

Application No: PLM2016/0097

Meeting Date: 13 October 2016

Property Address: Lot 3 in DP 805710, No. 181 Forest Way, Belrose

Proposal: Construction of an aged care facility

Attendees for Council: Rod Piggott – Planning Assessment Manager
Tony Collier – Senior Planner
Sean Khoo – Specialist Development/Drainage Engineer
Ben Fallowfield – Senior Environment Officer (Creeks)
Joseph Horvath – Environment Officer (Bushland)
Catriona Shirley – Environment Officer (Systems/Planning)

Attendees for applicant: Markham Ralph – Morrison Design Architects
Frank Moschella – Trinity Management
John Caputo
Nigel White – Planning Direction
Vee Chris – Morrison Design Architects

General Comments:

All applications are assessed on individual merit, however a failure to comply with Council or a State Planning controls will generally indicate an over development of the site and may result in adverse impacts upon adjoining and nearby land and the streetscape.

You are advised to carefully read these notes. If there is an area of concern or non-compliance, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.

Council will seek to ensure that the development of land meets all provisions of all legislation and the relevant Environmental Planning Instrument/s, in addition to providing appropriate levels of amenity to surrounding and nearby lands.

Failure to achieve this may ultimately lead to the refusal of any application lodged without notice.

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The development may be made pursuant to *State Environmental Planning Policy (Housing for seniors or People with Disability) 2004* (the SEPP) or the Warringah Local Environmental Plan 2000.

However, the Statement submitted as part of the Pre-Lodgement does not indicate if the proposal will be made pursuant to the SEPP of the Warringah Local Environmental Plan 2000 (WLEP 2000). However, the Statement only addresses the provision of the WLEP 2000.

In this regard, only certain clauses of the SEPP are relevant to the assessment of the Application. Any clauses within the SEPP which are prefaced for their operation with the words *'development application made pursuant to this chapter'* would not be relevant to the application (if lodged pursuant to WLEP 2000) as per the NSW Land and Environment Court decision of Talbot J on 31 May 2004, in *Mete v Warringah Council (2004 NSWLEC 273)*.

Therefore, any application is required to address the relevant clauses of the SEPP.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2000

'The fundamentals'	
Definition of proposed development: (ref. WLEP 2000 Dictionary)	Housing for older people or people with disabilities means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with disabilities, whether or not it is also used to accommodate people who live with older people or people with disabilities, or staff who are employed to assist in the administration of and provision of services to such housing. Housing for older people or people with disabilities may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained dwellings, or a combination of these, but does not include a hospital or a group home.
Locality:	B2 Oxford Falls Valley
Category of Development:	Category 2

Desired Future Character
<p>The Desired Future Character Statement (DFC) for this locality is as follows:</p> <p><i>"The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.</i></p> <p><i>Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.</i></p> <p><i>The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.</i></p> <p><i>A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.</i></p>

Desired Future Character
<p><i>Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.</i></p> <p><u>Comment</u></p> <p>The issue of detached style housing and low impact and low intensity development was discussed at length in the meeting, where it was recommended that the proposal be amended to provide for greater physical separation and articulation of the built form of the proposed buildings to be consistent with this aspect of the DFC.</p> <p>As such, it is recommended that the development be designed to provide an outcome that is compatible and consistent with the surrounding detached style development, so that it satisfies the becomes a low impact, low intensity use and that it satisfactorily addresses concerns raised by Council.</p> <p>Furthermore, due to the extent of associated works required to the surrounding natural environment as a result of the management of bushland as an APZ, it is considered that the development would have a high impact and would therefore be inconsistent with the Desired Future Character Statement.</p>

Built Form Control Compliance Table			
Built Form Control	Permitted	Proposed	Comment
Housing Density	Refer to Clause 29 in the following table		
Building Height Overall	Refer to Clause 29 in the following table		
Building Height Natural ground to upper ceiling	7.2m	7.0m to 10m	Does not comply Given the scale and predominant building heights of development in the local area the overall building height is to comply with the requirements of this control.
Front Setback Forest Way Road Reserve (North)	20m 10m	14.6m to 53.2m 8.7m to 39.5m	Does not comply The minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences. The development proposes elements of the building within the front setback areas which are not supported. Given the bushland setting of the local area, compliance with the front setback built form control is to be achieved.
Landscape Open Space	Refer to Clause 29 in the following table		
Rear Setback	10m	99.5m to 124m	Complies
Side Setbacks South	10m	1.0m to 2.0m	Does not comply The side setback area is to be

Built Form Control Compliance Table			
Built Form Control	Permitted	Proposed	Comment
			landscaped and free of any structures, carparking or site facilities other than driveways and fences. The development proposes carparking within the side setback area which is not supported. Given the bushland setting of the local area, compliance with the side setback built form control is to be achieved.

Clause 29 On what grounds can applications for housing for older people or people with disabilities not be refused?			
Control	Permitted	Proposed	Comment
(2)(a) Building Height	8.0m	7.0m to 10m	Does not comply Given the scale and predominant building heights of development in the local area the overall building height is to comply with the requirements of this clause.
(2)(b) Density and Scale	0.5:1 or less or 0.75:1 or less Note: 0.75:1 is only applicable for residential care facilities located within 400 metres walking distance of a public transport node (being a public transport facility such as bus stop that is serviced on a frequent and regular basis in daylight hours)	0.33:1	Compliant based upon the GFA figures provided on the plan.
(2)(c) Landscaped Area	3,525m ² (25m ² of landscaped area per hostel or residential care facility bed is to be provided)	Insufficient information provided	A full site plan was not provided which enabled assessment of the landscaped area. Notwithstanding, the provision of landscaped area is to be provided in accordance with the area requirements of this clause.
(2)(d) Parking	1 space/10 beds 1 space/2 staff 1 space/ambulance	20 spaces 13 spaces 1 space/ambulance	Information relating to staff numbers was not provided and compliance was not able to be determined.

Clause 29 On what grounds can applications for housing for older people or people with disabilities not be refused?			
Control	Permitted	Proposed	Comment
			Notwithstanding, the provision of on-site carparking is to comply with this clause.
(2)(e) Visitor Parking	N/A	N/A	N/A
(2)(f) Landscaped Areas	3,135m ² (Soil of a sufficient depth to support the growth of trees and shrubs on an area (preferably located at the rear of the site) of not less than the width of the site multiplied by 15% of the length of the site)	Insufficient information provided	A full site plan was not provided which enabled assessment of the landscaped area. Notwithstanding, the provision of soil of a sufficient depth to support the growth of trees and shrubs is to be provided in accordance with the area requirements of this clause.
(2)(g) Private Open Space for In-Fill Housing	N/A	N/A	N/A

Applicable General Principles of Development Control	
<p>Division 1 General</p> <p>38 Glare and reflection</p> <p>40 Housing for older people or people with disabilities</p> <p>42 Construction sites</p>	<p>38 Glare and reflection</p> <p>Development is not to result in overspill or glare from artificial illumination, or sun reflection, which would unreasonably diminish the amenity of the locality.</p> <p>40 Housing for older people or people with disabilities</p> <p>Development is to comply with the requirements of Clause 40 and Schedule 16.</p> <p>42 Construction Sites</p> <p>Construction sites are not to unreasonably impact on the surrounding amenity, pedestrian or road safety, or the natural environment.</p> <p>In particular:</p> <ul style="list-style-type: none"> • adequate areas are to be allocated for the handling and storage of materials which are safe and do not interfere with pedestrian and traffic movement, • the timing, frequency, and routes of construction vehicle movements are to be safe and minimise impact on roads, pedestrian and traffic movement and surrounding residents, • construction waste is to be minimised, legally handled, transported and disposed of, • dedicated safe pedestrian access is, at all times, to be provided around the site, and • construction sites will be managed to ensure air and water borne pollutants such as noise, dust, odour and liquids and the like are minimised.

Applicable General Principles of Development Control	
<p>Division 2 Health and safety</p> <p>43 Noise 44 Pollutants</p>	<p>43 Noise</p> <p>Development is not to result in noise emission which would unreasonably diminish the amenity of the area and is not to result in noise intrusion which would be unreasonable to the occupants.</p> <p>In particular:</p> <ul style="list-style-type: none"> • noise from the combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise level by more than 5 dB (A) when measured in accordance with the Environment Protection Authority's Industrial Noise Policy at the receiving boundary of residential and other noise-sensitive land uses, and • development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise, and • waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10 pm and 6 am. <p>44 Pollutants</p> <p>No development is to be carried out which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the use from existing or likely future development on other land in the locality), would result in the emission of atmospheric (including odours), liquid or other pollutants which would unreasonably diminish the amenity of adjacent properties, the locality or waterways.</p>
<p>Division 3 Public domain</p> <p>50 Safety and security 52 Development near parks, bushland reserves and other public open spaces 53 Signs</p>	<p>50 Safety and security</p> <p>Development is to maintain and where possible enhance the safety and security of the locality.</p> <p>In particular:</p> <ul style="list-style-type: none"> • buildings are to overlook streets as well as public and communal places to allow casual surveillance, • service areas and access ways are to be either secured or allow casual surveillance, • there is to be adequate lighting of entrances and pedestrian areas, • after hours land use activities are to be located along primary pedestrian routes, • public toilets, telephones and other public facilities are to be located so as to have direct access and to be clearly visible from well trafficked public spaces, and • entrances to buildings are to be from public streets wherever possible. <p>52 Development near parks, bushland reserves and other public open spaces</p> <p>Development adjacent to parks, bushland reserves</p>

Applicable General Principles of Development Control	
	<p>and other public open spaces, including land reserved for public open space, is to complement the landscape character and public use and enjoyment of that land.</p> <p>In particular:</p> <ul style="list-style-type: none"> • where appropriate, housing is to front public open spaces, • public access to public open spaces is to be maximised, • buildings are to be located to provide an outlook to public open spaces, without appearing to privatise that space, • development is to provide a visual transition between open space and buildings including avoiding abutting public open spaces with back fences, • views to and from public open spaces are to be protected, and • buffers for bushfire protection are to be provided on private land and not on public land. <p>If public open space or land reserved for public open space contains bushland, development on that land is not to threaten the protection or preservation of the bushland.</p> <p>See separate comments from Natural Environment Unit (Biodiversity) later in these Notes.</p> <p>53 Signs</p> <p>The number, size, shape, extent, placement and content of signs are to be limited to the extent necessary to:</p> <ul style="list-style-type: none"> • allow the reasonable identification of the land use, business, activity or building to which the sign relates, and • ensure that the sign is compatible with the design, scale and architectural character of the building or site upon which it is to be placed, and • ensure that the sign does not dominate or obscure other signs or result in visual clutter, and • ensure that the sign does not endanger the public or diminish the amenity of nearby properties.
<p>Division 4 Site planning and building design</p> <p>54 Provision and location of utility services</p> <p>56 Retaining distinctive environmental features on sites</p> <p>57 Development on sloping land</p> <p>58 Protection of existing flora</p> <p>60 Watercourses and aquatic habitat</p> <p>61 Views</p> <p>62 Access to sunlight</p> <p>65 Privacy</p>	<p>54 Provision and location of utility services</p> <p>Utility services must be provided to the site of the development, including provision for the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</p> <p>Utility services including service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets. Where possible, underground utility services are to be provided in a common trench.</p> <p>The development must be connected to Sydney</p>

Applicable General Principles of Development Control

66 Building bulk
67 Roofs
68 Conservation of energy and water
69 Accessibility—premises available to the public
70 Site facilities

Water's sewerage system.

56 Retaining distinctive environmental features on sites

Development is to be designed to retain and complement any distinctive environmental features of its site and on adjoining and nearby land.

In particular, development is to be designed to incorporate or be sympathetic to environmental features such as rock outcrops, remnant bushland and watercourses.

See separate comments from Natural Environment Unit (Biodiversity) later in these Notes.

57 Development on sloping land

On sloping land, the height and bulk of development, particularly on the downhill side, is to be minimised and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope.

In particular:

- the amount of fill is not to exceed more than 1 metre in depth, and
- fill is not to spread beyond the footprint of the building, and
- excavation of the landform is to be minimised.

The geotechnical stability of sloping land to support development is to be demonstrated.

(Note: Consent must not be granted for development involving the erection of a structure, including additions to an existing structure, on land identified as being potentially subject to landslip on the Landslip Hazard Map unless the consent authority has considered a report from a suitably qualified engineer as to the geotechnical stability of the land to support such development and an assessment of stormwater prepared by a suitably qualified hydraulic engineer).

58 Protection of existing flora

Development is to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species.

See separate comments from Natural Environment Unit (Biodiversity) later in these Notes.

60 Watercourses and aquatic habitat

Development is to be sited and designed to maintain and enhance natural watercourses and aquatic habitat.

61 Views

Development is to allow for the reasonable sharing of

Applicable General Principles of Development Control

views.

62 Access to sunlight

Development is not to unreasonably reduce sunlight to surrounding properties.

In the case of housing:

- sunlight, to at least 50% of the principal private open spaces, is not to be reduced to less than 2 hours between 9 am and 3 pm on June 21.

65 Privacy

Development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwellings.

In particular:

- the windows of the development are to be located so they do not provide direct and close views (i.e. from less than 9 metres away) into the windows of other dwellings.

66 Building bulk

Buildings are to have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, unless the applicable Locality Statement provides otherwise.

In particular:

- side and rear setbacks are to be progressively increased as wall height increases,
- large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief, and
- appropriate landscape plantings are to be provided to reduce the visual bulk of new buildings and works.

The proposed built form is considered to be inconsistent with the requirements of the DFC in that it does not respond to detached style dwellings nor is it considered to be low impact/low intensity.

67 Roofs

Roofs are to complement the local skyline. Lift overruns and other mechanical equipment is not to detract from the appearance of roofs.

68 Conservation of energy and water

Development is to make the most efficient use of energy and water.

In particular:

- the orientation, layout and landscaping of buildings and works and their sites are to make the best use of natural ventilation, daylight and solar energy,
- site layout and structures are to allow

Applicable General Principles of Development Control

	<p>reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties,</p> <ul style="list-style-type: none"> • buildings are to minimise winter heat loss and summer heat gain, • landscape design is to assist in the conservation of energy and water, • reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks. <p>69 Accessibility—premises available to the public The siting, design and construction of premises available to the public are to ensure an accessible continuous path of travel, so that all people can enter and use the premises. Such access is to comply with the requirements of the <i>Disability Discrimination Act 1992</i> of the Commonwealth and with <i>Australian Standard AS 1428.2—1992, Design for access and mobility—Enhanced and additional requirements—Buildings and facilities</i>.</p> <p>70 Site facilities Site facilities including garbage and recycling bin enclosures are to be adequate and convenient for the needs of users and are to have minimal visual impact from public places. In particular:</p> <ul style="list-style-type: none"> • waste and recycling bin enclosures are to be adequate in size, durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection
<p>Division 5 Traffic, access and carparking</p> <p>71 Parking facilities (visual impact) 72 Traffic access and safety 73 On-site loading and unloading 75 Design of carparking areas</p>	<p>71 Parking facilities (visual impact)</p> <p>72 Traffic access and safety Vehicle access points for parking, servicing or deliveries, and pedestrian access, are to be located in such a way as to minimise:</p> <ul style="list-style-type: none"> • traffic hazards, and • vehicles queuing on public roads, and • the number of crossing places to a street, and • traffic and pedestrian conflict, and • interference with public transport facilities. <p>See separate comments from the Traffic Engineer later in these Notes.</p> <p>73 On-site loading and unloading Facilities for the loading and unloading of service, delivery and emergency vehicles are to be appropriate to the size and nature of the development.</p>

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	<p>On-site facilities are to be screened from public view and designed so that service vehicles may enter and leave in a forward direction.</p> <p>75 Design of carparking areas Carparking is to:</p> <ul style="list-style-type: none"> • avoid the use of mechanical car stacking devices, and • not be readily apparent from public spaces, and • provide safe and convenient pedestrian and traffic movement, and • include adequate provision for manoeuvring and convenient access to individual spaces, and • where possible, enable vehicles to enter and leave the site in a forward direction, and • incorporate unobstructed access to visitor parking spaces, and • be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant spaces, and • provide on-site detention of stormwater, where appropriate, and • make reasonable provision for the carparking needs of people with physical disabilities. <p>See separate comments from the Traffic Engineer later in these Notes.</p>
<p>Division 6 Soil and water management</p> <p>76 Management of stormwater 77 Landfill 78 Erosion and sedimentation</p>	<p>76 Management of stormwater</p> <p>See separate comments from Development Engineering and Natural Environment Unit (Riparian) later in these Notes.</p> <p>77 Landfill Landfill is to have no adverse impact upon the visual and natural environment or adjoining and surrounding properties. In particular:</p> <ul style="list-style-type: none"> • only uncontaminated fill is to be used, and • the form, bulk, scale, and location of landfill are to be controlled to ensure there will be no adverse impacts on adjoining or surrounding properties, and • the integrity of the physical environment is to be preserved by ensuring the geotechnical stability of the work, and • the landfill is not to create siltation or pollution of waterways and drainage lines, or degrade or destroy the landscape, landforms or bushlands, and • where filling to create a building platform is proposed, all fill is to be contained within the footprint of the building, and • rehabilitation and revegetation techniques are to be applied to the fill to maintain and enhance

Applicable General Principles of Development Control	
	<p>visual and scenic quality, and</p> <ul style="list-style-type: none"> landfill is not to create airborne pollution. <p>78 Erosion and sedimentation</p> <p>Development is to be sited and designed, and related construction work carried out, so as to minimise the potential for soil erosion.</p> <p>Where some degree of soil erosion and sedimentation is likely to occur, it is to be managed at the source to prevent any reduction in water quality downstream of the development site.</p> <p>In this case, a soil and water management plan which ensures minimum soil erosion and maintenance of downstream water quality that has been prepared in accordance with the Council's "<i>Specification for Erosion and Sediment Control</i>" and "<i>Design and Specification Manuals for Engineering Works</i>" is to be considered by the Council before consent for the relevant development is granted. The plan is to outline practices proposed to control runoff, mitigate soil erosion and trap pollutants before these can reach downslope lands and receiving waters.</p> <p>See separate comments from Natural Environment Unit (Riparian) later in these Notes.</p>
<p>Division 7 Heritage</p> <p>83 Development of known or potential archaeological sites</p>	<p>83 Development of known or potential archaeological sites</p> <p>As the majority of the site is bushland, there may be evidence of Aboriginal habitation. In order to ascertain this Aboriginal Heritage Assessment will be required to be prepared by a suitably qualified person and submitted with a Development Application.</p>

Schedules
<p>The following Schedules in WLEP 2000 are to be addressed in the Statement of Environmental Effects accompanying a Development Application:</p> <ul style="list-style-type: none"> Schedule 8 – Site Analysis; Schedule 5 – State Policies; <ul style="list-style-type: none"> Bushland in Urban Areas Schedule 6 - Preservation of Bushland; Schedule 15 – Statement of Environmental Effects; and Schedule 16 – Principles and Standards for Housing for Older People or People with Disabilities

Referral Body Comments	
<p>Development Engineering</p>	<p>No details are provided with respect to the stormwater drainage disposal from the development. Options available with respect to stormwater drainage proposal are as follows</p> <ol style="list-style-type: none"> Option A – Stormwater discharge to Forest Way. Stormwater discharge to the kerb and gutter system in Forest Way may be permitted subject to approval from Roads Maritime Services (RMS) as RMS is the Roads Authority for Forest Way. Onsite stormwater detention

Referral Body Comments	
	<p>facility may be required to control the stormwater flow rate to Forest Way.</p> <p>2. Option B - Onsite stormwater disposal. Council's records indicate that Crown Land is located due east (downstream) of the development site. Stormwater discharge within the property will impact Crown Land and in this regard stormwater runoff must be managed in accordance with Crown Land's requirements. Refer to http://www.crownland.nsw.gov.au/_data/assets/pdf_file/0011/650585/Development_and-Crown_land_Fact_Sheet.pdf</p> <p>Stormwater drainage plans based on one of the above options must be submitted with the Development Application. Written concurrence (in principal) from the relevant state authority based on the point of discharge must be submitted with the Development Application. All requirements of the relevant state authority must be complied with.</p>
Natural Environment Unit (Riparian)	<p>Clause 76 - Management of Stormwater</p> <p>Council's Water Management Plan was adopted by Council in December 2015 which supersedes the stormwater quality objectives identified in the Northern Beaches Stormwater Management Plan.</p> <p>The applicant is required to provide a Stormwater Management Plan containing the following information:</p> <ul style="list-style-type: none"> • Proposed development – Describe the proposed development at the site, including site boundaries, proposed land uses. • Water conservation – Demonstrate how the potable water conservation targets in section 7.1 of the Policy. For residential developments this maybe in the form of a BASIX Certificate. Rainwater reuse is strongly recommended to be incorporated into the development which will also have a positive impact on water quality. • Stormwater quality objectives – Demonstrate how the Stormwater Quality Objectives in Table 3, Section 8.1 of the Policy will be met, including the location, size and configuration of stormwater treatment measures proposed for the development. <p>It should also be noted that according to Council's mapping, the development is within the catchment of a Coastal Upland Swamp of the Sydney Basin Bioregion which is listed as an Endangered Ecological Community under both the Threatened Species Act 1995 and Environment Protection and Biodiversity Conservation Act 1999. Stormwater quality and quantity must not impact on this community.</p> <ul style="list-style-type: none"> • Integration with the urban design – Identify how the treatment measures will integrate with the development layout and the surrounding area.

Referral Body Comments	
	<ul style="list-style-type: none"> • Details of MUSIC modelling, prepared in accordance with the draft NSW MUSIC Modelling Guidelines unless alternative modelling parameters are justified on the basis of local studies. • Details of the modelling of those elements, parameters and assumptions used. All MUSIC data files must be provided to Council. <p>Clause 78 - Erosion and sedimentation</p> <p>Submission of a Soil and Water Management Plan prepared in accordance with the requirements of Landcom publication <i>Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004)</i>.</p> <p>Sewer/Wastewater Connection</p> <p>The applicant should strongly consider connecting to the Sydney Water sewer network, as Council is unlikely to support use of an onsite wastewater system due to the significant hydraulic loading, the associated irrigation area required and impacts on the downstream catchment.</p>
Natural Environment Unit (Biodiversity)	<p>Council's Natural Environment Unit does not support the use or expansion of the unformed road reserve to the north of the property; this includes use as temporary or permanent access to the site or as a storage area. The critically endangered plant <i>Grevillea caleyi</i> and <i>Duffys Forest Endangered Community</i>, occurs in the road reserve and the Council reserve to the north of the property. Works/impacts associated with any proposed development will not be supported in either of these areas. This includes construction access, post construction access and placement of any new/additional services associated with any proposed development. It is strongly advised that the applicant avoids these areas entirely and also seeks to connect to sewer by directional drilling underneath Forest Way to connect to sewer mains on the western side of Forest Way.</p> <p>A previous DA (DA2001/1757) for the site noted that the threatened plant, <i>Tetratheca glandulosa</i> was also recorded on site. The critically endangered plant <i>Grevillea caleyi</i> may also be present in the soil seed bank based on previous records. <i>Duffys Forest Endangered Ecological Community</i> is also noted as occurring on the site and potential habitat for <i>Coastal Upland Swamp Endangered Ecological Community</i> also present.</p> <p>A Flora and Fauna Assessment and Biodiversity Management Plan (in accordance with Council guidelines below) will be needed in supported of any development application to address issues including:</p> <ul style="list-style-type: none"> • Any potential impacts on known and potential threatened species or ecological communities (including habitat); • Management of impacts during any proposed clearing, construction and ongoing management; and • Landscaping with local native species is required to stabilise cleared portions of the site – the biodiversity

Referral Body Comments	
	<p>management plan must be consistent with any landscape plan.</p> <p>A separate Sediment and Erosion Control Plan will also be required to address sediment and erosion issues and appropriate controls (currently absent on a steep sloping cleared site).</p> <p>http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guidelines-preparing-flora-and-fauna-assessment-report-april-2014.pdf</p> <p>http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guideline-preparing-biodiversity-mtg-plan-april-2014.pdf</p> <p>In addition, the applicant needs to address the following parts of WLEP 2000 as part of any future development application:</p> <ul style="list-style-type: none"> • 52 Development near parks, bushland reserves and other public open spaces Development near parks, bushland reserves and other public open spaces • 56 Retaining distinctive environmental features on sites • 58 Protection of existing flora • Schedule 5 State policies (Bushland in urban areas)
Traffic Engineering	<p>The proposed development has a vehicular access onto Forest Way which is under control and responsibility of Roads and Maritime Services (RMS). Therefore, the applicant should liaise with the RMS and find out the RMS's requirements for the proposed development.</p> <p>The Aged care facilities are considered as low traffic generating developments in accordance with the RMS's "Guide to Traffic Generating Developments", however given the location of the proposed driveway within the section of Forest Way with the speed limit of 80km/h, the provision of adequate length of deceleration and acceleration bay will be required on the approach and departure of the driveway in compliance with the relevant standards.</p> <p>A Traffic and Parking Report is to be provided addressing the traffic implication of the proposal on the road network, parking requirements and the design of the driveway and car parking.</p>

Other Relevant Environmental Planning Instruments / Council Policies
<p>You are advised of the following (but not limited to all) Council's policies available at www.northernbeaches.nsw.gov.au:</p> <ul style="list-style-type: none"> • Applications for Development - Policy for the handling of unclear, non conforming, insufficient and Amended applications: PDS-POL 140 • Stormwater drainage for low level properties PDS-POL 135 • Building over or adjacent to constructed Council drainage systems and easements: PAS-PL 130 • Common vehicular access to multiple properties: LAP-PL 310

Other Relevant Environmental Planning Instruments / Council Policies

- [Vehicle access to all roadside development: LAP-PL 315](#)

Required Documentation for a compliant Development Application

- All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000.
- All information as required on the Development Application form checklist
- Site Analysis (prepared in accordance with Schedule 8 of WLEP 2000)
- Site Survey (prepared by a registered Surveyor)
- Statement of Environmental Effects addressing:
 - Section 79C of EPA Act 1979,
 - all relevant sections of WLEP 2000, including demonstrating consistency with the locality's Desired Future Character Statement, Built Form Controls and General Principles of Development Control;
 - and other relevant Environmental Planning Instruments.
- BASIX Certificate;
- Geo-technical Report;
- Phase 1 Site Contamination Report;
- Bushfire Report;
- Flora and Fauna Assessment;
- Biodiversity Management Plan;
- Soil and Water Management Plan;
- Aboriginal Heritage Assessment;
- Access Report;
- Building Code of Australia report;
- Fire Safety Report;
- Access Report;
- Traffic and Parking Report;
- Arborist Report;
- Crime Prevention Through Environmental Design (CPTED) assessment;
- Sediment and Erosion Control Plan;
- Sample Board of External Finishes;
- Model of proposed development;
- Shadow diagrams;
- Landscape Plan;
- Waste Management Plan;
- Stormwater Management Plans; and
- Signage Plan (if proposed).

A Development Application for the proposal will be classified as Integrated Development and a separate cheque will be required to be provided to the value of \$320 and made out to the NSW Rural Fire Service. In addition, a separate cheque to the value of \$140 is to be made out to Northern Beaches Council to cover administration costs. Both cheques are required to be submitted with a Development Application.

Concluding Comments

These notes address the discussions at the pre-lodgement meeting held on 12 July 2016 for the construction of an aged care facility at Lot 3 in DP 805710, No. 181 Forest Way, Belrose.

Concluding Comments

Reference is made to the following plans as prepared by Morrison Design Partnership and dated 19 September 2016:

- A050 – Site Plan;
- A101 – Lower Ground Floor;
- A102 – Basement Plan and Ground Floor Plan;
- A104 – Second Floor Plan;
- A201 – Elevations Sheet 1;
- A301 – Sections;
- A501 – Perspectives Sheet 1; and
- A502 – Perspectives Sheet 2.

The proposed development is Category 2 development under WLEP 2000 and must be consistent with the Desired Future Character of the B2 Oxford Falls Valley locality. In this regard, the development, in its current form, does not satisfy the requirement of the DFC that the built form reflects the surrounding “detached style housing” and be of a “low impact and low intensity use”. Therefore, the proposal is not considered to pass the test of consistency.

As outlined in the meeting, it is recommended that the design be amended to provide for greater levels of articulation of the built form to be consistent with a detached style character.

A compliant development application may be made pursuant to either the State Environmental Planning Policy – Housing for Seniors or People with Disability 2004 or the Warringah Local Environment Plan 2000.

The application will constitute Integrated Development. Therefore, cheques will be required to be included with a development application to the value of \$320 each and made out to the relevant approval authorities (NSW Rural Fire Service). Separate cheques will also be required to be made out to Warringah Council to the value of \$140 each to cover administration costs for the referral.

Based upon the above comments you are advised that the proposal, as presented at the meeting, is not supported and to satisfactorily address the matters raised in these minutes prior to lodging a development application.

Other Matters

- **Requirement to Submit Correct, Clear and Accurate Information at Lodgement**

You are advised, that if an application Unclear, NonConforming, provides Insufficient information or if Council requests additional information in accordance with Clause 54 of the EPA Regulations 2000 and it is not provided within the specified time frame – your application may be rejected or refused without notice.

The time to discuss and amend your design is prior to lodgement of your Development Application, as there will be no opportunity to do so during the assessment process.

- **Privacy and Personal Information**

You are advised that Council is legally obliged to make Development Applications and supporting documents available for public inspection – see section 12 of the Local Government Act 1993. We do this at the Customer Service Centre and by placing copies of the applications and supporting documents on the Council website.

Should this proposal result in a development application being lodged these notes will form part of the development application documentation that will appear on Councils website – DA's online.

Other Matters

www.northernbeaches.nsw.gov.au

- **Monitoring DA progress after lodgement**

Once lodged you can monitor the progress of your application through Council's website – DA's online.
www.northernbeaches.nsw.gov.au