

Application No:	PLM2016/0006
Meeting Date:	25 February 2016
Property Address:	Lot B2 in DP 358165, No. 53 Little Willandra Road, Oxford Falls
Proposal:	Construction of Housing for Older People or People with a Disability
Attendees for Council:	Steve Findlay – Development Assessment Manager Tony Collier – Senior Planner Brendan Smith – Senior Environment Officer (Biodiversity) Paul David – Senior Development Engineer Duncan Howley – Floodplain Management Officer Claire Wheeler – Environment Officer (Creeks) Catriona Shirley – Environment Officer (Systems/Planning) Andrew Ho – Waste Project Officer
Attendees for applicant:	Kim Shmuel - JBA Chris McGillick – JBA Kiem Ong – Brewster Murray Hong Huang – Brewster Murray Hugh Colless – Brewster Murray David Bonjer – Eco Logical Australia Danielle Meggos – Eco Logical Australia Lu Yong – Client Representative

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 25 February 2016.

The following plans are used:

- SK00 – Site Analysis dated 22/02/2015 prepared by Brewster Murray;
- SK01 – Site Plan dated 22/02/2015 prepared by Brewster Murray;
- SK02 – Ground Level Plan dated 22/02/2016 prepared by Brewster Murray;
- SK03 – Level One Plan dated 22/02/2016 prepared by Brewster Murray;
- SK04 – Landscape Plan dated 22/02/2016 prepared by Brewster Murray;
- SK05 – Section A-A dated 22/02/2016 prepared by Brewster Murray ;
- Asset Protection Zones – Option 1 prepared by Eco Logical Australia;
- Asset Protection Zones prepared by Eco Logical Australia;
- Option 2 Footprint – Riparian Management prepared by Eco Logical Australia; and
- Vegetation Communities prepared by Eco Logical Australia.

The proposal involves demolition works and the construction of a development for housing for older people or people with a disability. It is not clear if the development will constitute a residential care facility, a hostel, a group of self-contained dwellings or a combination of these.

The development is located within the eastern (flattest) part of the site facing Little Willandra Road and, according to the concept plans, accommodates 52 apartments.

Part basement parking is proposed to be provided although no details have been provided to indicate the extent of on-site parking.

The creek/waterway, which runs in a northerly direction, dissects the site of the development into two halves. The creek/waterway is proposed to be bridged in two sections to provide for a connective driveway and pedestrian access respectively. The embankment of the creek/waterway is proposed to be landscaped.

Due to topographical constraints, the western and southern parts of the site are to remain vegetated although a significant extent will be subject to clearing to support the required bushfire asset protection zones around the development.

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 and the Water Management Act 2000.

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

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.



In this regard, the sections of the SEPP that are found to be vital to this proposal are addressed below:

Clause 24 - Site Compatibility Certificates

The proposal will require a Site Compatibility Certificate (SCC) to be prepared prior to the lodgement of a development application, pursuant to Clause 24 of the SEPP, as the site adjoins land zoned primarily for urban purposes.

Please be aware that the SCC cannot be issued by the NSW Planning & Environment unless the Director General has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b), which are addressed as follows:

(b) Is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria:

- (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,*

Comment

The site is considered to have high environmental values, including known records for threatened species, remnant native vegetation and rock outcrops and including the natural watercourse which dissects the site. These features constitute the main environmental values which are to be protected and incorporated into the development.

It is noted that the remainder of the site (other than the lower section facing Little Willandra Road) has not been cleared.

Of concern is the extent of excavation works proposed, particularly at the rear of the development which will alter the natural landscape and the provision of landscape plantings. Excavation is to be kept to a minimum such that it will not alter the landscape to the degree proposed.

- (ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the Director-General, are likely to be the future uses of that land,*

Comment

The future uses of the site potentially comprise of the following:

Category 2

- agriculture;
- housing;
- housing for older people or people with disabilities (only on land described in paragraph (c) under the heading "Housing density" in the WLEP);
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.

Category 3

- animal boarding or training establishments;
- bulky goods shops;
- business premises;
- child care centres;



- community facilities;
- entertainment facilities;
- further education;
- health consulting rooms;
- heliports
- hire establishments;
- hospitals;
- hotels;
- industries;
- medical centres;
- motor showrooms;
- offices;
- places of worship;
- primary schools;
- recreation facilities;
- registered clubs;
- restaurants;
- retail plant nurseries;
- service stations;
- shops;
- short term accommodation;
- vehicle repair stations;
- veterinary hospitals;
- warehouses.

Generally, the use of the site for the purposes of providing housing for seniors or people with a disability is unlikely to have an adverse impact upon the nature of the identified permissible uses within the locality.

- (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,*

Comment

The Applicant is to consult with Sydney Water in order to ensure connection(s) can be made to the Sydney Water reticulated water supply and sewer.

- (iv) *in the case of applications in relation to land that is zoned open space or special uses - the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,*

Comment

Not Applicable.

- (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,*

Comment:

In order to minimise visual impact, the proposed built form is to be designed of a scale that is responsive to the scale of the development immediately to the north.



Long and continuous wall lengths are to be broken into modules through a combination of physical breaks and articulation to avoid the appearance of an apartment/resort style development. The lengths of buildings on the neighbouring site to the north should be used as a general guide to regulate scale.

- (vi) *If the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the [Native Vegetation Act 2003](#)—the impact that the proposed development is likely to have on the conservation and management of native vegetation.*

Comment

Comments from Council's Natural Environment Unit (Biodiversity) are provided later in these notes.

The site (and its surrounds to the west and south) is considered to have high environmental values, including known records for threatened species and remnant native vegetation.

Threatened species that are known to occur in the local area include (but are not limited to):

Threatened Fauna

- Varied Sittella (recently recorded nearby to the proposal);
- Powerful Owl (recorded roost locations identified on site by Council officers. Potential for large hollow immediately SW of existing dwelling);
- Eastern Pygmy Possum (nest boxing and camera trapping recommended);
- Glossy Black Cockatoo;
- Eastern Bentwing Bat (roosting habitat in stormwater pipe – check full length of pipe);
- Large Footed Myotis (roosting habitat in stormwater pipe – check full length of pipe);
- Southern Brown Bandicoot (camera trapping recommended to determine Bandicoots on site);
- Red Crowned Toadlet (recorded on site);
- Giant Burrowing Frog;
- Heath Monitor.

Threatened Flora

- Glandular Pink Bell – *Tetratheca glandulosa*
- *Pimelea curviflora* var. *curviflora*

The clearing of vegetation for the purposes of asset protection zones will significantly impact on this environment. Therefore, you should contact the NSW Office of Environment and Heritage as soon as possible to discuss the requirements and options in this issue.

A flora and fauna assessment must be prepared consistent with Council's Flora and Fauna Assessment Guidelines available online:

<http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guidelines-preparing-flora-and-fauna-assessment-report-april-2014.pdf>

A Biodiversity Management Plan must be included with the development application, prepared in accordance with Council's online guidelines:

<http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guideline-preparing-biodiversity-mtg-plan-april-2014.pdf>

The proposal must demonstrate consistency with Clauses 56 (Retaining distinctive environmental features on sites) and 58 (Protection of existing flora) under the WLEP 2000 which require 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 groundcover species". Consistency with these clauses should be demonstrated and discussed in the Flora and Fauna Assessment and or associated reporting.

Clause 36: Location and Access to Facilities

The development is to demonstrate that residents will have access to:

- 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.

As the above facilities are located more than 400m from the site, access to the above facilities is to comply with the requirements of Clause 36(2)(b) and 36(3).

An alternative means of transport is provided for under Clause 43 of the SEPP.

Details demonstrating compliance (including bus timetables) are to be provided in an Access Report prepared by a suitably qualified person.

Clause 27: Bush Fire Prone Land

The development is to comply with the requirements of the document titled Planning for Bush Fire Protection, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.

The application 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:

- 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 the SEPP,
- 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.

Clause 33: Neighbourhood Amenity and Streetscape

Clause 33 requires that an assessment of the desirable elements of current character of the area be undertaken.

In doing so, the desired elements of the locations current character can be found within the Desired Future Character Statement of the B2 Oxford Falls Valley locality (see separate section in these Notes).



Because of the Category 2 classification under the WLEP 2000, the use is considered to be development that *may* be consistent with the desired future character of the locality. As such, the development is to satisfy, as a first test, the Desired Future Character Statement. In particular, the development application is to demonstrate that the use is a “low intensity, low impact” use.

What constitutes low intensity, low impact uses was detailed in the Land and Environment judgement *Vigor Master Pty Ltd v Warringah Shire Council [2008] NSWLEC 1128*. The interpretation within the judgement states:

“Intensity is commonly used to identify the nature of the proposal in terms of its size and scale and the extent of the activities associated with the proposal. Therefore “low intensity” would constitute a development which has a low level of activities associated with it.”

and

Impact is commonly used in planning assessment to identify the likely future consequences of proposed development in terms of its surroundings and can relate to visual, noise, traffic, vegetation, streetscape privacy, solar access etc. Therefore ‘low impact’ would constitute a magnitude of impacts such that was minimal, minor or negligible level and unlikely to significantly change the amenity of the locality.”

As presented at the meeting, and due to the extent of associated works required to the surrounding natural environment (including the creek/waterway) as a result of the APZ and the like it is considered that the development would have a high impact and would therefore be inconsistent with the Desired Future Character Statement.

As such, it is recommended that the development be designed to provide an outcome that is compatible and consistent with the surrounding detached style residential development and that it becomes a low impact, low intensity use.

Clause 40 – Development standards – minimum sizes and building height

Clause 40(1) of the SEPP requires that a consent authority must not consent to a development application made pursuant to Chapter 3 unless the proposed development complies with the standards specified in the Clause.

The following table outlines compliance with the standards specified in Clause 40 of the SEPP.

Standard	Permitted	Proposed	Compliance
Site Size	1,000m ² (minimum)	33,000m ²	Complies
Site Frontage	20m	54.86m	Complies
Building Height	8m or less (Measured vertically from ceiling of topmost floor to ground level immediately below)	Between 6m & 9m	Does not comply (at 9m)
	A building that is adjacent to a boundary of the site must not be more	Parts of the buildings are 3 storeys (particularly adjacent to the	Does not comply (at 3 storeys)



Standard	Permitted	Proposed	Compliance
	than 2 storeys in height	creek/waterway).	
	a building located in the rear 25% area of the site must not exceed 1 storey in height.	The development is located within the eastern part of the site and retains the 'rear' area of the site in situ.	Complies

Classification of the Development

Depending on the classification of the development (residential care facility, a hostel, a group of self-contained dwellings or a combination of these) the proposal is to comply with the relevant clauses in the SEPP.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2000

Consideration of proposal against Warringah Local Environment Plan 2000

'The fundamentals'	
Definition of proposed development (ref. WLEP 2000 Dictionary)	<i>Housing for Older People or People with a Disability</i> means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with disabilities, whether or not it is also used to accommodate people who live with older people or people with disabilities, or staff who are employed to assist in the administration of and provision of services to such housing. Housing for older people or people with disabilities may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained dwellings, or a combination of these, but does not include a hospital or a group home.
Locality	B2 Oxford Falls Valley
Category of Development	Category 2 (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
The Desired Future Character Statement for the B2 Oxford Falls locality requires development to be consistent with the following: <i>"The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.</i>



Desired Future Character

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.

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.

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.

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".

Due to the extent of associated works required to the surrounding natural environment (including the creek/waterway) as a result of the APZ and the like it is considered that the development would have a high impact and would therefore be inconsistent with the Desired Future Character Statement.

Furthermore, Council's Natural Environment Unit (Riparian Lands) notes that the encroachment into the core riparian zone by the development is not consistent with the objectives of the future character statement.

As such, it is recommended that the development be designed to provide an outcome that is compatible and consistent with the surrounding detached style residential development, that it becomes a low impact, low intensity use and that it satisfactorily addresses concerns raised by Council's Natural Environment Unit (Riparian Lands).

Relevant Built Form Controls

Built Form Control	Permitted	Proposed	Comment
Housing Density	1 dwelling per 600m ² site area. The site area per dwelling may be reduced provided the buildings are sited and designed and landscaping is used to ensure the development relates favourably to the pattern, scale and landscape character of the street and surrounding development and the development conforms with the minimum standards set out in Clause 29,	1 dwelling per 634m ² site area	The proposal, subject to meeting the built form, character and landscape/vegetation issues outlined in these Notes, is capable of compliance.
Building Height	Refer to Clause 29 in the WLEP 2000 or Clause 40 in the SEPP.		
Floor-to-Ceiling	7.2m	5.5m to 8.5m	Does not comply



Relevant Built Form Controls			
Built Form Control	Permitted	Proposed	Comment
Front Building Setback	20m	20m	Complies
Rear and Side Building Setback	10m	North: 10m South: 10m	Complies
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 8.5m	Does not comply
Density & Scale	0.5:1 or less	Insufficient information provided	To comply
Landscaped Area	Minimum of 35m ² of landscaped area per dwelling and 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, and 1 parking space suitable for an ambulance	Insufficient information provided	To comply
Visitor Parking	The development exceeds 8 dwellings. Therefore, visitor parking is required at a rate of 1 space per 5 dwellings (i.e. 11 spaces as required by the WLEP 2000)	Insufficient information provided	To comply
Landscaped Areas	In relation to that part of the site (being the site, not only of that particular development,	Insufficient information provided	To comply



Control	Permitted	Proposed	Comment
	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		
Private Open Space for In-Fill Housing	<p>a) 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</p> <p>b) In the case of any other dwelling, there is a balcony with an area of not less than 6 square metres, that is not less than 1.8 metres in length and that is accessible from a living area.</p>	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	<p><u>38 Glare and reflection</u> 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.</p> <p><u>40 Housing for older people or people with disabilities</u> The development is to comply with the various provisions of Clause 40.</p> <p><u>42 Construction sites</u> Clause 42 requires that construction sites are not to unreasonably impact on the surrounding amenity, pedestrian or road safety, or the natural environment.</p>



Relevant General Principles of Development Control	
	<p>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.</p> <p>Therefore, a comprehensive Construction Management Plan is to be submitted with a development application and address such issues as stormwater and wastewater disposal, waste management, air quality, noise management and truck movement, frequency and parking.</p>
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 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 land in the locality), would result in the emission of atmospheric (including odours), liquid or other pollutants which would unreasonably diminish the amenity of adjacent properties, the locality or waterways.</p> <p><u>47 Flood affected land</u> Clause 47 requires that development on flood affected land is to be sited and designed to minimise impacts of flooding on property and have regard to the existing flood regime.</p>



Relevant General Principles of Development Control	
	<p>In particular:</p> <ul style="list-style-type: none"> • development is not to reduce flood storage area or impact upon the existing flood regime, • habitable floor areas of buildings are to be at a level of at least 500mm above the 1% annual exceedance probability flood level, and • buildings or works affected by flooding are to be constructed of flood compatible building materials. <p>For the purposes of this clause, flood affected land means land below the 1% annual exceedance probability flood level.</p> <p>Refer to comments provided by Council's Natural Environment Unit (Flood Prone Land) later in these Notes</p>
<p>Division 3 Public domain</p> <p>50 Safety and security 52 Development near parks, bushland reserves and other public open spaces</p>	<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>
<p>Division 4 Site planning and building design</p>	<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</p>



Relevant General Principles of Development Control	
<p>54 Provision and location of utility services</p> <p>56 Retaining distinctive environmental features on sites</p> <p>57 Development on sloping land</p> <p>58 Protection of existing flora</p> <p>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>and the satisfactory management of sewage and drainage.</p> <p><u>56 Retaining distinctive environmental features on sites</u> 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 (Riparian Lands) and Council's Natural Environment Unit (Biodiversity) later in these Notes.</p> <p><u>57 Development on sloping land</u> 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> <p><u>58 Protection of existing flora</u> 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.</p> <p><u>59 Koala habitat protection</u> Clause 59 applies to parcels of land, being all adjacent or adjoining land held in the same ownership, that are:</p> <ul style="list-style-type: none"> • greater than 1 hectare in area, and • potential koala habitat.



Relevant General Principles of Development Control	
	<p><i>Before granting consent to development on land to which this clause applies, the consent authority, on information obtained from a person with appropriate qualifications and experience in biological science and fauna survey and management, must be satisfied as to whether or not the land is core koala habitat.</i></p> <p>Refer to comments provided by Council's Natural Environment Unit (Biodiversity) later in these Notes.</p> <p><u>60 Watercourses and aquatic habitat</u> Clause 60 requires that <i>development is to be sited and designed to maintain and enhance natural watercourses and aquatic habitat.</i></p> <p><i>(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.)</i></p> <p>Refer to comments provided by Council's Natural Environment Unit (Riparian Lands) later in these Notes.</p> <p><u>61 Views</u> Clause 61 requires that development is to allow for the reasonable sharing of views.</p> <p><u>63 Landscaped open space</u> Clause 63 requires that <i>"landscaped open space is to be of such dimensions and slope and of such characteristics that it will:</i></p> <ul style="list-style-type: none"><i>• enable the establishment of appropriate plantings to maintain and enhance the streetscape and the desired future character of the locality, and</i><i>• enable the establishment of appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale, and</i><i>• enhance privacy between dwellings, and</i><i>• accommodate appropriate outdoor recreational needs and suit the anticipated requirements of dwelling occupants, and</i><i>• provide space for service functions, including clothes drying, and</i><i>• facilitate water management including on-site detention and the infiltration of stormwater, and</i><i>• incorporate the establishment of any plant species nominated in the relevant Locality Statement, and</i><i>• enable the establishment of indigenous vegetation and habitat for native fauna, and conserve significant features of the site".</i><p><u>65 Privacy</u> Clause 65 requires that <i>"development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwellings. In particular:</i></p>



Relevant General Principles of Development Control	
	<ul style="list-style-type: none">• <i>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</i>• <i>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”.</i>• <p>66 Building bulk Clause 66 requires that “<i>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.</i></p> <p><i>In particular:</i></p> <ul style="list-style-type: none">• <i>side and rear setbacks are to be progressively increased as wall height increases,</i>• <i>large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief, and</i>• <i>appropriate landscape plantings are to be provided to reduce the visual bulk of new buildings and works”.</i> <p>68 Conservation of energy and water Clause 68 requires a “<i>development to make 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>BASIX Certificates are to be provided with a development application.</p> <p>70 Site facilities Clause 70 requires that “<i>site facilities including garbage and recycling bin enclosures, mailboxes and clothes drying</i></p>



Relevant General Principles of Development Control	
	<p><i>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>Refer to comments provided by Council's Waste Management Officer later in these Notes.</p>
<p>Division 5 Traffic, access and carparking</p> <p>71 Parking facilities (visual impact) 72 Traffic access and safety 73 On-site loading and unloading 75 Design of carparking areas</p>	<p><u>72 Traffic access and safety</u> Clause 72 requires that "vehicle access points for parking, servicing or deliveries, and pedestrian access, are to be located in such a way as to minimise:</p> <ul style="list-style-type: none"> • traffic hazards, and • vehicles queuing on public roads, and • the number of crossing places to a street, and • traffic and pedestrian conflict, and • interference with public transport facilities. <p><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 "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".</p> <p><u>75 Design of carparking 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>
<p>Division 6 Soil and water management</p> <p>76 Management of stormwater 78 Erosion and sedimentation</p>	<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>79 Heritage control</u> Clause 79 requires that "development is to: <ul style="list-style-type: none">• conserve the environmental heritage and cultural significance of Warringah, and• conserve existing significant fabric, settings, relics and views associated with the heritage significance of heritage items and heritage conservation areas, and• not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings, and• ensure that archaeological sites and places of Aboriginal significance are conserved, and• ensure that the heritage conservation areas throughout Warringah retain their heritage significance". <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 addresses 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

**Other Relevant Environmental Planning Instruments / Council Policies**

- [Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specifications](#)
- [Vehicle Access to all Roadside Development](#)

Comments Provided by Council Departments**Natural Environment Unit (Biodiversity)**General Comments

The subject site is considered to have high environmental values, including known records for threatened species, remnant native vegetation and rock outcrops. Development of the subject property is therefore subject to high constraints and may not be supported by Council's Natural Environment Section. It is noted the proposed APZ's may include land with slopes greater than 18 degrees and may be inconsistent with the requirements of Planning for Bushfire Protection 2006.

Reporting Requirements

The following advice applies to assessment and management of environmental impacts for the proposed development footprints, fire hazard asset protection zone (APZ) and installation of any services required in relation to the proposal.

- Vegetation clearing is proposed and a flora and fauna assessment must be prepared consistent with Council's Flora and Fauna Assessment Guidelines available online – <http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guidelines-preparing-flora-and-fauna-assessment-report-april-2014.pdf>
- A Biodiversity Management Plan must be included with the development application, prepared in accordance with Council's online guidelines – <http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/native-vegetation/guideline-preparing-biodiversity-mtg-plan-april-2014.pdf>
- It is noted that the flora and fauna assessment may require amendment should the NSW Rural Fire Services require more extensive APZ's.

Threatened species that are known to occur in the local area include (but are not limited to):

Threatened Fauna

- Varied Sittella (recently recorded nearby to the proposal)
- Powerful Owl (recorded roost locations identified on site by Council officers. Potential for large hollow immediately SW of existing dwelling)
- Eastern Pygmy Possum (nest boxing and camera trapping recommended)
- Glossy Black Cockatoo
- Eastern Bentwing Bat (roosting habitat in stormwater pipe – check full length of pipe)
- Large Footed Myotis (roosting habitat in stormwater pipe – check full length of pipe)
- Southern Brown Bandicoot (camera trapping recommended to determine Bandicoots on site)
- Red Crowned Toadlet (recorded on site)
- Giant Burrowing Frog
- Heath Monitor

Threatened Flora



Comments Provided by Council Departments

- Glandular Pink Bell – *Tetratheca glandulosa*
- *Pimelea curviflora* var. *curviflora*

Consideration of WLEP 2000 Provisions

The proposal must demonstrate consistency with Clauses 56 Retaining distinctive environmental features on sites; and 58 Protection of existing flora, "Development is to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native groundcover species." Consistency with these should be demonstrated and discussed in the Flora and Fauna Assessment and or associated reporting.

Development Engineering

These comments are only preliminary in nature and a detail assessment can only be provided upon a DA lodgement:-

1. Submit a hydraulic model study showing the PMF and 100 Year Average Recurrence Interval (ARI) stormwater flows for the existing watercourse, which shall be prepared by a Hydraulic Chartered Professional Civil Engineer registered with the Institution of Engineers, Australia. All calculations are to be carried out in accordance with the guidelines provided in the "Australian Rainfall and Run Off", a publication of the Institution of Engineers, Australia. All survey and flood levels are to be shown in Australian Height Datum (AHD). The floor levels for the proposed dwellings must be 500mm above the established 100 year ARI storm water overland flow path or at the PMF flood level whichever is greater. The study must take into consideration the hydraulic grade line of the existing watercourse located within the 51 Little Willandra Road Cromer in order to consider backwater effects when establishing the flood levels for the subject site.
2. The consultant must show a plan mapping the pre-development flows and post- development flows to ensure the adjoining properties are not worse off or impacted post development of the site.
3. A concept pedestrian link plan to a public transport (bus stop) must be provided in accordance with the SEPP (Housing for Seniors or People with a Disability) 2004. A Traffic Engineer must prepare a detail report and plans for safe pedestrian access to Public transport can be achieved from the proposed development.

Natural Environment Unit (Riparian Lands)

The site is located in the Wheeler Creek catchment, a sub-catchment of the Narrabeen Lagoon catchment. Wheeler Creek is a Group A catchment according to the Warringah Creek Management Study 2004, which is characterised as having very high ecological value with less than 10% connected impervious area. The site has been identified as providing habitat for Giant Burrowing Frog and Red-crowned Toadlet.

There are two watercourses on site. One flows through the site from south to north and the other, located in the north-west corner of the site, flows in an easterly direction.

The Warringah Creek Management Study 2004 details the appropriate riparian zone widths that apply to this site.

As part of the proposed development is located within riparian land, Warringah's Protection of Waterways and Riparian Land Policy applies, in addition to a number of clauses of the Warringah Local Environmental Plan 2000, as detailed below.



Comments Provided by Council Departments

Protection of Waterways and Riparian Land Policy

The purpose of this Policy is to guide the management, development and protection of waterways and their associated riparian land in the Warringah local government area.

The Policy relevantly states:

3.1 Protection of Waterways and Riparian Land

a) Natural ecological processes of waterways and riparian land shall be maintained and enhanced to the greatest extent possible by:

- *causing no net loss to biodiversity;*
- *supporting natural flow regimes;*
- *minimising bank erosion and promoting naturalistic bank protection works when stabilisation is necessary (i.e. soft engineering outcomes);*
- *preventing alteration of watercourses (includes piping, channelling, relocation or removal);*
- *improving plant communities through natural area restoration;*
- *maintaining natural floodplains where appropriate.*

b) Bushfire asset protection zones shall be maintained outside of riparian land.

3.3 Development

a) Development within waterways and riparian land should be avoided.

Response:

The proposed designs include buildings sited within 10m from top of bank of the creek and Asset Protection Zone extending into the core riparian zone. Both of these aspects of the proposal are contrary to sections 3.1b and 3.3a of the Policy.

Warringah Local Environmental Plan 2000

As the site is located in the Deferred Lands, the proposed development would be assessed under the requirements of the Warringah LEP 2000:

The desired future character statement for the Locality Statement for B2 – Oxford Falls Valley states that “*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.*”

Response:

It is considered that the proposed development, noting the encroachment into the core riparian zone, is not consistent with the objectives of the future character statement.

Clause 56 - Retaining distinctive environmental features on sites

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

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

Response

The proposed development is considered contrary to this clause.



Comments Provided by Council Departments

Clause 60 - Watercourses and aquatic habitat

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

Response:

The proposed development is considered contrary to this clause.

Clause 78 - Erosion and sedimentation

Development is to be sited and designed, and related construction work carried out, so as to minimise the potential for soil erosion.

Where some degree of soil erosion and sedimentation is likely to occur, it is to be managed at the source to prevent any reduction in water quality downstream of the development site.

In this case, a soil and water management plan which ensures minimum soil erosion and maintenance of downstream water quality that has been prepared in accordance with the Council's "Specification for Erosion and Sediment Control" and "Design and Specification Manuals for Engineering Works" is to be considered by the Council before consent for the relevant development is granted. The plan is to outline practices proposed to control runoff, mitigate soil erosion and trap pollutants before these can reach downslope lands and receiving waters.

Response:

Reference should also be made to [Council's Water Management Policy](#) 2015 which requires the submission of a Soil and Water Management Plan as the development covers an area greater than 2500m².

Conclusion

On the basis of the above considerations, the proposed development in its current form is not supported.

Should the applicant wish to submit this application, the following information will be required:

Waterway Impact Statement

A Waterways Impact Statement (WIS) will be required to accompany the Development Application. The WIS must demonstrate the effect that works in the riparian zone will have on the watercourse itself, downstream properties and the downstream environments including Narrabeen Lagoon.

The WIS shall be prepared by a suitably qualified person and shall refer to the requirements of the LEP 2000 and Council's Protection of Waterways and Riparian Land Policy. Guidelines for the preparation of a WIS can be found at <http://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/waterways/2014-022181-guidelines-preparing-waterways-impact-statement-updated-final.pdf>

As the development is proposed to be undertaken within 40 metres of a watercourse, the activity is a Controlled Activity under the *Water Management Act 2000*. The proposed development is Integrated Development and a referral to the NSW Department of Primary Industries – Water is required.

The design of watercourse crossings associated with the proposed development must be in



Comments Provided by Council Departments
<p>accordance with NSW Department of Primary Industries Water Guidelines for Watercourse Crossings on Waterfront Land available at http://www.water.nsw.gov.au/_data/assets/pdf_file/0005/547187/licensing_approvals_controlled_activities_watercourse_crossings.pdf</p> <p><u>Soil and Water Management Plan</u> A Soil and Water Management Plan (SWMP) is required for all development which involves the disturbance of more than 2500m² of land. A SWMP must be prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) by a suitably qualified Civil Engineer, who has membership to the Institution of Engineers Australia, National Professional Engineers Register (NPER-3).</p>
<p>Urban Design</p> <p>The proposal in its current form cannot be supported for the following reasons:</p> <ol style="list-style-type: none">1. The proposal to comply with 8.0m/2 storey building height requirement from existing natural ground levels (as required by the SEPP).2. The proposal is to be contextually fitting to 1 & 2 storey surrounding residential detached houses and single storey Willandra bungalows to the north east corner of the site.3. Building setback distances from side boundaries of 10m are to provide adequate buffer to neighbouring houses.4. The proposed building location on the western side of the creek has a steep gradient from RL15 to RL35 which is a change in level of 20 metres. The proposed 2 storey common corridor apartment design will not work as the design will have to hug the site terrain to not exceed the 8.0m building height requirement (as required by the SEPP).
<p>Waste Management</p> <p>Council will provide a wheel in/out service up to 6.5m of the front property boundary.</p> <p>The application will include a component to construct a bin room that accommodates 40 x 240L bins. The bin room must be roofed with a clearance height of 2.1m. The bin room must have a door width of 1.2m and not locked.</p> <p>The applicant is to ensure that a concrete path is constructed between the bin room and service point (truck will idle) at a width of no less than 1.2m and no steeper than 1:8. The path must be independent and not shared as a vehicular access.</p> <p>The applicant is to construct a 20 cubic meter bulky goods room of a practical dimension.</p> <p>The applicant must demonstrate that all occupants will be able to easily access the bin room. The applicant had indicated several bin room locations across the development and a caretaker will be required to take bins to central location night before collection.</p> <p>The applicant is to construct a slip lane for heavy rigid vehicle to get off-street access to collect the bins. The applicant is to provide a swept path to demonstrate that a vehicle can enter and exit the slip lane in a forward direction.</p> <p>The applicant is to detail how the vegetation on site will be managed – in terms of future/on-going disposal (i.e. lawn clippings and foliage).</p>
<p>Traffic Management</p> <p>In principle there is no concern raised on the proposal on traffic grounds.</p>



Comments Provided by Council Departments

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.

Natural Environment Unit (Flood Prone Land)

The property is impacted by the Probable Maximum Flood extent.

Seniors living development is proposed which is classified as vulnerable development. Flood related development controls will be applied within the Low Flood Risk Planning Precinct for vulnerable development. This information is from the Narrabeen Lagoon Flood Study, 2013.

There is an open channel that traverses the property. Currently pedestrian and vehicular bridges are proposed across the creek.

- The applicant must develop a flood model for the site. This model must investigate the following:
 - The relevant Probable Maximum Flood levels
 - Sensitivity analyses looking at 50% and 100% blockage scenarios to the bridge structures.
 - Commentary on the potential impact of blockage considering the upstream catchment.
 - Recommendations on what blockage parameters will be applied for design purposes.
 - The impact on flooding for neighbouring properties up to and including the Probable Maximum Flood event/
- The development must have no negative impact on flooding for neighbouring properties in all major flood events up to and including the Probable Maximum Flood event.
- The floor levels of the seniors living units must be set at or above the relevant post construction Probable Maximum Flood level.
- Provisions for evacuation from the site that does not rely on the emergency services must be investigated.

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 (if the application is made under the SEPP);
 - The Seniors Living Policy as published by the DOPI 2004.
- Site Compatibility Certificate (if application is made under the SEPP).
- BASIX Certificate.



Required Documentation

- Geotechnical Report.
- Flood Model for the site.
- Waterway Impact Statement.
- Soil and Water Management Plan.
- Biodiversity Management Plan.
- Flora and Fauna Assessment.
- Bushfire Report.
- Access Report.
- Building Code of Australia Report.
- Traffic and Parking Report.
- Concept Pedestrian Link Plan.
- Arborist Report.
- Crime Prevention Through Environmental Design (CPTED) assessment against the Guidelines prepared by the former DUAP.
- Erosion and Sediment Control Plan.
- Construction/Site and Traffic Management Plan.
- Environmentally Sustainable Development Report.
- Aboriginal Heritage Impact Statement.
- Sample Board of External Finishes.
- Model of proposed development.
- 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

These notes address discussion at the pre-lodgement meeting held on 25 February 2016 and reference plans and documentation prepared by Brewster Murray and Eco Logical Australia respectively.

The development of the site for the purposes of Housing for Older People or People with a Disability has raised a number of concerns which prevent Council from supporting the proposal as presented.

Council's Natural Environment Unit has identified key environmental issues which are to be satisfactorily addressed prior to the lodging of a development application.

Of those issues, a fundamental concern relates to the clearing of land for the purposes of bushfire asset protection zones and the potential impact this may have upon threatened species, native vegetation and the performance of the waterway in terms of possible increased water flow into the creek.

The development, as proposed, is classified as a Category 2 development under WLEP 2000 and has been found to be inconsistent with the Desired Future Character of the locality. The development must satisfactorily address the matters of low impact/low intensity and the encroachment into the core riparian zone in order to respond to this first test.

Once the issues raised in these notes are satisfactorily addressed, an application may be made



Concluding Comments

pursuant to either the State Environmental Planning Policy – Housing for Seniors or People with Disability 2004 or the Warringah Local Environment Plan 2000.

In either instance, and depending upon how successfully the environmental issues are addressed, the application will constitute Integrated Development. Therefore, a cheque(s) will be required to be included with a development application to the value of \$320 each and made out to the relevant approval authority (NSW Rural Fire Service and/or the NSW 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.

Therefore, given the issues raised in these notes, you are advised that the application (as proposed at the meeting) could not be supported and you should not proceed to lodge a development application.

It is recommended that further preliminary investigation and analysis be undertaken in relation to the issues outlined in these Notes and, should you decide to progress the matter, a further pre-lodgement meeting be held with Council.

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.