

5 July 2018

Ms Carolyn McNally
Secretary
NSW Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Mark Dennett
Planning Officer, Sydney Region West

Dear Ms McNally,

RE: Request for Rezoning Review of Planning Proposal at Lourdes Retirement Village, 95-97 Stanhope Road, Killara (Ku-ring-gai Council)

Stockland is seeking a Rezoning Review of a Planning Proposal by the Sydney North Planning Panel, for the proposed redevelopment of Lourdes Retirement Village – an existing seniors housing development at 95-97 Stanhope Road, Killara.

The Planning Proposal seeks to facilitate a site-specific design response by amending the Ku-ring-gai Local Environmental Plan (LEP) 2015 to:

- Rezone the land from R2 Low Density Residential to R3 Medium Density Residential
- Increase the maximum floor space ratio (FSR) from 0.3:1 to 0.8:1
- Increase the maximum height on part of the site from 9.5m to a range of heights between 11.5m and 24m.

The Planning Proposal has come about in response to the need to renew the existing seniors housing on site. Built in the early 1980s, Lourdes Retirement Village is showing signs of its age and no longer meets the needs of its residents. Dwellings do not have lift access, pedestrian and vehicular access is illegible, and in many instances the streets are too steep to walk. Redevelopment is required to address these issues and to upgrade infrastructure services and facilities to meet modern standards and deliver improved social and community outcomes for residents, workers and visitors of the Village.

The Rezoning Review is being sought because Council resolved not to support the Planning Proposal at a meeting held on 22 May 2018. A letter from Council, dated 24 May 2018 (**Attachment 7**), notified Stockland of Council's decision, and outlined the following reasons for the Planning Proposal not being supported to proceed:

1. *High bushfire risks due to the proximity of the site to open bushland;*
2. *High bushfire evacuation risks related to aged and vulnerable residents within Seniors Housing;*
3. *Limited access to public transport and services;*
4. *Impacts on the locality's heritage significance, Items and Conservation Area;*
5. *Interface impacts on adjacent low-density dwellings, Stanhope Road and bushland;*
6. *Lack of strategic merit and inconsistencies with the KLEP 2015 and Ku-ring-gai Community Strategic Plan*
7. *Lack of strategic merit and inconsistencies with the North District Plan and Greater Sydney Regional Plan.*

Consultation with Lourdes residents and stakeholders commenced in October 2015, identifying long term challenges for the site. A chronology of consultation with Council and key stakeholders can be found at **Attachment 2**. Specifically, the Planning Proposal has been revised to respond to matters raised in correspondence from Council on 27 October 2015 and 7 December 2017. Key issues raised by Council at the time included: bushfire risk and evacuation, access to public transport and services, heritage, interface with low density dwellings surrounding the site

and lack of strategic merit with local and state planning strategies. A copy of Council's correspondence is provided at **Attachment 3 and 4**.

Architectus has developed a high-quality design response for the site, based on the site's context and features. We believe the Planning Proposal and proposed master plan represents a significantly improved outcome for the residents and for the neighborhood. It provides an opportunity to develop contemporary seniors housing that facilitates:

- A connection to village life – a 'main street' in Lourdes
- Creating opportunities for residents to gather, connect and form a community
- New and improved private and common open space
- Creation of spaces that allow for community events that promote connectivity and social cohesion.

The design response prepared by Architectus provides evidence for how the proposed planning controls are appropriate for the site, commensurate to the level of detail required for this phase of the planning process. Of course, a subsequent detailed Development Application would need to be lodged with Council following the gazettal, providing further design detail, as well as further consideration of bushfire, vegetation, views, relationship to heritage and traffic impacts. This detailed design would further ensure that the impacts of the proposed development are acceptable. Some of the issues raised by Council at this stage are detailed matters that can be appropriately resolved at DA stage.

Notwithstanding the above, the Planning Proposal documentation includes a series of technical reports addressing matters relevant to the Planning Proposal. These include:

- Attachment A – Urban Design Report
- Attachment B – Site Survey
- Attachment C – Traffic Impact
- Attachment D – Bushfire Protection Assessment
- Attachment E – Heritage Letter
- Attachment F – Heritage Significance Assessment – Headfort House
- Attachment G – Social Effects Report
- Attachment H – Lourdes Demand Study
- Attachment I – Arboricultural Impact Appraisal
- Attachment J – Ecological Assessment

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. We have met regularly with residents to seek feedback on the site's master plan, proposed staging and development options, and about the renewal of community facilities. We have also made staff available to residents and their families for a number of one-on-one meetings as requested. An overview of Stockland's consultation with residents is provided at **Attachment K to P**.

Stockland request that the Sydney North Planning Panel undertake a review of this Planning Proposal. 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.

We believe that the Planning Proposal, as lodged, demonstrates sound strategic and site-specific merit and that further matters can be addressed as part of a Gateway Determination. This letter provides an overview of the Planning Proposal and a description of the key issues that we believe are relevant to the request for Rezoning Review. Included in this letter is:

- A. Description of the site and its context
- B. Description of the Planning Proposal
- C. Need for the Planning Proposal

- D. Key points of justification for the Planning Proposal
- E. Key issues and the proponent's response
 - E1. Bushfire hazard and evacuation risk
 - E2. Heritage impact
 - E3. Ecological and biodiversity impact
 - E4. Tree retention, tree canopy and arborist advice
 - E5. Visual impact
 - E6. Accessibility, traffic and transport impacts
 - E7. Appropriateness of the location for the proposed Seniors Housing renewal
- F. Strategic merit of the Planning Proposal
- G. Site-specific merit of the Planning Proposal
- H. A response to issues outlined in Council's resolution
- I. Conclusion

Please also find enclosed with this letter:

- A hard copy of the Planning Proposal (**Attachment 1**) and supporting documentation (**Attachments A to R of the Planning Proposal**)
- A chronology of consultation with Council and key stakeholders (**Attachment 2**)
- A copy of relevant correspondence with Council (**Attachments 3 and 4**)
- A copy of Councils Assessment, dated 22 May 2018 (**Attachment 5**)
- A copy of minutes from Council's meeting, dated 22 May 2018 (**Attachment 6**)
- Letter from Council notifying Stockland of Councils decision, dated 24 May 2018 (**Attachment 7**)
- Letter of Advice in Response to Councils Ecological Comments, dated 28 June 2018 (**Attachment 8**)
- Letter of Advice in Response to Councils Traffic and Transport Comments, dated 28 June 2018 (**Attachment 9**)
- Letter of Advice in Response to Councils Bushfire Comments, dated 29 June 2018 (**Attachment 10**)
- A copy of correspondence with Council dated 6 March to 14 May 2018 (**Attachment 11**)
- Letter notifying Stockland the Planning Proposal would be considered by Councilors (**Attachment 12**)
- A signed Rezoning Review Application Form;
- A bank cheque for the \$20,000 application fee for the Rezoning Review made out to NSW Department Planning and Environment
- A USB containing all relevant documentation.

I trust the information provided is sufficient to enable consideration of this Planning Proposal for a Rezoning Review. Should you have any queries or wish to discuss this matter further, please do not hesitate to contact me on 02 9035 2929 or calum.ross@stockland.com.au.



Calum Ross
Regional Manager, Development
Stockland Retirement Living

Detailed information to support the Request for Rezoning Review

A. Description of the site and its context

The site is located in the suburb of Killara in the Ku-ring-gai LGA, about 1.2km from Killara Train Station and neighbourhood centre and 1.8km from Lindfield Train Station and local town centre. Located along Stanhope Road, with road connections to the Pacific Highway, the site is serviced by an efficient bus service (Route 556) connecting the site from East Killara to Lindfield Train Station.

The local area is characterised by tree-lined streets, a landscaped setting and pockets of remnant bushland. Development along Stanhope Road comprises mostly large lot single detached one and two storey dwellings, with large setbacks to the street.

Located on the southern boundary of the site are several large open spaces and associated bushland parks that are also locally listed heritage items including Soldiers Memorial Park, Seven Little Australians Park and Swains Gardens. Bushland walking trails through these places link the suburb of Lindfield to Middle Harbour.

The subject site has a total area of approximately 5.25 hectares and is owned by Stockland Aevum Limited. The site currently comprises 108 independent living units, 49 serviced apartments and an 83 bed aged care facility, as well as communal facilities including a chapel (Headfort House), administration centre, a village café, pool and a croquet lawn. The building stock is aging and no longer meets the needs of residents, nor are existing services and facilities contemporary enough to meet the expectations of residents – both current and future. For example:

- Dwelling do not have lift access
- Vehicular and pedestrian access is not legible
- In many instances, the streets running through the site are too steep to walk.

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.



Figure 1 Headfort House

Due to the site's topography and natural bushland surroundings, much of the site is classified as bush fire prone land under Ku-ring-gai LEP 2015. Future development will be required to meet suitable standards to ensure appropriate levels of bush fire safety and management.

Whilst the Planning Proposal addresses the whole of the site, the area which will undergo redevelopment as a result of the Planning Proposal is the northern area of the site. The southern area of the site consists of existing independent living units which are proposed to be retained at this stage. The master plan has been designed to allow for each part of the site to be resolved independently of the other as the proposed road network, built form and pedestrian connectivity is robust, responds to the existing site topography and allows for a range of built form options to be further explored.

A local context plan which identifies the subject site outlined in red is provided in **Figure 2** below.

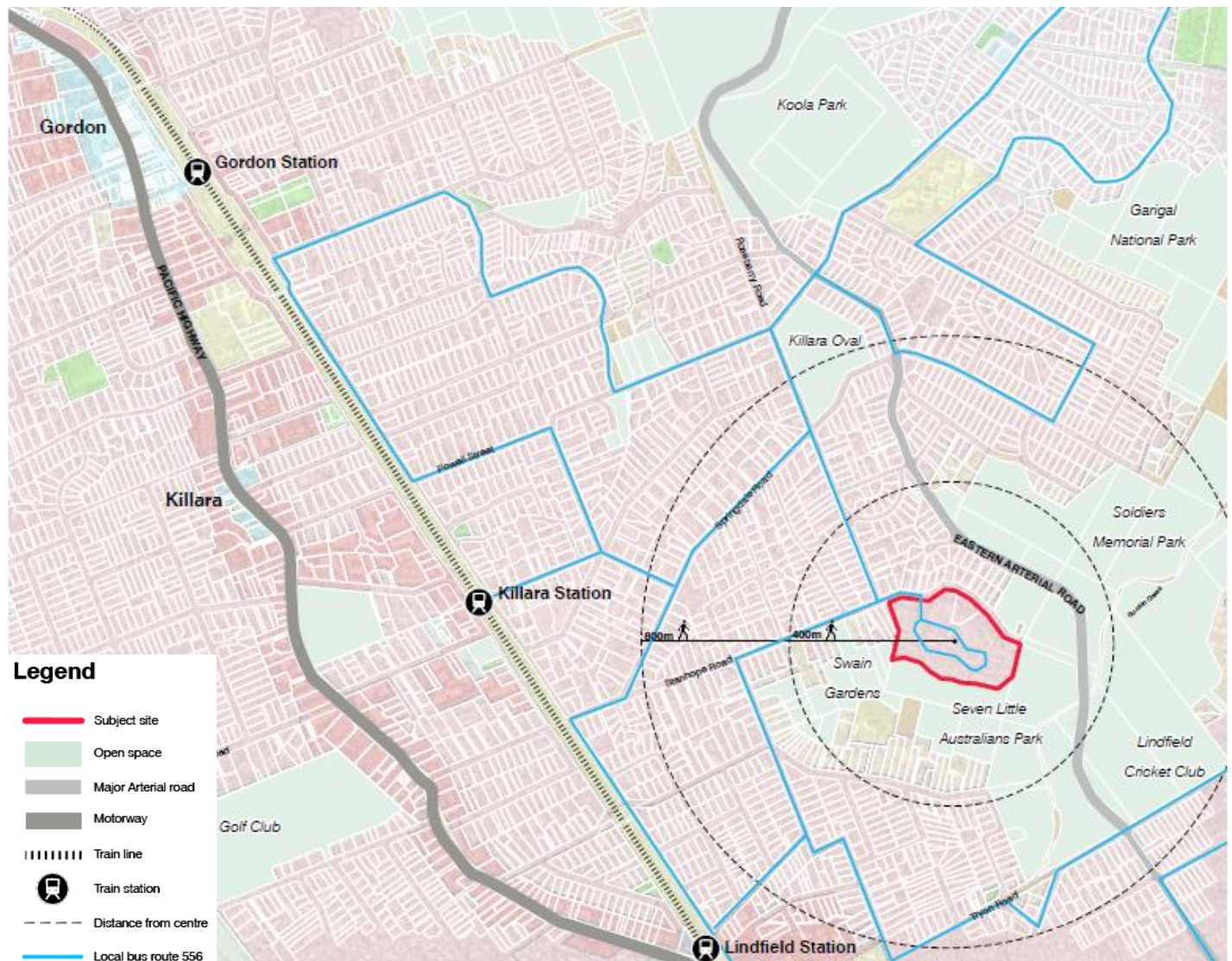


Figure 2 Local Context

B. Description of the Planning Proposal

The intended outcome of the Planning Proposal is to amend Ku-ring-gai LEP 2015 to facilitate the redevelopment of Lourdes Retirement Village. Underpinning the Planning Proposal is a site-specific design response that aims to:

- Improve the quality of housing on site
- Enhance pedestrian and vehicle circulation for improved walkability and accessibility
- Retain open space and Headfort House – creating a place to socialise and a provide focal point for the community.

Key aspects of the design response that underpins the Planning Proposal, and which are illustrated in **Figures 3 and 4**, include:

- 266 new independent living units and serviced apartments
- 401 basement car parking spaces
- 1,500m² community centre and facilities
- A village green and community event space located adjacent to community facilities
- Provision for a new 130 room residential aged care facility (RACF)
- Upgrades to the existing entry to Headfort House (Chapel) including an interface to the new residential aged care facility (RACF)
- Retention of existing native vegetation along Stanhope Road along the northern boundary of the site
- Retention of the existing independent living units on the southern portion of the site.
- Buildings ranging from three to six storeys with the tallest buildings located in the centre of the site to minimise impacts and provide an appropriate transition to adjoining properties.



Figure 3 View of future development from Stanhope Road



Figure 4 Lourdes Retirement Village Master Plan

- ① New central village 'Main Street' for improved access and functionality across the site.
- ② 1,500m² community centre and facilities at grade adjacent to new improved Main Street.
- ③ Village green and community event space located adjacent to community facilities
- ④ Upgrade of the front and side garden of Headfort House (Chapel) including the relocation of the existing Grotto and a new pavilion for outdoor functions.
- ⑤ Provision for a new 130 room residential aged care facility (RACF).
- ⑥ Upgrade of the existing entry to Headfort House (Chapel) including an interface to the new residential aged care facility (RACF).
- ⑦ Retention of existing native vegetation along Stanhope Road along the northern boundary of the site.
- ⑧ Retention of the existing independent living units on the southern portion of the site.

The proposal is unique as it is an existing seniors housing development that has a large site area, which benefits from close proximity to local amenity and services. Lourdes Retirement Village is a rare opportunity for a design-led planning approach to improve an existing use with new facilities and a better response to the local site context.

The proposed height strategy has been developed to ensure a range of heights can be accommodated across the property, providing a transition to adjoining residential dwellings and sensitive bushland setting. This outcome will be achieved by maintaining a low scale frontage to Stanhope Road (maximum building height of 3-storeys), with a large setback and retention of existing trees and native vegetation. Furthermore, when viewed from surrounding key locations, the tallest elements of the site are concealed by dense vegetation and are not visible from surrounding heritage items including Sevens Little Australian Park and Swains Gardens as demonstrated in the Visual Impact Assessment within the Urban Design Report at **Attachment A**.

To achieve this design-led outcome, the Planning Proposal seeks to amend Ku-ring-gai LEP 2015 to:

- Rezone the site from R2 Low Density Residential to R3 Medium Density Residential
- Increase the maximum height of buildings from 9.5 metres to a range between 9.5 metres and 24 metres
- Increase the maximum floor space ratio for the site from 0.3:1 to 0.8:1

The Planning Proposal is limited to development for seniors housing in the R3 Medium Density Residential Zone, which does not allow residential flat buildings as a permissible use. This approach was recommended by Council, following the initial proposed rezoning to R4 High Density Residential. Council's preference was based on a desire to not set a precedent within Ku-ring-gai for out of local centre, higher density development.

The Planning Proposal responds to previous feedback provided by Council and as a result the Planning Proposal was amended prior to lodgment to seek a R3 Medium Density Residential zone. This will allow the site to be redeveloped for seniors housing through the proposed increase in maximum building height to a range of between 9.5 meters and 24 metres, a modest increase in FSR from 0.3:1 to 0.8:1 across the site, and continued prohibition of residential flat buildings, meaning the seniors housing use is embedded as the only form of development that can utilise these increased height and FSR controls.

C. Need for the Planning Proposal

Lourdes Retirement Village, constructed in the 1980's, faces the significant challenge of a need to upgrade older seniors housing stock and ageing infrastructure to meet the evolving expectations of today's ageing Australians. Current market trends for seniors living reflect higher standards of convenience and comfort through improved design, modern access standards and an overall better quality of living.

Today's retirees demand a high level of facility on site, with modern homes that are easy to get around and in locations that are accessible to local infrastructure, services, retail, or even jobs. The expectation for on-site facilities is also high, with community facilities, cafes, gymnasiums, theatres, primary care and allied health treatment rooms and other amenities in strong demand to ensure the social and recreational needs of residents can be provided for.

As shown in **Figures 5 and 6**, the site has a number of issues currently impacting resident's accessibility, movement, and amenity in the Village. These issues include:

- Narrow walkways, ramps and stairs between dwellings
- Absence of lifts in buildings, with stair lifts currently being used to move residents between levels
- Poor vehicular and pedestrian access that is illegible
- Steep inclines and poor design of pedestrian routes
- General access and exposed elements around the site not appropriate for older residents
- Aging infrastructure, including community facilities that are dated and no longer meet the needs of residents
- Insufficient parking in areas that are too far from resident's units

Lourdes is an example of a retirement village from a time when retirees wanted something different. Whilst it is in an ideal location, it has become an increasingly outdated design. It has reached a point in its life cycle where significant reinvestment and rejuvenation is needed. Existing on-site facilities restrict resident's movement throughout the village their ability to participate in village life. This has an impact not only on usability but also maintenance costs, which is putting increasing pressure on the regular upkeep paid by existing residents.

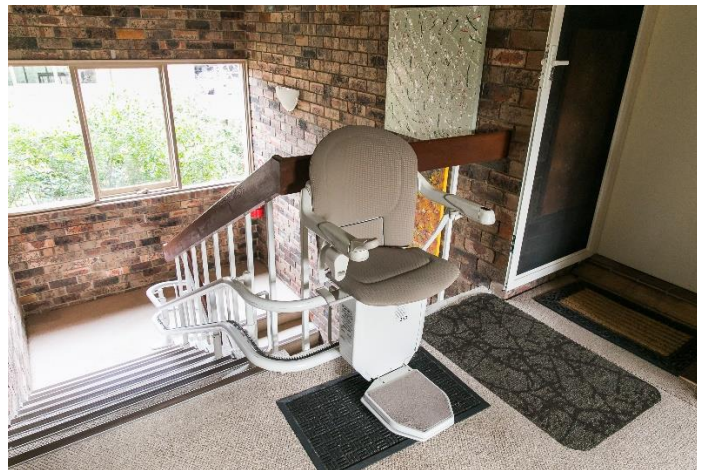


Figure 5 Existing outdated building stock



Figure 6 Site photos showing accessibility constraints and existing facilities

Redevelopment of the site is required to address these issues. The only way to bring it up to modern day standards and future proof it from major piecemeal renovation, is a design-led master planned approach that includes upgraded facilities and services with lift access, ensuring accessibility is prioritised throughout the entire site.

A Planning Proposal is required to facilitate this renewal because:

- A refurbishment would not be a viable option, as it would be incapable of solving multitude of issues with the housing and access challenges throughout the site
- A 'do-nothing' scenario is not an option as facilities and current housing stock requires replacement and upgrades
- Whilst the village was permissible at the time of development (during the early 1980s) seniors living is not permissible under the current R2 Low Density Residential Zone under Ku-ring-gai Local Environmental Plan 2015
- The site works required are beyond the scope that would be permissible under existing use rights
- The Seniors SEPP cannot be utilised to renew the site because it has limited application on this site.

D. Key points of justification for the Planning Proposal

The Planning Proposal is based on a sound design-led planning approach that considers the constraints and context of the site, the relationship with adjoining properties, environmental impacts, and is justified given the site's highly accessible location, and the need increased seniors housing in Ku-ring-gai.

We believe the Planning Proposal is justified for the following reasons:

1. **Providing more seniors housing in an area with an ageing population is a key driver of the NSW Government.** The Planning Proposal responds to this need and will provide increased seniors housing with a diverse range of building typologies, providing housing choice.
2. The site is already developed for seniors housing. Given the limited large sites available for new seniors housing developments, particularly in areas with a rapidly ageing population, **renewal and redevelopment of existing seniors housing sites should be prioritised.** The site is a suitable site for seniors living.
3. **The site cannot be feasibly renewed because seniors housing is not permissible under the current R2 Low Density Residential zone, despite being an existing use.** As such, any site development would be subject to the requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* which would result in a significantly compromised outcome for the site and not allow for a meaningful, financially viable renewal of these existing dwellings. A Planning Proposal is required to allow the retention and upgrade of existing uses on site to ensure an appropriate and suitable built form response is delivered.
4. There is an ability to efficiently accommodate additional density without impacting adjacent properties or the broader community. **The master plan delivers increased density (0.8:1), while minimising and managing visual impacts, and provides an appropriate transition to adjoining development, such that the visual impact can be mitigated.**
5. **The proximity of the site to the Lindfield local centre is an opportunity to provide more seniors housing in an established community.** The site is accessible, with bus connections and access to Lindfield Train Station, including the amenities, services, and community facilities it provides. The provision of a privately-run shuttle bus will increase access to surrounding centres.
6. The redevelopment of Lourdes Retirement Village is about more than increasing seniors housing. **The need for renewal arises from the need to address ageing infrastructure and the lack of community facilities currently available on-site.** The proposed redevelopment will deliver new community facilities and enhanced open space, ensuring the future development will adequately address, and reduce pressure on, increased demand on housing, local infrastructure, accessible services and facilities to meet the demands of this ageing population.
7. The Planning Proposal positively responds to the site's features including the existing native vegetation and retention of Headfort House (the Chapel). **Increasing building heights and minimising building footprints allows us to maintain the extensive green, landscaped character on site,** which is critical for resident's amenity and ensures consistency with the established garden character.
8. **The proposed zoning for the site is zone R3 Medium Density Residential, which permits seniors housing.** Residential flat buildings are prohibited in the R3 Medium Density Residential zone, which would therefore ensure the proposed master plan does not create a precedent in the locality for increased height and density in an out of centre location.
9. The proposed FSR across the site is 0.8:1, which is relatively low density. **This is consistent with other land zoned R3 Medium Density Residential under Ku-ring-gai LEP 2015.**
10. The existing seniors housing development is a prohibited use under the R2 Low Density Residential zone in Ku-ring-gai LEP 2015. **Given the existing development is already inconsistent with the land use zoning, the Planning Proposal will not set a precedent.**

E. Key issues and the proponent's response

A number of issues were raised during Council's assessment of the Planning Proposal, most of which were addressed during the preparation of the master plan, and described in detail in the Planning Proposal and supporting documentation.

A detailed summary of key issues, and the proponent's response to these issues, has been consolidated for ease and readability, and is described in this section of the letter.

To avoid repetition, given that many of these issues are raised again in later sections of the letter (under sections that deal with site-specific merit, strategic merit, alignment with local and state government policy and in response to Council's refusal), reference will be made back to this section when responding.

E1. Bushfire hazard and evacuation risk

A key concern of Council's, and a major factor in the early design and planning process, has been how this Planning Proposal and the associated master plan can address, manage and mitigate the bushfire hazard and evacuation risks associated with renewing this property.

Engagement with Rural Fire Services (RFS)

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 Eco Logical Australia (ELA, June 2017) 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.

As a BFDB is a new and yet to be formalised process of bushfire performance solution evaluation by the RFS, a Planning Proposal approval was sought conditional on the BFDB being prepared and approved. However, the applicant was not given the opportunity to speak with the RFS following the Bushfire Protection Assessment submission, nor is it known if this Assessment was forwarded to the RFS. It appears that only selected issues from the report have been 'verbally' commented upon by the RFS.

It is unclear whether the Planning Proposal submitted to Council was forwarded by them to the NSW RFS for comment. We were of the view that more detailed engagement with RFS would occur following, and as a direct condition of, any Gateway determination for the Planning Proposal.

Background

Part of the site is identified as bushfire land on the Ku-ring-gai Council Bush Fire Prone Land Map (2017). Refer to **Figure 7** overleaf. Notwithstanding this, the Bushfire Protection Assessment, prepared by Eco Logical Australia (**Attachment D**), has identified the proposed use as suitable for the site, subject to the implementation of strategies to manage the bushfire prone nature of the site.

Evacuation risk

One of the reasons for Council's refusal of the Planning Proposal was the claim by Council about the proposal creating additional evacuation risk.

The refusal recommendation on evacuation grounds is based on flawed assumptions about bushfire attack and evacuation times, and therefore its evacuation risk conclusions cannot be relied upon. The advice prepared by Eco Logical Australia and submitted at **Attachment 10** recommends an assessment of the evacuation risk is undertaken under development by CSIRO as part of a Bushfire Design Brief to obtain a more accurate assessment of bushfire evacuation triggers, and evacuee response times.

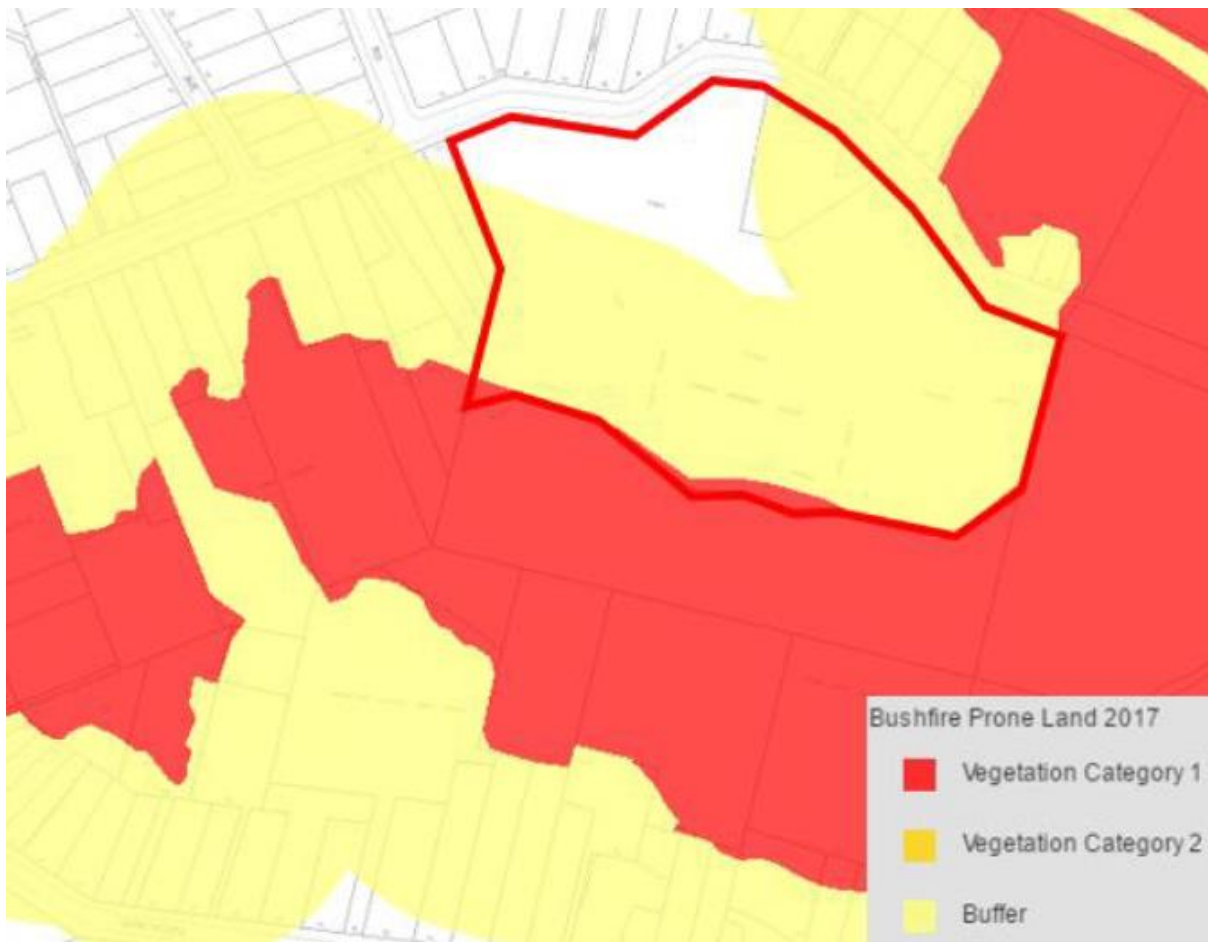


Figure 7 – Bush Fire Prone Land Map

Site outlined in red. Source: Ku-ring-gai Council web mapping

Research prepared by Eco Logical Australia in consultation with RFS has investigated evacuation models world-wide that are applicable to bushfire in NSW, and which would be used as the foundation for the BFDB. As part of this research, it was found that off-site evacuation is not the best response for the existing village residents of residents of a redeveloped village, and is therefore not required for most who live along Stanhope Road. This means a single access road is not a significant constraint.

On-site refuge recognises that the time required to evacuate the village typically exceeds the time available before a bushfire will reach the village from almost all potential directions. This means that on site refuge is the most important response to evacuation as the highest risk is a rapid approaching fire reaching the village before evacuation can be completed.

The Bushfire Protection Assessment, prepared by Ecological (**Attachment D**), also confirms that after a site inspection held on 6.10.2016, the NSW RFS consider Stanhope Road is not a bushfire evacuation concern, nor is the proposed increase in population forecast under the Planning Proposal considered to exacerbate evacuation risks of the neighbourhood.

The Bushfire Protection Assessment provided information that demonstrates that the northern part of the site is capable of accommodating redevelopment with appropriate bushfire measures including a BFDB which could produce a development compliant with the performance solutions within Planning for Bushfire Protection 2006.

In addition to the above, the Bushfire Protection Assessment and supplementary advice (**Attachment 10 to this letter**) demonstrates the site is not an inappropriately high bushfire risk site as **the site is located within a large urban**

region with a relatively small exposure to bushfire attack largely from the south and east; directions which pose a much lower risk and frequency of bushfire attack compared to where hazards are located to the north-west, west or south west of a development.

The Planning Proposal offers the potential for a **highly bushfire resilient and legislative complaint retirement village** and importantly, **will replace a bushfire vulnerable village with a national best practice bushfire resilient one.** Therefore, it is recommended that the Planning Panel allow the bushfire risk assessment of the Planning Proposal proceed to a BFDB.

Supplementary bushfire advice has been prepared by Eco Logical Australia as part of this rezoning review and attached at **Attachment 10**. This supplementary advice provided a response to the bushfire related issues raised by Council in its refusal. A summary of that advice is provided below:

Slope assessment incorrect and therefore an inadequate Asset Protection Zone (APZ)

- The slopes used in the Bushfire Protection Assessment were recommended by the RFS after onsite inspection of the numerous small cliffs that break up the grade of the slopes.
- The slope grade between these small cliffs is typically less than the average or effective slope suggested by Council's independent bushfire reviewer as the appropriate slope to use.
- The independent reviewer did not obtain the slope data considered by the RFS and Stockland's bushfire consultant and apparently did not assess the 'inter-cliff slopes' and therefore concluded the slopes were incorrect.
- The process of analysing slope between small cliffs is a commonly used and RFS approved performance solution. The slopes are therefore correct and therefore they have not adversely affected the calculation of the required APZ.

Wrong Fire Danger Rating (FFDI) used and therefore an inadequate Asset Protection Zone

- A detailed weather data analysis process using a Generalised Extreme Value (GEV) was used to determine the Forest Fire Danger Index on the subject site. This GEV process has been peer reviewed by a leading academic in bushfire weather analysis (Dr Grahame Douglas) and confirmed as appropriate for determining if lower FFDI is appropriate for different directions of bushfire attack.
- The RFS requested Dr Douglas's review of ELA's GEV methodology and he advised the RFS that the process was undertaken appropriately with some minor, inconsequential adjustments required.
- The GEV weather analysis process used by ELA was also endorsed as appropriate by the RFS at a meeting on the 29 June 2018. At that meeting the RFS invited ELA to submit other site-specific performance solutions using the GEV weather analysis process for review. The subject Planning Proposal use of FFDI has followed exactly the same process as that approved by peer review and the RFS for a site at Wollstonecraft.
- It is therefore expected for the subject Planning Proposal that a performance solution reliant on a reduced FFDI will be accepted by the RFS during the BFDB process and its use in the Planning Proposal is correct and therefore will not itself alter the APZs proposed.

An inadequate APZ contributes to unsafe evacuation

- The APZ are correct, and are capable of being approved by the RFS with a BFDB providing additional supportive information.

Too many evacuees for a single road and Increased numbers demand too much evacuation assistance

- The refusal was justified on the basis of a simplistic and generalised USA developed evacuation risk assessment tool. A recent RFS commissioned study of potential bushfire evacuation risk tools (Ramboll Environ and Eco Logical Australia 2017) rated the tool used by Ku-ring-gai Council (i.e. Cova 2005) in reviewing the adequacy of bushfire evacuation requirements of the Planning Proposal as fifth (5th) among those potentially available for the RFS to evaluate evacuation risk.

- In addition to the four higher ranked evacuation risk assessment tools, which could provide a more informed evacuation risk analysis, it is proposed to explore under the Bushfire Design Brief, assessment of the Evacuation Risk using a tool under development by the CSIRO. The CSIRO have already indicated their willingness to test the tool on the site. These risk assessment tools and a more accurate assessment of the bushfire evacuation triggers, evacuee response times and buildings requiring evacuation will in ELA's opinion demonstrate the inadequacy of the Cova (2005) evacuation risk assessment approach to the Planning Proposal.
- The refusal is also based upon highly flawed assumptions about bushfire attack and evacuation times and therefore its evacuation risk conclusions cannot be relied upon.
- A new enlarged village, with bushfire resilient buildings and other contemporary bushfire risk reduction measures, is substantially safer than the existing vulnerable buildings and residents.

First avenue loop road (within the village) is unsafe

- The Planning Proposal provides a much safer outcome than the bushfire risk associated with the existing village.

Risk to existing perimeter Independent Living Units is not adequately addressed

- 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.
- As these ILUs are located in the flame zone their bushfire risk is a significant; the Planning Proposal offers opportunities to ameliorate these risks using measures that otherwise may not be economically viable.

RFS unlikely to support PP due to increased numbers and evacuation risks

- Any RFS concerns are best understood and responded to under a Bushfire Fire Design Brief (BFDB) process.

It is inappropriate to imply what the RFS response will be in the absence of them being engaged properly through a BFDB and the other common RFS instigated practice of requiring an applicant provide a response to a 'Request For Additional Information'.

High bushfire evacuation risks related to aged and vulnerable residents with Seniors Housing

- The Planning Proposal offers the opportunity to provide a significant improvement to the evacuation risks associated with the present facility.
- Even though the Proposal increases the number of persons on site the new buildings will be resilient to bushfire attack under catastrophic fire danger weather conditions; whereas the existing facilities are likely to fail under even low-moderate Fire Danger Rating days. This means that buildings within the facility can be moved from being vulnerable well over 200 days per year (on average) to being able to cope with a bushfire attack under fire weather conditions that occur less than one day per year on average.
- This significant improvement is even more striking when the primary form of bushfire attack is considered. The BFDB will analyse and quantify this risk, however, it is clear that the risk with the highest consequence and greatest likelihood is a fire impact within a period of time less than that required for evacuation.
- As evacuation of the existing facility would take at least 6 hours, off-site evacuation is highly unlikely to be completed prior to the impact of a bushfire. This means that an on-site refuge is critically important, however, the existing facility has no capacity to provide an adequate refuge building.
- A new facility can in-build on-site refuge, and in the less likely scenario of more than 6 hours pre-warning of a bushfire impact, off-site evacuation is also feasible as it is spread out over many hours (not mass excess beyond the capacity of emergency services or on-site managers).

Various issues related to bushfire attack on multi-storey buildings requires assessment

- This is a new building assessment risk issue that appeared for the first time in NSW bushfire protection planning work in a 2017 draft version of Planning for Bushfire Protection (PBP), a document released after the Planning Proposal was submitted.
- Draft PBP (2107) provides no guidelines on the risk assessment of multistory building and simply flags it as an issue to consider. As there has been no qualification of the risk or published information from the RFS on how this risk is to be assessed, it can only be considered under the performance assessment process of a BFDB.

In summary, the site is not an inappropriately high bushfire risk as it is located within a large urban region with relatively small exposure to bushfire attack, largely from the south and east; directions which post a much lower risk and frequency of bushfire attack compared to where hazards are located to the north-west, west or south-west of a development.

The Planning Proposal offers the potential for a highly bushfire resilient and legislative complaint retirement village and importantly replacing bushfire vulnerable older village with a national best practice bushfire resilient one.

It is recommended the Planning Panel allow a bushfire risk assessment of the Planning Proposal proceed to a BFDB.

E2 Heritage Impact

Council are concerned with the impacts on the locality's heritage significance, surrounding heritage items and conservation area. Whilst the subject site is not a listed heritage item, there are a number of local heritage items and conservation areas surrounding the site. Refer to **Figure 8** overleaf.

We consider Council's comments relating to the impacts of the locality's heritage significance, heritage items and conservation area have been addressed throughout the Planning Proposal and supporting documents including **Attachment E and Attachment F**.

Significance of Headfort House

Particular consideration has been given to the importance of Headfort House, a 1-2-storey schoolhouse and chapel constructed on the subject site between 1918 and 1921. Whilst Headfort House is not a listed heritage item, the building is found to be important to the Ku-ring-gai community's sense of place.

The Urban Design Report, prepared by Architectus (**Attachment A**), demonstrates the master plan can be achieved without imposing on heritage impacts or the significance of Headfort House. This is demonstrated through:

- the retention and restoration of Headfort House
- the integration of new built form surrounding Headfort House which will respond to the historical context and local significance of Headfort House.

This is clearly shown in the master plan which proposes:

- upgrades of the existing entry to Headfort House
- an appropriate transition and interface to the new residential aged care facility
- embellishment of the front and side gardens with new tree planting and extensive landscaping.

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.

A copy of the Heritage Significance Assessment prepared by GML is attached at **Attachment F**.

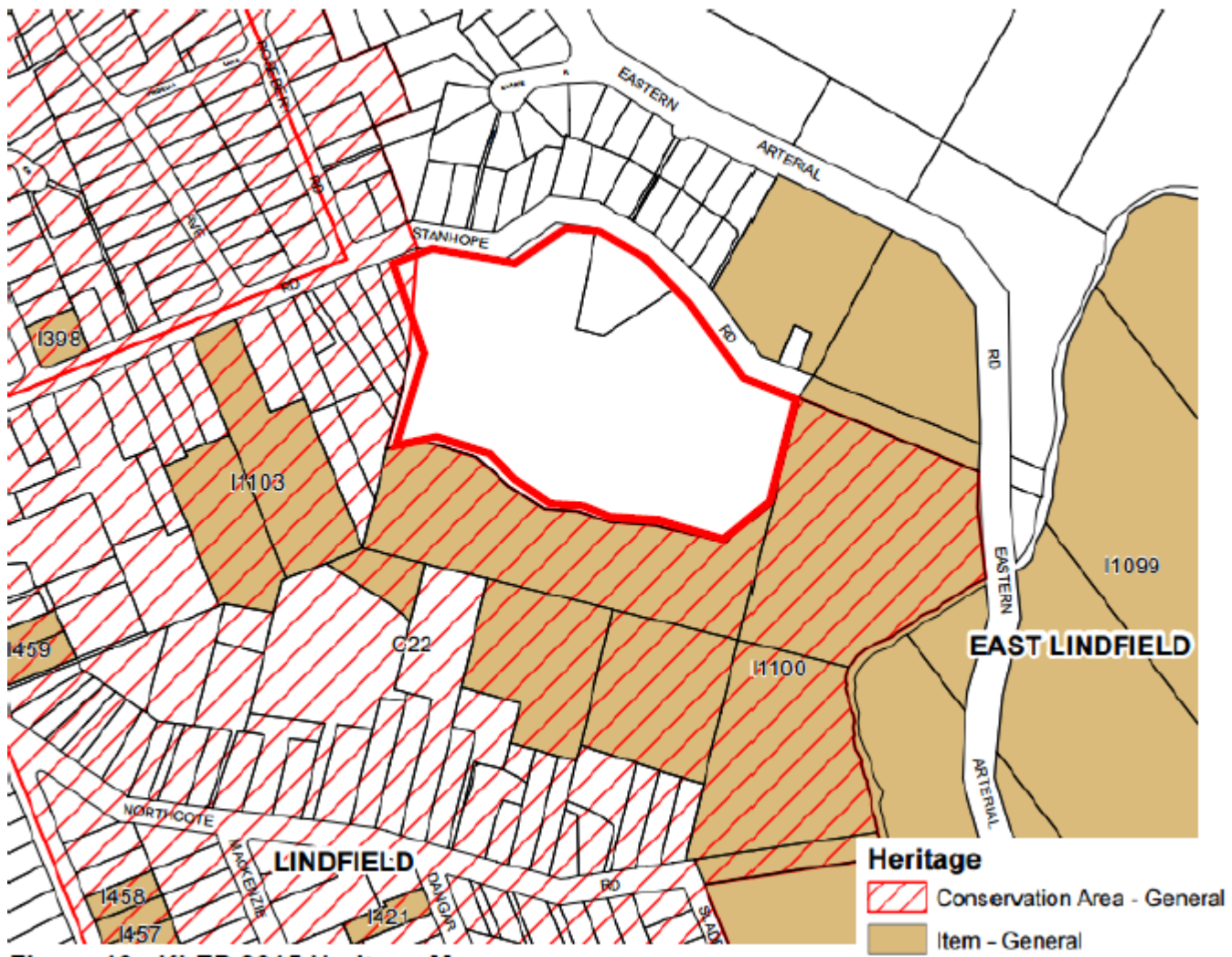


Figure 8 – Heritage LEP Map
 Site outlined in red
 Source: Ku-ring-gai LEP 2015 Mapping

Adjacent heritage items and heritage conservation area

The Planning Proposal has taken into consideration the surrounding heritage context of the site and this has helped shape the master plan.

The master plan has been designed to respond to the surrounding heritage context, to provide an improved setting, whilst managing potential visual impacts on the surrounding environment. This is demonstrated in the Urban Design Study, prepared by Architectus (**Attachment A**) which has considered the sites existing context through:

- opportunities and constraints mapping
- developing an appropriate height strategy, where height is concentrated in the centre of the site away from adjoining heritage items and conservation areas
- testing visual and view impacts on surrounding heritage items
- the preparation of a landscape master plan which directly responds to the existing nature of Headfort House and provides an integrated and improved setting for the site.

Furthermore, it should be noted that the site is one of the few lots in the area that is **not a heritage item** and is **not located within a Heritage Conservation Area**. Therefore, development of the site is not restricted by heritage controls and provides a rare opportunity to renew the site.

The subject site is one of the few large sites in the area that is not affected by heritage listings, and therefore should be considered for sensitive renewal and redevelopment that respects its heritage setting.

E3. Ecological and biodiversity impact

The Planning Proposal and master plan have been prepared giving careful consideration to the ecological values of the site, to ensure ecological impacts are minimised and the bushland character of the site can be retained and enhanced. This part (Section E3) addresses the ecological and biodiversity considerations of the proposal (refer to the next part (E4) for further detail about the tree canopy and arborist consideration).

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.

The Ecological Assessment concluded that it is not considered necessary to undertake any further assessment of significance, or to refer the proposal to the Director General of Office Environment and Heritage (OEH) or to the Commonwealth Department of the Environment and Energy.

On-site vegetation

The Ecological Assessment identified principal locally-occurring indigenous trees at the site including Turpentine, Red Bloodwood, Sydney Red Gum, Old Man Banksia, Sweet Pittosporum and Broad-leaved Scribbly Gum.

Most of the vegetation currently occurring on site is planted, landscaped vegetation. Aerial photography confirms that the extent of clearing occurred prior to 1943, located at the crest of the hill on the subject site. Vegetation cleared since then would have comprised Coastal Enriched Sandstone Dry Forest (S_DSF04), a community that is common on upper slopes and dry gullies of Sydney urban areas. Remnants of this community are currently still retained at the south-western section of the land mostly below the developed area. Coastal Sandstone Gully Forest (S_DSF09) occurs along the eastern extent of the Sydney Sandstone plateaus. Remnant individuals of trees occur to the east of the site, mostly beyond its boundaries. Refer to Figure 2 in **Attachment 8**.

The occurrence of Sydney Turpentine Ironbark Forest (STIF), comprising two patches of Turpentine trees at the subject site, was discussed in the Ecological Assessment report. The Assessment report provides recommendations to retain two individuals of Turpentine that occur in a small portion, north west of the site (Refer to Polygon 1 in Figure 1 at **Attachment 8**).

The occurrence of Coastal Shale-Sandstone Forest (CSSF) was not discussed in the report because:

- No trees occurring within the mapped distributions of this community were to be removed
- Many of the trees including River Sheoak do not naturally occur in this habitat.

Furthermore, CSSF is not listed as a threatened ecologically community on registers of the BC Act (2016) or EPBC Act (1999). CSSF is not considered to be a component of Duffy's Forest Ecological Community in the Sydney Basin Bioregion (OEH 2013) and is well represented in the Royal, Garigal and Lane Cove National Parks. Furthermore, according to OEH (2013) around 60% of the distribution of the CSSF community is retained in the Sydney Basin, 30-50% of which occurs in State National Parks and Wildlife Service. This is well in excess of the 8% recommended to be retained by Council. The distribution of potential individuals of this community occurring within the subject area will not be removed and as such no further discussion is considered to be required in relation to these individuals.

Management and mitigation

The Ecological Assessment recommended that the small group of Turpentine trees be retained as the proposed development does not appear to impact on this area (Refer to Tree No.44,45,46 mapping in **Attachment J**). The Ecological Assessment also recommends Tree No.349 is retained along Stanhope Road. All other locally occurring indigenous trees proposed for removal are mostly landscaped plantings and would not incur a significant loss to the cohort of trees in the vicinity.

It was also recommended that locally occurring indigenous trees are included in the preparation of a landscape plan that is prepared for any future development application. Detailed landscape plans should be prepared in accordance with the Landscape Master Plan that supports this application found in Section 4.4 of the Urban Design Report (**Attachment A** to the Planning Proposal).

In addition to the Ecological Assessment submitted with the Planning Proposal, ACS have reviewed the concerns raised by Council and have advised the following:

- Onsite vegetation that is not proposed to be removed was not addressed in the original Ecological Assessment prepared by ACS, as this vegetation is to be retained and was therefore not considered to be subject to any impact of the proposed development. Any removal of vegetation would be subject to detailed assessment as part of any subsequent DA under the amended planning controls.
- The Urban Design Report proposes a Landscape Master Plan for the site (Refer to Section 4.4 in **Attachment A**) which provides ample opportunities for future tree planting. Based on recommendations provided in the Arboricultural Report (**Attachment I**) the master plan will require 31% of trees to be removed from the site. Any tree removal would be subject to detailed assessment and review as part of a DA. At this stage, trees worthy of retention would be identified and addressed as part of a detailed building design.
- Subject to approval, a way of providing further assurance about the future tree canopy outcomes is to include a future DCP provision requiring tree canopy to be increased by:
 - As a minimum, replacing the 122 trees (31%) which will be removed
 - Introducing a benchmark for future tree canopy (i.e. 30% across the site).
- Existing independent living units located in the southern part of the site are proposed to be retained and will therefore propose no change to the southern interface between buildings identified to be retained and the surrounding bushland.
- A comprehensive landscape scheme to mitigate tree loss would also be recommended at a DA stage which should include location of new tree plantings, both juvenile and semi-mature, around the site in prominent locations.
- The proposed master plan for the site considers the existing bushland environment of the site and surrounding area and proposes a development which will allow residents and visitors to connect with the natural environment through:
 - Retention of the existing natural bushland edge to the south of the site, including opportunities for bush walking, new lookouts for wildlife watching and tranquil bush edge seating
 - Retention of existing vegetation including 69% of existing trees which contribute to the leafy character of the village and broader suburb of Killara
 - Provision of significant landscaping and hedge/tree planting along the perimeter and throughout the site, to reflect the original garden/boundary layout (refer to the Landscape master plan in Section 4.4 of the Urban Design Report).

- The proposed master plan also has been scaled to address the site's edge conditions, where lower scale buildings are located close to adjacent neighbours along Stanhope Road, and taller built form concentrated in the centre of the site.
- A comprehensive landscape scheme to mitigate tree loss would also be recommended at a DA stage which should include location of new tree plantings both juvenile and semi-mature around the site in prominent locations.

E4. Tree retention, tree canopy and arborist advice

The Planning Proposal is supported by an Arborist Report, prepared by Naturally Trees (**Attachment I**), which identifies the location of existing trees and impact of the proposal on trees across the site.

The proposed master plan will see a total of 122 (or 31%) trees needing to be removed. The retention of the significant boundary tree cover will also ensure there is little impact on the wider environmental setting. The Landscape Master Plan submitted as part of the Planning Proposal, provides a comprehensive landscaping scheme to mitigate these losses. It is recommended during a subsequent DA stage and should include the planting of new trees, both juvenile and semi-mature around the site in prominent locations.

Any future development would ensure tree canopy is enhanced through new tree planting throughout the site, facilitated by a comprehensive landscape plan during a detailed design DA stage.

The Planning Proposal is also supported by an Arboricultural Method Statement (Section 4 in **Attachment I**) which sets out protective measures and management for successful tree retention of the proposed master plan.

Subject to approval, a possible way of ensuring future tree canopy outcomes may include a future DCP provision requiring tree canopy to be increased by:

- As a minimum replacing the total of 122 trees (31%) which will be removed
- Introducing a benchmark for overall future tree canopy – such as providing a minimum tree canopy of 35% across the site.

E5. Visual impact

This section explains how the Planning Proposal and master plan address the scenic and cultural landscape values of the site and surrounds. This primarily concerns the site's proposed interface with surrounding character, the proposed height strategy, and the visual analysis undertaken to demonstrate how the visual impact is managed and mitigated.

The proposed master plan has considered the importance of responding to the sites interface to low density residential dwellings, the bushland setting, surrounding heritage items and heritage conservation area through the following strategies:

- **Respecting and enhancing the landscaped setting of the site**, through a large setback along Stanhope Road that continues the suburban garden character through the site providing a visual connection to the main street and village green
- **Retaining and restoring the existing chapel** (Headfort House) at the entrance of the site providing a sense of place and arrival to the site
- Managing the interface to adjoining dwellings through a **carefully considered height strategy** where height is concentrated in the centre of the site, away from adjoining properties, which then steps down to 3-storeys along Stanhope Road. Built form along Stanhope Road is then screened through existing trees and native vegetation, providing an appropriate interface to existing low density residential dwellings.

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. 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 Visual Impact Assessment, prepared by Architectus (**Attachment A**), tests potential impacts of the master plan at a total of eighteen viewpoint locations. The analysis confirms the development would not be visible from Swain Gardens East and Seven Little Australians Park, and views of the development from surrounding properties are limited.

It should be emphasised that this application presents an illustrative master plan which demonstrates the sites compatibility with the intended outcomes of the planning proposal. Any future development on the site would be subject to further detailed design during the DA stage. This will allow for further refinement of building design including building modulation and materiality to mitigate any potential impacts.

E6. Accessibility, traffic and transport impacts

It is a sound planning principle that new housing supply must be coordinated with local infrastructure to create livable, walkable and sustainable neighbourhoods with access to shops and services via public transport.

The subject site can achieve all of these outcomes, given it is well located in proximity to existing public transport, infrastructure, shops, services and open space, and will provide a range of on-site services to support residents.

Accessibility

Details about the site's accessibility can be found in the Traffic Assessment supporting the Planning Proposal, and a letter of response to Councils traffic-related comments, both prepared by Arup and enclosed at **Attachment C** and **Attachment 9** respectively.

As summarised in the reports prepared by Arup, the site is located 1.2km west of Killara Train Station, and 1.8km from Lindfield Train Station. The proposed development is serviced by a regular bus route and is proposed to be supplemented with an on-demand village bus, both of which provide good access to the nearby heavy rail.

The available transport options for residents are outlined below.

Public transport – bus

- The Route 556 bus runs 23 times a day, including a bus stop within the site itself, with an approximate travel time of 6 minutes from Lourdes to Lindfield Train Station.
- The bus service operates from 6.00am to 8.30pm, and runs at 30-minute intervals during am and pm peak times and 1-hour intervals outside peak times.
- Residents of the village have a greater level of flexibility to plan their trips around the bus timetable.
- A wide range of services are available at Lindfield including banks, post office, etc. which are accessible for residents via this bus route.

Public transport – train

- Lindfield Train Station is well serviced by the T1 North Shore Line with connections to a range of strategic centres with travel times well under 30 minutes. These centres include:
 - Gordon (5 minutes)
 - Chatswood (5 minutes)
 - North Sydney (17 minutes)
 - Wynyard (25 minutes)
 - Macquarie Park (26 minutes).

Village on-demand bus

- Stockland provide on-demand buses to many of our villages. An example is the village bus at Castle Ridge Retirement Resort, Castle Hill.
- Village buses have resident volunteer drivers living in the village who are available for booked journeys and regular trips to local shopping centres and other recreational events.
- The Lourdes site would be ideal for a village bus located permanently on site
- Based on the above, Stockland is has agreed to provide a village bus for Lourdes in order to increase services to support the existing and future resident population at the Retirement Village.

Private vehicle

- The Traffic Impact Assessment prepared by Arup (Planning Proposal - Attachment C) indicates that peak arrivals into the site occur at around 12pm, whilst peak departures occur at around 2pm. This confirms that Village occupants choose to avoid road peak hours (which occur before 9am and after 5pm) on weekdays, commonplace for many retirement living villages.
- Traffic modelling shows that based on the proposed master plan, the redevelopment of the site is not likely to affect the key intersection of Lindfield Avenue / Stanhope Road.

Taxi/Uber services

- On demand private and shared vehicles are available for use when alternatives means of travel are not available.

Carpooling

- Many residents are connected socially within the village and offer to provide transport either on a regular basis, i.e. weekly shop or appointment, or on an adhoc basis.

Active transport – walking and cycling

- It is recognised that the sites location is currently not conducive to walking to services for many of the residents, with Killara being 1.4km away.
- Active residents may choose to cycle to surrounding locations. Given the high amenity and access to surrounding bushland in the area, this may be something that would be favourable to existing and future residents.

In relation to on-site accessibility, the proposed realignment of the roads as shown in the master plan will allow for improved access, especially for pedestrians and buses. This will encourage residents to use active and public transport as a preferred means of travelling and reduce reliance on the private motor vehicle.

In summary, given the sites proximity to public transport, Lindfield local town centre and other nearby strategic and metropolitan centres, we consider the sites location to be suitable for additional seniors housing, which will not isolate residents from services, facilities, jobs and community groups they may require. Furthermore, given the nature of the proposal, being seniors housing, and the demographic trends of existing and future residents, residents are unlikely to be seeking to access to jobs and travelling in road peak hours. The traffic impact is therefore not considered a barrier to this proposal.

On-site services and facilities

There are currently a number of existing facilities on-site which include a village café, community centre, healthcare consulting rooms, indoor swimming pool and spa, and outdoor croquet lawn which service the needs of existing residents. Many of these facilities are located [where] and are run down and outdated.

As part of the village renewal process, it is proposed to increase the number of ancillary uses on-site with provision for hairdressers, medical suites and cafes, as well as replacing the existing on-site serviced in newer and contemporary buildings, to service the day to day needs of existing and future residents.

There number of ancillary services located on site for residents will take pressure off the existing centre and enable residents to satisfy many of their requirements conveniently and safely on site.

E7. Appropriateness of the location for the proposed Seniors Housing renewal

The site is not considered an inappropriate location for housing additional seniors living dwellings. Rather, its renewal to a more contemporary village is supportable based on sound planning principles, including the accessibility of the site to nearby centres, its existing uses, and the benefits the renewal would create for residents both current and future.

We believe the site is appropriate for seniors housing for the following reasons:

- The site currently contains a number of existing (albeit older) on-site facilities including a village café, community centre, healthcare consulting rooms, indoor swimming pool and spa and outdoor croquet lawn, which service the needs of existing residents. This means there is less pressure to co-locate seniors housing within an existing town centre, for example, because on-site services are a core component of the renewal plans.
- Renewal of the site enables significant upgrade and enhancement of the onsite services and facilities, commensurate with the scale of uplift sought.
- Notwithstanding the above, the site is accessible to a range of shops and services at Linfield Town Centre, located 1.8km from the site including Lindfield Shopping Centre, Coles Supermarket, Lindfield Library, plus a range of specialty of retail and commercial stores.
- Travel time directly from the site to Lindfield town centre is 6 minutes by bus. Residents are then able to access a range of other centres from Lindfield Train Station, serviced by the T1 North Shore Line including Gordon, Chatswood, North Sydney and Central Sydney.
- Based on the proposed increase in number of dwellings and population, the site would be capable of providing additional ancillary services such as hairdressers, medical suites and cafes, to service the day to day needs of existing and future residents.

F. Strategic merit of the Planning Proposal

A Planning Proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test. Kur-ring-gai LEP was gazetted in April 2015, and is therefore less than 5 years old.

This Planning Proposal demonstrates strategic merit and should be supported. A response to each of the specific criteria that determine concerning whether a Proposal has strategic merit, is set out below.

- ***Is it 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.***

Providing more seniors housing in an area with a rapidly ageing population is a key driver of the NSW Government. The Planning Proposal will deliver increased seniors housing, consistent with the Greater Sydney Region Plan 2056 – A Metropolis of Three Cities, and the North District Plan, as detailed below.

Greater Sydney Region Plan 2056: ‘A Metropolis of Three Cities’

Since submitting this Planning Proposal to Ku-ring-gai Council, the *Greater Sydney Region Plan 2056* has been finalised (March 2018) and in turn has superseded the previous metropolitan plan - *A Plan for Growing Sydney*, which has therefore not been addressed as part of this rezoning review application.

The Planning Proposal is consistent with the *Greater Sydney Region Plan 2056*, which provides a broad vision for the next 40 years, based on a global metropolis of three-cities: The Eastern Harbour City, a Central River City and a Western Sydney Aerotropolis.

The key objectives of the Plan, which were raised by Council as inconsistent or ‘incomplete’, have been addressed in the table below.

Table 1 - Response to Councils Assessment - Greater Sydney Region Plan 2056

| Council’s comments | Architectus/Stockland response | Further information |
|---|---|--|
| Objective 10 – Greater Housing Supply | | |
| <ul style="list-style-type: none"> - The Greater Sydney Region Plan recognises that not all areas are appropriate for significant additional development, due to lack of access to shops, services and public transport and local amenity constraints. - While the Planning Proposal will contribute to delivering the required additional housing for Greater Sydney, the location of this additional housing resulting from the amendment sought by the Planning Proposal is not appropriate due to its out of centre location (away from shops, services and transport) its low density residential and heritage setting, and constraints on the site, namely bushfire hazard and evacuation risk. | <p>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:</p> <ul style="list-style-type: none"> - The site’s accessibility to local shops and services – discussed on pages 21-23 of this letter - The site’s transport accessibility – discussed on pages 21-23 - the proposal’s response to the low density residential environment in which it is located – discussed on page 20-21. - The proposal’s response to the heritage setting of the site – discussed on pages 16-18 - How the proposal addresses bushfire hazard and evacuation risk – discussed on pages 12-16. | <p>This is addressed in Part 3 of the Planning Proposal, (pgs.21-22).</p> |

| Objective 11 – Housing is more diverse and affordable | | |
|---|--|--|
| <ul style="list-style-type: none"> - The Planning Proposal is consistent with this objective relating to housing diversity, as it provides housing for seniors and aged care housing, which will be important for the ageing population. | <p>Agreed.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.22).</p> |
| Objective 13 – Environmental heritage is identified, conserved and enhanced. | | |
| <ul style="list-style-type: none"> - Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations. - The Heritage Assessment by GML submitted with the Planning Proposal found 'Headfort House' to have local heritage significance. However, the Planning Proposal and Urban Design study have given inadequate consideration to the heritage significance of Headfort House. - The proposal does not give due consideration to the impacts on the adjacent Heritage Items and HCA. | <p>Refer to Pages 16-18 of this letter, which sets out the heritage assessment of the site and its surrounds, and how the Planning Proposal and Urban Design Report responds.</p> | <p>This is addressed in Part 3 of the Planning Proposal (refer to pgs.17-18), and Attachment E and Attachment F.</p> |
| Objective 14 – Integrated land use and transport creates walkable and 30minute cities | | |
| <i>Strategy 14.1 – Integrate land use and transport plans to deliver the 30min city</i> | | |
| <ul style="list-style-type: none"> - The land use is not integrated with transport provision in this area. - 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. | <p>Refer to Page 21-23 of this letter, which describes the accessibility of the site to nearby centres and public transport.</p> | <p>This is addressed in Part 3 of the Planning Proposal (refer to pg.43), and Attachment C.</p> <p>A response to the Traffic and Transport issues raised in Councils Assessment Report is provided by Arup at Attachment 9.</p> |
| Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced | | |
| <p>Strategy 27.1 – Protect and enhance biodiversity by:</p> <ul style="list-style-type: none"> - Supporting landscape-scale biodiversity conservation and the restoration of bushland corridors | <p>Refer to Pages 12-16 of this letter, which explains how the Planning Proposal and associated master plan addresses, protects and enhances the bushland and vegetation on site.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.48) and Attachment A (refer to Section 4.4)</p> |

| | | |
|--|--|---|
| <ul style="list-style-type: none"> - 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 | | |
| <ul style="list-style-type: none"> - The Planning Proposal will result in the removal of, or put at risk, a significant number of high category trees. The broad landscape planning provided within the Urban Design Report, does not provide sufficient detail to determine future canopy outcomes (including on site planting). | <p>Refer to Page 20 of this letter, which explains the results of an Arborist assessment of the planning proposal, and explains the measures that may be put in place to ensure a consistent tree canopy through any future renewal of the site.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.21, 29 and 31) and Attachment I.</p> |
| Objective 28 – Scenic and cultural landscapes are protected | | |
| <ul style="list-style-type: none"> - The Planning Proposal is inconsistent with this Objective, as the heights sought by the planning proposal, particularly on the highest part of the site, will result in a built form that will extend above the tree canopy, impacting on views in the surrounding areas and impacting on the scenic landscape value of the surrounding area, particularly as the site forms the backdrop to the adjacent Heritage Item (Seven Little Australians Park). | <p>The visual impact of the proposal, and specifically the impact of building height on the scenic and cultural landscape value of the site, has been thoroughly assessed in the Visual Impact Assessment, which sits in the Urban Design Report, prepared by Architectus (Attachment A). Pages 20-21 of this report discusses and addresses this impact</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.25) and Attachment A (refer to Visual Impact Assessment in Section 5).</p> |
| Objective 37 – Exposure to natural and urban hazards is reduced | | |
| <i>Strategy 37.1 – Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.</i> | | |
| <ul style="list-style-type: none"> - The site is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides a land use that caters to people who are particularly vulnerable in the event of a bushfire. The Planning Proposal is inconsistent with this objective and strategy, as it will result in an increase in population to an existing vulnerable community, exposing them to bushfire risk and evacuation risks in the event of bushfire. | <p>Refer to Page 12-16 of this letter, which explains in detail the bushfire assessments that have been carried out to address the impact of the Planning Proposal, which demonstrate that the proposal is able to be supported and provides appropriate means of protection in a bushfire event</p> | <p>This is addressed in Part 3 of the Planning Proposal (pgs.36 and 40) and Attachment D.</p> <p>A response to the Bushfire issues raised in Councils Assessment Report is provided by Eco Logical Australia at Attachment 10.</p> |

North District Plan

Since submitting this Planning Proposal to Ku-ring-gai Council, the North District Plan has been finalised (March 2018). The North District Plan sets out the planning priorities and actions for the growth and development of the North District.

The North District Plan recognises that new housing must be in the right places to meet locational demand, and to respond to demand for different housing types, tenure, price points and design. Importantly, new housing supply must be coordinated with local infrastructure to create liveable, walkable and cycle friendly neighbourhoods with good access to shops, services and public transport. The subject site, being accessible to the local centres at Killara and Lindfield, can achieve all of these outcomes.

The key objectives of the North District Plan, which were raised by Council as inconsistent or 'incomplete' are addressed in the table below.

Table 2 - Response to Councils Assessment - North District Plan

| Council's comments | Architectus/Stockland response | Further information |
|--|---|---|
| Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs. | | |
| <ul style="list-style-type: none"> - Whilst the provision of housing for seniors and aged care will contribute to meeting the needs of the ageing population, the site location does not have ready access to the necessary shops, services, facilities and transport to support the growth of this population group at this location. In addition, other site constraints such as heritage, biodiversity and bushfire hazard risk present high conflict with the desires of the proposal. | <p>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:</p> <ul style="list-style-type: none"> - The site's accessibility to local shops and services – discussed on pages 21-23 of this letter - The site's transport accessibility – discussed on pages 21-23 - the proposal's response to the low density residential environment in which it is located – discussed on pages 20-21 - The proposal's response to the heritage setting of the site – discussed on pages 16-18 - How the proposal addresses bushfire hazard and evacuation risk – discussed on pages 12-16. | <p>This is addressed in Part 3 of the Planning Proposal (pgs.23).</p> |
| Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport | | |
| <ul style="list-style-type: none"> - The proposal states that it is consistent as it provides housing supply, choice and affordability, however it does not address the issue of access to services and to a lesser extent, jobs which form part of this Priority. - Access to shops and services by walking is important as it would contribute to reducing the number of trips generated and the distances travelled, especially by car, and increase the potential to derive health benefits of walking | <p>Accessibility The site ensures accessibility by public and private transport, to a range of services in nearby local centres, as detailed on pages 21-23 of this letter. It also proposes a range of on-site services and facilities as described on pages 21-23</p> <p>Jobs</p> <ul style="list-style-type: none"> - A Lourdes Demand Study, prepared by Elton Consulting (Attachment H) identifies a large proportion of people in Ku-ring-gai who are retired, semi-retired or approaching retirement. | <p>This is addressed in Part 3 of the Planning Proposal (pg.23).</p> <p>Additional information is referenced in Attachment H, Attachment A and Attachment D.</p> |

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| <p>as a mode of travel to shops and services.</p> <ul style="list-style-type: none"> - The Planning Proposal is inconsistent with this Planning Priority as the provision of the housing is in an out of centres location, not supported by infrastructure, transport or services and has overriding constraints on the site of bushfire hazard risk and the important heritage and biodiversity setting. | <ul style="list-style-type: none"> - Based on 2016 ABS census data, only 16% of residents living in Killara suburb are employed (including full-time, part-time and casual). This indicates that many existing residents are unlikely to be working. - In the case that residents may be working or seeking employment, the site remains accessible to a range of jobs in nearby centers such as Chatswood, North Sydney and Epping, which can be accessed via the local bus network and interchange to rail at Lindfield Station. <p><i>Pedestrian connectivity</i></p> <ul style="list-style-type: none"> - The 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 is demonstrated in the pedestrian circulation plan shown on page .60 of the Urban Design Report (Attachment A), which illustrates three tiers of pedestrian movement through lengthened and re-graded roads, wider and dedicated footpaths and lift access. In particular, lifts will allow for safe and easy access for residents to access the central club facilities and neighbouring dwellings. - The site is considered an appropriate location to accommodate additional seniors housing as the site is: <ul style="list-style-type: none"> • Accessible by public transport to a range of supporting local centres (addressed above); • Equipped with existing on-site facilities and services, in addition to those that are already provided on site • Already operating as a seniors housing development, and therefore enables more people in Killara to age in place. <p><i>Bushfire hazard risk, heritage and biodiversity constraints</i></p> <ul style="list-style-type: none"> - A detailed response to the bushfire hazard constraints onsite has been provided on pages 12-16 of this letter. | |
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| | <ul style="list-style-type: none"> - A detailed response to the heritage values of the site has been provided above on pages 16-18. - A detailed response to the biodiversity constraints has been provided below on pages 18-20. | |
| Planning Priority N6 – Creating and renewing great places and local centres and respecting the Districts heritage | | |
| <ul style="list-style-type: none"> - The Heritage Assessment by GML submitted with the Planning Proposal found 'Headfort House' located on the subject site to have local heritage significance. However, the Planning Proposal and Urban Design study have given inadequate consideration to the heritage significance of Headfort House. - The proposal seeks heights that will deliver development that will sit above the prevailing tree canopy characteristic of the immediate and wider Ku-ring-gai area. This will adversely impact the heritage setting and views and vistas related to adjacent heritage Items as discussed in the body of this Report. | <p>Refer to Pages 16-18 of this letter, which sets out the heritage assessment of the site and its surrounds, and how the Planning Proposal and Urban Design Report responds.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pgs.17-18), Attachment E and Attachment F.</p> |
| Planning Priority N12 – Delivering integrated land use and transport planning and a 30min city | | |
| <ul style="list-style-type: none"> - The Planning Proposal is inconsistent with this Priority as the site is not well located in terms of accessibility to public 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. - The North District Plan uses 30 minutes of travel time to a metropolitan/strategic centre by public transport as an indicator of developing a well-connected city. While not being in a metropolitan/strategic centre, 30 minutes travel time is largely recognised in transport planning as a fairly stable travel time budget. The very limited 30-minute | <p>Refer to Pages 21-23 of this letter, which describes the accessibility of the site to nearby centres and public transport.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.43) and Attachment C.</p> <p>A response to the Bushfire issues raised in Councils Assessment Report is provided by Arup at Attachment 9.</p> |

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| <p>public transport catchment suggests that employees are likely to be outside this catchment and therefore are likely to use other means of transport (i.e. private vehicle) in their journey to work. In reality, the 30-minute frequency of the route 556 bus service during am and pm peak times (and 1-hour frequency outside peak times) is unlikely to be attractive as a mode of travel for residents, employees or visitors.</p> <ul style="list-style-type: none"> - It is likely, therefore, that future residents of this site and employees will likely be using cars to access jobs, basic services and facilities. | | |
| Planning Priority N16- Protecting and enhancing bushland and biodiversity Planning Priority N19- Increasing urban tree canopy cover and delivering green grid connections | | |
| <ul style="list-style-type: none"> - The Planning Proposal's Ecological Assessment does not address onsite vegetation that is not proposed to be removed, including indigenous trees considered local to the surrounding vegetation communities and significant vegetation along Stanhope Avenue. - This address is considered important as it includes: <ul style="list-style-type: none"> i. Sydney Turpentine Ironbark Forest (listed as an Endangered Ecological Community under the Biodiversity Conservation Act 2016); and ii. Coastal Shale-Sandstone Forest, a community listed as 92% cleared the NSW BioNet Vegetation Classification Database lists this community (that is, it has less than 8% of its estimated distribution prior to pre- European extent estimates). - The Planning Proposal's Ecological Assessment indicates that the site does not contain | <p>Refer to Pages 18-20 of this letter, which explains how the Planning Proposal and associated master plan addresses, protects and enhances the bushland and vegetation on site, and addresses each of the matters raised by Council.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pgs.19, 24, 31, 32) and Attachment J.</p> <p>A response to the Bushfire issues raised in Councils Assessment Report is provided by ACS Environmental at Attachment 8.</p> |

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| <p>threatened ecological communities. This is incorrect as analysis of aerial photographs within the site, from 1943 to 2016, shows persistent vegetation within areas mapped by the NSW Office of Environment and Heritage as Sydney Turpentine Ironbark Forest (within the site). The vegetation assemblage, landscape and soils within these areas are consistent with the scientific determination of Sydney Turpentine Ironbark Forest under the NSW Biodiversity Conservation Act 2016. It is also consistent in that the determination recognises this community even within areas where the original forest or woodland structure no longer exist (i.e. individual remnant trees).</p> <ul style="list-style-type: none"> - The Planning Proposal provides an inconsistent and incomplete assessment regarding significant vegetation on site (including threatened ecological communities listed under the NSW Biodiversity Conservation Act 2016 and does not effectively demonstrate that the proposed development can be designed, sited and managed, to avoid potentially adverse environmental impact or, if that if a potentially adverse environmental impact cannot be avoided, that appropriate offsetting can be met. - The Planning Proposal will result in the removal of, or put at risk, a significant number of high category trees. The broad landscape planning provided within the Urban Design Report, does not provide sufficient detail to determine future canopy outcomes (including on site planting). | | |
| Planning Priority N22- Adapting to the impacts of urban and natural hazards and climate change | | |
| <ul style="list-style-type: none"> - The site is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that caters to people who | <p>Refer to Pages 12-16 of this letter, which explains in detail the bushfire assessments that have been carried out to address the impact of the Planning Proposal.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg. 16,19, 21, 24, 27, 31, 35, 38, 39,</p> |

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| <p>are particularly vulnerable in the event of a bushfire.</p> <ul style="list-style-type: none"> - The North District Plan notes that 'placing development in hazardous areas or increasing density of development in areas with limited evacuation options increases risk to people and property'. The Planning Proposal is inconsistent with this Planning Priority as it will result in an increase of a vulnerable population on this site, exposing them to bushfire risk and evacuation risks in the event of bushfire. | | <p>40) and Attachment D.</p> <p>A response to the Bushfire issues raised in Councils Assessment Report is provided by Eco Logical Australia at Attachment 10.</p> |
| Planning Priority N17 – Protecting and enhancing scenic and cultural landscapes | | |
| <ul style="list-style-type: none"> - The Planning Proposal is inconsistent with the Planning Priority as the proposed building heights, particularly located on the highest parts of the site, will rise above the prevailing tree canopy, and be inconsistent with the low-density area context with built form placed under the canopy. The amendments sought by the Planning Proposal will result in buildings extending above the tree canopy, impacting on the scenic landscape and cultural heritage landscape setting of Items including the adjacent Seven Little Australians Park. The protrusion of the built form above the canopy is not warranted as this site is distant from any local centre where such interruptions to the tree canopy are warranted as skylines marking key urban centres. | <p>Refer to Page 16-18 and 20-21 of this letter, which addresses how the Planning Proposal and master plan protects and enhances the scenic and cultural landscape values of the site.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.19, 31, 38) and Attachment I.</p> |

- **Is it consistent with a relevant local council strategy that has been endorsed by the Department?**

Community Strategic Plan 2030: Our Community. Our Future.

Ku-ring-gai Council’s local strategic plan, adopted in 2009 and revised in August 2015, is known as *Community Strategic Plan 2030: Our Community. Our Future*. The Strategic Plan is the outcome of consultation with residents, community groups, business and agencies and was undertaken by Council over the past four years. The aim of the plan is to provide long term direction for the delivery of community policies, programs and services.

The Strategic Plan recognises the LGA’s ageing population trend is “significantly higher than Greater Sydney” and the need to “provide aged care housing that will enable residents to age in place and have convenient access to day to day needs”.

The key strategic themes and objectives of the Plan, which were raised by Council as inconsistent or ‘incomplete’ have been considered and are addressed in the table below.

Table 3 - Response to Councils Assessment - Community Strategic Plan 2030

| Councils comments | Architectus/Stockland response | Further information |
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| <i>Theme 1 – Community, People and Culture</i> | | |
| <ul style="list-style-type: none"> - Ku-ring-gai has an ageing population and a key focus is providing appropriate housing, accessible services, facilities and infrastructure to meet the demands of this ageing population. - It is acknowledged that the Planning Proposal will provide additional housing for seniors within Ku-ring-gai to support the demand for the aging population, however, the housing for seniors needs to be appropriately located. - The Planning Proposal will provide for increase in seniors housing in an out of centres location, not supported by infrastructure, transport or services, and the site has overriding constraints of bushfire hazard, evacuation risks, and heritage and biodiversity. - The Planning Proposal has not addressed C7.1 An aware community able to prepare and respond to the risk to life and property from emergency events. The site is identified as Bushfire Prone Land, has constrained capacity to enable safe evacuation, and provides for a land use that caters to people who are particularly vulnerable in the event of a bushfire. | <p>The Planning Proposal and master plan present a genuine opportunity to renew an existing, but ageing seniors housing development, in a way that:</p> <ul style="list-style-type: none"> • Creates modern and accessible accommodation for residents, current and future; • Makes the site itself more accessible by foot; • Improves and enhances on-site services and facilities for the use of residents, meaning reliance on external facilities is lessened; • Ensures that when off-site services are needed, accessible transport to those locations is provided, either by public transport or private bus movements; and • Responds to the existing site constraints including bushfire hazard, evacuation risk, heritage and ecology. <p>Whilst increasing the number of people on site, the Planning Proposal will allow for enhanced outcomes for the site, allowing buildings to be redeveloped to meet contemporary bushfire standards with improved accessibility in a more safe and resilient environment. A new master planned village, with bushfire resilient building and other contemporary bushfire risk reduction measures is substantially safer than the existing vulnerable buildings and residents.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg. 16,19, 21, 24, 27, 31, 35, 38, 39, 40) and Attachment D.</p> <p>A response to the Bushfire issues raised in Councils Assessment Report is provided by Eco Logical Australia at Attachment 10.</p> |

| Theme 2 – Natural Environment | | |
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| <ul style="list-style-type: none"> - The natural environment is highly valued in Ku-ring-gai, especially the extent of bushland and biodiversity, and the established tree canopy. The Community Strategic Plan outlines that “development should not occur at the expense of the local natural character and no impact detrimentally on the local environment”. - The Planning Proposal provides an inconsistent and incomplete assessment regarding significant vegetation on site (including threatened ecological communities listed under the NSW Biodiversity Conservation Act 2016) and fails to effectively demonstrate that the development resulting from the proposed amendments can be designed, sited and managed to avoid potentially adverse environmental impact or if that a potentially adverse environmentally impact cannot be avoided that appropriate offsetting can be met. | <p>Refer to Pages 20-21 of this letter, which addresses how the Planning Proposal and master plan protects and enhances the scenic and cultural landscape values of the site, and addresses all relevant ecological considerations.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg. 19, 24, 31, 38) and Attachment I and Attachment J.</p> <p>A response to the Ecological and Biodiversity issues raised in Councils Assessment Report is provided by ACS Environment at Attachment 8.</p> |
| Theme 3 – Places, Spaces and Infrastructure | | |
| <ul style="list-style-type: none"> - The proposal shows limited understanding of the adjacent quality and intact bushland and heritage elements, associated existing high character value of the location, and of Council’s key and prevailing landscape character of buildings under the tree canopy within these types of low density areas. - The proposed heights permitting 3–7 storey buildings (11.5-24m), with the tallest being on the high point of the site, will clearly detract from the quality and identity of the area. - 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 | <p>Refer to Pages 16-18 of this letter, which describes out the heritage assessment undertaken for the site and its surrounds, and justifies how the Planning Proposal and Urban Design Report responds to this context.</p> <p>In addition, pages 8 and 20-21 outlines the height strategy and justifies why the proposed height are supportable from an urban design and planning perspective.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pgs. 15, 16, 22, 25) and Attachment A.</p> |

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| <p>warranting a departure from the local character.</p> <ul style="list-style-type: none"> - Headfort House has been identified as having local heritage significance, and it is considered that the proposed building height of 22m adjacent to this potential heritage item is excessive. | | |
| Theme 4 – Access, Traffic and Transport | | |
| <ul style="list-style-type: none"> - The site is not well located in terms of proximity to shops and services (such as supermarkets, pharmacies, medical centres), and frequent public transport in order to support the significant increase in residential density. The site is serviced by one infrequent bus service. - The future residents of this site and employees will likely be using cars to access jobs, basic services and facilities. Unless residents have access to a private vehicle and remain able to drive as they age, the site location presents as a barrier isolating the ageing residents from the services, facilities and community groups that this ageing population might access. - The site is not well located, resulting in heavy reliance on private vehicles and limited public transport | <p>Accessibility by public and private transport is provided at the site to a range of services in nearby local centres, as detailed on pages 21-23 of this letter. It also proposes a range of on-site services and facilities to support resident needs, as described on pages 23.</p> | <p>This is addressed in Part 3 of the Planning Proposal (pg.16, 23, 25, 30, 34) and Attachment C.</p> <p>A response to the Traffic and Transport issues raised in Councils Assessment Report is provided by Arup at Attachment 9.</p> |

- ***Is it 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?***

Seniors Housing is not being developed at a rate to meet future demand. Over the next 20 years there will be an additional 75,100 people over the age of 65 in the North District, with Ku-ring-gai LGA projected as one of the top three local government areas within the district with the largest projected increase in the 65-84 age groups (Pg 28 North District Plan, 2018). The proposal specifically responds to the changing demographic profile and the growing demand for seniors housing in Ku-ring-gai LGA.

There is a need to plan for an ageing population and increase seniors housing in Ku-ring-gai LGA. The proposal responds to this need, by delivering contemporary seniors housing, supported with modern facilities and improved services that allow more residents to age in place, within their local community.

Given the increasing demand for seniors housing, the renewal of existing seniors housing sites must be prioritised. The ability to secure large sites for seniors housing, in proximity to a local town centre, supported by public transport and established community and aged care facilities is a challenge. Therefore, the redevelopment of existing seniors housing presents an opportunity to increase seniors housing, provide greater housing choice in established areas, and deliver improved facilities and services to meet the needs of older residents.

Renewal and redevelopment of existing retirement villages will only occur if appropriate uplift in density can be achieved. Stockland are committed to delivering improved outcomes for residents, and this can only be achieved through a full redevelopment of the site. Critically, Stockland is placing the needs of existing residents first, ensuring no one has to leave the village during redevelopment and is seeking to deliver desired facilities and services that have been identified in the proposed master plan and in consultation with existing residents.

The Planning Proposal seeks to facilitate the renewal of the aged and outdated seniors housing at Lourdes Retirement Village, but importantly will address issues associated with ageing infrastructure and lack of facilities. The current community facilities are not up to current standards, either in terms of size or quality. We recognise the changing needs of residents who seek access to a wider variety of health and community facilities, and the Planning Proposal aims to improve the amenity and lifestyle available to residents through:

- A range of contemporary facilities, including new community facilities
- Retention of Headfort House
- A new village green open space that is accessible and provides a range of passive and active recreation opportunities
- New internal streets, footpaths and communal gardens that provide step-free access, and can be directly accessed by all residents
- Contemporary seniors housing that meets the requirements of retirees, including basement car parking, with lifts taking residents directly to their units.

G. Site-specific merit of the Planning Proposal

- ***Does the proposal have site-specific merit, having regard to the following?***

The Planning Proposal demonstrates site-specific merit for the reasons outlined below, and should therefore be supported.

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

The site has considered potential environmental impacts of the proposed redevelopment of Lourdes Retirement Village including impacts of surrounding development and bushland setting.

The site has considered potential environmental impacts of the proposed redevelopment of Lourdes Retirement Village, including impacts of surrounding development and bushland setting.

The following site-specific considerations have been made in the preparation of the Planning Proposal and master plan, and in various responses to Council:

- Heritage
The heritage context of the site has been taken into consideration and helped shape the master plan that has been submitted to support the Planning Proposal. **Pages 16-18** of this letter describes in detail how the Planning Proposal has addressed and responded to the heritage context, in the design of the master plan and in the proposed response to the surrounding heritage context.
- Bushfire hazards and evacuation
It is acknowledged that the site is located in a bushfire prone area. Detailed assessments have been carried out to demonstrate that the renewal of the site can occur without creating any additional risk to life, and in fact how the renewal of the site will improve the level of protection and safety for residents.
Pages 12-16 of this letter describes in detail how the Planning Proposal has addressed and responded to the bushfire and evacuation requirements of the RFS.
- Ecology
A thorough ecological assessment has been prepared to describe and assess the impact of the Planning Proposal on the ecological values of the site. **Pages 18-19** of this letter describes in detail how the Planning Proposal has addressed all necessary ecological matters.
- Tree retention and canopy
The heritage context of the site has been taken into consideration and helped shape the master plan that has been submitted to support the Planning Proposal. **Page 20** of this letter describes in detail how the Planning Proposal has addressed and responded to the heritage context, in the design of the master plan and in the proposed response to the surrounding heritage context.

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

The site is already developed for, and used as seniors housing. Given the limited number of large sites available for new seniors housing developments, particularly in areas with a rapidly ageing population, renewal and redevelopment of existing sites should be prioritised and encouraged.

Lourdes Retirement Village is located in proximity to Lindfield local centre (1.8km) supported by an efficient local bus service. The Planning Proposal will support renewal of an established senior's development community in Killara, allowing people to age in place, in an environment focused on local community.

It's important to note that the existing use (seniors housing) is no longer a permissible under the Ku-ring-gai LEP 2015. Given the need for a full redevelopment and increased density across the site to achieve a viable development outcome, the potential to achieve the proposed vision for the site under existing use rights is limited.

The site is surrounded by low density residential housing, with an established landscaped, garden suburb. In response, the proposal has been carefully designed to ensure future development is consistent with the local character, particularly the landscaped character along Stanhope Road and interface with surrounding bushland. This has resulted in the tallest buildings being located in the centre of the site to minimise visual impacts and create a transition to existing low density residential development along Stanhope Road. The master plan includes a large, landscaped setback along Stanhope Road through the retention of existing native vegetation and generous landscaped setbacks to surrounding residential development, including a landscaped boundary around the perimeter of the site.

The proposed development has been designed to minimise visual impacts from surrounding viewpoint locations and has been designed and tested to ensure future development does not create any unreasonable amenity impacts on adjoining development and heritage items. The Visual Impact Assessment in the Urban Design Report (**Attachment A**) demonstrates that the proposed development would not be visible from Seven Little Australians Park and Swains Gardens, and that views of the development from surrounding locations are minimal.

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 proposed rezoning of the site will not change the use of the site, but rather enable the delivery of high quality seniors housing to meet the needs of the existing and future community. The proposed master plan includes significant community facilities and open space to be provided on site to support seniors housing including over 1,500m² of new community facilities including an indoor pool, lounge area, gymnasium, theatre art studio, dance and exercise studio and bar facilities and new communal open space. It is noted that this will need to be further evidenced by any subsequent detailed design application for the site.

The master plan for the site also proposes redevelopment of the community hub, realignment of the internal streets, improved landscaping and upgrades to services and facilities. This will significantly improve the range of facilities available to residents and visitors on-site and as a result reducing demand for off-site journeys. In addition, Stockland are willing to provide an on-demand shuttle bus service, which would provide residents with increased access to shops, services and entertainment venues, further reducing the need for private vehicle trips.

Stockland welcomes the opportunity to work with Council, Transport for NSW and the RMs in relation to roads, traffic and transport at subsequent development application stages.

H. A response to issues outlined in Councils resolution

The table below lists the reasons that Council resolved not to support the Planning Proposal, as well as a summary of the way the Planning Proposal responds to these matters.

Table 4 - Response to Council Resolution

| Theme | Reason for refusal | Response | Further information |
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| <i>Bushfire</i> | <p><i>High bushfire risks due to the proximity of the site to open bushland</i></p> <p><i>High bushfire evacuation risks related to aged and vulnerable residents with Seniors Housing</i></p> | <p>Page 12-16 provides a detailed response to this matter. It is reiterated that the Planning Proposal was never referred by Council to the Rural Fire Service (RFS) for comment.</p> | <p>This is addressed in Part 3, Section A of the Planning Proposal and at Attachment D.</p> <p>Supplementary bushfire advice is attached at Attachment 10.</p> |
| <i>Public transport and services</i> | <i>Limited access to public transport and services</i> | Public transport services, and the provision of on-site support services and facilities, is discussed in detail on pages 21-23 of this letter. | This is addressed in Part 3, Section A of the Planning Proposal and at Attachment C . |
| <i>Heritage</i> | <i>Impacts on the locality's heritage significance, Items and Conservation Area</i> | Refer to Page 16-18 of this letter, which sets out the heritage assessment of the site and its surrounds, and how the Planning Proposal and Urban Design Report responds. | This is addressed in Part 3, Section A of the Planning Proposal and at Attachment E and F . |
| <i>Interface impacts</i> | <i>Interface impacts on adjacent low-density dwellings, Stanhope Road and bushland</i> | Pages 16, 20, 37-38 of this letter describes how the master plan has been designed to ensure a range of heights can be accommodated within the site, whilst providing a sensitive design interface to adjoining residential dwellings and bushland. | This is addressed in Part 3, Section A of the Planning Proposal and at Attachment A . |
| <i>Strategic merit</i> | <i>Lack of strategic merit and inconsistencies with the KLEP 2015 and Ku-ring-gai Community Strategic Plan</i> | <p>Section F of this letter has explained and justified why we believe the Planning Proposal has demonstrated strategic merit.</p> <p><u>Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)</u></p> <ul style="list-style-type: none"> - The subject site is currently zoned R2 Low Density Residential, which does not allow <i>seniors housing</i> as a permissible use. Land surrounding the site is also zoned R2 Low Density Residential, with single and two storey detached housing located immediately west of the site and to the north along Stanhope Road. - Land to the south and east of the site is zoned E2 Environmental Conservation which contains native bushland with associated heritage items and heritage conservation area. In addition, the KLEP | This is addressed in Part 3, Section B in the Planning Proposal |

| Theme | Reason for refusal | Response | Further information |
|------------------------|--|---|--|
| | | <p>Terrestrial Biodiversity Map shows the extent of terrestrial biodiversity in the area, which also includes the surrounding bushland area, however not the subject site itself.</p> <ul style="list-style-type: none"> - The Planning Proposal is limited to development for seniors housing. Councils preferred approach to rezone the site to R3 Medium Density Residential will ensure residential flat buildings are not a permissible use (with consent), ensuring the proposed development will not set a precedent within Ku-ring-gai for out of local centres higher density development. <p><u>Ku-ring-gai Community Strategic Plan 2030 (CSP)</u> Pages 33-35 of this letter describes the Planning Proposal's consistency with the Ku-ring-gai Community Strategic Plan 2030 (CSP).</p> | |
| <i>Strategic merit</i> | <i>Lack of strategic merit and inconsistencies with the North District Plan and Greater Sydney Regional Plan</i> | Section F (including Table 1 and Table 2) of this letter describes the objectives and actions of these strategic documents, and the consistency of the Planning Proposal with those objectives. | This is addressed in Part 3, Section B in the Planning Proposal |

I. Conclusion

Stockland request that the North District Planning Panel undertake a review of this Planning Proposal. We are of the view that matters raised by Council through consultation prior to lodgment were addressed in the Planning Proposal that was ultimately lodged with Council.

At no point thereafter did Council request additional information or raise any matters for discussion that were outlined in their reasons for refusal.

We believe that the Planning Proposal as lodged, demonstrates sound strategic and site- specific merit and that further matters can be addressed as part of a Gateway Determination and through appropriate consultation with relevant authorities.

J. Attachments

Attachment 1: Planning Proposal (and supporting documents) – Under separate cover

Attachment 2: A Chronology of consultation with Council and Key Stakeholders

Attachment 3: Meeting Minutes with Council prepared by Architectus, dated 27 October 2015

Attachment 4: Meeting Minutes with Council prepared by Council, dated 07 December 2016

Attachment 5: Agenda of Councils Ordinary Meeting and Councils Assessment Report, dated 22 May 2018

Attachment 6: Minutes from Councils Ordinary Meeting, dated 22 May 2018

Attachment 7: Letter from Council notifying Stockland of Council's decision, dated 24 May 2018

Attachment 8: Letter of Advice in Response to Councils Ecological Comments, dated 28 June 2018

Attachment 9: Letter of Advice in Response to Councils Traffic and Transport Comments, dated 28 June 2018

Attachment 10: Letter of Advice in Response to Councils Bushfire Comments, dated 29 June 2018

Attachment 1 – Planning
Proposal (Refer to Folder 1 –
Attachments A – R for
supporting documents)

Attachment 2 – A Chronology of consultation with Council and Key Stakeholders

Attachment 3 – Meeting Minutes with Council, dated 27 October 2015

Attachment 4 – Meeting
Minutes with Council, dated
07 December 2016

Attachment 5 – Agenda of Councils Ordinary Meeting and Councils Assessment Report

Attachment 6 – Minutes from
Council's Ordinary Meeting,
dated 22 May 2018

Attachment 7 – Letter from
Council Notifying Stockland
Councils Decision, dated 24
May 2018

Attachment 8 – Letter of
Advice in Response to
Councils Ecological
Comments, dated 28 June
2018

Attachment 9 – Letter of
Advice in Response to
Councils Traffic and Transport
Comments, dated 28 June
2018

Attachment 10 – Letter of
Advice in Response to
Councils Bushfire Comments,
dated 29 June 2018