

[Agenda Report](#)

***Development Unit***

**Action Item**

JRPP3.1            **N0634/10- 6-14 MACPHERSON STREET, WARRIEWOOD Construction of a SEPP Housing for Seniors Development Consisting of 25 Independent Living Units and Associated Facilities Including a Swimming Pool, Cafe, Multipurpose Room and Medical Consulting Rooms**

**Proceedings in Brief**

Mr Des Brady and Mr Richard Abbott (Applicants) addressed the meeting on this item.

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**DECISION**

1. That the recommendation in the Development Officer's report **be endorsed** and Development Application N0634/10 – 6 -14 Macpherson Street, Warriewood for the Construction of a SEPP Housing for Seniors Development Consisting of 25 Independent Living Units and Associated Rooms **be granted development consent** subject to the conditions contained in the Draft Determination and the following amended and deleted conditions of consent:

**Amended Conditions;**

- B23** Street lighting facilities to the development street frontages of the site and to the existing Public Road reserve are to be provided at the full cost of the developer and in accordance with the requirements of Energy Australia **if required**.
- B56** The full length of the existing dish drain in Brands Lane **between the roundabouts** (constructed under the current approval (N0102/05) to provide access to the proposed Day care carpark) is to be removed and replaced with barrier kerb and gutter to Council's Requirements.
- C6** An updated Water Management Report, based on the Water Management Report - GHD December 2006 and GHD letter 18 January 2011 supporting Stage 3, detailing the design and plans for all works needed to achieve full compliance with the *Warriewood Valley Water Management Specification (February 2001)* and *Pittwater 21 Development Control Plan* is to be submitted by the applicant.

The detailed design and specification of all works associated with the water management system must provide for a complete system which meets the objectives and requirements of the *Warriewood Valley Water Management Specification*

(February 2001) and the updated Water Management Report referred to in condition C9.

The updated Water Management Report is to address the following:

- Confirmation of the Probable Maximum Flood (PMF) level (**for 0.9m sea level rise**) for establishing the finished floor level for building J/K including multi-purpose room and offices based on the 2100 Climate Change Scenario for the PMF condition
- Confirmation of the Probable Maximum Flood (PMF) level for the crest of the ramp to the carpark entrance of the existing residential aged care ensuring safety of the carpark for the PMF condition,
- A detailed flood Emergency Response Plan for the site and its surrounds to cater for a flood up to the level of the Probable Maximum Flood (PMF) with a 2100 Climate Change Scenario (for 0.9m sea level rise), and
- Demonstrate that the impervious areas of the development does not exceed 5% of the site being 6-14 Macpherson St, Warriewood.

**C7** The Flood Management System is to be designed to meet the objectives and requirements of the Warriewood Valley Integrated Water Management Strategy and Warriewood Valley Water Management Specification and is to include and provide for:-

- (i) Design of the works to achieve:
  - a) An unobstructed floodway is constructed from Brands Lane leading to Narrabeen Creek to carry floodwaters in a Probable Maximum Flood event with a 2100 climate change scenario (for 0.9m sea level rise),
  - b) All habitable floor levels of the adjacent building J/K including multi-purpose area and offices, are at the Probable Maximum Flood level **2100** climate change scenario (for 0.9m sea level rise), and
  - c) The entrance gate to the driveway at Brands Lane is to be designed to allow the passage of water.
- (ii) The Stormwater Management System is to include a design for a stormwater drainage system, which drains collected roof, road and surface water from the site and is to cater for flows from upstream catchments. The systems are to include combined piped and overland flow components, which convey the 1% AEP and Probable Maximum Flood events and comply with relevant Australian Standards and contemporary engineering best practice.

**C8** The **updated** Water Management Report and all associated plans must be certified in accordance with the *Warriewood Valley Water Management Specification (February 2001)* as meeting the requirements of these conditions.

**C17** A contribution of **\$325,567.77** is to be made pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, for the provision of public infrastructure in accordance with Warriewood Valley Section 94 Contributions Plan. The breakdown of the contribution for 15 additional dwellings is follows:

Element	Contribution	Cashier Code
Traffic & Transport	\$75,546.57	SWTT
Community Facilities	\$56,009.55	SWCF
Public Recreation	\$142,527.00	SWPR

Pedestrians/Cycleways	\$38,695.80	SWPC
Library Services	\$12,788.85	SWLS

The *Warriewood Valley Section 94 Contributions Plan* may be inspected at Pittwater Council, 1 Park Street, Mona Vale. The Section 94 contribution is to be paid prior to issue of the Construction Certificate, unless otherwise agreed by Council.

**E8** The following documents and payments are to be submitted to Council in a single package to ensure the efficient release of the Occupation Certificate:

- (i) A copy of the Section 73 Compliance Certificate issued under the provisions of the Sydney Water Act, 1994,
- (ii) The private certifier's Compliance Certificate. Each component of the works as outlined above is to be certified as being carried out in accordance with the relevant plans and documentation by suitably qualified professional persons as outlined in this development consent. In particular, the construction of the Water Management System is to be supervised and certified by person(s) with appropriate experience and expertise in Environmental Science, Hydrology and Hydraulics, and must be NPER registered members of the Institution of Engineers (Australia),
- (iii) Works-as-executed plans for all structures or facilities which will be dedicated to Council or which are located within drainage easements or which will require ongoing maintenance by Council,

The plans are to be in paper and electronic format (dwg or dxf file) and comprise at least the following:

- Boundary layout,
  - Kerb and gutter, road pavement, footpaths, traffic devices, retaining walls,
  - Signage (including type and wording), line marking,
  - Easements, survey numbers and marks, reduced levels and co-ordinates,
  - Stormwater drainage, pipe sizes and types, pit sizes and types, subsoil drains,
  - Water quality devices, ponds, creek line corridors, parkland, play equipment, and
  - Significant landscaping.
- (iv) A security deposit of **5% of the value of the works** is to be made to ensure rectification of any defects during the maintenance period. A maintenance period is to apply to all works to be dedicated to Council or which will require ongoing maintenance by Council. The maintenance period will apply for six (6) months after the issue of the Occupation Certificate. In that period the applicant will be liable for any part of the works which fail to perform in the manner required by the relevant certifications, or as would be reasonable expected under the design conditions.

**Deleted Conditions;**

- D9.** No works are to be carried out in Council's Road Reserve without the written approval of the Council.
- D10.** A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the

development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.

**D11.** No skip bins or materials are to be stored on Council's Road Reserve.

2 That subject to (1) above the report be referred to the JRPP.

(Mr Steve Evans / Mr Mark Beharrel)