



REPORT TO THE JOINT REGIONAL PLANNING PANEL UNIT

SUBJECT: N0267/13 – 6-14 Macpherson Street, Warriewood (Lots 1, 2, 3, 4 and 5 DP 1161389) Demolition, earthworks and construction of a seniors housing development pursuant to SEPP (HSPD) 2004 consisting of 59 self-contained dwellings with a community building, bowling green, landscaping and carparking

Determination Level: Joint Regional Planning Panel

Date: 19 February 2014

SUMMARY OF RECOMMENDATION

CONSENT, WITH DEFERRED COMMENCEMENT

REPORT PREPARED BY:	Rebecca Englund
APPLICATION SUBMITTED ON:	17 September 2013
APPLICATION SUBMITTED BY:	ANGLICAN RETIREMENT VILLAGES C/- PETER MAGNISALIS
OWNERS:	ANGLICAN RETIREMENT VILLAGES LEVEL 2, 62 NORWEST BOULEVARDE BAULKHAM HILLS NSW 2153

1.0 INTRODUCTION

The proposal is for the construction of fifty-nine (59) self-contained dwellings, a community building, bowling green, landscaping and carparking, pursuant to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004. The applicant has indicated a cost of works, or Capital Investment Value (CIV), of approximately \$24.3 million, and as such the application must be referred to the Joint Regional Planning Panel (JRPP) for determination.

2.0 SITE DETAILS

The site is legally referred to as Lots 1, 2, 3, 4 and 5 in Deposited Plan (DP) 1661389, and is known as 6-14 Macpherson Street, Warriewood. The site is irregularly shaped with a total area of 61,491m², exclusive of land along the creekline which has since been dedicated to Council. The site has a frontage to Macpherson Street to the south-west of approximately 357m and to Brands Lane to the north-west of approximately 213m. The site has an eastern side boundary of approximately 120m. The northern portion of the site is bound by Narrabeen Creek, and associated areas of public space/drainage corridors. The site is located within Sector 3 and Buffer Area 2 of the Warriewood Valley Land Release Area, and is commonly referred to as the ARV site.

Lots 1, 2 and a portion of Lot 3 in DP 1661389, being the western portion of the site, contain an existing Seniors Housing development managed by ARV, comprised of four (4) separate multi-storey buildings, with eight-nine (89) dwellings, community facilities, carparking and associated landscaping. Existing vehicular access from Macpherson Street is located on Lot 3.

The proposed development is limited to the remaining portion of Lot 3, and Lots 4 and 5 in DP 1661389, being the eastern portion of the site, with an approximate area of 26,772m². The remaining portion of the site is currently vacant, is generally free from any significant vegetation, with a slight slope from the road down to the creekline.

The site is surrounded by a mix of different development, including multi-storey residential flat buildings to the south, dwelling houses to the south-west, nurseries to the north-west, residential subdivisions to the north, and large lot residential properties to the north-east and east. The site is also located within the 400m buffer of the Sewerage Treatment Facility.

The site is zoned 2(f) (Urban Purposes - Mixed Residential) under the provisions of Pittwater Local Environment Plan 1993, as shown on the Zoning Map. The Zoning Map means the map marked "Pittwater Local Environmental Plan 1993 (Amendment No.37) Zoning Map" and 2(f) Urban Purposes – Mixed Residential is shown in pink with red edging or "coloured light scarlet with dark red edging and lettered 2(f)".

3.0 PROPOSED DEVELOPMENT

The applicant seeks consent for the following development on the site;

- Earthworks
- Demolition
- Construction of fifty-nine (59) self-contained dwellings, comprised of:
 - o Fifteen (15) x detached two (2) bedroom dwellings;
 - o Eight (8) x attached two (2) bedroom dwellings;
 - o Twenty-eight (28) x detached three (3) bedroom dwellings;
 - o Eight (8) x attached three (3) bedroom dwellings;
- Community Building
- Bowling Green
- Six (6) separate garbage enclosures
- Road infrastructure and off-street parking, and
- Associated landscaping.

4.0 LEGISLATION, PLANS AND POLICIES

The following relevant state and local policies apply:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Water Management Act 2000
- Water Management (General) Regulations 2010
- Rural Fires Act 1997
- State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004
- Pittwater Local Environmental Plan 1993 (PLEP):
 - o Dual Occupancy Area 3 (Lot 5 only)
 - o Group Building Flat Map (Lot 5 only)
 - o Clause 47 – Difficult site (Lot 5 only)
- Draft Pittwater Local Environmental Plan 2013, and
- Pittwater 21 Development Control Plan - Amendment 9 (P21 DCP):
 - o Warriewood Urban Land Release Locality; and
 - o Flood Risk Management Policy for Pittwater.

P21 DCP identifies the site as being;

- Flood prone
- Bushfire prone
- Within the 400m buffer of Warriewood Sewerage Treatment Plant, and
- Containing areas of Saltmarsh Endangered Ecological Community.

5.0 PERMISSIBILITY

The proposed development, being the construction of fifty-nine (59) residential dwellings and associated community buildings, infrastructure and landscaping is permissible with consent on land zoned 2(f) (Urban Purposes - Mixed Residential), as identified by the land use table in Clause 9 of PLEP.

The application has been lodged pursuant to *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004* (SEPP HSPD). Clause 4 of SEPP HSPD specifies the policy applies to land within NSW that is zoned primarily for urban purposes but only if dwelling houses or residential flat buildings are permissible on the land. Dwelling houses and residential flat buildings are considered to meet the definition of "residential dwellings" as specified by the land use table of Clause 9 of PLEP, and as such SEPP HSPD is considered to be applicable on the site and the proposed development permissible with consent from Council.

The Draft Pittwater Local Environmental Plan 2013 has undergone two rounds of public exhibition, has been adopted by Council and has been sent to the Department of Planning and Infrastructure for finalisation. As such, the draft standard instrument has been considered for the purpose of this assessment. The subject site is identified as being located within the R3 Medium Density Residential zone under the provisions of the draft PLEP 2013. Dwelling houses and seniors housing are permitted within the R3 zone, and as such the provisions of SEPP HSPD continue to be applicable.

6.0 BACKGROUND

6 April 2006

Council granted Development Consent to N0102/05 for the demolition of existing structures and construction of a SEPP Seniors Living Development including 260 self-contained dwelling in nine (9) separate buildings, 119 Bed Residential Aged Care Facility, ancillary facilities including administration offices, medical consultation rooms, community facilities, and associated carparking and landscaping at 6-14 Macpherson Street, Warriewood.

It is noted that this application was to be constructed in six (6) stages, with stages 4-6 relating to the portion of the site that is the subject of the current application. This previous consent would have seen the construction of six (6) separate three storey buildings containing 186 self-contained dwellings and additional community facilities, and associated landscaping constructed on the currently vacant portion of the site.

24 March 2011

The Joint Regional Planning Panel approved Development Application N0634/10 for the construction of a SEPP Housing for Seniors Development consisting of 25 independent living units and associated facilities including a swimming pool, café, multipurpose rooms and medical consulting rooms at 6-14 Macpherson Street, Warriewood. It is noted that while the consent was issued with respect to the whole site, the proposed and approved development was limited to the western portion of the site, being 10-14 Macpherson Street.

10 October 2011

Council granted consent to a Section 96(1a) Modification Application relating to N0634/10 at 6-14 Macpherson Street, Warriewood.

7 February 2013

A prelodgement meeting was undertaken with Council.

17 September 2013

The current proposal, being Development Application N0267/13, was lodged at Council. It is noted that the application was initially lodged with the following description:

"Alterations and additions to an existing SEPP (HSPD) 2004 Seniors Housing Living Development involving the staged construction and occupation of 59 self-contained dwellings with associated community building, bowling green, landscaping, car parking road works and ancillary development."

Upon an initial reading of the Statement of Environmental Effects provided to support the application it became apparent that the proposed development did not constitute "alterations and additions", and should not be referred to as such. After discussions with the applicant, the description of the proposed development was amended as follows:

"Demolition, earthworks and construction of a seniors housing living development under SEPP (HSPD) 2004 consisting of 59 self-contained dwellings with a community building, bowling green, landscaping, car parking and ancillary development; involving staged construction and occupation of the proposed development and being part of an existing seniors housing development at Nos. 6-14 Macpherson Street, Warriewood".

Following the amendment to the description of the proposal, the JRPP were informed of the lodgement of the application and the application was advertised, notified and referred to:

- Council's Development Engineer
- Council's Natural Resources Officer
- Council's Community Officer
- Council's Warriewood Valley Technical Team
- Council's Warriewood Valley Land Release Team
- NSW RFS
- NSW Office of Water; and
- The Department of Planning.

05 November 2013

Following the receipt of comments from referrals and a preliminary assessment of the application, additional information was requested with regard to the following issues:

- Water Management
- Off-street parking
- Solar Access
- Provision of private open space
- Landscaping
- Requirements of the NSW Officer of Water
- Site Coverage
- Building Colours and materials, and
- The need for additional architectural detail drawings.

18 November 2013

Additional information addressing the issues raised in the additional information request was received by Council.

20 November 2013

The assessing officer attended a briefing with the JRPP Panel members.

7.0 NOTIFICATIONS

Development Application N0267/13 was advertised and notified to 175 adjoining property owners for a period of thirty-one (31) days from 27 September through to 25 October 2013 in accordance with Council's Notification Policy. During this time, no (0) submissions were received.

8.0 ASSESSMENT ISSUES

- C1.9 Adaptable Housing and Accessibility
- C1.18 Car/Vehicle/Boat Wash Bays
- C6.7 Water Management and Creekline Corridors - Warriewood Valley Land Release Area
- D16.2 Building colours and materials
- D16.3 Front building line
- D16.6 Site Coverage - Warriewood Valley Residential Sectors
- D16.7 Fences - Warriewood Valley Residential Sectors
- D16.8 Construction, Retaining walls, terracing and undercroft areas
- D16.13 Solar access - Warriewood Valley Residential Sectors
- SEPP (Housing for Seniors and People with a Disability) 2004
 - o Solar Access
 - o Private car accommodation

9.0 P21 DCP COMPLIANCE TABLE

T - Can the proposal satisfy the technical requirements of the control?

O - Can the proposal achieve the control outcomes?

N - Is the control free from objection?

Control	Standard	Proposal	T	O	N
REF - Development Engineer					
B3.22 Flood Hazard - Flood Category 3 - All Development		<p>The application was referred to the Warriewood Valley Technical Team who provided responses with regard to the proposed development and the flood prone nature of the site.</p> <p>The Warriewood Valley Technical Team raised initial concern with regard to the lack of information provided to support the application in relation to flooding.</p> <p>Additional information was provided by the applicant, and subject to conditions of consent, the Warriewood Valley Technical Team is able to support the development proposal.</p> <p>See full comments from the Warriewood Valley Technical Team in Section 10 of this report.</p>	Y	Y	Y
B3.23 Climate Change (Sea Level Rise and Increased Rainfall Volume)			Y	Y	Y

Control	Standard	Proposal	T	O	N
B5.4 Stormwater Harvesting		<p>The application was referred to the Warriewood Valley Technical Team who provided responses with regard to the proposed development and water management.</p> <p>Following the receipt of additional water management plans and documentation, and subject to conditions of consent, the Warriewood Valley Technical Team is able to support the development proposal.</p> <p>See full comments in Section 10 of this report.</p>	Y	Y	Y
B5.11 Stormwater Discharge into Waterways and Coastal Areas			Y	Y	Y
B5.13 Development on Waterfront Land			Y	Y	Y
B6.2 Access Driveways and Works on the Public Road Reserve- All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy			-	-	-
B6.4 Internal Driveways - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy			Y	Y	Y
B6.6 Off-Street Vehicle Parking Requirements - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy			Y	Y	Y
B6.9 On-Street Parking Facilities - All Development other than Dwelling Houses, Secondary Dwellings and Dual Occupancy			-	-	-
B6.10 Transport and Traffic Management - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy			Y	Y	Y
B8.1 Construction and Demolition - Excavation and Landfill			Y	Y	Y
B8.2 Construction and Demolition - Erosion and Sediment Management			Y	Y	Y
B8.3 Construction and Demolition - Waste Minimisation			Y	Y	Y
B8.4 Construction and Demolition - Site Fencing and Security			Y	Y	Y

Control	Standard	Proposal	T	O	N
B8.5 Construction and Demolition - Works in the Public Domain			Y	Y	Y
B8.6 Construction and Demolition - Traffic Management Plan			Y	Y	Y
C6.4 Flood - Warriewood Valley Land Release Area Residential Sectors			Y	Y	Y
C6.18 Utilities and services - Warriewood Valley Land Release Area			Y	Y	Y
C6.20 Water Management for Development in Warriewood Valley Land Release Area		This control does not apply as the proposal is part of the 'whole of sector' development and associated water management facilities are provided for the entire development across this sector.	-	-	-
REF - Natural Resources					
B1.4 Aboriginal Heritage Significance			Y	Y	Y
B3.5 Acid Sulphate Soils			Y	Y	Y
B4.15 Saltmarsh Endangered Ecological Community		Council's Natural Resources Officer provided comments as part of the Warriewood Valley Technical Team response. See Section 10 of the report below to view these landscaping comments in full.	Y	Y	Y
D16.12 Landscaping			Y	Y	Y
REF - Planner					
30C. Dwelling Density		Council's Land Release Team provided the following comments in this regard; <i>As the application has been lodged pursuant to SEPP HSPD, the dwelling yields stipulated in Clause 30C of PLEP are irrelevant given the application of Clause 5(c) of SEPP HSPD.</i> See further discussion in Section 10 of this report, below.	Y	Y	Y
30D. Mitigation of odours from the Warriewood Sewerage Treatment Plant		The Department of Planning were sent correspondence with regard to Clause 30D of PLEP when the application was initially received. Correspondence was received on 28 November 2013 providing certification from the Director General that the impact of odours from the Warriewood Sewerage Treatment Plant upon users or occupants of the buildings is mitigated.	Y	Y	Y
EPA Act Section 147 Disclosure of political donations and gifts			Y	Y	Y

Control	Standard	Proposal	T	O	N
3.1 Submission of a Development Application and payment of appropriate fee	A completed development application form including formal owners consent to lodge the application together with the appropriate fees must be submitted with all development applications.		Y	Y	Y
3.2 Submission of a Statement of Environmental Effects	A Statement of Environmental Effects (SEE) must accompany all development applications.		Y	Y	Y
3.3 Submission of supporting documentation - Site Plan / Survey Plan / Development Drawings	Survey Plan, Site Plan, Development drawings and a Schedule of Finishes required to be submitted.		Y	Y	Y
3.4 Notification	Advertised Development Applications are notified for a minimum period of thirty-one (31) days, by means of neighbour notification letters, an advertisement in the local paper and the placement of a sign located on the site, visible from the street.	Development Application N0267/13 was advertised and notified to adjoining property owners for 31 days in accordance with Council's Notification Policy.	Y	Y	Y
3.5 Building Code of Australia	Proposed development must be designed, constructed and maintained so that they comply with the relevant provisions of the Building Code of Australia.		Y	Y	Y
3.6 State Environment Planning Policies (SEPPs) and Sydney Regional Environmental Policies (SREPs)			-	-	-
4.1 Integrated Development: Water Supply, Water Use and Water Activity		<p>The proposed development includes works that required a controlled activity approval pursuant to the <i>Water Management Act 2000</i>. As such, the proposal is classified as integrated development under section 91A of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The application was referred to the Department of Primary Industries for review. On 23 December 2013 Council received correspondence including the NSW Office of Water's General Terms of Approval which will be incorporated into conditions of consent, should the application be approved.</p>	Y	Y	Y
4.4 Integrated Development: Bushfire		Pursuant to Section 91A of the <i>Environmental Planning and Assessment Act 1979</i> , a seniors housing development on bushfire prone land is classified as integrated development and	Y	Y	Y

Control	Standard	Proposal	T	O	N
		<p>requires approval from the NSW RFS pursuant to section 100B of the <i>Rural Fires Act 1997</i>.</p> <p>The application was referred to the NSW RFS on 20 September 2013 and a response was received on 17 December 2013. The response from the NSW RFS included a series of conditions that are to be incorporated into the consent, should the application be approved.</p>			
4.5 Integrated Development: Aboriginal Objects and Places			-	-	-
4.7 Integrated Development - Roads			-	-	-
4.8 Integrated Development - Rivers, Streams and Foreshores			-	-	-
5.1 Referral to the Roads and Traffic Authority under SEPP (Infrastructure) 2007			-	-	-
5.3 Referral to NSW Department of Environment and Climate Change (DECC)			-	-	-
6.6 Section 94 Contributions - Warriewood Valley		<p>The Warriewood Valley Section 94 Contributions Plan applies to this site.</p> <p>See Section 10 of this report for comments provided by the Warriewood Valley Technical Team in relation to Section 94 contributions.</p>	Y	Y	Y
A1.7 Considerations before consent is granted	<p>Before granting development consent, Council must be satisfied that the development is consistent with <i>Pittwater LEP 1993</i>, the desired character of the Locality, and the development controls applicable to the development. Council will also have regard to section 79C of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Section 79C of the Act also requires consideration of the <i>Draft Pittwater Local Environmental Plan 2013</i>.</p>	The application has been assessed with regard to <i>Pittwater LEP 1993</i> , the draft PLEP 2013, the desired character of the Locality, and the development controls applicable to the development.	Y	Y	Y
B1.3 Heritage Conservation - General		The proposed development does not contain any known items of heritage significance and is not located in the vicinity of any.	Y	Y	Y
B3.2 Bushfire Hazard		The site is identified as being prone to bushfire, and as such, the application was supported by a bushfire risk management report.	Y	Y	Y

Control	Standard	Proposal	T	O	N
		<p>The bushfire risk management report did not include a bushfire risk assessment certificate which is required in accordance with section 79BA 1(b) of the Environmental Planning and Assessment Act 1979.</p> <p>As such, the application was also referred to the NSW RFS on 20 September 2013 pursuant to Section 79BA of the Act. Response was received from the RFS on 17 December 2013, including a series of conditions to be incorporated into the consent, should the application be approved.</p>			
B3.6 Contaminated Land and Potentially Contaminated Land		The application was supported by a contamination report which provides that the soils present on site are within provisional guidelines, and the site is suitable for the proposed development.	Y	Y	Y
B5.1 Water Management Plan			Y	Y	Y
B5.2 Wastewater Disposal			Y	Y	Y
B5.3 Greywater Reuse			-	-	-
B5.11 Stormwater Discharge into Waterways and Coastal Areas			Y	Y	Y
B5.13 Development on Waterfront Land			Y	Y	Y
B6.6 Off-Street Vehicle Parking Requirements - All Development other than Dwelling Houses, Secondary Dwelling and Dual Occupancy	<p><u>RTA Guide to Traffic Generating Development</u> 2 spaces per 3 units (residents) 1 space per 5 units (visitors)</p> <p><u>Required spaces</u> 40 residential spaces 12 visitor spaces</p>	<p>P21 DCP does not have specific parking requirements for seniors housing developments. As such, Council is reliant upon the RTA Guide to Traffic Generation Development to identify the minimum amount of parking spaces required.</p> <p>The proposed development incorporates 118 parking spaces for residential use and 16 spaces for visitors.</p> <p>The RTA guidelines does not specify whether or not any of these spaces are to be accessible, however given that the development proposal is to provide housing specifically for seniors and people with a disability, and as there are excess visitor spaces, 2 visitor spaces (one in the area near the community building and one in the area near the main entrance) shall be amended to comply with the requirements of AS/NZS 2890.6.</p>	Y	Y	Y
C1.2 Safety and Security	There are four Crime Prevention through Environmental Design	Subject to conditions of consent with regard to lighting, the proposed development is considered to be largely consistent with the	Y	Y	Y

Control	Standard	Proposal	T	O	N
	(CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following: i. Surveillance; ii. Access; iii. Territorial reinforcement; and iv. Space management.	CPTED principles of surveillance, access, territorial reinforcement and space management.			
C1.3 View Sharing		The proposed development is not considered to result in any unreasonable impacts upon views currently enjoyed by adjoining residential properties or areas of public open space.	Y	Y	Y
C1.9 Adaptable Housing and Accessibility	<p><u>Control</u> 100% of dwellings are to be adaptable and comply with the minimum requirements of AS4299.</p> <p><u>Outcome</u> Housing for Seniors and People with a Disability are accessible, adaptable and safe.</p>	<p>The application was supported by an Accessibility Assessment report prepared by Howard Moutrie of Accessible Building Solutions.</p> <p>The report identifies that compliance is required with regard to the following;</p> <ul style="list-style-type: none"> • The access provisions of the BCA; • The Access To Premises Standard; • SEPP Seniors Living 2004; • The Council's DCP relating to Access for People with a Disability; • AS 1428 suite of Standards; and • AS 2890.6 for car parking. <p>The report concludes that the development is able to comply with the access provisions of the BCA and SEPP Seniors Living.</p> <p>Upon assessment of the application, it is clear that the proposal does not achieve compliance with the off-street parking requirements of AS4299 or AS2890.6.</p> <p>See further discussion with regard to off-street parking (private car accommodation) in Section 12 of the report, below.</p>	N	N	Y
C1.10 Building Facades	<p>Building facades shall be free of services when viewed from a public place.</p> <p>Letter boxes shall be situated to reduce visual clutter and the perception of multiple dwellings.</p>		Y	Y	Y
C1.12 Waste and Recycling Facilities	Communal waste and recycling enclosures shall be adequately sized, integrated with the	Communal waste enclosures are to be located adjoining the proposed internal road network. Subject to conditions of consent	Y	Y	Y

Control	Standard	Proposal	T	O	N
	building design and site landscaping, suitably screened and located for convenient access.	regarding design criteria, the proposal is considered to achieve consistency with this control.			
C1.13 Pollution Control			Y	Y	Y
C1.14 Separately Accessible Structures			-	-	-
C1.15 Storage Facilities	A lockable storage area of minimum 8m ³ per dwelling shall be provided.	The proposed dwellings incorporate in excess of 8m ³ of storage space per dwelling.	Y	Y	Y
C1.18 Car/Vehicle/Boat Wash Bays	A designated wash bay is to be incorporated on the site where developments have more than 10 units. The wash bay is to be designed and constructed so as to not allow polluted waters to enter the stormwater drain.	The proposed development does not include a designated wash bay, despite incorporating more than 10 units/dwellings. Should the application be approved, a condition of consent is recommended to ensure the incorporation of a designated wash bay, which may also be utilised as visitor parking.	N	Y	Y
C1.19 Incline Passenger Lifts and Stairways			-	-	-
C1.20 Undergrounding of Utility Services	All utility services shall be located below ground.	Should the application be approved, a condition of consent would be applied to ensure consistency with this control.	Y	Y	Y
C1.21 SEPP (Housing for Seniors or People with a Disability) 2004	Housing for Seniors or People with a Disability, developments shall: <ul style="list-style-type: none"> be in keeping with the development of the surrounding area in regard to bulk, height, scale and character. not result in such an accumulation of Housing for Seniors or People with a Disability developments to create a dominant social type in the surrounding neighbourhood. not result in such an accumulation of Housing for Seniors or People with a Disability developments to create a dominant 'multi-unit' housing appearance in the neighbourhood. 	The Warriewood Valley Land Release Area comprises a variety of different land uses, building sizes, scales, and densities. Whilst there is a lack of single storey development maintained in the immediate locality, the density of the development is not unlike other developments along Macpherson Street or within the Valley as a whole. The proposed seniors housing development is not considered to result in an accumulation or domination of seniors housing developments within the surrounding neighbourhood. The proposal is not considered to result in a dominant appearance of multi-unit housing, if anything, the proposal will appear as individual housing as opposed to the previous multistorey development approved on the site and built on the adjoining properties to the south and west.	Y	Y	Y
C1.23 Eaves		The individual dwellings incorporate eaves with a minimum width of 450mm.	Y	Y	Y
C1.25 Plant, Equipment Boxes and Lift Over-Run			-	-	-
C5.19 Food Premises Design Standards			-	-	-

Control	Standard	Proposal	T	O	N
C6.2 Aboriginal Heritage – Warriewood Valley Land Release Area			Y	Y	Y
C6.3 European Heritage - Warriewood Valley Land Release Area			Y	Y	Y
C6.4 Flood - Warriewood Valley Land Release Area Residential Sectors		<p>The application was referred to the Warriewood Valley Technical Team who provided responses with regard to the proposed development and the flood prone nature of the site.</p> <p>The Warriewood Valley Technical Team raised initial concern with regard to the lack of information provided to support the application in relation to flooding.</p> <p>Additional information was provided by the applicant, and subject to conditions of consent, the Warriewood Valley Technical Team is able to support the development proposal.</p> <p>See full comments in Section 10 of this report.</p>	Y	Y	Y
C6.6 Bushfire Protection - Warriewood Valley Land Release Area			Y	Y	Y
C6.7 Water Management and Creekline Corridors - Warriewood Valley Land Release Area	<p>A Water Management Report is to be prepared for each sector and must incorporate water cycle management, water quality management, watercourse and corridor management, and floodplain management.</p> <p>A 50m wide multi-function corridor is required to be brought into public ownership to contain the creek, floodway, flora and fauna habitat and the pedestrian path/cycleway.</p> <p>A 25m wide private buffer strip shall be provided on each side of the multi-function corridor and shall contain flora and fauna habitat. Dwellings, garages and other built structures must not be located within the private 25m buffer strip.</p>	<p>The application was supported by a Water Management Report. Subject to conditions of consent, Council's Warriewood Valley Technical Team endorses the conclusions of this report.</p> <p>The creekline corridor associated with the subject site was dedicated to Council following the approval of a previous Development Application on the site.</p> <p>Council's Landscape Architect has provided a series of conditions of consent to ensure that landscaping within the private buffer strip is consistent with the outcomes of this clause.</p> <p>A small portion of ILU 10 and the entire bowling green are located within the 25m private buffer strip. Subject to conditions of consent requiring additional plantings within this buffer area, Council's Warriewood Valley Technical Team support the application, despite minor non-compliance with this clause of P21 DCP.</p>	N	Y	Y
C6.8 The Road System - Warriewood Valley Land			Y	Y	Y

Control	Standard	Proposal	T	O	N
Release Area					
C6.9 Pedestrian and Cycle Network - Warriewood Valley Land Release Area			Y	Y	Y
C6.10 Ecologically Sustainable Development - Warriewood Valley Land Release Area- Residential Sectors			Y	Y	Y
C6.11 Natural Environment - Warriewood Valley Land Release Area			Y	Y	Y
C6.12 Public Recreation and Open Space - Warriewood Valley Land Release Area			Y	Y	Y
C6.13 Landscaped Amenity Buffer Strips -			Y	Y	Y
C6.17 Social Environment - Warriewood Valley Land Release Area		Whilst the proposal is for a new development, it is essentially a stage in the overall development of the site. As part of the overall development, communal areas have already been established to encourage social interaction of residents.	Y	Y	Y
C6.18 Utilities and services - Warriewood Valley Land Release Area			Y	Y	Y
C6.20 Water Management for development in Warriewood Valley Land Release Area		This control does not apply as the proposal is part of the 'whole of sector' development and associated water management facilities are provided for the entire development across this sector.	-	-	-
C6.21 Provision of Infrastructure - Warriewood Valley Land Release Area			Y	Y	Y
C6.22 Landscaping on the existing and proposed public road reserve frontage to subdivision lots - Warriewood Valley Land Release Area			Y	Y	Y
C6.23 Site Coverage, Sector Development - Warriewood	The total site coverage within a residential sector or residential	The proposed development covers an area of 16,957.1m ² , or 63.3% of the subject site.	N	Y	Y

Control	Standard	Proposal	T	O	N
Valley Land Release Area	development site shall not exceed 50% of the sector area. The remaining 50% of the sector area must be landscaped area.	<p>The proposal, combined with the existing ARV development to the west covers an area of 37,592.6m², or 61.1% of the development site.</p> <p>Whether you consider the proposal on its own, or as part of the larger ARV development site, the development results in non-compliance with this clause. However, it is appreciated that the development was lodged pursuant to SEPP HSPD which has a greater site coverage calculation associated with the provision of housing for seniors and people with a disability.</p> <p>The implications of this additional site coverage have been addressed by the applicant in the Water Management Plans, and subject to conditions of consent, the development is able to achieve consistency with the outcomes of this clause.</p>			
D14.2 Scenic protection - General			Y	Y	Y
D16.1 Character as viewed from a public place			Y	Y	Y
D16.2 Building colours and materials	Dark and earthy tones with minimal reflectivity.	<p>The applicant has provided a series of three differing colour schemes that will be spread out throughout the development. However, a number of the colours utilised in these schemes are too light and inconsistent with this control.</p> <p>Additional information was requested in an attempt to incorporate a greater amount of darker tones. The applicant's architect provided a statement in return which put forward that the proposed colour "shale grey" was a dark and earthy tone, that "surf mist" was to be used sparingly, and that "evening haze" was included to provide variety.</p> <p>It is noted that "Surf mist", "Evening haze" and "Shale grey" are the three lightest colours in the Colorbond range.</p> <p>As the site is situated below street level, and given the extent of roof forms as viewed from Macpherson Street, the use of light colours for roofing and external walls is unacceptable and will result in the site being covered in light and reflective materials separated by an occasional tree.</p> <p>As such, a condition of consent is recommended to ensure consistency with this</p>	N	Y	Y
D16.2 Building colours and materials (Cont....)					

Control	Standard	Proposal	T	O	N
		control, specifically in relation to roofs and external walls. Nominal use of lighter colours for window frames, gutters, downpipes etc.; is able to be supported.			
D16.3 Front building line	Minimum front building line – 6.5m	<p>Min. front setback proposed – 6m</p> <p>The applicant seeks consent to locate minor elements of each dwelling fronting Macpherson Street forward of the 6.5m front setback. However, in doing so, the dwellings have been designed so that portions of the façade fronting Macpherson Street are setback at a distance greater than 6.5m.</p> <p>As a result, the frontages of the dwellings along Macpherson Street are articulated with varying setbacks, with adequate setbacks to allow for the incorporation of additional canopy trees and native landscaping.</p> <p>Despite minor non-compliance in some areas, the development is considered to meet the outcomes of this clause, and achieve consistency with the desired future character of the locality.</p>	N	Y	Y
D16.4 Side and rear building lines - Warriewood Valley Residential Sectors	For detached and attached dwellings, a minimum side boundary setback of 2.5m applies to at least one side boundary.	In this instance, the proposed development is not to be subdivided into individual lots, and as such, the development achieves consistency with this control.	Y	Y	Y
D16.5 Building Envelope - Warriewood Valley Residential Sectors			-	-	-
D16.6 Site Coverage - Warriewood Valley Residential Sectors	Maximum site coverage for Multi-unit housing – 55% of the total site.	<p>Proposed site coverage – 63%</p> <p>If you were to consider the development as a multi-unit housing development, the proposal would result in technical non-compliance with this control.</p> <p>However, it is noted that if you were to include the portion of creekline that was dedicated to Council pursuant to a previous approval on the site, the development would achieve a greater level of consistency with this clause.</p> <p>Regardless, the application was lodged pursuant to SEPP HSPD, which provides for a greater level of site coverage to a maximum of 70%. Pursuant to SEPP HSPD, the consent authority must not refuse a development application based on the landscape area calculations if 30% of the site is landscaped.</p>	N	Y	Y
D16.7 Fences - Warriewood Valley Residential Sectors		The SOE puts forward that the application plans to utilise existing fencing, however the	N	Y	Y

Control	Standard	Proposal	T	O	N
		<p>landscape plans indicate a new metal fence along the boundary adjacent to the creekline corridor, and new fencing to Macpherson Street and the eastern side boundary.</p> <p>The metal fencing proposed along the creekline will restrict the movement of wildlife and is inconsistent with the requirements of this clause.</p> <p>As such, a condition of consent is recommended to ensure that any approval issued does not provide any new fencing within the riparian corridor or the 25m private buffer area.</p> <p>The proposed front fence is a continuation of the existing fence which runs along the remainder of the property. The front fencing is consistent with the character of the locality and is able to be supported.</p> <p>The are no issues raised in relation to the western side fencing.</p>			
D16.8 Construction, Retaining walls, terracing and undercroft areas	<p><u>Outcome</u></p> <p>To protect and minimise site disturbance to natural landforms</p>	<p>The application seeks consent to significantly alter the natural landform, by taking soil from the higher portions of the site and filling some of the lower portions of the site, closer to the creekline.</p> <p>Whilst not preferable, this approach allows for the site to be developed safe from flooding, without unreasonable impacts to any established significant vegetation. The proposed design approach is consistent with that undertaken on the adjoining site, and that previously approved by Council pursuant to N0102/05.</p>	N	Y	Y
D16.9 Utilities and Telecommunication Services		<p>The applicant has demonstrated that the proposed development will be appropriately serviced.</p> <p>Correspondence was provided from Sydney Water with regard to connection to water and sewerage systems.</p> <p>Conditions of consent are recommended to ensure that all utilities are located underground.</p>	Y	Y	Y
D16.10 Pets and companion animals		Conditions of consent are recommended to ensure consistency with this control.	Y	Y	Y
D16.11 Location and design of carparking facilities - Warriewood Valley Residential Sectors		The proposed development has been designed to minimise the appearance of parking structures, as viewed from Macpherson Street.	Y	Y	Y

Control	Standard	Proposal	T	O	N
D16.12 Landscaping - Warriewood Valley Residential Sectors		The application was referred to Council's Warriewood Valley Technical Team for comments and recommendations. Council's Natural Resources Officer and Landscape Architect provided a series of conditions of consent that are to be included in any consent issued, in order to ensure consistency with this clause.	Y	Y	Y
D16.13 Solar access - Warriewood Valley Residential Sectors	<p><u>Control</u> Windows associated with principal living spaces are to receive a minimum of 4 hours of direct sunlight between 9am and 3pm in midwinter (that is to 50% of the glazed area of those windows).</p> <p>Areas of private open space are to receive a minimum of 4 hours of direct sunlight between 9am and 3pm in midwinter (that is to a reasonable area having consideration of site constraints).</p> <p><u>Outcome</u> Development is sited and designed to maximise solar access, adequate daylight and ventilation to habitable rooms and adequate sunlight to private open spaces during midwinter.</p>	<p>The proposed development does not achieve compliance with this control, as most dwelling do not receive a minimum of 4 hours of sunlight to both areas of private open space and windows associated with living areas.</p> <p>However, it is noted that the consent authority must not refuse a development lodged pursuant to SEPP HSPD 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.</p> <p>It is noted that the control is not as specific as that within P21 DCP as it does not provide a minimum area associated with glazed areas of private open space.</p> <p>See further discussion with regard to Solar Access provisions of SEPP HSPD in Section 12 of this report below.</p>	N	Y	Y
D16.14 Height	Maximum height – 8.5m above natural ground level	<p>Maximum height proposed – 5.6m above natural ground</p> <p>As the proposal seeks consent to manipulate the ground levels, the maximum height is technically 5.6m, however, the resulting structures will appear to have a maximum height of approximately 4m, as measured from the resulting ground levels.</p>	Y	Y	Y
D16.15 Scenic protection - General			Y	Y	Y
SEPP (Housing for Seniors and People with a Disability) 2004	The proposed Seniors Housing development must comply with the provisions of <i>State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004</i> .	See the SEPP HSPD compliance table below for complete consideration of this policy.	N	Y	Y
SEPP (Building Sustainability Index: BASIX) 2004			Y	Y	Y

Issues marked with a - are not applicable to this Application.

10.0 PLEP and P21 DCP DISCUSSION

- **Dwelling Density**

Council's Warriewood Valley Land Release Team provided the following comments in regards to dwelling density;

Clause 30A of PLEP requires that development within the Warriewood Valley Release Area be in accordance with an adopted planning strategy for the release area. The equivalent clause in draft PLEP 2013 is Clause 6.1(1)(a).

The ARV site falls partially within the former Sector 3 (14 Macpherson Street) and Buffer Area 2 (6-12 Macpherson Street) of the Warriewood Valley Release Area. The proposed development however is limited to the eastern portion of the site which falls partially within Buffer Area 2.

The adopted planning strategy applying to the ARV site is the Warriewood Valley Planning Framework 2010, which stipulates a maximum density of 25 dwellings per developable hectare.

The earlier approvals relating to the site (N0102/05 and N0674/10) far exceed the dwelling density allocated under the Warriewood Valley Planning Framework 2010 however as these applications were lodged pursuant to SEPP HSPD, which prevails over Council's policies, these inconsistencies did not hold determining weight given the application of Clause 5(c) of SEPP HSPD.

The proposed development, if approved, will result in significantly fewer dwellings than approved under the earlier consents. The development, if approved, will result in a density across the site of 24 dwellings per developable hectare.

	Dwellings	Total developable area (excluding creekline corridor)	Density
Completed (Stages 1, 2, and 3)	89	6.14 Ha	24 dwellings per developable Ha
Proposed (Stages 4-6)	59		
TOTAL	148		

The proposal is consistent with the Warriewood Valley Planning Framework 2010 and is supported by the Warriewood Valley Land Release Team.

- **Dwelling Yield**

Council's Warriewood Valley Land Release Team provided the following comments in regards to dwelling yield;

Clause 30C of PLEP stipulates the maximum dwelling yield for each sector or buffer area within the release area. The equivalent clause in draft PLEP 2013 is Clause 6.1(4). As the application has been lodged pursuant to SEPP HSPD, the dwelling yields stipulated in PLEP and draft PLEP 2013 are irrelevant given the application of Clause 5(c) of SEPP HSPD.

- **Section 94 Contributions**

Council's Warriewood Valley Technical Team provided the following comments in regards to the Warriewood Valley Section 94 Contributions Plan;

This property is partially developed where earlier stages of an overall SEPP HSPD exist on the western portion of the property. As discussed earlier, development consent N0102/05 applied to the whole site for the development of an overall SEPP HSPD comprising 260 self-contained dwellings in 9 separate buildings, a 119 bed residential aged care facility and associated support services, to be constructed in stages. N0102/05 imposed a condition regarding the full payment of developer contributions for the total development on this property, which was paid on 15 May 2007.

In March 2011, Council approved the construction of 25 self-contained dwellings, associated ground level car parking ancillary facilities on that part of the property known as Stage 3, resulting in an additional 15 dwellings being approved over the total property. At the time, Council imposed a condition requiring additional Section 94 contributions to be paid equivalent to the additional 15 dwellings if the earlier approval N0102/05 was not modified to reduce the number of approved self-contained dwellings to 245 (the net result of both consents will still result in 260 self-contained dwellings when N0102/05 is modified). Stage 3 has been completed however an application to modify the number of self-contained dwellings approved under N0102/05 is still to be lodged and considered by Council.

This application seeks to construct 59 self-contained dwellings on the remaining portion of the property, rather than the 196 self-contained dwellings (within 6 residential buildings) that was previously approved for this portion of the property under N0102/05. If approved, the net result is 148 self-contained dwellings being built across the entire development, 112 dwellings less than was approved for the entire development under N0102/05. Given that the developer contributions for the overall development of 260 self-contained dwellings, a 119 bed residential aged care facility and associated support services has already been paid to Council in accordance with consent N0102/05, this development should not attract additional developer contributions. This approach of not levying this development has been confirmed by Council's Section 94 Officer and Chief Financial Officer.

As mentioned above, the Section 94 contributions relating to N0102/05 have already been paid and spent by Council towards infrastructure listed in the S94 Works Schedule.

- **Water Management**

The application was referred to the Warriewood Valley Technical Team for comments and recommendations. The team raised initial concern with regard to water management for the site, and as such, additional information was provided by the applicant throughout the assessment process. Following the receipt of additional information, the Warriewood Valley Technical Team provided the following comments with regard to water management on the site:

Water Balance:

The proposed development for ARV Stages 4 to 6 exceeds the typically required percentage imperviousness of 50% to fulfil the water balance outcomes within the Warriewood Valley Water Management Specification (WMS). [Note: The proposed development falls under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and so only needs to achieve a minimum of 30% landscaped area.]

GHD has therefore recalculated the Site Storage Requirement (SSR) for the site based on the proposed higher site imperviousness to meet the same water balance outcome specified in the WMS. It is further confirmed in the letter from GHD dated 13 December 2013, that the water balance modelling determines that the already constructed lake on the site adequately meets the revised SSR.

Water balance modelling for the full range of storm events was also provided by GHD for the Permissible Site Discharge from the constructed lake from comparison against the WMS requirements. The lake's outlet was found to have the capacity to discharge greater flows than necessary for some of the storm events. GHD therefore recommends replacing the existing 550mm diameter office plate outlet with a 450mm plate to achieve better compliance with the WMS. The resulting increase in maximum stormwater capacity within the constructed lake would still meet the SSR.

Water Quality Monitoring

The water quality monitoring reporting provided as part of the current DA relies on the past report prepared by Marine Pollution Research for ARV's previous development, titled "Warriewood Land Release Sector 4 - Stage 3 & 4 During Construction Water Quality Monitoring July to Oct 2011" dated December 2011. More recent water quality monitoring has not been undertaken. Further water quality monitoring reporting as set out by the Warriewood Valley Water Management Specification is required at subsequent stages of the development.

Water Management System

The water treatment components associated with the proposed development include the use of pit litter baskets on "all grated gully pits within the road network" for primary treatment. Secondary treatment is provided on one of the two main stormwater lines by a stormwater filtration system (Storm Filter) which then connects to a stormwater system entering the existing constructed lake. The second stormwater line feeds into a water basin feature following primary treatment only. Overflows from the water feature also flow into the stormwater system that enters the constructed lake.

Council technical staff has significant concerns about the ability of the water basin feature referred to as a "constructed wetland" shown in the civil and landscape drawings to adequately provide effective water quality treatment. There are several design concerns that need to be addressed including:

- appropriateness of basin sizing as there are no details of the rationale/assumptions used for sizing the system;
- the level of stormwater pre-treatment prior to entering the basin. There is no sediment control or secondary treatment on the stormwater input to the system which will significantly affect the basin's viability and performance over time;
- the reasons why the second stormwater line bypasses the basin;
- the absence of any wetland vegetation within the proposed treatment system;
- the proximity of trees that could shade the basin affecting performance;
- the system short circuiting due to the inlet and outlet locations being almost opposite each other;
- the steepness of batters;
- the inability to mechanically or manually control water levels; and
- details of how the basin is to be maintained.

These matters need to be addressed and the performance of the overall system peer reviewed and documented for inclusion in the updated Water Management

Report prior to the issue of the Construction Certificate to provide assurance that the basin and its water quality treatment function can achieve the objectives of the Warriewood Valley Water Management Specification.

As an aesthetic feature, the basin which is used to form a permanent water body will be at risk of algal blooms as is currently the case of the existing much larger on site lake. Algal problems and algal management procedures should be incorporated into the maintenance practices to manage aesthetics and to prevent water quality impacts within the existing lake and areas downstream.

The proposal for the basin feature will require further design consideration and review to ensure that the design can meet the objectives of the Warriewood Valley Water Management Specification. Alternatively, consideration may be provided for alternative stormwater quality improvement device(s) which do not result in a permanent above ground wet storage areas as long as the objectives of the Warriewood Valley Water Management Specification can be met.

An updated Stormwater Quality Improvement Device (SQID) Management Plan has not been provided as part of the current DA and reference is made to the 2006 Water Management report only. There is insufficient information in the 2006 Report on how a Storm Filter system of how the water basin is to be maintained. Council's maintenance experience of similar systems within the Warriewood area indicate that such systems are highly susceptible of failure due to high sediment loads. The filter system also requires replacement of cartridges but this is not addressed in the 2006 Water Management Report. As the proposed water management system connects to an existing artificial lake that already experiences periodic eutrophication, the management of algae will need to be addressed as part of the SQID Management Plan.

Flooding

[Note: There are some inconsistencies between the reported minimum building floor levels for in the Civil Works plans (Henry & Hymas), Landscaping plan (John Lock & Associates), the plan attached to GHD letter 27 August 2013, and the Enviro Studio plan. The following comments have assumed that the plans the Henry & Hymas take precedence.]

The Water Management Report Update provides an assessment of the flood impacts of the development based on the draft Narrabeen Lagoon Flood Study (September 2013) which has since been adopted as a final report by Council.

The use of the site for aged care is considered a Special Flood Protection development, with the requirement to have minimum floor levels at the Probable Maximum Flood (PMF) level with the consideration of 2100 sea level rise scenario. Note that the PMF level is also required for non-habitable rooms that could be used as a public meeting space and is therefore required for the proposed community room. The minimum floor level of enclosed garage carparking is acceptable at the Flood Planning Level.

Minimum flood levels estimated at the site for the PMF with climate change impacts range from 5.1 to 5.4m AHD. Based on the levels reported in the Henry & Hymas drawings, the proposed floor levels of the buildings including garages, the bowling green, and the community room meet the minimum requirements of Council's P21 DCP.

Currently, the landscaping plan shows fencing along the riparian boundary. This is not acceptable due to the potential to block flow paths and restrict wildlife migration, and should therefore be removed from the landscaping plan.

The comments provided by the Warriewood Valley Technical Team included a series of conditions to be incorporated into any consent issued in relation to the site.

- **Landscaping**

Council's Warriewood Valley Technical Team provided the following response with regard to landscaping and issues relating to Natural Resources;

Following receipt of the revised landscape documentation Council's Principal Officer Natural Environment & Education has indicated that, subject to the conditions recommended by Council's Landscape Architect, the proposed species are all suitable for the site. Consistent with the conditions recommended by Council's Landscape Architect, quantities of each species within the Planting Schedule will be required to be specified prior to the issue of the Construction Certificate to allow for auditing and certification of the landscaping.

In regard to the Riparian Zone Planting Plan, which incorporates an Asset Protection Zone for bushfire, the proposed groundcover within the outer riparian zone is a native turf species which is appropriate for an Asset Protection Zone. However, the number of canopy trees proposed within the riparian zone is considered to be too sparse for the area. It is recommended that an additional five (5) Eucalyptus robusta specimens be planted throughout this area, bringing total number of canopy trees in this area to eleven (11). The canopy trees should be planted at distances far enough apart not to allow continuous canopy cover and therefore still be compliant with landscaping guidelines specified in Planning For Bushfire Protection 2008. The additional trees will enhance habitat and amenity and provide extra shade for the residents to utilise during summer.

11.0 SEPP HSPD COMPLIANCE TABLE

C - Can the proposal satisfy the technical and performance requirements of the clause?

Clause	Standard	Proposal	C
Chapter 1 - Preliminary			
2. Aims of Policy	<p>(1) This Policy aims to encourage the provision of housing (including residential care facilities) that will:</p> <ul style="list-style-type: none"> (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. <p>(2) These aims will be achieved by:</p> <ul style="list-style-type: none"> (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 this 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. 		Y
4. Land to which the	This Policy applies to land within NSW that is land	The subject site is zoned for residential	Y

Clause	Standard	Proposal	C
Policy applies	zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if development for the purpose of dwelling houses is permitted on the land.	development with dwelling houses permitted as identified within the land use table of PLEP.	
Chapter 2 – Key Concepts			
13. Self-contained dwellings	<p><u>self-contained dwelling</u> In this Policy, a <i>self-contained dwelling</i> is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.</p> <p><u>in-fill self-care housing</u> In this Policy, <i>in-fill self-care housing</i> is seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.</p> <p><u>serviced self-care housing</u> In this Policy, <i>serviced self-care housing</i> is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.</p>	<p>The applicant seeks consent to construct fifty-nine (59) attached and detached Seniors Housing dwellings. The individual dwellings provide independent facilities, however the circulation areas and garden areas are shared.</p> <p>As the proposed development is associated with the existing seniors housing development at 10-14 Macpherson Street, the development is able to provide services including meals, cleaning, personal care and nursing care, and is considered to meet the definitions of "self-contained dwellings" and "serviced self-care housing".</p>	Y
Chapter 3 – Development for seniors housing			
Division 1 – General			
14. Objectives of Chapter	The objective of this Chapter is to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age.		Y
15. What Chapter does	This Chapter allows for development on land zoned primarily for urban purposes for any form of seniors housing despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy.		Y
16. Development consent required	Development allowed by this Chapter may be carried out only with the consent of the relevant consent authority unless another environmental planning instrument allows that development without consent.		Y

Clause	Standard	Proposal	C
18. Restrictions on occupation of seniors housing allowed under this chapter	<p>(1) Development allowed by this Chapter may be carried out for the accommodation of the following only:</p> <ul style="list-style-type: none"> (a) seniors or people who have a disability, (b) people who live within the same household with seniors or people who have a disability, (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy. <p>(2) A consent authority must not consent to a development application made pursuant to this Chapter unless:</p> <ul style="list-style-type: none"> (a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and (b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the <i>Conveyancing Act 1919</i>, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1). <p>(3) Subclause (2) does not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.</p>	Subject to conditions of consent, the proposed development is considered to be able to be consistent with this Clause.	Y
21. Subdivision	Land on which development has been carried out under this chapter may be subdivided with the consent of the consent authority.	The application does not propose to subdivide the site.	-
Part 1A – Site compatibility certificates			
24. Site compatibility certificates	<p>Applicable where:</p> <ul style="list-style-type: none"> (a) the site adjoins land zoned for urban purposes, special uses or used for the purposes of an existing registered club; or (b) applies for buildings with a floor space ratio which requires consent under clause 45 		-
Part 2 – Site-related requirements			
26. Location and access to facilities	<p>The consent authority must be satisfied, by written evidence, that residents of the proposed development will have compliant access to:</p> <ul style="list-style-type: none"> (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and (b) community services and recreation facilities, and (c) the practice of a general medical practitioner. 		Y

Clause	Standard	Proposal	C
27. Bush fire prone land	<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified as bush fire prone land unless the consent authority is satisfied that the development complies with the requirements of the document titled <i>Planning for Bush Fire Protection</i>, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.</p> <p>(2) A consent authority, in determining a development application made pursuant to this Chapter to carry out development on land in the vicinity of land identified as bush fire prone land must take into consideration the general location of the proposed development, the means of access to and egress from the general location and other relevant matters, including the following:</p> <ul style="list-style-type: none"> (a) the size of the existing population within the locality, (b) age groups within that population and the number of persons within those age groups, (c) the number of hospitals and other facilities providing care to the residents of the facilities within the locality, and the number of beds within those hospitals and facilities, (d) the number of schools within the locality and the number of students at those schools, (e) existing development within the locality that has been carried out under this Policy or <i>State Environmental Planning Policy No 5—Housing for Older People or People with a Disability</i>, (f) the road network within the locality and the capacity of the road network to cater for traffic to and from existing development if there were a need to evacuate persons from the locality in the event of a bush fire, (g) the adequacy of access to and from the site of the proposed development for emergency response vehicles, (h) the nature, extent and adequacy of bush fire emergency procedures that are able to be applied to the proposed development and its site, (i) the requirements of New South Wales Fire Brigades. <p>(3) In exercising its functions under subclause (1) or (2), a consent authority must consult with the NSW Rural Fire Service and have regard to its comments.</p>	The application was referred to the NSW RFS who provided a series of conditions that will be incorporated into the consent, should the application be approved.	Y
28. Water and sewer	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		Y

Clause	Standard	Proposal	C
29. Site compatibility criteria to which clause 24 does not apply	<p>Applies to development not subject to clause 24.</p> <p>A consent authority must take into consideration and have regard for the criteria referred to in clause 25 (5) (b) (i), (iii) and (v) which states:</p> <ul style="list-style-type: none"> • 25(5)(b)(i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development, • 25(5)(b)(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision, • 25(5)(b)(v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development. 		Y
Part 3 – Design requirements			
30. Site analysis	The consent authority must not grant consent unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.	The applicant has undertaken a detailed analysis of the site and the surrounding context.	Y
31. Design of in-fill self-care housing	The consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the <i>Seniors Living Policy: Urban Design Guideline for Infill Development</i> published by the Department of Infrastructure, Planning and Natural Resources in March 2004.		-
32. Design of residential development	A consent authority must not consent to a development application unless satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.		Y

Clause	Standard	Proposal	C
Division 2 Design Principles			
33. Neighbourhood amenity and streetscape	<p>The proposed development should:</p> <ul style="list-style-type: none"> (a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and (b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and (c) maintain reasonable neighbourhood amenity and appropriate residential character by: <ul style="list-style-type: none"> (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours. (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 (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and (f) retain, wherever reasonable, major existing trees, and (g) be designed so that no building is constructed in a riparian zone. 	<p>The proposed development was supported by a thorough assessment of the site and its vicinity in order to contribute to the quality and identity of the area.</p> <p>The proposed single storey development does not attribute to any unreasonable impacts upon existing vegetation or adjoining properties.</p> <p>Whilst the height of the proposal differs from the development around it, the scale/density of the dwellings is considered to be consistent with existing developments along Macpherson Street and in the wider Warriewood Valley land release area.</p> <p>The front building line of the development is considered to be in sympathy with the existing ARV development to the west, and the Meriton development to the south.</p> <p>Subject to conditions of consent, landscaping on the site shall also be in sympathy with existing vegetation within the locality.</p> <p>The development has been designed to ensure that no building is constructed within the riparian zone.</p>	Y
34. Visual and acoustic privacy	<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <ul style="list-style-type: none"> (a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and (b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths. 	<p>Subject to additional conditions relating to conditions of consent requiring additional minor privacy attenuation measures for Type A and B dwellings, the proposal is considered consistent with this clause.</p>	Y

Clause	Standard	Proposal	C
35. Solar access and design for climate	<p>The proposed development should:</p> <ul style="list-style-type: none"> (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 (b) involve 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. 	<p>The single storey development is not considered to result in any unreasonable impacts upon existing adjoining properties with regard to solar access.</p> <p>The dwellings have been designed to incorporate a north-easterly orientation, and the proposal incorporates adequate ventilation and reduces reliance upon artificial lighting by maximising the amount of windows in each room.</p> <p>The proposal does not provide for solar access to substantial areas of private open space to each dwelling during midwinter, however adequate solar access is available during the remainder of the year, and obtainable within areas of communal open space.</p> <p>See further discussion in Section 12 of this report, below.</p>	Y
36. Stormwater	<p>The proposed development should:</p> <ul style="list-style-type: none"> (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and (b) include, where practical, on-site stormwater detention or re-use for second quality water uses. 	<p>Subject to conditions of consent, the proposal is able to achieve consistency with this clause.</p>	Y
37. Crime prevention	<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <ul style="list-style-type: none"> (a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door. 	<p>The proposal has been designed with adequate consideration of the safety and security of future occupants.</p>	Y
38. Accessibility	<p>The proposed development should:</p> <ul style="list-style-type: none"> (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors. 		Y

Clause	Standard	Proposal	C
39. Waste management	The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.		Y
Part 4 – Development standards to be complied with			
40. Development standards – minimum sizes and building heights	(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.		
	(2) Site size The size of the site must be at least 1,000m ² .	The site comprises an area in excess of 26,700m ² .	Y
	(3) Site frontage The site frontage must be at least 20 metres wide measured at the building line.	The site has a frontage to Macpherson Street in excess of 350m.	Y
	(4) Height in zones where residential flat buildings are not permitted. If the development is proposed in a residential zone where residential flat buildings are not permitted: (a) the height of all buildings in the proposed development must be 8 metres or less, and (b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and (c) a building located in the rear 25% area of the site must not exceed 1 storey in height. Note: Building height is defined as the distance measured vertically from any point on the ceiling of the topmost floor to the natural ground level below.	Residential flat buildings are permitted on the site. The maximum height of the development is approximately 5m.	Y
41. Standards for hostels and self-contained dwellings	A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.	As currently proposed, the development does not achieve compliance with the requirements for private car accommodation. However, subject to deferred commencement conditions, the proposed development is able to achieve compliance with the standards specified on Schedule 3, and consistency with this clause.	N
Part 7 – Development standards that cannot be used as grounds to refuse consent			
46. Inter-relationship of Part with design principals in Part 3	Nothing in this Part permits the granting of consent to a development application made pursuant to this Chapter if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3.	Council and the JRPP should be satisfied that the proposed development has been designed with adequate regard to the design principles in Part 3 of this policy.	Y
50. 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 (including in-fill self-care housing and serviced self-care housing) on any of the following grounds:		
	(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys),		Y

Clause	Standard	Proposal	C
50. Standards that cannot be used to refuse development consent for self-contained dwellings (Cont..)	(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		Y
	(c) landscaped area: if: (i) in the case of a development application made by a social housing provider-a minimum 35 square metres of landscaped area per dwelling is provided, or (ii) in any other case-a minimum of 30% of the area of the site is to be landscaped,		Y
	(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, 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 (the deep soil zone). 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	The proposed development is considered to provide adequate deep soil zones. However, to ensure that the development maintains consistency with this control, a condition of consent is recommended to require amended plans that clearly demonstrate these areas in plan, to avoid the loss of these areas to the incorporation of additional infrastructure.	Y
	(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	The proposed development technically complies with the requirements of this clause. However, Council raises concerns in regards to the amenity of the resultant units and the extent of solar access received in midwinter. See further discussion in Section 12 of this report, below.	Y
	(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 (ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area.	Each dwelling incorporates a level and accessible area adjacent to the living area comprising an area no less than 3m x 3m.	Y

Clause	Standard	Proposal	C
50. Standards that cannot be used to refuse development consent for self-contained dwellings (Cont..)	(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 a social housing provider, or (ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider.	As currently proposed, the development incorporates 2 off-street parking spaces associated with each individual dwelling.	Y
Schedule 3 – Standards concerning accessibility and useability for hostels and self-contained dwellings			
Part 1 – Standards applying to hostels and self-contained dwellings			
2. Siting standards	(1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road. (3) Common areas Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.	The application was supported by an Accessibility Report to ensure consistency with this clause.	Y
3. Security	Pathway lighting: (a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and (b) must provide at least 20 lux at ground level.	Should the application be approved, conditions of consent are recommended to achieve consistency with this clause.	Y
4. Letterboxes	Letterboxes: (a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and (b) must be lockable, and (c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.		Y
5. Private car accommodation	If car parking (not being car parking for employees) is provided: (a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and (c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date. (d)	The proposed development does not provide car parking spaces that comply with the requirements for parking for persons with a disability as set out in AS2890. See further in this regard in Section 12 of the report, below.	N

Clause	Standard	Proposal	C
6. Accessible entry	Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
7. Interior: general	(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1. (2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres. (3) Circulation space at approaches to internal doorways must comply with AS 1428.1.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
8. Bedroom	At least one bedroom within each dwelling must have: (a) an area sufficient to accommodate a wardrobe and a bed sized as follows: (i) in the case of a dwelling in a hostel—a single-size bed, (ii) in the case of a self-contained dwelling—a queen-size bed, and (b) a clear area for the bed of at least: (i) 1,200 millimetres wide at the foot of the bed, and (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and (d) at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and (e) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and (f)(f) wiring to allow a potential illumination level of at least 300 lux.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
9. Bathroom	(1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1: (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1, (c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future: (i) a grab rail, (ii) portable shower head, (iii) folding seat, (d) a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it, (e) a double general power outlet beside the mirror.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y

Clause	Standard	Proposal	C
9. Bathroom (Cont..)	(2) Subclause (1) (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.		
10. Toilet	A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
11. Surface finishes	Balconies and external paved areas must have slip-resistant surfaces.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
12. Door hardware	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
13. Ancillary items	Switches and power points must be provided in accordance with AS 4299.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
Part 2 – Additional standards for self-contained dwellings			
15. Living room and dining room	<p>(1) A living room in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> (a) a circulation space in accordance with clause 4.7.1 of AS 4299, and (b) a telephone adjacent to a general power outlet. <p>(2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.</p>	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
16. Kitchen	<p>A kitchen in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> (a) a circulation space in accordance with clause 4.5.2 of AS 4299, and (b) a circulation space at door approaches that complies with AS 1428.1, and (c) the following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299: <ul style="list-style-type: none"> I. benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5 (a), II. a tap set (see clause 4.5.6), III. cooktops (see clause 4.5.7), except that an isolating switch must be included, IV. an oven (see clause 4.5.8), and (d) “D” pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and (e) general power outlets: <ul style="list-style-type: none"> I. at least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and II. one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed. III. 	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y

Clause	Standard	Proposal	C
19. Laundry	A self-contained dwelling must have a laundry that has: (a) a circulation space at door approaches that complies with AS 1428.1, and (b) provision for the installation of an automatic washing machine and a clothes dryer, and (c) a clear space in front of appliances of at least 1,300 millimetres, and (d) a slip-resistant floor surface, and (e) an accessible path of travel to any clothes line provided in relation to the dwelling.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
20. Storage for linen	A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y
21. Garbage	A garbage storage area must be provided in an accessible location.	Should the application be approved, a condition of consent is recommended to ensure consistency with this control.	Y

12.0 SEPP HSPD DISCUSSION

- **Solar Access**

The applicant has provided a solar study which demonstrates that 52 of the 59 units (88%) proposed receive direct sunlight to areas of private open space and windows associated with living rooms. As SEPP HSPD does not quantify the extent of sunlight needed to an area in order to achieve compliance with the standard, even the smallest amount of direct sunlight can be included to achieve the 3 hour minimum specified in this clause. Without reference to a specific area or proportion included within the control, the proposal is technically compliant with the standard prescribed by clause 50(e) of SEPP HSPD, as more than 70% of the development will receive 3 hours of direct sunlight in midwinter.

However, concern is raised with regard to the extent of direct sunlight to these areas, particularly noting that clause 35 of SEPP HSPD requires adequate sunlight to substantial areas of private open space.

The Land and Environment Court of NSW developed the Access to Sunlight Planning Principle in the *Benevolent Society v Waverly Council* [2010] NSWLEC 1082 that provides guidelines for assessing the adequacy of solar access, in such instances where a proportion or area is not specified within the development standard. For areas of private open space, the planning principle emphasises the need to protect usable areas of sunlight, such as a strip adjacent to the living area where someone could be seated in the sun. For windows associated with living rooms, the planning principle identifies that modest areas of the glazing should be in direct sunlight in order to achieve compliance with the control.

Based on the Clause 35 of SEPP HSPD and the guidelines within the Access to Sunlight Planning Principle, the following table demonstrates whether or not each dwelling receives adequate sunlight to a substantial area of private open space and a modest area of glazing associated with living rooms during midwinter;

Unit	Living	POS	Unit	Living	POS	Unit	Living	POS
1	yes	yes	21	yes	yes	41	yes	no
2	yes	yes	22	yes	yes	42	yes	no
3	no	yes	23	yes	yes	43	yes	yes
4	yes	yes	24	yes	yes	44	yes	no
5	yes	yes	25	no	yes	45	yes	yes
6	yes	no	26	no	yes	46	yes	yes
7	yes	no	27	no	yes	47	yes	no
8	yes	no	28	no	yes	48	yes	no
9	yes	yes	29	no	yes	49	yes	yes
10	yes	yes	30	no	yes	50	yes	no
11	yes	yes	31	yes	yes	51	yes	yes
12	yes	no	32	no	yes	52	yes	yes
13	yes	no	33	yes	yes	53	yes	no
14	yes	no	34	yes	no	54	yes	no
15	yes	yes	35	yes	no	55	yes	yes
16	yes	yes	36	yes	no	56	yes	no
17	yes	yes	37	yes	yes	57	yes	no
18	yes	yes	38	yes	yes	58	yes	no
19	yes	yes	39	yes	yes	59	yes	yes
20	yes	yes	40	yes	yes			

Of the 59 units proposed, 19 units (32%) do not receive direct sunlight to substantial areas of private open space during midwinter. A further 8 units (14%) do not receive direct sunlight to modest amounts of glazing associated with living areas during midwinter. As such, it is considered that 27 of the 59 units proposed (46%) of the units do not receive adequate solar access in midwinter.

However, it is noted that the development could be amended to demonstrate greater consistency with the design requirements of SEPP HSPD. In particular, the roof form over the areas of private open space associated with units 25, 26, 27, 28, 29, 30, and 32 can be altered to provide a greater level of direct sunlight to windows associated with the living areas. By increasing the depth of the existing cut-out, the amount of sunlight on the windows will be increased at midday to a reasonable level such that a greater level of consistency with SEPP HSPD is achieved.

Whilst it is appreciated that the development cannot be refused based on solar access if the development is consistent with Clause 50(e) of SEPP HSPD, it does not limit the imposition of conditions of consent requiring changes to achieve greater consistency with other requirements of SEPP HSPD particularly relating to solar access and the amenity of the resulting development.

As such, a condition of consent is recommended to require an increase to the roof cutouts associated with units 25, 26, 27, 28, 29, 30, and 32. With this condition applied, all but 1 unit will receive adequate levels of sunlight to windows associated with living areas in midwinter.

Whilst the extent of dwellings without direct sunlight to sufficient areas of private open space remains a concern, it is appreciated that the development incorporates multiple accessible areas of communal open space that will receive sufficient solar access. Also, it is acknowledged that the solar access diagrams provided essentially demonstrate the worst case scenario, with additional solar access received to the areas of private open space throughout the remainder of the year.

With this in mind, and as the application must not be refused based on the provision of solar access, the proposed development is considered to achieve adequate solar access, subject to conditions of consent.

It is noted that the landscape plans indicate the inclusion of 1.2m high picket fences surrounding the decks to be used for private open space. These fences are not included on any solar access diagrams or the solar access study, and in some instances, the inclusion of these fences would restrict solar access to an extent that the application would no longer achieve consistency with the 3 hour minimum requirement of SEPP HSPD. The landscape plans also proposes these fences in locations inconsistent with the architectural drawings in relation to the provision of private open space.

As the impacts of these fences has not been demonstrated by the applicant, a condition of consent is recommended to require amended landscape plans to delete any fencing surrounding areas of private open space.

- **Private car accommodation**

Clause 41 of SEPP HSPD specifies that a consent authority must not grant consent to an application made pursuant to the policy for the purpose of self-contained dwellings unless the proposed development complies with the relevant standards specified in Schedule 3.

Schedule 3, Part 1, Clause 5(a) identifies that car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890. The current standards relating to parking for persons with a disability are set out in AS2890.6: Off-street parking for people with disabilities. This document identifies the need for a 2.4m wide x 5.4m long dedicated parking space to be located adjacent to a 2.4m wide x 5.4m long shared area, with a 2.4m x 2.4m unmarked area within the road way in front of the dedicated parking space.

Essentially, the minimum dimension of the resultant parking space would need to be a minimum 4.8m wide x 5.4m long, with a minimum area of 2.4m x 2.4m to the front or rear. As the majority of the parking spaces within the proposed development are limited to a width of 3.2m, the proposal is non-compliant with the provisions of AS2890.6: Off-street parking for people with disabilities and the requirements of SEPP HSPD.

This was raised as a concern early on during the application process, and additional information was requested to demonstrate compliance with the current version of the Australian Standard.

In response to this additional information request, the applicant provided letters from an accredited access consultant and a law firm as to why compliance with the current standard is seen to be unreasonable, and why the consent authority should approve the proposal based on compliance with a superseded version of the standard. The proposal was not amended in this regard.

The letter from Norton Rose Fulbright provides a legal opinion as to which Australian Standard should be considered. The letter relies upon the Interpretation Act 1987 (NSW), and specifies the following;

Section 69 of the Interpretation Act provides that where an "instrument" (which relevantly includes SEPP Seniors) refers to a "publication" (which relevantly includes AS 2890), the applicable version of the publication is to be the version "as in force or current on the day on which the provision containing the reference took effect". Section 69 further provides that this will be the case unless the contrary intention appears in the instrument, so that the reference to the publication extends to the publication as in force for the time being.

The letter then continues to say *"that there is nothing in the instrument to evidence an intention that the relevant version of AS2890 should be the one in force for the time being"*, and as such reliance upon a superseded Australian Standard is entirely appropriate.

However, it is noted that the AS2890 is separately defined within SEPP HSPD as follows:

AS 2890 means the version of the Australian Standard entitled AS 2890, *Parking Facilities, Part 1: Off Street Parking*, published by Standards Australia, that is adopted in the Building Code of Australia.

The Building Code of Australia is defined within the *Environmental Planning and Assessment Act 1979*, as follows:

Building Code of Australia means the document, published by or on behalf of the Australian Building Codes Board, that is prescribed for purposes of this definition by the regulations, together with:

- (a) such amendments made by the Board, and
- (b) such variations approved by the Board in relation to New South Wales,

as are prescribed by the regulations.

The BCA, like Australian Standards, is a document that is regularly updated to reflect changes in technology. As the SEPP makes reference to the version of the Australian Standard adopted within the BCA, a document that is updated annually, this would be seen as a contrary intention to reference a standard that is enforce at the time that the application is determined, rather than when the policy was written. It is noted that the current version of the BCA makes reference to AS2890.6: Off-street parking for people with a disability.

The letter from Norton Rose Fulbright then continues to suggest that the second part of the clause, 5(b) which requires 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, implies the need to comply with the superseded standards as opposed to the current standard.

However, if anything, the subclause which follows the requirement for compliance with off-street parking for people with a disability as set out in AS 2890, further emphasises that standards are modified and changed overtime, and that the SEPP HSPD adopts the current version of Australian Standards. Otherwise, like the requirements of 5(b), the first part of the control would have specified a simple dimension rather than requiring compliance with the version of AS 2890 adopted by the BCA.

The letter from Howard Moutrie of Accessible Building Solutions notes the changes in technology that have occurred since the introduction of SEPP HSPD, leading to the increase in the width of car parking spaces for people with disabilities as set out in AS 2890. This advance in technology is discussed in the preface of AS2890.6 which states the following;

The principal change from the previous Standard is the provision of shared areas adjacent to dedicated parking space for people with disabilities. These now provide for new technology associated with the loading and unloading of wheelchairs and their occupants by means of ramps or platform hoists fitted to the side or rear of a vehicle. The ways in which this new technology is accommodated are described in Appendix A.

The letter from Howard Moutrie of Accessible Building Solutions discusses the design criteria of Appendix A and comes to the conclusion that a minimum width of 3.6m would achieve the same objectives and would be considered adequate in this instance. However, this conclusion is inconsistent with Appendix A of the current Australian Standard which clearly specifies the need for 1.2m to the side of a dedicated parking space to accommodate the loading and unloading of wheelchairs and their occupants by means of ramps or platform hoists fitted to the side of a vehicle and a further 1.2m beyond that for manoeuvrability.

To further justify non-compliance with the current Australian Standard, the letter from Howard Moutrie of Accessible Building Solutions specifies that *"the parking may never be used [by] a person using a wheelchair or requiring specialised vehicle access. In fact, the parking should not be considered as parking for people with a disability"*.

Considering the application has been lodged pursuant to SEPP Housing for Seniors and People with a Disability, and as the application is reliant upon the provisions of SEPP HSPD to avoid compliance with specific controls within Council's DCP, it is considered essential that the application should provide parking which would accommodate less mobile seniors and people with a disability in accordance with the current standards that reflect current technology.

It is interesting to note that author of this letter also provided the accessibility report which accompanied the lodgement of the application. This report identifies that the proposed development, being a Seniors Housing development lodged pursuant to SEPP HSPD, is required to comply with the following:

- *The access provisions of the BCA;*
- *The Access To Premises Standard;*
- *SEPP Seniors Living 2004;*
- *The Council's DCP relating to Access for People with a Disability;*
- *AS 1428 suite of Standards; and*
- **AS 2890.6 for car parking.**

In a final attempt to justify non-compliance with the current standard, the letter from Howard Moutrie of Accessible Building Solutions makes reference to the car parking requirements of AS 4299 Adaptable Housing. P21 DCP requires that all seniors housing developments comply with the requirements of this Australian Standard. AS 4299 identifies the need to provide a carparking space with a minimum dimension of 3.8m wide x 6.0m long, with a preference that the parking space is covered. With modifications, the application is able to provide an uncovered parking space with minimum dimensions of 3.8m x 6m at the front of each dwelling.

However, as discussed with regard to compliance with site coverage and solar access, when the requirements of P21 DCP differ from the requirements of SEPP HSPD, the requirements of the SEPP are seen to prevail. As such, regardless of potential compliance with AS 4299, the proposal remains non-compliant with SEPP HSPD with regard to the provision of car parking spaces consistent with the requirements for parking for persons with a disability as set out in AS 2890. Although it is noted that if the development was designed in accordance with AS2890, specifically with regard to the width of the parking space, the proposal would achieve compliance with both standards.

Upon inspection of the architectural drawings, it is apparent that the current proposal can be modified to allow for the incorporation of car parking consistent with the requirements of AS2890.6. In particular, dwelling types A, C, D, D1 and S2 can be readily modified with little change to the internal layout or built form. Dwelling type B is not a straight forward change, but it is considered that it could also be easily modified to include a parking space suitable for persons with a disability as prescribed by AS 2890.6.

With this in mind, rather than refusing the development based on non-compliance with the provisions of SEPP HSPD, it is considered that the approval could be issued with the requirement for changes to the development in order to achieve compliance with AS 2890.6: Off-street parking for people with disabilities. However, as the changes required to provide a compliant parking space may alter access arrangements into the dwelling and internal configurations of spaces, it is considered essential that the amended plans come back before Council for assessment to ensure compliance with other requirements of the SEPP.

As such, a deferred commencement is recommended, to allow for the amendments to be reviewed and assessed by Council, before the consent can be acted upon.

Discussions with the applicant suggest that the design can be amended to provide a compliant parking space on the driveway of each dwelling. This would not be an approach supported by Council as an acceptable design solution for the following reasons:

- AS 4299 Adaptable Housing emphasises the need for covered parking and covered access between parking spaces and dwellings in residential estate development
- AS 4299 expresses desire for roofed parking areas associated with general developments

- The additional width to the parking areas will further increase site coverage calculations which are already excessive for the site
- The possible incorporation of additional roofing will further attribute to the dominance of roof forms as viewed from Macpherson Street, and
- The widening of the existing covered parking space will result in a reduction to site coverage, as the additional width to driveways could be reduced to 3m. This would also allow for the incorporation of additional canopy trees to break up the massing of roof forms.

13.0 STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - DEVELOPMENT STANDARDS

The proposed development is not reliant upon the provisions of SEPP No.1 – Development Standards.

14.0 EXISTING USE RIGHTS

The proposal is not reliant upon the provisions of existing use rights.

15.0 CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, Pittwater Local Environmental Plan 1993, draft Pittwater Local Environmental Plan 2013, SEPP HSPD, Pittwater 21 DCP and other relevant Council policies.

The proposed development is non-compliant with a number of the development controls within P21 DCP, however, is able to achieve consistency with the requirements of SEPP HSPD which is seen to prevail.

Subject to conditions of consent, and deferred commencement, the proposed development is able to achieve a reasonable outcome on the site, without resulting in any unreasonable impacts upon adjoining properties or the surrounding environment. The resultant development is considered to achieve consistency with the desired future character of the Warriewood Valley Urban Land Release area, and the applicant has satisfactorily demonstrated that the amenity of the resultant dwellings is of a sufficient standard and in a suitable location close to transport and any required services.

Concerns remain with regard to the amount of usable solar access available to areas of private open space in midwinter, noting that the development falls well short of standards relating to solar access prescribed by P21 DCP. It is unfortunate that SEPP HSPD does not have more stringent consideration of access to sunlight for developments providing accommodation for seniors and people with a disability, noting that future occupants of this specific development type would more likely be reliant upon the provision of an accessible area of private open space with sufficient solar access in close proximity to the living room. However, it is appreciated that the requirements of the SEPP do not allow the consent authority to refuse a development based on access to sunlight when technical compliance is achieved.

Overall though, the development will provide an alternate housing solution within the land release area, and the provision of individual dwellings provided in conjunction with an established retirement village and the associated residential aged care facilities is seen as a positive contribution to the Pittwater Locality. Accordingly, the application is recommended for approval.

RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER

That the Joint Regional Planning Panel as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 grant consent to Development Application N0267/13 for the demolition, earthworks and construction of a seniors housing development pursuant to SEPP (HSPD) 2004 consisting of 59 self-contained dwellings with a community building, bowling green, landscaping and carparking at 6-14 Macpherson Street, Warriewood subject to the draft consent attached.

Report prepared by

Rebecca Englund
SENIOR PLANNER

DRAFT DETERMINATION

CONSENT NO: N0267/13 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED) NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Applicants Name and Address:
ANGLICAN RETIREMENT VILLAGES
LEVEL 2, 62 NORWEST BOULEVARD
BAULKHAM HILLS NSW 2153

Being the applicant in respect of Development Application N0267/13

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No N0267/13 for:

Demolition, earthworks and construction of a seniors housing development pursuant to SEPP (HSPD) 2004 consisting of 59 self-contained dwellings with a community building, bowling green, landscaping and carparking at 6-14 Macpherson Street, Warriewood

At: 6-14 Macpherson Street, Warriewood (Lots 1, 2, 3, 4 and 5 DP 1161389)

Decision:

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

- **Architectural drawings 003 -007 issue E, 008 issue B, 009-012 revision A, A101 issue F, A102-A104 issue E, B101 issue F, B102-B104 issue E, C101 issue F, C102-C104 issue E, D101 issue F, D102-D104 issue E, D1 101 issue F, D1 102-D1 104 issue E, S2 101 issue F, S2 102-S2 104 issue E, CR 101-CR 102 issue E, 903 issue E, all prepared by Enviroana Studio Environmental Architecture, dated 13 November 2013;**
- **Landscape plans LP-1.0, LP-1.1, LP-1.2, LP-1.3, LP-1.4, LP-1.5, LP-1.6, LP-1.7, LP-1.8, LP-1.9, LP-2.0, LP-2.1, LP-3.0, LP-3.1, LP-3.2, LP-3.3, LP-3.4, all revision 03, prepared by John Lock & Associates Landscape Architecture, dated 19 November 2013;**
- **Letter from GHD (Rainer Berg) to Morgan Moore and Associates (Martin Moore), titled "ARV Warriewood Stages 4 to 6 Flooding", dated 27 August 2013;**
- **Letter from GHD (Rainer Berg) to Morgan Moore and Associates (Martin Moore), titled "ARV Warriewood Stage 4-6 Water Management – Stormwater Clarification", dated 13 December 2013;**
- **Water Management Report UPDATE, prepared by GHD, dated November 2013;**
- **Arboricultural Assessment Report, prepared by Stuart Pittendrigh, dated August 2013;**
- **Construction Management Plan, prepared by Morgan Moore and Associates, dated August 2013;**
- **Accessibility Report, reference 213137, prepared by Howard Moutrie of Accessible Building Solutions, dated 27 August 2013;**
- **BCA Fire Safety Compliance Report, reference J13-040, prepared by Benchmark Building Certifiers;**
- **Flora and Fauna Assessment Report, prepared by Abel Ecology, dated 27 August 2013;**
- **Ecological Sustainability Plan, prepared by Abel Ecology, dated 28 August 2013;**
- **Vegetation Management Plan, prepared by Abel Ecology, dated 27 August 2013;**

- **Geotechnical Risk Assessment Report, reference 21140SB rpt, prepared by JK Geotechnics, dated 5 July 2013;**
- **General Terms of Agreement from NSW Department of Primary Industries – Office of Water, dated 23 December 2013;**
- **BASIX Certificate 499606M, dated 4 September 2013;**

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent **TBA**

Mark Ferguson

GENERAL MANAGER

Per:

DRAFT CONDITIONS OF CONSENT
DEFERRED COMMENCEMENT CONSENT

PART 1

THE COMMENCEMENT OF THIS CONSENT IS DEFERRED UNTIL PITTWATER COUNCIL IS SATISFIED AS TO COMPLIANCE WITH THE FOLLOWING CONDITION:

1. All plans are to be amended to demonstrate the incorporation of one off-street parking space associated with each individual dwelling, consistent with the provisions of AS/NZS 2890.6: off-street parking for people with a disability. The amended plans are to be provided to Council, and accompanied by certification from a suitably qualified professional to ensure compliance with the design requirements of the Australian Standard. The amended plans should also be accompanied by an amended accessibility report to ensure that each dwelling remains consistent with all other relevant provisions of State Environmental Planning Policy (Housing for Seniors and People with a Disability).

Upon receipt of evidence within twelve (12) months from the date of this consent satisfying the above, the consent will become operative, subject to conditions listed in Part 2 below.

The consent will lapse if evidence satisfying the above conditions is not received within the prescribed time period.

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PART 2

CONDITIONS OF APPROVAL

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate.

Note: Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the *Environmental Planning & Assessment Regulation 2000*. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - a. in the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
 - b. in the case of work to be done by an owner-builder:
 - i. The name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
7. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

B. Matters to be incorporated into the development and maintained over the life of the development:

1. A suitably qualified landscape architect is to visit the site immediately following completion of the landscaping and hardscape works on site and then on a three (3) monthly basis for a period of 12 months to ensure implementation of the Landscape Maintenance Plan.
2. The water balance outcomes in the letter from GHD to Morgan Moore and Associates dated 13 December 2013 titled 'ARV Warriewood Stage 4-6 Water Management – Stormwater Clarification' including the replacement of the orifice plate from the existing constructed lake outlet to a 450mm orifice plate is to be achieved and comply with the Warriewood Valley Water Management Specification (February 2001).
3. A Stormwater Quality Improvement Device (SQID) Management Plan for monitoring, maintenance, and replacement of all water management features on the site including algal management procedures consistent with NSW Office of Water algal management protocols and the Guidelines for Managing Risks in Recreational Water (National Health and Medical Research Council, 2008), is to be maintained and kept up to date with current best practice. This plan is to be implemented by the property manager for the life of the development.
4. The Water Management System is to be in accordance with the revised Water Management Report referred to in Condition C9.
5. The riparian corridor is to be maintained clear of physical obstructions including fencing which may cause the blockage of flow paths and restrict wildlife migration.
6. Storage of hazardous materials, electrical items, items of plant, equipment or stock and any other items which may be susceptible to water damage are to be protected from flooding by reference to the Flood Level as determined by the Water Management Report (the level will be the 1% AEP flood level plus a freeboard of 500mm and Climate Change).
7. The Stormwater Harvesting and Reuse Scheme shall be installed and operated in accordance with the accepted design, Environmental and Health Risk Management Plan, Operation and Maintenance Plan, Manufacturer's Specifications and associated operational guidelines.
8. The Stormwater Harvesting and Reuse Scheme shall be maintained as appropriate in accordance with best practice to ensure optimum performance of the stormwater treatment system.
9. As part of an integrated on-site stormwater management system, stormwater overflow from the rainwater tank is to be discharged into the adjacent waterway with erosion minimisation facilities installed

10. The internal driveways are to be constructed to an all-weather standard finish to be of dark or earthy tones, linemarked and signposted.
11. An additional five (5) Eucalyptus robusta specimens are to be planted throughout the Outer Riparian Zone area at distances far enough apart to not allow continuous canopy and therefore still be compliant with landscaping guidelines specified in Appendix 5 of Planning For Bushfire Protection 2006. No building materials or other materials are to be placed on riparian vegetation. Sediment is not to leave the site or enter areas of riparian vegetation, and the appropriate sediment fencing is to be installed.
12. Domestic pet animals are to be kept from entering wildlife habitat areas at all times. Dogs and cats are to be kept in an enclosed area or on a leash such that they cannot enter areas of bushland or foreshore, unrestrained, on the site or on surrounding properties or reserves. Ferrets and rabbits are to be kept in a locked hutch/run at all times.
13. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled.
14. No environmental weeds are to be planted on the site. Refer to Pittwater Council website for environmental weed lists.
15. Any new fencing (with the exception of swimming pool fencing) is to be made passable to native wildlife. Hole dimensions are to be a minimum of 150mm wide x 100mm high at ground level spaced at 6 metre intervals.
16. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.
17. Where waste water is directed to the Sydney Water sewerage system the installation of in-sink food waste disposal units is prohibited due to the increased loading placed on the Warriewood Sewage Treatment Plant particularly during wet weather.
18. The development is to comply with the standards outlined in State Environmental Planning Policy (Seniors Living) 2004.
19. All utility services including overhead power supply and communication cables located in the adjacent road verge & those to service the development are to be placed and/or relocated underground for the total frontage of the development site to any public road at the full cost to the developer.
20. All sanitary drainage must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.
21. New electrical connections are to be carried out using underground cabling.
22. Dogs are to be restricted to within the building at night and otherwise to be either within a fenced compound on the lot or on a lead. Cats are to be restricted to within the building at night.
23. The commitments identified in the BASIX Certificate and on the plans or specifications are to be fulfilled and maintained for the life of the development.

24. The General Terms of Approval provided by the NSW Office of Water, referenced in this consent, are not the controlled activity approval. The applicant must apply to the NSW Office of Water for a controlled activity approval after consent has been issued by the consent authority and before the commencement of any work or activity on waterfront land.
25. The proposal is to remain consistent with the requirements of the NSW RFS for the life of the development. These requirements are as follows;
- At the commencement of building works, and in perpetuity a 24 metre asset protection zone along the northern boundary shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
 - Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - Property access roads shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - New accommodation construction shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
26. Two (2) visitor parking spaces (one in the parking area near the community building and one in the parking area near the existing main entrance) shall be modified to provide off-street parking for people with a disability, as specified in AS/NZS 2890.6: Off-street parking for people with a disability. These two spaces are to be maintained for the life of the development.
27. Garbage enclosures/stores shall be provided and maintained in accordance with the following:
- A separate room or an appropriately constructed area is to be provided for the storage of garbage and recyclables.
 - The walls of the enclosure shall be cement rendered and steel trowelled to a smooth, even surface.
 - The floor shall be of impervious material coved at the intersection with the walls, graded and drained to an approved floor waste within the room/enclosure.
 - Stormwater shall not enter the floor of the garbage enclosure such that the sewer system may be contaminated by rainwaters.
 - Garbage and recycling rooms shall be vented to the external air by natural or artificial means. The installation and operation of the mechanical ventilation system shall comply with AS 1668, Parts 1 & 2.
 - The room used for the storage and washing down of garbage and recycling receptacles shall be constructed of solid material (brick, concrete blocks, structural fibrous cement or similar homogeneous material) so as to prevent the formation of cavities which become possible harbourages for insects and vermin. Framing in timber is not permitted.
 - The garbage and recycling room shall be made vermin proof.
 - Hot and cold water hose cocks shall be located within a garbage enclosure or in close proximity to Councils satisfaction.
 - The enclosure shall be of adequate size to accommodate the following bins numbers and capacity per dwelling:
 1. 80 litres per household per week of garbage, and
 2. 70 litres per household per week of paper recyclables, and
 3. 70 litres per household per week of container recyclables.

28. The proposal is to be amended to incorporate a designated car wash bay. The car wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain. The car wash bay may also be utilised for visitor parking.
29. All external walls and roofing are to comprise dark and earthy tones, with minimal reflectivity. Dark and earthy tones are to be maintained for the life of the development.
30. The two narrow windows in the living rooms of dwellings 16, 17, 18, 19, 20, 21, and 22 shall incorporate frosted glass.
31. The small window associated with the dining areas of dwellings 25, 26, 27, 28, 29, and 30 shall incorporate frosted glass.
32. This consent does not authorise any fencing, of any height or design, around areas allocated for private open space.

C. Matters to be satisfied prior to the issue of the Construction Certificate:

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted.

Note: This consent allows for the staged issue of Construction Certificates that are consistent with the staging plans 004-006 issue E, prepared by Enviro Studio Environmental Architecture, dated 13 November 2013. Unless otherwise stated, these conditions relate to each Construction Certificate issued.

1. An amended site plan is to be submitted illustrating that landscape areas comply with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 - Chapter 3, Part 7, clause 50 (c) landscaped area (d) deep soil zones and (f) private open space.
2. Amended plans are to be submitted deleting the metal palisade fence currently shown along the riparian boundary due to the potential to block flow paths and wildlife migration. Amended landscape plans are required to demonstrate the deletion of any fencing proposed around areas of private open space associated with each individual dwelling.
3. All Plant Schedules are to be updated to specify the quantities of each species within each Planting Schedule.
4. The Macpherson Street Planting Plans (LP-1.6 and LP-1.7) are to be updated as follows:
 - Angophora floribunda, Angophora hispida and Eucalyptus punctate are to be replaced by Angophora costata (Smooth Bark Apple) and Corymbia gummifera (Red Bloodwood)
5. Amended landscape plans are to be submitted identifying and quantifying the proposed indigenous canopy trees in accordance with Planting Plans Dwg LP-1.6, LP-1.7, LP-1.8, and LP-1.9
6. Amended landscape plans are to be submitted to include five (5) additional Eucalyptus robusta specimens within the Riparian Zone area at distances far enough apart not to allow continuous canopy cover to ensure compliance with the landscaping guidelines specified in Appendix 5 of Planning For Bushfire Protection 2006.
7. The landscape plans are to be certified by suitably qualified landscape architect that they are in accordance with the Conditions of Consent.
8. The design and performance of the overall wet basin system is to be reviewed, documented and certified by an appropriately qualified water engineer for inclusion in an

updated Water Management Report to provide assurance that the basin and its water quality treatment function can achieve the objectives of the Warriewood Valley Water Management Specification (February 2001).

The review is to address design and performance concerns including, but not limited only to:

- appropriateness of basin sizing, including details of the rationale/assumptions used for sizing the system;
 - the level of stormwater pre-treatment prior to entering the basin and concern that there is no sediment control or secondary treatment on the stormwater input to the system which will significantly affect the basin's viability and performance over time;
 - the reasons why the second stormwater line bypasses the basin;
 - the absence of any wetland vegetation within the proposed basin treatment system;
 - the proximity of trees that could shade the basin affecting performance;
 - risk of the basin system short circuiting due to the inlet and outlet locations being almost opposite each other;
 - the steepness of the basin's batters;
 - the inability to mechanically or manually control water levels within the basin;
 - details of how the basin is to be maintained; and
 - recommendations of design amendments or alternative stormwater quality improvement device(s) which do not result in a permanent above ground wet storage areas as long as the objectives of the Warriewood Valley Water Management Specification can be met.
 - the basin is to also be designed and certified by an appropriately qualified and experienced Entomologist to provide appropriate safety measures to human life to minimise/eliminate the risk of mosquito borne diseases.
9. A revised Water Management Report providing detailed design drawings and plans (incorporating any design amendments resulting from recommendations from the review under Condition C8), details of the review of the stormwater quality treatment train, the SQID Management Plan, an updated Water Quality Monitoring Plan, and any required information needed for all works to achieve full compliance with the Warriewood Valley Water Management Specification (February 2001), Pittwater 21 Development Control Plan, Condition B3, and based on the letter from GHD to Morgan Moore and Associates dated 13 December 2013 titled 'ARV Warriewood Stage 4-6 Water Management – Stormwater Clarification' and the Report for Warriewood Retirement Village - Water Management Report Update (GHD, November 2013), is to be submitted by the applicant.

The Warriewood Valley Water Management Specification (February 2001) document Checklist – Construction Certificate is to be completed, certified and submitted prior to the issue of any Construction Certificate.

10. The detailed design 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 in accordance with Condition C9. The Water Management System is to also include and provide for:
- a. Public safety (including any necessary signage)
 - b. Monitoring and maintenance access for all Stormwater Quality Improvement Devices
 - c. Staging of the works to ensure that the objectives of the Warriewood Valley Water Management Specification are achieved for each stage prior to the release of any Occupation Certificate.
 - d. Sufficient water quality and water quantity facilities provided to service each stage.
 - e. A stormwater management system designed 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 system is to include combined piped and

overland flow components, which convey the 1% Annual Exceedence Probability and Probable Maximum Flood events and comply with relevant Australian Standards and contemporary engineering best practice.

11. The Water Management Report and all associated plans and detailed design must be certified by an appropriately qualified water engineer to be in accordance with the Warriewood Valley Water Management Specification (February 2001) and meet the requirements of Conditions C9 and C10.
12. The minimum floor level of all buildings (habitable and non-habitable) is to be at or above the Probable Maximum Flood level including the 2100 Climate Change Scenario.
13. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

Note: Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted.

14. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution of Engineers Australia (M.I.E) or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
15. The additional trees to be planted throughout the Outer Riparian Zone area are to be indicated on an amended Riparian Zone Planting Plan which is to be submitted prior to the issue of the Construction Certificate associated with Stage 4.
16. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.
17. Design details and technical specifications relevant to recommendations in the Access Report referenced in this approval, and as amended by conditions of consent, must be submitted to the Accredited Access Adviser for written confirmation which is to be submitted to the Accredited Certifier or Council with the Construction Certificate application.
18. Plans and details demonstrating that the commitments identified in the BASIX Certificate that apply to the construction certificate or complying development plans and specifications are fulfilled.
19. A Construction Certificate is not to be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council.
20. Prior to the issue of a Construction Certificate, a suitably qualified professional is to certify that the development is able to comply with the requirements of the NSW RFS as specified by Condition B25 of this consent.

21. Prior to the issue of a Construction Certificate, the architectural plans are to be amended to incorporate two visitor (2) car parking spaces in accordance with the requirements of AS/NZS 2890.6: Off-street parking for people with disabilities.
22. Prior to the issue of a Construction Certificate, the architectural drawings are to be amended to incorporate a designated car wash bay. The drawings should demonstrate the grade of the wash bay and the provision for polluted waters to drain to the sewer.
23. Prior to the issue of a Construction Certificate, the schedule of colours and finishes is to be amended to ensure against the use of Colorbond "surf mist", "evening haze" and "shale grey" for external walls or roof forms. The schedule of colours and finishes is to demonstrate the use of dark and earthy tones. The use of red, white or light tones is not permitted. A satisfactory colour schedule must be presented to Council, and a construction certificate must not be issued until correspondence is received from Council to support the amended colour schedule.
24. Prior to the issue of a Construction Certificate, the architectural drawings are to be amended to increase the roof cut outs associated with type B dwellings, in order to receive more sunlight to the living room windows during midwinter. The roof cutouts over the areas of private open space associated with dwellings 25, 26, 27, 28, 29, and 32 is to be increased from 1.2m in depth to a minimum of 2m in depth. The roof form of dwelling 30 is to be altered to also include a cutout over the area of private open space with minimum depth of 2m, consistent with the adjoining type B dwellings.

D. Matters to be satisfied prior to the commencement of works and maintained during the works:

Note: It is an offence to commence works prior to issue of a Construction Certificate.

1. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
2. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
3. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on site, recycling or where re-use or recycling is not practical, disposal at an appropriate authorised waste facility.
4. All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal.
5. The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.
6. The site is to be fully secured by a fence to all perimeters to the site to prevent unauthorised access both during the course of the works and after hours.
7. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
8. 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.

9. No skip bins or materials are to be stored on Council's Road Reserve unless Council approval has been obtained.
10. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
 - The builder's name, builder's telephone contact number both during work hours and after hours.
 - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
 - That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of 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.
 - That no skip bins or materials are to be stored on Council's Road Reserve unless Council approval has been obtained.
 - That the contact number for Pittwater Council for permits is 9970 1111.
11. A satisfactory construction traffic management plan (CTMP) prepared by a suitably qualified traffic consultant is required to be submitted to the Private Certifying Authority prior to the commencement of any site works. The plan is to detail:
 - Quantity of material to be transported
 - Proposed truck movements per day
 - Proposed hours of operation
 - Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Pittwater
12. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
13. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.
14. All provisions of the SEPP (Housing for Seniors or People with a Disability) 2004 Schedule 3, Parts 1 & 2 Self-contained dwellings - standards concerning access and useability and additional standards for self contained dwellings are to be satisfied and achieved through the construction and installation details.

E. Matters to be satisfied prior to the issue of Occupation Certificate:

Note: Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works. Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction. Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works.

Note: It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate.

Note: This consent allows for the staged issue of Occupation Certificates that are consistent with the staging plans 004-006 issue E, prepared by Environa Studio Environmental Architecture, dated 13 November 2013. Unless otherwise stated, these conditions relate to each Occupation Certificate issued.

1. Prior to the issue of any Occupation Certificate a Landscape Maintenance Plan is to be prepared and implemented to outline the technique and frequency of maintenance tasks during the establishment of the landscaping. The Landscape Maintenance Plan is to be implemented for a period 12 months immediately following the completion of landscape and hardscape works on site. The Landscape Maintenance Plan is to incorporate maintenance and care of hardscape elements (paving, walls, pergolas, seating), weeding, watering, mowing, consideration of other endemic species where plantings do not respond to the conditions as expected and a procedure for the replacement of failed plantings.
2. Prior to issue of any Occupation Certificate evidence of engagement of a suitably qualified landscape architect to oversee the implementation of the Landscape Maintenance Plan is to be submitted to and approved by the Principal Certifying Authority.
3. A suitably qualified landscape architect is to certify that all the landscape and hardscape works comply with the Construction Certificate landscape plans and that all Conditions of Consent have been met.
4. Certification is to be provided to Council, by an appropriately qualified Water Engineer, that the works associated with the water management system have been carried out and completed in accordance with the updated Water Management Report and Conditions C9 and C10 of this consent. Certification is to be provided in accordance with the Warriewood Valley Water Management Specification (February 2001).
5. All works associated with the water management system and required by Conditions C9 and C10 of this consent are to be completed prior to the issue of the occupation certificate.
6. A copy of the updated Water Management Report required by Condition C9 of this consent must be submitted to Council. The updated Water Management Report must contain all reports, assessments and plans as required by the Warriewood Valley Water Management Specification (February 2001).
7. Notification to Council, certified by an appropriately qualified Water Engineer, of properties to be notated under Section 149(2) Planning Certificates and specifying the applicable flood categories as set out in the Flood Risk Management Policy for Development in Pittwater (Pittwater 21 DCP Appendix 8).
8. Certification is to be provided to a Private Certifying Authority by an experienced Water/Environmental/Civil Engineer who is NPER accredited by the Institution of Engineers, Australia that the stormwater harvesting and reuse scheme has been completed in accordance with the engineering plans and specifications required under this consent.
9. Certification is to be provided to the Principal Certifying Authority by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent.
10. Restoration of all damaged public infrastructure caused as a result of the development to Council's satisfaction. Council's written approval that all restorations have been completed satisfactorily must be obtained and provided to the Private Certifying Authority with the Occupation Certificate application.
11. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.

12. All dwelling units are to have approved hard-wired smoke alarms installed and maintained over the life of the development. All hard-wired smoke alarms are to be Australian Standard compliant and must be installed and certified by any appropriately qualified electrician prior to the issue of any Occupation Certificate.
13. Prior to occupation a covenant is to be created on the title of the land, at the applicants expense, the terms of which state that the ownership of the individual dwellings to be constructed on the property cannot be individually assigned by any agreement, dealing or instrument based on the ownership of company shares. Proof of the creation of the covenant is to be provided to the Private Certifying Authority with the Occupation Certificate application.
14. A restriction on use of the land is to be created on the title of any new lots, the terms of which burden the said lots, benefit Council and restrict the occupancy of the lot to persons defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 as to "older people" or "people with a disability" or people who live with older people or people with a disability. All matters relating to this restriction on use of the land are to be finalised prior to release of the Occupation Certificate.
15. Any lease or tenancy or agreement prepared for a residence within this development is to contain terms which prohibit occupation of the residence by persons other than those specified in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 as aged or disabled persons together with any person who live with aged or disabled person(s). Further the "by laws" of anybody corporate created through strata subdivision of the development are to contain terms which prohibit the use of any strata unit other than by persons specified in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 as aged or disabled together with any bona fide carer(s).
16. An Accredited Access consultant is to certify that the development has complied with the construction certificate details and the design details and technical specifications relevant to recommendations in the Access Assessment Report, referenced in this consent and as amended by any conditions, and in accordance with all relevant accessibility provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
17. Certification is to be provided that the commitments identified in the BASIX Certificate have been fulfilled.
18. Prior to the issue of an Occupation Certificate, a suitably qualified professional is to certify that the as-built development is compliant with the requirements of the NSW RFS as specified by Condition B25 of this consent.

F. Matters to be satisfied prior to the issue of Subdivision Certificate:

N/A

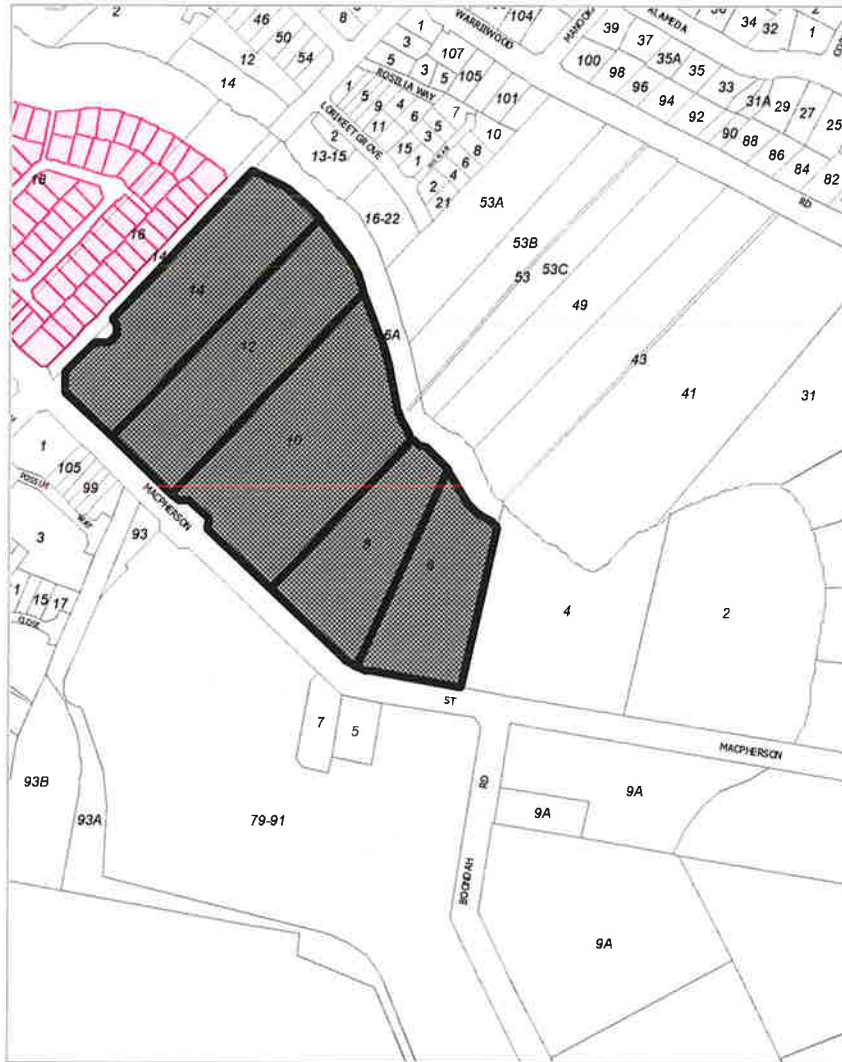
G. Advice:

1. Portions of the site may be liable to flooding and effective precautions should be taken by the owner(s) and/or occupier(s) of the property to reduce any potential risk to personal safety and to minimise any property and contents damage.
2. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences

provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.

3. The applicant is also advised to contact the various supply and utility authorities, i.e. Sydney Water, Sydney Electricity, Telstra etc. to enquire whether there are any underground utility services within the proposed excavation area.
4. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
5. In accordance with Section 95(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.
6. To ascertain the date upon which the determination becomes effective and operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
7. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the *Environmental Planning and Assessment Act, 1979*. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination.
8. If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act, 1979*, gives you a right of appeal to the Land and Environment Court within 6 months of the date of endorsement of this Consent.
9. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to the web site at www.sydneywater.com.au then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.
10. You are reminded of your obligations under the objectives of the Disability Discrimination Act (DDA) 1992.

LOCATION MAP

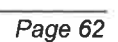


NOTIFICATION PLANS

REV	DATE	DESCRIPTION
1	10/01/13	Issue for information
2	10/01/13	Issue for information
3	10/01/13	Issue for information
4	10/01/13	Issue for information
5	10/01/13	Issue for information
6	10/01/13	Issue for information
7	10/01/13	Issue for information
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100	10/01/13	Issue for information



ILLU - TYPE A
2 bed, 2 bath
site area 213 sqm approx house area gfa (net) 107 sqm house area gfa (gross) 117 sqm terrace / deck 12.0 sqm garage 22.1 sqm gfa + af 141.1 sqm



ILLU - TYPE D1

3 bed, 2 bath	
site area	248.7 sqm approx
house area gfa (ed)	119.2 sqm
house area nla (ed)	107.0 sqm
attic area / deck	15.6 sqm
garage	22.0 sqm
GFA + AT	157.0 sqm

