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URBAN DESIGN
Design Quality Test
SEPP Housing for Seniors and People with a Disability – Self contained dwellings
SEPP 65 – Design Quality of Residential Apartment Development

DA2017/1274 **1825 Pittwater Road and 52 Cabbage Tree Road, Bayview**
Applicant: Waterbrook Bayview Pty Ltd
(Site Compatibility Certificate issued to Bayview Golf Club)

Council: Northern Beaches Council
Assessing Officer: Lashta Haidari

Report date: 16th March 2018

The subject site is located on the northern side of Cabbage Tree Road, Bayview.

It is within 260m of a bus stop along generally level or slightly undulating topography to all available services, communal facilities and city transport in the Mona Vale local centre.

The area proposed for the development is located within the grounds of the Bayview Golf Club with the course proposed to surround the site with a component of the boundary frontage directly addressing and providing access from Cabbage Tree Road.

Site area:
98, 847 m2 (to be clarified)

Topography:
Approximately 15.67m north-south crossfall (high-point RL27.14 to low-point RL11.47) and total site crossfall of approximately 24.01m north-west to north-east (high-point RL27.14 low-point south-eastern corner RL3.13 taken from survey).
A geotechnical hazard abuts the southern and wester boundary where topography falls away steeply, components of the site are flood affected at the lowest points at the north-east adjacent to Cabbage Tree Road.

PROPOSED DEVELOPMENT:
Four separate components:

- Golf Course upgrade works
- Construction of a road linking the seniors housing to Cabbage Tree Road including a round-a-bout and pedestrian crossing
- Construction of an access pathway from the site through to the bus stop on the eastern side of Annan Road.
- Seniors housing comprising 95 independent living units accommodated within 6 residential apartment

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buildings that are linked at ground level (A+B, C+D, E+F). Communal facilities include a primary central open space, outdoor terrace. Dining, lounge, café, bar and winery, library, business centre, massage rooms, beauty services, arts and crafts, games room, hair dresser, gym, pool and sauna.

Apartment mix:

2-bedroom	8 units	8.4%
3-bedroom	87 units	91.6%%

Car parking: 186 cars over 3 basement levels ramped to following topography generally as a continuous single and part 2-level basement (car parking summary to confirm numbers of visitor, accessible spaces, loading area, garbage room(s), carwash bay, and storage etc).

1.0 SUMMARY RECOMMENDATION – NOT SUPPORTED

SEPP Housing for seniors and people with a disability Part 3 Division 2 – Design Principles have not been adequately addressed and/or require amendments before urban design support can be given.

Key aspects of Council's development objectives under PLEP 2014 also have not been adequately considered given this is medium to high density development proposed on land currently zoned for open space recreational use and the nearest development being a low density residential zone.

This urban design report will also reference specific aspects of SEPP 65 nine design quality principles and Apartment Design Guide objectives, design criteria and/or design guidance, and Northern Beaches planning instruments as necessary.

The following recent changes to the NSW policy environment have also been considered in this urban design review.

a) NSW Department of Planning - Planning Circular PS18/01 for Local Character – recognises the community's concern about the impacts on amenity and local character within neighbourhoods. The Northern Beaches suite of strategic policies, LEP and DCPs clearly describe the Desired Future Character of each locality from local centres through to low density development areas and urban release areas. This Circular also references the Government Architect's *Better Placed* Policy that further reinforces the need for local character to play a stronger role in future development.

b) *Better Placed* – including Objective 1 Better Fit - *Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based and relevant to and resonant with local character, heritage and communal aspirations. It also contributes to evolving and future character and setting.*

c) EP&Act Amendment Act 2017– amendments to the Objects of the EP&A Act came into effect as at 1st March 2018.

Part 1 cl 1.3

(f) to promote the sustainable management of built and cultural heritage (including aboriginal cultural heritage).

(g) to promote good design and amenity of the built environment

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.

2.0 KEY URBAN DESIGN ISSUES

1. **Site Area** - Inconsistent references of site area for the proposed development – Survey (Bee & Lethbridge, August 2017) identifies the 'Proposed Lot' 18,798m2; while the Statement of Environmental Effects (SEE) (Ethos Urban, 12 Dec 2017) states "the seniors housing site constitutes an area of approximately 98,847m2 (9.85ha). Clarification of the development site is required.

2. **Site Compatibility Certificate – general queries** – from an urban design perspective, the issuing of a site compatibility certificate (SCC) for the proposed building typology and scale in this particular location presents inconsistencies with the urban character permitted under the Pittwater LEP and Pittwater 21 DCP. However, our urban design report accepts the certificate is in place from which arise the following general queries:

   It is unclear whether the site is to be subdivided for the development and on-going operations. For certainty, it should be clarified whether a future change of ownership of the proposed development lot may affect the SCC on two points:

   a) that the land must be owned by a registered club, and if not,

   b) whether a subdivided lot would then need to be adjacent to land used primarily for urban use. This should also be considered in context of changes to the requirements for issuing SCCs.

   While these are questions for Council's planning and legal experts, implications for urban design arise because of the proximity of proposed development to the development site boundaries and the ability of the proposed development to therefore support canopy landscape *within the site* to adequately soften and screen proposed development over the long term. This canopy landscape outside the development site boundaries is being relied upon within the submission documents.

3. **SCC design compared to DA design** –

   a) Site boundaries - A preliminary comparison of the SCC site area finds boundaries have been adjusted for the development application. There are only minor differences to site area and appear to be the result of:
      - avoiding the geological hazard along the southern boundary along Cabbage Tree Road, and
      - extending further to the east to accommodate required vehicular and pedestrian movements in and out of the site.

      Both reasons can be supported. The latter facilitates traffic changes to integrate a new roundabout and incorporate safe pedestrian and vehicular access into and out of the site and access to proposed Golf Club maintenance buildings and storage areas from Cabbage Tree Road. However, there are implications to streetscape character as more of the site becomes visible from Cabbage Tree Road due to additional existing trees being removed along the Cabbage Tree Road frontage that is discussed elsewhere.

   b) Building footprints - the DA proposes a significant increase in the building footprints of Blocks A + B, C + D, and E + F, with a slight decrease to the footprint of the communal facility building. Approximate calculations are in the order of:

Block A + B	increase approximately 513m2	proportional increase of 28.6%
Block C + D	increase approximately 503m2	proportional increase of 29%
Block E + F	increase approximately 611m2	proportional increase of 33.5%
Communal facility	decrease approximately 114m2	proportional decrease of 8.3%

      This equates to a total increase of approximately 1627m2 in the building footprint.

      Translated 3-dimenionally, this has a material impact on the bulk and scale, and associated implications for compatibility with the surrounding open space, dominant landscape and low-density residential character of the surrounding neighbourhood.

      (Note: square metre figures are approximate calculations overlaid by Hill Thalis from submitted information DA1.04 prepared by Marchese Partners, and scaled to the site area of the survey sheet 1 prepared by Bee & Lethbridge (undimensioned boundaries - dimensions contained on DA1.01(A)). Any detailed numerical square metre inaccuracies, however, are reconciled with the proportional difference between the building

footprints of the SCC and DA documents. Figure 1 below shows the overall increase of the SCC footprints. The orange shaded areas show the additional footprints area added to the SCC approved footprints).

Figure 1 below also indicates the relationship of boundary adjustments and proximity of proposed buildings.

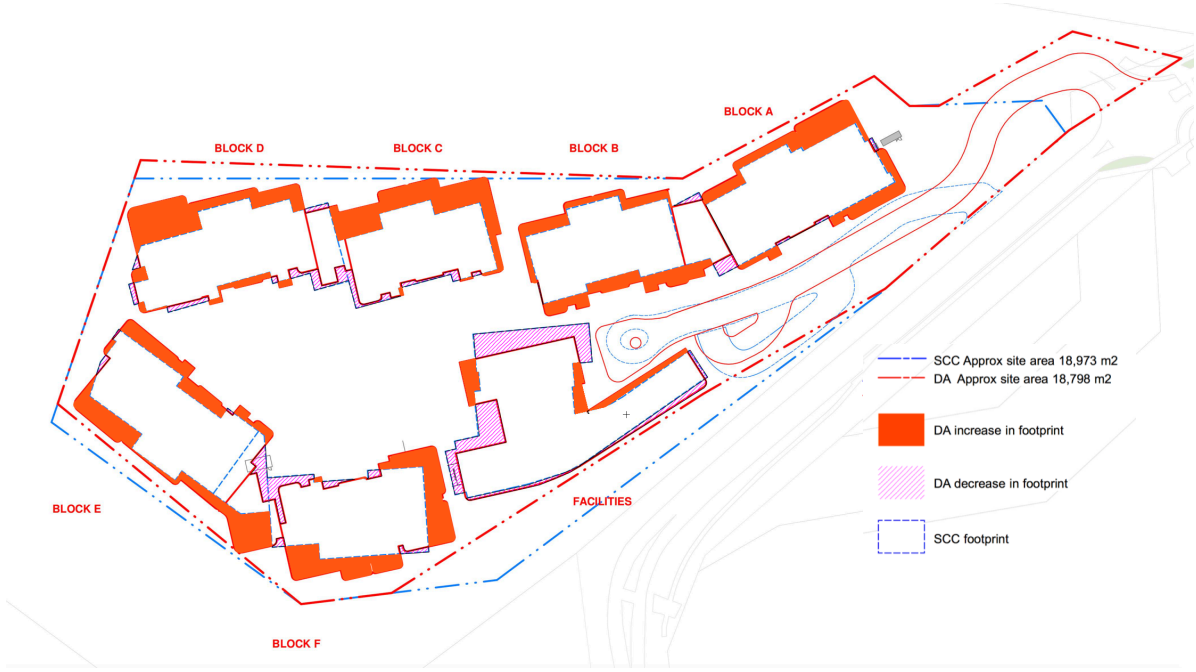

Figure 1: Comparison of SCC and DA building footprints

c) Unit Mix – A comparison of the SCC and DA finds this increase in bulk and scale to be the result of a change in unit mix.

The SCC proposed a more even 42% to 45% mix between 2-bedroom and 3-bedroom units.

The DA proposes only 8.4% 2-bedroom and 91.6% 3-bedroom units, which by type are larger, and appear to be proportionally consistent with the sought increase in bulk and scale.

4. Neighbourhood character

Proposed development is inconsistent with the existing and desired urban character of Bayview. It does not satisfy:

Site Compatibility Certificate Schedule 2, Item 1 for building footprints; and Item 2 (first dot-point) for final layout, number of in-fill self-care living units and onsite facilities to resolve issues of form, height, bulk, scale setbacks and landscaping.

SEPP Seniors - cl 33 (a) for neighbourhood character to recognise the desirable elements of the location's character…so that new buildings contribute to the quality and identity of the area.

SEPP 65 - Principle 1 – Context and Neighbourhood Character – ADG:

- 1B Local character and context – is defined by local planning instruments which establish desired future character of the area within the vicinity of the subject site, which is to retain existing low density housing that is dominated by canopy landscape.
- 1C Precincts and sites – establishes whether an area is to retain its existing character or undergo planned future change. The area is not planned for change under Northern Beaches Pittwater LEP and DCP 21. Significant departures from existing building typologies and density must occur in a

strategically controlled manner to avoid ad-hoc and/or poorly located development, and/or development that does not achieve the desired future character.

– 3A Local context – Site context, local context, and wider context analysis is required to understand the type of development appropriate to the site. There are inconsistencies within the submitted site analysis that have implications for the proposed development.

PLEP 2014 cl 4.3 (1)(a),(b),(e),(f) for height of buildings is to ensure development is consistent with the desired future character of an area so that development is consistent and compatible with the desired urban character.

Pittwater 21 DCP D2.1 Outcomes for Bayview (where the site is located according to Northern Beaches Council mapping) – to Achieve the desired future character, for bushland landscape as the predominant feature with built form being the secondary component of the visual catchment.

For proposed height, bulk, and pattern of built form-to-space to be consistent with the desired urban character, and avoiding visual impacts from the public domain (and other properties).

Pittwater 21 DCP D9.1 Mona Vale locality (as cited by the SEE) Outcomes - To achieve the desired future character; To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment; to promote a scale and density that is in scale with the height of the natural environment; for the visual impact of built form to be secondary to landscaping and vegetation. For buildings within a residential area to give the appearance of 2-storey maximum; and Control - that buildings are to give the appearance of being secondary to the landscaping and vegetation (no permitted variations).

Proposed development does not satisfy the neighbourhood character for the following reasons:

a) Location – aerial photo analysis is useful in understanding the scale, density, and pattern of development that establishes the different neighbourhood characters in the vicinity of the subject site. An on-the-ground site visit reinforces the spatial characters. Hill Thalis's analysis found that low-scale apartment typologies and consistent heights of 2 and 3 storeys are found within the Mona Vale local centre with very few examples of 4 storeys commercial/mixed use development and only the Peninsula Plaza Shopping Centre block containing one 7 storey commercial building. The proposed building types and scale of the proposed development therefore, represent an anomaly in the low density residential area.

   Considering the subject site location, it is within a golf course, surrounded by open space and otherwise isolated from development of a similar type and appears to propose to be at a larger scale than development within the Mona Vale urban centre. By way of comparison of recent development, one may consider 'The Masters', a two-storey medium density development at the eastern edge of the Bayview Golf Club that achieves a street edge, building typology, height and scale of development that engages with and complements the surrounding neighbourhood character and intensity of development. Notably, 'The Masters' is less intense development than is proposed, and is located within a more dense suburban environment than is the subject site.

b) Site analysis - The Statement of Environmental Effects at section 4.6.1 *Consistency with Compatibility Planning Principle* includes figures 37, 38 and 39 for comparative figure-ground studies of Aveo Bayview Gardens, Aveo Minkara, and Aveo Peninsula Gardens (see Figure 2 over page for an excerpt of Figure 37). This information is also used in the *Seniors SEPP Design Principles Statement* prepared by Marchese Partners and contained within the Site Compatibility Certificate application.

   Hill Thalis visited the site on 26th February, which included a walk around the proposed development area and surrounding neighbourhood, and drive around for broader urban context. We observed a discrepancy between our physical observations and site analysis submitted in the DA submission.

   As a result, Hill Thalis conducted further analysis to clarify the apparent discrepancy. The results can be seen in Figure 3 next page and is relevant to understanding the existing and desired neighbourhood character.

   The scale of Aveo Bayview Gardens that presents to Annan Road and Cabbage Tree Road is predominantly single and two-storey articulated buildings and roof forms that are consistent with the pattern of adjacent R2 residential development along Annan Road. Buildings are set within a canopy landscape with dense deep soil

plantings throughout the block that can be seen in Figure 3.

While the proposed development comprises a smaller component that directly addresses Cabbage Tree Road, the proposed development will be clearly seen from the area around the site entry at Cabbage Tree Road (Block A), the public reserve at Annan Road, and from roads and properties looking across to the development site where it sits at the top of the geographical hazard (Blocks E+F and the Facilities Building).

Hill Thalis's analysis Figure 3 below of building footprints (see item 3(b) of this report) finds that proposed building footprints are significantly larger than surrounding development in the immediate and applicable vicinity. This results in significantly bulkier massing; that when translated to 3 and 4 storeys is significantly higher and different in character than surrounding all other one and two storey development.

Figure 2: Excerpt SEE p75 (Figure 37 prepared by Marchese Partners) Figure-ground comparison (Waterbrook Bayview and Bayview Gardens). Subject site with SCC building footprints, site boundary differs from SCC and DA. Forms basis of Site Analysis at drawing DA1.02.1 (A).

Figure 3: Figure-ground study undertaken by Hill Thalis following a site visit that identified some inconsistency with the proponent's analysis and our observations on site. This study compared satellite images and footprints of Aveo Bayview Gardens and is presented in context of proposed DA building footprints of Waterbrook- Bayview rather than SCC footprints. (Base image courtesy of SIX Maps)

(Subject site SCC boundary in blue, proposed DA boundary in red)

If this is further considered in context of the site location, one finds the subject site is approximately 1.5 to 1.8km away from the Mona Vale local centre, does not adjoin land zoned for medium or high density development but is set within established low density and open space, and is spatially isolated from similar scale development.

c) Building separation and pattern of built form-to-space - Proposed separation spaces between buildings do not sufficiently mitigate proposed building bulk.

Generally, separations of 12 metres would be expected for development of similar scale in more urban areas under SEPP 65 ADG 2F and 3F-1 (1) (noting the range of separations available based on internal planning arrangements). Indeed within a suburban area, greater separations may be required for context. Scaled from submitted architectural documents, separation of between 3m to approximately 9m are proposed which would be more appropriate within a more dense local centre. The skewed building geometries also result in limited opportunities for views through the site when seen from the public domain and neighbouring properties to the east and is exacerbated by the topography to the west in particular (Blocks E + F) and the facilities building.

The character around the perimeter of the site thus appears as a walled precinct defined by the apartment built form.

While SEPP 65 overrides the SEPP Seniors *Urban design guidelines for infill development*. This document should be considered in context of understanding the intent of SEPP Seniors development upon which SEPP 65 is silent.

While the buildings have been articulated into the 6 'blocks' plus the facilities building above the unbroken ground level, more spatial breaks are required to reduce the visual impact.

The walled site character that presents around the boundaries is therefore inconsistent with section 1 Responding to Context for Built Environment (p4) that specifically notes:

> *Residential neighbourhoods are often consistent in terms of built form. This includes not only the size and shape of buildings but the spaces between them. It is important that new built form, as far as possible, follows these patterns.*

and Trees (p5)

> *Trees and vegetation are critical in establishing the particular character of a neighbourhood or street.*

and the Rule of Thumb within section 2. Site Planning and Design (p7)*:*

> *The proportion of the site given to landscape area and deep soil should be increased in less urban areas, on large lots, and in areas already characterised by a high proportion of open space and planting.*

d) Building typologies - are inconsistent with the surrounding residential housing typologies. This is also in context of the development comprising 7 buildings resulting in a scale of development that will significantly alter the surrounding context. Hence appearing in a spatial context, as a disparate precinct in its own right. This departure is inconsistent with the desired urban and environmental character of the area established by DCP 21:

> *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built environment.*

This can be addressed by increasing the spaces between buildings so there is a closer interpretation of the surrounding development pattern and to provide visual relief when viewed from both the public and private domain and decreasing building height.

Deep soil canopy landscape within these spaces would further assist in achieving a more sensitive and compatible development.

It is noted the SEE p21 includes images of Aveo Minkara. That represent poorer examples of urban character within that development (dominated by garages and internal roads and insensitive relationships to the ground plane and landscape). From an urban design perspective, poor exemplars are inconsistent with the principles for achieving "good design" within the current NSW policy environment and therefore are inappropriate

inclusions. However, it is acknowledged that, by comparison, the proposed development achieves a more pedestrian-centric site environment than Minkara. This has been achieved with vehicles being accommodated within a basement car park, which facilitates a ground level central communal and pedestrian space, both of which are supported as consistent with principles of good design.

e) Floor space ratio (FSR) – the SEE, Table 5 p 20 identifies densities of adjacent seniors housing ranging from 0.24:1, 0.41:1 and a jump to 1.46:1 for Aveo Bayview Gardens. Waterbrook proposes 0.98:1.

This should be considered in context of *Salanitro-Chafei v Ashfield Council [2005] NSWLEC 366* for the planning principle of the relationship of density and residential character, which in summary establishes a threshold of density for suburban character at par 27

> *27 The above* [reference to SEPP Seniors and SEPP 53] *suggests that there is a general acceptance by the planning profession that an open suburban character is most easily maintained when the FSR of buildings does not exceed 0.5:1. The question raised above may therefore be answered thus:*
>
> *The upper level of density that is compatible with the character of typical single-dwelling areas is around 0.5:1. Higher densities tend to produce urban rather than suburban character. This is not to say that a building with a higher FSR than 0.5:1 is necessarily inappropriate in a suburban area; only that once 0.5:1 is exceeded, it requires high levels of design skill to make a building fit into its surroundings.*

The nearest aged care housing is Aveo Bayview Gardens representing the highest of the aged care facilities in the vicinity. It should be noted that unlike the proposed Waterbrook development, Aveo Bayview Gardens includes a residential care facility. These are a bulky building type that generally account for higher FSRs. Aveo Bayview Gardens is also contained within an entire and large suburban block.

Notably, the typology and scale of Bayview Gardens independent living units at the interface of adjacent residential development around all street frontages is experienced as small one and 2-storey clusters of buildings separated by canopy landscape.

The small building typology also provides more flexibility for engaging with the steep natural topography and with the low-scale residential development of the adjacent R2 zone. By contrast, the larger building footprints and typology of apartment buildings requires significant site excavation to deal with topography, and results in a development that is more urban rather than suburban in character (see DA4.02(A) for long section through Blocks D-C-B-A).

f) Unit mix - the Site Compatibility Certificate (SCC) had approved 95 units, with an even mix of 2-bedroom and 3-bedroom units of 42% and 46% respectively (refer to item 3). This was not translated to a specific Floor Space Ratio for the site.

The proposed unit mix is relevant to the built-form outcome because 91.6% of units are 3-bedroom resulting in approximately 30% more development on the site compared to the SCC approved development. Schedule 2 of the SCC indicates the number of units is not an as-of-right aspect of the determination rather indicative with the unit mix proposed in the SCC application. Final unit numbers being contingent on resolving issues of built form, height, scale, setbacks and landscaping.

g) Height – height exceeding the permitted maximum permitted height under Pittwater LEP cl 4.3 does not satisfy the desired future character nor LEP objectives.

It is noted that the *High Level Marketing Analysis Report* prepared by Brand Partners includes a table at p7 of projected costs to residents based on the number of units proposed. There would appear to be scope within these figures for amendments to reduce height to near compliant 8.5m and potentially increase building separations to enable significant landscape between buildings that would help relieve the scale.

Deleting units from Blocks E and F, for instance, to achieve near compliant height would result in the loss of approximately 10-12 units (in current configuration) significantly less than projected in the Marketing Report.

5. **Cl 4.6 Variation to Height** – does not demonstrate PLEP cl 4.3 (1) Objectives have been satisfied:

a) to ensure that any building by virtue of the height and scale, is consistent with the desired character of the locality,

b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,

e) to encourage building that are designed to respond sensitively

The maximum height of all development within Pittwater is 13m. Within the Pittwater local government area, the only precinct that permits the maximum height of 13m is located within the heart of the Mona Vale local centre.

There is no land within Pittwater that is zoned R4 for higher density residential development found in urban centres, with the highest level of residential density being zoned R3 where small apartment developments are a permitted use to a maximum height of 8.5m. This demonstrates a clear intent for the local development controls for low scale medium density residential development where permitted.

Pittwater 21 DCP desired character is to *maintain a building height limit below the tree canopy and minimise bulk and scale.*

Cl 4.6 variation for Height cites the LEC Planning Principle for compatibility *Project Venture Development v Pittwater Council [2005] NSWLEC 191*. This should be considered in context of *Veloshin v Randwick Council [2007] NSWLEC 428* for height and bulk and *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council [2003] NSWLECC 268* for compatibility of seniors housing in low density zones.

From an urban design perspective, 3 and 4 storeys across 7 apartment type buildings is not compatible with the predominant one and 2-storey surrounding detached and attached dwelling development found locally within Bayview, nor within the broader urban context. The bulk, height and scale are significantly different to the surrounding character and fail the tests established in those judgments.

Note: Pittwater LEP standard definition of height includes lift overruns, roof form, plant etc, which differs from the SEPP Seniors definition that is taken to the internal ceiling level only. From an urban design perspective it is assumed the PLEP definition must be considered as it is also informing the permitted height for the RE2 zone due to there being no development standard for height under the SCC.

Mechanical plant intended to be located on the roofs of the proposed buildings should be clarified. This should be incorporated into the roof form and not be visible from the public domain, or from properties on ridgelines to the west and north-east. Preferably, all plant should be located within the basement.

a) Public interest – the public interest test of the cl 4.6 for height is a consideration for planning and outside the scope of urban design. However, public interest in a broader sense is relevant to applying urban design principles when considering variations from applicable standards. While the application cites the public interest being served in providing needed seniors housing and short-term construction employment, the additional height being sought is separate to that provision in urban design terms.

   Seniors housing can be supported on the site but from an urban design perspective, the public interest is served with a development compatible with the surrounding character and/or where additional public amenity and publically accessible facilities may be provided. The Site Compatibility Certificate specifically identified issues that had not been resolved in the SCC design at Schedule 2, Requirement imposed on determination:

   2 *The final layout, number of in-fill self-care living units and onsite facilities in the proposed seniors housing development will be subject to the resolution of issues relating to:*
   - *form, height, bulk, scale, setbacks and landscaping;*

   These issues have not been adequately resolved with the proposed application.

   With regards to public access to facilities offered by the Bayview Golf Club and operations of Waterbrook, Section 4.25 Social and Economic Impacts and Section 4.27 The Public Interest of the SEE, it is noted that Bayview Golf Club is a private club that currently does not offer general public access and that Section 3.3.1 of the SEE is not clear as to whether broader public access to proposed facilities is being offered, or whether the facilities are for Waterbrook residents and their guests. This could be clarified.

b) Relationship to ground plane – cl 33 (c)(ii) of SEPP Seniors – Floor plans provide no RLs of adjacent ground surrounding each of the buildings. Landscape plans provide external ground levels without adjacent internal floor levels. Architectural section drawings indicate significant excavation is required to accommodate units at ground level in Blocks B, C, D, E.

The application indicates ground works outside the proposed site boundary are required to batter and replant vegetation in efforts to mitigate the negative impacts of units below adjacent existing ground levels.

From an urban design perspective, a general principle is that dwellings located below existing ground levels are undesirable due to compromised amenity (solar access, daylight and/or outlook) and often result in issues with water ingress to internal spaces over the long-term whether that be storage areas, bathrooms or habitable rooms.

When considered in context of the variation to height, there are also impacts proposed to the existing ground plane (see DA4.02(A) for long section through Blocks D-C-B-A).

c) Flood emergency response – in relation to the test of public benefit for a clause 4.6 variation for height - the SEE at p 100 states "*there is the potential for the site to be used as a place of refuge for the community during flood events".* However, clarification may be required as to how the public benefit can be achieved where access into the site is via Cabbage Tree Road at the Annan Road junction eastern access, and at the Cabbage Tree Road creek crossing to the west which are inundated in a flood event. This appears to prevent access into and out of the site, supported by submitted documents that state inundation occurs within 1-hour of the onset of a rain event, which appears to be insufficient time to evacuate residents and/or to access the site for shelter.

6. **Landscape character – cl 33 (a), (e) of SEPP Seniors** – all screening and softening landscape is proposed to be outside the site boundaries. Proximity of proposed development to site boundaries does not appear to have provided space for canopy landscape within the site as identified in Figure 1 of this report.

   Maintenance of the long-term canopy landscape and impacts from asset protection are to be clarified.

   It is unclear whether Waterbrook or the Bayview Golf Club will have responsibility for landscape maintenance (and associated costs) both of which have implications to the proposed landscape screening and landscape character being achieved over the long term.

7. **Bushfire asset protection zone** – further clarification is required regarding the extent of vegetation clearing required for asset protection (see section 7.05 Asset Protection Zones of the *Bushfire Hazard Assessment Report*, 21st November 2017, prepared by Building Code & Bushfire Hazard Solutions). This may result in additional trees being removed along the western and north-western sides, which would likely cause Buildings E + F and the facilities building located at the top of the steep geographical hazard to dominate the visual character when viewed from properties and public domain beyond the site.

8. **Protection of trees cl 33 (f) of SEPP Seniors** - Of the 153 trees located within the proposed development site, 132 are identified for removal. This is in context of additional works associated with the application within and beyond the SEPP Seniors housing site that affects a total of 290 trees of which 252 are proposed for removal. From an urban design perspective, this appears to present a significant impact on the site. Ecological and landscape implications therefore affect the ability of the proposed development to achieve the desired neighbourhood character for canopy landscape to be the dominant feature, with development below the canopy height and subordinate to the landscape setting. From an urban design perspective, it would need to be demonstrated that this level of intervention achieves a landscape outcome that Council considers is equal to, or better than the current conditions.

   From an urban design perspective proposed setbacks from the site boundaries do not appear to permit meaningful deep soil landscape within the site (setbacks ranging from 0m to 1m or where they are less than 6m). The development relies on the golf course providing all canopy landscape outside the site boundaries relied upon to screen and soften the development. It is noted in *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council [2003] NSWLEC 268 …It is preferable to preserve existing vegetation around a site's edges to destroying it and planting new vegetation.*

   Screening of the buildings along the Cabbage Tree Road boundary appears to rely on the Golf Club maintaining the existing landscape within the geological hazard area and that there will be no future changes to the landscape proposed by the Club. A number of the trees within the site are proposed for removal such that the existing dense bush character is likely to be thinned, with Blocks A+B, E+F, and the Facilities building becoming more visible from the public domain and propoerties.

To the west the topography falls to the existing watercourse with the proposed development removing all the trees located within the development site area.

The combination of falling topography and loss of existing significant tree canopy will result in the development being more visible than may be anticipated when looking at the site through the existing treescape.

9. **Solar Access** – The proposed development only partially complies with solar access. SEPP 65 cl 6A (b) at ADG Objective 4A-1 (1) requires a minimum of 2hrs solar access to the living rooms and private open space of 70% of apartments in a building, which is likely to have been satisfied.

   However, ADG 4A-1 (3) permits a maximum of 15% of apartments in "*a building"* to receive no direct sunlight. The can be viewed as a whole or can be broken down into building elements. As a whole, 27 of the 95 units are proposed to receive no solar access.

   This represents 28.4% of the development, which is close to double the maximum permitted number of units to receive no solar access during winter.

   A breakdown of each building with units receiving inadequate solar access finds:

A + B	2 of 25 units	8% of units affected
C + D	0 of 30 units	No units affected
E + F	25 of 40 units	62.5% of units affected

   On a merit assessment, the site is a greenfields site with no compelling reasons for the variation.

   This is indicative that sought density and/or yield is excessive for this particular site, and/or that the development has not adequately considered the site analysis, and/or proposed unit mix or configuration must be reconsidered.

   The requirements of all items within SEPP 65 cl 6A are expected to be fully compliant from an urban design perspective. It should also be noted that if units are to be deleted from the upper storeys to reduce height, the proportion of units receiving no solar access may likely increase.

   Adequate solar access is an important consideration for seniors or people with a disability who may be confined to their homes (and possible bedrooms) for extended periods of time due to illness, injury or disability which may be short or long term.

   Views from the sun 3-d solar modelling should be submitted for further review to confirm that solar access is achieved to both living rooms *and* private open space. Submitted drawings do not enable a full assessment.

   Cl 50 (e) of SEPP Seniors should be noted requires 3hrs of solar access to living rooms and private open space to 70% of the development.

10. **Visual and acoustic privacy**

    All vehicular traffic is contained within a basement and the main entry porte-cochere is located to the east of the site, which confines any impacts to Blocks A and B.

    However, the network of ramped pathways restricts the area available for landscape to separate bedrooms from the driveway and paths. Care will be required in the detailed resolution to ensure a welcoming a pedestrian-focussed site character is achieved to satisfy SEPP Seniors cl 34 and SEPP 65 ADG 4H-1.

    Consideration could be given to reducing the number of 3-bedroom units to increase the distance between the driveway/new road entry and Block A units A1.04 A1.05 typical.

    Handrails will be required for the pathways, which will harden the entry character where the path directly abuts the driveway/new road.

11. **Energy efficiency**

    SEPP 65 ADG 4U-1 requires development to incorporate passive environmental design. This is to be considered in context of the number of dwellings permitted to receive so solar access at 4A-1(1).

12. Waste management

SEPP 65 ADG 4W-1 and 4W-2 for the design, location, access and safety, and impacts from the storage and collection of waste must be integrated with the building design to mitigate impacts of noise, smells and visual amenity.

All waste should be accommodated within the basement and confirmed that collection will occur on-site from the basement with minimal impacts to resident amenity. The collection point for the commercial waste is proposed to be at the porte cochere area for a commercial contractor service (Diagram 2 of the Waste Management Plan, Nov 2017, prepared by Waste Audit).

Impacts to visual and acoustic amenity for Block A+B units adjacent to the driveway may require further consideration such as options for the commercial waste collection point to be at the lower level road level at the basement entry rather than adjacent to dwellings.

END OF REPORT