

Statement of Environmental Effects

Development Application

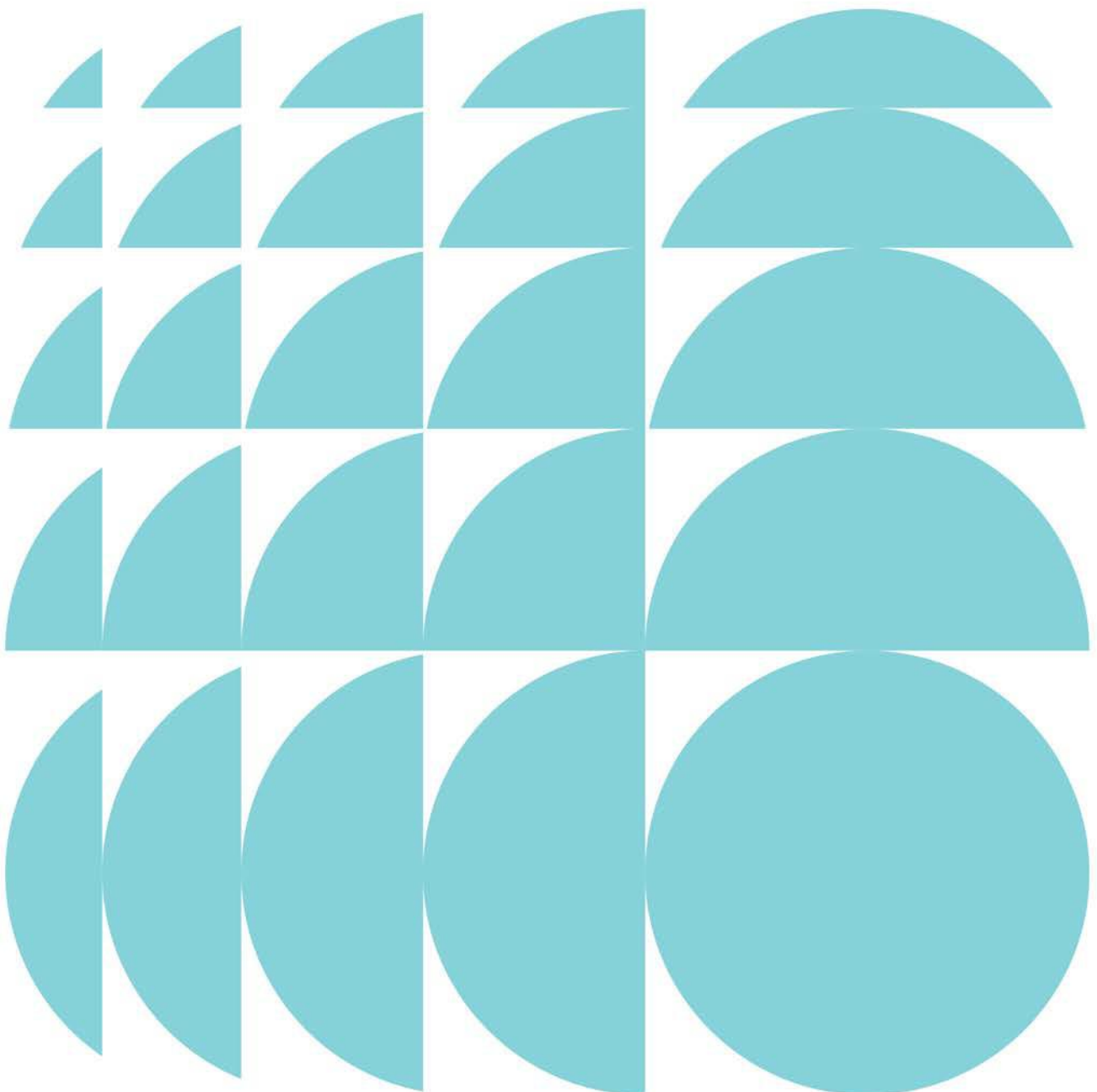
Bayview Golf Club

Golf Course Upgrade Works and Seniors
Housing

Submitted to Northern Beaches Council

On behalf of Waterbook Bayview Pty Ltd

12 December 2017 | 17317



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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Northern Beaches Council in support of a Development Application (DA) for golf course upgrade works and seniors housing at Bayview Golf Club. Specifically, the DA seeks approval for the following development:

- Golf course upgrade works, including:
 - layout reconfiguration;
 - flood mitigation works;
 - revegetation and ecology rehabilitation works; and
 - new golf course maintenance shed.
- Seniors housing, being 95 in-fill self-care units and ancillary facilities for the purpose of seniors living including the construction and use of seven (7) separate buildings of predominantly 3-4 storeys in height; and
- Construction and use of a road linking the proposed seniors housing development to Cabbage Tree Road, including a new roundabout to Cabbage Tree Road and pedestrian crossing.

This SEE has been prepared by Ethos Urban on behalf of Waterbook Bayview Pty Ltd as the proponent, and is based on the architectural drawings provided by Marchese Partners (see **Appendix A**) and other supporting technical information appended to this report (see Table of Contents). As required by Clause 50(2A) of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), a Site Compatibility Certificate (SCC) dated 27 March 2017 accompanies the lodgement of this DA, issued by the Deputy Secretary of the DPE under Clause 25 of *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004* (Seniors SEPP) (**Appendix F**).

This report describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts of the proposal and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.1 Background

This project is a result of an overall strategy for the revitalisation of the existing Bayview Golf Club course facilities to ensure the long-term sustainability and ongoing viability of the golf club and its facilities.

Established in 1929 as a community resource for the enjoyment of golf, Bayview Golf Club also offers the amenity of a clubhouse for weddings and celebrations. In 2007 the club's board of directors embarked on the construction of a new clubhouse. The decision to divert the club's resources to a new clubhouse, in combination with the financial losses the club incurs annually from lost playing days resulting from inclement weather and poor drainage and floor mitigation, has left it in a fragile financial position. While the club is trading cashflow positive it is not in a financially resilient position and as such has embarked on a long-term plan to ensure its financial sustainability.

An initial SCC application was lodged with the Department of Planning and Environment (DPE) in 2014 for a seniors housing concept in buildings of approximately 4-5 storeys. This SCC application

was subsequently refused on 6 January 2015 by the DPE, with impacts associated with built form, flooding and ecology identified as the principal reasons for refusal.

This forced an entire re-think of the Waterbrook project from both Waterbrook's and the club's perspective. The project moved from a myopic impact of the development only to looking at it from a macro position for a whole of golf course environmentally sustainable outcome. That outcome includes flood mitigation works for the entire course that will reduce inundation of the course during frequent flood events.

In February 2016, a new SCC application was lodged with the DPE, being a revised 3-4 storey scheme, and prepared having regard to the reasons for refusal of the previous SCC application and having been prepared for a whole of golf course concept. Following an assessment of this application, the DPE found that the site was suitable for more intensive development and that the proposed concept was compatible with the surrounding land uses and environment. On 27 March 2017, the DPE issued the SCC under Clause 25(4)(a) of the Seniors SEPP.

A comprehensive engagement strategy has been undertaken by Waterbrook Bayview Pty Ltd in order to ensure all key stakeholders are considered during the preparation of the design of the proposal. This has included the following key consultation:

- Pre-Lodgement meeting with Northern Beaches Council on 24 August 2017; and
- Community consultation sessions on Thursday 21 September 2017 and Saturday 23 September 2017 (refer to **Section 1.6** of this report for more information).

1.2 Overview of Proposal

Development consent is sought for the following development:

- Golf course upgrade works, including:
 - Golf course layout reconfiguration including the retention of all 18 holes in a manner that will accommodate a seniors housing development, substantial flood mitigation works and the revegetation strategy whilst still meeting the needs of golf club members;
 - Flood mitigation works, including raising sections of the golf course to improve playability and reduce inundation, and the rehabilitation of creek lines through the course;
 - Revegetation of the surrounding golf course to increase the size and connectivity of the conservation linkages promoting flora and fauna corridors that will better connect the upper catchment of the golf course with the lower portion of the course and Bayview;
 - New pathways allowing for improved access within the course; and
 - Demolition of the existing maintenance shed, to be replaced by a new maintenance facility for the storing of maintenance equipment.
- Seniors housing, being 95 in-fill self-care units and ancillary facilities for the purpose of seniors living, including:
 - Site preparation works;
 - Construction and use of seven (7) separate buildings of predominantly 3-4 storeys in height to be operated as a retirement village (within the meaning of the *Retirement Villages Act 1999*);
 - Basement parking for 186 cars, loading and servicing;

- Landscaping works, including ground level landscaping for the creation of a communal open space area for future residents; and
- Extension/augmentation of services and utilities to service the development.
- Construction of a road facilitating access into the proposed seniors housing development from Cabbage Tree Road and a round-a-bout on Cabbage Tree Road (and associated pedestrian crossing); and
- Construction of an access pathway from the site through to the bus stop on the eastern side of Annam Road.

Architectural drawings have been prepared by Marchese Partners (**Appendix A**) illustrating the proposed seniors housing development and the proposed golf course maintenance facility. A cut and fill plan has also been prepared by Cardno (**Appendix L**) which illustrates the proposed flood mitigation works, and a revegetation plan is included in the Environmental Assessment in **Appendix M**.

As the proposal is a class of development described in Schedule 4A of the EP&A Act, being a development that has a capital investment value of more than \$20 million, the Sydney North Planning Panel is to be the consent authority for this DA. A Quantity Surveyor's Report has been prepared by Napier & Blakeley is included under separate cover.

1.3 Objectives of the Development

Bayview Golf Club has identified the need for the revitalisation and rehabilitation of the existing club facilities to ensure the long-term sustainability and ongoing viability of the club and course. The following key objectives have therefore been identified for the project:

- The retention of an 18-hole golf course.
- Improvement of the course's playability, ecological connectivity and drainage connectivity.
- Minimise the number of non-playable days due to inclement weather (the club currently experiences 20 non-playable days per annum, with financial losses of \$2,700 per day).
- Provision a high-quality development in keeping with the character of the locality and which is sympathetic to the surrounding neighbours and community.
- The ability to activate the project in the shortest reasonable time.
- The achievement of a realistic financial return to the Club on a timely basis.

The use of land by Waterbrook (for the seniors living development) would provide Bayview Golf Club the opportunity to invest additional resources to renovate the course to maintain 18 new greens and tees. The whole of golf course environmental works seek to mitigate flooding of the fairways which currently occurs during inclement weather, as well as to surrounding residential properties. The revegetation works will increase the size and connectivity of the conservation linkages promoting flora and fauna corridors.

1.4 SCC Applications

1.4.1 SCC 1 (2014)

A Site Compatibility Certificate (SCC) application, prepared by Boston Blyth Fleming Pty Ltd was first lodged with the DPE in August 2014. In accordance with Clause 25(4)(a) of the Seniors SEPP, the application was refused on 6 January 2015 for the following reasons:

- “the proposed height, scale and built form is inconsistent with the existing surrounding character of the area, which is predominately two storey single detached housing in a heavy landscaped environment;
- the site is classified as flood prone land and insufficient evidence has been provided to demonstrate development potential or to ensure there would be no adverse impact on surrounding land uses; and
- the proposal would have significant environmental implications for existing threatened flora and fauna and the adjacent wildlife corridor. Limited evidence or consideration has been provided to address the potential direct and indirect impacts of development or mitigation measures”.

1.4.2 SCC 2 (2016)

A subsequent SCC application was prepared by JBA (now Ethos Urban) and lodged with the DPE in February 2016. The proposed concept was developed having regard to the reasons for refusal and the assessment report prepared by DPE in relation to the previously refused SCC. The proponent also met with the DPE and council to discuss the reasons for refusal in detail and to outline how these matters could be address in any subsequent proposal.

The revised proposal sought to address the reasons for refusal in the following manner:

Built Form

- Significantly reduced building heights from 5 storeys to 3-4 storeys.
- Providing increased breaks in the built form to enable view corridors and reduce the overall visual bulk of the development.
- Recessed building envelopes at the top level.
- Increased landscaping and permeability through the development site.
- An overall reduced building bulk and footprint.

Flooding

- The proposal was redesigned to address flood emergency responses, as well as extensive flood rehabilitation works for the golf course site as part of a combined strategy for the site and its wider context in the golf course.

Ecology

- The revised proposal resulted in an overall net increase in revegetation for wildlife corridors and a reduction in the loss of vegetation across the wider golf course site, including the retention of a significant number of tree species along Cabbage Tree Road previously proposed for removal.

Following an assessment of the revised proposal, the DPE issued an SCC which determined that:

- The site of the proposed development was suitable for more intensive development; and

- The proposed development for the purposes of seniors housing is compatible with the surrounding environment and surrounding land uses having had regard to the criteria specified in Clause 25(5)(b).

1.5 Integrated Development – Separate Approvals

This DA requires separate approvals under Section 91 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) from the following authorities:

- NSW Rural Fire Service under Section 100B of the *Rural Fires Act 1997*; and
- Department of Primary Industries (Water) under Section 90 of the *Water Management Act 2000*.

In this regard, the DA is considered to be ‘Integrated Development’ as defined in Section 91 of the EP&A Act.

1.6 Engagement

A comprehensive engagement strategy has been undertaken by Waterbrook Bayview Pty Ltd in order to ensure all key stakeholders are considered during the preparation of the design of the proposal. A detailed account of all consultation undertaken to date as well as an analysis of the findings is included in the Consultation Outcomes Report prepared by Ethos Urban and included in **Appendix K**.

1.6.1 Council Pre-Lodgement Meeting

A pre-lodgement meeting was held with Northern Beaches Council officers on 24 August 2017. **Table 1** summarises Council’s pre-lodgement advice and indicates where specific comments are addressed in the DA.

Table 1 – Response to Council Comments (built form and planning matters)

| Item | Issue | Response |
|-----------------------|--|---|
| <i>Permissibility</i> | | |
| | <i>The site is zoned as an RE2 Private Recreation zone. Residential development (including seniors housing) is prohibited within this zone, however it is acknowledged that a Site Compatibility Certificate (SCC) has been issued for the site by the NSW Department of Planning and Environment (DPE).</i> | Noted. |
| | <i>In this regard, Council notes the applicable test, being that development should be “compatible with the surrounding environment and surrounding land uses”. With particular reference to impacts of bulk, scale, built form and character on existing uses, approved uses and future uses of land in the vicinity of the development, it is not agreed that the proposed development is compatible with the one and two storey character of development in the vicinity.</i> | <p>The DPE have confirmed that the proposal is compatible with the surrounding environment having regard to a number of criteria, including impacts on the natural environment, surrounding and future land uses, provision of services and infrastructure and bulk, scale, and built form impacts. The DPE’s judgment on this matter should be given considerable weight, given its role as the leading State planning agency (and its particular expertise in seniors housing developments).</p> <p>It is noted that the Council has made a preliminary assessment of the material provided to them as part of the Pre-DA process and has not had the benefit of a full assessment of the entire DA</p> |

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| | <p>package as proposed with this application.</p> <p>The Planning Principle for compatibility is established by the NSW Land and Environment Court (Court). See <i>Project Venture Developments Pty Ltd v Pittwater Council [2005] NSWLEC 191</i>¹.</p> <p>The proposal is considered compatible with surrounding land uses and the environment having regard to the planning principle for compatibility as established by the Court. In summary, this is because:</p> <ul style="list-style-type: none"> • No impacts will occur to the adjacent golf course as the proposal is set back from the course and appropriately screened by vegetation and other devices to not impact on the golf course's operations. • The proposal will not impact on surrounding residential land uses given their substantial distance away and the low visibility of the proposal provided by the substantial screening of existing (and proposed) vegetation. • The proposal will not result in an unacceptable physical impact on the surrounding natural environment, given the mitigation measures to be implemented related to flooding and ecology. • The design, siting, scale, and materiality result in an overall development with an appearance which will exist together in harmony with its immediate and wider environment. The design has sought to emphasise the desired elements of the character of Bayview and emphasise those through the development (significant landscaping, a generally human scale of development and minimised site coverage). • Harmony is achieved between the proposed development and surrounding land uses, as well as the character of the locality through sympathetic heights, bulk and scale, which is not substantially greater than the heights, bulk and scale of development in the locality, particularly existing seniors developments. • Harmony is also achieved as the siting and relationship of the proposed built form to surrounding space being of a lesser or consistent footprint compared to other buildings in the locality, particularly nearby seniors housing developments. • The proposal includes building tones and materials which are harmonious with the surrounding landscape and area. • The built form proposes a predominant height of 3-4 storeys. The height of the proposal is considered to be compatible in its context given its footprint is consistent with surrounding development (particular existing seniors housing), and the proposed height, whilst taller than the 2-3 storey heights of surrounding development, is not significantly taller. • The proposed development's setbacks both from Cabbage Tree Road and the neighbouring golf course are substantial. As the site is currently part of the golf course, there is no uniform building line and therefore, the proposal has adopted generous setbacks from existing fairway tree |
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¹ <https://www.caselaw.nsw.gov.au/decision/549f88cd3004262463acf4e6> (at 22-31)

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| | <p>lines to ensure it is compatible in its natural setting</p> <p>This is discussed at length in Section 4.6 of this report.</p> |
| <p><i>Council does not agree with the Department's position that the scale of the proposal is consistent with other seniors housing developments within the former Pittwater Local Government Area. It is considered that the contrast and incompatibility of the proposal with the character of land uses in the vicinity is unlikely to be overcome by screening, and to date this has not been demonstrated.</i></p> | <p>The DA has been developed having regard to the scale of development in the surrounding area. Specifically, there are a number of large-scale seniors housing development sites in the surrounding locality, including several in Bayview, which are of a similar scale and density as the current proposal. A discussion of the proposal's bulk and scale and its similarity to existing seniors housing sites in the locality is provided in Section 4.6 of this report, which finds that.</p> <ul style="list-style-type: none"> • Sympathetic heights, bulk and scale, which is not substantially greater than the heights, bulk and scale of development in the locality, particularly existing seniors developments; • The siting and relationship of the proposed built form to surrounding space being of a lesser or consistent footprint compared to other buildings in the locality, particularly nearby seniors housing developments, as demonstrated in the figure ground plans in in the figures below; <p>Additionally, the View Analysis prepared by Virtual Ideas (Appendix D) demonstrates the effectiveness of the screening vegetation on minimising the visual impact of the development when viewed from surrounding sites.</p> |
| <p><i>Council's position is that the proposed seniors housing development would be inconsistent with the objectives of the RE2 zone as follows:</i></p> <ul style="list-style-type: none"> • <i>The proposed development would consist of a land use that is inconsistent with, and would reduce land available for, recreational purposes;</i> • <i>Whilst it is acknowledged that the proposed development would include other environmental and remediation works, the proposal includes substantial removal of significant and well established trees and vegetation within the development area; and</i> • <i>The proposed development would include three-to-four storey residential flat buildings. The height, scale and character of these structures would be completely inconsistent with both the existing and desired characteristics of the site and locality, would not be adequately integrated with the landform and landscape and is not consistent with the recreational purposes for which the site is zoned.</i> | <p>Inconsistent objectives of the zone are overridden by the provisions of the Seniors SEPP, which applies in this instance. In any event, the proposal:</p> <ul style="list-style-type: none"> • Is not required to be the same as, or equal to, a recreational purpose, given the proposed land use (seniors housing) is permissible through the application of the SCC. • Will not reduce land available for recreational purposes, as the site is privately owned by the golf club, and an 18 hole golf course will be retained (as the proposed seniors housing site is considered surplus to golf course operations). • The proposal will result in a net overall benefit for the environment having regard to the conservation and restoration works proposed throughout the golf course, including the significant replanting of trees. • The proposed height, scale and built form have been carefully designed and sited, having regard to the landform and landscape, in order to ensure its compatibility with surrounding development and the environment. <p>Whilst it is acknowledged that the site is zoned for recreational purposes under the LEP, the development is permissible via the Seniors SEPP as the site is being used for the purposes of an existing registered club, and because an SCC has been issued.</p> |

Applicability of, and consistency with, SEPP HSPD

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| <p><i>Council has previously contended that SEPP HSPD is not applicable to the subject site, as it is affected by natural hazards and is therefore considered to be “Environmentally Sensitive Land” pursuant to Schedule 1 of the SEPP. Based on information provided at the pre-lodgement stage, it is noted that a large proportion of the southern side of development remains situated within the geotechnical zone.</i></p> <p><i>Council’s view is that unless it can be demonstrated that no natural hazards (including a geotechnical hazard) affect the proposed allotment and/or development, then the provisions of SEPP HSPD cannot be applied to the seniors living portion of the development.</i></p> | <p>The LEP mapped geotechnical zone does not form part of the subject development site of the development application. Accordingly, the site is not defined as environmentally sensitive land under the Seniors SEPP. No natural hazards are present on the site of the proposed development. The Seniors SEPP therefore applies to the proposal, as confirmed by the issue of the SCC and the legal advice obtained by the applicant (refer to Appendix H).</p> |
| <p><i>In order for the Seniors Housing proposal to be permissible under the SEPP HSPD, the site upon which the Seniors Housing is to be located must be free of any geotechnical affectation. Additionally, it follows that any Torrens title subdivision that would produce that outcome would need to be proposed at the initial application stage – Concept Approval and Stage 1 DA. Any such subdivision must be considered at Stage 1, as permissibility issues potentially arising cannot be deferred to a later stage and may prevent a Concept Approval being issued.</i></p> | <p>Whilst the proposition of a Concept DA was discussed during Pre-Lodgement discussions, this DA is not a Concept DA under Section 83B of the EP&A Act. Additionally, it is noted that no land subdivision is proposed as part of this DA. There is no planning reason why the land needs to be subdivided. The proposed development is not located on land which is affected by a geotechnical hazard.</p> |
| <p><i>In the event that it can be demonstrated that the SEPP is applicable to the seniors living portion of the development, then the following would need to be appropriately addressed:</i></p> <ul style="list-style-type: none"> • <i>Building height (see below for further information);</i> • <i>Design Principles within Division 2. Noting concerns below regarding consistency with applicable development controls and both the existing and desired character of the area, it is unclear how the development would comply with Cl. 33 (Neighbourhood amenity and streetscape) of the SEPP;</i> <p><i>Based on submitted information, it is unclear whether at least 70% of dwellings within the development would receive sufficient solar access in accordance with Division 4 of the SEPP.</i></p> | <p>The project is permissible by virtue of the issue of the SCC by the DPE and by the provisions of the Seniors SEPP.</p> <p>Furthermore:</p> <ul style="list-style-type: none"> • The proposed building height has been carefully designed to ensure it is compatible with surrounding uses and the environment (refer to Section 0 of this report for further discussion). • The proposal is consistent with the Design Principles of the Seniors SEPP, as discussed in Appendix H of this report. <p>It is noted that more than 70% of dwellings will achieve solar access in accordance with the Seniors SEPP requirements, as demonstrated in the architectural drawings in Appendix A.</p> |
| <p><i>Further, the site is a significant distance from local services and facilities. It would need to be</i></p> | <p>As demonstrated with the SCC documentation and signed off by the DPE, the proposal complies with Clause 26 of the Seniors</p> |

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| <p><i>demonstrated how access to transport, services and facilities would be provided to residents both in accordance with the SEPP and in perpetuity; reliance on private transport (i.e. residents' personal vehicles) would not be seen as an acceptable means of obtaining access to these services</i></p> | <p>SEPP with regards to distances and gradients to services. This is also demonstrated with this DA, as discussed in detail in the Access Assessment Report in Appendix I.</p> <p>Future residents will have access to regular bus services. A bus stop is located on Annam Road within 260 metres of the site. There are 13 services running from 6am to 6pm that access this bus stop and will transport residents to local commercial centres, including Mona Vale and Manly. The operator (the development will be owned and operated by the Proponent) will also run buses for residents.</p> <p>The available public services comply with the requirements of Clause 26 of the Seniors SEPP in terms of proximity and frequency.</p> |
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Applicability of, and consistency with, SEPP 65

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| <p><i>As the proposed residential flat buildings are three or more storeys in height, the provisions of State Environmental Planning Policy No. 65 apply. Any future development application would therefore need to consider the provisions of this SEPP.</i></p> | <p>The requirements of the SEPP have been addressed as part of the DA documentation and the proposal is readily capable of achieving its objectives.</p> |
| <p><i>With regard to comments raised elsewhere within this document, concern is raised as to how the proposed seniors living development would be capable of addressing the principles within Schedule 1 of the SEPP, particularly those relating to context and neighbourhood character, built form and scale and amenity. Further, it is unclear whether the seniors living development would satisfy provisions relating to building setbacks and separation requirements (and associated issues such as visual privacy).</i></p> | <p>The proposal has been designed having regard to the Design Quality Principles in Schedule 1 of SEPP 65, as well as ADG requirements including setbacks and separation. This is discussed in Section 4.4 of this report.</p> |

Consistency with local planning controls

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| <p><i>Irrespective of comments provided above in relation to SEPP HSPD, zone objectives and height, the proposal is largely inconsistent with local planning controls.</i></p> | <p>The relevant controls of the Pittwater DCP have been addressed in Section 4.2 of this report. The applicant and design team have had regard to the controls of the Pittwater DCP and the objectives of the zone.</p> <p>The proposal constitutes a seniors housing development which is compatible in its setting. One of the key aims of the Seniors SEPP is to increase the supply and diversity of residences that meet the needs of seniors by setting aside local planning controls that would otherwise prevent the development of housing for seniors. The SCC process is a key foundation of this aim.</p> <p>It has been re-affirmed by the DPE through amendments to the Planning Act that the principal purpose of a DCP is to provide guidance to a consent authority and to proponents of development on land to which the DCP applies. DCP provisions are therefore not statutory requirements but are for guidance purposes only. The purpose of a DCP is give effect to the aims of</p> |
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| | <p>any environmental planning instrument that applies to the development. This includes, in this case, the Seniors SEPP. Where there is any inconsistency between the Seniors SEPP and the DCP, the DCP has no effect.</p> <p>Accordingly, the aims and provisions of the Seniors SEPP outweigh the requirements of the DCP, and override them to the extent of any inconsistency.</p> |
| <p><i>Noting other non-compliances, the proposed development would be largely inconsistent with the desired characteristics of the area. The proposed buildings would be of a height, bulk and scale that are grossly disproportionate to the surrounding area (particularly with regard to the use of the surrounding recreational-zoned sites), and significant excavation beneath these buildings suggests a form of development that would not be well integrated into the landform or landscape.</i></p> | <p>The proposal includes mostly 3 storey buildings (with some buildings containing a 4th storey, set back), which have been designed to respond to its surrounds to ensure its compatibility with the existing and desired future character of the locality as outlined in the Pittwater DCP. Refer to Section 4.2 of this report.</p> |
| <p><i>The lack of consistency with the desired characteristics of the area and applicable development standards and controls is reflected in comments made by the Department of Planning and Environment in their report regarding the Site Compatibility Certificate. Such comments indicate that “(T)he bulk, scale built form and character of the proposed development contrasts with the existing surrounding character of Bayview, which is predominately single detached housing with a maximum of two (2) storeys.” It is acknowledged that this report indicates that the “scale of the proposed development is consistent with other seniors housing developments throughout the Northern Beaches (former Pittwater) Local Government Area”, however as indicated below, references to other seniors living developments are not considered to be an acceptable justification for substantial variations to local planning controls and associated outcomes.</i></p> | <p>Whilst the DPE acknowledged that the proposal was not of a scale which was the same as surrounding development, it nevertheless deemed the proposal to be compatible with surrounding development and surrounding land uses. With reference once again to the established Court principle for ‘compatibility’, it is noted that <i>compatibility</i> is different from <i>sameness</i>. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance with surrounding development or land uses.</p> <p>Furthermore, the scale and density of surrounding seniors housing developments have not been used as a justification for a variation to planning controls, but rather, to demonstrate that seniors housing of this scale forms part of the character of the locality.</p> |

Building Height

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| <p><i>Concern is raised that the proposed development is excessively high and would present bulk and scale to surrounding areas that is highly inconsistent with the development standard and both existing and desired development within the locality.</i></p> | <p>A Clause 4.6 Variation has been prepared and is included as part of the DA documentation seeking a variation to the height of control of 8.5m in the Pittwater LEP. Refer to Appendix J.</p> <p>The design of the development, including its siting, bulk and scale, is such that it will not be overly visible from the public domain (particularly Cabbage Tree Road) and from neighbouring residential areas. The height of the development has also been carefully designed having regard to the relationship of the</p> |
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| | <p>landform and to reinforce the desired character of the area, with buildings being below the height of tree lines and presenting a low scale at the street frontage.</p> <p>The development is significantly set back from residential areas, and is predominantly masked by significant existing (and also proposed) vegetation. The development has also been designed to respond to the landform, with taller elements proposed away from the public domain and set back substantially from adjacent properties. The proposed height is therefore considered acceptable.</p> |
| <p><i>A variation to a development standard(s) would need to satisfy the criteria of Clause 4.6 (Exceptions to development standards) of Pittwater Local Environment Plan 2014, as Cl. 4.6(2) of the LEP applies to development standards "imposed by this or any other environmental planning instrument".</i></p> <p><i>Any such variation pursuant to Clause 4.6 of PLEP 2014 would need to address all provisions of clause 4.6 of PLEP 2014 and relevant case law/Land and Environment Court (LEC) planning principles.</i></p> <p><i>With regard to the above however, it is unclear how any request to a varying an applicable building standard(s) could be contemplated with respect to the requirements of Cl. 4.6(4) of the LEP...ent consent must not be granted for development that contravenes a development standard unless:</i></p> | <p>The Clause 4.6 Variation addresses all requirements of Clause 4.6 of the Pittwater LEP and addresses all relevant case law as required.</p> |
| <p><i>Council continues to contend that the proposal would not be in the public's interest as it would be inconsistent with the RE2 Public Recreation zoning of the site and that compliance with the 8m height standard would not be unreasonable if a more appropriately sized development were proposed. Aside from inconsistencies with the objectives of the RE2 zone, the proposed development would also be inconsistent with the objectives of the height standard, noting the lack of compatibility with surrounding development, building designs that are not integrated with the landscape due to significant excavation, and likely adverse impacts on the natural environment.</i></p> | <p>The objectives of the RE2 zone are subordinate to the Seniors SEPP, however, it is considered that the proposal is generally consistent with the objectives of the zone.</p> <p>The proposal has been designed to complement and maintain the surrounding recreation zoned land, and is consistent with the height standard, as demonstrated in the Clause 4.6 Variation in Appendix J.</p> <p>It is also noted for clarification purposes that the 8m height standard in Clause 40(4) of the Seniors SEPP is not applicable to the proposed development as the proposal does not seek approval for a residential aged care facility in a residential zone. The 8m height development standard in the Seniors SEPP (and indeed all development standards contained within Clause 40(4) of the Seniors SEPP) are intended to control bulk and scale impacts of nursing homes in low density residential zones.</p> |
| <p><i>Further, it should be noted that the presence of existing aged care facilities within [Sic] locality should not be used to justify the height and/or scale of the proposed development; such existing developments</i></p> | <p>The nature of existing development in the locality is relevant to determining whether the development is compatible with surrounding development and land uses, particularly in this case, the size and character of other seniors housing establishments. However, the development has been designed having regard to</p> |

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| <p><i>were not approved under current planning provisions including SEPP HSDP, are not consistent with the desired future character of the former Pittwater Local Government Area and should not be considered as such.</i></p> | <p>the landform and natural characteristics of the site, and does not rely on the scale of other development in the locality for justification of its design merit.</p> <p>In terms of referencing the 'desired future character', it cannot be ignored that these facilities make up part of the existing character of the area and should be recognised as such.</p> |
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1.6.2 Community Engagement

A consultative approach to the development of the concept was undertaken by Waterbrook (the applicant and future seniors housing operator) and Ethos Urban, based on extensive experience designing and delivering strategic communication and consultation processes for a variety of projects. The consultation program was designed to be practical and effective in explaining the project, highlighting key benefits and capturing community feedback.

Two community consultation sessions were held, where members of the community were invited to understand the proposal. The community consultation sessions were split, with an hour set aside for golf club members and two hours provided for members of the community. Community consultation sessions were held at Bayview Golf Club at the following dates and times:

Thursday 21 September 2017

Golf Club Members – 5:00pm – 6:00pm

Community – 6:00pm – 8:00pm

Saturday 23 September 2017

Golf Club Members – 9:00am – 10:00am

Community – 10:00am – 12:00pm

Approximately 100 Golf Club Members and 15 members of the community attended the information session held on 21 September 2017. On Saturday 23 September 2017 approximately 60 golf club members and 30 members of the community attended the information session. Each session was advertised by postcards, which were distributed to the local community via a letterbox drop on Wednesday 13 September 2017 and through newspaper advertisements which were published in the Manly Daily on the same day.

Community Feedback

Table 2 below provides a summary of feedback received at the community information sessions. No feedback was received via the website, phone line or email address established for the project. The feedback has been summarised into the categories of traffic, bulk, scale and visual impact, ecology, planning process, golf course design and sales.

Table 2 – Community feedback

| Issue | Response |
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| Traffic | |
| There were a number of questions about the speed that vehicles travel along Cabbage Tree Road. | Traffic calming devices will be installed along Cabbage Tree Road on approach to the entrance to the development. This includes the installation of a roundabout providing site entry to the seniors housing, acting as a traffic calming measure. |
| Concern that there were too many apartments proposed, as a result, too | The seniors housing has been developed following a comprehensive analysis of the potential of the site to cater for additional development. The height, bulk and scale of the development is deemed to be appropriate for the site. |

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| <p>much traffic will be generated.</p> | <p>Seniors housing requires a particular scale to ensure viability due to the additional infrastructure and services required on-site, in addition to funding the site-wide improvements to the gold course and surrounds in terms of flooding impacts and ecology corridor.</p> <p>Traffic impacts have been appropriately considered through a traffic impact analysis and will be assessed by Northern Beaches Council during the development assessment process.</p> |
| <p>Traffic is growing “exponentially” each year on Cabbage Tree Road and trucks disobey the light traffic restriction. This situation will be significantly exacerbated by the proposed Ingleside development (10,000 dwellings) and lack/delay of road improvements on Mona Vale Road.</p> | <p>The Ingleside development is an identified Priority Growth Area. It is aimed to deliver around 3,400 homes across Ingleside combined with the development of appropriate infrastructure. The AECOM Traffic Study prepared for the Ingleside development identifies that traffic is likely to increase on Cabbage Tree Road. This report does not provide detail on the existing traffic volumes on Cabbage Tree Road. However, it does provide projections for the road with and without development up to 2036.</p> <p>It demonstrates that traffic along Cabbage Tree Road will drop over the 2021 to 2036 period. The decreased volumes between 2021 to 2036 probably reflect the upgrade of Mona Vale Road (less the bypass) and the east-west link created to the north.</p> <p>Overall, the traffic volumes for Cabbage Tree Road are very low for what is a “collector road”.</p> |
| <p>Not enough spaces have been provided for buggy (golf cart) parking, not suitable to park them in a garage.</p> | <p>Golf carts that are used as part of the Seniors Housing development will be stored within the basement when not in use. Storing them above ground risks cluttering pathways for residents; with the basement parking easily accessible.</p> |
| <p>The quoted traffic generation (20 vehicle trips per hour) is far too low from experience and observation of the traffic movements of a resident at a nearby complex</p> | <p>Traffic has been appropriately considered through a traffic impact analysis which will be assessed by Northern Beaches Council during the development assessment process.</p> |
| <p>Questions as to why there is no tunnel for the buggy crossing of Cabbage Tree Road</p> | <p>The development of a tunnel is considered a significant expense for the crossing of a road in which traffic levels remain low and problematic from a water management perspective. Golf carts will be able to safely cross Cabbage Tree Road without major delays.</p> |
| <p>Concern about the intersection to the north (Annam Road & Cabbage Tree Road) which is very difficult and unsafe to exit from the side road</p> | <p>Modelling has been undertaken to determine the impact of the development on Cabbage Tree Road and the surrounding road network.</p> <p>The potential operational performance of the proposed access roundabout has been assessed as part of the Traffic Impact Assessment undertaken, using SIDRA with a 20% growth factor on the existing traffic volumes. The results, indicating a satisfactory operational performance, are provided in the TIA and summarised in the below:</p> <ul style="list-style-type: none"> • AM: Level of Service A, Average Vehicle Delay of 4.9 seconds • PM: Level of Service A, Average Vehicle Delay of 4.8 seconds <p>The assessment concludes that there will not be any unsatisfactory traffic capacity, safety or environmental related implications resulting from the proposed development.</p> |

| Bulk, scale and visual impact | |
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| Queries about the size of the development, size and layout of the proposed self-contained dwellings, and the height of the buildings | The seniors housing has been sensitively designed following a comprehensive site analysis. The architectural drawings and view analysis which accompany the DA demonstrate that the design can fit comfortably in the locality. |
| Support for the idea of the development but were against it in this specific location. | The development of seniors housing in this location has direct synergies with the operation of Bayview Golf Club, in that it will likely encourage growth of the membership of the club from future residents. Additionally, it is located in proximity to a number of other seniors housing sites and residential in a primarily residential context with safe road frontage, whilst avoiding any adverse amenity impacts on surrounding dwellings. |
| Concern about visual impact from the northern boundary and the road | The visual impact of the proposal was considered by the DPE as part of the SCC application. Whilst the visual impact will be minimal when viewed from the northern boundary, additional vegetative screening is proposed to further screen the development from surrounding residences. The View Analysis provided in Appendix D provides a representation of the immediate view of the site, as well as a 5 year view of the site that has been compiled in association with the landscape architects to represent the real growth of proposed plantings. |
| Question about the bulk and scale of the development | The scale of the development has been reduced since the original SCC application to become a maximum of three storeys for all buildings, with spaces between building pavilions. This is mindful of the existing character of the surrounding area and allows for the development of a viable seniors housing complex. |
| Questions about the location of the proposed development | Whilst there are a number of existing seniors housing sites within the locality, the Northern Beaches Council LGA has an increasingly ageing population and there will be a critical shortage of seniors housing within the LGA if not addressed through additional housing diversity. In terms of the locational attributes, it meets the criteria outlined in the Seniors SEPP under Clause 24. |
| Ecology | |
| General comments that the ecology of the golf course will be the biggest obstacle to the DA, however the community did note that there is little to no wildlife visible on the golf course. | An overall vegetation restoration strategy has been developed to increase the size and connectivity of the conservation linkages and ecological sustainability of the golf course. Therefore, the tree loss from the seniors housing site is to be offset with landscape plantings of local native species, providing for a net increase in revegetation for wildlife corridors. |
| Planning Process | |
| Query as to the role of the Sydney North Planning Panel and the Council in the Development Application process | The DA will be assessed by staff at Northern Beaches Council. However, in accordance with Schedule 4A of the EP&A Act, because the application will be valued at more than \$20 million, the Sydney North Planning Panel will be the determining authority. |
| Golf Course Design | |
| Distance from tee areas to the seniors housing development and query about what protective measures for golf balls would be required or are | A golf course masterplan was undertaken by Papworth and Parker Golf, who work as consultant golf course designers. The golf course masterplan was developed to specifically free up a 2ha site for development. In regards to the 4 th , 5 th and 6 th holes, Papworth and Parker found that the design satisfies the accepted intentional standards and as such should not expose the |

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| being proposed (and where)? | future residents to undue nuisance from golf balls. |
| Unit Sales | |
| Questions were asked about the unit pricing and timing of sales | The unit sales price and timing will begin following the determination of the DA. |

Key Stakeholder Feedback

Table 3 below provides a summary of the feedback received from members of the golf club who attended the consultation sessions. The majority of those who attended were very supportive of the proposed development, and the overall environmental benefits of the proposed concept.

It is expected that a significant proportion of end users of the proposed independent living units will be interested in membership of the golf club.

Table 3 – Stakeholder feedback

| Issue | Response |
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| Significant interest was shown in the development of the swimming pool area. | The swimming pool and spa centre forms part of the on-site facilities provided to the future residents of the seniors housing. The site facilities building also includes, amongst other things, a gym, hair saloon, cinema and beauty and massage centre for use of residents and their guests. |
| Members were particularly interested in the sizes of the apartments and how many parking spots per units. | All units have been designed with significant internal and external living area for future residents. All units will be provided with a car parking space. |
| A majority of the golf club members requested internal layout plans. | Internal layout plans have been prepared for all units and will be included with the final Architectural Plans. Issue noted. |
| The impact of the amended golf course design and layout were also discussed, with members interested in the changes to the 4 th hole. | A golf course masterplan was developed to specifically free up a 2ha site for development. In regard to the 4 th , 5 th and 6 th holes, Papworth and Parker found that the design satisfies the accepted intentional standards and as such should not expose the future residents to undue nuisance from golf balls. |

2.0 Site Analysis

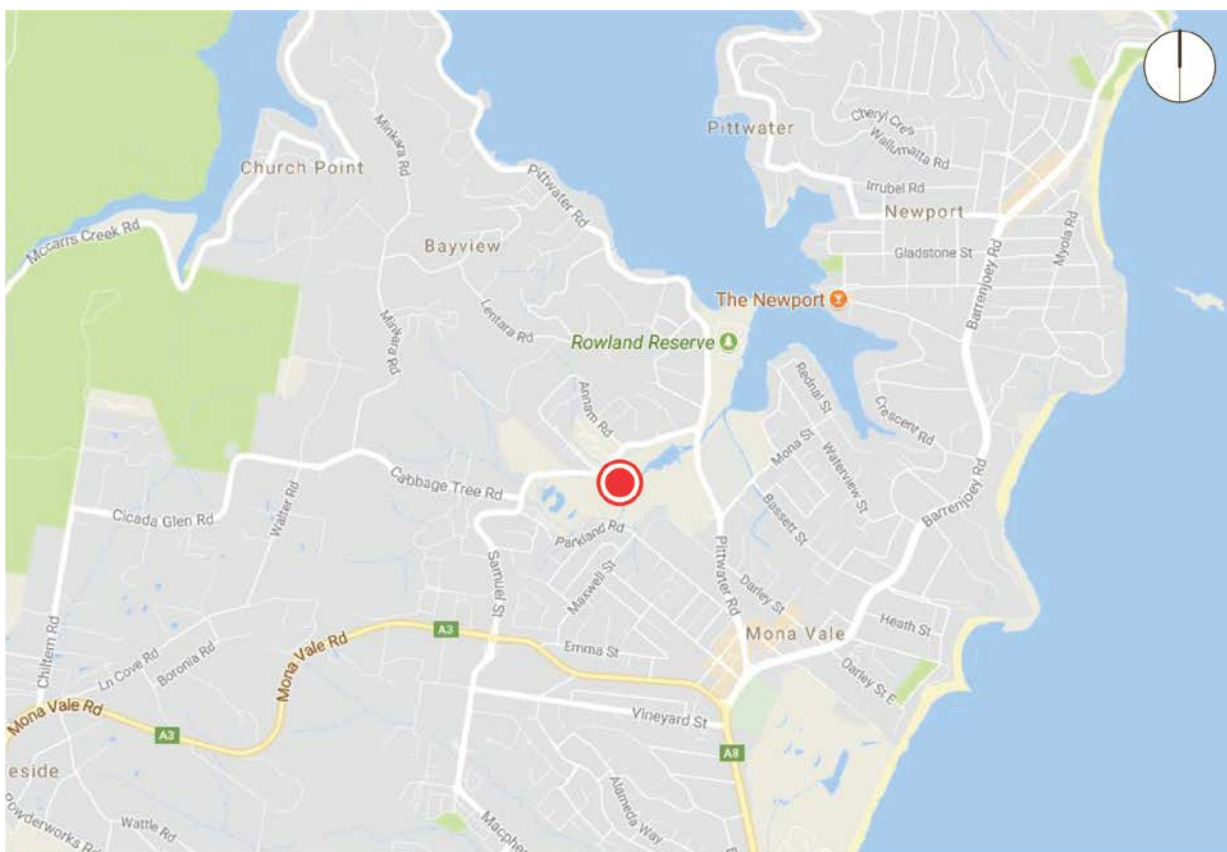
2.1 Site Location and Context

Bayview Golf Club is located at 1825 Pittwater Road, Bayview on Sydney's Northern Beaches. It comprises a clubhouse, existing fairways and greens. The golf course is split by Cabbage Tree Road to the north-west of the golf course.

The Bayview Golf Club is located within the Northern Beaches Council Local Government Area (LGA), formerly the Pittwater LGA. The southern side of the club is bounded by Pittwater Road to the east and Parkland Road to the south and surrounded by low density residential development to the north east and west.

The northern half of the golf club, including four fairways and greens is located to the north-west of Cabbage Tree Road. This part of the course is proposed to accommodate the proposed seniors housing development.

The site's locational context is shown at **Figure 1**.



 The Site

Figure 1 – Context map

Source: Google Maps and Ethos Urban

2.2 Site Description

2.2.1 Overall Site

The overall site constitutes the entire Bayview Golf Club site, excluding the land mapped as 'Geotechnical Hazard' on the LEP's 'Geotechnical Hazard Map'. The site comprises a number of parcels of land and is legally described as:

Table 4 – Legal description and site area

| Address | Lot and DP |
|--------------------------------------|--|
| 1825 Pittwater Road, Bayview | Lot 300 DP 1139238 |
| | Lot 1 DP 986894 |
| | Lot 2 DP 986894 |
| | Lot 3 DP 986894 |
| | Lot 191 DP 1039481 |
| | Lot 150 DP 1003518 |
| | Lot 7 DP 45114 |
| | Lot 5 DP 45114 |
| | Lot 6 DP 45114 |
| | Lot A DP 339874 |
| 52 Cabbage Tree Road, Bayview | Lot 1 DP 662920, but excluding the land mapped as 'Geotechnical Hazard' on the LEP's 'Geotechnical Hazard Map' |
| | Lot 1 DP 19161, but excluding the land mapped as 'Geotechnical Hazard' on the LEP's 'Geotechnical Hazard Map' |

The overall site comprises an area of approximately 367,725m² (36.8ha). It is irregular in shape, being predominantly used for the purposes of fairways and greens associated with the golf club building. The clubhouse is located on Lot 300 in DP1139238, directly adjoining and accessed from Pittwater Road.

A survey of the Bayview Golf Course land is provided within the Flood Impact Assessment included in **Appendix L** and includes details of site levels, vegetation, surrounding development and site characteristics.

An aerial photo of the overall site is shown in **Figure 2**.

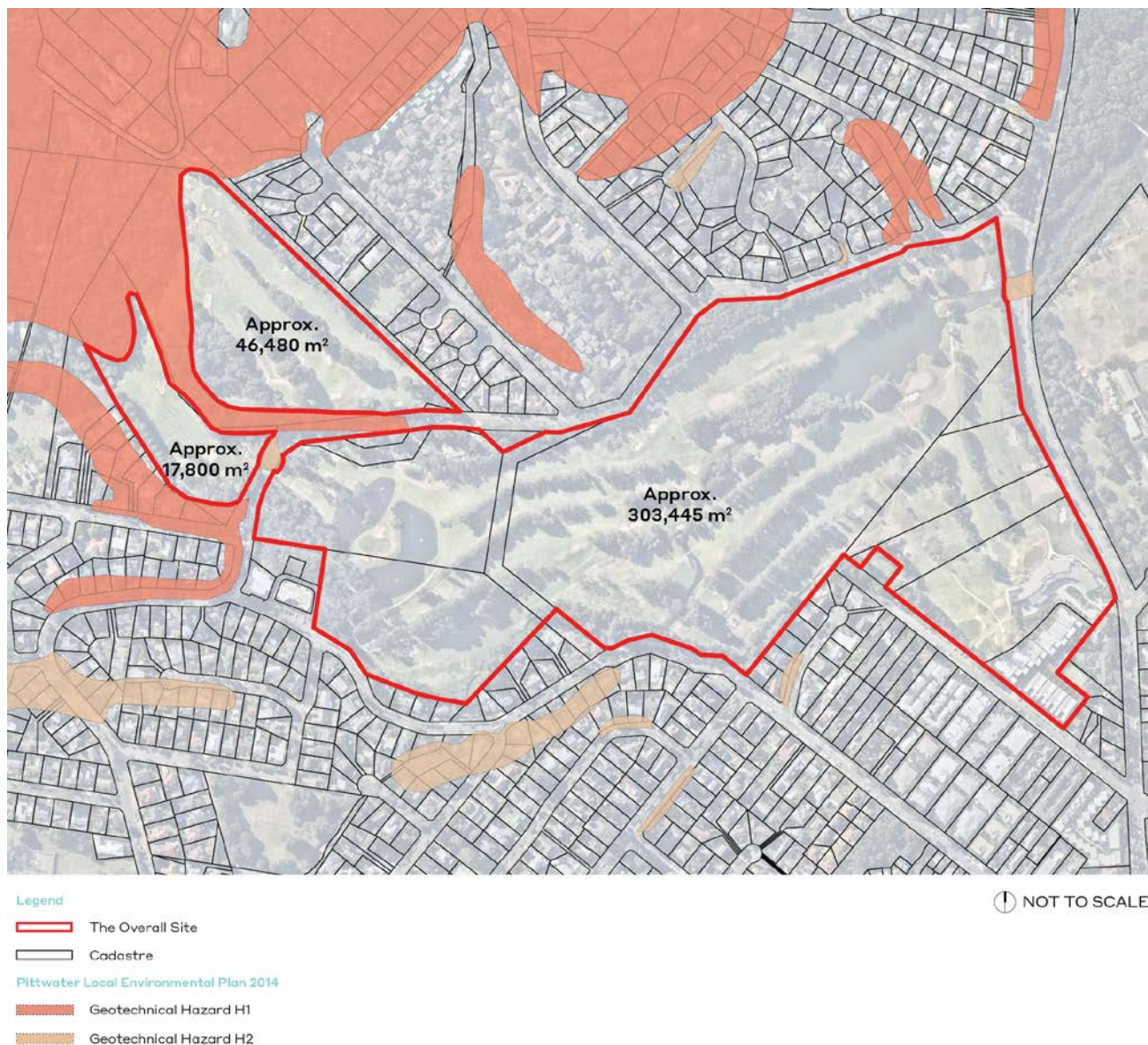


Figure 2 – Overall site

Source: Google Maps and Ethos Urban

2.2.2 Seniors Housing Site

The proposed seniors housing will be located north-west of Cabbage Tree Road on an elevated portion of the existing golf course. The seniors housing site is described as Lot 1 DP 662920, Lot 6 DP 45114 and Lot 1 DP 19161, but excluding land mapped as ‘Geotechnical Hazard’ within the Pittwater LEP 2014 Geotechnical Hazard Map, as illustrated in **Figure 3** below. The seniors housing site constitutes an area of approximately 98,847m² (9.85ha).

An aerial map shows the location of the seniors housing site in **Figure 3**. A site survey for the seniors housing site has been prepared by Bee & Lethbridge and is included **Appendix E**.

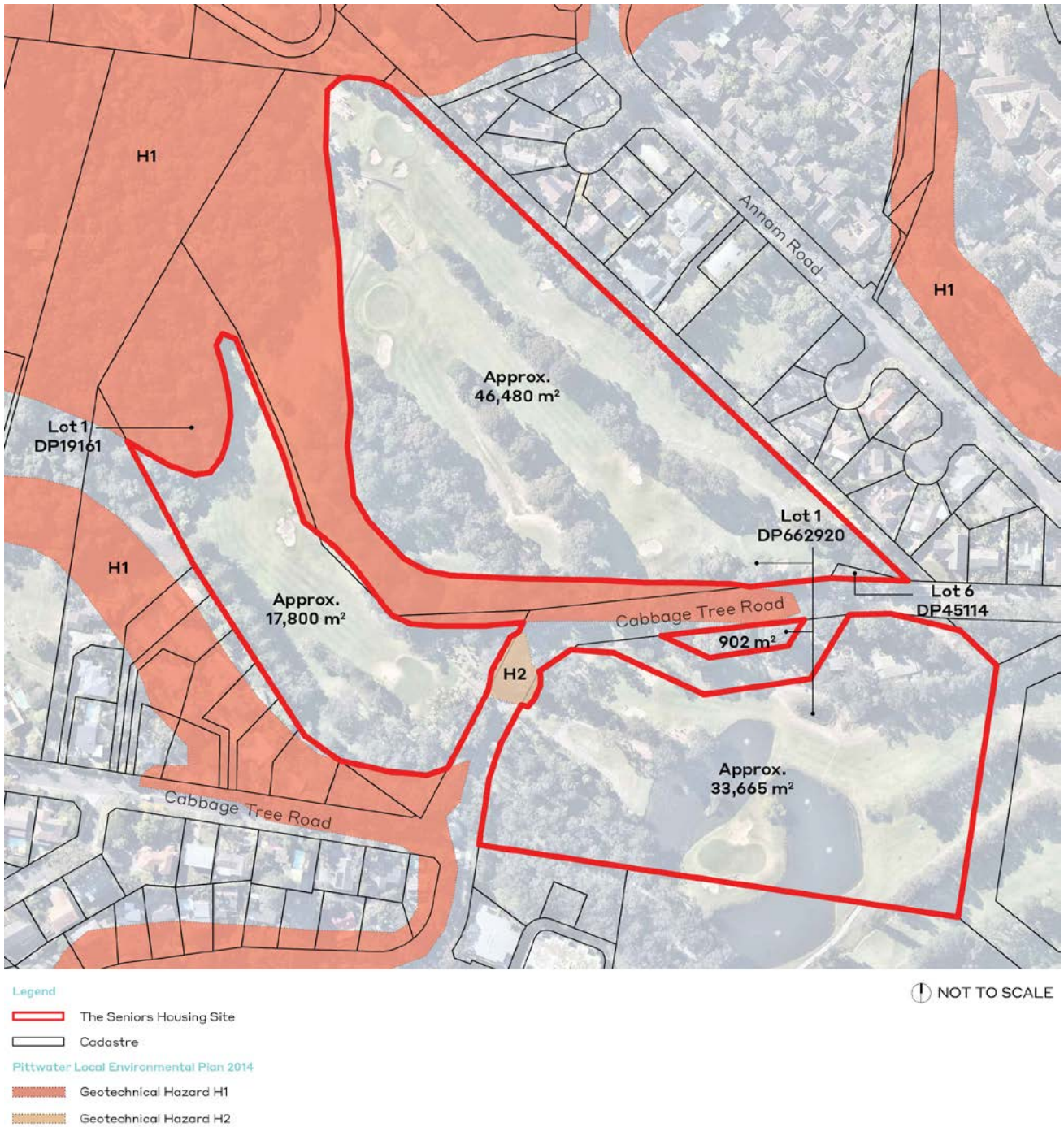


Figure 3 – Seniors housing site

Source: Google Maps and Ethos Urban

2.3 Surrounding Development

The land surrounding the site is predominantly residential in nature interspersed with some heavily vegetated areas. The town centre of Mona Vale is located approximately 700 metres south of the course clubhouse.

Development surrounding the site generally comprises the following:

- To the north: The site adjoins a vegetated area which rises significantly up towards dwellings on Barkala Road and the Aveo Minkara Aged Care Facility.

- To the south: Parkland Road and the suburb of Mona Vale adjoin the site to the south. The area is predominantly characterised by low density housing through to Mona Vale Road.
- To the east: Pittwater Road directly adjoins the site's eastern boundary. Pittwater High School is located across Pittwater Road with Pittwater itself located further to the north-east.
- To the west: Residential housing adjoins the site to the west, with Cabbage Tree Road connecting the site through to the rural residential suburb of Ingleside.

2.3.1 Development and Built Form Context

Development to the north-east of the site (beyond the golf course boundary) is characterised by single and two storey dwelling houses, as well as seniors housing developments of 2-3 storeys in scale.

The nearest residential receiver is located 38 metres from the site at 3 Kiewa Close, with a majority of residential properties to the north-east located in excess of 80 metres away from the site boundary of the seniors housing site. Non-urban zoned land is located to the north-west of the site with 2 and 3 storey detached dwelling houses located to the south-west over 130 metres from the proposed boundary. A small neighbourhood centre is located to the north-west of the site comprising 3 storey shop top housing development.

Nearby Seniors Housing

A number of seniors housing sites are located in proximity to the site. The Bayview Gardens retirement village, operated by Aveo, is located approximately 100 metres to the east of the site, fronting Cabbage Tree Road and Annam Road. That development comprises predominantly 2 storey townhouses and apartments, with recently completed and under construction 3 storey independent living and serviced apartments. A respite care facility, community centre and associated amenities are also provided within the retirement village.

Aveo also operates other nearby retirement villages, such as Peninsula Gardens, which is located further to the west on Cabbage Tree Road and Minkara Retirement Resort, located on Minkara Road to the north of the site. A numeric overview of these developments compared with the proposed Waterbrook seniors housing is provided in **Table 5** below. As can be seen from the table, the proposal's metrics are comparable with those of neighbouring seniors housing establishments in the locality. Figure ground plans have also been prepared of these developments, comparing the proposal's envelopes and building footprints, included below.

Table 5 – Numeric comparison of neighbouring seniors housing development with the proposal

| Site | Site area | GFA | Non-built area | Site coverage | FSR | Units |
|---------------------------|---------------------------|-------------|----------------|---------------|--------|-------|
| Aveo Bayview Gardens | 74,970 sqm | 109,488 sqm | 38,474 sqm | 49% | 1.46:1 | 288 |
| Aveo Minkara | 104,100 sqm | 42,804 sqm | 89,832 sqm | 14% | 0.41:1 | 159 |
| Aveo Peninsula | 94,120 sqm | 22,584 sqm | 86,592 sqm | 8% | 0.24:1 | 75 |
| Waterbrook Bayview | 18,791.8 sqm ² | 18,507 sqm | 8,826 sqm | 45% | 0.98:1 | 95 |

² For the purposes of identifying the relevant FSR calculation for the site, an area of 18,791.8m² has been utilised, being the area outlined in red in Drawing DA1.04 'Envelope Comparison', in the Architectural Drawing Set, included in **Appendix A**.



Figure 4 – View of existing seniors living units, Aveo Minkara

Source: Ethos Urban



Figure 5 – View of existing seniors living units, Aveo Minkara

Source: Ethos Urban



Figure 6 – View of existing seniors living units, Aveo Minkara

Source: Ethos Urban



Figure 7 – View of existing seniors living development, Aveo Peninsula

Source: Ethos Urban



Figure 8 – View of existing seniors living units at Aveo Bayview Gardens, viewed from Annam Road

Source: Ethos Urban



Figure 9 – View of existing seniors living units at Aveo Bayview Gardens, viewed from Kiah Close

Source: Ethos Urban

2.4 Immediate Context (Site Analysis): Seniors Housing Site

The seniors housing site has been informed by a detailed site and contextual analysis which has included feedback from a range of consultants in the fields of flooding, flora and fauna assessment, bushfire assessment, geotechnical / acid sulphate analysis, servicing, traffic and access. The seniors housing site forms part of the overall golf course site. The detailed site analysis, as required by Clause 30 of the Seniors SEPP, is included in the Architectural Drawings package in **Appendix A**.

This site analysis has directly informed the location of the proposed buildings, with a view to maximising spatial separation to residential properties adjoining the golf course land, minimising the proposal's impact on the environment and ensuring that the building elements are located outside the hitting zones associated with the reconfigured golf course surrounding the proposed development.

The seniors housing site is located on a spur in the north-west of the Bayview Golf Club land. The spur descends in a south-easterly direction from the Warriewood escarpment to the west down to the southern side of Cabbage Tree Road. The highest elevation of the seniors housing site is approximately 27m AHD in the north-west corner and the lowest around 3.5m AHD in the eastern corner (as shown in **Figure 10**).

The vegetation on the Seniors Housing site consists of open mown grass fairways, greens and tees with canopy trees lining fairways the (see **Figure 12**). A narrow band of denser vegetation is located on the steeper land adjacent to the proposed western boundary and along the Cabbage Tree Road frontage. The majority of trees are indigenous species, with some exotic and non-indigenous tree plantings.



Figure 10 – View along proposed road towards the connection to Cabbage Tree Road

Source: Ethos Urban



Figure 11 – Topography of the surrounding golf course site

Source: Ethos Urban



Figure 12 – View looking up the 5th Fairway, being the location of the future seniors housing

Source: Ethos Urban

2.5 Natural Environment Context

The site and its surrounds are subject to various flora and fauna habitats. Surrounding the site, there are:

- To the north-west: the ridgetop of Warriewood escarpment has an elevation of more than 100 m AHD and includes the cleared farming land of Ingleside. Remnant open forest occurs on the slopes, including in adjoining gully vegetation to the north-west, Katandra Bushland Sanctuary 800 m to the south-west, Ku-ring-gai Chase National Park 1.5 km to the west.
- To the south-west, south and north-east: residential land with scattered pockets of indigenous trees, as well as patches of bushland varying in size from 0.033 ha of Illya Avenue Reserve to 2.6 ha of Minkara Reserve within 1 km of the BGC land; and
- To the east: Pittwater Road with Pittwater High School constructed on filled land further to the east, estuarine vegetation associated with Cahill Creek, and further to the east by bushland of Winnererremy Foreshore Bay Reserve and the recreational turfed foreshore of the 9.16 ha Rowland Reserve (adjoining Winnererremy Bay).

The landform, drainage and vegetation of the site have been highly modified over the 90-year history of use as a golf course. From a review of the historic aerial photographs, clearing and planting have been widespread with extensive landform modification on the low-lying portion of the course. Additionally, the mapped watercourses close to the north, south and south-west boundaries are historically dug drainage lines to a depth of -1 m AHD. Cahill Creek has been also historically modified and deepened.

In terms of local habitat connectivity, there are bushland areas located:

- to the west of the golf course, located on private land and which form part of the Warriewood Escarpment;
- to the east, a <5 ha area of natural habitat on the western foreshore of Winnererremy Bay; and
- to north and south, sparse to moderate tree canopy cover on residential land.

An analysis of the potential impact of the proposal on the natural environment is contained in **Section 4.13** and is further analysed within the Environmental Assessment (Ecology) Report (**Appendix M**).



Figure 13 – Creek line running through the lower portion of the golf course

Source: Ethos Urban



Figure 14 – Fairways, vegetation and adjoining pathways along the course perimeter

Source: Ethos Urban



Figure 15 – Illustration of flora and fauna on site (adjacent to 7th green)

Source: Ethos Urban



Figure 16 – View down the 7th fairway towards adjoining residences

Source: Ethos Urban

2.6 Ecological Constraints

An assessment of the ecological constraints and opportunities of the site is included in the Environmental Assessment report prepared by Anne Clements & Associates in **Appendix M**. The purpose of the assessment undertaken was to determine the flora and fauna environmental constraints and opportunities on the highly modified Bayview Golf Club land. The assessment identifies the flora and fauna constraints discussed below, and describes the overall golf course site into two areas, being 'higher land' (land at an elevation above 3m AHD) and 'low-lying land' (being land at an elevation of less than 3m AHD).

Higher Land (>3m AHD)

On the seniors housing site, which is on the higher portion of the golf course to the north-west of Cabbage Tree Road, and which is on the lower section of a gently sloping spur, the following flora and fauna constraints were identified:

- The vegetation within the proposed development site consists mostly of mown exotic grass fairways with between-fairway strips of canopy trees.
- The soils of the proposed development area have been manipulated for the golf course use.
- Remnant trees on the proposed development site are mainly *Eucalyptus paniculata*, with *Angophora floribunda*, *Eucalyptus scias*, *E. umbra*, with *Syncarpia glomulifera* also common. These tree species are representative of 'Coastal Enriched Moist Forest' mapped by Council. This community was likely to occur in this area before clearing.

Adjacent to the proposed development site, but still on higher land, the following flora and fauna constraints were identified:

- The mown fairways and between fairway vegetation continues to the north, north-west and south-west. There is remnant wet sclerophyll forest containing rainforest elements downslope of the proposed development site and upslope of Cabbage Tree Road and modified forest adjoining the proposed development site to the north-west and west.
- In the north-west of the BGC land, there is a reference site of wet sclerophyll forest with rainforest elements.
- *Livistona australis* is also a prevalent species, particularly to the south of the proposed development site and in remnant forest in the north-west of BGC land. Other wet forest elements such as ferns and vines are common.
- No communities of Commonwealth or State conservation significance were recorded on the proposed development land, but areas with subcanopy and midstorey vegetation includes rainforest elements, notably *Livistona australis*, adjoining the development site.
- The watercourses appear to be adversely affected by urban runoff from adjoining residential areas, including likely sewage overflow evident from high *E. coli* readings in watercourses adjoining the perimeter of the BGC land. There is evidence of brackish/saline influence throughout much of the lower areas of BGC land.
- The 121 exotic species recorded include 15 weeds (formerly listed as Noxious) for Pittwater LGA, namely: *Acetosa sagittata*, *Anredera cordifolia*, *Araujia sericifera*, *Asparagus aethiopicus*, *Asparagus plumosus*, *Cardiospermum grandiflorum*, *Cinnamomum camphora*, *Lantana camara*, *Ligustrum lucidum*, *Ligustrum sinense*, *Ochna serrulata*, *Oxalis debilis* var. *corymbosa*, *Oxalis latifolia*, *Romulea rosea* and *Senna pendula* var. *glabrata*.

- Five hollows and two potential hollows were detected in the survey north of Cabbage Tree Road, with one hollow and one potential hollow located within the proposed development area. The loss of one hollow from the proposed development would not be significant provided its loss is offset by the installation of nest boxes.
- A Powerful Owl (*Ninox strenua*) was detected in the vicinity in July 2017 and also heard on 16 November 2017 in the rainforest section to the north-west of the proposed development site. On 17 November 2017, in the same area two fledgling Powerful Owls and an adult were observed sitting in the canopy of a large *Ceratopetalum apetalum* (Coachwood).

Low-lying Land (<3m AHD)

The following flora and fauna constraints were identified on the low-lying sections of the golf course:

- The landform has been extensively modified with filling and relocation of creeklines.
- There are limited areas of original Coastal Floodplain soil in the west, south of Cabbage Tree Road, mapped by Benson and Howell (1994) as a patch of Coastal Swamp Forest Complex (Map unit 27a in **Appendix M**), and a narrow strip adjoining Cabbage Tree Road. The reference site for the Coastal Floodplain community is a narrow strip of degraded forest on low-lying land south of Cabbage Tree Road.

The native vegetation on original low-lying Coastal Floodplain soil is of conservation significance as the endangered ecological communities of Coastal Floodplain under the *NSW Threatened Species Conservation Act 1995*.

2.7 Stormwater and Flooding

The stormwater and flooding context for the site is taken from the relevant flood study for the site, being the *Mona Vale, Bayview, and McCarrs Creek Flood Study Review*, prepared by Royal Haskoning DHV. Northern Beaches Council adopted this flood study in July 2017.

Figure 17 below shows the Flood Planning Area (1% Annual Exceedance Probability [AEP] flood level plus 500mm freeboard) from the *Mona Vale, Bayview, and McCarrs Creek Flood Study Review*. As can be observed, the majority of the low-lying portion of the Bayview Golf Course is inundated by mainstream flooding in the 1% AEP event. The Probable Maximum Flood extents from the *Mona Vale, Bayview, and McCarrs Creek Flood Study Review* are shown in **Figure 18**. The peak flood level is about 3.1m AHD in the golf course.

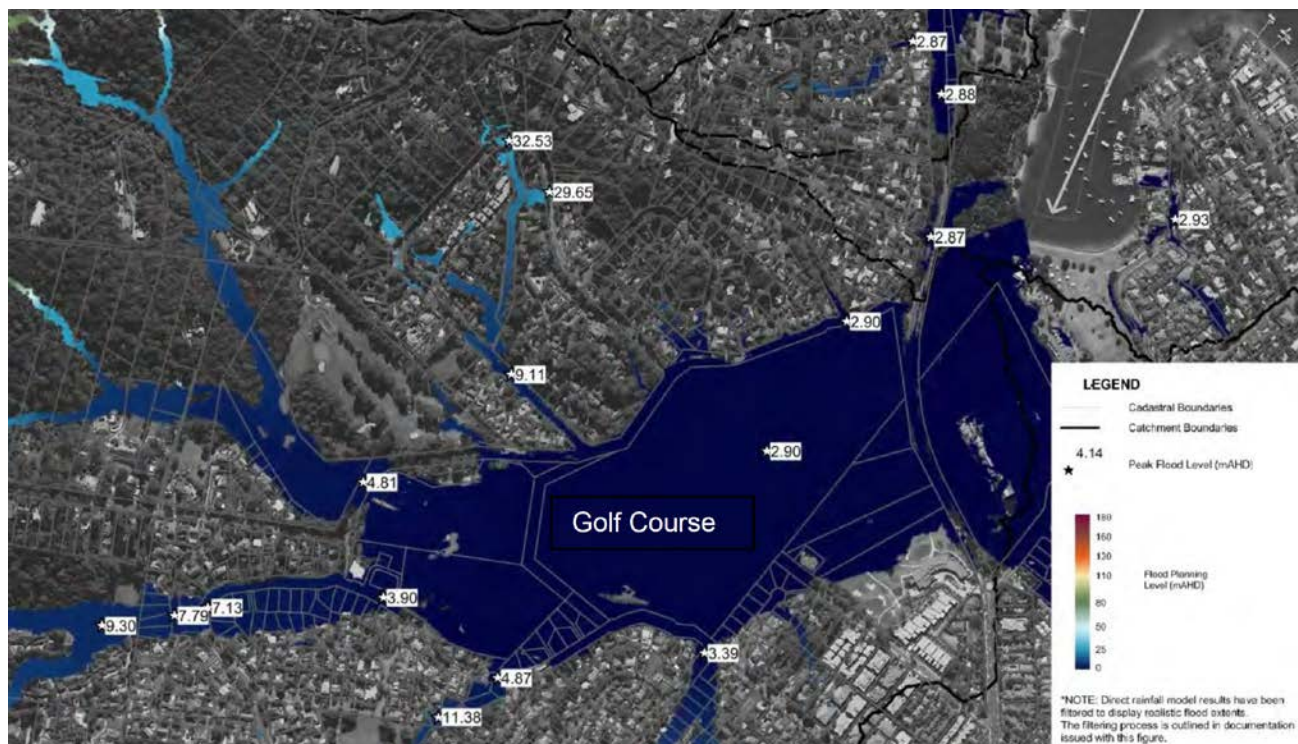


Figure 17 – Flood Planning Area Map for the Bayview Golf Course

Source: Royal Haskoning DHV (Cardno 2017)

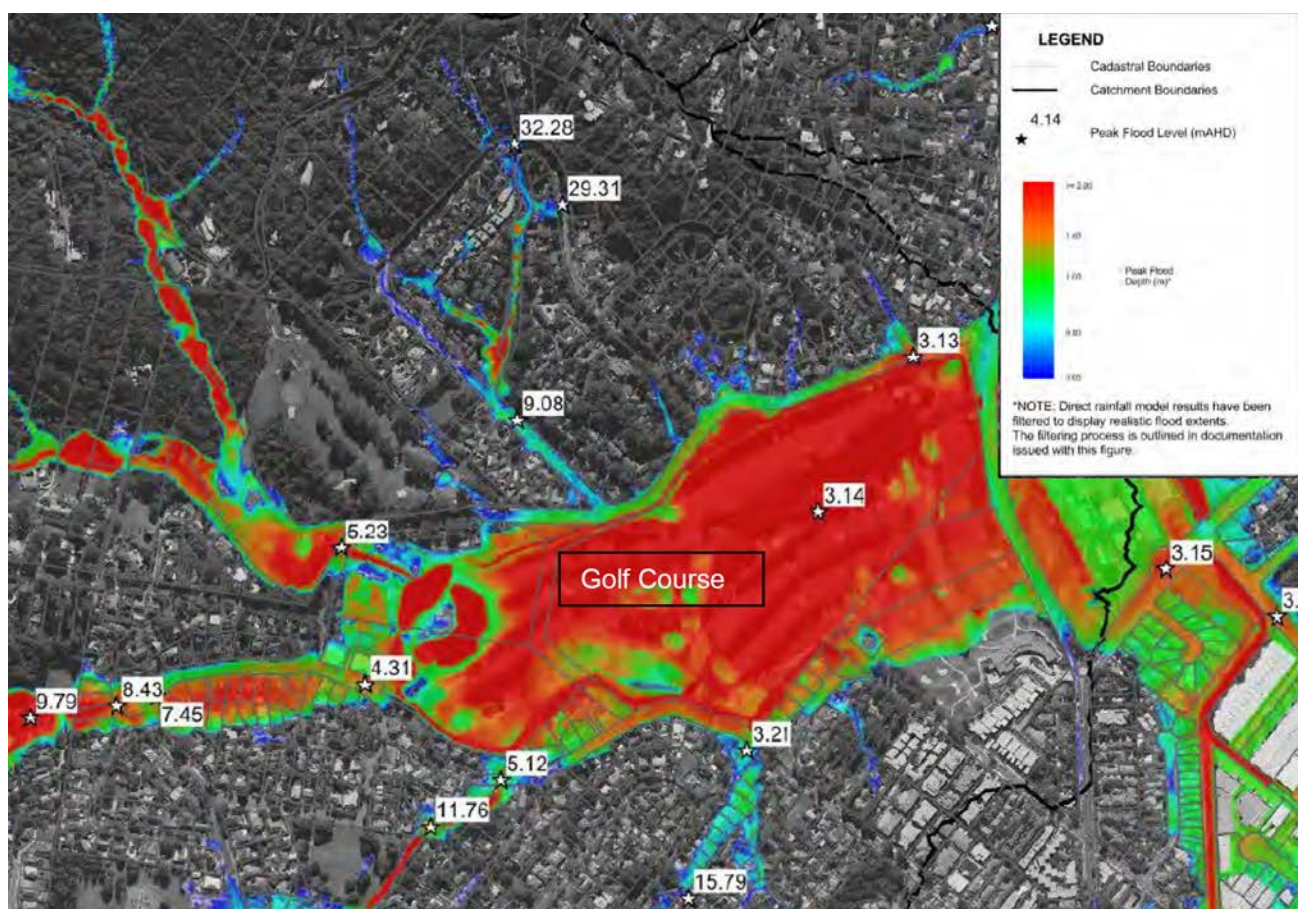


Figure 18 – PMF Flood Levels for the Bayview Golf Course Site

Source: Royal Haskoning DHV (Cardno 2017)

3.0 Description of Proposed Development

This DA seeks approval for the following development:

- Golf course upgrade works, including:
 - Golf course layout reconfiguration including the retention of all 18 holes in a manner that will accommodate a seniors housing development, substantial flood mitigation works and the revegetation strategy whilst still meeting the needs of golf club members;
 - Flood mitigation works, including raising sections of the golf course to improve playability and reduce inundation, and the rehabilitation of creek lines through the course;
 - Revegetation of the surrounding golf course to increase the size and connectivity of the conservation linkages promoting flora and fauna corridors that will better connect the upper catchment of the golf course with the lower portion of the course and Bayview;
 - New pathways allowing for improved access between within the course; and
 - Demolition of the existing maintenance shed, to be replaced by a new maintenance facility for the storing of maintenance equipment.
- Seniors housing, being 95 in-fill self-care units and ancillary facilities for the purpose of seniors living, including:
 - Site preparation works;
 - Construction and use of seven (7) separate buildings of predominantly 3-4 storeys in height, to be operated as a retirement village (within the meaning of the *Retirement Villages Act 1999*);
 - Basement parking for 186 cars, loading and servicing;
 - Landscaping works, including ground level landscaping for the creation of a communal open space area for future residents; and
 - Extension/augmentation of services and utilities to service the development.
- Construction and use of a road linking the proposed seniors housing development to Cabbage Tree Road and a round-a-bout on Cabbage Tree Road (and associated pedestrian crossing); and
- Construction of an access pathway from the site through to the bus stop on the eastern side of Annam Road.

Architectural drawings illustrating the proposed development are included in **Appendix A**. A photomontage of the proposed development is shown in **Figure 19** and **Figure 20**. A cut and fill plan has also been prepared by Cardno (**Appendix L**) which illustrates the proposed flood mitigation works, and a revegetation plan is included in the Environmental Assessment in **Appendix M**.



Figure 19 – Photomontage of driveway and reception area of proposed seniors housing

Source: Marchese Partners



Figure 20 – Photomontage of the proposed seniors housing building typology

Source: Marchese Partners

3.1 Design Principles

The planning and design principles that have underpinned the overall design of the proposal can be described as follows:

Golf course works

- Improve playability by raising parts of the golf course to reduce frequent inundation;
- Reduce flood impacts to surrounding residential areas;
- Improved ecological corridors; and
- Improved drainage connectivity.

Seniors housing

- **Familiarity:** The buildings have been designed with different materiality responsive to the use of buildings to help seniors understand where they are and to identify which way they need to go.
- **Legibility:** The village has been designed to create a very clear sense of entry into the site and into each building.
- **Distinctiveness:** The design provides a very clear image of where the Seniors are at all times. Buildings are connected through clearly defined links and spaces.
- **Accessibility:** The design provides an accessible pedestrian connection surrounded by gardens and communal spaces linking the Independent Living Units to the facilities building and also to the public domain. These connections enable residents to move easily and comfortably around spaces and places.
- **Connectivity:** The communal areas and the garden has been carefully designed to provide large accessible outdoor spaces that can be enjoyed throughout the year by the residents and their visiting family and friends. In addition to that a vast selection of on site services have been incorporated to accommodate the needs of ILU residents and family, friends and the greater community.
- **Safety:** The entry building includes the drop-off area and the reception area, which provides a single, safe and secure entry to the site for the residents and their visitors. Independent Living Units are accessed through controlled access points. The provision of on-site care, will provide the residents and their families a great deal of comfort knowing that in the event of an incident, the resident will be in the safe hands of the Waterbrook Staff.
- **Individual choice:** Waterbrook Bayview has been designed to respond to the wide variety of life styles of Seniors living locally on the Northern Beaches. It provides a mix of unit types and sizes all afforded excellent amenity, space and natural light.

3.2 Numerical Overview

The key numeric development information is summarised in **Table 6**.

Table 6 – Key development information

| Component | Proposal |
|---|---|
| Site area | |
| <ul style="list-style-type: none"> Overall site Seniors housing site | <ul style="list-style-type: none"> 367,725m² (36.8ha) 98,847m² (9.85ha) |
| GFA (Seniors SEPP definition) | 18,507m ² |
| FSR (Seniors SEPP definition) | 0.98:1 ³ |
| Maximum height | |
| <ul style="list-style-type: none"> Seniors SEPP definition Pittwater LEP definition | <ul style="list-style-type: none"> 12.20m (RL 26.99), being the underside of the topmost ceiling of the Facilities Building 13.99m (RL 27.19), being the roof of Building F |
| Future boundary setbacks | |
| <ul style="list-style-type: none"> North-east South-west | <ul style="list-style-type: none"> 6.6m average (min 1m / max 12.8m) 5m average (min 0m/ max 9.8m) |
| Self-contained dwellings | 95 |
| Dwelling mix | |
| <ul style="list-style-type: none"> 1 bedroom 2 bedroom 3 bedroom | <ul style="list-style-type: none"> None 8 87 |
| Car spaces | 186 |
| Site coverage | 8,457.5m ² (45%) |
| Landscaped Area | 8,826m ² (47%) |
| Deep Soil Zone | 3,538.2m ² (18.8%) |

3.3 Proposed Seniors Housing

The proposed seniors housing development comprises a number of aspects. The development is for the purposes of 95 in-fill self-care units and ancillary facilities for the purpose of seniors living. Development consent is sought for the following construction works:

- Site preparation works, including tree removal and earthworks;
- Construction and use of seven (7) separate buildings of predominantly 3-4 storeys in height, to be operated as a retirement village (within the meaning of the *Retirement Villages Act 1999*) including the following services:
 - Meals;

³ For the purposes of identifying the relevant FSR calculation for the site, an area of 18,791.8m² has been utilised, being the area outlined in red in Drawing DA1.04 'Envelope Comparison', in the Architectural Drawing Set, included in **Appendix A**.

- Nursing services;
 - Personal care; and
 - Cleaning services.
- Landscaping works, including ground level landscaping for the creation of a communal open space area for future residents;
 - Basement parking accommodating 180 car parking spaces and 22 buggy spaces;
 - Extension/augmentation of services and utilities to service the development; and
 - Construction of a road facilitating access into the proposed seniors housing development from Cabbage Tree Road, including pedestrian facilities connecting to Cabbage Tree Road, and a proposed roundabout.

3.3.1 Operational Layout

The site layout and the distribution of bulk has been a key element in the development of the design, which has been driven by the operational needs of the proposal seniors housing offering. The model proposed by Waterbrook is unique, which aims to provide a diversity in offering of seniors housing, centred on an 'ageing in place' model.

The Waterbrook model is based on providing seniors with an opportunity to age in place in an independent living unit, but whilst also having access to significant services on-site, 24 hours a day, in a secure environment which is purpose designed for seniors residents. These services, which are described in detail in **Section 3.3** of this report and most prominently include meals, nursing services, personal care and cleaning services (provided both within units when requested by residents, and in the main facilities building), are the foundation of the proposed seniors housing model. To this end, the layout of the development has been designed to maximise the level of service which staff can provide to its future residents in-line with the unique offering.

Facilities Building

To achieve the goal of providing a services-rich environment for future residents, a facilities building is proposed to form the entrance to the development, which includes the reception and common facilities of the development. The importance of locating the facilities building at the entrance to the development but also in proximity to the residential buildings is to ensure that a single controlled point of entry to the development is provided, maximising the safety of future residents, whilst also providing an unambiguous and welcoming entry to the overall development for members of the community and guests of future residents.

The facilities building is located a short distance from all units, and typically, older residents will select units which are the shortest distance away from the facilities building. Residents are encouraged to visit reception on a daily basis to collect mail and other communication, in this way staff are able to oversee resident wellbeing by this warm and friendly interaction. A central building designated for facilities and services ensures resort vibrancy and social and community connection, which is imperative to ensure optimum mental and physical health of future residents.

Figure 21 illustrates the proposed layout and location of the facilities building relative to the residential buildings, and **Figure 22** provides a visual representation of the reception interior of the facilities building.



Figure 21 – Ground floor plan, facilities building and residential blocks

Source: Marchese Partners



Figure 22 – Facilities building interior, reception area

Source: Marchese Partners

Communal Open Space

The built form strategy centres on the creation of a centralised communal open space that acts as the focal point for activity and amenity within the site, and which provides a direct connection to the facilities building for future residents and their guests. The communal open space has been designed to promote the principle of connectivity, providing large accessible outdoor spaces that can be enjoyed throughout the year by the residents and their visiting family and friends.

A pedestrian network traverses the overall development site and the communal open space, designed without steps or stairs to cater for ageing residents. Resident safety is a major factor in the design development, and the design ensures motor vehicles are unable to access these internal safety zones in the centre of the facility, ensuring the highest levels of amenity in a heavily landscaped setting.

The residential buildings are therefore accessible directly from the communal open space or from the basement parking areas beneath. The buildings are situated on the outskirts of the development and serve as the interface between the seniors development, and the avenue of trees along the perimeter. This layout serves the dual purpose of separating land uses and minimising land use conflict, whilst also providing opportunities for dual aspect, cross through units which enjoy the benefits of significant outlooks to within the development and to the golf course and bushland to the exterior.

Figure 23 below demonstrates the proposed landscape concept for the communal open space area, and **Figure 24** is a photomontage of proposed communal space (looking towards the facilities building).

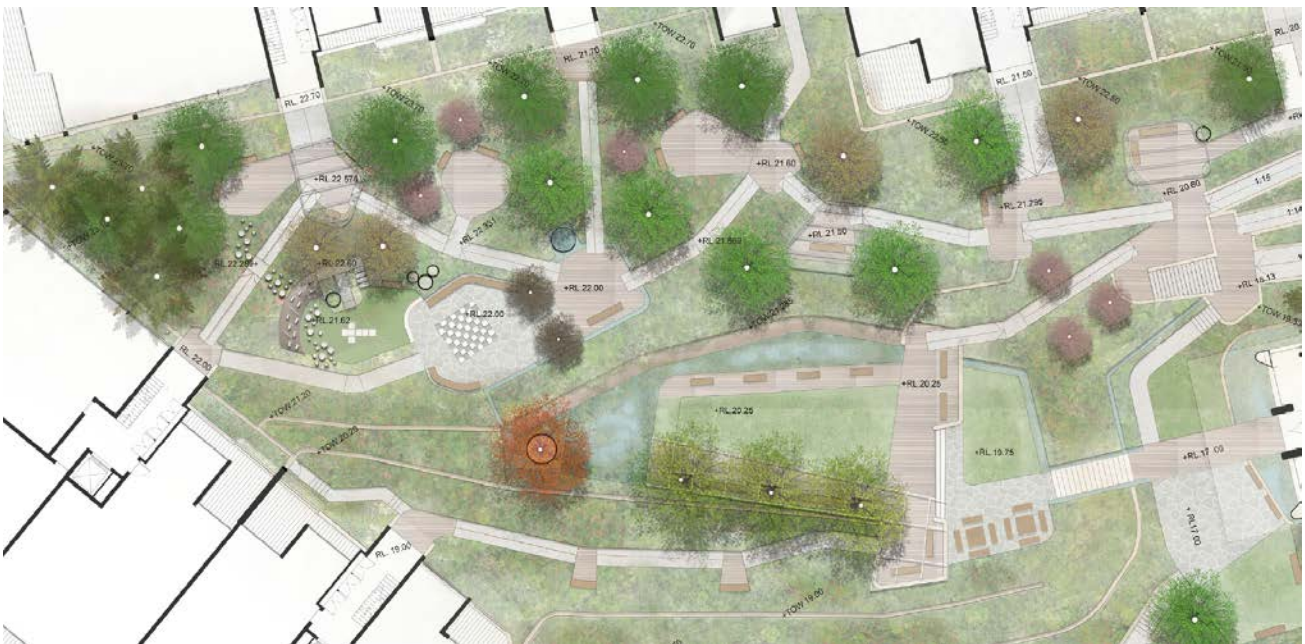


Figure 23 – Proposed landscape concept, communal open space area

Source: Site Design + Studios



Figure 24 – Photomontage of proposed communal space (looking towards the facilities building)

Source: Marchese Partners

3.3.2 Site Preparation and Earthworks

Site preparation works are limited to tree removal and earthworks within the seniors housing site.

An Arboricultural Impact Assessment has been prepared by Footprint Green and is included in **Appendix X**. This report has assessed the condition and significance all trees on the seniors housing portion of the Bayview Golf Club. Within the seniors housing site, there are approximately 290 trees on or adjacent to the proposed development that have been assessed. In total:

- 130 trees are to be retained;
- 1 tree / Cabbage Palm is to be transplanted; and
- 159 trees are proposed to be removed.

Of the trees to be removed, 3 are weed species listed in the Greater Sydney Regional Strategic weed management plan, 22 trees are exempt under the Pittwater Development Control Plan and can be removed without consent and 12 other trees are considered to be unstable. The remaining trees are in good condition and require consent for removal. It is proposed to offset this tree removal through significant revegetation of the site, and through the planting of local species, as selected by the ecologist (refer to **Appendix M**).

3.3.3 Basement

A three level basement is proposed for the seniors housing development. Given the steep rise in topography away from Cabbage Tree Road to the north-west, the basement is stepped with the land, creating levels which ramp up towards the north-west. The basement is generally beneath the building extents, minimising the required level of excavation and providing ease of access to all future residents with a significant number of lift cores (including wheelchair lifts).

The basement levels also provide buggy parking for residents, storage cages, and have ample room for loading, and is primarily accessible from a ramp down from the internal access road. 180 car spaces are proposed within the basement, which includes parking for guests and their visitors.

Loading and waste areas are also included in the basement.

3.3.4 Residential Pavilions

The seven pavilions are generally 3 storeys in height, with the two westernmost blocks (Blocks D and E) being 4 storeys in height with a recessed upper level. They have been designed to respond to the site's landform and environmental constraints and sensitivities, and to deliver the best urban outcome for both the future residents of the site and surrounding area.

The building form has been divided into seven separate building elements to break up the massing of the development and enable the buildings to respond to the site's sloping topography, as well as allowing views through the site and greater permeability and connections to the environment.

The buildings have upper floors recessed, so as to ensure they reduce perceived height and bulk from ground floor gardens and external viewpoints, whilst also maximising solar access levels to the communal open space areas.

The built form has been arranged with ground floor units connecting Blocks A and B, Blocks C and D, as well as E and F. The facilities building is proposed in a location which is central to all building blocks, ensuring equal access for all residents.

Blocks A and B

Blocks A and B are situated at the eastern end of the seniors housing development. Both buildings are 3 storeys in height with a maximum height of 9.8 metres (RL 18.8) for Building A, and a maximum height of 9.5 metres (RL 27.5) for Building B. They comprise the following number of units:

- Block A: 12 units
- Block B: 13 units

Two lift cores are provided in each of the buildings. The buildings have a predominantly north and south aspect, with all units provided with a north-facing area of private open space. Two points of entry are provided for both buildings from ground level. A green roof is proposed above the central and interconnecting ground floor unit, separating Blocks A and B by 9.5 metres.

Block A is the closest building to Cabbage Tree Road and is the closest building to adjoining residences, being 39 metres from the dwelling house at 3 Kiewa Close to the north-east.

An interior elevation showing Blocks A and B is shown in **Figure 25** below.



Figure 25 – Interior elevation (Blocks A and B)

Source: Marchese Partners

Blocks C and D

Blocks C and D are situated at the northern end of the seniors housing development. Block C will be 3 storeys in height with a maximum height of 9.87 metres (RL 32.3). Block D is 4 storeys in height with a maximum height of 11.20 metres (RL 36.6).

They comprise the following number of units:

- Block C: 12 units
- Block D: 18 units

Two lift cores are provided in each of the buildings. The buildings have a predominant north and south aspect, with all units provided with a north-facing area of private open space. Two points of entry are provided to both buildings from ground level. A green roof is proposed above the central and interconnecting ground floor unit, separating Blocks C and D by 8.3 metres.

An interior elevation showing Blocks C and D is provided in **Figure 26** below.



Figure 26 – Interior elevation (Blocks C and D)

Source: Marchese Partners

Blocks E and F

Blocks E and F are situated at the western end of the seniors housing development. Both buildings are 4 storeys in height with a maximum height of 14 metres (RL 35.9) for Building E, and a maximum height of RL 28.69 for Building F. They comprise the following number of units:

- Block E: 19 units
- Block F: 21 units

Two lift cores are provided in each of the buildings. Block E has an easterly and westerly aspect and Block F has a northerly and southerly aspect. Both buildings will be provided with two points of entry from the landscaped communal open space. A green roof is proposed above the central and interconnecting ground floor unit, separating Blocks C and D by 8.4 metres.

An interior elevation showing Blocks E and F are shown in **Figure 27**.



Figure 27 – Interior elevation (Blocks E and F)

Source: Marchese Partners

Central Facilities Building

The facilities building is centrally located and is 3 storeys in height. The building is easily accessible, providing future residents and their guests with suitable access to a number of facilities that are ancillary to the seniors housing. These ancillary facilities are various and include:

- Reception;
- Café;
- Winery;
- A La Carte restaurant with attached bar and lounge;
- Residents lounge;
- Swimming pool and spa centre, with attached steam room and sauna;
- Gym;
- Hair saloon;
- Games room;
- Arts and crafts room;
- Cinema;
- Beauty services, including massage and manicure rooms;
- Offices;
- Library; and
- Large, above ground terrace.

Through the provision of these ancillary facilities; the future residents will be provided with a high level of on-site services. The facilities building will also ensure nursing services are able to be provided to each of the residents.

A BCA Report has been prepared which identifies that the proposed development is capable of complying with the BCA (**Appendix DD**).

3.3.5 Proposed New Road

A new road is proposed linking the seniors housing development to Cabbage Tree Road, which will remain in private ownership, designed to accommodate the topography of the site. The proposed road has been designed in accordance with RMS and Northern Beaches Council specifications, as

well as the relevant Australian Standards. As part of the proposal, a new roundabout will be constructed along Cabbage Tree Road, providing four points of entry/exit (see **Figure 28**). The civil engineering drawings prepared by Marchese Partners (**Appendix C**) illustrate the length of works of the new road.

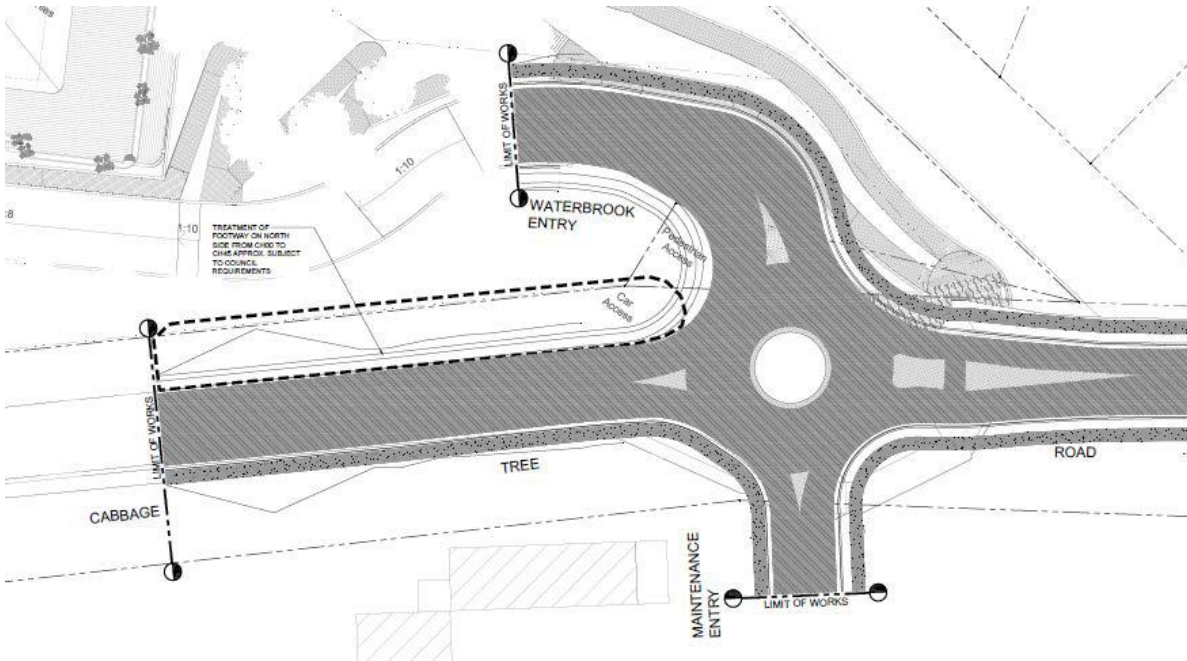


Figure 28 – Cabbage Tree Road civil works

Source: Marchese Partners

3.3.6 Access and Parking

Vehicular Access

Vehicular access for the proposed seniors housing development will be obtained from the new road which will connect into the internal driveway. An off ramp is provided from the driveway to the basement that is split into three separate, but connected sections. A drop off area is proposed at the front of the reception area, allowing for a simple loop beneath a porte cochere for vehicles exiting the site.

Pedestrian Access

Pedestrian access will be facilitated through the site by the creation of a number of pedestrian pathways. A continuous path of travel for pedestrian access will be made available via ramps from the main entry lobby of each unit building through to Cabbage Tree Road and the bus stop on Annam Road. All pedestrian accessways meet the requirements of the Seniors SEPP.

Car Parking

Vehicular parking will be provided within three separate but connected basement levels, servicing all buildings within the seniors housing development. In total, 137 residential and 43 visitor parking spaces are proposed within the basement car park of the seniors housing development. This basement will be accessed controlled via a swipe card system, ensuring access to only residents and their guests. Parking proposed complies with the Seniors SEPP.

3.3.7 Landscaping

A Landscape Report has been prepared for the seniors housing site (**Appendix B**). The proposal is to locate the seniors housing between fauna corridors and allow for the creation of an extensively landscaped building footprint. An extract from the landscape plan is included in **Figure 29**.

The development will be extensively landscaped to reflect the Waterbrook brand with the heights proposed ensuring all building elements will sit below the surrounding tree canopy level and within a highly landscaped setting. Materials such as natural stone, timber features and a recessive colour palette are intended to blend the design into the natural surroundings and context. The landscape strategy can be summarised as comprising of the following key components:

- A built form that sits in 'the green landscape';
- Creating fauna corridors;
- Level changing, layered experience;
- Contemporary high-end finishes;
- Water; and
- Wayfinding throughout the site.

External to the seniors housing, it is proposed to align the landscaping with the ecologist's findings (**Appendix M**), allowing for the creation of fauna corridors through the wider golf course site. These corridors will create visual buffers of the seniors housing to the existing residents and users of the golf course, allowing the development to sit within the existing landscape with minimal visual impact from neighbouring properties and Cabbage Tree Road. This will directly align with the key strategy of providing for a development that sits in the green landscape. A 5 year visual representation of the landscaping has been modelled by Virtual Ideas in the View Analysis included in **Appendix D**.



Figure 29 – Overall landscape plan

Source: Site Design + Studios

3.3.8 Materials and Finishes

The selection of materials and finishes for the seniors housing development are of a high quality and have been specifically chosen to ensure the development contributes positively to the character of the local context. The buildings within the development are characterised by modern high-end finishes including sandstone, rendered balustrades, bronze louvres, bronze roof fascia, frameless glass balustrades and recycled timber panelling. Further details are set out within the Architectural Drawings in **Appendix A**.



1. Sandstone external walls and retaining walls



2. Beige Neutral Precast or rendered balustrades.



3. Bronze Privacy Louvres



4. Light bronze roof fascia



5. Frameless Glass Balustrade



6. Recycled timber panelling to external walls and soffit



Figure 30 – Photomontage of external finishes

Source: Marchese Partners

3.3.9 Services and Utilities

The proposed seniors housing may require services and utilities in the surrounding area to be relocated, altered, augmented or protected in order to implement the envisaged development. A strategy for works to these services and utilities may be required are set out in the Preliminary Servicing Strategy prepared by Martens (refer to **Appendix N**).

3.4 Golf Course Upgrade Works

Bayview Golf Club proposes to reconfigure the course to accommodate the proposed seniors housing development and to respond to the proposed flood mitigation works, whilst remaining an 18-hole course. This includes the movement of holes on the north-western side of Cabbage Tree Road, surrounding the proposed seniors housing development.

The site of the proposed seniors housing development includes parts of the 4th and 5th hole of the golf course. The reconfiguration is proposed to occur in a manner that will accommodate the proposed development, with a professionally designed configuration, hole and fairway placement, tree, hazard and tee box locations. The proposed buildings will be set back from the course and appropriately screened so as to not impact on the golf course's operations. The proposed reconfiguration to the golf course is shown in **Appendix O** and shown in **Figure 31**.



Figure 31 – Golf course upgrade works plan

Source: Marchese Partners & Papworth and Parker

3.4.1 Flood Mitigation Works

Flood rehabilitation works are proposed as part of the overall golf course master plan. These works are proposed for the golf course as part of the greater upgrade works proposed with this DA. The proposal includes:

- Rehabilitation of the creek lines through the course, in order to return the watercourses closer to likely pre-development alignments, elevations and forms of vegetation;
- Creation of flora and fauna passages that will better connect the upper catchment with the lower portion of the golf course;
- An increase in the capacity of the watercourse on the southern side of the golf course in order to lower flood levels for the adjoining residential properties along Parkland Road; and
- Minor raising of the fairways to reduce inundation and improve the playability of the golf course, which would benefit the community in general.

These amendments to the lower golf course (south of Cabbage Tree Road) are proposed to recreate a more natural creek line through the golf course, with natural estuarine vegetation to line the creek, allowing for an improved fauna passage through the golf course. These proposed rehabilitation works will offset any tree removal works proposed on the subject site.

The following changes to the golf course landform are proposed:

- Widening of the channel along the northern boundary of the golf course (parallel to Cabbage Tree Road) and battering the channel side slopes to 1V:6H;
- Raising all proposed fairways to RL 1.20m AHD, which is between 0.2 and 0.5 m higher than existing surface levels;
- Removal of an existing earth stockpile on the southern side of the Golf Course, to the east of Parkland Road; and
- Cutting a new creek line to connect the flow path along the southern edge of the golf course with the creek line that runs through the centre of the golf course.

Additionally, the following changes are proposed to be implemented as part of the Seniors Housing development:

- Constructing a trapezoidal channel at the eastern side of the site to convey the overland flows into twin 750 mm circular pipes to convey the majority of the flow to a location upstream of the existing pipe under Cabbage Tree Road;
- Channel side slopes of 1V: 3H, with a base width of 3 m;
- Installation of 2 x 1.5 m (W) and 0.45 (H) culverts under the driveway in order to control and mitigate runoff from the proposed driveway; and
- Upgrade the existing pipe under Cabbage Tree Road to increase its capacity to locally lower flood levels and reduce flooding impacts at the southeast end corner of the site on Cabbage Tree Road.

A detailed description of the proposed works is included in the Flood Impact Assessment reports prepared by Cardno in **Appendix L** and **Appendix P**. An analysis of the impact of the flood mitigation works has been undertaken in **Section 4.14**.

3.4.2 Golf Course Pathways

The golf course upgrade works include new pathways to facilitate access between greens and tees, minimising the impact on vegetation in these locations. Specifically, the upgraded pathways will include:

- New and retained bridges over the waterways throughout the course;
- Covered path with feature landscaping between the 8th green and 9th tee;
- Improved connection across Cabbage Tree Road; and
- Removal of some existing paths and replacement to the side of reconfigured fairways.

The pathways will be constructed from concrete, of a neutral colour. This will ensure minimal environmental impact, whilst deterring golfers from deviating off into ecological corridors.

3.4.3 New Golf Course Maintenance Facility

The existing golf course maintenance facility, located on the southern side of Cabbage Tree Road adjoining the 3rd fairway, is proposed to be demolished, with a new golf course maintenance shed proposed to replace it. The facility will provide additional storage capacity on site for machinery, landscaping tools and equipment as well as chemicals. Refer to **Figure 32** and **Figure 33** and below.

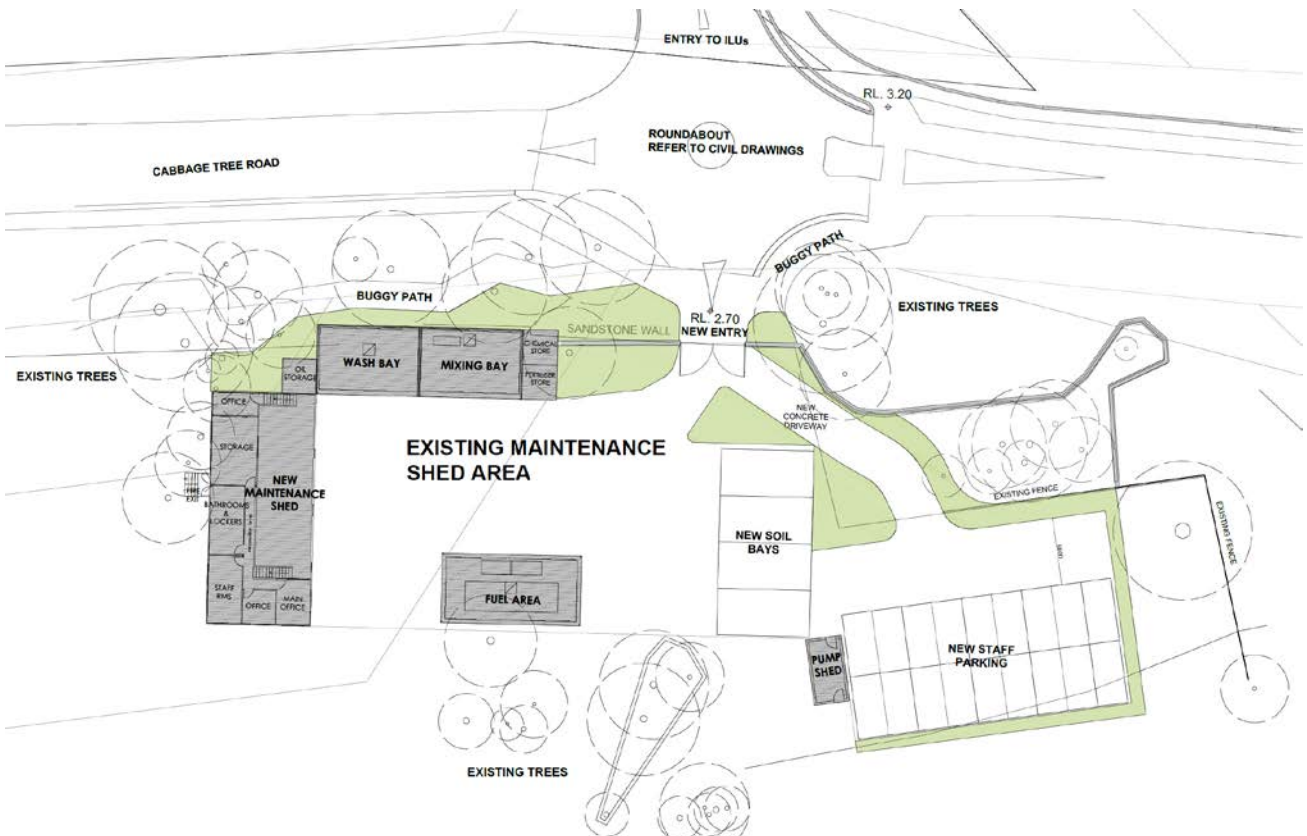


Figure 32 – Maintenance area site plan

Source: Marchese Partners



Figure 33 – Elevation of new golf course maintenance facility as viewed from Cabbage Tree Road

Source: Marchese Partners

3.4.4 Revegetation Works

Part B of the Environmental Assessment in **Appendix M** provides a Conservation Management Plan which was been prepared by Anne Clements & Associates for the golf course upgrade works. The conservation strategy aims to increase the size and connectivity of the conservation linkages and the ecological sustainability of the golf course. The Conservation Management Plan focuses on the flora and fauna corridors and other areas of local native vegetation associated with the upgrade and proposed village on the golf club land, and includes clear aims, objectives and realistic targets associated with each objective.

The authors of the Conservation Management Plan have experience in the rehabilitation of highly degraded sites utilising on site equipment as well as fauna habitat enhancement and reconstruction. The existing areas of native vegetation form the core areas for the conservation, enhancement and expansion of the existing highly fragmented and disconnected flora and fauna corridors, with the significant conservation works proposed below.

The works are separated by areas, being 'higher land' (land at an elevation above 3m AHD) and 'low-lying land' (being land at an elevation of less than 3m AHD).

The following works are proposed:

Higher Land (>3m AHD)

- Conserve, enhance and expand the approximately 1.07 ha of existing relatively intact wet sclerophyll forest with a rainforest understorey and emergent eucalypts in the north-west of proposed fairway 6;
- Conserve, enhance and in part re-establish the approximately 0.33 ha of existing degraded forest with depauperate understorey, including reducing erosion risk, improving fauna and fern habitats by using sandstone slabs to stabilise the soil surface east of the proposed fairway 6;
- Conserve and enhance (and potentially expand on the road reserve) the approximately 0.31 ha of existing less intact wet sclerophyll forest with a rainforest understorey and emergent eucalypts between the southern boundary of the proposed development and north of Cabbage Tree Road.

Low-lying Land (<3m AHD)

- Conserve, enhance and expand the existing 0.68 ha of relatively intact Coastal Floodplain community in the east, south of the Cabbage Tree Road;

- Conserve, re-establish and expand the approximately 1.09 ha less intact Coastal Floodplain community in the east, north of the Cabbage Tree Road;
- Conserve, re-establish and expand the approximately 1 ha of degraded strips of potential and existing Coastal Floodplain communities on and close to the boundaries;
- Retain the existing fauna habitat and connectivity of the approximately 2300 linear metres of existing row of *Casuarina glauca* historic plantings, as practical during enhancement of these flora and fauna corridor (thickening up fairway planting using local native species);
- Retain as many as practical of historic planted *Casuarina glauca* currently growing on the raised bund adjoining proposed Fairway 2 as "islands" surrounded by land to be lowered (see Cardno 2017);
- Re-establish and widen the existing channels and establishing new channels to mimic natural watercourses and drainage;
- Provide habitats for freshwater wetland along the upper sections of the drainage network by use of weirs to limit tidal fluctuation;
- Protect, conserve, enhance and re-establish freshwater ecosystems along the upper sections of drainage ways;
- Re-establish wide drainage ways with exposed alluvium to be recolonised by Coastal Floodplain communities; and
- Conserve, enhance and re-establish estuarine ecosystems along the lower sections of the drainage ways.

3.5 Construction Staging

A staged approach is anticipated to be adopted in the construction of the proposed development. This staging is outlined within the Construction Management Plan (see **Appendix Q**). To facilitate this staging, it is requested that the conditions of consent be worded in a manner that allow for the issuing of separate construction and occupation certificates for each stage.

4.0 Assessment of Environmental Impacts

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

4.1 Environmental Planning Instruments

The DA's consistency and compliance with the relevant statutory plans and policies is provided in **Table 7**. Variations to, and non-compliances with, the key standards and guidelines highlighted in the table are discussed in the following sections of this environmental assessment.

Table 7 – Summary of consistency with key strategic and statutory plans and policies

| Plan | Comments |
|---|---|
| Strategic Plans / Instruments | |
| <i>NSW State Plan 2021</i> | <p>NSW 2021 is a long-term plan for services delivery within NSW and establishes priorities to guide government decision-making and resource allocation. The Plan is based on the five following strategies:</p> <ul style="list-style-type: none"> • Rebuild the economy; • Provide quality services; • Renovate infrastructure; • Restore government accountability; and • Strengthen our local environment and communities. <p>The proposal is consistent with these goals, demonstrating a commitment to the strengthening of the local community and renovation of local infrastructure through the provision of increased residential housing suitable for seniors and/or people with a disability. The Seniors Housing will have key synergies with the Bayview Golf Club, thereby strengthening the local community.</p> <p>The proposal will also contribute to the provision of employment, generating residential floor space in close proximity to existing transport and commercial infrastructure.</p> <p>The golf course upgrade works can demonstrate a commitment to a number of these strategies. It will allow for the renovation of the Bayview Golf Course, being a key piece of community infrastructure. These works include significant levels of revegetation and conservation works in order to strengthen the local environment (refer to Section 3.4.4).</p> |
| <i>Draft Greater Sydney Region Plan</i> | <p>The Draft Greater Sydney Regional Plan 2017 produces a vision to meet the needs of a growing and changing Sydney population. It includes objectives to allow for more diverse and affordable housing across Sydney.</p> <p>The proposal will assist in providing housing diversity, particularly in the form of seniors housing. It will also provide for a form of housing that will have direct synergies with the golf club itself, ensuring that its future community is healthy, resilient and socially connected. The services and facilities provided by this Seniors Housing development will help meet the needs of the future occupants. This ensures that these residents will have access to on-site services as well as services and facilities offered by nearby centres, including Mona Vale.</p> <p>Furthermore, the conservation and revegetation works show a demonstrated commitment to providing a proportional increase in the urban tree canopy. This is reinforced by the Environmental Assessment (Appendix M), which concludes that the loss of 0.43ha of between fairway vegetation will be more than offset by an increase of native flora and habitat from approximately 6.66ha to more than 16ha.</p> <p>Overall, the approval of this development will ensure the benefits of growth are realised, through the maintenance of the long-term viability of a valuable community asset, being the Bayview Golf Club,</p> |

| Plan | Comments | |
|--|--|---|
| | whilst ensuring that an increased range of housing is provided, with sufficient services that is located within an increasingly green landscape. | |
| <i>Revised Draft North District Plan</i> | <p>The Draft North District Plan helps give effect to the overarching goals and objectives of the Greater Sydney Region Plan by setting out priorities and actions for each district.</p> <p>The proposal will help address housing supply, especially in the form of seniors housing, in the Northern Beaches Council area. This is important given the plan predicts a 54% increase in the number of people aged over 65 in the next 20 years within the Northern District.</p> | |
| State Planning Instruments | | |
| SEPP 55 | <p>SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The SEPP specifies when consent is required for the remediation of contaminated land. A Detailed Site Investigation has been prepared by Martens Consulting Engineers for the golf course site (Appendix R) and the seniors housing site (Appendix S).</p> <p>Site investigation and soil sampling was undertaken as part of the site investigation. A Site Acceptance Criteria (SAC) was adopted that analysed the site against guideline values for individual contaminants.</p> <p>The seniors housing site investigation determined that all contamination concentrations are below the adopted SAC. No other potential contamination was observed as part of this site assessment. As such, the area for the proposed seniors housing development is considered suitable for the proposed development.</p> <p>The golf course site investigation identified three locations areas of concern, where adopted SAC levels were exceeded. These three locations were situated in the south west area of the golf course.</p> | |
| Seniors SEPP | The proposed development seeks approval for seniors housing in the form of in-fill self-care units. A Site Compatibility Certificate (SCC) has been issued for the proposal, determining that the proposal compatible with the surrounding environment and land uses. The SCC is included in Appendix F . An assessment of the proposal's consistency with the applicable controls of the Seniors SEPP is provided in Section 4.3 . | |
| SEPP 65 | The proposal has been assessed against the provisions of SEPP 65 and the Apartment Design Guide as requested by Council. A SEPP 65 and ADG Assessment has been prepared by Marchese Partners (Appendix H). Further discussion is provided in Section 4.4 of this report. | |
| SEPP (BASIX) | A BASIX Certificate is provided at Appendix T . | |
| SEPP (State and Regional Development) | <p>As the proposal is a class of development described in Schedule 4A of the EP&A Act, being a development that has a capital investment value of more than \$20 million, Part 4 of the State and Regional Development SEPP applies to the DA.</p> <p>Under Part 4 of the SEPP the Council's consent authority function is exercised by the Sydney North Planning Panel (SNPP).</p> | |
| Local Planning Instruments and Controls | | |
| Pittwater Local Environmental Plan 2014 | <p>Zone Objectives</p> <p>RE2 – Private Recreation</p> | <p>The site is zoned RE2 Private Recreation. The development is consistent with the objectives of the zone in that it:</p> <ul style="list-style-type: none"> • Will continue to enable the golf course to provide recreational services, and indeed, improve that level of service; • Allows for development that is compatible with the golf course, and does not interrupt its ongoing operation; • Will protect and enhance the natural environment of the golf course for recreation purposes through the enhancement of conservation |

| Plan | Comments |
|-------------------------------------|---|
| | <p>linkages; and</p> <ul style="list-style-type: none"> Proposes development of a scale and character that is appropriate to the nature of the recreational use of the golf course and is integrated with the landform and landscape. |
| Clause 4.1 – Minimum allotment size | Not applicable. |
| Clause 4.3 – Height of buildings | <p>8.5 metres is the maximum height of buildings development standard under the LEP applicable to the site.</p> <p>As the proposed development exceeds this height limit, a Clause 4.6 Variation request to vary the development standard has been provided in Appendix J. Further analysis of the building height is provided at Section 0.</p> |
| Clause 4.4 – Floor Space Ratio | Not applicable. |
| Clause 7.1 – Acid Sulfate Soils | <p>The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The site is classified as Class 5 and Class 2.</p> <p>ASS criteria exceedance was found within site. Treatment measures are recommended and included within the Acid Sulfate Soils Management Plan (Appendix V).</p> |
| Clause 7.3 – Flood Planning | <p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <i>to minimise the flood risk to life and property associated with the use of land,</i> <i>to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</i> <i>to avoid significant adverse impacts on flood behaviour and the environment.</i> <p>The Clause applies to land at or below the flood planning level, which is defined as:</p> <p>flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard, or other freeboard determined by an adopted floodplain risk management plan.</p> <p>Development Consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <ul style="list-style-type: none"> <i>is compatible with the flood hazard of the land, and</i> <i>will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</i> <i>incorporates appropriate measures to manage risk to life from flood, and</i> <i>will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a</i> |

| Plan | Comments |
|--|---|
| | <p><i>reduction in the stability of river banks or watercourses, and</i></p> <ul style="list-style-type: none"> <i>is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</i> <p>Cardno have undertaken a flood impact assessment in relation to the golf course site (Appendix L) and the seniors housing site (Appendix P). The seniors housing site lies generally on flood free land. The works proposed as part of the development (as outlined in Section 3.3) will help convey the 1% AEP through the site such that the flood level decreases by up to 2 metres on the eastern side of the subject site.</p> <p>It is concluded that the off-site increases in velocity in the 1% AEP and PMF events are not significant as they are small areas and mostly located on road reserve or the golf course. They do not impact on surrounding private land.</p> <p>On the golf course site, the impact of the flood mitigation works, as detailed in Section 3.4.1, there will be a minor increase of land than 0.02 metres in the 1% AEP event. These increases are considered negligible and are within the limit set by the Council for off-site impacts of less than 0.2 metres. In the PMF, the water level increases are negligible and less than 0.01 metres across the majority of the golf course and its surrounds.</p> <p>Overall, the seniors housing development is located on land that is predominantly free from any flooding risk under 1% AEP and PMF conditions and therefore will not increase the risk to life or property. Through the flood mitigation works proposed, there will be a negligible increase in the flood risk, even taking into consideration climate change. Lastly, the impact of the minor increases in flooding will be wholly contained within the golf course and will not impact on surrounding private land. Further discussion of the impact of flooding is provided at Section 4.14.</p> |
| <p>Clause 7.4 – Floodplain risk management</p> | <p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <i>in relation to development with particular evacuation or emergency response issues – to enable evacuation of land subject to flooding in events exceeding the flood planning level,</i> <i>to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.</i> <p>Development consent must not be granted to development for the purposes of seniors housing unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land.</p> <p>Cardno have analysed the flood impact on the seniors housing site (see Appendix P). It is concluded that evacuation from the site will not be required during flood events and the site will remain flood free. This offers the potential for the seniors housing site to be used as a place of refuge during flood events.</p> |
| <p>Clause 7.6 Biodiversity</p> | <p>The objectives of this clause seek to maintain terrestrial, riparian and aquatic biodiversity by:</p> <ul style="list-style-type: none"> protecting native flora and fauna, and protecting the ecological processes necessary for their continued existence, and encouraging the conservation and recovery of native fauna and flora and their habitats |

| Plan | Comments |
|--|--|
| | <p>The Environmental Assessment (Appendix M) has been prepared in order to determine the impact that the development will have on the condition, ecological value and significance of the fauna and flora on the land.</p> <p>The proposed development has embraced the opportunity to conserve, enhance and restore the wet sclerophyll forests and Coastal Floodplains communities as part of a Conservation Management Plan that has been prepared. This will result in increased vegetation connectivity, allowing for fauna movements and providing food and nesting resources for fauna species. In order to ensure the conservation and enhancement of</p> |
| <p>Clause 7.7 Geotechnical Hazards</p> | <p>The overall site area excludes all land mapped as 'Geotechnical Hazard' within the Pittwater LEP 2014 Geotechnical Hazard Map.</p> <p>A Geotechnical and Acid Sulfate Soils Assessment has been prepared for the seniors housing site (refer Appendix W). This report has been prepared to assist in the structural design of the proposed development. Based on the risk calculations and modelling undertaken, the proposed development is considered to constitute an acceptable risk to life and a low risk to property resulting from geotechnical hazards.</p> |
| <p>Clause 7.10 Essential Services</p> | <p>The proposed development has been designed to ensure that the following services will be made available to the seniors housing development:</p> <ul style="list-style-type: none"> • Water; • Electricity; • Effluent treatment and disposal; • Stormwater drainage; and • Road and driveway access. <p>Further details of the servicing of this development are outlined in Section 3.3.9 and within the preliminary servicing strategy included in Appendix N.</p> |

4.2 Pittwater Development Control Plan

An assessment of the proposal's consistency with the Pittwater 21 Development Control Plan (DCP) 2014 is provided in **Table 8** below. The proposed development is consistent with the objectives of the DCP. As required under Section 79C(3A) of the EP&A Act, a consent authority is required to apply DCP provisions flexibly and allow reasonable alternative solutions that achieve the objectives of those standards. Where alternate solutions to the provisions are proposed, they are identified in the table and discussed in the following sections of this environmental assessment.

Table 8 – Summary of consistency with Pittwater 21 Development Control Plan 2014

| Control | Compliance |
|--|--|
| Part A4 - Localities | |
| A4.9 <i>Mona Vale Locality</i> | <p>The site is located within the Mona Vale Locality.</p> <p>The desired character of Mona Vale seeks to contain a mix of land uses. Medium density is proposed to be located around commercial centres, public transport and community facilities. As a community facility in its own right, the Bayview Golf Club is located close to bus routes and offers future residents ease of access to nearby centres including Mona Vale and Dee Why / Brookvale.</p> <p>Future development will be supported by adequate infrastructure as is demonstrated within this report.</p> <p>Additionally, a balance has been achieved between the proposed development and the landform, with the natural environment and wildlife corridors to be enhanced in corridors external to the seniors housing site.</p> |
| Part C1 – Design Criteria for Residential Development | |
| C1.1 <i>Landscaping</i> | <p>A Landscape Plan has been prepared by Site Design Studios (Appendix B) which includes a comprehensive landscaping concept for the proposed seniors housing which seeks to build on the significant landscaped character traits of Pittwater. The landscaping design takes in the notion that the site is sitting in 'the green landscape'. This will ensure that fauna corridors are created through the strategic placement of local species.</p> <p>The landscape plans also detail the proposed landscaping of the communal open space. This area includes permanent seating, water features and tree planting.</p> <p>The Arboricultural Assessment Report (Appendix X) outlines which vegetation is proposed to be removed or retained, whilst the landscaping plans (Appendix B) and the ecologist's report (Appendix M) provide a design response that ensures a net increase in revegetation on the site and enhances the existing conservation linkages.</p> |
| C1.2 <i>Safety and Security</i> | A CPTED assessment has been undertaken and is provided at Section 4.24 . |
| C1.3 <i>View Sharing</i> | The proposed seniors housing development is located more than 40 metres from the nearest residence and does not result in an obstruction to any significant views. This is clearly demonstrated in the View Analysis included in Appendix D . |
| C1.4 <i>Solar Access</i> | <p>A shadow analysis has been undertaken and is included within the Architectural Drawings (Appendix A). This analysis demonstrates that there will be no overshadowing impact on any nearby residence. Therefore, the impact of the proposed development on adjoining properties is acceptable in terms of ensuring solar access and natural light.</p> <p>Furthermore, the proposal will achieve in excess of the required criteria for dwellings achieving a minimum of 3 hours solar access to living areas and private open space in midwinter.</p> |
| C1.5 <i>Visual Privacy</i> | A significant, landscaped setback has been provided between proposed buildings and adjoining residences. The nearest residence is located more than 40 metres away from the seniors housing, with significant screening provided by existing vegetation ensuring visual privacy. Furthermore, the proposed units will achieve good levels of internal privacy through their orientation, separation and |

| Control | Compliance |
|--|--|
| | screening devices to balconies where required. |
| C1.6 Acoustic Privacy | The Noise Impact Assessment (Appendix Y) demonstrates that the residences will achieve a suitable level of acoustic privacy when taking into consideration the noise generating aspects of the development including the road, mechanical plant units, restaurant and gym. No acoustic impacts are anticipated to arise from the proposal. |
| C1.7 Private Open Space | <p>The proposal is compliant with the minimum private open space provisions of the DCP as they relate to residential accommodation.</p> <p>The design of the seniors housing development achieves a high level of amenity to private open spaces for each individual dwelling. Specifically, it is noted that:</p> <ul style="list-style-type: none"> • All ground floor dwellings have private open space greater than 30sqm. • Dwellings have been designed so that private open spaces are directly accessible from living areas, enabling them to form extensions of internal living areas. • No walled enclosures of private open spaces are proposed. • All units contain private open spaces with good solar orientation. |
| C1.9 Adaptable Housing and Accessibility | All dwellings are proposed to be adaptable in accordance with the provisions of AS4299:1995 Adaptable Housing. All public domain works will allow for disabled access. Certification that these dwellings are adaptable housing has been provided by the Access Assessment Report prepared by BCA Logic (Appendix I). |
| C1.10 Building Facades | <p>No stormwater, sewer, gas, electrical or communication service pipe or conduit will form part of the façade, but rather will be incorporated into the built form.</p> <p>Mailboxes are proposed to be within the facilities building, nearby to reception.</p> |
| C1.12 Waste and Recycling Facilities | A Waste Management Plan has been prepared by Waste Audit and Consultancy Services (Appendix Z) and details how the operation of waste and recycling facilities will meet Northern Beaches Council standards, including those identified by the Pittwater DCP. |
| C1.13 Pollution Control | The seniors housing development has been designed with consideration to the natural environment and it will be constructed in a manner to prevent air, water, noise and/or land pollution. |
| C1.15 Storage Facilities | Storage area has been provided within the basement, fronting each residential parking space. This storage space will be lockable and provided a minimum of 8m ³ per unit. |
| C1.18 Car/Vehicle/Boat Wash Bays | A car wash bay has been included within the basement (define location once architects action). This car wash bay has been designed to ensure that the stormwater generated from car washing will be directed away from the sewer and towards the stormwater drain. |
| C1.20 Undergrounding of Utility Services | All utilities within the seniors housing site will be located underground. |
| C1.21 Seniors Housing | <p>The seniors housing development has been designed with regard to the overall bulk, height, scale and character of the surrounding area. Additionally, the bulk and scale of the seniors housing is consistent with nearby development (refer Section 4.6) and with the built form controls (Section 4.5).</p> <p>The footprints of the proposed buildings are generally in accordance with those previously considered and certified within the SCC. These footprints minimise the overall impact on the golf course and surrounding environment, ensuring the continued operation of an 18-hole course. These building locations were specifically located taking into consideration the vegetation corridors, with the built form located to minimise environmental disturbance. Some tree removal will be required (refer Appendix X) and this will be replenished in accordance with the Landscape Plans (Appendix B) and Ecology Assessment (Appendix M).</p> |

| Control | Compliance |
|---|---|
| | <p>The seniors housing will complement a number of nearby seniors housing development sites without making it the predominant land use within the locality.</p> <p>The site also maintains enough separation to adjoining sites to ensure that a residential flat building appearance is not created. This appearance is further minimised by the significant street setback and screening provided by the extensive existing (and proposed) vegetation.</p> |
| <i>C124 Public Road Reserve – Landscaping and Infrastructure</i> | Landscaping within the public road reserve can be provided in accordance with the Pittwater DCP requirements. |
| <i>C1.24 Public Road Reserve – Landscaping and Infrastructure</i> | Waterbrook will provide footpaths, kerb and guttering and street lighting in accordance with relevant Northern Beaches Council policy. |
| Part D9 – Mona Vale Locality | |
| <i>D9.1 Character as viewed from a public place</i> | <p>The development maintains a primary frontage to Cabbage Tree Road, which connects through to Pittwater Road. The development maintains a minimum 11 metre setback to Cabbage Tree Road.</p> <p>The proposal has been designed to sensitively relate to the spatial characteristics of the existing built and natural environment. This is also true of the visual impact of the built form, which is secondary to the existing and future landscaping, enhancing the existing streetscape and promoting a scale a density in keeping with the height of the natural environment.</p> <p>Furthermore, and in keeping with the DCP, the design of the development also achieves the objective of providing high quality buildings designed and built for the natural context and any natural hazards.</p> <p>Finally, the proposal compliments the landscaped character, public use, and enjoyment of the golf course land immediately surrounding the site. This is through the provision of landscaping being integrated with the building design to screen the visual impact of the built form.</p> |
| <i>D9.2 Scenic Protection – General</i> | <p>The built form has been designed to minimise the visual impact on the natural environment. Revegetation and a stepped design ensure that the visual impact has been minimised when viewed from key aspects, including residential properties to the south located on the escarpment. An analysis of the visual impact from Cabbage Tree Road and from adjoining residences is provided in Section 4.7.3.</p> <p>A View Analysis has been prepared by Virtual Ideas and is attached at Appendix D.</p> |
| <i>D9.3 Building Colours and Materials</i> | <p>In line with the desire to minimise the visual bulk, the buildings include finishes such as sandstone, rendered balustrades, bronze louvres, bronze roof fascia, frameless glass balustrades and recycled timber panelling that will blend in with the vegetated screening. Reflectivity will be low and is unlikely to be an issue given the setbacks to adjoining residences.</p> <p>No white, red or orange roofs or walls are proposed.</p> |
| <i>D9.6 Front Building Line</i> | <p>Land in the RE2 zone is to have a front building line based on a merit assessment given there is no established building setback along this portion of Cabbage Tree Road and the unique circumstances of the site. To this end, the built form has been well set back from Cabbage Tree Road, with Blocks A and F forming a building line approximately 11 metres from Cabbage Tree Road. Specifically, the front setbacks are identified as follows:</p> <ul style="list-style-type: none"> ▪ Facilities Building – Cabbage Tree Road boundary: approximately 11.2 metres; ▪ Block A – Cabbage Tree Road boundary: approximately 15 metres ▪ Block A – Entrance intersection: approximately 63 metres <p>This setback is greater than that of adjoining sites and takes into account the bulk of the development ensuring it is not overbearing on Cabbage Tree Road.</p> |

| Control | Compliance |
|--|---|
| <i>D9.7 Side and rear building line</i> | Given the site lies within the golf course, significant setbacks to adjoining residences to the north, east and west are provided. |
| <i>D9.9 Building envelope</i> | Given the significant setbacks to neighbouring development and the positioning of the site in an area surrounding by vegetation, it is unnecessary to provide for a design which projects a roof plane of 45 degrees. The development, as proposed, will maintain views and ensure a reasonable level of privacy, amenity and solar access is maintained within the site and to surrounding properties, with the upper levels of the proposal generally recessed. Refer to the discussion on the impact on adjoining property in Section 0 . |
| <i>D9.10 Landscaped Area – General</i> | This landscaping control does not apply to land zoned RE2 Private Recreation. However, it is noted that a substantial proportion of the site will be landscaped a substantial area provided as deep soil. Combined with the surrounding golf course site, significant levels of soft surface is provided to allow for the infiltration of water to the water table, minimise run-off and assist with stormwater management. |
| <i>D9.12 Fences – General</i> | No fencing is proposed to surround the seniors housing development. However, gaps between buildings at ground level will include barriers to prevent unauthorised access into the development from golf course land. The vegetation surrounding the seniors housing site will also assist in demarcating the golf course land from the private property. |
| <i>D9.13 – Fences – Flora and Fauna Conservation Areas</i> | Not applicable. |
| <i>D9.14 Construction, Retaining Walls, terracing and undercroft areas</i> | The development has been designed to minimise cut and fill as much as possible, and on a sloping site, terracing has been proposed through the landscaped communal open space. This allows for the open space to be split into separate distinct zones that will allow for different forms of activity. These retaining walls and terracing are largely contained within the middle of the site and will not be visible from the road or when viewed from adjoining residences. |

4.3 Seniors SEPP

The Seniors SEPP aims to encourage the provision of seniors housing, including self-contained dwellings. **Table 9** below details compliance with the Seniors SEPP.

Table 9 – Assessment against the Seniors SEPP provisions

| Provision | Response |
|--|---|
| Part 2 Site Related Requirements | |
| 26 Location and access to facilities | The proposal complies with the requirements of Clause 26 with regards to access to facilities. Refer to Section 4.20 of this report. |
| 27 Bush fire prone land | The proposal is compliant with the regulation regarding bush fire prone land, as discussed in Section 4.17 of this report. |
| Clause 33 – Neighbourhood Amenity and Streetscape | |
| <i>(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</i> | The proposed development has been designed having regard to the desirable elements of the location's existing character, being a landscaped, recreational area. The result is a development which is compatible with the surrounding recreational land (golf course) and which is distinct in its incorporation of a prominent landscape concept. |
| <i>(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,</i> | There are no heritage conservation areas in proximity of the site. |
| <i>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</i> <i>(i) providing building setbacks to reduce bulk and overshadowing, and</i> <i>(ii) using building form and siting that relates to the site's land form, and</i> <i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</i> <i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</i> | The proposed seniors housing development has been designed and sited to maintain neighbourhood amenity and appropriate residential character for the site by: <ul style="list-style-type: none"> • Providing significant setbacks to the nearest adjoining development, resulting in no overshadowing or bulk and scale impacts; • Stepping the building form in such a way that the proposal relates to the site's sloping land form; • Providing the lower scale components of the development nearest to the road frontage, thereby minimising the perceived height of the proposal; and • Not locating buildings adjacent to boundaries. |
| <i>(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</i> | Whilst there is no existing building line along this portion of Cabbage Tree Road (i.e. for that component which forms the golf course), the proposed front building line is set back substantially from the building line of residential development to the east. This is considered appropriate as the development responds to ecological and topographical constraints at the street frontage which prevent it from being located closer to the street. This arrangement also minimises the visual impact of the proposal by ensuring its perceived bulk and scale from the public domain is minimised, and is in sympathy with the surrounding development frontages and landscape setting. |

| Provision | Response |
|---|---|
| <i>e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</i> | The proposal is founded on a combined landscaping and ecology strategy which builds on the heavily landscaped character of the streetscape along Cabbage Tree Road and the locality of Bayview. |
| <i>(f) retain, wherever reasonable, major existing trees, and</i> | The proposal seeks to retain, wherever possible, major existing trees which are located on the golf course. Whilst there are some trees proposed to be removed, the ecological value of the site and golf course will increase with the proposal as a result of the replacement conservation linkages proposed as part of a whole of golf course conservation strategy. |
| <i>(g) be designed so that no building is constructed in a riparian zone.</i> | No building is proposed in any riparian zone. |
| Clause 34 – Visual and Acoustic Privacy | |
| <i>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</i> | |
| <i>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping,</i> | The built form has been suitably screened from nearby residences through appropriate site planning, with a significant setback provided to adjoining sites. Landscaping has been proposed in a manner that will largely ensure that the development remains unobtrusive when viewed from adjoining residential sites and from Cabbage Tree Road. |
| <i>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</i> | Only Blocks A and B are located in an area adjoining the entry road, with parking located underground. The Noise Impact Assessment (Appendix Y) demonstrates that the noise from cars entering/exiting the development will comply with the relevant noise emission criteria. |
| Clause 35 – Solar Access and Design for Climate | |
| <i>(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</i> | The seniors housing will not reduce the daylight levels of nearby residences. |
| <i>(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</i> | The seniors housing has been planned and designed in a manner ensuring that 67 of the 95 units receive 3 hours of solar access (70.5%) to living areas and private open spaces, with all dwellings being naturally cross ventilated. |
| Clause 36 – Stormwater | |
| <i>(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,</i> | Local overland flow paths are to be managed in and around the area of development works as described in the Civil Engineering package prepared by Marchese Engineering (Appendix C and Appendix AA). There will be no negative impacts or disturbance to any adjoining sites. |
| <i>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</i> | On site stormwater detention is to be provided in accordance with Northern Beaches Council requirements. Specifically, a detention tank will be constructed below the proposed driveway and landscaping, in the lower part of the |

| Provision | Response |
|---|--|
| | development. |
| Clause 37 – Crime Prevention | |
| <i>(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</i> | Natural surveillance and territorial reinforcement have been considered as part of the overall design. See the CPTED Assessment in Section 4.24 . |
| <i>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</i> | |
| <i>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</i> | |
| Clause 38 – Accessibility | |
| <i>The proposed development should:</i> | |
| <i>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</i> | A continuous path of travel for pedestrian access will be made available via ramps from the main entry lobby of each building through to Cabbage Tree Road and the bus stop on Annam Road. Pedestrian crossing areas across Cabbage Tree Road are included in the design of the roundabout for both golfers and pedestrians generally. |
| <i>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</i> | Site access will be provided via a new road connecting to Cabbage Tree Road. A roundabout will be developed on this section of Cabbage Tree Road ensuring effective traffic management and appropriate site access (refer to the Traffic Report in Appendix BB). |
| Clause 39 – Waste Management | |
| <i>The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities</i> | A garbage/services area is provided below Building B within the basement. The Waste Management Plan prepared by Waste Audit and Consultancy Services (Appendix Z) details how waste will be managed within the development so as to maximise recycling and reduce the amount landfilled. |
| Clause 40 – Development Standards | |
| Site Size – Minimum 1,000sqm | Compliant. The of the seniors housing site is much larger than 1,000m ² , with a development footprint area of approximately 18,000m ² (1.8ha). |
| Site Frontage – Minimum 20m | Compliant. The frontage to Cabbage Tree Road is approximately 190 metres. |
| Height zones where residential flat building are not permitted <i>If the development is proposed in a residential zone</i> | Not applicable. The development is not proposed in a residential zone. Therefore, this control does not apply. |

| Provision | Response |
|--|--|
| <p>where residential flat buildings are not permitted:</p> <ul style="list-style-type: none"> the height of all buildings in the proposed development must be 8 metres [as defined within the Seniors Housing SEPP] or less, and 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 a building located in the rear 25% area of the site must not exceed 1 storey in height. | |
| <p>Clause 50 – Standards that cannot be used to refuse development consent for self-contained dwellings</p> <p>Note: The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent</p> | |
| <p>(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or</p> | Buildings heights are above 8 metres. Refer to Section 0 below. |
| <p>(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</p> | Not applicable. |
| <p>(c) landscaped area: if:</p> <p>(i) in the case of a development application made by a social housing provider – a minimum of 35 square metres of landscaped area per dwelling is provided; or</p> <p>(ii) in any other case – a minimum of 30% of the area of the site is to be landscaped</p> | Compliant. Waterbrook are not a social housing provider. 8,826m ² of landscaped area is provided, being 47% of the development footprint area. |
| <p>(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,</p> | Compliant. 3,627.5m ² of deep soil zone will be provided, being 19.3% of the development footprint area. |
| <p>(e) solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</p> | Compliant. A maximum of 70.5% of apartments receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter. |
| <p>(f) private open space for in-fill self-care housing: if:</p> <p>(i) in the case of a single storey dwelling or a dwelling that is located wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and</p> | Compliant. |

| Provision | Response |
|---|---|
| 3 metres long and is accessible from a living area located on the ground floor, and (ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area, | |
| (d) parking: if at least the following is provided: (i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or (ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider. | Waterbrook are not a social housing provider. Therefore 0.5 car spaces for each bedroom is required. Based on 231 bedrooms, 116 car spaces must be provided. 192 car parking spaces are proposed. Therefore, the proposal is compliant. |

4.4 Residential Amenity

The proposed development has been designed to provide all dwellings with a high quality of internal amenity and outlook. As outlined in the SEPP 65 Report (**Appendix H**), the proposal has been designed in accordance with the nine principles of SEPP 65.

The Apartment Design Guide (ADG) accompanies SEPP 65. The underlying purpose of the ADG is to provide guidance for the development of new apartment buildings, specifically in relation to achieving the design principles set out in SEPP 65. Of particular relevance to the assessment of development applications is Parts 3 and 4 of the ADG.

An assessment of the proposal's compliance with the ADG is provided in **Table 10**. The instances where an alternative solution is proposed are discussed further below.

Table 10 – ADG Assessment

| Design Criteria | Assessment |
|---|------------|
| Part 3 Siting the Development | |
| 3D Communal and Public Open Space | |
| <i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping | ✓ |
| <i>Design Criteria</i> Communal open space has a minimum area equal to 25% of the site | ✓ 47% |
| Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter) | ✓ |
| 3E Deep Soil Zones | |
| <i>Objective</i> Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality. | ✓ |
| <i>Design Criteria</i> | ✓ 18.8% |

| Design Criteria | | Assessment | | | | | | | | | | | | |
|---|-------------------------------|---------------------------------|-------------------------------|---------------------------------|-----------------------------|----|----|---|----|----------------------------------|-----------------------|---|----|---|
| <p>Deep soil zones are to meet the following minimum requirements:</p> <table border="1"> <thead> <tr> <th>Site Area</th> <th>Minimum Dimensions</th> <th>Deep Soil Zone (% of site area)</th> </tr> </thead> <tbody> <tr> <td>Less than 650m²</td> <td>-</td> <td rowspan="4">7%</td> </tr> <tr> <td>650m² – 1,500m²</td> <td>3m</td> </tr> <tr> <td>Greater than 1,500m²</td> <td>6m</td> </tr> <tr> <td>Greater than 1,500m² with significant existing tree cover</td> <td>6m</td> </tr> </tbody> </table> | | Site Area | Minimum Dimensions | Deep Soil Zone (% of site area) | Less than 650m ² | - | 7% | 650m ² – 1,500m ² | 3m | Greater than 1,500m ² | 6m | Greater than 1,500m ² with significant existing tree cover | 6m | |
| Site Area | Minimum Dimensions | Deep Soil Zone (% of site area) | | | | | | | | | | | | |
| Less than 650m ² | - | 7% | | | | | | | | | | | | |
| 650m ² – 1,500m ² | 3m | | | | | | | | | | | | | |
| Greater than 1,500m ² | 6m | | | | | | | | | | | | | |
| Greater than 1,500m ² with significant existing tree cover | 6m | | | | | | | | | | | | | |
| 3F Visual Privacy | | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p> | | ✓ | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</p> <table border="1"> <thead> <tr> <th>Building Height</th> <th>Habitable rooms and balconies</th> <th>Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12m (4 storeys)</td> <td>6m</td> <td>3m</td> </tr> <tr> <td>Up to 25m (5-8 storeys)</td> <td>9m</td> <td>4.5m</td> </tr> <tr> <td>Over 25m (9+ storeys)</td> <td>12m</td> <td>6m</td> </tr> </tbody> </table> | | Building Height | Habitable rooms and balconies | Non-habitable rooms | Up to 12m (4 storeys) | 6m | 3m | Up to 25m (5-8 storeys) | 9m | 4.5m | Over 25m (9+ storeys) | 12m | 6m | ✓ |
| Building Height | Habitable rooms and balconies | Non-habitable rooms | | | | | | | | | | | | |
| Up to 12m (4 storeys) | 6m | 3m | | | | | | | | | | | | |
| Up to 25m (5-8 storeys) | 9m | 4.5m | | | | | | | | | | | | |
| Over 25m (9+ storeys) | 12m | 6m | | | | | | | | | | | | |
| 3J Bicycle and Car Parking | | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Car Parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas</p> | | ✓ | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>For development in the following locations:</p> <ul style="list-style-type: none"> on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre <p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p> | | Not applicable. | | | | | | | | | | | | |

| Design Criteria | Assessment | | | | | | | | | | | | |
|--|--|--|-----------------|------|---------------|------|-------------------------|--|--------------|---|-------------------------------|--|---|
| Part 4 Designing the Buildings | | | | | | | | | | | | | |
| 4A Solar and Daylight access | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</p> | ✓ | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.</p> | ✓ 70.5% - for 3 hours | | | | | | | | | | | | |
| <p>A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.</p> | ✓ | | | | | | | | | | | | |
| 4B Natural Ventilation | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</p> | ✓ | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p> | ✓ 100% | | | | | | | | | | | | |
| <p>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p> | ✓ Generally complies (17.5 average, 15m min -20m max) | | | | | | | | | | | | |
| 4C Ceiling Height | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Ceiling height achieves sufficient natural ventilation and daylight access</p> | ✓ | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: #e0e0e0;">Minimum ceiling height</th> </tr> <tr> <td style="width: 25%;">Habitable rooms</td> <td>2.7m</td> </tr> <tr> <td>Non-habitable</td> <td>2.4m</td> </tr> <tr> <td>For 2 storey apartments</td> <td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td> </tr> <tr> <td>Attic spaces</td> <td>1.8m at edge of room with a 30 degree minimum ceiling slope</td> </tr> <tr> <td>If located in mixed use areas</td> <td>3.3m for ground and first floor to promote future flexibility of use</td> </tr> </table> | Minimum ceiling height | | Habitable rooms | 2.7m | Non-habitable | 2.4m | For 2 storey apartments | 2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area | Attic spaces | 1.8m at edge of room with a 30 degree minimum ceiling slope | If located in mixed use areas | 3.3m for ground and first floor to promote future flexibility of use | ✓ |
| Minimum ceiling height | | | | | | | | | | | | | |
| Habitable rooms | 2.7m | | | | | | | | | | | | |
| Non-habitable | 2.4m | | | | | | | | | | | | |
| For 2 storey apartments | 2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area | | | | | | | | | | | | |
| Attic spaces | 1.8m at edge of room with a 30 degree minimum ceiling slope | | | | | | | | | | | | |
| If located in mixed use areas | 3.3m for ground and first floor to promote future flexibility of use | | | | | | | | | | | | |

| Design Criteria | Assessment | | | | | | | | | | |
|--|-----------------------|-----------------------|--------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|---|
| These minimums do not preclude higher ceilings if desired. | | | | | | | | | | | |
| 4D Apartment Size and Layout | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</p> | ✓ | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Apartments are required to have the following minimum internal areas:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Apartment Type</th> <th>Minimum internal area</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td style="text-align: center;">35m²</td> </tr> <tr> <td>1 bedroom</td> <td style="text-align: center;">50m²</td> </tr> <tr> <td>2 bedroom</td> <td style="text-align: center;">70m²</td> </tr> <tr> <td>3 bedroom</td> <td style="text-align: center;">90m²</td> </tr> </tbody> </table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.</p> | Apartment Type | Minimum internal area | Studio | 35m ² | 1 bedroom | 50m ² | 2 bedroom | 70m ² | 3 bedroom | 90m ² | ✓ |
| Apartment Type | Minimum internal area | | | | | | | | | | |
| Studio | 35m ² | | | | | | | | | | |
| 1 bedroom | 50m ² | | | | | | | | | | |
| 2 bedroom | 70m ² | | | | | | | | | | |
| 3 bedroom | 90m ² | | | | | | | | | | |
| Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms. | ✓ | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Environmental performance of the apartment is maximised</p> | ✓ | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p> | ✓ | | | | | | | | | | |
| In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window. | ✓ | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Apartment layouts are designed to accommodate a variety of household activities and needs</p> | ✓ | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space).</p> | ✓ | | | | | | | | | | |
| Bedrooms have a minimum dimension of 3m (excluding wardrobe space). | ✓ | | | | | | | | | | |
| <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <p>3.6m for studio and 1 bedroom apartments</p> <p>4m for 2 and 3 bedroom apartments</p> | ✓ | | | | | | | | | | |
| The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts. | ✓ | | | | | | | | | | |
| 4E Private Open Space and Balconies | | | | | | | | | | | |
| <p><i>Objectives</i></p> <p>Apartments provide appropriately sized private open space and balconies to enhance residential amenity</p> | ✓ | | | | | | | | | | |

| Design Criteria | Assessment | | | | | | | | | | | | | | | |
|--|------------------|-----------------------|-----------------------|------------------|---------------------|-----------------|---------------------|-----------------|----------------------|---------------------|------------------|----|----------------------|------------------|------|---|
| <p><i>Design Criteria</i></p> <p>All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling Type</th> <th>Minimum Area</th> <th>Minimum internal area</th> </tr> </thead> <tbody> <tr> <td>Studio apartment</td> <td>4m²</td> <td>-</td> </tr> <tr> <td>1 bedroom apartment</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>2 bedroom apartment</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>3+ bedroom apartment</td> <td>12m²</td> <td>2.4m</td> </tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p> | Dwelling Type | Minimum Area | Minimum internal area | Studio apartment | 4m ² | - | 1 bedroom apartment | 8m ² | 2m | 2 bedroom apartment | 10m ² | 2m | 3+ bedroom apartment | 12m ² | 2.4m | ✓ |
| Dwelling Type | Minimum Area | Minimum internal area | | | | | | | | | | | | | | |
| Studio apartment | 4m ² | - | | | | | | | | | | | | | | |
| 1 bedroom apartment | 8m ² | 2m | | | | | | | | | | | | | | |
| 2 bedroom apartment | 10m ² | 2m | | | | | | | | | | | | | | |
| 3+ bedroom apartment | 12m ² | 2.4m | | | | | | | | | | | | | | |
| <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.</p> | ✓ | | | | | | | | | | | | | | | |
| 4F Common Circulation and Spaces | | | | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Common circulation spaces achieve good amenity and properly service the number of apartments</p> | ✓ | | | | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>The maximum number of apartments off a circulation core on a single level is eight.</p> | ✓ | | | | | | | | | | | | | | | |
| 4G Storage | | | | | | | | | | | | | | | | |
| <p><i>Objective</i></p> <p>Adequate, well designed storage is provided in each apartment</p> | ✓ | | | | | | | | | | | | | | | |
| <p><i>Design Criteria</i></p> <p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table border="1"> <thead> <tr> <th>Dwelling Type</th> <th>Minimum Area</th> </tr> </thead> <tbody> <tr> <td>Studio apartment</td> <td>4m²</td> </tr> <tr> <td>1 bedroom apartment</td> <td>6m²</td> </tr> <tr> <td>2 bedroom apartment</td> <td>8m²</td> </tr> <tr> <td>3+ bedroom apartment</td> <td>10m²</td> </tr> </tbody> </table> <p>At least 50% of the required storage is to be located within the apartment.</p> | Dwelling Type | Minimum Area | Studio apartment | 4m ² | 1 bedroom apartment | 6m ² | 2 bedroom apartment | 8m ² | 3+ bedroom apartment | 10m ² | ✓ | | | | | |
| Dwelling Type | Minimum Area | | | | | | | | | | | | | | | |
| Studio apartment | 4m ² | | | | | | | | | | | | | | | |
| 1 bedroom apartment | 6m ² | | | | | | | | | | | | | | | |
| 2 bedroom apartment | 8m ² | | | | | | | | | | | | | | | |
| 3+ bedroom apartment | 10m ² | | | | | | | | | | | | | | | |

4.5 Built Form and Scale

The built form of the proposal has been designed in a manner which responds to its context. The built form and scale of the proposal, which was revised and reduced following the refusal of the original SCC application in 2014, has since been assessed by the DPE and deemed to be compatible with the surrounding environment and surrounding land uses.

The built form has been divided into seven (7) separate pavilions, as described in **Section 3.3.4**. This approach allows for the dispersion of bulk across the site and views between buildings which, in turn, enables the buildings to step down in response to the sloping topography. The spread of built form in this manner ensures the proposal retains a sensitive scale and responds to the 2-3 storey character of residential development in the neighbourhood, whilst also maintaining an appropriate relationship to the recreational land which constitutes the golf course.

The intention to provide a development which is compatible with the neighbourhood is, however, not the primary constraint which the design seeks to overcome. The built form and scale of the proposal is equally driven by a response to environmental constraints such as existing vegetation on the golf course, geotechnical hazards which lie outside the site of the development, flooding constraints which generally impact on land in the former Pittwater LGA, and bushfire hazards associated with bushland to the west of the site. These constraints have, therefore, dictated the maximum developable area and environmental capacity of the site. All development must be located within the designated area of the proposal.

Finally, in attempting to minimise tree loss and reduce the visual impact of the proposal, the built form has been located in and amongst a significant 'avenue' of existing trees which form a perimeter around the development and separate it from the golf course fairways north of Cabbage Tree Road which will remain (being land which currently makes up the 6th and 7th holes). In doing so, the proposal will remain virtually unobtrusive from land outside the golf course due to the height and dense foliage of the vegetation surrounding the seniors housing, which will be supplemented by additional vegetation.

Overall, the built form is considered appropriate and responsive to the character of the locality given:

- The development will remain largely unobtrusive amongst the heavily vegetated avenue of trees surrounding the site;
- The 3-4 storey height is in keeping with the nearby the height of seniors housing developments in Bayview in the immediate vicinity;
- It allows for the delivery of a critical mass of dwellings, proving a viable scheme whilst also permitting the continued operation of an 18-hole course;
- The buildings appropriately respond to the topography of the site; and
- The built form will not have any amenity impacts on any adjoining residence (see **Section 0**).

The key built form considerations have been addressed below.

4.5.1 Building Height

Seniors Housing

The proposal provides a maximum building height of four storeys, which is equivalent to 13.90 (including lift overrun) metres above natural ground level. The seven seniors housing pavilions on site range between 9.5 metres and 14 metres in total height above existing ground level. The Pittwater LEP 2014 permits a maximum building height of 8.5 metres, although it is noted that this is a height limit which is attributed to the RE2 Private Recreation zone and does not reflect the circumstances of the proposal and Seniors SEPP SCC process. In any case, a variation to the height limit is proposed in order to facilitate the proposal, and a Clause 4.6 Variation Request has been prepared in order to address the variation to the development standard (**Appendix J**).

The proposed building heights are consistent with the heights of buildings which were assessed and deemed compatible by the DPE as part of the SCC process. Key considerations include:

- The provision of building height which minimises, as much as possible, the visual impact of the proposal, having regard to the siting of mass, the recessed nature of the upper levels, and the relationship to the surrounding avenue of tall trees and vegetation;
- To provide for a development that is compatible with surrounding development; and
- The desire to provide a stepped built form.

The seniors housing has been designed with a predominant three storey built form and an average height of 11.39 metres. This allows for the development which retains a complimentary scale to its surrounds, which maximises solar access to the communal areas of the development, ensures a development which is compatible with the character of development in the locality, and provides the critical mass required to facilitate a viable, services rich development. The use of a three and four storey built form ensures that site coverage is minimised, and areas of landscaping and deep soil are maximised.

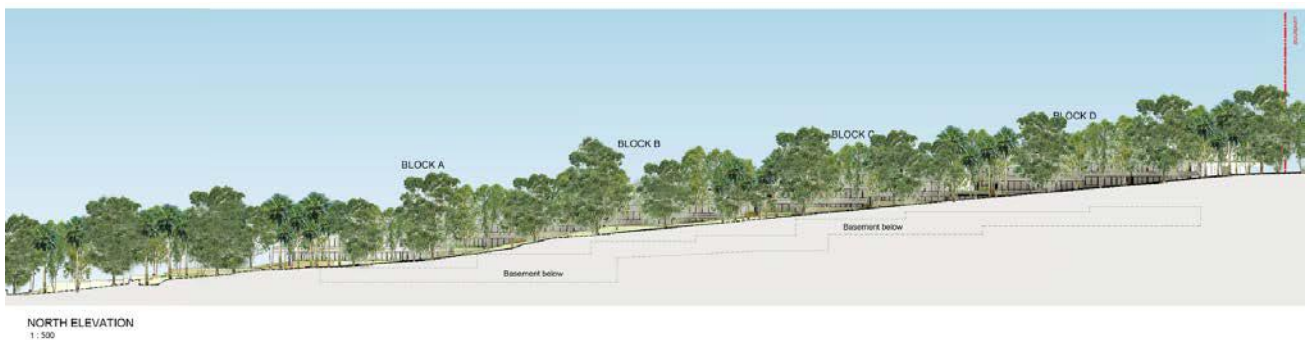


Figure 34 – North elevation of proposed seniors housing development

Source: Marchese Partners



Figure 35 – South elevation of proposed seniors housing development

Source: Marchese Partners

Golf Course Maintenance Shed

All golf course upgrade works remain within the permissible building height. The storage facility has been designed with a maximum height of 5.2 metres. This will ensure that it remains largely inconspicuous when viewed from Cabbage Tree Road whilst allowing for it to appropriately function as a storage facility for large items.

4.5.2 Setbacks

The proposed seniors housing, as a result of its location, results in substantial setbacks to nearby residential dwellings, thereby ensuring that no impacts occur as a result of the proposed development.

In accordance with Section D9.6 of the Pittwater 21 DCP, no numerical setback is set for land within the RE2 Private Recreation zone. A merit assessment is otherwise required, particularly as there is no predominant street setback along the section of Cabbage Tree Road in question. The nearest proposed built form component, being Building A and the Facilities building, will be set back 21.85 metres and 15.05 metres from Cabbage Tree Road respectively. This street setback ensures that the built form is not overly visible from Cabbage Tree Road, and predominantly maintains the heavily vegetated streetscape that dominates this section of Cabbage Tree Road.

Given the seniors housing is located within the existing golf course site, it is noted that the closest residences to the development are as follows:

- To the north: 5 Konda Close is set back 91 metres from the edge of Block D;
- To the east: 3 Kiewa Close is set back 39 metres from Block A;
- To the south-west: 66B Cabbage Tree Road is setback 132 metres from Block F; and

Given the unique circumstances of the proposal and the siting of the development, the Pittwater 21 DCP controls are not considered to be the best standard by which to measure appropriate setbacks. Nevertheless, the setbacks provided can demonstrate compliance with the recommended outcomes within the DCP. In particular, it is noted that the design was a direct response to the site's opportunities and constraints and provides an opportunity to facilitate seniors housing within a location with no amenity impacts on surrounding properties.

The setbacks ensure that privacy, amenity and solar access is fully maintained to surrounding properties and internally within the development. Furthermore, substantial landscaping, both existing and through proposed revegetation, will provide a buffer between the development when viewed from any key aspects.

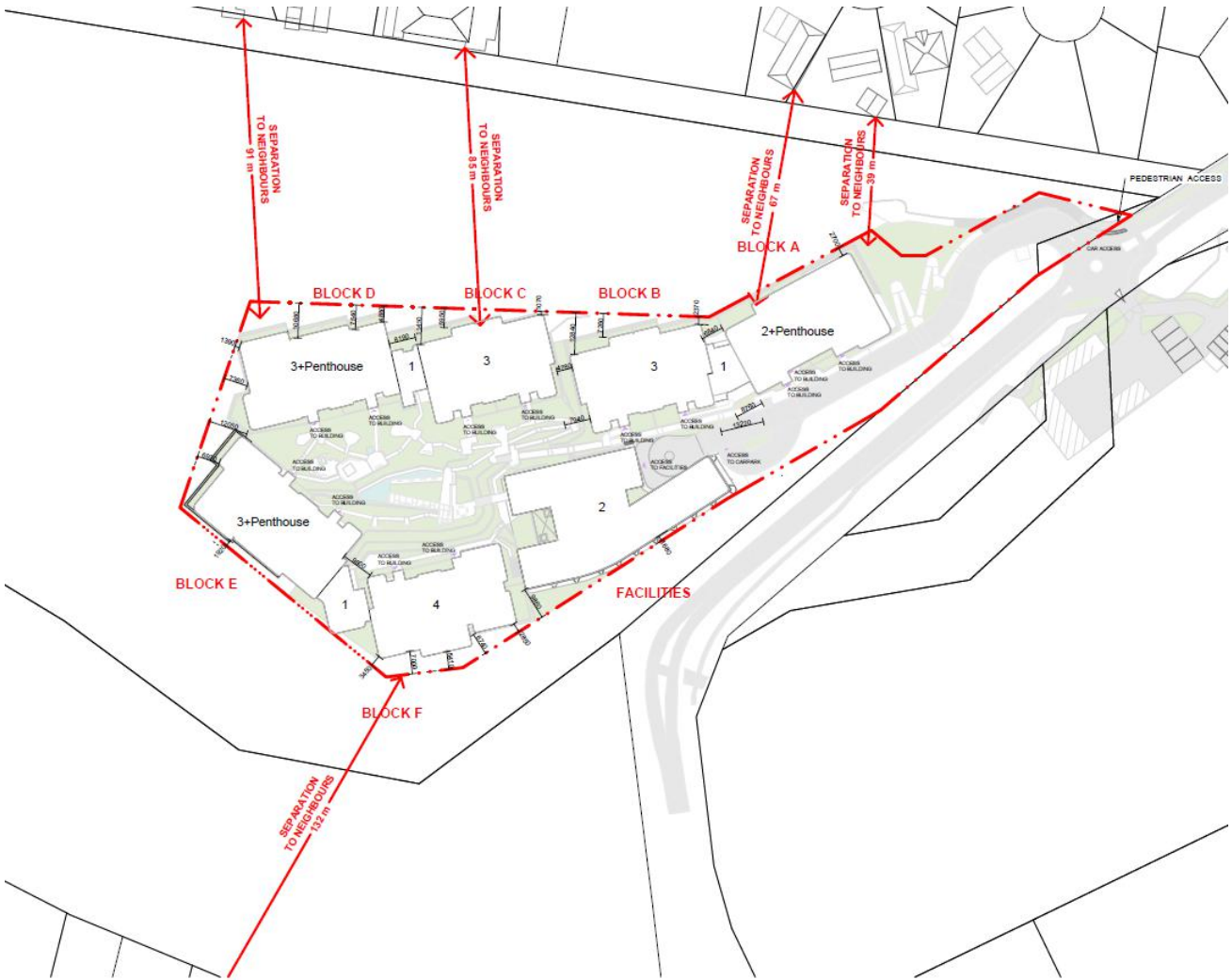


Figure 36 – Setbacks to adjoining properties

Source: Marchese Partners

4.6 Built Form Compatibility

As discussed in **Section 1.4** of this report, the SCC issued by the Secretary of the DPE in support of the project determined that the site was suitable for more intensive development, and that the proposed concept was compatible with the surrounding environment and land uses. This opinion was formed having regard to a number of criteria set out in Clause 24 of the Seniors SEPP, including (but not limited to):

- (i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development
- (ii) 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
- (iii) 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

- (iv) in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development*
- (v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development*
- (vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003—the impact that the proposed development is likely to have on the conservation and management of native vegetation.*

The detailed design of the proposed development which is the subject of this DA is consistent with the concept which the DPE considered in the issue of the SCC. The proposal has been carefully and sensitively designed by separating the mass into seven separate elements that step down with the site towards Cabbage Tree Road.

The seven proposed buildings have been designed to respond sympathetically to the height, scale and built form of the existing area and therefore to respect the character of the surrounding locality. It is considered that the 3-4 storey heights for the proposed concept are compatible with the 2-3 storey nature of existing development in the locality with the departure considered minor. In particular, the proposed concept is consistent with the bulk and scale of existing seniors housing development in the locality which set a clear precedent.

Importantly, the proposal is also consistent with the NSW Land and Environment Court Principle for 'compatibility', as established in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*. This is discussed in detail below.

4.6.1 Consistency with Compatibility Planning Principle

In *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, which was an appeal against the refusal by Pittwater Council, the Planning Principle of 'compatibility' in the urban environment was established. Key elements of the Planning Principle are as follows:

- There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.
- Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.
 - *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
 - *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*
- *For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height,*

setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

- *Buildings do not have to be the same height to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.*
- *Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.*
- *Landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees.*

The proposal is considered compatible with its context as:

- Its physical impacts on surrounding development are acceptable. The proposed development will not constrain the development potential of the land immediately surrounding it, as:
 - No impacts will occur to the adjacent golf course. The golf course reconfiguration has occurred to accommodate the proposed development, with a professionally designed configuration, hole and fairway placement, tree, hazard and tee box locations. The proposed buildings are set back from the course and appropriately screened by vegetation and other devices to not impact on the golf course's operations.
 - The proposal will not impact on surrounding residential land uses given their substantial distance away and the low visibility of the proposal provided by the substantial screening of existing (and proposed) vegetation.
 - The proposal will not result in an unacceptable physical impact on the surrounding natural environment, given the mitigation measures to be implemented related to flooding and ecology, as outlined throughout this report.
- The design, siting, scale, and materiality result in an overall development with an appearance which will exist together in harmony with its immediate and wider environment, being the adjacent golf course and areas of natural environment, residential and existing seniors housing in the surrounding area. This is particularly the case because the design has sought to emphasise the desired elements of the character of Bayview and emphasise those through the development (significant landscaping, a generally human scale of development and minimised site coverage).
- Harmony is achieved between the proposed development and surrounding land uses, as well as the character of the locality through:
 - Sympathetic heights, bulk and scale, which is not substantially greater than the heights, bulk and scale of development in the locality, particularly existing seniors developments;
 - The siting and relationship of the proposed built form to surrounding space being of a lesser or consistent footprint compared to other buildings in the locality, particularly nearby seniors housing developments, as demonstrated in the figure ground plans in in the figures below;
 - The substantial landscaping concept, which has been designed to reflect the character of the area, by incorporating significant plantings of native species whilst retaining tall trees surrounding the development and along the golf course, which will screen the development from view;

- The proposed development includes building tones and materials which are harmonious with the surrounding landscape and area (refer **Section 3.3.8**);



Figure 37 – Figure ground plan comparison (Waterbrook Bayview and Aveo Bayview Gardens)

Source: Marchese Partners

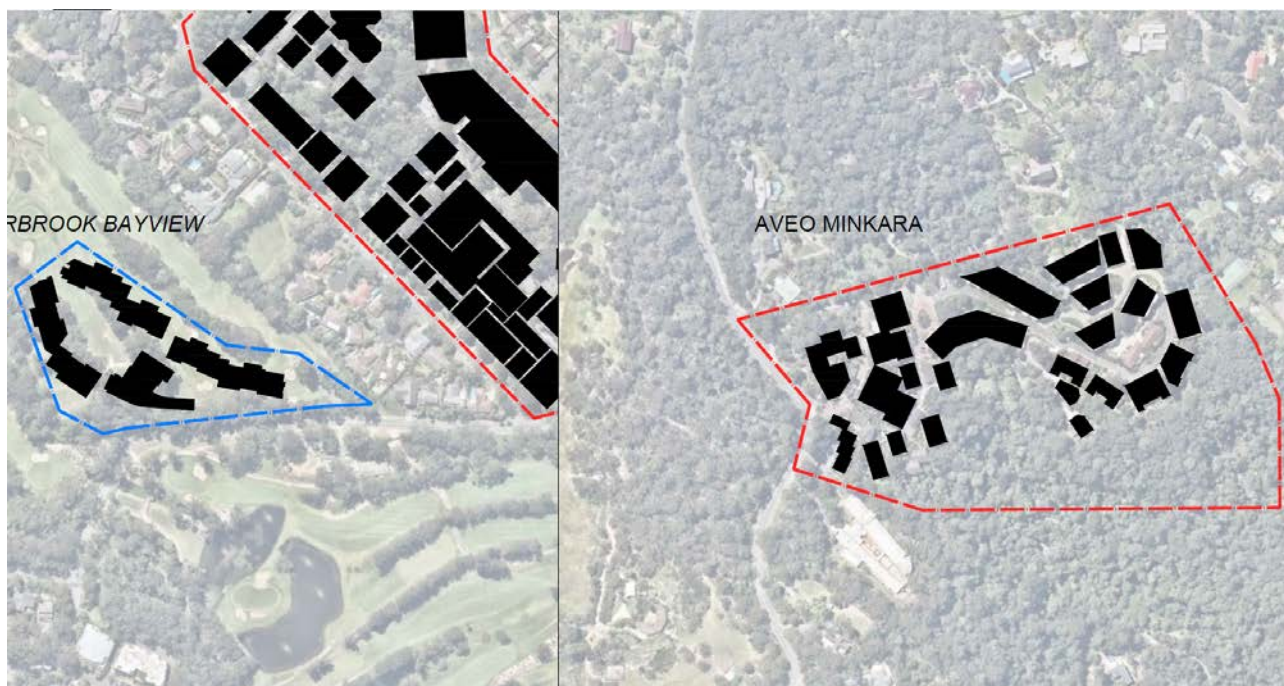


Figure 38 – Figure ground plan comparison (Waterbrook Bayview and Aveo Minkara)

Source: Marchese Partners

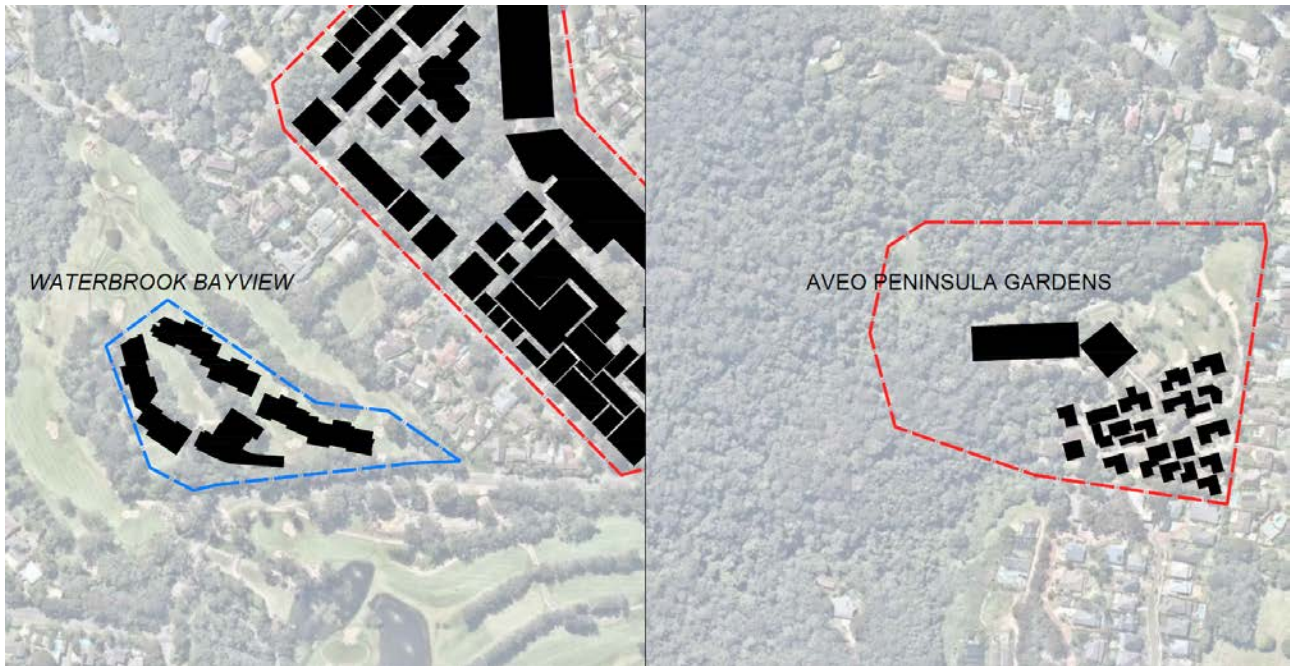


Figure 39 – Figure ground plan comparison (Waterbrook Bayview and Aveo Peninsula Gardens)

Source: Marchese Partners

- The built form proposes a predominant height of 3-4 storeys. The height of the proposal is considered to be compatible in its context given its footprint is consistent with surrounding development (particular existing seniors housing), and the proposed height, whilst taller than the 2-3 storey heights of surrounding development, is not significantly taller.
- The proposed development's setbacks both from Cabbage Tree Road and the neighbouring golf course are substantial. As the site is currently part of the golf course, there is no uniform building line and therefore, the proposal has adopted generous setbacks from existing fairway tree lines to ensure it is compatible in its natural setting.

The proposal has been designed to be compatible with its context and surrounding development and is therefore consistent with the Planning Principle for compatibility established in *Project Venture Developments v Pittwater Council* [2005]. The proposed development is in harmony with the land surrounding it and will not have any undue physical impacts on surrounding sites.

4.7 Impact on Adjoining Properties

Suitable setbacks have been incorporated into the design to ensure that the seniors housing site has minimal impact on nearby residences. An assessment of potential impacts on neighbouring residences is provided below.

4.7.1 Overshadowing

Shadow diagrams have been prepared by Marchese Partners and are included in **Appendix A. Figure 40** and **Figure 41** below show the relevant impacts during the worst-case scenario (midwinter) resulting from the proposed development. The shadow diagrams identify that the proposed buildings do not cast shadow on the residential properties on the northern side of Cabbage Tree Road, being those properties located at 54-76 Cabbage Tree Road, and which abut the channel alongside the southern boundary of the 7th hole, at any time in midwinter. Therefore, the proposal is acceptable with regards to overshadowing impacts.



Figure 40 – Shadow diagram, midwinter, 9am

Source: Marchese Partners



Figure 41 – Shadow diagram, midwinter, 12pm

Source: Marchese Partners

4.7.2 Privacy

The proposed development will achieve suitable separation from surrounding buildings as required by the ADG, and will not result in any overlooking or privacy impacts on nearby residents. The improvement of ecological corridors surrounding the seniors housing site will further mitigate any privacy impacts.

4.7.3 Visual Impact

The proposed development has been designed and sited to allow for a building mass, bulk and scale that is appropriate for the site, which is consistent with the surrounding locality and that will have minimal visual impact when viewed from the public domain along Cabbage Tree Road, and from residential properties in the vicinity. As discussed previously, an avenue of trees already surrounds the perimeter of the proposed development, and will be complemented by additional native planting to create a visual screen, minimising the impact on nearby residences to the east and west and when

viewed from Cabbage Tree Road. These images are taken from the View Analysis (VA) prepared by Virtual Ideas, included in **Appendix D**.

This VA illustrates the impact of the seniors housing proposal when viewed from surrounding sites to the north, south, east and west, with an emphasis given to views from adjacent to nearby residences and the Cabbage Tree Road street frontage. The figures below illustrate the impact from key views. A summary of the visual impact of the proposal is described below:

- The proposed built form, by virtue of the substantial screening which the avenue of existing trees which surround the seniors housing provides, results in a visual impact of **negligible to nil** in the majority of circumstances. This screening also includes proposed vegetation, which has been modelled in the in a 5-year scenario in the View Analysis.
- In most circumstances, the proposed built form is only marginally discernible through the dense foliage of the trees which surround the development;
- The proposed development is not visible from Annam Road to the north;
- The built form is not visible from the entrance road and roundabout along Cabbage Tree Road as a result of the angle of the road and substantial vegetative screening along the Cabbage Tree Road frontage;
- The proposal is barely discernible from camera positions 3, 8, 9 and 10, taken from the nearest residential properties to the north and north-east at Kiah Close, Kiewa Close, and Konda Close (all cul-de-sacs which are accessed directly from Annam Road)

Accordingly, the proposal's visual impact is considered acceptable.

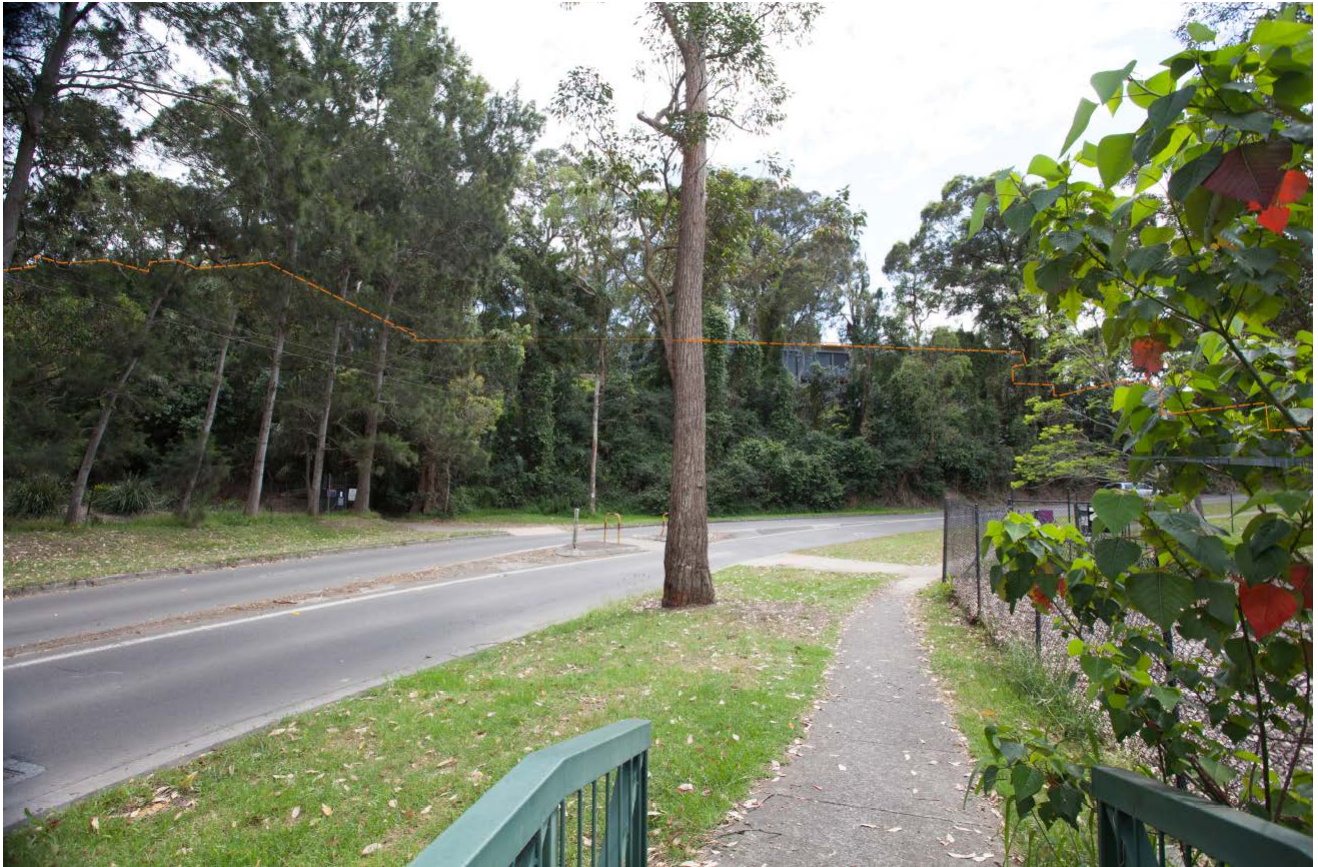


Figure 42 – View of proposed development from Cabbage Tree Road

Source: Virtual Ideas



Figure 43 – View of proposed development from the eastern boundary of the golf course (in proximity to 3 Kiewa Close)

Source: Virtual Ideas



Figure 44 – View of proposed development from the south-western boundary of the golf course (in proximity the properties at 54-74 Cabbage Tree Road)

Source: Virtual Ideas



Figure 45 – View of proposed development from the rear balcony of 74 Cabbage Tree Road

Source: Virtual Ideas

4.8 Potential Land Use Conflicts

Given the proposed seniors housing development will be located adjacent to an operational golf course, an assessment against the potential for land use conflict with the course is necessary. In relation to potential conflict between golf balls and the proposed development, a design statement has been provided by the golf course designer Papworth + Parker (**Appendix O**) which illustrates that the amendment to the course configuration on the northern portion of the golf course has taken into consideration the potential for stray golf balls.

In addition, the requirements of Clause 23 of the Seniors Housing SEPP require that appropriate measures are put in place to separate the registered club associated with Bayview Golf Club from the residential areas of the proposed development in order to avoid land use conflicts. In this regard,

the pedestrian access point for the licensed area of the club is located some 700 metres from the proposed development. The substantial spatial separation afforded between the club and the proposed development will ensure that there will be no direct or unmanageable social or residential amenity land use conflicts arising as a consequence of the proposed development.

4.9 Transport and Accessibility

A Traffic Impact Assessment (TIA) has been prepared by TTPA (refer to **Appendix BB**). The assessment describes the road network and traffic circumstances, assesses the potential traffic implications, assesses the adequacy of the proposed parking provision and assesses the proposed vehicle access, internal circulation and servicing arrangements. An assessment of the findings of the report are discussed below.

4.9.1 Parking

A total of 180 car parking spaces are proposed within the basement car park of the seniors housing development. The number of parking spaces proposed has been designed having regard to the deemed to satisfy provisions set out within Clause 50 of the Seniors SEPP, which are applicable to self-contained dwellings. Clause 50(h) requires a minimum parking provision of 0.5 spaces per bedroom for a non-social housing provider to be deemed satisfactory. For the proposed development, this is equivalent to 138.5 car parking spaces. Therefore, through the provision of 180 spaces (being 137 residential and 43 visitors), the parking provision is considered to be adequate.

4.9.2 Traffic Generation

The overall traffic generation of the proposed development has been assessed within the TIA. According to the TIA, the *RMS Guide to Traffic Generating Developments* does not provide criteria for seniors living developments, but provides peak traffic generation criteria for medium density residential units as follows:

- 2 bedrooms 0.4 – 0.5 vehicle trips per hour, per dwelling
- 3 or more bedrooms 0.5 – 0.65 vehicle trips per hour, per dwelling

However, the experience with other existing Waterbrook seniors housing projects (such as Greenwich and Yowie Bay) is that some 25-30% of residents typically do not own a motor vehicle (mini bus travel is provided). Because of the comprehensive on-site facilities and age/retirement status of residents, the traffic movements are constrained, particularly during the weekday AM and PM commuter peak periods.

The assessed traffic generation of the proposal during the AM and PM peak periods is 0.2 vehicle trips per hour, per dwelling and added to this would be some minor staff, visitor and service vehicle movements. It is apparent therefore that the projected traffic generation will be some 20 – 30 vehicle trips per hour during the peak periods. The potential operational performance of the proposed access roundabout has been assessed using SIDRA with a 20% growth factor on the existing traffic volumes. The results, indicating a satisfactory operational performance, are provided in the TIA and summarised in the below:

- AM: Level of Service A, Average Vehicle Delay of 4.9 seconds
- PM: Level of Service A, Average Vehicle Delay of 4.8 seconds

The TIA concludes that there will not be any unsatisfactory traffic capacity, safety or environmental related implications resulting from the proposed development.

4.9.3 Access

Vehicular access will be provided via a new road, which will connect to a new roundabout at the intersection of Cabbage Tree Road. This will form a 4-way intersection along with Cabbage Tree Road and the existing club maintenance access. The roundabout will incorporate the modified existing pedestrian refuge and will act to constrain vehicular speed along Cabbage Tree Road.

Within the site, the private road will become a driveway and 'split' to provide access to and from the reception and to and from the basement carpark and loading dock area. Access into the basement will be accessed controlled. The design accords with Australian Standards with regards to manoeuvring through the basement.

Garbage will be removed from the loading bay by private contractors and large delivery vehicles (e.g. furniture pantechicons and / or furniture / appliance delivery vehicles) will also use the loading bay. Small service vehicles (couriers, service personnel etc.) will be able to use the visitor parking spaces in the basement.

Accordingly, there will be suitable vehicle access internal circulation and servicing arrangements for the proposed development.

4.9.4 Public Transport Services

A number of key bus services provide public transport accessibility throughout the local area and through to key centres. These include:

- State transit services include the newly introduced 'B Line' route that runs between Newport and the Sydney CBD.
- Route 155 operates to and from the Mona Vale Centre running along Cabbage Tree Road and Annam Road. This service connects to and from Narrabeen and links with other bus services which provides connections to Manly, Chatswood, North Sydney, and the Sydney CBD;
- Route 182 operates along Samuel Street, Parkland Road and Waratah Street to and from Mona Vale Centre and Narrabeen.

4.10 Geotechnical Hazards

The overall site and the seniors housing site excludes land mapped as Geotechnical Hazard within the Pittwater LEP 2014 Geotechnical Hazard Map. Nevertheless, a Geotechnical and Acid Sulphate Soils Assessment has been prepared by Martens Consulting Engineers in relation to the seniors housing site and is included in **Appendix W**. This report has been prepared to assist in the structural design of the proposed development. It incorporates an investigation into the site's geotechnical and hydrogeological conditions, including an assessment of the potential for the presence of acid sulphate soils within the site.

Based on the site modelling, the following recommendations have been made:

- All footings for new structures along the fill embankment are taken through the soil profile and founded in solid bedrock;
- Slope vegetation should be retained, where possible; and
- Appropriate surface and subsurface drainage should be provided to limit saturation of the soil profile.

Based on the risk calculations and modelling undertaken, the proposed development is considered to constitute an acceptable risk to life and a low risk to property resulting from geotechnical hazards. The development is considered acceptable provided the risks are mitigated and the recommendations of the report are implemented.

4.11 Contamination

Clause 7 of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) requires that consideration be given to whether the site on which development is proposed is contaminated, and if so, whether remediation is required to accommodate the proposed use. Detailed Site Investigations prepared by Martens and Associates are included in **Appendix R** (golf course site) and **Appendix S** (seniors housing site).

4.11.1 Golf course site

A Detailed Site Investigation was undertaken to assess potential land contamination at Bayview Golf Club on the land the subject of earthworks and flood mitigation works. The objective of the investigation was to assess soil contamination and determine site suitability for the proposed golf course reconfiguration which includes significant earthworks.

The results obtained from soil sampling had samples from three locations which exceeded adopted Site Acceptance Criteria (SAC) due to asbestos being detected at levels above the reporting limit (0.1g/kg). At one of the three locations, the relevant SAC was also exceeded for benzo(a)pyrene and carcinogenic polycyclic aromatic hydrocarbons (PAHs). The three locations which had exceedances were situated in the south west of the investigation area.

To address these exceedances, assess remediation options and determine remediation requirements, the report recommends that a remediation action plan (RAP) is prepared, which documents required controls and procedures for the proposed earthworks, for the area where the SAC was exceeded, and for the whole investigation area.

The report also made the following recommendations:

- Prior to any soil material being removed from site, a formal waste classification assessment is required in accordance with NSW EPA Waste Classification Guidelines (2014).
- Any earthworks in areas where asbestos fibres were identified in soil are to be undertaken by an ASA licensed contractor.

In summary, whilst the assessment of the golf course identified potential areas of environmental concern, there was no evidence of gross contamination such as stockpiling, staining or odours. Potential site contaminants included pesticides, herbicides and heavy metals associated with operations and a wide range of contaminants in in-fill from an unknown source/s. The report concludes that the site can be made suitable for the proposed development subject to recommendations contained within the report.

4.11.2 Seniors housing site

A Detailed Site Investigation was also undertaken to address potential land contamination on the seniors housing site. Laboratory results indicated that all soil contaminant concentrations are below the adopted SAC for the proposed seniors housing development. No other potential contamination was observed as part of this assessment. It is therefore considered that the seniors housing site is suitable for the proposed development.

4.12 Acid Sulfate Soils

The following reports have been prepared to address the risks to the proposed development associated with the presence of Acid Sulfate Soils:

- Geotechnical and Acid Sulphate Soils Assessment: Proposed Seniors Living Development (**Appendix W**)
- Acid Sulfate Soils Management Plan: Seniors Living Development (**Appendix V**)
- Acid Sulfate Soil Assessment: Proposed Flood Mitigation Earthworks, Bayview Golf Course (**Appendix U**)
- Preliminary Acid Sulfate Soils Management Plan: Proposed Flood Mitigation Earthworks, Bayview Golf Course (also **Appendix U**)

The Acid Sulfate Soils Assessments have been prepared by Martens and Associates with the objective of determining the presence of actual or potential Acid Sulfate Soils risks via geomorphic observations and laboratory testing of soils, and where required, provide an Acid Sulfate Soils management plan for the proposed development.

4.12.1 Golf course site

Flood mitigation earthworks are proposed over the investigation area, which will include significant cut and filling. Following completion of earthworks, the area will continue to be used as a golf course. The areas where excavation (cut) is proposed are within an area mapped as having a high probability of Acid Sulfate Soils within 1m of the ground surface.

The assessment prepared for the proposed works on the golf course has identified that a number of the samples taken exceeded the relevant criteria, and therefore, an Acid Sulfate Soils Management Plan is required to address risks associated with actual potential Acid Sulfate Soils (PASS) and risk of acid generation by PASS exposure during site works. Provided the management plan is implemented, acidic soil conditions should not restrict the proposed development. Accordingly, An Acid Sulfate Soils Management Plan was prepared for the golf course site and works (also included in **Appendix U**).

4.12.2 Seniors housing site

In summary, the conclusions from the Acid Sulfate Soils Assessment undertaken for the seniors housing site, also prepared by Martens, are as follows:

- Acid Sulfate Soils criteria exceedance within the proposed building area was found in some sandstone bedrock samples and overlying clay samples. The origin of this acidity is therefore likely to be related to geology rather than from Acid Sulfate Soils. It was therefore concluded that preparation of a management plan was not essential for construction works of the proposed buildings as they were predominantly located within the residual soil landscape.
- However, an exceedance within the south-eastern portion (proposed new entry / exit road) was found in one alluvial soil sample. It was concluded that preparation of a management plan was required for any construction works, including the proposed new entry / exit road, within the south-eastern portion of the site.

Accordingly, Martens and Associates prepared an Acid Sulfate Soils Management Plan for the proposed seniors housing development site for the identified minor exceedance (**Appendix V**). The

plan outlines the treatment plan, record keeping, monitoring, waste generation and contingency procedures for the development of the site.

4.13 Ecology

In order to assess the impact of the proposal (both the golf course upgrade works and the seniors housing development) on ecology (flora and fauna), an Environmental Assessment report has been prepared by Anne Clements & Associates (**Appendix M**). This report contains three components, being:

- Part A: Assessment of flora and fauna environmental constraints and opportunities
- Part B: Conservation Management Plan
- Part C: Assessment of significance of the proposal

An Arboricultural Impact Assessment has also been prepared by Footprint Green and is provided at **Appendix X** to assess the condition and significance of a number of trees on the site, and assess the potential impact of the proposal on the identified trees.

The findings and recommendations of the Environmental Assessment are discussed below.

4.13.1 Impacts of the Proposal

Golf Course Upgrade Works (Conservation Works)

The overall proposal seeks to increase the area of native vegetation from 6.86 ha to 15.29 ha, and the intactness and connectivity of the flora and fauna habitats. This overall increase in conservation value is set out in **Table 11** below (and illustrated in **Figure 46** and **Figure 47**). It is noted that the use of weirs associated with the golf course flood mitigation works is likely to reduce the extent of saline intrusion and therefore, improve the aquatic habitat for frogs also.

Table 11 – Increase in native vegetation following proposed conservation works

| Vegetation type | Approximate area before proposal | Approximate area post proposal |
|---|---|--------------------------------|
| Aim: Wet sclerophyll forest with rainforest understorey and eucalypt canopy | | |
| Located NW of proposed Fairway 6 (patch1) | 1.07 ha | 0.244 + 1.07 ha |
| Located S of proposed village and upslope of Cabbage Tree Road (patch 2) | 0.31 ha | 0.156 + 0.31 ha |
| Located E of Fairway 6 | 0.33 ha | |
| Total | 1.71 ha | 2.11 ha |
| Currently strips of between fairway vegetation with mown understorey (patches 4 to 10) | 0.71 ha | 1.28 ha |
| Sandstone outcrops with groundcover including ferns | | 0.49 ha |
| Coastal Floodplain Communities | | |
| Patches 11 - 21 | 2.6 ha | 3.80 ha |
| Row planted mainly <i>Casuarina glauca</i> | 2300 linear metres Approximately 8 m wide 1.84 ha | 8.10 ha |
| TOTAL | 6.86 ha | 15.29 ha |

Source: Anne Clements & Associates



- ▬ Site boundary
- ▬ Proposed development boundary
- Existing vegetation**
- ▬ Modified fairway vegetation (mainly row planted *Casuarina glauca* on low lying land)
- ▬ Wet sclerophyll forest with rainforest understorey and eucalypt canopy
- ▬ Modified fairway vegetation on higher land
- ▬ Coastal floodplain ecosystems
- Areas for proposed plantings**
- ▬ Modified fairway vegetation (mainly row planted *Casuarina glauca* on low lying land)
- ▬ Wet sclerophyll forest with rainforest understorey and eucalypt canopy
- ▬ Modified fairway vegetation on higher land
- ▬ Coastal floodplain ecosystems

Patch number and areas in Appendix 6

0 25 50 m

Geocentric Datum of Australia 1994

Figure 7c-1.
Areas for proposed planting and existing vegetation from the Master plan for the golf course upgrade (GNP Golf Design 2017) - 1 of 2

Figure 46 – Areas of proposed planting and existing vegetation (higher land)

Source: Anne Clements & Associates

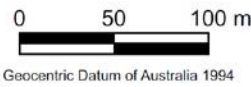
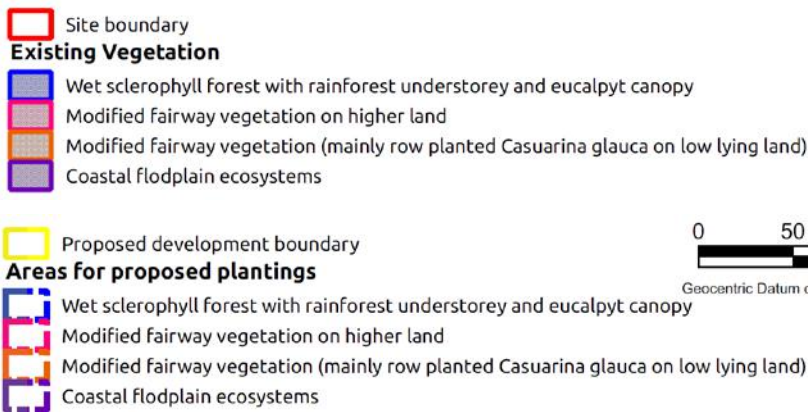


Figure 7c-2.

Figure 47 – Areas of proposed planting and existing vegetation (lower lying land)

Source: Anne Clements & Associates

Proposed seniors housing development

Approximately 0.43 ha of 'between fairway vegetation' with mown understorey will be impacted by the proposed seniors housing development. From the tree records identified in the Environmental Assessment (**Appendix M**), the calculated tree density was 330 trees/ha and the expected number of trees was 142. In the same 2 ha area, Footprint Green (2017) recorded 153 trees in the Arboricultural Impact Assessment (**Appendix X**).

Of the 153 trees which are located within the seniors housing development footprint area, 132 require consent for removal. The trees suitable for removal 'without consent' include the 'exempt' tree species and unstable trees, namely:

- 14 trees of 'exempt' species (1 x *Acacia saligna*, 1 x *Ficus microcarpa* var. *hillii*, 3 x *Ligustrum lucidum*, 7 x *Pinus elliotii*, 1 x *Pinus radiata*, 1 x *Pittosporum undulatum*); and
- 7 other trees of non-exempt species classified as unstable.

Table 12 provides a classification of all trees within and surrounding the seniors housing development footprint area.

Table 12 – Tree classification (within and surrounding the seniors housing development footprint area)

| | No of trees (Footprint Green 2017) | No of 'exempt' species | No. of non- exempt unstable trees | No. of trees requiring consent for removal |
|--|--|------------------------------|--|---|
| Within the development footprint area | 153 | 14 | 7 | 132 |
| Along the edge of the development footprint area | 3 | 0 | 0 | 3 |
| Adjacent to the development footprint area | 116 | 13 | 2 | 101 |
| On the road reserve | 18 | 0 | 2 | 16 |
| Total | 290 | 27 | 11 | 252 |

Source: Anne Clements & Associates

Of the 252 trees which would require consent for removal and located both within the development footprint area and within proximity to the development footprint area:

- **130 trees are being retained**, including 22 within the proposed development footprint area; and
- **122 trees are being removed**, including 110 within the proposed development footprint area, and 12 removed for roads and other infrastructure.

Conclusion

The Environmental Assessment concludes by identifying that the loss of 0.43ha of 'between fairway vegetation' with mown understorey is considered acceptable, on the basis that this loss is being offset by a significant increase in the ecological value of the entire golf course site, including increase in native flora and fauna habitat of Coastal Floodplain, which is of conservation significance and which is endangered under the *NSW Threatened Species Conservation Act 1995*. The native vegetation across the entire golf club land will increase from 6.86 ha to more than 15 ha.

There is a proposed increase in area from approximately 4.44 ha of degraded patches as well as the fragmented strips of historically planted *Casuarina glauca* to 11.9 ha of connected, restored and re-established fresh and brackish ecosystems of the listed Coastal Floodplain communities. The existing trees are to be largely retained as islands within the re-established watercourse. The increased tree numbers (estimated from degraded patches sampled in Transects 2 with density estimate of 450 trees/ha, Transect 3 with density estimate of 640 trees /ha) is in the order of 3,300 to 5,000 trees.

On the spur (higher land), the major differences between the existing and the proposed include:

- stabilising at least 1 ha of erodible slopes by using placed sandstone slabs to provide fauna and flora habitat and by encouraging re-establishment of ferns and rainforest understorey on these slopes;

- conversion for 1.71 ha strips of between-fairway vegetation with mown understorey to 2.11 ha of wider between-fairway vegetation with rainforest understorey to provide increased food resources for fauna;
- bush regeneration of the semi-intact wet sclerophyll forest with rainforest understorey and eucalypt canopy adjoining Cabbage Tree Road; and
- increasing the protection and connectivity of the relative intact wet sclerophyll forest with rainforest understorey and eucalypt canopy in the north west.

The proposed tree increase on the spur is predominantly increases in understorey species and not of canopy species. The proposed conservation works are directed to increasing intactness and connectivity of the wet sclerophyll vegetation with a rainforest and fern understorey to provide enhanced native fauna habitats.

In Pittwater Council's habitat and wildlife corridors conservation strategy (Burcher 1995, page 8), the extensively cleared BGC land was identified as a fauna movement barrier to the peninsula from Ku-ring-gai Chase National Park, Katandra Sanctuary and Bayview (Figure 1a-1, 1b-1). Thickening of vegetation in the BGC land is considered to be needed to increase the bushland connectivity.

The proposed aims are not only to upgrade the existing 18 hole golf course to meet the members' golf playing expectations but to meet the Biodiversity objectives under the Pittwater Local Environment Plan 2014 and the Biodiversity requirements under the Pittwater 21 Development Control Plan (DCP) of improved fauna and flora habitats.

Recommendations

The Environmental Assessment makes a number of recommendations based on the opportunities provided by the proposal to conserve, enhance and restore the wet sclerophyll forests with *Livistona australis* (Cabbage Palm) as a major component of the understorey. The assessment notes that in order to meet DCP requirements, the conservation value of the wet sclerophyll forest on the spur and the Coastal Floodplain communities on the low-lying land need to be conserved, enhanced and restored as part of a Conservation Management Plan for the entire Golf Club land. This would result in increased vegetation connectivity, allowing for fauna movements and providing food and nesting resources for fauna species including the Powerful Owl and listed bats.

Accordingly, the recommendations included in Section A8.0 of the Environmental Assessment cover both higher land and lower lying land, and generally cover the following:

- For the higher land >3m AHD:
 - the pre-existing groundwater flow, associated with the sedimentary layer of the soft sandstones and clay typical of the Narrabeen Geological Series, be maintained to the existing remnant vegetation adjoining the southern boundary and to the north, north-west and south-west of the proposed development area. Advice of the groundwater hydro-engineer is required;
 - existing remnants of the wet sclerophyll forest be carefully regenerated to reduce competition from exotic species along the southern boundary of the proposed development site and the degraded forest in the north, north-west and south-west. It should be noted that the removal of *Pinus elliottii* and *P. radiata* from the degraded adjoining forest were discussed with the bushfire consultant Wayne Tucker of Building Code & Bushfire Hazard Solutions on 16 October 2017;

- the existing threat to the wet sclerophyll forest by the ongoing powerline pruning along Cabbage Tree Road be reduced by undergrounding the powerlines;
 - the between-fairway vegetation be enhanced by the addition of clumps of local native midstorey species such as *Livistona australis* and other rainforest elements. The density of the midstorey species is to be consistent with the requirements of the Asset Protection Zone;
 - the habitat value of the disturbed areas adjoining the proposed development area on the steep slopes to the west be enhanced by the removal of the road surface, the landform be reconstructed to mimic that of a natural landform and sandstone slabs added to reduce erosion risk associated with the mapped Erina and Watagan soil landscapes, as well as enhancing fauna habitat potential;
 - on the steep slopes to the west of the proposed development site, the vegetation needs to be carefully bush regenerated to reduce weed competition and to encourage the establishment of the rainforest elements in the understorey. The landform needs to be reconstructed to mimic that of a natural landform and sandstone slabs added to reduce erosion risk associated with the mapped Erina and Watagan soil landscapes, as well as and enhancing fauna habitats of this degraded forest;
 - on the BGC land adjoining the private road in the east, midstorey species such as *Livistona australis* and other rainforest elements replace the existing exotic weedy understorey to provide additional feed species for the native fauna and increase connectivity;
 - addition of possum nest boxes would be of benefit for the Powerful Owl's food supply, especially as one hollow and one potential hollow is in the proposed development area; and
 - within the proposed development site, water features and garden beds be designed to accommodate for native fauna such as providing reeds and rocks around the edge of water as shelter/basking habitat for frogs and water dragons, similar to the pond photographed in Appendix 10 of **Appendix M**.
- For the low-lying land <3m AHD:
 - the remnants of the wet sclerophyll forest on the lower spur close to the Golf Maintenance Area be carefully bush regenerated as well as enhanced and restored to increase the area of this vegetation community adjoining Cabbage Tree Road;
 - the drainage be re-established to mimic that of natural creek lines of a coastal floodplain. The creeks on the highly modified Golf Course be designed to flow to Pittwater;
 - local native vegetation of the coastal floodplain is to be conserved, enhanced and restored in these wide drainage swales leading to Pittwater;
 - the wetland vegetation in the south of the Golf Club land, identified by Benson and Howell (1994) as Coastal Swamp Forest Complex map unit 27, is to be conserved, enhanced and restored to increase the viability of this vegetation community; and
 - the upstream freshwater flow be maintained with the tidal water intrusion limited to the lower sections of the drainage lines by the use of rock weirs in order to maintain habitat of *Eucalyptus robusta* and sandstone ponds and riffles to provide frog habitats.

4.14 Flooding

In order to address potential flooding impacts which currently impact parts of the golf course to assess the impacts of flooding on (and from) future development, Cardno have prepared the following:

- Flood Impact Assessment: Bayview Golf Course (**Appendix L**)
- Flood Impact Assessment: Seniors Living Development (**Appendix P**)

As the proposed flood mitigation works and seniors housing are proposed on land which lie within the floodplain, an assessment of potential flood impacts has been undertaken, which included detailed hydraulic modelling to assess any flood impacts, the findings of which are summarised below.

4.14.1 Flood mitigation works (golf course site)

The majority of the low-lying portion of the Bayview Golf Club land is inundated by mainstream flooding in the 1% Annual Exceedance Probability (AEP) event (1 in 100-year flood). In the Probable Maximum Flood event (PMF), the peak flood level is approximately 3.1m AHD on this portion of the golf club land.

As discussed in **Section 3.4**, the proposal involves the following flood mitigation works, involving changes to the golf course's landform:

- Widening of the channel along the northern boundary of the golf course (parallel to Cabbage Tree Road) and battering the channel side slopes to 1V:6H;
- Raising all proposed fairways to RL 1.20 m AHD, which is between 0.2 and 0.5 m higher than existing surface levels;
- Removal of an existing earth stockpile on the southern side of the Golf Course, to the east of Parkland Road; and
- Cutting a new creek line to connect the flowpath along the southern edge of the golf course with the creek line that runs through the centre of the golf course.

Council's DCP identifies that the following maximum flood impacts from development are acceptable outside the golf course and development site:

- Less than 0.02m water level increase for the 1% AEP event;
- Less than 0.05m water level increase for the Probable Maximum Flood; and
- Less than 10% increase in velocities in the PMF.

Accordingly, modelling of the 1% AEP and PMF events was undertaken to confirm no adverse off-site flood impacts. In addition, the 50% AEP design event was modelled to assess the impacts on adjoining properties under more frequent flooding, and to determine if the proposed works reduce the frequency of flooding of the golf course.

The detailed results of the modelling of the future conditions of the golf course are documented in the Flood Impact Assessment report in **Appendix G**, however, the assessment concludes that the proposed works will not result in unacceptable impacts in the most extreme flood events, as follows:

- In the 1% AEP event a minor water level increase of less than 0.02 m was found across the golf course and a number of adjoining properties. These increases are considered negligible and are within the limit set by the Council for off-site impacts of less than 0.02 m.

- In the PMF the water level increases are negligible and less than 0.01 m across the majority of the golf course and its surrounds. There are no off-site impacts in the PMF event.
- It is concluded that impacts of the proposed works on flood velocities in the 1% AEP and PMF events are almost wholly contained within the golf course and that these local impacts are not expected to adversely impact on the stability of the watercourses nor to erode the fairways.
- It is further concluded that while there are six properties located on Kunari Place that experience minor local increases in velocity that the peak velocity on these properties remains lower than 0.5 m/s in events up to the PMF and that these local impacts do not pose any threat to these properties.

However, importantly, the assessment identifies that the proposed fairway level of RL 1.2m AHD will alleviate inundation of the majority of fairways in the 50% AEP event, which is a more frequent flood event. A comparison of peak flood depth comparing the existing situation and the proposed works in the 50% AEP event is shown in the figures below. Accordingly, the proposed flood mitigation works will achieve the objective of reducing inundation and improving the playability of the golf course under flood events which are more frequent, increasing the total playing days for the golf course more frequently.

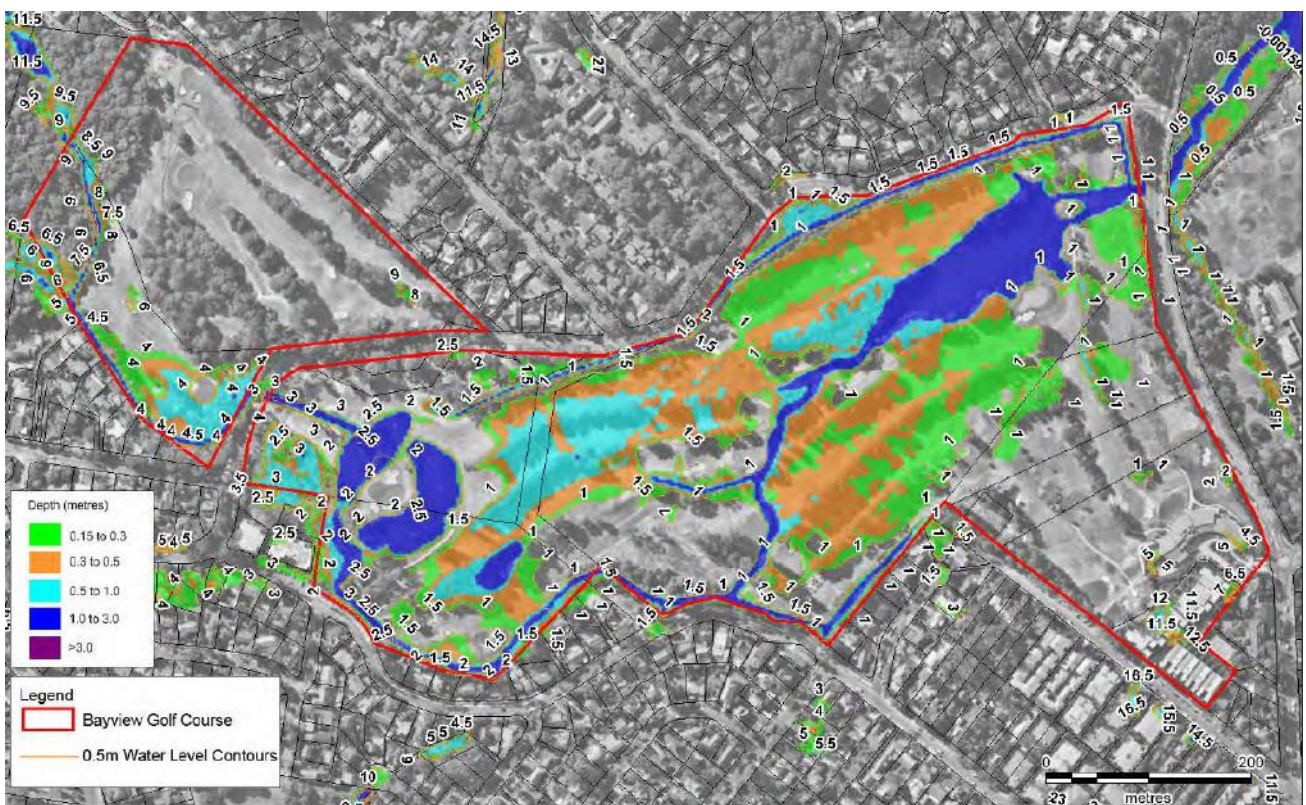


Figure 48 – Existing conditions, 50% AEP 9hr Duration Depth and Water Level

Source: Cardno

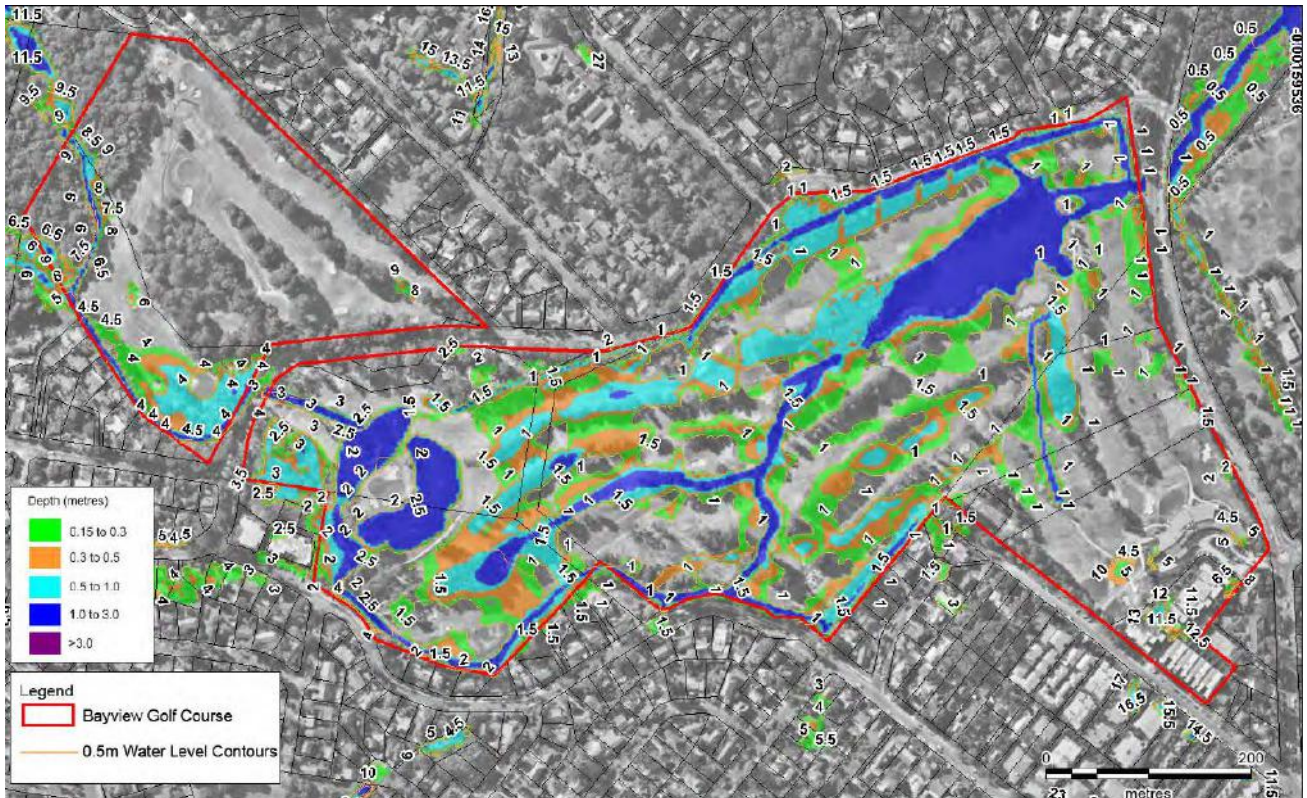


Figure 49 – Future conditions, 50% AEP 9hr Duration Depth and Water Level

Source: Cardno

4.14.2 Seniors housing site

The proposed seniors housing development is located in the centre of the north-west parcel of land of the golf course, at the existing location of the 4th and 5th hole. It is proposed to locate the new development along an existing ridgeline at a higher elevation than the low-lying portion of the golf course located on the southern side of Cabbage Tree Road. Levels across this portion of the site range from RL 5 to 27 m AHD, while the majority of the golf course lies below RL 2 m AHD.

The seniors housing site is only impacted by minor overland flooding at the south-eastern corner of the site, which is isolated 'pooling only' and is therefore ostensibly located on land free of flooding. Despite this, a flood assessment has been carried out of the overland flowpath at the east of the site. The objective of the modelling was to confirm that the seniors housing development works could be undertaken without having any adverse impacts.

The proposal involves the following measures to be implemented as part of the seniors housing development:

- Constructing a trapezoidal channel at the eastern side of the site to convey the overland flows into twin 750 mm circular pipes to convey the majority of the flow to a location upstream of the existing pipe under Cabbage Tree Road;
- Channel side slopes of 1V:3H, with a base width of 3 m;
- Installation of 2 x 1.5 m (W) and 0.45 (H) culverts under the driveway in order to control and mitigate runoff from the proposed driveway; and

- Upgrade the existing pipe under Cabbage Tree Road to increase its capacity to locally lower flood levels and reduce flooding impacts at the southeast end corner of the site on Cabbage Tree Road.

Council's DCP identifies that the following maximum flood impacts from development are acceptable outside the development site:

- Less than 0.02 m water level increase for the 1% Annual Exceedance Probability (AEP) event;
- Less than 0.05 m water level increase for the Probable Maximum Flood event; and
- Less than 10% increase in velocities for the PMF event.

Accordingly, the flood impact requirements necessitated the modelling of the 1% AEP and PMF events to confirm no adverse offsite flood impacts. The detailed results of the modelling of the future conditions of the golf course are documented in the Flood Impact Assessment report in **Appendix L**, however, the assessment concludes that the proposed works will not result in unacceptable impacts in the most extreme flood events, as follows:

- The proposed channel and twin pipes will convey the 1% AEP flow through the site such that the flood level decreases by up to 2.0 m on the eastern side of the subject site;
- In a 1% AEP event there are minor local increases in the water level up to 0.5 m within the site;
- There are no adverse off-site impacts in the 1% AEP and the PMF events with reduced flood levels on Cabbage Tree Road in the vicinity of the driveway entry;
- Velocities on Cabbage Tree Road increase in a localised area however the flow depth on the road is no greater than 0.15 and consequently is not expected to impede vehicular traffic;
- Inundation of Cabbage Tree Road at the creek crossing and at the intersection of Annam Road occurs under existing conditions and is unaffected by the proposed development;
- The local increase in the 1% AEP velocity under future conditions on the golf course occurs at the entry to the proposed twin stormwater pipes and would be managed by including appropriate scour protection measures.

In conclusion, the off-site increases in velocity in the 1% AEP and PMF events are not significant as they are small areas and mostly located on road reserve or the golf course and do not impact on surrounding private land. It is concluded therefore that Council's requirement relating to velocity impacts is satisfied. It is further concluded that the proposed Seniors Living Development complies with the relevant flood related development controls.

Figure 50 below illustrates the peak depth and water level during the PMF following the proposed development works, illustrating that the site is flood free in the most extreme event, and **Figure 51** illustrates the level of improvement in water level difference as a result of the proposed development at the south-eastern edge of the site which currently experiences minor overland flooding in an isolated pocket.

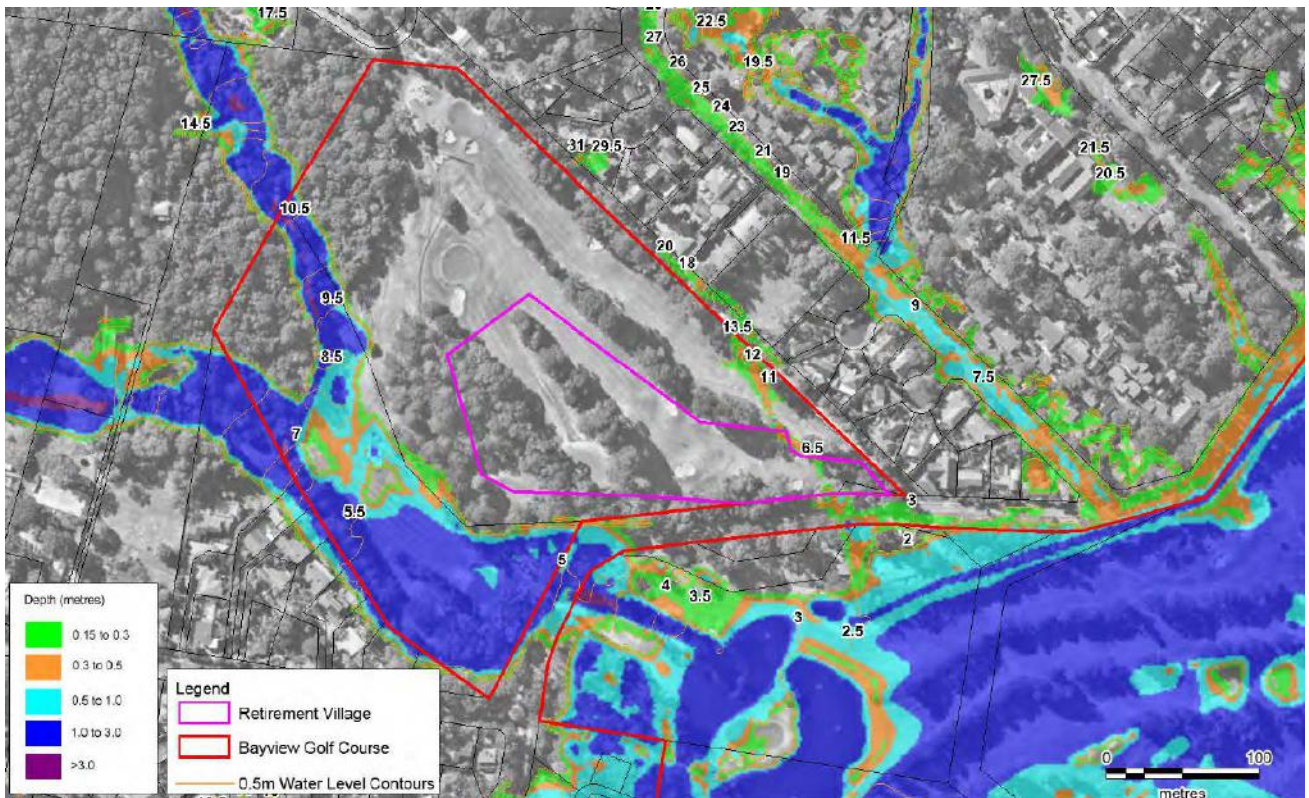


Figure 50 – Future conditions, PMF, 15 min duration depth and water levels

Source: Cardno



Figure 51 – Future conditions, PMF, 15 min duration, flood level differences

Note: Green areas show improvements / water level decreases following proposed works

Source: Cardno

4.14.3 Flood Emergency Response (seniors housing development)

In order to minimise the flood risk to occupants of the seniors housing development, it is important that developments have provisions to facilitate flood emergency response. The two main forms of flood emergency response are:

- Evacuation: the movement of occupants out of the floodplain before the property becomes flood affected; and
- Shelter-in-place: the movement of occupants to a building that provides vertical refuge on the site or near the site before their property becomes flood affected.

For the proposed seniors housing development the flood risk associated with the development is minor with a shelter-in-place approach is proposed. This conclusion is supported by the following:

- The proposed seniors housing site is flood free so the only source of flood risk to life is isolation. There is no direct flood hazard as the site is flood free, with isolation seen as a less significant risk to life;
- Based on SES guidance, evacuation is not recommended for flood free developments, due to the following:
 - If flood free development is to evacuate, this places an extraordinary strain on available evacuation routes. Therefore, it is recommended only flood affected properties evacuate to limit congestion and leave routes available for developments in the floodplain that need to evacuate most;
 - The risk to life associated with driving or walking in a PMF rainfall event is considered to be higher than the risk to life associated with shelter-in-place for flood-free sites;
- The duration of isolation for even the PMF event (assumed to be less than 24 hours) is a comparatively short duration when compared to larger riverine floodplains where isolation periods can be over a number of days. As such the risk to life associated with isolation is comparatively low for a sub-daily duration of isolation;
- With respect to warning times, the critical duration for the PMF event is a 2-hour rainfall duration which means that the evacuation route (Cabbage Tree Road) would be inundated less than an hour after the onset of rainfall. This suggests that there is insufficient time to evacuate;
- Taken in the context of the wider floodplain, the majority of the former Pittwater LGA is a “High Flood Island” as it does not have direct flood free access to medical emergency centres such as Mona Vale Hospital. Therefore, to impose evacuation requirements for a flood free development, even if a vulnerable development type, would set a precedent for the entire LGA.

Therefore, due to the relatively low flood risk to life relating to flood free developments, it is recommended that no further consideration of emergency response provisions need to be accounted for other than for the site to adopt a strategy of shelter-in-place for its residents. As the site is not flood affected, there is the potential for the site to be used as a place of refuge for the community during flood events.

As the site is not flood affected, evacuation from the site is not required during flood events and the site will remain flood free. This offers the potential for the site to be used as a place of refuge for the community during flood events, with trained medical staff on site. The proposed seniors housing development would have publicly accessible areas, which would be suitable for use as safe refuge during flood emergency events.

4.15 Stormwater Management

A Stormwater Management Report (**Appendix AA**) and a set of civil engineering drawings (**Appendix C**) have been prepared by Marchese Engineering. This report and set of drawings detail the proposed stormwater management system for the seniors housing development, including appropriate measures such as drainage pits, a detention tank as well as suitable stormwater treatment.

This report addresses stormwater issues in association with the seniors housing development and concludes that:

- Mainstream flooding effects are not considered to be applicable to the site of the proposed works;
- Local overland flow paths are to be managed in and around the area of development works as described in the Cardno Flood Impact Assessment;
- Street drainage connection is to incorporate replacement of existing pipes to suit a new roundabout layout;
- Appropriate discharge to the existing natural drainage system in the lower golf course grounds via upgraded drainage under Cabbage Tree Road with suitable headwall construction arrangements;
- On-site detention is to be provided in accordance with Council requirements;
- Rainwater storage is to be provided in association with the proposed Block A building and is to comply with BASIX assessment requirements;
- Stormwater treatment is proposed to reduce the level of gross pollutants and litter being conveyed through the stormwater drainage system. It is intended that suitable proprietary units will be utilised from a recognised supplier such as Ecosol; and
- Erosion and sediment movement is to be controlled during construction with suitable measures to prevent undesirable soil deposits around the works area.

4.16 Noise

A Noise Impact Assessment has been prepared by Acoustic Logic and is included in **Appendix Y**. This report assesses the likely noise impacts associated with the operation of the seniors housing as well as traffic noise impacts on the development, primarily being from Cabbage Tree Road.

Acoustic Logic undertook attended and unattended noise monitoring to identify the existing background noise levels at the site and at the nearest residential receivers. The criteria then utilised for the acoustic assessment were drawn from the Pittwater 21 DCP 2014 as well as the relevant Australia Standards and the NSW EPA Industrial Noise Policy.

In order to ensure ongoing compliance with the noise emission criteria, the following recommendations are made:

A La Carte, Bar and Cafe

- During Normal use (i.e. not during a function):
 - A la carte
- 7am-6pm:

- All windows and doors of the a la carte restaurant, bar and café may remain open.
- 6pm-10pm:
 - All windows and doors of the a la carte restaurant, bar and café may remain open.
- During function events in the A La Carte Restaurant:
 - Maximum of 100 patrons in the a la carte restaurant at any given time;
 - Live/amplified music noise level within the a la carte restaurant, bar and café to be limited to a sound pressure level of 90dB(A)_{L₁₀} internally;
 - All windows and doors of the a la carte restaurant are to remain closed at all times during a function except for patron ingress/egress.
- Building shell of the facilities building to be constructed as per the recommendation in Section 4.3.
- Garbage collection and deliveries are to take place between 7am and 6pm.
- Disposal of bottles/waste should be done prior to 10pm.

Mechanical Plant

- Detailed review of mechanical plant (typically refrigeration equipment, kitchen ventilation and air conditioning) should be undertaken at CC stage, once plant selections and locations are finalised. Compliance with EPA Industrial Noise Policy requirements will be achievable using standard acoustic treatments (in duct lining, attenuators, equipment enclosures etc).

Upon adoption of the recommendations included within the report, it is concluded that the future seniors housing development will comply with noise emission requirements.

4.17 Bushfire

The site is identified on Pittwater Council's 's Bushfire Prone Land Map as containing Category 1 Vegetation and the 100 metre buffer zone from designated Category 1 Vegetation. As the site is considered 'bushfire prone' the provisions of *Planning for Bush Fire Protection 2006* and Australian Standard 3959 - 2009 are triggered. Additionally, seniors housing is a Special Fire Protection Purpose (SFPP) within the meaning of Section 100B of the *Rural Fires Act 1997* and therefore the approval of the NSW Rural Fire Service (NSW RFS) is required. A Bushfire Hazard Assessment Report has been prepared by Building Code and Bushfire Hazard Solutions Pty Limited and is included in **Appendix CC**.

The report provides a suite of bushfire mitigation measures which must be implemented to mitigate the risk of bushfire to the future seniors housing development. These mitigation measures relate to Asset Protection Zones, management plans, emergency management, construction standards, access requirements and services requirements. In accordance with the bushfire safety measures listed above, it is considered that a satisfactory level of bushfire protection will be provided to the subject development.

4.18 Indigenous Heritage

An Aboriginal Cultural Heritage Assessment has been prepared by Kayandel Archaeological Services and is included in **Appendix FF**. This report outlines the results of an Aboriginal heritage due diligence assessment which meets the requirements of the Office of Environment and Heritage (OEH) *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*

2010 (herein referred to as the Due Diligence Code of Practice), and includes recommendations regarding Aboriginal heritage constraints for the proposed works.

The report provides the legislative context, landscape context and archaeological context of the site and the proposal, and also presents the findings of an archaeological survey undertaken by experts at Kayandel.

The assessment concludes that no Aboriginal objects have been identified in the subject area of the assessment, and that the subject area has low potential to retain intact archaeological deposits due to disturbance and modification associated with land clearance, earthmoving, construction of dams, septic tanks, and houses and ancillary structures.

4.19 Environmentally Sustainable Development

The proposed development has been designed to ensure that a high level of sustainability is achieved. A BASIX Certificate and stamped plans have been prepared for the seniors housing development and are attached at **Appendix T**.

This documentation demonstrates that the proposed development achieves thermal comfort, energy and water targets as prescribed under the BASIX certification process.

4.20 Accessibility

An Access Assessment Report has been prepared by BCA Logic to assess the proposal's consistency with the relevant BCA, DDA and Seniors SEPP provisions and standards (see **Appendix I**). The report considers that the plans comply or are capable of complying with the relevant accessibility standards and provisions.

A key feature of the development is the wayfinding pathways that will ensure ease of access from the entrance of each building, through the landscaped domain and towards the facilities building, reception and nearby public transport. These paths have been designed to the Australian Standard with handrails where needed and comply with required gradients.

An appendix to this accessibility report includes the Access Report prepared by Accessibility Solutions which was prepared at the SCC stage. This report considers the development with respect to the locational requirements of Clauses 26 and 38(i) of the Seniors SEPP. This assessment concludes that:

- Subject to the installation of a footpath from the site along Cabbage Tree Road to the existing footpath, Annam Road footpath and kerb ramp crossing to a bus boarding plinth the development will provide appropriate pedestrian access to public transport in accordance with clause 26(2)(3)(4) of the Seniors SEPP.
- The available bus services provided by Route 155, in conjunction with the abovementioned pedestrian infrastructure, will provide appropriate access to services in a manner consistent with clause 26(2)(b) of the Seniors SEPP.
- The destination shopping centres at Mona Vale, Narrabeen, Collaroy, Dee Why, Brookvale and Manly provide a comprehensive range of services to readily satisfy Clause 26(1) and 26(5) of the Seniors SEPP.

4.21 Waste Management

A detailed Waste Management Plan has been prepared by Waste Audit and is included in **Appendix Z**. The strategy has been prepared in accordance with Northern Beaches Council's requirements and deals with the ongoing operational waste management systems that will be implemented for the self-contained seniors housing.

The proposed waste management facilities and equipment are to be designed and constructed to comply with Council's controls. Key waste management features proposed include:

- A garbage collection room will be located in the base of each apartment block;
- The garbage rooms will contain provisions to minimise odours, deter vermin, protect surrounding areas and make it a user-friendly and safe area;
- Bulky waste items will be stored in the residential waste storage room; and
- Building management / onsite cleaning staff will ensure all bins are accessible via the Loading Zone.

Excavation and construction waste is expected to be minimal and will be managed by the construction contractor. These works will be undertaken in accordance with the provisions of the Construction Management Plan (see **Appendix Q**).

4.22 Construction Impacts

A Construction Management Plan (CMP) has been prepared to accompany the DA (**Appendix Q**). The CMP provides detail on consultation and community strategy, hours of work, noise and vibration management, construction traffic management, accommodation and materials storage, traffic and pedestrian management, erosion and sediment control, waste management and materials handling.

The seniors housing project will be constructed in five stages, being:

1. Clearing of trees preparing site for construction access
2. Shoring and Excavation
3. Basement Construction Works
4. Balance of Building Works
5. Pathways and Landscape Works

Staging plans for the works associated with the golf course are included in the CMP, with works to be carried out on 3 fairways at a time in 6 stages to minimise the impact. A CMP identifies that a comprehensive consultation strategy will occur with all key stakeholders in order to minimise impacts of construction.

4.23 Golf Course Management

A Golf Course Plan of Management has been prepared by Ethos Urban and is included in **Appendix EE**. This Plan of Management (PoM) has been prepared on behalf of Bayview Golf Club to address the ongoing management of and operation of the golf course moving into the future following the proposed upgrade works. Specifically, the PoM seeks to establish operational controls relating to:

- Land ownership
- Hours of Operation;

- Landscaping and storage;
- Waste Management;
- Environmental Management;
- Bushfire Management; and
- Water Management.

The PoM will be important in establishing controls to ensure that the Bayview Golf Course and seniors housing development can work collaboratively together to manage a number of joint considerations.

4.24 Crime Prevention through Environmental Design

The design of the proposed development has taken into consideration the Crime Prevention through Environmental (CPTED) principles. Due to the architectural and landscape design of each building being refined over the course of the SCC and DA, there has been a holistic examination of opportunities for crime and the development of safe outcome for the site.

Principle 1 – Natural Surveillance

Effective natural and incidental surveillance can reduce the opportunities for crime. The principle indicates that offenders are often deterred from committing a crime in areas with high levels of natural surveillance. The following design interventions provide optimal natural surveillance:

- Clear sight lines between public and private places and maximising natural surveillance;
- Appropriate lighting and effective guardianship of communal and/or public areas;
- Minimal opportunity for offenders to conceal themselves or entrap victims.

In accordance with this principle, there is excellent potential for surveillance between buildings and landscaped areas both within the site and the surrounding golf course site. Each building overlooks internal pathways proposed as part of the landscaped area. Furthermore, each building has been oriented to overlook different aspects of the golf course.

The landscaped area will provide enough interest to ensure a high level of activation at ground level. This will be reinforced by the various entry points to each building at ground level, thereby increasing the potential for residents to meet and interact, heightening perceived levels of safety.

Principle 2 – Access Control

Access control strategies restrict, channel and encourage the movement of people and vehicles into and through designated areas. Effective access controls make it clear where people are permitted to go or not go, and makes it difficult for potential offenders to reach and victimise people and damage property.

Access control strategies are well considered and clearly evident in the proposed development. The proposed development includes multiple types of access, including:

- Vehicular access to the basement car parking area will be restricted so as to not allow for uninhibited access into the development;
- Card/key controlled entry will be implemented for access to the lobbies for each building.

Access control is well considered within the development. The design of the development has a clear frontage, being the reception area at the end of the road drop off area. Access into all private areas will be controlled via key/card access available only to residents. Additionally, clear sight lines between buildings and landscaping ensure that people entering and exiting from the buildings can be clearly seen from communal open spaces and above ground apartments.

Principle 3 – Territorial Reinforcement

Territorial reinforcement refers to the clear identification of public spaces, and the creation of a sense of community ownership over such spaces. Users are more likely to visit areas that are maintained and to which they feel they have a vested interest in. Well used places also reduce opportunities for crime and increase risk of capture to criminals.

From the entry into the site off Cabbage Tree Road, it will be clear from the design of the road and landscaping where the lines of territory exist. There will be a sense of community ownership and operational site management that emphasise the separation of the public and private domain.

The introduction of a greater number of residents and employment opportunities will increase the territorial reinforcement of the site. The strategic location of the seniors housing in the middle of the site will allow for each building to have a different aspect overlooking the golf course, increasing the risk to offenders and crime efforts.

The seniors housing and ancillary facilities, including the landscaped area within the site, will be well maintained throughout the life of the development.

Principle 4 – Space Management

Space management refers to providing attractive, well maintained and well used spaces. Space Management strategies include site cleanliness, rapid repair of vandalism and graffiti and the removal of damaged physical elements.

Durable and high-end finishes are proposed which will ensure that minimal maintenance is required for the proposed development. The provision of external fauna corridors will discourage graffiti or vandalism of the building facades, as they largely won't be visible from the surrounding golf course and road network. Any graffiti will be remedied swiftly under the operational arrangements.

The open space and landscaping throughout the development will be well-maintained. The continued maintenance of the building and surrounding open space, by the Bayview Golf Club, will ensure that vandalism of the property is strongly discouraged.

4.25 Social and Economic Impacts

The proposed development will have a number of significant positive social and economic benefits for the local area in that it will:

- Minimise the number of non-playable days due to inclement weather (the club currently experiences 20 non-playable days per annum, with financial losses of \$2,700 per day or \$54,000 annually), alleviating inundation of the majority of fairways during regular flood events;
- Provide for a significant upgrade of the golf course and ensure the Club's financial stability;
- Provide for much needed self-contained seniors housing in a locality with an ageing population and in a retirement village format;

- Helps meet the strategic need for additional housing diversity including the provision of seniors housing in an accessible location in a services-rich environment;
- Encourage direct synergies between the seniors housing and the recreational use of the land being the Bayview Golf Club and attached clubhouse;
- Minimising the potential economic impact of flooding on dwellings downstream from the golf course;
- It is challenging to operate villages significantly fewer than 100 units, as the costs per unit (apportioned to each residence) cannot generate enough revenue and long-term maintenance funds to deliver ongoing service and maintain infrastructure to preserve the value of the community (refer to the analysis in **Appendix GG**);
- Seniors housing communities that are nearing 100 units, ensure a sufficient scale to distribute the cost across the community and ensure it remains affordable for people; with the costs to maintain the grounds, road and facilities amongst other things, being distributed across the community in such a way that resident charges are manageable and represent value;
- The 65 and over cohort is predicted to be the fastest growing population in NSW, with the number of people in this age range expected to double by 2050;
- Brand Partners, within the High Level Market Assessment (**Appendix GG**), have forecast that the growth of the target population within the Northern Beaches LGA, will result in a significant shortfall in retirement dwellings for this community;
- Provide additional construction jobs within the Northern Beaches locality; and
- Re-instate key conservation linkages and wildlife corridors through as comprehensive revegetation strategy.

4.26 Site Suitability

Having regard to the characteristics of the site and locality, the proposed development is considered suitable on the proposed site as:

- The Seniors SEPP permits development for the purposes of Seniors Housing on land that that is used for the purposes of an existing registered club, being Bayview Golf Club, as a Site Compatibility Certificate has been issued under Clause 25(4)(a) of the Seniors SEPP;
- The seniors housing site has been deemed as suitable for more intensive development by the Secretary of the DPE through the issue of the SCC;
- The Secretary of the DPE has deemed that the development of seniors housing is compatible with the surrounding environment and surrounding land uses, which has been confirmed in this report;
- The site of the proposed seniors housing can appropriately accommodate the development proposed whilst balancing a vast array ecological and design considerations, whilst preserving the amenity to neighbouring properties; and
- The site is well located in a locality which contains other seniors housing establishments, and being a desirable location for seniors, with direct access to a number of services and recreational land.

4.27 The Public Interest

The proposal is in the public interest as it will ensure that the Bayview Golf Club will continue to operate in a viable manner, securing its long term financial position. Additionally, it is noted that the proposal:

- Will allow for money to be reinvested in the improvement of the golf course and associated facilities, increasing the number of playable days for golf club members and visitors;
- Will provide for additional Seniors Housing in a location with an increasingly ageing population;
- Will allow for significant flood mitigation works to be undertaken, minimising the flooding impact on adjacent properties;
- The development will create additional jobs during construction and operation;
- Allows for improved environmental outcomes for the site and surrounds, through amendments to the lower golf course, providing a more natural creek line, with natural estuarine vegetation to line the creek, and allowing for an improved fauna passage through the golf course and offsets to tree removal;
- Will increase the environmental sustainability of the Bayview Golf Course;
- Has been designed to have minimal impact on surrounding properties and will not have a detrimental on the operation of Bayview Golf Course as an 18-hole course; and
- Is of a high architectural standard.

5.0 Conclusion

This SEE is submitted to Northern Beaches Council in support of a DA for golf course upgrade works and seniors housing at Bayview Golf Club. Specifically, the DA seeks approval for the following development:

- Golf course upgrade works, including a layout reconfiguration and flood mitigation works ecology rehabilitation works;
- Seniors housing, being 95 in-fill self-care units and ancillary facilities for the purpose of seniors living including the construction and use of seven (7) separate buildings of predominantly 3-4 storeys in height;
- Construction of a road linking the proposed seniors housing development to Cabbage Tree Road; and
- Construction of an access pathway from the site through to the bus stop on the eastern side of Annam Road.

The proposal has been developed over the course of a lengthy period of time resulting in a refined design that is considered to be consistent with the character of development in the locality and nearby seniors housing developments. It offers a number of significant benefits including:

- ensuring the long-term viability of a valuable community asset, being the Bayview Golf Club;
- provides for much needed golf course upgrade works;
- improves localised flooding issues;
- provides for increased housing diversity in the form of seniors housing;
- ensures a significant level of on-site services to future residents; and
- has been designed with consideration to the sites context, ensuring a high-quality development that will be largely unobtrusive when viewed from Cabbage Tree Road and adjoining sites.

The proposal is consistent with the Site Compatibility Certificate issued by the Department of Planning and Environment as well as the relevant environmental planning instruments applying to the site including the Seniors SEPP, SEPP 65 and the Pittwater LEP 2014.

A detailed assessment of the environmental impacts has been detailed in accordance with Section 79C of the *Environmental Planning and Assessment Act 1979* and the proposal is found to be suitable for the site.

In light of the merits of the proposed development and in the absence of any significant environmental impacts, it is without hesitation that we respectfully recommend this application for development consent.