

Figure 11 - Environmentally Constrained Land – composite map

Bushfire map – Bushfire, is address the APZ and management techniques described in the bushfire report prepared by Travers Environmental. The bushfire mapping does not contribute to composite mapping.

Slope – Slope has been addressed in the site design. Development is not proposed for areas of slope greater than 11 degrees (slope map) with most development proposed in areas of 5 degrees or less (identified on landslip map).

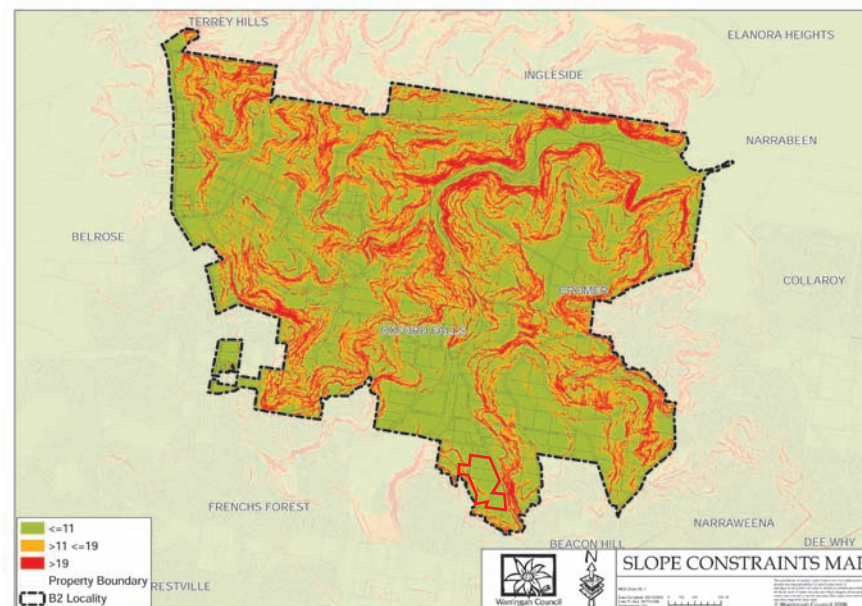


Figure 12 - Slope Constraints Map

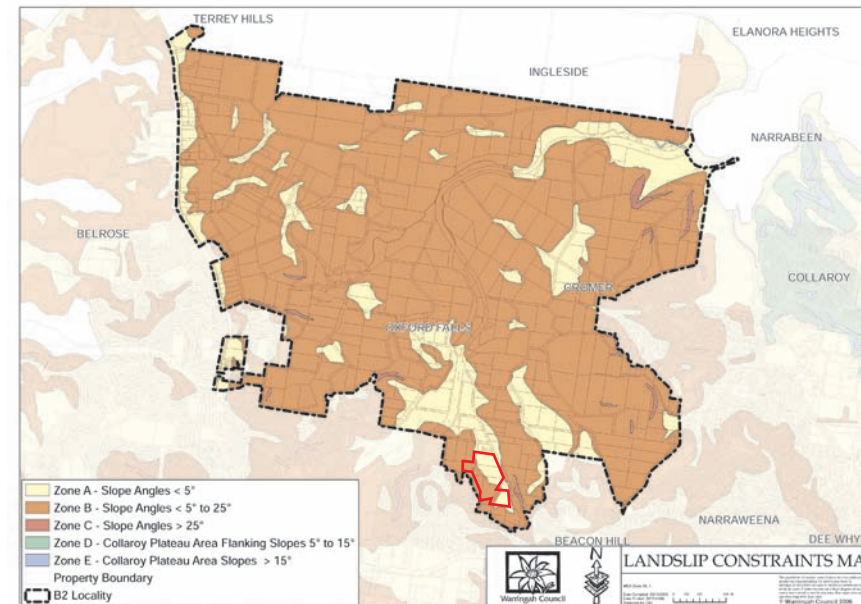


Figure 13 - Landslip Constraints Map

Riparian Constraints – The Evans & Peck report refutes the widths and buffer zones proposed on the basis of functional requirements of riparian zones and vegetated buffers and role of watercourse:

Drainage line 1

- urban drain system
- water quality undertaken at upper and lower ends
- bank stability through engineer channel

Drainage line 2

- urban drain system
- relative to drainage line 1, does not include a wetland for additional stormwater treatment, however does provide wider buffers

Middle Creek Tributary

- existing channel lost most natural features and has no riparian vegetation.

Functions of VB largely will be conducted within site through a single entity management with an interest in maintaining adjoining riparian.

Vegetation Communities – Local Habitat is identified on parts of the site. Most of the local habitat identified on the mapping is to be retained (Travers Environmental report). Of local habitat to be removed connectivity will not be lost and removal will on periphery of less well connected areas. The majority of the site is shown as cleared land in the mapping.

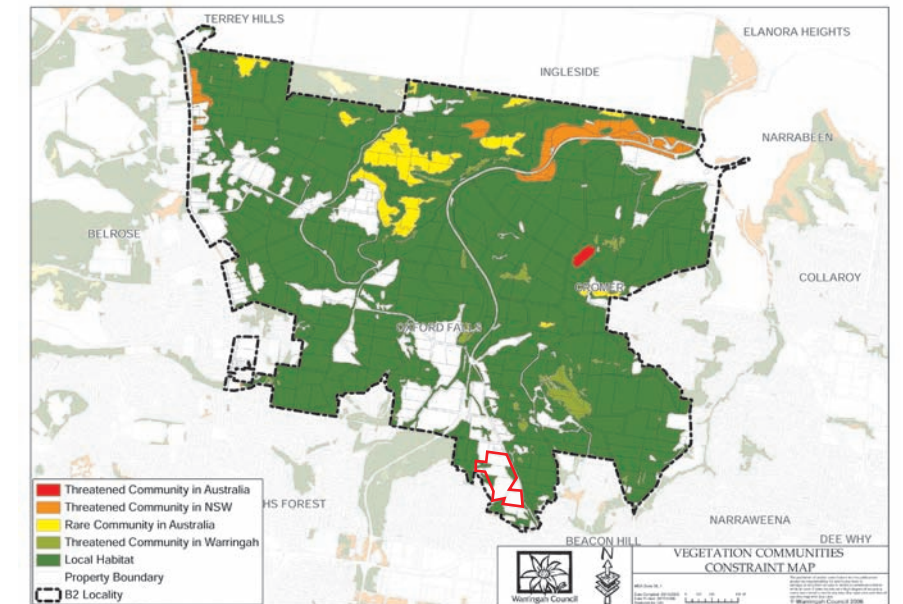


Figure 14 - Vegetation Communities Constraint Map

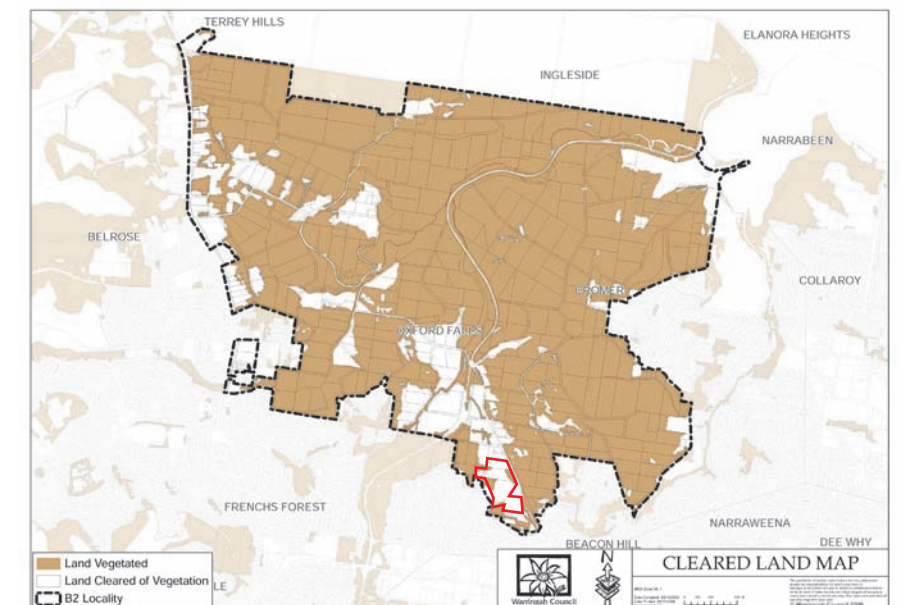


Figure 15 - Cleared Land Map

The mapping and analyses conducted as part of this study are of a high level scale. Analyses conducted as part of this proposal are detailed and made rigorous. The studies attached to this report should be relied on in as part of the assessment of this proposal.

Wetland Areas - No wetland areas are identified on the site. One buffer zone is shown on part of the site, this however is located on the other side of Oxford Falls Road.

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Designated wildlife corridor constraints –

- Priority 1 designated wildlife corridor is designated for most of the site. There is no clear rationale presented for the areas defined as Priority 1 wildlife corridors on the map. The Warringah Natural Area Survey is noted as forming the basis for the mapping the basis for the lines drawn on the map are not referenced in the report.
- Given much of the area shown on the site as Priority 1 has been subject to significant human modification and loss of native vegetation the land does not appear as addressing the criteria noted on Page 7 Warringah Natural Area Survey for wildlife corridors.

It notes that Wildlife corridors can occur in a number of ways: natural corridors (e.g. bands of riparian vegetation along watercourses); remnant corridors (vegetation remaining after clearing of the surrounding area); regenerated corridors (natural regrowth of vegetation that had been cleared or degraded); and planted corridors (deliberately created either as wildlife corridors or for other purposes such as roadside plantings to provide a vegetation screen).

The quality of the corridor as fauna habitat will be a critical factor in its effectiveness. A wide, uninterrupted corridor of bushland in good condition, with a full complement of plant species and vegetation layers, is obviously the best option, and it is important to retain and protect such links where they still exist. However, even corridors consisting only of bushy gardens and street plantings can play a role in maintaining connections between fauna populations. The frequency of use of the corridor may be very low, but the movement of just one or two animals between populations can be critical.

It is noted in the Warringah Natural Area Survey that “All the priority 1 corridors are areas of patchy and disturbed vegetation interrupted by major roads and development. None is a continuous corridor.”

There is no implementation method identified or proposed in the report and the effectiveness of implementing corridors through degraded land is questionable given the availability of nearby land of a higher quality which could serve the same purpose.

The weighting of this constraint contributes significantly in identifying the land as constrained if this corridor was reduced or modified, much of the land proposed for development would constitute No significant environmental constraints to development.

Acid sulfate soils – none identified on site in mapping

Coastal zone – none identified on site in mapping

Flooding – none identified on site in mapping

Part Two: Assessment of Major Project proposals

This part undertakes assessment of various Major Projects, but this part does not undertake an assessment of previous proposals or the site. It is noted by Council on their website that they are aware of the proposal however the Department of Planning have not requested further information on the site.

5 Statutory Requirements

5.1 Water Management Act

The Water Management Act 2000 is the main piece of legislation for NSW related to ensuring the sustainable and integrated management of water sources of the State.

The site contains three main drainage lines, with the characteristics and classification of these waterways analysed in the Status of Drainage Line report prepared by Evans and Peck (**refer Appendix K**) and the Waterway Impact Statement prepared by Travers Environmental (**Refer Appendix J**).

The three drainage lines present on the site include the Middle Creek, Drainage Line 1 and Drainage Line 2.

The Water Management Act requires a controlled activity approval to be obtained to carry out for any works within 40 metres of a river, lake or estuary. Under the definitions of the Act the Middle Creek tributary falls under the definition of a river. The two drainage lines are not classified as a river and therefore do not require a controlled activity approval.

Notwithstanding, the classification of these drainage lines and tributary has been thoroughly examined and analysed in the Status of Drainage Line report. This report addresses the status of the drainage lines with respect to the criteria in three guidelines, recommends appropriate riparian zone widths for various drainage lines and the characteristics of the three drainage lines and how the flow regime would have changed as a result of urban development on the catchment.

To establish appropriate buffers, three guidelines were examined in detail and consultation occurred with the Department of Water and Energy as outlined in the Status of Drainage Lines report. The guidelines that were reviewed include Water Management Amendment (Controlled Activities) Regulation 2008 (repealed RFI act), Managing Urban Stormwater: Soils and Construction (Landcom – Blue Book) and the Warringah Creek Management Study.

Upon review and analysis of these documents, The Status of Drainage Lines report recommends proposed buffers, as outlined in the table below.

Drainage Line	Proposed Core Riparian Zone	Proposed Vegetation Buffer
Middle Creek tributary (upstream of Barnes Road)	15	5
Middle Creek tributary (from Barnes Road to the Tennis Academy)	15	5
Middle Creek tributary (at the Tennis Academy)	15	5
Drainage Line 1	5	0
Drainage Line 2	10	5

The buffers proposed in the Status of Drainage Lines report and the recommendations of the Waterway Impact Statement will be adopted to satisfy the requirements of the Water Management Act.

5.2 Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 requires approval to be obtained from the Commonwealth, for certain actions in relation to matters of National Environmental Significance. The requirements of the EPBC Act have been addressed within the Flora and Fauna Assessment Report (**refer Appendix I**). The report found that the proposed development was not considered to have a significant impact on matters of National Environmental Significance and as such a referral to the Department of the Environment, Water, Heritage and the Arts is not required.

5.3 Threatened Species Conservation Act 1995 (NSW)

The TSC Act 1995 is specifically aimed at the protection of threatened species, populations and ecological communities.

Where an action is likely to or will impact on a species, a Species Impact Statement is required. To determine if an SIS is required, a 'seven-part' test is required to be undertaken, in accordance with Section 79B of the Act. In accordance with Section 5A of the EP&A Act, the 7 part test of significance was undertaken by Travers Environmental within the Flora and Fauna Assessment Report (**refer Appendix I**), which concluded that the proposed development will not have a significant impact on any threatened species, populations or endangered ecological communities. Accordingly, a Species Impact Statement is not required.

5.4 Roads Act 1993

The Roads Act 1993 sets out the rights of members of the public to pass along public roads, establishes the procedures for the opening and closing of a public road, provides for classification of roads and regulates the carrying out of various activities on public roads.

The site is currently accessible via two separate entry/exit points off Oxford Falls Road and informal road access from Barnes Road.

The Concept Plan proposes a realignment of the existing access roads, to provide two formalised access roads off Oxford Falls Road. A new entry will be created directly off Oxford Falls Road and the Barnes Road Reserve will also provide access to Oxford Falls Road.

Approval to conduct works within the road reserve will be sought at the Project Application stage.

5.5 Part 3A of the Environmental Planning & Assessment Act, 1979

Part 3A of the EP&A Act, 1979 provides an assessment and approval regime specifically tailored for major infrastructure and other projects of state significance, for which the Minister for Planning is the consent authority. The provisions of Part 3A apply to major projects where the Minister has made a declaration relating to the specific development or a class of developments to which the project belongs.

Part 3A establishes a separate statutory regime for the assessment of Major Projects, which includes the provision of 'Concept Plan' approval, whereby the broad planning parameters of a project can be approved, prior to a separate application for the detailed aspects of a project.

Approval was granted on 6 April 2006 for the submission of a Concept Plan, in accordance with Section 75M of the EP&A Act.

The proposed development seeks approval for a 'Concept Plan' only under the provisions of Part 3A. Project Applications will be submitted at a later date, which will contain the detailed development of the concept plan parameters.

5.5.1 Section 94 Contributions

Section 94 of the Act, permits a consent authority to seek a monetary contribution or dedication of land free of cost where a development, for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area.

The developer has agreed to construct at their cost to provide all extraordinary facilities, services and infrastructure to allow development of the site. In addition, the developer will pay a contribution as required by the Warringah Section 94A Contributions Plan. This amount is equal to 1% of the cost of the development.

It is proposed to pay this contribution in stages in association with the construction of each stage.

5.6 State Environmental Planning Policy (Major Projects) 2005

The Major Projects SEPP aims to facilitate development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State. Development is considered to be 'State significant' if it is, in the opinion of the Minister, a particular class of development that satisfies pre-determined criteria as defined in the Schedules of the SEPP.

On 1 December 2005, the Minister for Planning agreed that the project constituted a 'Major Project', pursuant to Clause 6 of the SEPP.

A Preliminary Assessment outlining the details of the proposed application was submitted to the Department on 7 June 2006.

The Director General issued Requirements for the Environmental Assessment of a Concept Plan on 16 August 2006, **refer to Appendix A**. This Environmental Assessment responds to these requirements.

5.6.1 State Environmental Planning Policy (Infrastructure) 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State and ensure that the Roads and Traffic Authority is made aware of and is given an opportunity to make representations in respect of certain types of development referred to in Schedule 3 of the SEPP.

A Traffic Report has been submitted with the EA that contains correspondence from the RTA in relation to the previously submitted Concept Plan application for the site. No major issues were raised within previous dealings with the RTA.

It is noted as part of the assessment of the Concept Plan that the RTA will be consulted.

5.6.2 State Environmental Planning Policy No 19 - Bushland in Urban Areas

The general aim of this policy is to protect and preserve bushland within urban areas referred to in Schedule 1 because of its value to the community as part of the natural heritage, aesthetic value and value as a recreational, educational and scientific resource.

The entire Warringah LGA is listed within Schedule 1 of the SEPP. The Concept Plan proposes to retain the majority of vegetation on site with the retention of existing vegetation corridors. A portion of vegetation along the western edge of the escarpment and within the centre of the site is proposed to be removed. The vegetation that will be removed is either degraded or not considered significant.

A Flora and Fauna Assessment and Tree Assessment reports have been prepared by Travers Environmental, which address the removal of vegetation in close proximity to the proposed building footprints **(refer to Appendices I and L)**. The proposed development is likely to require the removal of approximately 100 trees with the remaining trees to be retained and protected in accordance with the recommendations of the Tree Assessment report.

It is not considered that the development will have a negative impact on the preservation of bushland within urban areas for the following reasons:

- No threatened trees were listed under the Schedules of the TSC Act, 1995.
- The development has been sited within the cleared central portion of the site, in order to reduce the removal of vegetation;
- Revegetation of environmental corridors will occur to preserve and improve habitat linkages;
- Bushland along the eastern portion of the site will be retained to preserve the existing street character along Oxford Falls road.
- The rehabilitation of the watercourses will provide an opportunity for walkways to allow for people to observe and appreciate these habitats.

5.6.3 State Environmental Planning Policy No 44 – Koala Habitat Protection

Part 2 of the policy outlines a three step process to assess the likelihood of land being Potential or Core Koala Habitat. Part 2 applies to land which has an area greater than 1 hectare. Potential Koala Habitat is defined as land where at least 15% of the total number of trees in the upper or lower strata constitutes any off the tree species listed in Schedule 2 of the policy. Core Koala habitat is defined as an area of land with a resident population of koalas, evidenced by attributes such as breeding females and recent sightings of an historical records of a population.

The subject site is required to be considered under SEPP 44 as it falls within the Warringah LGA which is listed on Schedule 1 of the policy. In addition, the total are of the subject site is greater than 1 hectare.

The Flora and Fauna Assessment concluded the site is not considered to be a Potential Koala Habitat or Core Koala Habitat.

5.6.4 State Environmental Planning Policy No 55 - Remediation of Land

SEPP 55 states that land must not be developed unless contamination has been considered, and where relevant, land has been appropriately remediated. In particular, the SEPP requires that:

“Before determining an application for consent to carry out development that would involve a change of use... the consent authority, must consider a report specifying the findings of a preliminary investigation of land concerned carried out in accordance with the contaminated land planning guidelines.”

A Preliminary Environmental Assessment and Geotechnical Investigation were prepared by GeoEnviro Consulting Pty Ltd in accordance with the contaminated land planning guidelines on 13th September 2006 for the previous scheme.

GeoEnviro Consulting Pty Ltd has since reviewed the current proposed concept plan and in their opinion the comments and recommendations on geotechnical and contamination issues are considered valid for the revised layout. A copy of the original report and revised recommendation is provided at **Appendix M** and contamination as further discussed in **Section 10.6** and the Statement of Commitments at **Section 11**.

5.6.5 State Environmental Planning Policy 65 – Design Quality of Residential Development

SEPP 65 aims to improve the design quality of residential flat development in New South Wales. The SEPP applies to the erection of a new residential flat building. The Concept Plan includes buildings with a height of 3 or more storeys and has therefore been considered against this policy. The SEPP includes ten design quality principles, which provide a guide to achieving good design and enable the merit of a proposal to be assessed. The proposed development addresses each of the design principles as outlined in the table below.

Part 2 – Design Quality Principles

Principle	Comment
1. Context	The proposed buildings are located off Oxford Falls Road. There is minimal visual impact for views afforded from adjoining properties. The buildings are located to maximise solar access and open space. The bulk and scale of the proposed development has been limited to fit with the character of both the adjoining residential as well as the campus style buildings of Oxford Falls Valley. The proposed buildings ensure an appropriate urban form is maintained within the Oxford Falls Valley and addressing the urban form of adjoining residential development, whilst providing adequate amenity and privacy for building occupants. Landscape elements proposed included connections to the natural vegetation and waterways.
2. Scale	<p>The proposed development contains buildings up to 4 storeys, there is no numerical control or height precedence set as the site is uniquely located due to topography. Importance has been placed on providing a scale of building which is sympathetic to the surrounding environment. Accessibility and, when viewed from the street, is intended to give the visual appearance and scale of a row of terrace houses - with blade walls, thus relating to the adjacent dwellings. The proposed development has been restrained to three storeys and progressively stepped back to respect the height and building envelope of neighbouring existing buildings.</p> <p>The car parking will be located below ground to reduce bulk and scale. A series of landscaped elements in the form of gardens provide an effective visual separation between buildings as well as framing and softening the scale of the building.</p>
3. Built Form	The accessibility and built form of the proposal has been sensitively designed to reflect the constraints of the site and its surrounding context. The development has been designed to compliment the adjacent buildings in terms of scale, form and material. Great importance has been placed on ensuring careful articulation of the facades creating visually impressive building forms of the highest standard in a campus landscape setting. A complimentary palette of materials enhancing depth and definition in the buildings will be provided at project application stage. Landscaped areas provide a positive backdrop for the building and a green outlook, further softening of the built form. Setbacks around buildings, each apartment benefits from north and south outlooks with the upper floor apartments each enjoying all aspects from roof top terraces. This allows for good solar gain throughout the apartments, and cross ventilation to habitable rooms.
4. Density	The site is subject to SEPP SL FSR of 0.5:1 and 1:1 the proposed development displays an overall FSR of under 0.5:1, compliant with this requirement. The proposal is reflective of the character of the existing campus style developments in the Oxford Falls Valley and of the adjoining residential located along Barnes Road. The proposal demonstrates that it maximises daylight access and natural ventilation, providing high levels of amenity to all residents. Protection of watercourses and vegetation. The bulk and scale of the buildings is limited in appearance when viewed from Oxford Falls Road and dwellings located along Barnes Road.
5. Resource, energy and water efficiency	Energy efficient design and building response has been developed through passive design. Solar access, natural ventilation and thermal massing characterise this development, achieving high personal comfort and low energy consumption. All apartments will be fitted with low energy appliances and fittings including water heaters, cook tops, dual flush toilets, and water reduction showerhead and taps. Several proposed buildings have been split so to allow light into the central corridors. Rainwater will be collected in tanks and will be used for toilet flushing and in laundries as well as provide water for irrigation, this will significantly reduce water consumption of potable water.
6. Landscape	The proposed development addresses the need for vegetation connectivity in the regional context by retaining a significant portion of existing vegetation. The landscaping on the site has been sensitively designed to provide the residents and visitors with well planned and useable spaces, as well as providing a landscape setting to the buildings. Landscaped elements such as courtyard gardens surround the buildings; plazas are located to provide central meeting places for resident interaction. Between the buildings rain gardens and deep soil zones further assist in improving the amenity. Particular attention has been given to integrating the native vegetation and watercourses into the overall concept landscape plan. Improvement of the waterways located on the site including the Middle Creak Tributary will include adequate core riparian and vegetated buffers. Stormwater flow and quality will be managed through the use of rainwater tanks, bioretention and underground water quality treatment systems.
7. Amenity	The site itself offers a high level of amenity though existing vegetation and views afforded across the landscape. Amenity is provided in the proposal through strong physical, spatial and environmental qualities of the development. Buildings receive excellent solar access, cross ventilation, indoor and outdoor spaces, visual and acoustic privacy, efficient layouts, and outlook. Secure parking is provided for residents in the underground parking area, with recycling and waste storage areas also located below ground. The onsite recreation, retail and services provide a heightened level of amenity for residents.
8. Safety & Security	On site security will be provided for residents. Safety and security has been considered both internally to each apartment as well as externally on the entry approach to buildings. The proposal includes building security and surveillance (in terms of on site security), car parking security, lighting and surveillance from apartments. Casual surveillance over the spaces between buildings is afforded from apartments.
9. Social Dimensions	The proposed development will provide a high quality seniors living development to allow residents to age in place in the setting of Warringah LGA. The development will have a positive impact on the community by proving employment and improving the local amenity through improved waterways, open space and providing well designed buildings that compliment the surrounding landscape. The proposal will allow for older people to live independently and to be of differing levels of mobility and requiring differing levels of care.
10. Aesthetics	The proposed development expresses the aspirations of the development and its environmental setting. The buildings are designed to maintain a campus form consistent with the existing development in the Oxford Falls Valley. The building form has been carefully separated and articulated to reduce the visual bulk of the building and create interest. Landscape elements in the form of courtyard gardens are heavily integrated into the scheme providing environmental efficiency and visual interest. Details of the building elements, materials, finishes and colours will be submitted at the Project Application stage.

4 Strategic Context

The State, regional and local strategic policies that have been considered for the proposal include:

- Sydney Metropolitan Strategy
- Draft North East Subregional Strategy
- Warringah Council Strategic Plan 2005 - Living Warringah
- Warringah Council Strategic Community Plan
- Warringah Council Non-Urban Lands

4.1 The Sydney Metropolitan Strategy

The Sydney Metropolitan Strategy provides the strategic policy for the future development of Greater Metropolitan Sydney over the next 25 years. The Metropolitan Strategy, released in December 2005, identified five key aims with seven strategies to manage the future growth of Greater Sydney and achieve a more sustainable city.

Of particular relevance for this site is the consideration of the two key aims to enhance livability and protect the environment. These two key aims are defined within the strategy as:

Enhancing livability – Enhance Sydney's livability, by ensuring a diverse choice of housing for an ageing and changing population, close to services, while protecting the character of our suburbs and communities.

Protect the Environment – Protect Sydney's unique environmental setting and reduce the city's use of natural resources and production of waste.

These two key aims for the site is examined below.

Enhancing Livability

The north east region requires an additional 17,300 new dwellings over the next 25 years, which includes a small portion of greenfield development.

The background analysis prepared for the strategy in relation to household growth and change notes the trend for the emergence of smaller households. This trend is considered to be partly driven by the ageing of the population, which tends to result in more single and two person households. Further, the strategy identifies that this will 'lead to a greater demand for smaller housing with good access to shops, transport and services such as health'.

By 2031 it is estimated that there will be 700,000 more people aged 55 years or older in Sydney . This will place a greater demand for smaller housing within locations with good access to transport, shops and health services.

It is considered the proposed development will contribute to assisting in achieving this target, given the development is specifically aimed at providing quality housing with three levels of high quality care to provide a diverse housing choice for people aged 55 years or older. The development of the site for a Seniors Living resort will contain many of the facilities that are required for this age group to enable 'ageing in place' with the convenience of all the necessary services located on site.

Where additional facilities and services are required, the development will provide a transport service that will enable residents to access the nearby major centres of Dee Why and Warringah, both of which are identified for future growth within the strategy. Further, the site is located within three kilometres of the planned Northern Beaches hospital site, providing an additional level of health services, if required.

While the site is not located within a major centre, it is located in close proximity to services and facilities, with the majority of facilities and services to be provided on site to reduce the demand on existing centres.

To achieve the 'age in place' concept and respect the existing character of the area and environmental constraints of the site, the concept plan has undergone a thorough design process. It is the intent of the proposed concept plan to recognise the enhancing the livability aim of the strategy by catering to the requirements of the ageing population and recognising the high demand to provide a diverse housing choice and high level of care and facilities, that are still within a close distance to existing friends and family.

Protect the Environment

The Environment and Resources objectives identify environmental targets for sustainable growth. In particular, Objective E 3.1 outlines that the amount of land used for urban development within the Sydney region, needs to consider competing land uses and values including urban uses, rural lands and conservation lands.

The Strategy recognises the need to contain Sydney's urban footprint and to assist in achieving this, any new urban development is to occur only within the Strategy's identified new release areas (refer Figure 8). Any new Greenfield land outside the identified growth centres will not be released for urban development unless it meets the Government's sustainability criteria. The sustainability criteria are considered when determining the addition of land to the Metropolitan Development Program.

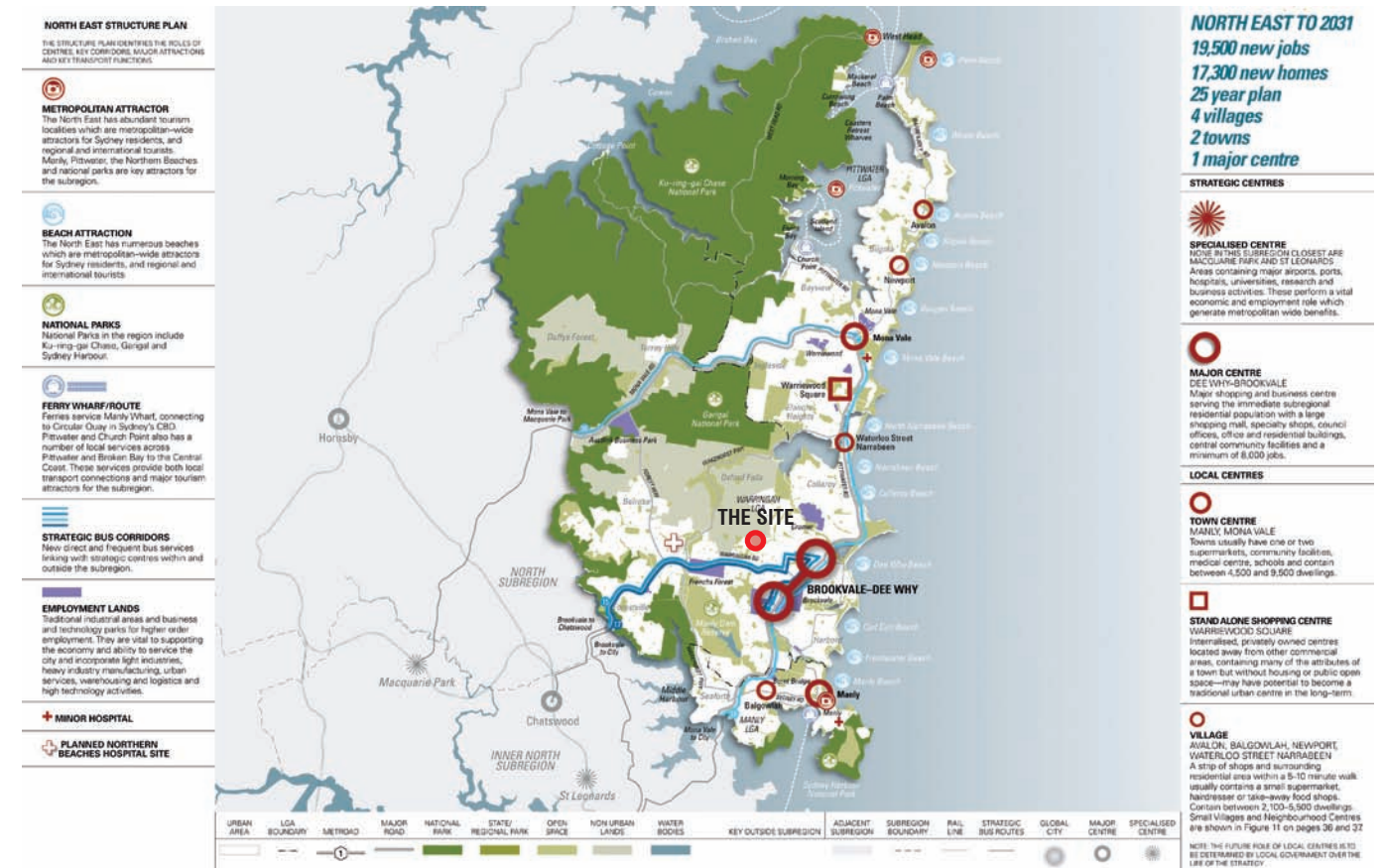


Figure 8 - Sydney Metropolitan Strategy Identified Land Release Areas

In relation to the Metropolitan Strategy, the site is not identified for land release. The area is also not identified within the Metropolitan Development Program. However, it is not considered that the site needs to be classified as a new 'urban land release' where the proposal is a seniors living development which has an established demand with the support of the State Environmental Planning Policy for Seniors or People with a Disability (SEPP HSPD) 2004. It is the intent of this policy to specifically encourage a form of housing that responds to the needs of the ageing population or people with a disability and can set aside local planning controls that would otherwise discourage this type of development occurring.

The concept plan has been designed in accordance with aims and intent of this SEPP as outlined further in **Section 5.6.7**. Importantly, assessment against the site compatibility criteria is made in this context.

Given the intention of the SEPP to increase the supply of the proposed form of development and the inclusion of clauses which specifically permit this form of development on non-urban lands, the site need not be classified as a new Greenfield sites or 'urban land release'. As such, it is considered that the Sustainability Criteria identified within the Metropolitan Strategy are covered in the context of any assessment against the site compatibility criteria of SEPP HSPD. Further, it is not considered necessary that the land be identified in the MDP noting that it is not the intention of the MDP to identify suitable areas for Seniors Living developments, as this is the purpose of the SEPP HSPD.

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However in demonstrating the suitability of the site and addressing the requirements of the DGRs, an assessment against the sustainability criteria has been provided below. This assessment should be read in conjunction with the assessment against the site compatibility criteria of SEPP HSPD.

Threshold Sustainability Criteria for listing of site on MDP.		
Section	Requirement	Response
1. Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.	Consistency with any relevant plans and provision of infrastructure	The Social Impact Study prepared by RM Planning (refer Appendix D) specifies that the proposed on-site infrastructure is suitable for the site and that the development will have no cumulative impact on existing services. An assessment of demand for utilities has been undertaken and servicing can be undertaken in an economically feasible manner (refer to Section 10.18 and 10.20).
2. Access Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided.	No net negative impact Accessibility of area to public transport and road access	The proposed development will provide two shuttle buses dedicated for use by the residents with a minimum two trips per day, seven days a week to local shopping centres. The second bus will also be used for tours and outings, thereby not placing any additional pressure on public transport systems. A Transport Report has been prepared by Colston, Budd & Hunt (refer Appendix E) that concluded the surrounding road network will be able to cater for the traffic generated by the development.
3. Housing Diversity Provide a range of housing choices to ensure a broad population can be housed.	Geographic market spread of housing supply including targets for aged, disabled and affordable housing.	It is proposed to provide three levels of care on site. The strategy recognises the need to provide more aged care housing given the project increased in smaller households and the increase in ageing population. The Review of Submissions report prepared by Urbis (refer Appendix F); states an additional 1007 high care residential aged care places will be required. The development will provide 60 high care beds, 100 serviced care apartments and 391 self contained dwellings with access to services on site to assist in meeting the future demand for aged care housing.
4. Employment Lands Provide regional/local employment opportunities to support Sydney's role in the global economy.	Self containment for the region	The development will include office facilities to enable residents to make use of these facilities where necessary, in addition to allow visiting professional to utilise the space. The proposed development will generate employment for the region with approximately 72 permanent full time employees anticipated to enable operation of the site. Over the six year construction period, this is anticipated to generate over 200 jobs.
5. Avoidance of risk Land use conflicts, and risk to human health and life, avoided	Available safe evacuation route. No residential development within 1:100 floodplain. Avoidance of high slope and land use conflicts.	The Bushfire Protection Assessment (refer Appendix G) specifies that on site safety is ensured through the implementation of an emergency incident and evacuation plan, in addition to other measures. The evacuation plan will be provided at the Project Application stage. No residential development is proposed within the 1:100 flood plain. Further, no residential dwellings (other than those being retained) will be located on high slopes. The development is centrally located within the site, to enable a vegetated buffer to reduce visual impacts. Appropriate setbacks have been implemented for the site, with no building located directly on site boundaries. The proposed use is consistent with the existing uses adjoining the site, which are primarily residential.
6. Natural Resources Natural resource limits not exceeded/ environmental footprint minimised	No unacceptable demand for water or energy Most suitable efficient use of land. Avoids impact on productive resource lands.	The proposal includes assessment and commitments in relation to water quality, use and energy use that are consistent with best practice in NSW. The site is currently used for residential and special use purposes, with no significant agricultural activity occurring on site.
7. Environmental Protection Protect and enhance biodiversity, air quality, heritage and waterway health.	Consistent with regional Conservation Plan (if applicable) Maintain or improve biodiversity, water quality, quantity, flora and fauna.	The majority of the proposed buildings will be located within the existing cleared areas on site and outside identified significant vegetation corridors, in order to minimise environmental impacts. The development will retain and enhance the existing vegetation corridors on site and improve the aquatic and terrestrial habitat associated with the drainage lines and Middle Creek tributary.

8. Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible.		A Social Impact Study has been provided at Appendix D which outlines the services available both on and off site. It is the intent of the development to provide the majority of facilities and services on site, as outlined in the Study, noting that the development will not have a cumulative impact on these services.
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4.2 Draft North East Sub Regional Strategy

A number of sub-regional plans were developed by the State Government to assist in the delivery of the Sydney Metropolitan Strategy by guiding growth in each of the identified sub-regions within the Greater Metropolitan Area.

The Draft North East Subregional Strategy, which includes the Warringah Local Government Area, was released in July 2007 for public exhibition.

The site is located within the Warringah LGA, which contains a broad range of residential development from low to high density housing and large open properties. The vision for the North East is dependent upon achieving the six key outcomes for the area.

Of particular relevance to the site are the following key directions:

1. Better access to a variety of housing choice and create livable and sustainable communities; and
2. Protection of the environment and lifestyle of the region.

These two key areas are examined in further detail below.

Key Direction 2 – Better Access for Housing Choice and Livable Communities

Population projections within the Draft Strategy anticipate that the North East population over 65 years of age will grow from 14.3% to 19.6% of the total population, equating to an additional 17,340 dwellings by 2031.

The strategy acknowledges that planning for higher density housing in centres is considered to achieve a greater mix of housing and 'make it easier for existing residents to 'age in place''. This is seen as an issue for the subregion, as the ageing population is likely to require greater housing choice and generate demand for high density housing with good access to services and public transport. In addition, future residential development will be encouraged within and around centres to create livable and sustainable communities.

The concept for the proposed development is to 'age in place', which results in a need to consider the services and facilities required to support this concept. The design allows for a built form that will create a community with access to a diverse choice of housing and care, supported by a range of onsite services, recreational and community facilities and areas of quality open space. It is the intention for the majority of services and facilities required to be located on site in order to create a self sufficient sustainable development.

Where additional facilities and services are required, the site benefits from being located in close proximity to the two Major Centres of Brookvale and Dee Why, and the small village and neighbourhood centre within Frenchs Forest. A bus service will be provided for the site to enable residents to access these centres. It is intended that the majority of access-impaired residents will utilise the onsite shuttle service. However, the site is also located in close proximity to public transport services, including the proposed strategic bus corridor linking Brookvale, Dee Why, Frenchs Forest, Chatswood and St Leonards that is proposed within the draft Strategy and the State Infrastructure Plan.

The strategy states that housing growth within the subregion shall primarily be accommodated within existing centres with higher densities close to Town Centres and Villages due to the close location of existing services and public transport nodes. The site is not specifically located within an existing town centre of village, but rather on the periphery of existing residential areas. It is considered that the proposed development will still achieve the intent of the strategy as the site will have good access to existing services and facilities, while still creating a diverse livable seniors living resort that will benefit from being located in close proximity to the major centres and planned Northern Beaches hospital site. **Figure 9** indicates the location of the site relative to these facilities.

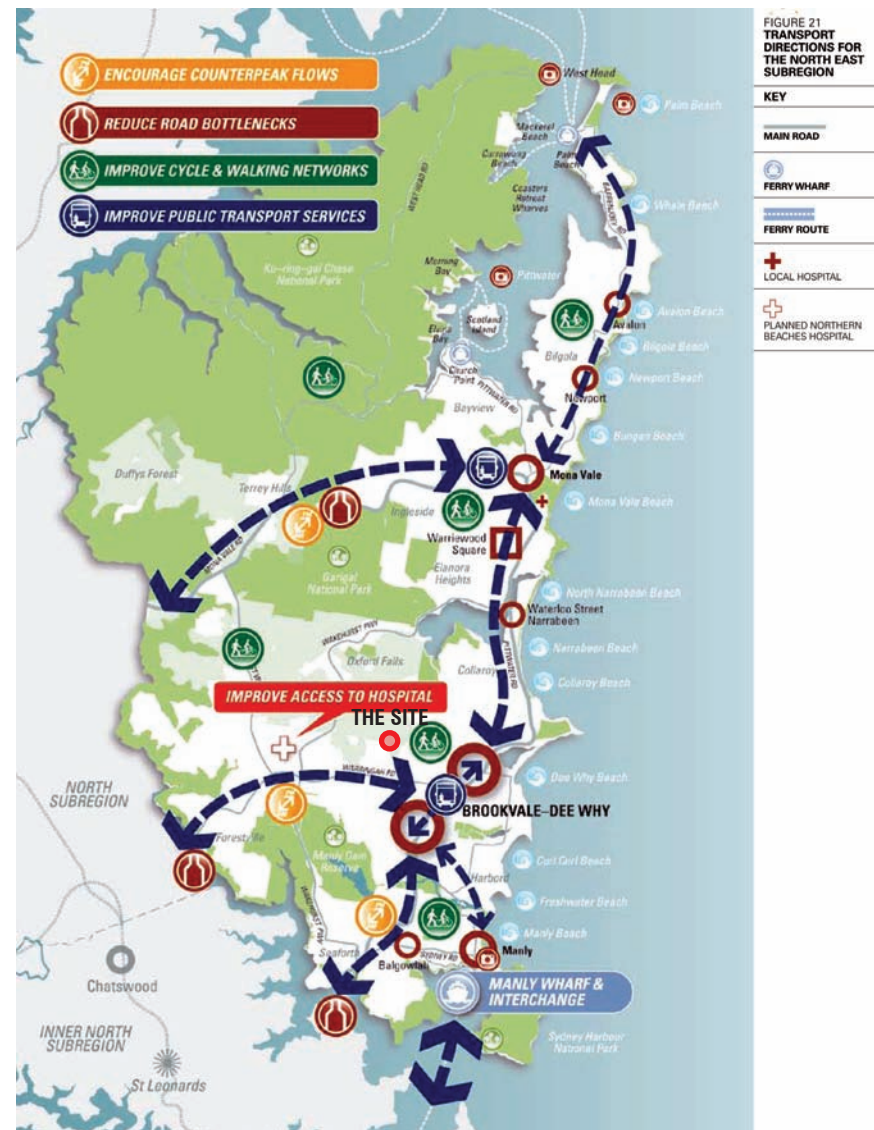


Figure 9 - Transport Directions for the North East Sub-region

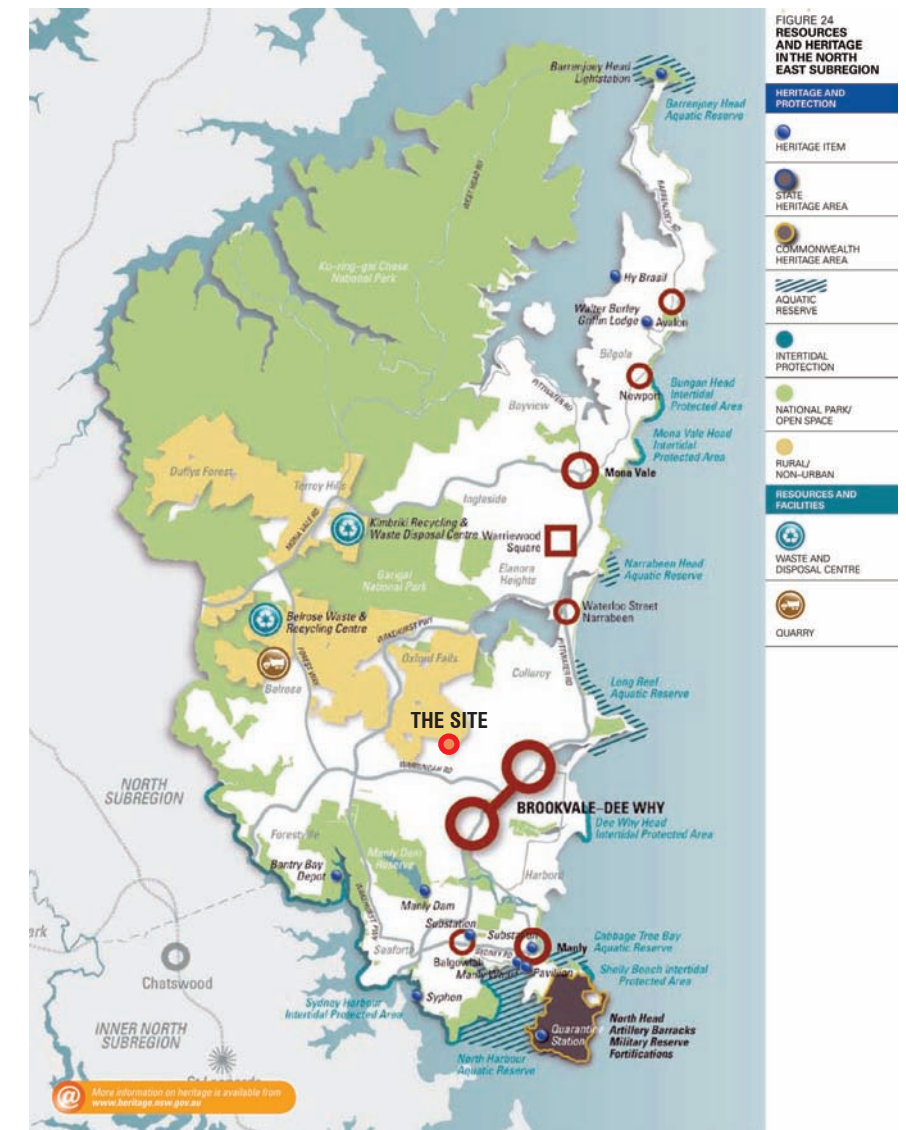


Figure 10 - Resources and Heritage in the North East Sub-region

The housing actions for the North East sub region identifies the need to review the long term capability of non-urban lands in this region, beyond the next 25 years to provide land for residential purposes. These lands are not required to meet the dwelling targets for the North East subregion to 2031.

The subject site is identified within existing non-urban lands (refer Figure 10). However, it is understood that the non-urban lands are viewed in the context of new urban land releases, which are required to address the sustainability criteria. As previously outlined it is not considered necessary that the site is classified as an urban land release.

Both the Sydney Metropolitan Strategy and the Draft North East Subregional Strategy identify the need to increase the housing supply for aged persons. Action C2.2 of the draft strategy states that the age profile projections for the LGA show the population aged 65 years and over will increase significantly by 2031.

Given the trend towards the demand for better designed and more comprehensive Seniors Living retirement villages it is difficult to determine where these developments should be located, particularly given the size of land that is required to support the desired on site facilities and services. This is the intent of SEPP HSPD, to allow for these forms of development in areas that may not have been previously identified for seniors living developments, subject to meeting the relevant criteria.

Key Direction 6 – Protection of the Environment and Lifestyle

This key challenge for the region acknowledges the need for the subregion to grow sustainably, whilst managing environmental impacts of development.

The site is identified as rural and resource land on the Resources and Heritage map contained within the strategy (refer Figure 10). These lands are categorised by containing niche agricultural and rural industries. The subject site is rural residential in nature, however, the site is not used for agricultural and productive purposes.

SENIORS LIVING RESORT

The site is located in close proximity to native vegetation areas, with vegetation corridors present on the site. The relevant actions within the Environment, Heritage and Resources section of strategy has been taken into consideration for formulation of the concept plan, which has involved extensive consideration and consultation with a number of experts in order to appropriately address environmental issues as outlined below.

Action	Response
E2 Protect Sydney's Natural Environment	
E2.1 Improve health of waterways, coasts an estuaries	<p>The development will significantly improve the health of the Middle Creek tributary and two existing drainage lines, resulting in no negative impacts downstream, to the Narrabeen Lagoon, as a result of the following proposed works:</p> <p>Creation of an Environmental corridor to include a native vegetated buffer to the creekline;</p> <p>Implementation of ongoing weed management;</p> <p>Revegetation of drainage lines to protect habitat connectivity, including the provision of a vegetation link</p> <p>In-stream works with a creation of riffles, pools and runs to create a high quality aquatic habitat, which will also include creek stabilisation works;</p> <p>Implementation of a Riparian Plan of Management</p>
E 2.1.5 Council to continue to promote water sensitive urban design	As outlined in the Water Quality Management report of SEEC (see Appendix H), best practice water sensitive urban design has been committed to.
E2.2 Protect Sydney's unique diversity of plants and animals	A flora and fauna report has been prepared by Travers Environmental (refer Appendix I) that found the proposed development will not have an adverse impact on flora and fauna (refer Section 10.8 for further detail).
E3 Achieve sustainable use of natural resources	
E3.1 Contain Sydney's urban footprint	As previously outlined it is not considered the sustainability criteria apply for the proposed development, as it is not considered to be a new Greenfield release area. The development has been sited within the cleared portion of the site, to minimise the amount of vegetation loss. Riparian buffers and ecological corridors will be retained to protect and improve terrestrial and aquatic habitats.
E3.2 Achieve sustainable use of water	The Water Quality Management concept prepared by SEEC (refer Appendix H) outline the measures that will be implemented for the site to collect and use rainwater and grey water.
E3.4 Minimise and recycle waste	Ways to minimise waste will be investigated further within the Project Application.
E4 Protect Valuable Rural Activities and Resource Lands	
E4.1 Maintain Rural Activities and Resource Lands	The site is not used for primary production and is primarily for rural residential use. Given the surrounding development is residential in nature, intensifying the site for agricultural purposes are considered to create potential land use conflicts.
E5.3 Councils to identify natural hazards and risk management measures in principle LEPs	<p>Warringah LEP has not yet released their draft comprehensive LEP.</p> <p>Council's current bushfire map indicates the eastern and western portions of the site are classified as vegetation buffer. A Bushfire Risk Assessment has been prepared and is provided at Appendix G.</p> <p>No habitable buildings are proposed to be located within the 1:100 floodplain.</p>
E6 Conserve Sydney's cultural heritage	
Recognise where Sydney's cultural heritage contributes to its unique character and quality	The site is not located within a heritage conservation area, nor contains any heritage items. The site is not located within the vicinity of any heritage items. The Oxford Falls Public School along Dreadnought Road is located over 500 metres from the site. It is not considered that the proposal will affect the heritage significance of this item given the separation between these two sites and the proposed implementation of landscaping buffers and vegetated areas outlined in the Visual Impact Assessment (refer Appendix C) to minimise visual impact.

4.3 Living Warringah

The Living Warringah policy was initiated by the Administrator of Warringah Council, to develop a new Strategic Plan that reflected the views and aspirations of residents. The goal was to find a common vision to define the future community within Warringah. The policy is meant to be a blueprint to assist with the preparation of more detailed studies in association with the preparation of the comprehensive LEP.

Comments are provided below in relation to the relevant objectives and desires identified within the policy.

Living Spaces	
Water, energy and waste efficient housing in harmony with their natural and built environment.	The proposed development has been sited and designed to create a social and livable community, with a high focus on providing a high quality Seniors Living resort development. The design incorporates appropriate landscaping, water sensitive urban design measures, rehabilitation of watercourses and revegetation of ecological corridors to contribute to creating a well design and attractive site.
Buildings and landscapes that are well-designed, attractive and sociable places to live and work.	
Residential streets that are focal points for neighbourhood activity.	<p>The main street frontage is Oxford Falls Road. The development will maintain the eastern vegetation buffer, to preserve the existing streetscape character along this road.</p> <p>Within the site, buildings have been sited to minimise the dominance of the internal road network, while enabling connectivity to all parts of the site.</p>
Living Environment	
Environmental biodiversity protected through bushland conservation, reserve networks and responsible land management	A number of measures will be implemented for the site to preserve and significantly enhance the environmental biodiversity and waterways on site. These measures will be managed appropriately as outlined in the Flora and Fauna and Waterway Impact Study (refer Appendix I and J).
Catchments, waterways and marine environments managed as an important, sustainable resource	

4.4 Warringah Council Non-Urban Lands

The following addresses and is in response to council mapping and Council Planning Report – Oxford Falls Valley Assessment of Rezoning and Development Proposals

Part one: Strategic assessment of land capability: 2006 Warringah Council mapping

Introduction

- A series of weighted maps combined to form a composite map identifying the most severely constrained land was requested by DoP to assist in determining land capability following a number of SEPP (Major projects) submissions. In the Oxford Falls Valley (B2) locality under the Warringah Local Environmental Plan 2000 (WLEP)
- The inconsistencies with the Metropolitan Strategy and extreme bushfire risk were noted as reason for refusal of land release and subdivision in the recommendations from the Director Planning at Council meeting 13 March 2007 (p.169).
- Bushfire mapping was separate to the environmental constraint land map.
- While riparian and flood is identified as constraints, it is noted 13 March 2007 (p.170) that “There is some scope to minimise the impacts upon riparian zones caused by development through acceptable design solutions. Similarly, development can be designed in such as way so as to minimise the impact of flooding upon development” It is also noted that because of these opportunities that the constraints were not allocated the highest relative weightings.

Scores = 30-70	Prohibitive environmental constraints to development
Scores = 20-29	Severe environmental constraints to development
Scores = 10-19	Significant environmental constraints to development
Scores = 1-9	Moderate environmental constraints to development
Score = 0	No significant environmental constraints to development

5.6.6 State Environmental Planning Policy (Building Sustainability Index: 2004)

BASIX requires commitments from the applicant/developer in the development application phase of a proposed development to meet specified energy and water saving targets.

The proposed development will need to obtain a BASIX certificate to demonstrate compliance with the specified water and energy targets within the SEPP. However, the provisions of the SEPP and the need to obtain a BASIX certificate will be considered and addressed within the Project Application to be submitted at a later date.

The Project Application will contain further information regarding the detailed residential design, which will enable BASIX calculations to be undertaken. The Concept Plan and Environmental Assessment indicate only the proposed building locations, orientation, envelopes and typical floor plan.

The Water Quality Management Concept report and plan indicates the ability of the site to re-use and harvest rainwater, with detailed design to be provided at the Project Application stage.

A specific commitment is made to ensure that the proposal conforms with BASIX requirements, **refer to Section 11** of the report.

5.6.7 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 aims to encourage the provision of housing (including residential care facilities) that meet the needs of seniors or people with a disability.

The Policy provides development and design standards (for all classes of seniors living) that must be complied with in the provision of housing for seniors and people with a disability. The intention of the policy is to encourage the provision of seniors housing and people with a disability by, where necessary, setting aside local controls to allow such development on suitable sites. In essence, the policy acknowledges the need for seniors housing and people with a disability, subject to meeting specific site and design requirements.

As the proposal is declared a Major Project under the Major Projects SEPP, the DGRs require an assessment against State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. We submit that the parameters established in the Seniors SEPP are an appropriate base for a merits assessment for this proposal. The proposal has been designed to respond to the SEPP as outlined further below.

Aims and Intent

In considering where a site is suitable for this type of development the aims of the policy should be taken into consideration. The aims of the policy are:

- (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (b) make efficient use of existing infrastructure and services, and
- (c) be of good design.

The proposed concept plan addresses all the aims of the policy by providing a diverse supply of residences that will be of a high quality design, on a site that is capable of utilising existing and where necessary, providing new additional infrastructure and services. The preparation of the concept plan was intensely focused on achieving an exceptional quality design outcome so as to provide a high standard of care for residents with the ability for a diverse range of services and facilities to be located on site, so as to focus on the ‘age in place’ concept.

Clause 4 - Land to which the Policy applies

The site is zoned B2 Oxford Falls Valley Locality under the provisions of Warringah LEP 2000 (WLEP). The Warringah LEP contains three categories of land uses that are required to be considered against the desired future character for a locality, before development consent is granted.

Within the B2 locality, dwelling houses are classified as a Category 2 land use which requires the consent authority to consider the consistency of the proposed land use with the desired future character. An analysis of the consistency of the proposed concept plan with the desired future character of the locality is outlined further below and in **Sections 5.7.1 and 10**. For the purposes of satisfying Clause 4 of the SEPP it is considered that dwelling houses are permissible within the locality.

Additionally in accordance with the policy the site is classified as ‘land that primarily adjoins urban land’ as Clause 4 (8) specifically lists those localities within the WLEP that are considered to be non urban land. The B1 Frenchs Forest East locality is classified as urban land, which adjoins the site and therefore the site satisfies the requirement.

Clause 17 Development on land adjoining land zoned primarily for urban purposes

Clause 17 of the SEPP specifies that on land adjoining land zone primarily for urban purposes, only a hostel, residential care facility and/or serviced self care housing are permissible.

The proposed scheme is for a residential care facility and serviced self care housing only. Under the SEPP these types of housing are defined as:

Residential accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hostel, hospital or psychiatric facility.

serviced self-care housing is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

The proposed development will comprise a residential care facility containing 60 beds with the provision of personal and nursing care, meals, cleaning services and support staff. In addition 100 serviced apartments and 391 self care dwellings will be available with access to on-site facilities and services such as meals, cleaning, medical facilities, personal and nursing care. The provision of these facilities and social services are outlined further in the Social Impact Report prepared by RM Planning (**refer Appendix D**).

Further the housing will only be occupied by seniors or people with a disability, with the only exception to this being the on-site doctor and caretaker that will reside in the existing residences to be retained.

Clause 24 and 25 - Site compatibility certificates

Land that adjoins land zoned primarily for urban purposes is required to obtain a site compatibility certificate.

Consent for the concept plan and proposed development is sought under the provisions of the Major Project SEPP which negates the requirement for the Site Compatibility Certificate. This was confirmed in a meeting held with the Department of Planning on 15 April 2008.

However, in accordance with the DGRs which requires assessment against the Seniors Living SEPP the concept plan has been considered against the criteria for assessing compatibility with the surrounding land uses, as outlined in the table below. These criteria are considered to be the determining criteria in the assessment of whether the proposal is suitable for the site.

A summary of the assessment is located in **Section 10.4**.

Issue	Consideration	Response
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.	A number of measures will be implemented for the site to preserve and significantly enhance the environmental biodiversity and waterways on site. The proposed development will maintain a vegetation buffer around the majority of the site, with the buildings to be centrally located within the site, in order to reduce visual impacts and minimise removal of vegetation.
Future Land Uses	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.	The proposed development is considered to be consistent with the desired future character for the area. While the building form will be of a medium density development, the development will be a low impact use that will have low visibility in the public domain, maintain a dense bushland buffer and protect and enhance important environmental features on site. Nearby the subject site to the north are properties that are rural residential in nature and notable examples of large institutional buildings. Whether scenic rural or institutional in character, a land use conflict is not considered to arise given the generous setbacks and landscaping buffers incorporated into the concept plan. As highlighted in the site analysis, a large built form on a site with a large landscaped curtilage is consistent with the existing character of the valley. The significant landscape buffer ensures that the desired low impact scenic character of the valley is protected.

Services and Infrastructure	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.	<p>The Social Impact Study demonstrates the ability of the site to provide the required facilities and services on site and access to additional services off site, without having a cumulative impact on existing services. Access is available to offsite services via a dedicated bus shuttle service and as discussed in the Access Study the proposal is considered to satisfy the access provision of the SEPP.</p> <p>The supply of sewer and water and other utilities infrastructure has been examined and found to be adequate. The developer will contribute to the cost of any extraordinary infrastructure necessary to service the development. In addition, the proposal will contribute to the provision of community wide services through payment of a Section 94A levy.</p>
Bulk, scale, built form	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.	The proposed density is within that contemplated by the SEPP (a maximum of 0.5:1). The bulk and form of the development is similar to other institutional campus style buildings located further to the north within the locality, noting that the proposed landscape curtilage and topography of the site provide an excellent buffer to surrounding properties and public areas. While the height limit is exceeded, the design solution is considered acceptable as it will permit buildings to be centrally located within the site and concentrate the footprint of the development to the existing cleared areas. The concept will have a low visual impact when viewed from the public domain due to siting of the buildings and the retention and enhancement of the environmental corridors and buffers.

Additional Items for Consideration

The table below addresses additional relevant clauses of the SEPP that require consideration.

Relevant Clause	Requirement	Response
Clause 22 Heritage conservation areas and heritage items	If development to which this Policy applies is proposed to be carried out in the vicinity of a heritage item the consent authority, before granting development consent, must notify the Heritage Council of New South Wales.	No heritage item is located in the vicinity of the site. An assessment of the impacts on the proposed development on heritage items and heritage conservation areas is provided in Section 10 . Overall the proposed development is not considered to impact on the heritage significance of any heritage items or conservation areas.
Clause 26 Location and access to facilities	A consent authority must be satisfied by written evidence, that residents of the proposed development will have access that complies with subclause (2) 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.	A range of services and facilities will be provided on site as outlined in the Statement of Commitments, which satisfies the requirements of this clause. Further, access to these facilities will be via a pathway that has a gradient less than 1:14, as outlined in the Access Report (Refer to Appendix N) .
Clause 27 Bush fire prone land	A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as "Bush fire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection and other requirements identified in subclause (2).	<p>The western and eastern boundaries of the site have portions of land identified as "Bush fire prone land—vegetation buffer". As a result this clause requires a consent authority to consider the Planning for Bushfire Protection guidelines.</p> <p>A Bushfire Risk Assessment has been prepared by Travers Environmental (refer Appendix G) which provides an assessment of the proposed development against these guidelines</p>
Clause 28 Water and sewer	A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.	Consultation has been made with utility providers and supply is considered to be available and adequate, refer to discussion in Section 10.20 .

Clause 30 Site analysis	A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.	Site analysis plans have been prepared and provided for the site which has been previously outlined in Section 3.3 .
Clause 33 Neighbourhood amenity and streetscape	<p>The proposed development should:</p> <p>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</p> <p>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>The proposed development has considered impact on neighbourhood amenity and streetscape and is considered acceptable for the site.</p> <p>The development responds to the desired future character of the area, which is considered to include a mix of scenic rural and campus style institutions on large landscaped curtilages. The proposed development takes on a similar form of development, while recognising the need to reduce visual impacts on the existing streetscape.</p> <p>The buildings are centrally located within the site so that appropriate vegetation buffers will be maintained to provide setbacks. No new buildings will be located along Oxford Falls Road in order to maintain the appearance of this streetscape. The Visual Impact Assessment prepared by Richard Lamb and Associates has undertaken an assessment of the proposed development and concluded in relation to visual impacts that the development has low visibility from the public domain and will be compatible with the locality and its setting.</p> <p>Further the site is not located within a Heritage Conservation or in close proximity to a heritage item. The majority of vegetation will be retained and enhanced with no building to be constructed within the core and buffer riparian zones.</p>
Clause 34 Visual and acoustic privacy	<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>Visual Impact Assessment prepared by Richard Lamb and Associates has considered the impacts of visual privacy, noting that the location and design of windows and balconies will be subject to details contained within the Project Application. The potential for overlooking is restricted to the northern boundary of the site and the existing residence located between the site along Oxford Falls Road. This existing dwelling is being investigated for acquisition for potential incorporation into the development for non-habitable uses in the future. Nevertheless should this acquisition not occur the buildings will consider maintaining visual privacy for this dwelling. In relation to the northern boundary of the site, only one building has the potential for overlooking with measures such as additional landscaping and layout design to consider maintaining visual privacy for dwellings to the north.</p> <p>The dwellings within the site will not be subjected to unacceptable noise levels, as the majority of car parking will be provided within the basement car park. The detailed design for the Project Application stage will consider this matter further.</p>

Clause 35 Solar access and design for climate	The proposed development should: (a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and (b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	The proposed buildings have been located to enable main living areas to maximum sunlight exposure, further details of which will be provided within the Project Application. Refer to address of SEPP 65 principles in Section 5.6.5 .
Clause 36 Stormwater	The proposed development should: (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and (b) include, where practical, on-site stormwater detention or re-use for second quality water uses	A Stormwater Concept Plan has been prepared by JMD and Associates for the development (refer Appendix O). The report has considered the impacts of the development on the stormwater flows traversing the site and concluded that it will not adversely impact on the stormwater flows of the area.
Clause 37 Crime prevention	The proposed development should provide personal property security for residents and visitors and encourage crime prevention by: (a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	Full time security services will be available on site including security patrols, video surveillance and emergency call service. The buildings have been sited to allow for passive surveillance. A detailed CPTED analysis will be provided with the Project Application, as this will provide greater detail in relation to building entries/exits and windows.
Clause 38 Accessibility	The proposed development should: (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	One of the primary objectives for the site was to achieve a level ground area, in order to provide continuous accessible paths of travel. The development will include a number of walking areas around the site, which will be designed to be attractive, safe and connect to convenient locations. Further detail will be provided with the Project Application. An Access Report is provided at Appendix N .
Clause 39 Waste management	The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	Waste management facilities will be provided on site, with a waste management contracting company already engaged. Details for the management of construction and operation waste will be submitted with the Project Application.

Clause 40 Development standards—minimum sizes and building height	<p>Site size</p> <p>The size of the site must be at least 1,000 square metres.</p> <p>(3) Site frontage</p> <p>The site frontage must be at least 20 metres wide measured at the building line.</p> <p>(4) Height in zones where residential flat buildings are not permitted</p> <p>If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>(a) the height of all buildings in the proposed development must be 8 metres or less, and</p> <p>Note. Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See clauses 48 (a), 49 (a) and 50 (a).</p> <p>(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and</p> <p>Note. The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.</p> <p>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p>	<p>The site of the site is over 1000m² with frontages along all boundaries exceeding 20 metres.</p> <p>A residential flat building is not permitted under the current zoning and therefore under the SEPP the height of all buildings in the proposed development must be 8 metres or less.</p> <p>The Concept Plan proposes three to four storey buildings. While the proposed development does not comply with this height requirement it is considered an appropriate response to the site constraints and without an amenity impact upon adjoining properties. The nature of the site topography and confinement of the building footprint centrally to the site ensures that the immediately adjoining buildings are well separated.</p>
Clause 42 Serviced self-care housing	<p>A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have reasonable access to:</p> <p>(a) home delivered meals, and</p> <p>(b) personal care and home nursing, and</p> <p>(c) assistance with housework.</p>	The serviced self care housing will have access to meals, personal care and home nursing, and assistance with housework which will be provided on site.
Clause 43 Transport services to local centres	A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development in accordance with the clause.	The majority of services will be provided on site for residents. However, two buses will be available for residents, both which are capable of carrying more than 15 passengers. One bus will be dedicated for shopping trips with a minimum of one trip to occur between 8.00 am and 12pm and another trip between 12pm and 6pm. The second bus will be dedicated for tours and outings, but when not in use will also operate as a shuttle bus.
Clause 44 Availability of facilities and services	A consent authority must be satisfied that any facility or service provided as a part of a proposed development to be carried out on land that adjoins land zoned primarily for urban purposes will be available to residents when the housing is ready for occupation. In the case of a staged development, the facilities or services may be provided proportionately according to the number of residents in each stage.	<p>As outlined in the Social Impact Study the necessary facilities and services will be available upon completion of the first dwellings on site. Additional facilities and services will become online when the required</p> <p>numbers are reached, according to the staging outlined in the Study.</p>

Schedule 3 Standards concerning accessibility and usability for hostels and self-contained dwellings	The standards set out in this Part apply to any seniors housing that consists of hostels or self-contained dwellings.	The majority of these standards will be addressed within the Project Application stage, given the need for detailed design. In relation to siting standards for wheelchair access, the Accessibility Report states that wheelchair accessible paths of travel could readily provided.
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Car parking to be provided at the rate of 0.5 spaces per bedroom. Visitor parking will be provided at 1 space/3.5 units and staff parking at 36 spaces will be provided, see Transport Report at **Appendix E**.

5.6.8 Draft State Environmental Planning Policy 66 – Integrated Land Use and Transport Planning

The Draft SEPP has been prepared to identify actions and initiatives to achieve improved integration of land use with transport, with the key objectives of reducing dependency on use of private motor vehicles, enhancing use and viability of public transport and contributing to more ecologically sustainable development. The draft SEPP forms part of the Integrated Land Use and Transport Planning Policy Package (ILUTP).

The intention of the Concept Plan is to provide a suitable housing yield that will enable the majority of necessary facilities and services to be provided on site, minimising the need for private car use. Two buses are proposed to operate for the site, with one to be used for shopping trips that will run a minimum of twice daily and the other for outings and tours to encourage a reduction in car usage.

The proposal is considered suitable for the site and appropriately integrated with the surrounding area.

5.7 Local Environmental Plans

5.7.1 Warringah Local Environmental Plan 2000

Locality Statement

Warringah Local Environmental Plan 2000 (WLEP) does not apply land use zones, instead land use is categorised within Locality Statements. The site is located within the B2 Oxford Falls Valley Locality under WLEP.

Within this locality dwelling houses and housing for older people and people with disabilities are listed as a Category Two land use. Noting that the development is considered permissible pursuant to the provision of SEPP HSPD, it is not necessary to analyse the issue of permissibility under the LEP. Nevertheless, an assessment is made against the desired future character of the area as expressed in the relevant Locality Statement.

The Desired Future Character for the B2 locality is defined as follows:

- The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.*
- 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.*

The development has had regard to the desired future character of the area and it is considered consistent with that outlined in the locality statement for the following reasons:

- The present character for the locality in the immediate vicinity of the site consists of rural residential properties, bushland and institutional uses. The development will consist of individual buildings, the majority of which will be centrally located within the site, which is similar in form to institutional buildings to the north, including the Oxford Falls Grammar School and Christian City Training College.
- The housing density standards specified within the locality statement do not apply to housing for seniors or people with a disability. The concept plan complies with the 0.5:1 FSR identified within both the LEP and SEPP HSPD. While the proposed height exceeds the 8 metre height limit, it is considered suitable for the site as outlined in **Section 10.3**. The Concept Plan is considered to achieve the intent of the locality statement to provide low impact uses. The siting and design of the development and nature of the Seniors Living development will result a built form consistent with the character of the locality, given the ability to contain the building footprint to preserve and enhance the environmental corridors.
- No development is proposed on the ridge tops or within significant view corridors. The development will not distribute the skyline when viewed from Narrabeen Lagoon and Wakehurst Parkway due to the retention of vegetation buffers and locating the four storey buildings within the central portion of the site.
- The buildings will be located within the existing central cleared portion of the site to reduce the amount of vegetation removal required. Some vegetation removal will occur in the north west portion of the site, noting that this vegetation is degraded and will be replaced with native vegetation within the adjacent environmental corridor to be provided. Additional rehabilitation works and revegetation will occur along Drainage Line 2 and the Middle Creek Tributary to maintain vegetation linkages.
- While not specifically identified within the locality statement, the existing vegetation along Oxford Falls Road will be retained to provide screening to the development, maintain a riparian buffer and the existing streetscape character.
- The proposed development will significantly improve the water quality of the drainage lines and Middle Creek tributary. Appropriate stormwater and water quality measures will be implemented for the site to ensure no adverse impacts occur downstream as a result of the proposed development.

Additional requirements of the WLEP 2000 are addressed in the table attached at **Appendix P**. In summary, the proposal meets all the requirements of the WLEP, with the exception of building height limits which is addressed in **Section 10.3**.