

## Annexure 24 – Summary of Submissions

Summary of Concern	Response
<b>Overshadowing</b> – any more overshadowing should not be tolerated because of the excessive impacts of a 17.5m height limit in the first place. Overshadowing beyond the prevailing controls should not be tolerated particularly to No. 26 and 28 Pinaroo Place.	The proposal has been amended to reduce the extent of additional overshadowing beyond LCLEP 2009. The impact of additional overshadowing is shown on amended shadow diagrams.
<b>Building Height</b> – not justified by increased building separation, is higher than the Concept DA, is not justified by density targets and does not meet the objectives of the zone.	Refer to Section 5.1.6 of the report.
<b>Carpark Entrance Placement</b> – on Pinaroo Place is not appropriate and to close to No. 28 Pinaroo Place, does not match the driveway pattern in the street and should be moved to Mindarie Street.	The Sydney North Planning Panel in its deferral of the Concept Application recommended a minimum set back of 2.5m. The proposal provides a driveway setback of 9m. The driveway point provides for a suitable access point, at a logical low-point in the topography (2-4 Pinaroo the logical point is on Mindarie Street). If a standard residential block is 15m wide, then the proposal matches the existing pattern, allowing for a 9m gap from the driveway at No. 28 Pinaroo Place before a 6m wide driveway is proposed. The proposed driveway location is considered acceptable in this instance.
<b>Setbacks to Southern Boundary</b> – concern is raised that the ADG +3m is not provided for particularly on the ground floor.	The proposal provides for compliant ADG (base requirement + 3m) for the full extent of the southern boundary interface. There is a ground floor unit with a courtyard however this is predominantly at existing natural ground level.
<b>Storeys and Storey Extent</b> should meet the local planning provisions (5 storeys not 6 storeys, and the 5 <sup>th</sup> storey to be 50% of the 4 <sup>th</sup> storey).	The proposal is for a part 5 and part 6 storey building. The merits of the additional storey in the circumstances of the case are considered reasonable as outlined in the report.
<b>Sewage Capacity</b>	A Section 73 Certificate would be required to be obtained by the applicant as a post-consent (if granted) provision to ensure adequate infrastructure was available or constructed for the scale of development proposed.
<b>Blue CHP</b> in prior community consultation depicted a 5 storey building with 30 units, not a 6 storey building with 30 units.	Council cannot comment on a consultation process undertaken by the applicant and the

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	changes made from that consultation process.
<p><b>Visual Privacy Measures</b> are insufficient particularly facing the southern boundary. Balconies facing south should not be provided.</p>	<p>The following visual privacy measures are recommended for the proposed development:-</p> <ul style="list-style-type: none"> <li>(i) All fixed window panels on the southern elevation are to be obscure glazed;</li> <li>(ii) All non-bedroom windows are to have a minimum sill height of 1.5m above the finished floor level; and</li> <li>(iii) The balcony returns projecting beyond the southern building line at Ground to Level 4 are to be deleted.</li> </ul> <p>The visual privacy measures, in conjunction with the building separation and landscaping are considered to provide for an appropriate outcome in relation to visual privacy.</p>
<p><b>Tree Removal</b> – concern regarding excessive tree removal including the removal of the Norfolk Pine.</p>	<p>Council shared concerns regarding excessive tree removal. The applicant amended the scheme to provide for the retention of three (3) on-site trees and three (3) street trees (adding in the retention of tree no. 13 facing Pinaroo Place).</p> <p>The retention of the Norfolk Pine while desirable is not practical given it has a large TPZ of 6.6 metres requiring a front setback of 8.6m (approx.) to the north-eastern corner of the site.</p> <p>The proposed landscape scheme would provide for advanced tree species replacement in the large deep soil zones and overall it is considered a high quality landscape scheme is provided for and the proposed tree removal is reasonable.</p>
<p><b>Waste Management</b> is unclear and it is uncertain whether sufficient provision has been made for on-site waste collection.</p>	<p>Council requested the applicant confirm on-site waste collection and suitable servicing arrangements which was provided in an Amended Traffic Report (<b>Annexure 12</b>).</p>
<p><b>Retaining Wall Construction Design</b> to common southern boundary is not sufficiently detailed.</p>	<p>The landscape and architectural plan details the works to construction retaining walls in the south-eastern corner of the site. The survey indicates the wall on No. 28 Pinaroo</p>

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	Place is wholly within that property and the proposal does not proposed to alter this wall as it is outside the subject site. The proposal walls generally follow the topography of the site and are not excessive in height.
<b>Gross Floor Area</b> in excess of a previous agreement with Council.	It is stated that a Deed of Agreement has specified a maximum of GFA of 2,740m <sup>2</sup> . The proposed GFA is 2672.47m <sup>2</sup> which is within this limitation (though the Deed does not form a consideration for the Development Application).
<b>Bush Fire Safety and Evacuation</b>	The proposal has received General Terms of Approval from the NSW RFS and the Development Application has met the relevant statutory requirements.
<b>Lack of Clarity on Social Housing and Affordable Housing</b>	<p>The lack of clarity between social housing and affordable housing is understood. The Act defines affordable housing as:</p> <p><b><i>affordable housing</i></b> means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.</p> <p>Clause 6 of SEPP (Affordable Rental Housing) 2009 further stipulates:</p> <p><i>(1) In this Policy, a household is taken to be a very low income household, low income household or moderate income household if the household—</i></p> <p><i>(a) has a gross income that is less than 120 per cent of the median household income for the time being for the Greater Sydney (Greater Capital City Statistical Area) (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent, or</i></p> <p><i>(b) is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the household were to occupy rental accommodation under that scheme.</i></p> <p><i>(2) In this Policy, residential development is taken to be for the purposes of affordable housing if the development is on land owned by the Land and Housing Corporation.</i></p>

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	<p>For the purposes of this development the entire development has to be considered affordable housing, though the actual anticipated use of the site is for 6 affordable housing units (in accordance with the SEPP), 9 social housing units (in accordance with LAHC communities plus housing model) and 15 private units.</p>