Prelodgment Report

PITTWATER COUNCIL

Information about this Package

This Development Proposal Prelodgment Consultation Package has been compiled by Council on the basis of information provided by the Proponent(s) and a consultation meeting with Council staff.

It has been prepared to assist Development Proponents to prepare and lodge a Site Compatibility Certificate which addresses the relevant statutory requirements and likely issues which may arise through the assessment process.

It does not provide a basis for Councils formal consideration and/or determination of any subsequent application for either a Site Compatability Certificate or Development Application

Council also considers it essential that where a proposal is complex and/or departs from Councils requirement, and/or the risk assessment has identified issues which need to be addressed, development proponent(s) seek the advice of appropriately qualified consultants to assist with design of development proposals, and preparation of applications.

Consultation with the community including affected neighbours, nearby residents and community groups is also considered to be an essential part of preparing a development proposal.

Details

Property Details

Address: Bayview Golf Club - Cabbage Tree Road, Bayview

Development Proposal

Description: Seniors Living Facility

Meeting

Date: 20th June 2014

Time: 9am

Council Representatives: Matthew Edmonds, Anna Williams, Matthew Hansen, Rebecca Englund,

Proponents Representatives: Kevin Ryan, Mel Gholami, Greg Boston, Marten Touw, Gray Tayler, Mark Couston, Ralph Steller

Information provided by proponent:

Concept plans and promotional information only of proposed development.

Site Inspection

Date: 20th June 2014

Prelodgement Report

HSPD.

STATUTORY ISSUES

An application for a Site Compatibility Certificate should address the compatibility of the development with the surrounding land uses having regard to the matters set out in Clause 25(5) of the SEPP as a minimum:

(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, and

(ii) 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.

Council's Natural Resources Department have provided the following comments:

Preliminary arborist report (Footprint Green Pty Ltd 20th May 2014) has been provided which assesses a total of 243 trees and has determined the landscape significance and condition of each. At this stage, a quantification of trees likely to be impacted and required to be removed has not been provided. In studying this report and comparing with the set of Preliminary Plans provided (Marchese Partners) it would appear that the number of trees likely to be impacted would be high (more than 100) – however not all trees are native and some are in poor condition. Some are however of high landscape significance, so another arborist assessment is required which provides these figures in more detail, as to which specimens will be impacted.

Given that a high number of existing trees are likely to be impacted, large numbers will be required to be planted to offset loss of canopy and habitat. Given the expanse of the golf course property, there is plenty of scope for the required offsetting however this needs to take into account bushfire provisions related to a Seniors Living development, as well as the club's own golf-related requirements. The final plans and reports need to demonstrate that suitable revegetation can occur in appropriate areas. This is best done through a Vegetation Management Plan. All species provided in any Vegetation Management Plan/landscape plans are to be locally native in accordance with Council's species lists provided on the web-book Native Plants for Your Garden (http://www.pittwater.nsw.gov.au/environment/species_lists).

The section of the Bayview Golf Course to the north of Cabbage Tree Road, where the development is proposed) is currently an important wildlife corridor linking to bushland areas to the northwest (Barkala Estate and beyond). The proposed development is to demonstrate that it will not cut off this corridor in terms of its positioning and scale within this area, and that some existing canopy can be retained as well as the required offsetting of replacement vegetation will be designed to enable the continued functioning of this corridor. This is to be documented in any fauna-related reports (which has apparently been undertaken by Footprint Green) which needs to include an

assessment of likely impacts to the wildlife corridor (in addition to any species-specific Assessments of Significance).

The existing band of roadside vegetation along Cabbage Tree Road (which will be mostly retained to enable screening of the development) is currently degraded with noxious and environmental weeds in many places. The required Vegetation Management Plan should incorporate weed control techniques and timeframes. This will greatly enhance habitat value within the remaining natural corridor area.

(iii) the impact that the proposed development is likely to have on the uses that are likely to be the future uses of that land,

The impacts in this regard are not addressed in the information provided. The proposal will significantly change the way the Golf Course functions. Information is not provided as to how land lost to the golf course itself for the development will be res –established elsewhere and what impacts this may have.

Displacement of land used for the golf course and impacts upon other areas of the golf course as a result should be disclosed and understood in order to understand the total impacts of the proposed development.

Clause 23 of SEPP HSPD requires appropriate separation measures of residential areas from the golf course itself. The centralized location of the development within the golf course is a high risk in this regard.

(iv) 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,

It appears the nature of the proposed development must be for serviced self care housing. A detailed proposal and financial arrangements must be demonstrated to ensure that required services are provided on site for the life of the development, and the reliance of the proposal upon facilities other than government provided or funded community based care programs

Full details should be provided for transport access arrangements required under Clause 26

(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,

It is expected that the height and density of the proposed development will impact in a significantly adverse way upon the character of the locality and upon the amenity of nearby residents who currently enjoy the high visual amenity of a low density neighbourhood integrated with the natural environment.

The concept information provided indicates that the height and scale of the proposed built form will not be compatible with the development in the vicinity and will be a very significant departure from the highly vegetated and low scale character of Bayview.

The extent of tree removal and significant departures from both Council's built form controls and those required under the State Policy indicate that the proposal is likely to have a significant adverse impact upon the character and amenity of the land and the land uses in the vicinity

Permissibility

The permissibility of the proposal is questionable noting that the land is not zoned for urban purposes and may not be considered adjoining land zoned for urban purposes.

You should provide a legal opinion that demonstrates a convincing argument as to how the proposal is permitted under SEPP HSPD

Other Considerations

Access/Driveway arrangements

The location of the proposed entry driveway is not acceptable as insufficient sight distance is available to the east due to crest in the road . Drive/road is to be located and intersection (possible roundabout)/drive certified by traffic consultant (either at the crest of sufficient distance away)

To overcome existing traffic safety/capacity problem being experienced at nearby retirement village in CT Rd (and to cater for future increased traffic in CT Rd from Ingleside land release) , would require a right turn lane to be provided in CT Rd in no roundabout provided.

Road/driveway to comply with DCP for widths (7.5m/6m) .

With future increased traffic volumes from Ingleside land release , roundabouts to be provided at 2 major intersections along CT Rd (Council to build RAB at Pittwater/CT Rd and RMS to provide traffic signals at Mona Vale Rd / Samuel St this year). Traffic generated by this development will not trigger need for these and existing road is able to cater for expected increase in traffic volumes from this development .

Flooding Considerations

The property at 52 Cabbage Tree Road, Bayview has a Flood Category 1 – High Hazard (mainstream flooding) and a Flood Category 3 –Overland Flow-Major classification. Please note that a review of the classifications and flood levels at the property will be undertaken in the course of preparing the McCarrs Creek, Mona Vale and Bayview Flood Study (a current project).

Seniors Living development is considered Special Flood Protection and will require the consideration of the Probable Maximum Flood event. As the proposal is considered an intensification of the existing site, then the flood assessment will also need include climate change impacts (0.9m sea level rise only with the PMF) – see DCP B3.23.

Based on the supplied plans (Issue A 27/5/14) for the proposed Seniors Living development at Bayview Golf Course, flooding does not appear to be a significant constraint at the site (ie. it could be overcome by appropriate by flood compatible designs), however this must be demonstrated by a hydraulic engineer through the preparation of a Flood Risk Management Plan. In addition to the demonstration of adequate measures to manage the mainstream/overland flows, the applicant will need to address surface runoff (sheet flows) due to the topography of the area. Flood emergency response and evacuation issues will also need to be appropriately addressed due to the proposed use of the site for Seniors Living.

As a guide, the technical requirements of any Flood Risk Management Report that is submitted to Pittwater Council must include (but is not limited only to) the discussion of the following areas:

- Flood Planning Criteria
- Flood Behaviour
- Floor and Surface Levels
- Flood Emergency Response
- Flood Impacts on Surrounds
- Flood Compatible Development
- Report Recommendations/Supporting Information

Final Comments

The compatibility of the proposal with surrounding land uses and neighbourhoods is highly questionable, particularly with respect to the scale of the built form, together with the significant extent of tree loss.

It is not considered that the proposal fits within the character of the locality with particular reference to the height of buildings and their scale when compared with nearby existing neighbourhoods, and the desired future character of this part of Bayview.

It should be noted that the general comments contained in this document are based on concept plans and promotional documentation only of the proposal. Detailed comments in relation to any future DA Assessment would require a significantly higher level of information to be provided.

Should you be successful in obtaining a Site Compatibility Certificate, more detailed comments in relation to the proposed design could be the subject of a further pre-lodgement meeting prior to lodgement of the DA.

Council Officers:
Matthew Edmonds, Anna Williams, Matthew Hansen, Rebecca Englund, Paul Davies, Jennifer Pang

Date: 23rd July 2014

Chairperson of Consultation Meeting
Anna Williams