

18 January 2010

**Concept Plan and Stage 1 Project Application  
for residential development and childcare centre  
at 14-18 Boondah Road, Warriewood**

**EXECUTIVE SUMMARY**

On 15 November 2010, the Director General referred the concept plan and Stage 1 project application for the Boondah Road residential and childcare centre development at Warriewood to the Planning Assessment Commission for determination under Ministerial delegation.

The Commission has considered the documentation provided by the Department, the matters raised in the meetings with the Department of Planning, Pittwater Council and the proponent and additional information provided by the Department on the strategic justification of the proposal. Commission members also visited the area on 30 November 2010.

The supplementary strategic justification report provided by the Department has not convinced the Commission that there is sufficient justification to increase the development density and building height to the level as proposed in the concept plan.

The Commission considers a comprehensive strategic study of all undeveloped sites in the Valley including the future role of Warriewood centre and the development potential around the centre is required. The study should establish a strategic direction for the future of the Warriewood Valley and its role in the subregion. This should be a joint-operation between the Department of Planning and Pittwater Council. Nevertheless, the Commission assessed this proposal on its merits and in the context of what it considers to be appropriate standards for the future of the Valley.

There is a need to increase housing stock in the Metropolitan Sydney and in each sub-region to meet the housing demand generated by a growing population and changing household requirements. There is also a need for diversity in the mix of housing stock in the Pittwater area and there is merit in reviewing the current Pittwater Council's development density control of 25 dwellings per hectare in the Warriewood Valley and the building height restriction of 8.5m. The Commission considers the retirement village development across from the subject site has already set a precedent for 3 storeys to be acceptable in the locality.

The Commission takes its lead from the *Metropolitan Plan for Sydney 2036*, which aims to ensure local planning controls include more low rise medium density housing in and around smaller local centres. The Commission approves the concept plan subject to modifications limiting building height generally to three storeys and development densities to a maximum of 60 dwellings per hectare. That height is compatible with the surrounding streetscape and that density is sustainable given the nature of the site and its location. The project application for Stage 1 is also approved subject to the modified concept plan and conditions. The Stage 2 project application should demonstrate any road improvement works that are required to accommodate the proposal would be implemented before the first intake of Stage 2 residents.

## 1.0 INTRODUCTION

Meriton Apartments Pty Ltd (the proponent) is the owner of an 8.12ha of land in the area known as Buffer area 3 in the Warriewood Valley. It proposes a residential and childcare development on the site.

### 1.1 The Proposal

The proposal involves a concept plan application for the whole site and a project application for construction of the proposal's first stage.

The concept plan sets out a broad planning framework for the site including:

- 16 residential building envelopes ranging from 3 to 5 storeys in height providing 600 residential units;
- a childcare centre;
- about 200m<sup>2</sup> retail floor space;
- gymnasium and swimming pool for residents; and
- concept design for public & private landscaping and internal road networks.

The Stage 1 Project application involves:

- demolition of the existing dwellings and structures and removal of vegetation;
- construction of earthworks and flood mitigation works;
- construction of the internal roads;
- construction of 7 buildings providing 313 units with basement car parking for 362 vehicles;
- landscaping to public and private area; and
- construction of the cycle way.

To address issues raised by the Department and submissions in response to the exhibition of the Environmental Assessment, the proponent's preferred project report revised the proposed development by:

- reducing the height of some buildings from 5 to 4 storeys;
- increasing the height of 2 buildings from 3 to 4 storeys;
- reducing the floor area of the childcare centre by 100m<sup>2</sup>;
- providing an additional 109 parking spaces for Stage 1;
- providing a children play area near the pool and an active open space in the central park;
- deleting two internal roads;
- relocating the eastern most bio-detention basin;
- reducing the footprint of Buildings O and P;
- providing an additional 8920m<sup>2</sup> of public open space on site; and
- reducing the total gross floor area for the concept plan by 1240m<sup>2</sup>.

### 1.2 Brief Planning History of Warriewood Valley

1986	Warriewood Valley Stage 1 residential and industrial/commercial release at the northern end of the Valley
1991	Land at Ingleside and Warriewood was included in the Urban Development Program.
Late 1991	Council was advised that it would be the authority responsible for the feasibility investigation and planning for an urban land release within the area. The Land Release Advisory Committee was established to coordinate investigation and planning of area.

May 1995	Pittwater Council accepted the <i>Ingleside/Warriewood Urban Land Release Draft Planning Strategy</i>
May 1997	Ministerial announcement of a restricted release of land for urban development within the Warriewood Valley.
Sept 2001	Council adopted the <i>Sewerage Treatment Plant Buffer Sector Draft Planning Framework 2001</i> . This enabled the 3 buffer areas to be rezoned for residential development.
May 2010	Council adopted the <i>Warriewood Valley Planning Framework 2010</i> which consolidates the <i>Draft Warriewood Valley Urban Land Release Planning Framework 1997</i> and the <i>STP Buffer Sector Draft Planning Framework 2001</i> into a single document. The 2010 Planning Framework proposed a slight increase in density in the 3 buffer areas.

### **1.3 Brief development history of the site**

20 July 2009	Pittwater Council granted a deferred commencement consent for land subdivision to provide 140 lots and construction of a development comprising 135 2-storey townhouse development.
19 Aug 2009	Proponent wrote to DoP seeking concept plan authorisation for the subject site and a site located within Buffer Area 1.
1 Dec 2009	DG declared Part 3A applies to the subject site. The proponent and Pittwater Council were advised of the declaration.
23 Dec 2009	DGR issued.
29 Apr 2010	Pittwater Council's deferred commencement conditions were satisfied.
Apr–Jun 2010	EA exhibition period.
30 Aug 2010	Worley Parsons Warriewood Valley Strategic Review completed.
31 Aug 2010	The proponent's Preferred Project Report was submitted.
11 Nov 2010	Halcrow Traffic Report completed.
15 Nov 2010	Applications referred to the Planning Assessment Commission for determination.

## **2.0 REFERRAL FROM THE MINISTER**

The concept plan application is outside the general terms of delegation issued by the Minister on 18 November 2008 to the Planning Assessment Commission.

The project application was submitted with a Political Donations Disclosure Statement disclosing a reportable political donation. Hence it falls within the Commission's general terms of delegation issued by the Minister.

On 23 August 2010, the Minister for Planning delegated his powers and function as an approval authority for the concept plan application to the Planning Assessment Commission for determination.

On 15 November 2010, the Director General (DG) of the Department of Planning referred the concept plan and project applications to the Planning Assessment Commission for determination.

The Commission consisted of Emeritus Professor Kevin Sproats (chair), Ms Gabrielle Kibble AO and Mr Garry Payne AM.

### **3.0 INFORMATION AVAILABLE TO THE COMMISSION**

The DG's referral to the Commission includes the following documents:

- The Director General's Environmental Assessment report,
- Pittwater Council's consent No 526/08 and approved site layout;
- The proponent's response to submissions;
- Warriewood Valley Strategic Review by Worley Parsons, August 2010;
- Warriewood Valley Traffic Report by Halcrow, 11 November 2010;
- Review of Development contribution Rates by Department of Planning, 26 October 2010;
- The proponent's statement of commitments dated 12 November 2010 for the Concept Plan and Project Application;
- The recommended conditions of consent; and
- Submissions received by the Department of Planning, a total of 545 during the exhibition of the Environmental Assessment (EA) and a further 5 were received in relation to the proponent's preferred project report (PPR).

On 30 November 2010 Emeritus Professor Sproats and Mr Payne visited the areas surrounding the site. Ms Kibble did not visit the site as she is familiar with the area.

On the same day, the Commission also met separately with the Department of Planning, Pittwater Council and Meriton Apartments Pty Limited for a briefing.

### **4.0 DEPARTMENT OF PLANNING'S ASSESSMENT AND RECOMMENDATION**

The Department noted the current Pittwater Council's planning framework for Warriewood Valley provides for residential density of up to 25 dwellings per hectare. This control was a result of Council's previous studies and analysis of the local road network, environmental constraints, desirable built form and character of the area.

The proposed concept plan, if approved, would significantly increase the residential density and set a precedent for other undeveloped areas in the Valley. In order to ascertain whether the area is capable of sustaining this level of density if replicated in the area, the Department commissioned an independent Strategic Review on the potential development capacity of the area known as Buffer Areas 1, 2 and 3 of the Warriewood Valley. The Review found the Buffer Areas "appear to be suitable for development at a higher density than is presently envisaged under the Council's Planning Framework". The review also considered a comprehensive review of the traffic implications of higher density development within Warriewood was warranted.

Following the review's recommendation, the Department commissioned Halcrow Pacific Pty Ltd to examine the traffic implications of 3 development scenarios for the Buffer Areas in the Warriewood Valley. The Traffic Report concluded that the Council's planned intersection upgrades would meet the need of the proposed increase in density for the Buffer areas except the Warriewood and Pittwater Roads intersection. However, it also pointed out there is a need to examine the road hierarchy designations in the Pittwater Council's *Road Master Plan* to ensure a safe environment for all road users.

The Department received over 500 submissions during the EA exhibition. Pittwater Council raised strong objection to the proposal on the following grounds:

- equity and precedent;

- departure from the orderly planning process;
- departure from community expectation;
- inadequate infrastructure and services; and
- impact on amenity and the environment.

The DG's assessment report identified the following key issues:

- density;
- built form, height and residential amenity;
- traffic generation and road network capacity;
- environmental constraints and impacts; and
- provision of infrastructure and services/developer contributions.

The assessment report concluded the concept plan and project applications should be modified to address the environmental concerns raised by the Department including encroachment of roads, bushfire and stormwater infrastructure. Further details should also be provided with the Stage 2 application in relation to road upgrade works, flood levels, building design and impact on significant trees.

Following consideration of all relevant documents and public submissions, the Department considered that "on balance the scheme is considered to be well resolved and appropriate in its urban context". The site was suitable for the proposed development. The proposal was in the public interest as it would provide additional housing, public open space, environmental improvements, local road improvements, employment opportunities and opportunities for increased public transport services and therefore would provide environmental, social and economic benefits to the region. The Department recommended that the concept plan and Stage 1 project applications be approved subject to conditions.

## **5.0 MEETING WITH THE PROPONENT AND PITTWATER COUNCIL**

The Commission was requested to meet with the Pittwater Council to ensure local views were heard before a decision is made. The Commission met with the Council and the proponent separately on 30 November 2010 at the PAC office.

### **5.1 Meeting with Pittwater Council**

Pittwater Council was represented by Mr Mark Ferguson, Mr Chris Hunt, Mr Steven Evans, Mr Lindsay Dyce, Ms Kelly Wilkinson and Ms Anna Williams.

Council reiterated its strong objection to the proposed concept plan and Stage 1 project applications and believed they should be refused for reasons detailed in its submission to the Department.

Council expressed its concern that the Worley Parsons Strategic Review and the Halcrow Traffic Report had no inputs from the Council. Both reports are deficient and should not be relied on to justify the current proposal or future development of similar density in the Valley. The key issues are:

- The Strategic Review and Traffic Report only considered the buffer areas, not the Valley as a whole.
- The Strategic Review and Traffic Report failed to take into consideration that key traffic infrastructure items identified as funded by Council's s94 plan have been removed due to the cap on developer contribution. These include upgrading of Boondah Road, provision of traffic lights at Ponderosa Parade/Mona Vale Road and intersection upgrades at Jacksons Road and Warriewood Road.

- Approval of the proposal at 3 times the planned density without the requirement of State Infrastructure Contribution will be detrimental to the State's infrastructure provision and a windfall for the proponent.
- The Strategic Review and Traffic Report were not independent as they were carried out by consultants who have previously worked for the proponent on projects within Warriewood Valley and are current consultants to the proponent in the Part 3A proposal.
- The strategic review did not address other social, environmental and economic implications including potential impacts on groundwater, wetland, flooding, parking, residential amenity, road width, emergency vehicle access, visual impact, public transport, employment; and pedestrian connectivity to trunk transport services,

In response to the Commission's question, Council advised that the proposed development of dwelling is permissible but the proposed density exceeds the upper limit of the number of dwellings permissible on the site, that is 186 dwellings (generally 3 bedrooms per dwelling). Council advised that the number of permissible dwellings would increase to 280 if the unit mix proposed by the proponent applies to the site that is a mix of studio, 1-bedroom, 2-bedroom and 3-bedroom instead of the general 3 bedrooms per dwelling for the whole development.

Council's strategic planning framework directs high density developments to be located around town centres where employment and services are available. Council believes there is a need for a structure plan for the whole area. It considers the future role of Warriewood centre and development potential around the centre should be included in the strategic review, not just the buffer areas. The outcome of such review would inform the future direction of the Valley.

## **5.2 Meeting with the Proponent**

Meriton Apartments Pty Limited was represented by Mr Harry Triguboff AO, Mr Peter Spira, Mr Walter Gordon, Mr Daniel Henoler, Mr Murray Donaldson, Mr Steve Naughton, Mr Bruce Masson, Mr Troy Eyles, and Mr Robert Blackall.

The proponent provided a presentation outlining the proposed development including the consideration of 3 options before deciding on the preferred option as detailed in the concept plan. The presentation focused on:

- Site capabilities;
- Residential amenity;
- Public & community infrastructure;
- Flora and fauna;
- Flooding and stormwater management;
- Climate change;
- Water quantity management, Water balance and stormwater quality; and
- Transport and traffic.

In response to questions from the Commission, the proponent advised that the proposed FSR is similar to the Anglican Retirement Village development. Development based on current zoning density is not viable or affordable as the price range will be around the \$700,000 to \$800,000. The proposed apartments with a range of unit sizes will provide more housing choice given the predominant dwelling type in Pittwater is single dwelling. Although the number of units has increased, the building footprint remains the same.

The proponent also contended that Council's plan has not been changed since 1997. It noted that Mona Vale has grown with employment and major services and is only a few minutes from the site. Fragmentation of landownership and land availability around town



centres are issues that are difficult to resolve to enable development to occur. The site is one of the last sites that are capable of providing reasonable density with a mix of unit size to meet the housing demand.

## **6.0 ADDITIONAL INFORMATION MADE AVAILABLE TO THE COMMISSION**

The Commission met the officers of Department of Planning, Mr Richard Pearson and Mr Michael Woodland for a briefing on 30 November 2010. The Commission questioned the strategic base for the Department's support of the proposed concept plan to significantly increase development density from 25 dwellings to 75 dwellings per hectare. There appeared to be a lack of strategic planning process for the review. The Department undertook to provide a supplementary report on strategic justification for the increase in residential density.

The supplementary report was received on 10 December 2010. It provided background to urban development of the Warriewood Valley and the 2010 Planning Framework. In brief, the report advised:

- The 2 storey height limited was based on the 1993 Visual Impact Study to ensure tree canopies will screen the built form and preserving the view of the escarpment.
- There is a lack of housing diversity in Pittwater as current housing mix is 80% detached dwellings, 14% villa/townhouse/dual occupancy and 6% unit/apartment.
- The LGA has the capacity to meet the long term dwelling targets.
- The key directions for housing in the Subregional Strategy are:
  - Increase housing choice;
  - Concentrate development and strengthen major centres, towns, villages, small villages and neighbourhoods; and
  - Enable communities to "age in place".
- The original proposal was a joint strategic approach to the development of Buffer Areas 1, 2 and 3 plus Sector 15 and Sector B. Following consultation with Pittwater Council, it was decided that a strategic review of the 3 buffer areas was appropriate as they have already been rezoned for residential purposes.
- The Worley Parsons Strategic Review concluded the site is suitable for higher density development.
- The Warriewood Valley is bounded by 2 strategic bus routes (Mona Vale Road and Pittwater Road).
- Warriewood Valley Roads Master Plan was prepared in 1999, reviewed and updated in 2004 and updated again by Pittwater Council in 2006.
- The Halcrow Traffic Report found the road system is capable of accommodating increased residential density across the buffer areas. However, Council's Roads Master Plan may need to be reviewed in regard to road design and hierarchy.

In conclusion, the Department considered

- there is no strong justification to warrant a height limit of 8.5m.
- visual impact of taller buildings will be minimised given the location of the buffer areas.
- it is logical to increase residential density in area close to existing and planned facilities and services.
- taller and denser buildings do not necessarily impact adversely on stormwater management.
- it is reasonable to provide for more diverse housing to meet the needs of the community.
- 3 storey residential development in the this area will provide a good transition from 2 storey type development in the centre of the Valley to more intense development near Warriewood Centre.

## 7.0 KEY ISSUES

In reaching these conclusions and making this determination the Commission gave particular attention to the strategic justification for increased density and height, the impacts on transport and traffic, and environmental implications.

### 7.1 Strategic Justification

The *Metropolitan Plan for Sydney 2036* (hereunder referred to as the *Metropolitan Strategy*) notes that 770,000 additional homes will be required across the metropolitan area by 2036, and that 70% of these homes should be provided within existing urban areas. The draft *Northeast Subregional Strategy* calls for 4600 new dwellings in the Pittwater local government area by 2031. Although Council indicates it can accommodate these dwellings under its existing plans, the Commission notes housing requirements have increased since the release of the draft Subregional Strategy and it is likely that additional housing will be required in the Pittwater local government area.

The *Metropolitan Strategy* identifies both a local centre (Warriewood Square) and a strategic bus corridor (Pittwater Road) within 800 metres of the site. Action D2.1 of the Strategy seeks to 'ensure local planning controls include more low rise (up to 3 storeys) medium density (between 25 and 60 net dwellings per hectare) in and around smaller local centres'.

Council's *Warriewood Valley Planning Framework 2010* identifies the site as capable of supporting medium density residential development up to a density of 25 dwellings per hectare. The Commission believes that the Council's strategic framework for the Warriewood Valley is unduly restrictive. Deviation from Council's standards is justified for a number of reasons.

- Firstly, there is a need to provide a broader housing mix in the Pittwater area. The draft *Northeast Subregional Strategy* indicates that the current predominant housing type in the Pittwater LGA is single detached dwellings. Only 5.7% of housing is unit/apartment type, compared to 36.6% in Manly and 22.8% in Warringah. In this regard, the Commission supports the development of apartment type housing in the Valley.
- Secondly, and notwithstanding the particular nature of the land use, the Anglican Retirement Village on the opposite side of MacPherson Street has set a precedent for exceeding Council's density and height standards in the Valley.
- Thirdly, heights and densities above Council's standards would be sustainable in this area due to the capability of the site.
- Finally, the Commission believes it is reasonable that Pittwater local government area contributes to the additional housing stock required in the Metropolitan area and the sub-region to meet housing demand generated by a growing population and changing household composition. There is merit in reviewing the development density and height restrictions in the Valley given these standards were set in the 1990s.

The Department commissioned the *Warriewood Valley Strategic Review* following receipt of this proposal. The strategic review concluded that 81 dwellings per hectare could be supported on each of the buffer areas in the Valley. The Commission notes the limited nature of the Review. The Commission concluded that a more thorough and extended



strategic examination of the Valley is required. Hence it does not support the findings of the Strategic Review and makes the following points.

- Firstly, strategic planning should not be driven by individual development proposals. It is preferable to establish the strategic direction for the entire Warriewood Valley before individual development proposals are considered. Of itself, the viability of the development from the proponent's perspective should not be a determining factor in establishing densities. Council should have a reasonable expectation that they can deliver the housing targets within their planning framework.
- Secondly, the Strategic Review is too narrowly focused on the 3 buffer areas when a more strategic approach to the future development of whole Valley should be undertaken. The Commission notes two sectors (15 and B) were excluded from the review following consultation with Pittwater Council because they were not zoned for residential purposes. A strategic review should not be based on whether a site is currently zoned for residential purposes.

The Commission strongly recommends that Council and the Department work together to clarify the role of the Warriewood centre, the potential for higher density residential and employment generating developments adjacent to the centre, its role in the subregion and how it relates to the rest of the Valley, in terms of development density, housing mix and traffic and transport. Council and the Department should jointly prepare a comprehensive strategic study of the whole area to review:

- the appropriateness of Council height and density standards across the Valley,
- the role of Warriewood Square,
- the current transport network and necessary improvement works, and
- the demand for physical and social infrastructure in the Valley and the surrounding area.

In the absence of this comprehensive strategic study and in order not to unreasonably delay a determination of the applications, when considering the merits of the project the Commission takes its lead from the *Metropolitan Strategy*. This has guided the Commission's conclusions regarding the appropriate development density and height at the site.

## **7.2 Development Density and Height**

The *Metropolitan Strategy* defines 'low rise' as three storeys or less, and 'medium density' as between 25 and 60 net dwellings per hectare. The Commission considers the site is suitable to be developed within this range.

The Commission also believes that a limit of three storeys is appropriate for the site, especially for the buildings on the street frontages. It may be appropriate to allow a fourth storey on certain buildings in the centre of the site since the natural ground level slopes down from the street frontages.

As such, the Commission finds concept plan approval can be granted, subject to the following modifications to density and height:

- density is limited to a maximum of 60 dwellings per hectare, and
- a height limit of 3 storeys, except that up to 4 storeys may be permitted for Buildings D, E, F, G, K, L and M subject to consistency with the development density for the

site and the 4<sup>th</sup> floor has a smaller building footprint than the 3<sup>rd</sup> floor to provide additional build form articulation.

The Commission also finds that project approval can be granted for Stage 1 subject to the building height as modified in the concept plan. Also each building must meet the requirements of SEPP 65 and the *Residential Flat Design Code* and other conditions as detailed in the terms of approval. In this regard, the Commission notes Buildings A and F do not meet the Code in terms of cross ventilation and solar access.

The height of Buildings K, L and M are to be determined via the Stage 2 project application subject to the development density limit of maximum 60 dwellings per hectare.

### **7.3 Transport and Traffic**

The Commission notes that Pittwater faces unique transport challenges. Regional traffic is channelled along a few major arterial roads. Buses are the only public transport option and the travel time from the site to the Sydney CBD is approximately 1 hour. The Commission is mindful that the proposed development should not further increase the pressure on the operation of these roads.

Road improvement works are necessary to ensure that the traffic generated by the project can be accommodated. The Proponent has committed to constructing two roundabouts and traffic calming measures. Based on a submission from the Roads and Traffic Authority, the Commission believes that the proponent should also extend the right hand turning bay from Pittwater Road into Warriewood Road as part of the Stage 1 project approval.

The Commission notes Pittwater Council's concern that the proposed development relies on road improvement works included in Council's Section 94 Plan and many of these works have since been removed due to the development contribution cap. In this regard, the Commission considers it is appropriate that the Stage 2 development application should demonstrate that the road improvement works that may be necessary to accommodate the project would be implemented before the intake of residents for Stage 2.

Having regard to the challenges of road access and public transport in the area, the proposed parking provision in the concept plan is considered insufficient. The Commission believes the parking rates required by Council's DCP 21 are more appropriate and should apply to the site.

As a result of the reduced dwelling yield from the development density control, the Section 94 contributions for the project will need to be revisited. However, the Commission considers it is still justified to require the proponent to provide all of the agreed road improvement works for Stage 1.

### **7.4 Other Issues**

The Commission notes Pittwater Council and many public submissions raised issues concerning potential environmental impacts of significant increase in development density including flooding, stormwater management, water quality, climate change, wetland, flora and fauna, groundwater, residential amenity, open space provision, community facilities, parking, emergency access, parking and public transport. The Commission agrees with the conclusions in the Director-General's Assessment Report that these impacts can be suitably mitigated and/or managed.

The terms of the Concept Plan approval require the proponent to undertake further assessment of the building design, landscaping and flood levels for Stage 2 of the proposal. The development must comply with the Brown Consulting Flood Management Report, Council's Flood Study and relevant State policies, and the proponent must demonstrate that the finished floor levels of all buildings will be above the probable maximum flood levels for the site.

## **8.0 CONCLUSIONS**

The proposed concept plan, if approved, would set a precedent of development density that could apply to all undeveloped sites in the Valley. The Commission considers there is insufficient strategic justification for the density increase as proposed by the proponent and that the implications for all undeveloped sites in the Valley have not been adequately considered.

However, the Commission also considers that Council's standards are unnecessarily restrictive and that higher density development is sustainable. The Commission approves the concept plan subject to modifications restricting building height generally to three storeys (with the proviso that four storeys in the centre of the site may be permitted subject to consistency with density control) and limiting development density to a maximum of 60 dwellings per hectare. The Project Application for Stage 1 is also approved, subject to the modified Concept Plan and conditions.

Stage 2 development application should demonstrate the road network is capable of accommodating the proposed development without negative traffic impact on the locality and required road improvement works would be completed prior to first intake of residents. Details in relation to flood levels, building design and impact on significant trees should also be included in the application.

In summary, the concept plan is approved subject to:

1. a development density of maximum 60 dwellings per hectare;
2. a building height of 3 storeys except for Buildings D, E, F, G, K, L and M which may be developed to 4 storeys subject to consistency with the maximum development density for the site and the building footprint of the 4<sup>th</sup> floor is smaller than the 3<sup>rd</sup> floor to provide additional articulation to the build form;
3. the provision of parking spaces for residents and visitors to meet Pittwater Council's DCP 21 requirements;
4. the Asset Protection Zone must be maintained as an Inner Protection Area with a minimum width of 25m, excluding the 10m wide vegetated buffer area;
5. The bio-retention basin B and private internal road adjoining Building P must be located outside the 10m wide vegetated buffer area; and
6. The building envelopes of Buildings O and P should be amended having regard to items 4 and 5 above. The northeastern wall of Building O should not extend beyond where it is indicated on the concept plan.

The Stage 1 project application is approved for:

1. 7 residential building envelopes (indicated as Buildings A to G) subject to:
  - a maximum building height of 3 storeys for Buildings A to C and 4 storeys for Buildings D to G provided the 4<sup>th</sup> floor footprint is smaller than the 3<sup>rd</sup> floor to provide additional articulation to the build form,
  - a maximum of 250 apartments;

- parking provision to meet Pittwater Council's DCP 21 requirements, and
  - each building must meet the requirements of SEPP 65 and the *Residential Flat Design Code*;
2. A childcare centre of 270m<sup>2</sup>;
  3. Gymnasium and swimming pool for residents and visitors;
  4. A children's play area adjacent to the swimming pool;
  5. Landscaping work for public and private open space and ecological rehabilitation works;
  6. Bio-retention ponds must be located outside the 10m vegetated buffer zone;
  7. External road works and internal public road network; and
  8. Combined cycle and pedestrian pathway.



Emeritus Professor Kevin Sproats  
Chair



Gabrielle Kibble AO  
Member



Garry Payne AM  
Member