

Application No:	PLM2016/0061
Meeting Date:	12 July 2016
Property Address:	Lot1113/752038 Oxford Falls Road FRENCHS FOREST
Proposal:	Demolition works and construction of a residential care facility with associated carparking, internal roads and landscaping
Attendees for Council:	Steve Findlay – Development Assessment Manager Lashta Haidari – Senior Planner Sean Khoo – Development/Drainage Engineer Joseph Horvath – Environmental Officer – Bushland Anthony Foy – Environmental Health Surveyor
Attendees for applicant:	Daniel Maurici Dave Ryan

GENERAL COMMENTS

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

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

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

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

DESCRIPTION OF PROPOSAL

These notes address the plans presented at the pre-lodgement meeting held on 12 July 2016.

The following plans are relevant:

- DA 1.04, 2.00, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 3.01, 3.02, 3.03, 4.01, 4.02, 4.03, 4.10, 4.11, 4.12, 4.13, 4.14 – Prepared by Marchese Partners, dated 28 April 2016.

The proposal involves demolition works and the construction of a residential care facility with associated car parking, internal roads and landscaping. The proposal follows the footprint of the Development that was approved on 12 August 2015 by the Sydney East Joint Regional Planning Panel (DA2014/1062) for a 45 bed residential aged care facility.

Housing for Older People or People with a Disability is classified as a Special Fire Protection Purpose under s.100B (6) of the Rural Fires Act 1997 and requires the issuing of a Bush Fire Safety Authority by the NSW Rural Fire Service. The development is Integrated Development for the purposes of the Rural Fires Act 1997.

Development applications for housing for older people or people with a disability may be lodged under the Warringah Local Environmental Plan 2000 (WLEP 2000) or the State Environmental Planning Policy- Housing for Seniors or People with Disability 2004 (SEPP HSPD).

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

The development may be made pursuant to State Environmental Planning Policy – Housing for seniors or People with Disability 2004.

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

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

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2000

Consideration of proposal against Warringah Local Environment Plan 2000

'The fundamentals'

‘The fundamentals’	
Definition of proposed development (ref. WLEP 2000 Dictionary)	<p>Housing for Older People or People with a Disability means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with disabilities, whether or not it is also used to accommodate people who live with older people or people with disabilities, or staff who are employed to assist in the administration of and provision of services to such housing.</p> <p>Housing for older people or people with disabilities may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained dwellings, or a combination of these, but does not include a hospital or a group home.</p>
Locality	B2 Oxford Falls Valley
Category of Development	Category 2 (on land that adjoins a locality primarily used for urban purposes and on which a dwelling house is permissible, where there is no maximum housing density if the development is for the purpose of “housing for older people or people with a disability” and the development complies with the minimum standards set out in Clause 29 of the LEP).

Desired Future Character
<p>The Desired Future Character (DFC) Statement for the B2 Oxford Falls locality requires development to be consistent with the following:</p> <p><i>“The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.</i></p> <p><i>Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.</i></p> <p><i>The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.</i></p> <p><i>A dense bushland buffer will be retained or established along Forest Way and</i></p>

Desired Future Character

Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained".

The issues in relation to detached style housing and low impact and low intensity development was discussed at length in the meeting, where it was recommended that the proposal is required to be amended to provide for greater physical separation and articulation of the built form of the proposed buildings to be consistent with this aspect of the DFC.

As such, it is recommended that the development be designed to provide an outcome that is compatible and consistent with the surrounding detached style development, so that it satisfies the becomes a low impact, low intensity use and that it satisfactorily addresses concerns raised by Council.

Furthermore, due to the extent of associated works required to the surrounding natural environment (including the creek/waterway) as a result of the management of bushland as an APZ, it is considered that the development would have a high impact and would therefore be inconsistent with the Desired Future Character Statement. However, given the proposal does not extend beyond the footprint of the previously approved development on site, this issue is no longer relevant.

Relevant Built Form Controls

Built Control	Form	Permitted	Proposed	Comment
Housing Density		1 dwelling per 600m ² site area.	N/A	N/A
Building Height		Refer to Clause 29 in the WLEP 2000 or Clause 40 in the SEPP.		
Floor-to-Ceiling		7.2m	7.2m	complies
Front Building Setback		20m	Insufficient information provided on the plans, however it noted that the approved development allowed for parking spaces to be located within the front	Does not comply

Relevant Built Form Controls				
Built Control	Form	Permitted	Proposed	Comment
			setback	
Rear and Side Building Setback		10m	Insufficient information provided	Rear –Complies Side – complies, with exception of the car parking area that was approved under the previous DA for the site.
Landscaped Open Space		Refer to Clause 29 in the WLEP 2000 or Clause 40 in the SEPP.		
National Park Setback		20m	N/A	N/A

Clause 29: On what grounds can applications for housing for older people or people with disabilities not be refused?

Control	Permitted	Proposed	Comment
Building Height	8m (maximum) when measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point	5.5m to 8m	Complies
Density & Scale	0.5:1 or less	Insufficient information provided	To comply
Landscaped Area	Minimum of 25m ² of landscaped area per hostel or residential care facility bed is provided	Insufficient information provided	To comply
Parking	In the case of a hostel or residential care facility, at least 1 parking space for each 10 beds in the hostel or residential care facility, and 1 parking space for each two persons to be employed in connection with the development and on duty at any one time,	Insufficient information provided	To comply

Control	Permitted	Proposed	Comment
	and 1 parking space suitable for an ambulance		
Landscaped Areas	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 clause 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 (preferably located at the rear of the site) of not less than the width of the site multiplied by 15% of the length of the site	Insufficient information provided	To comply

Relevant General Principles of Development Control

Division 1 General

38 Glare and reflection
40 Housing for older people or people with disabilities
42 Construction sites

38 Glare and reflection

Clause 38 requires that development is not to result in overspill or glare from artificial illumination, or sun reflection, which would unreasonably diminish the amenity of the locality.

40 Housing for older people or people with disabilities

The development is to comply with the various provisions of Clause 40.

42 Construction sites

Clause 42 requires that construction sites are not to unreasonably impact on the surrounding amenity, pedestrian or road safety, or the natural environment.

The potential exists for the future demolition, excavation and construction to have an adverse impact upon surrounding locality to the west in terms of traffic, noise, dust, parking, accessibility and sediment.

Therefore, a comprehensive Construction Management Plan is to be submitted with a

Relevant General Principles of Development Control	
	development application and address such issues as stormwater and wastewater disposal, waste management, air quality, noise management and truck movement, frequency and parking.
Division 2 Health and safety 43 Noise 44 Pollutants 47 Flood affected land	<p><u>43 Noise</u> Clause 43 requires development not to result in noise emission which would unreasonably diminish the amenity of the area and is not to result in noise intrusion which would be unreasonable to the occupants.</p> <p>In particular:</p> <ul style="list-style-type: none"> • noise from demolition, excavation and construction is to be addressed in an Acoustic Report and a Noise Management Plan (NMP) lodged which addresses the Industrial Noise Policy, the minimisation of noise, respite periods and scheduling of noisy activities to protect the amenity of adjoining and nearby residential amenity, and • noise from the combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise level by more than 5 dB (A) when measured in accordance with the Environment Protection Authority's Industrial Noise Policy at the receiving boundary of residential and other noise-sensitive land uses, and • development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise, and • Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10 pm and 6 am. <p><u>44 Pollutants</u> Clause 44 stipulates that no development is to be carried out which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the use from existing or likely future development on other</p>

Relevant General Principles of Development Control	
	land in the locality), would result in the emission of atmospheric (including odours), liquid or other pollutants which would unreasonably diminish the amenity of adjacent properties, the locality or waterways.
Division 3 Public domain 50 Safety and security 52 Development near parks, bushland reserves and other public open spaces	<p><u>50 Safety and security</u> Clause 50 requires that development is to maintain and where possible enhance the safety and security of the locality.</p> <p><u>52 Development near parks, bushland reserves and other public open spaces</u> Clause 52 requires development adjacent to parks, bushland reserves and other public open spaces, including land reserved for public open space, is to complement the landscape character and public use and enjoyment of that land.</p> <p>In particular:</p> <ul style="list-style-type: none"> • where appropriate, housing is to front public open spaces, • public access to public open spaces is to be maximised, • buildings are to be located to provide an outlook to public open spaces, without appearing to privatise that space, • development is to provide a visual transition between open space and buildings including avoiding abutting public open spaces with back fences, • views to and from public open spaces are to be protected, and • buffers for bushfire protection are to be provided on private land and not on public land. <p>If public open space or land reserved for public open space contains bushland, development on that land is not to threaten the protection or preservation of the bushland.</p>
Division 4 Site planning and building design 54 Provision and location of utility	<p><u>54 Provision and location of utility services</u> Clause 54 requires that utility services must be provided to the site of the development, including provision for the supply of water, gas, telecommunications and electricity and the</p>

Relevant General Principles of Development Control	
<p>services</p> <p>56 Retaining distinctive environmental features on sites</p> <p>57 Development on sloping land</p> <p>58 Protection of existing flora</p> <p>59 Koala habitat protection</p> <p>60 Watercourses and aquatic habitat</p> <p>61 Views</p> <p>62 Access to sunlight</p> <p>63 Landscaped open space</p> <p>63A Rear building setback</p> <p>65 Privacy</p> <p>66 Building bulk</p> <p>67 Roofs</p> <p>68 Conservation of energy and water</p> <p>70 Site facilities</p>	<p>satisfactory management of sewage and drainage.</p> <p><u>56 Retaining distinctive environmental features on sites</u></p> <p>Clause 56 requires that development is to be designed to retain and complement any distinctive environmental features of its site and on adjoining and nearby land.</p> <p>In particular, development is to be designed to incorporate or be sympathetic to environmental features such as rock outcrops, remnant bushland and watercourses.</p> <p>Refer to comments provided by Council's Natural Environment Unit (Biodiversity) later in these Notes.</p> <p><u>57 Development on sloping land</u></p> <p>Clause 57 requires that on sloping land, the height and bulk of development, particularly on the downhill side, is to be minimised and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p> <p>In particular:</p> <ul style="list-style-type: none"> • the amount of fill is not to exceed more than 1 metre in depth, and • fill is not to spread beyond the footprint of the building, and • excavation of the landform is to be minimised. <p>The geotechnical stability of sloping land to support development is to be demonstrated.</p> <p>Consent must not be granted for development involving the erection of a structure, including additions to an existing structure, on land identified as being potentially subject to landslip on the Landslip Hazard Map unless the consent authority has considered a report from a suitably qualified engineer as to the geotechnical stability of the land to support such development and an assessment of stormwater prepared by a suitably qualified hydraulic engineer.</p>

Relevant General Principles of Development Control

58 Protection of existing flora

Clause 58 requires that development is to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species.

60 Watercourses and aquatic habitat

Clause 60 requires that *development is to be sited and designed to maintain and enhance natural watercourses and aquatic habitat.*

(Note. Development within 40 metres of a watercourse requires a permit pursuant to the Rivers and Foreshores Improvement Act 1948, from the Department of Land and Water Conservation.)

Refer to comments provided by Council's Natural Environment Unit (Riparian Lands) later in these Notes.

61 Views

Clause 61 requires that development is to allow for the reasonable sharing of views.

63 Landscaped open space

Clause 63 requires that *"landscaped open space is to be of such dimensions and slope and of such characteristics that it will:*

- enable the establishment of appropriate plantings to maintain and enhance the streetscape and the desired future character of the locality, and*
- enable the establishment of appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale, and*
- enhance privacy between dwellings, and*
- accommodate appropriate outdoor recreational needs and suit the anticipated requirements of dwelling occupants, and*
- provide space for service functions, including clothes drying, and*
- facilitate water management including on-site detention and the infiltration of*

Relevant General Principles of Development Control

- stormwater, and*
- incorporate the establishment of any plant species nominated in the relevant Locality Statement, and*
- enable the establishment of indigenous vegetation and habitat for native fauna, and conserve significant features of the site”.*

65 Privacy

Clause 65 requires that “*development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwellings.*

In particular:

- the windows of one dwelling are to be located so they do not provide direct and close views (i.e. from less than 9 metres away) into the windows of other dwellings, and*
- planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment”.*

66 Building bulk

Clause 66 requires that “*buildings are to have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, unless the applicable Locality Statement provides otherwise.*

In particular:

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

68 Conservation of energy and water

Clause 68 requires a “*development to make*

Relevant General Principles of Development Control	
	<p><i>the most efficient use of energy and water.</i></p> <p><i>In particular:</i></p> <ul style="list-style-type: none"> <i>the orientation, layout and landscaping of buildings and works and their sites are to make the best use of natural ventilation, daylight and solar energy,</i> <i>site layout and structures are to allow reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties,</i> <i>buildings are to minimise winter heat loss and summer heat gain,</i> <i>landscape design is to assist in the conservation of energy and water,</i> <i>reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks,</i> <i>subdivision of land must be generally in accordance with the guidelines set out in the document published by the former Sustainable Energy Development Authority under the title Solar Access for Lots: Guidelines for Residential Subdivision, copies of which are available at the offices of the Council”.</i> <p><u>70 Site facilities</u> Clause 70 requires that “<i>site facilities including garbage and recycling bin enclosures, mailboxes and clothes drying facilities are to be adequate and convenient for the needs of users and are to have minimal visual impact from public places</i>”.</p>
<p>Division 5 Traffic, access and car parking</p> <p>71 Parking facilities (visual impact) 72 Traffic access and safety 73 On-site loading and unloading 75 Design of car parking areas</p>	<p><u>72 Traffic access and safety</u> Clause 72 requires that “<i>vehicle access points for parking, servicing or deliveries, and pedestrian access, are to be located in such a way as to minimise:</i></p> <ul style="list-style-type: none"> <i>traffic hazards, and</i> <i>vehicles queuing on public roads, and</i> <i>the number of crossing places to a street, and</i> <i>traffic and pedestrian conflict, and</i>

Relevant General Principles of Development Control	
	<ul style="list-style-type: none"> <i>interference with public transport facilities.</i> <p><i>Where practical, vehicle access is to be obtained from minor streets and lanes”.</i></p> <p><u>73 On-site loading and unloading</u> Clause 73 requires that “<i>facilities for the loading and unloading of service, delivery and emergency vehicles are to be appropriate to the size and nature of the development. On-site facilities are to be screened from public view and designed so that vehicles may enter and leave in a forward direction”.</i></p> <p><u>75 Design of car parking areas</u> Clause 75 requires that the design of car parking areas is to be provided in accordance with the most recent “Guide to Traffic Generating Developments” (NSW Roads and Maritime Service) and applicable Australian Standards.</p>
Division 6 Soil and water management 76 Management of stormwater 78 Erosion and sedimentation	<p><u>76 Management of stormwater</u> Clause 76 requires that stormwater run-off from development is to discharge to a Council drainage system approved by the Council for the purpose and is to have minimal impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake, waterway or the like. Water quality control measures are to be provided in accordance with the Northern Beaches Stormwater Management Plan.</p> <p>Refer to comments provided by Council’s Development Engineer later in these Notes.</p> <p><u>78 Erosion and sedimentation</u> Clause 78 requires that development is to be sited and designed, and related construction work carried out, so as to minimise the potential for soil erosion.</p> <p>Given the proximity of the waterway, a Soil and Erosion Management Plan is required to be submitted with a development application. The Plan is to relate directly to the Waterway Impact Statement.</p>

Relevant General Principles of Development Control	
	Refer to comments provided by Council's Natural Environment Unit (Riparian Lands) later in these Notes.
Division 7 Heritage 79 Heritage control 80 Notice to Metropolitan Aboriginal Land Council and Department of Environment and Conservation 81 Notice to Heritage Council 82 Development in the vicinity of heritage items 83 Development of known or potential archaeological sites	<u>83 Development of known or potential archaeological sites</u> Clause 83 requires consideration of any impact to known or potential archaeological sites. An Aboriginal Heritage Impact Statement is required to be prepared by a suitably qualified person explaining, if any impact is identified, how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site.

Other relevant WLEP 2000 Schedules
Schedule 8 - Site Analysis Clause 22(2)(a) of WLEP 2000 requires that the consent authority must consider a Site Analysis prepared in accordance with the criteria listed in Schedule 8. The submission of a Site Analysis Plan, in conjunction with the Statement of Environmental Effects is required to adequately address how the development responds to its surrounds and the locality. Schedule 16 – Principles and Standards for Housing for Older People or People with Disabilities The development is required to comply with the various provisions of this Schedule.

Other Relevant Environmental Planning Instruments / Council Policies
You are advised of the following (but not limited to all) Council's policies available at www.warringah.nsw.gov.au : <ul style="list-style-type: none"> • Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140 • Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specifications • Vehicle Access to all Roadside Development

Comments Provided by Council Departments
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Comments Provided by Council Departments
Natural Environment Unit (Biodiversity) <p>As the proposed development remains unchanged in terms of the development footprint and vegetation removal requirements as per the JRPP approved DA, NEU will seek to retain the same conditions as approved by the JRPP for DA2014/1062.</p>
Development Engineering <ol style="list-style-type: none">1. This subject site is affected by upstream catchment flows emanating from Barnes Road and open channel flow along the northern boundary. In this regard the applicant is to submit a hydraulic report and model like HEC-RAS showing the 100 Year Average Recurrence Interval (ARI) stormwater flow over the subject site, prepared by a Chartered Professional Civil Engineer of Engineers Australia. All calculations are to be carried out in accordance with the guidelines provided in "Australian Rainfall and Run Off", a publication of the Institution of Engineers, Australia. All levels are to be shown in Australian Height Datum (AHD). It is to be noted that no development is permitted over Council's drainage system which includes the established 1 in 100 ARI storm water overland flow path for the subject site. The flood study must be taken upstream and downstream beyond the subject site (at least 15-20 metres from the common boundaries affected by the overland flow).2. The 100 year ARI flood flow level must be established in AHD for the proposed future floor levels and basement (where applicable) entry levels which shall be a minimum of 500 mm above the 100 year flood level. This is to ensure that the proposed future dwellings and basement car parking areas (where applicable) are protected in major storm events.3. The consultant must establish the pre development and post development 100 year ARI stormwater flows to ensure the adjoining properties are not worse off post development.4. The proposed development will require on-site stormwater detention (OSD) in accordance with Council's OSD technical specification. The pre-developed site discharge (PSD) is to be calculated using a fraction impervious area of 0% i.e. the state of nature condition for all design storms up to and including the 1 in 100 year storm event. The applicant's consultant is to use the 'Drains' hydraulic model to design the system and provide the calculations with the submission to Council. The OSD tank is to be located in an open area that will permit 24 hour access".
Natural Environment Unit (Riparian Lands) <p>Riparian Lands<p>As the proposed development is fundamentally unchanged from the approved development DA2014/1062 issued by JRPP, from an environmental impact perspective, NEU will look to retain similar conditions as approved by DA2014/1062. Minor amendments may be required to reflect current standards/policy etc.</p></p>

Comments Provided by Council Departments

Stormwater Quality

Council's [Water Management Plan](#) was adopted by Council in December 2015 which supersedes the stormwater quality objectives identified in the Northern Beaches Stormwater Management Plan. This will likely result in a slight modification to the stormwater quality treatment system as proposed by DA2014/1062 in addition to water conservation requirements.

As such the applicant is required to provide a **Stormwater Management Plan** containing the following information:

- Proposed development – Describe the proposed development at the site, including site boundaries, proposed land uses.
- Water conservation – Demonstrate how the potable water conservation targets in section 7.1 of the [Policy](#). For residential developments this may be in the form of a BASIX Certificate. Rainwater reuse is strongly recommended to be incorporated into the development which will also have a positive impact on water quality.
- Stormwater quality objectives – Demonstrate how the stormwater quality targets in section 8.1 of the [Policy](#) will be met, including the location, size and configuration of stormwater treatment measures proposed for the development.
- Integration with the urban design – Identify how the treatment measures will integrate with the development layout and the surrounding area.
- Details of MUSIC modelling, prepared in accordance with the draft [NSW MUSIC Modelling Guidelines](#) unless alternative modelling parameters are justified on the basis of local studies.
- Details of the modelling of those elements, parameters and assumptions used. All MUSIC data files must be provided to Council.

Traffic Management

In principle there is no concern raised on the proposal on traffic grounds.

A comprehensive Traffic and Parking Report, prepared by a suitably qualified person, is to be provided addressing the traffic implication, and parking requirements in compliance with Seniors Living SEPP / Warringah LEP 2000. The car park and driveway design is to comply with Australian Standards.

Environmental Health

1. No objection if premises are connected to the Sydney Water Sewer as proposed –no work to commence on site until Sydney water approves connection
2. Holding tank(pump to sewer) for waste water to have sufficient capacity to allow for power disruption or backup generator

Comments Provided by Council Departments

3. Approval to install required by Council for pump to sewer - holding tank/pump/macerator.
4. Commercial kitchen/s to comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises.

Required Documentation

- All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000.
- All information as required on the Development Application form checklist.
- Site Analysis (prepared in accordance with Schedule 8 of WLEP 2000).
- Site Survey (prepared by a registered Surveyor).
- Statement of Environmental Effects addressing:
 - Section 79C of EPA Act,
 - all relevant sections of WLEP 2000, including demonstrating consistency with the locality's Desired Future Character Statement, Built Form Controls and General Principles of Development Control;
 - and other relevant Environmental Planning Instruments including all relevant sections of the SEPP HSPD
 - Seniors Living Policy (published by the DOPI 2004)
- Geotechnical Report.
- Updated Waterway Impact Statement.
- Soil and Water Management Plan.
- Updated Biodiversity Management Plan.
- Updated Flora and Fauna Assessment.
- Updated Bushfire Report.
- Updated Access Report.
- Acoustic Report and Noise Management Plan.
- Building Code of Australia Report.
- Traffic and Parking Report.
- Arborist Report.
- CPTED Assessment.
- Erosion and Sediment Control Plan.
- Construction and Traffic Management Plan.
- Schedule of External Finishes.
- Photomontages and 3D Modelling.
- Shadow diagrams.
- Landscape Plan.
- Waste Management Plan.
- Stormwater Management Plan.
- Services/Facilities Report addressing the provision of such to the relevant requirements of WLEP 2000/the SEPP.

Concluding Comments and Advice

These notes address the discussions at the pre-lodgement meeting held on 12 July 2016 and reference plans and documentation prepared by Marchese Partners.

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

As outlined in the meeting, it is recommended that the design be amended to provide for greater physical separation between the pavilions forming the development and greater levels of articulation of the built form provided to be consistent with a detached style character.

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

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

Based upon the above comments you are advised to satisfactorily address the matters raised in these minutes prior to lodging a development application.

General Comments/Limitations of these notes

These notes are an account of the specific issues discussed and conclusions reached at the meeting. They are not a complete set of planning and related comments for the proposed development. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP, relevant Clauses of the WLEP 2000 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.

