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Reference: DA0418/15

20 July 2017

Planning Panels Secretariat
GPO Box 39
Sydney NSW 2001



PCU071758

Dear Dr Dearing

Proposed aged care facility - 25, 25A, 27 Bushlands Avenue, Gordon (DA0418/15)

On 27 June 2017 Ku-ring-gai Council resolved to make a formal submission to the Sydney North Planning Panel in respect of the proposed aged care facility at 25, 25a and 27 Bushlands Avenue, Gordon. Council's concerns with the development application as amended, are as follows:

1. **The proposal does not comply with the location and access to facilities requirements in clause 26 of SEPP (Housing for Seniors of People with a Disability) 2004 and the variation to these requirements does not satisfy the provisions of clause 4.6 'Exceptions to development standards' of Ku-ring-gai Local Environmental Plan 2015.**
 - i. The subject site is not located within 400m of the services specified in clause 26 (1).
 - ii. The subject site is not located within 400m of a public transport service that would provide residents access to the services specified in clause 26 (1).
 - iii. The variation to the development standard does not satisfy clause 4.6 (3) (a) as compliance with the development is not unreasonable or unnecessary in the circumstances of the case.
 - iv. The variation to the development standard does not satisfy clause 4.6 (3) (b) as the environmental planning grounds provided by the applicant to justify contravening the development standard are not sufficient.
 - v. The variation to the development standard does not satisfy clause 4.6 (4) (a) (ii) as the development will not be in the public interest as it is not consistent with the objective of the development standard and the third objective of the zone in which the development is proposed to be carried out.
2. **The Proposal will have adverse impacts on the heritage item at No. 25 Bushlands Avenue (Birralelee).**
 - i. The impact of development on heritage items is subject to the provisions of clause 5.10 'Heritage conservation' of Ku-ring-gai LEP 2015 and clause 33 (b) of SEPP (Housing for Seniors of People with a Disability) 2004.
 - ii. For the reason of excessive encroachments into the curtilage of No. 25 Bushlands Avenue the proposal will have an unacceptable impact on the heritage significance of the heritage item.

OFFICE OF THE MAYOR
Council Chambers

Telephone:- 02 9424-0709 Fax:- 02 9424-0202

Translated Extract

Need help?

This document contains important information. If you do not understand it, please call the Translating and Interpreting Service on 131 450. Ask them to phone 9424 0000 on your behalf to contact Ku-ring-gai Council. Business hours: Monday to Friday, 8.30am-5pm.

Simplified Chinese

需要帮助吗?

本文件包含重要信息。如果您不理解本文件,请致电翻译口译服务131 450。让其代表您致电9424 0000联系Ku-ring-gai议会。营业时间:周一至周五,上午8.30—下午5:00。

Traditional Chinese

需要幫助嗎?

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Japanese

お困りですか?

この文書には、重要な情報が含まれています。ご不明な点があれば、「翻訳・通訳サービス」(電話131 450)までお電話いただき、あなたに代わって、クーリングイ(Ku-ring-gai)議会に連絡するよう、ご依頼ください。営業時間:月曜日～金曜日(8.30am-5pm)。

Korean

도움이 필요하십니까?

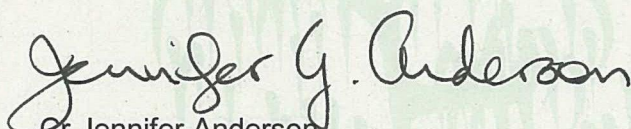
이 문서에는 중요한 정보가 담겨 있습니다. 여러분이 이해할 수 없다면, TIS (번역 및 통역 서비스)의 131 450 번으로 전화하십시오. 9424 0000 번으로 여러분을 대신하여 전화해서 쿠링가이 카운슬을 연락해 달라고 요청하십시오. 영업 시간: 월요일-금요일, 오전 8시30분-오후 5시.



4. **The proposal fails to satisfy the Design Principles in Part 3 of SEPP (Housing for Seniors of People with a Disability) 2004 and the Aims of the Policy.**
- i. The proposal does not sensitively harmonise with the heritage item No. 25 Bushlands Avenue as it results in a substantial encroachment into the curtilage of the heritage item.
 - ii. The proposal does not provide adequate solar access for residents of the lower ground floor level of the West Wing as the north facing windows of the lounge/dining room will not receive any direct solar access.
5. **The proposal does not comply with the provisions of the Ku-ring-gai Development Control Plan.**
- i. The proposal results in unacceptable impacts on the heritage significance of No. 25 Bushlands Avenue Gordon. The proposal does not comply with design controls and objectives in Part 19A.2 'Subdivision and site consolidation of a heritage item', Part 19E 'Heritage Items' and Part 19F 'Development in the Vicinity of Heritage Items or Heritage Conservation Areas'.
 - ii. The Vegetation Management Plan does not satisfy the requirements of control 4 in Part 18.3 'Category - Support for Core Biodiversity Lands'.
6. **The submitted Landscape Plan is inadequate.**
- i. Proposed planting has not been identified in accordance with Council's DA Guide.
 - ii. Existing levels across the site and spot levels at the base of trees to be retained must be shown.
 - iii. The proposed levels of external areas including terraces, paths and top of wall heights have not been provided.
 - iv. The landscape plan does not reflect the recommendations of the vegetation management plan including bushland restoration zone along the northern boundary and STIF/Landscape Integration Zone.

Council therefore submits to the Panel that the development application should be refused for the reasons identified above.

Yours faithfully


C/- Jennifer Anderson
Mayor

OFFICE OF THE MAYOR
Council Chambers

Telephone:- 02 9424-0709 Fax:- 02 9424-0202

Translated Extract

English

Need help?

This document contains important information and news. If you do not understand it, please call the Telephone Interpreter Service on 131 450 and ask them to phone 9424 0888 on your behalf to contact Ku-ring-gai Council. Business hours: Monday - Friday, 8.30am - 5pm.

Chinese (simple)

需要帮助?

本文件含有重要信息和新闻。

如果看不懂, 请致电131 450联系电话传译服务, 要求他们在工作时间 (周一至周五上午8:30到下午5:00)为您拨打电话9424 0888联系库令芥(Ku-ring-gai)市政厅。

Chinese (traditional)

需要幫助?

本文件含有重要信息和新聞。

如果看不懂, 請致電131 450聯繫電話傳譯服務, 要求他們在工作時間 (周一至周五上午8:30到下午5:00)為您撥打電話9424 0888聯繫庫令芥(Ku-ring-gai)市政廳。

Japanese

困ったときは...

この資料には、重要な情報およびニュースが含まれています。

理解できない場合は、電話通訳サービス(131-450)に電話し、ご自身の代わりにクーリング・ガイ評議会 (Ku-ring-gai Council) (9424-0888)へ連絡してもらってください(営業時間: 月～金8.30am～5pm)。

Korean

도움이 필요하십니까?

이 문서는 중요한 정보와 뉴스를 담고 있습니다.

만약 내용을 이해하지 못 하실 경우에는, 전화 통역 서비스 131 450으로 전화 주십시오. 통역 서비스에게 월요일-금요일 오전 8.30-오후 5시 사이의 근무 시간 중에 9424 0888번 구링가이 의회(Ku-ring-gai Council)에게 연락하도록 문의하십시오.