

15 June 2020

**DA 56271/2019:           NOMINATED INTEGRATED Residential 108 Bed Aged Care Facility**

**Property:                 LOT: 1 DP: 1261345, 88 Scaysbrook Drive KINCUMBER  
Formerly LOT: 103 DP: 707503, 290 Avoca Drive KINCUMBER**

**Panel Reference No: 2019HCC015**

The following information is provided in response to questions raised by the Hunter and Central Coast Regional Planning Panel (the Panel) on 15 June 2020 prior to the briefing and determination meeting scheduled for 16 June 2020.

#### **List of Attachments**

List of additional documents for the Panel's consideration:

1. Ground Floor Plan marked up with the retaining wall extent and heights.
2. Landscape Report with comments included in SK 2.0 covering mound/bund tree heights and SK3.0 covering the northern boundary tree heights at maturity.

#### **Response to Questions**

Council has considered the Applicant's response to the matters raised by the Panel and the following is provided for the Panel's consideration.

- 1. Can Council supply the NRAR and RFS GTAs referenced in draft Condition 1.3 (not attached to draft conditions), as well as the TfNSW advices, I could not find copies on the portal;**

The following documents were provided 15 June 2020:

- General Terms of Approval - Natural Resources Access Regulator, Doc No. ECMD24959118
- General Terms of Approval/Bushfire Safety Authority - NSW Rural Fire Service, Doc No. ECMD25146084
- Transport for NSW Works Authorisation Deed (Attachment A) Advice to Consent Authority and Developer, Doc No. ECMD24894728

- In addition to documents provided in point 3 and above the following documents are also provided:
  - Geotechnical Report, Doc No. ECMD24850076
  - Noise and Vibration Management Plan, Doc No. ECMD25367135
  - Air Quality Management Sub Plan, Rev 3, Doc No. ECMD25367149
  - Traffic Parking & Access Report, Doc No. ECMD24850085
  - Bushfire Protection Assessment Doc No. ECMD24850069
  - Arboricultural Impact Report, Doc No. ECMD25367035
  - Statement of Environmental Effects, Doc No. ECMD24850017 (and redacted version)
  - Architectural Design Statement, Doc No. ECMD24850131
  - BCA & Accessibility Statement of Compliance, Doc No. ECMD24850126
  - Catholic Healthcare Statement – Social Housing Provider Status & Palliative Care Confirmation Doc No. ECMD24850121
  - Quantity Surveyor Report, ECMD24850115
  - Waste Management Plan, Doc No. ECMD24850116

**2. Can Council staff be prepared in our briefing to outline the likely impacts of the conditioned works in Avoca Drive for pedestrian works (Condition 2.7) and including tree removal extent (architectural site plan identified all existing landscape to be removed along frontage?) and any proposed landscaping (landscape plans appear to suggest 2 x street trees) in road reserve, and confirm that that extent of streetscape tree removal, retention and landscaping is accurately depicted in the for Avoca Drive provided with the documentation;**

The following is provided in relation to tree removal – Avoca Drive frontage

- The photomontage, drawing 253824-KI-AD-900-11, shows the brightly coloured trees along Avoca Drive. These trees will be removed, and this is confirmed by Jackson Teece, Site Plan Drawing 253824-KI-AD-000-03.
- The group of 6 palm trees on the above photomontage drawing will now be removed (refer Arboricultural Report, prepared by Landscape Matrix Pty Ltd dates 25 October 2019). The revised Report did not previously include these trees in the trees survey as being small trees of dimensions not warranting assessment. The proposed tree plantings on the western side of the building will reduce visual impact of the building when approaching the site from the west.
- Consideration has been given to the streetscape impact of the proposed landscaping along Avoca Drive frontage. Fencing along the frontage will be palisade fencing enabling the planting within the site to be visible. The new building will be visible from Avoca Drive, although will appear as a 2-storey building by siting the building at a lower level to that of Avoca Drive. The landscaping treatment provides effective

screening to the public domain and the proposal is acceptable within the scale and context of the immediate area.

The existing mature trees to be retained within the E3 portion of the site, and visible from Avoca Drive, provides further screening of the building when approaching the site from the east and a green backdrop when approaching the site from the west.

- Two street trees are proposed as shown on the Jackson Teece Ground Floor Plan Drawing 253824-KI-AD-200-01. This is consistent with the Landscape Design Report by Aspect Studios. The General Specification Notes, Drawing B17035 – SK10.0 states:
  - The street trees will be min 100 litre stock and will have a mature height 8m and greater
  - Trees adjacent to pathways, entries, parking areas and driveways shall be capable of attaining a 1.8m clear trunk height on maturity.
- Council considers the street tree planting proposed is satisfactory and no further street trees are required. There is concern as to potential conflict with existing services and the provision of the pedestrian pathway required to satisfy Seniors Housing SEPP and the provision of a suitable pathway to the bus stop should further street trees be considered. Council's water main is in the vicinity of the footpath and overhead electrical wires. Noting no street trees exist across the frontage of 284 Avoca Drive (part of Brentwood Village) due to conflict with services.
- Council confirms that the extent of streetscape tree removal, retention and landscaping is accurately depicted for Avoca Drive frontage.

**3. Can Council upload to the portal the concept civil engineering plans and site stormwater management plan referenced in the supporting documents section of the assessment report, as well as the RFI response letter by the applicant and noise management plan (I could not find copies of the supporting information on the portal); Is Council staff satisfied that the landscape outcomes can be achieved consistent with the engineering and stormwater details particularly forward of building to Scaysbrook Drive?**

The following documents were provided 15 June 2020:

- Site Stormwater Management Plan, Doc No. ECMD24850060
- Soil and Water Management Plan, Doc No. ECMD25367062
- Civil Engineering Plans, Doc No. ECMD24850075
- RFI Response Letter, Doc No. ECMD25366968

Council is satisfied that the landscape outcomes can be achieved. The drainage, located pits and falls, as per the civil engineering plans allow for the collection and drainage of stormwater from behind the mounding that has been provided for landscaping along the south-eastern side of the

building. The proposed slope on the mounding allows for the safe landscape maintenance and mowing of the mounds.

**4. Can Council staff be prepared to explain at the briefing the streetscape presentation to the multiple services infrastructure and enclosures (what type of enclosures?) noted either side of site entry in Scaysbrook Drive.**

In accordance with the Jackson Teece Site Plan the enclosures are as follows:

- West of driveway:
  - Fire Hydrant, Sprinkler and Booster Assembly – covered?
  - Cold water meter - covered
  - Kiosk Substation
- East of driveway:
  - Gas meter

The enclosures are required to provide adequate services and located for ease of access. Landscaping proposed is acceptable.

**5. Can Council direct the Panel to the plans that show the location and heights of proposed retaining walls that consent is to include?**

Refer to the Ground Floor Plan marked up with the retaining wall extent and heights – attachment 1.

The Applicant advises the architect, Jackson Teece have provided the retaining wall heights and confirm the following:

- The paths we provided from the bus stops provide an accessible route to the site entry;
- The path from the new site access on Avoca Drive to the facility entry is compliant with the disable access codes;
- The hardscape (paths and retaining walls) towards Avoca Drive has been modelled to allow for the soft landscape and planting as per Aspect Studios design.

Council Comment – the retaining walls shown on the plan indicate general heights of maximum of 1.2m except for the retaining wall along the car park as marked being 2.3m in height. Due to its location within the site, site slope, existing and proposed landscaping the wall will have minimal visual impact to the public domain.

**6. Can Council be prepared to explain at the briefing the footprint extent of native buffer palette (that has the selection of larger trees) to understand height of future landscape beyond the lower streetscape level relative to recommended building heights, given the landscape bund and to a lesser extent the perimeter palette appears to be limited to small/medium height**

**trees only. Given the reliance on landscaping, please also confirm that the proposed landscape depicted can occur consistent with the RFS APZ requirements?**

- Tree heights
  - An amended Landscape Report is provided with comments included in drawings SK 2.0 covering mound/bund tree heights and SK3.0 covering the northern boundary tree heights at maturity.
  - Avoca Drive – provides plantings generally 6m and will include plantings interspersed to 10m – resulting in 1 – 2 storeys visible to the street.
  - Scaysbrook Drive - provides plantings generally 6m and will include plantings interspersed to 10m – resulting in 2 storeys visible from the street.
  - Applicant advises that detail design works will be undertaken to ensure the tree height is broken up and will assist in complying with APZ requirements.
- Landscaping / RFS APZ requirements

The Applicants' Bushfire Consultant has reviewed the RFS APZ requirements and provides the following:

- Appendix 1 of the Bushfire Report prepared by Travers Bushfire Ecology provides the guidelines for APZ (Inner Protection Area) maintenance and planting. These guidelines have been updated in the new PBP 2019 but are based on the same premise as follows;
  - tree canopy cover does not exceed 15% and that trees do not touch or overhang the building (PBP 2019 states a canopy separation of 2-5m)
  - Shrubs do not form more than 10% of ground cover, are not located under trees and are provided with a sufficient separation from vulnerable building elements such as windows and doors (i.e. PBP 2019 states clumps of shrubs are separated by a distance of at least twice the height of the vegetation)
  - Grass is kept mown (<10cm height) and leaves and debris is removed.
- All of these principles should apply to the landscape plan and planting of dense trees within close proximity to the building should be reviewed.
- In terms of the planting adjacent to Scaysbrook Drive there are some provisions which allow for low threat vegetation (i.e. if replanted vegetation is less than 20m in width and located over 20m from the building and over 100m from the woodland vegetation (beyond Avoca Drive in the north).

#### Council Comment

- The Applicant has advised that the proposal will be able to comply with a considered approach to planting without compromising the value of the tree planting for screening.
- Applicant advises that detail design works will be undertaken in relation to the canopy, staggering of trees are proposed to achieve the right mix and effect.
- Refer to the bushfire report - Schedule 1 – Bushfire Protection Measures (pg 31) which identifies the site is generally lower risk of bushfire impact site – the southern wing essentially shielded from the vegetation to the north. The applicant will work with the with the bushfire consultant to ensure compliance with RFS requirements.

- 7. We will need an assessment of the impacts of off-site works in writing (including tree removal and why this is or isn't acceptable) and an assessment of the retaining structures generally – a plan with RLs would be useful.**

Refer assessment to Point 2.

- 8. Can they also identify the plans we should look for that show the heights of retaining wall and the plans that shows finished levels of the landscape treatment and mounding that is relied on to support the variation in height.**

See attached additional plans.

- 9. Can you also ask them whether the photomontages provided show trees that are to be removed – specifically the views for Avoca Drive.**

Refer assessment to Point 2.

The photomontage, drawing 253824-KI-AD-900-11, shows the brightly coloured trees along Avoca Drive. These trees will be removed. Also to be removed are 6 palm trees located close to the western boundary with Avoca Drive.

The photomontage, drawing 253824-KI-AD-900-10, shows the street trees on the road reserve at the Scaysbrook Drive. These trees will be retained.

Council confirms that the extent of streetscape tree removal, retention and landscaping is accurately depicted for Avoca Drive frontage.

- 10. Can they also confirm that the T 15, 16, 17 have all been assessed for the retaining structure and change in levels that appear to occur in their TPZ.**

Council's assessment report states:

*Additionally, 4 trees to be retained may be impacted by the development. However, with appropriate protection and management it is considered the trees proposed for retention will not be significantly impacted by the proposal. These trees are identified in the Arboricultural Impact Assessment as tree numbers 14, 15 and 17 (Tree 17 is identified as planted threatened species) and can be retained at their current health level. With respect to Tree 16 the encroachment is within the high range. However, recommendations are made in the report to assist in minimising the potential impacts.*

The Arboricultural Impact Report, Doc No. ECMD25367035 has been provided. The report identifies there may be impact to the above-mentioned trees and details the protection works required.

Consideration has been given to the above-mentioned trees in the assessment of the development and the retaining structure.

Council supports the assessment and provides conditions for tree root protection. It is considered that during site preparation works the full extent of impact will be realised. If it is considered at that time Council supports the removal of the trees, noting existing trees on the E3 zoned land will remain.

If the trees are removed the Applicant advises tree replacement will be made.



K Hanratty  
**Senior Development Planner**