PART 5 – COMMUNITY CONSULTATION			
115		<p>Remove the following as it is not required and is inconsistent with public exhibition requirements:</p> <ul style="list-style-type: none">Exhibiting the Planning Proposal and all supporting documentation at Council’s Administration Centre;	<p>Remove the redundant reference to <i>“Exhibiting the Planning Proposal and all supporting documentation at Council’s Administration Centre”.</i></p>

ATTACHMENT A - URBAN DESIGN REPORT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
	Concept Plan drawings and calculations.	<p>Since the site is located close to the Turramurra Local Centre and has good access to public transport and other services and facilities, there is merit in the increased FSR to 1.5:1 (1.725:1 with SEPP bonus); however, modifications to the concept plan are required to improve the strategic outcomes of the site and to be consistent with the requirements of the Regional Plan, District Plan, SEPPs, Ministerials and the age-related studies referenced in the Planning Proposal.</p>	<p>The Urban Design Study is to include the following amendments to the concept plan diagrams and demonstrate that the 1.5:1 FSR and 17.5m Height can achieve compliance with the required standards of <i>SEPP (Housing) 2021</i>, <i>Seniors Housing Design Guide 2023</i>, <i>Apartment Design Guide</i>, <i>AS 1428.1 Design for access and mobility</i>:</p> <ul style="list-style-type: none">include the indicated 8 high care units and carer room to result in 115 yield;incorporate the recommended design changes provided in relation to T19, T22, T49 and T50 stated in the proposal’s <i>Arboricultural Impact Assessment</i> pg 26;amend the monolithic building to the south-western boundary to smaller footprint buildings that reduce

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						<p>overshadowing impacts to the neighbouring properties;</p> <ul style="list-style-type: none">• amend the building layouts to provide some solar access to all units and remove units with zero sunlight. <p>The amendments must be reflected in the Planning Proposal and across all Attachments.</p>																											
4	Proposed Max. Building Height Map Proposed Maximum Floor Space Ratio				<p>Mapping is required to be provided to these headings. Existing and proposed mapping is also tp be provided to show the listing of the 3 sets of pillars.</p> <p>The Planning Proposal seeks to make amendment to the FSR and Height on the site via KLEP <i>Part 6 Additional Local Provisions</i>. This approach is not supported as it is highly irregular and not consistent with LEP Practice note <i>PN 08-001 - Height and floor space ratio</i>. Where an LEP contains Clause 4.3 – Height of buildings and/or Clause 4.4 – Floor space ratio, then heights and FSRs are to be specified on the Height of Buildings Map and Floor Space Ratio Map respectively. Clause 4.4 does allow for a table to be used in conjunction with a map so that separate FSRs may be set out depending on the mix of land uses.</p>	<p>Include the KLEP amended Height map and FSR map, Heritage map.</p> <p>Remove all references to the Additional Permitted Uses Map and mapping amendment through <i>Part 6 Additional Local Provisions</i></p>																											
24	<table><tr><td></td><td>1 B</td><td>2 B</td><td>3 B</td></tr><tr><td>Current</td><td>36 m²</td><td>67 m²</td><td>105 m²</td></tr><tr><td>Anglicare type A size</td><td>57 m²</td><td>79 m²</td><td>110 m²</td></tr><tr><td>ADG min. requirement</td><td>50 m²</td><td>75m²</td><td>95 m²</td></tr></table>					1 B	2 B	3 B	Current	36 m ²	67 m ²	105 m ²	Anglicare type A size	57 m ²	79 m ²	110 m ²	ADG min. requirement	50 m ²	75m ²	95 m ²	<p>The references to ADG unit sizes do not directly match those stated in the ADG and are confusing.</p> <p>The excerpt from the ADG explains where the additional floor space may come from.</p> <p>To avoid confusion and assist the non-architectural/planning audience that will read this proposal when exhibited, provide a Note below the table explaining the ADG unit includes the minimum ADG unit size and the additional area resulting from extra bathrooms.</p>	<p>Apartments are required to have the following minimum internal areas:</p> <table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each</p>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	<p>For clarity, provide a clarification note under the proponent Table to explain the additional areas for bathrooms to account for the stated ADG sizes.</p>
	1 B	2 B	3 B																														
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31	Heritage considerations				<p>Refer to the comments provided to the Heritage impact Statement.</p> <p>The 3 sets of Pillars are recommended for heritage listing with an appropriate curtilage.</p> <p>This needs to be clearly indicated in the Urban Design concept plan and descriptions.</p>	<p>To add these pillar sets as heritage items in Schedule 5 of the KLEP 2015.</p> <p>The proponent’s heritage consultant is to recommend an appropriate curtilage maps for the pillars. The curtilage will inform the amendment to the KLEP Heritage Map.</p>																											

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35	The Australian Institute of Health and Welfare argues that most people want to “age in place” – but that they don’t necessarily want to remain in the family home. Helping people to downsize to accommodation more appropriate for their stage of life can lower public health costs, and ensure older Australians retain their independence for longer. The intent is to build capability within a location, so that as residents and community members age, t	<p>It is unclear how this proposal differs from standard private residential flat buildings located close to the local centre.</p> <p>It states it caters to the market; however, it does not address the <i>Seniors Housing Design Guide 2023</i> apartment mix which includes consideration of affordable housing provision:</p> <div><div>Section 18 Table -</div><table><tr><td>4K Apartment mix</td><td>The apartment mix in seniors housing is typically driven by the retirement living operator and the market demand from downsizing. A suitable mix of market driven sizes and affordable smaller units is appropriate.</td></tr></table></div> <p>In addition, the proposal does not offer housing choice through a provision of apartment mix. It does not include serviced apartments to enable residents to transition into partial care and further downsizing, nor for high care services.</p> <p>The concept of “ageing in place” is one where people move into these types of facilities as a last home. Requiring elderly and frail people to be relocated off this site as they deteriorate does not constitute ageing in place.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place.To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance.	4K Apartment mix	The apartment mix in seniors housing is typically driven by the retirement living operator and the market demand from downsizing. A suitable mix of market driven sizes and affordable smaller units is appropriate.	<p>The inclusion of unit types that will facilitate housing choice and ageing in place will confirm the stated.</p> <p>Include reference to the provision of the following to demonstrate alignment with AIHW:</p> <p>The Planning Proposal includes provision of:</p> <ul style="list-style-type: none">8 high care units on the site with carer accommodation, andin-home care services as required by residents.
4K Apartment mix	The apartment mix in seniors housing is typically driven by the retirement living operator and the market demand from downsizing. A suitable mix of market driven sizes and affordable smaller units is appropriate.				
49	Public Benefit	<p>Various “public benefits” are listed and illustrated. As the Planning Proposal’s Letter of Offer does not indicate proposed mechanisms to deliver benefit, this content can appear as misleading. The reference to Public Benefit should be removed or amended to refer to “potential public benefit contingent on negotiations through a Planning Agreement with Council.</p> <p>The required amendments stated in the Planning Proposal table are to be reflected in the Urban Design Report.</p>	Make amendment to all references on public benefit to be consistent with the Planning Proposal.		
63		<p>The concept plan shows a monolithic building flanking the south-western boundary. Given the building height and elevated topography, this will impact the adjacent neighbour by overshadowing the land for the majority of the day. The concept plan must consider smaller building footprints to this boundary to enable solar access corridors to the neighbouring property.</p> <p>The legibility of the shadow diagrams is an issue that has been pointed out multiple times. Showing overshadow in multiple colours reduces the clarity of the actual shadow cast by the proposed buildings.</p> <p>The proponent has been asked at both adequacy checks to provide a simple single colour shadow diagram that will be legible to the general public. The Department of Planning and Environment’s LEP Making Guideline August 2023 states “ <i>The planning proposal should be drafted to ensure that a wide audience including departmental staff,</i></p>	Amend the concept plans to reduce building footprints and altering building orientation to reduce the continuous bulk shadow to the south-eastern boundary properties at 47-49 Rohini St and 22, 24, 26 Eastern Road, Turramurra.		

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

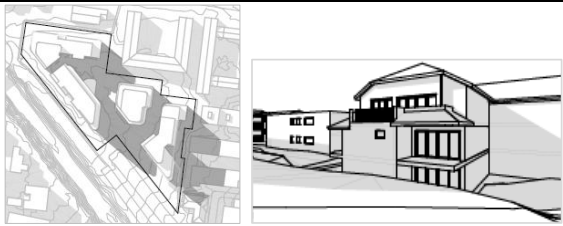

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		<p><i>authorities and government agencies, councils, stakeholders and the community, can clearly understand the scope and impacts of the proposal."</i></p> <p>The redevelopment of the site provides opportunity to deliver improved overshadowing results both on the site and to neighbouring residences by orienteering building footprints and considering building bulk across the site to avoid replicating any poor standards of the existing development.</p> <p>There is lengthy justification on the solar impacts to the neighbouring properties to the south. The diagrams again utilise the multiple shade shadowing which again visually diminish the shadow impacts and the reach of shading on those neighbouring buildings.</p> <p>The issue of overshadowing will be dealt with at DA stage, however it is noted that the impacts to those neighbours are likely to be high and consideration should be given at DA stage to minimising the impacts by reducing building footprints and altering building orientation to enable solar access to the south- eastern boundary properties</p> <p>At this strategic Planning Proposal stage, consideration should be given to the cumulative issues of provision of landscaped areas, deep soil, units with greater numbers of with 2 hours or more solar access, ventilation and the overshadowing impacts, and the likely improvement of the scheme with a reduction in the FSR that is consistent with that of surrounding R4(High Density Residential) zoned areas in this location.</p>	Make the easily understood small monochrome thumbnails the same size as the multicoloured diagrams; alternately, amend the multi-coloured diagrams to show a single blue colour shadow (removing the green and orange colours).
89 90 102	<p>Landscaped area Under Housing SEPP, at least 35m² of landscaped area per dwelling is to be provided for development application made by a social provider. The minimum landscaped area required for a development of 110 ILUs is 3850m². Proposed development achieves a landscape area of 4534m² and therefore meets the minimum requirement.</p> <p>Definition of landscaped area in Housing SEPP : <i>landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.</i></p>  <p>Site Coverage</p>	<p>The proposal states compliance with the Landscape and Deep Soil requirements of the SEPP (Housing) 2021.</p> <p>It is noted that the SEPP (Housing) definitions do not exclude the pathways from the calculation of landscaped area. The proposal has extensive hard surfaces/pathway systems all around the buildings, including in the boundary setbacks, with landscaping fitting into the remnant spaces. The ability for large and significant planting, typical of the Ku-ring-gai area, within these relatively small spaces is questionable.</p> <p>Similarly, while the SEPP (Housing) speaks of 3m dimensions for deep soil provision, the SEPP (Housing) shows a clear policy intent that apartment buildings are to align with the ADG to ensure good outcomes. This is demonstrated in the <i>Seniors Housing Design Guideline</i>, related to the SEPP, which includes a table at <i>Part 4 - 18.0 Alignment with the Apartment Design Guide (ADG)</i>, directing designers to the ADG standards. Therefore, the ADG definition, which requires a 6m minimum dimension for effective deep soil around RFBs must be applied to this development. It is unclear if this has been done in the Urban Design calculations.</p> <p>The ADG definition for deep soil states a minimum 6m dimension as follows:</p> <p><i>Glossary</i> <i>Deep soil zone</i> <i>area of soil within a development that are unimpeded by buildings or structures above and below ground and have a minimum dimension of 6m. Deep soil zones exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.</i></p> <p>Provision of effective deep soil and landscaped areas will enable the proposal to comply with the ADG requirements on integration with neighbourhood and area character, and meet the Ku-ring-gai local character of buildings within high quality garden settings including tall canopy trees.</p> <p>Commentary on the Landscape Area and Deep Soil Area - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">In their response to the KLPP, the proponent provided some further explanation on landscape provisions; however no calculations nor diagrams were included to verify the figures stated in the Planning Proposal. The	<p>Consideration is to be given to reducing the multiple pathways to ensure landscaping that can include tall trees able to grow to full height and remain healthy.</p> <p>Include transparent calculations/ diagrams on the provided landscape and deep soil area figures:</p> <ul style="list-style-type: none">showing the assumptions/inclusions/exclusions that the final figures are based on,giving clear indication where the deep soil areas will be able to sustain tall canopy trees.

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	<p>For the purpose of this Planning Proposal, similar controls in Ku-ring-gai DCP have been tested.</p> <p>The site coverage may be up to maximum of 30% of the site area (Ku-ring-gai DCP Part 7A). Based on massing studies, the proposed development achieves 35.6% site coverage, therefore is 5.6% over the area required by KDCP.</p> <p>However the proposal readily meets the SEPP Housing controls for landscaped area (3859m2), which would prevail over any inconsistency with the DCP</p> <p>Deep Soil</p> <p>Ku-ring-gai DCP Part 7A stipulates a minimum deep soil planting of 50% of the site for sites with an area of over 1800m². Based on massing studies, the proposed development achieves 45.0% deep soil over the site, therefore is 5% under the area required by KDCP, but fully complies with the 15% SEPP Housing controls, which would prevail over any inconsistencies with the DCP.</p> 	<p>proponent also disputes the requirement to align with the <i>Apartment Design Guide</i> (ADG) standards and sticks to the minimal compliances under the SEPP (Housing) 2021.</p> <ul style="list-style-type: none">The <i>SEPP (Housing) 2021</i> provides basic standards that apply across all densities including low density, medium density and high density seniors housing. The SEPP then refers to its <i>Seniors Housing Design Guideline</i> which is explicit in the requirements for alignment with the ADG for high density development.Council has conducted further calculations, with assumptions, and derived numbers that are different to those presented in the Planning Proposal documentation for landscape and deep soil provisions.It is unclear how the proponent has calculated the stated 4534sqm landscaped area. Council’s calculations based on the current scheme find the following varying landscape areas which differ from that stated in the Planning Proposal:<ul style="list-style-type: none">approximately 3444 sqm (excluding all paths/hardscape)approximately 4956 sqm (including all paths/hardscape).It is unclear what areas the deep soil calculations have included, particularly with regard to 6m wide areas that will enable the planting of tall canopy trees. The Planting Strategy included in the Planning Proposal attachments states tall tree species, but no indicative location is provided in the landscape diagrams to ensure there is a match between the tall trees and the deep soil.	
91	<p>See appendix for Tree Management Plan prepared by Site Image, which summarises the arborists assessment of site trees and proposed tree removal, and also includes an overlay of proposed tree planting. The summary as noted on the plan indicates (as a preliminary guide) that:</p> <p>Retained trees 60% (includes 100% high retention value trees)</p> <p>Proposed trees to be removed: 42 (of these 37 have low retention value)</p> <p>Retained trees: 62</p> <p>Propose new tree planting: 166 (not including possible Public Domain upgrades)</p> <p>Total increase 124 (increase under PP)</p>	<p>Reference to tree removal is to be amended. The amendments must be made to the Planning Proposal, to the attached Arborist Report and Urban Design Report, and to any other document in which tree removal appears.</p> <p>The Arborist Report, Landscape Concept and Drawing Schedule and all other Attachments are to remove or amend the following drawings to take out all reference to tree removal, noting that tree removal will be properly considered at the DA stage:</p> <ul style="list-style-type: none">Tree Protection and Removal PlanTree Canopy Pruning PlanTree Assessment Schedule <p>and any other diagrams showing the same.</p> <p>The documentation of tree removal to the boundaries of the site is not supported. Following further advice, reference to the removal of 5 trees in the paragraphs and diagrams are to be removed. All tree removal will be properly assessed at DA stage. The Planning Proposal is not to fetter the DA process.</p>	<p>All references, all diagrams and descriptions of tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.</p>

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	<p>Proposal will require a removal of five (5) trees of moderate retention value. These trees have been identified by an arborist to be less than or equal to 12m in height. It is noted that these trees have been identified to have moderate retention value by an arborist.</p>	<p>Regardless of trees being identified as having low, medium or high retention value, all trees are to be retained and removal can be documented as part of a future DA application. The Planning Proposal can identify the trees and their value, but removal can only be considered and agreed when a final DA design and detail is developed.</p> <p>Specific tree removal can be nominated at DA stage when detailed investigation into their value and impacts of removal within TPZs can be explored. This Planning Proposal is not to fetter that investigation nor prematurely influence the tree removal outcomes at the DA assessment stage.</p> <p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">The proponent has provided further information clarifying some of the issues raised on tree removal.Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting.	
92		<p>The proposal claims an increase of canopy from the existing 3,656 sqm to the proposed 3,897sqm. However, there is no documentation on the tree species that will contribute to that canopy, nor on the heights of the canopy trees.</p> <p>Canopy in Ku-ring-gai is delivered through significant numbers of tall trees. The proposal gives no indication on whether this key feature of the locality will be delivered on this site. Many of the new trees shown in the diagram are located on top of the basement parking areas or in between the multitudes pf path systems which do not provide the dimensions of garden beds able to sustain healthy large specimen trees to contribute to Canopy.</p> <p>The Arborist Report should show the location and species of trees to demonstrate the expected tree height and canopy spread. This way the canopy that is claimed to be delivered on the site can be verified.</p> <p>Pg 26 of the Arborist Report Section 3.1 recommends T19, T22, T49 and T50 should be incorporated to protect mature vegetation on the site. These recommendations should be incorporated into the concept plan.</p> <p>Commentary on canopy - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">The proponent has provided further information stating trees and species type have been included in the Planning Proposal documentation. The Planting Strategy included in the proponent's Landscape Concept and Drawing Schedule names trees, shrubs, and groundcover selected for the landscaping. It includes the mature height and spread of these trees; however, it does not state the location of the trees nor how many trees will be planted. The landscape drawings show good planting outcomes but it is difficult to know what proportion of the canopy will be small trees, medium trees, large trees. A key feature of Ku-ring-gai is its canopy which includes distinctive tall trees both endemic and exotic species.The Planting Strategy list names 6 tree species that are 15m+ tall and 4 tree species that are 18m+ tall but no indication of how many of these will be planted and at what location.Detail is still required to understand how many and where tall trees will be provided to demonstrate that the deep soil areas are capable of enabling those species to grow and remain healthy, particularly with the criss-cross of pathway systems across the entire site. Without the actual numbers of trees and their location, it is not possible to verify the proponent's claims of providing 3,897sqm of canopy.	<p>The Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy, and demonstration of the calculation of the expected tree number, height and canopy spread. This way the canopy that is claimed to be delivered on the site can be verified.</p> <p>Incorporate the design changes provided in relation to T19, T22, T49 and T50 into the Planning Proposal concept plan to demonstrate protection of mature vegetation on the site will be possible at DA stage.</p>

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94	<p>PROPOSED PLANNING CONTROLS</p> <p>Height</p> <p>The proposed height of the buildings will range from 4 to 6 stories. It is proposed to amend the following LDP ZOT 2018 through a variation to Additional Permitted Uses and Part 6 - Additional Land Provisions to reflect the following:</p> <ul style="list-style-type: none">- The maximum building height of 17.0m. The maximum number also taken into consideration the 3.0m additional building height that is permitted for other housing units under the Housing ZOT.- It should be noted that the proposed heights respond to the existing topography and do not have any significant visual impact on surrounding areas. The maximum development potential on the site will also be tested through the application of the FSR criteria.- Independent Living with a floor-to-floor height of 3.1 metres (3.2 metres if below a roof level).- Part and Full Section 175 (MCC).- Car lifts & Bicycles floor height of 2 metres, and communal facilities with floor-to-floor height of 3.5 metres. <p>This also allows for tolerance to respond to topography. It is noted that tolerance is provided in the proposed building height for the design resolution of the proposed roof form off the existing building.</p> <p>The maximum height amendments affect buildings sited in such a way to make transitions between the surrounding area and later development if on the subject site.</p> <p>FSR</p> <p>The total gross floor area proposed under the Variation is:</p> <ul style="list-style-type: none">- 15,100 sqm for the independent living units, including lobby space;- 700 sqm of associated community use and amenity. <p>This amounts to a floor space ratio of 1.0251.</p> <p>A maximum floor space ratio of 1.0 is proposed to be applied to this site. This takes into consideration the 10% FSR bonus that applies to certain housing units under the Housing ZOT.</p> <p>KLPZ015 Proposed amendments</p> <p>The following LDP mapping and Part 6 - Additional Land Provisions Clause 6.1 is recommended:</p> <p>Amendment to the KLPZ015 Schedule 1 - Additional Permitted Uses and Map to allow S1-13 Below Street as shown "X" and amend uses shown that allow the following:</p> <ul style="list-style-type: none">(1) The above applies to land described as S1-13 Below Street, Township comprising lot 21, SP010460, Lot 21 PPS010460 and adjacent lots and boundaries. Amend Part 6 of the Additional Permitted Uses Map Development for the purposes of the following as permitted under Development clause:(a) Independent living units and(b) Ancillary residential facilities, recreational facility (indoor) and commercial premises with a maximum gross floor area of 700sqm. <p>Proposed Additional Permitted Uses Map</p> <p>Additional Permitted Uses</p> <p>Amend KLPZ015 Part 6 - Additional Land Provisions and insert the following:</p> <p>S1-13 Below Street</p> <ul style="list-style-type: none">(1) The objective of this clause is to facilitate the renewal of the existing services housing development and to provide ancillary community facilities and uses to benefit the wider community.(2) This clause applies to land described as S1-13 Below Street, Township comprising lot 21, SP010460, Lot 21 PPS010460 and adjacent lots and boundaries or otherwise as shown "X" on the Additional Permitted Uses Map.(3) Development for the purpose of independent living units and ancillary community and commercial uses as described in Schedule 1 "X" may have:(a) maximum floor space ratio of 1.0, and(b) a maximum building height of 17.0 m.	<p>The Additional Permitted uses Map is not required for this Planning Proposal, nor the amendments to the written instrument as described in the response to the Planning Proposal.</p> <p>Refer to commentary to the Planning Proposal on this issue.</p>	<p>Amend to reflect the correct wording and mapping consistent with the Planning Proposal amendments. Remove the Additional Permitted Uses Map.</p>																																																														
98	<p>indicative 3 bed independent living unit</p>	<p>The diagram for the indicative 3-bedroom unit only shows 2 bedrooms.</p>	<p>Correct the drawing.</p>																																																														
106		<p>For transparency on what is being proposed, Sections 4, 5, 6 are to be full sections across the site and neighbouring properties, similar to other sections provided - include the outline of neighbouring properties to demonstrate bulk and scale impacts on neighbouring properties located close to boundary lines and downslope of the development Site.</p>	<p>Include building outlines of neighbouring properties to boundaries on Sections 4, 5, 6.</p>																																																														
102 107	<table><tr><th rowspan="2">LEVEL</th><th colspan="2">Apartments Mix</th><th rowspan="2">No. of Apartments</th><th rowspan="2">Solar Access</th><th rowspan="2">Cross Vent.</th></tr><tr><th>2 Bed + s</th><th>3 Bed</th></tr><tr><td>ROOF</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>L05</td><td>0</td><td>8</td><td>8</td><td>8</td><td>8</td></tr><tr><td>L04</td><td>13</td><td>6</td><td>19</td><td>14</td><td>15</td></tr><tr><td>L03</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>L02</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>L01</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>G</td><td>11</td><td>6</td><td>17</td><td>10</td><td>12</td></tr><tr><td></td><td>66</td><td>44</td><td>110</td><td>77</td><td>86</td></tr><tr><td></td><td>60.0%</td><td>40.0%</td><td></td><td>70.0%</td><td>78.2%</td></tr></table>	LEVEL	Apartments Mix		No. of Apartments	Solar Access	Cross Vent.	2 Bed + s	3 Bed	ROOF						L05	0	8	8	8	8	L04	13	6	19	14	15	L03	14	8	22	15	17	L02	14	8	22	15	17	L01	14	8	22	15	17	G	11	6	17	10	12		66	44	110	77	86		60.0%	40.0%		70.0%	78.2%	<p>70% of units or 77/110 units achieve the required ADG 2 hour solar access – therefore 33/110 units achieve less than 2 hours solar access of which 11/110 receive no direct sunlight.</p> <p>Solar access into units designed for ageing in place is vital. Units with no solar access highly compromise the amenity for the 11 elderly people living in the units with zero sunlight especially as they will spend increasing amounts of time within their homes as they age.</p> <p>78% of units or 86/110 units achieve the required ADG natural ventilation standards - therefore 24 units fail to achieve natural ventilation.</p> <p>Whilst the provision may comply with the baseline requirements of the SEPP Housing, natural ventilation is important in units designed for an ageing population who will spend increasing amounts of time within their homes as they age.</p>	<p>Modify the design and building orientation to increase solar access into units and improve on the 11 units with zero solar access.</p>
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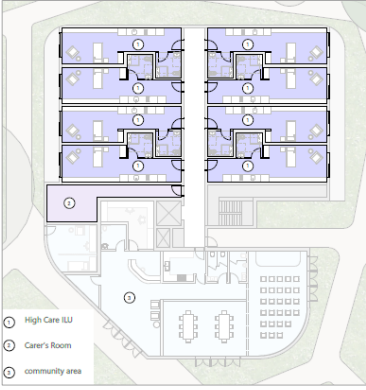
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108	<table><tr><th>HEIGHT (m)</th><th>FYP (m)</th><th>LEVEL</th><th>TOTAL G.F.A. (m²)</th><th>Care G.F.A. (m²)</th><th>Commercial G.F.A. (m²)</th><th>Residential N.S.A. (m²)</th><th>Residential G.F.A. (m²)</th><th>No. of Car Spaces</th><th>Apartment Mix</th><th>No. of Apartments</th><th>Senior Accom.</th><th>Green Space</th></tr><tr><td>1500</td><td>1500</td><td>L15</td><td>1400</td><td></td><td></td><td>1100</td><td>1400</td><td></td><td>0</td><td>8</td><td>8</td><td>8</td></tr><tr><td>1600</td><td>1600</td><td>L16</td><td>1400</td><td></td><td></td><td>2200</td><td>2000</td><td>13</td><td>13</td><td>16</td><td>16</td><td>16</td></tr><tr><td>1700</td><td>1700</td><td>L17</td><td>2000</td><td></td><td></td><td>2000</td><td>2000</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>1800</td><td>1800</td><td>L18</td><td>2000</td><td></td><td></td><td>2000</td><td>2000</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>1900</td><td>1900</td><td>L19</td><td>2000</td><td></td><td></td><td>2000</td><td>2000</td><td>14</td><td>8</td><td>22</td><td>15</td><td>17</td></tr><tr><td>2000</td><td>2000</td><td>L20</td><td>2000</td><td>100</td><td>600</td><td>2000</td><td>2000</td><td>11</td><td>8</td><td>17</td><td>12</td><td>12</td></tr><tr><td>2100</td><td>2100</td><td>L21</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2200</td><td>2200</td><td>L22</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2300</td><td>2300</td><td>L23</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2400</td><td>2400</td><td>L24</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2500</td><td>2500</td><td>L25</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2600</td><td>2600</td><td>L26</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2700</td><td>2700</td><td>L27</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2800</td><td>2800</td><td>L28</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>2900</td><td>2900</td><td>L29</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3000</td><td>3000</td><td>L30</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3100</td><td>3100</td><td>L31</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3200</td><td>3200</td><td>L32</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3300</td><td>3300</td><td>L33</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3400</td><td>3400</td><td>L34</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3500</td><td>3500</td><td>L35</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3600</td><td>3600</td><td>L36</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3700</td><td>3700</td><td>L37</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3800</td><td>3800</td><td>L38</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>3900</td><td>3900</td><td>L39</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4000</td><td>4000</td><td>L40</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4100</td><td>4100</td><td>L41</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4200</td><td>4200</td><td>L42</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4300</td><td>4300</td><td>L43</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4400</td><td>4400</td><td>L44</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4500</td><td>4500</td><td>L45</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4600</td><td>4600</td><td>L46</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4700</td><td>4700</td><td>L47</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4800</td><td>4800</td><td>L48</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>4900</td><td>4900</td><td>L49</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5000</td><td>5000</td><td>L50</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5100</td><td>5100</td><td>L51</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5200</td><td>5200</td><td>L52</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5300</td><td>5300</td><td>L53</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5400</td><td>5400</td><td>L54</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5500</td><td>5500</td><td>L55</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5600</td><td>5600</td><td>L56</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5700</td><td>5700</td><td>L57</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5800</td><td>5800</td><td>L58</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>5900</td><td>5900</td><td>L59</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6000</td><td>6000</td><td>L60</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6100</td><td>6100</td><td>L61</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6200</td><td>6200</td><td>L62</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6300</td><td>6300</td><td>L63</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6400</td><td>6400</td><td>L64</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6500</td><td>6500</td><td>L65</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6600</td><td>6600</td><td>L66</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6700</td><td>6700</td><td>L67</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6800</td><td>6800</td><td>L68</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>6900</td><td>6900</td><td>L69</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7000</td><td>7000</td><td>L70</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7100</td><td>7100</td><td>L71</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7200</td><td>7200</td><td>L72</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7300</td><td>7300</td><td>L73</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7400</td><td>7400</td><td>L74</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7500</td><td>7500</td><td>L75</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7600</td><td>7600</td><td>L76</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7700</td><td>7700</td><td>L77</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7800</td><td>7800</td><td>L78</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>7900</td><td>7900</td><td>L79</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8000</td><td>8000</td><td>L80</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8100</td><td>8100</td><td>L81</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8200</td><td>8200</td><td>L82</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8300</td><td>8300</td><td>L83</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8400</td><td>8400</td><td>L84</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8500</td><td>8500</td><td>L85</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8600</td><td>8600</td><td>L86</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8700</td><td>8700</td><td>L87</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8800</td><td>8800</td><td>L88</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>8900</td><td>8900</td><td>L89</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9000</td><td>9000</td><td>L90</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9100</td><td>9100</td><td>L91</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9200</td><td>9200</td><td>L92</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9300</td><td>9300</td><td>L93</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9400</td><td>9400</td><td>L94</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9500</td><td>9500</td><td>L95</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9600</td><td>9600</td><td>L96</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9700</td><td>9700</td><td>L97</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9800</td><td>9800</td><td>L98</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>9900</td><td>9900</td><td>L99</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10000</td><td>10000</td><td>L100</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10100</td><td>10100</td><td>L101</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10200</td><td>10200</td><td>L102</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10300</td><td>10300</td><td>L103</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10400</td><td>10400</td><td>L104</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10500</td><td>10500</td><td>L105</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10600</td><td>10600</td><td>L106</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10700</td><td>10700</td><td>L107</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10800</td><td>10800</td><td>L108</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>10900</td><td>10900</td><td>L109</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11000</td><td>11000</td><td>L110</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11100</td><td>11100</td><td>L111</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11200</td><td>11200</td><td>L112</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11300</td><td>11300</td><td>L113</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11400</td><td>11400</td><td>L114</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11500</td><td>11500</td><td>L115</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11600</td><td>11600</td><td>L116</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11700</td><td>11700</td><td>L117</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11800</td><td>11800</td><td>L118</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>11900</td><td>11900</td><td>L119</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>12000</td><td>12000</td><td>L120</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>12100</td><td>12100</td><td>L121</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>12200</td><td>12200</td><td>L122</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>12300</td><td>12300</td><td>L123</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr><tr><td>12400</td><td>12400</td><td>L124</td><td>2000</td><td></td><td></td><td></td><td></td><td>40</td><td></td><td></td><td></td><td></td></tr></table>	HEIGHT (m)	FYP (m)	LEVEL	TOTAL G.F.A. (m²)	Care G.F.A. (m²)	Commercial G.F.A. (m²)	Residential N.S.A. (m²)	Residential G.F.A. (m²)	No. of Car Spaces	Apartment Mix	No. of Apartments	Senior Accom.	Green Space	1500	1500	L15	1400			1100	1400		0	8	8	8	1600	1600	L16	1400			2200	2000	13	13	16	16	16	1700	1700	L17	2000			2000	2000	14	8	22	15	17	1800	1800	L18	2000			2000	2000	14	8	22	15	17	1900	1900	L19	2000			2000	2000	14	8	22	15	17	2000	2000	L20	2000	100	600	2000	2000	11	8	17	12	12	2100	2100	L21	2000					40					2200	2200	L22	2000					40					2300	2300	L23	2000					40					2400	2400	L24	2000					40					2500	2500	L25	2000					40					2600	2600	L26	2000					40					2700	2700	L27	2000					40					2800	2800	L28	2000					40					2900	2900	L29	2000					40					3000	3000	L30	2000					40					3100	3100	L31	2000					40					3200	3200	L32	2000					40					3300	3300	L33	2000					40					3400	3400	L34	2000					40					3500	3500	L35	2000					40					3600	3600	L36	2000					40					3700	3700	L37	2000					40					3800	3800	L38	2000					40					3900	3900	L39	2000					40					4000	4000	L40	2000					40					4100	4100	L41	2000					40					4200	4200	L42	2000					40					4300	4300	L43	2000					40					4400	4400	L44	2000					40					4500	4500	L45	2000					40					4600	4600	L46	2000					40					4700	4700	L47	2000					40					4800	4800	L48	2000					40					4900	4900	L49	2000					40					5000	5000	L50	2000					40					5100	5100	L51	2000					40					5200	5200	L52	2000					40					5300	5300	L53	2000					40					5400	5400	L54	2000					40					5500	5500	L55	2000					40					5600	5600	L56	2000					40					5700	5700	L57	2000					40					5800	5800	L58	2000					40					5900	5900	L59	2000					40					6000	6000	L60	2000					40					6100	6100	L61	2000					40					6200	6200	L62	2000					40					6300	6300	L63	2000					40					6400	6400	L64	2000					40					6500	6500	L65	2000					40					6600	6600	L66	2000					40					6700	6700	L67	2000					40					6800	6800	L68	2000					40					6900	6900	L69	2000					40					7000	7000	L70	2000					40					7100	7100	L71	2000					40					7200	7200	L72	2000					40					7300	7300	L73	2000					40					7400	7400	L74	2000					40					7500	7500	L75	2000					40					7600	7600	L76	2000					40					7700	7700	L77	2000					40					7800	7800	L78	2000					40					7900	7900	L79	2000					40					8000	8000	L80	2000					40					8100	8100	L81	2000					40					8200	8200	L82	2000					40					8300	8300	L83	2000					40					8400	8400	L84	2000					40					8500	8500	L85	2000					40					8600	8600	L86	2000					40					8700	8700	L87	2000					40					8800	8800	L88	2000					40					8900	8900	L89	2000					40					9000	9000	L90	2000					40					9100	9100	L91	2000					40					9200	9200	L92	2000					40					9300	9300	L93	2000					40					9400	9400	L94	2000					40					9500	9500	L95	2000					40					9600	9600	L96	2000					40					9700	9700	L97	2000					40					9800	9800	L98	2000					40					9900	9900	L99	2000					40					10000	10000	L100	2000					40					10100	10100	L101	2000					40					10200	10200	L102	2000					40					10300	10300	L103	2000					40					10400	10400	L104	2000					40					10500	10500	L105	2000					40					10600	10600	L106	2000					40					10700	10700	L107	2000					40					10800	10800	L108	2000					40					10900	10900	L109	2000					40					11000	11000	L110	2000					40					11100	11100	L111	2000					40					11200	11200	L112	2000					40					11300	11300	L113	2000					40					11400	11400	L114	2000					40					11500	11500	L115	2000					40					11600	11600	L116	2000					40					11700	11700	L117	2000					40					11800	11800	L118	2000					40					11900	11900	L119	2000					40					12000	12000	L120	2000					40					12100	12100	L121	2000					40					12200	12200	L122	2000					40					12300	12300	L123	2000					40					12400	12400	L124	2000					40					<p>The number of total car parking spaces differs on the two tables – 208 spaces vs 199 spaces.</p> <p>Commentary on car parking provision - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">The proponent provided further information again stating the parking provisions are compliant with the SEPP (Housing) 2021 and in line with market requirements.The KLPP questioned the excessive parking provision given the location close to public transport.It is again noted that Anglicare’s own studies show their residents have low car ownership. <p>Given the location of the site adjacent to train and bus public transport and close to local shops and facilities, the population profile and statistics from Anglicare showing low car ownership of aged population, the car parking provision is to be substantially reduced to reflect the strategic approach, both locally and at the State-level, on parking provision close to transport hubs.</p>	<p>Make the table consistent to show the correct number of total parking spaces.</p> <p>Reduce car parking spaces to reflect the site’s location adjacent to public transport and in line with Anglicare’s study attached to the Planning Proposal.</p>
HEIGHT (m)	FYP (m)	LEVEL	TOTAL G.F.A. (m²)	Care G.F.A. (m²)	Commercial G.F.A. (m²)	Residential N.S.A. (m²)	Residential G.F.A. (m²)	No. of Car Spaces	Apartment Mix	No. of Apartments	Senior Accom.	Green Space																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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112	<p>Apartment Mix and Ageing in Place</p> <p>High Care ILUs</p> <p>To allow for aging in place, the development may include long or short term accommodation for older people who need high levels of assistance and full time care.</p> <p>Three Independent Living Units on Ground Floor level may be replaced in Development Application to accommodate eight “High Care” ILUs.</p> <p>These rooms include studio sized internal area of 40m²and provision of Carer’s Room</p> 	<p>The high care units indicated here are not included in the Planning Proposal.</p> <p>The Planning Proposal should consider including these as part of the development to demonstrate the “ageing in place” that the Planning Proposal claims. This provision will also assist in the site providing housing choice for the ageing population.</p> <p>Without the provision of serviced care and high care on the site, there is an underlying pathway that will see the residents moved off site at a period of life when they are becoming more frail and less able to engage socially. These types of moves see the already vulnerable lose local connection and networks resulting in the known impacts on mental and emotional health.</p> <p>Commentary on Housing Choice and Ageing in Place - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">In their response to the KLPP, the proponent pointed out the potential to provide 8 high care units on the site with carer accommodation, and the standard practice of providing care services to residents in the standard units; however, these are not included in the Planning Proposal and therefore do not guarantee the delivery of housing choice, nor the opportunity for ageing in place. To ensure the site offers housing choice and true ageing in place, the Planning Proposal needs to be explicit in the provision of these two additional levels of care in response to Objective 11 of the <i>Greater Sydney Region Plan</i> and include them in the appropriate Appendices, noting that other required standards must still achieve compliance.The Planning Proposal is required to include the 8 high care units plus carer accommodation as indicated in the Urban Design Report which states these units will replace 3 of the proposed units. This will take the total site yield to 115 units. The Planning Proposal is to show that the new 115 yield under the 1.5:1 FSR and 17.5Height is able to maintain compliance with the required standards.	<p>Include reference to the provision of the following within the body of the Planning Proposal:</p> <p>The Planning Proposal includes provision of:</p> <ul style="list-style-type: none">8 high care units on the site with carer accommodation, andin-home care services as required by residents. <p>Show the inclusion of the 8 high care units within the main drawings of the concept plan (not as a future option).</p> <p>Provide evidence to show the proposed 1.5:1 FSR can accommodate the new 115 yield, with the inclusion of the 8 high care units, and is able to maintain compliance with the required SEPP, ADG, AS 1428.1 standards.</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
121-124		<p>There are multiple trees proposed for removal within TPZs of trees to be protected and retained. Many of these trees are along the boundary and should not be identified for removal unless they are a weed or there is a significant safety concern. Many of the ‘low retention value’ trees identified for removal should be retained for screening and</p>	<p>All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT A - URBAN DESIGN REPORT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<p>biodiversity benefits. Any tree removals along the boundary should be assessed at DA stage and not considered for the Planning Proposal.</p> <p>In addition, the Plans show tree removal including trees that are outside the site boundary as the existing fence line encroaches on public land. It indicates the removal of trees within the TPZ of larger trees and removal of trees that are not diseased or on decline.</p> <p>These details need to be corrected throughout the Planning proposal and its Attachments, including the :landscape Plans, Arborist report and any other location withing all the documentation.</p> <p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">The proponent has provided further information clarifying some of the issues raised on tree removal.Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting.	<p>Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.</p>

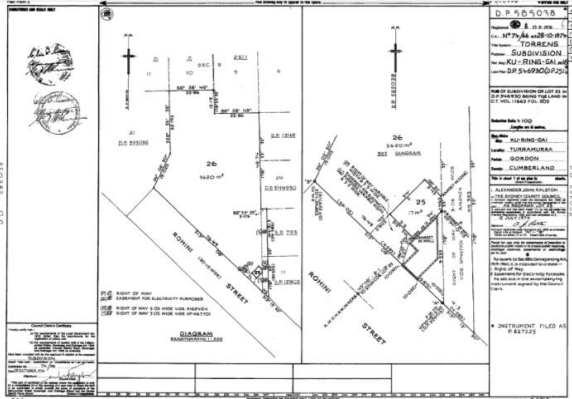
ATTACHMENT B – TITLE DOCUMENT AND SURVEY			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
1-15	<div>Title Deeds</div> <div></div>	<p>No easements or other restrictions on title are to be extinguished as part of this Planning Proposal.</p> <p>The Urban Design Study notes “ <i>The Site has Right-of-way approximately 45m in length and 3m in width at the corner of south east boundary</i>” (pg 17 and 32). The Urban Design Study further notes “ <i>existing disused easement to be extinguished in the future</i>” (pg 100).</p> <p>The subject Site is legally described as lot 21 DP533032, Lot 26 DP585038 & Lot 2 DP302942 and has an area of 9193 m². Lot 25 DP585038 near the south-east corner is a separate lot owned by Ausgrid and contains a substation and sits within the Site (Lot 26 DP585038).</p>	<p>Note and act accordingly.</p> <p>Show all easements and burdens on the site in a simple document within the body of the PP.</p>

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT C – ARBORICULTURAL IMPACT ASSESSMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
22	Transplantation of Magnolia	<p>Reference to the transplantation will need to be investigated and determined at DA stage if suitable. Citing this at the Planning Proposal stage is premature and seeks to lock in an outcome that has not been fully analysed.</p> <p>The arborist report (pg 22) states: <i>T68 Magnolia grandiflora (American Bull Bay Magnolia)</i> <i>T68 is rated as a Moderate value tree, as a memorial planting for the centenary of the Anzac Gallipoli Landing and recommended for retention. As it is situated within a proposed major north-south circulation zone and is recommended to be transplanted to a suitable location in the final landscape setting of the site. This would need to be undertaken by a suitably experienced and professional tree transplanter.</i></p> <p>No details from a professional tree transplanter are provided and would need to be assessed at application stage.</p>	All references to tree removal, tree pruning and tree transplanting in the Planning Proposal, Urban Design Report, Landscape Concept & Landscape Drawings Schedule, Arboricultural Impact Assessment are to be removed to avoid fettering of the DA process.
26	<p>Should the planning proposal be endorsed and accepted we do note two key areas where the design should be modified during detailed designs to support a DA, to minimise potential impacts to the trees and maximise their successful retention.</p> <ul style="list-style-type: none"> In the northeast corner of the site, in the vicinity of T19 and T22, the building should be modified so as to reduce the above ground conflict with the tree canopies and reduce the amount of pruning required. The detailed design of the curved balcony element, adjacent to T22, should be designed and detailed to ensure that it is cantilevered, so that it floats above the ground avoiding impacts to the ground level TPZ of T22. In the northwest corner of the site, the above ground building envelope should be moved further away from T49 and T50, to reduce the requirements for any extensive canopy pruning. 	<p>Section 3.1 recommendations provided in relation to T19, T22, T49 and T50 should be incorporated to protect mature vegetation on the site.</p> <p>To demonstrate protection of mature vegetation on the site will be possible with the proposed FSR 1.5:1 and Height 17.5m (plus the SEPP bonuses).e</p>	Incorporate the three design changes provided in relation to T19, T22, T49 and T50 into the Planning Proposal concept plan.
		<p>There are multiple trees proposed for removal within TPZs of trees to be protected and retained. Many of these trees are along the boundary and should not be identified for removal. Many of the 'low retention value' trees identified for removal should be retained for screening and biodiversity benefits. Any tree removal should be assessed at DA stage and not considered for the planning proposal.</p> <p>In addition, the Plans show tree removal including trees that are outside the site boundary as the existing fence line encroaches on public land. It indicates the removal of trees within the TPZ of larger trees and removal of trees that are not diseased or on decline.</p> <p>These details need to be corrected throughout the Planning Proposal and its Attachments, including the :landscape Plans, Arborist report and any other location withing all the documentation.</p> <p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information clarifying some of the issues raised on tree removal. Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting. 	All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

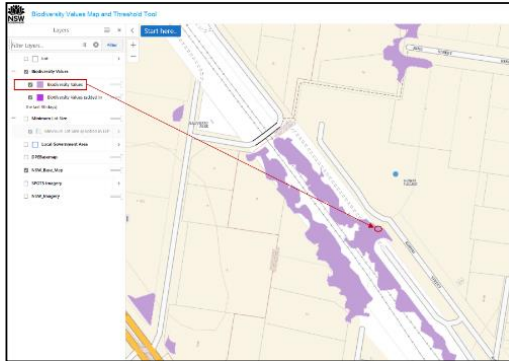

ATTACHMENT C – ARBORICULTURAL IMPACT ASSESSMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<p>Only a small portion of the site is identified as biodiversity mapped land (remnant Blue Gum High Forest) and the proposal will not result in removal of remnant canopy. The site has been checked and although there is good remnant native groundcover in the rail corridor, the groundcover around the Blackbutt on site is highly disturbed and dominated by weeds with major encroachments from the hydrant tanks.</p> <p>Tree protection measures are proposed to be applied in the area.</p> <p>The following comment raises concern:</p> <p>Page 69 of the Planning Proposal: <i>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be removed, as it is located within the road reserve-carriageway.</i></p> <p>The removal of Tree 9 would have to be investigated given it is mapped as having biodiversity value and is the last of its species at this location. The removal of trees must be better considered and all measures taken to retain and assist their ongoing health.</p> <p>Any future design of the turning circle is to avoid removal of the Blackbutt tree which is part of a Critically Endangered Ecological Community (Blue Gum High Forest). The Arborist Report and the Biodiversity Letter have made no reference to the Blackbutt tree instead noting that no native trees are proposed to be removed from the biodiversity mapped area. Any future consideration of the impacts to the Blackbutt would need to be investigated through an update to the ecological advice as a BDAR may be required.</p> 	<p>The Planning Proposal and all Attachments are to clarify that there will be no impact on the Blackbutt Tree.</p>
		<p>Reference to tree removal is to be amended.</p> <p>The amendments must be made to the Planning Proposal, to the attached Arborist Report and Urban Design Report, and to any other document in which tree removal appears.</p> <p>The Arborist Report is to remove or amend the following drawings to take out all reference to tree removal, noting that tree removal will be properly considered at the DA stage:</p> <ul style="list-style-type: none">• Tree Protection and Removal Plan• Tree Canopy Pruning Plan• Tree Assessment Schedule <p>and any other mention in any other document.</p> <p>Regardless of trees being identified as having low, medium or high retention value, all trees are to be retained and removal can be documented as part of a future DA application. The Planning Proposal can identify the trees and their value, but removal can only be considered and agreed when a final DA design and detail is developed.</p> <p>Reference to the transplanting of the magnolia is equally to be removed as this is not a DA and the proper investigations conducted through a DA cannot be done at this strategic Planning Proposal stage.</p> <p>Specific tree removal around the boundary can be nominated at DA stage when detailed investigation into their value and impacts of removal within TPZs can be explored. This Planning Proposal is not to fetter that investigation nor prematurely influence the tree removal outcomes at the DA assessment stage.</p>	<p>All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.</p>

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT C – ARBORICULTURAL IMPACT ASSESSMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<p>In addition, the following comment raises concern:</p> <p>Page 69 of the Planning Proposal: <i>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be removed, as it is located within the road reserve-carriageway.</i></p> <p>Any future design of the turning circle to avoid removal of the Blackbutt tree which is part of a Critically Endangered Ecological Community (Blue Gum High Forest). The Biodiversity Letter have noted that the no native trees are proposed to be removed from diversity mapped areas (pg 3). Any future consideration of the impacts to the Blackbutt would need to be investigated through an update to the ecological advice as a BDAR may be required.</p>  <p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">The proponent has provided further information clarifying some of the issues raised on tree removal.Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting.	

ATTACHMENT D – HERITAGE IMPACT STATEMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
14-17	Heritage assessment	<p>The Heritage Impact Statement, attached to the Planning Proposal, makes recommendation to retain the pillars as mentioned in the response to Ministerial 3.2. This is supported.</p> <p>It is noted that the Rohini House gates located on the site are currently listed in Schedule 5 of the KLEP 2015 (Item 161). However, the listing identifies the previous location of the gates (Railway lands; Part Lot 1, DP 1129573) prior to their relocation onto the grounds of Rohini Village.</p> <p>It is noted that the original pair for No. 2 is different to that photographed in Figure 23 in the Heritage Impact Statement.</p> <p>The second set of pillars shown in Figure 23 of the Statement have three rather than two pillars, with the original post and gate now in the garden bed to the side framing a vehicular entrance, not shown in the photograph, and the third pillar a replica to form a new pedestrian entrance.</p> <p>The significance is with the original pairs of pillars and associated gates, rather than the replica.</p> <p>The Chery Kemp Heritage Impact Statemen concludes the three sets of pillars meet at least one Heritage Council criterion of heritage significance. This meets the threshold for local heritage listing.</p>	<p>The Planning Proposal is to amend Schedule 5 of Ku-ring-gai Local Environmental Plan and on the Heritage Map within the KLEP 2015 to reflect the current location of the Rohini House Gates. Mention of all three sets of pillars is to be made in Schedule 5.</p> <p>The proponent's heritage consultant is to recommend an appropriate curtilage map, as adjusted for the three sets of pillars. The</p>

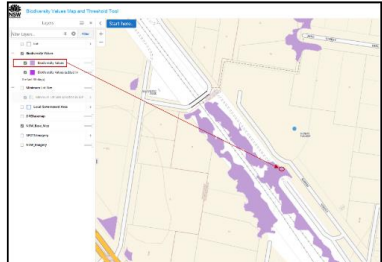
TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT D – HERITAGE IMPACT STATEMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<p>As there are no planning provisions proposed to support retention in the Planning Proposal, the proposal should make provision for conservation of these significant features. As such, the description of the locational description of the pillar heritage items should be included in Schedule 5 of Ku-ring-gai Local Environmental Plan, and should be amended to reflect the current location of the Rohini House Gates.</p> <p>The proponent’s heritage consultant is to recommend an appropriate curtilage map for the pillars.</p>	curtilage will inform the amendment to the KLEP Heritage Map.

ATTACHMENT E – TRAFFIC AND TRANSPORT ASSESSMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
9-10	3.1 Car Parking	<p>A parking assessment was undertaken and found that if car parking for the proposal were to be provided in accordance with SEPP Housing 2021, only 22 car parking spaces would need to be provided.</p> <p>However, the proponent is suggesting that the target market for the new development would be downsizers approaching or in retirement, and is seeking to provide car parking at the equivalent rate to residential flat buildings to cater for this market.</p> <p>This would result in the provision of 199 parking (171 resident parking spaces, 18 visitor spaces, 8 staff spaces, 1 ambulance space and 1 car share space).</p> <p>While the site has the capacity to accommodate this level of car parking (across 2-3 basement levels), a study of current residents conducted by Anglicare (<i>Appendix K: Anglicare Village Study – Rohini Village</i>) indicates over half the residents at Rohini Anglicare do not drive.</p> <p>Parking should be provided to closer align with this characteristic from Anglicare’s records, which would substantially reduce excavation, material costs and environmental impacts, and improve affordability.</p> <p>The Anglicare Village Study also indicates that 30% of current residents drive infrequently, so provision of car share vehicles could be increased to further reduce parking provision.</p> <p>Reduced parking provision over that shown in this Planning Proposal was also supported by Transport for NSW in its early correspondence with the proponent.</p> <p>Consideration should be given to parking space reduction given the population profile and the location adjacent to excellent public transport links.</p> <p>While parking provision will be addressed in more detail in a future development application, proponent is to consider the disparity between the proposed parking provision and Anglicare’s findings of low car ownership and use by its residents, plus the location of the site close to public transport and facilities, and apply a reduction in the resident parking provision.</p> <p>Commentary on car parking provision - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none">• The proponent provided further information again stating the parking provisions are compliant with the SEPP (Housing) 2021 and in line with market requirements.• The KLPP questioned the excessive parking provision given the location close to public transport.	Reduce car parking spaces to reflect the site’s location adjacent to public transport and in line with Anglicare’s study attached to the Planning Proposal.

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ATTACHMENT E – TRAFFIC AND TRANSPORT ASSESSMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<ul style="list-style-type: none">It is again noted that Anglicare’s own studies show their residents have low car ownership.	

ATTACHMENT G – BIODIVERSITY ADVICE			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
4 Biodiversity Letter	<i>Appendix G – Biodiversity Advice Travers Environmental</i> “No native trees are proposed to be removed within the biodiversity mapped area.”	<p>Only a small portion of the site is identified as biodiversity mapped land (remnant Blue Gum High Forest) and the proposal will not result in removal of remnant canopy. The site has been checked and although there is good remnant native groundcover in the rail corridor, the groundcover around the Blackbutt on site is highly disturbed and dominated by weeds with major encroachments from the hydrant tanks.</p> <p>Tree protection measures are proposed to be applied in the area.</p> <p>The following comment raises concern:</p> <p>Page 69 of the Planning Proposal: <i>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be removed, as it is located within the road reserve-carriageway.</i></p> <p>The removal of Tree 9 would have to be investigated given it is mapped as having biodiversity value and is the last of its species at this location. The removal of trees must be better considered and all measures taken to retain and assist their ongoing health.</p> <p>Any future design of the turning circle is to avoid removal of the Blackbutt tree which is part of a Critically Endangered Ecological Community (Blue Gum High Forest). The Arborist Report and the Biodiversity Letter have made no reference to the Blackbutt tree instead noting that no native trees are proposed to be removed from the biodiversity mapped area. Any future consideration of the impacts to the Blackbutt would need to be investigated through an update to the ecological advice as a BDAR may be required.</p>	<p>The Planning Proposal and its Attachments are to note that no impacts will occur on the mapped Biodiversity area and any future DA will provide the required Biodiversity investigations including a BDAR if required.</p> 

ATTACHMENT H – LANDSCAPE CONCEPT & LANDSCAPE DRAWINGS SCHEDULE			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
		<p>The Landscape plans need to check the boundary line and ensure the proposal considers trees within the property boundary, not within the existing fence line which encroaches on public land.</p> <p>Calculations on landscape and deep soil areas are to be clarified as noted in other sections of this Assessment Table.</p>	<p>Check all drawings and written references to ensure the proposal does not apply actions to items outside the Site boundary line. This should be done across the Planning Proposal and all its Attachments.</p>

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ATTACHMENT H – LANDSCAPE CONCEPT & LANDSCAPE DRAWINGS SCHEDULE			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
			Calculations on landscape and deep soil areas are to be clarified as noted in other sections of this Assessment Table.
		<p>Commentary on canopy - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information stating trees and species type have been included in the Planning proposal documentation. The Planting Strategy included in the proponent's Landscape Concept and Drawing Schedule names trees, shrubs, and groundcover selected for the landscaping. It includes the mature height and spread of these trees; however, it does not state the location of the trees nor how many trees will be planted. The landscape drawings show good planting outcomes but it is difficult to know what proportion of the canopy will be small trees, medium trees, large trees. A key feature of Ku-ring-gai is its canopy which includes distinctive tall trees both endemic and exotic species. The Planting Strategy list names 6 tree species that are 15m+ tall and 4 tree species that are 18m+ tall but no indication of how many of these will be planted and at what location. Detail is still required to understand how many and where tall trees will be provided to demonstrate that the deep soil areas are capable of enabling those species to grow and remain healthy, particularly with the criss-cross of pathway systems across the entire site. Without the actual numbers of trees and their location, it is not possible to verify the proponent's claims of providing 3,897sqm of canopy. 	The Planning Proposal and its landscape and flora related Appendices require details of the numbers and location of the tree species mentioned in the Planting Strategy and demonstrate the calculation of the expected tree height and canopy spread. This way the canopy that is claimed to be delivered on the site can be verified.
		<p>Commentary on Tree Removal - KLPP meeting and further information from proponent:</p> <ul style="list-style-type: none"> The proponent has provided further information clarifying some of the issues raised on tree removal. Council has now received further advice from specialist landscape and ecological officers that the Planning Proposal must not fetter the DA process of investigation into all tree removal, tree pruning and tree transplanting. Citing certain trees for removal in the Planning Proposal is revised as Council is unable to investigate and verify the stated conditions of those trees at this planning proposal stage. Therefore, the Planning Proposal and its Appendices are to remove all reference to any tree removal, tree pruning and tree transplanting. 	All references to tree removal, tree pruning and tree transplanting in the Planning Proposal and its Attachments are to be removed to avoid fettering of the DA process and the ability for Council to conduct proper and transparent investigation.

ATTACHMENT J – ANGLICARE LETTER OF OFFER AND DRAFT PLANNING AGREEMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
1-3	<p>The following have been included in the Planning Proposal:</p> <ul style="list-style-type: none"> A draft Letter of Offer A draft Planning Agreement <p>The Planning Proposal is submitted to facilitate the Developer making a development application for the purpose of independent living units across 4 buildings, including a 3-level basement accommodating car parking</p>	<p>To commence a Planning Agreement, a stand-alone Letter of Offer must be submitted outlining the basis of the Planning Agreement, the benefit to both sides and the mechanisms being considered to enact those benefits. The Letter of Offer does NOT include a draft Planning Agreement. The draft Planning Agreement appears when the Letter of Offer has been accepted by Council and there is a Council resolution to commence the negotiation of the draft Planning Agreement.</p> <p>Letter of Offer for Proposed Planning Agreement</p>	Remove the "draft Planning Agreement" – only the Letter of Offer should be included in the Planning Proposal – separate the Attachment J to ensure that the Letter of Offer can be reported

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT J – ANGLICARE LETTER OF OFFER AND DRAFT PLANNING AGREEMENT			
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.
	spaces, an ancillary café and wellness centre with an indoor pool (Development).	<p>Only the Letter of Offer has been taken into consideration as that is required to be a stand-alone document. The Planning Agreement will be the subject of future negotiation in consultation with a legal team Council has yet to appoint.</p> <p>The Letter of Offer will be reported to Council seeking approval to progress negotiation of the matter(s). This letter must stand on its own and must not include, attach, cross-reference, or otherwise incorporate, a formal draft Planning Agreement prior to reporting the matter(s) to Council and placing the Planning Agreement on public exhibition.</p> <p>Formal assessment and negotiation of the draft Planning Agreement itself cannot take place prior to obtaining the authorisation of Council via a resolution to proceed, and contemporaneous with appointing external lawyers and reaching a costs agreement with the proponents.</p> <p>It would be inappropriate to place a draft Planning Agreement that had not been assessed by Council in the public domain. As such, any such draft must be separate from the Letter of Offer to facilitate the reporting of the Letter of Offer on its own.</p> <p>Local Infrastructure Contributions / s7.11 offsets Council’s s7.11 contributions plan is a baseline contributions plan with a large rolling programme. Works valued within that contributions plan may, in principle, be considered for works-in-kind, for offset against s7.11 contributions, up to the current inflated value of the works in the baseline contributions plan.</p> <p>Subject to formal agreement, additional work can be undertaken at the proponent’s cost, however it should be noted that there may be logistical issues with undertaking works in the existing public domain including, but not limited to, liaison with, and coordination of, impacted private property owners, risk and uncertainty concerning the exact location of existing underground services, potential for unforeseen soil contamination, and the like, that may complicate works located outside the development site.</p> <p>As such, further investigation will be required into the realistic potential for delivery of some of the identified works in Rohini Street. Contributions cannot be negative; there will be no capacity for offset of contributions if the nett additional demand arising from the site is exhausted.</p> <p>Walkway Land proposed for public benefits, subject to negotiation, without prejudice, must be dedicated into the ownership of Council. With respect to the internal link pathway proposed, there is no practical way other than dedication to guarantee future public access in perpetuity without costly enforcement, however, this does not prevent the site owners permitting public access on an on-going basis.</p> <p>Mention is made in the <i>Urban Design Report</i> (pg 50) that the walkway is “<i>intended to remain privately owned, and a Deed of Agreement between Anglicare (as the landowner) and Council is proposed to define the ongoing terms and conditions for public access</i>”. The potential mechanism is to be stated in the Planning Agreement Letter of Offer.</p> <p>Pocket Park The proposed pocket park is substantially smaller than the minimum area targeted for new park delivery in Ku-ring-gai (2,500-3,000sqm) and is considered ineffective. Its offset would reduce the capacity of Council to provide for multi-use parkland, including facilities for seniors, in a larger consolidated park and the limited size on this site would be inefficient and costly to maintain.</p> <p>Turning Circle</p>	<p>with a Cover and without the draft Planning Agreement.</p> <p>Proponent to acknowledge that many of the proposed works will not be eligible or practical for consideration under s7.11(6). Eligible works-in-kind are capped at the inflated rate in the baseline contributions plan. In general Material Public Benefits must be offered free of cost to avoid having a financial impact on council’s ability to deliver the adopted works programme in the contributions plan.</p> <p>The reference to the proposed works being taken into account in determining s7.24 (HAPs) contributions should be removed.</p> <p>Make all amendments to the Letter of Offer as stated in the adjacent Table.</p>

TABLE OF ASSESSMENT – Planning Proposal – 51-53 Rohini Street, Turramurra (Anglicare) – OMC August 2024

ATTACHMENT J – ANGLICARE LETTER OF OFFER AND DRAFT PLANNING AGREEMENT																
PAGE	DOCUMENT/SECTION	COMMENT	RECOMMENDATION reflect KLPP advice and further assessment.													
		<p>It is likely that the improved turning & vehicle circulation arrangements at the termination of Rohini Street would be primarily required for the efficient operation of the future Seniors housing facility and to make good any damage incurred during construction though this can be subject to further consideration in the context of the proposed development.</p> <p>It is noted that the previously flagged community space has been deleted from the Letter of Offer and that this deletion is entirely appropriate.</p> <p>Summary This commentary is not to be taken as exhaustive and requirements may change following legal advice including but not limited to references to costs and security. Entering into the negotiations through a Planning Agreement does not guarantee delivery of outcomes. The negotiations take place in good faith to deliver agreements that benefit both parties, with Council protecting the interests of the wider community.</p> <p>REQUIRED AMENDMENTS TO THE LETTER OF OFFER:</p> <table><tr><th>Current wording</th><th>Amended wording</th><th>Reason</th></tr><tr><td>The Planning Proposal is submitted to facilitate the Developer making a development application for the purpose of independent living units across 4 buildings, including a 3-level basement accommodating car parking spaces, an ancillary café and wellness centre with an indoor pool (Development).</td><td>The Planning Proposal is submitted to facilitate the Developer making a development application for the purpose of delivering 110 independent living units with car parking spaces, café and wellness centre with an indoor pool (Development).</td><td>The Letter of Offer cannot describe specific development outcomes that are able to be altered through a DA. Specific details will be included through negotiation with the draft Planning Agreement.</td></tr><tr><td>The Planning Proposal is made by the Developer under division 3.4 of the <i>Environmental Planning and Assessment Act 1979 (EPA Act)</i> to amend the LEP to increase the maximum building height for the Development Site to [INSERT] and to increase the maximum floorspace ratio (FSR) for the Development Site to [INSERT].</td><td>Insert the standards being sought consistent with the Planning Proposal,</td><td>The letter must state details pertaining to the Site.</td></tr><tr><td>Works table</td><td>Columns 2, 3 and 4 of the Table can be removed as those details will be part of the Planning Agreement discussion and negotiation.</td><td>Premature inclusions</td></tr></table>	Current wording	Amended wording	Reason	The Planning Proposal is submitted to facilitate the Developer making a development application for the purpose of independent living units across 4 buildings, including a 3-level basement accommodating car parking spaces, an ancillary café and wellness centre with an indoor pool (Development).	The Planning Proposal is submitted to facilitate the Developer making a development application for the purpose of delivering 110 independent living units with car parking spaces, café and wellness centre with an indoor pool (Development).	The Letter of Offer cannot describe specific development outcomes that are able to be altered through a DA. Specific details will be included through negotiation with the draft Planning Agreement.	The Planning Proposal is made by the Developer under division 3.4 of the <i>Environmental Planning and Assessment Act 1979 (EPA Act)</i> to amend the LEP to increase the maximum building height for the Development Site to [INSERT] and to increase the maximum floorspace ratio (FSR) for the Development Site to [INSERT].	Insert the standards being sought consistent with the Planning Proposal,	The letter must state details pertaining to the Site.	Works table	Columns 2, 3 and 4 of the Table can be removed as those details will be part of the Planning Agreement discussion and negotiation.	Premature inclusions		
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		Works table	<p>Column 1 are the key items to point out to Council in the Letter. This list shows Council what the subject of the Planning Agreement negotiations will be.</p> <p>The following item should be removed from the Letter of Offer as it conflicts with Council's policy on provision of parks. The plans may still be included in the Proponent's landscape plans if they wish. <i>"Creation of new pocket park (25m x 7m) with seating, adjacent to Rohini Street."</i></p> <p>The following item should be extended to include the entirety of Council's public footpath abutting the Site, not just one third of that footpath. The negotiation process can determine if it is feasible to upgrade the whole or part of the pathway. <i>"Upgrade the King Street pedestrian pathway from the 'shared driveway' to the northern end of Rohini street"</i></p> <p>The following item should be considered carefully given the complexities of upgrading road verges with crossovers into multiple residential properties and underground services and associated liabilities. If retained, remove the reference to the proposed concept and instead provide a clear written description indicating the closest address at the start and finish points of the upgrade. <i>"Upgrade of Rohini Street footpath for the length of 165m, as shown in the Landscape Planning Proposal Concept dated 6 September 2023."</i></p>	<p>Request must not conflict with Council's policies and equitable consideration of provision of public facilities.</p>	
		<p>The Developer shall meet with Council to refine the details and scope of the above items to confirm the estimated value of delivery (Estimated Value). This value is to include all costs associated with the delivery of the agreed scope.</p> <p>Should through the process of detailing the project scope, design, and specifications of the proposed works, it becomes apparent that any of the works cannot be conducted at a reasonable cost by the Developer or if Council require a superior standard of works beyond what is proposed by the Developer, then the equivalent value as outlined above will be paid via a monetary contribution instead. In all circumstances, the agreed scope of works will be capped at a cost equivalent to the Estimated Value.</p>	<p>Delete these two paragraphs. Such matters cannot be prematurely considered.</p> <p>The exact scope of works and their estimated value will be determined as part of the Planning Agreement negotiation process and will require professional advice. Once agreed, an updated letter of offer may/may not be required</p>	<p>Premature content.</p>	

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ATTACHMENT J – ANGLICARE LETTER OF OFFER AND DRAFT PLANNING AGREEMENT					
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		Costs: The Developer offers to pay the Council's reasonable legal costs and disbursements for the review, negotiation, preparation and execution of this Deed, and the ongoing administration and enforcement of this Deed, to a maximum of \$10,000.00 within 14 days of the provision of an itemised invoice.	Delete this paragraph. Such matters cannot be prematurely considered. The costs will be discussed and negotiated as part of the Planning Agreement and include legal input.	Premature content.	
		Registration: Pursuant to section 7.6 of the EPA Act, Developer agrees that the Deed must be registered on the title to the Development Site prior to the first to occur of: i. the issue of the first Construction Certificate with respect to the Development; and ii. within 6 months from the commencement of this Deed	Remove items (i) and (ii) Council requires the registration on title to be as soon as practical. Six months is considered far longer than necessary. Council will reserve the right to caveat to protect its interests, so it is preferable to register the executed Planning Agreement on title as soon as practical.	Conflicting timeline.	
		Exclusion of s 7.11, 7.12 or 7.24 to the development: The agreement will not exclude the application of section 7.11 or s 7.12 of the EPA Act. Section 7.11(6) of the Act applies to the Works (as defined below) that are to be carried out under this Letter of Offer and are to be taken into account in determining any section 7.11, 7.12 and 7.24 of the Act contributions for the Development.	Remove "7.24". Regional Contributions under s7.24 (HAPs) – It should be noted that Ku-ring-gai Council has no control, influence or management capacity in respect of the NSW Government Housing and Productivity Contributions (HAPs) inclusive of calculation and collection which are exclusively via the Planning Portal. No local infrastructure provision will be offset against HAPs contributions. Nor can Council enter into any agreement impacting Division 7.1 Subdivision 4 without Ministerial approval. Any agreement regarding HAPs must be exclusively with the NSW State Government.		

PLANNING PROPOSAL

Anglicare "Rohini Village" 51-53 Rohini Street, Turramurra



Rohini Village Landscape Masterplan for Planning Proposal (with potential Planning Agreement upgrades to Public Domain shown)

Prepared by

Levy Planning
Suite 67, Level 4, 330 Wattle Street, ULTIMO NSW 2007
admin@levyplanning.com



1st May 2024

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APPENDIX A	Urban Design Report and Photo Panel
APPENDIX B	Title Documents and Surveys
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APPENDIX D	Heritage Impact Statement
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APPENDIX I	Feasibility Analysis
APPENDIX J	Anglicare “Letter of Offer” and Draft Planning Agreement
APPENDIX K	Anglicare Village Study - Rohini Village
APPENDIX L	Pre-Consultation Minutes and Responses

Executive Summary

Brief Overview and Background to the Planning Proposal

This Planning Proposal (PP) is submitted to Ku-ring-gai Council on behalf of the proponent Anglicare.

This PP explains the intended effect of, and justification for the proposed amendments to the Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015). The amendment is a proponent-led Planning Proposal for "Rohini Village" at 51-53 Rohini Street, Turramurra (the Site). The Site is currently zoned R4 High-Density under the KLEP 2015, adjoins a train-line and is sited within 100-200 metres of shops, services and public transport nodes within the Turramurra commercial centre.

The PP to initiate a Schedule 1 Additional Permitted Uses and a Part 6 Additional Local Provisions amendment to KLEP 2015, has been prepared in accordance with Section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act) and the relevant Department of Planning, Housing and Infrastructure Guideline "*Local Environmental Plan Making Guideline*" (August 2023).

Rohini Village has been operating since the late 1960s and the facility is now aged and requires complete renewal as it no longer meets accessibility or design standards, nor is it in line with customer expectations. This PP seeks to replace the existing 110 Independent Living Units (ILUs) on Site with 110 new modern day ILUs across four buildings, up to 6-storeys in height, and built over a 3-level basement. The re-development of Rohini Village will provide local residents with new contemporary seniors housing of high-architectural quality, with new on-site community facilities, set in enhanced landscaped surrounds, with easy access to services and public transport. The Planning Proposal includes a café and wellness centre with indoor pool, and a cross-site walking link to King Street made available to both the village residents and the wider local community.

The Development Concept proposes a built-form consistent with the emerging character and densities already present within the Turramurra Local Centre in the vicinity of the Site and will have a minimal impact on the nearby Heritage Conservation Area and adjacent residential properties.

This PP demonstrates both strategic and site-specific merit and addresses all the relevant considerations under the "*Local Environmental Plan Making Guideline*" (August 2023). The PP is consistent with State, Regional, and Local Planning Policies and relevant Section 9.1 Ministerial Directions.

The findings of this Planning Proposal, and supported by the appended technical reports, conclude that all future development of Rohini Village can be successfully accommodated, with minimal impacts on the Site's surrounds.

Land to which this Planning Proposal Applies

The subject Site is located at 51-53 Rohini Street, Turramurra, at the end of a cul-de-sac. The land comprises **Lot 21 DP 533032, Lot 26 DP 585038 and Lot 2 DP 302942** and has a total Site area of **9,193 m²** (the Site) Refer **Figure 1** and **Figure 2** overleaf. A photo panel of the Site and Surrounds is provided at **Appendix A**.

The Site is relatively flat and has both a 100 m frontage to the Rohini Street and a 100 m frontage to the Turramurra Station railway corridor. The train station, bus interchange and local shops, are located 100 to 200 metres south-east of Rohini Village, along Rohini Street. A public pathway (3.66 m wide) abuts the north-western end of the Site and connects King Street to Cherry Street. The pathway provides a significant landscape separation between the Site and the neighbouring houses which form part of the Heritage Conservation Area (HCA) to the Site's north. A separate pedestrian pathway on the (SP2- Infrastructure zoned) Railway lands, abuts the southern boundary of the Site and connects Cherry Street to the Rohini Street cul-de-sac.

Lot 21 DP 533032 and Lot 2 DP 302942 are not burdened or benefited by any easements. Lot 26 is burdened by several easements and also physically encloses a separate Lot 25 which is not part of the Proposal. Full title documents and Site Surveys are provided in **Appendix B** of this Proposal.

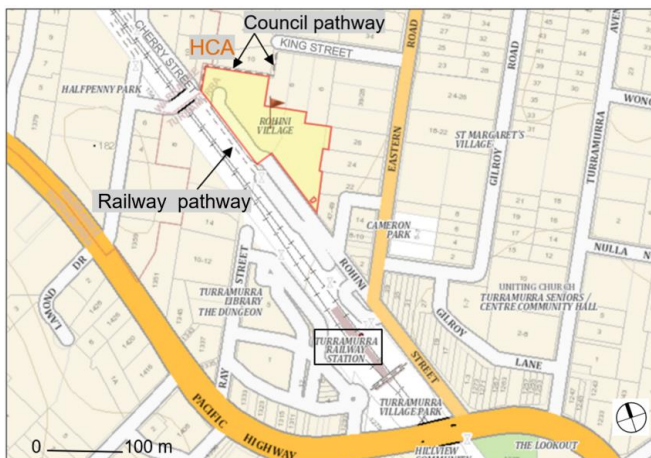


Figure 1: Location Map : “Rohini Village”

Source: Sixmaps

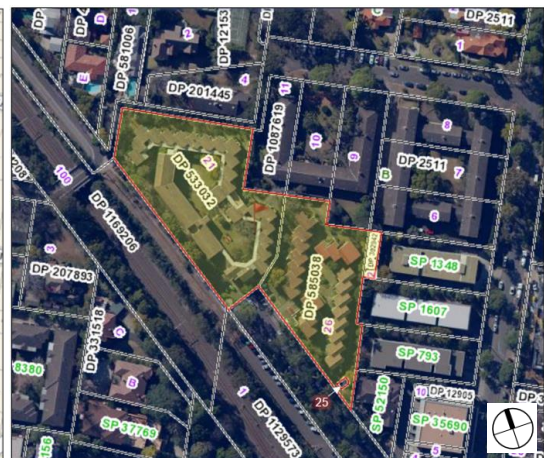


Figure 2: Aerial/Lot Plan “Rohini Village”

Source: Sixmaps



Figure 3: Aerial Photo circa 2023 "Rohini Village" Site & surrounds

Source: Plus Architecture

Existing Planning Controls

The key Ku-ring-gai LEP 2015 planning controls that apply to the Site are;

- **Zoning** – The existing zoning is R4 High Density Residential
- **Floor Space Ratio (FSR)** – Maximum FSR is 0.85:1
- **Height** - Maximum Height of Building is 11.5 metres
- **Lot Size** – Minimum Lot size 1200 m²
- **Heritage** - Site is not heritage listed and not within a Heritage Conservation Area (HCA)
- **Biodiversity** - Mapped vegetation comprising Blue Gum High Forest (BGHF) is located at northern end of Rohini Street and slightly overhangs the Rohini Village Site.

All relevant maps which provide current Site context are provided at **Table 17** in **Part 4 - Maps** of this report.

The subject site is largely surrounded by high density residential zones with permitted building heights of 11.5 m to 17.5 m and Railway Land. The Site itself is relatively free of environmental constraints that would constrain increased height/density on the Village Site.

Proposed Amendments to Ku-ring-gai Local Environmental Plan 2015 (KLEP2015)

The Site already has a R4 High-Density Residential zoning. This zoning is proposed to be retained. The current development standards that apply to the Rohini Village Site are comparable to R3 Medium Density zoning and not the R4 High-Density Residential Zone objectives which focus on a *"high density residential environment"*. Accordingly, this Planning Proposal for land in an R4 High Density Residential zone seeks the following amendments to the KLEP 2015;

Current KLEP 2015 Planning Controls	Proposed Amendment to KLEP 2015 (Schedule 1 and Part 6 Additional Local Provisions)	SEPP Housing 2021 Cl. 87 – Additional Floor Space Ratios for Seniors Housing
Max. Floor Space Ratio (FSR) 0.85:1	1.5:1	ILUs 15% bonus FSR provision Total FSR permitted - 1.725:1
Max. Height 11.5 metres	17.5 metres	3.8m height – additional 3.8 m above the maximum building height. Total height permitted - 21.3m
<p>"Seniors Housing", "Recreational Facility (indoor)" and "Commercial Premises" are prohibited use under KLEP 2015.</p> <p><u>Note:</u> Seniors Housing is permitted under State Environmental Planning Policy (Housing) 2021 (SEPP Housing 2021)</p>	<p>"Independent Living Units", "Recreational Facility (indoor)" and "Commercial Premises" as an Additional Permitted Use to accommodate the new Café and Wellness Centre with indoor pool, which will be available to both the Village residents <u>and</u> the wider local community.</p>	

The above-suggested changes to KLEP 2015, can be readily achieved via a simple amendment to the KLEP 2015 Schedule 1 Additional Permitted Uses and Part 6 Additional Local Provisions.

Studies Forming Part of the Submission

The main technical expert reports informing this Planning Proposal are listed below and are provided in full within the accompanying **Appendices**.

Table 1 – Technical Studies

Technical Study	Prepared By
1. Urban Design Report	Plus ARCHITECTURE 4/222 Clarence St, Sydney NSW 2000
2. Photomontage	VIRTUAL IDEAS Studio 71, 61 Marlborough Street, Surry Hills, NSW 2010
3. Arboricultural Impact Assessment Report	ARTERRA DESIGN PTY LTD Suite 602 / 51 Rawson Street Epping NSW 2121
4. Heritage Impact Statement	KEMP & JOHNSON 3 David Street Croydon NSW 2132
5. Traffic & Transport Assessment	STANTEC Level 09, 203 Pacific Highway St Leonards NSW 2065
6. Biodiversity Advice	TRAVERS BUSHFIRE AND ECOLOGY – John Travers Building, 52 The Avenue, Kariong NSW 2250
7. Landscape Concept & Drawing Schedule	SITE IMAGE LANDSCAPE CONSULTANTS Level 1, 3-5 Baptist St, Redfern NSW 2016
8. Feasibility Analysis 9. Anglicare Village Study	ANGLICARE AGED CARE AND COMMUNITY SERVICES & EG 51-53 Rohini Street Turramurra NSW 2074

The technical reports clearly indicate that increasing height and density on this Site are appropriate to the Site and can achieve high quality aesthetics and considerable public benefits to the local community whilst minimising environmental impacts on the surrounding lands.

PART 1 – Objectives and Intended Outcomes

Objective

This Planning Proposal seeks to amend Ku-ring-gai Local Environmental Plan 2015 (KLEP2015) to facilitate the renewal of the subject retirement village Site at 51-53 Rohini Street, Turramurra through the introduction of amendments to Schedule 1 Additional Permitted Uses and Additional Local Provisions in Part 6 of KLEP2015 to encourage appropriate density and height for the Site. It also proposes a number of community benefits including publicly accessible private lands comprising a "pocket park", pedestrian thoroughfare to King Street, landscape communal spaces and other civic amenity improvements to the Council's public domain.

Intended Outcomes

- Contribute to the Village's role as a strategic site providing Seniors Housing, jobs and accessible on-site resident facilities to promote aging in place;
- To achieve a suitable balance between high-density housing and deep-soil landscaped areas, which is only possible through higher-built forms;
- To retain existing mature and significant vegetation where possible;
- To permit a mixed-use development with an appropriate balance of communal facilities which enhance the health and welfare of all senior residents;
- To promote greater social interaction, thereby mitigating isolation for both Rohini Village residents and members of the community;
- Contribute to the activation of Turramurra by providing a safe and pleasant pedestrian walk to St James Church between Rohini Street and King Street;
- Contribute to community safety via improved passive surveillance for pedestrians using public railway pathway and Council's pathway;
- Contribute to the rejuvenation of Rohini Street by providing publicly accessible communal open space, along the street frontage to compliment future planned upgrades to the Council public domain along Rohini Street; and
- Contribute to pedestrian safety with planned upgrades to the northern end of Rohini Street.

PART 2 – Explanation of Provisions

Intended Provisions

This Planning Proposal (PP) seeks to amend the Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015), to facilitate an increase in the provision of Seniors Housing at Rohini Village, by increasing sizes of the Independent Living Unit (ILU) and greater provision of resident facilities that can be utilised by Seniors in the wider community. The PP proposes the following amendments to KLEP2015 Schedule 1 Additional Permitted Uses and Part 6 Additional Local Provisions summarised in **Table 1** below:

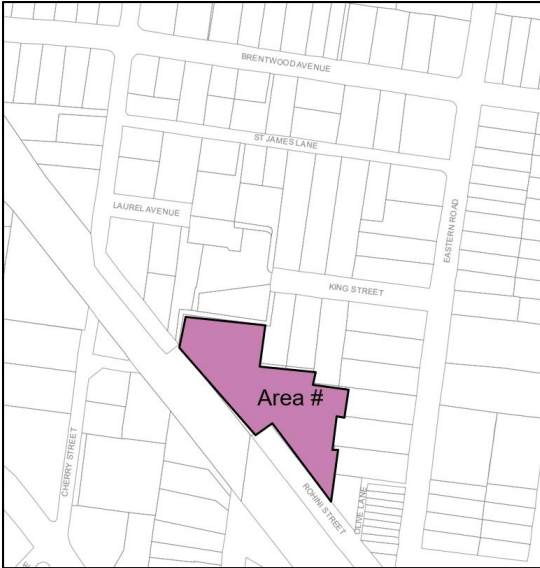
Table 1: Summary of LEP amendments

Control	Existing	Proposed
Floor Space Ratio	0.85:1	Introduce a new Local Provision that would permit FSR (1.3:1) and building height (17.5 m) for the Site if the development would result in the delivery of 110 "Independent Living Units" (a form of Seniors Housing) and up to 700 m ² communal and commercial facilities for use by the wider community.
Building Height	11.5 m	

Note: It is proposed to include "Independent Living Units" as part of the new Schedule 1 provisions in order to avoid any doubt about the application of Part 5 of the Housing SEPP 2021, as a consequence of the biodiversity mapping that applies to a very small area of the site and to provide assurances that the intended outcome of providing increased housing for Seniors in close proximity to public transport, shops and services is achieved.

To achieve the intended outcomes, it is proposed to amend KLEP 2015 Schedule 1 Additional Permitted Uses to introduce special provisions relating to the use of the resident facilities by non-village residents and Part 6 Additional Local Provisions for Building Height and Floor-Space Ratio controls. Example wording of the amendment has been provided overleaf;

Table 2: Proposed KLEP Amendments

Amendment to the KLEP2015 Schedule 1 - Additional Permitted Uses and Map to denote 51-53 Rohini Street as Area "#" and insert new clause that states the following;	
<p>(1) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as "Area #" on the <u>Additional Permitted Uses Map</u>.</p> <p>(2) Development for the purposes of the following is permitted with development consent.</p> <p>(a) Independent Living Units and</p> <p>(b) Ancillary resident facilities, recreational facility (indoor) and commercial premises with a maximum gross floor area of 700 m².</p>	<p>Proposed Additional Permitted Uses Map</p> 
Amend KLEP2015 Part 6 Additional Local Provisions and insert the following;	
<p>6.14 Rohini Village</p> <p>(1) The objective of this clause is to facilitate the renewal of the existing seniors housing development and to provide ancillary community facilities which may be used by the wider community.</p> <p>(2) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as "Area #" on the <u>Additional Permitted Uses Map</u>.</p> <p>(3) Development for the purpose of Independent Living Units and ancillary community and commercial uses as described in Schedule 1 ("XX") may have –</p> <p>(a) a maximum Floor Space Ratio of 1.5:1, and</p> <p>(b) a maximum building height of 17.5 m</p>	

The above proposed KLEP amendment would not require changes to the Building Height or Floor Space Ratio KLEP 2015 Maps. All other planning controls applying to the Site will remain unchanged.

PART 3 – Justification of Strategic and Site-Specific Merit

Justification of Strategic and Potential Site-Specific Merit, Outcomes and the Process for their Implementation

Section A - Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement (LSPS), strategic study or report?

A number of strategic planning documents are relevant to this Planning Proposal, including the Ku-ring-gai Local Strategic Planning Statement (LSPS), Ku-ring-gai Housing Strategy (2020) and related Department of Planning, Housing and Infrastructure Approval Letter (dated 16 July 2021), the Community Strategic Plan (2022) and Turramurra Public Domain Plan. The Planning Proposal is fully consistent with the visions and goals relating to locating higher density housing adjoining train and bus nodes, in close proximity to commercial centres established under these strategies.

Key features of the proposal that give effect to the overall aims of strategic studies are;

- Provides a new-aged housing that is designed to meet the needs and demands of an ageing population, allowing for the community to "age in place" within their established settings and familiar surrounds.
- Provides seniors a new facility with excellent access to both services and public transport.
- The potential upgrades to Rohini Street proposed under the draft Letter of Offer at **Appendix J** would be consistent with the following statements in the LSPS (Page 26);

"Council has commenced a program under 'Activate Ku-ring-gai' to upgrade key streets in the Local Centres, the first of these will be St Johns Avenue, Gordon; followed by Rohini Street, Turramurra and Lindfield Avenue and the Pacific Highway, Lindfield". (LSPS page 26)

The Planning Proposal for a Site adjoining the Turramurra Town Centre and Train Station is not the result of a specific strategic study or report. However, it relates to an existing Retirement Village development in need of renewal and which has been the subject of a series of technical studies. The Planning Proposal seeks to expand upon the existing use on the subject land, and as appropriate at this stage in the process, key site constraints have been identified and considered as part of this Planning Proposal.


A detailed review of the Planning Proposal Technical Report against the objectives of the relevant Documents/Studies/Reports is provided in **Table 4** below;

Table 4 – Summary of Studies

<p>Anglicare Village Study</p>	<p>Following its decision to renew its aged care facilities across NSW, in 2019, Anglicare undertook a Customer Experience Survey of Retirement Living residents across 22 of its own Anglicare Retirement Villages in Sydney. The survey involved contacting some 3,085 residents. Rohini Village had one of the highest survey response rates with some 74% of all residents expressing a level of dissatisfaction with the existing Rohini Village accommodation.</p> <p>Many Rohini Village residents, reflecting perhaps a wider view of the market and community, desired renewal of the facility and an opportunity to remain at the facility. Some also expressed a need for additional bedrooms to accommodate visitors.</p> <p>After exhaustive surveys and community consultation, as well as resident surveys, it became clear to Anglicare that renewal of the Rohini facility is highly desirable, in fact imperative. Given that renewal of the Site has become necessary, a Planning Proposal is required to revisit the planning controls applicable to the Site. This Planning Proposal seeks to facilitate a development concept to redevelop the 110 ILUs currently on Site. This is necessary to provide greater resident amenity and self-sufficiency, as well as a higher quality of care and services, all enhanced by additional landscaping and communal amenity, to better meet community demands. The relevant section of the Anglicare study (2019) relating to Rohini Village is provided at Appendix K.</p> <p>The need for increased seniors housing in suitable locations, is reflected in the below statement at Page 70 of the Local Strategic Planning Statement (LSPS) 2020 which is consistent with Anglicare's independent studies;</p> <div data-bbox="475 1312 1372 1442" style="border: 1px solid black; padding: 5px;"> <p><i>"Projections from DPIE indicate that Ku-ring-gai's population aged 65 and above will increase by 49% by 2036 highlighting the need for investigation into housing provision for this group to enable ageing in place.." (LSPS page 70)</i></p> </div> <p>The Planning Proposal which incorporates housing for seniors and related services and social infrastructure is consistent with;</p> <ul style="list-style-type: none"> • North District Plan (2018) "Planning Priority N3 – Providing Services and Social Infrastructure to meet peoples changing needs" and • Planning Priority N5 – Providing Housing supply, choice and affordability with access to jobs, services and public transport" and
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	<ul style="list-style-type: none"> • Ku-ring-gai LSPS (2020) Planning Priority "K3 – Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community" and • "K4 – Providing a range of diverse housing to accommodate the changing structure of families and households and enable aging in place."
Urban Design Report	<p>An Urban Design Analysis has been performed for the Site and built form to better understand the Site constraints and attributes both on-site and in the vicinity. A copy of the Urban Design Report is provided at Appendix A. The resulting Planning Proposal has been informed by this comprehensive Urban Design Analysis which incorporates a detailed landscape analysis, and other technical studies to explain and elucidate on the architectural built form submitted with this Planning Proposal.</p> <p>The provision of seniors housing and related facilities and services on site is consistent with the following Strategic documents;</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan (March 2018) "Objective 6: Services and Infrastructure Meet Communities' Changing Needs", and • "Objective 7: Communities are Healthy, Resilient and Socially Connected", and • "Objective 10: Greater Housing Supply", and • "Objective 12: Great Places that Bring People Together ", and • District North Plan (2018) "Planning Priority N20 – Delivering high quality open space", • Ku-ring-gai LSPS (2020) Planning Priority "K12 -Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character" and • Planning Priority "K17 - Providing a broad range of open spaces, sporting and leisure facilities to meet the community's diverse and changing needs."
Arboricultural Impact Assessment Report	<p>An Arboricultural Impact Assessment Report has been undertaken to ascertain the vegetation constraints. A copy of the Report is at Appendix C. The Report identifies the Site and its immediate surrounds, contain trees from a variety of periods during its development but most of these only date from the late 1980s onwards. Most of the trees that are closely associated with the existing buildings, and the more recent facilities, are small, exotic and common place species. The majority of significant and better-formed trees are located towards the periphery of the Site which can be largely retained. The tree retention and landscape embellishment under the Urban Design Report is consistent with;</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan (March 2018) "Objective 30: Urban Tree Canopy Cover is Increased".

<p>Heritage Impact Statement</p>	<p>A Heritage Assessment of the Site prepared by Kemp & Johnson Heritage Consultants (2023) is provided at Appendix D to ascertain the existence of any heritage constraints.</p> <p><u>Aboriginal Heritage:</u> A search of the AHIMS Web Services (AWS) showed no identified records of Aboriginal sites or places recorded on the subject site.</p> <p><u>European Heritage:</u> Prior to the construction of the existing retirement village, the Site was occupied by a house constructed between 1892 and 1895 by then owner Francis Gerard. The existing Retirement Village was constructed between 1969-1975. The Report identified three locations of sandstone gate posts along the site boundaries (Rohini Street driveway, the pedestrian entry to the north-west, and the St James path link gate) per Figure 4 below.</p> <div data-bbox="470 669 1244 1106">  </div> <p>Figure 4: Gate Post location map <i>Source: Kemp & Johnson Heritage Consultants</i></p> <p>The Concept Masterplan in the Urban Design Report is consistent with the Heritage recommendations and incorporates the "Location 3" sandstone posts which include the carved letters "Rohini" within the new "Rohini Walk" pedestrian cross-link and incorporates the entry posts/gates at "Location 1" and "Location 2".</p> <p>The Rohini Village Site is not a heritage item and is not within a Heritage Conservation Area (HCA). Notwithstanding, the Site's location near a HCA and several Heritage items, the Site is physically separated and is largely screened by established vegetation and other contemporary buildings including No. 6 King Street unit block. Accordingly, there is no detrimental heritage impacts that will result from the Planning Proposal and future redevelopment.</p> <p>The Design Concept incorporates landscaped setbacks to the Heritage Conservation Area and retention/re-use of the Rohini gate sandstone pillars which is consistent with;</p> <ul style="list-style-type: none"> • North District Plan (2018) "Planning Priority N6 – Creating and Renewing great places and local centres, and respecting the District's Heritage" and • "Planning Priority N17 – Protecting and enhancing cultural landscapes".
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<p>Traffic and Transport Assessment</p>	<p>A Traffic and Transport Assessment prepared by Stantec (2023) is provided at Appendix E to ascertain existing traffic and parking conditions surrounding the Site. The Report identified that the Site is well serviced by public transport, with several frequent bus services provided along Rohini Street/ Eastern Road and regular T1 (Berowra to City, via Gordon) train services through Turramurra Railway Station, all within an easy walk of the Site. The Report findings were that there will be a net increase of up to 11 vehicle movements per hour in any road network peak hour. On this basis, the additional traffic generated by the proposal is not expected to compromise the safety or function of the surrounding road network, including at the Pacific Highway/ Rohini Street and Eastern Road/ Rohini Street intersections, whether it be the weekday or weekend network peak periods.</p> <p>The Masterplan Concept Design removes the existing driveway entry located at the northern end of Rohini Street (near the water tanks) and retains the existing driveway entry at the southern end. On-site parking and access provided in the Concept Design is consistent with the Traffic Report recommendations to ensure a safe and functional development.</p> <p>The Planning Proposal to facilitate renewal of a site in close proximity to transport and shops is consistent with;</p> <ul style="list-style-type: none"> • North District Plan (2018) “Planning Priority N12 – Delivering integrated landuse and transport planning and a 30minute city”.
<p>Biodiversity Advice</p>	<p>Biodiversity Advice for the Site prepared by Travers Environmental (2023) is provided at Appendix G to ascertain the existence of any biodiversity constraints.</p> <p>The Biodiversity Advice identifies the Site as having a very small portion in the southwestern sector mapped as containing biodiversity. The mapped biodiversity is identified as being a large Blackbutt (<i>E. pilularis</i>) and Brushbox adjacent to two large water tanks to the entry driveway. The trunk of the Blackbutt is located within the Rohini Street road reserve and the canopy partly overhangs the Site. The Planning Proposal Concept Design within the Site, does not require removal of the Blackbutt to accommodate the development.</p> <p>The Landscape Design Concept retains significant trees on site and achieves a doubling of the existing canopy cover from 22.7% to 54.9% canopy cover which is consistent with;</p> <ul style="list-style-type: none"> • North District Plan (2018) “Planning Priority N16 – Protecting and enhancing bushland and biodiversity”, and • “Planning Priority N19 – Increasing urban tree canopy cover and delivering green grid connections”.

The Proposal responds to the both technical studies and the strategic plans of Council and Department of Planning, Housing and Infrastructure (DoPHI) and to the Strategic Site Context, and seeks to address the Site's unusually-low development standards for an R4 site adjoining a Railway Station and town centre. Such a low density in an R4 High-Density Zone does not accord with modern day planning principles on locating seniors close to shops, transport and services, in preference to farther afield in the lower density zones. Seniors Housing requirements are for flexibility to supply larger dwelling sizes, and wheelchair accessibility in both indoor and outdoor settings. It also limits providers from including, nor on capitalising on on-site facilities to promote well-being and social inclusion.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes; a Planning Proposal, such as the one submitted herein, is the best means of delivering the new aged care services envisaged for the site. The potential options are considered below;

Option 1 – No action

The first option is to undertake no action in relation to the Site. This would not achieve the objectives and intended outcomes given almost half of the Independent Living Units (ILUs) units are currently unoccupied due to inadequate space (predominantly 36m² unit sizes) and poor accessibility. The 54-year-old buildings are significantly outdated and require complete renewal. As such this option was discounted.

Option 2 Renew the Site under current controls

The second option is to renew the Site under the current development controls. Even with the available 15% Gross Floor Area (GFA) bonus provided under SEPP Housing 2021 Clause 87, the resulting floorspace would still be insufficient to achieve the required outcome for the redevelopment of Rohini Village. Put simply, numerically relying on the GFA bonuses in the SEPP results in a permitted GFA of **8989 m²** which would allow for only 700m² of communal GFA and approximately **60 x ILUs** (based on gross ILU floor area of 138m² including lobbies and corridors). **It would result in a net LOSS of 50 ILUs compared with the current development** which is contrary to all strategic documents which seek to increase housing to accommodate older people and people with a disability in Ku-ring-gai Local Government Area. The potential loss of housing by retaining the status quo planning controls for a site in close proximity to shops/services and transport would be a poor outcome that fails to meet State and Local Government objectives for increased housing in such locations. As such, the "trigger" for increase density and height relates to avoiding a loss of critical seniors housing which the Ku-ring-gai Housing Strategy, the Premier and the Department of Planning, Housing and Infrastructure (DoPHI) have identified as a key priority. The DoPHI Planning Delivery Unit (PDU) also confirmed during pre-consultation meetings that numerical cost calculations to justify the Planning Proposal for increased height and density is not warranted, being for replacement dwellings, nor is it a planning matter for consideration. Notwithstanding, Feasibility Analysis is provided at **Appendix L**.

Option 3 – Lodge DA with Clause 4.6 variation request

The third option is to lodge a Development Application (DA) with Council to renew the Site with an accompanying Clause 4.6 Variation Request to vary the permissible height and density development standards. However, this would represent a substantial variation to the height and Floor Space Ratio (FSR) standards as a consequence of the unusually low height and density controls that currently apply to this Site when compared to other sites in the locality. Nearby sites to the East and South have FSRs varying from 1:1 to 1.8:1, with Building Heights of up to 17.5 m. Reliance on Clause 4.6 would not be the most appropriate planning pathway in achieving the intended built form outcome. Furthermore, the DA may not be able to provide access to the on-site facilities to the wider community. As such this option was discounted.

Option 4 – Alternate landuse eg shop-top housing and commercial

The Site has an established 54-year-old retirement village and is owned by an established not-for profit aged care provider. Rohini Village operates under the Retirement Villages Act 1999 and provides accommodation for seniors and people with a disability. While it's possible to undertake a shop-top housing development with ordinary apartments above shops in the current zone, this would not meet the requirements of an aged care provider. Nor would it satisfy the intended occupants who choose to live in a retirement village which has support services and facilities specifically designed to cater for seniors. If the development was not a "seniors housing" development with the relevant occupancy restrictions imposed under SEPP Housing 2021 Clause 88, there is no certainty that seniors would occupy the units which would be a deterrent for many seniors who specifically seek to live in a seniors community which is owned and operated by Anglicare.

Option 5 – Site Specific Planning Proposal

The fourth option is to lodge a site-specific Planning Proposal (PP) to enable the renewal of the Site. The PP is the most transparent means of achieving the desired outcomes to facilitate the redevelopment and provide public benefit. Altering the Standards via the Planning Proposal is the best means of achieving the objectives and intended development outcomes for this site. It is clear that the existing height and FSR controls are unusually low for a site in this optimal location and are more akin to a lower R3- Medium Density Residential zone than the R4- High Density Residential Zone.

The current Low-density FSR and low Height Controls on this Site, are simply an anachronism left over from the former Ku-ring-gai Planning Scheme Ordinance prior to the 2004 arrival of LEP 194, the 2012 Town Centres LEPs and more recently, KLEP 2015. There is clearly no ability in such controls to allow for the location of high-density housing built forms, close to transport or town centres. The current low density/height controls are also contrary to all established planning principles to concentrate higher density near rail nodes.

Therefore, **Option 5** is considered to be the preferred option.

Section B - Relationship to Strategic Planning Framework

Q3. Will the Planning Proposal give effect to the objectives and actions of the applicable Regional, or District Plan or Strategy (including any exhibited draft plans or strategies)?

The relevant Strategic Merit of the proposal having regard to the strategic planning framework is comprehensively addressed by responses contained within the following Strategies and Plans addressed in this Section;

- **Greater Sydney Region Plan: A Metropolis of Three Cities (March 2018)**
- **North District Plan (March 2018)**
- **Local Strategic Planning Statement**
- **Ku-ring-gai Housing Strategy (2020)**
- **Ku-ring-gai Housing Strategy Approval Letter and Advisory Notes (16 July 2021)**
- **Community Strategic Plan (2022)**
- **Turramurra Public Domain Plan**

Greater Sydney Region Plan : A Metropolis of Three Cities (March 2018)

In March 2018, the Greater Sydney Commission (GSC) finalised the Greater Sydney Region Plan: A Metropolis of Three Cities. The Plan contains a strategy for managing growth and change and aims to guide infrastructure delivery for the next 40 years in Greater Sydney. The Plan has been prepared in conjunction with the NSW Government's Future Transport Strategy 2056. (Note: The GSC became the Greater Cities Commission and then terminated on 27-6-23 and folded back into the Department of Planning, Housing and Infrastructure (DoPHI). In late 2023, the NSW Premier announced the Greater Cities Commission would be abolished from 1-1-2024 and the Greater Cities Commission's strategic planning functions have since been transferred to the Secretary of the Department of Planning, Housing and Infrastructure (DoPHI). The proposed amendments to the KLEP 2015 contained in this Planning Proposal are consistent with the relevant objectives of the Greater Sydney Region Plan as detailed in **Table 5** below;

Table 5 – Consistency with Greater Sydney Region Plan (March 2018)

Provision of GSRP	Response of Planning Proposal
Objective 4: Infrastructure Use is Optimised	The Proposal meets the objective by: <ul style="list-style-type: none"> ○ Increases the quality, amenity and accessibility of dwellings to support the population's changing needs since the 1960s and community well-being on an existing retirement village site in a highly accessible location. ○ Builds on the Site's location in close proximity to Turramurra shops and public transport


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Objective 6: Services and Infrastructure Meet Communities' Changing Needs	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ The proposed height and FSR, are imperative to facilitate the provision of new and expanded, modern on-site facilities for residents, both in terms of the accommodation, as well as the new passive and active recreational spaces and café.
Objective 7: Communities are Healthy, Resilient and Socially Connected	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ Supports social and community well-being and resilience, through an increase in support services for on-site facilities. ○ Having modern facilities is paramount, in this regard. Also, by providing high-quality passive recreation spaces and a through-site link, the “Rohini Walk” will provide improved public connectivity between Rohini Street and King Street.
Objective 10: Greater Housing Supply	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ Avoiding a net loss of housing. The Village currently comprises 82 x 1- bed dwellings (36 m²), 24 x 2-bed dwellings (67 m²) and 2 x 3-bed dwellings (105 m²). The 1 & 2-bed units are well below the Apartment Design Guide (ADG) provisions of 50 m² and 75 m² respectively. Over recent decades, Anglicare has undertaken a program of amalgamating 1-bed units, that have not proven popular, as they are considered lacking in amenity. This has resulted in an on-going reduction in dwelling numbers within the Rohini Village since it was built. Anglicare records indicate there were originally 134 ILUs, which has diminished to the current 110 ILUs. The Planning Proposal will reverse this negative housing trend, providing larger dwellings that better reflect current day seniors housing requirements.
Objective 11: Housing is more diverse and affordable	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ Providing housing for seniors and people with a disability ○ Providing loan licence tenure under the Retirement Villages Act 1999 which can offer a range of lease contracts to suit the purchaser's affordability requirements.
Objective 12: Great Places that Bring People Together	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ Provision of high-quality active and passive recreation spaces and gardens as well as walks and pathways. ○ Enhanced landscaping to promote outdoor activities ○ Promotion of inclusiveness with the local community by having the new through-site link (Rohini Walk) that will permit non-residents to short-cut from Rohini Street to King Street/St James Church. ○ Attractive new and modern architecture and space ○ Generous on-site community facilities including a café and pool that local non-resident seniors can utilise and interact with the village residents.

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<p>Objective 14: A</p> <p>Metropolis of Three Cities – integrated landuse and transport creates walkable and 30-minute cities</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> Facilitating the renewal of the site for residential purposes in close proximity to existing services and infrastructure.
<p>Objective 22:</p> <p>Investment and business activity in centre</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> Redeveloping the site for a seniors housing development which retains 110 apartments for seniors and/or people with a disability. The village Site is located in close proximity to the Turramurra town centre precinct which will benefit from local shoppers.
<p>Objective 27 –</p> <p>Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> Retaining the majority of established plantings around the Site perimeter. Removal of the existing driveway and water tanks from near the Biodiversity mapped area adjacent to the Rohini Street cul-de-sac. Proposing no buildings at the south-east corner where native trees located on Rohini Street have Biodiversity mapped canopies across a very small part of the Site. The Site canopy area covering the Site will be increased to 54.9%.
<p>27.1 Protect and enhance biodiversity</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> Supporting landscape biodiversity with new plantings The site is remote from bushland areas and abuts a railway corridor.
<p>Objective 30: Urban Tree Canopy Cover is Increased</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> Site currently has 104 trees of which 42 would be required to be removed. The Landscape Design Concept in support of the Planning Proposal demonstrates 166 new trees are able to be accommodated on Site to achieve a total of 228 trees. Site currently has a canopy cover of 22.7% and the Proposal would achieve a canopy cover of 54.9%, which vastly exceeds The NSW Government Architect’s draft “Greener Places” Design Guide of 25% for medium density development and 40 % for low density. Refer to Figure 5 overleaf which illustrates the potential canopy cover.

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	 <p>Figure 5: Rohini Tree Canopy Cover (Potential) Source: Site Image</p>
<p>Objective 32: The Green Grid Links Parks, Open Spaces, Bushland and Walking and Cycling Paths</p>	<p>The Proposal meets the objective by:</p> <ul style="list-style-type: none"> ○ Creation of new local pedestrian connections, between Rohini Street and King Street. ○ Providing a large amount of new landscaping, that creates a new sense of connectivity with other parks and open spaces such as Karuah Park; Turramurra Memorial Park; and Cameron Park.

The North District Plan (March 2018)

The North District Plan is a guide for the implementation of *A Metropolis of Three Cities: The Greater Sydney Region Plan (2018)* at a District Level. The North District Plan is structured to allow for the growth in cities, where most residents live within 30 minutes of their work; education; health facilities; services; and great places. This is aimed at being achieved through a number of planning priorities of the North District Plan. The Planning Proposal shows consistency with these Priorities. The North District Plan identifies four Local Centres in the Ku-ring-gai LGA namely; **Turramurra**; St Ives; Gordon; and Lindfield.

Consistency with the Plan’s planning priorities, objectives and actions is demonstrated in **Table 6** overleaf:

Table 6 - Consistency with the North District Plan (NDP)

NDP Objective	Comment
Planning Priority N1 – Planning for a City supported by Infrastructure	N1 - The Planning Proposal is consistent with the NDP Planning Priority N1, as it will utilise existing infrastructure within the immediate area, to accommodate the future higher density residential development, consistent with the neighbouring higher-density Town Centre precincts. This includes established transport, health and key utilities infrastructure. This aligns with Greater Sydney Region Plan Objective 4 Infrastructure use is optimised.
Planning Priority N2 – Working Through Collaboration	N2 – The Planning Proposal is consistent with the NDP Planning Priority N2, as the process has been a collaborative process and key stakeholders, in particular Department of Planning, Housing and Infrastructure (DoPHI) via the Planning Delivery Unit (PDU), Transport for NSW (TfNSW), Sydney Trains, and Ku-ring-gai Council.
Planning Priority N3 – Providing Services and Social Infrastructure to meet peoples changing needs.	N3 - The Planning Proposal is consistent with the NDP Planning Priority N3 via provision of: <ul style="list-style-type: none"> On-site facilities such as the café and pool Proposed through-link to King Street which will be wheelchair accessible and provides direct and safe walking and cycling connections that can be used by people of all ages and abilities.
Planning Priority N4 – Fostering Healthy, creative, culturally rich and socially connected communities.	N4 –The Planning Proposal is consistent with the NDP Planning Priority N4 via provision of: <ul style="list-style-type: none"> The co-location of on-site facilities with improved pedestrian connections facilitates people to be more physically and socially active, which improves health outcomes and enhances the overall liveability of both village residents and the local neighbourhood.
Planning Priority N5 – Providing Housing supply, choice and affordability with access to jobs, services and public transport.	N5 - The Planning Proposal is consistent with the NDP Planning Priority N5 by: <ul style="list-style-type: none"> Mitigating potential loss of 50 seniors apartments through renewal by facilitating increased density and height to achieve larger and more accessible housing and complementary support services and facilities on the Site. Providing related additional permitted recreational and commercial uses to be co-located for the benefit of residents who may be less able to travel distances.

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	<ul style="list-style-type: none"> o Providing housing suitable for seniors/disabled occupants in close proximity to services and trains/buses. o Providing options for affordability. The Site is owned and operated by a social housing provider, Anglicare, who will redevelop the Site for Seniors Housing to occupy under a Loan and Licence Agreement. The Loan and Licence system (Retirement Villages Act 1999) offers a variety of contract choices to the Residents, who may choose more affordable entry charges into the Village, and is used everywhere throughout Australia.
<p>Planning Priority N6 – Creating and Renewing great places and local centres, and respecting the District’s Heritage</p>	<p>N6 - The Planning Proposal is consistent with the NDP Planning Priority N6 by:</p> <ul style="list-style-type: none"> o Renewing a “great place”. The Site’s location is a highly accessible, near Turramurra shops and Train Station, Bus Interchange, merits and allows for the immediate renewal of Rohini Village to improve housing quality and supply, in a location that is particularly suited to seniors. o Respecting the Districts heritage. The Masterplan Concept provided at Appendix A retains key vegetation around the Site perimeters to provide landscape separation to the Heritage Conservation area located on the northern side of the Council pathway. <p>Page 17 of the Heritage Impact Statement at Appendix D provides the following advices in relation to the heritage integrity of the sandstone entry gates and posts.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><i>“The sandstone gate posts at Location 3 have been relocated from their original positions during the period 1969-1975 when the Rohini retirement village was constructed, and lowered in height, however, are significant as the name “Rohini” is carved into the left gate post at this location. The gateposts at Location 2 (north-west corner), are in their original location (as this is a historic entry point to the property) however are likely to have been reconstructed in recent years. It is not known whether the gate posts at Location 1 (onto the pedestrian pathway to the north) are in their original location or not”.</i></p> </div>

	<p>Further at Page 18 of the Heritage Impact Statement the following recommendations are made to retain the elements of heritage significance associated with the Site:</p> <div data-bbox="671 412 1366 712" style="border: 1px solid black; padding: 10px;"> <p><i>“• The three sets of sandstone gate posts shown on Figure 23 should be retained on the site boundaries, with gate posts at Locations 1 and 2 retained in their current locations.</i></p> <ul style="list-style-type: none"> <i>• The gate posts at Location 3 (Rohini Street) can be relocated, as these are not in their original location.</i> <i>• The sandstone gateposts should be protected during future construction activity on the site.</i> <i>• The history of the site and the sandstone gate posts should be interpreted in a publicly accessible manner as part of the redevelopment of the site.”</i> </div> <p>○ Accordingly the Masterplan Concept retains/re-uses the Heritage listed sandstone “Rohini” sandstone posts by placing them at the southern entry of the “Rohini Walk” which is proposed to be accessible to residents and the wider community. This is denoted in the Landscape Concept at Appendix H. Refer Landscape Concept extract at Figure 6 below.</p> <div data-bbox="667 1016 1358 1359"> <p>The diagram shows a site plan for the entry to the 'Rohini Walk'. It features several labeled areas: 'Public art' (marked with a red X), 'Lawn', 'Seating', 'Community Room as active engaging feature opposite entry', 'Cafe outdoor timber decking with colourful umbrellas', 'Residential Common Open Space garden walks extend directly from entry', 'Sandstone piers and open wrought iron gates' (highlighted in yellow), and 'Rohini Village sandstone signage wall & manicured garden'. Blue arrows indicate the path through the garden.</p> </div> <p>Figure 6: Landscape Concept (entry to “Rohini Walk”) Source: Site Image</p> <p>○ Gate posts at Location 1 and Location 2, while perhaps not original, are retained in their current locations under the Concept Masterplan.</p>
<p>Planning Priority N7 – Growing a stronger and more competitive harbour CBD.</p>	<p>N7 –The Harbour CBD is a metropolitan city centre and includes the areas of Sydney CBD, North Sydney CBD, Barangaroo, Darling Harbour, Pyrmont, The Bays Precinct, Camperdown-Ultimo health and education precinct, Central to Eveleigh, part of Surry Hills and Sydney East. The Proposal does not conflict with N7.</p>

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Planning Priority N8 – Eastern Economic Corridor is better connected and more competitive.	N8 - In the North District, the Corridor includes North Sydney as part of the Harbour CBD and the strategic centres of Macquarie Park, Chatswood and St Leonards. The Proposal does not conflict with N8.
Planning Priority N9 – Growing and investing in health and education precinct	N9 - The North District has three health and education precincts: St Leonards, which contains Royal North Shore Hospital, Frenchs Forest, through the Northern Beaches Hospital, and Macquarie Park, including Macquarie University, a hospital and a high-tech industrial employment hub. The Proposal does not conflict with N9.
Planning Priority N10 – Growing investment, business opportunities and jobs in strategic centres	N10 - The proposal is consistent with N10 by: <ul style="list-style-type: none"> o Striking a balance in providing an adequate mix of residential land uses with supporting commercial and recreational uses in close proximity to transport and the commercial core zone to ensure new residential housing can benefit from access and services in centres. o Providing employment during its construction and when completed, it will also offer work opportunities for all, especially the nearby local centre.
Planning Priority N11 – Retaining and managing industrial and urban services land	N11 – The Site is zoned R4 – High-Density and has an established 54 year history as a retirement village. The Site has good local access to existing services in the North District and does not conflict with N11.
Planning Priority N12 – Delivering integrated landuse and transport planning and a 30minute city	N12 - The Planning Proposal is consistent with the NDP Planning Priority N12 as follows; <ul style="list-style-type: none"> o Facilitates high-quality residential as well as ancillary commercial and recreational facilities, in highly accessible location, that is well-connected to an existing train and bus network, thereby providing ready access to services. o Facilitates work for staff and residents within a 30-minute city and a pleasant and safe environment for walking and cycling within a 10-minute walk of Turramurra town centre.
Planning Priority N13 – Supporting growth of targeted industry sectors	N13 – The Proposal for seniors housing does not conflict with tourism rural industry and technological objectives.
Planning Priority N14 – Leveraging interregional transport connections	N14 - The Proposal does not conflict with freight and logistics network objectives. Traffic movements associated with seniors housing is typically outside of the busier peak hour times.

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<p>Planning Priority N15 – Protecting and improving the health and enjoyment of Sydney harbour and the District’s waterways.</p>	<p>N15 - Waterways within the North District include Sydney Harbour and the Parramatta River, the Lane Cover River, Middle Harbour, Narrabeen Lagoon, Pittwater and the Hawkesbury rivers. The Proposal is remote from any waterways and the Harbour so that it does not directly impact any key waterways.</p>
<p>Planning Priority N16 – Protecting and enhancing bushland and biodiversity</p>	<p>N16 – The proposal is consistent with N16 as follows:</p> <ul style="list-style-type: none"> ○ The supporting Arboricultural Impact Assessment Report (Appendix C) identifies key tree plantings around the Site peripheries to be retained in the Concept Masterplan. The Development Concept for the Site (Appendix A) creates a new vision containing 166 new trees which will embellish 62 existing trees to be retained on site to achieve a landscaped setting with 54.9% canopy cover. ○ The supporting Biodiversity Advice (Appendix G) does not identify any bushland or significant biodiversity other than trees within the Rohini Street cul-de-sac with canopies that slightly overhang the Site. This mapped area is not proposed to be utilised for buildings or driveways and will benefit from the removal of the existing water tanks. Page 4 of the Biodiversity Advice states: <div data-bbox="676 1104 1366 1447" style="border: 1px solid black; padding: 5px;"> <p><i>“A BDAR is required through three possible pathways;</i></p> <ol style="list-style-type: none"> <i>1. If biodiversity will be impacted within an area that is mapped on the current biodiversity values map.</i> <i>2. Through the removing native vegetation and the subsequent need for offsetting the biodiversity loss using the BOS scheme.</i> <i>3. By identifying the loss of native vegetation in a test of significance undertaken in accord with the BC Act.</i> <p><i>Arising from the fact not one of the above triggers will occur then it can be readily construed that a BDAR is not required to be prepared. In addition, there is no requirement for a response to be provided in respect of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i></p> </div>
<p>Planning Priority N17 – Protecting and enhancing cultural landscapes</p>	<p>N17 – The proposal is consistent with N17 as follows:</p> <ul style="list-style-type: none"> ○ The supporting Heritage Report (Appendix D) – identifies the retention and relocation of the sandstone “Rohini” piers located within the Rohini Street cul-de-sac. ○ The Masterplan Concept retains/re-uses the Heritage listed sandstone “Rohini” sandstone posts by placing them at the southern entry of the “Rohini Walk” which is proposed to be accessible to residents and the wider community. This is reflected in the Landscape Concept at Appendix H.

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Planning Priority N19 – Increasing urban tree canopy cover and delivering green grid connections	<p>N19 - The Planning Proposal is consistent with the NDP Planning Priority N19 as follows:</p> <ul style="list-style-type: none"> ○ The Concept Plan for the Proposal will increase canopy cover from 22.7% to 54.9% canopy cover as indicated in the Landscape Concept Plan at Appendix H and Figure 5 above. This greatly exceeds the Govt Architect’s Draft “Greener Places” Design Guide of 25% for Medium Density development and 40% for Low Density development.
Planning Priority N20 – Delivering high quality open space	<p>N20 - The Planning Proposal is consistent with the NDP Planning Priority N20 as follows:</p> <ul style="list-style-type: none"> ○ It will ensure all future development on Site achieves high quality open space which is designed to have minimal ecological and biodiversity impacts for both the Site and surrounds. ○ The provision of high-quality open space which optimises areas for recreation and social activity is detailed in the Landscape Concepts at Appendix H. This includes provision of a 54.9% canopy cover across active and passive recreation spaces. ○ The Proposal for community use of the café, pool and walkway cross-link reflected in the “Letter of Offer” at Appendix J would facilitate improved opportunity for socialisation between Village residents and the local community.
Planning Priority N21 – Reducing carbon emissions and managing energy, water and waste efficiently	<p>N21 - The Planning Proposal is consistent with the NDP Planning Priority N21 as follows:</p> <ul style="list-style-type: none"> ○ Designing high-efficiency buildings and incorporating renewable energy generation will reduce emissions and reduce costs over time.
Planning Priority N22 – Adapting to the impacts of urban and natural hazards and climate change	<p>N22 – The Planning Proposal is consistent with the NDP Planning Priority N22 as follows:</p> <ul style="list-style-type: none"> ○ The Site is not constrained by flooding, bushfire or other land based natural hazards. ○ The Concept Masterplan landscaping can assist with ensuring more resilience to extreme heat via increased tree canopy which will help minimise the effects of climate change.

Strategic and Site-Specific Merit Considerations

The Planning Proposal exhibits both strong strategic merit and site-specific merit. The Department of Planning, Housing and Infrastructure (DoPHI) provides criteria for assessing whether a PP has Strategic and Site-Specific Merit. Below **Table 7** (Strategic Criteria) and **Table 8** (Site-Specific Criteria) demonstrate the Site has clear strategic and site-specific merit.

Table 7 - DoPHI Assessment Criteria for Strategic Merit


Does the Planning Proposal have <u>strategic merit</u> ?	Does the Proposal:
<ul style="list-style-type: none"> • Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or 	<p>As demonstrated in Table 6, the proposed concept is entirely consistent with the relevant priorities in the North District Plan. There are no other corridor/precinct strategies applicable to the Site.</p>
<ul style="list-style-type: none"> • Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or 	<p>The PP is consistent with both Council's Local Strategic Planning Statement and Housing Strategy.</p>
<ul style="list-style-type: none"> • Respond to a change in circumstances that has not been recognised by the existing planning framework. 	<p>Infrastructure - There is significant infrastructure investment occurring in the North Shore area including recently constructed North Connex and the North-West Rail Link, which are significant city shaping infrastructure referenced in the North District Plan. The PP has potential to maximise the usage of this new infrastructure, in addition to existing infrastructure such as the Turramurra Train station which is within 200 m distance.</p> <p>Local Environmental Plans - The Ku-ring-gai Local Environmental Plan 2015 was prepared in order to cater for the growth as outlined in a previous Metropolitan Strategy "<i>A Plan for Growing Sydney</i>". The LEP is therefore approximately 8 years old.</p>

	<p>Demographics -The Ku-ring-gai Housing Strategy (HS) was updated December 2020. The Strategy at page 8 notes that <i>"by 2036, those aged 65 years and over in Ku-ring-gai will increase by almost 40% compared to 2016"</i>. This translates to an increase from 21,700 (2016) to an estimated 30,245 (2036). Furthermore, the Strategy acknowledges <i>"maintaining wellbeing, social connections and independence are key considerations so that people can stay healthy for longer and support themselves in their own home."</i></p> <p>Page 20 of the Strategy identifies over the 5-year period (2015-2019) there was an average of 76 approved seniors dwellings per year. These modest approval numbers would support the need for the subject Planning Proposal which seeks to prevent a net loss of seniors housing at Rohini Village, potentially in the order of 50 dwellings, when the site renewal is undertaken.</p> <p>In response to the HS, the Department of Planning, Housing and Infrastructure (DoPHI) issued a letter of approval dated 16-7-2021. The decision reflects the analysis undertaken to comply with the comprehensive strategic planning framework and the evidence base to inform Council's HS to deliver a minimum 3,000 dwellings for the period 2021-26.</p> <p>The approval by DoPHI was subject to several requirements including the following;</p> <div data-bbox="341 1308 673 1406"> <p><u>Note:</u> Ku-ring-gai has been incorrectly spelt in the DoPHI Planning approval letter issued 16-7-2021.</p> </div> <div data-bbox="724 1308 1362 1608"> <p><i>"Consistent with Priority K3 of the Ku-Ring-Gai [sic] Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres. Planning proposal(s) for these centres are to be submitted to the Department for Gateway determination by December 2022. Where this work is not pursued by Council the Department welcomes good place-based approaches by landowner/developers....</i></p> </div> <div data-bbox="724 1608 1362 1809"> <p><i>...Council is to monitor and review the supply and delivery of housing, in particular to track its performance against the 6-10 year housing target and establish targets for seniors and medium density housing to determine whether future changes to the LEP and/or DCP are required to incentivise or encourage housing diversity and diversity of housing typologies."</i></p> </div>
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	<p>The subject Planning Proposal is consistent with the DoPHI letter of approval and Housing being;</p> <ul style="list-style-type: none">• Proponent-led planning proposal with good outcome for Turramurra Local Centre; and• Assisting Council to meet housing targets for seniors housing by maintaining 110 seniors dwellings and thereby <u>avoiding a net loss in the order of 50 seniors dwellings</u> under the current planning controls.
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Table 8 - DoPHI Assessment Criteria for Site-Specific Merit

Does the Planning Proposal have <u>Site -specific merit</u> ? having regard to the following:	
<ul style="list-style-type: none">• the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)	<p>The Planning Proposal site is not subject to significant environmental constraints or hazards. The Site is not bushfire prone or flood-affected and adheres to the Local Strategic Planning Statement (LSPS) areas to be avoided for future medium and high-density housing as detailed in Table 9 - LSPS Areas to be Avoided.</p>
<ul style="list-style-type: none">• existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates	<p>The existing 2-4 storey retirement village is located within an existing urban environment in close proximity to neighbouring residential flat buildings (north and east) and is in close proximity to the Turramurra Town Centre (south and east) and Railway Line (south).</p> <p>The village Site is located to the south of a Heritage Conservation Area (HCA) and a Heritage Item at No 12 King Street. The Site is visually separated from the Item and the HCA by a landscaped public pathway as detailed in Figure 7 below.</p> <div data-bbox="719 1341 1125 1774"></div> <p>Figure 7– Aerial showing distance to ‘Bellwood’ dwelling <i>Source: Sixmaps</i></p>

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	<p>As a large site of almost one (1) hectare and in single ownership, the redevelopment of the Site can be undertaken immediately and in an orderly master-planned way, with high-quality architecture, scale and separation between buildings.</p> <p>An Urban Design Report for buildings and landscaping has been prepared by Plus Architecture and Site Image respectively. The Urban Design Report was formulated in conjunction with various technical studies including arborist, heritage, photomontages, traffic & parking analysis, biodiversity assessments and other informing documents including site survey, title searches, and infrastructure utilities maps.</p> <p>The Urban Design Report is provided in full at Appendix A.</p> <p>The Urban Design Report proposes a built-form, consistent with the emerging, modest multi-storey character within the surrounding R4 High-Density Residential Zone and of the Turramurra Local Centre. The Development Concept for the site creates a new vision containing 166 new trees which will embellish 62 existing trees to be retained on site to achieve a landscaped setting with 54.9% canopy cover.</p>
<ul style="list-style-type: none">• services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision	<p>The existing infrastructure services with augmentation, will be capable of supporting the future redevelopment of the land in the Planning Proposal.</p> <p>The site's strong pedestrian connectivity compliments its close walking distance proximity to the bus interchange and Turramurra Train Station. A pathway along Rohini Street frontage links the Site to public transport and shops. There is a sealed footpath adjoining the site within the Railway Corridor and a connecting 3.66 m wide landscaped public pathway which abuts the western and northern boundaries of the Site.</p> <p>The Planning Proposal includes a "Letter of Offer" to Council for the potential upgrades to Rohini Street public domain and potential upgrades to the section of the Council pathway that links Lot 21 (Site) to King Street. A copy of the Letter of Offer is provided at Appendix J.</p>

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The Site has particular Site-specific merit in terms of its location at the end of the street and immediately to the north of the railway line. The railway line is set below the Site so that train noise is diminished by the natural topography.

The Site is largely adjoined by apartments on R4- High Density Residential zoned lands to the east and north-east. The Site also benefits from established vegetation around the perimeter of the village including a substantial 4 m high hedge and various tree plantings along the rear boundary of No 6 King Street (3 storey apartments), so that visibility of the site from King Street HCA and heritage items is largely obscured.

Rohini's established landscape setting is evident in the Visual Impact Photo Montage below (Views 1-7) prepared by "Virtual Ideas". Viewpoint 6 and Viewpoint 7 have been taken from Rohini Street and incorporate both existing street trees and future indicative plantings within the building setbacks.



Figure 8 – View Point Positions Aerial Map

Source: Plus Architecture



View point 1 – Devt viewed from train platform



Viewpoint 2 – Devt from cnr Rohini St & Eastern Rd

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View Point 3 – Devt outline viewed from Cherry Street South



View Point 4 – Devt outline viewed from Cherry Street North



View Point 5 – View of development envelope taken from frontage of St James Church (No.5 King St) and Heritage Conservation area C5 (Laurel Avenue/King Street Conservation Area HCA)



View Point 6 – Rohini Street South envelope & indicative plantings



View Point 7 – Rohini Street North envelope & indicative plantings

The Viewpoint analysis above illustrate the Site-Specific Merit of the Site that contribute to its ability to accommodate increased density and building height for the following reasons;

- The development envelope is not visible from the Turramurra Train Station as illustrated in Viewpoint 1 due to distance separation, topography and established landscape screening
- Only upper levels of one building will be partly visible from the Turramurra Town Centre as illustrated in View Point 2, and this may be eventually obscured by future redevelopment along Eastern Road which currently permits 3-storey building heights.
- The development envelope is not visible from Cherry Street as illustrated in View Point 3 & 4, due to distance separation and established landscape screening.
- The development envelope is not readily discernible from the HCA due to distance separation and established landscape screening as illustrated in View Point 5.
- The development envelope is only visible from Rohini Street when standing in front of the site as indicated in View Point 6 and Viewpoint 7. As with all residential flat buildings in the nearby R4 zones, the built form even with its 10 m landscape setbacks, will still be partly visible from Rohini Street when standing directly in front of the site. Notwithstanding, the mature canopy cover that dominates Rohini Street, combined with future street setback plantings will diminish the prominence of the taller buildings.

When the Site is viewed from only a short distance of approximately 15-20 m downhill from the Site in Rohini Street (refer **Figure 9** below) it is apparent that a 5-6 storey development, will be barely visible, due to the established street trees. The Development Site enjoys a long street frontage, is in single ownership, with an already mature canopy cover which will be further complimented by the landscaping planned for Rohini, including to the communal open space along the Rohini Village Site.



Figure 9 – View looking up Rohini Street towards Rohini Village (opposite No. 47-49 Rohini Street)

Q4. *Is the Planning Proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed Local Strategy or Strategic Plan?*

The Planning Proposal (PP) is consistent with the Ku-ring-gai Local Strategic Planning Statement (2020), the Ku-ring-gai Housing Strategy to 2036 (2020) and related approval letter issued by Department of Planning, Housing and Infrastructure (16-7-2021) which includes a requirement to *"accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or **Turramurra** local centres"*.

The Community Strategic Plan – Our Ku-ring-gai 2032 and Turramurra Public Domain Plan are also relevant Local Strategies. These key Strategy and Strategic Plans are elucidated upon below;

Ku-ring-gai Local Strategic Planning Statement (LSPS)

The Planning Proposal is consistent with the Ku-ring-gai Local Strategic Planning Statement (LSPS), which sets out Ku-ring-gai's economic, social and environmental land use needs, for the next 20 years (2016-2036). The LSPS draws together the priorities and actions from Council's existing land use plans and policies to present an overall land use vision for Ku-ring-gai.

The LSPS provides guidance on:

- Location of future housing;
- Future identity and character of local centres – Lindfield, Gordon, **Turramurra** and St Ives;
- Future requirements for community facilities and open space;
- Future transport infrastructure;
- Supporting the local economy;
- Partnership opportunities with government agencies;
- Managing bushland, biodiversity and waterways; and
- Adapting to climate change.

The LSPS is also structured around the following four key themes:

- Infrastructure and collaboration;
- Liveability;
- Productivity ; and
- Sustainability.

In considering areas for future medium and high-density housing, the LSPS states that the following areas detailed in **Table 9** overleaf are to be **avoided**:

Table 9 – LSPS Areas to be Avoided

LSPS Requirement	Compliance by PP
❖ Heritage conservation areas	Complies
❖ Areas of visual or aesthetic quality and character	Complies
❖ Areas within or affecting scenic and cultural landscapes	Complies
❖ Areas of intact tree canopy where the built form does not sit under the canopy	Complies
❖ Areas with multiple constraints including steep topography	Complies
❖ Areas with environmental values	Complies
❖ Areas that are bushfire prone and with evacuation risk	Complies
❖ Centres with limited transport and service access until improvements are implemented	Complies

Comment: The Site has already been developed and used for Seniors Housing, for over 54 years, in an established residential area near Turramurra Town Centre and Train Station. Most vegetation on the site dates back to the late 1980s and the land is relatively level, so that combined, the site is largely absent of environmental constraints compared to many other parts of Ku-ring-gai which the LSPS seeks to avoid. **Table 10** below outlines consistency with key priorities of the Ku-ring-gai LSPS;

Table 10 - Consistency of Planning Proposal with Ku-ring-gai LSPS (2020)

Planning Priority	Comment
K1 Providing well planned and sustainable local infrastructure to support growth and change. <i>"Council has commenced a program under 'Activate Ku-ring-gai' to upgrade key streets in the Local Centres, the first of these will be St Johns Avenue, Gordon; followed by Rohini Street, Turramurra and Lindfield Avenue and the Pacific Highway, Lindfield". (LSPS Page 26)</i>	K1- The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K1 , as: <ul style="list-style-type: none"> It will utilise existing infrastructure within the surrounding area of Turramurra, to accommodate the high-density residential development, consistent with the surrounding high-density residential and commercial context.
K2 Collaborating with State Government Agencies and the community to deliver infrastructure projects. <i>"Council is actively collaborating with governments, community and business to develop new infrastructure. Recent examples include working with:</i> ...	K2 - The Planning Proposal is consistent with Planning Priority K2 , as; <ul style="list-style-type: none"> The Proposal will complement the existing provision of services and social infrastructure in the area to meet the local communities changing needs for seniors and others. The Site is located in a highly accessible location, in close proximity to a wide range of services, facilities, public open spaces, that can all be utilised by future

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- *Roads and Maritime Services in the transport planning for Gordon, Lindfield and **Turramurra** Local Centres;*
- *Sydney Trains in **Turramurra** Local Centre to release rail corridor land for public open space;"*
(LSPS Page 30)

village residents, thereby encouraging walkable neighbourhoods and public transport patronage, outside of peak hours.

- The Proposal can potentially include upgrades to the public domain and inclusion of communal landscape areas along Rohini Street, that are publicly accessible, as well as a new cross-site link, which offers, a safer pedestrian travel route from Rohini Street to King Street/St James Church. The Masterplan combined with the potential upgrades to Public Domain and Publicly Accessible Private Lands are illustrated in **Figure 10** below.



Public Domain improvement opportunities include:

1. 'Rohini Walk' will greatly improve the town centre access through improving pedestrian connectivity to the north, and providing an interesting, activated 'public access' destination space at the north end of Rohini Street;
2. Upgrade dead-end to the road with new turning head, eliminating dangerous public vehicle 3-point turns onto a private driveway / pedestrian space. The turning head road verge also provides more legible and safe pedestrian pathway connection to the railway lands pathway;
3. Pocket Park to roadside with private land contribution to create 25 x 7m public lawn with allied public seating;
4. Upgrade of Rohini Street footpath for the length of 150m, being from the project frontage down to Eastern Road;
5. King Street pedestrian pathway link upgrades to public domain paving / furniture and landscape upgrade, improving the current 'shared driveway' appearance to achieve a more defined public path;

Public Benefits from proposal:

6. A significant increase in public amenity and safety with Rohini Walk as shorter higher quality activated walkway as alternative to the narrow, overgrown dog-leg public path, accessed via the railway lands path. Rohini Walk will permanently provide an enhanced north-south access to King Street and St James Church, and all residents in the precinct.
7. Retaining and reinforcing a strong seniors living residential community identity to the streetscape;
8. The direct north route of Rohini Walk (across private land) will provide a premium quality uplifting journey, with activating features including café & outdoor seating; pool and community accessible facilities; feature civic paving, landscape and public art; safe lighting and surveillance;
9. Relocated heritage sandstone gateway piers, and new piers to north will announce arrival into this safe destination civic walkway space, with strong activated edges and inter-generational social engagement;
10. Views into flanking private residential gardens, reinforcing local residential landscape character;
11. The existing north-west corner site access gates are retained / upgraded, consistent with Council request, activating the railway lands path & access to the Cherry Street railway bridge to the west

Figure 10: Potential Public Benefits from Private and Public Domain Upgrades

Source: Site Image

K3 – Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community.

Figure 2-16 Ku-ring-gai Centres – Suitability for Additional Housing identifies the following;

Primary Local Centres

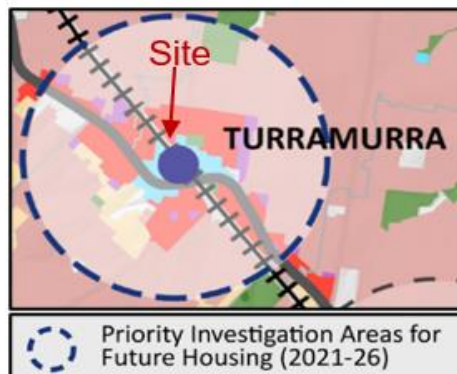
- containing a local railway station or bus route on an arterial road corridor, and meets the criteria for 30 minute access to a strategic centre, and
- supported by Council's community hub projects with retail services and community facilities.

- Gordon
- Lindfield
- **Turramurra**
- St Ives*

(LSPS Page 44)

KRG **Actions** include;

- *"Implement planning responses in **Turramurra**, Lindfield and Gordon Local Centres to facilitate delivery of the 6-10 year (2021-2026) and 11-15 year (2026 to 2031) **housing supply** (short term)."*



K3 -The Planning Proposal is consistent with the Ku-ring-gai LSPS **K3**, as it will facilitate residential development, that will result in a net increase housing supply in a highly accessible location close to services, facilities and work opportunities.

Anglicare records indicate there were originally **134 ILUs**, which has diminished to the current **110 ILUs** comprising

- 82 x 1- bed dwellings (**36 m²**)
- 24 x 2-bed dwellings (67 m²)
- 2 x 3-bed dwellings (105 m²)

Over recent decades, Anglicare has undertaken a program of amalgamating 1-bed units to create some larger units. Anglicare's Village Study revealed the small units that have not proven popular, as they are considered lacking in amenity. This has resulted in an on-going reduction in dwelling numbers within the Rohini Village since it was built.

The Planning Proposal will reverse this negative housing trend, providing larger dwellings that better reflect current day seniors housing requirements.

This will positively contribute to the viability of the Turramurra Local Centre. As identified within the Ku-ring-gai LSPS (2020), certain amendments to the Ku-ring-gai LEP, will be required to facilitate the 6 to 20 year housing supply for the region.

The Site represents an ideal opportunity to provide a consistent form of high-density residential development, in an accessible location, within 200 m of the Turramurra Local Centre. The new Rohini Village Development will help meet the existing and future requirements of an ageing community.

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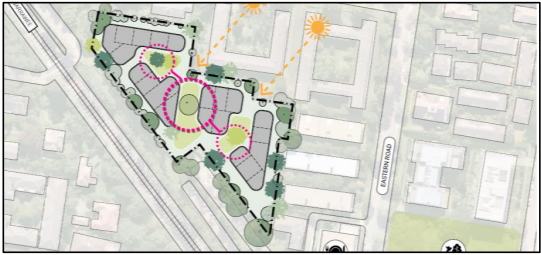
<p>K4 – Providing a range of diverse housing to accommodate the changing structure of families and households and enable aging in place.</p> <p><i>"Projections from DPIE indicate that Ku-ring-gai's population aged 65 and above will increase by 49% by 2036 highlighting the need for investigation into housing provision for this group to enable ageing in place.."</i></p> <p>(LSPS page 70)</p>	<p>K4 - The Planning Proposal is consistent with the Ku-ring-gai LSPS K4, as:</p> <ul style="list-style-type: none"> ○ It will enable aging in place for seniors and ○ Assist Council in reaching their seniors housing target.
<p>K5 – Providing affordable housing that retains and strengthens the local residential and business community</p>	<p>K5 - The Planning Proposal is consistent with the Ku-ring-gai LSPS K5, as:</p> <ul style="list-style-type: none"> ○ It will provide Loan Lease seniors housing which is typically more affordable than ordinary apartments of comparable quality. ○ The provision of seniors housing in close proximity to shops will positively impact on local businesses in Turramurra.
<p>K6. Revitalising and growing a network of centres that offer unique character and lifestyle for local residents</p>	<p>K6 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K6, as it will support the local Turramurra centre.</p>
<p>K7. Facilitating mixed-use developments within the centres that achieve urban design excellence</p>	<p>K7 -The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K7 by providing a high-quality mixed-use development within the Turramurra R4 High Density Zone.</p>
<p>K10. Promoting Turramurra as a family focused urban village</p>	<p>K10 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K10 as it seeks to promote intergenerational socialisation by providing uses such as the Well-being Centre and Café which can be utilised by both village residents and seniors/families living in the surrounding neighbourhood.</p>
<p>K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character</p>	<p>K12 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K12 as it retains significant plantings around the site perimeter and compliments to landscape character by a doubling of the canopy cover of from the current 22.7% to 54.9%.</p>

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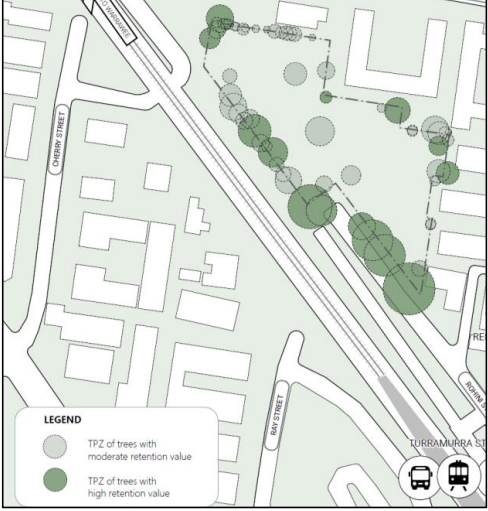
K13. Identifying and conserving Ku-ring-gai's environmental heritage	K13 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K13 , as it is informed by specialist studies analysing the visual and landscape character of the Site and surrounding area including;	
	Urban Design Report (Appendix A)	Maximises retention of significant trees / hedges around the Site perimeter including plantings along the northern edge to provide screening from the Heritage Conservation Area and Heritage item at No 12 King Street.
	Heritage Impact Statement (HIS) (Appendix D)	The HIS acknowledges the Site is outside of the Heritage Conservation Area and does not contain any Heritage Items. The HIS provides recommendations for retention and in relation to the sandstone Rohini posts and metal gate from their current location in the road reserve. The recommendations are adopted in the Concept Masterplan which shows the "Rohini" sandstone post and metal gates incorporated at the southern end of new "Rohini Walk and also the retention of less significant gate posts at the pedestrian entries off the Council pathway.
The above expert reports ensure that the Planning Proposal recognises the unique visual and landscape character of the Site and surrounds. They position any future development to both conserve and enhance the existing character of the area. The Planning Proposal will not result in any adverse impacts on the environment.		

<p>K14. Providing a range of cultural, community and leisure facilities to foster a healthy, creative, culturally rich and socially connected Ku-ring-gai.</p>	<p>K14 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K14 as;</p> <ul style="list-style-type: none"> ○ It incorporates community and leisure facilities which will be accessible to the wider community, thereby promoting a healthy, creative, culturally and socially rich connected community. A Letter of Offer prepared by Anglicare for the shared use of Village facilities, "Rohini Walk", upgrades to the Rohini Street Road reserve and a publicly accessible "pocket park" along the site frontage is provided at Appendix J.
<p>K17. Providing a broad range of open spaces, sporting and leisure facilities to meet the community's diverse and changing needs</p>	<p>K 17 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K17 as:</p> <ul style="list-style-type: none"> ○ It incorporates leisure facilities such as a pool and gym and green spaces that will (in part) be accessible to the wider community. A Letter of Offer prepared by Anglicare for the shared use of Village leisure facilities and open spaces is provided at Appendix J.
<p>K18. Ensuring recreational activities in natural areas are conducted within ecological limits and in harmony with no net impact on endangered ecological communities and endangered species or their habitats.</p>	<p>K18 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K18 as:</p> <ul style="list-style-type: none"> ○ There is no sensitive ecological areas impacted by the renewal of an existing retirement village. Biodiversity Advices prepared by Travers Environmental at Appendix G confirm the proposed development will not have an significant impact on any threatened species or population. <p>The Heritage Impact Statement at Appendix D identifies that most plantings within the village date back to the 1980s.</p>
<p>K21. Prioritising new development and housing in locations that enable 30minute access to key strategic centres</p>	<p>K21 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K21 as:</p> <ul style="list-style-type: none"> ○ It will facilitate high density residential development in a particularly accessible location, connected to existing vehicular and non-vehicular transport within the area. ○ It locates population density near services, facilities and employment opportunities all within a 30-minute city.

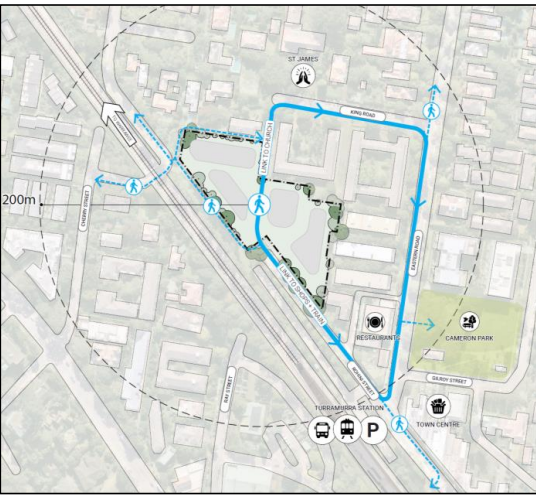
Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra

<p>K23. Providing safe and convenient walking and cycling networks within Ku-ring-gai</p>	<p>K23 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K23 by:</p> <ul style="list-style-type: none"> ○ Providing a cross-site link “Rohini Walk” creates new, safe and accessible bicycle and pedestrian link, from Rohini Street to King Street and St James Church. This will further contribute to improved connections to Turramurra Train Station for the local community.
<p>K25. Providing for the retail and commercial needs of the local community within Ku-ring-gai’s centres</p>	<p>K25 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K25 by:</p> <ul style="list-style-type: none"> ○ Providing a revitalised village in a highly accessible location located in close proximity to services, facilities and work opportunities will contribute positively to a strong local economy.
<p>K26. Fostering a strong local economy that provides future employment opportunities for both residents and workers within key industries</p>	<p>K26 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K26, as:</p> <ul style="list-style-type: none"> ○ It will facilitate high-density residential development that will provide employment during its construction and approximately 10-15 staff will be employed on site to operate the Village facilities once completed.
<p>K27. Ensuring the provision of sufficient open space to meet the need of a growing and changing community</p> <p>The Housing Strategy (2020) estimates there will be 30,245 residents over 65 years of age by 2036, an increase of approximately 8545 seniors since 2016.</p>	<p>K27: The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K27 as:</p> <ul style="list-style-type: none"> ○ It will contribute to accessible open space needs of the village residents and the wider community. <p>Figure 12 sourced from the Concept Masterplan provides a building form broken into small clusters to create interconnected hierarchical open spaces.</p>  <p>Figure 12: Open Spaces <i>Source: Plus Architecture</i></p> <p>A central open space serves as an activity generator, open to the public, whilst the secondary open spaces cater for semi-private uses. Placement of massing allows for solar access to these open spaces.</p>

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<p>K29. Enhancing the biodiversity values and ecosystem function services of Ku-ring-gai's natural assets</p>	<p>K29 -The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K29 as:</p> <ul style="list-style-type: none"> It will result in an increase in native plantings to the village site. The Concept Landscape Plan at Appendix H shows a potential doubling of canopy cover.
<p>K30. Improving the quality and diversity of Ku-ring-gai's urban forest</p>	<p>K30 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K30 as:</p> <ul style="list-style-type: none"> It will achieve an improved quality and diversity of plantings on a substantial 1-hectare Site.
<p>K31. Increasing, managing and protecting Ku-ring-gai's urban tree canopy</p>	<p>K31 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K31 as:</p> <ul style="list-style-type: none"> The significant trees identified in the Arboricultural Impact Assessment Report (Appendix C) are mapped and retained under the Concept Masterplan. <p>Figure 13 below indicates the location of the trees identified as being of moderate and high retention value.</p>  <p>Figure 13: Tree Location Plan Source: Plus Architecture</p> <ul style="list-style-type: none"> The increased density and heights proposed, facilitate a tree canopy cover of 54.9% of the Site. This is more than double the current 22.7% canopy cover.

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<p>K32. Protecting and improving Green Grid connections</p>	<p>K32 - The Planning Proposal is consistent with the Kuring-gai LSPS Planning Priority K32 as:</p> <ul style="list-style-type: none"> Open space green connections area achieved under the Concept Masterplan. <p>The Urban Design Report by Plus Architecture (Appendix A) supported by a Landscape Concept and Drawing Schedule prepared by Site Image (Appendix H) will ensure any impacts on the biodiversity and urban tree canopy within the area are appropriately managed when the Site is developed.</p>
<p>K33. Providing a network of walking and cycling links for leisure and recreation</p>	<p>K33 - The Planning Proposal is consistent with the Kuring-gai LSPS Planning Priority K33 as:</p> <ul style="list-style-type: none"> It will provide an improved public thoroughfare to the surrounding pedestrian network, providing fresh connectivity to the nearby public open space at Cameron Park and the cultural heritage of the adjacent Heritage Conservation Area. <p>Figure 14 below illustrates the Proposal for a new Site axis which allows for a well-connected walkable loop within the neighbourhood. This will ensure a safe, comfortable and pleasant walk for residents and the wider community.</p>  <p>Figure 14: Pedestrian Connectivity Plan Source: Plus Architecture</p>

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K35. Protecting and improving the health of waterways and riparian areas	<p>K35 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K35 as:</p> <ul style="list-style-type: none"> ○ The Site is not located in close proximity to a waterway or riparian area. ○ All future development will be designed to complement and be sympathetic to all natural areas without impact.
K36. Enhancing the liveability of Ku-ring-gai's urban environment through integrated water infrastructure and landscaping solutions	<p>K36 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K36 as:</p> <ul style="list-style-type: none"> ○ The Masterplan Concept for a one (1) hectare Site provides can accommodate integrated water infrastructure and landscaping solutions.
K37. Enabling water resource recovery through the capture, storage and reuse of water, alternative water supplies and increased water efficiency	<p>K37 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K37 as:</p> <ul style="list-style-type: none"> ○ All future development on the Rohini Village Site will be subject to further DA approvals and will need to demonstrate sustainable development, including landscaping, stormwater management, as well as water and energy efficiency.
K38. Reducing greenhouse gas emissions by Council and the Ku-ring-gai Community to achieve net zero emissions by 2045 or earlier	<p>K38 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priorities K38, as:</p> <ul style="list-style-type: none"> ○ All future Development on the Site, will be designed to minimise any ecological or biodiversity impacts on the Site and its surrounds. ○ Development must comply with the new SEPP (Sustainable Buildings) 2022 which replaced SEPP BASIX on 1-10-2023. The SEPP encourages the design and construction of more sustainable buildings across NSW to meet climate change targets.
K39. Reducing the vulnerability, and increasing resilience, to the impacts of climate change on Council, the community and the natural and built environment	<p>K39 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K39 by:</p> <ul style="list-style-type: none"> ○ Achieving a Concept Masterplan that has the least impact on the biodiversity and urban-tree canopy within the area.

Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra

K40. Increasing urban tree canopy and water in the landscape to mitigate the urban heat island effect and create greener, cooler places	<p>K40 - The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K40 by:</p> <ul style="list-style-type: none"> ○ The Landscape Design Concept in support of the Planning Proposal (Appendix H) demonstrates 166 new trees are able to be accommodated on Site to achieve a total of 228 trees. ○ The Concept Masterplan illustrates a future tree canopy cover of 54.9% of the Site to mitigate urban heat island effect and to create a greener, cooler village garden.
K41. Reducing the generation of waste	<p>K41- The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K41 by:</p> <ul style="list-style-type: none"> ○ Maximising significant tree retention ○ Provision of open spaces that can be used for composting.
K42. Managing waste outcomes that are safe, efficient, cost effective, maximise recycling, and that contribute to the built form and liveability of the community	<p>K42- The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K42 as follows:</p> <ul style="list-style-type: none"> ○ The Concept Masterplan demonstrates the ability to manage waste and recycling in the basement carpark thereby maximising liveability of the ground level greenspace.
K43. Mitigating the impacts of urban and natural hazards	<p>K43- The Planning Proposal is consistent with the Ku-ring-gai LSPS Planning Priority K43 as follows:</p> <ul style="list-style-type: none"> ○ The site is absent of hazards that require mitigation. ○ The future residential development can appropriately respond to the natural characteristics of the Site, including provision of significant tree cover and managing energy, water, and waste efficiently.

Ku-ring-gai Housing Strategy to 2036 December 2020 (Revised) and Housing Strategy Approval Letter Conditions (2021)

Council's adopted Ku-ring-gai Housing Strategy, acknowledges on page 8, that;

"By 2036, those aged 65 years and over in Ku-ring-gai will increase by almost 40% compared to 2016. Through previous community consultation, we know that when it comes to the needs of our older residents, maintaining wellbeing, social connections and independence are key considerations so that people can stay healthy for longer and support themselves in their own home."

The Planning Proposal for a new Rohini Village helps achieve this purpose.

Section 3.4 of the "Ku-ring-gai Council Housing Needs Study 2016 – 2036" prepared by Elton (2020) provides the following advices in its Summary and Key implications:

"There will be a significant rise in the over 55 cohorts across many of the LGAs in the North District. Many of these LGAs are recipients of outward migration of the ageing population from Ku-ring-gai. With declining dwelling stock production in some other LGA's (e.g. Northern Beaches), there is likely to be significant increases in competition for suitable dwelling across the North District. There may need to be an even greater focus on providing stock enabling people to age within Ku-ring-gai." (Page 25)

As this Planning Proposal is seeking to retain the existing R4 High-Density Residential Zone and amend the development controls to enable a higher standard of Seniors Housing, it is consistent with the Housing Strategy. It provides stock for seniors and allows aging in place for the residents of the Local Government Area. The amendments sought by the Planning Proposal, will enable the delivery of 110 larger and more accessible Independent Living Units with a significant new 700 m² floorspace for ancillary services and communal facilities. These will be able to be utilised by the local community.

In approving the Ku-ring-gai Housing Strategy, the Department of Planning, Housing and Infrastructure issued a number of **Approval Conditions**, which included the following stipulations that a Site must be:

"2. Consistent with Priority K3 of the Ku-Ring-Gai [sic] Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres. Planning proposal(s) for these centres are to be submitted to the Department for Gateway determination by December 2022. Where this work is not pursued by Council the Department welcomes good place-based approaches by landowner/developers. This approach is consistent with the priorities and actions of Council's LSPS. These planning proposals are considered necessary to support the supply and delivery of housing over the medium term and present opportunities for new housing typologies (including affordable housing) suited to the future and changing needs of the community."

And also that:

*"3. Council or proponents for the planning of these local centres is to consult with **Transport for NSW** to best address transport and road/pedestrian safety issues. Specific consideration should be given to the intersections of the Pacific Highway with Ray Street, Kissing Point Road, **Rohini Street** and Turramurra Avenue when planning for the local centre of Turramurra."*

Response to DoPHI Condition 2: - As Council has not committed to a work program for the Turramurra Town Centre, this Planning Proposal by Anglicare, is consistent with the requirements of Condition 2 above. The Planning Proposal will enable a high-density built-form outcome on the Site that services the Town Centre and is in an area that is exceptionally close to public transport, services and other local facilities.

Response to DoPHI Condition 3: - While a Development to replace 110 ILUs with 110 larger ILUs, is not deemed to generate any significant additional traffic, a referral to Transport for NSW (TfNSW) has already been undertaken. The TfNSW response at **Appendix E** dated 23-6-23 and 20-7-23 are summarised below;

TfNSW response issued 23-6-23

- **Traffic Modelling:** - TfNSW has no requirement for intersection modelling considering the proposed redevelopment is unlikely to have a significant impact on the classified road network.
- **TfNSW SP2 Road Widening:** - TfNSW has no proposal which currently requires any part of the subject site.
- **Pinch Point Program:** - TfNSW has no pinch point program currently involves the subject site.
- **Additional Development Setback:** - TfNSW has no additional development setback requirements currently for the subject site.
- **Potential Expansion or Alternation of Bus Service:** - TfNSW foresees limited to no impact on buses from this pre-planning proposal and notes that there are no immediate plans to increase bus service levels along the corridor.

TfNSW response issued 20-7-23

- **Access Arrangement:** - TfNSW refer to a consolidated basement with entry from the existing driveway at the SE corner of the site. The letter also (incorrectly) refers to there being a proposed secondary vehicle access from the northern end of Rohini Street for service vehicles.
Note: The current driveway entry at the northern end of Rohini Street is proposed to be replaced by landscaping and pedestrian pathways under the PP Masterplan design. TfNSW encourages the proponent to further consult with KRG noting the Council intends to relocate traffic signals from Rohini Street to Turramurra Avenue to reduce traffic flows in Rohini Street.
- **Carparking:** - TfNSW supports Travel Demand Management (TDM) measures such as appropriate maximum parking rates and adopting the lower parking rate (in consultation with Council) in accordance with the KDCP.

- Loading and Servicing: - TfNSW notes a loading area is provided in the basement and recommends the development provide adequate freight and service vehicle spaces.
- Sydney Trains: - TfNSW suggests that if the proponent may wish to discuss Sydney Trains requirements prior to lodgement of the PP to ensure safety and structural integrity of rail land/assets.
- Noise Attenuation: TfNSW recommends consideration is given to appropriate noise attenuation measures.

A detailed review of the Proposal against the relevant Housing Strategy Objectives is provided in **Table 11** below:

Table 11 - Consistency with Ku-ring-gai Housing Strategy

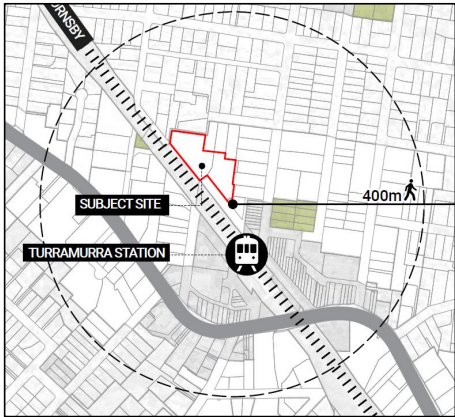
Consistency with the Ku-ring-gai Housing Strategy		
Housing Priority	Housing Objectives	Comment
H1 – Manage and Monitor the Supply of Housing in the right Locations	<ul style="list-style-type: none"> ○ To monitor the delivery of housing within areas close to services, cultural and community facilities, and within a 10-minute walking distance to key public transport nodes. 	<p>H1 - The Proposal is consistent with the Objective H1 as follows:</p> <ul style="list-style-type: none"> ○ The Site is located within a 200 m walking distance of both the bus interchange and Turramurra Train Station, so that the 10 min walking distance of key public transport nodes, is fully met. 
	<ul style="list-style-type: none"> ○ To provide homes in areas that can support the creation and growth of vibrant Local Centres & a thriving local economy. 	<ul style="list-style-type: none"> ○ The Proposal will provide new Seniors Housing, on an established retirement village site, that adjoins and will support activity in the Turramurra Town Centre.

Figure 15: Locality Plan Source: Plus Architecture

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	<ul style="list-style-type: none">○ To ensure the delivery of housing is in coordination with provision of local & state infrastructure and services.	<ul style="list-style-type: none">○ The Proposal is for the renewal of an existing urban Site that will benefit from on-going upgrades to the Pacific Highway and train stations along the North Shore train line. The Proposal includes a "Letter of Offer" from Anglicare for upgrades to Rohini Street which are consistent and complementary to the Ku-ring-gai Turramurra Public Domain Plan which aims to <i>"To maintain, strengthen and enhance the role of Rohini Street as the main commercial street for Turramurra"</i> (Vol 2 page8)○ The Proposal is exceptionally consistent with the Department of Planning, Industry and Environment Housing Strategy Approval condition 2 which stipulates; <div><p><i>Consistent with Priority K3 of the Ku-Ring-Gai [sic] Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres. Planning proposal(s) for these centres are to be submitted to the Department for Gateway determination by December 2022.</i></p><p><i>Where this work is not pursued by Council the Department welcomes good place-based approaches by landowner/ developers. This approach is consistent with the priorities and actions of Council's LSPS. These planning proposals are considered necessary to support the supply and delivery of housing over the medium term and present opportunities for new housing typologies (including affordable housing) suited to the future and changing needs of the community."</i></p></div>
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<p>H2 – Encourage diversity and choice of housing</p>	<ul style="list-style-type: none"> ○ To encourage a mix of dwelling types and sizes. ○ To ensure new homes are accessible and meet mobility needs. ○ To investigate housing affordability. 	<p>H2 - The Proposal is consistent with the Objective H2 as follows:</p> <ul style="list-style-type: none"> ○ The current Village housing is predominantly 1-bedroom independent living units (ILUs) with some 2-bedroom ILUs. As the Village has aged, expectations for a higher standard of amenity and accessibility, as well as reduced demand for the smaller units has occurred. The Proposal seeks to replace the outdated ILUs with larger 2–3-bedroom accommodation. ○ The Proposal for renewal of the 54 year old Village will also meet the mobility needs for Ageing in Place. Accessibility requirements for “seniors housing” is mandated in SEPP Housing 2021. ○ The Rohini Village is operated by a social housing provider (Anglicare) and will offer a variety of “Loan Lease” options, to all residents to assist with affordability requirements.
<p>H3 – Increasing liveability, sustainability and area character through high quality design</p>	<ul style="list-style-type: none"> ○ To encourage housing that contributes to healthy and active neighbourhoods. 	<p>H3 - The Proposal is consistent with the Objective H3 as follows:</p> <ul style="list-style-type: none"> ○ The Proposal facilitates redevelopment of an outdated Retirement Village, in an accessible location, in proximity to existing community facilities. This promotes a healthier, creative, culturally-rich and more socially-connected community. The “Letter of Offer” (Appendix J) incorporates a publicly accessible cross-site link and upgrades to Rohini Street public domain which will contribute to a healthy and active neighbourhood for the wider community.

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	<ul style="list-style-type: none"> ○ To facilitate high quality housing that is responsive to Ku-ring-gai's local character. 	<ul style="list-style-type: none"> ○ The Proposal facilitates high quality seniors housing pursuant to Apartment Design Guide (ADG) requirements in place of the existing older apartments and is designed with generous setbacks and open spaces to accommodate a total of 228 trees to achieve 54.9% canopy cover of the Site. Figure 16 below illustrates similar multi storey developments in the vicinity.
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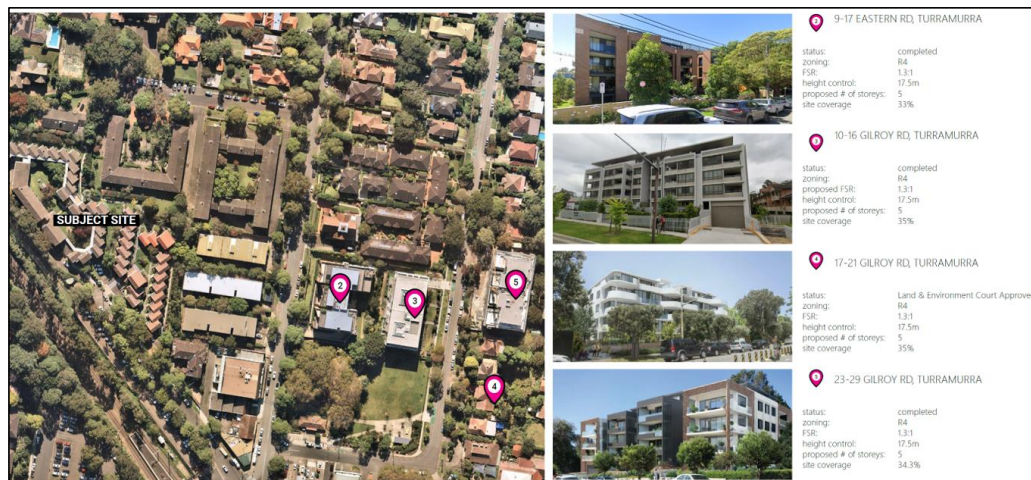


Figure 16: Surrounding Developments

Source: Plus Architecture

	<ul style="list-style-type: none"> ○ To promote housing that meets high sustainability performance targets. 	<ul style="list-style-type: none"> ○ The Proposal will advance sustainable residential development on the Site, designed to meet the new SEPP (Sustainable Buildings) 2022 which came into effect 1 October 2023.
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Community Strategic Plan – Our Ku-ring-gai 2032 (28-6-2022)

The Planning Proposal is consistent with the Ku-ring-gai Community Strategic Plan which is the long-term strategic plan for the future of the Ku-ring-gai Local Government Area. It reflects the vision and aspirations of the Ku-ring-gai community through long-term objectives that address environmental, social, economic and civic leadership issues.

It is informed by key local plans and policies including the Ku-ring-gai Local Strategic Planning Statement (2020) and Housing Strategy (2020) and responds to NSW Government Policy including the Greater Sydney Region Plan and North District Plan.

An assessment of the Proposal against the key themes of the Community Strategic Plan is provided in **Table 12** below:

Table 12 - Community Strategic Plan Assessment

Consistency with the Ku-ring-gai Community Strategic Plan	
Theme	Comment
Theme 1 – Community, People and Culture <i>“A healthy, safe and diverse community that respects our history, and celebrates our differences in a vibrant culture of learning”</i>	<p>The Planning Proposal is consistent with Theme 1 as follows:</p> <ul style="list-style-type: none"> ○ The Proposal will facilitate the renewal of an outdated village which presently does not provide suitable connections to the surrounding area. ○ The new site axis (“Rohini Walk”) allows for a publicly accessible walkable loop within the village. This will ensure a safe, comfortable and pleasant walk to daily errands for the community. The existing path along the train line will be retained to maintain a connection to Cherry Street. ○ The Concept Plan retains/re-uses the sandstone “Rohini” posts which are incorporated into “Rohini Walk” which provides a pleasant and safe pedestrian link between Rohini Street and King Street. ○ The Concept Plan incorporates village open spaces that may be enjoyed by the wider community and promote opportunities for inter-generational socialisation.
Theme 2 – Natural Environment <i>“Working together as a community to protect and enhance our natural environment and resources.”</i>	<p>The Planning Proposal is consistent with Theme 2 as follows:</p> <ul style="list-style-type: none"> ○ Future development on the Site will be designed, for a net increase in canopy cover for the almost 1 ha site from 22.7% to 54.9%. ○ Significant trees located on the Site perimeter will be retained and protected.

Theme 3 – Places, Spaces and Infrastructure

"A range of well planned, clean and safe neighbourhoods and public spaces designed with a strong sense of identity and place."

The Planning Proposal is consistent with **Theme 3** as follows:

- Not only the existing trees along Rohini Street establish a visual character, the procession of trees give a sense of identity to the site. This will be further enhanced by repositioning the entry to a centralised location, creating a circulation flow free of dead-ends. The new entry node will be positioned at the same location of the Liquidambar tree and this will be replaced by a new feature tree.

Figure 17 below illustrates the Concept Masterplan scheme which achieves a sense of identity and place.



Figure 17: Sense of Identity Plan

Source: Plus Architecture

- The Planning Proposal will not result in any adverse impacts on the Environmental or Aboriginal Heritage of the surrounding area, or wider region. The high-density Residential Seniors Development being advocated here is already located in an R4 High-Density Residential zone and is well screened from other land uses.
- There are also many local community benefits from the provision of shared community buildings and facilities to be delivered to meet the community's ageing needs. This is particularly relevant in the context of the Turramurra Community Hub not progressing.

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<p>Theme 4 – Access, Traffic and Transport</p> <p><i>“Access and connection to, from and within Ku-ring-gai provide safe, reliable and affordable public and private travel, transport and infrastructure.”</i></p>	<p>The Planning Proposal is consistent with Theme 4 as follows:</p> <ul style="list-style-type: none"> ○ The Proposal will facilitate a much-needed residential redevelopment of a retirement village in an accessible location that is particularly well connected to the existing vehicular and non-vehicular transport network. All within an area with excellent access to services, facilities and within a 30-minute city. ○ The site is located in an accessible location within proximity to a range of services, facilities and public open space areas that can be utilised by village residents and the pedestrian cross link through the village that will be open to the wider community encourages safe walkable neighbourhoods and public transport patronage.
<p>Theme 5 – Local Economy and Employment</p> <p><i>“Creating economic employment opportunities through vital, attractive centres, business innovation and technology”</i></p>	<p>The Planning Proposal is consistent with Theme 5 as follows:</p> <ul style="list-style-type: none"> ○ The Proposal will facilitate future residential redevelopment that will provide employment during its construction. ○ The new Seniors facilities will positively contribute to a strong local economy. ○ The inclusion of ancillary communal facilities becoming available to the wider community, will also promote employment, adjacent to an established Town Centre and will be readily accessible by public transport.
<p>Theme 6 – Leadership</p> <p><i>“Ku-ring-gai is well led, managed and supported by ethical organisations which deliver projects and services to the community by listening, advocating and responding to their needs.”</i></p>	<p>The Planning Proposal is consistent with Theme 6 as follows:</p> <ul style="list-style-type: none"> ○ Anglicare is an established not-for-profit aged care provider who can readily and ethically deliver a new Village with on-site facilities and recreation spaces that will be available to residents and the wider community. ○ Community consultation will form part of the assessment process for the Planning Proposal, ensuring that the community is kept informed and engaged in the decision-making processes for the Site.

Ku-ring-gai Public Domain Plan (March 2022) including **Turramurra Public Domain Plan**

The Ku-ring-gai Public Domain Plan (2022) correlates with Council directions and policies including the Ku-ring-gai Development Control Plan, Ku-ring-gai Community Strategic Plan – Our Ku-ring-gai 2038, the Ku-ring-gai Local Strategic Planning Statement, as well as State level policy such as the North District Plan.

The Proposal is consistent with the following objectives of the Ku-ring-gai Public Domain Plan as outlined in **Table 13** below:

Table 13 - Ku-ring-gai Public Domain Plan Assessment


Ku-ring-gai Public Domain Plan Objective	Comment
<ul style="list-style-type: none"> ○ <i>deliver a high quality public realm;</i> 	<ul style="list-style-type: none"> ○ The entry landscape treatment provides an appropriate significant arrival and site entry with relocated sandstone piers. ○ These and flanking gardens and broad walkway mark entry to a feature “civic” space with engaging active cafe terraces and feature gardens and lawns. There is an inviting open character welcoming the local community. <p>Figure 18 below provides a perspective of the southern end of “Rohini Walk”.</p>
 <p>Figure 18: Perspective Source: Plus Architecture</p>	
<ul style="list-style-type: none"> ○ <i>provide a consistent positive image for Ku-ring-gai with acknowledgement and retention of local character for each Local Centre;</i> 	<ul style="list-style-type: none"> ○ The Concept Masterplan retains and reinforces the substantial existing landscaped and tree-lined edges to the north, east, south and west of the site to achieve a landscaped character.

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	<ul style="list-style-type: none"> Site landscape treatments are to provide a significant residential garden and canopy tree setting for proposed buildings. The central north-south public access spine across the site is to provide significant contribution to local amenity, and provide an active identity space extending the Rohini Street access corridor. The Proposal Masterplan Concept has appropriate scale buildings that are well integrated with neighbouring sites with significant green edges. Rohini Village will provide a positive contribution to the local character of the Turramurra Town Centre that resolves the northern edge with seniors living identity as an active part of the local community.
<ul style="list-style-type: none"> <i>improve legibility and wayfinding;</i> 	<ul style="list-style-type: none"> Two Public Art installations at the southern end of "Rohini Walk" provide wayfinding 'markers' for pedestrians. "Heritage style piers" at the northern end of "Rohini Walk" to echo the sandstone piers at the south access point The continuation of north-south pedestrian link is clear, with sightlines of the continuing walkway assisting wayfinding.
<ul style="list-style-type: none"> <i>develop pedestrian focused places with improved walking experience;</i> 	<ul style="list-style-type: none"> The new site axis allows for a well-connected walkable loop within the neighbourhood. This will ensure a safe, comfortable and pleasant walk to daily errands for the residents. The existing path along the train line will be retained to maintain a connection to Cherry Street. The existing driveway off the Rohini Street cul-de-sac will be replaced by a pedestrian precinct.

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<ul style="list-style-type: none"> ○ <i>ensure an accessible, inclusive, and safe public domain;</i> 	<ul style="list-style-type: none"> ○ The Proposal seeks to achieve a pedestrian safe and inclusive design that is open to the wider community. Key features in the letter of offer include: <ul style="list-style-type: none"> ○ Cross-site link "Rohini Walk" which provides public access across the village Site from Rohini Street to King Street; ○ "Pocket park" along Rohini Street frontage; ○ Upgrades to Rohini Street public domain including the nature-strip and footpath to achieve an accessible and safe pathway; and ○ Providing access for the wider community to on-site facilities such as the Village pool and café.
<ul style="list-style-type: none"> ○ <i>create vibrant streetscapes and public areas with enjoyable experiences including outdoor dining, public art installations and flexibility for events;</i> 	<ul style="list-style-type: none"> ○ The new site axis is proposed to create a prominent path through the village site. This through-site-pedestrian-link will enhance the connectivity between Rohini Street and King Road. ○ The Concept Masterplan shows community focused facilities along 'Rohini Walk', which includes a cafe, indoor pool, multi-purpose space, chapel, etc. These spaces enjoy views out to common landscape areas, and associated seating to assist in activation of the new path link.
<ul style="list-style-type: none"> ○ <i>promote a consistent materials palette and consistent design elements to unify and identify Ku-ring-gai LGA;</i> 	<ul style="list-style-type: none"> ○ Colours and materials would be detailed in any Development Application.
<ul style="list-style-type: none"> ○ <i>respond to climate change by providing shelter through planting and structures / built form with canopies to reduce heat, and other cooling methods such as water features;</i> 	<ul style="list-style-type: none"> ○ The landscape common open space will provide a lush green garden setting for the buildings, with canopy and accent trees to integrate amenity areas as a series of inviting destination and amenity areas. Key areas comprise: <ul style="list-style-type: none"> • Arrival plaza and active communal spaces with lawns, water features and breakout terraces;

	<ul style="list-style-type: none"> • Cafe and Community Room terrace, with outdoor seating, lawn and trees, feature gardens; • Common Open Space Garden areas, with seating and gathering amenity, barbeques, exercise areas, community gardens; and • Loop walkway node areas, with points of interest such seats, water features, urns and feature planting, and a matrix of fine art sculptures through the gardens.
<p>○ <i>preserve and enhance vegetation and landscape character of Ku-ring-gai;</i></p>	<p>○ The Rohini Village proposals retain and reinforce the substantial existing landscaped and treelined edges to the north, east, south and west of the site. Site landscape treatments are to provide a significant residential garden and canopy tree setting for proposed buildings.</p>
 <p>Figure 19: Landscape Concept Source: Site Image (shown with potential Rohini Street upgrades)</p>	<p>○ The Masterplan and proposed buildings on the site have been located and designed with strong regard for retaining valued trees and creating a positive relationship with neighbouring sites. The perimeter landscape proposals reinforce existing buffer trees and tall shrub planting, all located in relation to creating a series of feature seating and amenity nodes to loop walkways. Refer Figure 19 opposite illustrates the Landscape masterplan concept which preserves and enhances the landscape character.</p>
<p>○ <i>encourage sustainable design using robust, long lasting materials; and</i></p>	<p>○ Materials would be detailed in any Development Application.</p>
<p>○ <i>encourage sustainable water usage design such as water capture, water re-use and cleansing, and water efficient planting</i></p>	<p>○ Sustainable water usage design features would be detailed in any Development Application.</p>

Turramurra Public Domain Plan

Public Domain Concept plans have been prepared for six local centres – **Turramurra**, Gordon, Lindfield, St Ives, Pymble and Roseville. The **Turramurra Public Domain Plan** contains the following Vision Statement:

"To promote Turramurra as a family-focused urban village so that it can continue to be a well-connected and attractive place to live, work and shop, and where local families can meet and spend leisure time."

Figure 20 below provides an extract of the overall Public Domain Concept (PDC) for Turramurra Town Centre area which adjoins the Rohini Village Site. Upgrades proposed under the Turramurra Public Domain Plan include upgrades to Rohini Street along the Site frontage, the Council pathway that abuts the north-west boundary and along the railway lands pathway that adjoins the Site. The PDC upgrades do not envisage closure of the driveway into the Village from the north end of Rohini Street, or widening to the cul-de-sac which could be achieved under the Planning Proposal and accompanying "Letter of Offer" at **Appendix J**.



Figure 20 Extract Illustrative Turramurra Concept Plan

Source: Ku-ring-gai Public Domain Plan Vol.2

Figure 20 is expanded up in Figures 21, 22 & 23 below which provide more detailed information contained in the Turramurra Public Domain Plan, including upgrades to Rohini Street and railway carpark. A new bridge is proposed to connect Ray Street and the railways carpark in Rohini Street denoted as 21 on Figure 22 below. However, it is noted that the delivery and timing of this vehicular bridge is uncertain, so that this Planning Proposal Concept Design does not rely upon the connection, but does not inhibit its construction if it ever proceeds in the future.

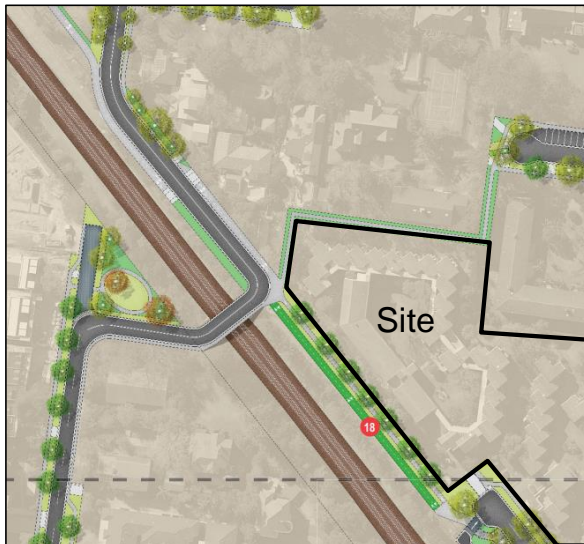


Figure 21: Turramurra Public Domain Plan (Rohini St cul-de-sac)
Source: Ku-ring-gai Public Domain Plan Vol.2



Figure 22: Turramurra Public Domain Plan (nth Rohini St)
Source: Ku-ring-gai Public Domain Plan Vol.2

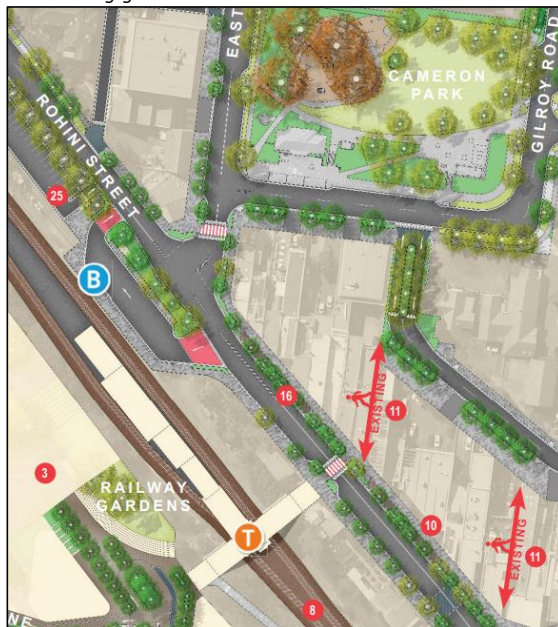


Figure 23: Turramurra Public Domain Plan (mid Rohini St) Source: Ku-ring-gai Public Domain Plan Vol.2

MOVEMENT

- 18 Investigation of provision of a continuous pedestrian and cycle link along the North Shore rail line between Hornsby and Chatswood including a connection under Pacific Highway at Turramurra. To be carried out collaboratively with Transport for NSW and Sydney Trains.
- 21 Proposed location for a possible future trafficable bridge, subject to funding availability.
- 25 Upgrade to the bus interchange on Rohini Street in collaboration with Transport for NSW.

The Planning Proposal is consistent with the following **Turramurra Domain Plan** principles and is addressed in **Table 14** below;

Table 14 - Public Domain Principles Assessment

Public Domain Principles	Compliance
<p><i>“Promote Turramurra as a family focused urban village”</i></p>	<p><u>Complies.</u></p> <ul style="list-style-type: none"> ○ The Planning Proposal incorporates provision for the wider community to access the Site and shared use of recreational facilities and café to contribute to achieving a family focused urban village. ○ Key family focused components comprise: <ul style="list-style-type: none"> • Arrival plaza and active communal spaces with lawns, water features and breakout terraces; • Cafe and Community Room terrace, with outdoor seating, lawn and trees, feature gardens, and play areas; • Common Open Space Garden areas, with seating and gathering amenity, barbeques, exercise areas, community gardens; • Loop walkway node areas, with points of interest such seats, water features, urns and feature planting, and a matrix of fine art sculptures through the gardens.
<p><i>“Ensure appropriate interface and separation between future development and HCA and Heritage items”</i></p>	<p><u>Complies.</u></p> <ul style="list-style-type: none"> ○ The Site does not directly abut the Heritage Conservation Area “C5” (HCA) to the north. The HCA is physically separated from the Site’s northern and north-western boundary by the 3.66 m wide landscaped Council pathway. <p>The pathway separation to the HCA is illustrated on Figure 24 overleaf.</p>



Figure 24: KLEP2015 Heritage map extract Source: NSW Planning Portal

- The Planning Proposal Design Concept incorporates upgraded perimeter plantings, which combined with the existing 3.8 m wide landscape Council pathway, will achieve a suitable transition from the Site to the Heritage Conservation Area (HCA) and heritage item to the north-west.
- The KLEP 2015 Heritage Item I138 ("Bellwood dwelling house") at 12 King Street, is located 30 metres to the north of the Rohini Village Site boundary. "Bellwood" dwelling is largely screened from Rohini by 10 King Street dwelling and mature landscaping in the rear garden, together with dense plantings along the Council pathway. The landscaped separation to "Bellwood" dwelling is illustrated in Figure 25 below.



Figure 25: Aerial Photo – northern end of site Source: Google

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*"Increase the number of north-south (primary) and east-west (secondary) connections to **improve the connectivity** of the Turramurra Local Centre"*

Complies.

- The pre-Planning Proposal and Public Domain discussions between Anglicare and Council also considered the potential for future upgrades to the public streetscape in Rohini Street and pathway connection from the northern end of the site to King Street via a Planning Agreement (PA). Refer to **Figure 26** potential upgrades plan below.



Figure 26: Rohini Walk & Potential Public Domain Upgrades Source: Site Image

This could be undertaken as part of the PP process, or any time prior to a future DA being lodged. A "Letter of Offer" and draft Planning Agreement, prepared by Anglicare accompanies this Planning Proposal at **Appendix J**.

The street upgrades would be supplemented by provision of publicly-accessible village communal landscape spaces along the Site's Rohini Street frontage as detailed in the Rohini Concept Landscape Masterplan prepared by Site Image.

"Enhance the public domain network of streets and open spaces as places which people enjoy and want to spend time in".

Complies.

The Design Concept Plan for the Planning Proposal incorporates a publicly accessible, north-south pedestrian route through the village, that the local community can use to travel from the King-Street-precinct to Rohini Street. Also, across the future railway bridge, that links the commercial areas on both sides of the Railway Line at Ray Street (denoted as **21** in Figure 22 above) in the event that funding for its construction becomes available. The below Figure 27 and Figure 28 illustrate the enhanced public domain network through the site and area context.

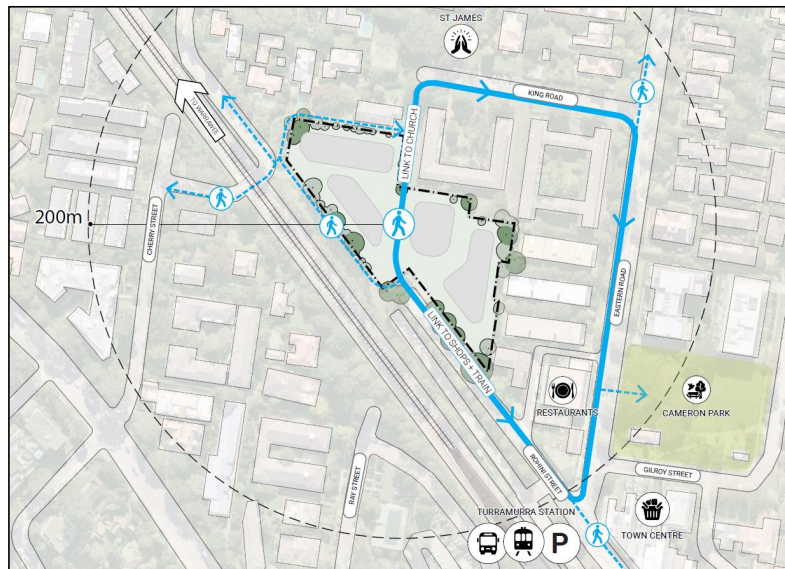


Figure 27: Pedestrian Connectivity Plan

Source: Plus Architecture

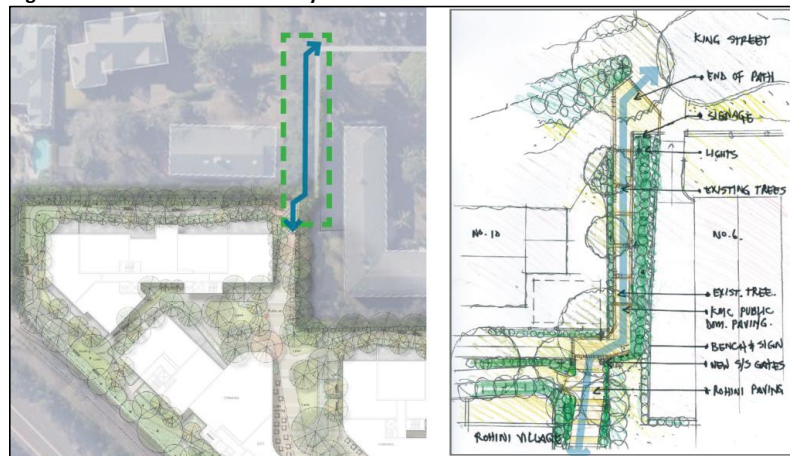


Figure 28: Potential upgrades Council pathway to King Street

Source: Site Image

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	<p>The Anglicare Letter of Offer includes upgrades along Rohini Street frontage which includes upgrades to plantings within the road reserve and provision of a "pocket park" within the village and along the street frontage. Potential upgrades to Rohini Street are detailed in Figure 29 below. The works are consistent with and compliment the Turramurra Public Domain Plan denoted in Figure 21,22,23 extracts above.</p>
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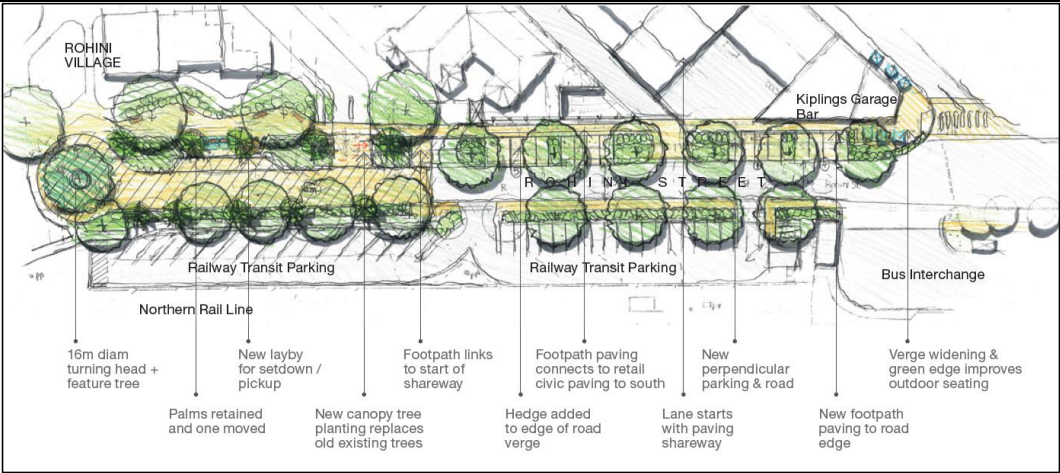


Figure 29: Potential upgrades Rohini Street, subject to a Planning Agreement Source: Site Image

"Integrate public art to add interest and activation to public spaces."

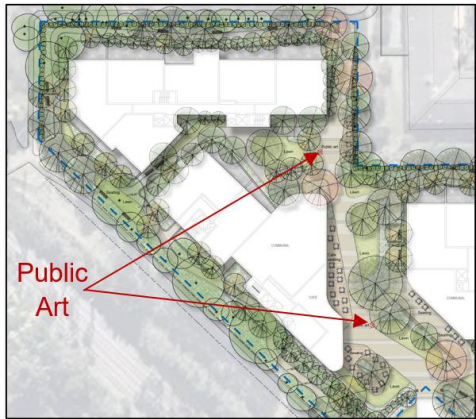


Figure 30: Landscape Concept – Public Art locations
Source: Site Image

Complies.

A cross-site link "Rohini Walk" will incorporate two (2) public art installations which provide wayfinding 'markers' for pedestrians and provides opportunity for a safer, accessible pedestrian route between Cameron Park, St James Church and the Turramurra Town Centre. The art installations are located at the southern end of "Rohini Walk" near the café and pool facilities which are proposed under the Planning Proposal to be accessible to the village residents and the wider community.

Figure 30 opposite identifies the two (2) x Public Art locations within "Rohini Walk".

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The PP is also consistent with the Ageing Well in NSW: Seniors Strategy 2021-2031 (2020), and Net Zero Plan Stage 1: 2020-2030 (2020) and Implementation Update (2022) which are addressed below.

Ageing Well in NSW: Seniors Strategy 2021–2031 (2020)

"NSW has an ageing population...By 2031, it is estimated that 24.7% (around 2.4 million) will be aged 60 and over (while 19.4% will be aged 65 and over) or in other words, nearly 1 in 4 people will be aged 60 and over by 2031". (Source: Dept Planning Aging Well in NSW)

The Guiding Principles for Older People in NSW have been gathered from a consultative approach to the strategy. The principles that underpin the focus areas of *Ageing Well in NSW: Seniors Strategy 2021–2031* include the following:

- ***"Supporting people to have healthier longer lives*** *Where we are helped to achieve our best possible health and wellbeing, and cared for. We want to remain healthy and independent for as long as possible, with the ability to access flexible age-related services, supports and choices when needed.*
 - ***Keeping people connected and included*** *Where we can continue to actively participate within liveable and supportive communities, and make meaningful connections. We want to enjoy being part of an inclusive society where everyone is able to engage and contribute to community life and civic participation, and have access to information in a variety of formats.*
 - ***Enabling people to live in their home and community*** *Where we have the option and ability to age in place or live in an environment that is safe and suits our needs. We want homes and services that enable continued mobility, help us remain independent and are in a community we choose".*
- (Source: Dept Planning Aging Well in NSW)

The Strategy identifies the following four focus areas that can make a difference for older people.

1. Living in age-friendly environments;
2. Participating in inclusive communities;
3. Staying safe, active and healthy; and
4. Being resilient and informed.

This Planning Proposal is consistent with all of the above aims and addresses the four focus areas in full. A redevelopment of the Rohini Retirement Village, provides opportunity for older people in Ku-ring-gai to live in a safe and accessible environment, that enables them to continue to actively enjoy a high quality of life. Providing an age-friendly environment, also offers many positive, tangible benefits for seniors. Specifically, this means a Village neighbourhood with well-maintained recreational spaces; safe footpaths; rest areas; green infrastructure including tree canopy integrated into the built environment, to provide shade, and accessible buildings, that provide an ideal living environment for them to age in place.

Net Zero Plan Stage 1: 2020-2030 (March 2020) & Implementation Update (December 2022)

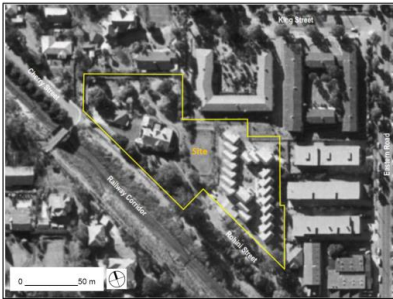
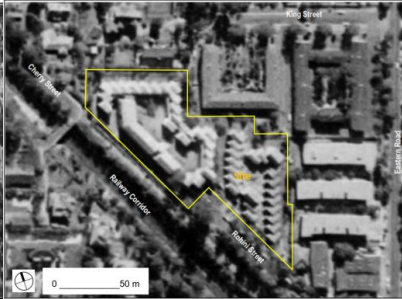
The 2020 Net Zero Plan is the foundation for NSW's action on climate change. Its set goal is to reach Net Zero Emissions by 2050. In September 2021, the NSW Government released an Implementation Update on the Net Zero Plan, which included a target to reduce NSW emissions by 50% below 2005 levels, by 2030. Net Zero Implementation Update 2022, provides that: *"The NSW Government's Electric Vehicle Strategy, announced in 2021, is expected to drive sales of EVs to more than 50% of new car sales by 2030-31 and sets **an objective for the majority of new car sales to be EVs by 2035**, preparing the transport sector for a low-emissions future."*

The redevelopment at Rohini can incorporate provision for resident and visitor EV car charging stations and roof solar panels, which are all fully compatible with Net Zero Plan Objectives. The new Sustainable Buildings State Environmental Planning Policy (SEPP) came into effect 1-10-23. The SEPP encourages the design and delivery of more sustainable buildings on the Rohini Site replacing a 54 year-old development which pre-dates current sustainability standards, with State-of-the-Art modern and highly sustainable facilities.

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The following **Table 15** identifies the key applicable SEPPs. It outlines this Planning Proposal’s consistency with those SEPPs.

Table 15 - SEPP Preliminary Assessment

SEPP	Comment on Consistency
SEPP (Planning systems) 2021 Chapter 2: State and regional development Chapter 4: Concurrences and consents	<u>Not applicable</u> Schedule 1 Clause 28 - State Significant Development, will not apply to any future Development Applications on this Site, as no Residential Aged Care Facility will be incorporated in the development.
SEPP (Biodiversity and Conservation) 2021 Chapter 2: Vegetation in non-rural areas Chapter 4: Koala habitat protection 2021 Chapter 6: Bushland in urban areas Chapter 7: Canal estate development Chapter 9: Hawkesbury-Nepean River Chapter 10: Sydney Harbour Catchment	<p>Aerial photos shown in Figure 31 (circa 1970) and Figure 32 (circa 1975), which show the staged development of the Site between 1970 and 1975, indicate that most pre-existing vegetation, appears to have been cleared.</p> <div style="display: flex; justify-content: space-around;">   </div> <p>Figure 31: Aerial Photo circa 1970 <i>Source: NSW Spatial Services</i></p> <p>Figure 32: Aerial Photo circa 1975</p> <p>Provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 2 Vegetation in non-rural areas and Ku-ring-gai Development Control Plan apply to the management and maintenance of existing trees and vegetation in Ku-ring-gai. Very few trees, if any, correlate with current tree locations apart from T32 (palm) and T10 (Blackbutt) and the Rohini Street road reserve street trees. There are some significant trees along the batter and frontage to the railway corridor, which will be retained. The Site is currently dominated by 2-4 storey Seniors apartment buildings, within a garden setting. Smaller ornamental trees and shrubs surround the buildings, while the larger and more prominent trees, are typically located on the periphery of the Site and in the larger open space courtyard portions of the Site.</p>

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SEPP	Comment on Consistency
	<p>Arboricultural advice, prepared by Arterra (2023) identified trees located at or immediately adjoining the Site, most dating back to the late 1980s. Of these, 15 were found to have high retention value and 43 to have moderate retention value, with the remaining 46 having low retention value. A total of 42 trees would be required to be removed (mostly camellias) to accommodate the Concept Proposal. These have predominantly been deemed to have a low retention value with only 5 trees rated as moderate. The Arterra advice states that all high-retention-value trees can be successfully retained and protected in the Proposal subject to some future design detailing at the DA stage. A copy of the Arboricultural Impact Assessment Report is at Appendix C.</p> <p>Tree removal, retention and proposed new plantings for No 51-53 Rohini Street property are detailed in Figure 33 below.</p>

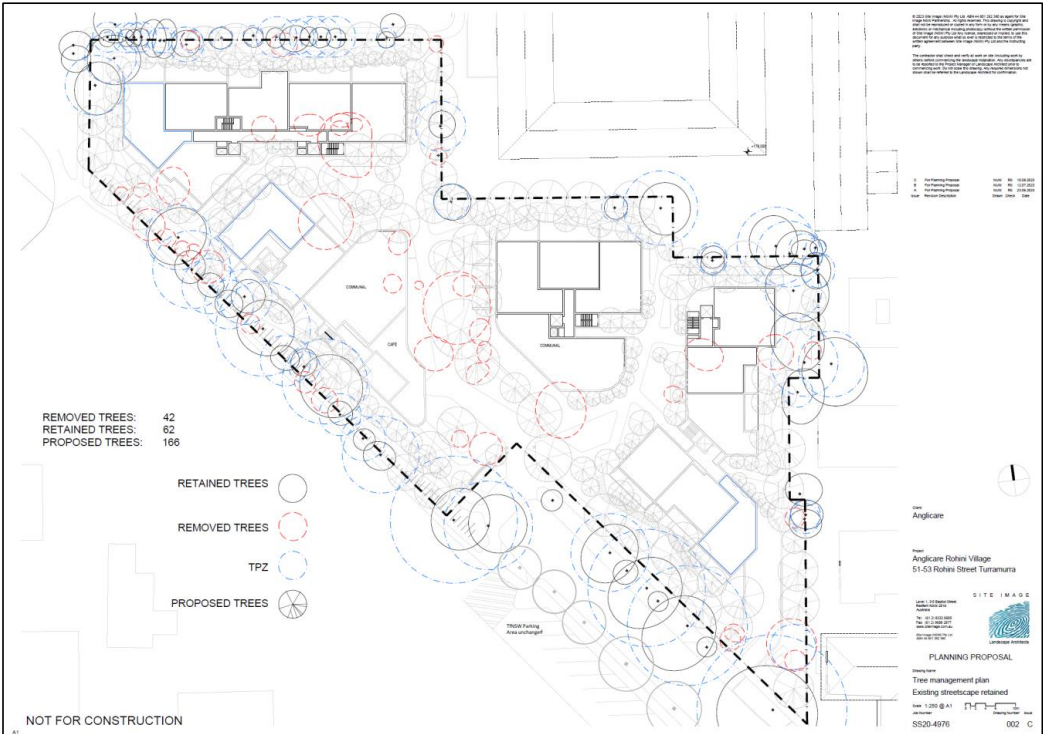
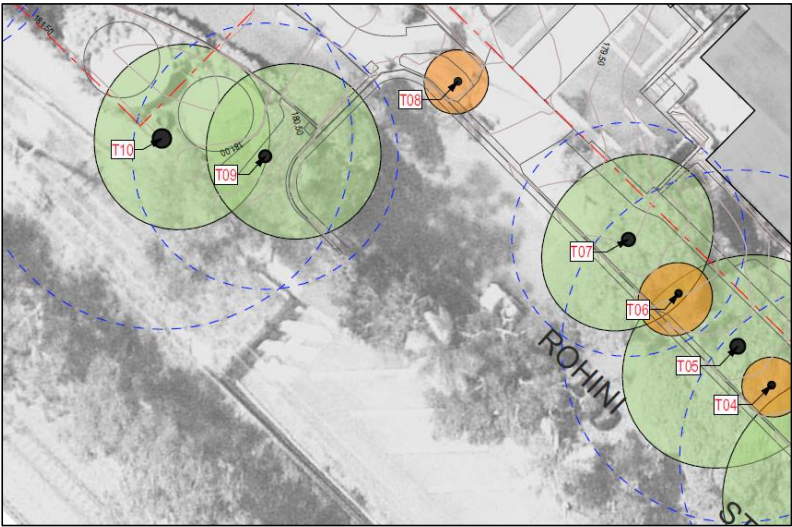
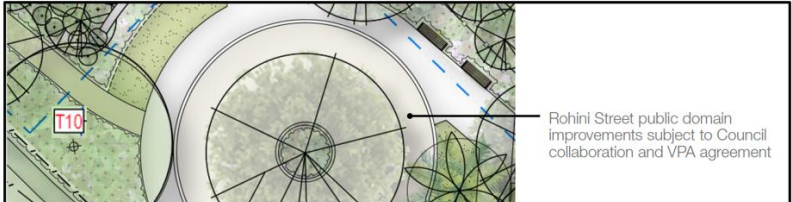




Figure 33: Tree Removal and Retention Plan


Source: Site Image

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SEPP	Comment on Consistency
	<p>The Site currently has a canopy cover of approximately 22.7%. The Rohini Development Concept achieves a canopy cover of 54.9%, well in excess of what might otherwise be achieved without the proposed increase in building height. Based on the massing studies performed to date, the Proposed Development achieves over 45% deep soil over the Site which is substantially higher than SEPP Housing cl 108(2)(f) deemed to comply criteria of 15%. Landscape Concepts and Drawings prepared by Site Image (2023), have been designed for the Site, which are provided in Appendix H.</p> <p>Figure 36 overleaf identifies the site as having a very small portion in the southwestern sector mapped as containing biodiversity. The mapped vegetation comprises Tree 10 Blackbutt (<i>E. pilularis</i>) and Tree 9 Brushbox (<i>Lophostemon confertus</i>) which are located in the Council Road reserve and have canopies overhanging the Site. Travers Environmental have inspected the site, the Arborist Report and the Planning Proposal Concept Masterplan for Rohini Village Site and concludes per below;</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i>"Arising from the fact not one of the above triggers will occur then it can be readily construed that a BDAR is not required to be prepared. In addition, there is no requirement for a response to be provided in respect of the State Environmental Planning Policy (Biodiversity and Conservation) 2021".</i></p> </div> <p>A copy of the Ecology Advice is provided at Appendix G.</p> <p>If Council opt to progress with a Planning Agreement for public domain upgrades, which includes a turn-head at the northern end of Rohini Street, the relocation of Tree 8 (Palm) to a more suitable position, will become necessary. Tree 9 (Blackbutt) would need to be <u>removed</u>, as it is located within the road reserve-carriageway. This can be seen in both Figure 34 Tree Plan and Figure 35 Public Domain overleaf.</p>

SEPP	Comment on Consistency
	<div></div> <div><p>Figure 34: Tree Plan extract (end Rohini St) <i>Source: Arterra</i></p></div> <div></div> <div><p>Figure 35: Extract Precinct Plan (Urban Design Report) <i>Source: Site Image</i></p></div> <div><p>Tree 9 & Tree 10 mapped trees per below Biodiversity Values Map (BVM) extract.</p></div> <div></div> <div><p>Figure 36: Biodiversity Values Map extract <i>Source: Environment NSW</i></p></div>

SEPP	Comment on Consistency
<p>SEPP (Resilience and Hazards) 2021</p> <p>Chapter 2: Coastal management Chapter 3: Hazardous and offensive development Chapter 4: Remediation of land</p>	<p>Aerial photographs dating back to 1943 indicate the Site and lands to the north of the railway corridor have a long-established residential land use as denoted in Figure 37 below.</p>  <p>Figure 37: Aerial Photo Subject Site circa 1943 <i>Source: Sixmaps</i></p> <p>The Retirement Village, which was built in two stages between 1969 and 1975. Accordingly, there is no clear evidence to suggest any previous contaminating uses.</p> <p>An Environmental Assessment Report would accompany any future DA, as a precautionary measure, since orchards were known to occur in parts of the northern suburbs after timber clearing ceased around 1840.</p>
<p>SEPP 65 Design Quality of Residential Flat Development</p> <p>& Apartment Design Guide (ADG)</p>	<p>SEPP 65 was repealed 14-12-2023 and the design controls/principles were transferred to SEPP Housing 2021. Future DA for the project would comprise a Mixed-Use Development so that SEPP Housing 2021 Chapter 4, Schedule 9 and the ADG applies. Key ADG controls are addressed overleaf. The Concept Design, prepared by Plus Architecture, has been drawn to meet the required building separation for 4-6 storey apartment buildings.</p>

SEPP	Comment on Consistency
	<p><u>Solar Access & Cross-Ventilation</u>: - The Site's Urban Design Report (see Appendix A) has assessed all key amenity components relating to solar access and cross-ventilation. This is contained in the below summary and Figure 38 below:</p> <ul style="list-style-type: none"> • 77 ILUs (70%) receive minimum 2hr sun on 21 June – <u>Complies</u> ADG • 11 ILUs (10%) receive no sun – <u>Complies</u> ADG • 86 ILUs (78%) have cross ventilation – <u>Complies</u> ADG
	 <p>Figure 38: Urban Design Report extract Source: Plus Architecture</p>
	<p>The Urban Design Report assessment of the Concept Masterplan includes a review of building elevations and room uses for each of the neighbouring apartment buildings to the East at No 22, No 24, No 26 Eastern Road and No 47-49 Rohini Street).</p> <p>The resulting shadow impacts have been deemed to be minimal and are considered reasonable. Key extracts at 3pm when shadows are cast to the west are provided at Figure 39 overleaf;</p>

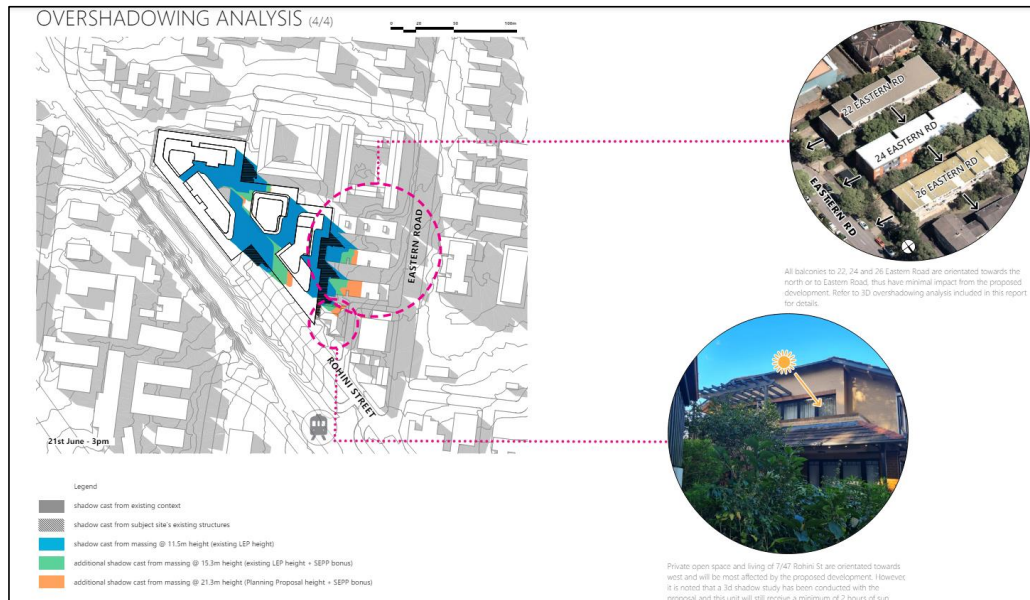


Figure 39: Urban Design Report (2023) extract - 3pm shadow analysis

Source: Plus Architecture


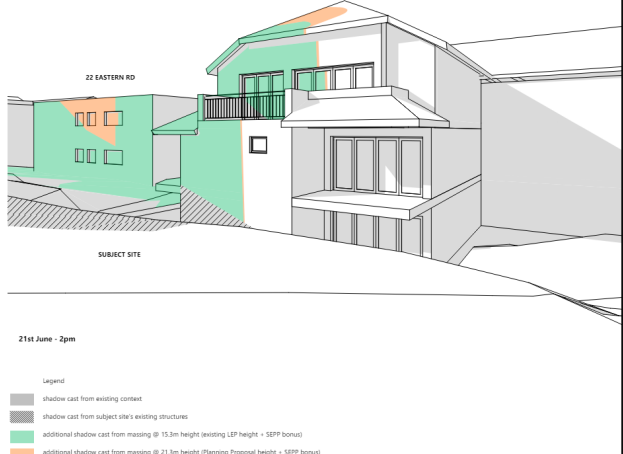
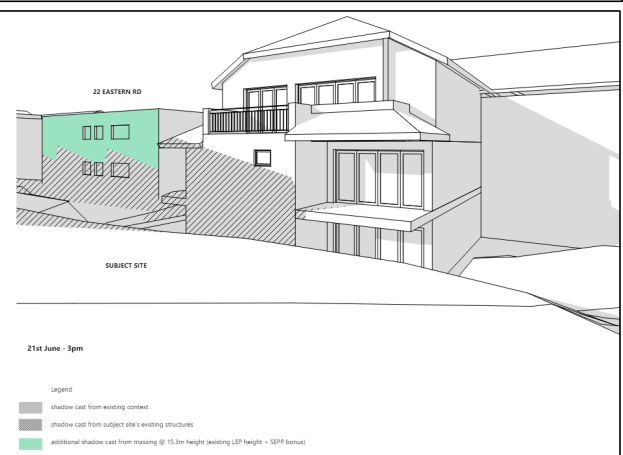
Page 68 of the Urban Design Report (**Appendix A**) also details mid-winter elevation overshadowing of No 47-49 Rohini Street development from 1pm to 3pm, based on a **15.3 m**-height building (current 11.5m + 3.8m SEPP Housing bonus) and also at **21.3 m** height (Planning Proposal 17.5m + 3.8m SEPP Housing bonus).

The additional shadow cast under the Planning Proposal is minimal, in terms of actual impact on living room windows or living room balconies.

Key shadow impact elevations for No 47-49 Rohini Street townhouses (west elevation facing the Site) from 1pm to 3pm mid-winter are provided at **Figure 40** overleaf.

Additional shadow analysis for No 47-49 (northern elevation) and also No 22 and No 24 Eastern Road residential buildings are contained in the Urban Design Report at **Appendix A**.


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SEPP	Comment on Consistency
	<div><p>21st June - 1pm</p><p>Legend</p><ul style="list-style-type: none">shadow cast from existing contextshadow cast from subject site's existing structuresadditional shadow cast from massing @ 15.3m height (existing LEP height + SEPP bonus)additional shadow cast from massing @ 21.3m height (Planning Proposal height + SEPP bonus)</div> <div><p>21st June - 2pm</p><p>Legend</p><ul style="list-style-type: none">shadow cast from existing contextshadow cast from subject site's existing structuresadditional shadow cast from massing @ 15.3m height (existing LEP height + SEPP bonus)additional shadow cast from massing @ 21.3m height (Planning Proposal height + SEPP bonus)</div> <div><p>21st June - 3pm</p><p>Legend</p><ul style="list-style-type: none">shadow cast from existing contextshadow cast from subject site's existing structuresadditional shadow cast from massing @ 15.3m height (existing LEP height + SEPP bonus)additional shadow cast from massing @ 21.3m height (Planning Proposal height + SEPP bonus)</div> <p>Figure 40: Urban Design Report (2023) extract 1pm to 3pm shadow elevations <i>Source: Plus Architecture</i></p>

SEPP	Comment on Consistency
	<p><u>Unit size / Apartment mix</u>:- Independent Living Unit (ILU) sizes in the current Rohini Village are predominantly 1-bedroom, are non-compliant with the Apartment Design Guide (ADG), and as a consequence Rohini Village occupancy has diminished in recent years. This will be remedied by the Planning Proposal under its submitted Concept Design. The proposed unit mix comprises mid-sized 2-beds and 3-bed ILUs only. There are no 1-bed units, as Anglicare are aware based on current Rohini Village and their other Village experiences such as "Gordon Quarter" that 1-bed units have little to no demand. Retirees and Seniors typically downsizing, all seem to favour having a minimum 2-bedrooms.</p> <p>With respect to their recent experiences at other Villages in more affluent Local Government Areas (LGAs), Anglicare have advised the following;</p> <div> <p><i>"Gordon Quarter (Gordon) consists of 39 x large 2 & 3 Bedroom ILUs and 1 x 1 Bedroom. 50% of the 2 & 3 bedroom ILU were sold in the first two weeks on the market, 90% sold after 6 months and fully sold on completion. The 1 bed remained unsold for two years and was finally sold 6 months after completion".</i></p> <p><i>"Woollooware Shores (Taren Point) - We have 5 x 1 Bed which we have struggled to sell. They are sold now but only after 23 months on the market".</i></p> <p><i>"Goodwin (Woollahra) – The full refurbishment of the village was completed in 2019. Since then, we still have 18 x 1 beds which still remain unsold four years later. We have a DA approval to convert these 18 x 1 beds into 6 x 2 bedroom ILUs".</i></p> <p><i>"The predominant reason why the 1 x bedder are not selling is;</i> <i>Our customers perceive 1 bed ILUs to be too small. Typically our customers are couples who are downsizing from a large 3+ bedroom house and want additional rooms to provide options for family to stay and to accommodate their household items they don't want to part with as part of the downsizing process. Downsizing is a very emotional process and whilst customers may not eventually have family stay over, they still want this option available.</i> <i>Hence it is Anglicare's preference to cater for what the market is demanding in seniors housing, which is a different product/client need than ordinary apartments for young single people who are not downsizing their ownership from a large North Shore residence.</i></p> <p><i>As the 2-bed / 3-bed units are loan lease and not strata title, the contract prices reflect the lease arrangement and vary according to the resident financial requirements."</i></p> </div>

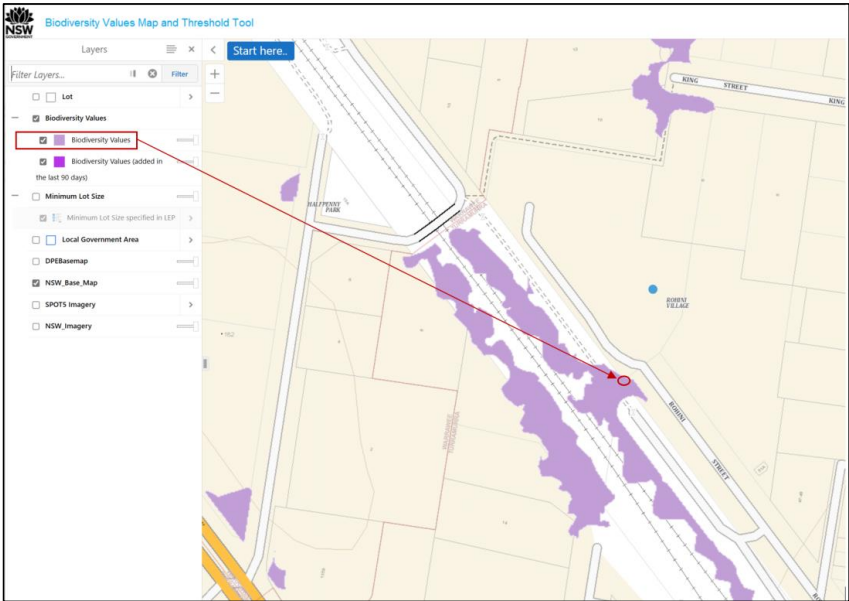
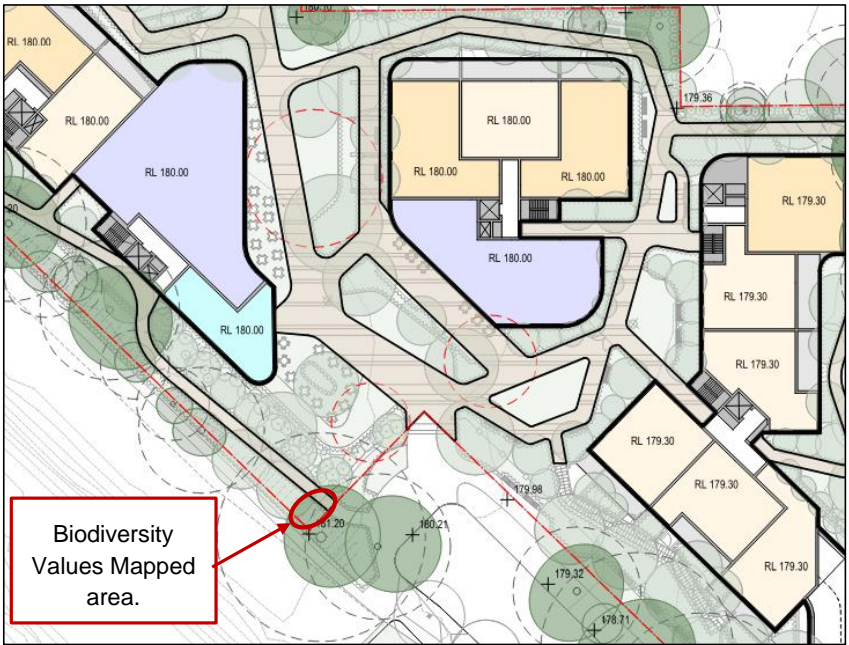
SEPP	Comment on Consistency
	<p>Accordingly, it is Anglicare's strong preference to build in line with the Market Demand reflected in the Anglicare Village Study at Appendix K. The larger apartments for Seniors differs as a product need from ordinary apartments or those catering for the needs of younger people or singles who may not be downsizing from a large North Shore residence.</p> <p>As the 2-bed and 3-bed units are Loan Lease and not Strata Title, the sales contract prices reflect the lease tenure and vary according to individual resident financial requirements.</p> <p>A detailed SEPP Housing 2021 / ADG assessment would accompany the future DA.</p>
SEPP (Sustainable Buildings)2022	<p>The new SEPP replaced SEPP BASIX and came into effect on 1-10-23. The goals of the SEPP are to minimise the consumption of energy and potable water; reduce greenhouse gas emissions from energy use; monitor the embodied emissions of building materials; and deliver buildings that are comfortable in summer and winter. The future development can be designed to be consistent with the new Sustainable Buildings State Environmental Planning Policy (SEPP) encourages the design and delivery of more sustainable buildings across NSW. The new SEPP is a key step in the NSW Net Zero Plan, which aims to cut some 50% of carbon emissions by 2030, compared with the 2005 Carbon Dioxide levels. The key changes to BASIX requirements include:</p> <ul style="list-style-type: none"> • An increase of the thermal performance standard from an average of 5.5-6 stars to 7 stars NatHERS rating. • An increase of between 7-11% in greenhouse gas reduction (depending on location and type of residential development proposed). <p>These upgraded BASIX standards are consistent and complementary to those in the proposed National Construction Code 2022.</p>
SEPP (Transport and Infrastructure) 2021 Chapter 2: Infrastructure	<p><u>Schedule 3 Chapter 2 – Traffic Generating Development</u></p> <p>The Site is located over 90 m from the Pacific Highway, so a referral to Transport for NSW (TfNSW) is not triggered. The Applicant has consulted with TfNSW, in accordance with the pre-PP Minutes (2023) as issued by KRG. A copy of the TfNSW advice is provided at Appendix L.</p> <p><u>Division 15 Railways - Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors</u></p> <p>2.98 Development adjacent to rail corridors</p> <p>2.99 Excavation in, above, below or adjacent to rail corridors</p> <p>Excavation will be greater than 2 m and within and within 25 m of the Rail Corridor, which requires consultation with the NSW Rail Authority and their concurrence to any future DAs.</p>

SEPP	Comment on Consistency
	<p>2.100 Impact of rail noise or vibration on non-rail development</p> <p>Future DAs for residential accommodation, will require the Consent Authority take into consideration, any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette and the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels (the Average Sound Level over the period of the measurement) are not exceeded—</p> <p><i>“(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,</i></p> <p><i>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.”</i></p> <p>The proposed Seniors apartments, adjacent to the railway corridor, are replacing an existing 4 storey apartment block, so that any new development would need to meet the above-required acoustic outcomes, as well.</p>
SEPP (Housing) 2021	<p>Anglicare, the owner and operator of Rohini Village, are a not-for-profit aged-care provider and “Social Housing Provider” as defined under State Environmental Planning Policy (Housing) 2021 (“SEPP Housing”).</p> <p><u>CHAPTER 3: DIVERSE HOUSING -Part 5 Housing for seniors and people with a disability</u> Key SEPP controls are addressed below;</p> <p>84 Development standards—general</p> <ul style="list-style-type: none"> • Minimum site area 1000m² – <u>Complies</u> • Minimum 20 m site frontage – <u>Complies</u> <p><i>(the above development standards do not apply to a “Social Housing Provider”)</i></p> <p>87 Additional floor space ratios</p> <p>The Site is zoned R4 - High Density Residential (which permits Residential Flat Buildings) and is over 1,500m² so the 15% Gross Floor Area (GFA) bonus provisions for Independent Living Units (ILUs) applies. The Masterplan Concept Plan has incorporated the applicable 15% bonus GFA and bonus 3.8m building height.</p> <p>93 Location and access to facilities and services—independent living units</p> <p>The site is located within 200 m walking distance of both bus interchange and Turramurra train station. Turramurra shopping village with a range of shops and services is located within 100-400 m of the site. A survey of the pathway gradients between the site and the train station is provided at Appendix B. The survey shows that the overall gradient meets the 1 in 14 average gradient requirement. However, pathway section just below Rohini Village does not meet the individual section grade requirements prescribed in SEPP Housing 2021 clause 93 (4)(c). In the event that upgrades to pathway to achieve compliant gradients is not feasible for the future DA, Anglicare own/operate a 21-seat mini bus which can be shared between their Sydney villages to <u>comply</u> with clause 93 daily “private transport” provisions. Provision of the “private transport” (if required) will <u>fully satisfy</u> SEPP Clause 93.</p>

SEPP	Comment on Consistency
	<p>97 Design of Seniors Housing Location</p> <p>This clause requires the consent authority must consider the <i>Seniors Housing Design Guide</i> (December 2023) and must also be satisfied the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8 Design Principles for Seniors Housing.</p> <p>108 Non-discretionary development standards for independent living units—the Act, s 4.15</p> <ul style="list-style-type: none"> Landscape area for a DA by a Social Housing Provider, the SEPP requires $110 \text{ ILUs} \times 35\text{m}^2 = 3,850\text{m}^2$ of "Landscape Area" <p>Rohini's Concept Design = <u>4,534m²</u> of <u>Landscape Area</u> which exceeds the requirement by almost 18% as illustrated in Figure 41 below.</p>  <p>Figure 41: Landscape area Source: Plus Architecture</p> <ul style="list-style-type: none"> Deep Soil minimum requirement under the SEPP = 15% Site Area (and if possible 65% of Deep Soil to be at rear if practicable) <p>Current Village = 46% Deep Soil Planting (4240m²) Concept Design = <u>45% Deep Soil</u> Planting (4136m²) Refer Figure 42 overleaf Complies</p>

SEPP	Comment on Consistency
	 <p>Figure 42: Deep Soil Planting <i>Source: Plus Architecture</i></p> <ul style="list-style-type: none"> • Solar Access - 70% of the dwellings receive at least 2 hrs of direct solar access between 9am - 3pm mid-winter in living rooms and private open spaces. SEPP requires 70% x 110 ILUs = 77 ILUs (2 hrs of sun) Concept Design = <u>77 ILUs (2 hrs of sun)</u> – <u>Complies</u> • Private Open Space (POS) - Ground floor ILU apartments – 15 m² POS, including one space with a 3 m dimension, accessed from living room. Above ground floor ILU apartments – 10 m² (2 bed+) and min 2 m dimension, off the living room. <u>Can Comply.</u> • Parking - Social Housing Provider— at least 1 parking space for every 5 dwellings. SEPP requires min. 22 spaces for Residents Proposal = <u>199 parking spaces</u> within basement – <u>Complies</u> <p><u>SCHEDULE 4 - STANDARDS CONCERNING ACCESSIBILITY AND USABILITY FOR HOSTELS AND INDEPENDENT LIVING UNITS</u></p> <p>The Schedule provides design standards (including carparking, internal unit design/ dimensions which must be met by any future seniors housing development. The Site is relatively level and a detailed DA design, can met the accessibility and design controls, under Schedule 4 - <u>Can Comply.</u></p>

SEPP	Comment on Consistency
	<p><u>SCHEDULE 8 – DESIGN PRINCIPLES FOR SENIORS HOUSING</u></p> <p>The Schedule provides design principles for seniors housing relating to neighbourhood amenity and streetscape, visual and acoustic privacy, solar access and design for climate, stormwater management, crime prevention, accessibility and waste management. A detailed DA design, can met the accessibility and design principles under Schedule 8 - <u>Can Comply</u>.</p> <p><u>CHAPTER 4: DESIGN OF RESIDENTIAL APARTMENT DEVELOPMENT</u></p> <p>The Chapter applies to mixed use residential developments over 3 storeys and comprising over 4 apartments.</p> <p>Clause 148 – contains Non-Discretionary development standards for residential apartment development.</p> <p>Clause 147 - requires the consideration of Schedule 9 and the Apartment Design Guide (ADG).</p> <p>Clause 149 – clarifies that for certain criteria (eg privacy, solar access) the ADG prevails requirements in any Development Control Plan (DCP)</p> <p><u>SCHEDULE 9: DESIGN PRINCIPLES FOR RESIDENTIAL APARTMENT DEVELOPMENT</u></p> <p>The Schedule provides design principles for residential apartment developments relating to context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction and aesthetics. A detailed DA design, can met the relevant design principles under Schedule 9 - <u>Can Comply</u></p> <p><u>SCHEDULE 3 – ENVIRONMENTALLY SENSITIVE LAND</u> - has the effect of turning off Seniors Housing SEPP for certain mapped areas pursuant to SEPP Housing 2021 clause 801(b). Schedule 3 includes <i>"Land declared as an area of outstanding Biodiversity value under the Biodiversity Conservation Act 2016, section 3.1"</i></p> <p>The Biodiversity Vegetation Map (BVM) at Figure 43 and proposed Village Masterplan extract at Figure 44 overleaf illustrate the purple BVM mapped area on the Site will comprise landscape garden area, not ILUs.</p>

SEPP	Comment on Consistency
	<div><div></div><div><p>Figure 43: Biodiversity Values Map</p><p>Source: Environment NSW</p></div></div> <div><div></div><div><p>Figure 44: Extract Rohini Village Masterplan</p><p>Source: Plus Architecture</p></div></div>

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following **Table 16** identifies applicable s9.1 Ministerial Directions and outlines this Planning Proposal's consistency with those Directions.

Table 16 - Ministerial Directions Assessment Summary

Directions under S9.1	Objectives	Consistency
1. PLANNING SYSTEMS		
1.3 Approval and Referral Requirements (1) A planning proposal to which this direction applies must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent <ul style="list-style-type: none"> • No additional concurrences required. • The Planning Proposal is not classified as Designated Development. • The Proposal results in 110 ILUs to replace an existing 110 ILUs, plus on-site facilities for residents and locals to utilise (pool and café) and will not have a significant impact on the environment. • Community consultation should occur after Gateway.
1.4 Site Specific Provisions (1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent <ul style="list-style-type: none"> • The Planning Proposal seeks to allow community-wide use (not limited to village residents) of the café and wellness centre and pool facilities via KLEP 2015 Part 6 Local Provisions. • Seniors Housing (ILUs) is not currently permissible in the R4 zone under KLEP 2015, however SEPP Housing 2021 permits the Seniors Housing use. • The Planning Proposal seeks to achieve a higher density than the current Principal Planning

Directions under S9.1	Objectives	Consistency
(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.		<p>Instrument via Local Provisions Part 6, that would only apply to a mixed-use development, comprising Independent Living Units and café/pool made available to the wider community. For any other form of residential development (e.g. ordinary residential flat buildings) the 0.85:1 FSR controls would apply.</p> <ul style="list-style-type: none"> The Proposed Amendments to the LEP do not reference the Concept Drawings. Any future development would be the subject of a separate DA.
3. BIODIVERSITY AND CONSERVATION		
<p>3.1 Conservation zones</p> <p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 (2) of "Rural Lands"</p>	The objective of this direction is to protect and conserve environmentally sensitive areas.	<p>Consistent</p> <p>The Site is not located within a Heritage Conservation Area (HCA) and is separated from the HCA to the north-west, by a 3.66 metre wide landscaped pathway (being part of a Road Reserve).</p>
<p>3.2 Heritage Conservation</p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>Consistent</p> <p>The Site is not a Heritage Item under KLEP 2015. However it appears that the 20th century "Rohini Gates" identified in KLEP2015 as being located on the SP2 Infrastructure Railway Lands, is an error. In fact, they are located within the Rohini Street Road Reserve.</p> <p>The Concept Design, incorporates the sandstone "Rohini" piers and metal gates into the new landscape scheme.</p>

Directions under S9.1	Objectives	Consistency
4. RESILIENCE AND HAZARDS		
4.1 Flooding This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.		Not applicable. The Site is not flood prone.
4.3 Planning for Bushfire Protection This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land. This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.		Not applicable. The Land is not mapped as bushfire prone.
4.4 Remediation of Contaminated Land This direction applies when a planning proposal authority prepares a planning proposal that applies to: (a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i> , (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out, (c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land: i.) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and ii.) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).	The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	Consistent No known records of contaminating uses on the Site. Previous uses were residential housing and retirement village, constructed between 1969-1975.
4.5 Acid Sulfate Soils This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning, Housing and Infrastructure.	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Consistent The Site is mapped as Class 5 Acid Sulfate Soils.

Directions under S9.1	Objectives	Consistency
5. TRANSPORT AND INFRASTRUCTURE		
5.1 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>Consistent</p> <p>The Planning Proposal will facilitate a new improved pedestrian and bicycle access, via new internal pathways and also externally, by way of potential upgrades to the public domain, as part of future DAs.</p> <p>Co-location of services and facilities on the site including the café, wellness centre and pool, available to the wider community and proximity to the Turramurra shops and services, encourages less car reliance.</p> <p>Increased FSR controls under the Planning Proposal are linked to the Seniors Housing (ILUs) Use, which has low travel demands, compared with ordinary Residential Flat developments with younger households.</p> <p>Seniors are less likely to travel during peak hour either in private cars or public transport. Retirees are more likely to utilise public transport outside of the peak travel periods, thereby spreading demand to less busy periods and improving the efficiency of public transport services.</p>

Directions under S9.1	Objectives	Consistency
6. HOUSING		
<p>6.1 Residential Zones</p> <p><u>Direction</u></p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land</p>	<p>The objectives of this direction are to:</p> <p>(a) encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) minimise the impact of residential development on the environment and resource lands.</p>	<p>Consistent</p> <p>The Planning Proposal is supported by an Urban Design Report (see Appendix A which provides for 110 Independent Living Units in a mix of 2- and 3-bedroom layouts.</p> <p>The Proposal will facilitate the replacement of an old Retirement Village, which was built prior to current accessibility and design requirements, with a more suitable purpose-built development, of good design. The Site's location in close proximity to shops, public transport and services assists in reducing the consumption of land in lower-density zones, which may be more remote from the commercial hub, than the Site.</p> <p>The Planning Proposal seeks to increase density and height to facilitate increased Gross Floor Area, on an established and serviced Site. The increased density for Seniors Housing, will mitigate the current situation of dwelling loss, resulting from amalgamation of under-sized units, which do not have adequate amenity consistent with current-day design standards.</p>

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

The Site is identified in the mapping of the Glenorie Soil Landscape Association, which occurs extensively around Turramurra. The accompanying Arborist Report (2023) prepared by Arterra in **Appendix C**, provides the following description of the Site's soils and vegetation as follows;

Soils	Vegetation
Typically, these soils would be moderately deep Red or Brown Podzolic Soils, where the boundary between topsoil and subsoils is relatively clear. They are generally friable loamy soils, but fertility is generally still low to moderate and they are usually acidic. Due to the higher clay content, they can have reasonable nutrient and water holding capacity. Of key concern is that the topsoils and subsoils can become hard setting and subject to compaction, particularly if trafficked when moist. They may also subject to localised waterlogging and their acidity can lead to aluminium toxicity issues for plants.	<p>The natural vegetation that once characterised the Glenorie Soil Landscape Association, has now been extensively cleared in the local area, but it would have been tall open forest known as Blue Gum High Forest. This is now a Critically Endangered Ecological Community (EEC) and was dominated by the following representative species:-</p> <ul style="list-style-type: none"> • <i>Eucalyptus saligna</i> (Sydney Blue Gum) • <i>Eucalyptus pilularis</i> (Blackbutt) • <i>Eucalyptus paniculata</i> (Grey Ironbark) • <i>Syncarpia glomulifera</i> (Turpentine) • <i>Eucalyptus globoidea</i> (White Stringybark) • <i>Angophora floribunda</i> (Rough-barked Apple)

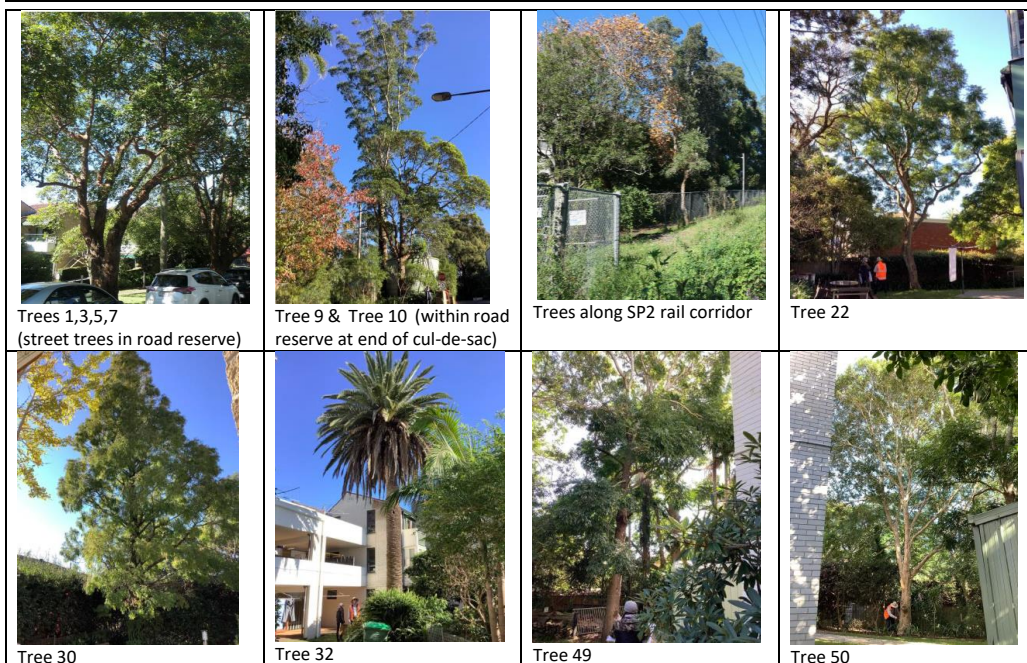
The Arboricultural Impact Assessment Report (2023) prepared by Arterra Design, provides the following description of the Site's vegetation;

The Site and its immediate surrounds, contains trees from a variety of periods during its development but most of these only date from the late 1980s onwards. Most of the trees that are closely associated with the existing buildings, and the more recent facilities, are small, exotic and common place species. Many have been significantly pruned to achieve and maintain building and pedestrian clearances, with many displaying asymmetric forms due to the proximity to structures. This would often lead to substandard tree forms, if they were retained after the buildings were removed. The majority of significant and better-formed trees are located towards the periphery of the Site.

The Arboricultural Assessment Report (2023) at Page iii, provides a summary from the impact assessment which is reproduced in **Table 15** below;

Table 15 - Arboricultural Assessment Report key extracts

- *"All High retention value trees (100%) are being retained and protected*
- *37 Moderate retention value trees (86%) are being retained and protected*
- *1 Moderate retention value tree is being retained, protected and then ultimately transplanted to a suitable new location within the site*
- *A total of 42 trees are suggested for removal. Of these:*
 - *37 (87%) have been assessed as having Low retention value. They are predominantly small, exotic or weed species or identified as having poor form or major defects. 28 of these are within the footprint of the proposed works.*
 - *5 (13%) are trees of Moderate retention value and are situated within the footprint of the proposed works"*



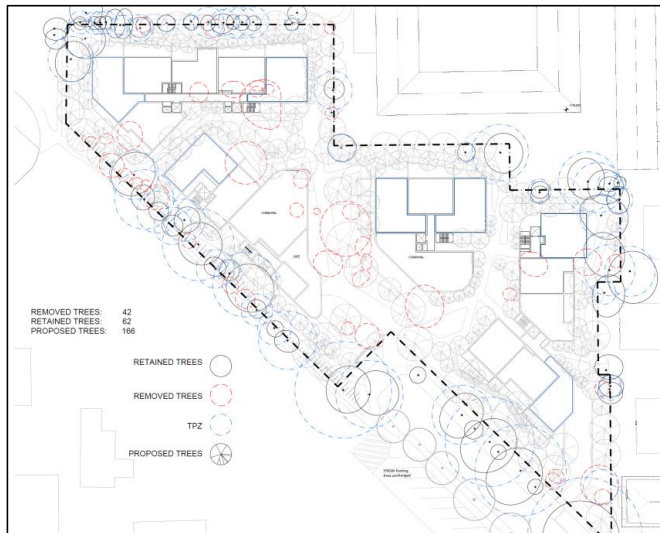


Figure 45: Tree Management Plan Source: Site Image (Rev C: 10-8-23)

Figure 45 illustrates the proposed tree removals that would be necessary to accommodate Planning Proposal Concept Design on 51-53 Rohini Street. Most trees to be removed are rated "low" retention value by the arborist and predominantly comprise exotic plantings such as camelias, jacaranda, and magnolias.

The below **Figure 46** (KLEP 2015 Biodiversity Map) and **Figure 47** (Vegetation Map), illustrate that the Site is relatively free of sensitive ecological vegetation, with the Biodiversity Map reflecting Tree 10 (Blackbutt) and Tree 9 (Brushbox), which have trunks located within the Rohini Street Road Reserve and canopies that overhang the Site.

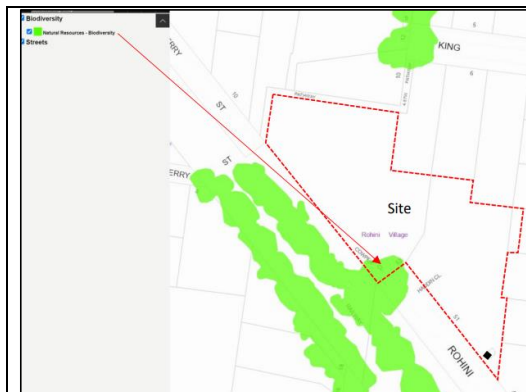


Figure 46: KLEP2015 Biodiversity map extract
Source: Ku-ring-gai On-Line Map Viewer



Figure 47: Vegetation map extract
Source: Ku-ring-gai On-Line Map Viewer

No biodiversity mapped Blue Gum High Forest (BGHF) trees are proposed to be removed to accommodate the development within the subject Site. Travers Environmental have inspected the site and conclude per below;

"Arising from the fact not one of the above triggers will occur then it can be readily construed that a BDAR is not required to be prepared. In addition, there is no requirement for a response to be provided in respect of the State Environmental Planning Policy (Biodiversity and Conservation) 2021".

A copy of the Biodiversity Advice prepared by Travers Environmental are provided at **Appendix G**.

Public Domain Upgrades: The Project gives rise to new opportunity to upgrade the Council Public Domain comprising the 3.7 m wide pathway connection to King Street and along Rohini Street. The Urban Design Concept for redevelopment within the Subject Site at 51-53 Rohini Street, would not impact vegetation identified on the KLEP 2015 Biodiversity Map and Biodiversity Values Map.

Should Council wish Anglicare to proceed with the upgrades to the Public Domain along Rohini Street; namely road widening at the cul-de-sac turn head and landscape upgrades along naturestrip, it will become necessary to relocate Tree 8 (Palm) and to **remove Tree 9**, (Brushbox).

Tree 10 (Blackbutt) Biodiversity mapped vegetation and could be accommodated, as it sits further from the future carriageway turn head as detailed in **Figure 48** and **Figure 49** below. Replacement of the street trees along Rohini Street as part of a Planning Agreement for upgrades to the Public Domain by Anglicare, is an option that could be undertaken at Anglicare's cost but would be for Council to determine.

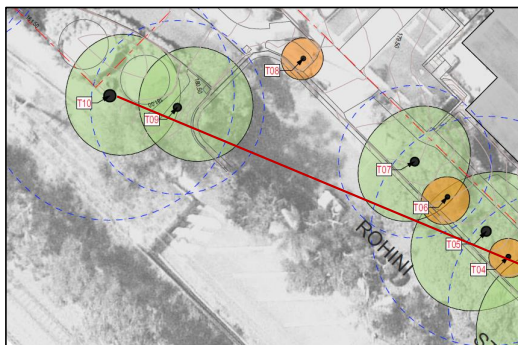


Figure 48: Tree Plan extract (end Rohini St)
Source: Anterra

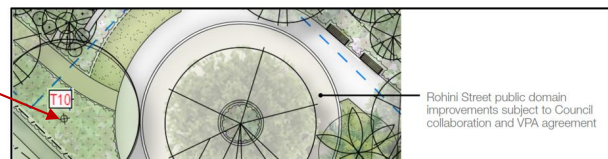


Figure 49: Extract Precinct Plan (Urban Design Report)
Source: Site Image

Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The Planning Proposal is unlikely to have any Environmental Effects that cannot be readily managed. This is because a notable feature of the Site, is the absence of environmental constraints such as flooding, landslip, bushfire hazards and heritage affectation which the Local Strategic Planning Statement (LSPS) seeks to avoid for Planning Proposals in Ku-ring-gai.

While the Site does not contain any items of environmental heritage, it is located to the south of a Heritage Conservation (HCA) and is in the vicinity of several local heritage items. An assessment of the Aboriginal and European heritage for the Site and surrounds is provided overleaf;

Aboriginal Heritage:

A search of the AHIMS Web Services (AWS) was undertaken 18-6-23. **Figure 50** below shows no identified records of Aboriginal sites or places recorded on the subject site.

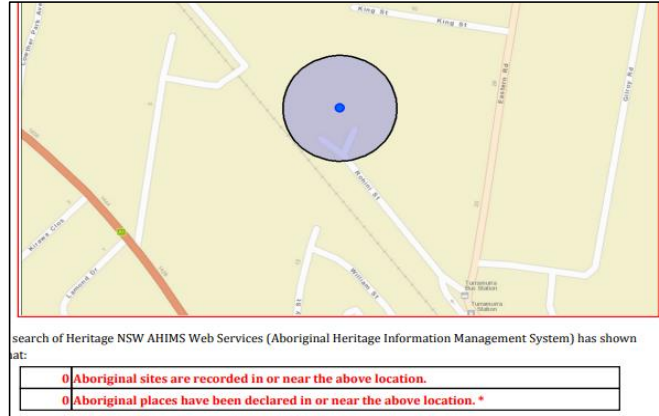


Figure 50: AHIMS Search 51-53 Rohini Street

Source: AHIMS

European Heritage:

Prior to the construction of the existing retirement village, the Site was occupied by a house constructed between 1892 and 1895 by then owner Francis Gerard. The existing Retirement Village was constructed between 1969-1975. A Heritage Assessment of the Site prepared by Kemp & Johnson Heritage Consultants (2023) which incorporates the historical background of the Site and the key areas of Heritage significance in the surrounding area is provided at **Appendix D**.

At three locations along the site boundaries (Rohini Street driveway, the pedestrian entry to the north-west, and the St James path link gate) there remain sandstone gate posts. **Figure 51** below identifies the locations.



Figure 51: Gate Post location map

Source: Kemp & Johnson Heritage Consultants

The left gatepost to Rohini Street (Location 3) includes the carved letters “Rohini”. These gateposts, which date from the early 20th century, after 1908 when the property became known as “Rohini”, are the only remaining evidence of the previous dwelling on the site. The gateposts been reduced in height in the period 1969-1975 when the retirement village was built, and have also been relocated (*Source: Kemp & Johnson Heritage Consultants 2023*).

Rohini Village is located adjacent to the southern part of the “C5” King Street/Laurel Avenue Heritage Conservation Area as shown in **Figure 52** below.

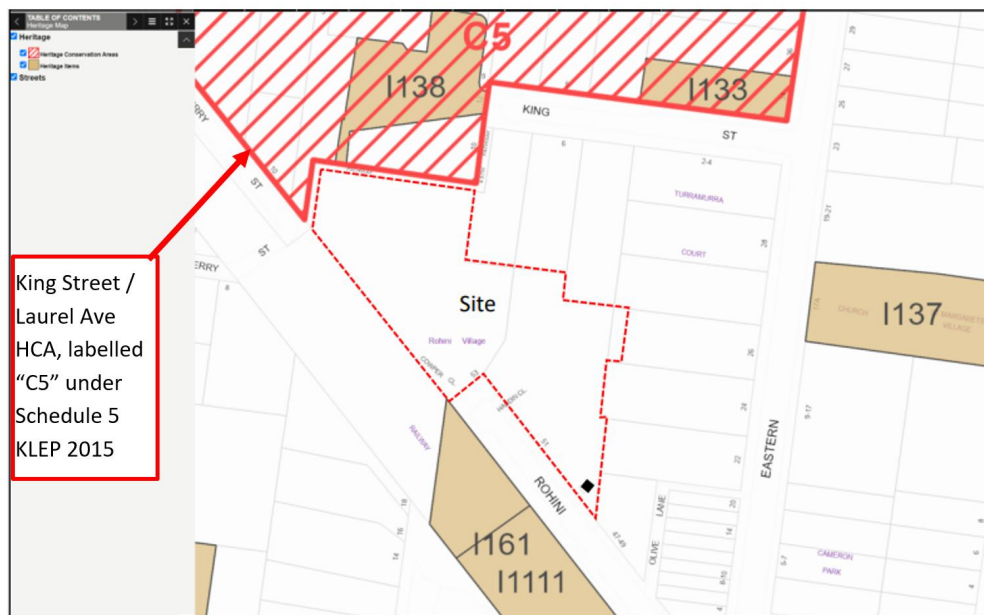


Figure 52: KLEP 2015 Heritage map extract

Source: KRG On-Line Map Viewer

Rohini Village is also in the vicinity of a heritage item No. I138, “Bellwood dwelling house” at 12 King Street, Turramurra, which is a large 2-storey residence built circa 1900-1915. The house is approximately 30 metres to the north of the Rohini Village boundary, and is visually screened from Rohini Village by the residential dwelling and tall tree landscaping located on No 10 King Street, together with dense plantings along the Council pathway.

The heritage listed “Turramurra Station Group” (Item I1111 under Schedule 5, KLEP 2015) is located downhill and to the south of the Rohini Village Site. The Turramurra Train Station is visually screened from Rohini Site by tall tree plantings within the Railway corridor and along both sides Rohini Street. The early 20th century “Rohini House Gates” (Item I161) are also in the vicinity of the Site. Though the Heritage Impact Statement at **Appendix D** suggests the gates have been incorrectly mapped as being on Lot 1 DP1129573 (Railway Corridor), when in fact they are located within the Rohini Street Road Reserve. The “Rohini” gateposts can be readily incorporated into a future redevelopment of Rohini Village Site.

The Site and future development envelope is largely screened from the Heritage Conservation Area by existing dense tree plantings and No 6 King Street, a 3-storey red brick apartment building.

This lack of visibility from King Street Heritage Conservation Area (HCA) is evident in **Figure 53** below. This photomontage has been prepared as part of the Urban Design Report in **Appendix A**.



Figure 53: - King Street HCA (view of the development envelope from the frontage of St James Church)
Source: Virtual Ideas

The Rohini Village Site is not a heritage item and is not within a HCA. Notwithstanding, the Site's location near a HCA and several Heritage Items, the Site is physically separated and is largely screened by established vegetation and other contemporary buildings including No 6 King Street unit block.

Accordingly, there are no detrimental environmental effects that will result from the Planning Proposal given there is a notable absence of environmental constraints such as flooding, landslip, heritage ecological and bushfire hazards for this Site.

Q10. Has the planning proposal adequately addressed any social and economic effects?

The social benefits arising from the Proposal are numerous and may be summarised as follows:

➤ **Jobs Creation and Employment:**

Rohini Village currently employs 3 staff on-site. The construction will generate considerable employment of around 200 jobs over a 12-18 month period. The new Rohini Village facility with the expanded on-site facilities, would employ at least 10-15 full time employees to service the development. In addition, there would be further part-time jobs and ancillary jobs created through the operations of the Wellness Centre, pool and café. The revitalisation of the Rohini Village will also have substantial economic benefits to the Turramurra Town Centre from both staff and residents who will utilise local shops and services.

➤ **Impact on Social Infrastructure:**

The Planning Proposal makes a positive contribution to social infrastructure in Turramurra, which will be even more significant, given the Turramurra Community Hub development has not progressed. Rohini Village will continue to be owned and managed by Anglicare, an owner and manager of other Seniors villages across Ku-ring-gai and the wider Sydney Metropolitan Area. The established social infrastructure, both on-site and off-site, is specifically formulated to encourage Village Residents to access, reducing reliance on existing social infrastructure.

The Site is currently occupied by 110 Independent Living Units (ILUs) with on-site support facilities for the residents. These include a community centre; clinic; salon; library; laundry facilities; and BBQ facilities with community rooms.

The Planning Proposal seeks to redevelop the Site incorporating 700 m² of Community Facilities. Included to the above services will be café; wellness centre; and indoor pool, which are intended to be patronised by both "Rohini Village" residents and the surrounding Turramurra local community. This is design to create inclusiveness and social interaction between residents and the wider community. The shared use will facilitate greater intergenerational social interaction which benefits both Village seniors and younger residents in the community.

➤ **Impact on Retail Centres:**

The Proposal would be a positive in terms of both social and economic outcomes in the local area and also the Region. This Planning Proposal is replacing 110 smaller ILUs with 110 larger ILUs. The result will be a positive, as a population increase from the current 110 residents to some 150 residents, would add to the vibrancy and the economics of the area without any increase to traffic or any meaningful physical changes to the area or the locale. The increase in residents gives greater access to the population to retirement services, helps the community to age in place, and improves viability of services and businesses in the Ku-ring-gai LGA.

➤ **Proposed Public Benefits:**

Housing Growth:

The existing Rohini Village has already undergone a gradual loss of dwellings due to the amalgamation of small Independent Living Units (ILUs), to create larger dwellings. There has also been a gradual loss in overall occupancy, with the older and smaller dwellings with poor levels of accessibility being less sought after. The Planning Proposal, though not increasing dwelling numbers, will re-establish market interest in the Village and its services. By designing the new 2-bedroom and 3-bedroom ILUs with lift access in line with the latest market demand patterns, demand an occupancy will return to their highest levels in recent decades.

Impact on Schools and Hospitals:

The retirees would have no obvious additional demand increases on local schools. On the positive side, there are several hospitals including Royal North Shore (Artarmon), Hornsby Hospital (Hornsby) and the Sydney Adventist Hospital (Wahroonga), whose services would be important to elderly residents in Turramurra. The modest levels of increased population would not have a discernible impact on local hospitals.

Further, Anglicare records show that a large portion of their residents typically move from the surrounding areas in Ku-ring-gai and neighbouring LGAs and a small percentage would be drawn from outlying areas. In this regard Anglicare have advised;

"In terms of catchment. Our experience at Gordon Quarter was that all our customers came from a 15km radius of Gordon. Some 62% of the at Rohini residents came from the surrounding north shore area."

Impact on Public Open Space or Impacts on Green Infrastructure:

A key feature of this Planning Proposal, is its contribution to increasing open space and improving linkages to existing surrounding open space. The new building form is broken into smaller clusters, specifically designed to create interconnected hierarchical open spaces.

A central open space in the middle of the site will now serve as an activity generator, to be open to the public, as illustrated by the "Rohini Walk" green line in **Figure 54** overleaf, whilst other secondary open spaces on Site will cater for many other semi-private uses.

The massing of the built form allows for better solar access than previously to these open spaces on Site, as illustrated in **Figure 55** overleaf.

Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra



Figure 54: Community Focused Facilities (with cross-site link) Source: Site Image and Plus Architecture



Figure 55: Solar Access to Open Spaces

Source: Plus Architecture

The Concept Masterplan and proposed buildings on the Site, have been located and designed with strong regard for retaining all significant trees, and creating a positive relationship with neighbouring sites. The perimeter landscape plantings and treatments reinforce existing buffer trees and tall shrub plantings, by creating a series of feature seating and amenity nodes to loop walkways. The landscape common open space will provide lush green-garden settings for the buildings, with the planting of canopy and accent trees, to help integrate amenity areas, as a series of inviting destinations to amenity areas. Key landscaped areas on-site include:

- Arrival Plaza with active communal spaces with lawns, water features and breakout terraces;
- Cafe and Community Room Terrace, with outdoor seating, lawn and trees, feature gardens, and play areas;
- Common Open Space Garden Areas, with seating and gathering spaces, barbecues, exercise areas, and community gardens;
- Loop Walkway Node Areas, with points of interest such as water features, urns and feature planting, seating and a matrix of fine-art sculptures, placed through the gardens.

The Rohini Village Proposal retains and reinforces the substantial existing landscaped and tree-lined edges to the north, east, south and west of the Site. The Site's landscape treatment is there to provide a significant residential garden and canopy-tree setting, for all buildings. The Central North-South Public Access Spine, across the Site, will provide a new and significant contribution to local amenity, and provide an active identity space, extending the Rohini Street access corridor. The Proposal has appropriately scaled buildings, that are well-integrated with neighbouring sites, with significant green edges. Rohini Village will provide a positive contribution to the Local Centre, that resolves the northern edge of the land, giving it a true Seniors Living identity, as an active precinct within the local community.

The new "Open Site" approach by Anglicare, will genuinely integrate with, and provide amenity to the wider community and is a generous initiative, to provide publicly accessible common open space in the locale. The commitment to offering a cross-site link, was initiated by Anglicare to achieve this outcome. It has been welcomed by Council officers as a generous gesture with numerous significant benefits to the community, and seen as contributing to the overall amenity within the Turramurra Village Precinct.

Public Benefits: Public Domain discussions with Council officers, have also included possible Planning Agreement contributions for provision of a Publicly Accessible cross site link ("Rohini Walk") and pocket park together with upgrades to the Public Domain including part of the King Street public pathway, and Rohini Street upgrades to improve Village connectivity with the surrounds. Significant Public Domain and Publicly Accessible private lands initiatives by Anglicare to Council for streetscape improvements include;

- Providing “Rohini Walk” 88 m walkway link across the village site. This will comprise a landscaped pedestrian walkway across privately owned Village lands, that allows the wider community to access.
- Creation of new pocket park (25m x 7m) with seating being publicly accessible private lands adjacent to Rohini Street public domain.
- Upgrade northern end of Rohini Street adjacent to the site with new turning head. This would involve collaboration with Council regarding creating a turning head to the dead-end road, and provision of publicly accessible private communal open space.
- Upgrade of Rohini Street footpath for the length of 150 m along the site frontage.
- Upgrade of the public pathway connection between the northern end of “Rohini Walk” and King Street.

Figure 56 below prepared by Site Image, illustrates the potential landscape upgrades to the public domain at the northern end of Rohini Street which accompanies the Letter of Offer at **Appendix J**.



Figure 56: Potential Public Domain upgrades to Rohini Street

Source: Site Image & Plus Architecture

Figure 57 overleaf illustrates the combined Landscape Concept for the site and Public Domain if the Letter of Offer and draft Planning Agreement upgrades are accepted by Council.

Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra

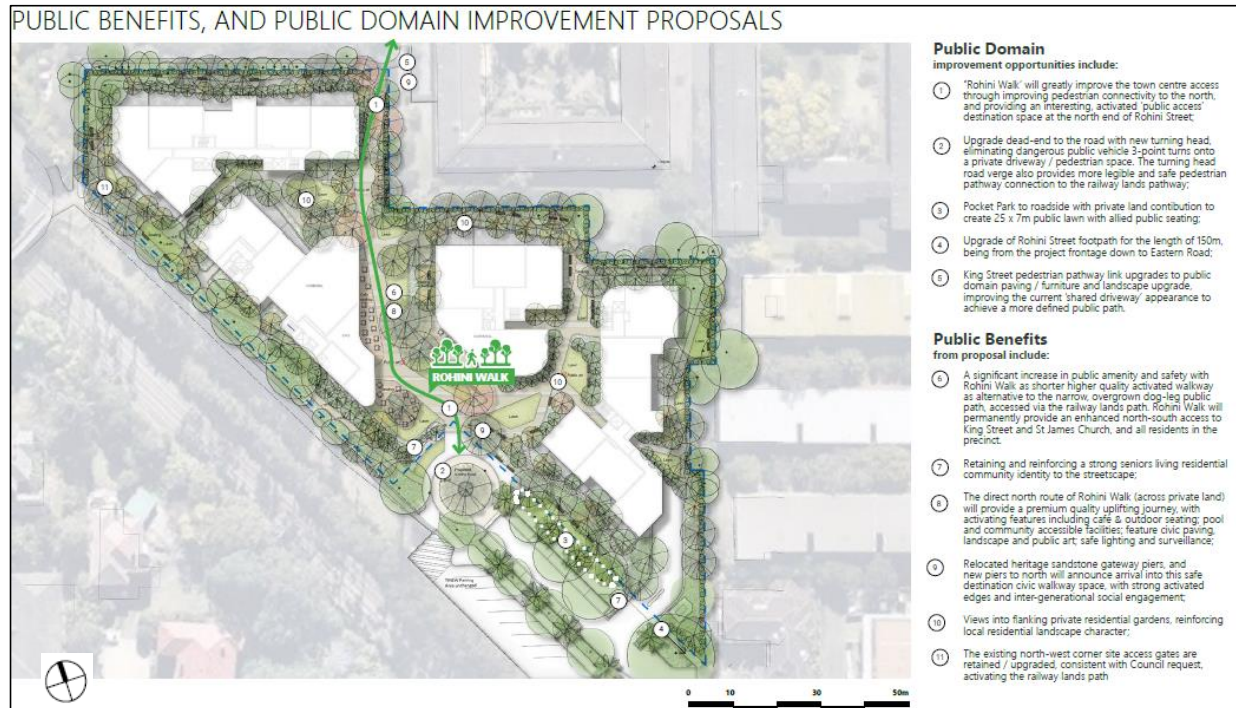


Figure 57: Concept Landscape Masterplan with potential Public Domain upgrades

Source: Site Image & Plus Architecture

The above Landscape Concept prepared by Site Image, outlines the potential for upgrades to the Council's Public Domain in Rohini Street and King Street which would be supplemented with the Village north-south pedestrian link. The potential Public Domain benefits and opportunities to collaborate to assist Council proposals were presented to Council's Public Domain team and interest was expressed.

This northern precinct of the Turramurra Village could significantly contribute to town centre pedestrian links, precinct identity and general amenity. As private lands, Council of course could not contemplate the potential contribution of Rohini Village lands to the Public Domain. Anglicare has noted they are pleased to be able to offer these opportunities as part of Planning Agreement dialogue.

Under the Planning Proposal submitted, the new Concept Design, has a new site axis creating a pleasant and well-connected walkable loop within the neighbourhood. This will ensure a safe, comfortable and attractive new walk is offered for daily errands to all residents, and not just to Rohini Village occupants. Additionally, the existing path along the train line, can be enhanced and beautified, with Sydney Trains agreement, to maintain a connection to Cherry Street. A future bridge along Ray Street, will also allow for a quicker journey to the commercial area to the south.

Figure 58 below illustrates the contextual location of the two components of potential upgrades comprising Public Domain identified as ① and ② which is linked by “Rohini Walk”, Publicly Accessible Private Lands (Rohini Village).



Figure 58: Public Domain Improvement Opportunities

Source: Site Image & Plus Architecture

Figure 59 overleaf further illustrates the respective Public Domain and Publicly Accessible Private Lands (cross-site link “Rohini Walk”).

Figure 60 overleaf shows how the Planning Proposal cross-site link fits into the context of existing pathways, St James Church, Cameron Park, Town Centre, buses and train station. It also demonstrates how the Proposal works in the context of the future Ray Street bridge and Turramurra commercial area to the south.

Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra



Figure 59: Public Improvement Opportunities

Source: Site Image & Plus Architecture

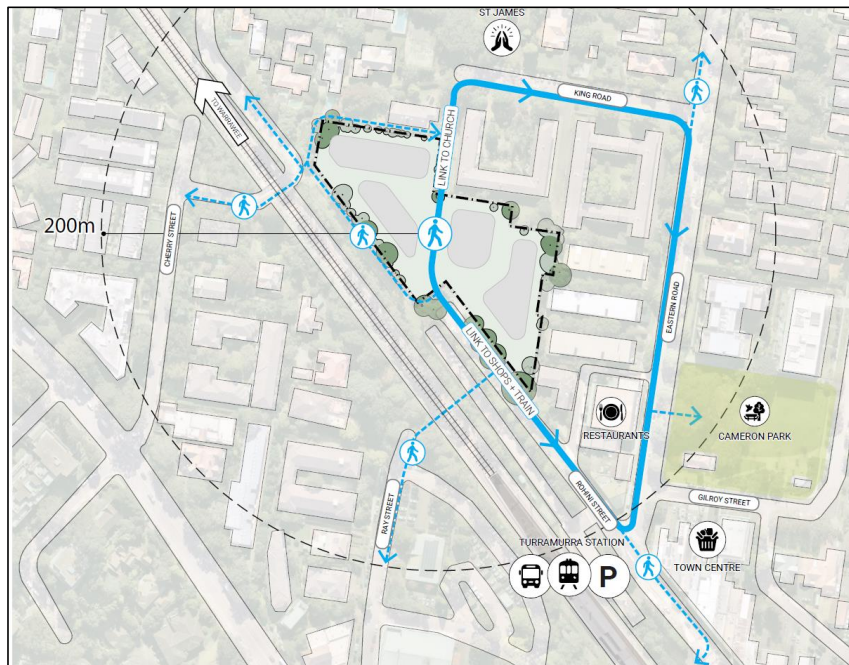


Figure 60: Pedestrian Connectivity Map

Source: Plus Architecture

Section D - Infrastructure (Local, State and Commonwealth)

Q11. *Is there adequate public infrastructure for the planning proposal?*

The Rohini Village Site is within an established urban area and is currently fully serviced by stormwater, water, sewer and electricity infrastructure. These can be upgraded for future development, if required. Maps obtained from "Before You Dig" show existing public utilities and infrastructure in and around the Site and are provided at **Appendix F**.

The site also adjoins the Turramurra Town Centre and Train Station, which affords it a high level of access to facilities and services. Given the Proposal seeks to achieve planning controls that will facilitate replacement of the 110 seniors units with 110 larger units and incorporates on-site facilities to meet the needs of the residents, the resulting development will not place additional demand on public infrastructure.

Section E - State and Commonwealth Interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The views of State and Commonwealth Public authorities, will be known once, consultation occurs in accordance with the Gateway determination of the Planning Proposal (PP). Preliminary advice has been sought from **Transport for NSW** in response to Council requests. Given the Site's location, abutting a rail corridor, referral to **Sydney Trains**, has also been sought on 21-8-23, to ascertain any specific requirements for development within 25 metres of a railway corridor. The responses are summarised below and attached at **Appendix L**.

Transport for NSW

Pre-PP meetings with Council have highlighted consultation with Transport for NSW (TfNSW). A formal referral has already been undertaken in this regard with the following request for advice submitted 2-6-23:

"Anglicare proposes to lodge a Planning Proposal with Ku-ring-gai Council for the proposed redevelopment of their Rohini Village located at 51-53 Rohini Street, Turramurra. The planning proposal seeks to amend the height and floor space ratio applicable to the site to allow the redevelopment of the existing 60-year-old 110-studio unit retirement living development to provide mainly 2- and 3- bedroom Independent Living Units to meet modern day needs and demands. Anglicare does not seek to increase the number of units offered compared to what exists on the Site today and proposes new community facilities such as café and pool facility that are intended for the residents. Vehicle access is proposed to remain along Rohini Street, a no-through road.

Stantec is providing traffic and transport services on the project including the preparation of a Transport Impact Assessment to accompany the Planning Proposal. Traffic counts of existing site access points were completed and found the site currently generates around 11 vehicles per hour. Our estimate for the future development is that it could generate around 20-25 vehicles in the peak hour (i.e. net increase of only 10-15 vehicles over the current site or one vehicle every 4-6 minutes). It is our view that there will be no discernible impact on the road network particularly considering volumes along Pacific Highway (State Road) and Eastern Road (Regional Road). On this basis, we have not envisaged that traffic modelling of nearby intersections such as along Eastern Road or Pacific Highway are necessary as such additional traffic volumes would not have notable impacts on the surrounding road network. We intend to discuss quantitatively in our assessment, the traffic distribution, assignment and impact of the additional traffic along these roads.

In addition to seeking TfNSW feedback on the Impact Assessment Methodology, we also request feedback on the following noted in Council's Pre-Planning Proposal Meeting notes, that they have requested evidence of State Agency discussions with TfNSW on:

- any existing and future TfNSW SP2 road widening requirements*
- any existing and future pinch point program requirements*
- any potential additional development setback requirements*
- any potential alteration/ expansion of bus services along the corridor".*

The response from Transport for NSW (letter dated 23-6-23) in respect to the above includes the below;

- Traffic Modelling:- TfNSW has no requirement for intersection modelling considering the proposed redevelopment is unlikely to have a significant impact on the classified road network.
- TfNSW SP2 Road Widening:- TfNSW has no proposal which currently requires any part of the subject site.
- Pinch Point Program:- TfNSW has no pinch point program currently involves the subject site.
- Additional Development Setback:- TfNSW has no additional development setback requirements currently for the subject site.
- Potential Expansion or Alternation of Bus Service:- TfNSW foresees limited to no impact on buses from this pre-planning proposal and notes that there are no immediate plans to increase bus service levels along the corridor.

In response to TfNSW request, follow-up information (submission of a Scoping Report by DFP) was provided to TfNSW on 26-6-23 and the draft Traffic and Parking Report (prepared by Stantec) was submitted 4-7-23 .

The below is a summary of TfNSW response issued 20-7-23;

- Access Arrangement:- TfNSW refer to a consolidated basement with entry from the existing driveway at the SE corner of the site. The TfNSW letter also (incorrectly) refers to there being a proposed secondary vehicle access from the northern end of Rohini Street for service vehicles. Note: The current driveway entry at the northern end of Rohini Street is proposed to be replaced by landscaping and pedestrian pathways under the PP Masterplan design.
TfNSW encourages the proponent to further consult with KRG noting the Council intends to relocate traffic signals from Rohini Street to Turramurra Avenue to reduce traffic flows in Rohini Street.
- Carparking:- TfNSW supports Travel Demand Management (TDM) measures such as appropriate maximum parking rates and adopting the lower parking rate (in consultation with Council) in accordance with the KDCP.
- Loading and Servicing:- TfNSW notes a loading area is provided in the basement and recommends the development provide adequate freight and service vehicle spaces.
- Sydney Trains:- TfNSW suggests that if the proponent may wish to discuss Sydney Trains requirements prior to lodgement of the PP to ensure safety and structural integrity of rail land/assets.
- Noise Attenuation: TfNSW recommends consideration is given to appropriate noise attenuation measures.

A copy of the responses from TfNSW are provided at **Appendix L**.

Sydney Trains

The site adjoins the SP2-Infrastructure zoned Railway Lands, which is contiguous to the southern boundary of Lot 21, a part of Rohini Village Site. This part of the Site is currently occupied by a 4-storey ILU building (8m setback to SP2 lands incorporating a 2-way sealed driveway) and will be replaced in the new scheme with a 6-storey Independent Living Unit (ILU) building with 6+metre wide landscaped setbacks.

A public pathway currently extends along the entire boundary of the Subject Site Lot 21 and the train line is sited several metres below the railway's pedestrian pathway. This is illustrated in **Figure 61** below which shows the sealed public pathway adjoining the Rohini Site boundary (mesh) fencing.



Figure 61: Looking north-west along the boundary fence line to Railway Corridor

A public commuter carpark is also located directly opposite the Site which is another positive aspect of the Site's location. The commuter carpark has a driveway entry opposite No 47-49 Rohini Street's driveway. The existing and proposed Village entry driveway is located to the north-west of No 47-49 driveway. **Figure 62** below shows there will be no direct conflict in traffic movements by cars entering or departing the Village driveway, with commuters using the Railway carpark driveway entry downhill.

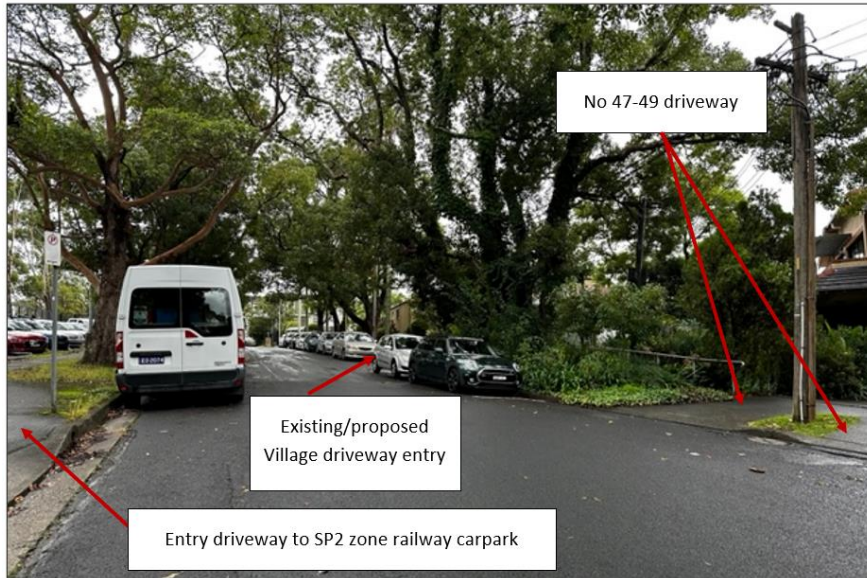


Figure 62: View of Rohini Street looking NW and SP2 railway carpark entry

Figure 63 below illustrates the existing and proposed buildings alongside the rail corridor will be approximately 26 m from the nearest train track.

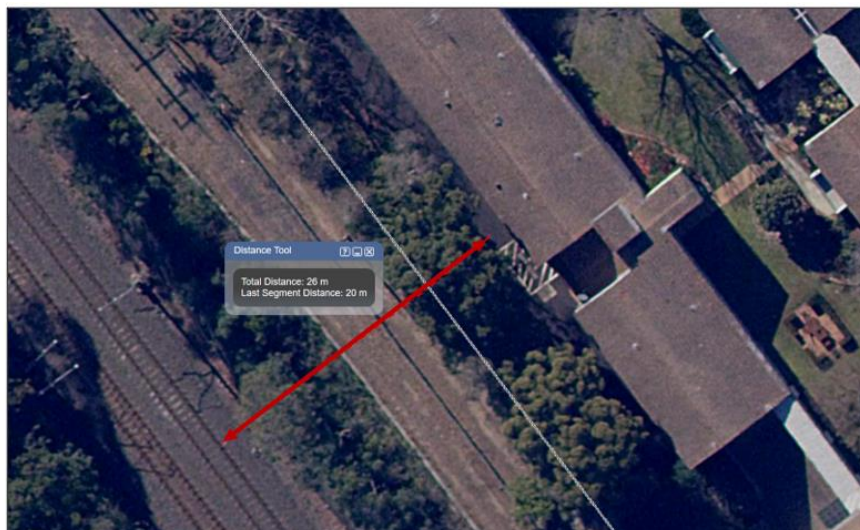


Figure 63: Aerial showing Track Separation with the Building Setback Line Source: Sixmaps

Given the Site's location, adjoining a railway corridor, referral to Sydney Trains, (responsible for the maintenance of assets, including tracks and trains, signals, overhead wiring, stations and facilities) was sought (21-8-23), to ascertain any specific requirements for development within 25 m of a railway corridor.

The below response was received from Transport for NSW Property & Commercial Services (7-11-23) on behalf of the land owner Transport Asset Holding Entity (TAHE):

Thank you for providing Transport Asset Holding Entity (TAHE) with an opportunity to review the Planning Proposal (PP) at 51-53 Rohini Street, Turramurra. As neighbouring land owner of the rail corridor and land leased to Council located west of the proposed site, TAHE would like the following matters to be considered by Council and the Applicant in preparation of the PP and during the course of the assessment process.

- Setbacks from TAHE owned land should also take into consideration potential for re-purposing of the rail land at a later time/when it is no longer required for rail purposes. Transport Asset Holding Entity (TAHE) owned site (Lot 100 in DP1169206) is situated adjacent to part of the site subject to this Planning Proposal. As such, it is requested that Council and the Applicant consider the proposed distance of separation between the windows and balconies (as per the Apartment Design Guide requirements (ADG) under Part 3, Object 3F-1 Visual Privacy) that face the TAHE owned site. The Applicant and Council is requested to ensure that the minimum separation is to be shared equitably with the applicant's site and ensure that the design in no way relies on TAHE owned land or assets for the variation to minimum separation distances.*
- Allowable height, setbacks and massing controls on the subject site should take into consideration a potential redevelopment of the leased area at a future date in terms of privacy and overshadowing.*
- Planning controls for future envisaged development on the subject site should in no way rely on TAHE owned land including commuter parking areas for car parking, access, reduced setbacks or the like to ensure any such development does not thwart future redevelopment opportunities of TAHE owned lands.*
- Transport for NSW Property & Commercial Services (TfNSW P&CS) has the delegation to act on behalf of Transport Asset Holding Entity (TAHE- formerly known as RailCorp) TAHE, the landowner of rail land. As TAHE is a landowner within the subject area, it is requested that Council and future nearby developers liaise with TfNSW Property & Commercial Services throughout each stage of the planning and development process of this site. We can be contacted via TAHE_landownersconsent@transport.nsw.gov.au*

The below response was received from Sydney Trains on 9-11-23.

- The Proposed Planning seek to increase height and density, to facilitate the proposed residential development on the site. The area that is subject to the proposed planning controls is adjacent to the Sydney Trains rail corridor and land owned by Transport Asset Holding Entity (TAHE). The proposed planning controls whilst supported in principle, will require the future potential Applicant/Developer to approach Sydney Trains early in the design process (as part of pre-DA discussion) to ensure that all relevant Sydney Trains matters of consideration are taken into account and are incorporated in the future design of the development. These considerations include, but are not limited to, geotechnical and structural details and construction methodology, electrolysis report, and relevant requirements and standards within State Environment Planning Policy (Infrastructure) 2007, 'Development Near Rail Corridors and Busy Roads – Interim Guidelines', Asset Standards Authority etc.*
- It is imperative that future planning for these locations, take into account the overall drainage impacts of developments onto the rail corridor. In this regard, Council must be satisfied that drainage from new developments can be adequately disposed of and managed and not allowed to be discharged into the rail corridor. In some cases, Council may need to plan and incorporate drainage easements along rail corridors early in the planning process, to accommodate for drainage connection between newly constructed developments and Council drainage network. In other cases, alternative drainage solutions must be considered, or a review of development potential of an area may be necessary to resolve some drainage issues. It should be noted that drainage into the rail corridor will not be permitted.*
- An adequate setback must be maintained across the entire length of a new development as it abuts the common boundary with the TAHE owned land; this is required for future constructability and maintenance purposes.*
- Further, early planning decisions must be made in relation to developments located near rail corridors which are likely to be impacted by noise and vibration. Additionally, the potential impacts of adjacent developments onto the rail corridor must also form the basis of early decision making and development of controls in critical locations. In this regard, Council should refer to the Department of Planning – Development Near Rail Corridors and Busy Roads – Interim Guidelines.*
- The proposed additional density and building height on this site is expected to add additional pressure on existing Sydney Trains services and operations. Our review has not included an assessment of the existing capacity of rail services to this area. Council should give consideration to how this development will be serviced in future and is urged to liaise with the relevant nominated team in TfNSW.*

The above matters raised by Sydney Trains including geotechnical, structural details, construction methodology, electrolysis report and drainage management can be addressed during a future pre-DA stage.

The Urban Design Report includes an Apartment Design Guide review of the Concept Masterplan which achieves 6 metres to 9m setbacks to the SP2 zoned railway corridor.

A copy of the pre-consultation email responses from Sydney Trains and Transport for NSW Property & Commercial Services is provided at **Appendix L**.

PART 4 - Maps

Current Ku-ring-gai Planning Maps

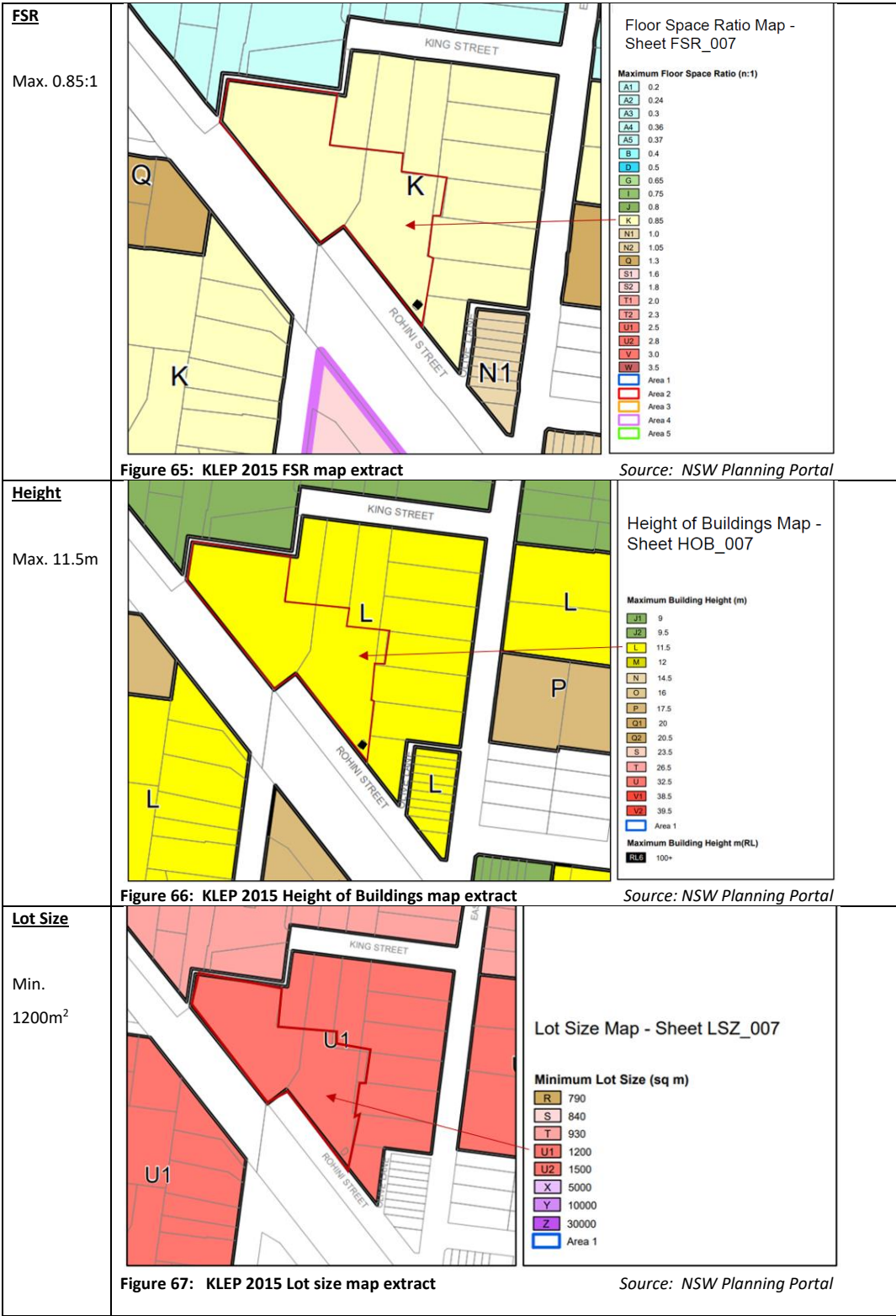
The below **Table 17** provides a key summary of the existing Ku-ring-gai planning maps that relate to the Site and surrounds. The map extracts at **Figure 64** to **Figure 70** show the subject site is largely surrounded by high density zones with 11.5 m to 17.5 m permitted building heights and railway lands. The Site itself is relatively free of environmental constraints that would constrain increase in height/density on the Village Site.

No changes are proposed to the current existing maps.

Table 17 - Existing Ku-ring-gai Planning Maps Summary

Zoning	
R4 High Density Residential	
Density	
Residential	
	Figure 64: KLEP 2015 Zone map extract Source: NSW Planning Portal
	Zone R4 High Density Residential
	1 Objectives of zone
	<ul style="list-style-type: none">To provide for the housing needs of the community within a high density residential environment.To provide a variety of housing types within a high density residential environment.To enable other land uses that provide facilities or services to meet the day to day needs of residents.To provide for high density residential housing close to public transport, services and employment opportunities.
	2 Permitted without consent Home occupations
	3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Shop top housing
	4 Prohibited Any other development not specified in item 2 or 3

Planning Proposal for Anglicare Rohini Village 51-53 Rohini Street, Turramurra



<p>Heritage</p> <p>Site is not heritage listed and not within HCA.</p>	<p>Heritage Map - Sheet HER_007</p> <p>Heritage</p> <ul style="list-style-type: none">Conservation Area - GeneralItem - General
<p>Acid Sulfate Soils</p> <p>Class 5</p>	<p>Acid Sulfate Soils Map - Sheet ASS_007</p> <p>Acid Sulfate Soils</p> <ul style="list-style-type: none">Class 1Class 2Class 3Class 5
<p>Terrestrial Biodiversity</p> <p>Mapped vegetation at northern end of Rohini Street</p>	<p>Terrestrial Biodiversity Map - Sheet BIO_007</p> <p>Biodiversity</p> <ul style="list-style-type: none">Biodiversity <p>Cadastre</p> <ul style="list-style-type: none">Cadastre 10/03/2021 © Spatial Services

Figure 68: KLEP 2015 Heritage map extract

Source: NSW Planning Portal

Figure 69: KLEP 2015 Acid Sulfate map extract

Source: NSW Planning Portal

Figure 70: KLEP 2015 Terrestrial Biodiversity map extract

Source: NSW Planning Portal

Proposed Map and Amendments to Ku-ring-gai LEP2015

Proposed changes to KLEP 2015 comprise the following;

- Schedule 1 Additional Permitted Uses and Additional Permitted Uses (APU) Map
- Part 6 Additional Local Provisions

Schedule 1 Additional Permitted Uses and APU Map

Seniors Housing is permissible pursuant to SEPP Housing 2021 but is not expressly permitted under the KLEP2015. Part of the proposal is to include commercial and communal facilities that are available to village residents and the wider community. For abundant clarity the Proposal seeks to explicitly permit these land uses pursuant to KLEP2015 Clause 2.5 which provides per below;

2.5 Additional permitted uses for particular land

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out—
- (a) with development consent, or
 - (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

Table 18 – Example KLEP 2015 Schedule 1 Amendment

Amendment to the KLEP2015 Schedule 1 - Additional Permitted Uses and Map to denote 51-53 Rohini Street as Area “#” and insert new clause that states the following;

- (1) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as “Area #” on the Additional Permitted Uses Map.
- (2) Development for the purposes of the following is permitted with development consent.
 - (a) Independent Living Units and
 - (b) Ancillary resident facilities, recreational facility (indoor) and commercial premises with a maximum gross floor area of 700 m².

Proposed Additional Permitted Uses Map



Part 6 Additional Local Provisions

The PP will require new Part 6 Additional Local Provisions **Clause 6.14** for inclusion in Ku-ring-gai Local Environmental Plan 2015. It will identify the land as shown below to allow the proposed additional controls.

Table 19 – Example KLEP 2015 Part 6 Amendment

Amend KLEP2015 Part 6 Additional Local Provisions and insert the following;
<p>6.14 Rohini Village</p> <p>(1) The objective of this clause is to facilitate the renewal of the existing seniors housing development and to provide ancillary community facilities which may be used by the wider community.</p> <p>(2) This clause applies to land described as 51-53 Rohini Street, Turramurra comprising Lot 21 DP533032, Lot 2 DP 302942 and Lot 26 DP585038 and identified as "Area #" on the <u>Additional Permitted Uses Map</u>.</p> <p>(3) Development for the purpose of Independent Living Units and ancillary community and commercial uses as described in Schedule 1 ("XX") may have –</p> <p>(a) a maximum Floor Space Ratio of 1.5:1, and</p> <p>(b) a maximum building height of 17.5 m</p>

The above proposed KLEP amendments would not require changes to the Building Height or Floor Space Ratio KLEP 2015 Maps.

With respect to provision of technical compliant mapping, the DoPHI Guideline (page 79) states:

"If these requirements cannot be met at planning proposal stage, the Gateway determination may require technically compliant mapping to ensure consistency with any current LEP maps".

Accordingly, the technically compliant mapping for the proposed Additional Permitted Uses (APU) map would be prepared following Gateway Determination. Providing the mapping after the Gateway determination would also be appropriate in event that the Department of Planning, Housing and Infrastructure elect to pursue an alternative LEP amendment strategy.

PART 5 - Community Consultation

Pre-Consultation for Planning Proposal

The below pre-consultations with Authorities and Anglicare residents have been useful and necessary to inform the approach taken with the Planning Proposal and accompanying Reports;

Table 19 – Summary of Pre-Consultation Meetings

	Date	Meeting	Attendees
1.	14-2-23 Council	Meeting No 1: Ku-ring-gai Council pre-Planning Site Inspection <i>"Council officers visited the site and noted the key opportunities and constraints on and around the site"</i> (Source: Page 2 of Meeting No 3 meeting minutes issued by Council) Refer to Appendix L	Council attendees included the Manager Urban and Heritage Planning, Team Leader Urban Planning, Team Leader Urban Design, Senior Urban Planner, Senior Traffic Engineer, Heritage Specialist planner, Public Domain Co-Ordinator and Student Urban Planner.
2.	20-2-23 Council	Meeting No 2: Ku-ring-gai Council pre-Planning Proposal meeting Meeting Minutes 2023/072742 were issued. Refer to Appendix L	Applicant attendees were Anglicare, EG, Plus Architecture & Site Image Landscape Consultants.
3.	20-4-23 Council	Meeting No 3: Ku-Ring-gai Council - Public Domain site meeting Meeting Minutes 2023/189922 were issued. Refer to Appendix L	Council attendees included the Team Leader Urban Planning, Team Leader Urban Design, Senior Urban Planner, Strategic Traffic Engineer, Public Domain Co-Ordinator and Student Urban Planner Applicant Attendees were EG and Site Image Landscape Consultants.
4.	24-5-23 DoPHI	Meeting No. 4: Dept Planning (PDU) No Meeting Minutes were issued.	Director Case Management Metro East (Ms Elise Cramer) Applicant attendees were Levy Planning & EG
5.	22-6-23 DoPHI	Meeting No. 5: Dept Planning (PDU) No Meeting Minutes were issued.	Director Case Management Metro East (Ms Elise Cramer) Applicant attendee was Levy Planning

Further written consultation was also undertake with Transport for NSW and Sydney Trains. A Summary of issues discussed in pre-Consultation meetings and all Meeting Minutes received from government agencies are provided at **Appendix L**. Informal consultation was undertaken with Rohini Village residents by Anglicare and a copy of the Anglicare Village Study – Rohini Village chapter is provided at **Appendix K**.

Public Consultation following Gateway Determination to Proceed

Further public consultation will be conducted for the planning proposal should a Gateway Determination to proceed be issued.

This Planning Proposal will require exhibition in accordance with the requirements as determined by the Gateway process under Section 3.34 of the Environmental Planning and Assessment Act 1979. Community consultation on the Planning Proposal will be undertaken in consultation with Ku-ring-gai Council in accordance with the publication "Local Environmental Plan Making Guideline" (August 2023).

The notification and consultation process will be initiated after the Section 3.33 submission has been sent to the DoPHI. The consultation methodology will include, but not be limited to:

- Forwarding a copy of the Planning Proposal, the Gateway Determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination;
- Exhibiting the Planning Proposal in accordance with the Gateway Determination for an exhibition period of 20 working days minimum duration required for a "Standard Amendment - Major";
- Exhibiting the Planning Proposal and all supporting documentation at Council's Administration Centre;
- Notification of the Planning Proposal's exhibition on Council's website, including providing access to electronic copies of the Planning Proposal, all supporting studies, additional information and the Gateway Determination;
- Various Community engagement activities including information sessions for Anglicare Rohini Village Residents; and
- Notifying affected landowners and adjoining land owners where relevant.

PART 6 – Project Timeline

Stage	Timeframe and/or date
Consideration by Council	
Council decision	
Gateway determination	
Pre-exhibition	
Commencement and completion of public exhibition period	
Consideration of submissions	
Post-exhibition review and additional studies	
Submission to the Department for finalisation (where applicable)	
Gazettal of LEP amendment	

Appendix

Appendix A – **Urban Design Report and Photo Panel**

Appendix B – **Title Documents and Surveys**

Appendix C – **Arboricultural Impact Assessment Report**

Appendix D – **Heritage Impact Statement**

Appendix E – **Traffic and Transport Assessment**

Appendix F – **Utilities and Infrastructure**

Appendix G – **Biodiversity Advice**

Appendix H – **Landscape Concept and Drawing Schedule**

Appendix I – **Feasibility Analysis**

Appendix J – **Anglicare "Letter of Offer" & Draft Planning Agreement**

Appendix K – **Anglicare Village Study – Rohini Village**

Appendix L – **Pre-Consultation Minutes and Responses**