



28 November 2018

Glenn.Hornal@planning.nsw.gov.au

Mr Glenn Hornal
Senior Planning Officer, Central Coast
Department of Planning and Environment
PO Box 1148
Gosford NSW 2250

Dear Glenn,

**RE: Site Compatibility Certificate – Council Response
 Eastern Suburbs Leagues Club Ltd,
 82-90 Blackwall Road, Woy Woy**

The Department of Planning and Environment received an application for a site compatibility certificate under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (the SEPP), where the following is proposed:

- Redevelopment of Eastern Suburbs Leagues Club for seniors living purposes containing 143 infill self-care dwellings, located over 7 levels with a 2 x roof top terraces.
- Two levels of basement car parking accommodating 225 car parking spaces.
- A restaurant in the order of 368m².
- A swimming pool and gymnasium for use by residents of the development, along with members of the club and the general community.
- Retail space in the order of 333m².
- The building height will be seven storeys. All ground floor uses will be active uses, including the club, restaurant, pool gymnasium and loading and service facilities. The residential uses will be located from Level 1, over six levels, with common open space levels on the roof top of each of the two buildings proposed.
- The maximum building height is 23.1m, with a further allowance up to 3 metre to allow for plant, equipment and outdoor spaces; and
- The proposed floor space ratio is 3.2:1.

The Hunter and Central Coast Regional Planning Panel considered the SCC for Seniors Housing at 82 Blackwall Road, Woy Woy on Thursday 15 November 2018. The Hunter and Central Coast Regional Planning Panel has requested additional information from Central Coast Council.

The Regional Planning Panels request for additional information is provided in full as follows:

'Request for Additional Information – Council

Clause 25(5) requires the consent authority not to issue a compatibility certificate unless the relevant panel meets certain criteria, including compatibility with the natural environment. The Panel would like to request that Council provide further information prior to making its decision, in relation to flooding and whether this site is likely to experience similar flooding constraints to the recent application determined for 184-186 Brick Wharf Road and 1 North Burge Road Woy Woy. Council's assessment report in relation to the Brick Wharf Road application concluded that the site was considered unsuitable for seniors living housing due to flood constraints of the site. The Panel determined that application by refusal with one of the reasons for refusal being "The proposed development is not compatible with the tidal inundation and the flood hazard of etc land and surrounding road system, having regard to access and evacuation, and particularly noting the sensitive nature of the proposed use, where assistance in evacuation may be important." Given the sites are located in close proximity, the Panel would like to know whether the same constraints are likely to affect the 82-90 Blackwall Road site and if not how they are expected to differ. Advice on the SCC from Council's engineer would be of assistance, particularly with a comparison between the flooding mapping and constraints of both sites. Also with respect to known flooding, hydrology and/or acid sulfate soils is Council's engineer able to provide a preliminary view on whether two basements may be possible on the subject site. The Panel noted that most carparks in the vicinity of the site were above ground and therefore wondered whether there is a particular constraint in the local area with regard to basement parking. '

At the Departments request, the following advice is provided for the Panel's consideration:

The subject site is affected by Class 2 and 3 acid sulphate soils. An Acid Sulphate Soil Assessment or an Acid Sulphate Soil Management Plan will be required for the review of Council's Environmental Health Officer upon the lodgement of any development application. Until this is provided and a review conducted, Council is unable to confirm the site is suitable for the excavation proposed. However, it is likely, suitable measures can be put in place to ensure leachate will not damage the environment or infrastructure.

The site is subject to 1% Flood Extents in the north-east corner of the site:



The 1 % AEP flood level is 1.57m AHD. If we add a 50 year design life of the development using sea level rise predictions we would add 400mm to the 1 % AEP flood level of 1.57m AHD. Therefore, 1.97m AHD (1.57+0.4) would apply and be a factor for evacuation as there is no apparent issue with safe occupation.

The residential accommodation proposed is defined within GLEP 2014 as seniors housing, that being 'a group of self-contained dwellings'. Clause 7.2 (Flood planning) of *Gosford Local Environmental Plan 2014* applies to the proposed development. Clause 7.2 (3) (a) – (e) requires consideration with regard to whether or not a proposal is supportable. Any development application received at Council will need to address cl.7.2 of GLEP 2014.

The objectives contained within cl 7.3 (1)(a) and (b) of GLEP 2014 are required to be considered having regard to cl. 7.3 (2) of GLEP 2014. However, the further restrictive provisions contained within cl. 7.3 (3) of GLEP 2014 do not apply to the proposed development in that the proposed development cannot be defined as any of those development contained within cl.7.3 (a) – (g) of GLEP 2014.

Regarding floodplain risk management, cl. 7.3 (1)(a) of GLEP 2014 identifies that development with particular evacuation or emergency response issues, such as seniors housing, must enable evacuation of land in events exceeding the flood planning level. Clause 7.3(1)(b) further identifies that the operational capacity of emergency response facilities and critical infrastructure must be protected during extreme flood events. Any development application received at Council must adequately demonstrate how residents can be safely evacuated during extreme weather events and projected changes as a result of climate change in accordance with cl. 7.2 and 7.3 of GLEP 2014.

Council's records indicate that the subject site is affected by flooding in high intensity storm events similar to the recent application determined for 184-186 Brick Wharf Road and 1 North Burge Road Woy Woy (DA 53119/2017). However, in this instance, it is considered seniors will likely have a safe

route for evacuation in a high intensity storm event and with regard to sea level rise, the topography of the surrounding roadways, and depth of flood water.

Access to basement levels within the proposed development should address the flood planning level by either raised driveway profiles or automated flood barriers to ensure flood waters do not enter basement levels. There are no particular constraints with regard to provision of basement car parking in this area, however, given the associated cost, it is not prevalent on the Peninsula.

Should you have any enquires with regard to this matter please contact Antonia Stuart on (02) 4325 8126 between business hours, Monday to Friday.

Yours faithfully

A Prendergast

Ailsa Prendergast

**Section Manager
Development Assessment South
Central Coast Council**