

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

Proposed Seniors Housing

**7 AND 8 CORONATION STREET
MONA VALE**



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Statement of Environmental Effects

PROPOSED SENIORS HOUSING

7 and 8 Coronation Street, Mona Vale

Prepared under instructions from

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Date: September 2021

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1.0 INTRODUCTION

This document has been prepared in support of a development application proposing the demolition of the existing site structures and the construction of 8 x 3 bedroom seniors house dwellings with basement parking across the consolidated allotment for 16 car parking spaces pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD).

The architect has responded to the client brief to provide for a consolidated seniors housing development of exceptional design quality which responds appropriately to the constraints and opportunities identified through detailed site and context analysis whilst maintaining appropriate levels of amenity to the adjoining and nearby residential properties.

The proposal is responsive to the revised Draft North District Plan which indicates that there will be a 54% increase in the number of people aged 65 years and older in the next 20 years. In this regard, the proposal will meet a clear and increasing demand for seniors housing on the Northern Beaches enabling existing residents to age in place.

Consistent with the outcome sought by Council the highly articulated and modulated 2 storey stepped building form assists in maintaining the visual appearance of detached style housing within a landscaped setting. Having regard to the detail of the proposal we have formed the considered opinion that the development will not give rise to any unacceptable environmental, streetscape or residential amenity impacts.

In preparation of the document consideration has been given to the following statutory planning regime:

- Environmental Planning and Assessment Act, 1979 (“the Act”);
- Pittwater Local Environmental Plan 2014 (“PLEP”);
- Pittwater 21 Development Control Plan 2011 (“PDCP”);
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (“SEPP HSPD”);
- State Environmental Planning Policy (BASIX) 2004 (“SEPP BASIX”); and
- State Environmental Planning Policy No. 55 (Remediation of Land) (“SEPP 55”).

Architectural drawings including floor plans, elevations and sections have been prepared in relation to the development proposed. The application is also accompanied by a survey plan, landscape plans, shadow/ solar diagrams, traffic and parking assessment report, arborist report, access report, landscape plans, schedule of finishes, stormwater management plans, BASIX certificate, BCA report and perspective images.

The proposal is permissible and in conformity with the aims and implicit objectives of SEPP HSPD and the subordinate standards and controls applicable to this form of development on this particular site. The proposed height and density are as reasonably anticipated for this form of development and its highly articulated and modulated 2 storey building form ensuring that it will be complimentary and compatible with the built form characteristics of development established within the site's visual catchment.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15(1) of the Act. It is considered that the application, the subject of this document succeeds on merit and is worthy of the granting of development consent.

2.0 SITE DESCRIPTION AND LOCATION

The subject properties are legally described as Lots 34 and 35 in DP 25446, No's 7 and 8 Coronation Street, Mona Vale.

The consolidate allotment is rectangular in shape with frontage and address to Coronation Street of 33.53 metres, depth of 45.72 metres and a combined site area of 1533m². The properties do not contain any significant trees or vegetation and fall approximately 3.5 metres across their surface in a northerly direction. An aerial location/context photograph is provided in Figure 1 below.



Figure 1 – Site location/ aerial context photograph (source: Google Maps)

The properties are currently occupied by a single storey detached dwelling houses with garage accommodation below accessed via the street frontage being noted that the 2 properties containing 3 driveways and associated crossings. A swimming pool is located in the rear yard of No. 7 Coronation Street with low brick walls delineating the front boundary of the properties. Photographs of the subject properties are depicted in Figures 2 and 3 over page.



Figure 3 - View of subject properties from Coronation Street

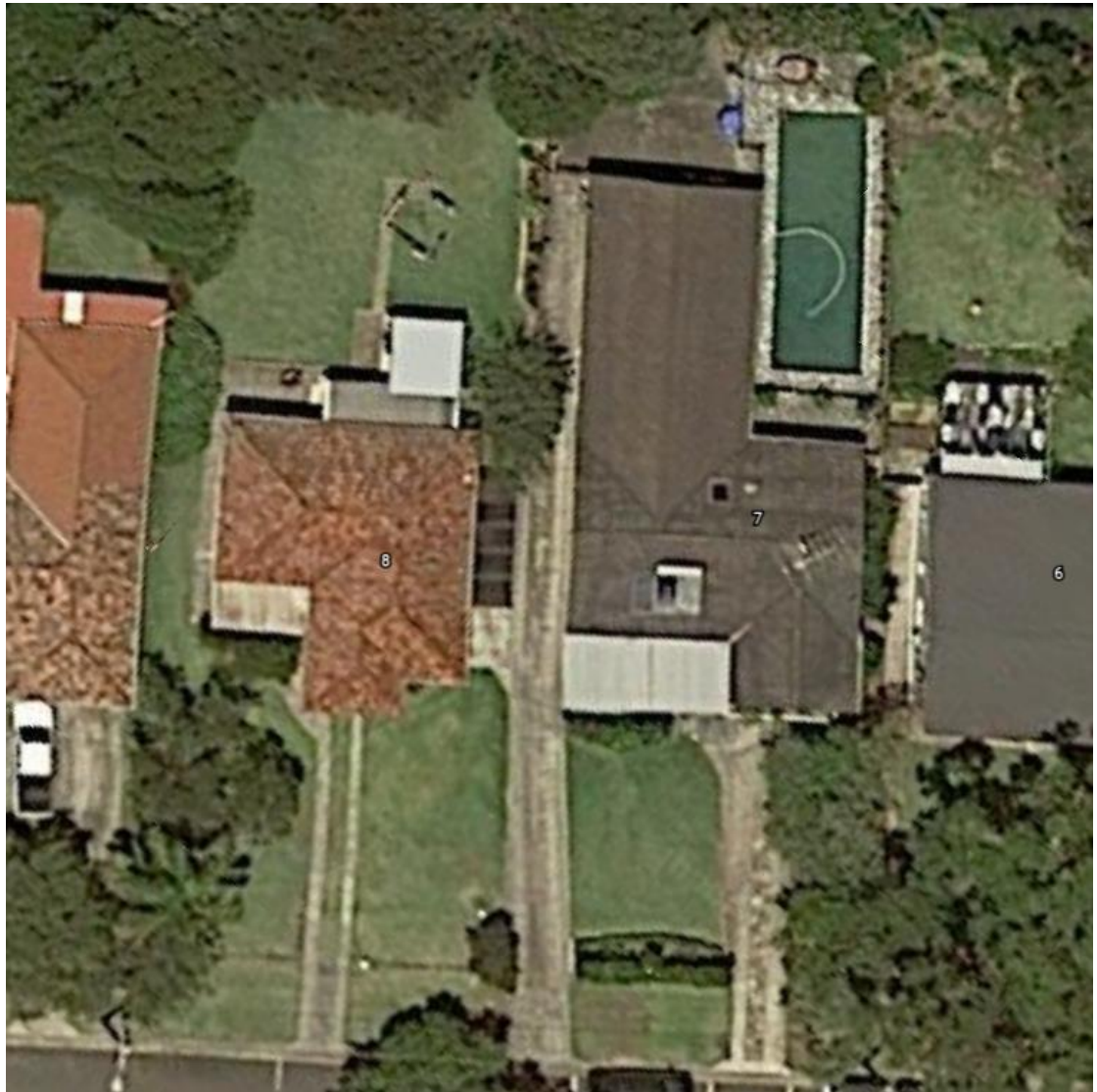


Figure 4 - Aerial photograph of subject properties

The immediately adjoining properties at No's 6 and 9 Coronation Street are also occupied by 1 and 2 storey detached dwelling houses with car parking accessed from the street frontage. The properties to the rear of the site are located at a higher elevation and have frontage and address to Cook Terrace. These properties are occupied by 1 and 2 storey detached dwelling houses which are orientated to the north to take advantage of solar access, prevailing breezes and views across Mona Vale Golf Course and Mona Vale Hospital to the Mona Vale basin and headland/foreshore beyond.

Mona Vale Hospital and Mona Vale Golf course are located directly opposite the subject property on the northern side of Coronation Street.



Figure 5 - View looking towards adjoining development to the east No's 9 and 10 Coronation Street



Figure 6 – No. 10 Coronation Street displaying a 3 storey built form streetscape presentation



Figure 7 - View looking towards adjoining development to the west of the subject site including No. 6 Coronation Street



Figure 8 - View towards Mona Vale Hospital directly opposite the subject site



Figure 9 - Photograph of adjoining development to the south of the site with frontage and address to Cook Terrace.

3.0 DEVELOPMENT PROPOSAL

This document forms a component of a development application proposing the demolition of the existing site structures and the construction of 8 x 3 bedroom seniors house dwellings with basement parking across the consolidated allotment for 16 car parking spaces pursuant to the provisions of SEPP HSPD.

The articulated and modulated building form provides for a complimentary and compatible streetscape outcome with the appropriate use of dark and earthy materials and finishes enabling the development to blend into the escarpment which forms a backdrop to the site. The integrated landscape form will soften and screen the development with the recessed central portion of the development, as it presents to the street, providing visual articulation which is enhanced through use of appropriately located landscape treatments. The floor plates have been steeped in response to the fall of the land with access and egress to the proposed basement car parking accommodation from the Coronation Street frontage.

The scope of works is depicted on the following architectural plans prepared by Gartner Trovato Architects:

DEVELOPMENT APPLICATION DRAWING LIST

No:	Drawing Name
A00	COVER PAGE
A01	SITE ANALYSIS PLAN
A02	SITE PLAN
A03	BASEMENT PLAN
A04	LOWER GROUND FLOOR PLAN
A05	GROUND FLOOR PLAN
A06	FIRST FLOOR PLAN
A07	ELEVATIONS NORTH + SOUTH
A08	ELEVATIONS EAST + WEST
A09	SECTIONS
A10	3D VIEWS
A11	SHADOW DIAGRAMS
A12	SOLAR ACCESS PLANS
A13	AREA CALCULATIONS

Specifically, the application provides for the following built form outcome:

Basement Level

This floor plate incorporates parking for 16 residential vehicles accessed via a driveway from Coronation Street. Each apartment has its own double garage with the basement level also incorporating bicycle storage, bulky waste storage and plant rooms.

Internal lifts and stair access is provided to the residential floor plates above.

Level 01

The residential entrance foyer is located at this level and accessed via a pathway down the western boundary of the property. This level contains 2 x 3 bedroom apartments with direct access from living rooms to street facing private open space balconies and landscaped front courtyards.

The main bedroom has an ensuite with each apartment having an open planning living room with separate bathroom and laundry. Storage rooms for each of the apartments are located to the rear of this floor plate with internal stair and lift access to the levels above and below.

A waste storage and collection room is located adjacent to the Coronation Street frontage affording safe and convenient waste collection by Council waste contractors.

Level 02

The floor level proposes 4 x 3 bedroom apartments with direct access from living rooms to front and rear facing balconies/ courtyard areas. The main bedroom has an ensuite with each apartment having an open planning living room with separate bathroom and laundry.

The proposal requires the removal of a number of trees as detailed in the accompanying arborist report prepared by Jacksons Nature Works with such loss adequately compensated for through the implementation of an enhanced site landscape regime prepared by the project Architect. All stormwater will be gravity drained to a new kerb inlet pit in Coronation Street as depicted on the accompanying stormwater plans will prepared by Barrenjoey Consulting Engineers.

The acceptability of the proposed excavation is detailed in the accompanying geotechnical investigation prepared by White Geotechnical Group with the extent of excavation proposed is deemed acceptable subject to the imposition of standard conditions regarding construction management.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 General

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15(1) of the Act. Those matters which are required to be addressed are outlined together with any steps to mitigate against any potential adverse environmental impacts.

4.2 Pittwater Local Environmental Plan 2014

4.2.1 Zone and Zone Objectives

The subject property is zoned Residential R2 Low Density Residential pursuant to Pittwater Local Environmental Plan 2014 (PLEP 2014). Dwelling houses are permissible with consent in the zone. As such, this form of development is permissible in the zone pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ("SEPP HSPD"). The property is not heritage listed or located within a heritage conservation area.

The stated zone objectives are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.*

The proposed development meets the relevant zone objectives by providing housing which will meet the needs of the community. The height and scale of the development is responsive to context, compatible with that of adjoining development and will not result in unacceptable or jarring residential amenity or streetscape impacts.

PLEP 2014 also contains other provisions applicable to development on the land and although such provisions cannot derogate from SEPP HSPD consideration has been given as follows.

4.2.2 Height of buildings

The subject application is made pursuant to the provisions of SEPP HSPD which contains development standards in relation to building height. We note at paragraph 153 of the judgment in the matter of Eastern Suburbs Leagues Club Ltd v Waverley Council [2019] NSWLEC 130 Moore J found:

I have concluded that the provisions of the SEPP do have the effect of overriding both the building height development standard and the FSR development standard otherwise applicable to the site as arising from the WLEP. As a result of this conclusion, it is not necessary for me to consider whether or not the contingent requests made by the Club for dispensation utilising cl 4.6 of the WLEP from compliance with those development standards meets the relevant tests set by cl 4.6(3) and (4).

Whilst the SEPP HSPD building height provisions prevail over the clause 4.3 PLEP height standard an assessment against the latter numerical provision is considered appropriate. In this regard clause 4.3 states that the height of a building on any land is not to exceed 8.5 metres or 8 metres above any flood planning level (FPL). The stated objectives of such control are as follows:

- (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality,*
- (b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (c) to minimise any overshadowing of neighbouring properties,*
- (d) to allow for the reasonable sharing of views,*
- (e) to encourage buildings that are designed to respond sensitively to the natural topography,*
- (f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.*

Building height (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

We confirm that the proposal has a maximum building height of 8 metres which sits comfortably below the maximum 8.5 metre building height standard. The developments compliance with the standard is depicted in Figures 10 and 11 over page.

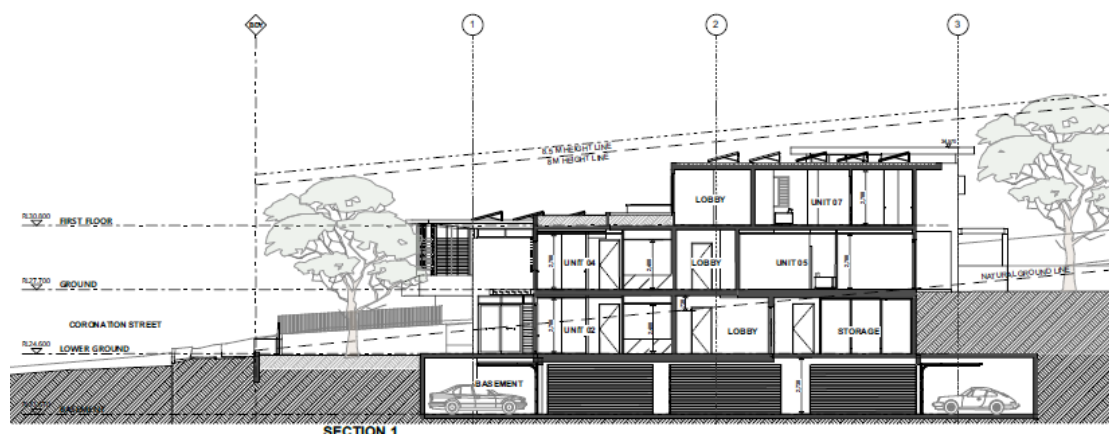


Figure 10 – Plan extract showing compliance with the 8.5 metre building height standard

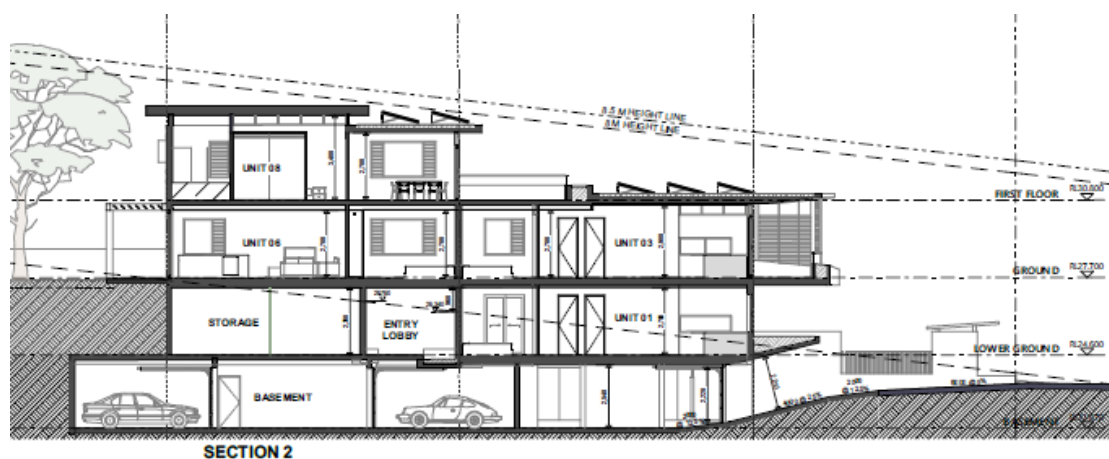


Figure 11 – Plan extract showing compliance with the 8.5 metre building height standard

Having regard to the stated objectives of the standard we note:

- The height, bulk and scale of the highly articulated 2 storey stepped building form is compatible with the height and scale of surrounding and nearby development noting that SEPP HSPD anticipates a medium density building form within a low density residential environment,
- The height of the development does not give rise to any unacceptable residential amenity impacts in terms of privacy or solar access,

- Whilst the proposed building height is likely to result in view impacts from the properties to the south having frontage and address to Cook Terrace, such impact is reasonably anticipated in relation to any building height compliant built form located on these properties noting the shallow nature of available views and the fact that the southern edge of the development, as it presents to these adjoining properties, sits between 2 and 3 metres below the 8.5 metre height standard.
- The height of the development will not give rise to adverse impact on the scenic quality of Pittwater's coastal and bush environments with the building not being readily discernible as viewed from street as it is stepped down appropriately to the rear,
- The height of the development will not be perceived as inappropriate or jarring in its context as viewed from public places such as parks and reserves, roads and community facilities,
- Consistent with the conclusions reached by the Senior Commissioner in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191, we have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic to the Coronation Street streetscapes or having regard to the built form characteristics of development within immediate proximity of the site.

The streetscape and physical impacts of the development have been found to be acceptable with appropriate levels of residential amenity maintained to adjoining properties. The proposal satisfies the numerical standard and accordingly is deemed to comply with the associated objectives. Under such circumstances there is no statutory impediment to the granting of consent.

4.2.2 Acid Sulfate Soils

Pursuant to clause 7.1 PLEP the site is mapped Acid Sulphate Soil Class 5. In accordance with the considerations at clause 7.1(2) PLEP as the proposed works are not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land no further investigation is warranted in this instance.

4.2.3 Earthworks

In accordance with the clause 7.2 PLEP the application is accompanied by a Geotechnical Investigation prepared by White Geotechnical Group which assessed the acceptability of the earthworks proposed. Such report contains a number of recommendations which are to be complied with through the construction process and no objection is raised to an appropriately worded condition in this regard.

We consider that this report demonstrates compliance with the 7.2 PLEP provision.

4.2.4 Geotechnical hazard

Pursuant to clause 6.4 WLEP the site is not mapped as being subject to geotechnical hazard.

4.3 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The following section of this report assesses the proposal against the relevant provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

4.3.1 Aims of Policy

The stated aims of the SEPP are to encourage the provision of housing that will:

- (a) *increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and*
- (b) *make efficient use of existing infrastructure and services, and*
- (c) *be of good design.*

The policy indicates that these aims will be achieved by:

- (a) *setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in the policy, and*
- (b) *setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and*
- (c) *ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.*

This report clearly and comprehensively demonstrates that the development is of good design and achieves the aims, development criteria and standards prescribed by the Policy and responds positively to the characteristics of the site through the design initiatives adopted including the highly articulated and stepped building form and the maintenance of a generous landscaped curtilage.

4.3.2 Land to Which Policy Applies

Section 4 of the SEPP states that this policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

- (a) *development for the purpose of any of the following is permitted on the land:*

- (i) *dwelling-houses,*
- (ii) *residential flat buildings,*
- (iii) *hospitals,*
- (iv) *development of a kind identified in respect of land zoned special uses.*

The allotment, the subject of this application, is zoned primarily for urban purposes on which dwelling houses are a permissible use.

As the sites are not classified as environmentally sensitive land as identified in Schedule 1, or zoned for industrial purposes, the provisions of SEPP (Housing for Seniors or People with a Disability) 2004 apply.

4.3.3 Key Concepts

The development proposes the provision of self-contained dwellings to be used permanently for seniors or people with a disability. The proposed dwellings are self-contained as defined in clause 13 of the SEPP.

4.3.4 Site Compatibility Criteria

The subject application is not one to which the application of a site compatibility certificate applies pursuant to clause 25 of the SEPP.

4.3.5 Site-related Requirements

Location and access to facilities

Pursuant to clause 26 a consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access to:

- (a) *shops, banks and other retail and commercial services that residents may reasonably require, and*
- (b) *community services and recreational facilities, and*
- (c) *the practice of a general medical practitioner.*

The proposals compliance with these provisions is addressed in the accompanying Accessibility Design Review prepared by ABE consulting. This report confirms that the clause 26 location and access to facilities provisions are complied with.

Bush fire prone land

Pursuant to Clause 27 a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as “Bush fire prone land – vegetation category 2” or “Bush fire prone land – vegetation buffer” unless the consent authority is satisfied that the development complies with the requirements of the document titled *Planning for Bushfire Protection*, dated December 2001.

The subject site is not identified as bushfire prone land.

Water and sewer

Pursuant to clause 28 a consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.

The subject please currently contain dwelling houses that are connected to a reticulated water and sewage system. The proposed development will connect to these existing systems. The location of the sewer line is indicated on the site survey. The proposal can comply with the water and sewer provision requirements as outlined.

Compatibility Criteria for Certain Development to which Cluse 24 does not apply

Having regard to the compatibility consideration at clause 25(5)(b)(i), (iii) and (v) we have formed the following opinions:

The height, bulk and scale of the highly articulated and modulated 2 storey stepped building form is compatible with the height and scale of surrounding and nearby development noting that SEPP HSPD anticipates a medium density building form within a low-density residential environment.

The height and form of the development does not give rise to any unacceptable residential amenity impacts in terms of views, privacy or solar access. The proposal fully complies with the threshold standards pertaining to height with all horizontal ceiling heights sitting comfortably below the 8 metre provision. Landscaped area is also in excess of the minimum 30% SEPP control at 44.66% of the site area.

Consistent with the conclusions reached by the Senior Commissioner in the matter of *Project Venture Developments v Pittwater Council* (2005) NSW LEC 191, we have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic to the streetscapes or having regard to the built form characteristics of development within immediate proximity of the site.

To that extent it can be reasonably concluded that the proposal is compatible with its surroundings having regard to the applicable assessment criteria.

4.3.6 Design Requirements

Site analysis

Pursuant to clause 30 of the SEPP a site analysis plan accompanies this application. An aerial photograph of the subject site and its immediate surrounds is contained in Section 2.0 of this report. The relevant issues are discussed as follows:

The Site

(a) Site Dimensions

Comment: These are detailed on the accompanying survey plan.

(b) Topography

Comment: The consolidated allotment falls approximately 3.5 metres across its surface in a northerly direction.

(c) Services

Comment: The proposed development will connect to existing services.

(d) Existing vegetation

Comment: The application is accompanied by a site survey and arborist report which collectively show the location and species of existing trees relative to property boundaries.

(e) Micro climates

Comment: The site has good solar orientation and has exposure to prevailing breezes.

(f) Location of site features

Comment: The existing site structures and features are depicted on the accompanying survey plan. The site does not contain any heritage items.

(g) Views:

Comment: Views currently available in a northerly direction from the subject site across Mona Vale Hospital and Mona Vale Golf course beyond.

(h) Overshadowing

Comment: The sites obtain good levels of solar access throughout the day due to their orientation.

Surrounds of the site

(a) Neighbouring buildings

Comment: The neighbouring buildings are shown on the accompanying survey plan. The built form characteristics of adjoining development are described in section 2.0 of this statement.

(b) Privacy

Comment: Good levels of privacy are currently afforded to the immediately adjoining properties.

(c) Walls built to the site's boundaries

Comment: No walls are currently built to the site boundaries.

(d) Difference in levels

Comment: The associated levels are shown on the site survey. There is currently no significant change in levels between properties.

(e) Views and solar access

Comment: No scenic views are currently available from the subject site due to the topography of the site and intervening built form and landscape elements. All adjoining properties receive good levels of solar access throughout the day to living and private open space areas.

(f) Major trees

Comment: The accompanying arborist report provides recommendations and management plans for the major trees on or surrounding the site.

(g) Street frontage features

Comment: The street frontage is characterised by relatively open landscape front yards.

(h) Built form and character of adjoining development

Comment: The built form characteristics of adjoining development are described in section 2.0 of this statement. The locality benefits from nearby open space recreational areas.

(i) Heritage features

Comment: The subject properties are not heritage listed nor located immediately adjacent any heritage items.

(j) Direction and distance to local facilities

Comment: The subject site is located within proximity of the Mona Vale town centre with north and south bound bus services available from bus stops located immediately adjacent to the site.

(k) Public open space

Comment: The subject property is a within short walking distance of Mona Vale Beach and a plethora of public open space areas.

(l) Adjoining bushland and environmentally sensitive land

Comment: the site is not adjoining any environmentally sensitive land.

(m) Sources of nuisance

Comment: Other than potential traffic noise associated with the adjacent road network there are no immediate sources of nuisance.

The proposed development has been developed having regard to the above site analysis and accompanying plan.

Design of in-fill self-care housing

Pursuant to clause 31 of the SEPP the consent authority is to have regard to the Urban Design Guideline for Infill Development in its consideration of the application. An assessment pursuant to this guide is set out in the following table:

Issue	Key Requirement	Comment
Responding to context	Street and Lot Layout	The proposal responds to the established street and lot layout, through presenting the development as a 2 storey built form development as viewed from the street similar in height and scale to the detached style of housing in the locality.
	Subdivision Layout	The proposal does not involve the consolidation or subdivision of land
	Consistency of built form – massing and scale	The proposed development displays a massing and scale and 2 storey streetscape presentation consistent with that established by development located within the site's visual catchment.
	Trees	The trees to be removed are detailed in the arborist report provided. The loss of these trees will be compensated by replacement tree planting and enhanced landscape regime throughout the site. The landscape plan provides for the

Issue	Key Requirement	Comment
		enhancement of landscaping on the site.
Site Planning & Design	<p>Dwellings to address the street</p> <p>Rear dwellings should be more modest in form</p> <p>Maximise solar access and access to private open space</p> <p>Centralised parking in car parking courts are preferred to reduce the amount of space occupied by driveways, garages, etc. Retain existing crossings if possible.</p>	<p>The site comprises a regular shaped allotment with frontage to Coronation Street.</p> <p>No development is located in the rear 25% of the site area.</p> <p>Living areas and private open space areas are afforded compliant levels of solar access.</p> <p>Spatial separation between neighbouring dwellings is maintained by the provision of boundary setbacks and substantial boundary edge landscaping.</p> <p>A single basement level carpark is provided for all units. The basement carpark is access via a single driveway from Coronation Street.</p>
Impacts on the Streetscape	Built Form; trees; amenity; parking and garaging and vehicular circulation.	These matters have been addressed in term of the comments on context and site planning.
Impact on neighbours	Minimise impacts to by maintaining a consistency in the pattern of building.	The siting of the development to the neighbouring dwellings has been considered with significant side and rear

Issue	Key Requirement	Comment
	Landscaping	boundary setbacks provided. Edge condition planting augments planting on the adjacent sites and increases privacy by screening in conjunction with the established fencing.
Internal Site Amenity	<p>Maximise Solar Access</p> <p>Clearly define and identify individual dwellings</p>	<p>The siting of balconies and living areas maximises the opportunities for solar access and natural light and ventilation to the individual units.</p> <p>The design of the development clearly defines the dwelling entries so that they are easily identifiable and legible, providing a sense of address to each individual unit.</p>

It is considered that the proposal appropriately responds to the design code.

Neighbourhood amenity and streetscape

Pursuant to clause 33 the proposed development should:

- (a) recognise the desirable elements of the location's current character so that new buildings contribute to the quality and identity of the area, and*

Comment: The character of development within the sites visual catchment is characterised by 1, 2 and 3 storey detached style housing and Mona Vale Hospital located directly opposite the subject property.

The proposal provides for a highly articulated and modulated 2 storey building form which steps back up the site in response to topography with the massing broken down to reflect detached style housing. The building appropriately addresses the street frontage with the quality of the building design and finishes ensuring that the development will contribute positively to the built form quality and identity of the area consistent with this design principle.

Consistent with the conclusions reached by the Senior Commissioner in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191, we have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic to the Coronation Street streetscapes having regard to the built form characteristics established by development located within the site's visual catchment and within the immediate area generally.

The physical impacts of the development have been found to be acceptable with appropriate levels of residential amenity maintained to adjoining residential properties consistent with that reasonably anticipated for any permissible and compliant form of development on the site. To that extent it can be reasonably concluded that the proposal is compatible with its surroundings. Such outcome is reflected in the image at Figure 4 over page.



Figure 4 - Image of the proposed development as viewed from Coronation Street

- (b) *retain, compliment and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in the local environmental plan, and*

Comment: The subject properties are not heritage listed or located within immediate proximity of a heritage item.

- (c) *maintain reasonable neighbourhood amenity and appropriate residential character by:*

- (i) *providing building setbacks to reduce bulk and overshadowing, and*

Comment: The development maintains a compliant 6.5 metre setback to Coronation Street with the primary building façade setback over 10 metres consistent with the prevailing setbacks established in the street. The waste storage area is located immediately adjacent to the street frontage to ensure strict compliance with the waste management provisions of the DCP.

The application proposes variable side boundary setbacks of between 4.2 and 6.73 metres with the development highly articulated and modulated in both the vertical and horizontal planes. The side boundary setbacks proposed are contextually appropriate and well in excess of those prescribed by the “*Seniors Living Policy: Urban Design Guidelines for Infill Development*”.

The setbacks proposed are also consistent with those required by clause D9.7 of P21DCP which based on the average wall heights proposed would require a side boundary setback of approximately 4 metres.

The contemporary building form utilises highly modulated and articulated façade treatments with the building heights proposed ensuring that the development will sit below the height of surrounding tree canopy with the landscape regime proposed ensuring the buildings sit within a landscaped setting. The proposal does not require the removal of any significant trees or natural landscape features.

These setbacks are contextually appropriate and well in excess of those prescribed by the “*Seniors Living Policy: Urban Design Guidelines for Infill Development*”. The setbacks proposed provide for a compliant building envelope circumstance and the maintenance of compliant levels of solar access with the spatial separation maintained between properties together with perimeter landscape opportunities ensuring the bulk and scale of the development has been minimised.

- (ii) *using building form and siting that relates to the site’s land form, and*

Comment: The building forms step down the site in response to topography.

- (iii) *adopting building heights at the street frontage that are compatible in scale with adjacent development, and*

Comment: The development maintains a complementary and compatible 2 storey presentation to the street frontage.

- (iv) *considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*

Comment: No buildings are to be located on the boundary.

- (d) *be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and*

Comment: The front building setbacks are consistent with the established building line.

- (e) *embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and*

Comment: The existing site landscaping will be supplemented and enhanced in conjunction with the proposed development. These landscape elements are shown on the landscape concept plans prepared by the project Architect.

(f) *retain, wherever reasonable, major existing trees, and*

Comment: The proposal requires the removal of a number of trees as detailed in the accompanying arborist report prepared by Jacksons Nature Works with such loss adequately compensated for through the implementation of an enhanced site landscape regime prepared by the project Architect.

(g) *be designed so that no building is constructed in a riparian zone.*

Comment: Not applicable.

Visual and acoustic privacy

Pursuant to clause 34 the proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

(a) *appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and*

Comment: The proposal maintains appropriate levels of both aural and visual privacy through appropriate building design and orientation of internal living and elevated private open space areas and the provision of fixed privacy screen and landscaping elements where necessary.

(b) *ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.*

Comment: This has been addressed through building design and landscaping.

Solar access and design for climate

Pursuant to clause 35 the proposed development should:

(a) *ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and*

Comment: The accompanying shadow diagrams clearly demonstrate that the orientation of the site, location of proposed built form elements, spatial separation maintained between adjoining properties and topography will ensure that the development will not unreasonably shadow any adjoining properties at any time during the day.

- (b) involving site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.*

Comment: As previously indicated the majority of apartments receive 3 hours or more solar access.

Stormwater

Pursuant to clause 36 the proposed development should:

- (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by finishing driveways surfaces with semi impervious material, minimising the width of paths and minimising paved areas, and*

Comment: All stormwater will be gravity drained to a new kerb inlet pit in Coronation Street as depicted on the accompanying stormwater plans will prepared by Barrenjoey Consulting Engineers.

- (b) include, where practicable, on-site stormwater detention or re-use for second quality water uses.*

Comment: Please refer to the accompanying drainage plans prepared by Barrenjoey Consulting Engineers.

Crime prevention

Pursuant to clause 37 the proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

- (a) site planning that allows, from inside each dwelling, general observation of the street, the site and approaches to the dwellings entry, and*

Comment: These design principles have been considered and detailed with the development application. Appropriate levels of casual surveillance are achieved to public open spaces from all units noting their primary orientation towards both street frontages. All basement car parking and public accessible areas will be appropriately lit night with the and landscape designs minimising potential concealment and entrapment opportunities.

- (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and*

Comment: The lift core services no more than 4 apartments with the shared entry and foyer areas providing appropriately for circulation throughout the site.

- (c) *Providing dwellings designed to allow residents to see who approaches their dwelling without the need to open the front door.*

Comment: These design principles have been considered and detailed with the development application. Good levels of casual surveillance are achieved from all units.

Accessibility

Pursuant to clause 38 the proposed development should:

- (a) *have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and*

Comment: The access to the proposed development is in compliance with these provisions as detailed within the access report prepared by ABE Consulting.

- (b) *provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

Comment: The proposal incorporates the required quantum of resident spaces in safe and convenient basement parking facilities.

The proposed parking arrangement has been reviewed by Terrafic Pty Limited and deemed to be in accordance with the relevant Council guidelines.

Waste management

Pursuant to clause 39 the proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.

Comment: The development incorporates appropriately sized and conveniently accessed garbage storage facilities located next to the Coronation Street frontage.

4.3.7 Development standards to be complied with

Minimum sizes and building height

Pursuant to clause 40 a consent authority must not consent to a development application unless the proposed development complies with the standards specified in this clause:

Site size

The size of the site is at least 1,000 square metres, and

Comment: The area of the entire development site is 1533m² and as such complies with the development standard.

Site frontage

The site frontage is at least 20 metres wide measured at the building line, and

Comment: The property has a site frontage measured at the building line of 33.53 metres in strict accordance with the standard.

Height in zones where residential flat buildings are not permitted

- (a) *the height of all buildings in the proposed development must be 8 metres or less, and*

Comment: We note that for the purpose of this clause height is defined as follows:

***height** in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point.*

This definition has been consistently interpreted and applied to the horizontal ceiling level and not to raked or vaulted ceilings. On this basis the proposal complies with the standard as depicted on the architectural plans.

- (b) *a building that is adjacent to a boundary of the site must be not more than 2 storeys in height, and*

Comment: In relation to storeys we confirm that the building is 2 storeys, compliant with the control.

- (c) *a building located in the rear 25% area of the site must not exceed 1 storey in height.*

Comment: We confirm that no development is located in the rear 25% area of the site.

4.3.8 Standards that cannot be used to refuse development consent for self-contained dwellings

A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling on any of the following grounds:

- (a) ***building height:*** *if all proposed buildings are 8 metres or less in height,*

Comment: Satisfied.

- (b) ***density and scale:*** *if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,*

Comment: The proposal provides for a gross floor area of 1004m² representing an FSR of 0.65:1.

We note that although there are no stated objectives associated with the clause 50 SEPP HSPD provisions that the clause 33, 34 and 35 Design Principles pertaining to neighbourhood amenity and streetscape, visual and acoustic privacy and solar access and design for climate, provide assistance in relation to the ensuring that new buildings contribute to the quality and identity of the area, maintain reasonable neighbourhood amenity and appropriate residential, streetscape and landscape character.

It has been determined that the GFA/FSR has been appropriately distributed across the site have regard to the relationship of the proposal to the established built form arrangement on adjoining properties and the maintenance of appropriate residential amenity outcomes.

- (c) ***landscaped area:*** *if a minimum of 30% of the area of the sites is to be landscaped,*

Comment: The application provides for a total landscaped area of 794m² or 51.8% of the site area with such quantum exceeding the minimum requirement.

- (d) ***Deep soil zones:*** *if, in relation to that part of the site that is not built upon, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site. Two thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,*

Comment: The application provides for a total deep soil landscaped area well in excess of the 15% requirement with such area located adjacent to both side boundaries and within the rear setback of the site for the establishment of intervening landscape treatments.

- (e) **solar access:** *if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,*

Comment: The solar diagrams prepared in support of the proposal confirm that 6 of 8 or 75% of apartments receive the required 3 hours of solar access on 21st June in strict accordance with the minimum 70% SEPP HSPD requirement.

- (f) **private open space for in-fill self-care housing:** *if:*

- (i) *in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and*

Comment: All apartments have compliant areas of private open space as detailed on the architectural plans provided.

- (h) **parking:** *if at least the following is provided:*

- (i) *0.5 car spaces for each bedroom where the development application is made by a person other than the Department of Housing or a local government or community housing provider.*

Comment: Based on 18 bedrooms the proposal requires 9 car parking spaces. The proposal provides for a total of 16 resident spaces in strict accordance with such control.

4.4 COMPLIANCE TABLE- SEPP (HSPD) 2004

The table below provides a summary of details in respect to compliance with standards that apply to this development proposal.

SUMMARY OF COMPLIANCE WITH STANDARDS			
Standard	Required	Provided	Complies
Location, Facilities and Support Services (Clause 26 SEPPHSPD)	Site within 400m of transport that can provide access to Facilities and Support Services	Refer to accompany access report.	Yes
Building Frontage (Clause 40(3) SEPPHSPD)	Minimum street frontage of 20 metres wide at building line.	>20 metres at building alignment.	Yes
Wheelchair Access Requirements (Schedule 3)	100% access to road or internal driveway; 10% access to adjoining road; 100% access to common areas and facilities; 100% adaptable to disabled persons requirements	100% access to road or internal driveway; greater than 10% access to adjoining road; 100% access to common areas and facilities; 100% adaptable to disabled persons requirement. Refer to accompany access report.	Yes
Height (Clause 40(4) SEPPHSPD)	<8.0m 2 storeys at boundary. Single storey in rear 25% of site.	<8.0m	Yes
		2 storeys	Yes
		No development within the rear 25% area of the site	Yes

FSR (Clause 50(b) SEPPHSPD)	Threshold of 0.5:1	0.65:1	No – Acceptable on merit
Landscaped Area (Clause 50(c) and (d) SEPPHSPD)	Minimum 30% of site as landscaped area. Deep soil zone –15% of site area.	51.8% of site landscaped. >15% deep soil zone.	Yes Yes
Parking total 18 bedrooms (Clause 50(h) SEPPHSPD)	9 resident spaces	16 resident spaces	Yes
Neighbour amenity and streetscape (Clause 33 SEPPHSPD)	Attractive residential environment		Satisfactory
Visual and Acoustic Privacy (Clause 34 SEPPHSPD)	Appropriate site planning and acceptable noise levels		Satisfactory
Solar Access (Clause 35 SEPPHSPD)	Adequate daylight to living areas of neighbours and sun to POS		Satisfactory
Stormwater (Clause 36)	Minimise stormwater run-off.		Satisfactory
Crime Prevention (Clause 37 SEPPHSPD)	Personal property security for residents and visitors and encourage crime prevention.		Satisfactory
Accessibility (Clause 38 SEPPHSPD)	Access to public transport, parking and disabled access to all aspects of the development.		Satisfactory
Waste Management (Clause 39 SEPPHSPD)	Waste facilities that maximise recycling.		Satisfactory

4.5 Compliance Table – Pittwater 21 DCP

	Control	Proposed	Compliance
Side Boundary Setback	4 metres based on wall height	Compliant	Yes
Front Building Setback	Min 6.5 metres	>6.5 metres consistent with the prevailing	Yes
Building Envelope	4.2 metres/ 45 degree envelope	Compliant	Yes

The balance of the DCP provisions pertaining to traffic access and safety, parking, stormwater, erosion and sedimentation, excavation, waste management, private open space, access to sunlight, privacy, building bulk and landslip risk have been addressed previously in this report in response to the SEPPHSPD considerations.

4.6 State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires Council to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is extremely low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines of SEPP 55.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

4.7 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the residential component of the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.8 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the Act.

4.8.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with the character of the immediate area. The development is permissible and complies with the relevant statutory planning regime as detailed within this report.

The draft Housing SEPP has been publicly exhibited and to that extent is a relevant matter for consideration. We note the draft instrument precludes this form of housing from within the R2 Low Density Residential zone.

The proposal is responsive to the revised Draft North District Plan which indicates that there will be a 54% increase in the number of people aged 65 years and older in the next 20 years. In this regard, the proposal will meet a clear and increasing demand for seniors housing on the Northern Beaches enabling existing residents to age in place and to that extent is able to be supported on merit given the savings provisions contained within the draft instrument.

4.8.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context and Setting

i) *What is the relationship to the region and local context on terms of:*

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the report.

ii) *What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be acceptable and within the scope of the built form controls.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

These issues have been discussed in detail in the report. It has been determined that the development provides adequate carparking facilities and will not significantly increase traffic generation.

Public domain

The proposed development will have no additional impact on the public domain (ie roads, parks etc.).

Utilities

This matter has been discussed in detail in the body of his report.

Flora and fauna

These issues have been discussed in detail in the body of the report. The landscape concept plans accompanying this application proposes additional planting and landscaping treatments which will maintain the landscape quality of the site and locality generally.

Waste

Normal domestic waste collection applies to this development with a waste collection area provided within 6 metres of the Coronation Street frontage.

Natural hazards

The proposal will be safe from hazards.

Economic impact in the locality

The proposed development will not have any significant impact on economic factors within the area other than short term employment opportunities during construction.

Site design and internal design

i) *Is the development design sensitive to environmental conditions and site attributes including:*

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

These matters have been discussed in detail earlier in this report. The potential impacts are considered to be minimal and within the scope of the policy controls.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development can comply with the provisions of the Building Code of Australia as detailed in the accompanying report prepared by BCA Logic. The proposal complies with the relevant standards pertaining to health and safety.

Construction

i) What would be the impacts of construction activities in terms of:

- the environmental planning issues listed above?*
- site safety?*

The application is accompanied by a waste management plan prepared in accordance with Council requirements. We anticipate Council applying standard conditions with regards to the amelioration of construction related impacts.

4.8.3 The suitability of the site for the development.

Does the proposal fit in the locality?

- are the constraints posed by adjacent developments prohibitive?*
- would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual or impossible development constraints. The site is well located with regards to public transport and utility services. The development will not cause excessive or unmanageable levels of transport demand.

Are the site attributes conducive to development?

The site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed development.

4.8.4 Any submissions received in accordance with this Act or the regulations.

It is envisaged that the consent authority will appropriately consider any submissions made in relation to the proposed development.

4.8.5 The public interest.

It is considered that the development is sensitive both to the natural and built environments and will cater for a clear demand for this form of housing on the Northern Beaches given its aging population. Approval is in the public interest.

5.0 CONCLUSIONS

The proposal is permissible and in conformity with the aims and implicit objectives of SEPP HSPD and the subordinate standards and controls applicable to this form of development on this particular site. The proposed height and density are as anticipated for this form of development and its highly articulated and modulated 2 storey building form ensuring that it will be complementary and compatible with the built form characteristics of development established within the sites visual catchment.

The architect has responded to the client brief to provide for a consolidated seniors housing development of exceptional design quality which responds appropriately to the constraints and opportunities identified through detailed site and context analysis whilst maintaining appropriate levels of amenity to the adjoining and nearby residential properties.

The proposal is responsive to the revised Draft North District Plan which indicates that there will be a 54% increase in the number of people aged 65 years and older in the next 20 years. In this regard, the proposal will meet a clear and increasing demand for seniors housing on the Northern Beaches enabling existing residents to age in place.

Consistent with the outcome sought by Council the highly articulated and modulated 2 storey stepped building form assists in maintaining the visual appearance of detached style housing within a landscaped setting. Having regard to the detail of the proposal we have formed the considered opinion that the development will not give rise to any unacceptable environmental, streetscape or residential amenity impacts.

Further, consistent with the conclusions reached by the Senior Commissioner in the matter of *Project Venture Developments v Pittwater Council* (2005) NSW LEC 191, we have formed the considered opinion that most observers would not find the proposed development offensive, jarring or unsympathetic to the streetscapes or having regard to the built form characteristics of development within immediate proximity of the site.

Having given due consideration to the matters pursuant to Section 4.15(1) of the Act, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.