

14 June 2019

Mr Stuart Withington
Manager
Planning Panels Secretariat
GPO Box 39
Sydney NSW 2001

Dear Mr Withington

**REVIEW OF DETERMINATION REV2019/0014 – MIXED USE DEVELOPMENT,
5 SKYLINE PLACE, FRENCHS FOREST**

We write on behalf of Platino Properties (the Applicant) in relation the above section 8.2 Review of Determination.

As outlined in our Section 8.2 Review of Determination Report (Review Report) dated March 2019 and Northern Beaches Council's (Council) assessment report, the proposed development has been amended in response to the Sydney North Planning Panel's (SNPP) reasons for refusal of DA2018/0995. These amendments, which include a revised built form arrangement, reduced height and scale, and the removal of ground level residential uses to address issues raised in the assessment and determination.

We note Council's position that while Reasons for Refusal No. 1 and No. 2(b) are no longer relevant, the other Reasons for Refusal remain.

However, we consider that as a result of the design amendments, all reasons for refusal have now been adequately addressed and are no longer relevant.

Furthermore, we have carefully reviewed Council's report and consider there are a number of issues raised in the report which are erroneous and which warrant a further response and clarification.

This submission outlines our response to Council's assessment report and includes the following key points:

1. **Council continues to give primacy to the provisions of the *Warringah Local Environmental Plan 2011* (WLEP 2011) over the provisions of the Seniors SEPP.**

This is contrary to the hierarchy of environmental planning instruments established under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. **Council's report fails to properly acknowledge the mixed used character and evolving built form character of the locality and argues that the proposal is out of context with the current and future character of the locality.**

This contradicts Council's own position as stated in its assessment report for the Parkway Hotel DA (DA 2015/0901), which is located 175 metres to the east of the site and has an approved height of 26.4 metres (taller than the proposed development of 24.6 metres):

"...the scale, bulk, and height of the building proposed to be a hotel is deemed acceptable and assessed as being compatible and consistent with development envisaged for the site (and adjoining and surrounding sites located within the B7 Business Park Zone.)"

It also demonstrates that Council is now seeking to take a contradictory and unjustifiable position on the proposed development and the character of the locality than it has on recently approved developments in the locality.

3. **Council continues to place undue weight on the Northern Beaches Hospital Precinct Structure Plan (NBHPSP) in establishing the strategic merit of the proposal.**

As we have consistently argued, and noting the judgement in ACN 603 361 940 Pty Ltd v Northern Beaches Council [2019] NSWLEC 1012, the Structure Plan cannot be used as a basis for current planning decisions on development proposals that are permissible under and consistent with a State level planning instrument (ie, the Seniors SEPP).

4. **Council's position that the proposal's departures from the development standards in clause 50, specifically height and FSR, of the Seniors SEPP should be used as a reason for refusal would lead the Panel into legal error.**

Council's position demonstrates a misunderstanding of the nature of the clause 50 development standards and, more broadly, that the Seniors SEPP "is geared towards low scale development located on traditional infill sites in residential zones." The Seniors SEPP has a broad land use application as set out in clause 4 of the Policy. Clause 50 sets out standards that 'cannot be used to refuse development consent' and the numerical 'do not refuse' standard applies to all lands including low and high density residential areas, and a range of other urban zones.

The nature of the standard is that a consent authority must consider the merits of that aspect of any application which is above the 'standard'. It is legally incorrect to characterise a development that sits above the standard as 'departing' from it. It merely requires a different assessment regime.

Whilst each application is to be considered on its merits, we have provided information in this submission demonstrating that multiple approvals for seniors living developments which substantially depart from clause 50 standards have been approved, including other development in the Northern Beaches LGA.

5. **Council's report incorrectly states that the proposal does not adequately address *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development (SEPP 65)* and the *Apartment Design Guide (ADG)*.**

As outlined in the Review Report, the proposed development adopts and follows the guidance provided by the ADG, particularly with regards to solar access, cross ventilation and south facing units, all of which far exceed the targets and guidance provided by the ADG.

6. **Council's report implies that certain information, including technical reports and plans, have not been provided.**

All such information was in fact submitted with either the original DA, our submission to the Sydney North Planning Panel (SNPP) dated December 2018 or the Section 8.2 Review request.

These points are outlined in more detail below:

STATUTORY PLANNING FRAMEWORK

- Council's assessment report continues its attempt to give primacy to the provisions of the WLEP 2011 (and a non-statutory Northern Beaches Structure Plan – see below) over the provisions of the Seniors SEPP.
- The B7 zone objectives clearly do not contemplate seniors housing because it is otherwise prohibited in that zone, but made permissible through the Seniors SEPP. This is supported by our legal advice which confirms that there is no legal requirement to demonstrate consistency with the B7 zone objectives.
- On this basis, inconsistency with the B7 zone objectives cannot be legitimately used as a reason for refusal.

STRATEGIC PLANNING JUSTIFICATION

- We note that Council appears to have conceded that it mischaracterised the Frenchs Forest B7 zone as “industrial and urban services land” that is subject to the retain and manage principle under the North District Plan. This issue was addressed in the Review Report, which outlined that the very uses included in the definition of industrial and urban services land were largely prohibited in the B7 zone.
- However, Council continues to argue that the proposal is inconsistent with the relevant strategic planning framework for the locality, including the North District Plan and the Northern Beaches Hospital Precinct Structure Plan (NBPHSP).
- As outlined in the original Statement of Environmental Effects and the Review Report, the proposal's strategic merit is based on its consistency with the aims of the Seniors SEPP and multiple provisions in the North District Plan relating to:
 - increasing housing supply for the ageing population
 - the co-location of seniors housing with health and other services, and
 - the evolution of health and education precincts into mixed use innovation precincts

- the transition of business parks into higher amenity and vibrant mixed-use precincts, including opportunities for residential development which supports the function of the business park.
- We also note the Department of Planning and Environment's recently released **Sydney Housing Supply Forecast** (June 2019) identifies some key trends for the Northern Beaches LGA which further confirm the growing demand for seniors housing in the LGA:
 - The largest growing demographic group is 85 years and over and predicted to increase by 78% from 7,050 (2016) to 12,550 (2036)
 - The 65-84 years age group is also rapidly growing and predicted to increase by 40% from 35,950 (2016) to 50,450 (2036)
- In relation to the NBPHSP, we draw the SNPP's attention to our Review Report, which states that that the NBHPSP can be given no more weight than a draft document with no statutory force and which cannot be used to set aside the provisions of the Seniors SEPP. This is supported by legal advice provided with the report and the judgement in *ACN 603 361 940 Pty Ltd v Northern Beaches Council [2019] NSWLEC 1012*.
- Furthermore, there is significant ambiguity around the the timing for the Structure Plan to be translated into statutory planning controls. In this regard, we note that:
 - the development site is not included in the relevant plans (Phasing Strategy, Land Use Zoning and Height of Building) under the Implementation section of the Structure Plan. This indicates there is no immediate intention to review the planning controls currently applicable to the site in line with the locality's designation as a Health and Education Precinct in the North District Plan and the transition of business parks into higher amenity mixed use precincts with a broader range of land uses, including specialised residential uses such as seniors housing, that are compatible with its status as a health and education precinct
 - the development site is not included in the Frenchs Forest Planned Precinct map on the Department of Planning and Environment's website.
 - at the time of Council's assessment report and the preparation of this submission, there is no publicly available information from the Department on the public exhibition of draft planning controls for the Planned Precinct
 - the implementation of the land use outcomes envisaged under the Structure Plan remain contingent upon factors such as the relocation of the Forest High School, for which there is no certainty and is unlikely to be resolved for several years
- Given this ambiguity and on-going delays in the implementation of the Structure Plan, we contend that the Structure Plan cannot be used as a basis for current planning decisions on development proposals that are permissible under and consistent with a State level planning instrument (ie, the Seniors SEPP).
- As outlined in the table below, we also challenge a number of erroneous statements made in Council's report in relation to the strategic planning framework for the proposal:

Council statement	Response
<i>"The current planning regime does not contemplate residential uses of any form in the B7 zone."</i>	This statement ignores the fact that the current planning regime includes the Seniors SEPP, under which seniors housing is permissible in the B7 zone.
<i>"The future zoning regime (of the Frenchs Forest Planned Precinct) will address the State Government's planning directions as expressed in the Greater Sydney Region Plan and the North District Plan...."</i>	As noted above, there is no certainty regarding the timing for the translation of the Structure Plan into statutory planning controls. We maintain that a non-statutory structure plan cannot be used to set aside the provisions of SEPP.

Council statement	Response
<p><i>It will continue to recognise the B7 zone, to the immediate east of the new town centre and hospital, as offering primarily an employment role that will serve both new residents and the wider population.</i></p> <p><i>Currently, the area is in transition..Work is well underway to bring the changes to the planning regime on line. The introduction of seniors housing into the B7 zone is in conflict with the strategic intention for this precinct.</i></p>	
<p><i>Should this development, and any subsequent similar ones, proceed to locate in the B7 zone new business operators will be required to consider the impacts of their operations on a residential population and weigh this against their business requirements.</i></p>	<p>This is a disingenuous statement as any new business operators lodging a DA for development within the B7 zone would already be required to consider such matters, by virtue of the objectives of the B7 zone which include:</p> <p><i>“To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.”</i></p> <p>We note that some of the other permissible uses in the B7 zone, particularly on a site on the fringe of the zone adjacent to existing residential areas, such as the subject site, would likely have a significantly greater impact on the amenity of nearby residential areas to the immediate north of Frenchs Forest Road.</p> <p>Furthermore, the Frenchs Forest B7 zone is a fundamentally mixed-use zone which permits a wide range of uses (such as child care facilities, respite day care centres, hospitals, and hotel and motel accommodation) and prohibits a range of industrial uses (including the very uses that are cited in the District Plan’s definition of industries and urban services).</p> <p>We have undertaken an audit (Attachment 2 of existing uses in the B7 zone in the immediate locality of the development site (ie, between Wakehurst Parkway, Frenchs Forest Road, Warringah Road and Allambie Road) which demonstrates that the majority of uses are not of an industrial nature, and largely include office, medical suites, gyms, retail premises and a child care centre. Not only do these uses demonstrate the mixed-use, non-industrial character of the zone, they are all of a nature that could readily coexist with seniors housing.</p> <p>Council’s arguments therefore overlook the true nature of existing uses in the Frenchs Forest B7 zone and are based on an unrealistic ideal that</p>

Council statement	Response
	the zone operates as a 1980s style business park with a homogenous and static land use character that bears no physical or functional relationship to the Northern Beaches Hospital and broader Frenchs Forest Health and Education Precinct.
<i>"The development will establish a precedent. The cumulative impact of multiple seniors housing developments will result in a loss of available employment land and diminishing of the lands employment role due to some business operator's perceptions that residential co location is in conflict with their business needs and requirements."</i>	<p>The proposal will not establish a precedent or cumulative impact of seniors housing development in the B7 zone as it is proposed on a uniquely positioned site given:</p> <ul style="list-style-type: none"> its location on the fringe of the B7 Business Park is an appropriate transition between low density residential uses to the north and the larger-scale, mixed use development in the B7 zone its close proximity to the Northern Beaches Hospital and future town centre as well as existing transport services it will contribute to the clustering of uses that will facilitate the growth and long term viability of the health and education precinct, without impacting on larger areas of B7 zoned land to the south of Warringah Road which are not physically or functionally connected to the hospital the proposed development includes a substantial component (approximately 2,219 m²) of employment floorspace, which will cater for uses such as office and allied health and generate in the order of 115 jobs (a net increase of 100 jobs compared to the existing employment number on the site)
<i>"Arguments previously raised about local traffic impacts also remain."</i>	This point is invalid, given Council's Traffic Engineer raised no objections or issues with the original DA or the Review Request. We also note that the RMS raises no objection to the proposal.

SITE CHARACTER AND BUILT FORM

- Council's report continues to assert that the proposal is not in keeping with the location's current character, specifically the detached dwellings in the adjoining residential zone to the north. Furthermore, it argues that the amended scheme (including reduced height, FSR, increased setbacks, separate building forms etc) is still not compatible with the context of the site and the existing and desired future character of the site.
- The Review Report provides a detailed response on this issue, including an Urban Design Statement from Matthew Pullinger, Architect in support of the proposal. We reiterate the following key points:
 - There is no height or FSR control for this B7 zone, indicating that the planning controls for the site envisage a larger-scale built form character for the zone, including sites that are in close proximity to existing residential areas. We contend that if Council had a strong desire to control the scale and density of development in this locality, particularly in areas closest to low density residential development to north, it would

have included density controls for the zone in its LEP, as it has done through the inclusion of a height control other B7 zones (ie, the Belrose B7 zone).

- The amended scheme results in a substantial separation from the nearest residential dwellings to the north (which we note in fact have frontage to Bimbadeen Crescent and their rear fences to Frenchs Forest Road) of between 30m and 48 m. Importantly, this includes a substantial physical barrier in the form a 4 lane road which clearly provides the delineation between the lower density built form character of the R2 Low Density Residential zone and the bulkier built form character of the B7 Business Park zone for which Council has not set any height or FSR controls.
- Furthermore, there is extensive existing mature vegetation, including on the subject site along Frenchs Forest Road. The scale of this vegetation establishes a strong landscape character for the locality, which will be retained by the proposed development.
- The proposed development has been designed to relate to its immediate site character, being the adjoining B7 zone. Clearly, the B7 zone has a vastly different built form character to the R2 zone to the north. Council's suggestion that a building in the B7 zone should be in keeping with the low density character of the residential areas to the north does not reflect the reality of the existing and evolving built form character of the B7 zone, nor its own planning controls for the site.
- The prevailing built form character of the B7 zone is of large-scale, large-footprint multi-level buildings. These buildings typically include substantial lengths (including the building to the east at 125 Frenchs Forest Road which has direct frontage to the road and a length of approximately 120 metres) and higher floor to ceiling heights to accommodate their commercial uses.
- Furthermore, there are evolving, increased building heights in the locality, exemplified by a number of recent approvals for taller buildings in the locality. We have provided a detailed overview of these approvals in the Review Report.

Parkway Hotel Approval

- We also wish to draw the SNPP's attention to a critical flaw in Council's argument around the scale and context of the proposed development.
- The Review Report highlights the recent approval of the Parkway Hotel redevelopment, located approximately 175 metres to the east of the subject site. It has an approved height of 26.4 metres, which is taller than the proposed development at 24.6 metres. The approved buildings on the Parkway Hotel site also have large floorplates, in keeping with the existing buildings in the vicinity.
- Council, however, states that the Parkway Hotel approval should not be considered as representative of the emerging height of the locality as the DA was approved by the Land and Environment Court under existing use rights. The fact that Council was not the consent authority for that DA is not a legitimate reason to dismiss this approved building height as representative of the emerging built form character of the locality.
- Furthermore, it is important to note that Council stated in its assessment report for the Parkway Hotel DA (DA 2015/0901) the following:

"...the scale, bulk, and height of the building proposed to be a hotel is deemed acceptable and assessed as being compatible and consistent with development envisaged for the site (and adjoining and surrounding sites located within the B7 Business Park Zone.)"

- On this basis, we contend that the SNPP should consider the height of the approved hotel as relevant to the proposed development and that Council's argument that the subject proposal is out of context with the scale of development envisaged in the zone is erroneous and inconsistent with its own position on the Parkway Hotel DA.

Amended Scheme

- The amended scheme includes a number of design changes that result in an improved relationship to the low-density residential development to the north. The building height has been considerably reduced, the building form has been stepped and substantially increased landscaped setbacks from Frenchs Forest Road (between 10 m and 18 m) have been incorporated into the design.
- These increased setbacks result in a substantial separation from the nearest residential dwellings to the north of between 30m and 48 m and a substantial landscaped setback to Frenchs Forest Road.

Seniors SEPP

- Council continues to argue that the proposal's departures from the development standards in clause 50, specifically height and FSR, of the Seniors SEPP should be used as a reason for refusal.
- We also note and refute Council's comment that *"...the Seniors Living Policy is geared towards low scale development located on traditional infill sites in residential zones."*
- In response, we reiterate the following key points:
 - The FSR and building height referred to in Clause 50 of the Seniors SEPP are not prescribed standards with which a development application must comply, yet have been used as a reason for refusal. This point is directly addressed in our Review Report, yet overlooked in Council's assessment report.
 - The Seniors SEPP clearly contemplates multi-level higher density typologies in non-residential zones and, indeed, these are becoming a more common form of seniors housing. Council's statement that the SEPP only contemplates low-scale development in residential zones is incorrect, as clause 4(1) of the SEPP permits seniors living development in non-residential zones.
 - It also ignores the fact that there are multiple recent approvals for DAs in metropolitan Sydney, including the Northern Beaches LGA, for seniors living developments which substantially depart from the development standards in clause 50. We have provided the SNPP with a sample of such approvals (Attachment 3), including 2 consents in the Northern Beaches LGA, which demonstrate that Council is incorrect on this point.
 - We have previously provided data in the Review Report indicating the market trend towards higher density, multi-storey seniors living developments.
- On the basis of the above, we maintain that Council's arguments demonstrate a fundamental misunderstanding of the provisions of the Seniors SEPP as they apply to the subject proposal and cannot be used as reasons for refusal.

SEPP 65 and ADG Compliance

- Council's report states that: *"The amended development has been assessed against the various amenity requirements of the Apartment Design Guide (ADG), where it has been*

found that the internal amenity of the units is unsatisfactory and the original shortcomings have not been overcome.”

- In response to this statement, we draw the SNPP’s attention to our Review Report (page 31), which specifically addressed Council’s concerns over non-compliance with the ADG as follows:
 - *... the ADG is a guide which does not prescribe mandatory standards, which is confirmed in the Department of Planning and Environment’s Planning Circular 17-001 which states that:*

...the ADG is not intended to be and should not be applied as a set of strict development standards...

- Furthermore, the design amendments to the scheme mean that the proposal adopts and follows the guidance provided in the ADG, in particular with regards to solar access, cross ventilation and south facing units, all of which far exceed the recommended targets. This is summarised in the table below:

SEPP 65	DA 2018/0995	Section 8.2 review	ADG Target
No seniors living units	78	49	N/A
Solar access	79%	88%	70%
Apartments with no direct sunlight	21%	12%	Max 15%
Cross Ventilation	58%	61%	60%
Seniors living units per corridor	14	4-10	Max 12

- Council goes on to state that it has concerns with several amenity issues, including acoustic impacts, location of private open space and safety concerns, without providing any evidence to support these claims.
- In response, we note the following:
 - **acoustic impacts:** the original DA included an acoustic assessment which found that the recommended internal noise levels criterion can be met with an appropriate glazing system on the building. The report concluded that *“the development application should not be refused on the grounds of excessive noise generation, as it can comply with all applicable regulations.”*
 - **private open space:** Council’s report raises no specific concerns around the location of private open space, so it is unclear why this is identified as a shortcoming of the scheme. In relation to communal open space, we also note that Council’s Urban Designer’s submission states that the proposed communal open space can be supported.
 - **safety:** we have provided information to the SNPP (Attachment 2) demonstrating that the majority of surrounding existing uses in the B7 zone are not of an industrial nature, and largely include office, medical suites, gyms, retail premises and a child care centre. These are generally low impact, non-industrial uses that can readily co-locate with seniors housing without any safety concerns.

INFORMATION SUBMITTED WITH APPLICATION

- Several of the comments received through external and internal referrals refer to information not submitted with the application as a reason for not supporting the application.
- We wish to clarify for the benefit of the SNPP that all such information was in fact submitted with either the original DA, our submission to the Sydney North Planning Panel (SNPP) dated December 2018 or the Section 8.2 Review request.
- Specifically:
 - NSW Rural Fire Service (RFS: advised that the application was deficient as a bushfire report had not been provided with the application. This is incorrect. The original DA included a bushfire assessment report and the RFS issued its Bushfire Safety Authority for the DA. Therefore, as there were no bushfire issues relevant to the refusal, bushfire was not addressed as part of the review request. The Applicant subsequently contacted the relevant RFS officer who advised that he was unaware that the current application relates to a request review and that a bushfire report had already been submitted. Nevertheless, a revised bushfire report (addressing the amended scheme and which still concludes that proposed development complies with the aim and objectives of *Planning for Bushfire Protection 2006*) was sent to Council and the RFS for its review.
 - Council's Landscape Officer: stated that the Landscape Plan provided is conceptual only and does not indicate proposed species or heights of planting to be included. This is incorrect, as Landscape Plan (DA Drawing No: 1206) submitted with the Review Report includes a Planting Schedule of proposed species and heights.
 - Council's Development Engineering: stated that outstanding drainage information requested on 27/11/18 had not been provided and therefore the application is not supported. Again, this is incorrect. The requested information was provided in our submission to the SNPP (and made available to Council) dated 18 December 2018 and subsequently again to Council as part of the Review Report.
- We raise the above as important points of clarification for the SNPP, as Council's assessment report could otherwise be read as though the information submitted with the application was deficient, when clearly this is not the case.

CONCLUSION

We trust that the points raised in this submission will be given due consideration by the SNPP.

The proposed development demonstrates strong strategic merit and complies with the prevailing statutory planning framework. Specifically, the proposed development:

- is of a scale and design that is compatible with existing and emerging built form character of the locality
- is consistent with State level strategic planning objectives relating to the provision of seniors housing and the growth and evolution of the Frenchs Forest Health and Education Precinct
- is consistent with the aims and other relevant provisions of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors SEPP), which prevail over the B7 zone objectives of *Warringah Local Environmental 2011* (WLEP)

- is consistent with the aims and other relevant provisions of *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development* (SEPP 65) and the Apartment Design Guide (ADG)
- includes a substantial component (approximately 2,219 m²) of employment floorspace, which will cater for uses such as office and allied health and generate in the order of 115 jobs (a net increase of 100 jobs compared to the existing employment number on the site.)

We have also clarified and/or refuted a number of statements and arguments in Council's assessment report which we consider are critical to the proper assessment and determination of the application.

For the reasons outlined above, there are strong grounds for the conditional approval of the proposed development.

Please do not hesitate to contact Dan Keary on 8459 7511 or dan@keylan.com.au in the first instance if you wish to discuss any aspect of this letter.

Yours sincerely



Dan Keary BSc MURP MPIA
Director

Attachments:

Attachment 1	Comparison of DA scheme and revised scheme
Attachment 2	Audit of surrounding land uses in the B7 zone
Attachment 3	Sample of multi-level approvals under the Seniors SEPP



AERIAL VIEW 1 8.2 SCHEME



AERIAL VIEW 1 ORIGINAL DA SCHEME



AERIAL VIEW 2 ORIGINAL DA SCHEME



AERIAL VIEW 2 8.2 SCHEME

Land use Audit – Surrounding Businesses

5 Skyline Place, Frenchs Forest

Business Name	Type	Business Name	Type	Business Name	Type	Business Name	Type
Cafe2UHead, 7/79-81 Frenchs Forest Rd E, Frenchs Forest NSW 2086	Office	PADI Asia Pacific, 3/4 Skyline PI	Office	Northern Cancer Institute, Suite, 3 level 1 building 1, 49 Frenchs Forest Rd E	Cancer Treatment Centre	Sabre Corporation, Building 8, 49 Frenchs Forest Rd E	Distribution service
KURZ, 4/79-81 Frenchs Forest Rd E	Metal Stamping Service	Miele, 3 Skyline PI	Manufacturer	Pathology North, Level 2 Building 1, 49 Frenchs Forest Rd E	Pathologist	Forestway Dental Practice, Building 7, 49 Frenchs Forest Rd E	Dentist
Sky Racing Pty Ltd, 1/79-81 Frenchs Forest Rd E	Corporate Office	Sapro, 5 Skyline PI	Wholesaler	Peninsula Respiratory Group - Respiratory and Sleep Disorders, Level 2 Building 1, 49 Frenchs Forest Rd E	Pulmonologist	Schaeffler, Building 8, 49 Frenchs Forest Rd E	Manufacturer
Anytime Fitness, 5 Skyline PI	Gym	Mayne Media, 5 Skyline PI	Media Company	Kwik Kopy, Building 4, 49 Frenchs Forest Rd E	Printing Service	Citizen, Building 10, 49 Frenchs Forest Rd E	Wholesaler
Piranha Golf, 5 Skyline PI	Sporting Goods Store	Jindex Pty Ltd, B/5 Skyline PI	Manufacturer	SportsPro, Building 3 Suite 1/49 Frenchs Forest Rd E	Corporate Office	George Rudan Building 1, 49 Frenchs Forest Rd E	Cardiologist
Charles Schwab, 5/4 Skyline PI	Financial Institution	Adec preview solutions, 1/1 Skyline PI	Business to Business Service	Forest Espresso, Building 5, 49 Frenchs Forest Rd E	Office	Parkway Hotel, 5 Frenchs Forest Rd	Hotel
Huber Suhner, 6/4 Skyline PI	Cable Company	Impression technology, 2/1 Skyline PI	Machine Shop	Gap studios, Building 5, 49 Frenchs Forest Rd E	Portrait Studio	Organic Food Markets, 35 Frenchs Forest Rd	Market
Australian Car Mechanic, 5 Skyline PI	Media Company	Harcor Security Seals, 3/1 Skyline PI	Supplier	Sydney Centre for Ear, Nose and throat, Building 7, 49 Frenchs Forest Rd E	Medical Clinic	Maui Jim, 6/25 Frenchs Forest Rd E	Distribution Centre

Business Name	Type	Business Name	Type	Business Name	Type	Business Name	Type
Augusta Golf Cars Pty Ltd, 4/5 Skyline Pl	Manufacturer	OptionsXpress, 4 Skyline Pl	Stoke Broker	Intertek Moody, Building 8, 49 Frenchs Forest Rd E	Office	Roland DG Australia, 14/25 Frenchs Forest Rd E	Wholesaler
Fighting Chance Australia, A/5 Skyline Pl	Non-profit Organisation	Expertise Events, 4/1 Skyline Pl	Event Management	NDC Automation, 7/25 Frenchs Forest Rd E	Forklift dealer	Ascomation Pty Ltd, 12/25 Frenchs Forest Rd	Manufacturer
Tooley Imports, 1/4 Skyline Pl	Corporate Office	DJO Global, 25 Frenchs Forest Rd E	Medical supplier	Bicycles Online, 13/25 Frenchs Forest Rd E	Bike Shop	Greenwood, 9/25 Frenchs Forest Rd E	Child Care Centre
Aussie Gems Fitness, 10/25 Frenchs Forest Rd E	Gym	Merck Australia, Greenwood, 3-4/25 Frenchs Forest Rd E	Pharmaceutical company	Healthcorp, 8/25 Frenchs Forest Rd E	Health consultant	Plus Fitness 24/7, 11/25 Frenchs Forest Rd E	Gym
Asco Numatics, 12/25 Frenchs Forest Rd E	Manufacturer	KFC, 20 Frenchs Forest Rd E	Fast food				

Highlighted boxes show businesses which are not in line with the expected uses of a B7 Business Park zone. This amounts to approximately 40% of businesses.

Approvals under the Seniors SEPP

LGA	Address	DA/SCC Number	Proposal	Key controls	Approved Height and FSR	Approval Date
Northern Beaches	80 Evans Street, Freshwater (Harbord Diggers Club)	DA2013/0412	A new registered club building and seniors housing development of one to five storeys around the perimeter of the site. The central area is proposed to contain open space. Suggests that 75-125 self-contained dwellings could be accommodated on the site.	Zoning: R2 Low Density Residential Height: 8.5m FSR: no FSR control	Height: 1-5 storeys FSR:	12/09/2013
Northern Beaches	199 & 207 Forest Way, Belrose	DA2018/1332	Demolition works and construction of major additions to Glenaeon Retirement Village, including self-contained dwellings and a new residential care facility on a neighbouring lot, with associated carparking, landscaping and public road modifications	No existing controls	Height: Retirement village precinct – 4 storeys Residential care precinct – 2 storeys FSR: Retirement village precinct 0.44:1 Residential care precinct 0.46:1	01/05/2019
The Hills Shire	26-30 Norbrik Drive, Bella Vista	1582/2017/JP	Construction of an 11 storey building with 83 retirement living units and the provision of 90 car parking spaces.	Zoning: B7 Business Park Height: 116m RL and 108m RL FSR: 1:1	Max Height: 41.5m FSR: 1.05	11/04/2018

LGA	Address	DA/SCC Number	Proposal	Key controls	Approved Height and FSR	Approval Date
Hornsby	589-593 Old Northern Road, Glenhaven	DA/153/2018	70 self-care dwellings and a residential care facility.	Zoning: RU Rural Landscape Height: 10.5m FSR: no FSR control	Height: 2-3 storeys (majority of buildings 1-2 storeys)	03/12/2018
Willoughby	26 Crabbes Avenue, North Willoughby	SCC_2018_WILL O_001_00	Proposed redevelopment of the entire site to enable development for the purposes of seniors housing, including approximately 36-72 residential aged care facility beds and approximately 99-125 self-contained dwellings. Involves: <ul style="list-style-type: none"> - A new club along Penshurst Street - Another four buildings for seniors housing - Basement car parking accessible from Crabbes Avenue - A new park and a new war memorial to face Crabbes Avenue 	Zoning: RE2, R2 Height: 8.5m FSR: 0.4	Height: 2-5 storeys (5 storeys in the centre of the site transitioning to 2-3 storeys at the boundaries) FSR: 1.35:1	30/08/2018
Lane Cove	266 Longueville Road, Lane Cove	SCC_2017_LANE C_001_00	Permit a 70-bed residential aged care facility, 93 self-contained dwellings for seniors, support facilities for residents and basement car parking for 148 vehicles.	Zoning: R4 Height: 62.8 (RL) FSR: 1.1:1	Height: Building A: 2-4 storeys Building B: 4-6 storeys Building C: 6-7 storeys FSR: 1.59:1	Deferred: 11/07/2018
Hornsby	18 Waitara Avenue, Waitara	DA/227/2017	Concept approval of a seniors housing development comprising self-contained dwellings and associated facilities to be constructed within a proposed building envelope as a staged development	Zoning: R4 Height: 32.5m FSR: N/A	Height: 40.8 FSR: 3.42:1	Under appeal 16/11/2018