

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

<b>PLANNING PROPOSAL</b>		
<b>PAGE</b>	<b>DOCUMENT/SECTION</b>	<b>COMMENT</b>
<b>General</b>		
5	Attachments Attachment D – Bushfire Protection Assessment, Prepared by EcoLogical Australia, dated May 2017	Attachment D is incorrectly listed with the wrong report date. An updated assessment report was completed 19 June 2017 that was submitted 02/02/2018. A report dated from May was not submitted and is incorrect.
57	Cover sheet for Attachment D	Same as above
<b>Part 2 Explanation of provisions</b>		
10	<i>It should be noted that the greatest heights are provided in response to existing site topography and to facilitate accessible lift access through buildings from lower parts of the site to the central area.</i>	This response is limited to the site and does not consider the implications for the context within which this site is located – as explained in this Table of assessment commenting on Attachment A - Urban Design Study and Heritage Assessment.
13	<i>It is noted that the southern area of the site consists of existing independent living units which are proposed to be retained at this stage. The maximum building height for the southern part of the site of 9.5 metres is not proposed to change</i>	This statement contradicts statements in the Urban Design Study which seek a future planning proposal on this part of the land and indicate intensification of that land in the diagrams.
14	<i>The amended maximum FSR control of 0.8:1 takes into account the retention of existing dwellings in the southern portion of the site and provision of new dwellings. They have also been proposed in accordance with the built form set out as the illustrative master plan for the site detailed in the Urban Design Study</i>	The calculations in the Urban Design Study are inconsistent with some of the building levels indicated in the drawings of that study. This impacts the presented GFAs and FSRs. Refer to comments made on the Urban Design Study.
14	<i>Although it is acknowledged that this is an increase in density beyond that of the sites wider surrounds, this is required to afford a high quality outcome for future residents, and the Urban Design Report shows that this density can be achieved without imposing on streetscape character or the significance of Headfort House.</i>	The proposal does not adequately consider its context. Refer to comments on the Urban Design Study and on the Heritage Assessment. The proposal has not considered the marked interface impacts on neighbouring dwellings, landscape and bushland setting, nor does it enhance the connectivity with Stanhope Road and the residential context.
<b>Part 3 Justification</b>		
<b>Section A – Need for the planning proposal</b>		
16	<i>Heights of buildings will range from 3 to 6 storeys, with the tallest building located in the centre of the site, and not visible from surrounding areas.</i>	Incorrect statement. The development will be highly visible as the buildings will penetrate the prevailing tree canopy. See comment on Urban design Study.
16	<i>The Assessment finds that the subject land is capable of accommodating future development and associated land use with appropriate bushfire protection measures and bushfire planning requirements. The strategies provided by the Assessment to mitigate bushfire risk include:</i>	An independent review of the Planning proposal's Bushfire Assessment disputes this finding. See comment on the Bushfire Assessment.
17	<i>The site is one of the few lots in the area that is not a heritage item , with only a small portion of the site located within a Heritage Conservation Area.</i>	This is a correct statement but is not addressed in the Planning Proposal.
19	<i>Areas of deep soil are proposed throughout the development to ensure the village relates closely to the bushland setting.</i>	This statement is not supported by the indications of the Urban Design Study and its landscape content. See comment on the Urban Design Study.

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Section B – Relationship to strategic planning framework		
Draft Greater Sydney Region Plan 2056: A Metropolis of Three Cities		
21	Draft Greater Sydney Region Plan 2056: A Metropolis of Three Cities	The Planning Proposal has been included an assessment against the (then) Draft Greater Sydney Region Plan: A Metropolis of Three Cities (October 2017). This is now outdated, with the Greater Sydney Region Plan 'A Metropolis of Three Cities' being finalised by the Greater Sydney Commission in March 2018.
21	Draft Greater Sydney Region Plan 2056: A Metropolis of Three Cities	<p>The Planning Proposal has failed to address the following applicable objectives and strategies:</p> <ul style="list-style-type: none"> <li>• <i>Objective 13 Environmental Heritage is identified, conserved and enhance</i> Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations. The site contains 'Headfort House', located in the north-west corner of the site. The Heritage Assessment by GML submitted with the Planning Proposal found 'Headfort House' to have local heritage significance. However, the Planning Proposal and Urban Design study have given inadequate consideration to the heritage significance of 'Headfort House', and in this regard the Planning Proposal is inconsistent with this objective relating to the identification, conservation and enhancement of environmental heritage.</li> <li>• <i>Objective 14 – Integrated land use and transport creates walkable and 30min cities</i></li> <li>• <i>Strategy 14.1 Integrate land use and transport plans to deliver the 30min city.</i> The objective of a 30min city is so people are able to access jobs and services in their nearest metropolitan and strategic centre within 30min by public transport. The Planning Proposal is inconsistent with this objective, as the site is not well located in terms of accessibility to transport and services due to its out of centre location. Future residents of the site and employees will continue to rely on private cars to access jobs, basic services and facilities.</li> <li>• <i>Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</i></li> <li>• <i>Strategy 27.1 Protect and enhance biodiversity by:</i> <ul style="list-style-type: none"> <li>- <i>Supporting landscape-scale biodiversity conservation and the restoration of bushland corridors</i></li> <li>- <i>Managing urban bushland and remnant vegetation as green infrastructure</i></li> <li>- <i>Managing urban development and urban bushland to reduce edge-effect impacts</i></li> </ul> </li> <li>• <i>Objective 30 – Urban tree canopy cover is increased</i> Impacts on the adjoining bushland will in part be informed future development of the remaining site (as referred to within pg 11 of the Urban Design Study, to be subject to a future planning proposal). For further related concerns, refer to comments made to pg 37 of the Planning Proposal regarding 7.1 Implementation of A Plan For Growing Sydney for objectives.</li> <li>• <i>Objective 28 – Scenic and cultural landscapes are protected</i> Scenic and cultural landscapes connect the urban environment with natural and historic urban landscapes, and include the views and vistas of ridgelines, waterways, urban bushland and the urban skyline. The Planning Proposal is inconsistent with this Objective, as the heights sought by the planning proposal,</li> </ul>

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		<p>particularly on the highest part of the site, will result in a built form that will extend above the tree canopy, impacting on views in the surrounding areas and impacting on the scenic landscape value of the surrounding area, particularly as the site forms the backdrop to the adjacent Heritage Item (Seven Little Australians Park).</p> <ul style="list-style-type: none"> <li>• <i>Objective 37 – Exposure to natural and urban hazards is reduced.</i></li> <li>• <i>Strategy 37.1 – Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.</i></li> </ul> <p>The site the subject of the Planning Proposal is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that caters to people who are particularly vulnerable in the event of a bushfire. Occupants of retirement villages and housing for seniors are highly vulnerable to the effects of bushfire and are difficult to evacuate in the event of bushfire. The Planning Proposal is inconsistent with this objective and strategy, as it will result in an increase in population to an existing vulnerable community, exposing them to bushfire risk and evacuation risks in the event of bushfire.</p>
21-22	Objective 10 – Greater Housing Supply	<p>It is acknowledged that the Planning Proposal will deliver additional housing, contributing to the new dwellings required for all of Greater Sydney, and the North District. The Planning Proposal notes that objective encourages in-fill development in the form of medium density housing within established precincts to maintain local appeal and amenity – however the Greater Sydney Region Plan also outlines that land should be around local centres with links for walking, cycling and good proximity to transport. The subject site is in an out of centres location, away from shops, services and transport. It is acknowledged that providing ongoing housing supply and a range of housing types will create more liveable neighbourhoods and support Greater Sydney’s growing population. However, as noted on Page 58, emphasis is added to providing this housing within the ‘right locations’. The Greater Sydney Region Plan recognises that not all areas are appropriate for significant additional development, due to lack of access to shops, services and public transport and local amenity constraints. The additional housing resulting from the amendments sought by the Planning Proposal is not appropriate due to its out of centre location (away from shops, services and transport) and constraints on the site, such as biodiversity, heritage and bushfire hazard risk.</p>
22	Objective 11 – Housing is more diverse and affordable	<p>It is acknowledged that the Planning Proposal is consistent with this objective, as it will provide housing for seniors and aged care housing catering for the aging population. Ku-ring-gai supports aging in place, and notes that research has shown that people generally prefer to remain within their local area. However, the housing needs to be in the right location. The subject site is not appropriate for the proposed increase in density and population due to it’s out of centre location (away from shops, services and transport) and constraints on the site such as biodiversity, heritage and bushfire risk.</p>
<b>Draft North District Plan</b>		
23	Draft North District Plan	<p>The Planning Proposal has been included an assessment against the (then) Draft North District Plan (October 2017). This is now outdated, with the North District Plan being finalised by the Greater Sydney Commission in March 2018.</p>
23	Draft North District Plan	<p>The Planning Proposal has failed to address the following applicable Planning Priorities:</p>

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- *Planning Priority N6 – Creating and renewing great places and local centres and respecting the Districts heritage*

The North District Plan acknowledges that heritage and history are important components of local identity and contribute to great places, and the local heritage items and streetscapes form part of the character of centres within the North District. As discussed above under Objective 13 of the Greater Sydney Region Plan, The Heritage Assessment by GML submitted with the Planning Proposal found 'Headfort House' located on the subject site to have local heritage significance. However, the Planning Proposal and Urban Design study have given inadequate consideration to the heritage significance of 'Headfort House', particularly with the proposed building height of 22m adjacent to this potential Heritage Item and in this regard the Planning Proposal is inconsistent with this Planning Priority relating to the identification, conservation and enhancement of environmental heritage.

- *Planning Priority N12 – Delivering integrated land use and transport planning and a 30min city.*

As discusses under Objective 14 and Strategy 14.1 of the Greater Sydney Region Plan, the objective of a 30min city is so people are able to access jobs and services in their nearest metropolitan and strategic centre within 30min by public transport. The Planning Proposal is inconsistent with this Planning Priority, as the site is not well located in terms of accessibility to transport and services due to its out of centre location. Future residents of the site and employees will continue to rely on private cars to access jobs, basic services and facilities.

- *Planning Priority N19- Increasing urban tree canopy cover and delivering greengrid connections*

The planning proposal will result in the removal or put at risk a significant number of high category trees. The broad landscape planning provided within the Urban Design Report, do not provide sufficient detail to determine future canopy outcomes (including on site planting).

For further issues refer to comments made to pg 37 of the Planning proposal regarding 7.1 Implementation of A Plan For Growing Sydney for objectives.

- *Planning Priority N22- Adapting to the impacts of urban and natural hazards and climate change.*

As discussed under Objective 37 and Strategy 37.1 of the Greater Sydney Region Plan, the site the subject of the Planning Proposal is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that caters to people who are particularly vulnerable in the event of a bushfire. Occupants of retirement villages and housing for seniors are highly vulnerable to the effects of bushfire and are difficult to evacuate in the event of bushfire. The North District Plan notes that '*placing development in hazardous areas or increasing density of development in areas with limited evacuation options increases risk to people and property*' and notes that when planning for future growth, growth and development should be avoided in areas exposed to natural hazards. The Planning Proposal is inconsistent with this Planning Priority, as it will result in an increase in population to an existing vulnerable community, exposing them to bushfire risk and evacuation risks in the event of bushfire.

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23	Planning Priority N3 – Providing services and social infrastructure to meet people’s changing needs.	The provision of housing for seniors and aged care will contribute to meeting the needs of the ageing population. However, the location of this additional housing is not appropriate due to its out of centre location (away from shops, services and transport) and constraints on the site, such as biodiversity, heritage and bushfire hazard risk.
23	Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.	<p>The Planning Proposal contributes to the 92,000 dwellings required to be delivered in the North District from 2016-2036, however as noted on Page 40 of the North District Plan, new housing must be provided for in the right location and housing supply must be co-ordinated with local infrastructure to create liveable, walkable neighbourhoods with direct safe and universally designed pedestrian and cycling connections to shops, services and public transport. The North District Plan acknowledges that some areas are not appropriate for additional housing due to natural or amenity constraints, or lack of access to services and public transport. It is acknowledged that there is a need for more aged care facilities and housing to support the ageing population, however, this needs to be appropriately located.</p> <p>The Planning Proposal fails to address the issues of access to services, and to a lesser extent, jobs. Access to shops and services by walking is an important as it would contribute to reducing the number of trips generated and distances travelled, especially by car, and increase the potential to derive health benefits of walking as a mode of travel to shops and services.</p> <p>In this regard, the Planning Proposal is inconsistent with this Planning Priority, as the provision of the housing is in an out of centres location, which is not supported by infrastructure, transport or services and constraints on the site, such as biodiversity, heritage and bushfire hazard risk.</p> <p>States that it is consistent with North District’s Planning Priority N5 (Providing housing supply, choice and affordability, with access to jobs and services) in that it would deliver more diverse housing types in a medium density setting within Ku-ring-gai, as well as create opportunities for older people to continue living within their community. It does not address the issue of access to services and to a lesser extent, jobs.</p> <p>Access to shops and services by walking is important as it would contribute to reducing the number of trips generated and the distances travelled especially by car and increase the potential to derive health benefits of walking as a mode of travel to shops and services.</p> <p>The majority of basic services and facilities such as supermarkets, pharmacies, medical centres are located well outside the convenient 10 minute walking catchment and therefore not within an attractive and manageable walking distance for residents of this area of Killara. Also, the very limited 30 minute public transport catchment suggests that employees are likely to be outside this catchment and therefore are likely to use other means of transport (i.e. private vehicle) in their journey to work.</p> <p>It is likely, therefore, that future residents of this site and employees will likely be using cars to access jobs, basic services and facilities.</p>

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23-24	Planning Priority N15 – Protecting and improving the health and enjoyment of Sydney Harbour and the Districts waterways	Not relevant. The site is not mapped as containing riparian land nor is located in close proximity to Sydney Harbour.
24	Planning Priority N16- Protecting and enhancing bushland and biodiversity  <i>“The subject site is located adjacent to a biodiversity area as defined by the KLEP 2015 Terrestrial Biodiversity Map in Part 4, however the northern portion of the site, to which this Planning Proposal relates, is not identified as a biodiversity area.”</i>	The KLEP 2015 Terrestrial Biodiversity Map occurs both adjacent to and within the site. It is however acknowledged that the planning proposal will not directly impact lands mapped as KLEP 2015 Terrestrial Biodiversity Map. It should be noted however that Greenweb mapping (referred to within Part 18 of the Ku-ring-gai Development Control Plan), does occur within areas to which this Planning Proposal relates. Additionally see comments made to pg 37 of the Planning proposal regarding 7.1 Implementation of A Plan For Growing Sydney for objectives.
24	Planning Priority N17 – Protecting and enhancing scenic and cultural landscapes	The scenic and cultural landscapes encourage an appreciation of the natural environment, protect heritage and culture, and create economic opportunities for recreation and tourism. Scenic landscapes include waterways and urban bushland. The Planning Proposal is inconsistent with the Planning Priority as the proposed scale of development and building heights, particularly located on the highest parts of the site, will rise above the prevailing tree canopy, impacting on views in the surrounding areas. The built form resulting from the proposed amendments is inconsistent with the low density area context with built form placed under the canopy. The resulting built form, rising above the tree canopy, will impact on the scenic landscape and cultural heritage landscape setting of Items including the adjacent Seven Little Australians Park. The protrusion of the built form above the canopy is not warranted as the site is distant from any local centre, where such interruptions to the tree canopy are warranted as skylines marking key urban centres. The Planning Proposal will result in a lack of interface transition between the lower density housing on the lower parts of the site, and neighbouring properties.
<b>Community Strategic Plan 2030: Our Community. Our Future</b>		
28	<b>Theme 1 – Community, People and Culture</b> C4.1 A community that embraces healthier lifestyle choices and practices C5.1 A community where residents feel safe and enjoy good health C6.1 Housing diversity, adaptability is increased to support the needs of a changing community	<p>The comments note that the masterplan will improve access to cultural, recreational and leisure facilities with the development of a new community hub within the site. However the site is isolated, (being located in an out of centres location) in terms of access to shops, local services and public transport.</p> <p>Ku-ring-gai has an ageing population and a key focus is providing appropriate housing, accessible services, facilities and infrastructure to meet the demands of this ageing population. It is acknowledged that the Planning Proposal will provide additional housing for seniors within Ku-ring-gai to support the demand for the aging population, however, the housing for seniors needs to be appropriately located. The planning proposal will provide for increase in seniors housing in an out of centres location, not supported by infrastructure, transport or services, and the site has overriding constraints of bushfire hazard, evacuation risks, and heritage and biodiversity.</p> <p>The Planning Proposal has also failed to address C7.1 <i>An aware community able to prepare and respond to the risk to life and property from emergency events</i> – The site the subject of the Planning Proposal is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that caters to people who are particularly vulnerable in the event of a bushfire. Occupants of</p>

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		retirement villages and housing for seniors are highly vulnerable to the effects of bushfire and are difficult to evacuate in the event of bushfire. The Planning Proposal will result in an increase in population to an existing vulnerable community, exposing them to bushfire risk and evacuation risks in the event of bushfire.
29	<b>Theme 2 – Natural Environment</b> N2. Our Bushland is rich with native flora and fauna	<p>The comments indicate that the proposed master plan preserves critical elements of the native flora and fauna, and that through the DA design it would be sought to maximise tree retention on site. The natural environment is highly valued in Ku-ring-gai, especially the extent of bushland and biodiversity, and the established tree canopy. The Community Strategic Plan outlines that <i>“development should not occur at the expense of the local natural character and no impact detrimentally on the local environment”</i>.</p> <p>The Planning Proposal provides an inconsistent and incomplete assessment regarding significant vegetation on site (including threatened ecological communities listed under the <i>NSW Biodiversity Conservation Act 2016</i>) and fails to effectively demonstrate that the development resulting from the proposed amendments can be designed, sited and managed to avoid potentially adverse environmental impact or if that a potentially adverse environmental impact cannot be avoided that appropriate offsetting can be met.</p>
29	<b>Theme 3 – Places, Spaces and Infrastructure</b> P1.2 Ku-ring-gai's unique visual character and identity is maintained P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai P3.1 The built environment delivers attractive, interactive and sustainable living and working environments P5.1 Ku-ring-gai's heritage is protected, promoted and responsibly managed	<p>The comments indicate the master plan strategically places buildings, with consideration of their height to respond to the site context. However, the proposal shows limited understanding of the adjacent quality and intact bushland and heritage elements, associated existing high character value of the location, and of Council's key and prevailing landscape character of buildings under the tree canopy within these types of low density areas.</p> <p>The proposed heights permitting 3–7 storey buildings (11.5-24m), with the tallest being on the high point of the site, will clearly detract from the quality and identity of the area. It will penetrate well above the tree canopy and will not provide the interface transitions to the adjacent low density dwellings, heritage neighbourhood and Items, including to Headfort House (with its local heritage value and worthy of heritage listing) located on the site and adjacent to the neighbouring HCA.</p> <p>The site is located in an established low density residential area distant from the local and neighbourhood centres. The area is not undergoing a transition warranting a departure from the local character and the principles mapped in KLEP 2015 with development densities being focussed around centres and the associated availability of transport and services. Therefore any proposal must demonstrate how it will support the desired future character which, at this location, will be a continuation of the existing character. The Planning Proposal does not demonstrate alignment or integration of these objectives. Headfort House has been identified as having local heritage significance, and it is considered that the proposed building height of 22m adjacent to this potential heritage item is excessive.</p>
30	<b>Theme 4 – Access, Traffic and Transport</b> T2.1 The local road network is managed to achieve a safe and effective local road network.	<p>The comments note that the masterplan proposed amendments to internal roads, traffic access and pedestrian access within the site. The comments also note that the Traffic Impact Assessment prepared by Arup which outlines that proposal will not have an unreasonable impact upon the surrounding road network.</p> <p>However, the site is not well located in terms of proximity to shops and services, and frequent public</p>

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		<p>transport in order to support the significant increase in residential density. The site is serviced by one bus infrequent bus service.</p> <p>The majority of basic services and facilities such as supermarkets, pharmacies, medical centres are located well outside the convenient 10 minute walking catchment and therefore not within an attractive and manageable walking distance for residents of this area of Killara. Also, the very limited 30 minute public transport catchment suggests that employees are likely to be outside this catchment and therefore are likely to use other means of transport (i.e. private vehicle) in their journey to work.</p> <p>It is likely, therefore, that future residents of this site and employees will likely be using cars to access jobs, basic services and facilities. Unless residents have access to a private vehicle and remain able to drive as they age, the site location presents as a barrier isolating the ageing residents from the services, facilities and community groups that this ageing population might access.</p> <p>The significant increase in aged population in this location is therefore not supported. The site is not well located, resulting in heavy reliance on private vehicles and limited public transport.</p>
<b>s.117 Ministerial Directions</b>		
33	s.117 Ministerial Directions	<p>The Planning Proposal has failed to address:</p> <p><i>2.1 Environmental Protection Zones</i> – this direction applies to land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards. The subject site is mapped as Biodiversity Significance under the KLEP 2015.</p>
33	2.3 Heritage Conservation	<p>As set out above Headfort House has local heritage significance based on 3 criteria and therefore meets the test for local listing.</p> <p>The s.117 Direction 2.3 is therefore not being met.</p>
33	3.1 Residential Zones	<p>It is acknowledged that the planning proposal will provide for additional seniors housing, supporting the ageing population however the site the subject of the planning proposal does not make efficient use of existing infrastructure and services, as the site is within an out of centres location, away from shops, services and transport. The additional housing on the site will not have appropriate access to essential infrastructure and services to support the increase in population and density.</p> <p>Part (4)(d) outlines that the provision of housing should '<i>be of good design</i>'. The site is located within a low density residential setting, surrounded by bushland. The proposed heights permitted 3-7 storey buildings (11.5m-24m), with the tallest building being located on the high point of the site will clearly detract from the quality and identity of the surrounding area.</p> <p>The Planning Proposal states that it is consistent with the objective of appropriate access to infrastructure and services, by way of proximity to Killara railway station and connecting Route 556 bus service.</p> <p>In reality, the 30 minute frequency of the route 556 bus service during am and pm peak times (and 1 hour</p>



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		frequency outside peak times) is unlikely to be attractive as a mode of travel for residents, employees or visitors
34	3.4 Integrating Land Use and Transport	<p>Under the response to 3.4 (Integrating Land Use and Transport) of the Section 117 Directions, the Planning Proposal states that it is consistent with the objectives of</p> <ul style="list-style-type: none"> <li>• Improving access to housing, jobs and services by walking, cycling and public transport;</li> <li>• Increasing the choice of available transport and reducing dependence on cars;</li> <li>• Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car.</li> </ul> <p>The comment in the planning proposal states that the site is located close to existing transport infrastructure including Killara Train Station and a bus route which passes through the site and services key destinations in the area.</p> <p>As noted above, the majority of basic services and facilities such as supermarkets, pharmacies, medical centres are located well outside the convenient 10 minute walking catchment and therefore not within an attractive and manageable walking distance for residents of this area of Killara.</p> <p>Also, the very limited 30 minute public transport catchment suggests that employees are likely to be outside this catchment and therefore are likely to use other means of transport (i.e. private vehicle) in their journey to work. In reality, the 30 minute frequency of the route 556 bus service during am and pm peak times (and 1 hour frequency outside peak times) is unlikely to be attractive as a mode of travel for residents, employees or visitors.</p> <p>It is likely, therefore, that future residents of this site and employees will likely be using cars to access jobs, basic services and facilities</p>
36	6.3 Site Specific Provisions	<p>The Planning Proposal is inconsistent with this direction, as it seeks to include site specific planning controls on the subject site to enable a specific development outcome.</p> <p>The Planning Proposal seeks to rezone the site to R3 Medium Density Residential, which would allow development for the purposes of Seniors Housing. The Planning Proposal then also seeks to amend development standards, particularly Height of Buildings, on the site, to a height that is greater than the standard 11.5m maximum height applied to all other R3 zones in Ku-ring-gai, in order to allow a particular development on the site.</p>
37	7.1 Implementation of A Plan For Growing Sydney	<p>A Plan for Growing Sydney has been replaced by the Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018). The Planning Proposal is inconsistent with the following objectives and strategies:</p> <ul style="list-style-type: none"> <li>• Objective 10 – Greater Housing Supply – while the planning proposal will contribute to delivery of additional housing, the location of this housing is not appropriate due to its out of centre location (away from shops, services and transport), its low density residential and heritage setting and constraints on</li> </ul>



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	<p>site, such as bushfire hazard and evacuation risk.</p> <ul style="list-style-type: none"> <li>• Objective 13 – Environmental heritage is identified, conserved and enhanced – the Heritage Assessment by GML found Headfort House to have local heritage significance, however the planning proposal does not give due consideration to the impacts on the on the heritage significance of Headfort House.</li> <li>• Objective 14 Integrated land use and transport creates walkable and 30min cities and Strategy 14.1 Integrate land use and transport plans to deliver the 30min city. – the site is not well located in terms of accessibility to transport and services due to it out of centre location. Future residents and employees will have to continue to rely on private cars.</li> <li>• Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhance. Strategy 27.1 Protect and enhance biodiversity and Objective 30 – urban tree canopy cover is increased –</li> </ul> <p>The Planning Proposal’s Ecological Assessment:</p> <ul style="list-style-type: none"> <li>• does not adequately address onsite vegetation that is not proposed to be removed, including indigenous trees considered local to the surrounding vegetation communities and significant vegetation along Stanhope Avenue.</li> <li>• provides an inconsistent and incomplete assessment regarding significant vegetation on site (including the presence of threatened ecological communities listed under the <i>NSW Biodiversity Conservation Act 2016</i>).</li> </ul> <p>For further details on these and other related matters see comments on the Attachment J – Ecological Assessment.</p> <p>The broad landscape planning provided within the Urban Design Report, do not provide sufficient detail to determine future canopy outcomes (including on site planting). The planning proposal will result in:</p> <ul style="list-style-type: none"> <li>• The removal of 43 high category trees, which are considered moderate to high significance and display good health and condition, and 81 trees of low and very low retention value will be removed as a result of the proposed development.</li> <li>• Risk to 120 trees high category trees and 150 trees of low and very low retention value, which may be affected through disturbance to TPZ. Retention of these trees will be determined by both the projects detailed design as well as construction processes.</li> </ul> <p>Canopy removal within the site is also likely to result from future development within the remainder of the sites, as inferred within page 11 of the Urban Design Study.</p> <p>The Planning Proposal will result in the removal of, or put at risk, a significant number of high category trees. The broad landscape planning provided within the Urban Design Report, does not provide sufficient detail to determine future canopy outcomes (including on site planting).</p> <ul style="list-style-type: none"> <li>• Objective 28 – Scenic and cultural landscapes are protected – The heights sought by the planning proposal will result in a built form that will extend above the tree canopy, impacting on views in the surrounding areas and impacting on the scenic landscape value of the surrounding area, particularly as the site forms the backdrop to the adjacent Heritage Item (Seven Little Australians Park)</li> </ul>
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		<ul style="list-style-type: none"> <li>Objective 37 – Exposure to natural and urban hazards is reduced and Strategy 37.1 – avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards – The site is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that cater to people who are particularly vulnerable in the event of bushfire. The planning proposal will result in an increase in population to an existing vulnerable community, exposing them to bushfire risk and evacuation risks in the event of bushfire.</li> </ul>
<b>Section C – Environmental, social and economic impact</b>		
38	<p><i>“An Ecological Assessment has been prepared by ACS Environmental (February 2017) to undertake an ecological assessment and biodiversity survey at Lourdes Retirement Village and is provided at Attachment J. The Assessment found that the subject site has been extensively modified in relation to natural vegetation structure and floristics over time. The site is currently comprised of managed curtilage, formal garden beds and landscaped areas of planted and established trees.</i></p> <p><i>The Assessment found that there are no threatened species or populations occurring at the subject site. As such, it is not considered necessary to undertake any further assessment of significance or refer the proposal to the Director General of OEH or to the Commonwealth Department of the Environment and Energy.”</i></p>	<p>Council disagrees with the Planning Proposals Ecological Assessment that the site does not contain threatened ecological communities.</p> <p>See comments on Attachment J – Ecological Assessment within this Assessment Table.</p>
<b>HERITAGE COMMENT</b>		
8	<p>Objectives</p> <p><i>To allow for the restoration and preservation of Headfort House</i></p>	<p>Headfort House is not statutorily recognised as heritage item, so while this planning proposal intends to “allow for the restoration and preservation” there is no guarantee or statutory mechanism to ensure the proper management and care of the building.</p> <p>The Planning Proposal should include the locally heritage listing of Headfort House for its historical significance.</p>
9-12	<p>Part 2 Explanation of provisions</p> <p><i>The objectives are to be achieved through the amendment of the following planning provisions:</i></p> <p><i>.... Amend the KLEP 2015 Height of Building Map Sheet HOB_014 to permit the maximum permissible height of a range between 9.5 meters and 24 meters</i></p> <p><i>Fig 6: Proposed maximum building height</i></p>	<p>If Headfort House is to be retained in its current height and form with a garden setting (including the grotto) a maximum building height of 22m seems excessive and incompatible with the retention of significance.</p> <p>The maximum building height of Headfort House and its immediate surrounds (potential curtilage) would need to be reduced to the current maximum ridge height of Headfort House to ensure the integration of new development.</p>

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

		
14	<p><i>Although it is acknowledged that this is an increase in density beyond that of the sites wider surrounds, this is required to afford a high quality outcome for future residents, and the Urban Design Report shows that this density can be achieved without imposing on streetscape character or the significance of Headfort House.</i></p>	<p>The garden setting retained at the front of the site will contribute to the street appearance of the HCA. It remains a concern that the new buildings will be visible above and through the canopy from several heritage locations including Seven Little Australians Park. This is a nature reserve that includes bush walks including historical paths of the early residents of Killara. These bushwalks were intended as a bush retreat, a place to get away from the built up suburbs. This sense of escape will be lost if from the bush tracks in the reserve if the height is increased to the 5 and 6 storeys proposed particularly the RL of 127.3. The below image shows a view from the bush track below Ethel Turner lookout in Seven Little Australians Park. What can be seen is the Optus Base Station which is located opposite Lourdes Retirement Village (north east side circled red). The Optus Base Station has at its highest point an RL of 117.65. The RL of the proposed maximum building heights is 127.3 (with lift overrun). (Also see photos included in the comment to the Urban Design Study)</p>  <p>A new/relocated grotto should not present as a wall to the street. The visual curtilage to Headfort House from the street should be retained and enhanced.</p> <p>The impact on the bushwalks and their intended historical ambience as a “bush retreat” has not been adequately addressed. A maximum building height that renders any new structure not visible above the canopy is preferred.</p>
15	<p><i>To achieve this the Master seeks to:</i></p> <ul style="list-style-type: none"> <li>– <i>Retention of existing entrance with an improved landscape setting, with the chapel to also be retained with new community facilities.</i></li> <li>– <i>Retention of Headfort House.</i></li> <li>– <i>Retention of existing trees along Stanhope Road.</i></li> </ul>	<p>Agree with the retention of these key elements.</p>

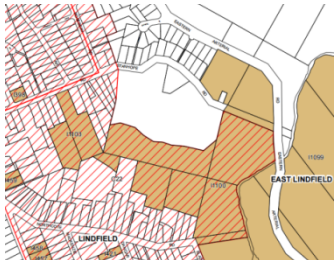
**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

17	<p><b>Heritage</b>  <i>The subject site is not a heritage item itself, however there are a number of 'Local' heritage items and Conservation Areas bordering the site. Refer to the KLEP 2015 at <b>Error! Reference source not found.</b> below.</i>  <i>The site is one of the few lots in the area that is not a heritage item, with only a small portion of the site located within a Heritage Conservation Area. As detailed in <b>Error! Reference source not found.</b> below.</i></p>	Note the "Error! Reference", needs correction.
18	<p>Headfort House has been assessed by GML Heritage against the NSW Heritage Manual guidelines. GML Heritage's assessment found that although Headfort House has significance at a local level, it does not reach the threshold for heritage listing at a local level</p>	To reach the threshold for listing a heritage place only requires to meet the criteria for one of the heritage assessment criterion. As per Attachment F – <i>Heritage significance Assessment</i> , Headfort House meets three: Historical Significance, Historical Association and Social Significance. The report by GML Heritage reaches the conclusion that Headfort House does have local significance – see conclusion on p.56. It is recommended that Headfort House and its immediate curtilage (garden) be locally heritage listed.
27	<p><i>The Urban Design Report prepared by Architectus (June 2017) is attached to this Planning Proposal at Appendix A. The Report provides a good understanding of the sites attributes, context and potential impacts and recommends the master plan that is being sought by this Planning Proposal.</i>  <i>The heritage context of the site has been taken into consideration and has helped to shape the master plan for the site. The site is not a heritage item itself, however there are a number of 'Local' heritage items and Conservation Areas bordering the site. Particular consideration has been given to the importance of Headfort House, a one to two storey schoolhouse and chapel constructed on the site between 1918 and 1921, which has been found to be important to the Ku-ring-gai community's sense of place (GML Heritage, May 2017).</i></p>	See comments above.
29	<p><i>P1.1 Ku-ring-gai's unique visual character and identity is maintained.</i>  <i>The topography and native bushland that surrounds the site are defining characteristics of the surrounding context. The master plan maintains this unique visual character and identity by strategically placing buildings of varying heights throughout the site to responds to the bushland context. The development's 6 storey buildings are located centrally within the site, while the surrounding buildings reduce in height, integrating with the existing lower scale built form to the</i></p>	At points on the walking track in Seven Little Australians Park (not those sites assessed in the Draft Urban Design Study) the towers will be visible above the treeline. See comments in <i>Explanation of provisions</i> above.

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

	<i>north and south of the site.</i>	
33	<p><i>P5.1 Ku-ring-gai's heritage is protected, promoted and responsibly managed.</i></p> <p><i>Although the site does not contain any heritage items, a Heritage Significance Assessment of Headfort House, the oldest building to pre-date the retirement village, has been prepared by GML Heritage (Attachment F). The assessment found that although Headfort House has significance at a local level, it does not reach the threshold for heritage listing at a local level. However, the master plan identifies how Headfort House can better integrate into the development through restoration of the building and upgrades to the adjacent gardens, while retaining its use as a chapel for the community</i></p>	<p>The findings of the assessment (see p. 56 of Attachment F) do find that Headfort House does have local heritage significance. The conclusion of the consultant in this report does not mention not reaching the threshold for listing. Amend the planning proposal to include the listing of Headfort House.</p>
33	<p><i>2.3 Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance</i></p> <p><i>The Planning Proposal does not propose to amend the heritage status of any of the heritage items or conservation zones surrounding the site.</i></p> <p><i>Yes</i></p> <p><i>Any amendments to heritage item listings will be considered at the Development Application phase. Critically, although the site is partially located within a Heritage Conservation Area, it is noted that the submitted master plan details how this is effectively addressed through retention of existing buildings and low scale buildings ensuring appropriate interface with adjoining buildings.</i></p>	<p>As set out above Headfort House has local heritage significance based on 3 criteria and therefore meets the test for local listing.</p> <p>The s.117 Direction 2.3 is therefore is not being met.</p> <p>Amend the planning proposal to locally heritage list Headfort House and its immediate curtilage. It is not recommended that this listing include the entire Lourdes site, instead it should be contained to what has been found to have local significance.</p>
41-43	<p><i>Headfort House has been considered by GML Heritage against the NSW Heritage Manual guidelines. GML Heritage's assessment found that although Headfort House has significance at a local level, it does not reach the threshold for heritage listing at a local level under the following criterion: Nevertheless, the Master Plan prepared by Architectus at Attachment A integrates Headfort House, with the vision to retain and restore the existing building. The Urban Design Report identifies the opportunity for built form to respond to the historical context of Headfort House, including upgrading the building's existing entry to interface with proposed buildings, and upgrading the its front and side gardens.</i></p>	<p>See comments on heritage listing above.</p>

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

48	<p>Part 4 Mapping</p> <p><i>The site is one of the few lots in the area that is not a heritage item or located within a Heritage Conservation Area. Therefore development of the site is not restricted by heritage controls. As such, the site provides a rare opportunity to increase density in the Killara area</i></p>	<p>This text so it is inaccurate. The planning proposal proposed site is partially included in the Crown Blocks Conservation Area C22.</p> 
<b>BIODIVERSITY COMMENT</b>		
17	<p><i>An Ecological Assessment has been prepared by ACS Environmental (February 2017) to undertake an ecological assessment and biodiversity survey at Lourdes Retirement Village and is provided at Attachment H. The Assessment found that the subject site has been extensively modified in relation to natural vegetation structure and floristics over time. The site is currently comprised of managed curtilage, formal garden beds and landscaped areas of planted and established trees.</i></p> <p><i>The Assessment found that there are no threatened species or populations occurring at the subject site. As such, it is not considered necessary to undertake any further assessment of significance or refer the proposal to the Director General of OEH or to the Commonwealth Department of the Environment and Energy.</i></p>	<p>Council disagrees with the Planning Proposals Ecological Assessment that the site does not contain threatened ecological communities.</p> <p>See comments with Attachment J – Ecological Assessment with Attachment I – Arboricultural Impact Appraisal within this Assessment Table.</p>
31-32	<p><i>“This policy applies to all land within NSW identified in Schedule 1, which includes land within the Ku-ring-gai local government area. The aims of SEPP 19, as specified in Clause 2, are to protect and preserve bushland because of its value to the community as part of natural heritage, its aesthetic value, and its value as a recreational, educational and scientific resource.</i></p> <p><i>Clause 9 of SEPP 19 requires the consideration of specific principles for proposed development on land adjoining land zoned or reserved for public open space. The subject site is partially surrounded by native bushland zoned as E2 Environmental Conservation, with the adjacent Swain Gardens, Seven Little Australians Park and Soldiers Memorial</i></p>	<p>The planning proposal inadequately identifies the presence of KLEP 2015 Terrestrial Biodiversity Mapping both adjacent to and within the site.</p> <p>See Attachment J – Ecological Assessment within this Assessment Table, for further information regarding the planning proposals insufficient assessment of significant vegetation on site.</p> <p>Additionally, the SEPP 19 response, omits discussion of the proposals <i>impact on the surrounding bushland’s natural heritage, or its aesthetic value</i>. Further discussion on this are provided within comments on Attachment E – Heritage Letter Response.</p> <p>The proposal includes a significant amount of cut and fill within the site, on the top of the ridge and near the transition between Lucas Heights and GyMEA soil landscapes. Council agrees with the statement that <i>“The effect of potential soil erosion, siltation of streams and waterways, and the spread of exotic plants in</i></p>

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

<p><i>Park located in close proximity to Lourdes Retirement Village. The planning proposal has taken into account the following:</i></p> <ul style="list-style-type: none"> <li><i>• the need to retain bushland on the land;</i></li> <li><i>• the effect of the proposed development on bushland zoned or reserved for public open space purposes and, in particular, on the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland; and</i></li> <li><i>• any other matters which, in the opinion of the approving or consent authority, are relevant to the protection and preservation of bushland zoned or reserved for public open space purposes.</i></li> </ul> <p><i>In consideration of potential impacts on bushland, an Ecological Assessment and biodiversity survey was undertaken by ACS Environmental and is appended at Attachment J. The Assessment found that the subject site has been extensively modified in relation to natural vegetation structure and floristics over time. The site is currently comprised of managed curtilage, formal garden beds and landscaped areas of planted and established trees.</i></p> <p><i>The extent of tree removal is detailed in an Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, appended at Attachment I. The Statement finds that the proposed development will necessitate the removal of 43 high category trees, which are considered moderate to high significance and display good health and condition, while 81 trees of low and very low retention value will be removed.</i></p> <p><i>As the Ecological Assessment identified, there are no threatened species or populations occurring at the subject site. As such, the removal of trees identified in the Arboricultural Impact Appraisal and Method Statement are not considered to have an adverse impact on the surrounding bushland's natural heritage, or its aesthetic, recreational, educational or scientific value.</i></p> <p><i>In addition, KLEP's Terrestrial Biodiversity Map located in Part 4 Mapping illustrates the extent of terrestrial biodiversity in the area, which is limited to surrounding bushland and not the subject site itself.</i></p>	<p><i>neighbouring bushland will need further assessment when detailed built form is finalised in a future development application for the site. Future development will need to comply with relevant storm water management controls implemented by Ku-ring-gai Council, including water sensitive urban design principles and on-site detention, to minimise the potential impact on local waterways."</i></p> <p>The proposed development needs to further consider:</p> <ul style="list-style-type: none"> <li>• The management of any groundwater seepage, particularly as a result of the excavation. Any seepage collected should not be discharged at a point but encourages infiltrating back into sub-surface flow – which would be similar for the rest of the stormwater collected from the site.</li> <li>• The design should re-use as much stormwater from the site as possible and should consider Water quality and management objectives of Council's Development Control Plan.</li> </ul>
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**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

	<i>The effect of potential soil erosion, siltation of streams and waterways, and the spread of exotic plants in neighboring bushland will need further assessment when detailed built form is finalised in a future development application for the site. Future development will need to comply with relevant storm water management controls implemented by Ku-ring-gai Council, including water sensitive urban design principles and on-site detention, to minimise the potential impact on local waterways."</i>	
<b>BUSHFIRE COMMENT</b>		
16	<i>Q1. Is the planning proposal a result of any strategic study or report?</i>	Comments on Attachment D – Bushfire Protection Assessment within this Assessment Table, provided further details regarding concerns raised with the Planning proposals bushfire assessment, including among other things the provision of adequate APZs and provision of acceptable evacuation constraints.
35 - 36	<i>Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)? Table 1 Response to Section 117 Directions 4.4 Planning for bushfire protection</i>	The planning proposal will result in exposure to radiant heat and provide construction standards that do not comply with the Special Fire Protection Purpose developments under Section 117 Direction 4.4 Planning for Bush Fire Protection and Planning for Bush Fire Protection 2006. For further information see comments on Attachment D – Bushfire Protection Assessment within this Assessment Table.
38 - 40	<i>Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? Bushfire management NSW Planning for Bush Fire Protection 2006 "These can be ensured through future development applications and detailed design resolutions. The review of the proposed master plan by EcoLogical Australia identified that as the proposal is an infill Special Fire Protection Purpose development of a site with currently inadequate bushfire protection measures, the degree to which the proposal increases the safety of occupants is vital. In this regard the proposal shifts a large proportion of existing residents from buildings vulnerable to bushfire attack into buildings compliant with contemporary bushfire protection standards. Notably the most vulnerable occupants, in the existing RACF, are moved to a position further from the higher bushfire attack potential into a RACF resilient to the predicted burning attack. Improvements in evacuation management options are</i>	<p>The proposal states that the <i>"level of bushfire safety of existing and additional residents is considered will above that of the current facility"</i>. The benefit however is countered by the use of multi storey buildings which will increase the potential for entrapment and the almost doubling of dwelling numbers within the Lourdes Retirement Village, placing additional demand on road infrastructure and the emergency services.</p> <p>The assessment is essentially 'silent' on the issue of the safety of the residents occupying the existing Independent Living Units to be retained on the periphery of the existing village, however pg 11 of the Urban Design Study clearly articulates a desired future to use (subject to a future planning proposal), which should be considered with regards to the opportunities to provide a site layout that removes residents from high threat areas and considers the potential for cumulative dwelling increases above those already proposed.</p> <p>Additionally a review of Attachment D – Bushfire Protection Assessment has been undertaken by Council staff and an independent bushfire consultant (Australian Bushfire Protection Planners Pty Limited), has identified that the proposed bushfire risk mitigation measures are not adequate as the proposal does not address the core requirement of reducing the radiant heat on the exterior of the buildings to not more than 10kW/m2 and the provision of safe access for residents and emergency service personnel has not been addressed. Further details of this assessment are provided within comments on Attachment D – Bushfire Protection Assessment within this Assessment Table.</p> <p>The Hornsby/Ku-ring-gai Bush Fire Risk Management Plan 2016-2021 is now a finalized document (now</p>

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

	<p>another notable improvement in bushfire risk associated with the proposal.</p> <p>Currently occupants need to shelter in buildings that have limited bushfire resilience if a fire attack occurred before off-site evacuation could be completed (NB: this is the most likely of fire attack scenarios under adverse fire weather).</p> <p>Under this rapid bushfire-attack scenario, the proposal provides a level of on-site refuge equivalent to national best practice and much more resilient than the existing situation. Whilst an increase in occupant numbers is proposed, the level of bushfire safety of existing and additional residents is considered will be above that of the current facility."</p> <p>Ku-ring-gai Bushfire Management Policy 2008          "The Hornsby/Ku-ring-gai Bush Fire Risk Management Plan 2016-2021 is the draft plan and was exhibited in 2016, however it is understood that the draft policy is not substantially different from the current policy".</p>	<p>available on council's website). That draft Bush Fire Risk Management Plan however is not substantially different from the draft version.</p>
	<p>Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?</p>	<p>Comments on bushfire constraints are provided within Attachment D – Bushfire Protection Assessment within this Assessment Table, highlight the need for further consultation with the NSW RFS.</p>

## PLANNING PROPOSAL - ATTACHMENT A - URBAN DESIGN REPORT

PAGE	DOCUMENT/SECTION	COMMENT
10-11	<p>Sec 1.1.3</p> 	<p>The illustration of apartment block type buildings to the south of the site, contradicts the content of the Planning Proposal which states that due to challenges around bushfire management, the southern part of the site, adjacent to the bushland, would remain as is with the existing housing and no application of increased heights.</p> <p>Council's independent bushfire assessment suggests that future development should look to removing all built form to this southern part of the site due to risks associated with the vulnerable aged population that is located there.</p>
14-16	<p>Sec 2.1</p> <p>2.1.1 A Plan for Growing Sydney</p> <p>2.1.2 Draft Greater Sydney Regional Plan 2056</p> <p>2.1.3 Draft North District Plan, 2017</p>	<p>The section does not include consideration of some key objectives in these documents. Refer to the comments on the Planning Proposal.</p>
41	<p>Sec 3.1.10 Constraints</p>	<p>Section in adequately address the presence of significant vegetation on site. See comments on the Attachment J - Ecological Assessment.</p>
48-71	<p>4.2 Illustrative master plan</p>	<p>If this Planning Proposal is seeking amendment to the KLEP 2015 so that development on the site can occur</p>

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

#### 4.2.2 Building Heights

#### 4.2.3 Site Sections

#### 4.2.10 Indicative Schedule of Yield



under the KLEP, then this Urban Design Study needs to give consideration to the Ku-ring-gai DCP which supports the objectives of the KLEP 2015.

The design shows lack of appropriate consideration of the DCP and the standards that are required in that document - built form, excavation and levels, car parking, deep soil areas, landscaping including tall canopy trees etc.

In addition, the proposal does not address Councils Terrestrial Biodiversity Map (Part 6.3 of the Ku-ring-gai Local Environmental Plan) and Greenweb maps (referred to within Part 18 of the Ku-ring-gai Development Control Plan). Those standards are key to ensuring the high quality built and landscape fabric within Ku-ring-gai are well considered and any new development integrates into that fabric.

There are some inconsistencies in the GFA and FSR tabulated in the Area Schedule on pg 69 when compared to the section drawings and the solar access drawings which show that not all GFA has been included.

RACF building - Area Schedule on pg 69 states 5 levels. Building heights plan pg 50 shows part 5 and part 6 storeys. Section on pg 57 show 6 levels. Solar access diagrams on pg 112 show part of building at 7 levels.

In addition, the Area Schedule on pg 69 states that the RACF has been excluded from the FSR calculation, but the numerics imply its inclusion.

Building B4 - Area Schedule on pg 69 shows Building B4 at 6 levels. Section pg 51 shows two basements below the residential component that extend above the natural groundline and extend beyond the footprint of the apartment building above . Since the basements are above ground level they are counted as additional levels to the building and must be counted towards the total GFA calculations (as per section 7B.1 of the Ku-ring-gai DCP). This building therefore comprises 8 levels when viewed from First Avenue and 6 levels when viewed from the Main Street.

Building B5 - Area Schedule on page 69 does not give a clear indication of total levels. It is shown to have three components, COM, ILU and SA with 2, 5 and 1 levels respectively. The site section on pg 55 shows this building as 6 levels and but a total of 8 levels including the upper levels (set back) when viewed from First Avenue, and 6 levels when viewed from Main Street.

Building B6: Area Schedule on page 69, states it comprises 6 levels. Section on page 56 indicates a basement with exposed end above ground level in the central podium space which makes the building a total of 7 levels when viewed from podium and 6 levels when viewed from Main Street.

The sections also show that there is a possibility to include additional levels within the height plane as indicated by red circle below. Whilst FSR will limit the amount of development, building heights are a key consideration at this location. Any future proposal would have the ability to compose smaller footprint within

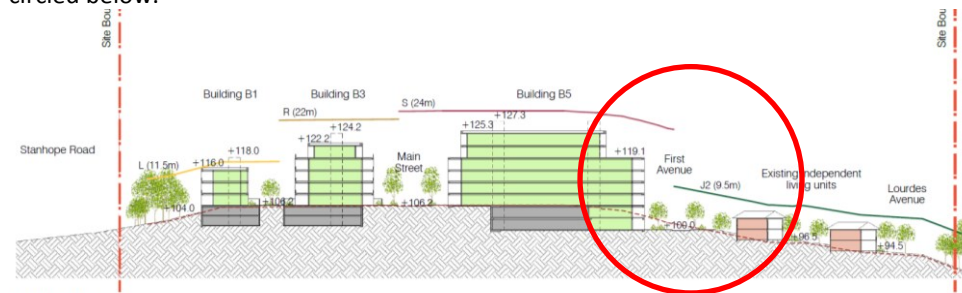
## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

FSR limits to achieve these additional levels.

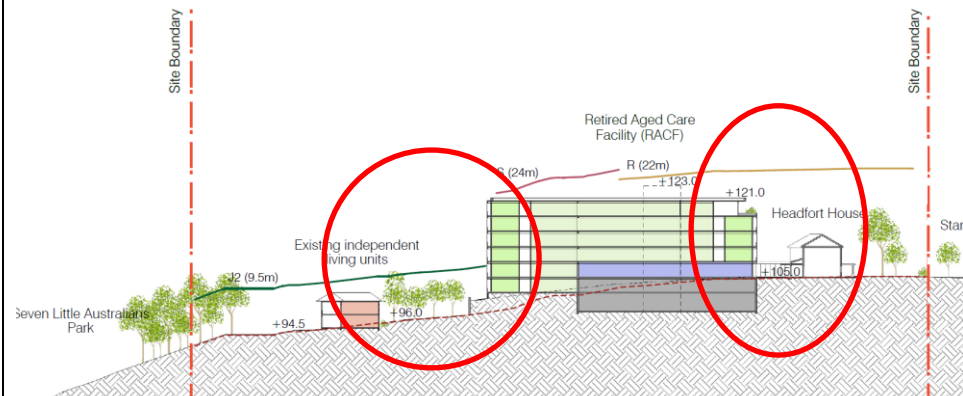


**Section E**

A key issue regarding the outcomes depicted in this urban Design Study is the lack of interface consideration with low density residential development on the site itself, on the neighbouring site at 91 Stanhope, and to Headfort House which has been found worthy of local listing. Some of the bulk, massing, scale issues are circled below.

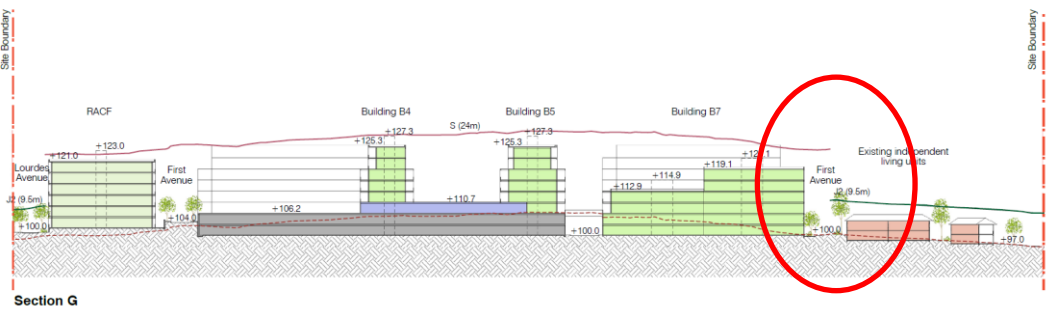
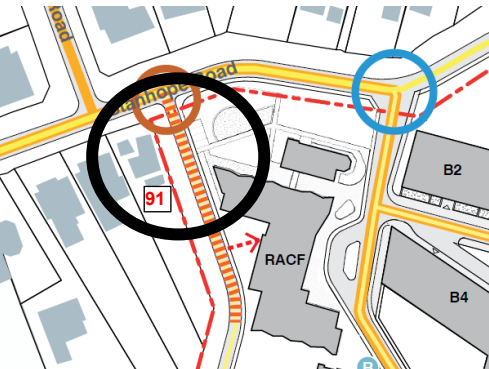


**Section E**



**Section D**

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**


		 <p>Section G</p>
61	4.2.5 Vehicular Circulation	<p>The placement of the new internal road adjacent to the neighbouring single dwelling at 91 Stanhope Rd is of concern as it will be a high use access way to the dwellings to the south and as such generate noise impact to the rear garden and the dwelling. This interface does not appear to have been given consideration.</p> 
62	4.2.6 Basement Parking	<p>Consideration of the DCP requirements for residential flat buildings/mixed use standards that the proposed buildings comprise, has not been given. The large footprint subsurface basement parking is not supported due to the inability to provide deep soil landscaping, including tall trees in between built form – contributing to the prevailing residential character of Ku-ring-gai (buildings located within garden settings with tall canopy trees above).</p>
63	4.2.7 Bushfire	<p>Refer to the comments to Attachment D - Bushfire Protection Assessment within this Table of Assessment.</p>
72	Section 4.3 Landscape strategy <i>“Retention of existing vegetation wherever possible. Particularly existing mature tree planting that contributes to the leafy character of the village and its connection to nature.”</i>	<p>This summary fails to recognise presence and protection of remnants within the site, as referred to within the Attachment J - Ecological Assessment and Council’s comments on the Ecological Assessment</p>
73	4.3.2 Landscape Design	<p>Given that the outcomes for this site will resemble residential flat buildings, there will be an expectation that the built form comply with the Ku-ring-gai DCP requirements for that building type. This includes the</p>

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

		requirements around landscaping and the provision of deep soil landscaping to ensure all buildings sit well within a garden setting and that the overall setting contribute to the greater context around the site, in particular the addition to the tree canopy.
76	4.4.1 Headfort House Front Garden	See comment made to the Planning Proposal and in comment to Heritage Assessment.
90-109	5.1 Visual Impact Assessment	<p>The view analysis presented underestimates the impacts of the bulk and scale of the proposed built form in its wider setting. Key views from the bush heritage items, Seven Little Australians Park and Lindfield Soldiers Memorial Park have been omitted, these views are highly important as this site forms the backdrop to the setting of Seven Little Australians Park, and is within the views and vista corridor from the Lindfield Soldiers Memorial Park.</p> <p>Following are photos from these two locations showing the height of the Optus Base Station at <b>RL 117.65</b> visible above the tree canopy. This tower is located on Stanhope Road to the north east of the site.</p> <p>The proposal seeks an increased height to <b>RL 127.3</b> (10m above the level of this tower). Given the length and solidity of built form that will result, it will be highly visible above the canopy. Also of consideration is the light spill that would result from the buildings further marking the development to no strategic advantage. It will interfere with the setting of the Items and will be an anomaly within the low density context in which it is located.</p> <p>The view analysis at location 13 does not illustrate the wider view impacts as seen in the following photos also taken from Seven Little Australians Park:</p>  <p>The view analysis at location 18 does not illustrate the wider view impacts as seen in the following photos also taken from Lindfield Soldiers Memorial Park and oval.</p>



## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

			
118	Section 6.1 Proposed Planning Controls	<p>The comments made regarding this proposal's impacts on the heritage, low density residential, prevailing Ku-ring-gai character refute the below statement on pg 118. The consideration given to the value of the context and to the interface with immediate neighbouring buildings and features has been minimal.</p> <p><i>"The maximum height amendments reflect buildings sited in such a way to create transitions between the surrounding area and taller development on the subject site. It should be noted that the proposed heights, although achieving a maximum of 24m responds to the existing topography and do not have any significant visual impact on surrounding areas."</i></p>	


### PLANNING PROPOSAL - ATTACHMENT C - TRAFFIC IMPACT ASSESSMENT

PAGE	DOCUMENT/SECTION	COMMENT
6	2.4 Public transport	<p>The assessment of the local bus route (Transdev route 556) gives the impression that the bus stops within the site are serviced in accordance with the frequencies in Table 1.</p> <p>In reality, the Transdev route 556 service stops in the Lourdes development only twice a day on weekdays, at 9.30am and 12.30pm, with no service on weekends.</p> <p>Section 2.4 needs to be updated to better reflect the actual servicing of the site by Transdev route 556 service</p>

### PLANNING PROPOSAL - ATTACHMENT D - BUSHFIRE PROTECTION ASSESSMENT

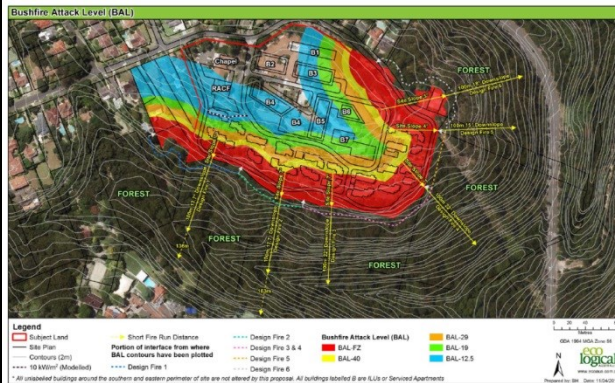
PAGE	DOCUMENT/SECTION	COMMENT
1-2	Sections 1.1 & 1.2 of the report details the description of the proposal, location and description of the development site and includes a comment that the <i>"locality has not had a widespread wildfire and is never likely to experience this as the vegetation is confined to relatively narrow pathways in</i>	<p>Figure 1 below (taken from the Independent Review of Bushfire Impact, Australian Bushfire Protection Planners Pty), provides a graphical representation of the fire paths which are likely to present a hazard to the site and identifies that there is a 1.2 kilometre fire path from the northeast with a potential head width of more than 300 metres.</p>

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

	<p><i>directions that are not exposed to widespread and major bushfires”.</i></p>	<p>The fire path from the southeast has a length of more than 450 metres with a potential head width of more than 250 metres.</p> <p>Figure 1 – Plan of Potential Fire Paths</p>  <p>The likelihood of bushfire as described within the Bushfire Protection Assessment, should either clarify their proposed fire paths or address those raised within the comments section which clearly show significant fire paths (particularly to the northeast).</p>
5-6	<p>Section 2 of the report undertakes a Bushfire Threat Assessment which includes the determination of the ‘predominant vegetation class’ for a distance of at least 140 metres out from the site and the slope class ‘most significantly affecting fire behaviour’ for a distance of at least 100 metres in all directions.</p>	<p>The report correctly classifies the ‘predominant vegetation’ to the north-east through to the south to southwest of the development as ‘forest’.</p>
5-6	<p>Section 2 of the report undertakes a Bushfire Threat Assessment.</p> <p>The effective slopes shown in <b>Figure 2</b> have been agreed to by NSW RFS Development Assessment and Planning Officer Josh Calandra after a site inspection on the 6.10.16.</p>	<p>Figure 2 below (taken from the Independent Review of Bushfire Impact, Australian Bushfire Protection Planners Pty), identifies some minor discrepancy in the effective slope identified on Figure 2 [Slope Assessment] in the Bushfire Protection Assessment.</p> <p>The effective slope is that slope within the hazard (i.e. under vegetation) which most significantly affects fire behaviour.</p> <p>Whilst it is understood that the RFS has agreed to the effective slopes used within the Planning proposals Bushfire Threat Assessment, an additional assessment was undertaken by Council’s bushfire consultant (Independent Review of Bushfire Impact, Australian Bushfire Protection Planners Pty). This assessment was undertaken using 2m LIDAR derived contour data and shows either equivalent or greater effective slopes than that assessed within the Bushfire Protection Assessment (see figure 2 below). Resulting in a potential increased rate of spread inherent to fire travelling upslope.</p> <p>It is suggested that the effective slope applied within the current or future Bushfire assessments be reviewed to assess discrepancies raised.</p>



## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara



The report further states:

*'The effective slope is characterised by a steep riparian corridor to the south and sandstone escarpments of varying heights that 'interrupt' the continuous slope grade and depending on the fire intensity its potential uphill spread'.*

Figure 2 – Effective Slope Diagram.



Written descriptions of the effective slope within the Bushfire Threat Assessment do not take into account the likely crown fire spread upslope from the northeast, negating any benefit provided by the sandstone Escarpments.

1-21 This appendix includes Bushfire Attack Assessments for each bushfire run (as shown within Figure 2 of the report, also within the section above).

The Bushfire Attack Assessments apply a Short Fire Run Model for Design Fire 1 and Design Fire (pg 1 -4 and pg 5 – 8 of Appendix B).

The use of 'Short Fire Run' for Fire run 1 is acceptable as the total length of fire path is less than 150 metres, which is the maximum Short Fire Run length, permitted when using the SFR Calculator.  
The use of 'Short Fire Run' for Fire run 2 not considered acceptable as the total length of fire path is greater than 150 metres, which is the maximum Short Fire Run length permitted when using the SFR Calculator.  
Additionally consideration of discrepancies in effective slopes as addressed may also affect the modelled outcome, increasing bushfire attack.

All of the Bushfire Attack Assessments are based on the assumption that the Fire Danger Index [FDI] for the location can be lowered to 55, from the accepted 100 as prescribed in *Planning for Bushfire Protection 2006*, for the Greater Sydney Region – refer to Table A2.3, Page 57 of *Planning for Bushfire Protection 2006*. Correspondence from the NSW Rural Fire Service [see Attachment A within the Independent Review of Bushfire Impact, Australian Bushfire Protection Planners Pty has confirmed that the Service will not accept lowering the Fire Danger Index for the site from 100 to 55, as proposed in the Bushfire Protection Assessment.

The Bushfire Protection Assessment must either:

- Demonstrate acceptance from the RFS (in writing); or
- Revise the bush fire assessment through consultation with the RFS; or
- Apply a Fire Danger Index [FDI] of 100 as required by PBP 2006.

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

8-12 Section 3 examines the Asset Protection Zones for the site and provides tables which identify the calculations of Asset Protection Zone width and level of building construction [Bushfire Attack Level - BAL] for each of the six defined effective slopes.

This assessment has used the specific slopes agreed to with RFS and selectively used two other performance solutions (short fire run and weather data analysis) to identify the site specific APZ and BAL.

These calculations rely on the ‘design fire modelling’ provided in Appendix B Bushfire Attack Assessments. Results are shown within Table 1 and 2 below.

Table 1: Proposed new RACF: APZ and BAL assessment

Direction from envelope	Effective Slope <sup>1</sup>	Predominant Vegetation <sup>2</sup>	PBP Accept. Soln. APZ <sup>3</sup>	Performance solution APZ <sup>4</sup>	Method 2 AS 3959-209 Construction Standard <sup>5</sup>	Comment
South (Line 1)	Downslope 13.7°	Forest	100 m	55 m	BAL-12.5	Reduced FFDI & SFRM <sup>6</sup> used, RACF beyond 10 kW/m <sup>2</sup>
South (Line 2)	Downslope 17.7°	Forest	100 m	58 m	BAL-12.5	Reduced FFDI & SFRM used, RACF beyond 10 kW/m <sup>2</sup>
All other directions	Managed lands					

<sup>1</sup> Slope most significantly influencing the fire behaviour of the site having regard to vegetation found on each ‘fire run line’.

<sup>2</sup> Predominant vegetation is identified, according to PBP and “Where a mix of vegetation types exist the type providing the greater hazard is said to be predominate”

<sup>3</sup> APZ identified using Table 2.6 of PBP to achieve acceptable solution

<sup>4</sup> APZ identified using a performance solution to achieve BAL-12.5 with flame temp of 1200°C

<sup>5</sup> BAL construction determined using a AS 3959-2009 Method 2 performance solution with flame temp of 1200°C. NB other BALs shown in Figures 2-4 derived from data in Table 3

<sup>6</sup> SFRM means Short Fire Run Model

These calculations rely on the ‘design fire modelling’, as discussed above.

As a result of the NSW Rural Fire Service not accepting the use of an FDI of 55 (as discussed above), the assumptions, calculations and modelling in the Bushfire Protection Assessment report are incorrect and will not be accepted by the NSW Rural Fire Service as the use of the correct level of Fire Danger Index will increase the level of radiant heat on the exterior of the buildings to more than the mandatory 10kW/m<sup>2</sup> (which is the maximum acceptable radiant heat rating for SFPP, as outlined above and within Section 4.2.7 of PBP). In order to reduce the radiant heat rating on the exterior of the buildings increased APZ would be required.

Section 4.2.7 of *Planning for Bushfire Protection 2006* details the standards for bushfire protection measures for SFPP developments and states:

### Asset Protection Zones:

*“Intent of measures: to provide sufficient space for fire-fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.*

*Radiant heat levels of >10kW/m<sup>2</sup> must not be experienced by emergency services workers aiding residents within a special fire protection purpose development”.*


The table below provides the performance criteria and acceptable solutions for SFPP’s located in a bushfire prone area.

Performance Criteria	Acceptable solutions
<p>The intent may be achieved where:</p> <ul style="list-style-type: none"> <li>radiant heat levels of greater than 10kW/m<sup>2</sup> will not be experienced by occupants or emergency services workers entering or exiting a building.</li> </ul>	<ul style="list-style-type: none"> <li>an APZ is provided in accordance with the relevant tables and figures in Appendix 2 of this document.</li> <li>exits are located away from the hazard side of the building.</li> <li>the APZ is wholly within the boundaries of the development site. Exceptional circumstances may apply (see section 3.3)</li> </ul>

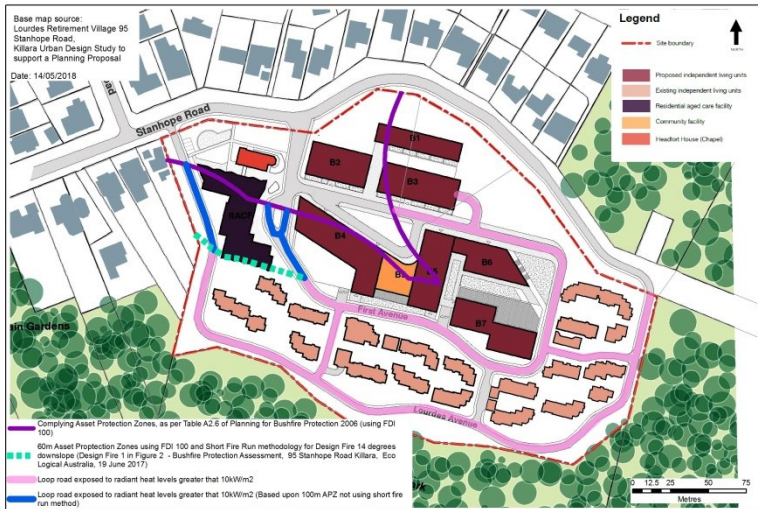
Without a viable alternative Bushfire Attack Assessment (‘design fire modelling’) the default mechanism for determining complying Asset Protection Zones is Table A2.6 of *Planning for Bushfire Protection 2006*. Table A2.6 requires that for:

- Effective slopes of more than 18 degrees having forest as the predominant vegetation type, the Asset Protection Zone is 100 metres.
- The 14 degree effective slope to the southwest the width of the Asset Protection Zone is also 100 metres – to achieve a radiant heat rating on the exterior of the buildings of no greater than 10kW/m<sup>2</sup>.

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

	<p><b>Table 2: Proposed new ILUs/Service Apartments: APZ and BAL assessment</b></p> <table><tr><th>Direction from envelope</th><th>Effective Slope<sup>1</sup></th><th>Predominant Vegetation<sup>2</sup></th><th>PBP Accept. Soln. APZ<sup>3</sup></th><th>Performance solution APZ<sup>4</sup></th><th>Method 2 AS3959 Construction Standard<sup>5</sup></th><th>Comment</th></tr><tr><td>South (Line 3)</td><td>Downslope 22°</td><td>Forest</td><td>100 m</td><td>87 m</td><td>Up to BAL-29</td><td>Reduced FFDI use in model</td></tr><tr><td>South-East (Line 4)</td><td>Downslope 22°</td><td>Forest</td><td>100 m</td><td>87 m</td><td>Up to BAL-29</td><td>As above</td></tr><tr><td>East (Line 5)</td><td>Downslope 15°</td><td>Forest</td><td>100 m</td><td>67 m</td><td>Up to BAL-29</td><td>As above</td></tr><tr><td>North-east (Line 6)</td><td>Downslope 18°</td><td>Forest</td><td>100 m</td><td>75 m</td><td>Up to BAL-29</td><td>As above</td></tr><tr><td>All other directions</td><td colspan="6">Managed lands</td></tr></table> <p><sup>1</sup> Slope most significantly influencing the fire behaviour of the site having regard to vegetation found.</p> <p><sup>2</sup> Predominant vegetation is identified, according to PBP and "Where a mix of vegetation types exist the type providing the greatest hazard is said to be predominate"</p> <p><sup>3</sup> APZ identified using Table 2.6 of PBP to achieve acceptable solution</p> <p><sup>4</sup> APZ identified using a performance solution to achieve BAL-12.5 with flame temp of 1200°C</p> <p><sup>5</sup> BAL construction determined using a AS 3959-2009 Method 2 performance solution with flame temp of 1200°C NB other than shown in Figures 2-3 derived from data in Table 3.</p>	Direction from envelope	Effective Slope <sup>1</sup>	Predominant Vegetation <sup>2</sup>	PBP Accept. Soln. APZ <sup>3</sup>	Performance solution APZ <sup>4</sup>	Method 2 AS3959 Construction Standard <sup>5</sup>	Comment	South (Line 3)	Downslope 22°	Forest	100 m	87 m	Up to BAL-29	Reduced FFDI use in model	South-East (Line 4)	Downslope 22°	Forest	100 m	87 m	Up to BAL-29	As above	East (Line 5)	Downslope 15°	Forest	100 m	67 m	Up to BAL-29	As above	North-east (Line 6)	Downslope 18°	Forest	100 m	75 m	Up to BAL-29	As above	All other directions	Managed lands						<p>Except for the Design Fire 1 (14 degree downslope fire path to the southwest), which has a fire run distance of 147 – 150 metres, APZs were calculated using an FDI of 100 and the Short Fire Run methodology.</p> <p>The Planning Proposal provides a setback of around 58m (but a required APZ of 55 metres) to the southwest of the new RACF building. Using the Short Fire Run methodology and FDI 100, a distance of 60m is required to provide radiant heat of less than 10kW/m<sup>2</sup> to this aspect of the building, as mapped within</p> <p>The APZ (using FDI 100) are mapped within Figure 3 below (taken from the Independent Review of Bushfire Impact, Australian Bushfire Protection Planners Pty).</p> 
Direction from envelope	Effective Slope <sup>1</sup>	Predominant Vegetation <sup>2</sup>	PBP Accept. Soln. APZ <sup>3</sup>	Performance solution APZ <sup>4</sup>	Method 2 AS3959 Construction Standard <sup>5</sup>	Comment																																						
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13-14	Sections 4 & 5 examine the Bushfire Attack Level to the existing and proposed buildings.	<p>In determining construction standard requirements to the buildings, the Planning Proposal's Bushfire Protection Assessment report has applied Method 2 from the Australian Standard A.S. 3959 – 2009 (Construction of buildings in bushfire prone areas). The Results of this Assessment are shown within Figure B. Again this assessment has included use of a Fire Danger Rating (FDI), which has been lowered from 100 to 55, which is unacceptable to the NSW RFS.</p> <p>The assessment of BAL rating to the buildings determined in the Planning Proposal's Bushfire Protection Assessment report is therefore not accurate. Use of the correct FDI of 100 will result in an increase in the level of radiant heat on the buildings based on their current proposed location (as shown within Figure B) and therefore an increase in the BAL rating above the accepted BAL 12.5.</p> <p>This increase in radiant heat and construction standards to the proposed buildings do not comply with the Special Fire Protection Purpose Development performance requirements of Planning for Bushfire Protection 2006.</p>																																										
15-16	Section 8 examines the existing and proposed access arrangements under the Planning Proposal with the proposal	The Planning Proposal provides a secondary access to Stanhope Road. This improves emergency egress from the site except that the existing perimeter access road linking to the secondary exit is not safe and will be subject																																										

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

	to provide a secondary access to Stanhope Road.	<p>to bushfire over-run.</p>  <p>The Planning Proposal establishes a loop perimeter internal road identified as 'First Avenue'. A review of the likely impact on this road has identified that with the use of the increased Fire Danger Rating for the site the north-eastern, eastern and south-eastern sections of the loop will be exposed to radiant heat levels greater than 10kW/m<sup>2</sup>. This section of the loop road will therefore not provide safe access/egress for residents and an operational platform for fire-fighters assisting during bushfire. Refer to Figure 4</p>
17	Section 9 examines emergency response and evacuation.	<p>The following concerns with emergency response and evacuation are raised:</p> <ul style="list-style-type: none"> <li>• Due to the inaccuracies in the determination of the APZs, the assessment of the safety of the occupants is also incorrect and evacuation in the event of bushfire will therefore be required.</li> <li>• All the properties (including 95-97 Stanhope Road) within the catchment area, mapped in Figure D, exit on Stanhope Road, which is the only exit road from this catchment area. A Bushfire Evacuation Risk Assessment has been undertaken to understand current and potential impacts to this area. The methodology used is the same as applied to Council's Deferred Areas Planning Proposal, which was supported by the NSW Police and Rural Fire Service and recently endorsed by the NSW Department of Planning. The results of this analysis show: <ul style="list-style-type: none"> <li>○ The catchment area has a total of 256 dwellings currently existing, exceeding the recommended maximum 50 dwellings for the one exit road (Stanhope Road) by 206 dwellings.</li> <li>○ The amendments sought by the Planning Proposal would result in a total of 486 dwellings within the total catchment area, exceeding the recommended maximum 50 dwellings for the one exit road (Stanhope Road) by 436 dwellings.</li> </ul> </li> <li>• The egress from this catchment area is inadequate in the event of evacuation from bushfire event:</li> </ul>



## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

- Currently, Stanhope Road has just enough capacity to evacuate the existing catchment within 30mins,
- With the increase in population permitted under the Planning Proposal; the time taken to evacuate the catchment will increase to over 60mins. This exceeds the exit road capacity criteria set by Cova (2005) by 32mins.
- The amendments sought by the Planning Proposal would result in almost doubling the number of dwellings within the Lourdes Retirement Village. This will result in the need for a higher level of response by the Emergency Services to assist in the relocation of the residents to a safer neighbourhood place. This assistance may not be available.
- The Planning Proposal establishes a loop perimeter internal road identified as 'First Avenue'. A review of the likely impact on this road has identified that with the use of the increased Fire Danger Rating (FDI) for the site the north-eastern, eastern and south-eastern sections of the loop will be exposed to radiant heat levels greater than  $10\text{kW/m}^2$ , including all areas between the bushland and the APZ line (blue) map in Figure A. This section of the loop road will therefore not provide safe access/egress for residents and an operational platform for firefighters assisting during bushfire.
- The Planning Proposal's Bushfire Protection Assessment does not respond to the risk to the existing Independent Living Units retained to the south and east of the site in the Asset Protection Zone setback to the new buildings.



Figure D: Catchment area for the assessment of bushfire evacuation risk

Council's Independent Review of Bushfire Impact (by Australian Bushfire Protection Planners Pty), states "Previous advice from the NSW Rural Fire Service [on similar projects] has confirmed that the Service is unlikely to accept an increase in the occupancy of the facility due to the need to evacuate an increased number of

### Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

		<i>vulnerable people from the site, placing additional demand on road infrastructure and the emergency services”.</i>
17-18	Section 10 provides a Conclusion.	<p>The Conclusion provided within Section 10, relies on the bushfire protection measures determined by modelling using the incorrect Fire Danger Index, which the NSW Rural Fire will not accept (as addressed in comments above). Use of an FDI of 100 will increase the bushfire risks above those addressed within the Planning Proposals Bushfire Assessment. Significant evacuation issues have also been raised, which will be exacerbated by the increase in vulnerable population on this site resulting from the development potential of this Planning Proposal.</p> <p>The planning proposal will result in exposure to radiant heat and provide construction standards that do not comply with the Special Fire Protection Purpose developments under Section 117 Direction 4.4 Planning for Bush Fire Protection and Planning for Bush Fire Protection 2006.</p>
	Additional matters inadequately addressed within the report	The report is essentially ‘silent’ on the issue of the safety of the residents occupying the existing Independent Living Units to be retained on the periphery of the existing village.
	Addition matters inadequately addressed within the report	<p>The Bushfire Protection Assessment does not address the multi-storey nature of the proposed development.</p> <p>The Planning Proposal will enable the construction of multi-level buildings up to 7 stories exceeding the existing two to three storey height. Such buildings have higher densities and increased external façade surface areas potentially exposed to bushfire attack.</p> <p>The increased height can result in exposure to convective heat and is exacerbated on this site by the steep slopes across which bushfire will travel.</p> <p>Additionally, this multi-storey building with provide for higher populations that make egress from the building more challenging and place an increased demand on road infrastructure during evacuation.</p> <p>The NSW Rural Fire Service recommends that multi-storey buildings should not be located along ridges [such as this site] or slopes with significant fire runs.</p>

### PLANNING PROPOSAL - ATTACHMENT F - HERITAGE SIGNIFICANCE ASSESSMENT HEADFORT HOUSE

PAGE	DOCUMENT/SECTION	COMMENT
1	<p>Attachment E – Heritage Letter Response Draft Urban Design Study</p> <p><i>Heritage Listing Context</i></p> <p><i>“GML’s Heritage Significance Assessment (prepared for Stockland in 2017) found that the former Headfort School building (Headfort House) in its garden setting is of heritage significance to Ku-ring-gai.”p.1</i></p>	<p>The heritage response to the draft urban design study has a strong focus on the conserving the significance of Headfort House. This property is not as yet statutorily listed and as such there is no statutory obligation to conserve or even retain the building.</p> <p>Locally heritage list Headfort House.</p>
2	<i>The project will include the restoration of Headfort House as the gateway to the site.....existing vegetation along Stanhope</i>	The trellis structure and the wall around the grotto are not consistent with the open soft landscaped garden that currently exists at the front of Headfort House.

**Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara**

	<i>Road is to be retained and the remaining garden elements of Headfort House will be conserved. It is proposed Headfort House be conserved within its garden curtilage, which will form an important element of the new gateway to the village.</i>	Ensure any works to the front of Headfort House provide an appropriate garden setting which retains a visual connection with the street.
5	<i>Bushland reserves Plan of Management 2013 – minimise urban encroachment on the park, careful consideration of drainage, shadowing and visual analysis. Consideration of the potential impacts on matters outlined in the Bushland reserves POM...will be needed as the development of the Master Plan proceeds.</i>	Agreed.
7	<p>Commentary</p> <p><i>The impacts of permitting increase density and height require careful consideration of the massing of building envelopes, specific modulation, materials, colours and visual impacts. Scaling down the height of the buildings at the perimeter of the site, particularly along the bushland fringe is a positive design principle, the impact of apparent height from within the park will need to be assessed.</i></p>	<p>It is agreed that reducing the height at the interface of the site is a good design response. Placing the tallest buildings on the highest point of the site will have consequences for district views to the site. These are views from existing heritage conservation areas across the Seven Little Australians Park. At present these sites take in bush vistas but the inclusion of these buildings would result in visible built structures above the canopy. Restrict building heights on the site to below the canopy so regional vistas from conservation areas of the bush are not interrupted by new built elements.</p>
8	<i>It is considered that the detailed design of the proposed five-storey RACF as shown on the masterplan can potentially be further developed to be sympathetic to Headfort House, and not adversely impact on its setting. The new building envelope of the RACF behind Headfort House is of five storeys, and is set back from the chapel. A reasonable setback (as shown on the Master Plan), together with localised stepping of the height of the building on its western side and careful articulation of the facades and materiality of the new RACF will be ultimately required to ensure that the new building will not overwhelm or visually dominate the chapel. These aspects of design development can be considered further at DA stage. The proposed development of landscaped gardens in the area currently occupied by a carpark has the potential to enhance the setting of Headfort House, and represents a suitable location for the relocated grotto.</i>	It is agreed that at the DA stage the RACQ should have a contextual design response to Headfort House.
8	<p><i>Further Investigations to be undertaken as part of the next stages of design:</i></p> <p><i>To fully assess the proposal from a heritage perspective GML</i></p>	If Headfort House does not have a local significance there is no requirement for a CMP. However, it is not agreed that the Headfort House is not significant. Please see comments below on GML heritage assessment.

## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

<p><i>recommends the preparation for the site of:</i>  <i>A CMP for the site, including Headfort House, prior to the DA stage. This would require:</i>  <i>historical investigation to better understand the history of the site as a whole;</i>  <i>analysis of the significance of the site and its components</i>  <i>indication of priority conservation works;</i>  <i>identification of unsympathetic alterations and additions to be reversed; delineation of appropriate curtilage and garden setting surrounding the building; management policies including:</i>  <i>o identification of locations for any extension in association with Headfort House;</i>  <i>o guidelines for development in its vicinity; and</i>  <i>o specific advice about the value and conservation of the grotto</i></p>	<p>Aboriginal cultural heritage values have not be assessed or considered. Given the proximity to creeks and bushland, and the presence of large sandstone outcrops and shelves it is recommended that an Aboriginal Cultural Heritage Assessment be undertaken for the entire site.</p> <p>It is recommended that Headfort House and its immediate curtilage (garden) be locally heritage listed and a CMP prepared to understand this significance and the opportunity and constraints for development of the Lourdes site.</p> <p>Undertake an Aboriginal Cultural Heritage Assessment for the site.</p>
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## PLANNING PROPOSAL - ATTACHMENT F - HERITAGE SIGNIFICANCE ASSESSMENT HEADFORT HOUSE

PAGE	DOCUMENT/SECTION	COMMENT
51-56	Heritage significance assessment	<p>The GML Heritage assessment of Headfort House finds it has cultural significance based on the following criteria:</p> <p><b>Historical significance</b> – as evidence of the growth of Killara and its development from rural area to residential suburb; as evidence of the effect of WWII on the local area (use by AWAS in the 1940s); and as a tuberculosis hospital.</p> <p><b>Historical association</b> – building is associated with the prominent educator Thomas Wade who was the founding headmaster of Headfort House.</p> <p><b>Social significance</b> – to the AWAS, patients and staff of Lourdes hospital, and importance to Ku-ring-gai's sense of place.</p> <p>To reach the threshold for listing a heritage place only requires to meet the criteria for one of the heritage assessment criterion, Headfort House meets three. It is recommended that Headfort House and its immediate curtilage (garden) be locally heritage listed.</p>

## PLANNING PROPOSAL - ATTACHMENT I - ARBORICULTURAL IMPACT APPRAISAL

PAGE	DOCUMENT/SECTION	COMMENT
	Appendix 8 - Tree management plan & Appendix 2 Tree schedule	The Tree management plan, Appendix 8, does not display Tree Protection Zones (TPZs) and Structural Root Zones (SRZs) (although they are included within the Legend). Mapping of this information is required to enable assessment of the proposal and it associated impacts. Council questions the requirement for removal of trees



## Table of Assessment – Planning Proposal – 95-97 Stanhope Road, Killara

		<p>within the north western corner of the site near the junction of Stanhope and Lourdes Avenue, including 29 and 30 (both of which have been mapped as category A trees suitable for retention).</p> <p>Note: Tree 30 (a Norfolk pine) is shown to be removed within Appendix 8, but retained within Appendix 2. Retention of this tree is proposed within page 76 of the Urban Design Study</p> <p>The arborist report proposes removal of the following trees whilst, the Ecological Assessment recommends their protection:</p> <ul style="list-style-type: none"> <li>• Tree Number 349, a mature individual of Red Bloodwood that occurs along Stanhope Street; and</li> <li>• Two mature turpentine's (<i>Syncarpia glomulifera</i> - Trees 44 and 45) (which Council believe align with Sydney Turpentine Ironbark Forest, listed under the <i>NSW Biodiversity Conservation Act 2016</i>).</li> </ul> <p>Remove inconsistencies within the Arboricultural Impact Appraisal and between the Arboricultural Impact Appraisal, the Urban Design Study and the Ecological Assessment.</p>
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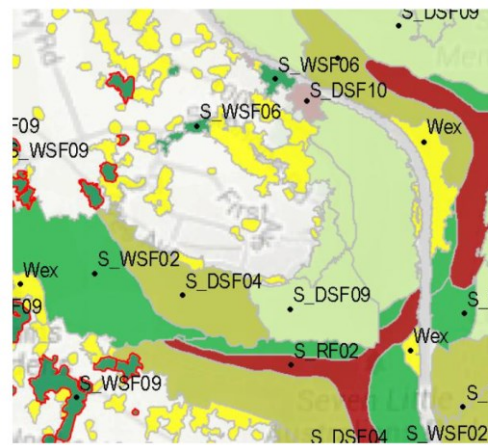
## PLANNING PROPOSAL - ATTACHMENT J - ECOLOGICAL ASSESSMENT

PAGE	DOCUMENT/SECTION	COMMENT
2	<p>Section 1.2</p> <p><i>"a comprehensive survey was undertaken on foot to identify the location of a total of 22 indigenous trees that may be required to be removed and that may or may not be considered remnant and to undertake an ecological assessment of the landscaped and vegetated areas of the site".</i></p>	<p>As articulated within Section 1.2 (pg 2) of the Ecological Assessment, <i>"a comprehensive survey was undertaken on foot to identify the location of a total of 22 indigenous trees that may be required to be removed and that may or may not be considered remnant and to undertake an ecological assessment of the landscaped and vegetated areas of the site"</i>.</p> <p>In undertaking this assessment the report inadequately addresses onsite vegetation that is not proposed to be removed, including indigenous trees considered local to the surrounding vegetation communities and significant vegetation along Stanhope Avenue. This includes</p> <ul style="list-style-type: none"> <li>• Sydney Turpentine Ironbark Forest (listed as an Endangered Ecological Community under <i>the Biodiversity Conservation Act 2016</i>), and</li> <li>• Coastal Shale-Sandstone Forest, a community listed as 92% cleared the NSW BioNet Vegetation Classification Database lists this community (that is, it has less than 8% of its estimated distribution prior to pre- European extent estimates).</li> </ul> <p>Whilst OEH vegetation mapping (2013), is referred to within Section 3.1, pg. 7 of the report, the remainder of the report inadequately addresses its presence.</p> <p>Analysis of Aerial photograph within the site from 1943 to 2016 (see appendix 1 below), shows persistent vegetation along Stanhope Road and within areas mapped by The Office of Environment and Heritage as Coastal Shale-Sandstone Forest and Sydney Turpentine Ironbark Forest.</p>

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		<p>Whilst it is acknowledged that the current proposal does not propose the removal of this vegetation, it is still important that its presence and value within the site be recognised to enable assessment of the site's capacity to meet the proposed development demands, considering both their direct and indirect impacts and where appropriate to provide realistic constraints for proposal modifications.</p> <p>The assessment of impact and habitat for local and migratory fauna (including threatened species), omits consideration of the resources that non-indigenous trees on site (i.e. species not occurring within the local vegetation communities found on or adjacent to the site) provide. This idea is supported by the <i>NSW Biodiversity Conservation Act 2016</i>, which requires consideration of all proposed native vegetation clearing associated with a proposal. Native vegetation definition under this Act relates to "plants native to New South Wales". It is therefore advisable that in addition to the consideration of impacts upon threatened ecological communities, populations and species, the planning proposal should consider the proposal's potential to impact / remove "plants native to New South Wales".</p>
13	<p>Section 4.1</p> <p><i>"There are no extensive naturally occurring or reconstructed ecological communities occurring on site (Figure 3). A small patch of woodland including two individuals of Turpentine and one of Sweet Pittosporum occurring at the western section of the subject land (Figure 4) may be derived from genotypic material from a former distribution of Sydney Turpentine Ironbark Forest that would have been aligned with the edges of the Wianamatta Shale/Hawkesbury Sandstone stratification boundaries (Figure 3.)"</i></p>	<p>Council supports the position that the site supports Sydney Turpentine Ironbark Forest under the <i>NSW Biodiversity Conservation Act 2016</i>.</p> <p>Analysis of Aerial photograph within the site from 1943 to 2016 (see appendix 1 below), shows persistent vegetation within areas mapped by the NSW Office of Environment and Heritage as Sydney Turpentine Ironbark Forest (as shown within Figure 3 of the Ecological Assessment).</p> <p>The vegetation assemblage, landscape and soils within these areas are consistent with the scientific listing of Sydney Turpentine Ironbark Forest under the <i>NSW Biodiversity Conservation Act 2016</i>. It is also consistent in that the determination recognises this community even within areas where the original forest or woodland structure no longer exist (i.e. individual remnant trees).</p> <p>This is clearly supported within point 2,3, 8 and 9 of the <i>Sydney Turpentine-Ironbark Forest - Determination to make a minor amendment to Part 3 of Schedule 1 of the Threatened Species Conservation Act</i>, which states:</p> <p><i>"2. The total species list of the community is considerably larger than that given in 1 (above), with many species present in only one or two sites or in very small quantity. In any particular site not all of the assemblage listed in 1 may be present. At any one time, seeds of some species may only be present in the soil seed bank with no above-ground individuals present. The species composition of the site will be influenced by the size of the site and by its recent disturbance history. The number of species and the above-ground composition of species will change with time since fire, and may also change in response to changes in fire frequency.</i></p> <p><i>3. The structure of the community was originally forest, but may now exist as woodland or as remnant trees."</i></p> <p><i>8. STIF typically occurs on areas with clay soils derived from Wianamatta Shale, or shale layers within Hawkesbury Sandstone.</i></p>

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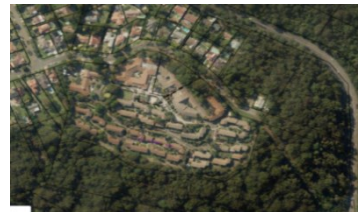


**Figure 3** - Mapping by OEH (2013) of vegetation communities within and surrounding the area of the Lourdes Retirement Village and Nursing Home precinct. Relevant assemblages include those shaded in dark green with red borders: S\_WSF09 (Sydney Turpentine Ironbark Forest) (STIF); olive green: S\_DSF04 (Coastal Enriched Sandstone Dry Forest); light green: S\_DSF09 (Coastal Sandstone Gully Forest); light violet: S\_DSF10 (Hornsby Enriched Sandstone Exposed Woodland); and yellow: Natives and Exotics (either remnant trees or landscaped individuals)

9. Occurrences of STIF may occur on plateaus and hillsides and on the margins of shale cappings over sandstone."

Source: Sydney Turpentine-Ironbark Forest - Determination to make a minor amendment to Part 3 of Schedule 1 of the *Threatened Species Conservation Act* (Available at <http://www.environment.nsw.gov.au/determinations/sydneyturpentine36a.htm>, 12/05/2018).

Appendix 1 - Aerial photograph of 95 Stanhope Road, Killara from 1943 to 2016



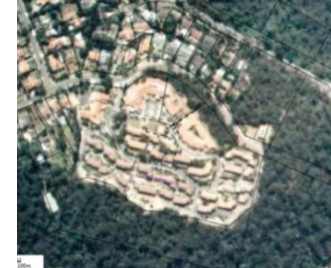
**Figure 1.** 2016 aerial photograph



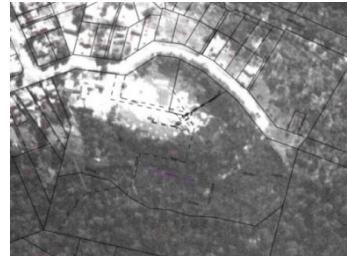
**Figure 2.** 2011 aerial photograph



**Figure 3.** 2005 aerial photograph



**Figure 4.** 1988 aerial photograph

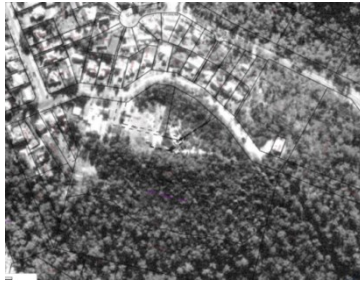



**Figure 5.** 1972 aerial photograph



**Figure 6.** 1962 aerial photograph

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22-23	Section 5 Conclusions	<p>Figure 7. 1951 aerial photograph      Figure 8. 1943 aerial</p> <p>Council supports the position that the site supports Sydney Turpentine Ironbark Forest under the <i>NSW Biodiversity Conservation Act 2016</i> (as outlined above).</p> <p>The KLEP and DCP stipulate standards that look to the protection of the significant vegetation communities on site, including Sydney Turpentine Ironbark Forest and the Coastal Shale Sandstone Forest. The KLEP provides a ‘no’ net loss consideration. The <i>NSW Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Conservation Regulation 2017</i> sets out the threshold levels for when the Biodiversity Offsets Scheme will be triggered, including consideration of impacts to “plants native to New South Wales”.</p> <p>The Ecological Assessment proposes replanting on site with local native species. From an initial review of the broad landscape planning provided within the Urban Design Report, it is suggested that onsite planting may be insufficient to address the proposed impacts to vegetation.</p> <p>The planning proposal provides an inconsistent and incomplete assessment regarding significant vegetation on site (including threatened ecological communities listed under the <i>NSW Biodiversity Conservation Act 2016</i>) and fails to effectively demonstrate that the proposed development can be designed, sited and managed, to avoid potentially adverse environmental impact or if that if a potentially adverse environmental impact cannot be avoided that appropriate offsetting can be met.</p> <p>Further clarity and consistency is required between the Arborist and the Ecological Assessment, particularly with regard to the presence, significance and management of significant vegetation.</p>