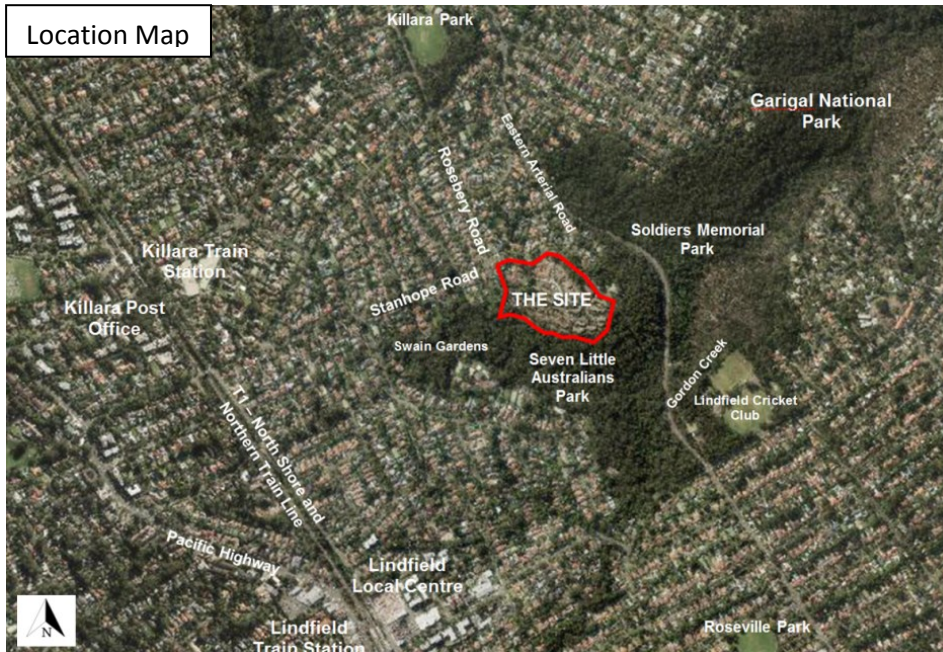


GENERAL

1. The Site

The site consists of two lots at 95 and 97 Stanhope Road, Killara (Lot 21 and Lot 22 in Deposited Plan 634645). It is an irregularly shaped allotment with a total area of approximately 5.25 hectares, owned by Stockland Aevum Limited and currently operating as Lourdes Retirement Village.

Location Map



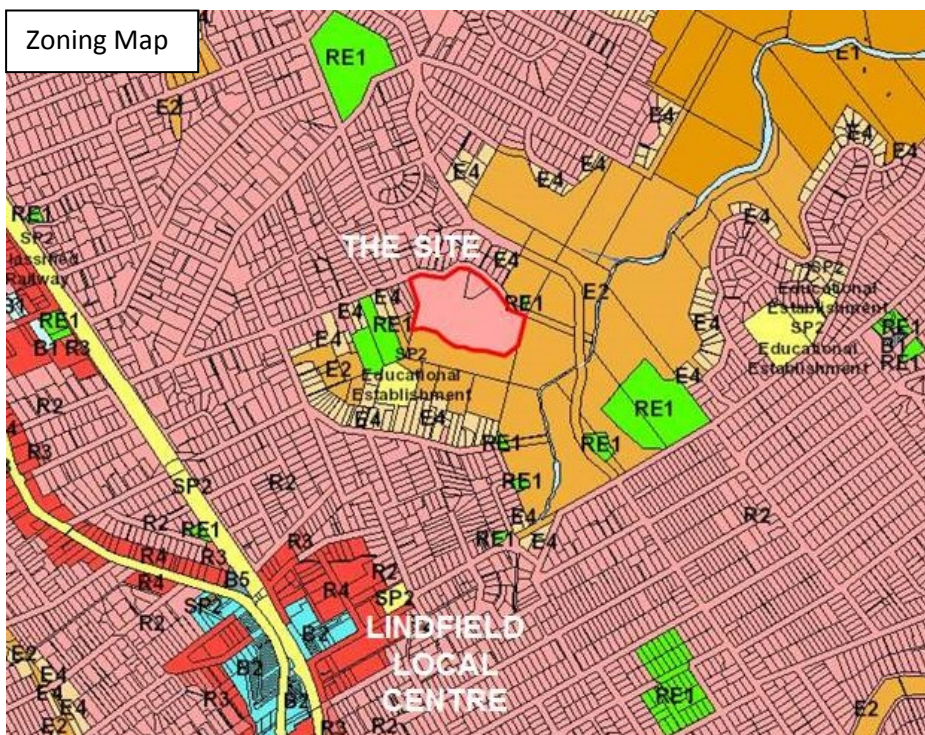
The site is located 1.3km from Killara rail station and post office, and 1.7 kms from Lindfield rail station and local centre. The site is serviced by a single bus service, Route 556, which links the site to East Killara and Lindfield local centre.

Route 556 bus service operates 23 times a day from 6am to 8.30pm, running at 30 min intervals during am and pm peak times, and 1hr

intervals outside peak times. The frequencies and hours of operation are further reduced on weekends, operating 10 times a day on Saturday and with only 5 services on Sunday/public holidays. The bus stops within the Lourdes Retirement Village site itself are serviced twice a day (9.32am and 12.30pm) on weekdays only.

The site has a single frontage with access off Stanhope Road to its north and has its own internal road system servicing the development. It is located on the ridgeline at Stanhope Road with a relatively flat ridge plateau area close to the road and significant falls across the site to the south and east.

Zoning Map



The topography of the site affords panoramic views across bushland to Garigal National Park to the east and to residential areas to the south. The surrounding residential areas are characteristic of the high quality Ku-ring-gai landscape with built form placed under the tree canopy. The views extend to the skylines of Chatswood and Lindfield centres where built form penetrates the tree canopy and serves as a marker of urban area within the suburban landscape.

The site is located within a low density residential area and is zoned R2 (Low Density Residential). The area to its north and west, also fronting Stanhope Road, is typical of low density residential areas in Ku-ring-gai, with high quality single dwellings within established garden settings.

The land to the south and east of the site is zoned E2 (Environmental Conservation) and contains high quality bushland with biodiversity value. In addition, the adjacent bushland area is identified as a Heritage Item known as Seven Little Australians Park, and which partially sits within the C22 Crown Blocks Heritage Conservation Area located adjacent to the south and west of the site.

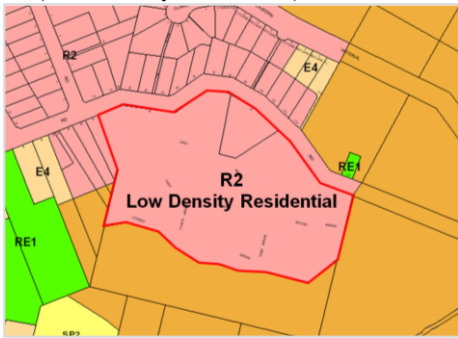
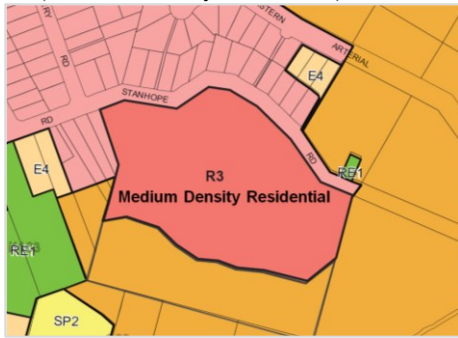



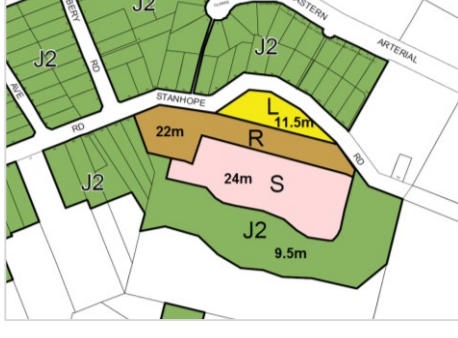
The site currently accommodates 240 dwellings and communal facilities including a chapel, pool, gymnasium, croquet lawn. The site contains a historical building Headfort House which is utilised as the site Chapel and other administrative functions.

2. The Planning Proposal

The Planning Proposal seeks to enable redevelopment of the site for a high density seniors living development comprising 10 residential flat buildings ranging in height between 11.5m, 22m and 24m.



The proposed amendments are described in the table below.

KLEP 2015 Standards – 95-97 Stanhope Road, Killara		
	KLEP 2015 - Existing	KLEP 2015 - Proposed
Zoning	R2 (Low Density Residential) 	R3 (Medium Density Residential) 
Floor Space Ratio	A3 0.3:1 	J 0.8:1 
Height of Building	J2 9.5m 	<ul style="list-style-type: none"> - 11.5m adjacent to Stanhope Road (3 storey) - 22m adjacent to 91 Stanhope Road and across the northern part of the site (6 storey) - 24m to the central part of the site (7 storey) - 9.5m to the south of the site (2 storey) 

Whilst the proposal seeks to apply an R3 Medium Density Residential zoning to the site, the height standards being sought will effectively deliver high density development, more congruent with R4 High Density Residential zoning; and the outcomes being proposed of a central street with various retail, cafes, hairdresser will deliver high density mixed use congruent with B2 Local Centres zoning.

3. Planning Proposal Process and Probity

The proponent's Cover Letter (pg2) states

"We are of the view that matters raised by Council in October 2015 and December 2017 were addressed in the subsequent Planning Proposal ultimately lodged with Council. At no point thereafter did Council request additional information nor raise any matters for discussion that are outlined above in the reasons for refusal."

The proponent is correct in saying that the matters raised were addressed in their application; however, all those matters raised by Council officers centred around the site constraints, planning proposal process and documentation required. The proponent implies that discussion took place between Council officers and the proponent on the direction and acceptability of the Planning Proposal. This is inaccurate.

At no time did Council officers discuss, intimate or negotiate possible or preferred outcomes for this site. Council officers met with the proponent on 3 occasions as follows, with correspondence evidenced at Appendix 1 of this submission:

1. 27/10/15 – informal meeting – general overview meeting
2. 07/12/2016 – formal Pre-Planning Proposal Meeting – discussion on process, content and issues to consider/address
3. 08/12/17 – courtesy meeting – clarification on documentation

The assessment of the proposal found that fundamental issues regarding this site were not justified in the Planning Proposal. The need to address these issues was discussed/minuted at the 7/12/16 Pre-Planning Proposal Meeting. In addition, the Planning Proposal process was clarified to the proponent and clearly did not involve any facility to discuss Council's assessment prior to its reporting to Council.

For reasons of probity given the possible benefits to landowners through a planning proposal, Ku-ring-gai Council officers do not meet to discuss/negotiate outcomes of any planning proposal. Council officers' role is to guide proponents on the process, encourage and facilitate the submission of a clear, evidence based planning proposal that fully justifies the outcomes being sought.

4. Representations from the Community

The proponent's Cover Letter (pg2) states

"Stockland has been actively engaging with the existing residents and the village's residents committee, who have been strong advocates for the residents of the village and provided regular feedback on the proposal as it progressed. We have undertaken systematic consultation with residents about the challenges of the site, the planning process, and the vision to renew the existing village."

Council has received representations from the community within the Lourdes Retirement Village and from residents along Stanhope Street expressing concern on this Planning Proposal as listed below. The submissions raise issues regarding the character of the area, over development, creation of precedent, bushfire risks, strategic merit, traffic generation and hazards, noise pollution and visual amenity issues.

- a) Petition with 112 signatures from residents within the Lourdes Retirement Village
- b) A submission and addendum sent to Council and the Sydney North Planning Panel from the Chairman of the Residents Committee at Lourdes Retirement Village, Dr. Deidre Duncan
- c) Letters (5) of objection to Council's General Manager, Mayor, Councillors
- d) Copies of letters sent to Local Member Jonathan O'Dea and Planning Minister Anthony Roberts

Item (a) may be viewed at Appendix 2.

5. Inconsistencies and Inaccuracies

Council's Report and Table of Assessment (22 May 2018) noted a number of inconsistencies and inaccuracies in the Planning Proposal and its attachments upon which the proponent based their arguments. These inconsistencies and inaccuracies continue to prevail in the Review Request Cover Letter and its attachments. These inconsistencies and inaccuracies include:

Heritage – the Planning Proposal presents inaccurate information regarding the significance of the onsite Headfort House. It contradicts its own Heritage Significance Assessment prepared by GML, forming Attachment F to the Planning Proposal which states Headfort House meets more than one of the required criteria for heritage listing.

Access – The Planning Proposal does not present the full facts regarding the very limited public transport links to the site. Whilst the additional material in the Review Cover Letter provides some further information regarding this service, it does not refer to aspects that make the service unsuitable for use by both the future residents and their visitors, and the increased numbers of employees that the site would require. For example, the frequency of service on Saturday being limited to 10 times a day, and Sundays/Public Holidays to 5 times a day and the fact that the bus stop for the majority of services is located outside of the site at a location where the lack of footpath and gradients do not facilitate ease of access.

Building Height – The references to 6 stories in the Planning Proposal are misleading. Whilst the Planning Proposal's Attachment A Urban Design Study illustrates 3, 5, and 6 storey buildings, the maximum building heights proposed would actually enable taller buildings at the locations with a 22m height enabling 6 storey and 24m height enabling 7 storeys. In addition, the proponents Urban Design Study shows part 7-8 storeys on sloping land in the Building Heights Plan (pg50) the area schedule (pg69) the site sections (pgs51-57) and the solar access diagram (pg112).

Bushfire – There is a fundamental contradiction in the assumptions made in the Planning Proposal's Bushfire Assessment by Ecological plus the additional information provided in the Proponents Cover Letter to the Review, and the correspondence from RFS received by Council which states that RFS are not willing to support the assumptions being made on performance methodology and approach for this site.

Ecology – There are inconsistencies between the proponent's own documentation. The Review Cover Letter still insists that the site has been extensively modified and does not contain any threatened flora species or threatened ecological communities and redevelopment of the site will have no impact on any species or ecological communities. In direct contradiction to this is the proponent's Attachment 8 - Letter of Advice in Response to Councils Ecological Comments attached to the proponent's Cover Letter. This recognises the presence of Coastal Shale Sandstone Forest and Sydney Turpentine Ironbark Forest (STIF) on the site and acknowledges that the STIF is an Endangered Ecological Community (under the Biodiversity Conservation Act 2016).

STRATEGIC MERIT ASSESSMENT

The Planning Proposal has not demonstrated sufficient strategic merit. The proposal insists that the delivery of increased numbers of seniors housing is consistent with the regional and district Plans given the trend of growth in the ageing population; however, the proposal has, and continues to, ignore the other aspects of the Plans which highlight the requirements of liveability, connectivity, and safety of communities, and the necessity to house populations at appropriate locations.

The proponent Cover Letter to the Review has addressed further issues raised as missing or inconsistent in Council's Report (22 May 2018). The additional material submitted mostly refers to the original Planning Proposal arguments and continues to demonstrate inconsistency with the Greater Sydney Region Plan, the North District Plan and s117 Directions.

a) Is the proposal consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/ precinct plans released for public comment.

➤ Greater Sydney Region Plan 2056: A Metropolis of Three Cities

The Greater Sydney Region Plan sets out the vision for Greater Sydney as a metropolis of three cities governed by 10 key directions under 4 overarching themes including infrastructure and collaboration, liveability, productivity and sustainability.

While the proposal supports the key principle of facilitating housing supply it fails to address this in the broader context of ensuring the provision of new homes occur in strategic locations that align with appropriate local infrastructure.

• *Objective 10 – Greater Housing Supply*

The proponent notes that this Objective encourages infill development in the form of medium density housing within established precincts; however, *The Greater Sydney Region Plan* puts particular emphasis on densities increasing on land within/close to local centres with facility for walking, cycling and good proximity to transport. The Plan also states that land should be within the right locations and recognises that not all areas are appropriate for significant additional development.

The proposal is inconsistent with Objective 10 as it seeks to facilitate a high density development on land that is outside the 400-800m walking catchment of the Lindfield Local Centre, retail services and rail station (1.8km from the site), and from the limited services and rail station, and post office at Killara (1.3km from the site).

In addition, the site is not well-served by public transport. It has one bus service, Route 556 provided by Transdev, operating as follows:

- weekday operation of 23 times a day between 6.00am to 8.30pm, running at 30-minute intervals during am and pm peak times and 1-hour intervals outside peak times;
- bus service is reduced on Saturdays to 10 times a day, operating between 9am to 6.45pm, running at 45 minute intervals mid-morning and late afternoon, and 1 hour 15 minute intervals at other times;
- services on Sundays/Public Holidays are further reduced to 5 times a day, operating from 8:45am to 5:10pm and running at 2 hour intervals;

- the public bus stops within the site are serviced by Route 556 bus only twice a day (9.32am and 12.30pm) on weekdays only;
- the bus stops in Rosebery Road are up to 120m away from the existing secondary entrance to the site. There is currently no footpath on the eastern side of Rosebery Road (in the area of the bus stop), and the gradient of the nature strip between the footpath and the kerb on the western side of Rosebery Road (in the area of the bus stop) is unlikely to meet accessibility gradient requirements.

There is insufficient justification for accommodating the proposed high density development on land that is distant from services and which has limited public transport access for increased numbers of residents, their visitors and on site employees. Increased density for the less mobile population are better suited on sites within or close to services and facilities that give access to retail, services and facilities that enable the integration, not isolation, of that group into the greater local community and spectrum of populations, including the ability to access facilities for/with visiting children/grandchildren, family and friends.

In addition, the density, bulk and scale of this proposal is inappropriate on this visually prominent site located on the highest ridge contour within a low density residential and bushland area, and where the multiple issues relating to heritage, bushfire risk, biodiversity, and interface aspects specific to this site have failed to be addressed.

- ***Objective 11 – Housing is more diverse and affordable***

Ku-ring-gai has an ageing population and it is acknowledged that the delivery of housing for seniors would enable provision for this demographic group. However, provision of this type of housing for the aged population does not negate the need for careful consideration of its placement in the right location, and careful consideration of the impacts of the proposed outcomes on the context of the site.

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 minimal public transport service;
- constraints on the site, particularly that of bushfire hazard and evacuation risks for the vulnerable aging population it seeks to increase through the proposal;
- impact on the locality's context and character with the site being at a visually prominent location within an area zoned for low-impact, lower density residential development that gives regard to the surrounding heritage and bushland context.

The proposal has not provided sufficient justification for the locational aspects related to the provision of diverse housing, particularly that the housing is for the ageing population for whom consideration of integration and safety needs to be given.

- ***Objective 13 Environmental Heritage is identified, conserved and enhanced***

This Objective requires Heritage identification, management and interpretation 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 and has the heritage listed Seven Little Australian's Park to its south, east and north-east boundaries.

The proponent's response fails to address this objective. The proponents Cover Letter (pg16) states:

It should be reinforced that whilst GML's Heritage Assessment found that Headfort House contains historical and social significance, it does not reach the threshold for heritage listing at a local level under Criterion C, E, F and G of NSW Heritage Assessment Guidelines.

“An item will be considered to be of State (or local) heritage significance if, in the opinion of the Heritage Council of NSW, it meets one or more of the following criteria” (pg9 NSW Government publication Assessing Heritage Significance). GML Heritage’s Heritage Significance Assessment, at Attachment F to the Planning Proposal, found that Headfort House fulfilled three criteria for local heritage significance and therefore warrants local heritage listing. The table below summarises GML Heritage’s findings:

NSW heritage assessment criteria	GML Heritage’s assessment of Headfort House
a) Historical significance – an item is important in the course, or pattern, of the cultural or natural history of the local area;	Yes
b) Historical association significance – an item has strong or special association with the life or works of a person, or group of persons, of importance to the local area’s cultural or natural history;	Yes
c) Aesthetic significance – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area;	No
d) Social significance – an item has a strong or special association with a particular community or cultural group in the local area, for social, cultural or spiritual reasons;	Yes
e) Technical/research significance – an item has potential to yield information that will contribute to an understanding of the local area scientific, cultural or natural history;	No
f) Rarity – an item possesses uncommon, rare or endangered aspects of the local area’s cultural or natural history; and	No
g) Representativeness – an item is important in demonstrating the principal characteristics of a class of the local area’s cultural or natural places; or cultural or natural environments.	No

The fact that four (4) criteria were not met does not delegitimise or undermine the assessment that three (3) criteria were met (because the State Government’s guidelines for a local listing only needs to meet one (1) of the criteria).

As per NSW Heritage Assessment Guidelines, to reach the threshold for heritage listing, a heritage place is required to meet only one (1) criteria of the heritage assessment criterion. The proponent’s Heritage Significance Assessment by GML Heritage at Attachment F to the Planning Proposal, states the following (pg56):

*Headfort House at 95 Stanhope Road **meets three of the criteria for listing as an item of local heritage significance**. The building has historical significance as evidence of the growth of Killara, and its development from rural area to residential suburb. It is also significant as evidence of the effect of World War II on the local area with the building used by the AWAS in the 1940s, and for its later use as a tuberculosis hospital. The property has significance for its association with the Reverend Thomas Wade, who was the original headmaster of Headfort School. The property also has significance for social values related to the use of the site: it has a special association with the AWAS, the SMSM and former patients and staff of the Lourdes Hospital. Through its many former uses, as well as its current use as a retirement village, the building is important to the Ku-ring-gai community’s sense of place*

The proponent’s Heritage Assessment by GML found ‘Headfort House’ to have local heritage significance, meeting three (3) criteria: Historical Significance, Historical Association, and Social 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.

Without statutory recognition of its heritage significance there is no certainty in the Planning Proposal that Headfort House, a building identified as having cultural significance at the local level will be conserved and managed as a heritage item into the future. By including this building and a reasonable curtilage on schedule 5 of the KLEP (2015) as a local heritage item greater certainty will be provided for the building's conservation and management into the future.

As stated in the Planning Proposal [pg48]:

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

Not heritage listing Headfort House will mean there is no impetus or legal compulsion for any future development to have a contextual response and sympathetic design that retains and/or enhances the cultural significance of Headfort House.

In light of the above, Council's 22 May Report recommended that Headfort House and its curtilage be heritage listed but the proponent's Cover Letter, addressing the content of Council's Report, continues to disregard the evidence presented within their own study and presents an inconsistent and inaccurate justification.

The visual impact assessment below illustrates the potential impact of the 22m high built form envelope around Headfort House (with the location of the RACF located to its rear at a distance of approximately 6m). Any built form at this height in such close proximity to Headfort House would visually dominate the potential heritage item, an effect that could be exacerbated if unsympathetic materials were to be used. While materials are a consideration for the DA stage not the Planning Proposal, if Headfort House is not heritage listed neither the curtilage or the design response would be valid considerations during the development application assessment.

The impact of buildings above the canopy will be to compromise the historic bush setting of these two landscape heritage items. Seven Little Australian Park in particular has many walking tracks which since the early days of the suburb to today have been bushland retreats and escapes from the built up areas that surround the park. This sense of escape will be lost if these areas will be overlooked by development with RLs up to 127.3 on the Lourdes site.



Proposed building height surrounding Headfort House

- **Objective 14 – Integrated land use and transport creates walkable and 30min cities**
Strategy 14.1 Integrate land use and transport plans to deliver the 30min city.

This objective talks to the *Future Transport Strategy 2056* and the integration of land use with transport networks to ensure jobs, goods and services are supported by a public transport,

walking and cycling network that provide residents with a 30-minute public transport service to their nearest strategic centre seven days a week.

The Planning Proposal is inconsistent with this Objective as its location does not provide a direct, safe and accessible route to local destinations and services within a 10-min walk as per the objective, namely to Lindfield local centre. Further to this, the placement of the proposed high density housing distant from the local centre means it cannot contribute to creating walkable, cycle-friendly neighbourhoods in and around the local centre.

The site location within a low density area with limited public transport service precludes its connectivity, accessibility, walkability and alignment with the 30min city principles, particularly for the less mobile ageing population it seeks to accommodate within the high density proposal. The following aspects demonstrate that the site cannot align with the principles of this Objective:

- Lack of connectivity: The site is distant from local services and the local centre, located 1.3 km to Killara railway station and Post Office, and 1.8 km to Lindfield rail station and local centre retail services.
- Lack of walkability: The Arup (pg3) response forming Attachment 9 to the Review Cover Letter, notes that *“site’s location is not conducive to walking to services for many of the residents being 1.4km from Killara”* and that active residents can choose to cycle. While this may be the case, the existing cycling facilities in the area are undeveloped, requiring residents to ride on the road, mixed with general vehicular traffic. This is unlikely to encourage active residents within the seniors demograph to cycle.
- Lack of accessibility: The site is serviced by one bus, Route 556, with limited provision reflective of the low density catchment of Killara, East Killara and Lindfield, operating to a total of 23 services a day between 6.00am to 8.30pm. The frequency of the bus availability is further reduced on weekends with service occurring only 10 times on Saturday and 5 times on Sunday/public holiday.

The Proponents Cover Letter (pg21) and the Planning Proposal’s Attachment C: Traffic Impact Assessment give the impression that the bus stops within the site are serviced frequently; however, in reality Route 556 only stops inside the Lourdes Retirement Village twice a day (9.32am and 12.30pm) on weekdays only, and no service on weekends. Residents on the site would be required to walk to the bus stops in Rosebery Road to which there is currently no footpath on the eastern side of Rosebery Road (in the area of the bus stop), and the gradient of the nature strip between the footpath and the kerb on the western side of Rosebery Road (in the area of the bus stop) is unlikely to meet accessibility gradient requirements.

The Arup response at Attachment 9 to the Review Cover Letter acknowledges that Route 556 bus runs low frequencies but suggests that the aged residents proposed to be accommodated on the site would have a greater level of flexibility to plan their trips around these infrequent services (pg2). While this may be the case, the frequency of these services are not particularly attractive for when residents typically travel outside peak times (between 12pm to 2pm Arup pg2), and not conducive to encouraging their use for employees and visitors, therefore effectively discouraging this mode of transport as an access option, and embedding private vehicle use.

Future residents of the site will continue to rely on private cars to access basic services and facilities. This relies on the ability of the ageing resident to continue to drive and finance a vehicle. Similarly, visitors to the site are unlikely to consider the limited bus service as a convenient mode of transport particularly on weekends with the less frequent service.

Private car use would likely be the preferred mode of transport for the larger number of employees that would be required to serve the proposed development, increasing from 157 dwellings to 340 dwellings including serviced apartments. In particular the Residential Aged Care Facility to increase from 83 beds to 130 beds would require 24 hour staffing.

The proponent's Cover Letter (pg22) and its Attachment 9 Response to Councils Traffic and Transport Comments introduces additional transport options that were not included in the Planning Proposal assessed by Council. These are addressed as follows:

- Introduction of the concept of a village on-demand bus. While an on-demand bus would go some way to fill gaps in the infrequent Route 556 bus service, it would rely on the availability of resident volunteer drivers and therefore may not be a consistent or reliable service. Also, the village bus would not be an option for a commuter connection to Lindfield or Killara railway station for employees or visitors travelling to/from the site.
- Introduction of the concept of car-pooling. Car-pooling may occur within the complex and this is supported, but its success relies on residents having common/similar destinations and timings. It also pre-supposes the ability of ownership and the continued ability of the ageing demograph to drive.
- Introduction of the use of taxi/uber services. Whilst this is raised as a travel option, taxi/uber services have higher costs than public transport and may not suit the ageing demographic, their visitors and employees.

The need to resort to these, private bus/car-pooling/taxi transport options is a consequence of the site's poor walkability to basic shops and services and the inability of the Route 556 bus to facilitate public transport access.

- *Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced.*
Strategy 27.1 Protect and enhance biodiversity by:
 - *Supporting landscape-scale biodiversity conservation and the restoration of bushland corridors*
 - *Managing urban bushland and remnant vegetation as green infrastructure*
 - *Managing urban development and urban bushland to reduce edge-effect impacts*
- *Objective 30 – Urban tree canopy cover is increased*

The proponent's response does not demonstrate consistency with this objective.

The Planning Proposal will result in the removal of a significant area of onsite canopy, including 124 trees (32% of all trees on site) (43 high category trees and 81 trees of low and very low retention value). This includes canopy / biodiversity adjacent to and that provides support for core bushland (greengrid) areas.

Further impact to the remaining 120 trees high category trees and 150 trees of low and very low retention value, will be determined by both the projects detailed design as well as construction processes.

It is Council's concern that the built form outcomes in the Urban Design Report of continuous and extended basement parking and building footprint precludes the provision of adequate deep soil areas that could support any substantial vegetation and tall canopy trees that would enhance the canopy cover and green grid connection. The broad landscape planning provided within the Urban Design Study and referred to as a comprehensive landscaping scheme within the Stockland Cover Letter (p20), does not provide sufficient detail to determine future canopy outcomes (including on site planting).

In response to Council's concerns the Stockland Cover Letter (p20) introduces the concept of ensuring future tree canopy outcomes through future DCP provisions.

The provision of future DCP provisions was not proposed within the Council assessed Planning Proposal and its attachments: Ecological Assessment prepared by ACS Environmental (Attachment J), and the Arborist Report prepared by Naturally Trees (Attachment I), and as such, is new information.

Whilst the Planning Proposal does not clearly articulate proposed removal of bushland, future development of the site (as informed by approved development within this Planning Proposal) may result in increased pressures to existing bushland and additional removal of on-site biodiversity / trees (proposed to be retained within this Planning Proposal):

- The Urban Design Study (pg11) includes the below diagram as an “indicative future proposal for the development of the southern portion of the site” (shown in figure 1 below). The resultant impact to bushland and remaining on-site trees / biodiversity is unknown. However it is considered likely that this would result in the removal of existing canopy and requirement for bushfire mitigation. It is noted that, the proponent's own Planning Proposal Attachment D: Bushfire Protection Assessment includes a letter from RFS also not supporting the original proposal tabled with them. It is Council's understanding that this proposed design included replacement of the existing Independent Living Units with 9 residential flat buildings to the south of the site, now flagged as future proposal for the development of the southern portion of the site” as shown below.



Illustration from proponent's Urban Design Study referring to future proposal

- The Stockland Cover Letter, Eco Logical Australia additional advice (pg4, Attachment 10), states that with regard to the risk to existing perimeter Independent Living Units

“Various options will be explored under the Bushfire Design Brief process, including water spray systems, fuel management on adjoining lands, building upgrades and bushfire shielding”.

This statement highlights the intention for the Bushfire Design Brief process, to incorporate consideration of fuel management on adjoining lands, which consists of Council Natural Area, managed under the *NSW Local Government Act 1993*, for the conservation of biodiversity and ecosystem function.

This is new information not provided within the Planning Proposal and clearly indicated that should the Planning Proposal progress, increased pressure / requirement to mitigate bushfire threat within natural areas is likely to occur.

• **Objective 28 – Scenic and cultural landscapes are protected**

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.

There is insufficient justification for accommodating the proposed high density development on a visually prominent site where the proposed heights of 11.5m, 22m, 24m would fail to integrate

into the prevailing Ku-ring-gai landscape character of buildings within garden settings placed underneath the tree canopy. This character is intact and currently dominates this location, assimilating the low density residential character, the heritage character and its bushland character.

The proponent Cover Letter (pg20-21) states that the proposal adopts a height strategy that provides an appropriate interface to existing low density residential dwellings as follows:

The height strategy for the site (3-6 storeys) has considered mitigation measures for any potential visual impacts, where height is concentrated in the centre of the site, away from adjoining properties."

The actual heights of buildings delivered through the proposed 11.5m, 22m, 24m heights would be 3 storey to 7 storey built forms, not 3-6 storey. Whilst the placement of buildings in the centre of the site is understood, the proposal has failed to demonstrate understanding and integration of the site topography.

The fact that the centre of the site is at the highest point within the locality, sitting on the ridge plateau at an RL106.5, means that placement of the intended 24m and 22m building envelope will inevitably make it a visually prominent interruption to the scenic landscape as viewed from the heritage bushland to the south and east, from the low density residential character to the north and west along Stanhope Road and beyond, and as juxtaposed with Headfort House, recognised as having heritage listing value.

The proposal will result in a built form that will extend above the tree canopy, altering views and vistas to the ridgeline and impacting area views, and impacting on the scenic landscape value of the area, particularly as the site forms the backdrop to the adjacent Heritage Item (Seven Little Australians Park) and sits adjacent to the Heritage Conservation Area.

A Visual Impact Assessment was prepared as part of the Planning Proposal's Attachment A – Urban Design Report. This assessment has underestimated the bulk and scale impacts of the proposed built form. Council's 22 May Report presented some relative heights of the visible telecommunications tower located adjacent to the north-east of the site. This tower has a maximum RL122, well below the RL130.5 of the proposed 24m height plane at the central part of the site with ground level RL106.5 (all levels taken from proponent's Site Survey and Urban Design Report). The building will penetrate the characteristic tree canopy and be visible in distant views. This type of visibility is more appropriate of a local centre location or built form of local and regional significance where the urbanscape acts as a marker on the skyline.

The proponent Cover Letter (pg20-21) states

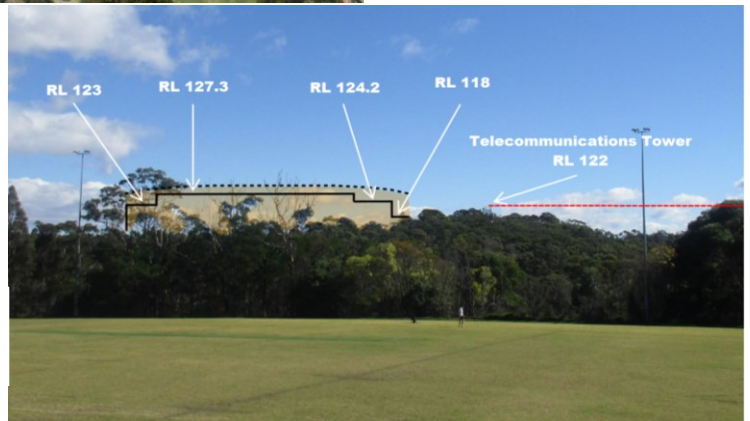
"When viewed from the street (Stanhope Road), the proposed development would have a low impact on the streetscape (maximum of 3-storeys along Stanhope Road), which is also will be screened by existing vegetation, reducing the any bulk and scale of the future buildings."

The proposed heights of 11.5m (3 story), 22m (6 storey), 24m (7 storey) cannot be hidden from Stanhope Road. The buildings heights will present a dominating bulk and scale to the streetscape of Stanhope Road, especially as the land slopes upwards, and is highly inappropriate in this low density residential area.

The Cover Letter also refers to vegetation screening future buildings facing the street. This measure speaks to a poor streetscape outcome which would not enhance and contribute to the contextual character. In addition, the bulk and scale of the RACF placed behind Headfort House will be highly visible from the street.



View Location Map

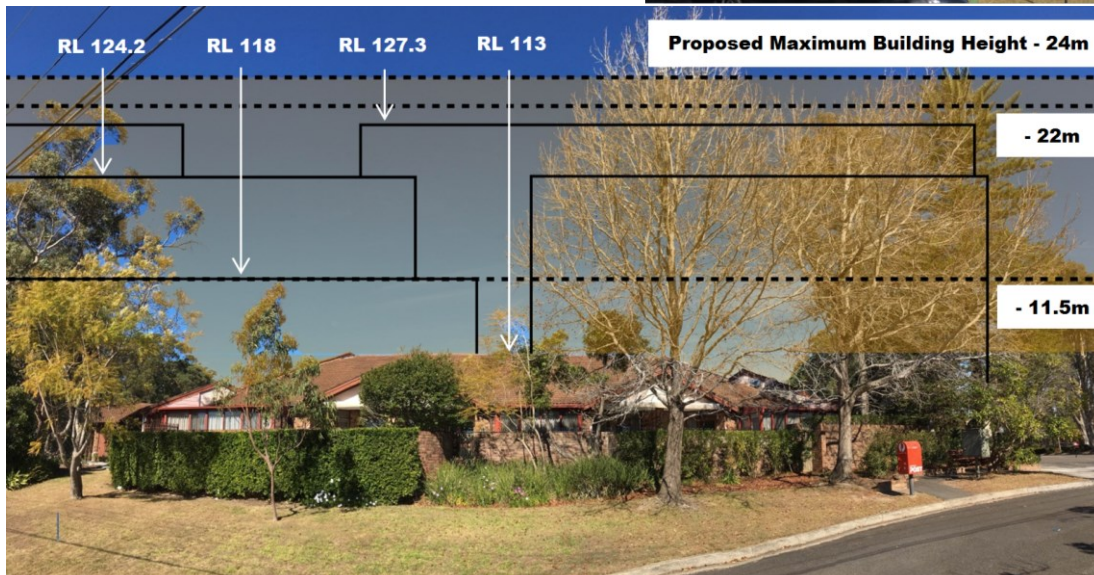


View 1
From Soldiers Memorial Park, East Lindfield
Indicating proposal



View 2
Headfort House, Stanhope Road, East Killara

View 3 – From Low Density Residential
Dwellings, Stanhope Road, East Killara



The heights of the proposal will materially alter the scenic and cultural landscape character of this area through the prominent bulk and scale that contradicts the low density residential and bushland area and the adjacent heritage conservation area.

Above are indicative bulk and scale annotations based on RLs of Planning Proposal building height (shown dotted) and built form outcomes of the Urban Design Report (shown as solid line).

- *Objective 37 – Exposure to natural and urban hazards is reduced.*
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 proponent's initial Planning Proposal response and additional material presented for review has failed to sufficiently demonstrate that the proposal is consistent with this objective.

The Planning Proposal addresses infill development within Bushfire Prone Land, exposed to significant bushfire threat, which has a constrained capacity to enable safe offsite evacuation (resultant from bushfire impact and evacuation time and local road / carrying capacity constraints).

Council (as supported by their independent bushfire consultant, Australian Bushfire Protection Planners), maintain that the site is subject to more significant exposure to bushfire attack than that presented by the Planning Proposal.

The Planning Proposal seeks to retain and intensify the existing senior's housing site use. Contra to the Strategy 37.1, this will result in a significant increase in occupation densities (consisting of seniors who are particularly vulnerable in the event of a bushfire) and a reliance on engineered (built) solutions (including the requirement / reliance on the proposed building/s to provide onsite refuge / evacuation areas).

The Eco Logical Australia additional advice (pg2, Attachment 10) states that

"The bushfire issues related to the Planning Proposal are complex and the rezoning application specifically sought to work through these matters through a Bushfire Design Brief process with the NSW Rural Fire Service (RFS).

The Bushfire Protection Assessment prepared by ELA (Attachment D) nevertheless provided information that demonstrated that a Bush Fire Design Brief (BFDB) could produce a development compliant with the performance solutions within Planning for Bushfire Protection 2006".

Council (supported by their independent bushfire consultant, Australian Bushfire Protection Planners) has raised a number of concerns regarding assumptions, calculations and bushfire modelling within the Bushfire Protection Assessment prepared by ELA (Attachment D), and as such believe that the Planning Proposal fails to demonstrate that a Bush Fire Design Brief (BFDB) could produce a development compliant with the performance solutions of Planning for Bushfire Protection 2006, that are acceptable by the NSW Rural Fire Service (RFS); and as such has not demonstrated that the proposed use is suitable and as such that these objectives have been met.

Council cannot support a Planning Proposal for Gateway, whose inherent location carries a significant bushfire risk, and proposed design provides no option other than a Bush Fire Design Brief (BFDB) to justify a performance solutions approach, without a preparation / provision of a BFDB or written RFS support / approval of the proposed methodology:

- Fails to provide determining authorities with a sufficient understanding of the proposed performance solutions validity and as such the resultant risk to future occupants, visitors and local residents.
- Effectively defers the assessment of bushfire risk till after Gateway, thereby restricting planning authorities from truly evaluating a Planning Proposal's impacts and benefits holistically (cumulative impact).
- Fails to allow adequate feedback from the RFS to inform determining authorities and the proposals design and validity.

These issues are further discussed within Council's bushfire response (Appendix 4) this submission, including evidence from RFS clearly articulating concern regarding their lack of consultation prior to the Planning Proposal being acted on and disagreement with numerous proponent statements and conclusions and adopted methodology (Appendix 3).

➤ North District Plan

The North District Plan was finalised by the Greater Sydney Commission in March 2018 and aligns with the Greater Sydney Region Plan. The plan sets out the strategic vision for the North District and how strategic, specialised and local centres will interact and support each other, and how planning proposals will contribute to implementing this vision.

- *Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs.*

While the provision of housing for seniors and aged care will contribute to meeting the needs of the ageing population, the location of this additional housing is not appropriate due to its out of centre location (away from shops, services and transport) and where the multiple issues relating to heritage, bushfire risk, biodiversity, low density and bushland interface specific to this site have not been adequately addressed in the Planning Proposal assessed by Council.

The Proponent's Cover (pg24) letter states that the proposal has met this priority as follows:

"Based on the extensive expert studies and analysis of the site location and context, it has been concluded that the site is appropriate for the proposed level of uplift, based on the following factors:

- The site's accessibility to local shops and services – discussed on pgs 21-23 of this letter*
 - The site's transport accessibility – discussed on pgs 21-23*
 - the proposal's response to the low density residential environment in which it is located – discussed on pgs 20-21*
 - The proposal's response to the heritage setting of the site – discussed on pgs 16- 18*
 - How the proposal addresses bushfire hazard and evacuation risk – discussed on pgs 12- 16.*
- This is addressed in Part 3 of the Planning Proposal (pgs 21-22)."*

The repeated insistence of the suitability of this proposal for the increased density, bulk and scale is unfounded on multiple fundamental issues. The proponent's conclusion of the appropriateness of the proposed density and uplift is based on inaccurate information as indicated below:

- *The site has poor accessibility to shops and services*
 - it is located 1.3 km from Killara railway station and Killara Post Office and 1.8 km from Lindfield railway station and retail services well outside the 400-800m walking catchment of the Lindfield Local Centre and Killara rail station.
- *The site has poor access to public transport and relies on private vehicle use*

- It has one bus service, Route 556, with weekday operation of 23 times a day between 6.00am to 8.30pm, running at 30-minute intervals during am and pm peak times and 1-hour intervals outside peak times, stopping within the site only twice during weekdays; bus service is reduced on Saturdays to 10 times, operating between 9am to 6.45pm; services on Sundays/Public Holidays are limited to 5 times, operating from 8:45am to 5:10pm and runs at 2 hour intervals;
- *The proposal lacks response to the low density residential environment in which it is located*
 - the proposal heights of 11.5m (3 storey), 22m (6 storey) and 24m (7 storey) produce inappropriate bulk and scale for the locality and would result in highly visible built form and density inconsistent with the character of Stanhope Road, its low density residential character, the prevailing character of built form beneath the tree canopy, and the surrounding bushland character. In addition, the proposed height, bulk and scale of the built forms disregard the interface impacts to adjacent low density dwellings on the site itself and on neighbouring properties.
- *The proposal lacks response to the heritage setting of the site:*
 - the density, bulk and scale of the proposal is incongruous with the adjacent local Heritage Conservation Area (C22) character and in its proximity and backdrop to the adjacent heritage listed Seven little Australians park (ITEM no. I1100) and views from heritage listed Lindfield soldiers memorial Park (ITEM no. I1099). In addition poor consideration has been given to the interface with Headfort house recognised as worthy of heritage listing by the proponent's heritage consultant.
- *The site has serious bushfire hazard and evacuation risks:*
 - Discussion with RFS evidenced at Appendix 3, confirms that they do not support the assumptions made in the Planning Proposal's bushfire assessment performance methodology and in the Review Cover Letter and its Attachment 10 Letter of Advice in Response to Councils Bushfire Comments. Since these assumptions are fundamental to the proponent's justifications, the proposal has failed to demonstrate the appropriateness of the placement of the increased densities of vulnerable ageing populations on this site and the ability to mitigate bushfire hazard and evacuation risks.

• ***Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.***

The Planning Proposal contributes to the 92,000 dwellings required to be delivered in the North District from 2016-2036, however as noted on pg40 of the North District Plan, new housing must be provided 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 of Ku-ring-gai, however, this needs to be appropriately located.

While the proposal would deliver more diverse housing types through provision of aged housing it 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 contributes to reducing the number of vehicle trips generated and distances travelled, and increase the potential to derive health benefits of walking as a mode of travel to shops and services.

In this regard, the Planning Proposal is inconsistent with this Priority, as the provision of the housing is in an out of centres location, not supported by infrastructure, transport or services, and further has constraints around biodiversity, heritage and bushfire hazard risk.

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 the large volume of employees that will be required to service the development are likely to be outside this catchment and therefore are likely to use other means of transport such as cars/taxis in their journey to work.

It is highly likely, therefore, that future residents of this site, their visitors and employees will use cars to access jobs, basic services and facilities.

The proponent's Cover Letter (pg28) states that renewal of the site would result in a significantly improved pedestrian network for residents, with better accessibility to new community facilities and ancillary services (cafes, medical suites, hairdresser, etc.), enhancing community participation and village life.

This necessity to provide such facilities on site indicates the isolated nature of the sites location and the inability of residents to easily access these services in an integrated way within the local centre.

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

The proponent's response fails to demonstrate that the Planning Proposal is consistent with this Planning Priority.

The North District Plan acknowledges that heritage and history are important components of local identity and contribute to great places and that Local heritage items and streetscapes form part of the area character.

As discussed above under Objective 13 of the Greater Sydney Region Plan, the Planning Proposals Attachment Heritage Significance Assessment by GML 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 this heritage significance, particularly with the proposed building height of 22m adjacent to this potential Heritage Item. In this regard the Planning Proposal is inconsistent with this Planning Priority relating to the identification, conservation and enhancement of environmental heritage.

In addition, the proposal density, bulk and scale gives little regard to the immediately adjacent C22 Crown Blocks Heritage Conservation Area, and heritage listed Seven Little Australians Park to its south and east.

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

As discussed under Objective 14 and Strategy 14.1 of the Greater Sydney Region Plan, the objective of a 30min city is to enable people to access jobs and services in their nearest metropolitan and strategic centre within 30min by public transport and to deliver development in an integrated manner enabling a 10 minute walking catchment to local centre services particularly where housing density is provided. 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 N16- Protecting and enhancing bushland and biodiversity*

The Planning Proposal has sought to minimise impact upon the existing bushland / biodiversity adjacent to the site. It may however result in future impacts on the quality of adjoining bushland (as discussed under Objective 27, Strategy 27.1 and Objective 30 of the Greater Sydney Region Plan).

In existing 394 trees which exist on site provide a range of habitat for local and migratory fauna. The Planning Proposal Attachment A Urban Design Study will result in the removal of a significant area of onsite canopy, including 124 trees (32% of all trees on site) (43 high category trees and 81 trees of low and very low retention value).

This includes areas now recognised within the ACS Environmental (pg5 sections 1.2 and pg6 Section 1.4, Attachment 8) as being Sydney Turpentine Ironbark Forest listed as an Endangered Ecological Community (under the NSW Biodiversity Conservation Act 2016). Inconstancies between the Arborist and the Ecological Assessment, regarding the removal or protection of this significant vegetation still remain and as such it is not clear as to whether the proposal will result in the removal of this area of high biodiversity significance (mapped within Council's Ku-ring-gai Development Control Plan, Greenweb mapping).

As such the Proponents response does not demonstrate consistency with this Planning Priority.

- *Planning Priority N17 – Protecting and enhancing scenic and cultural landscapes*

As discussed under Objective 28 of the Greater Sydney Region Plan, 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 this Planning Priority as the proposed density, bulk and scale of development and building heights, particularly located on the highest parts of the site, will rise above the prevailing tree canopy, impacting on the scenic landscape of the adjacent bushland, low density residential area, 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 predominantly intact tree canopy in this locality are warranted as they are skylines marking key urban centres.

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

The Proponents response does not demonstrate consistency with this Planning Priority.

The Planning Proposal will not result in a fragmentation of greengrid, but may impact on the quality of adjoining bushland (as discussed under Objective 27, Strategy 27.1 and Objective 30 of the Greater Sydney Region Plan).

Whilst it is acknowledged that specific location of built form will be resolved at DA stage, the built form density outcomes of the proposal indicated in the Planning Proposal Attachment A Urban design Study will result in the removal of a significant area of onsite canopy, including 124 trees (32% of all trees on site) (43 high category trees and 81 trees of low and very low retention value).

The broad landscape planning provided within the Urban Design Study and referred to as a comprehensive landscaping scheme within the Stockland Cover Letter (p20), does not provide sufficient detail to determine future canopy outcomes (including on site planting).

In response to Council's concerns the Stockland Cover Letter (p20) introduces the concept of ensuring future tree canopy outcomes through future DCP provisions.

The provision of future DCP provisions was not proposed within the original Planning Proposal, its Ecological Assessment prepared by ACS Environmental, nor in the Arborist Report prepared by Naturally Trees (Attachment I), and as such, is new information.

It is Council's concern that the built form outcomes in the Urban Design Report of continuous and extended basement parking and building footprint precludes the provision of adequate deep soil areas that could support any substantial vegetation and tall canopy trees that would enhance the canopy cover and green grid connection.

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

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. In addition, the issues of additional vulnerable populations and their safe evacuation may also impact other adjacent residents of Stanhope Road, should offsite evacuation be required.

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 intensification of a land use that caters to the aged demographic. 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 (pg118) 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.

Correspondence to Council from RFS clearly indicates the lack of support on key assumptions made by the proponent in their delivery of a performance methodology justifying the risk of bushfire hazard, the proposed bushfire mitigation measures and evacuation on this site and further notes that there are issues with increasing the occupant numbers on site.

These issues are further discussed within Council's bushfire response Appendix 4 to this submission.

➤ Section 9.1 Ministerial Directions

Section 9.1 (former Section 117) of the Environmental Planning and Assessment Act 1979 (EP&A Act) enables the Minister for Planning and Environment to issue directions that Councils must address when preparing planning proposals for a new LEP. The relevant Section 9.1 Directions for this proposal are:

- *Direction 2.3 Heritage Conservation*

This objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance, and requires a Planning Proposal to contain provisions that facilitate the conservation of item, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area.

This direction has not been met as set out under Objective 13 of the Greater Sydney Region Plan – as the Planning Proposals Attachment Heritage Significance Assessment by GML found 'Headfort House' located on the subject site to have local heritage significance and the Planning Proposal and Urban Design study have given inadequate consideration to this heritage significance.

- *Direction 3.1 – Residential Zones*

This Direction requires a planning proposal to address current and future housing needs by providing a choice of housing types, ensuring that new housing has adequate access to infrastructure and services and minimising the impact on the environment.

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 residential densities of housing on the site will not have appropriate access to essential infrastructure and services to support the increase in population and density.

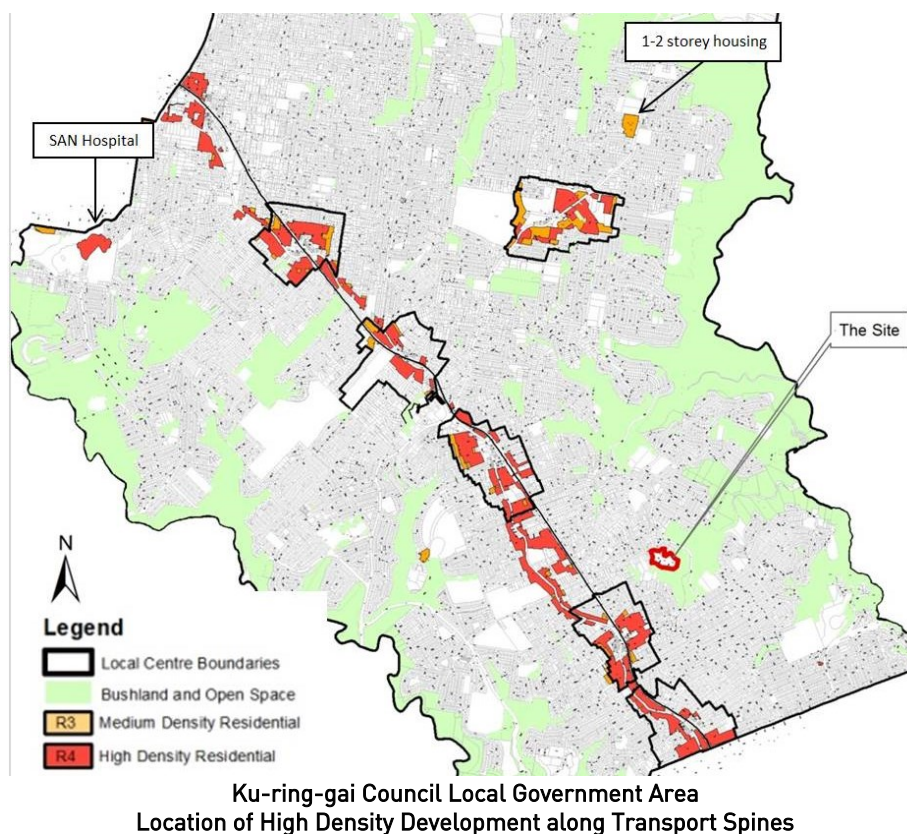
The site is located within a low density residential setting, surrounded by bushland. The proposed heights permitted 3-7 storey buildings (11.5m-24m), with the tallest building being located on the high point of the site will clearly detract from the quality and identity of the surrounding area.

- *Direction 3.4 - Integrating Land Use and Transport*

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight.

The proposal is inconsistent with the objectives of this direction as it will facilitate a high density residential development (which is intended to house ageing residents with potentially limited mobility) outside the walking catchment of the Pacific Highway transport corridor, as discussed under Objective 14 of the Greater Sydney Region Plan.

Given the distance from the Local Centre, the proposed high density outcome would result in increased vehicle movements to and from the site, being highly inconsistent with the underlying principle of this Direction to support the efficient and viable operation of existing public transport services.



- *Direction 6.3 Site Specific Provisions*

This Direction requires that a planning proposal seeking to allow a particular development to be carried out, be evaluated to ensure that unnecessarily restrictive site specific planning controls are not adopted. The Direction encourages Council to rezone sites to allow particular development rather than introduce additional permitted uses on the site and discourages the introduction of new site specific development standards.

Having regard to impacts on the intact low density residential and bushland character, the proximity to Heritage Conservation Areas and Items and the prominent ridge location of the site, it would be inappropriate to rezone the site from R2 Low Density Residential to an alternative land use zone in which seniors housing is permissible but not apply the standards of that zone (the proposal seeks building height of 22-24m well above the 11.5m height applied to the R3 zone within Ku-ring-gai). The proposal would enable development on the site, which would be inconsistent with this Direction as it would permit a development outcome that is inconsistent with the objectives of the zone under KLEP 2015. This also creates uncertainty and precedent in an area where the delivery of seniors housing within low density areas is increasing and the implication of other sites seeking similar departure from R2 and R3 zoning objectives.

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.

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.

The outcomes of the Planning Proposal are consistent with R4 High Density Residential zone as applied in Ku-ring-gai.

- *7.1 Implementation of A Plan For Growing Sydney*

A Plan for Growing Sydney has been replaced by the Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018). As discussed in this submission, the Planning Proposal is inconsistent with the following objectives and strategies of the Greater Sydney Region Plan:

- Objective 10 – Greater housing supply
- Objective 11 – Housing is more diverse and affordable
- Objective 13 – Environmental heritage is identified, conserved and enhanced
- Objective 14 Integrated land use and transport creates walkable and 30min cities
- Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced
- Objective 28 – Scenic and cultural landscapes are protected
- Objective 30 – Urban tree canopy cover is increased
- Objective 37 – Exposure to natural and urban hazards is reduced

b) Consistency with a relevant local council strategy, endorsed by the Department.

Ku-ring-gai Council is currently preparing a Local Housing Strategy that aligns with the Greater Sydney Region Plan and the North District Plan. Given all the strategic advice of these Plans to co-locate housing with efficient transport and service provision and promote densities in walking catchments of centres, it is highly unlikely that the Housing Strategy will endorse the placement of high density development within low density areas with a predominant reliance on private vehicle use for residents, visitors and employees, particularly where the site and Planning Proposal demonstrates inconsistencies and incompatibility with multiple site constraints.

In addition, Ku-ring-gai has numerous developments providing housing for the ageing population within low density residential areas. These are appropriately provided through the SEPP (Housing for Seniors or People with a Disability) 2004 which takes into account the importance of assimilating this type of development into the local context. The provision of high density housing for the aged as proposed would be better placed within or adjacent to urbanised local centres where the building form and density is in keeping with the urban character.

c) Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

Ku-ring-gai Council is commencing a review and amendment of its KLEP to align with the Regional and District Plans. The strategic approach for the KLEP amendment, as per the Regional and District Plans, will be to focus future urban renewal and growth within walking distance to the local centres, in proximity to rail stations and effective east-west bus routes linking urban centres.

This approach will build on the existing approach of densities being located along the Pacific Highway, and Mona Vale Road transport corridors and in particular, around local centres. This approach enables population easy access to transport, services and facilities, and enables the density to contribute to the place making of centres. This strategy would clearly exclude the subject site.

The effects of the proposed uplift on the subject site would be in sharp contrast to the local, district and strategic approach to placement of high density housing in and around transport corridors. In addition, it creates a precedent for the delivery of high density housing for the aged inconsistent with the objectives of the zoning in out of centre areas within Ku-ring-gai.

As the site is outside the walking catchment of local centre services and infrastructure and is not identified for any redevelopment opportunities under the current State or local strategic planning framework, there is insufficient justification to support the density proposed.

SITE SPECIFIC MERIT ASSESSMENT

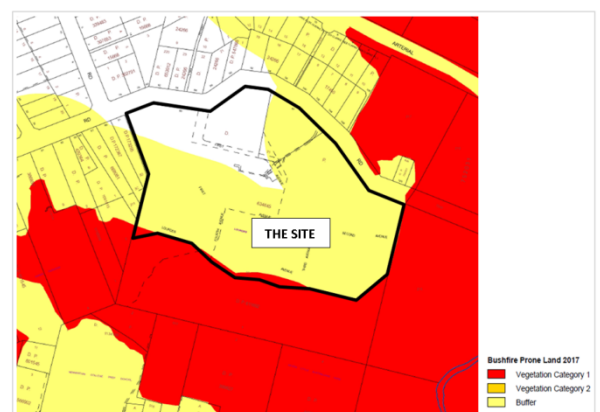
a) The natural environment (including known significant environmental values, resources or hazards).

It is Council's finding that the proposal has not adequately dealt with environmental issues specific to this site. The site is subject to hazard from bushfire attack as mapped within the Bushfire Prone Lands Map. The site contains mapped areas of remnant patches of Sydney Turpentine Ironbark Forest (STIF) listed as an Endangered Ecological Community under the Biodiversity Conservation Act 2016, and Coastal Shale Sandstone Forest. The site is also located adjacent to high quality heritage listed bushland at Seven Little Australians Park.

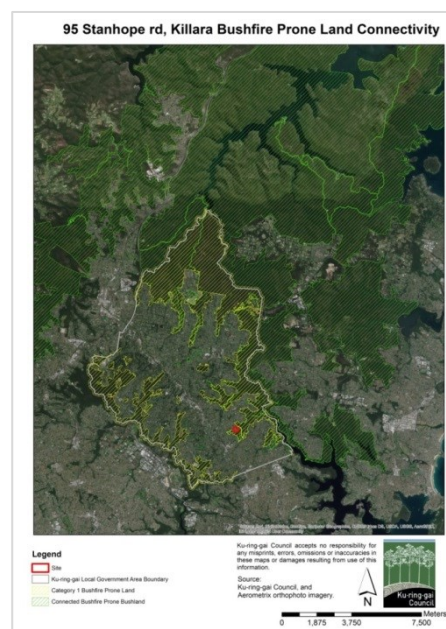
➤ High bushfire risks due to the proximity of the site to open bushland

The proposal has not addressed critical and fundamental issues around bushfire related risk which are unresolved and unjustified in the proposal.

Council (as supported by their independent bushfire consultant, Australian Bushfire Protection Planners), maintain that the site is subject to significant exposure to bushfire attack from the south, east and the north east. This includes being joined by more than 38,500 ha of bushfire prone bushland, containing areas of steep terrain and being *"exposed to a 1.2 Kilometre fire path from the northeast with a potential head width of more than 300 metres and a fire path from the southeast has a length of more than 450 metres with a potential head width of more than 250 metres"* (pg.9 -10, Australian Bushfire Protection Planners April 2018), as shown within the below images.



Ku-ring-gai Bushfire Prone Land Map 2017



The Planning Proposals Bushfire Protection Assessment (Attachment D) included a letter from the NSW Rural Fire Service (pg. 20, letter dated 14/12/2015), stating it would not support the proposal. It is Council's understanding that the proponent modified the proposal to remove development densities adjacent to the boundary and focus development to the upper part of the site away from the bushland. This modified design formed the basis of the submitted Planning Proposal.

The proponent's bushfire assessment report has sought to address the bushfire mitigation requirements as required by Planning for Bushfire Protection 2006 (NSW Rural Fire Service)

performance Criteria's, not through application of acceptable solutions listed within Planning for Bushfire Protection 2006; but as permitted for infill development of this nature, rather by demonstrating another solution which they believe satisfies the specific objectives and Performance Criteria listed within the Planning for Bushfire Protection 2006 (This solution is referred to as a Performance Solution).

Given the nature of serious threat to existing and future residents, Council defers matters of development intensification to the NSW Rural Fire Service, particularly where vulnerable communities such as aged and frail communities are concerned and where a Performance Solution approach is adopted. This ensures that risks are managed, that the proposed alternative solutions proposed are able to meet Planning for Bushfire Protection requirements and the responsibilities in the event of a bushfire incident and any subsequent coronial inquest are clear. This proposal lacks evidence of concurrence by the RFS on the approach being taken.

Council maintains that the Bushfire Protection Assessment prepared by ELA (Attachment D) has not demonstrated that the proposed Performance Solution approach could produce a development compliant with Planning for Bushfire Protection 2006, that is likely to be accepted by the NSW Rural Fire Service (RFS), during the proposed Bush Fire Design Brief process; and as such has not demonstrated that the proposed use / design is suitable for the site.

Further background on these issues are provided within Councils bushfire response Appendix 4 to this submission.

The Planning Proposal submitted to Council had no evidence to show that RFS supported the basic assumptions made in the performance methodology. Council engaged an independent bushfire consultant to advise on the viability of the proposed performance methodology and whether it demonstrated sufficient diligence around the safety of the populations that would result from the proposal.

Council's independent consultant assessment attached to Council's 22 May 2018 Report. It raised concerns regarding the performance methodology and in particular the use of a reduced Fire Danger Index (FDI), reduced slopes, lack of consideration of threat from NE, and E, and long fire run from Garigal National Park to which this site is connected. RFS was approached by the consultant to check the basic assumption of utilising a reduced FDI for the calculations in the performance methodology. RFS confirmed in writing that they would not support it at this location. This confirmation, attached at Appendix 3, was included in the consultant's bushfire assessment. The proponent's Review Cover Letter has included information additional to that submitted to Council as part of the Planning Proposal. A review of this additional information and councils key outstanding bushfire concerns is provided within Councils bushfire response Appendix 4 to this submission.

➤ High bushfire evacuation risks related to aged + vulnerable residents within Seniors Housing

The proponent has not addressed the issue of safe evacuation of the increased population on the site as discussed in Council's 22 May Report and its attachment A21 Bushfire Evacuation Risk Assessment.

The proponent's Cover Letter and its Attachment 10 argues against the methodology employed by Council in evacuation assessment. Council officers have contacted RFS to obtain the documents referred to in the proponent's Cover Letter and its Attachment 10 to verify the statements made.

A response from David Boverman, Manager Development Planning & Policy, RFS has been received by Council's officers and included at Appendix 3. RFS has confirmed the inaccuracy of content in the proponent's Cover Letter and its Attachment 10 from their consultant Ecological, stating:

"there was no 'silver-bullet' evacuation risk model that was found. There were components but not a stand-alone model that could be used for land-use planning for bush fire issues"

Mr Boverman indicates that only a preliminary literature review of evacuation method and model has been conducted and the CSIRO methodology referred to in the proponent's letter and by Ecological has not been rated as implied by the proponent. There also is no RFS endorsed evidence of the rating that the proponent has given to the Cova methodology that is utilised by Ku-ring-gai Council.

Since there is no RFS approved methodology to assess bushfire evacuation risk and no preferred assessment tool by RFS, the Cova methodology which has been employed and applied across the Ku-ring-gai Council area, with RFS concurrence, remains relevant in the assessment of evacuation risk for this site.

The proponent's Review Cover Letter has included information additional to that submitted to Council as part of the Planning Proposal. A review of this additional information and councils key outstanding bushfire concerns is provided within Councils bushfire response Appendix 4 to this submission.

➤ Ecological and biodiversity impact

Impacts upon threatened ecological communities:

The Cover Letter's attached ACS Environmental Letter of Advice in Response to Councils Ecological Comments (pg5, Attachment 8) states *"that extant BIODIVERSITY MAPPING of the subject land by KLEP (2015) and KDCP (Local Centres) (2012), does not indicate any particular significant biodiversity occurring within the subject land."*

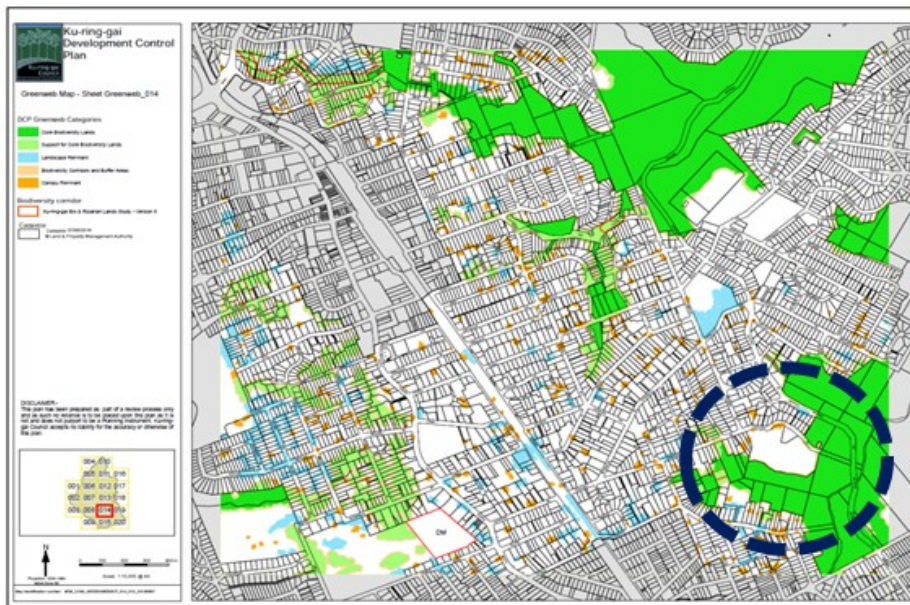
Contrary to this, the subject site is located includes and is adjacent to areas mapped as biodiversity lands as defined by the KLEP 2015 Terrestrial Biodiversity Map (see below), however the northern portion of the site, to which this Planning Proposal relates, is not identified as a biodiversity area.



KLEP 2015 Terrestrial Biodiversity Map

The Ku-ring-gai DCP (Local Centres) does not apply to the site, but rather the Ku-ring-gai DCP applies, which includes mapping of significant biodiversity occurring within the subject land as illustrates below.

The ACS Environmental [pg5 section 1.2 and pg6 Section 1.4, Letter of Advice in Response to Councils Ecological Comments - Attachment 8], has augmented the original comments (as provided within ACS Environmental Attachment J), and now recognise the presence these areas as Coastal Shale Sandstone Forest and Sydney Turpentine Ironbark Forest (STIF). Furthermore the report acknowledges that STIF on site is an Endangered Ecological Community (under the NSW Biodiversity Conservation Act 2016). These areas of STIF reflect the onsite biodiversity mapped within the Ku-ring-gai Development Control Plan Greenweb mapping indicated below



Ku-ring-gai Development Control Plan, Greenweb map

This revised information however has not been correctly reflected within the Stockland Cover Letter (pg18), which still refers only to the Attachment J assessment, and states:

"The Planning Proposal is supported by an Ecological Assessment, prepared by ACS Environmental (Attachment J), which confirms the site has been extensively modified and does not contain any threatened flora species or threatened ecological communities. The Assessment concludes that the proposed redevelopment of the site will have no impact on any species or ecological communities."

Whilst Council acknowledges that ACS Environmental's reports (Attachment 8 and Attachment J), recommend the retention of STIF trees, Councils concern regarding inconsistencies between the Arborist and the Ecological Assessment, regarding the removal or protection of this significant vegetation still remain and as such it is not clear as to where removal of STIF is proposed.

The Arborist Report, prepared by Naturally Trees (Attachment I), identifies that the proposed development necessitates the removal 124 trees (32%). The Stockland Cover Letter (pg20), states that "the proposed master plan will see a total of 122 (or 31%) trees needing to be removed". Whether this difference reflects the intention to protect STIF is unclear.

Removal and replacement of onsite trees / canopy and habitat

Whilst it is acknowledged that specific location of built form will be resolved at DA stage, the built form density outcomes of the proposal indicated in the Planning Proposal Attachment A Urban design Study will result in the removal of a significant area of onsite canopy, including 124 trees (32% of all trees on site) (43 high category trees and 81 trees of low and very low retention value).

Further impact to the remaining 120 trees high category trees and 150 trees of low and very low retention value, will be determined by both the projects detailed design as well as construction processes.

The broad landscape planning provided within the Urban Design Study and referred to as a comprehensive landscaping scheme within the Stockland Cover Letter (pg20), does not provide sufficient detail to determine future canopy outcomes (including on site planting).

In response to Councils concerns, the Stockland Cover Letter (pg20) introduces the concept of ensuring future tree canopy outcomes through future DCP provisions.

The provision of future DCP provisions was not proposed within the Planning Proposal Report (Attachment 1), the Ecological Assessment prepared by ACS Environmental (Attachment J) or the Arborist Report, prepared by Naturally Trees (Attachment I) and as such, is new information.

The ability of the site to provide compensatory plantings will be limited / informed by the sites bushfire mitigation requirements as well as the desired built form outcomes outlined within the Urban Design Report of continuous and extended basement parking and building footprint, which precludes the provision of adequate deep soil areas that could support / replace substantial vegetation / fauna habitat and tall canopy trees.

Impact upon adjoining bushland and trees proposed to be retained:

Whilst the Planning Proposal has sought to provide a design that reduces impact upon adjoining bushland, Council has concerns regarding future pressures / clearing requirements upon adjoining core biodiversity bushland are raised within comments on the Greater Sydney Region Plan Objective 27, Strategy 27.1 and Objective 30.

b) The existing uses, approved uses and likely future uses of land in the vicinity of the proposal.

➤ Impacts on the locality's heritage significance, Items and Conservation Area

A site specific issue related to heritage that will result from this Planning Proposal is increased building density on the site of a height above the existing canopy that will have impacts upon surrounding heritage items, the heritage conservation area and identified potential heritage onsite being Headfort House. These impacts are further addressed in this document in response to Objective 13 of the Greater Sydney Region Plan 2056: A Metropolis of Three Cities which requires Environmental Heritage be identified, conserved and enhanced.

In response to heritage issues specific to the site raised by the proponents in their Cover Letter for the Rezoning Review, Architectus state:

The site is not a listed heritage item, but adjoins two local heritage items, including the Seven Little Australian Park (to the south and east) and the Crown Blocks Conservation Area to the west, south and east of the site. Part of the site is located within the C22 Crown Blocks Conservation Area. However, it is noted that in the Perumal Murphy Alessi Crown Blocks Conservation Area Review (March 2013) undertaken on behalf of Ku-ring-gai Council, the site is not identified as a contributory item nor referenced anywhere within the review.

Headfort House (located on site) has been identified as a building of historical significance and is proposed to be retained as part of any future redevelopment. Headfort House is shown in Figure 1 below.

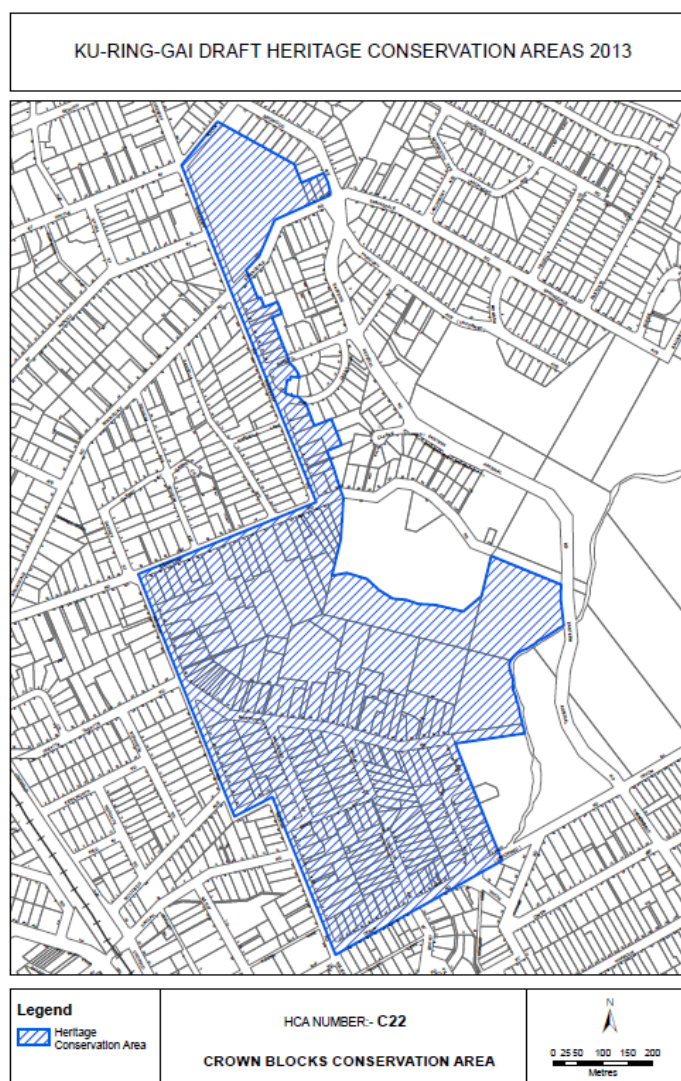


The driver for the Perumal Murphy Alessi (PMA) Peer Review of the Crown Blocks Conservation Area (2013) was a request from residents (on Tryon Road) to be removed from the heritage

conservation areas which had been adopted by Council to proceed in the proposed Principal Local Environmental Plan.

PMA's Crown Blocks Heritage Conservation Area Peer Review did not include the large majority of the Lourdes site as it was not within the adopted Crown Blocks Conservation Area and was not in the study area map (see map below) supplied to Ms Alessi by Council and as such it was not assessed.

The lack of assessment for Headfort House by Luisa Alessi in this study is not extraordinary or damning in its absence. Headfort House was found by Godden Mackay Logan, the consultants employed by Architectus to undertake the heritage review for Stocklands, to have historical significance. This was ascertained through detailed historical research on the Headfort House building. The parameters and resourcing of heritage conservation area reviews do not allow for such a level of detailed research on individual properties.



Crown Blocks Conservation Area - Map supplied to Luisa Alessi as the study area for the peer review.

The proponent's recent and detailed assessment of Headfort House by GML Heritage found that Headfort House did have local heritage significance. GML concluded that:

Headfort House at 95 Stanhope Road meets three of the criteria for listing as an item of local heritage significance. The building has historical significance as evidence of the growth of Killara, and its development from rural area to residential suburb. It is also significant as evidence of the effect of World War II on the local area with the building used by the AWAS in the 1940s, and for its later use as a tuberculosis hospital. The property has significance for its association with the Reverend Thomas Wade, who was the original headmaster of

Headfort School. The property also has significance for social values related to the use of the site: it has a special association with the AWAS, the SMSM and former patients and staff of the Lourdes Hospital. Through its many former uses, as well as its current use as a retirement village, the building is important to the Ku-ring-gai community's sense of place (Headfort House – heritage significance assessment GML, 2017 pg56).

In their Planning Proposal the proponent repeatedly states that an outcome of the Planning Proposal will be to allow for the restoration and preservation of Headfort House; however, without statutory recognition of its heritage significance there is no certainty in the Planning Proposal that Headfort House, a building identified as having cultural significance at the local level will be conserved and managed as a heritage item into the future. By including this building and a reasonable curtilage as a local heritage item on Schedule 5 of the Ku-ring-gai LEP (2015), greater certainty will be provided for the building's conservation and management into the future.

As stated in the Planning Proposal (pg48):

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

Without heritage listing of Headfort House, there is no impetus or legal compulsion for future development to have a contextual response and sympathetic design that retains and/or enhances the cultural significance of Headfort House.

➤ Impacts on current and future character of the area

The Planning Proposal does not demonstrate consistency with strategic local, district and regional principles. Whilst it aligns with the provision of additional housing numbers and choice, it conflicts with other key planning factors. Its departure from the current planning principles and standards applying to this location are not justified and would create a precedent for the numerous retirement village type facilities within Ku-ring-gai.

The proposal shows limited understanding of the adjacent quality and intact bushland and heritage elements, associated existing high character value of the residential location, and of Ku-ring-gai Council's key and prevailing landscape character of buildings under the tree canopy within these types of low density areas. The interface impacts that are likely to result on adjacent low density dwellings, Stanhope Road and bushland are not justified.

Zoning:

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 with high 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 low density residential character. The Planning Proposal does not demonstrate alignment or integration of the objectives of existing/future zoning of the locality.

The KLEP 2015 mapping delineates E2 (Environmental Conservation) areas directly adjacent to this site with objectives "*to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values*". In addition, part of these E2 lands are Heritage Items and HCA with objectives "*to conserve the environmental heritage of Ku-ring-gai*" and "*to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views*". The Planning Proposal does not give regard to the proximity of E2 zoning.

The site is also located within a quality R2 Low Density Residential zone with an objective “*to provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai*”; and, the proposal seeks an R3 Medium Density Residential zone with increased heights (enabling 3 to 7 storey residential flat buildings typical of high density zoning) with a zoning objective to provide a “*transition between low density residential housing and higher density forms of development*”.

The density, bulk and scale of the proposal is not consistent with, and directly contrary to, the objectives of both the existing R2 Low Density Residential zone and proposed R3 Medium Density Residential zone zoning.

R2 and R3 zoning is intended to accommodate lower density and low-impact residential development (dwelling houses, secondary dwellings, dual occupancies, town house, villas only). The proposal would enable a development outcome which is substantially greater in scale, bulk and impact through a residential flat building type that is incongruent with both R2 and R3 zoning.

Heights:

The proposal would enable unprecedented building heights for this locality, enabling 11.5m, 22m and 24m heights ranging from 3 to 7 storeys.

The heights permitted within the R2 Low Density Residential zone are limited to a maximum of 2 storeys for dwelling houses, but the proposed heights enable up to 7 levels, not envisaged for the locality or within the zoning. Also, noting that the R3 Medium Density Residential zone is limited to a maximum of 3 storeys for dwelling town houses, the proposed heights conflict with this enabling up to 7 levels not envisaged within the zoning objectives.



Onsite Lourdes Village Development Density, Mass and Scale Congruent with Local character

The proposed heights with the tallest being on the high point of the site, will detract from the quality and identity of the area and be inconsistent with the existing and future visual character. It will penetrate 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 at the front of the site and adjacent to the neighbouring HCA.

The height and density of the proposal would not result in a low-impact development compatible with the existing environmental and built character, adversely impacting the ecological and aesthetic values of the site and locality. The outcomes of the proposal, effectively residential flat

building types, would not be consistent with the local area planning principles and the associated character.



Low density residential character of Stanhope Road opposite and adjacent to the site.

Interface and amenity:

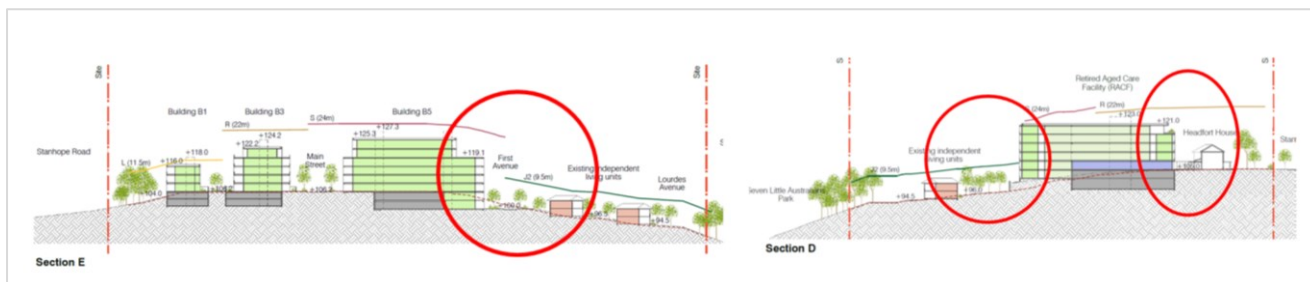
The proposal is likely to result in unreasonable amenity impacts on surrounding residential development and open spaces including visual impacts, loss of privacy/overlooking and overshadowing of onsite lower density development that is proposed to remain as is.

At present, the existing large footprint buildings fronting Stanhope Road are limited in their impacts due to their single level to Stanhope Street. Replacement with a 3 storey building frontage would be highly unlikely to assimilate into the character of the street and neighbourhood and result in visual dominance in this area. Given the land slopes upward from Stanhope Road, the massing impacts on the street are likely to be exacerbated along certain parts of the road frontage.

The current scale of development within the site manages the impacts to adjacent lands and is congruent with the scale and low density character of the locality.

The proposal will facilitate a high density development outcome on the site, with significant potential to adversely impact the amenity of adjoining development and public open space. This includes visual impacts, acoustic impacts associated with the use of the site and increased traffic and service vehicle movements, privacy concerns and overshadowing to onsite dwellings remaining as is to the south of the site and neighbouring dwellings along Stanhope Road.

The proposal built form mass as indicated in the proponent's Urban Design Study clearly shows the likely adverse interface impacts on low density residential development on and adjacent to the site as depicted in the below diagrams from the Urban Design Study.





Sections taken from the proponent's Urban Design Study demonstrating the relative scale of the concept development to the adjoining low density development. The red rings highlighting interface impacts.

While the existing development would benefit from refurbishment and redevelopment, it is considered that a more suitable outcome would be one that reflects and integrates well with the low density character of the area and gives regard to the heritage and bushland aspects of the locality.

The proposed built form would be unable to assimilate into the existing landscape, topography, tree canopy, heritage and bushland context in the same manner as the existing development, and this would result in a more visually obtrusive development when viewed from Stanhope Road, adjoining properties surrounding the development and public domain areas including from distant locations. Given the contradictions with existing area character, future envisaged character of the locality and lack of strategic merit for the proposal in this location, it is considered unreasonable to enable the proposed development and associated visual and amenity impacts to occur.

c) The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision..

The planning proposal does not mention any possible options to address the shortages in local infrastructure. Notwithstanding the specific demographic group the proposal would cater for, no community or public benefits or local infrastructure improvements have been proposed to accommodate the increased density on the site.

➤ Limited access to public transport and services

As discussed in response the strategic directions of Greater Sydney Region Plan, the North District Plan and s117 Directions, the site is not suitable for the proposed intensification of use due to distances from services and facilities, and due to the very limited public transport options available for the ageing residents.

95-97 Stanhope Road is located in a low density residential area predominantly serviced by private vehicles. Public transport to the site is limited to one bus service, Route 556, which links the site to East Killara and Lindfield Station. The bus service runs at low frequencies with operation even lower on weekends.

Other basic services and facilities such as supermarkets, pharmacies, medical centres, cinema, library and local parks are located well outside the convenient 10 minute walking catchment as suggested in '*Planning guidelines for walking and cycling*' (PCAL, 2004), and therefore not within an attractive and manageable walking distance for residents of this site. Access to these services and facilities by residents is reliant on either private vehicle use or the limited service of the 556 bus.

Given its limited frequency, particularly during off-peak times when, as stated in the Planning Proposal (pg16), residents are most likely to travel, the 556 bus service is unlikely to be attractive as a mode of travel for residents, employees or visitors.

Despite the location of this site on a bus route, there will continue to be a heavy reliance by residents on private vehicle use to access basic services and local facilities. This poses an issue for the ageing population. 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.

Comments to the key transport themes in the Stockland Review Cover Letter (July 2018), and Response to Councils Traffic and Transport Comments (Arup, June 2018) have provided further information; however, that information does not alter the fact that the site is poorly serviced by public transport and is distant from services.

In the Stockland Cover Letter (p21), the comments note that the Route 556 bus runs 23 times a day, and that it operates from 6.00am to 8.30pm, running at 30-minute intervals during am and pm peak times and 1-hour intervals outside peak times. The Response to Councils Traffic and Transport Comments (Arup, June 2018) acknowledges that the Route 556 bus runs low frequencies, which are typical of services in low density residential areas, and suggests that residents of the village have a greater level of flexibility to plan their trips around these infrequent services. While this may be the case, the frequency of these services are not particularly attractive for when residents typically travel (i.e. outside peak times) and not conducive to encouraging their use for employees and visitors, therefore effectively discouraging this mode as an access option, and embedding private vehicle use.

It should be noted that the public bus stops in the site itself are serviced by the Route 556 bus only twice a day (9.32am and 12.30pm) on weekdays. The internal stops are not serviced by the Route 556 bus on weekends. The more frequent services stop at the bus stops in Rosebery Road (up to 120m away from the existing secondary entrance to the site). There is currently no footpath on the eastern side of Rosebery Road (in the area of the bus stop), and the gradient of the nature strip between the footpath and the kerb on the western side of Rosebery Road (in the area of the bus stop) is unlikely to meet accessibility gradient requirements.

Village on-demand bus:

The Stockland Cover Letter (p22) and the Response to Councils Traffic and Transport Comments (Arup, June 2018) introduces the concept of a village on-demand bus. The provision of a village on-demand bus was not a transport option outlined in the Planning Proposal (Architectus, July 2017) and the accompanying Traffic Assessment (Arup, May 2017), and as such, is new information.

While an on-demand bus would go some way to fill gaps in the (infrequent) 556 route bus services provided by Transdev, it would rely on the availability of resident volunteer driver/s and therefore may not be a consistent or reliable service. Also, the village bus would not be an option for a commuter connection to Lindfield or Killara railway station for employees travelling to/from the site.

Carpooling:

Similarly, The Stockland Cover Letter and the Response to Councils Traffic and Transport Comments introduces the concept of car-pooling, which was not a transport option outlined in the Planning Proposal. Car-pooling may occur within the complex and this is supported, but its success relies on residents having common/similar destinations and timings.

Taxi/Uber services:

While this is raised as a travel option, it is unlikely that the demographic in the RACF would utilise Uber services. Taxi/Uber services also have higher costs than public transport, which may not suit the demographic. Having to resort to these transport options is a consequence of the site's poor walkability to basic shops and services.

Active transport – walking and cycling:

The Arup response notes that "It is recognised that the site's location is not conducive to walking to services for many of the residents being 1.4km from Killara". While the provision of a dedicated

mini-bus by the proponent is open for any resident to use, the location of the site effectively excludes walking as a reasonable travel mode for the more able residents to access local shops and services in Lindfield.

The reverse would also be true for visitors or employees who wish to access the site using public transport. While the Stockland Cover Letter (p21) correctly details the route bus services available near the site, the frequency of these services are not conducive to encouraging their use for employees and visitors, therefore effectively discouraging this mode as an access option, and encouraging private vehicle use. Even though the resulting traffic impacts of the proposal on surrounding roads would be minimal as a result, this should not be seen as a mitigating factor into the low accessibility of the site by public transport.

Arup's response also notes that the site's location is not conducive to walking to services for many of the residents, being 1.4km from Killara, and that active residents can choose to cycle. While this may be the case, the existing cycling facilities in the area are undeveloped, requiring residents to ride on the road, mixed with general vehicular traffic. This is unlikely to encourage active residents to cycle.

CONCLUSION

The location of the site and the intended density is incongruent with strategic approaches of the Local, District and Regional Plans which promote high density development within and close to local centres with access to efficient transport and services based on principles of liveability and connectivity.

This is particularly important in this instance as the proposed development will not enable an ageing population with reduced mobility to integrate into the greater community through ease of access to local services and facilities due to its distance from the local centre and the single bus service. In addition, the development will result in creating new employment with a workforce having to depend on limitations of the existing public transport to the site.

The proposal is considered inappropriate in terms of scale and density given the site's strategic and geographic context. The proposal will result in the erosion of the intact low density residential and bushland character, and alter the context of the adjacent heritage items and Heritage Conservation Area.

The density of the proposal would not result in a low-impact development compatible with the existing environmental and built character, adversely impacting the ecological and aesthetic values of the site and locality. The outcomes of the proposal, effectively residential flat building types, would not be consistent with the prevailing existing zoning nor the proposed zoning objectives and desired outcomes.

The Planning Proposal has failed to address the site context and has not presented sufficient strategic and site specific merit, and the proposal has not evidenced that the bushfire hazard and evacuation risks would afford existing and future communities a safe residential area; as such, Council does not support the wish of the proponent to progress the Planning Proposal and to resolve its multiple issues through a Gateway.