

PRE-DEVELOPMENT APPLICATION MEETING REPORT

REFERENCE No:	PRE0111/15		
PREVIOUS PRE DA:	PRE0094/15 was held on 6 August 2015		
SITE ADDRESS:	25, 25A and 27 Bushlands Avenue GORDON NSW 2072		
PROPOSAL:	Demolition of two dwellings and construction of a Residential Care Facility pursuant to SEPP (Housing for Seniors or People with a Disability) 2004		
DATE OF MEETING:	14 September 2015		
PRESENT AT MEETING:	Council		
	Name	Title	
	Jonathan Goodwill	Executive Assessment Officer	
	Shaun Garland	Team Leader Development Assessment South	
	Kerry Hunter	Urban Design Consultant	
	John Whyte	Ecological Assessment Officer	
	Paul Dignam	Heritage Advisor	
	Tempe Beaven	Senior Landscape and Tree Assessment Officer	
	Applicant's representatives		
	Name	Capacity	
	Ada Cheng	Australian Nursing Home Foundation	
	Ellen Louie	Australian Nursing Home Foundation	
	Tony Robb	Consultant Planner	
	John Travers	Bushfire and Ecology Consultant	
	Luke Starr	Neighbour Consultation and Communications	
	Grant Shearer	Architect	
	Brian McDonald	Heritage Consultant	
	Ross Shephard	Landscape Architect	
	Mark Boffa	Architect	
PLAN REFERENCES:	Plan no.	Drawn by	Dated
	DA00-DA07	Boffa Robertson Group	10/09/2015
DOCUMENTS/REPORTS:	Document(s)	Dated	
	None provided		
KEY ISSUES:	<ul style="list-style-type: none"> • location and access to facilities • site compatibility test • departures from development standards • compatibility with area character • biodiversity impacts 		

EXECUTIVE SUMMARY

Zoning:	R2 Low Density Residential
Permissible Development:	No – does not satisfy clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
Relevant Environmental Planning Instruments & Codes	SEPP (Housing for Seniors or People with a Disability) 2004 SEPP 55 – Remediation of land SEPP (Sydney Harbour Catchment) 2005 Threatened Species Conservation Act 1995 (TSC Act) Heritage Act 1977 Ku-ring-gai LEP 2015 Ku-ring-gai DCP 2015
Any relevant planning principles:	<u>Veloshin v Randwick Council [2007] NSWLEC 428:</u> <i>assessment of height and bulk</i> <u>Symon v Hornsby Shire Council [2015] NSWLEC 1028</u> SEPP 1 for variation to clause 26 of SEPP Seniors <u>Mackenzie Architects International v Ku-ring-gai Council [2015]</u> <u>NSWLEC 1353</u> Application of clause 6.3 'Biodiversity protection'
Type of development:	Local
Relevant external referrals:	No
Bushfire Prone Land:	No
Biodiversity land:	Yes
Riparian land:	No
Vegetation/Endangered Species:	Yes – Sydney Turpentine Ironbark Forest
In the vicinity of Urban Bushland:	No
Heritage :	On 11 August 2015 Council resolved to place an Interim Heritage Order on 25 Bushlands Avenue. On 14 August 2015 a notice for the Interim Heritage Order was published in the NSW Government Gazette.
In the vicinity of a Heritage	No
Heritage Conservation Area:	site backs onto the St Johns Avenue Heritage Conservation Area
Aboriginal heritage:	No
Visual Character Study Category:	1920-1945
Easement, covenants,	Yes – drainage easement

reserves, road widening etc	
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SITE ANALYSIS/ENVIRONMENTAL CONSTRAINTS

DESCRIPTION OF THE SITE AND ITS LOCATION:	The site contains three allotments. No. 25 Bushlands Avenue contains a dwelling-house, swimming pool and tennis court. No. 25A Bushlands Avenue contains a dwelling-house. No. 27 Bushlands Avenue contains a dwelling house and a swimming pool.
Topography (slope) of the site:	The site falls from east to west.
Significant features on the site:	The site contains over 3000m ² of Sydney Turpentine Ironbark Forest which is identified as an endangered ecological community by the Threatened Species Conservation Act 1997. The vegetation has also been identified as biodiversity significant land by Ku-ring-gai LEP 2015.
CONTEXT OF THE SITE AND SURROUNDING DEVELOPMENT:	The site is located in a low density residential area characterised by a mix of single and two storey dwelling-houses on large allotments in a landscaped setting.

THE PROPOSAL:

- Demolition of two existing dwellings and ancillary structures
- Retention and adaptive re-use of the dwelling at 25 Bushlands Avenue
- Removal of trees
- Construction of 2 storey residential care facility for 84 people over a single level basement carpark with 29 car spaces

RESPONSE TO ISSUES

PLANNING COMENTS

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

Clause 26 - Location and access to facilities

The amendments to the proposal do not address Council's previous concerns regarding the failure to comply with the requirements of clause 26. The view that clause 26 does not contain development standards is maintained. In the event that the clause does contain development standards it is agreed that as SEPP 1 does not apply to the site and any development standard variation request would need to be prepared in accordance with the requirements of clause 4.6 of Ku-ring-gai LEP 2015.

Clause 29 - Site compatibility

The amendments to the proposal do not address Council's previous concerns regarding site compatibility. As the site is now subject to an Interim Heritage Order the non-discretionary development standards in clause 48 of the SEPP no longer apply, accordingly the floor space ratio development standard is that specified in clause 4.4 of Ku-ring-gai LEP 2015. The maximum floor space ratio for a building on land zoned R2 Low Density Residential with a site area of more than 1700m² is 0.3:1. It is noted that the proposed floor space ratio of 0.67:1 represents a variation of 124% to the permitted maximum.

Having regards to the likely impact on the biodiversity significant land, a density which substantially exceeds the statutory maximum and the incompatibility of the proposal with the character of the area, it is considered that the site is not suitable for the proposed development.

Clause 40 - Development Standards to be complied with

Standard	Proposal	Compliance
Site area: 1000m ²	>1000m ²	YES
Site frontage: 20m	>20m	YES
The height of all buildings in the proposed development must be 8 metres or less	Roof windows are higher than 8m	NO
A building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height,	North elevation appears to exceed 2 storeys.	NO
A building located in the rear 25% area of the site must not exceed 1 storey in height	The application documentation states that the applicant is a Social Housing Provider and that this development standard will not apply.	N/A

Notes:

height in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point.

ground level means the level of the site before development is carried out pursuant to this Policy

storeys: In calculating the number of storeys in a development for the purposes of this Policy, a car park that does not extend above ground level by more than 1 metre is not to be counted as a storey.

Comments

Any requests for variations to development standards will need to be prepared in accordance with the requirements of clause 4.6. The objectives and requirements of clause 4.6 are similar to the requirements of SEPP 1 and in this respect the relevant case law on the assessment of

SEPP 1 objections should be applied to the preparation of the clause 4.6 variation. Reference should also be made to the principles adopted by Justice Pain in the decision of Four2Five Pty Ltd v Ashfield Council.

The provision of pop up skylights to provide natural light to the corridors is likely to be beneficial from an energy efficiency perspective, however the glazing for the skylights should face north where appropriate shading can be provided to avoid unwanted solar heat gain during summer. The proposed west facing glazing to the skylights will require deep eaves or vertical shading devices that may defeat the purpose of providing natural light to the corridors below.

The proposal does not comply with maximum two storey height requirement. The site does not appear to be subject to any significant topographical constraints that would justify the departures from the development standard. Compliance with the development standard is strongly recommended.

Clause 48 - Standards that cannot be used to refuse development consent for residential care facilities

Clause 47 states that none of requirements in Part 7 of the SEPP apply in relation to the granting of consent to a development application on land which is subject to an Interim Heritage Order. Accordingly the standards in clause 48 do not apply to the proposal and reference must be made to the relevant development standards in Ku-ring-gai LEP 2015.

Part 3 Design requirements

Clause 30 – Site analysis

A site analysis which complies with the requirements of clause 30 is required. The site analysis must be accompanied by a written statement that complies with the requirements of clause 30(2)(b) (i) and (ii):

The submitted site analysis requires further information as outlined below:

Site information

- Clear labels for contours
- Tree species type
- Natural drainage
- Connections for drainage and utility services
- Overshadowing by neighbouring structures

Surrounds of a site

- Differences in levels
- Views and solar access enjoyed by neighbouring properties
- Details of major trees
- Built form and character of adjacent development including buildings opposite: (must include: architectural character, front fencing and garden styles)

Clause 34 - Visual and acoustic privacy

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and

(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

Note. The Australian and New Zealand Standard entitled AS/NZS 2107-2000, Acoustics—Recommended design sound levels and reverberation times for building interiors and the Australian Standard entitled AS 3671-1989, Acoustics—Road traffic noise intrusion—Building siting and construction, published by Standards Australia, should be referred to in establishing acceptable noise levels.

Consideration of the above requirements should be demonstrated in the application documentation.

Clause 35 - Solar access and design for climate

The proposed development should:

(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and

(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.

Note. AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions.

Consideration of the above requirements should be demonstrated in the application documentation.

Clause 37 - Crime prevention

The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and

(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and

(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.

Consideration of the above requirements should be demonstrated in the application documentation.

Clause 38 - Accessibility

The proposed development should:

- (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and
- (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.

Consideration of the above requirements should be demonstrated in the application documentation.

Clause 39 -Waste management

The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.

Clause 55 - Residential care facilities for seniors required to have fire sprinkler systems

A consent authority must not grant consent to carry out development for the purpose of a residential care facility for seniors unless the proposed development includes a fire sprinkler system. The development must include the installation of a sprinkler system.

Ku-ring-gai LEP 2015

Permissibility

The proposed Residential Care Facility is prohibited in the R2 Low Density Residential zone.

Development standards

Standard	Proposal	Complies?
Building height: 9.5m	<9.5m	N/A – overridden by 8m control in clause 40(4) of SEPP (Housing for Seniors of People with a Disability)
Floor space ratio: 0.3:1	0.67:1	NO

The proposal does not comply with the development standard for floor space ratio. To vary the development standard a variation request prepared in accordance with clause 4.6 will be required. Having regards to the objectives of the R2 Low Density Residential zone, the objectives of the floor space ratio development standard, the characteristics of the area and the requirements of clause 4.6, it is considered highly unlikely that a variation of 124% to the floor space ratio development standard would be supported.

Ku-ring-gai DCP 2015

The relevant provisions of DCP 2015 include:

Section A

Part 2: Site Analysis

Part 13: Tree and Vegetation Preservation

Section B

Part 15: Site Design for Water Management

Part 19: Biodiversity Controls

Part 19R.1: Greenweb Maps
Part 20: Heritage and Conservation Areas

Section C

Part 22: General Site Design
Part 23: General Access and Parking
Part 24: General Building Design and Sustainability
Part 25: Water Management
Part 26: Notification

The relevant provisions of the DCP should be addressed in the design of the development and the supporting documentation.

LANDSCAPE COMMENTS

Neighbourhood amenity and streetscape

The landscape design of the development shall be compatible with the character of the local area. The site is in the vicinity of the C16A St Johns Avenue Heritage Conservation Area (KLEP 2015). The controls that relate to streetscape character include the following:

Significant existing trees

Existing trees that are located on the site and adjoining properties that are visually prominent and appear to be in good condition should be identified on the site analysis and retained as part of the design proposal. The existing mature trees located in the front setback such as the mature *Cedrus deodara* (Himalayan Cedar) and within the rear setbacks, should be retained and protected. Cut and fill in proximity of trees that overhang the site from adjoining properties should be avoided.

The site supports several *Eucalyptus pilularis* (Blackbutt) and *Syncarpia glomulifera* (Turpentine) located within the site. These trees are to be retained and protected.

Existing street trees (Jacarandas) are to be retained. The proposed use of existing driveway crossings where possible is supported.

Landscape area

The *landscape area* is to be minimum of 25m² per residential care facility bed (2100m²). The *landscaped area* means that part of the site area that is not occupied by any building and includes so much of that part as is used or to be used for rainwater tanks, swimming pools or open-air recreation facilities, but does not include so much of that part as is used or to be used for driveways or parking areas (Clause 3, State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004). A *landscape area* diagram is to be provided indicating compliance.

Existing mature shrubs and hedging along site boundaries are to be retained where possible. Excessive cut and fill within the front setback is not supported.

The proposed generous landscape area within the front setback is considered consistent with the streetscape character.

Side setbacks/neighbour amenity

Proposed building setbacks are to be sufficient for the provision of adequate screen planting that can attain at least 4-6m in height. Reasonable access for maintenance is to be provided along the side and front setback gardens.

General

Site Analysis

The site analysis is to include the location, height, spread and species of existing trees. Major trees on adjacent properties and street trees are also to be shown. All walls built to the site boundaries including top of wall levels and materials are to be included.

Arborist report and tree protection plan

A detailed Arborist Report is to be included as part of the development application. The report should identify and detail the health and significance of all existing trees located on site or associated with the subject site including drainage easements (if applicable) and trees on adjoining properties adjacent to the site boundaries. The consulting Arborist should also recommend design considerations to retain trees. Preparation of a Tree Protection Plan is required in accordance with Section 2.3.5 of AS4970-2009 Protection of Trees on Development Sites.

Landscape plan

The landscape plan is to include a detailed plant schedule of all proposed planting for the site along with details and specifications. Proposed planting outside the areas identified as biodiversity significant land should be reflective of the broader Gordon and Ku-ring-gai landscape character and be appropriate for soil type and microclimate. It is recommended that the landscape plan be undertaken in conjunction with the Hydraulic Engineer's drawings to minimise potential conflicts between necessary services and 'soft' landscape elements, particularly existing trees. All existing trees to be retained/removed are to be identified on the landscape plan and include spot levels at the base of tree.

Environmental site management plan

An environmental site management plan is to be provided in accordance with Council's DA Guide including a plan indicating proposed site activities including temporary construction access, tree protection fencing, location of stockpiles and materials. Truck heights are to be specified to enable assessment of canopy impacts by arborist.

Landscape area compliance diagram

A Landscape area compliance diagram is to be submitted.

ENGINEER COMMENTS

Water management

To achieve the objectives of Clause 36 of SEPP Seniors, water management for the development should be designed with regard to the Ku-ring-gai DCP, particularly Part 25. On

site detention, retention and re-use of roofwater, and water quality measures will all be required and the development should be designed to accommodate these.

It is understood that the applicant proposes to extend the street drainage system to achieve gravity drainage. This must be by means of a 375mm diameter reinforced concrete pipe laid just outside the lip of the gutter, as described in Part 25A.2 of the DCP.

Parking

Parking provision is to be as required by the SEPP Seniors. The rate of one space per 15 beds can only be used if the entire facility is for the care of dementia patients.

A traffic report is to be submitted with the DA. (It should also contain a section on construction traffic management, consistent with the environmental site management plan). Compliance with AS2890.1:2004 Off street car parking should be addressed, as well as any specific requirements for manoeuvring for larger vehicles e.g. ambulance (turning paths to be shown on a plan) or waste collection. Because of the need for waste collection vehicles to enter the basement, the headroom required by the largest waste collection vehicle is to be demonstrated on a longitudinal section, and turning path diagrams are to be provided.

Waste

The pre DA plans show a level difference of 4.5 metres floor to floor between the basement and lower ground floor. This precludes collection by Council's contractors, who require a minimum headroom of 4.5 metres.

If collection by Council's contractors is proposed, the plans should be amended. It is recommended that the applicant contact Council's Manager, Waste Services, and obtain written advice regarding collection of waste from the development.

Alternatively, if private collection is proposed, then written advice from at least three providers should be submitted with the DA to demonstrate that they are willing to collect waste from within the site and the size of vehicle available.

Geotechnical report.

Up to 4.5 metres of excavation is proposed. A geotechnical report should be submitted with the DA. Matters to be addressed include excavation methods and support, dilapidation reporting of neighbouring structures and groundwater with regard to construction dewatering.

HERITAGE

Heritage Status

No. 25 Bushlands Avenue is subject to an Interim Heritage Order (IHO).

The rear of the site adjoins a small heritage conservation area – Area C16A, St Johns Avenue HCA in the KLEP 2015.

There are a number of heritage items within the area in general, but none adjoining or within the immediate vicinity.

The heritage provisions in Part 5.10 Clause (4) of the KLEP 2015 requires that before granting consent to the proposed works Council must consider the effect of the works on the item, nearby items or heritage conservation area concerned.

A supporting development control plan (Ku-ring-gai DCP) has been adopted by Council and came into effect on 2 April 2015. Chapter 20 of the DCP contains detailed objectives and controls for additions and alterations to heritage items and properties in HCAs.

Proposed Works

The proposed works in this application include retaining and adapting 25 Bushlands Avenue for a nursing home development which includes the adjoining sites at 25A and 27 Bushlands Avenue.

Comments

The applicant should consider the heritage objectives and controls in the Ku-ring-gai DCP, particularly Chapter 20 E and 20 F of the DCP.

The applicant should undertake further research on the heritage significance of 25 Bushlands Avenue given the recent IHO. The applicant should also provide information on the impact of the proposed development on the adjoining HCA.

A heritage management document for 25 Bushlands Avenue would be helpful to assist in understanding the development and how the building could be incorporated and managed in the future.

ECOLOGICAL COMMENTS

1. Ecology comments

During the site inspection the vegetation was inspected to determine the presence of native plant communities. The vegetation onsite was determined to be representative of Sydney Turpentine Ironbark Forest (STIF) listed as an Endangered Ecological Community (EEC) under the *Threatened Species Conservation Act 1995*.

Ecological constraints/environmental controls

The native vegetation (STIF) within the site occurs primarily within the site has been mapped as an area of "biodiversity significance" under the under the KLEP (2015).

The design of the proposal is to demonstrate that the provisions of clause 6.3 have been addressed, including that the design and siting of the development has avoided any potentially adverse environmental impact on the Sydney Turpentine Ironbark Forest vegetation located on the site.

DCP controls

The vegetation is also mapped under DCP 2015 as a Category 2a Support for core. Control 1 states avoid locating development on category 2a lands.

The proposal is to ensure no net loss of biodiversity as prescribed under part 19.8 of DCP 2015.

2. Arborist report

An arborist report is required to be prepared to assess the impacts of the proposal upon remnant trees situated within and adjacent to the site that could be affected by future development. The assessment of impacts upon trees as a result of the proposal is to be prepared in accordance with AS4970 Protection of trees on development sites.

The project arborist is to be suitably experienced and competent in arboriculture, having acquired through training, qualification (minimum Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (Arboriculture)) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this Standard [AS4970].

Landscape Planting

Areas mapped as biodiversity significance should be enhanced through landscape planting of STIF species selected from the scientific determination

<http://www.environment.nsw.gov.au/determinations/SydneyTurpentineIronbarkForestEndComListing.htm>

A mixture of STIF shrubs, sub-canopy and groundcovers should be selected and planting spatial arrangement should simulate a natural setting, monocultures should be avoided.

3. Information required to be submitted with the development application

A flora and fauna assessment is unlikely to be required if all STIF canopy trees/vegetation are retained within the property. In the event that STIF trees/vegetation are to be impacted upon a flora and fauna report is to be prepared to assess the impacts of proposal upon threatened endangered ecological communities, endangered populations and threatened species under the aforementioned Acts.

The flora and fauna report would be required to take into account the works proposed in the DA plans and any other works or recommendations made in other sub-consultant reports (Arborist report & stormwater design). The flora and fauna assessment should be prepared in accordance with the general flora and fauna guidelines.

http://www.kmc.nsw.gov.au/Plans_and_regulations/Building_and_development/Forms_and_information_packs

Vegetation Management Plan

A Vegetation Management Plan (VMP) which outlines the criteria for the establishment, management and rehabilitation of the STIF vegetation is required to be prepared and submitted to the Council in accordance with the DCP.

The VMP is requested to enhance, protect and ensure the long-term viability of the STIF community vegetation upon the site. The preliminary landscape plan shows lawn within

the rear (north-western) portion it is recommended that this are be planted out with sub-canopy, shrubs and groundcover characteristic of STIF community. In the event that the proposal results in the unnecessary removal of native trees compensatory planting will be required to achieve no net loss therefore planting within this area will assist in mitigation to the loss of the area identified as "biodiversity significance".

The VMP should be prepared in accordance Department of Infrastructure, Planning and Natural Resources, "How to Prepare a Vegetation Management Plan", Version 4.

The VMP should describe each task necessary for the implementation of the plan, the duration and priority. Maps, diagrams and plant species lists. The VMP should describe the existing vegetation and natural features to be retained, proposed vegetation, sediment and erosion control and stabilisation works. The following points below are to be addressed within the Vegetation Management Plan.

Vegetation management	<ul style="list-style-type: none"> • Vegetation management objectives • Weed removal methods • Revegetation methods • Habitat creation and management Maintenance strategies
Protective measures	<ul style="list-style-type: none"> • Protection of existing vegetation • Soil and stormwater management • Erosion and sediment control • Disposal of vegetation and materials on site

The VMP is to be prepared by a qualified ecologist or experienced bushland restoration ecologist.

URBAN DESIGN

The Urban Design comments below focus on the amendments to the scheme and whether they have addressed the issues identified in PRE0094/15.

Previous issues

- Streetscape character – impact of a residential care facility (building type) on the surrounding low density residential type
- Building bulk – impact of the proposed specific design (model) of the building type (in terms of building articulation not density)
- Impact on privacy of neighbours - due to skewed building alignment and specific model
- First floor in rear setback area (25% of site depth)
- Adequacy of site analysis
- Biodiversity impact
- Adjacent heritage conservation area
- Distance from services and facilities
- Relevant planning principles that include consideration of the development controls for the otherwise applicable low density R2 land zoning.

Clause 33 - Neighbourhood Amenity and Streetscape

33 (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and

The following items are supported:

Adaptive re-use: New scheme has retained 25 Bushlands Avenue proposing an adaptive re-use.
Subdivision pattern: New building mass addressing the street reflects the existing subdivision pattern that appears of a scale that is sympathetic to the surrounding urban context when viewed from the public domain (Bushlands Avenue). (NOTE: This has not been adequately achieved in massing along the length of the site which remains insufficiently articulated within the surrounding context and is discussed elsewhere).
Front curtilage: Proposed new building mass addressing the street has achieved a front landscape curtilage for the 25 Bushlands Avenue. (NOTE: detailed heritage comments outside the scope of urban design)
Driveways: Separating the main basement driveway from a new circular driveway (for ambulances) better incorporates 25 Bushlands Avenue with the entry and landscape than the previous scheme. The slightly curved driveway will better enable a front landscape to become a more dominant feature and the basement drive recede when viewed from the street.
Building line: Generally, the building line of proposed massing is behind that of 25 Bushlands Avenue and enables it to be the dominant built form.

The following items require further consideration and/or amendments in terms of urban context:

Building character: composition of all elevations generally appears institutional and insufficiently resolved to create a positive urban character in context of 25 Bushlands Avenue and surrounding existing low density residential context. Further attention to articulation of massing, proportions of building elements, expression of the roof form, materials palette and its use compositionally, etc is required.
Gated entry: Detailed resolution of the new gated entry and raised walkway may need further refinement to ensure a sympathetic relationship with the ground plane is achieved, and that the architectural/aesthetic and landscape outcome engages sympathetically with 25 Bushlands Avenue.
Basement entry: There is a blank wall above the basement entry that is an unsatisfactory façade expression and will not achieve the desired streetscape address. This should be broken up with use of materials, articulation and/or the possible use of

	<p>artwork.</p> <p>Roof form: The proposed roof form is clearly aiming to ensure that 25 Bushlands Avenue retains a more dominant presence on the site. A different architectural expression that does not replicate 25 Bushlands Avenue is a valid design strategy but the quality of the architectural expression needs to be sufficiently robust to stand on its own merits. This has not yet been achieved. As currently proposed, the roof form is insufficiently articulated adding to the overall institutional character and is unsympathetic to the surrounding character and scale. The use of clerestory elements is generally supported but further design development is required. The use of wide eaves can create a positive form as long as it is resolved so that the element achieves pleasing proportions and composition in context with the resolution of the massing and façade expression.</p> <p>Bushlands Avenue elevation and general elevations: Care will need to be taken to ensure a high level of architectural detail is provided to openings. A building's character is achieved through the combination of architectural detail, proportions of openings to wall planes, materials and their strategic implementation as a holistic design response. Generally, there is an institutional character in the elevations and façade expression that is inconsistent with the surrounding low density architectural language and would otherwise rely on high end architectural detailing and materials use that can be followed through from DA to construction. The realities of meeting tight construction budgets generally do not encourage bespoke architectural outcomes. Therefore, a level of refinement is required to improve the proposed architectural character to more sympathetically interpret the low density character: i.e. smaller scale, disciplined grouping of building elements and materials, clear hierarchical response to articulation and treatment of internal spaces as expressed externally.</p>
<p><i>33 (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</i></p>	<p>Heritage: No documentation currently submitted regarding the neighboring heritage conservation area to the north of 25 Bushlands Avenue which is subject to an Interim Heritage Order. However, the applicant has demonstrated heritage concerns are being considered in the new scheme (heritage architect advising the new scheme and commitment to providing required documentation in future DA).</p> <p>Integration of the new buildings: Site strategy on both a functional and three-dimensional level is clear, 25 Bushlands Avenue becomes a key operational, communal element that creates a new and quite direct engagement to the new built form accommodating the residential components. While the courtyard is not a</p>

	<p>traditional landscaped curtilage, from an urban design perspective, it interprets the communal/active nature of 'the backyard' giving a new dimension as it also serves as a central linkage to all the wings of the new facility. This is supported.</p> <p>Floor levels: Proposed floor levels have set 25 Bushlands Avenue as the datum for the ground floor level. This is supported.</p>
<p><i>33 (c) maintain reasonable neighbourhood amenity and appropriate residential character by:</i></p> <p><i>(i) providing building setbacks to reduce bulk and overshadowing, and</i></p> <p><i>(ii) using building form and siting that relates to the site's land form, and</i></p> <p><i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</i></p> <p><i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</i></p>	<p>(i) Setbacks to Bushlands Avenue: satisfactory from an urban design perspective subject to comments on resolution of architectural character of built form being addressed.</p> <p>Setbacks to side boundaries: satisfactory but further articulation of building mass required.</p> <p>Setbacks to rear boundary: generally supported from urban design perspective (but subject to requirements of ecology and heritage officers)</p> <p>(ii) Building form and siting relating to topography: generally satisfactory, however, the lower ground floor level main lounge area at the rear of the site is accommodated approximately 1.3m below natural ground level. Being located close to significant Trees 52, 124, 125 and 126, there is insufficient scope to batter the slope to achieve a positive outlook from the low floor level and there is insufficient northern sunlight achieved to either the outdoor area or the lounge itself (filtered through trees). This is exacerbated by the presence of the Ground Floor level lounge balcony above. Suggestions for addressing this include (but are not limited to) making localized internal planning adjustments, and/or further reducing the building footprint, and/or reducing the size of the balcony overhang above. (NOTE: the dual aspect of the Lounge/Dining between the external landscape zones and internal courtyard is positive and should be retained.)</p> <p>Massing (impact of scale): Residential Aged Care Facilities can be a typology that is very different to the surrounding urban character when located in low density residential areas. The subject development extends across 3 allotments resulting in a development site with a length of 104.83 metres and street frontage of 70.705 metres. Therefore, the proposed model (i.e. the specific design proposal of the building type) has the potential to be a very large and unsympathetic to the extant development controls for the R2 zoning unless massing is deeply articulated and reads as smaller elements when viewed from neighbouring properties. As proposed, the length of building mass along the long axes has been insufficiently articulated. This results in a scale of development that is unsympathetic to the surrounding development. This can be addressed by substantially articulating the wall planes as has been</p>

	<p>achieved along the street frontage and arrangement of massing at the rear. (The protruding bay windows along the side walls modulate the wall planes but do not address the overall unbroken length of wall planes). This should be an integrated design strategy with the composition of building elements, roof form, use of materials etc.</p> <p>(iii) Building Height – supported from an urban design perspective. (NOTE: sought variation can be supported as it does not appear to impact on neighbours or the streetscape character. There generally appears to be sufficient available height to address the expression of roof forms. NOTE: Further lowering the building will not be supported as this would achieve a poor relationship to the ground plane.</p> <p>(iv) Impact of buildings/walls at boundaries - No proposed buildings located on boundaries. Setbacks of 3 metres appear able to support a landscape character sympathetic to the surrounding character (subject to requirements of Council's Landscape and Ecology officers). As mentioned above, the massing of the side elevations is to be reduced to reflect the characteristics of the R2 Low Density zone.</p>
<i>33 (d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</i>	<p>Building line of built form in close proximity to 25 Bushlands Avenue is set well behind and is supported. The component to the west is set at the same building line as 25 Bushlands Avenue and consistent with the neighbouring site to the west at 29 Bushlands Avenue. This strategy can be supported on urban design grounds but would be subject to Council heritage officer's requirements. NOTE: amendments to address the blank wall above the basement are required.</p>
<i>33 (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</i>	<p>Appears able to be achieved. Urban design opinion is that the proposed landscape must contribute positively to the streetscape and retain the special character of the existing street and surrounding properties subject to requirements of Council landscape and ecology officers' requirements for biodiversity.</p>
<i>33 (f) retain, wherever reasonable, major existing trees, and</i>	<p>As relates to urban design, there are significant trees that are proposed for removal that appear to be of species consistent with and located within the area of biodiversity significance. Where their loss diminishes the existing landscape character (and impacts biodiversity) proposed landscape must offset the loss so a sympathetic landscape character is achieved. Requirements are outside scope of urban design and a matter for Council ecologist and landscape officers.</p>
<i>33 (g) be designed so that no building is constructed in a riparian zone.</i>	<p>Not applicable</p>

ENVIRONMENTAL HEALTH

Noise

The main potential sources of noise impact from the proposed development would include any mechanical exhaust/ventilation systems, air conditioning systems, noise from traffic generation, lift motors and the like. A full noise assessment from a suitably qualified acoustic consultant should be submitted and address:

- Background noise levels and assessment against legislative noise criteria; and
- Recommendations/construction requirements – eg enclosures/barriers/building design etc.

Food preparation - Kitchen

Details of the food preparation areas should be submitted showing compliance with the Food Act, Food Standards Code and AS4674.

Garbage and recycling facilities

Details should be provided of an appropriate area for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The garbage storage area will need to be enclosed and all internal walls be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.

INFORMATION TO BE SUBMITTED

- Refer to Council's DA Guide
http://www.kmc.nsw.gov.au/resources/documents/DA_Guide.pdf
- All plans (survey plan, architectural plans, landscape plans, stormwater plans, compliance diagrams) must be at a consistent and workable scale (1:100 preferable or 1:200). All plans must show consistent detail.
- The plans must be clear and legible and sharp in detail. Poor photocopied plans will not be accepted.
- Ensure correct and complete owner's consent is provided with development application. Owners consent for adjoining properties also to be supplied where works impact adjoining trees.
- BCA Capability Report
- Access Report

CONCLUSION

The following fundamental issues have been identified:

- location and access to facilities
- site compatibility test

- departures from development standards
- compatibility with area character
- biodiversity impacts

In this regard, it is unlikely an application of this nature would be supported.

While the pre-lodgement meeting and these minutes attempt to identify significant issues during the initial phases of design, the assessment provided in these minutes does not have the benefit of a full planning assessment and should not be considered exhaustive.

We hope that this advice assists you. If you have any further enquires please contact Jonathan Goodwill on 9424 0888 during normal business hours.



JONATHAN GOODWILL
EXECUTIVE ASSESSMENT OFFICER



SHAUN GARLAND
TEAM LEADER – DEVELOPMENT ASSESSMENT

DATED: 30/09/2015

DISCLAIMER

The aim of pre development application consultation is to provide a service to people who wish to obtain the views of Council staff about the various aspects of a preliminary proposal, prior to lodging a development application (DA). The advice can then be addressed or at least known, prior to lodging a DA. This has the following benefits: -

- Allowing a more informed decision about whether to proceed with a DA; and
- Allowing matters and issues to be addressed especially issues of concern, prior to lodging a DA. This could then save time and money once the DA is lodged.

All efforts are made to identify issues of relevance and likely concern with the preliminary proposal. However, the comments and views in this letter are based only on the plans and information submitted for preliminary assessment and discussion at the pre DA consultation. You are advised that: -

- The views expressed may vary once detailed plans and information are submitted and formally assessed in the development application process, or as a result of issues contained in submissions by interested parties;
- Given the complexity of issues often involved and the limited time for full assessment, no guarantee is given that every issue of relevance will be identified;
- Amending one aspect of the proposal could result in changes which would create a different set of impacts from the original plans and therefore require further assessment and advice;
- This Pre-DA advice does not bind Council officers, the elected Council members, or other bodies beyond Council in any way whatsoever.