

### COUNCIL SUPPLEMENTARY REPORT

<b>Panel Reference</b>	PPSSNH – 33 (2019)
<b>DA Number</b>	DA 306/2019
<b>LGA</b>	North Sydney
<b>Proposed Development</b>	Demolition of existing dwelling houses at 54 and 58 Wycombe Road, and expansion of an existing Residential Aged Care Facility at 58A Wycombe Road, providing 83 beds within a three and four storey building over basement carparking for 22 vehicles.
<b>Street Address</b>	54-58A Wycombe Road, Neutral Bay
<b>Applicant/Owner</b>	Applicant – Cranbrook RACF Pty Ltd Owners: 54 Wycombe Road – Wenbing Zhou and Min Luo 56 Wycombe Road – James Harris, Michael Harris and Anthony Harris 58 Wycombe Road – Bruce and Elaine Cornell 58A Wycombe Road – Cranbrook RACF Pty Ltd, directors; Stephen Bauer, Marc Bauer, Campbell Meldrum, Kerry Mann and Phillip Andrews
<b>Date of DA lodgement</b>	30 September 2019
<b>Number of Submissions</b>	Original DA - 46 Objections and 5 in Support Amended Plans (submitted 4 March 2020)– 6 objections Amended Plans (submitted 30 June 2020)– 14 objections
<b>Recommendation</b>	Refusal
<b>Regional Development Criteria</b>	General Development with a CIV > \$30M
<b>List of all relevant s4.15(1) matters</b>	North Sydney LEP 2013 <ul style="list-style-type: none"> <li>• Zoning – R2 Low Density Residential</li> <li>• Item of Heritage – Yes (56 Wycombe Road)</li> <li>• In Vicinity of Item of Heritage – Yes (31 Wycombe Road)</li> <li>• Conservation Area – Yes (Kurraba Point Heritage Conservation Area)</li> </ul> SEPP (Housing for Seniors or People with a Disability) 2004 SEPP (Vegetation in Non-Rural Areas) 2017 SEPP 55 – Remediation of Land SEPP (State and Regional Development) 2011 SREP (Sydney Harbour Catchment) 2005 Draft Environment SEPP Draft Remediation of Land SEPP <ul style="list-style-type: none"> <li>• North Sydney DCP 2013</li> </ul>
<b>List all documents submitted with this supplementary report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>• Attachment No. 1 – Assessment Report considered by the Panel on 21 May 2020</li> <li>• Attachment No. 2 – Revised Clause 4.6 Request (SEPP Housing for Seniors and People with a Disability)</li> <li>• Attachment No. 3 – Architectural and Landscape Plans</li> <li>• Attachment No. 4 – Council's Heritage Consultant comments</li> <li>• Attachment No. 5 – without prejudice draft conditions</li> </ul>
<b>Report prepared by</b>	Brett Brown, Consultant Planner
<b>Report date</b>	21 August 2020

## REASON FOR SUPPLEMENTARY REPORT

This supplementary report was prepared by Brett Brown, Consultant Planner in response to amended plans and additional information received from the applicant on 30 June 2020 and 7 August 2020 respectively. This information was prompted by the previous decision of the Panel on 21 May 2020 which recommended deferral of the determination as follows:

*The Panel considers the application has considerable merit however unanimously agreed to defer the determination. The Panel felt the reasons for refusal are substantially resolvable.*

*Additionally, the Panel request the Applicant further address the following issues:*

- 1. The driveway design needs to be reconsidered to minimise any acoustic and visual impacts on the neighbouring residence at 66 Aubin Street and to improve the landscape buffer/separation;*
- 2. The southern elevation needs an increased street-setback and landscaping including canopy trees. The building elements along the southern elevation (wall height, roof form and the Aubin Street setback along with architectural features including balconies, awnings, verandahs and parapets) should also be more compatible in scale and materials with the Wycombe Road streetscape and the conservation area. As a result of any changes in the regard, there should not be a transfer of any loss of floorspace to elsewhere on the site;*
- 3. Overshadowing of 66 Aubin Street should be minimised to be no greater than the current level of overshadowing; and*
- 4. The rear (western setback) should be increased in width and the building reduced in height in order to have reduced impact on the future development of 9 and 11 Thrupp Street.*

*The Panel request the Applicant address these in consultation with Council. To allow the application to progress, amended information should be provided to Council by 30 June 2020 where practical.*

*When updated plans and information have been provided to Council, a Supplementary Assessment Report will be prepared and the Panel Chair will convene another public meeting to determine the matter.*

The amended plans incorporate the following main changes and other less significant revisions:

- Relocation of the proposed loading area turntable 1m to the east allowing a 1m wide planter box to be provided along the western boundary adjacent to 66 Aubin Street;

- The setback to the building from Aubin Street has been increased from 2.4m to 3m in some areas however the 'Juliet' balconies remain at 2.4m. The upper level setback has, in part, been increased by 1.38m to 6.5m;
- Changes have been made to the Aubin Street façade including the 'Juliet' balcony elements that have small pitched roofs over them;
- The setbacks to the western boundary adjoining 9 and 11 Thrupp Street have been increased to 3.95m at Ground Floor Level, 4.64-6.34m at First Floor Level and 6.34m at Second Floor Level;
- The number of beds has been reduced by 4 to 83;
- The FSR has been reduced from 1.24:1 to 1.2:1.

## **ASSESSMENT**

The amended plans were submitted in accordance with the Panel's requirements following a meeting with Council officers to discuss the amendments required.

The following assessment addresses both the previous Panel determination and how the amendments address any of the concerns of the author as noted in the previous assessment report.

1. The driveway design needs to be reconsidered to minimise any acoustic and visual impacts on the neighbouring residence at 66 Aubin Street and to improve the landscape buffer/separation

### **Consistency with Panel requirement**

The amendments respond to this requirement as follows:

The loading area 'turntable' has been relocated 1m further from the western boundary, allowing the landscaped area along this boundary to be increased from 570mm to 1m including some 'canopy trees'. The central part of the basement has also been relocated 1m further to the east (see following extracts from the amended plans).

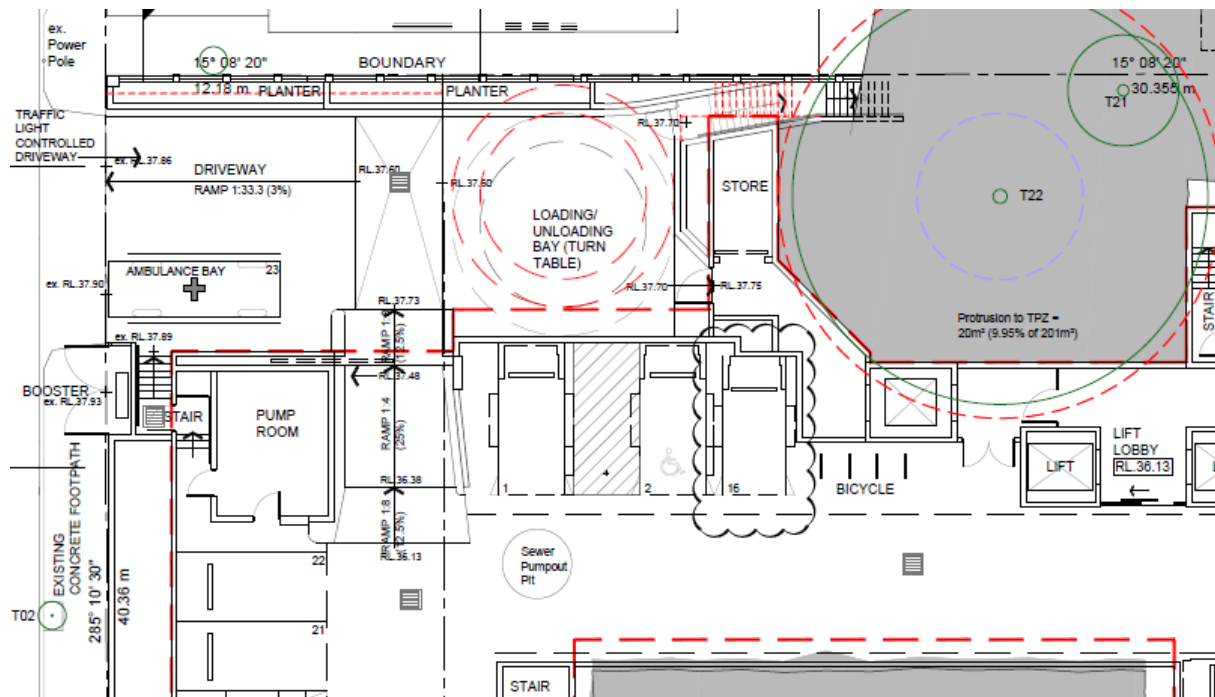


Figure 1. Extract from Proposed Basement Floor Plan DA06 Rev F  
(boffa robertson group)

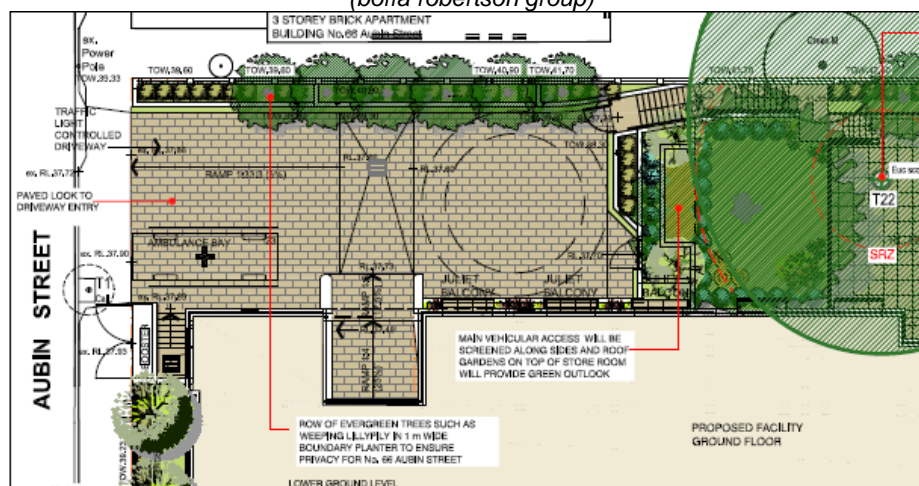


Figure 2. Extract from Proposed Ground Floor Landscape Plan Issue P (Umbaco)

The documentation provides the following comparison of the originally proposed landscaping design and the current scheme, looking toward No 66 Aubin Street.



Figure 3. Originally proposed adjacent to the western rear boundary



Figure 4. Currently proposed boundary treatment adjacent to western rear boundary (Plans submitted 30 June 2020)

In relation to the acoustic impacts, the slight relocation of the turntable and additional landscaping is unlikely to have any impact on reducing noise impacts.

The information submitted does not include a specific assessment of the noise impacts to the residential flat building at 66 Aubin Street and simply relies upon a proposed condition of consent limiting noise from plant and equipment to 5dB above background noise levels at the boundary of any affected receiver. However, this does not address the impact from vehicles using the car park and accelerating up the driveway ramp into Aubin Street. Whilst visitor and deliveries hours will be limited, as 24 hour care is required there is no restriction on the movement of staff vehicles. Therefore, the applicant has not adequately demonstrated that the relevant noise limits can be satisfied in relation to 66 Aubin Street.

### Assessment having regard to previous Panel report

The proposed amendments provide for an improved landscape outcome as noted in the above figures. These amendments suitably address the previous concerns regarding this boundary landscape interface.

In relation to the acoustic impacts, as noted above, the concerns previously raised in regard to the impacts on No 66 Aubin Street remain.

2. The southern elevation needs an increased street-setback and landscaping including canopy trees. The building elements along the southern elevation (wall height, roof form and the Aubin Street setback along with architectural features including balconies, awnings, verandahs and parapets) should also be more compatible in scale and materials with the Wycombe Road streetscape and the conservation area. As a result of any changes in the regard, there should not be a transfer of any loss of floorspace to elsewhere on the site;

### **Consistency with Panel requirement**

The applicant has advised that the setback of the lower ground and ground floor levels to Aubin Street has been partly increased by 660mm to 3m. However, this is to the wall of the building and does not include the 'Juliet' balconies. These structures are setback only 2.4m. The western end remains as previously proposed and the bulk is only reduced towards the eastern end (*see extract of LG floor plan below*).

The top level is provided with an additional 1.38m setback to the eastern part of the building. The documentation indicates this results in the loss of 2 bedrooms, however the plans indicate the reduction in only 1 bedroom. The front setback of the second floor has been increased from 10.1m to 10.6m, however the size of the balcony has been increased. The proposed balcony remains forward of the Heritage Item and Council's heritage consultant remains of the view that the front setback to Wycombe Road is inadequate and will have adverse heritage impacts.



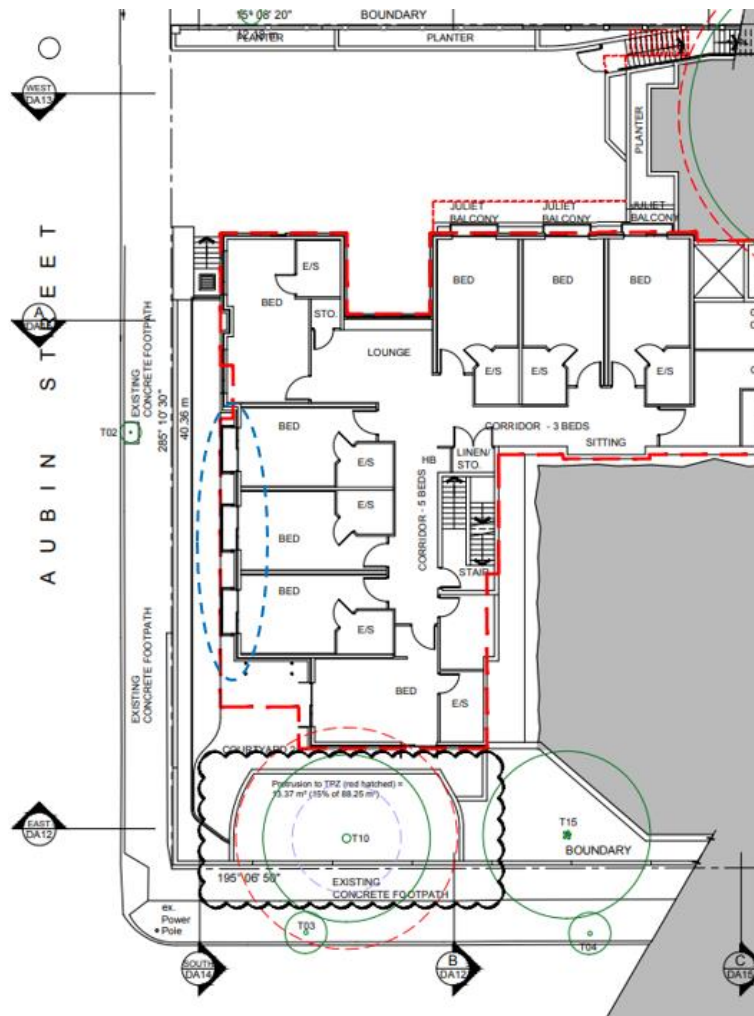


Figure 5. Extract from Proposed Lower Ground Level DA07 Rev H  
(boffa Robertson group) – increased Aubin setback circled with blue dashed line

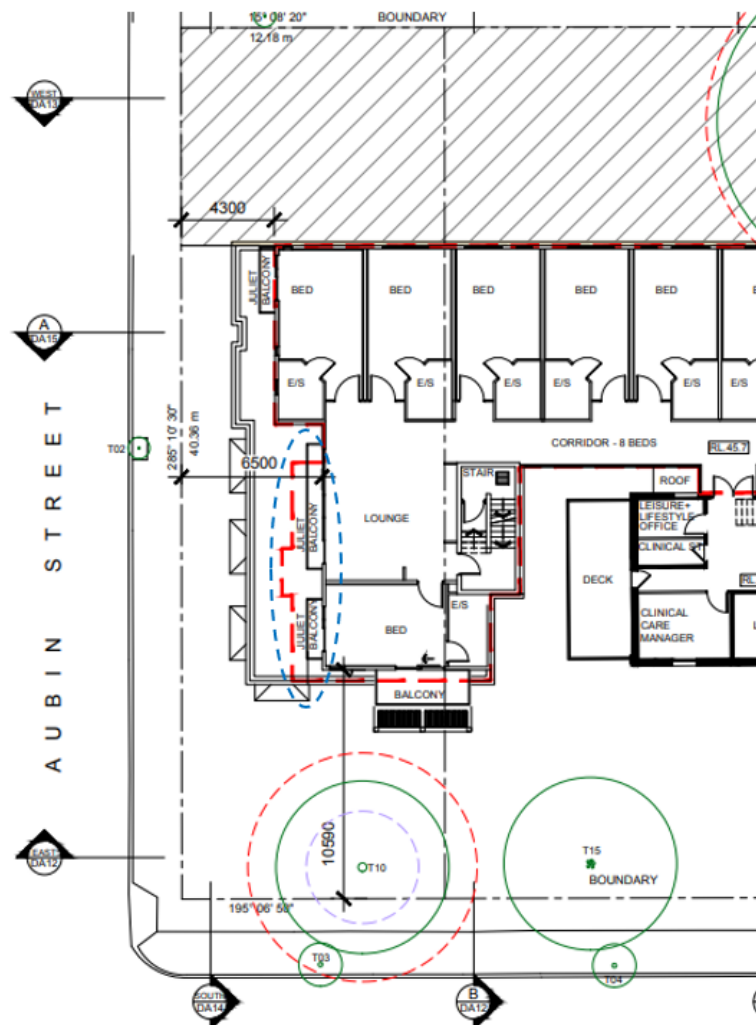


Figure 6. Extract from Proposed Lower Ground Level DA07 Rev H  
(boffa Robertson group) – increased Aubin Street setback circled with blue dashed line

The landscape plan indicates the provision of five medium sized deciduous ornamental pear trees within the increased 2.4m setback area.

In relation to building elements, the submitted documentation indicates the following;

*“With regard to the building elements along the southern elevation, careful consideration has been had to the distinctive architectural elements and design features from the surrounding streetscape and conservation area. The amended southern elevation provides a more compatible response in terms of scale and materials. The amended design includes pitched roofs with shallow eaves, use of sandstone and face brickwork, modulation of the Aubin Street façade, window and masonry panel articulation, balcony balustrade brackets, as well as the scale and proportion of the overall façade articulation. The increased setback from Aubin Street with the introduction of planted trees, is consistent with the section of Aubin Street immediately to the west. Refer to sketch provided at Figure 5.*



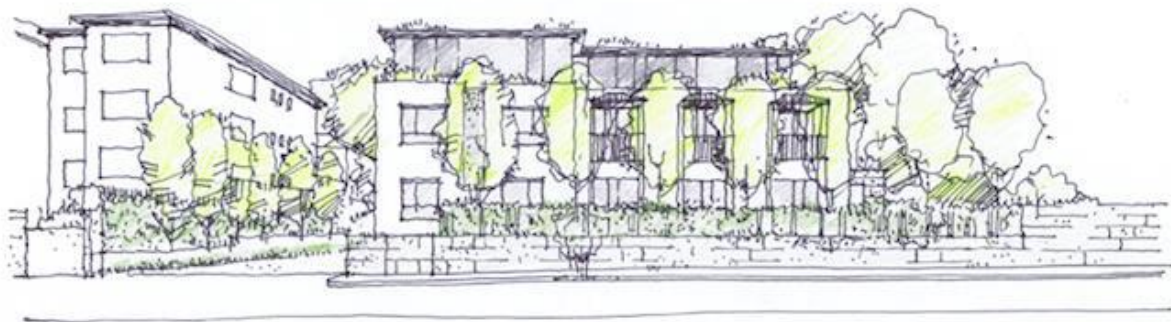


Figure 7: Proposed elevation in sketch showing amended built form along the Aubin Street elevation (Source: boffa robertson group)

*The amended scheme is supported by a heritage statement prepared by Urbis which advocates the amended changes to the Aubin Street elevation, "The amendments to the elevational treatment of the aged care facility will ensure the proposed development will be compatible in scale and material treatment that forms part of the character of the Wycombe Road streetscape, Kurraba Point Conservation Area and heritage item at 56 Wycombe Road, Neutral Bay. We are of the opinion the proposed amendments respond favourably to Deferral Issue 2".*

*A heritage peer review has been undertaken by Professor Richard MacKay on behalf of the applicant, to provide further comment and evaluation of the proposed architectural response. In summary, the design changes are supported, "These changes improve the effect of the proposed new building on the character of the surrounding streetscape and conservation area and are consistent with the form and rhythm of the inter-war period housing to the east, without seeking to mimic them. I consider that these changes appropriately address Item 2 from the Panel Deferral Report".*

*The proposed changes have resulted in an overall reduction in floorspace from 1.24:1 to 1.20:1. This floorspace has not been transferred elsewhere and results in a loss of four beds in total (from an 87 bed facility to an 83 bed facility)."*

Ms Chery Kemp, the Conservation Planner engaged by Council has reviewed the proposed changes to the southern facade and acknowledges that the design detail, articulation and materials of the Aubin Street elevation have been improved in response to this issue raised by the Panel, however many heritage concerns remain with regard to the proposed development and is still recommended for refusal on heritage grounds.

### **Assessment having regard to previous Panel report**

The proposed amendments are considered to be positive however they are not considered sufficient to address previous concerns. The setback is still only around 2.4m which is inadequate for a 3 storey building along a secondary street frontage in the Conservation Area. There is no justification for such an outcome particularly given that both the height and floor space ratio of SEPP (Housing for Seniors and Persons

with a Disability) 2004 are exceeded. The whole building needs to be setback further and/or the top level needs to be far more recessive or located within a roof form.

The proposed building height and number of storeys have not been reduced and as such the applicant's Clause 4.6 requests relating to the 8.5m ceiling height in Clause 40(4)(a) and the 2 storey limit adjacent to boundaries in Clause 40(4)(b) of SEPP Housing for Seniors are still considered to be unsatisfactory. In this regard the proposal does not satisfy:

- the assumed height objective *"to ensure that the development is compatible, by virtue of its bulk and scale, with the existing and desired future character of the area"* as the 3 storey scale of the building is not compatible with the existing or desired future character of the Kurraba Point Conservation Area which predominantly exhibits a 1-2 storey building scale;
  - the objective of the storeys limit to *"avoid an abrupt change in the scale of development in the streetscape"* as the top level of the building is setback from the level below by only 600mm at the eastern end and 1.9m at the western end of the southern wing and not setback at all in parts of the eastern end of the northern wing.
3. Overshadowing of 66 Aubin Street should be minimised to be no greater than the current level of overshadowing

### Consistency with Panel requirement

The submitted elevational shadow diagrams contained in the Clause 4.6 request relating to building height, show that the proposal increases overshadowing on the eastern wall of 66 Aubin Street and reduces overshadowing of the rear yard. However, there is no material impact on the living room windows of the dwellings within this building and so the overshadowing from the proposal is considered to be acceptable.



Figure 9. Shadow diagrams at 9:00am and 9:15am on 21 June demonstrating the overshadowing to 66 Aubin Street

### Assessment having regard to previous Panel report

This issue is considered to be resolved.

4. The rear (western setback) should be increased in width and the building reduced in height in order to have reduced impact on the future development of 9 and 11 Thrupp Street.

### Consistency with Panel requirement

The increased setbacks from the previous scheme to the current scheme for this part of the building are shown in the following extracts from the plans:

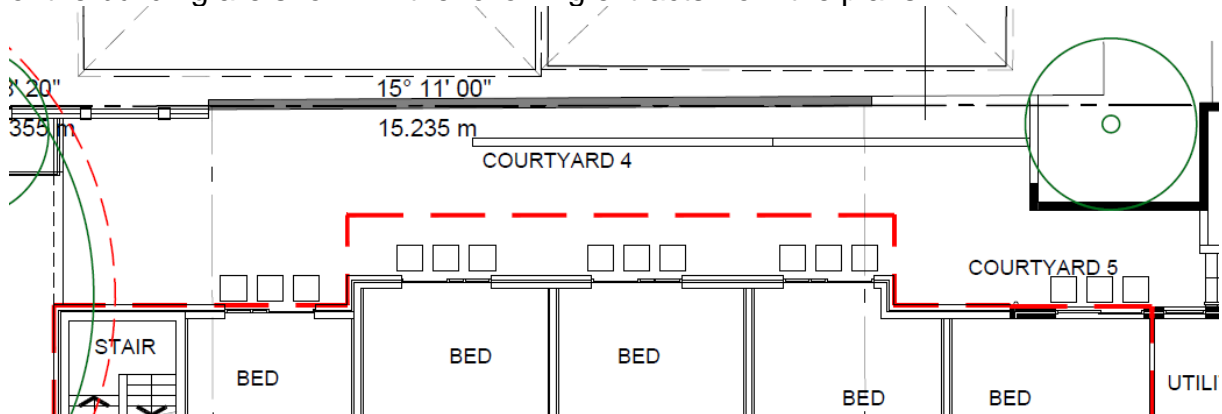


Figure 10. Extract from Proposed Ground Level DA08 Rev K (boffa Robertson group) – increased rear setback

On the ground level the rear setback to the boundary with 9 and 11 Thrupp Street has increased by 1.4m to 3.95m.

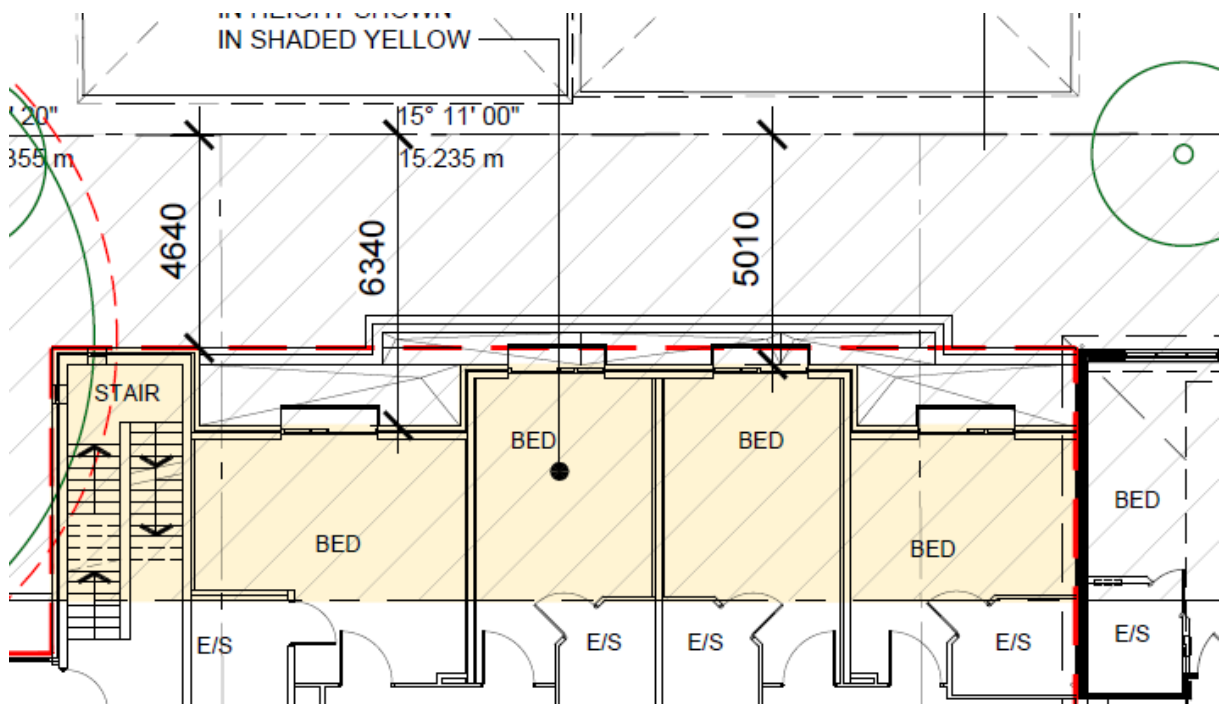


Figure 11. Extract from Proposed First Floor Level DA09 Rev K (boffa robertson group) – increased rear setback

On the first floor level the setback has increased by varying degrees to provide a 4.64m-6.34m setback.

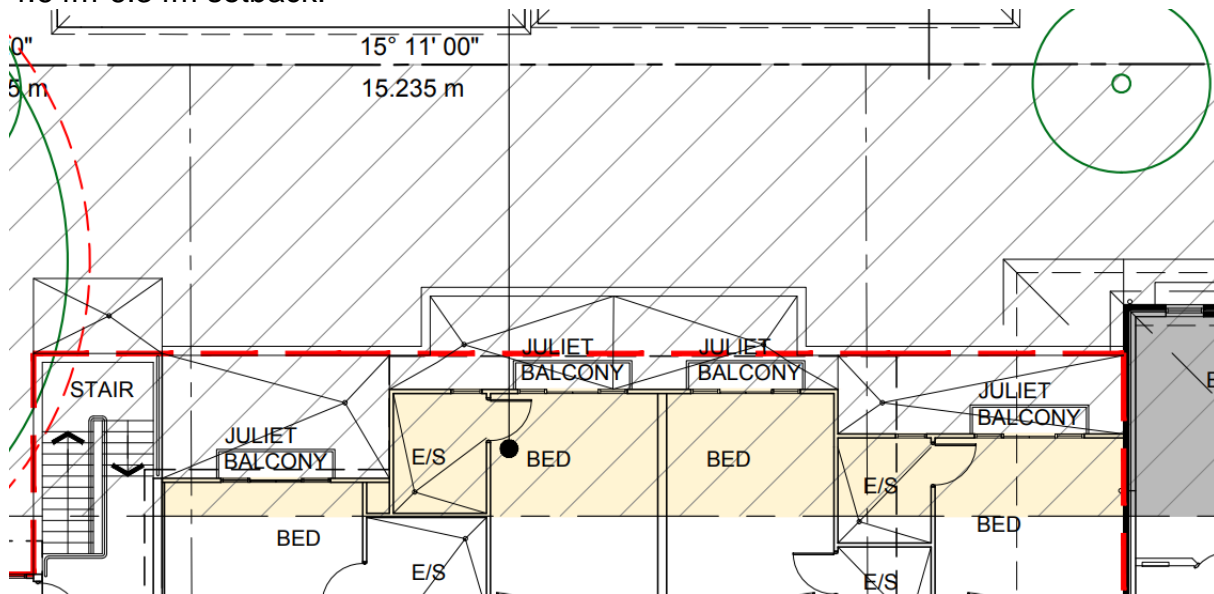


Figure 12. Extract from Proposed First Floor Level DA10 Rev J (boffa robertson group) – increased rear setback

On the second floor level the setback has increased by varying degrees to provide a minimum setback of 6.34m.

There has been no reduction in the height of the proposal as requested by the Panel.

### Assessment having regard to previous Panel report

The changes are positive however in order to ensure that the proposal does not reduce the development potential of 9 and 11 Thrupp Street the proposal needs to have a minimum setback of 6m to the windows/balconies or otherwise address potential direct viewing between buildings by the provision of fixed louvres to such windows/balconies. The previously prepared draft conditions include a condition in relation to the latter of these options and this remains in the revised conditions (C36).

If this condition was included as part of any consent granted, it is considered that the proposal would be consistent with the objectives of Clause 40(4)(c) of SEPP Housing for Seniors relating to the height of buildings in the rear 25% of the site. In this regard, in the absence of stated objectives, the applicant's assumed objectives detailed in their Clause 4.6 request relating to this provision of the SEPP are satisfied as follows:

*To ensure that the development is compatible, by virtue of its bulk and scale, with existing future development at the rear of the site*

The adjoining land is zoned R4 and could accommodate buildings up to 4 storeys setback 6m from the rear boundary. The proposed building is 3 storeys above ground level adjacent to this boundary and (subject to a requirement to provide a 6m setback) would be compatible with the built form that could be expected within the R4 zone.

*To not cause unreasonable amenity impacts on adjoining developments at the rear of the site.*

The additional setbacks that have been provided to the western boundary will reduce the visual impact of the proposal when viewed from the adjoining properties and it has been demonstrated that there will be no unreasonable overshadowing and that adequate landscaping can be provided along the boundary. Subject to recommended condition C36, noted above, the proposal will not have any unreasonable privacy impacts. Therefore, it is considered that amenity concerns have been addressed.

Notwithstanding the above, the applicant's written Clause 4.6 request does not adequately demonstrate that the requirements of subclause (3) of Clause 4.6 have been achieved, as the written request relates to the proposal, which, absent condition C36, it not considered to be acceptable. Therefore, for the Panel to be able to support this Clause 4.6 request, it would need to be satisfied that the proposal (excluding any conditions) meets the requirements of subclause (3) of Clause 4.6.

There is another requirement of Clause 4.6 that the Panel needs to be satisfied of in order for consent to be granted – that:

*the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

As noted above, it is considered that the assumed objectives of the standard can be met subject to the inclusion of condition C36 in any consent granted. However, in relation to the objectives of the R2 zone, it is considered that these objectives are not met as follows:

*To provide for the housing needs of the community within a low density residential environment.*

The proposal does not meet this objective as overall it is not considered to be compatible with a 'low density residential environment'.

*To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Not applicable as the proposal provides housing.

*To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.*

The overall proposal is not considered to be low density housing and will compromise the visual amenity of the area and its cultural heritage as it has excessive bulk and scale and a character that is not in keeping with the Kurraba Point Conservation Area.

*To ensure that a high level of residential amenity is achieved and maintained.*

The proposal is consistent with this objective as the residential amenity impacts of the proposal have been suitably addressed.

Having regard to the above, the Clause 4.6 request relating to Clause 40(4)(c) of SEPP Housing for Seniors cannot be supported.

## **PUBLIC SUBMISSIONS**

The amended plans and additional information received on 30 June 2020 were notified in accordance with Councils Community Engagement Protocol from 14 July 2020 to 31 July 2020. Notification resulted in 14 additional submissions in relation to the proposed development. The issues raised in these submissions are summarised below:

- Adverse impact on heritage items and the conservation area.
- Inadequate set back to Aubin Street and impact on the streetscape.
- Inadequate landscaping.
- Breach of height limit, excessive bulk, and scale, excessive floor space ratio.
- Significant removal of vegetation resulting in a major loss of Wycombe Road /Aubin Street tree canopy.
- Noncompliance with development standards and other controls.
- Adverse impact on surrounding properties in Thrupp Street, Aubin Street, and visual impact to surrounding properties.
- Noise and traffic impacts.
- Reduction in air quality.
- Impacts on parking

All of the matters raised have been addressed in the previous assessment report. Whilst the amendments and additional information address some of the issues ie overshadowing and setbacks/landscaping to the western boundary, other issues relating to excessive bulk and scale, consistency with the heritage character of the area, direct heritage impacts within the site, excessive tree removal and lack of landscaping and breach of the development standards remain of concern.

## **COUNCIL REFERRALS**

The amended plans have been considered by Council's building surveyor, development engineer, traffic engineer, and community services department. No further issues have been identified and the previous conclusions remain with there being no objections subject to recommended conditions.

### **Landscape Development Officer**

The amended proposal was considered by Council's Landscape Development Officer who confirmed that the additional proposed planting along the western boundary adjacent to 66 Aubin Street, and within the Aubin Street setback area were acceptable.



The retention of Tree 10 *Ulmus parvifolia* located within the existing front setback area of 54 Wycombe Road is now also possible given the changes proposed to the basement layout. Should the Panel consider approving the application, the draft conditions of consent have been amended accordingly however, Council's Landscape Development Officer cannot support the proposed development given the extent of the proposed tree removal.

### **Heritage Conservation Planner**

The amended plans have also been reviewed by the independent heritage consultant who has indicated that whilst the amendments are an improvement, there are still concerns regarding the heritage impacts. The conclusion states:

*The Amended DA proposal has addressed some previous heritage issues raised in heritage comments on the original DA plans with regard to the design of the proposed new building and its impact on the setting of the heritage item at 56 Wycombe Road.*

*In relation to Issue 2) raised by the Sydney North Planning Panel (outlined in the introduction to this report), it is considered that the design detail, articulation and materials of the Aubin Road elevation have been improved in the current plans to address Issue 2), however many heritage concerns remain with regard to the proposal.*

*The Amended DA proposal is still recommended for refusal due to adverse impacts on the setting of the heritage item at 56 Wycombe Road and adverse impact on the heritage significance of the CA16 Kurraba Point Heritage Conservation Area reflected in inconsistency with heritage objectives and controls of the North Sydney LEP 2013 and the heritage objectives and provisions of the North Sydney DCP 2013 (as outlined in Table 3 above).*

*Specifically, the amended DA proposal adversely impacts on the heritage significance of the heritage item and the CA16 Kurraba Point Heritage Conservation Area as the proposal will have adverse heritage impacts in that it will:*

- a. Be of detriment to the heritage significance of the heritage item on the site at No 56 Wycombe Road, due to inadequate separation from the new building and unsympathetic and uncharacteristic new building form and design and front setbacks from Wycombe Road;*
- b. Be of detriment to the heritage significance of the heritage item on the site at No. 56 Wycombe Road due to the work proposed to the item – such as removal of original staircase, removal of many internal walls impacting on the original room layout, and possible replacement of original floors – and the inability to fully assess impacts on the fabric of the heritage item due to the failure to submit a Conservation Management Plan or Conservation Policy document in relation to the heritage item.*

- c. *Result in the demolition of two buildings which are 'neutral items' within the Kurraba Point Conservation Area (KPCA) which is contrary to the requirement of control P5 in Section 13.8 of NSDCP 2013 that such buildings be retained unless adequate justification can be provided. It is considered that justification put forward is not adequate;*
- d. *Be of detriment to the heritage significance of the Kurraba Point Conservation Area (KPCA) contrary to the provisions of Section 13.6 of NSDCP 2013 due to the excessive height and scale of the building and unsympathetic and uncharacteristic design.*

On these grounds, the amended proposal is recommended for refusal.

## CONCLUSION

It is considered that the amendments to the proposal and additional information provided generally respond well in relation the matters raised by the Panel in their previous deferral of the application. Further, subject to a recommended condition of consent regarding setbacks to the western boundary, the proposed building form is now considered to have an appropriate relationship to the properties adjoining this boundary and adequate landscaping provided.

However, the height of the building has not been amended and the setback of the top level is still considered to be inadequate and it will remain highly visible in views from around the site and in particular the public domain. This visibility is partly the result of breaches of the SEPP Housing for Seniors height control and storeys control and the excessive FSR and lack of landscaped area. Despite some increase, the setback to Aubin Street, being a minimum of 2.4m is still considered to be insufficient for a development of this scale.

There also remains concern regarding the heritage impacts of the proposal, in relation to the demolition of two neutral items, impacts on the heritage item to be retained and also on the character of the Kurraba Point Conservation area generally.

The reasons for refusal of the previous scheme have been amended to reflect this further assessment. Without prejudice draft conditions are provided for the Panels consideration should it consider the proposal is now worthy of consent.

## RECOMMENDATION

**THAT** the Sydney North Planning Panel, as the consent authority, refuse Development Application No.306/19 for demolition of existing structures and alterations and additions to an existing residential aged care facility at No.54-58A Wycombe Street, Neutral Bay, for the following reasons:

1. The proposal will have adverse heritage impacts in that it will:
  - a. Be of detriment to the heritage significance of the heritage item on the site at No 56 Wycombe Road, due to inadequate separation from the

- new building and unsympathetic and uncharacteristic new building form and design and front setbacks from Wycombe Road;
- b. Be of detriment to the heritage significance of the heritage item on the site at No. 56 Wycombe Road due to the work proposed to the item – such as removal of original staircase, removal of many internal walls impacting on the original room layout, and possible replacement of original floors – and the inability to fully assess impacts on the fabric of the heritage item due to the failure to submit a Conservation Management Plan or Conservation Policy document in relation to the heritage item.
  - c. Result in the demolition of two buildings which are ‘neutral items’ within the Kurraba Point Conservation Area (KPCA) which is contrary to the requirement of control P5 in Section 13.8 of NSDCP 2013 that such buildings be retained unless adequate justification can be provided. It is considered that justification put forward is not adequate;
  - d. Be of detriment to the heritage significance of the Kurraba Point Conservation Area (KPCA) contrary to the provisions of Section 13.6 of NSDCP 2013 due to the excessive height and scale of the building and unsympathetic and uncharacteristic design.
2. The proposed height breaches the 8m height limit and the 2 storey height limit adjacent to boundaries under CI40(4)(a) and (b) of SEPP (Housing for Seniors or People with a Disability) 2004 and is excessive and out of keeping with the character of the Kurraba Point Conservation Area (KPCA) in which the site is located.
  3. The submitted Clause 4.6 requests to breach the standards under CI40(4)(a), (b) and (c) of SEPP (Housing for Seniors or People with a Disability) 2004 cannot be supported as it has not been adequately demonstrated that the proposal is consistent with the objectives of these standards and the objectives of the subject R2 Low Density Residential Zone.
  4. The proposed building bulk and scale (1.2:1 FSR) is excessive having regard to the FSR standard provided in CI48(b) of SEPP (Housing for Seniors or People with a Disability) 2004 (1:1 FSR) and is out of keeping with the character of the Kurraba Point Conservation Area (KPCA) in which the site is located.
  5. The proposed setbacks to the Aubin Street frontage are inadequate and will not allow adequate space for landscaping. This will result in an unreasonable visual impact on the streetscape and when viewed from adjoining properties.
  6. The proposed landscaped area of the site is inadequate having regard to the development standard provided in CI48(c) of SEPP Housing for Seniors and is out of keeping with the character of the Kurraba Point Conservation Area (KPCA) in which the site is located. This will be exacerbated by the loss of a number of significant trees on the site.
  7. The proposal will have adverse impacts on adjacent properties including:
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- a. Potential acoustic impacts on No 66 Aubin Street from 24 hour use of the proposed driveway adjacent to the boundary;
- b. Visual impact on surrounding properties due to excessive height, bulk and inadequate setbacks.

**Brett Brown**  
**CONSULTANT TOWN PLANNER**

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**Note by Manager Development Services.**

This report has been reviewed for content, quality and completeness and is considered to be of appropriate standard for the consideration of the Sydney North Planning Panel. No material alteration has been made to the original drafting of the report and it may be considered an independent assessment of this Development Application.

**Stephen J Beattie**  
**MANAGER DEVELOPMENT SERVICES**  
**NORTH SYDNEY COUNCIL**