

19 April 2023

Mr. Daniel Miliken
A/Manager, Development Assessment Team
Northern Beaches Council
PO Box 82
Manly NSW 1655

Via email: kye.miles@northernbeaches.nsw.gov.au

Dear Kye,

RE: PPSSNH-332 Modification Application Mod2022/0289, 181 Forest Way, Belrose.

This letter is written on behalf of Regis Aged Care (Regis), as the owners of 181 Forest Way, Belrose (the site). It seeks to support Council's recommendation for approval of application Mod2022/0289, and to provide clarification on minor matters to assist procedurally with the development of the site.

It is important to note that the applicant (Regis) only recently acquired the site, with the court approval already in place. Regis are therefore seeking to make minor amendments to the approved plans in order to better-align with their service model and operational requirements. Regis intend to operate the development consent imminently – with construction work planned by the end of the year.

This letter should be read in connection with the following documents:

- **Appendix A:** Ground Floor Plans by Morrison Design Partnership
- **Appendix B:** Lower Ground Floor Plans by Morrison Design Partnership
- **Appendix C:** Site Plans by Morrison Design Partnership
- **Appendix D:** Parking Provision Statement by Traffix

Proposed Modification

The proposal seeks four additional visitor parking spaces (including one accessible space) adjacent to the four approved visitor parking spaces at 'ground level' within the front setback (refer to **Figure 1** and **Figure 2**). Despite ongoing discussions with Council officers, we note that Council maintains objection to the additional visitor parking being provided within the front setback.

Locating visitor parking spaces at ground level will allow for improved accessibility and user experience. Many visitors to aged care facilities are occasional, and often unfamiliar with such sites. Providing clear visitor spaces close to the entrance of the site will allow for improved wayfinding. The spaces will ensure that fewer visitors will require access to the basement car park (thereby improving site security). Furthermore, reducing the number of visitors requiring access to the basement will make it easier to manage building access during health outbreaks such as influenza, covid, or gastroenteritis – as all visitors will have to report to the main reception where it is easier to impose controls.

Level 12, 179 Elizabeth St, Sydney NSW 2000 | **ABN:** 37 1488 46806

T: 02 8667 8668 | **F:** 02 8079 6656

E: info@mecone.com.au | **W:** mecone.com.au

Their location has been carefully selected to minimise impact on landscaping - the four visitor spaces will be 1.8m below street level and screened by increased planting within landscape beds, when compared with the court approval.

Overall, the proposal will only provide a surplus of four car parking spaces (one of which is to be provided as accessible) which is negligible in the context of the development for a Residential aged care facility comprising 105 beds. It is important to note that the site **is not** located within proximity to other roads which could accommodate on-street parking (refer to **Appendix D** - Parking Provision Statement). Oates Place is the nearest street, approximately 350m away, and on-street parking here would adversely impact the amenity for residents. Alternatively, Ralston Avenue, situated approximately 130 metres south but is not considered appropriate or safe for visitors given that it is on the west side of Forest Way, and the lack of pedestrian crossing infrastructure would result in approximately 1.1km total waking distance to the site. It is therefore essential on-site visitor parking meets the anticipated operational needs within the site itself.

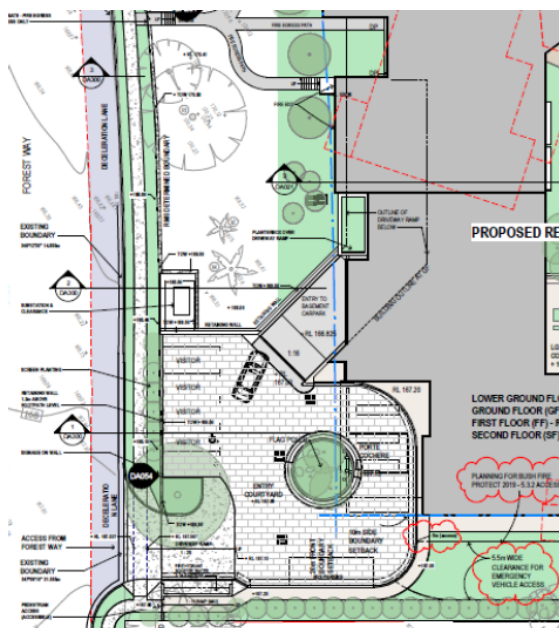


Figure 1 Approved front setback (Source: Morrison Design Partnership)

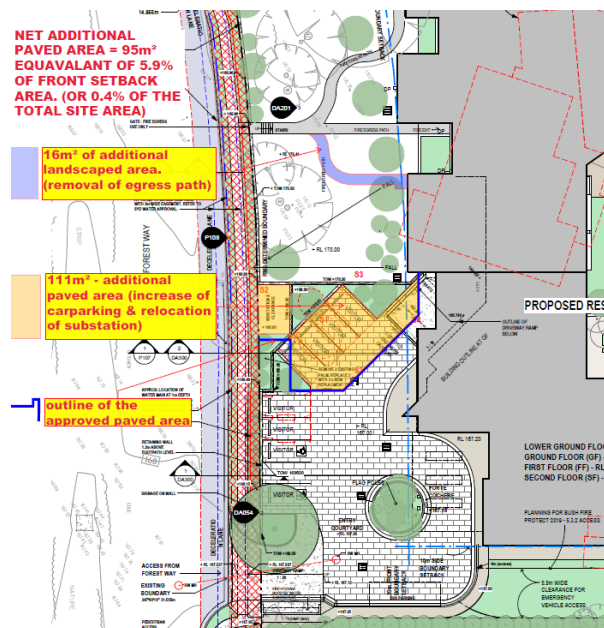


Figure 2 Proposed amended front setback (annotated)

Source: Morrison Design Partnership

Conditions of the Court Consent

Several conditions of the Court consent prevent substantial landscape planting within the approved front setback - regardless of the location of the four visitor parking spaces.

Relevant conditions include;

- Sydney Water pipeline (condition 1)
- Approved Plans and Supporting Documentation (condition 2)
- RMS conditions (conditions 5(1) and 5(6))
- Bushfire Asset Protection Zones (condition 7)

These conditions require the inclusion of the deceleration lane and a Sydney water pipeline directly along the front of the site, both of which will prevent the retention of existing landscaping, (and it's replacement) along Forest Way.

Condition 7 (Compliance with Bushfire Consultants Recommendations) requires:

All bushfire related measures are to be implemented at the appropriate stage of development in accordance with the approved Bushfire Protection Assessment Report as revised by Travers Bushfire and Ecology dated September 2020 and specifically:

1. At the commencement of building works and in perpetuity the APZ, as depicted in Schedule 1 – Bushfire Protection Measures prepared by Travers bushfire & ecology ref: 18MORR02, dated 7/9/20, shall be **managed as an inner protection area (IPA)** as outlined within section 4.2.7 and Appendix 5 of Planning for Bush Fire Protection 2006.

The front setback is therefore required by to be managed as Asset Protection Zone (APZ), Inner Protection Area (IPA) (see **Figure 3** below). Section 4.2.7 of the Planning for Bushfire Protection 2006 identifies that certain types of development (ie seniors living) have occupants who are **highly vulnerable** to bush fire events. It requires APZ's to be managed and maintained, and vegetation to be managed to prevent flame contact or radiant heat to buildings. Appendix 5 of Planning for Bushfire Protection 2006 requires that landscape within APZ's should include:

- **maintaining a clear area of low cut lawn or pavement adjacent to the house;**
 - **keeping areas under fences, fence posts and gates and trees raked and cleared of fuel;**
 - **utilising non-combustible fencing and retaining walls;**
 - **breaking up the canopy of trees and shrubs with defined garden beds;**
 - **organic mulch should not be used in bush fire prone areas and non flammable material should be used as ground cover, eg Scoria, pebbles, recycled crushed bricks.**
 - **planting trees and shrubs such that:**
 - **the branches will not overhang the roof;**
 - **the tree canopy is not continuous; and**
 - **there is a windbreak in the direction from which fires are likely to approach**
- (Our emphasis)

This management approach is supported by the most recent terms of approval issued by RFS on 12 February 2023 in response to the modification application.



Figure 3 Inner Protection Area (green), Outer Protection Area (blue)

Source: Travers Bushfire & Ecology

In view of the above, the location of the proposed additional parking spaces **cannot** provide substantial landscaping regardless of whether the additional visitor parking is provided or not. Rather, the location of the proposed car parking spaces will assist with APZ management. The landscape treatment adjacent to the proposed parking spaces has been designed to optimise the balance between bushfire hazard management and landscape softening/screening fronting Forest Way.

The management constraints of the Inner Protection Area (Part A2.2 of the Planning for Bushfire Protection 2006) also impose a maximum 15% tree canopy coverage for the site, the proposal is already at this limit - noting that additional trees are proposed along the southern façade and to the front setback where possible (see **Appendix C**). The applicant is therefore unable (owing to the conditions of the Court consent) to provide any more additional trees within the front setback.

Landscape Quality

The modification updates the court-approved landscaping to increase the soft-landscape within the front setback by 16m² (by removal of an egress path) and increase the additional hardstand paved area by 111m² (by including four visitor spaces and substation relocation). This would only increase the paved area of the front setback by 5.9% - which is **just 0.4% of the total site area**.

The proposal successfully minimises carparking as it only locates 8 of 49 spaces (16%) of spaces at ground level, and all of the spaces within the front setback are visitor parking. The remainder of car parking spaces are provided within the basement. Importantly, the extent of the basement has been reduced as part of this modification and no longer extends beyond the north façade of the building. This **increases the total deep soil on the site by 190m²** (see **Figure 4** below).

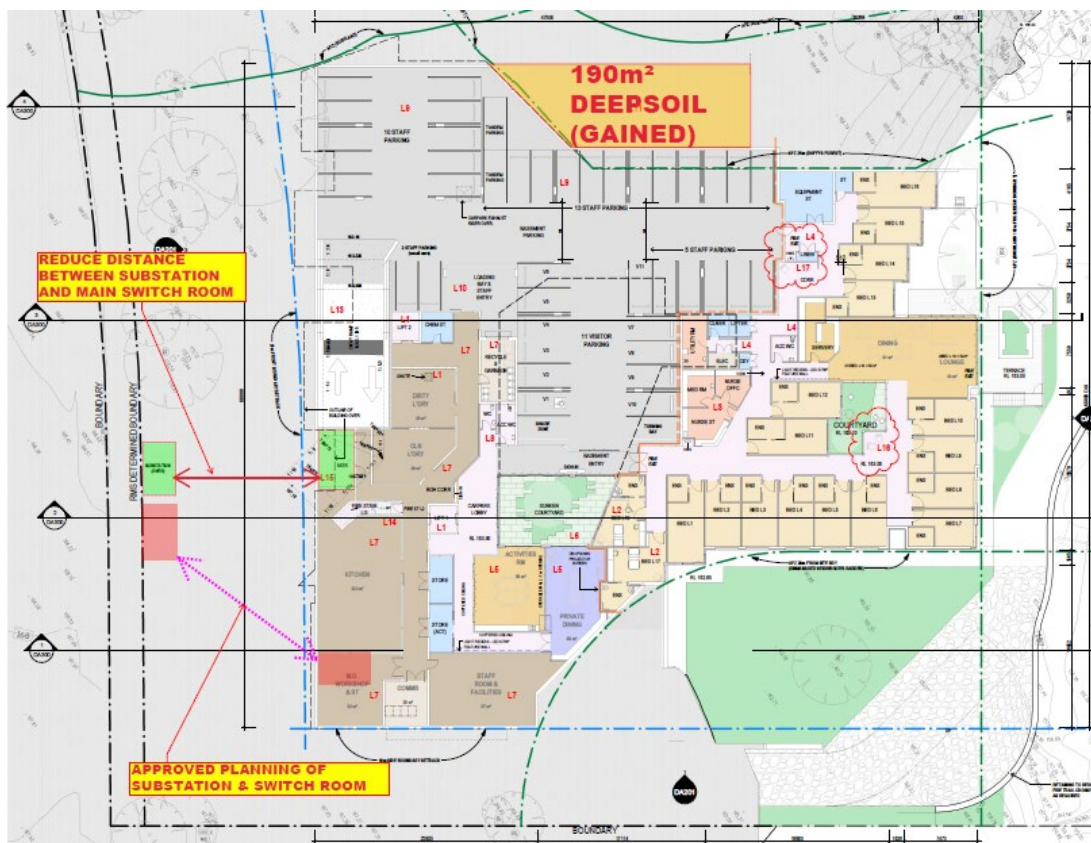


Figure 4 Proposed amended Lower Ground Floor
Source: Morrison Design Partnership

The approved front visitor parking level is 1.8m below street level, this level change increases further north with the natural slope of Forest Way. The level change, along with the location of the substation (and balustrade), and the approved landscaping ensures that the four additional visitor spaces will be largely imperceptible from Forest Way. **Figure 5** below provides a section showing the level change through the additional 4 visitor spaces.

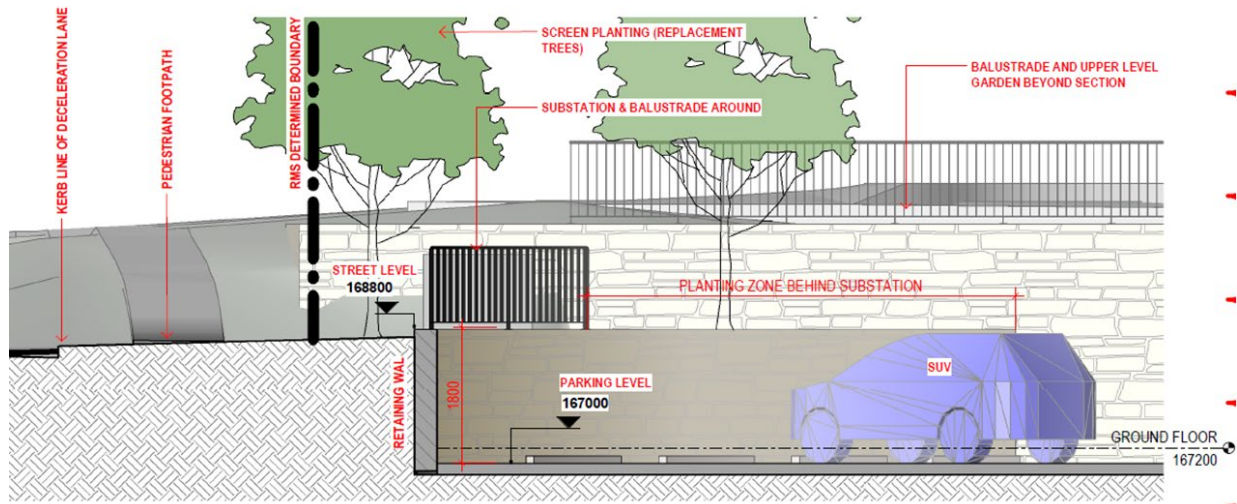


Figure 5 Section through proposed visitor parking spaces
Source: Morrison Design Partnership

Impact on Amenity

The location of the visitor car parking will not result in any impact to residential amenity given that it would be sited close to the front-of-house and reception facilities – not residential rooms. Rather, it will facilitate additional visitor parking (including accessible parking) at ground level and close to the main entrance.

Draft Conditions

In light of the aforementioned matters, **we request that condition 11A of council's draft determination is deleted**. This condition requires amended plans to remove the four proposed visitor parking spaces, with access to remain as approved by the Court.

Draft condition 11A is as follows :

A. 11A - Amendments to the approved plans

The following amendments are to be made to the approved plans:

- The additional ground level visitor parking is to be deleted from the plans (including but not limited to architectural, landscape and stormwater).

For clarity, no further encroachment within the front setback is approved under this application. Ground level parking and basement access is to remain as approved under DA2018/1654.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

We highlight that the modification includes a minor amendment to the location of the basement access ramp (see blue outline at **Figure 6**). This has improved the ground floor resolution and efficiency and allows for additional internal storage, with only minor layout changes to four ground floor bedrooms. These changes are supported by Council, however condition 11A requires the access ramp to revert to the court-approved location. We submit that the revised basement access ramp delivers significant benefit to the efficiency of the ground floor, with negligible environmental impact. We therefore request that Condition 11A is deleted as there are no unreasonable impacts on surrounding land.

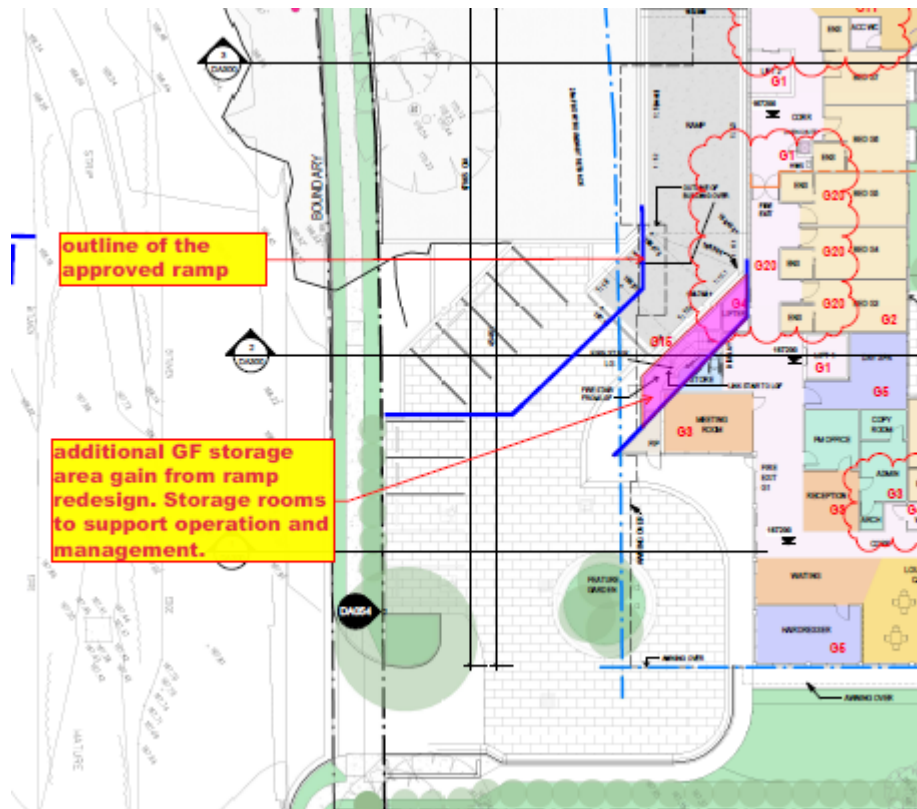


Figure 6 Modification to Access Ramp
Source: Morrison Design Partnership

Conclusion

Given the circumstances of the site, the requirements of the conditions of the Court consent, and the proposed use of the site, the proposed cl4.56 modification remains substantially the same as the Court determination. We submit that the proposed modifications will enhance the amenity for future residents and visitors, to meet with Regis' service model and operational requirements, whilst maintaining a high quality, and appropriate landscaped setback.

We respectfully request that SNPP consider the above information in determining the application. In the event that any further clarifications are required, please do not hesitate to contact me on 0403 767 555.

Yours sincerely,



Gemma Bassett

Associate