



beam

State Significant Development Application Environmental Impact Statement

36-42 Cabbage Tree Road, Bayview

Prepared for Principal Healthcare Finance Pty Limited (Opal Healthcare)

Beam Planning acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia. We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we work with.

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| C. Community Engagement Table | <i>Beam Planning</i> |
| D. Consolidated Mitigation Measures | <i>Beam Planning</i> |
| E. Clause 4.6 Variation Request Height of Building | <i>Beam Planning</i> |
| F. Clause 4.6 Variation Request Slope of Building | <i>Beam Planning</i> |
| G. EDC Report | <i>WTP Australia Pty Ltd</i> |
| H. Integrated Engagement and Social Impact Assessment Report | <i>Willowtree Communications</i> |
| I. Architectural Drawings | <i>CalderFlower</i> |
| J. Design Report | <i>CalderFlower</i> |
| K. Seniors Housing Design Guide Report | <i>CalderFlower</i> |
| L. Better Placed Response Report | <i>CalderFlower</i> |
| M. Survey Plan | <i>CMS Surveyors Pty Ltd</i> |
| N. Draft Plan of Subdivision | <i>Geometra Consulting Pty Ltd</i> |
| O. Section 88B Instrument | <i>Northern Beaches Council</i> |
| P. Transport and Parking Assessment (including Preliminary Construction Traffic Management Plan) | <i>Transport and Traffic Planning Associates</i> |
| Q. Driveway Memo | <i>Birzulis Associates</i> |
| R. Noise and Vibration Assessment | <i>JHA Consulting Engineers</i> |
| S. Integrated Water Management Plan | <i>Birzulis Associates Pty Ltd</i> |
| T. Geotechnical Investigation Report | <i>WSP</i> |
| U. Groundwater Impact Assessment | <i>WSP</i> |
| V. Preliminary Site Investigation Report | <i>WSP</i> |
| W. Landscape Plan | <i>Taylor Brammer</i> |
| X. Arboricultural Impact Assessment | <i>Heartwood Tree Consulting</i> |
| Y. ESD Report | <i>JHA Consulting Engineers</i> |
| Z. Section J Assessment | <i>JHA Consulting Engineers</i> |
| AA. Streamlined Biodiversity Development Assessment Report (BDAR) | <i>Narla Environmental</i> |
| BB. Demolition and Construction Waste Management Plan | <i>Universal Foodservice Designs</i> |
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| Appendix Item | Consultant |
|---|--|
| DD. Bushfire Statement | <i>Building Code and Bushfire Hazard Solutions</i> |
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| GG. Connecting with Country | <i>Urbis</i> |
| HH. Access Compliance Report | <i>Formiga1</i> |
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| JJ. Sprinkler Design Statement | <i>JHA Consulting Engineers</i> |
| KK. Site Infrastructure Statements | <i>JHA Consulting Engineers</i> |
| LL. Civil Engineering Plans | <i>Birzulis Associates Pty Ltd</i> |

EIS Declaration

| Project Details | |
|---|--|
| Project name | Opal Healthcare Bayview |
| Application number | SSD-77240466 |
| Address of the land in respect of which the development application is made | Lot 121 in DP 789400 36-42 Cabbage Tree Road, Bayview |
| Applicant Details | |
| Applicant name | Principal Healthcare Finance Pty Limited |
| Applicant address | Level 11, 420 George Street Sydney 2000 |
| ABN | 33 069 875 476 |
| Details of person by whom this EIS was prepared | |
| Name | Chris Forrester |
| Organisation | Beam Planning Pty Ltd |
| Address | 7.01 Level 7, 60 Carrington Street, Sydney |
| Professional qualifications | BPlan (Hons 1), UNSW |
| Declaration by registered environmental assessment practitioner | |
| Name | Chris Forester |
| Registration number | 11203 |
| Organisation registered with | Planning Institute of Australia |
| Declaration | <p>The undersigned declares that this EIS:</p> <ul style="list-style-type: none"> • Has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; • Contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; • Does not contain information that is false or misleading; • Addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • Identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • Has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement; • Contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; • Contains a consolidated description of the project in a single chapter of the EIS; • Contains an accurate summary of the findings of any community engagement; and • Contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole. |

Project Details

Signature

A handwritten signature in black ink, appearing to read 'G. J. ...', is written over a light pink background.

Date

29.01.2026

Executive Summary

Where is the site?

The Opal HealthCare Bayview site comprises a 6,063m² portion of the existing Aveo Bayview Gardens Retirement Living (BGRL) site at 36-42 Cabbage Tree Road, Bayview.



What is this SSDA for?

This State Significant Development Application (SSDA) seeks approval for the redevelopment of a disused aged care building for a new Residential Care Facility (RCF) to be known as Opal Healthcare Bayview. The Opal Healthcare Bayview site will be split from the existing Aveo BGRL site via a Torrens title subdivision and will comprise a predominately three-storey RCF comprising 177 beds and basement parking.

Why is it being lodged?

This SSDA is being lodged to facilitate the redevelopment of a vacant and outdated aged care facility into a contemporary, purpose-built RCF that meets the current and future needs of the ageing population in the Northern Beaches Local Government Area (LGA). Its key objectives are to:

- Deliver high-quality aged care accommodation for 177 residents in a modern three-storey building;
- Provide a safe, inclusive and accessible care environment with 24/7 clinical support;
- Contribute to broader housing market efficiency by facilitating downsizing and freeing up underutilised family homes; and
- Ensure the long-term viability and revitalisation of a disused portion of the Aveo BGRL site.

What is the development's strategic context?

The development responds directly to the need for high-quality aged care infrastructure in the Northern Beaches LGA. Between 2021 and 2031, the retirement-aged population in the area is forecast to increase by approximately 23%. The site's location within an established seniors living precinct ensures compatibility with surrounding land uses, maximises co-location benefits, and aligns with key State and local government priorities. The proposal supports ageing in place, alleviates housing pressure by enabling down-sizing from family homes, and contributes to broader health and social infrastructure goals.

Does it comply with the relevant planning controls?

The proposed development complies with all relevant planning controls where possible. It is noted that variations are sought to the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) building height and upper-level setback standards, which are supported by Clause 4.6 Variation Requests that demonstrate that the objectives of the controls are met and that there are sufficient environmental planning grounds to justify the non-compliances.

| | |
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| <p>What are the key findings of the preliminary stakeholder engagement?</p> | <p>Consultation has been undertaken with various stakeholders including relevant government agencies and the public. The key issues raised during the consultation process included concerns about height, bulk and scale, potential traffic and parking impacts, construction impacts and the loss of vegetation. These concerns have been considered and addressed throughout the design of the project as detailed in the Integrated Engagement and Social Impact Assessment Report at Appendix H.</p> |
| <p>What are the key impacts and how will they be managed?</p> | <p>A detailed environmental assessment of the project has been undertaken in accordance with the Secretary's Environmental Assessment Requirements (SEARs). The assessment has found that where there are potential impacts, they can be appropriately mitigated and managed to ensure a suitable and appropriate outcome for the site. A summary of the relevant environmental assessment is provided in Section 7.0 of this report.</p> |
| <p>Who is responsible for approving it?</p> | <p>The Minister for Planning and Public Spaces (under delegation) will be the consent authority for this project. It is noted that recent changes to the Planning Systems SEPP switches off the Independent Planning Commission delegation for seniors housing projects.</p> |
| <p>Why should it be approved?</p> | <p>The proposed development should be approved for a number of reasons, including:</p> <ul style="list-style-type: none"> • It is entirely permissible with consent under the <i>Pittwater Local Environmental Plan 2014</i> and is consistent with the objectives and provisions of relevant environmental planning instruments. • It will not result in any unreasonable or adverse environmental impacts that cannot be appropriately mitigated and minimised. • The Northern Beaches LGA is experiencing significant growth in its ageing population. The proposal delivers 177 aged care beds to meet this growing demand, helping to address a documented shortfall in high-quality, purpose-built aged care accommodation. • The development is located within the Aveo BGRL, an established seniors living precinct. The site is well-serviced, has existing infrastructure and is surrounded by compatible land uses, making it ideally suited for its continued use as a RCF. • The development will replace a vacant and underutilised aged care facility with an efficient use of land that promotes better outcomes for residents and the broader community. The co-location with the existing retirement village maximises operational efficiency and resident amenity. • The development supports ageing in place by allowing older residents to stay within their local area, improving their quality of life. It also indirectly supports housing supply by enabling older individuals to downsize from family homes. • The construction and operation of the RCF will generate significant employment across multiple sectors during construction and ongoing operational jobs. • This EIS demonstrates that the environmental impacts of the development are minor and can be appropriately mitigated. No significant issues have been identified. <p>The justification of the proposed development and detailed reasons as to why it should be approved is provided within Section 8.0 of this report.</p> |

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared on behalf of Principal Healthcare Finance Pty Limited (Opal Healthcare) to assess the economic, environmental and social impacts of a State Significant Development Application (SSDA) for a residential care facility (RCF) and Torrens title subdivision at 36-42 Cabbage Tree Road, Bayview (the Aveo BGRL site). The Opal HealthCare Bayview site comprises a 6,063m² portion of the current Aveo Bayview Gardens Retirement Living (BGRL) site (the Opal HealthCare Bayview site). The development is known as 'Opal Healthcare Bayview' and aims to redevelop an existing and disused aged care and serviced apartment building for a new 177 bed RCF. This will comprise a predominantly three-storey building with underground carparking facilities.

The development is an SSDA pursuant to Clause 28, Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* as it:

- Has an Estimated Development Cost (EDC) in excess of \$30m and is on land in the Greater Sydney region, and
- Includes a residential care facility, and
- Does not involve any prohibited development.

The EIS has been prepared in accordance with the requirements under Division 5 of the *Environmental Planning & Assessment Regulation 2021* (EP&A Regs) and having regard to the SSD Guidelines and industry-specific SEARs. It is submitted to the NSW Department of Planning, Housing and Infrastructure (the Department) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This EIS is based on the Architectural Plans prepared by Calderflower Architecture (see **Appendix I**) and other technical studies appended to this report (see Appendices List).

1.1 Applicant Details

Opal HealthCare is a leading provider of residential aged care services in Australia, managing over 100 Care Communities across New South Wales, Victoria, Queensland, and Western Australia. They offer a range of care services including permanent residency, respite care, dementia care, palliative care, and rehabilitation, all supported by 24/7 nursing and clinical services. With a focus on enhancing the quality of life for residents, Opal Healthcare is committed to providing person-centred care, fostering well-being, and supporting independence through tailored programs and high-quality facilities.

Opal HealthCare has been recognised for its excellence in aged care, earning several industry awards. The organisation was a finalist in the 2023 NSW Sustainability Awards under the Large Business Sustainable Leadership category, demonstrating its commitment to environmentally responsible operations. Additionally, Opal Healthcare's partnership with Concentric Rehabilitation received first place in the Reablement and Restorative category at the Future Ageing Awards, reflecting their leadership in delivering progressive, high quality aged care services.

Table 1 Applicant Details

| Applicant Details | |
|-------------------|--|
| Applicant name | Principal Healthcare Finance Pty Limited |
| Applicant address | Level 11, 420 George Street Sydney 2000 |
| ABN | 33 069 875 476 |

1.2 Project Overview

Bayview Gardens Retirement Living (BGRL) is owned and operated by Aveo Group Ltd and is located at 36-42 Cabbage Tree Road, Bayview. The site has an overall area of 74,969m² and currently comprises:

- 262 independent living units,
- A vacant nursing home (circa 74 beds),
- A vacant serviced apartment building (38 units), and,
- A community centre.

The Opal HealthCare Bayview site comprises a 6,063m² portion of the existing Aveo BGRL site, as shown in **Figure 1**, and currently contains the vacant nursing home and serviced apartment building. Opal HealthCare have entered into a sales agreement with Aveo to acquire this portion of the site, with the intention of operating it as an independent RCF. The acquisition is contingent upon the successful redevelopment and subdivision of the land, as proposed under this SSDA.

The proposed development involves the following works to the Opal HealthCare Bayview site to accommodate its use as a residential care facility:

- Demolition of the existing aged care and serviced apartment buildings and driveway on the site.
- Construction of a predominantly three-storey building, accommodating 177 beds, basement car parking, and ground floor ancillary facilities;
- Associated landscaping; and
- Infrastructure augmentation and amplification as required.

As part of the land sale agreement with Aveo, Opal HealthCare will also provide:

- 16 car parking spaces for Aveo residents and visitors (to be provided within the basement car parking within the Opal Healthcare Bayview site).
- Extension to the existing community centre for use by Aveo residents (situated on the Aveo BGRL site, replacing part of the existing community centre).
- A new driveway on the Aveo BGRL site, providing access to the shared carpark on the Opal site.

Torrens title subdivision of the proposed Opal site from the broader Aveo BGRL site is also proposed so that it may operate as a standalone facility. This includes a series of easements and covenants for access to any shared facilities, such as the new driveway and allocated parking spaces.

Consent is sought under this SSDA for all the above components.



Figure 1 Context of the Opal HealthCare Bayview site within the broader Aveo BRGL site



Figure 2 Artist Impression as viewed from Annam Road

Source: Calderflower

1.3 Project Objectives

The primary objectives of the development relate to the provision of seniors housing supply, responding to the key demographic trends in the Northern Beaches LGA. The key objectives supporting the proposal include:

- Deliver high-quality aged care accommodation that meets the forecasted increase in the ageing population, with the Northern Beaches LGA projected to see a 22.7% rise in residents of retirement age between 2021 and 2031.
- Cater to high care residents by providing a dedicated Memory Care Ward designed specifically for individuals with dementia. This will assist in addressing demand for dementia care and ensure that residents with high care needs receive appropriate support in a secure and supportive environment.
- Replace an underutilised and vacant aged care facility with a purpose-built RCF that responds to contemporary care standards and operational needs.
- Provide a safe, inclusive, and accessible care environment with 24/7 clinical support, enabling older residents to age in place, remaining in their community with access to appropriate services.
- Facilitate the downsizing of older individuals from underutilised family homes, thereby improving housing availability.
- Leverage the site's location within the established Aveo BGRL site to deliver co-location benefits.
- Generate employment during construction and ongoing operational phases, while contributing to the broader local economy through investment in aged care infrastructure.
- Alleviate pressure on the NSW public health system by increasing the availability of aged care places, thereby reducing the number of hospital patients awaiting discharge to aged care. Recent reports indicate that over 1,150 aged care and NDIS recipients are occupying NSW hospital beds beyond their expected discharge date, costing taxpayers an estimated \$1.2 million per day and contributing to widespread hospital "bed block".

1.4 Project Background

1.4.1 Strategic need for the redevelopment

Sydney's aging population and ongoing housing crisis underscores the critical need for high-quality aged care facilities. Between 2021 and 2031, the age structure forecasts for Northern Beaches Council indicate a 22.7% increase in the retirement age population. By 2041, it is estimated that 23.8% of the Northern Beaches population will be over 65 years of age. With longer life expectancies and higher frequencies of aged-related health conditions, (such as dementia, currently affecting an estimated 421,000 Australians, a figure expected to exceed 800,000 by 2050), the demand for purpose-built aged care accommodation is growing rapidly. Without sufficient aged care infrastructure, many older individuals are left with inadequate housing options, often remaining in homes that no longer meet their needs or relying on overburdened in-home care services.

Sydney is also experiencing a severe housing shortage especially in established suburban areas where housing demand significantly outweighs supply. The lack of available houses, coupled with rising property prices, has made it increasingly difficult for younger families and first-home buyers to enter the housing market. Aged care plays a crucial role in addressing this challenge by enabling the natural transition of older individuals from underutilised family homes into appropriate care environments. The Productivity Commission's 2015 paper, *Housing Decisions of Older Australians*, identified that about 75% of Australians over 75 live in detached dwellings, and a similar proportion have residences with three or more bedrooms, indicating substantial spare housing capacity. By facilitating this transition, aged care developments help free up existing housing supply, supporting a more efficient housing market.

Beyond its impact on housing supply, aged care infrastructure is critical for ensuring the well-being, dignity, and quality of life of older individuals. *The Royal Commission into Aged Care Quality and Safety* has highlighted the urgent need for improvements in aged care services, with particular emphasis on increasing the availability of high-quality residential care options. Modern aged care facilities are designed to provide not only essential health and support services but also opportunities for social connection, recreation, and independence. Social isolation among seniors is linked to a 26% increased risk of mortality, making access to well-planned aged care communities a crucial factor in improving health outcomes.

The economic benefits of investment in aged care are also substantial. As of the *2020 Aged Care Workforce Census*, the aged care sector supported over 366,000 jobs across Australia, a figure that is set to increase as demand rises. Expanding aged care infrastructure generates employment opportunities across construction, healthcare, and service industries, contributing to local economies. Additionally, a well-functioning aged care system reduces pressure on hospitals and emergency services as aged care facilities provide appropriate support for those who may otherwise require hospital admission.

Given the scale of Australia's ageing population and the constraints on housing supply, investment in aged care infrastructure is not only a social necessity but an economic and housing policy requirement. The development of additional aged care accommodation ensures that older individuals have access to high-quality care while simultaneously alleviating housing pressures and developing more efficient land use. As demand continues to rise, the expansion of modern, purpose-built aged care facilities will be essential in addressing both immediate and long-term social and economic challenges.

1.4.2 Community Centre Previous DA (DA2024/1480)

DA2024/1480 was approved on 13 February 2025 for alterations and additions to the existing Aveo BGRL Community Centre (**Figure 3**). The works included internal refurbishment, construction of two new outdoor awnings, new entry paving, accessibility upgrades including an external lift and platform lift, and associated landscaping and paving works.

Works approved under this DA have commenced, however it is noted that Aveo is not progressing with any works that will become redundant as a result of this SSDA.

The Aveo Community Centre is directly adjoined to the Opal Healthcare site as illustrated in **Figure 4**. Given the connection between the buildings, make good works and a minor extension is proposed as part of this SSDA as described in **Section 4.6.2**. These works are necessary to ensure the continued operation of the community centre in serving the Aveo BGRL residents.

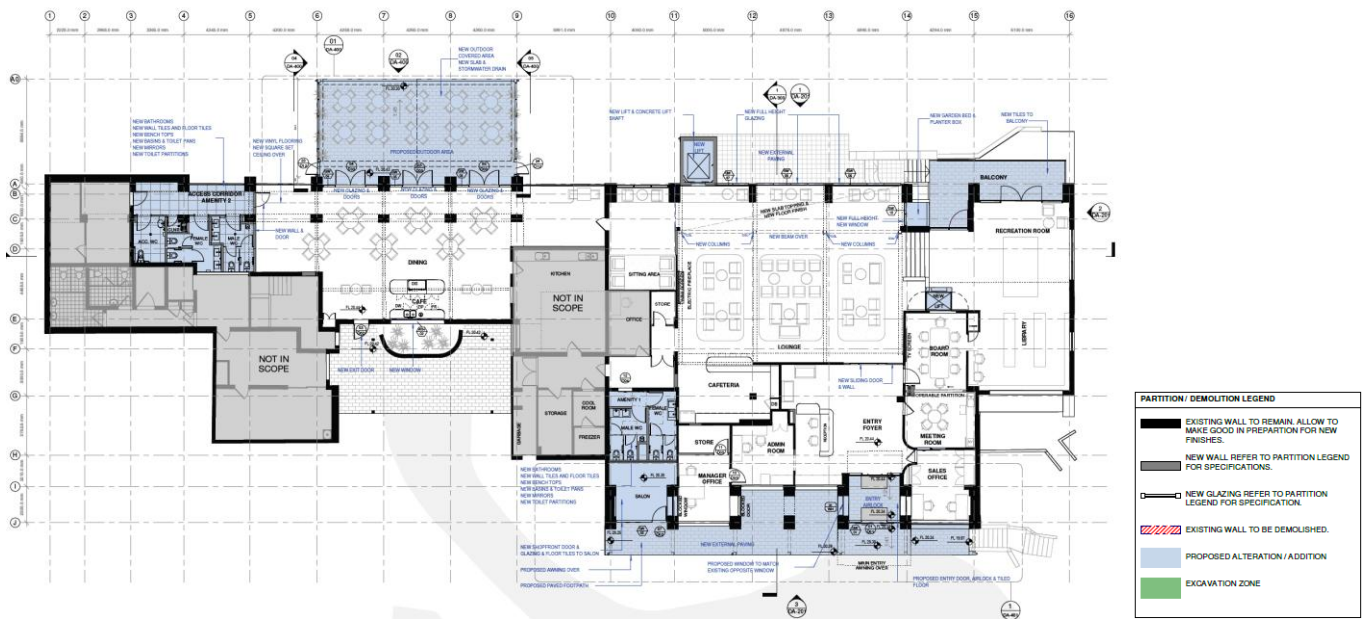


Figure 3 DA2024/1480 Approved Development (Ground Floor)
 Source: Bokor3



Figure 4 Location of Aveo Community Centre in relation to the Opal Site (community centre illustrated in pink)
 Source: Calderflower

2.0 Site Analysis

This chapter of the EIS identifies the key features of the site and the surrounding development, which the design of the proposal responds to.

Site Overview


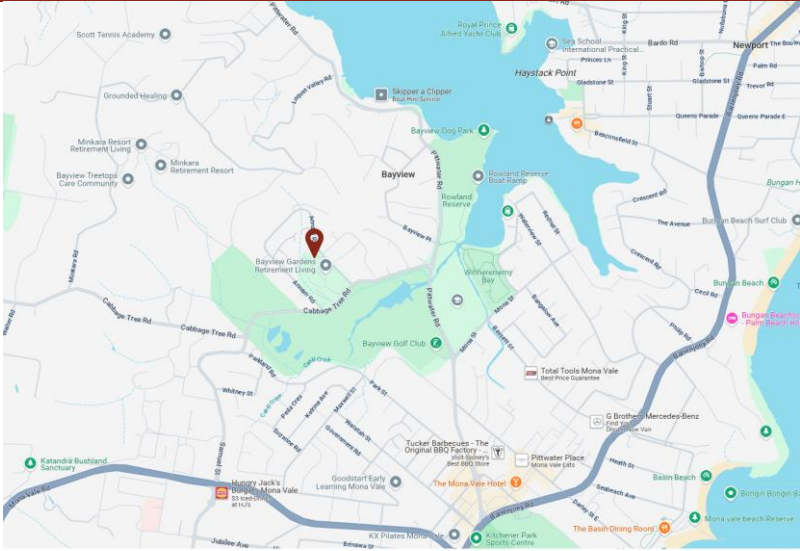




| | | |
|---|--|---|
|  Address | 36-42 Cabbage Tree Road, Bayview |  <p style="text-align: center;">THE SITE</p> <p style="text-align: right;">NOT TO SCALE </p> |
|  Legal Description | Lot 121 in DP789400 | |
|  Site Area | 6,063m ² Site Survey at Appendix M. | |
|  Owner | Aveo Group Ltd. | |

Figure 5 Location Plan

Locational Context

The Opal HealthCare Bayview site comprises a 6,063m² portion of the current Aveo BGRL site at 36-42 Cabbage Tree Road, legally described at Lot 121 in DP 789400. The site in irregular is shape, bound by Annam Road to the east, and the Aveo BGRL site to the north, west, and south.



Figure 6 Site Aerial

Key Information about the Site

The Opal Healthcare Bayview site comprises two existing two-storey brick buildings (**Figure 7**), comprising:

- A vacant nursing home (circa 74 beds),
- A vacant serviced apartment building (38 beds), and
- At-grade car parking with access driveways on Annam Road.

It is noted that the serviced apartment building is physically connected to the Community Centre, which is located within the Aveo BGRL site. The site contains heavy vegetation to the Annam Street frontage (**Figure 8**).

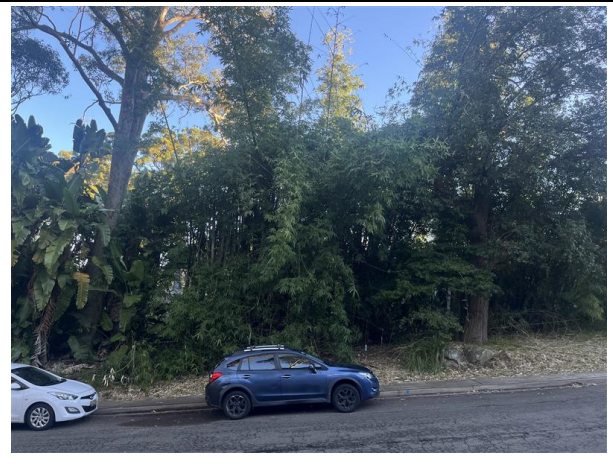
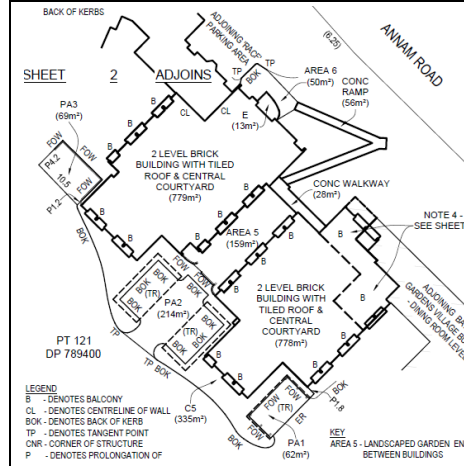


Figure 7 Existing Development Plan

Figure 8 Existing Vegetation on Boundary (Annam Road)

The broader Aveo BGRL site is partially mapped as *Geotechnical Hazard H1*, under the Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014) (**Figure 9**). It is noted that the Opal HealthCare Bayview site does not fall within this area and therefore the proposal is unaffected by geotechnical hazards.



OPAL HEALTHCARE BAYVIEW SITE

Figure 9 Geotechnical Hazards Map



A Preliminary Site Investigation (PSI) (**Appendix V**) did not identify any soil conditions that would preclude the use of the site for continued residential use in the form of seniors housing.



The Opal HealthCare Bayview site is mapped as *Biodiversity* under the Pittwater LEP (Figure 10).

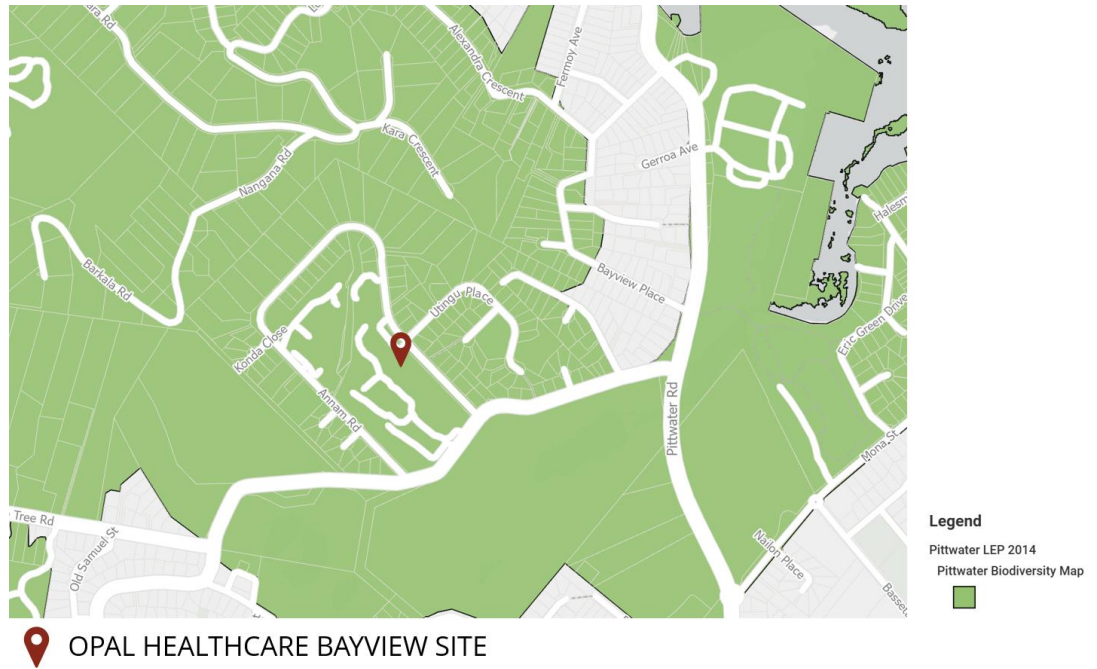


Figure 10 Biodiversity Map



The Opal HealthCare Bayview site is partially identified as being in a *Proximity Area for Littoral Rainforest* (Figure 11).

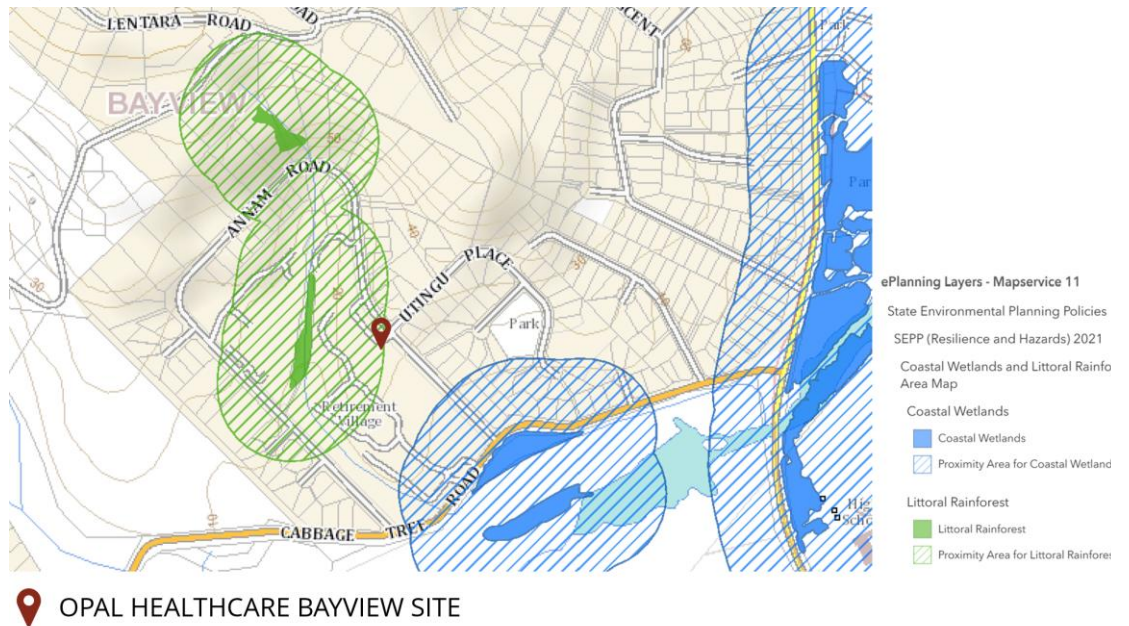


Figure 11 Coastal Management Map

A small waterway connected to Cahill Creek is located to the west of the site, across the internal roadway. The riparian corridor, which is densely vegetated with mature trees, does not intersect or constrain the project site and is not subject to any identified protection zones.


Riparian
Corridor



Figure 12 Riparian Corridor Location

Source: Calderflower

The Opal HealthCare Bayview site is bounded by Annam Road to east, and the Aveo BGRL site to the north, west and south.

Pedestrian and vehicular access to the site is via Annam Road.

The site's closest bus stop is *Annam Rd after Cabbage Tree Road*, to the direct east of the site (**Figure 13**), servicing route 155 Bayview Garden Village to Narrabeen and Frenchs Forest with a bus departing roughly every hour.


Site Access

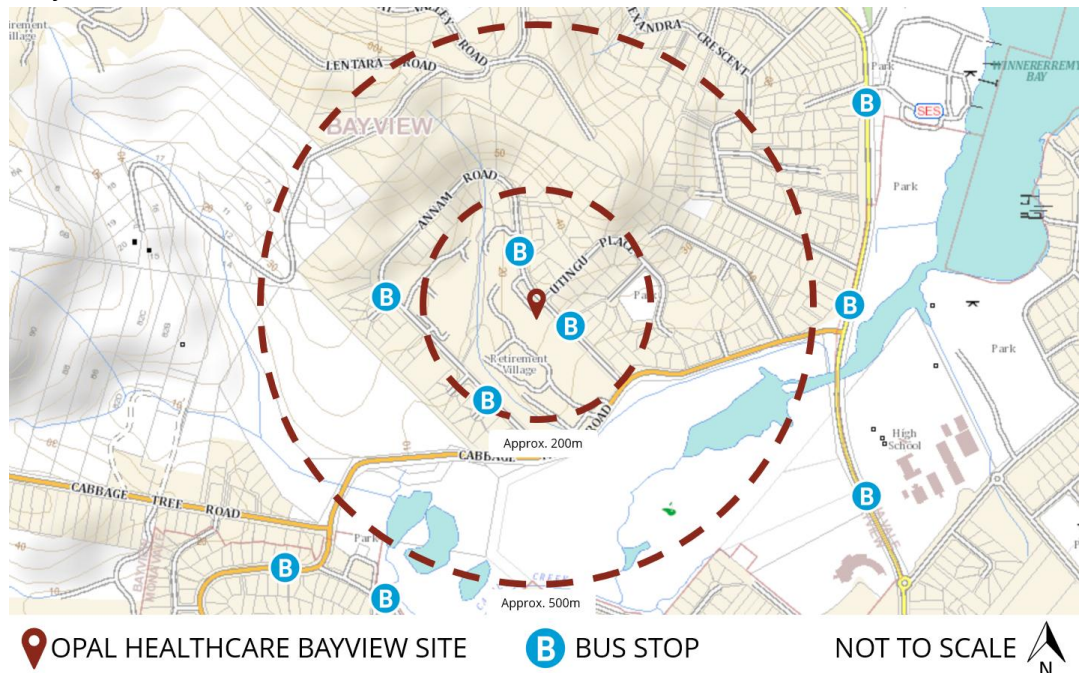


Figure 13 Transport Context


Heritage

The Opal HealthCare Bayview site is not mapped as a heritage item nor is it within a heritage conservation area. There are no heritage items in immediate proximity of the site. The closest heritage item is approx. 250m east of the site, a house at 2 Binnowee Place – local heritage item 2270101.

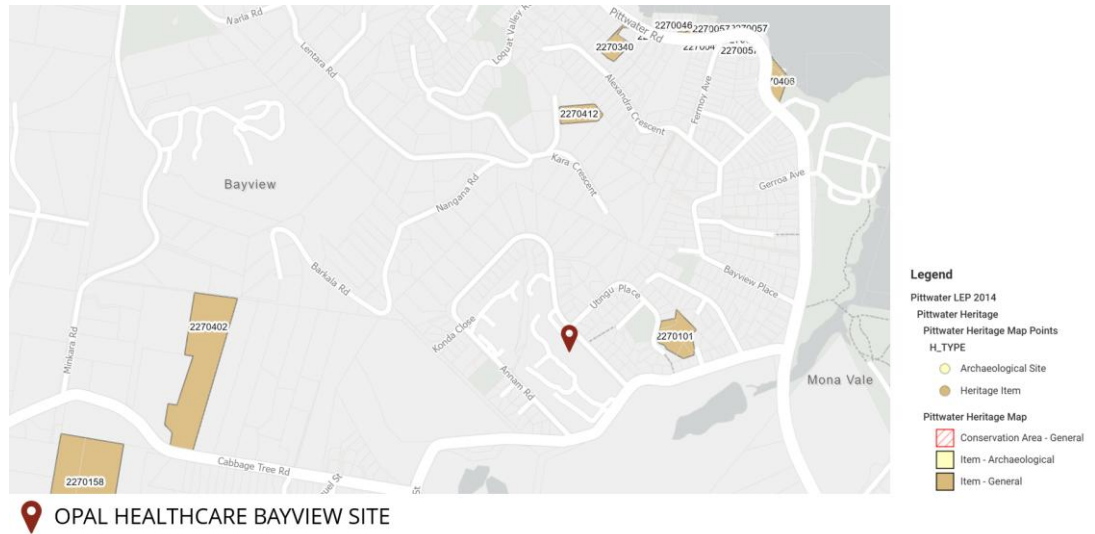


Figure 14 Heritage Map


Topography

The development site features a sloping topography, descending from the northwest corner along Annam Road (highest point at RL 31.14) to the southeast corner (lowest point at RL 23.00), resulting in a total fall of approximately 8.14 metres. The land also slopes away from the Annam Road frontage towards the internal roadway of the existing Aveo BGRL.

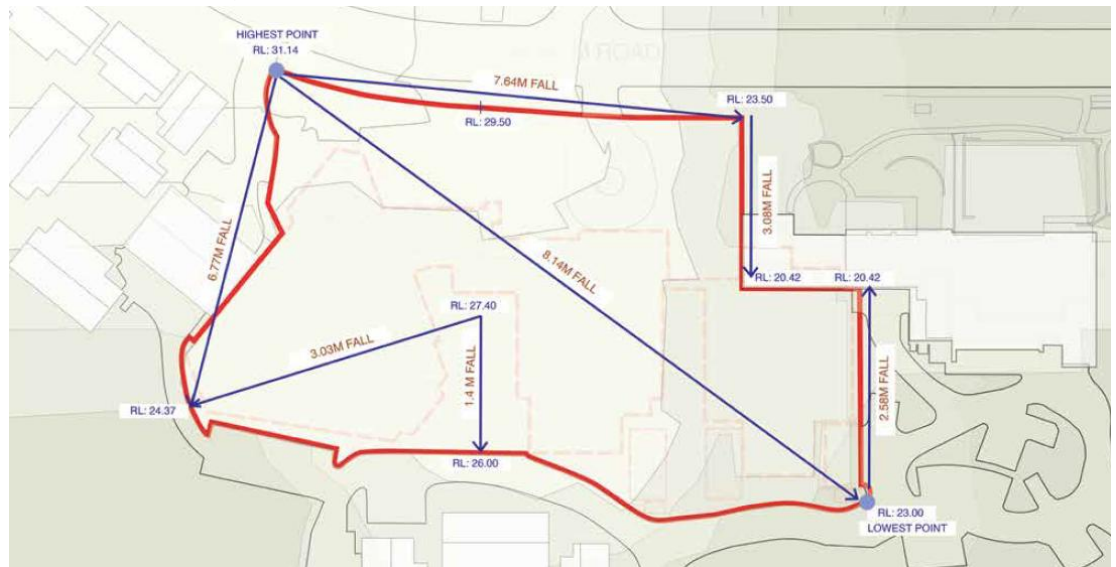


Figure 15 Site Topography

Source: Calderflower

The Opal HealthCare Bayview site is not mapped as flood prone land, however, is in proximity to the waterway running through the Aveo BGRL site which is classed as a high-risk precinct (**Figure 16**). The Integrated Water Management Plan (**Appendix S**) confirms the site is situated at a higher elevation and is not mapped within the 'high', 'medium' or 'low' flood precincts.


Flood Risk



Figure 16 Flood Prone Land Map

2.1 Site Surrounds

To the north of the site are detached dwellings, generally two-storeys in height. Dense vegetation surrounds these developments (**Figure 17**).



Figure 17 Detached dwellings to the north



North

Surrounding the site to the south are Aveo BGRL buildings, generally two-storeys in height, and the BGRL lawn bowls field. The entrance to Aveo BGRL is approx. 215m southeast of the site, featuring a separate ingress-egress driveway (**Figure 18**). Bayview Golf Club is approx. 268m south (**Figure 19**).



Figure 18 Aveo BGRL entrance to the south



Figure 19 Golf course to the south

South

To the east of the site, on the Annam Road frontage, is the site's closest bus stop, Annam Road, after Cabbage Tree Road (**Figure 20**). There is dense vegetation to the Annam Rd site frontage. Across Annam Road, development comprises predominately two-storey detached dwellings (**Figure 21**).



Figure 20 Annam Rd, after Cabbage Tree Rd bus stop



Figure 21 Dwelling to east

East

To the west of the site are detached dwellings (generally two-storeys in height) (**Figure 22**) and BGRL accommodation (also generally two-storeys in height). Three Closes, Kiewa Close (**Figure 23**), Kian Close, and Konda Close are all located to the west, featuring detached dwellings, generally two-storeys in height.

<
West



Figure 22 Typical BGRL development



Figure 23 Kiewa Close

3.0 Strategic Planning Context

This chapter identifies the key strategic issues that are relevant to the assessment of the project, including its relationship with other surrounding development and any planning agreements. The chapter also analyses the alternative development options explored and justifies the current proposal in context of the strategic planning framework.

3.1 Cumulative Impacts

A review of other significant developments currently being undertaken or planned in the vicinity of the site has identified the following projects which may potentially contribute to cumulative environmental impacts with the proposal.

3.1.1 Urban Release Areas

Approximately 2-3km south of the site is the Warriewood Valley Release Area (**Figure 24**), encompassing 195 hectares with an anticipated 2,544 dwellings, associated facilities and infrastructure, as well as 3.7 hectares of employment generating development.

Development has been occurring progressively across various sectors within the release area. Early development was guided by sector-specific master plans (including Sectors 1, 2, 6, 7, 8, 10, 11, 12, and 20). Post 2013, properties not covered by these masterplans have been assessed on a case-by-case basis under the *Warriewood Valley Strategic Review Addendum Report*.

Infrastructure works, funded through development contributions, are ongoing. These include the construction of roads, pedestrian and cycle paths, parks, and flood mitigation measures.

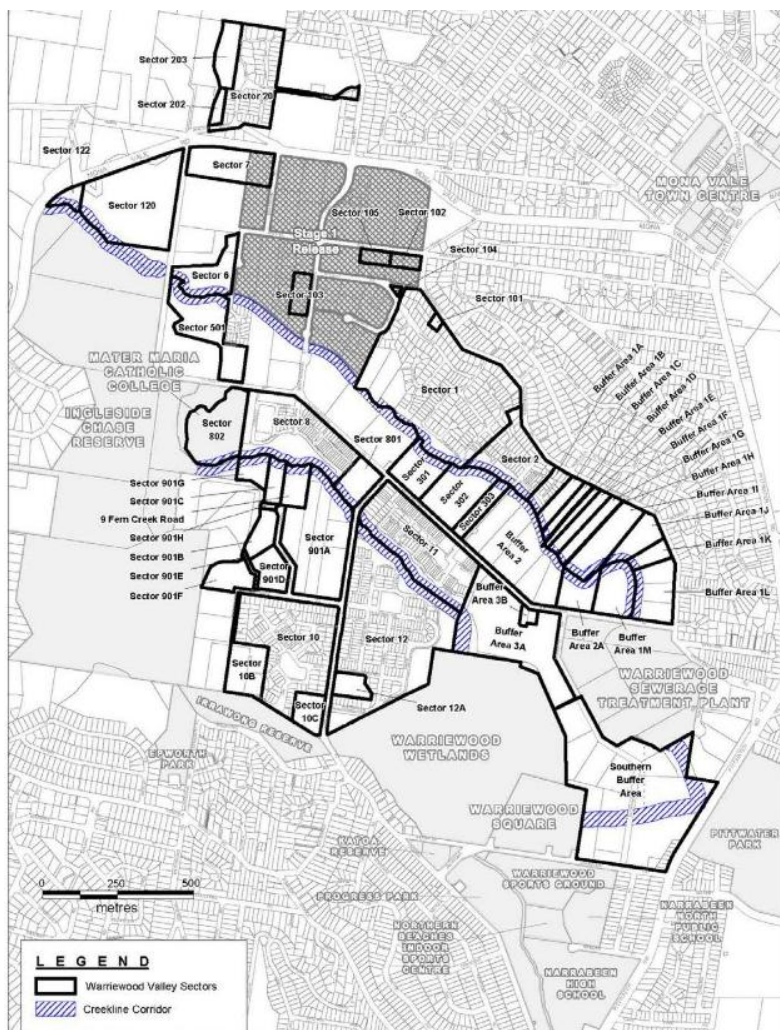


Figure 24 Warriewood Valley Release Area

Source: Northern Beaches Council

3.2 Project Agreements

The proposed development is supported by a private land transaction and associated operational agreements between Opal Healthcare and Aveo Group, the current owner and operator of the BGRL site. While not governed by a Planning Agreement under Division 7.1 of the EP&A Act, a land sales agreement has been entered into to enable Opal HealthCare to acquire the portion of the site for the development of an independent and standalone RCF, which is subject to several commercial arrangements that are relevant to the assessment of this application.

To facilitate the acquisition and the redevelopment of the existing vacant aged care and serviced apartment buildings, Opal Healthcare and Aveo Group have agreed to a Torrens title subdivision of the land, which will legally separate the Opal HealthCare Bayview site from the Aveo BGRL site to allow the new RCF to operate as an independent, standalone development.

Additionally, under the terms of agreement, Opal Healthcare has committed to providing shared infrastructure and community facilities to support the ongoing operations of the Aveo BGRL, including:

- **Basement Parking:** Provision of 16 car parking spaces within the Opal Healthcare Bayview site, reserved for Aveo usage (like-for-like replacement of the 16 spaces currently located on the Opal site).
- **Community Facility:** Minor extension (182m²) to the existing Aveo community centre to allow the ongoing function and operation of the facility.
- **Driveway Access:** Construction of a new driveway on the Aveo BGRL site to provide vehicular access to the shared car park.

Although operating independently, the Opal Healthcare RCF will be functionally integrated within the broader BGRL environment. The design, access, and servicing arrangements have been coordinated to ensure minimal disruption to existing residents, continuity of access, and compatibility of use.

3.3 Analysis of Alternatives

The project team has explored a number of alternative development options to achieve the project objectives. An analysis of the key options considered is provided below.

3.3.1 Option 1 - 'Do Nothing'

The 'do nothing' alternative would result in the existing disused aged care facility and serviced apartment buildings remaining in place with no redevelopment undertaken. This option is considered to be undesirable as it would fail to meet the growing demand for aged care services in the Northern Beaches LGA. The existing buildings are outdated, do not meet contemporary standards for residential aged care, and are not fit for reoccupation without substantial renovation. This option would result in the buildings remaining vacant, and the continued underutilisation of a strategically positioned site within an established retirement community.

3.3.2 Option 2 - Development of the site for a different purpose

The Opal Bayview site currently forms part of the Aveo BGRL, an existing and operational seniors living community, limiting the potential for using the site for another purpose. The site is physically integrated with other aged care infrastructure and shared access, services, and contextual links with the wider retirement facility. Using the site for a non-aged care purpose would be incompatible with its physical context. Importantly, a sale agreement has been entered into by Aveo Group and Opal Healthcare specifically for the purpose of redeveloping the Opal Bayview site into a new RCF. This commercial arrangement supports the project's feasibility and will also deliver upgrades to the Aveo BGRL site.

Moreover, there is a documented and growing need for aged care accommodation in the Northern Beaches. The proportion of residents over 65 years is forecast to increase significantly, placing greater pressure on existing aged care services. Redeveloping this underutilised site for another purpose would relinquish an opportunity to contribute to the supply of high-quality aged care facilities. Alternative uses would not address this critical need for seniors housing.

3.3.3 Option 3 - Development of an alternative site

The site offers unique advantages due to its location within the Aveo BGRL site, including existing infrastructure connections, and compatibility with surrounding land uses. Relocating the project would result in a loss of opportunity to leverage the benefits of co-location with existing aged care facilities. Moreover, as detailed above, a sale agreement has been entered into by Aveo Group and Opal Healthcare specifically for the purpose of redeveloping the Opal Bayview site into a new RCF.

3.3.4 Option 4 - Alternative Design

A number of design iterations have been explored in developing the current proposal. This included consideration of a design that strictly complied with the height and upper-level setback development standards. This alternative would significantly compromise the functionality, efficiency, and quality of the facility. In particular, compliance with the upper-level setback controls is challenging due to the introduction of a new Torrens Title boundary separating the Opal Bayview site from the adjoining Aveo BGRL site. Despite this new boundary, the two sites will contextually form part of a single integrated seniors housing precinct. Designing strictly to the boundary would create an artificial constraint, forcing either a reduction in bed numbers or significant limitations to internal circulation and communal areas. This would not only undermine the delivery of a contemporary, purpose-built RCF but also reduce its capacity at a time when there is an urgent and growing demand for seniors housing in the Northern Beaches.

3.4 Project Justification

The proposed development option involves the demolition of the existing vacant buildings and construction of a new predominately three-storey RCF comprising 177 beds, basement car parking, and ancillary facilities. This option best meets the project objectives by delivering much-needed aged care accommodation in a location that is well-serviced, appropriately zoned, and contextually suitable. The development will provide a modern, high-quality care environment that supports ageing in place by allowing residents to stay within their local area and aligns with broader strategic planning priorities.

The key reasons as to why the proposed development was selected as the preferred outcome for the site is summarised below:

- The Northern Beaches is experiencing increasing growth in its older population. There is a well-documented shortage of residential aged care beds in the area, and this development helps to address that gap.
- Located within Aveo BGRL, the site is already part of a seniors living community. It is well-serviced, has existing infrastructure in place, and is surrounded by compatible land uses, making it a logical and appropriate location for continued aged care.
- A formal agreement between Aveo Group and Opal HealthCare has been signed specifically to enable this redevelopment. This provides a clear pathway for delivery and shows commitment from both parties to bring the project to fruition.
- The proposed RCF will support ageing in place by allowing residents to remain in their local area, offer 24/7 clinical care, and improve health and wellbeing outcomes for older residents. It also enables older individuals to downsize from underutilised housing, thereby contributing indirectly to broader housing market efficiency.
- The proposal will include a dedicated Memory Care Neighbourhood specifically designed to provide specialised dementia care, addressing the growing need for tailored support for individuals with dementia. This will ensure that residents with dementia have access to a secure, supportive environment designed to maximise their quality of life and well-being.
- The proposal will contribute to improved housing outcomes by enabling older residents to transition out of family homes into supported care environments, which will not only improve their wellbeing but also help free up existing housing stock.

Refer to **Section 8.0** of this report for a detailed justification of the proposed development.

4.0 Proposed Development

This chapter sets out the intended uses proposed for the site and the associated works that consent is being sought for under this SSDA.

4.1 Project Summary

The Opal Healthcare Bayview development proposes the redevelopment of an existing, disused aged care and serviced apartment building on the site for the construction of a new RCF to be operated as an independent and standalone facility from the broader Aveo BGRL site.

Specifically, the development comprises:

- Demolition of the existing aged care and serviced apartment buildings and driveway on the site;
- Construction of a three-storey building, accommodating:
 - Ground floor ancillary facilities, including a wellness centre gym, treatment room, health consult room, waiting area, lounge and dining area, and a cafe.
 - One -storey basement carpark, comprising 68 carparking spaces (including 16 spaces dedicated to Aveo).
 - 177 residential care beds,
- Extension to the existing community centre for use by Aveo residents (situated on the Aveo BGRL site, replacing part of the existing community centre);
- Construction of a new driveway, to be located on the Aveo BGRL site;
- Torrens Title subdivision of the Opal Healthcare Bayview site from Aveo BGRL;
- Associated amenities and landscaping works;
- Augmentation of, and connection to, existing utilities as required.

A summary of the key development metrics proposed is provided at **Table 2** and a detailed description of the proposal is provided in the following sections of this report.

Table 2 Summary of key development metrics

| Strategic Plan | | Description (based on proposed subdivision area) |
|----------------------|----------|---|
| Project area | | 6,063m ² |
| Proposed uses | | Residential Care Facility (RCF) |
| GFA | | 8781.95m ² |
| Residential capacity | | 177 Beds |
| Maximum height | | 11.46m (10.1m excluding rooftop servicing equipment) |
| Floor space ratio | | 1.45:1 |
| Site coverage area | | 3530m ² |
| Communal open space | Internal | 1042.9m ² |
| | External | 1274m ² |
| Landscaped area | | 4618m ² (76.2%) |
| Deep soil | | 567m ² (9.4%) |
| Parking spaces | | 72 (including 68 basement parking spaces and 4 ground level spaces) |
| Construction jobs | | 103 FTE |

| Strategic Plan | Description (based on proposed subdivision area) |
|----------------------------|--|
| Operational jobs | 36 FTE |
| Estimated development cost | \$97,919,611 |

4.2 Connecting with Country

The site is located on the lands of the Garigal people, the traditional custodians of Guringai Country, which extends from the ocean to the Great Dividing Range and between the Hunter and Manning Rivers. In formulating this development strategy, consideration was given to the NSW Government Architect's (GANSW) Connecting with Country Framework.

The proposed design aligns with Pathway C, responding to Country without direct community involvement, reflecting the project's low impact and absence of a legislative requirement for engagement. Nonetheless, a Country-centred approach has been adopted to embed the principles of respect, recognition and cultural sensitivity throughout the design process.

Key measures include responding to the site's natural topography and riparian corridor, using endemic plant species in landscaping, and adopting colours and materials that harmonise with the surrounding environment. In doing so, the project contributes to Healthy Country, cultural competency and better places, while acknowledging the Garigal people's ongoing connection to land and waters.

Further details are provided within the Connecting with Country Report, prepared by Urbis, included at **Appendix GG**.

4.3 Site Preparation Works

In order to prepare the site for the proposed development, the proposal will clear the Opal Bayview site, demolishing all existing structures, as shown in **Figure 25**. The roof and connecting walls of part of the existing community centre on the Aveo BGRL site will also be demolished (**Figure 26**).

Excavation to a maximum depth of 6m is required to facilitate the basement carpark and lower ground level.

The proposed works, in conjunction with advice from the arborist, results in 44 trees being proposed for removal.

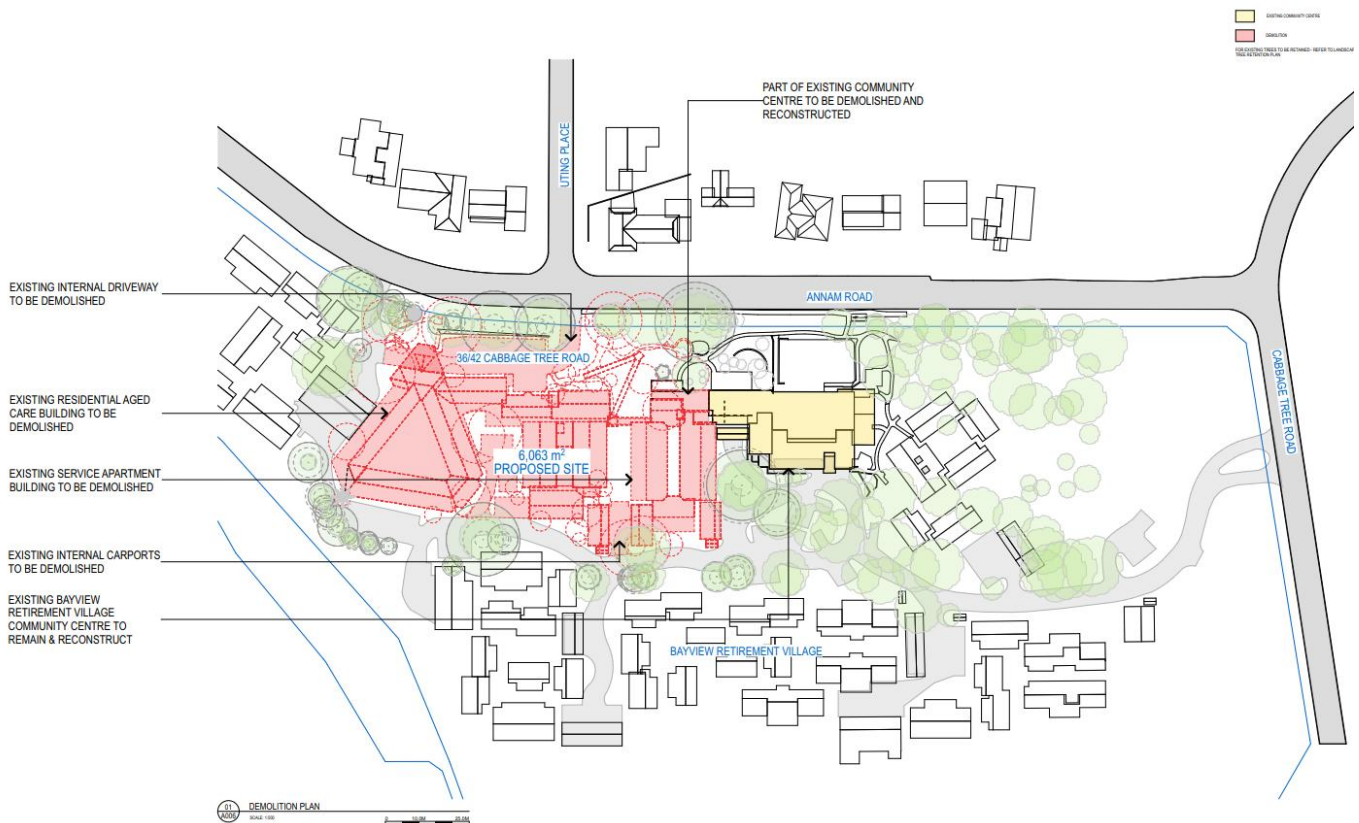


Figure 25 Demolition Plan

Source: CalderFlower

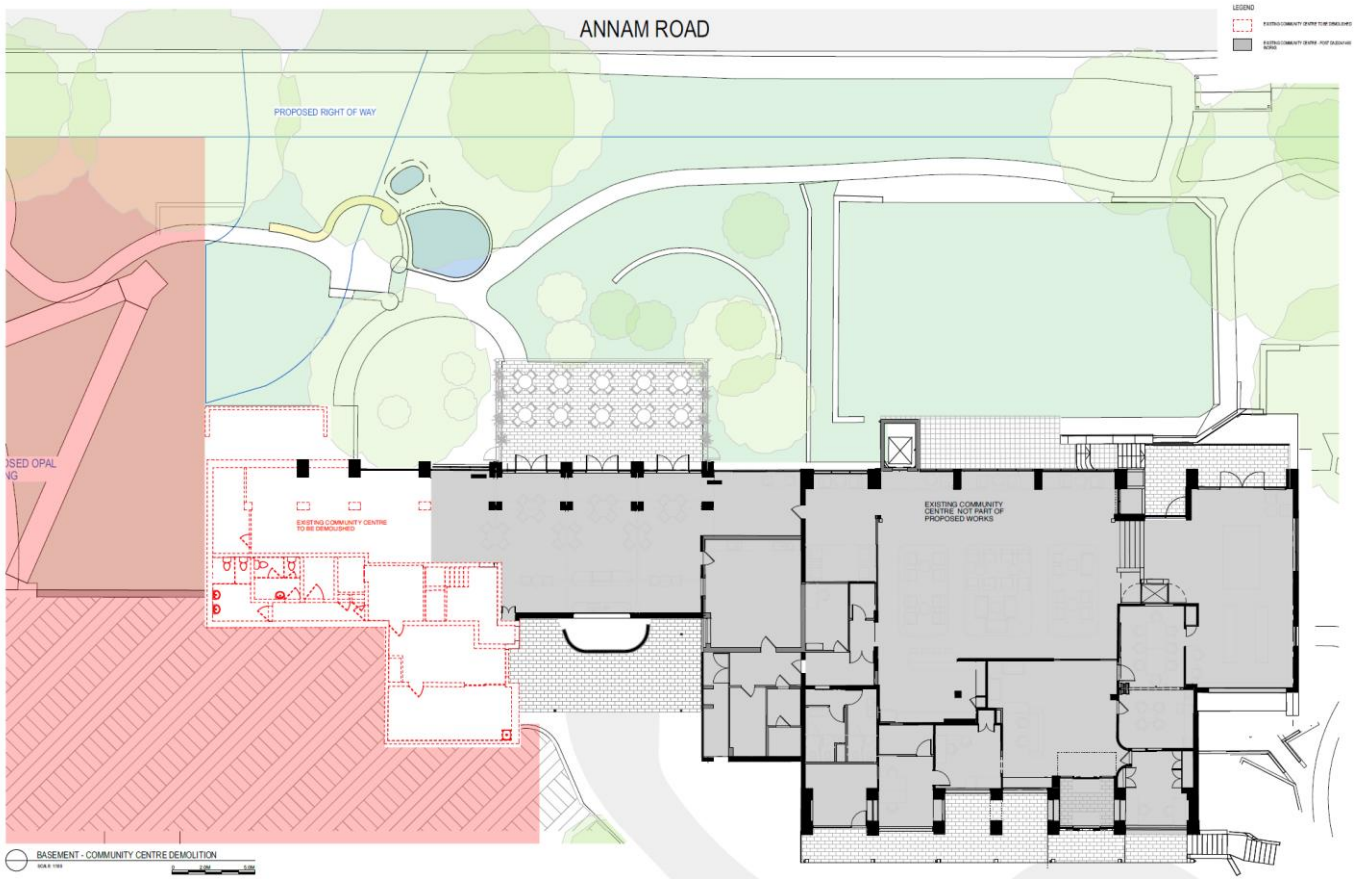


Figure 26 Community Centre Demolition Plan

Source; CalderFlower

4.4 Infrastructure and Services

The proposed development seeks consent to connect to, and augment, existing utility networks through the provision of all new service feeds, with sufficient capacity confirmed to meet the operation requirements of the development. Site Infrastructure Statements are appended to this report at **Appendix KK**.

4.4.1 Electrical

The existing aged care building is currently supplied directly from Ausgrid Substation #47103 on Annam Road via its own electrical authority meter. This supply will be disconnected and removed as part of demolition works. A new 1000 kVA kiosk-type substation with two feeder HV switches will be installed to provide the increased electrical capacity required for the RCF. An application for this new supply was lodged with Ausgrid on 4 March 2025, and Ausgrid has provided an offer to enter a Contract for Design Related Services. An Accredited Service Provider has been engaged to undertake the design and construction of the incoming supply.

4.4.2 Telecommunications

The existing copper phone lines and NBN fibre services to the building will be disconnected and removed prior to demolition by NBN. NBN will be consulted to determine whether services are fed to adjacent Aveo buildings from the current point of presence. If this is not possible, a new NBN enclosure will be provided for the RCF during construction.

4.4.3 Sewer

The site will be connected to the Sydney Water sewer network by extending a new 150 mm sewer main from a 2.2 m-deep manhole located on Annam Road. The line will cross Annam Road and terminate at a Terminal Maintenance Shaft within the site.

4.4.4 Potable Water

The potable water supply will be connected via an existing 100 mm branch off the 100 mm oPVC Sydney Water main along Annam Road. This supply will service the potable water meter assembly, fire hydrant system, and sprinkler system. Based on the pressure and flow statement obtained, no pumps or tanks are required for the potable or fire hydrant systems; however, the sprinkler system will be supported by a dedicated pump and storage tank.

4.4.5 Stormwater and Rainwater Reuse

Roof drainage will be collected via gravity downpipes and discharged to a combination of the site’s civil stormwater system and rainwater reuse tanks. The rainwater tank will be integrated with the OSD tank as part of the civil stormwater system.

4.5 Subdivision

As detailed in **Section 3.2**, consent is sought for a Torrens title subdivision to separate the proposed Opal Healthcare Bayview site from the rest of the Aveo BGRL site. This subdivision will allow the Opal Healthcare RCF to operate independently, while still sharing access and some infrastructure with Aveo BGRL via easements and covenants. The new Torrens Title lot will cover 6,063m² and will include the new RCF building, basement car park, and associated areas.

The proposed draft Plan of Subdivision is illustrated in the excerpt below at **Figure 27**, and included at **Appendix N**.

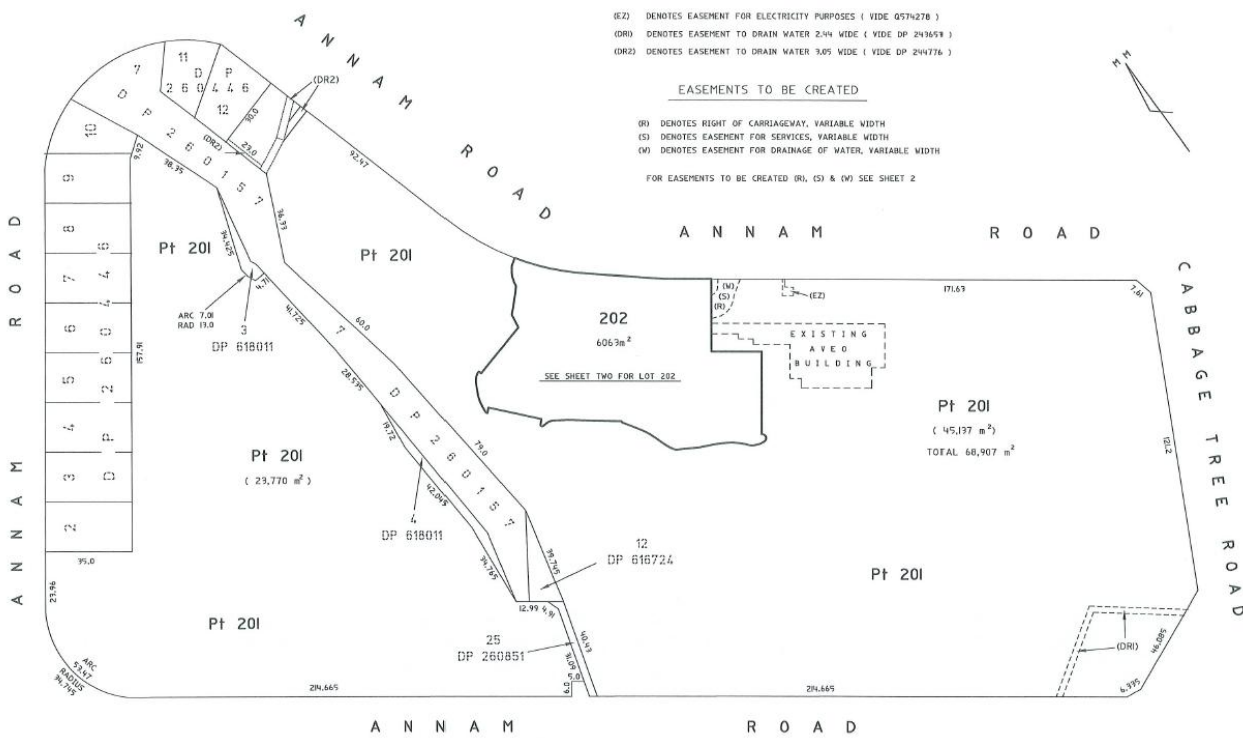


Figure 27 Subdivision Plan
 Source: Geometra Consulting Pty Ltd

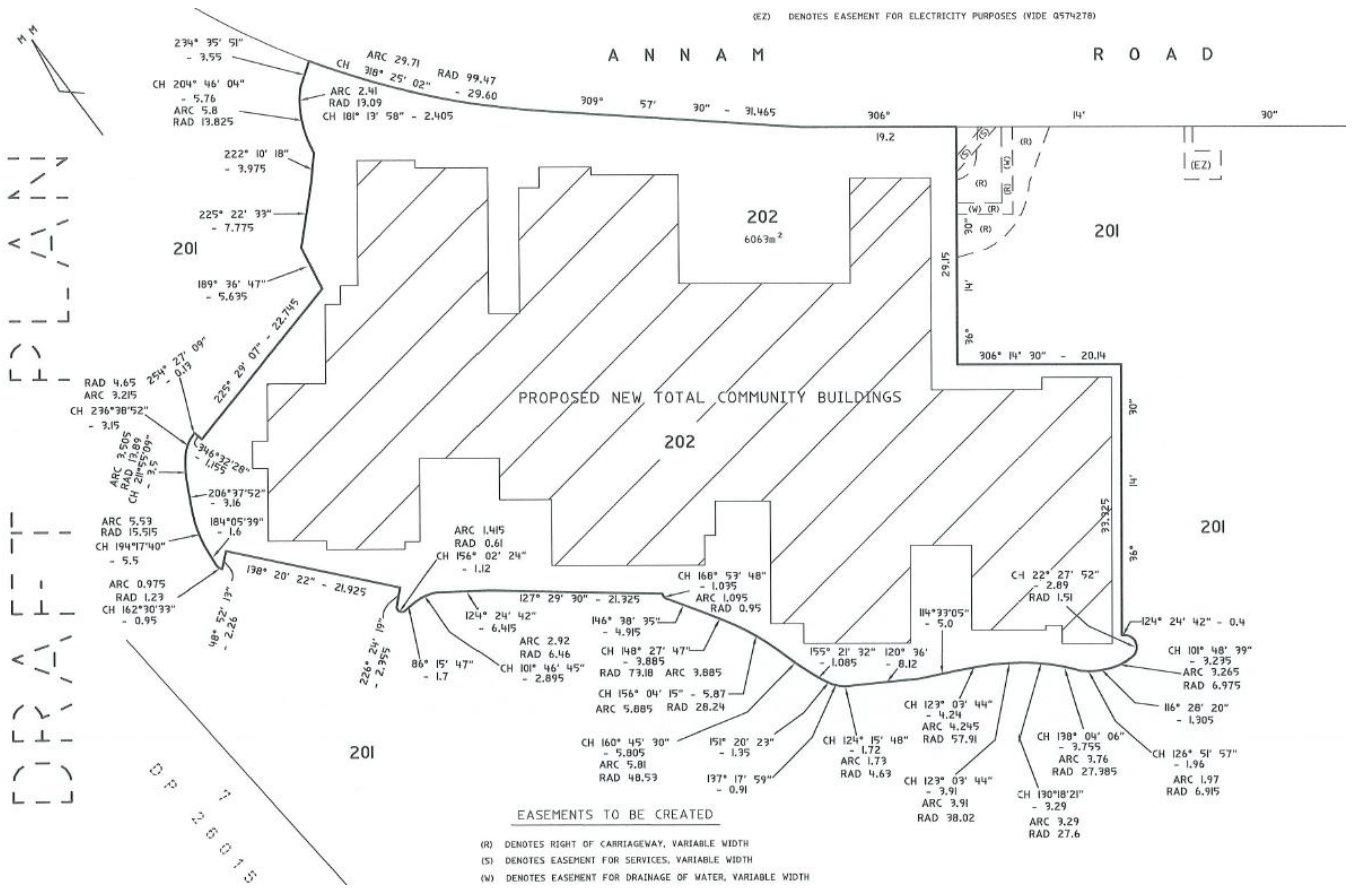


Figure 28 Subdivision Plan
 Source: Geometra Consulting Pty Ltd

4.6 Built Form and Urban Design

This section provides a description of the proposed RCF building. Architectural Plans and a Design Report, prepared by Calderflower, documenting the works are provided at **Appendix I** and **Appendix J**.

4.6.1 Residential Care Facility

The proposed RCF has a total GFA of 8781.95m² and a maximum height of up to 11.46m (10.1m excluding rooftop plant). It is configured around a central core with four residential wings extending outward, facilitating efficient vertical and horizontal circulation. This arrangement centralises services and reduces travel distance for staff, residents and visitors.

Due to the slope, the building comprises a predominantly three-storey built form (with parts ranging between two-four storeys), with setbacks designed to ensure an appropriate interface with the street and the adjoining Aveo BGRL site. The following minimum setbacks have been adopted:

- 6m from the northern boundary (Annam Road)
- 0m from the eastern boundary as it is interconnected with the existing community facility
- 2m to the southern boundary (Main Drive) at lower ground level and stepping back at ground level and above
- 4m to the western boundary at lower ground level and stepping back at ground level and above

A total of 177 residential care beds are proposed, distributed across smaller 'care households'. Each level contains four care households, with shared kitchen, dining, lounge and activity rooms provided for every two households. This household model supports a more domestic scale and layout. The internal layout supports a functional and efficient operation, while maintaining a high level of residential amenity.

A back of house area, comprising shared services such as laundry and plant is located on the lower ground level, while a front of house and reception area is provided on the upper ground level. Key facilities located on the ground level include a wellness centre, health consulting room, rehabilitation room, offices, dining area and ancillary café and hair salon.

The building layout is illustrated in **Figure 29**. Further detail on the architectural response and integration with the surrounding context is provided in the Urban Design Report prepared by Calderflower and provided at **Appendix J**.



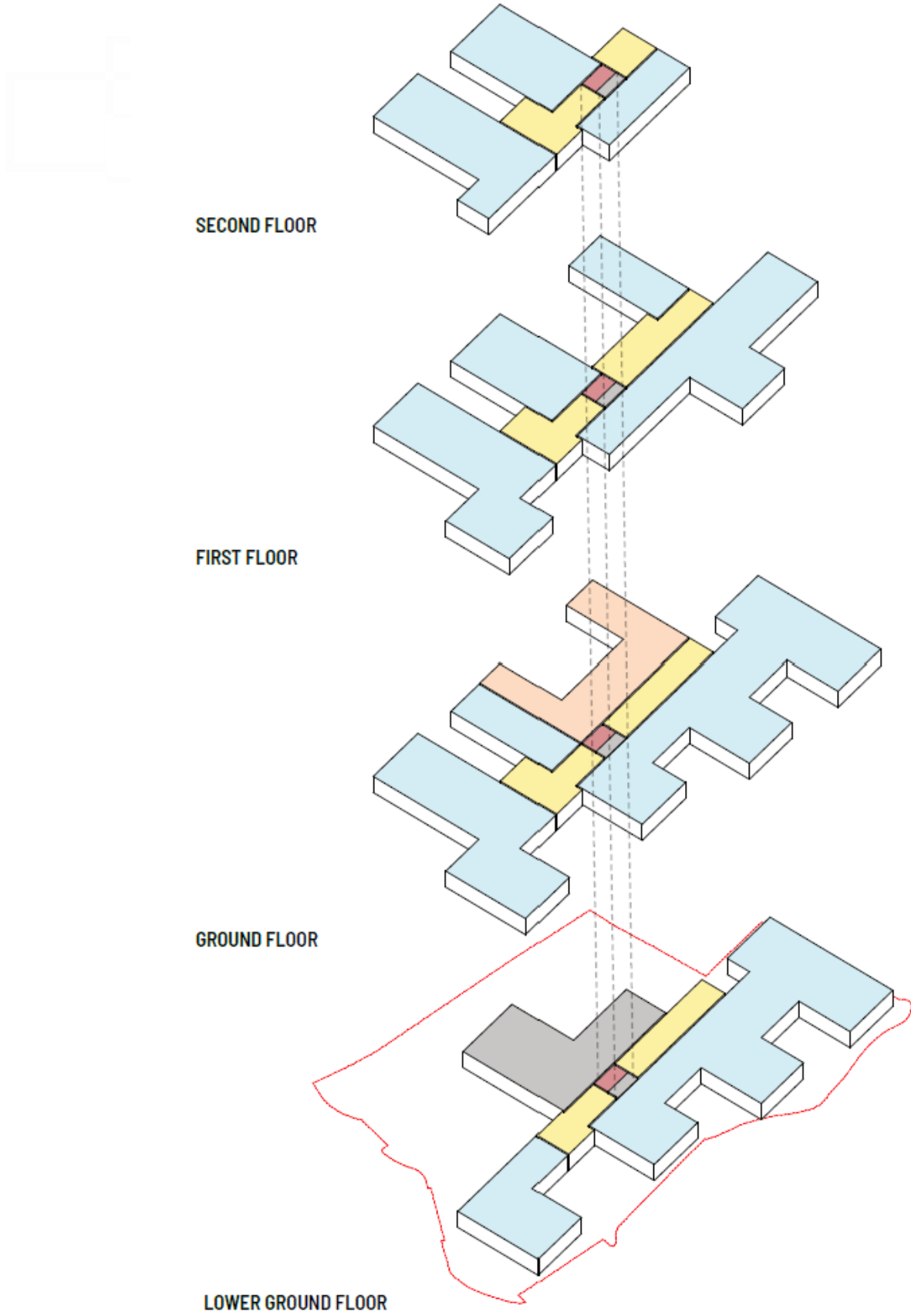


Figure 29 Floor Plan Form
 Source; Calderflower

4.6.2 Community Centre

As detailed above, the existing serviced apartment building proposed for demolition is physically connected to a community centre located to the east, on the Aveo Healthcare site. While the community centre itself will be retained, the proposed demolition works will necessitate replacement and a minor extension of a small portion of the centre (182m²) to enable construction of the RCF and ensure its ongoing functionality and compliance with relevant standards.

The proposed works form part of an integrated development strategy and have been designed to coordinate with, and partially supersede, the amenity upgrades previously approved under DA2024/1480. Specifically, only the components of the community centre that overlap with the SSDA scope (such as the new amenities room) will be superseded by the current SSDA proposal. Any unaffected components of the community centre upgrades will continue to be delivered under the existing DA (refer to **Figure 30**).

The proposed SSDA works include:

- An open plan extension to the eastern portion of the community centre;
- A new roof structure; and
- Integration of the previously approved amenities room into the current SSDA.

These works, in conjunction with additional community centre upgrades approved under DA2024/1480 (detailed in **Section 3.1.2**), are necessary to maintain the structural integrity, operational efficiency, and continued use and function of the community centre for Aveo residents, following the decommissioning of the existing serviced apartment building.

Accordingly, this SSDA seeks to modify and supersede only the relevant part of the existing local development consent. The proposed amendments may be implemented through conditions of consent under clause 4.17(4A) of the EP&A Act which require the amendment of DA2024/1480 for consistency.

It is noted that the Community Centre will be located on the Aveo portion of the site and will be utilised only by Aveo residents.

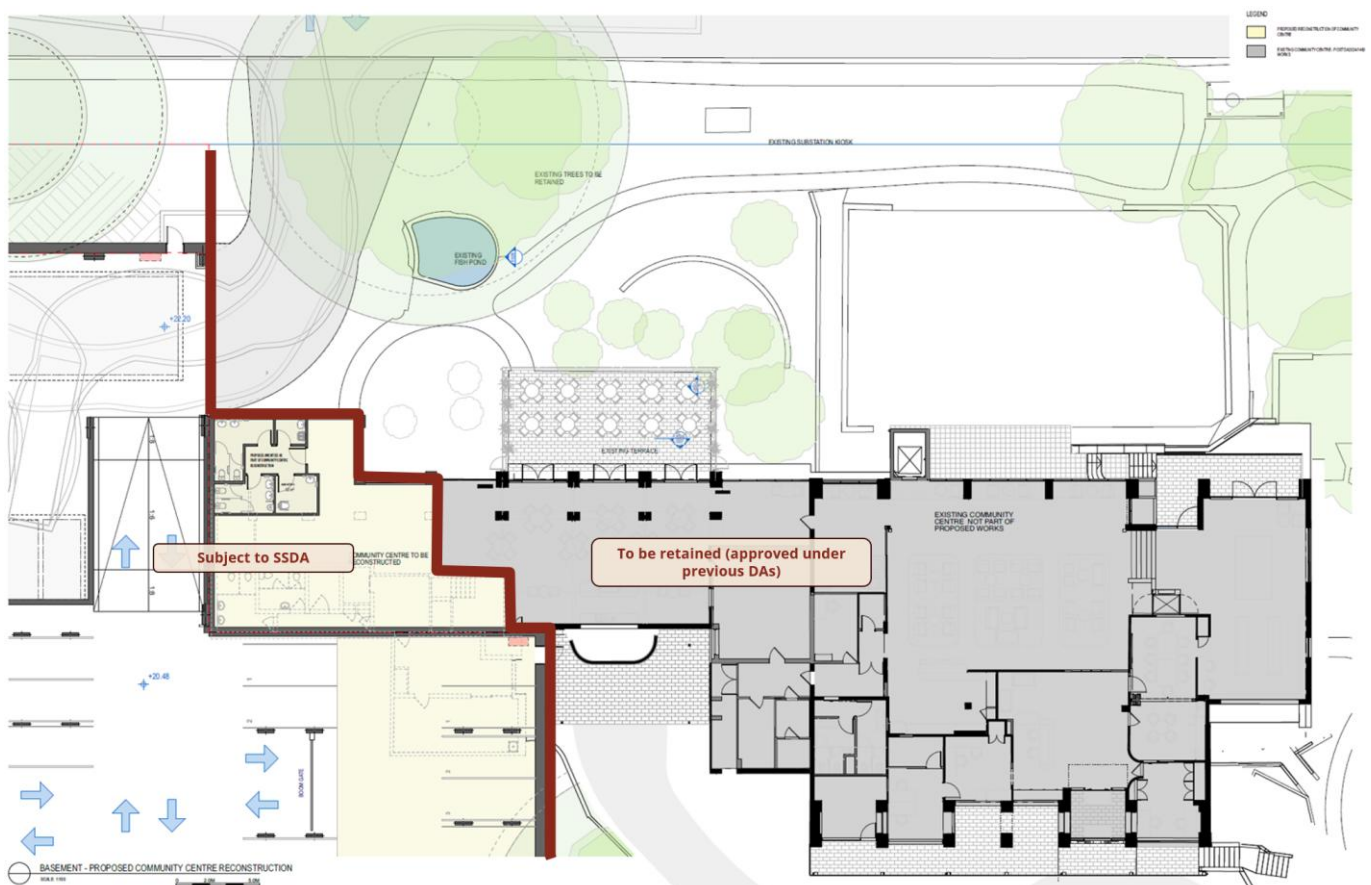


Figure 30 Community Centre Reconstruction Plan

Source: Calderflower

4.6.3 Basement

The proposed development includes a single-level basement accommodating a total of 68 carparking spaces, with vehicular access via a new driveway from Annam Road, located within the Avevo BGRL site.

In accordance with the land sale agreement, 16 carparking spaces within the basement will be allocated for use by Avevo residents and visitors, which will be separated by a boom gate.

Back of house, building services and a loading dock are located on the lower ground level. The basement design supports a consolidated service strategy and allows vehicle access to be separated from key pedestrian areas within the development.

Figure 31 provides an excerpt of the proposed basement floor plan.

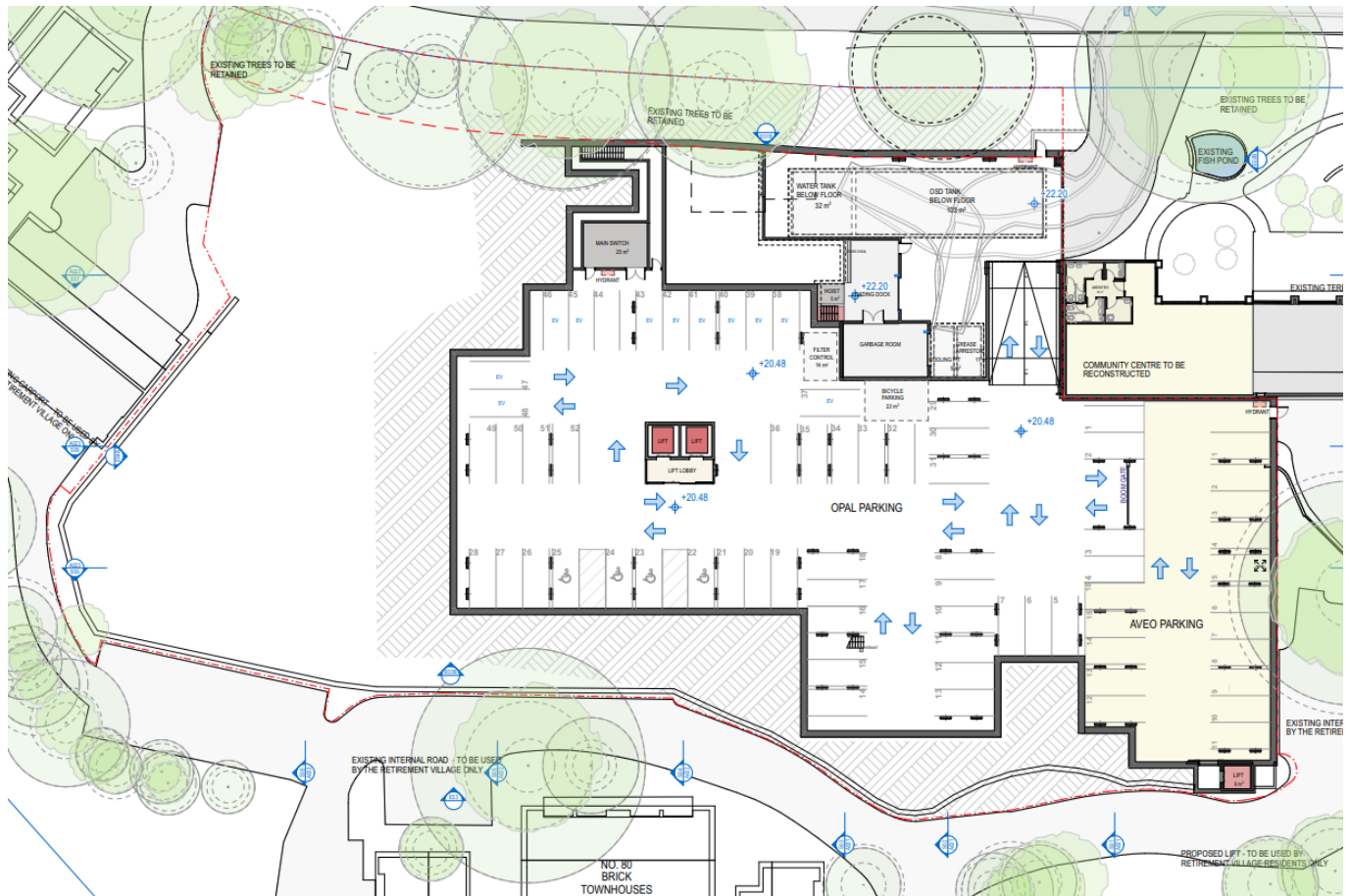


Figure 31 Basement Plan

Source: Calderflower

4.7 Façade and Materiality

The building façade has been designed to respond sensitively to its bushland setting and the existing architectural character of the broader BGRL site. The material palette draws inspiration from the natural character of the Bayview setting and the materials of the surrounding seniors living precinct.

Specifically, the façade utilises a warm and textural palette, featuring painted fibre cement cladding, sandalwood and extruded brickwork, timber-look aluminium screening, concrete elements, and rust-toned power-coated pergolas and louvres. These materials reflect local bushland tones and textures, referencing elements such as red gum and blue gum trees, native flora, and birdlife observed on site.

The overall design intent is to deliver a contemporary aged care facility that is both functionally robust and visually sympathetic to its context, contributing positively to the character of the existing BGRL precinct and reinforcing a cohesive village identity.



Figure 32 Material Palette Inspiration (Site Photos)

Source: Calderflower



Figure 33 Schedule of Colours, Materials and Finishes

Source: Calderflower

4.8 Landscaping and Communal Space

Outdoor communal open space and landscaped areas have been provided across all levels of the development. These areas will provide a variety of spaces for residents and staff to utilise year-round. The proposed landscaped areas are shown on the Landscape Plans at **Appendix W** and detailed within the Design Report at **Appendix J** and are described below:

4.8.1 Lower Gound Level Landscaping

Memory Care Neighbourhood

The Memory Care Garden provides a secure and accessible outdoor area directly adjoining the resident lounge. The space includes a continuous loop path connecting a variety of sensory and visual elements, such as a small water feature and garden sculptures, to encourage movement and engagement. A small tea house structure overlooks a dry creek bed, and a pergola and raised planters provide opportunities for gardening activities. A multi-functional open turf area accommodates small group gatherings and passive recreation for residents within a safe and contained environment.

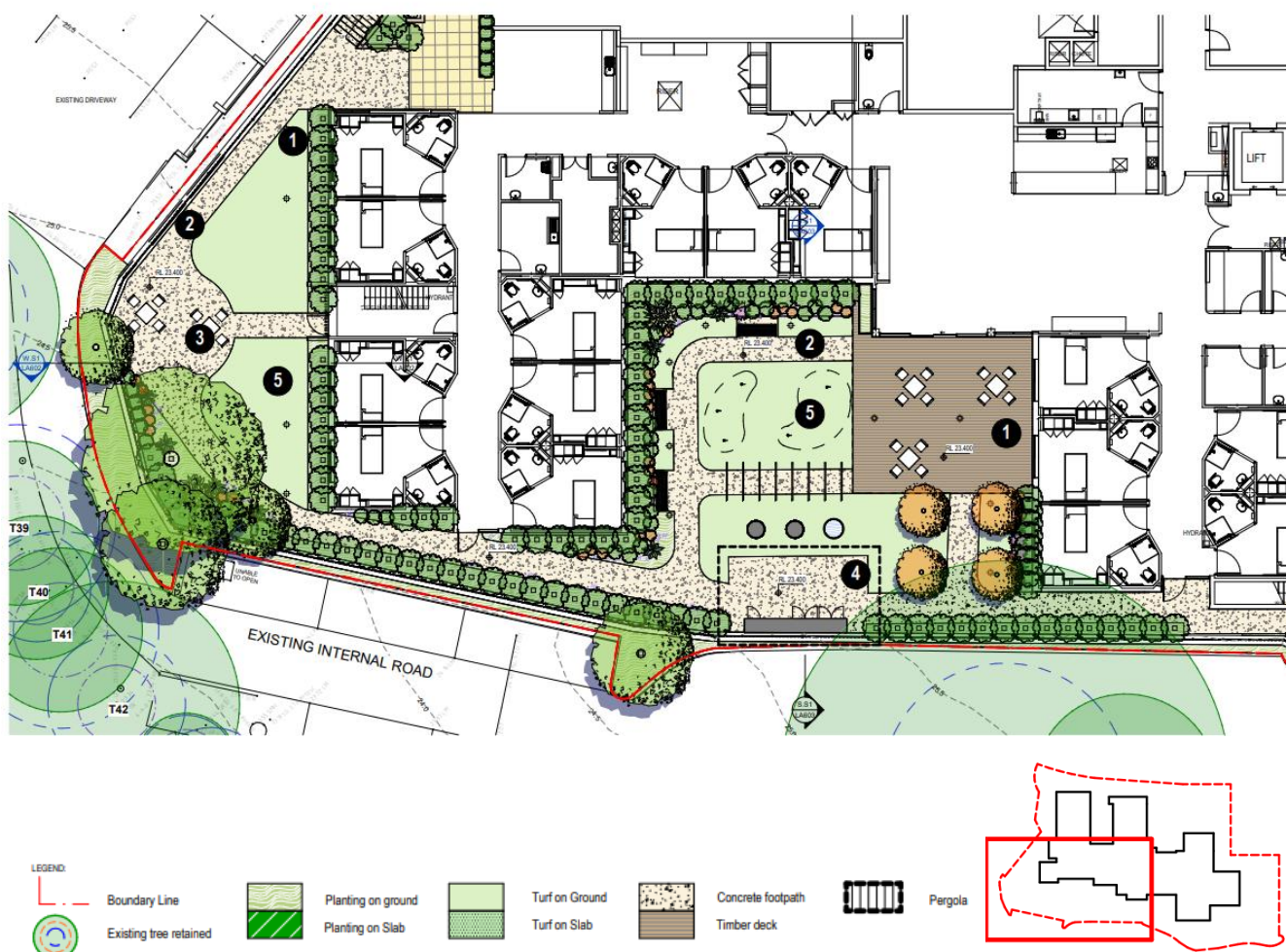


Figure 34 Memory Care Neighbourhood Landscape Plan

Source: Taylor Brammer

Dragonfly Courtyard

The Dragonfly Courtyard is designed as a central outdoor space adjoining the internal lounge areas. It includes a paved terrace, looping path, and integrated seating areas surrounded by feature planting. A single feature tree provides seasonal interest and shade, and the pergola and raised garden beds support informal resident activity. The courtyard allows for visual connection from internal spaces and provides a high level of natural light and outlook for surrounding rooms.

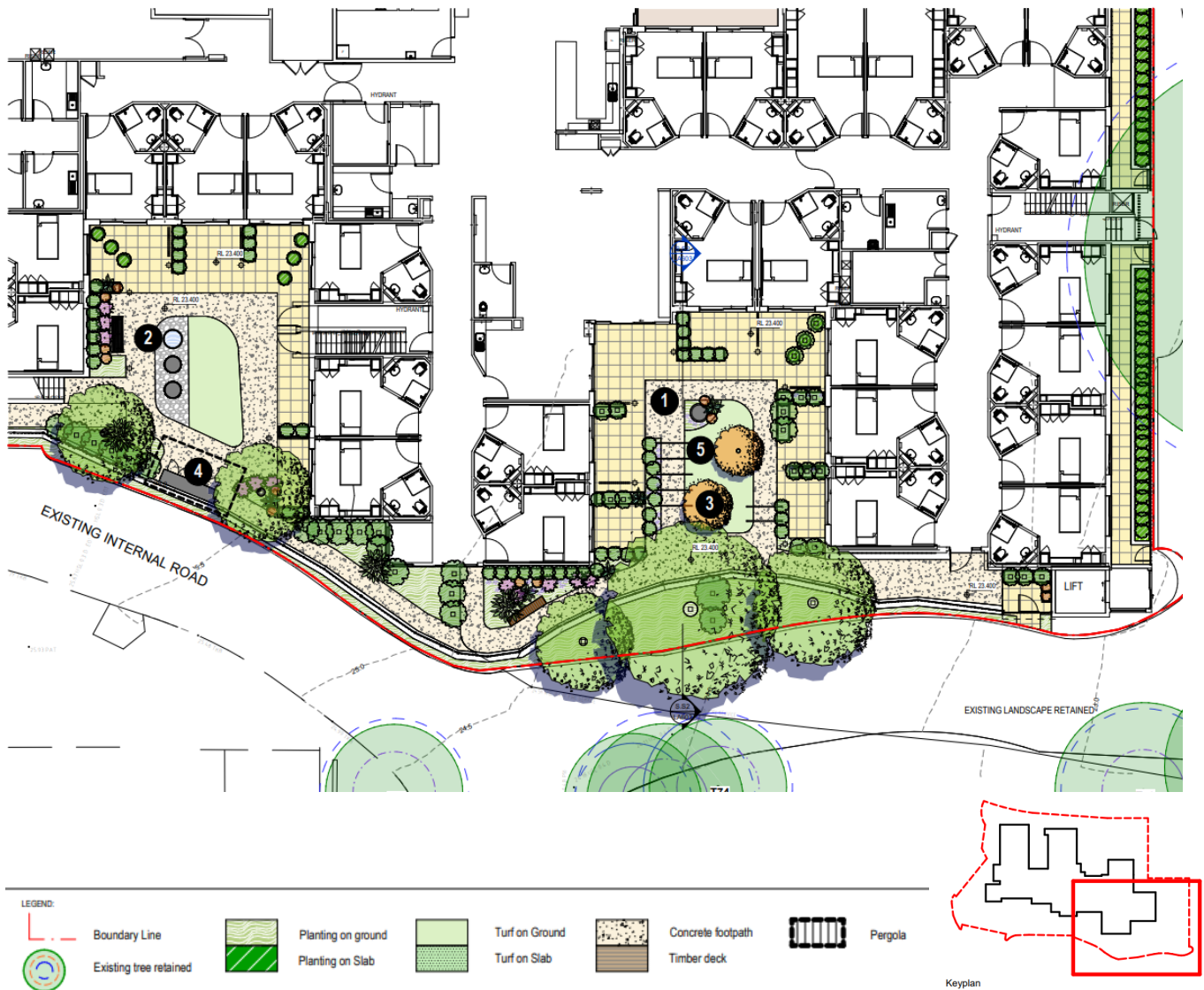


Figure 35 Dragonfly Courtyard Landscape Plan

Source: Taylor Brammer

4.8.2 Ground Level Landscaping

Kookaburra Courtyard

The Kookaburra Courtyard provides a landscaped central courtyard that connects directly with indoor communal areas. The space includes a combination of paved terraces, feature planting, and a central tree that establishes a focal point within the courtyard. Private patios are provided for adjacent resident rooms, separated by low hedging to maintain privacy. Pergolas and integrated benches provide shaded seating and contribute to the domestic character of the development.

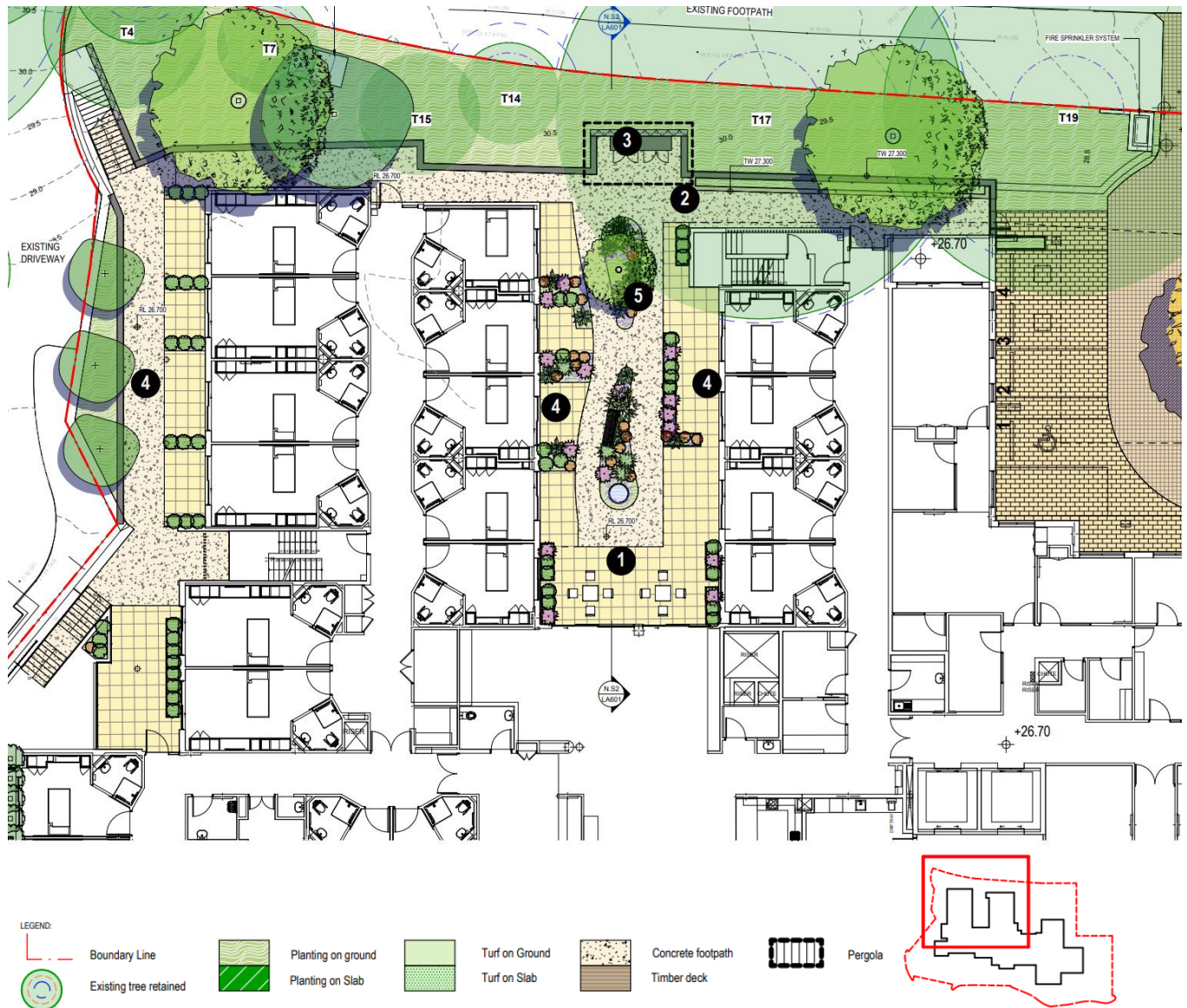


Figure 36 Kookaburra Courtyard Landscape Plan

Source: Taylor Brammer

Port Cochere

The entry forecourt includes a covered drop-off area and landscaped frontage to Annam Road. Feature paving and a central planting island define the vehicle circulation area, while low planting and trailing species soften the retaining walls. A small play space and areas of succulent planting are proposed to enhance the visual quality of the street interface. Planting to the roof and upper edges of the entry structure maintains a green appearance when viewed from the public domain.

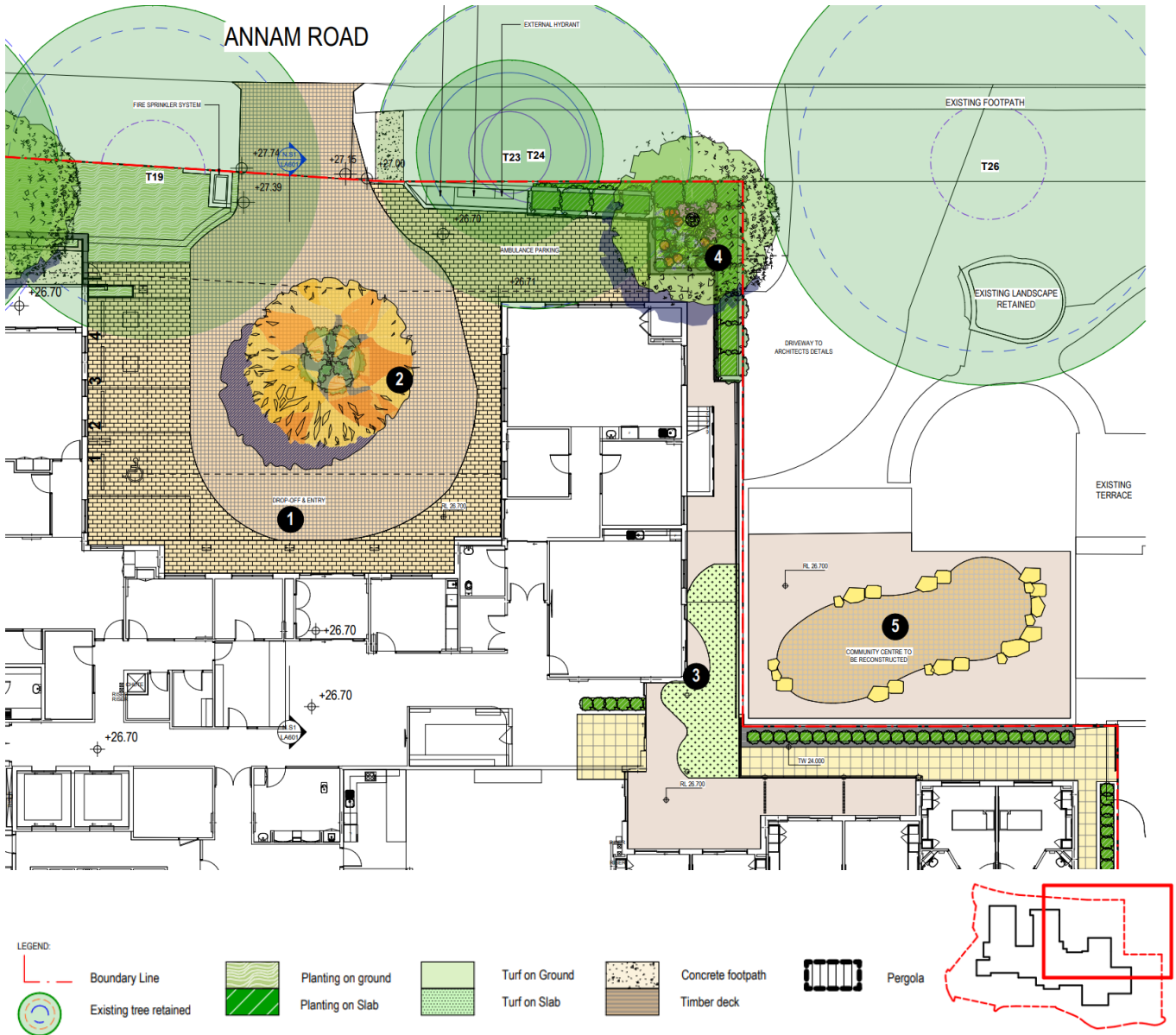


Figure 37 Porte Cochere Landscape Plan

Source: Taylor Brammer

4.8.3 Level 1 Landscaping

The Level 1 terraces provide semi-private outdoor spaces accessible from common areas and resident rooms. The spaces incorporate paved seating areas and perimeter planting to provide shade and privacy. Low hedges and spill-over planting along the terrace edge reduce overlooking to adjoining properties. Individual patios are provided to adjoining rooms, with planters and movable pots enabling personalisation of outdoor areas by residents.



Figure 38 Level 1 Landscape Plan

Source: Taylor Brammer

4.8.4 Level 2 Landscaping

The Level 2 courtyard and rooftop garden area incorporates a mix of recreation and relaxation spaces for residents. The courtyard includes shaded seating areas beneath a pergola, a small putting area, and a central water feature that provides visual interest from adjoining corridors. A rooftop productive garden with a vine-covered arbour, barbecue facilities, and edible planting supports small group activities and communal dining. Screening hedges and spill-over planting are located along the roof edge to minimise visual impact and provide privacy. Green-roof planting is also proposed in conjunction with rooftop solar panels to enhance sustainability outcomes.

Cockatoo Courtyard

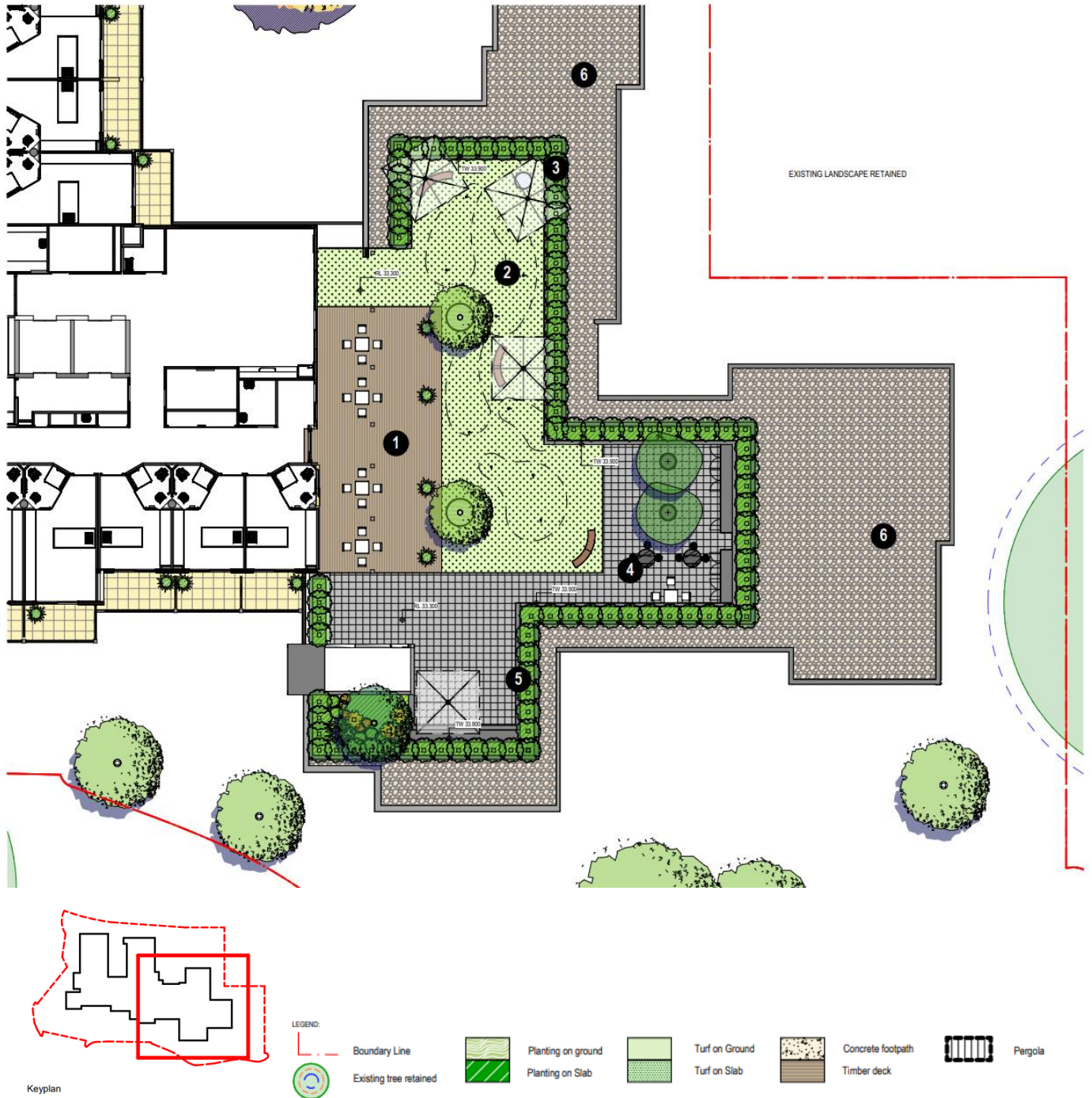


Figure 39 Cockatoo Courtyard Landscape Plan
Source: Taylor Brammer

4.9 Transport and Access

A Transport Impact Assessment has been prepared by Transport and Traffic Planning Associates and provided at **Appendix P**. The key components of the site's access and parking strategy is provided below.

4.9.1 Vehicular Access

Vehicular access to the site will be provided via Annam Road, with a single driveway servicing the basement car park and the porte cochere. The porte cochere will facilitate convenient set-down and pick-up of residents by carers, ambulances and Opal's courtesy bus.

It is noted that the driveway is located on the Aveo BGRL site and will enable shared servicing access with the adjacent community centre.

4.9.2 Pedestrian Access

Pedestrian access to the site will be provided directly from Annam Road. The development will include safe and accessible pathways linking the building entrances, porte cochere and car parking areas.

4.9.3 Loading and Services

Servicing for the facility will be managed through a designated loading bay located on the lower ground level, designed to accommodate the largest anticipated service vehicle of 9.8m. This will be used for deliveries, waste collection, and other operational needs. Smaller service vehicles, such as maintenance and cleaning contractors, will have access to visitor parking spaces on the ground level, if required. Turning path assessments confirm that vehicles can safely manoeuvre within the loading area.

4.9.4 Parking

A total of 72 on-site parking spaces (including 68 basement spaces and 4 at-grade spaces) will be provided in accordance with the Housing SEPP requirements. This provision is supported by an agreement with Aveo that allows Aveo's continued use of 16 parking spaces within the proposed carpark, replacing the 16 existing on-grade spaces on the site. In sum, 56 spaces will be available to the Opal site.

It is noted that Aveo residents will access the carpark via the lift located at the south corner of the Opal site.

4.10 Operational Details

The following staffing numbers and shift times for the RCF are as follows:

- 7am – 2pm, morning shift, max 66 staff;
- 3pm – 9pm, afternoon to evening shift, team ranging from 52 and reducing to 28 staff;
- 9pm – 7am, overnight shift, 9 staff.

4.11 Construction Details

A Construction Management Plan (CEMP) will be prepared prior to commencing construction works. The CEMP will provide details on the proposed construction methodology and management practices, including with regards to workplace risk, site management, soil/water/groundwater, construction waste, traffic, noise and vibration, air quality and dust control, management of hazardous materials, dispute resolution and complaint handling.

4.12 Development Staging and Sequencing

The development will be delivered in multiple construction stages, each requiring a separate Construction Certificate (CC) to ensure compliance with the relevant BCA and development consent conditions. This will allow for a structured construction process, ensuring works progress in a logical sequence while addressing key structural and safety considerations. The specific CCs required for the project will be determined as the development progresses.

Should development consent be granted, the applicant requests that the conditions be tied to a 'relevant' CC, as opposed to 'any' CC. This will facilitate the orderly delivery of the project by ensuring only relevant items need to be addressed for each works package.

5.0 Statutory Context

This Chapter provides an assessment of the proposal against the relevant matters of considerations of Section 4.15(1) of the EP&A Act. It is also supported by a Statutory Compliance Table, which is provided at **Appendix B** and outlines all key statutory requirements and where they have been addressed in the EIS.

5.1 Power to Grant Approval

Table 3 identifies the pathway under which consent for the project is sought, its permissibility and any other approvals that are required to carry out the project.

Table 3 Power to Grant Approval

| Consideration | Assessment |
|--------------------|--|
| Declaration of SSD | <p>The proposed development is classified as an SSDA by way of Schedule 1, Section 28 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) as it:</p> <ul style="list-style-type: none"> • Has an Estimated Development Cost (EDC) in excess of \$30m within the Greater Sydney region, and • Includes a residential care facility (RCF), and • Does not involve any prohibited development. <p>In accordance with section 2.6(2) of the Planning Systems SEPP, the works to the Aveo Community Centre are sufficiently relating to the Opal RCF development for the following reasons:</p> <ul style="list-style-type: none"> • The community centre is physically attached to the existing building proposed for demolition, and the reinstatement and minor extension works are required solely as a direct consequence of the Opal RCF development. • The works are necessary to maintain the structural integrity and ongoing use of the community centre following demolition of the adjoining building. • The community centre upgrades form part of a single, integrated redevelopment outcome tied to the land sale agreement between Aveo and Opal Healthcare and would not occur independently of the SSD. • The works do not introduce a new land use but enable the continued functioning of an existing use within the same seniors living precinct and are therefore incidental to and dependent upon the SSD. • The proposed Torrens title subdivision runs through the existing built form, meaning the SSD cannot be delivered without modifying and reconstructing the affected portion of the community centre. |
| Consent authority | <p>Pursuant to Section 4.5 of the EP&A Act, the Minister for Planning and Public Spaces or their delegate will be the consent authority for the application. It is noted that recent changes to the Planning Systems SEPP switches off the Independent Planning Commission delegation for seniors housing projects. The applicant has not made a reportable political donation disclosure.</p> |

5.2 Permissibility

The proposed development is entirely permissible with consent as detailed in **Table 4** below.

Table 4 Permissibility of the Proposed Development

| Consideration | Assessment |
|---------------|---|
| Zoning | <p>The site is zoned R2 Low Density Residential under the <i>Pittwater Local Environmental Plan 2014</i> (Pittwater LEP 2014).</p> |
| Proposed uses | <p>The proposed development is for the purposes of a residential care facility (RCF), which is a type of seniors housing as defined under the Standard Instrument LEP. It also comprises an ancillary café, hair salon as well as health and wellness consulting rooms.</p> |

Permissibility

While seniors housing is not permissible under the Pittwater LEP 2014, it is made permissible under Part 5, Section 79 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), which states that seniors housing is permitted in a range of zones (defined as prescribed zones), including the R2 zone.

Further, the proposed ancillary uses are intended to primarily serve the dominant seniors housing use of the site and are typical offerings in such facilities. They will provide essential on-site services for residents and have been informed by Opal's best practise model of care, offering meaningful and engaging complementary uses for residents. The facilities will be managed by Opal and appropriately contracted to meet the needs of the residents.

Section 80 of the Housing SEPP states that Part 5, relating to seniors housing does not apply to land described in Schedule 3 of the SEPP, which relates to environmentally sensitive land. As illustrated in **Figure 40**, the existing Aveo BGRL and a small part of the proposed development is identified as being located within the 'proximity area for littoral rainforest' under the Resilience and Hazards SEPP, which is identified as 'environmentally sensitive land'.

Despite this, Section 80(2) of the Housing SEPP states that *"nothing in Schedule 3 operates to preclude the application of this Part to land only because—(a) the land is identified under State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 2"*. As such, seniors housing is permissible across the entire development site.

It is noted that part of the broader Aveo BGRL site is also identified on the Biodiversity Values Map which is also classified as 'Environmentally Sensitive Land' under Schedule 3 of the Housing SEPP. However, this only applies to a minor portion of the broader development site and the proposed development does not fall within this area.

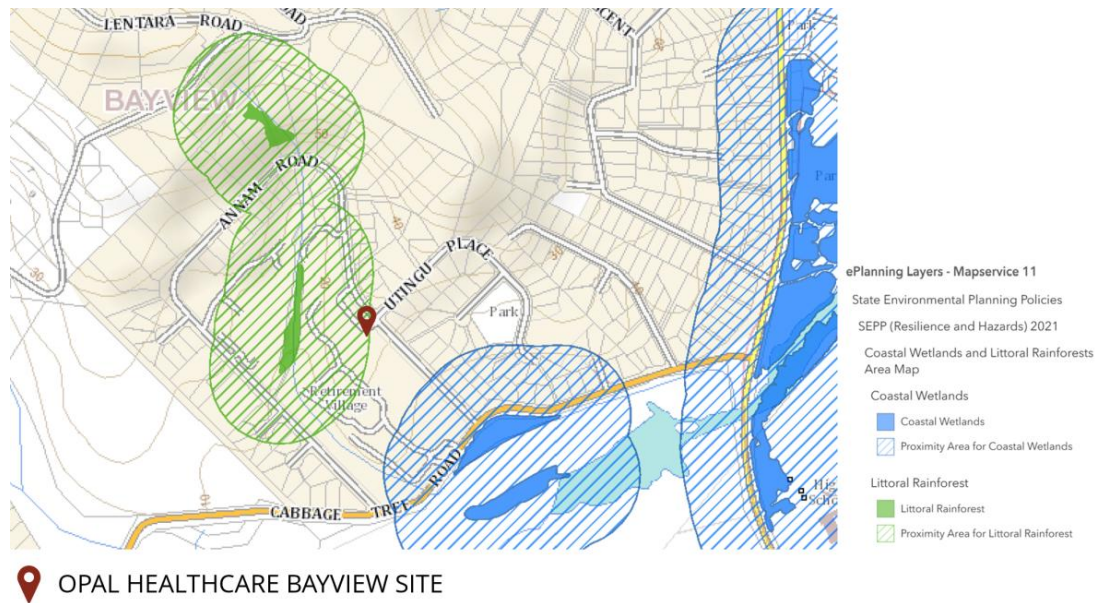


Figure 40 Coastal Management Map

5.3 Other Approvals

Table 5 below outlines other approvals that are required to carry out the proposed development under Division 4.7 of the EP&A Act.

Table 5 Other Approvals

| Consideration | | Assessment |
|---|---|--|
| Approvals not required for SSDA | Act | Authorisation Otherwise Required? |
| Section 4.41 of the EP&A Act stipulates certain approvals and legislations that do not apply to SSDAs. | Fisheries Management Act 1994 - Section 201, 205 or 219 | No |
| | Heritage Act 1977 - Section 139 | No |
| | National Parks and Wildlife Act 1974 - Section 90 | No |
| | Rural Fires Act 1997 - Section 100B | No (refer to Section 7.15) |
| | Water Management Act 2000 - Section 89, 90 or 91 | No |
| Consistent Approvals | Act | Authorisation Required? |
| Section 4.42 of the EP&A Act stipulates certain authorisations that must be applied consistently but cannot be refused if they are necessary for carrying out an approved SSD | Fisheries Management Act 1994 - Section 144 | No |
| | Coal Mine Subsidence Compensation Act 2017 - Section 22 | No |
| | Mining Act 1992 - Mining lease | No |
| | Petroleum (Onshore) Act 1991 - Production lease | No |
| | Protection of the Environment Operations Act 1997 - An environment protection licence under Chapter 3 | No |
| | Roads Act 1993 - Section 138 | Yes |
| | Pipelines Act 1967 - a licence | No |
| EPBC Act Approval | | |
| <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) | <p>The <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) is federal legislation with an aim to protect and manage significant flora, fauna, ecological communities and heritage places that are identified as Matters of National Environmental Significant (MNES). If the proposed development results in any impacts to any MNES, it must be referred to the Federal Department of the Climate Change, Energy, the Environment and Water (DCCEEW) to undertake an assessment to determine whether the development is a 'controlled action', which would then require an approval under the EPBC Act.</p> <p>The proposed development is not likely to impact a matter of National Environmental Significance as confirmed within the Streamlined Biodiversity Development Assessment Report (BDAR) prepared by Narla Environmental at Appendix AA.</p> | |

5.4 Pre-Conditions to Exercising the Power to Grant Consent

Table 6 identifies any pre-conditions for the consent authority in exercising their power to grant approval for the project.

Table 6 Pre-Conditions to granting consent

| Statutory Reference | Assessment |
|---|--|
| Biodiversity Conservation Act 2016 | Section 7.9 (2) of the <i>Biodiversity Conservation Act 2016</i> (BC Act) requires that an SSDA be accompanied by a BDAR unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. A Streamlined BDAR has been prepared by Narla Environmental and is included at Appendix AA , which confirms that the proposed development is not expected to have any adverse impacts on biodiversity values. |
| State Environmental Planning Policy (Resilience and Hazards) 2021 | <p>Chapter 3 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) defines and controls offensive development. The proposed development will store a small quantum of gas on-site, estimated at 2-4 cylinders, in a designated rack within the basement, the gas is required solely for medical purposes within the RCF. Given the small quantum of gas cylinders stored, the development is not considered to meet the definition of <i>hazardous storage establishment</i>.</p> <p>Chapter 4 of the SEPP 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.</p> <p>Specifically, Section 4.6(1)(b) requires the consent authority to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out.</p> <p>A Preliminary Site Investigation (PSI) (Appendix V) has been prepared by WSP, which did not identify any soil conditions that would preclude the use of the site for continued residential use in the form of seniors housing.</p> |
| State Environmental Planning Policy (Transport and Infrastructure) 2021 | The development is not 'traffic generating development' under Section 2.122 (Schedule 3) of the Transport and Infrastructure SEPP as it will not generate 200 or more motor vehicles per hour. |

5.5 Mandatory Matters for Consideration

Table 7 provides an assessment of the mandatory matters that the consent authority is required to consider in deciding whether to grant approval for the project.

Table 7 Summary of mandatory matters for consideration

| Plan | Comments |
|--|--|
| Environmental Planning & Assessment Act 1979 | <p>The development is consistent with the objects of the EP&A Act for the following reasons:</p> <ul style="list-style-type: none"> • It facilitates the orderly economic development of the land for housing; • It promotes employment opportunities throughout the construction and operation phases; • It eases pressure on the general housing supply and affordability by enabling downsizing from underutilised family homes; • It will not impact any threatened and other specific of native animals and plants, ecological communities and their habitats; • It incorporates measures to protect any Aboriginal cultural heritage at the site; • It will facilitate high quality design outcomes; and • It has involved engagement with the community in accordance with the requirements of the Act. <p>The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons</p> <ul style="list-style-type: none"> • The development has been declared to be State Significant Development; |

| Plan | Comments | |
|--|--|--|
| | <ul style="list-style-type: none"> It is not prohibited by an environmental planning instrument; and It has been evaluated and assessed against the relevant heads of consideration under Section 4.15(1), as outlined in this EIS. | |
| State Environmental Planning Policy (Housing) 2021 | Chapter 3 Part 5 of the Housing SEPP applies to the development for the purposes of Seniors Housing. An assessment of consistency against the relevant provisions and controls of the Housing SEPP against the proposed development has been undertaken and is provided in Table 8 . | |
| State Environmental Planning Policy (Resilience and Hazards) 2021 | <p>The Opal Healthcare Bayview site is partially mapped as being within the <i>Proximity Area for Littoral Rain Forest</i>. Chapter 2 of the SEPP requires that development consent must not be granted unless the consent authority is satisfied that the proposed development will not significantly impact on –</p> <p>(a) <i>the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or</i></p> <p>(b) <i>the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.</i></p> <p>The Streamlined BDAR, included at Appendix AA, confirms that the proposed development has been designed to ensure no significant impact on the biophysical, hydrological, or ecological integrity of adjacent littoral rainforests. Measures have been incorporated to protect surface and groundwater flows, ensuring no adverse effects on the quantity or quality of water flows to and from adjacent coastal ecosystems. This is further discussed at Section 0.</p> <p>Furthermore, Chapter 4 of the SEPP requires the consent authority to consider a range of matters regarding whether the land is contaminated. A Preliminary Site Investigation (PSI) (Appendix V) did not identify any soil conditions that would preclude the use of the site for continued residential use.</p> | |
| State Environmental Planning Policy (Transport and Infrastructure) 2021 | Section 2.122 (Schedule 3) states a development application for the site will require referral to TfNSW if it is to generate more than 200 vehicles per hour. As detailed within the Transport and Parking Assessment provided at Appendix P , the development will generate 32-41 additional vehicles per hour during peak hours and therefore, is not traffic generating development. | |
| State Environmental Planning Policy (Biodiversity and Conservation) 2021 | <p>Chapter 4 Koala Habitat Protection applies to the site. Specifically, this means before a consent authority may grant consent to a DA it must determine whether the land is Koala habitat and <i>core koala habitat</i>.</p> <p>The Streamlined BDAR, included at Appendix AA, concludes that although the site contains suitable habitat, no koalas or signs of koala occupancy were observed during the site visit. A spatial search using NSW Wildlife Atlas reveals no records within a 2.5km radius of the Subject Property. The vegetation within Subject Property therefore does not meet the definition of Core Koala Habitat as defined by the SEPP.</p> | |
| State Environmental Planning Policy (Sustainable Buildings) 2022 | The Sustainable Buildings SEPP was adopted as part of the NSW Government’s commitment to delivering sustainable and resilient buildings to contribute to the target for net zero emissions by 2050. Through the implementation of multiple ESD initiatives, the development will meet and exceed industry benchmarks and schemes, as well as reduce emissions and consumption of energy. An ESD report has been prepared by JHA Services and provided at Appendix Y . | |
| Pittwater LEP 2014 | Clause | Assessment |
| | 2.1 Land use zone | <p>The Opal HealthCare Bayview site is zoned R2 Low Density Residential, which does not permit seniors housing, including RCFs. It is noted that seniors housing is made permissible under Part 5 of the Housing SEPP as outlined in Section 5.2.</p> <p>Although seniors housing is not permissible under the R2 zone under the Pittwater LEP 2014, the development is consistent with the relevant zone objectives in that:</p> <ul style="list-style-type: none"> The proposed RCF delivers essential aged care accommodation to meet the growing housing and care needs of the ageing population; The proposed RCF provides on-site aged care services, health support, and communal facilities; and The proposed RCF has been designed to ensure compatibility with the surrounding retirement village and neighbourhood. |

| Plan | Comments | |
|-------------------|--|---|
| | 4.1A Minimum lot sizes | The size of any lot resulting from subdivision is to be greater than 700m ² . The proposed development will result in a minimum lot size of 6,063m ² and is therefore, compliant with this clause. |
| | 4.3 Height of buildings | <p>The maximum height of building permissible on the Opal HealthCare Bayview site under the LEP is 8.5m. However, Section 84(2) of the Housing SEPP overrides this control and allows for a maximum building height of up to 9.5m and plant up to 11.5m.</p> <p>The proposed development has a maximum building height of 10.1m (excluding rooftop servicing equipment), exceeding both the 9.5m SEPP and 8.5m LEP height controls. As such, a Clause 4.6 Variation Request for Height of Building has been prepared and included at Appendix E to justify the contravention. It is noted that the overall building height (including rooftop servicing equipment) is 11.46m, which is compliant with the overall Housing SEPP control for rooftop plant and services. Further assessment on the building height is provided in Section 7.1 of this report.</p> |
| | 4.4 Floor Space Ratio | No FSR provisions apply to the Opal HealthCare Bayview site. |
| | 5.10 Heritage Conservation | The Opal HealthCare Bayview site is not mapped as a heritage item nor is it within a heritage conservation area. There are no heritage items in immediate proximity of the site. The closest item is item 2270101, approximately 300m east of the site on Utingu Place. |
| | 5.21 Flood Planning | An Integrated Water Management Plan (IWMP) has been prepared by Birzulis Associates (Appendix S) to assess flooding and overland flow risk. Northern Beaches Council's flood hazard mapping confirms that the Opal site is not flood-affected and lies outside the mapped High, Medium and Low Flood Risk Precincts. The nearest flood-prone land is associated with Cahill Creek and a drainage easement to the south and south-west of the broader Aveo BGRL site, which are identified as high-risk precincts. The Opal Bayview site sits at a higher elevation, several metres above the 1% AEP flood extend and is therefore not directly impacted. |
| | 5.22 Special Flood Considerations | |
| | 7.1 Acid Sulfate Soils | The Opal HealthCare Bayview site is mapped as having Class 5 acid sulfate soils. The Geotechnical Investigation Report, prepared by WSP (Appendix T), confirms the site is not identified as having high acid sulfate soil potential and does not require a specific Acid Sulfate Soil Management Plan for the proposed excavation, given the soil and rock profile encountered. |
| | 7.6 Biodiversity | The Opal Healthcare Bayview site is mapped as <i>Biodiversity</i> . A Streamlined BDAR has been provided at Appendix AA confirming that the development has been designed to minimise impacts of biodiversity values as much as possible. In order to avoid and minimise potential impacts of the proposal on local biodiversity values, a series of mitigation and management measures have been identified, which are identified at Appendix D and are to be implemented as part of any Construction Environmental Management Plan (CEMP) produced for the development. To offset the removal of vegetation, a compensatory planting ratio of 2:1 has been recommended to ensure adequate replacement of lost vegetation. The proposal removes 44 trees and proposes 88 trees, achieving this ratio. |
| | 7.7 Geotechnical Hazards | The Aveo BGRL site is partially mapped as <i>Geotechnical Hazard H1</i> . It is noted that the Opal HealthCare Bayview site does not fall within this area and therefore the proposal is unaffected by geotechnical hazards. |
| Concept Approvals | There are no applicable Concept Plans over the site. | |

| Plan | Comments |
|---|---|
| Pittwater DCP 2021 | As per Section 2.10(1)(a) of the Planning Systems SEPP, Development Control Plans (DCPs) do not apply to SSDAs. Notwithstanding, some aspects of the Pittwater DCP 2021 have informed the design approach of the site. |
| Northern Beaches Contributions Plan 2024 | <p>The <i>Northern Beaches Section 7.12 Contributions Plan 2024</i> applies to the site and includes a levy of 1% of the development cost for works more than \$200,000.</p> <p>Notwithstanding, due to the high care nature of the facility, there is little to no nexus between the proposed RCF and the additional infrastructure funded by the Contributions Plan. On this basis a reduction to the required contribution is considered appropriate.</p> <p>To further support this, Opal has collated the following data from their operations, which confirms that:</p> <ul style="list-style-type: none"> • The average entry age of a resident in the Opal Care Community is 83. • The average stay of a resident in an Opal Care Community is 3 years. • The average proportion of residents having high care needs is 100%. • All Opal facilities provide a designated staff lunchroom, break out and amenity space in which all staff use on a day to day basis. <p>The above reflects the high care nature of the facility and the limited mobility and use of community facilities typical of residents and staff. Furthermore, the development includes a range of on-site facilities and services intended for the exclusive use of residents and their visitors. These include a hairdressing salon, café, wellness centre, health consulting rooms, gym, function and training spaces, outdoor terraces and landscaped courtyards.</p> <p>Accordingly, the development will neither generate significant demand for, or benefit from public infrastructure or local community facilities provided under the contributions plan. In light of the above, it is considered appropriate on a merit basis to apply a 75% reduction to the applicable Section 7.12 contribution.</p> |
| Housing and Productivity Special Infrastructure Contributions | <p>The 'Housing and Productivity Contribution' (HPC) applies in the Greater Sydney, Illawarra Shoalhaven, Lower Hunter and Central Coast regions and is used to fund essential State infrastructure such as hospitals, public transport and the like. The contribution applies to all applications for new residential, commercial and industrial development and is in addition to any local contributions.</p> <p>In relation to seniors housing, Schedule 2 of the <i>Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024</i> states that seniors housing, other than a group of independent living units, is exempt from the HPC. Accordingly, no HPC will apply to the proposed RCF.</p> |

5.5.1 State Environmental Planning Policy (Housing) 2021

The proposed development is made pursuant under Chapter 3 of the Housing SEPP and therefore, **Table 8** below provides a detailed assessment against the relevant standards and provisions specific to seniors housing.

Table 8 Assessment against the relevant provisions of the Housing SEPP

| Clause | Assessment |
|--|---|
| Part 5 Housing for seniors and people with a disability | |
| 79 Land to which Part applies | |
| <p><i>This Part applies to land in the following zones—</i></p> <p>(c) <i>Zone R2 Low Density Residential,</i></p> | <p>The Opal Healthcare Bayview site is zoned R2 and therefore, Part 5 of the Housing SEPP applies to the proposed development.</p> |
| 80 Land to which Part does not apply - general | |
| <p>(1) <i>This Part does not apply to the following land—</i></p> <p>(a) <i>land to which Warringah Local Environmental Plan 2000 applies that is located within locality B2 (Oxford Falls Valley) or C8 (Belrose North) under the Plan,</i></p> <p>(b) <i>land described in Schedule 3.</i></p> <p>(2) <i>Nothing in Schedule 3 operates to preclude the application of this Part to land only because—</i></p> <p>(a) <i>the land is identified under State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 2, or</i></p> <p>(b) <i>in relation to land used for the purposes of an existing registered club—the land is described in another environmental planning instrument as—</i></p> <p>(i) <i>private open space, or</i></p> <p>(ii) <i>open space where dwellings or dwelling houses are permitted.</i></p> | <p>The Opal Healthcare Bayview site is not excluded by any of these criteria and therefore, this part applies.</p> <p>It is noted that despite part of the broader site being identified as ‘proximity to a littoral rainforest’ and ‘proximity to coastal wetlands’, Section 80(2) of the Housing SEPP means that the Housing SEPP continues to apply as it states nothing in Schedule 3 precludes the application of the SEPP to land identified in Chapter 2 of the Resilience and Hazards SEPP.</p> <p>Part of the Aveo BGRL site is also identified on the Biodiversity Values Map which is also classified as ‘Environmentally Sensitive Land’ under Schedule 3. However, the Opal Healthcare Bayview site is unaffected.</p> |
| 81 Seniors housing permitted with consent | |
| <p><i>Development for the purposes of seniors housing may be carried out with development consent—</i></p> <p>(a) <i>on land to which this Part applies, or</i></p> <p>(b) <i>on land on which development for the purposes of seniors housing is permitted under another environmental planning instrument.</i></p> | <p>Seniors housing is permissible on the Opal Healthcare Bayview site as it is zoned R2, which is identified as a prescribed zone in which Part 5 applies.</p> |
| 83 Amendments to bush fire evacuation risk map | |
| <p>(1) <i>The Planning Secretary may prepare maps for the purposes of amending or replacing the Bush Fire Evacuation Risk Map.</i></p> <p>(2) <i>In preparing a map, the Planning Secretary must consider the following matters—</i></p> <p>(a) <i>the size of the existing population within the locality,</i></p> <p>(b) <i>age groups within the population and the number of persons within the age groups,</i></p> <p>(c) <i>the number of hospitals and other facilities, including the number of beds, providing care to the residents of the facilities within the locality,</i></p> <p>(d) <i>the number of schools within the locality and the number of students at the schools,</i></p> <p>(e) <i>existing development within the locality that has been carried out under this Part,</i></p> <p>(f) <i>recommendations, if any, made by the NSW Rural Fire Service.</i></p> | <p>Noted.</p> |
| 84 Development standards - general | |

| Clause | Assessment |
|---|---|
| (1) This section applies to development for the purposes of seniors housing involving the erection of a building. | The proposed development is for the purposes of seniors housing involving the erection of a new building and therefore, this Section applies to the development. |
| (2) Development consent must not be granted for development to which this section applies unless— | The Opal Healthcare Bayview site has a development area over 1,000m ² . |
| (a) the site area of the development is at least 1,000m ² , and | |
| (b) the frontage of the site area of the development is at least 20m measured at the building line, and | The frontage of the Opal Healthcare Bayview site is over 20m. |
| (c) for development on land in a residential zone where residential flat buildings are not permitted— | Residential flat buildings are not permitted on the site and as such, these controls apply. |
| (i) the development will not result in a building with a height of more than 9.5m, excluding servicing equipment on the roof of the building, and | The proposed development will result in a building height of 10.1m to the top of the roof (excluding servicing equipment). As such, a Clause 4.6 Variation Request for Height of Building has been prepared and included at Appendix E to justify the contravention. Further assessment on the building height is provided in Section 7.1 of this report. |
| (ii) if the roof of the building contains servicing equipment resulting in the building having a height of more than 9.5m—the servicing equipment complies with subsection (3), and | The proposal has a maximum height of 11.46m, compliant with subsection (3). |
| (iii) if the development results in a building with more than 2 storeys—the additional storeys are set back within planes that project at an angle of 45 degrees inwards from all side and rear boundaries of the site. | The proposed development results in a building of more than two-storeys, however, the additional storeys do not fully comply with the required upper-level setback. A Clause 4.6 Variation Request has been prepared to vary the standard, attached at Appendix F , further justification is provided at Section 7.1 of this report. |
| (3) The servicing equipment must— | The proposed servicing equipment is integrated in the roof form and screened to ensure it is not visible from surrounding public areas. |
| (a) be fully integrated into the design of the roof or contained and suitably screened from view from public places, and | |
| (b) be limited to an area of no more than 20% of the surface area of the roof, and | The rooftop servicing equipment is limited to 13% of the surface area of the roof. |
| (c) not result in the building having a height of more than 11.5m. | The proposed development does not have a building height exceeding 11.5m |
| 88 Restrictions of occupation of seniors housing | |
| (1) Development permitted under this Part may be carried out for the accommodation of only the following— | It is anticipated that a condition of consent will be imposed to ensure this control is met. |
| (a) seniors or people who have a disability, | |
| (b) people who live in the same household with seniors or people who have a disability, | |
| (c) staff employed to assist in the administration and provision of services to housing provided under this Part. | |
| (2) Development consent must not be granted under this Part unless the consent authority is satisfied that only the kinds of people referred to in subsection (1) will occupy accommodation to which the development relates. | |
| 90 Subdivision | |
| (1) Development consent may be granted for the subdivision of land on which development has been carried out under this Part. | The proposal includes a Torrens title subdivision to legally separate the proposed RCF from the |

| Clause | Assessment |
|--|---|
| (1A) Development consent for the subdivision of land may be granted at any time, including before the development under this part is carried out. | existing Aveo BGRL. The subdivision is proposed concurrently with development under Part 5 of the Housing SEPP and is therefore permitted with consent. |
| (2) Development consent must not be granted for the subdivision of a building resulting from development carried out under this Part on land in Zone E2 Commercial Centre or Zone B3 Commercial Core. | N/A. The site is zoned R2 Low Density Residential under the LEP. |
| 91 Fire sprinkler systems in residential care facilities | |
| (1) A consent authority must not grant consent for development for the purposes of a residential care facility unless the facility will include a fire sprinkler system. (2) Development for the purposes of the installation of a fire sprinkler system in a residential care facility may be carried out with development consent. | Noted. The proposed development will incorporate a compliant fire sprinkler system in accordance with Section 91 of the Housing SEPP. Refer to Appendix JJ for confirmation. |
| 94 Location and access to facilities and services – residential care facilities | |
| (1) Development consent must not be granted for development for the purposes of a residential care facility unless the consent authority is satisfied that residents of the facility will have access to facilities and services— (a) on-site, or (b) by a transport service other than a passenger service. | The proposed development will provide access to facilities and services both on-site and via transport arrangements operated by Opal Healthcare. Specifically: <ul style="list-style-type: none"> • A range of aged care and medical services will be provided on site. • Opal Healthcare will operate a dedicated passenger transport service for residents, facilitating access to off-site services. |
| 95 Water and Sewer | |
| (1) A consent authority must not consent to development under this Part unless the consent authority is satisfied the seniors housing will— (a) be connected to a reticulated water system, and (b) have adequate facilities for the removal or disposal of sewage. | The proposed RCF will be connected to a reticulated water supply and sewer infrastructure. |
| (2) If the water and sewerage services will be provided by a person other than the consent authority, the consent authority— (a) must consider the suitability of the site in relation to the availability of reticulated water and sewerage infrastructure, or (b) if reticulated services are not available—must satisfy the responsible authority that the provision of water and sewerage infrastructure, including environmental and operational considerations, is satisfactory for the development. | |
| 96 Bush fire prone land | |
| (1) A consent authority must not consent to development under this Part on relevant bush fire prone land unless the consent authority is satisfied the development complies with the requirements of Planning for Bushfire Protection. | The Opal Healthcare Bayview site is not bushfire prone. |
| 97 Design of Seniors Housing | |
| (1) In determining a development application for development for the purposes of seniors housing, a consent authority must consider the Seniors Housing Design Guide, published by the Department in December 2023. | The proposal has considered the Seniors Housing Design Guide. The proposals compliance against the controls is included within the Design Report at Appendix J . |
| (2) Development consent must not be granted to development for the purposes of seniors housing unless the consent authority is satisfied the design of the seniors housing demonstrates that adequate consideration has been given to the design principles for seniors housing set out in Schedule 8. | The proposal has considered the design principles set out in Schedule 8 and are outlined below. |
| 107 Non-discretionary development standards for hostels and residential care facilities—the Act, s 4.15 | |

| Clause | Assessment |
|--|---|
| <i>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of hostels and residential care facilities that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i> | Noted. |
| <i>(2) The following are non-discretionary development standards in relation to development for the purposes of hostels or residential care facilities—</i> <i>(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,</i> | The proposed development will result in a building height of 10.1m to the top of the roof (excluding servicing equipment). As such, a Clause 4.6 Variation Request for Height of Building has been prepared and included at Appendix E to justify the contravention. Further assessment on the building height is provided in Section 7.1 of this report. |
| <i>(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m—</i> <i>(i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and</i> | The proposed servicing equipment is integrated in the roof form and screened to ensure it is not visible from surrounding public areas. |
| <i>(ii) is limited to an area of no more than 20% of the surface area of the roof, and</i> | The rooftop servicing equipment is limited to 13% of the surface area of the roof. |
| <i>(iii) does not result in the building having a height of more than 11.5m,</i> | The proposed development does not have a building height exceeding 11.5m |
| <i>(c) the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</i> | The proposed development has an FSR of 1.45:1 and does not rely on the non-discretionary standard. |
| <i>(d) internal and external communal open spaces with a total area of at least—</i> <i>(ii) for a residential care facility—10m² for every bed,</i> | The proposal requires a total of 1,770m ² of communal open space for its 177 beds. The proposal provides a total of 2,317.2m ² of communal open spaces (1,042.9m ² internal space, 1274.3m ² external space) and as such, is compliant with this control. |
| <i>(e) at least 15m² of landscaped area for every bed,</i> | The proposal provides a total of 4,386m ² of landscaped area, equating to 24.78m ² of landscaped area for each bed, complying with this standard. |
| <i>(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 6m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i> | The proposal includes 567m ² (9.4%) of the site area as deep soil, and as such, does not rely on this non-discretionary standard. This is justified on the basis that the site's constraints and existing interface with the Aveo BGRL site limit opportunities for additional deep soil. The shortfall is offset by extensive landscaping and communal spaces that achieve the intent of the control. |
| <i>(h) for a residential care facility—at least 1 parking space for every 15 beds in the facility,</i> | Achieved. A total 45 parking spaces are required on the site to provide for residents, visitors and employees. 56 spaces are provided for this purpose, exceeding the requirement. |
| <i>(i) at least 1 parking space for every 2 employees who are on duty at the same time,</i> | |
| <i>(j) at least 1 parking space for the purpose of ambulance parking.</i> | 1 ambulance parking space is provided on the site. |

Schedule 8 Design principles for seniors housing

| Clause | Assessment |
|--|--|
| <p>1 Neighbourhood amenity and streetscape <i>Seniors housing should be designed as follows—</i> <i>(a) to recognise the operational, functional and economic requirements of residential care facilities, which typically require a different building shape from other residential accommodation,</i></p> | <p>The proposal is a purpose-built RCF designed to meet contemporary care standards, with layout and facilities tailored to operational needs.</p> |
| <p><i>(b) to recognise the desirable elements of—</i> <i>(i) the location's current character, or</i></p> | <p>The design takes cues from surrounding low-scale residential context, using articulated façades and muted material palette</p> |
| <p><i>(ii) for precincts undergoing a transition—the future character of the location so new buildings contribute to the quality and identity of the area,</i></p> | <p>N/A</p> |
| <p><i>(c) to complement heritage conservation areas and heritage items in the area,</i></p> | <p>N/A</p> |
| <p><i>(d) to maintain reasonable neighbourhood amenity and appropriate residential character by—</i> <i>(i) providing building setbacks to reduce bulk and overshadowing, and</i></p> | <p>While the proposal includes an upper-level setback variation to the new internal boundary, neighbourhood amenity and residential character are maintained through appropriate design measures. The variation is confined to the internal boundary within the integrated seniors housing precinct, with all external interfaces providing generous setbacks and landscaping to prevent bulk, overshadowing, or character impacts. The building's articulation, stepped form, and substantial landscaping ensure the development integrates sensitively with the surrounding low-density residential context.</p> |
| <p><i>(ii) using building form and siting that relates to the site's land form, and</i></p> | <p>The proposed development steps with the site's sloping topography, reducing cut-and-fill and integrating with landscape.</p> |
| <p><i>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent buildings, and</i></p> | <p>The building height at the Annam Road frontage has been designed to be compatible with the surrounding low-scale residential and seniors living context, presenting as three storeys from the street despite the sloping topography. The form steps with the terrain and incorporates varied setbacks, façade articulation, and recessed upper levels to ensure a gentle transition in scale to adjoining dwellings and avoid abrupt height changes. Materials and finishes take cues from the neighbouring villas and apartments, while the retention and enhancement of mature vegetation along the frontage further softens the built form and integrates it into the established vegetated character of the locality.</p> |
| <p><i>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours,</i></p> | <p>The proposal does not include continuous boundary walls adjoining neighbouring private residential properties. Where building elements are closer to site boundaries, they are designed with articulated façades, varied setbacks, and landscaping to break up massing and minimise visual bulk. The separation from adjoining dwellings across Annam Road, combined with retention of mature vegetation and the introduction of new planting, ensures that any building interface is softened and maintains privacy, solar access, and outlook for neighbouring residents</p> |

| Clause | Assessment |
|---|--|
| <i>(e) to set back the front building on the site generally in line with the existing building line,</i> | The proposal is setback in line with the adjacent existing Aveo BGRL buildings. |
| <i>(f) to include plants reasonably similar to other plants in the street,</i> | Achieved. |
| <i>(g) to retain, wherever reasonable, significant trees,</i> | Significant trees have been retained, where possible, however, the proposed development does necessitate the removal of 44 trees to facilitate the necessary building envelope. To offset the removal of vegetation, a compensatory planting ratio of 2:1 has been applied. This approach ensures adequate replacement of lost vegetation. |
| <i>(h) to prevent the construction of a building in a riparian zone.</i> | The Opal Bayview site is not within a riparian zone. |
| <p>2 Visual and acoustic privacy</p> <p><i>Seniors housing should be designed to consider the visual and acoustic privacy of adjacent neighbours and all residents of the seniors housing by—</i></p> <p><i>(a) using appropriate site planning, including considering the location and design of windows and balconies, the use of screening devices and landscaping, and</i></p> | The site layout and building design have been developed to protect the visual and acoustic privacy of both neighbouring properties and future residents. Windows and balconies are positioned to minimise direct overlooking of adjoining dwellings, with orientation favouring internal courtyards, and communal open spaces. Where openings face boundaries, screening devices and privacy treatments are incorporated to reduce sightlines. Deep soil planting, retention of mature trees, and new layered landscaping along site edges provide an additional vegetated buffer, softening views and mitigating potential noise transfer, thereby maintaining a high level of residential amenity. |
| <i>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</i> | Bedrooms within the proposed RCF are intentionally located away from the driveway. The areas adjacent to the driveway are occupied by non-residential functions such as the wellness centre, offices, lobby, and café, which act as an acoustic buffer between vehicle movements and resident accommodation. |
| <p>3 Solar access and design for climate</p> <p><i>The design of seniors housing should—</i></p> <p><i>(a) for development involving the erection of a new building—provide residents of the building with adequate daylight in a way that does not adversely impact the amount of daylight in neighbouring buildings, and</i></p> | The proposal provides residents with adequate daylight through building separation, landscaped courtyards, and an articulated built form that maximises solar penetration to internal and communal spaces. Shadow diagrams confirm that additional overshadowing is minimal, with most new shadow contained within the site and only negligible change to adjoining properties. The design therefore achieves adequate daylight for residents without adversely impacting the daylight available to neighbouring buildings. |
| <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 building has been oriented to the north-east, allowing all communal living and dining spaces to benefit from natural light and ventilation. The internal layout maximises solar access and cross-ventilation, reducing reliance on artificial heating, cooling, and lighting. Landscaping further supports passive design outcomes by providing shade and improving thermal comfort. |
| <p>4 Stormwater</p> <p><i>The design of seniors housing should aim to—</i></p> | The stormwater strategy minimises impacts on adjoining properties and receiving waters by incorporating permeable surfaces, landscaped |

| Clause | Assessment |
|---|---|
| <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, and</i> | areas, and a grass-lined swale to manage flows. Driveways and paved areas are limited in width and supported by WSUD measures including gross pollutant traps and proprietary filtration. These measures ensure controlled runoff and improved water quality. |
| <i>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</i> | On-site stormwater detention has been provided, with a 300 m ³ OSD system ensuring post-development discharges remain at or below pre-development levels. A 56 kL rainwater harvesting tank is included for reuse in toilet flushing and landscape irrigation, reducing potable water demand and supporting second-quality water uses. |
| 5 Crime prevention <i>Seniors housing should—</i> | |
| <i>(a) be designed in accordance with environmental design principles relating to crime prevention, and</i> | The development applies CPTED principles, including passive surveillance, clear sightlines, appropriate lighting, and secure access controls. |
| <i>(b) provide personal property security for residents and visitors, and</i> | Personal security will be provided for residents, subject to detailed design phase. |
| <i>(c) encourage crime prevention by—</i> | |
| <i>(i) 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 the area, driveway or street, and</i> | The site layout allows passive surveillance of communal areas, driveways, and entries, with windows and orientation providing clear observation of approaches. |
| <i>(ii) providing shared entries, if required, that serve a small number of dwellings and that are able to be locked, and</i> | Achieved. |
| <i>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</i> | Subject to detailed design. |
| 6 Accessibility <i>Seniors housing should—</i> | |
| <i>(a) have obvious and safe pedestrian links from the site that provide access to transport services or local facilities, and</i> | The proposed development provides clear and accessible links to the adjacent bus stop of Annam Road. It is noted that a bus service will be provided by Opal, and majority of services are provided to residents within the site, reducing the need for frequent external travel. |
| <i>(b) provide safe environments for pedestrians and motorists with convenient access and parking for residents and visitors.</i> | The design separates service and visitor vehicle movements from pedestrian paths, ensuring safe circulation. Basement parking accommodates residents, visitors, and allocated spaces for Aveo, with accessible spaces near entries. Clear wayfinding and level connections support safe, convenient access for all users. |
| 7 Waste management <i>Seniors housing should include waste facilities that maximise recycling by the provision of appropriate facilities.</i> | The proposal includes dedicated waste facilities with separate bins for recyclables, organics, and other waste streams on each floor and in a central collection area, supported by staff procedures to maximise recycling. |

6.0 Stakeholder Engagement

Preliminary stakeholder engagement has been undertaken for the project in accordance with the project SEARs and the principles of the Department's *Undertaking Engagement Guidelines for State Significant Development*, including being proportionate to its scale and likely level of community interest.

This chapter provides a summary of the engagement undertaken, initial feedback received and how the development responds to this. Ongoing engagement with the community and other stakeholders will also be carried out throughout the assessment of this SSDA. An Engagement Outcomes Report has been prepared by Willowtree Communications and is provided at **Appendix H**.

6.1 Pre-Lodgement Engagement Undertaken

6.1.1 Stakeholders

The following key stakeholder groups were identified as potentially having an interest in the proposal:

- Department of Planning, Housing and Infrastructure;
- Northern Beaches Council;
- Sydney Water;
- NBN;
- Ausgrid;
- Metropolitan Local Aboriginal Land Council (LALC); and,
- Surrounding Landowners/neighbours.

6.1.2 Engagement Methodology

Various methods for consultation and engagement were used to engage with the abovementioned identified stakeholders. These methods are summarised below:

- **Meetings and briefings:** Targeted briefings were undertaken with relevant government agencies and stakeholder including DPHI and Council.
- **Information session:** In-person information session was attended by approximately 50 Aveo BGRL to provide a presentation on the project and answer any project related questions.
- **Community newsletters:** Delivery of 400 newsletters via letterbox drop and direct email to Northern Beaches Council, Metropolitan Land Aboriginal Land Council and Bayview Golf Club and Newport Residents Association.
- **Social impacts survey:** An online survey was created, with access through a QR code provided in the newsletter. 48 responses were collected between 25 July – 15 August 2025.
- **Online briefing:** Enabled stakeholders to hear more about the proposal, ask questions, and share feedback directly with the project team.
- **Direct email correspondence:** Direct emails were sent to 4 stakeholders which advised that community engagement had commenced, and how to provide feedback, along with an attachment from the newsletter.
- **Project email address:** Online briefing attended by 22 residents to provide additional project details, and respond to initial feedback and answer additional questions asked
- **Project phone line:** Conversation with nearby resident to advise how they can provide feedback and make a formal submission, and answer additional questions regarding the project.

6.1.3 Feedback Obtained

The below provides a summary of the key issues raised throughout the engagement process and how this has been responded to within the proposal.

6.1.3.1 Community Feedback

Table 9 and **Table 10** below summarises the feedback raised during community consultations, and a preliminary response provided to each.

Table 9 Summary and response to community feedback

| Stakeholder | Engagement details | Summary of feedback provided | Project response |
|--|--|--|---|
| Retirement Village Residents | | | |
| Aveo Bayview Residents | Information Session held at Bayview Golf Club for approximately 50 Aveo Bayview Residents. | <ul style="list-style-type: none"> Concerns about construction impacts (noise, dust, disruption) Traffic and parking concerns Questions about future facility operations General support for aged care provision in the area | <ul style="list-style-type: none"> Construction Environmental Management Plan (CEMP) to be implemented Traffic Impact Assessment being undertaken Ongoing communication commitment during construction Clarified independent operations from Aveo Operational queries referred to Opal HealthCare or Aveo |
| Nearby Residents | | | |
| Residents on streets within the engagement area | Online briefing session held with 22 stakeholders. | <ul style="list-style-type: none"> Building height and scale concerns Traffic safety and increased vehicle movements Driveway location and safety issues Construction period impacts Loss of green/leafy character | <ul style="list-style-type: none"> It was outlined that the building designed to Housing SEPP height requirements, rather than Northern Beaches Council height limits. Traffic Impact Assessment being undertaken Driveway designed for safety and topographic constraints CEMP will manage construction impacts Landscaping plan to enhance green character |
| Local Resident 1 | Direct email correspondence and phone call | <ul style="list-style-type: none"> Inquiry about the best way to make a formal submission on the proposal Question about whether Opal HealthCare was interested in purchasing their property | <ul style="list-style-type: none"> Advised that formal submissions can be made during the public exhibition period once the SSD application is lodged with DPHI Confirmed that Opal HealthCare does not have any interest in purchasing neighbouring properties, with commitment to advise if this position changes. |

Table 10 Engagement Outcomes

| Topic | Response |
|--|---|
| Scale and Character of the Development | |
| Concerns that the proposed building is excessive in height (predominately three storeys), bulk and scale, and not in keeping with the established two-storey character and leafy setting of Bayview. | <ul style="list-style-type: none"> The design team has sought to balance the need for additional aged care accommodation with the surrounding context. Excavation of the basement level will reduce the overall height impact when measured from existing ground level, further minimising visual bulk. Architectural treatments, landscaping, and building setbacks have been considered to reduce visual impact and integrate the facility more sensitively with the area. The proposal has a predominately three-storey built form when viewed from Annam Road, which is consistent with the Seniors Housing Design Guide. |

| Traffic, Access and Parking | |
|--|---|
| Concerns about increased traffic volumes, road safety (particularly around Annam Road, Utingu Place, and the bus stop), emergency vehicle movements, loss of on-street parking, and adequacy of staff/visitor parking | <ul style="list-style-type: none"> • A comprehensive Traffic Impact Assessment has been undertaken as part of the Environmental Impact Statement (EIS) to analyse and address impacts to traffic and parking on surrounding roads, and address road safety concerns including access locations. • The proposed driveway location has been designed to meet building access requirements and site topography constraints. • The proposal includes 68 basement parking spaces, and 4 at-grade spaces to accommodate staff and visitors, minimising pressure on local streets. Driveway placement and sightlines have been reviewed to maintain road safety standards. |
| Construction Impacts | |
| Anticipated noise, dust, and disruption over a lengthy construction period, affecting resident amenity, health, and wellbeing. Concerns were raised that Bayview Gardens residents will be particularly impacted due to proximity. | <ul style="list-style-type: none"> • A Construction Environmental Management Plan (CEMP) will be prepared to manage and mitigate impacts during demolition and construction. All works will comply with permitted construction hours and relevant environmental guidelines. Noise and dust will be minimised using industry standard controls, while site access and traffic will be managed to maintain resident and visitor safety. Clear signage and pedestrian detours will be provided as needed, with construction vehicle parking and access managed via Annam Road. • Ongoing communication with residents will be maintained throughout construction, and a dedicated contact person will be available for enquiries or concerns. The CEMP will also address staging and timing to minimise prolonged disruption in any one location, ensuring residents are kept informed of upcoming works and key milestones throughout the construction process. |
| Environmental and Amenity Concerns | |
| Potential loss of vegetation and impact on local wildlife | <ul style="list-style-type: none"> • The proposal includes extensive new landscaping to enhance the site's green character and provide effective screening for neighbouring properties, preserving the leafy residential setting that residents value. • To minimise and address impacts on significant vegetation and fauna, the design prioritises retaining existing trees where possible, particularly those that contribute to the established canopy and provide neighbour screening. Retaining mature vegetation was a key consideration in the site layout and building positioning to preserve the area's leafy character and maintain natural screening between properties. • Where tree removal is unavoidable, to offset the removal of vegetation, a compensatory planting ratio of 2:1 is recommended. This approach ensures adequate replacement of lost vegetation. |
| Other Matters Raised | |
| Various queries and concerns were raised that relate to existing Bayview Gardens operations, future facility management, resident services, and matters outside the scope of this State Significant Development proposal. | Where feedback and queries were unrelated to the proposed development but concerned existing village operations or future aged care facility management, these have been passed on to the relevant Aveo and Opal HealthCare management teams for direct response. This ensures that residents receive appropriate information from the responsible operators while maintaining the focus of this engagement process on the planning and design aspects of the proposed development. Residents with ongoing queries about existing services or future care arrangements are encouraged to contact the respective management teams directly. |
| Aboriginal Engagement Feedback | |
| Monitoring in the location of deep excavations would allow for confirmation of the presence or lack of natural soils. | A detailed archaeological Induction will be provided to site contractors to mitigate the risk to potential cultural features. |
| A Connecting with Country is completed for this project to educate the wider community of our rich culture. | A Connection to Country report has been completed and is included at Appendix GG . |

6.1.3.2 Department of Planning, Housing and Infrastructure Meeting (16 May 2025)

The proponent attended a meeting with the Department on 16 May 2025. A summary of the Department's comments and how the proposal responds to them is provided at **Table 11**.

Table 11 Summary of the Department's comments from the meeting and the proposals response

| Department's Comment | Project Response |
|--|---|
| Fire Sprinklers (Cl. 91): Please add wording similar to 'the proposal will have a fire sprinkler system designed in accordance with Section 91 of the Housing SEPP' and an accompanying letter from a suitably qualified consultant. | Addressed in Table 8 . A letter has been prepared by JHA Consulting Engineers included at Appendix JJ , confirming the sprinklers will be designed in accordance with the Housing SEPP. |
| Applicant: We confirm that there is no need for Aveo to be an Applicant for the proposal, however, owners consent will be required. | Noted. Owners Consent has been sought and has been submitted with this SSDA. |
| SEARs: We confirm that there is no need to amend the SEARs based on our current understanding of the proposal as the SEARs was issued for Lot 121 of DP 789400. If there are any works proposed outside this lot, please advise as the SEARs will need to be amended. | No works are proposed outside of Lot 121 DP789400. |
| Existing Aveo Site: Further to our advice this morning, if the Aveo community centre/clubhouse forms part of the site's communal open space, then an assessment of the communal open space for the entire Aveo site against Section 107/108 of the Housing SEPP would be required. Additionally, as parking spaces for the Aveo development are proposed within the subject development's basement, an assessment of the parking provided onsite for the entire Aveo development against 107/108 would be required. Please ensure sufficient information on the operation of the Aveo site and the relationship between the 2 developments is provided. | As detailed at Section 4.6.2 , the existing serviced apartment building proposed for demolition is physically connected to a community centre located to the east of the Opal Healthcare site. While the community centre itself will be retained, the proposed demolition works will necessitate replacement and a minor extension of a small portion of the centre (182m ²) to enable construction of the RCF and ensure its ongoing functionality and compliance with relevant standards. This space is not considered communal open space for the purposes of assessing the Opal development under the Housing SEPP. Similarly, the 16 parking spaces proposed within the basement of the new Opal RCF are intended solely to replace the 16 spaces lost as a result of the subdivision and redevelopment of the subject site. There is no net increase or reduction in parking provision for the Aveo site. As such, the proposal does not alter the existing communal open space or parking arrangements for the broader Aveo development, and an assessment of the entire Aveo site against Sections 107 and 108 of the Housing SEPP is not required. The development has been assessed independently, in accordance with the relevant controls and guidelines as they apply to the Opal site only. |

6.1.3.3 Northern Beaches Council Pre-Lodgement Meeting (3 June 2025)

The proponent attended a Pre-DA meeting with Northern Beaches Council's Officers on 3 June 2025. Importantly, Council indicated its support for:

- Seniors Housing (RCF) being a permissible use on the site under the Housing SEPP.
- The proposal's compliance with minimum site area, site frontage, and certain parking provisions of the Housing SEPP.
- Retention of existing trees where possible and enhancement of the landscaped setting so that the built form remains secondary to the landscape.
- Integration of the facility within the existing Aveo Bayview Gardens seniors housing precinct, taking advantage of shared community facilities and established services.

A summary of Council's comments and how the proposal responds to them is provided in **Table 12**.

Table 12 Summary of Council's comments from Pre-DA meeting and the proposals response

| Council's Comment | Project Response |
|--|--|
| State Environmental Planning Policy (Housing) 2021 | |
| Due to the lack of information provided in the submitted plans and supporting documentation, Council cannot undertake a full compliance assessment of the proposed development with the relevant provisions of the Housing SEPP. | Noted. |
| While it appears that some provisions of the Housing SEPP are met, including minimum site area, frontage and parking, many uncertainties or non-compliances are evident in the | Clause 4.6 Variation Requests have been provided for height of building and the upper- |

| | |
|---|--|
| <p>design of the proposed development, including building height and side and rear building envelope.</p> <p>The applicant indicates the building height complies with the Housing SEPP provisions. However, this cannot be verified due to the lack of an existing ground level line on the elevation and section plans.</p> <p>The plans indicate substantial non-compliance with the building envelope provision along several elevations, with the largest variation along the southern boundary.</p> | <p>level setback at Appendix E and Appendix F respectively. The development is compliant with all other development standards.</p> |
| <p>Council considers the proposed 5-storey development excessive in its height, bulk and scale in its current form and is inconsistent with the prevailing character of the locality. The locality primarily consists of one and two-storey buildings, including ILUs in the adjoining seniors housing complex and dwelling houses opposite the site.</p> | <p>The proposed development includes a part four-storey built form but presents as three storeys from Annam Road. The building mass is concentrated toward the centre of the site, with upper levels setbacks to reduce visual impact and respond to the surrounding lower-scale context. The design incorporates articulation, material variation and landscaping to further minimise perceived bulk and ensure a sensitive transition to adjacent development.</p> <p>Building height is further discussed in Section 7.1 and within the Clause 4.6 Variation Request at Appendix E.</p> |
| <p>Council strongly advises the proposed development to demonstrate full numerical compliance with the provisions of the Housing SEPP.</p> | <p>Clause 4.6 Variation Requests have been provided for height of building and the upper-level setback at Appendix E and Appendix F respectively. The development is compliant with all other development standards.</p> |
| <p>Please refer to the Urban Design comments under the Specialist Advice section of these notes for additional commentary.</p> | <p>Noted.</p> |
| <p>Pittwater Local Environmental Plan 2014</p> | |
| <p>Clause 4.6 - Exceptions to Development Standards</p> <p>Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court. A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.</p> | <p>Noted. Clause 4.6 Variation Requests have been provided for height of building and the upper-level setback at Appendix E and Appendix F respectively.</p> |
| <p>Part 4 - Principal Development Standards</p> <p>Due to the development standards of the Housing SEPP prevailing over those in PLEP 2014, including building height, no further consideration of this section of the LEP is required.</p> | <p>Noted.</p> |
| <p>Pittwater Development Control Plan 2021</p> | |
| <p>While the provisions of P21DCP do not strictly apply to the proposed development as it is being lodged as a SSDA, the applicant should use the relevant provisions that would otherwise apply as a guide to ensure the most appropriate integration of the development into the existing and desired future character of the locality.</p> | <p>Noted. As per Section 2.10(1)(a) of the Planning Systems SEPP, DCPs do not apply to SSDAs. Notwithstanding, some aspects of the Pittwater DCP 2021 have informed the design approach of the site.</p> |
| <p>Bushland and Biodiversity Specialist Advice</p> | |
| <p>Biodiversity Planning Controls</p> <p>The following biodiversity related legislation and planning controls apply to the subject lot. Compliance with applicable provisions will need to be demonstrated within the submitted Statement of Environmental Effects (SEE) and/or supporting documentation.</p> <ul style="list-style-type: none"> • Biodiversity Conservation Act (BC Act) 2016 • Biodiversity Conservation Regulation (BC Reg) 2017 • SEPP (Resilience and Hazards) 2021 – clause 2.8 Development on land in proximity to coastal wetlands or littoral rainforest • Pittwater LEP clause 7.6 Biodiversity Protection • Pittwater 21 DCP clause B4.6 Wildlife Corridors • Pittwater 21 DCP clause B4.7 Pittwater Spotted Gum Forest - Endangered Ecological Community | <p>Compliance with the following legislation and controls is outlined in Section 5.0.</p> <p>As per Section 2.10(1)(a) of the Planning Systems SEPP, Development Control Plans (DCPs) do not apply to SSDAs. Notwithstanding, some aspects of the Pittwater DCP 2021 have informed the design approach of the site.</p> |

| | |
|--|---|
| <p>Required Supporting Documentation</p> <p>On review of the submitted pre-lodgement plans, the following documentation is required to accompany the Development Application (DA):</p> <ul style="list-style-type: none"> • Landscape Plan • Arboricultural Impact Assessment • Flora and Fauna Assessment Report OR Biodiversity Development Assessment Report (BDAR) if the Biodiversity Offsets Scheme is triggered by the proposed development. | <p>Landscape Plans are provided at Appendix W. An Arboricultural Impact Assessment is provided at Appendix X. A Streamlined BDAR is provided at Appendix AA</p> |
| <p>The development is to be designed, sited and managed to avoid any significant adverse environmental impact.</p> | <p>The Opal development is sited to avoid adverse environmental impact. Specifically, it will have no impacts on the “proximity to littoral rainforest”, “biodiversity” mapped land, and the riparian corridor. A SBDAR has been prepared, confirming that the proposal will not have unacceptable impacts on the site.</p> |
| <p><i>The site is on land identified as proximity area for littoral rainforest and as such the development must not impact on the ecological integrity of the rainforest.</i></p> | <p>The proposed development has been designed to ensure no significant impact on the biophysical, hydrological, or ecological integrity of adjacent littoral rainforests. Measures have been incorporated to protect surface and groundwater flows, ensuring no adverse effects on the quantity or quality of water flows to and from adjacent coastal ecosystems. This is further discussed at Appendix AA.</p> |
| <ul style="list-style-type: none"> • Development shall not result in an onsite loss of canopy cover or a net loss in native canopy trees or Littoral Rainforest. | <p>Some native canopy trees will be removed where located within the construction footprint or with low retention value. The SBDAR (Appendix AA) outlines compensatory measures including replanting with locally native species to offset canopy loss and maintain ecological values.</p> |
| <ul style="list-style-type: none"> • Development shall retain and enhance habitat and wildlife corridors for locally native species, threatened species and endangered populations. | <p>The SBDAR (Appendix AA) includes measures to retain habitat trees where feasible and replace lost habitat through revegetation with native species to enhance connectivity with existing vegetation corridors adjacent to the site.</p> |
| <ul style="list-style-type: none"> • Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species found on the site or listed in Littoral Rainforest Endangered Ecological Community). | <p>80% of new planting incorporates native vegetation as per Council's list.</p> |
| <p><i>Portions of the site are identified on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map (BV Map). Under the NSW Biodiversity Conservation Act 2016, any removal of native vegetation from within mapped areas will trigger the Biodiversity Offsets Scheme (BOS) and the requirement for a Biodiversity Development Assessment Report (BDAR) – Please see below information.</i></p> | <p>A Streamlined BDAR has been prepared and included at Appendix AA.</p> |
| <p>Biodiversity Assessment Development Report (BDAR) Requirements</p> <p><i>The site is mapped within the Department of Planning and Environment's (DPE) Biodiversity Values Mapping (BV Map; purple polygon).</i></p> <p><i>Development occurring within DPE's Biodiversity Values Mapping will require assessment under the Biodiversity Assessment Methodology (BAM) 2020 if they involve:</i></p> <ul style="list-style-type: none"> • Impacts to Native Vegetation (as defined under 60B of the Local Land Services Act 2013), or <ul style="list-style-type: none"> - Including clearing and/or establishment of Asset Protection Zones. • Prescribed actions (as defined under 6.1 of the Biodiversity Conservation Regulation 2017). <p><i>As the site is located within DPE's BV Map, the applicant will be required to engage an Accredited Assessor under the BAM (https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor) to determine whether a Biodiversity Development Assessment Report (BDAR) is required.</i></p> <p><i>If the Accredited Assessor determines that a BDAR is NOT required, a concise letter report should be submitted within the DA explaining why the BAM does not apply.</i></p> | <p>The SBDAR confirms the presence of mapped Biodiversity Values areas on site and has been prepared in accordance with the NSW Biodiversity Conservation Act 2016 to assess impacts and outline offset requirements under the Biodiversity Offsets Scheme.</p> |

If the Accredited Assessor determines that **a BDAR is required**, the BDAR should demonstrate what measures have been taken to avoid and minimise before offsetting of vegetation is applied.

Council may not support the proposal, unless minimisation of impacts is clearly demonstrated in accordance with the BAM.

Advice provided to Council by DPE, The approval authority must **not** grant approval if they determine the proposal is likely to have a serious and irreversible impact on biodiversity values. In addition to the Biodiversity Conservation Act 2016 (BC Act), the BDAR must also address the requirements of relevant State Environmental Planning Policies, and the Commonwealth Environment Protection Biodiversity Conservation Act 1999 (EPBC Act).

A BDAR submitted with the DA must be finalised and signed by the Accredited Assessor within 14 days of the DA lodgement date in accordance with 6.15 of the Biodiversity Conservation Act 2016. The assessor is requested to add Northern Beaches Council as a case party to the BAM assessment in BOAMS and submit the case to the consent authority in BOAMS prior to the lodgement of the DA (per DPIE's Release notes – Consent Authority user access to BOAMS, March 2020). This will assist assessment of the DA and allow Council's Biodiversity Officers to view the BAM Calculator and electronically approve credit requirements.

Flora and Fauna Assessment Report

Where more than 4 prescribed trees are to be removed, a Flora and Fauna Assessment Report prepared by a suitably qualified ecologist will need to be submitted with the application. If the engaged ecologist determines that the proposed development exceeds the vegetation clearing thresholds established in the Biodiversity Offsets Scheme or impacts native vegetation mapped within the BV Map, a Biodiversity Development Application Report (BDAR) may need to be prepared and submitted with the application.

An Arboricultural Impact Assessment is included at **Appendix X**. A Streamlined BDAR is included at **Appendix AA**.

Landscape Plan

Development shall ensure that at least 80% of any new planting incorporates native vegetation (as per species listed in the appropriate ward of the Native Planting Guide which is available on the Council website). Landscaping is to be outside areas of core bushland and not include environmental weeds.

80% of new planting incorporates native vegetation as per Council's list.

Arboricultural Impact Assessment

An Arboricultural Impact Assessment Report, prepared by a qualified AQF5 (or higher) arborist, must be submitted when works are proposed within 5.0m of a tree irrespective of property boundaries. No Arborist Report is required for trees and species within the development site that can be removed without approval under the relevant DCP. The Arborist Report will be essential in identifying native trees that may require removal as a result of the proposed development.

An Arboricultural Impact Assessment is included at **Appendix X**.

Landscape Specialist Advice

General Advice:

1. Reports and proposed plans shall satisfy the requirements of relevant Pittwater DCP landscape clauses including: B4.22 Preservation of Trees and Bushland Vegetation; C1.1 Landscaping; and D4 Church Point and Bayview Locality.
2. In consideration of C1.1 Landscaping, D4.2 Scenic Protection - General, and D4.10 Landscaped Area – Environmentally Sensitive Land, the built form shall be secondary to the landscape setting.
3. To achieve this the existing trees within the road reserve verge and within the property shall be preserved and the concept plans appear to indicate this to some extent. However, this is not easily assessed with the concept plans presented and without Survey information to determine the impact of any excavation, and an Arborist Report investigation is necessary to identify the impacts of the development upon existing trees.
4. To satisfy B4.22 Preservation of trees and Bushland Vegetation: development is to be sited and designed to minimise the impact on trees and vegetation; development shall avoid any impact to trees on public land; and where no reasonable design alternative exists to retain a tree(s), compensatory tree planting shall be proposed.
5. A Landscape Plan will be required to demonstrate that the landscape areas around the proposed built form is able to support planting of trees and other vegetation to satisfy the relevant Pittwater DCP clauses.

Landscape Plans have been prepared by Taylor Brammer, included at **Appendix W**, satisfying these requirements.

Information required:

6. A Landscape Plan is required to demonstrate that the proposed development satisfies the DCP outcomes and controls, including:

C1.1 Landscaping

- a range of shrubs and canopy trees shall be retained or proposed to soften the built form
- canopy tree planting shall be locally native species
- development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and retention of natural features such as rock outcrops
- Any on slab planter or roof gardens shall comply with the following soil depth guidelines: 300mm for lawn and groundcovers; 600mm for shrubs and accents; 1m for small trees

7. An Arborist Report is required to demonstrate that the proposed development satisfies the DCP outcomes and controls:

B4.22 Preservation of Trees and Bushland Vegetation

For prescribed (protected) trees under the DCP, ie. 5 metres and over, an Arboricultural Impact Assessment is required to provide clarification on which trees are to be retained, including tree protection measures, and which trees are to be removed. Exempt Species shall be identified for information purposes.

The Arboricultural Impact Assessment report shall indicate the impact of development upon the existing trees within the site, and for any existing tree on adjoining properties located 5 metres from the site (building and associated excavation or fill zones).

The report shall be prepared by a qualified Arborist AQF Level 5 and shall cover assessment of excavation and construction impacts upon the SRZ and TPZ, tree protection requirements, and

recommendations. Recommendations shall include the setback distance from each tree where no construction impact is to occur to ensure the long-term retention of the tree.

No impact to existing trees and vegetation within adjoining properties is acceptable, regardless of species type.

Please refer to the Landscape Plans at **Appendix W**.

An Arboricultural Impact Assessment has been prepared by Heartwood Tree Consulting and addresses these points. Refer **Appendix X**.

Urban Design Specialist Advice

The development site is located within the current Aveo Bayview Gardens Retirement Living site.

This site will be subject to a subdivision process to create a new lot for the proposed Opal Healthcare development. The proposal involves the construction of a new Residential Care Facility

(RCF) development comprising:

- Demolition of the existing aged care building and driveway on the site
- Construction of a three to four storey building, accommodating 160+ beds, basement car parking and ground floor will include various ancillary facilities, potentially including hair salon services, wellness centre, kitchen, dining, lounge areas, and ancillary cafe
- Associated landscaping and infrastructure modifications
- Stratum subdivision of the site from the broader Aveo seniors housing site so that it may operate as a standalone facility

Refer to **Section 4.0** for detailed project description.

The application should consider the design guidelines under Seniors Housing Design Guide 2023 (SHDG). Some initial comments on the proposal presented are:

1. Site analysis

A detailed site analysis is required to fully understand the contextual characteristics of the site and determine the siting of buildings that is sympathetic and responsive to the local environment and uplift the quality of the general neighbourhood. The modulation of the bulk and form of the new buildings which is of a larger scale than the surrounding context should reference the local character of one to two storey-built forms and urban arrangement to acknowledge its surroundings.

- 4.2.4 Map the pattern of existing adjacent development and key features surrounding the site and determine their influence on the articulation of the built form.
- 4.2.5 Reference front setbacks of neighbouring development and acknowledge the established street/ driveway pattern.

An assessment against the Seniors Housing Design Guide has been undertaken by Calderflower and attached at **Appendix K**, addressing these comments.

- 4.2.6 Manage the scale of large building floorplates with pragmatic internal planning that sensibly informs the façade and external articulation.

(SHDG - 4.2 Typology and scale - Design Guidance)

2. Building height, bulk and scale

The proposal has a four storey count which will breach the building height and storey count as stipulated by the Housing SEPP. Provide 3D representation of the building height and envelope planes to demonstrate compliance. The development should consider the existing low-scale neighbourhood character with one to two-storey dwellings and Independent Living Units (ILUs). Larger-scale building should be broken down into smaller elements to respond to the scale and pattern of the local streetscape/ driveways and surrounding built character. The proposal should not overshadow the surrounding existing developments especially the ILUs to the south by allowing adequate building setbacks.

- 4.3.3 Determine setbacks from the location of neighbouring properties, their private outside open spaces and primary views to and from the development.
- 4.3.4 Provide setbacks to respect neighbours privacy, overshadowing and existing amenity.

(SHDG - 4.3 Setbacks, Design Guidance)

The site boundaries proposed are irregular in shape because of the stratum subdivision is using the internal driveway kerb lines as the new boundaries. As such, the new building should still comply with the site setback and envelope controls from all the new boundaries. The proposal breaches the envelope controls in some areas. The appearance of the building should read as a two-storey development with a recessive top floor.

- 4.5.1 To prevent overlooking, and to preserve the privacy of neighbouring properties.
- 4.5.2 To provide a generous side and rear setback for landscaping and creation of meaningful outdoor space.
- 4.5.3 To avoid overshadowing to neighbouring properties.

(SHDG - 4.5 Storeys - Objective)

3. Visual and acoustic privacy

The new RCF should observe and respect the privacy and amenity of neighbouring properties as well as the resident ILU communities.

- 12.7.2 Provide generous setbacks that are informed by the position and location of neighbour's outdoor open space and windows.
- 12.7.3 Plant screen planting that acts as acoustic buffers as well as providing privacy and separation from the boundary fence.
- 12.7.4 Provide deeper courtyards for elevations or resident wings to face in towards to reduce overlooking to neighbours. Provide landscaping against open rail fences to screen resident spaces for privacy.

(SHDG - 12.7 Visual and acoustic privacy – Design Guidance)

4. Solar access

Provide sun analysis to ensure the surrounding existing ILUs will receive adequate sunlight. Some of the rooms proposed are subterranean in nature and will not receive adequate amenities especially on the north-western edge of the site. The profile of the existing building should be overlaid to indicate where the new built form will be larger than the existing building to be demolished. The additional building volume proposed should not reduce the amenities to the surrounding existing ILUs and common facilities.

Traffic Specialist Advice

The PLM proposal is for demolition of the existing aged care building and driveway on the site and construction of a new residential aged care facility. Comprised of 160+ beds and basement parking. Ancillary facilities are also proposed. The applicant advises that the development would be deemed State Significant.

There is limited information provided to accompany the PLM plans and detailed commentary on the PLM proposal is therefore unable to be given.

The development would be assessed under SEPP Housing and should demonstrate that there will be adequate parking to meet SEPP requirements i.e 1 space for each 15 beds and at least 1 space for every 2 employees. The parking not allocated for staff must be accessible for visitors, i.e. visitor access to the bays should not be prevented by a security gate. Separate parking must also be provided for delivery vehicles, ambulance and any buses used to transport residents. A drop off/pick up bay for use by the facilities bus and

These comments have been noted and taken into consideration in the preparation of the Traffic and Parking Assessment at **Appendix P**.

for drop off/pick up by visitors should also be available. This bay should not be the permanent parking space for the facility's bus as this would prevent its use by visitors for drop off /pick up purposes. These servicing spaces should be provided so they can be accessed independently with shared use of a loading bay and ambulance bay for instance not acceptable. These spaces when occupied should not impact upon the ability for other service or delivery vehicles to access their parking spaces or turn around to exit in a forward direction, i.e. turning areas and parking bays must be sufficiently sized to enable forwards entry to and exit from the site by all vehicles.

In terms of the carpark design passing of B85 & B99 vehicles in opposing directions circulating through the carpark should be available for compliance with AS2890.1. Passing of B85 & B99 vehicles at the site driveways at Annam Road should also be available.

It is noted that the PLM plans show the ramp to the basement parking being located adjacent to the loading dock. This is not ideal as it will potentially lead to trucks conflicting with vehicles entering/exiting the carpark. There will not be adequate space on the driveway to allow for a heavy Rigid Vehicle entering the site to pass a B99 vehicle exiting the site. This is unsafe. It also appears that sight lines for traffic exiting from the basement ramp will be obscured by a wall to the west of the ramp and intervisibility between vehicles exiting the carpark and loading dock will be poor. The loading bay and basement ramp should be separated and ideally accessed by separate driveways to avoid conflict.

Accessible parking for visitors should be consistent with the requirements of Schedule 4 of SEPP Housing i.e 5% of the 1 space per 15 beds should be accessible. Parking for staff should make allowance for 3% of the required spaces to be accessible consistent with the approach adopted for business related parking in the Pittwater DCP.

The basement carpark ramp should be designed to be consistent with AS/NZS 2890.1 requirements in terms of grades, sight lines and other requirements.

The development application should be accompanied by a Traffic and Parking Impact assessment report providing details addressing the above.

Waste Management Specialist Advice

Development is within the current Aveo Bayview Gardens Retirement Living Site which contains a range of seniors housing. The total site is 74,969m² and the proposed development site is 6,063m².

The proposal is for construction of a three storey, residential aged care facility containing 160 beds and related ancillary facilities plus basement car parking.

The site will be subdivided from the existing Aveo seniors housing site so it may operate as a standalone facility.

There is no Operational Waste Management Plan to assess.

Plans indicate a garbage chute room on one floor only and another chute room on the same level as the garbage holding room indicated on the plans as being 40m² adjacent to a loading dock in the Basement plan. There would need to be provision for collection of recyclables on each level to enable separation from waste. Operational management would need to transport recyclables to the garbage room. In addition, provision would need to be made for The current Aveo site has a private waste collection arrangement and we would need confirmation of how this site will be managed going forward.

All waste rooms must be built as per Council's Waste Management Guidelines regardless of collection arrangement to safeguard the ongoing operations of the site should council collections be required in the future.

The development would benefit from a bulky storage room separate from the garbage room for storage of items such as wheelchairs, walkers and other ancillary aids as well as furniture. It could be operated as a reuse area for residents requiring assistance. Building management would be responsible for overseeing this and for providing facilities for the recycling of hazardous items such as batteries, light bulbs, printer cartridges etc.

Being a residential aged care facility consideration must also be given to:

- Clinical waste collection bins which will need to be stored in the residential aged care bin rooms
- Sharps
- Pharmaceutical waste (to be kept in locked area)
- Cytotoxic waste

An Operational Waste Management Plan (OWMP) (**Appendix CC**) has been prepared for the development, confirming that all waste streams, including general, recyclable, clinical, and cytotoxic waste, will be managed in accordance with Council and EPA requirements. A dedicated basement waste room (approx. 40 m²) is provided, with private collection by Veolia for all waste (including medical waste). Recycling facilities and bulky goods storage are included, ensuring compliance with Northern Beaches Council's Waste Management Guidelines and supporting safe, efficient ongoing operations. Refer to **Section 7.12** for further details.

Water Management and Riparian Quality Specialist Advice

General Advice:

1. SSD subject to Environmental Impact Statement (EIS) requirements
2. Reports and proposed plans shall satisfy the requirements of relevant Pittwater DCP landscape clauses including B5 Water Management objectives:
 - Water conservation
 - Protection of waterways and improved riparian health
 - Stormwater and creek flows are safely managed. Appropriate setback between waterways and development
 - Water quality management
 - Water Sensitive Urban Design
3. Designated development for State Environmental Planning Policies (SEPPs) Resilience and hazard
 - Coastal Wetland proximity area
 - Littoral Rainforest core
4. Waterfront land. The Proposed development is located within 40m of a mapped watercourse and is subject to a controlled activity approval.
5. The development must meet the Water Management for Development Policy objectives and requirements, including WSUD.

1. The proposal is SSD pursuant to Clause 28, Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021. This EIS has been prepared to address the relevant requirements.
2. The IWMP (**Appendix S**) demonstrates compliance with the relevant provisions of the Pittwater DCP.
3. The project has been assessed against the Resilience and Hazards SEPP at **Table 7** and within the SBDAR at **Appendix AA**.
4. The Opal site is not located within 40 m of a mapped watercourse, and a Controlled Activity Approval is not required.
5. The development satisfies the Water Management for Development Policy objectives through integrated WSUD design, stormwater quality treatment, and appropriate setbacks to the mapped watercourse. Refer to the IWMP at **Appendix S**.

Information required:

6. Integrated Water Management Plan including Vegetation Management Plan for the site riparian area
7. Sedimentation and erosion control strategy during construction adapted to proposed staging
8. Geotechnical report confirming the site groundwater characteristic and possible dewatering, Geotechnical Assessment including Groundwater Impact Assessment.
9. Environmental Impact Statement (EIS)

6. An IWMP has been prepared and is included at **Appendix S**. A separate VMP is not considered applicable, as no works are proposed within the adjoining reserve or mapped riparian area. The development footprint is wholly contained within the existing site boundaries, with no encroachment into the watercourse or its riparian zone.
7. A sedimentation and erosion control strategy is outlined within the IWMP (**Appendix S**) and will be implemented during construction.
8. A Geotechnical Report (**Appendix T**) and Preliminary Site Investigation (**Appendix V**) confirm the site's subsurface and groundwater characteristics. Groundwater is present at depths greater than 5m below ground level, with no significant dewatering expected. A Groundwater Impact Assessment has been prepared included at **Appendix U**.
9. An EIS has been prepared.

6.2 Future Engagement

6.2.1 Ongoing Stakeholder Engagement

The project team will continue to consult and engage with key stakeholders throughout the exhibition and assessment period of the project.

Furthermore, it is anticipated that the conditions of approval will require a Construction Environmental Management Plan to be prepared which will include provision for ongoing community consultation throughout the construction of the project and any other post-approval stakeholder consultation strategies.

6.2.2 Statutory Exhibition

In accordance with Division 2, Section 9 of the EP&A Act, the application will be publicly exhibited for a minimum of 28 days following its submission to the Department. The project team will then prepare a Submissions Report which responds to any further matters raised by the community and Government agencies during this period.

7.0 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed SSDA. It addresses the matters for consideration set out in the SEARs. The Mitigation Measures at **Appendix D** complement the findings of this section.

7.1 Built Form and Urban Design

Architectural plans for the proposed development have been prepared by Calderflower (**Appendix I**) in accordance with the SEARs, alongside an Architectural Design Report (**Appendix J**), which outlines the design intent in detail.

The proposal (**Figure 41**) sits within the Aveo BGRL village and has been designed in direct response to its topography, existing campus-style layout, and landscaped setting. The design reflects both the operational needs of a high-amenity RCF and the intent to integrate within the existing built form and village character.

The built form has been informed by:

- Provisions of the Housing SEPP, Pittwater LEP, and Seniors Housing Design Guidelines;
- Early consultation with Northern Beaches Council, and the Department;
- Consideration of neighbouring dwellings, and internal village spaces; and,
- A balance between maximising resident amenity and minimising environmental and visual impacts.

The resulting design delivers a scale and massing appropriate to its location, derived from applicable planning controls and the existing character of the precinct. Key elements of the approach include:

- **Height and Scale:** The proposed building height has been designed to fit comfortably within the skyline of the existing Aveo BGRL village and respond to site topography. The proposed height avoids unreasonable overshadowing on adjacent properties and communal areas, maintains view corridors, and provides an appropriate transition to neighbouring buildings.
- **Setbacks and Separation:** The proposal provides generous setbacks to all external residential interfaces, reinforced by deep planting to soften building edges and maintain the landscaped character of the precinct. Adequate separation between the new building and neighbouring dwellings ensures privacy, natural ventilation, and access to daylight, while also reducing perceived bulk when viewed from adjoining properties. The only technical departure arises along the newly created internal boundary with the Aveo BGRL site, however, as both parcels function cohesively, this does not give rise to any adverse amenity or visual impacts.
- **Massing and Siting:** The built form steps with the existing topography, allowing it to sit within the landscape and reducing the need for excessive excavation or fill. Massing is broken into legible components through articulation, roof form variation, and landscape integration, avoiding large, monolithic elevations. Siting decisions have been guided by the need to maintain view sharing, protect key landscape elements, and preserve open space networks within the village.
- **Façade Expression:** Façades have been designed with a layered approach to provide depth, visual interest, and human scale. This is achieved through a combination of horizontal and vertical modulation, variation in materials and finishes, and the placement of balconies and windows. Materials have been selected for durability, low maintenance, and aesthetic harmony with the existing village buildings, using a complementary colour palette and textures that sit comfortably in the landscaped setting.

Overall, the development has been designed to complement and enhance the Aveo BGRL village, deliver a legible and human-scaled built form, and create an attractive, accessible and contextually sensitive addition to the precinct.



View from Annam Road



View from Main Drive

Figure 41 Photomontage

Source: Calderflower

7.1.1 Building Height

The proposed development contravenes the height of building development standards within both the PLEP and the Housing SEPP. Under Clause 4.3 of the PLEP, the maximum permissible building height for the site is 8.5m. Section 84(2)(c)(i) of the Housing SEPP prescribes a maximum height of 9.5m for the site, excluding rooftop servicing equipment, and Section 84(3)(c) allows for a maximum height of 11.5m including rooftop servicing equipment for up to 30% of the rooftop.

The proposed development reaches 10.1m to the top of the building, and 11.46m to the top of the servicing equipment. This results in a variation to the PLEP 8.5m building height control of 2.96m, equating to 34.8%, and a variation to the

Housing SEPP 9.5m limit, which excludes rooftop servicing equipment, of 0.6m (equating to a 6.3% variation). The extent of the exceedance is largely a product of the site's topography and limited to isolated components of the building form.

As illustrated at **Figure 42**, the exceedances are relatively minor, limited to the site boundaries, setback and integrated into the roof form. The limited nature of the exceedances ensures there are no adverse impacts on the amenity of adjoining properties, including privacy, solar access, and views. When viewed from Annam Road, the building retains a scale consistent with the Aveo BGRL buildings.

A Clause 4.6 Variation Request has been prepared, included at **Appendix E**, assessing the proposal (inclusive of the height of buildings exceedance) against the objectives of the relevant standards and justifying the contravention.

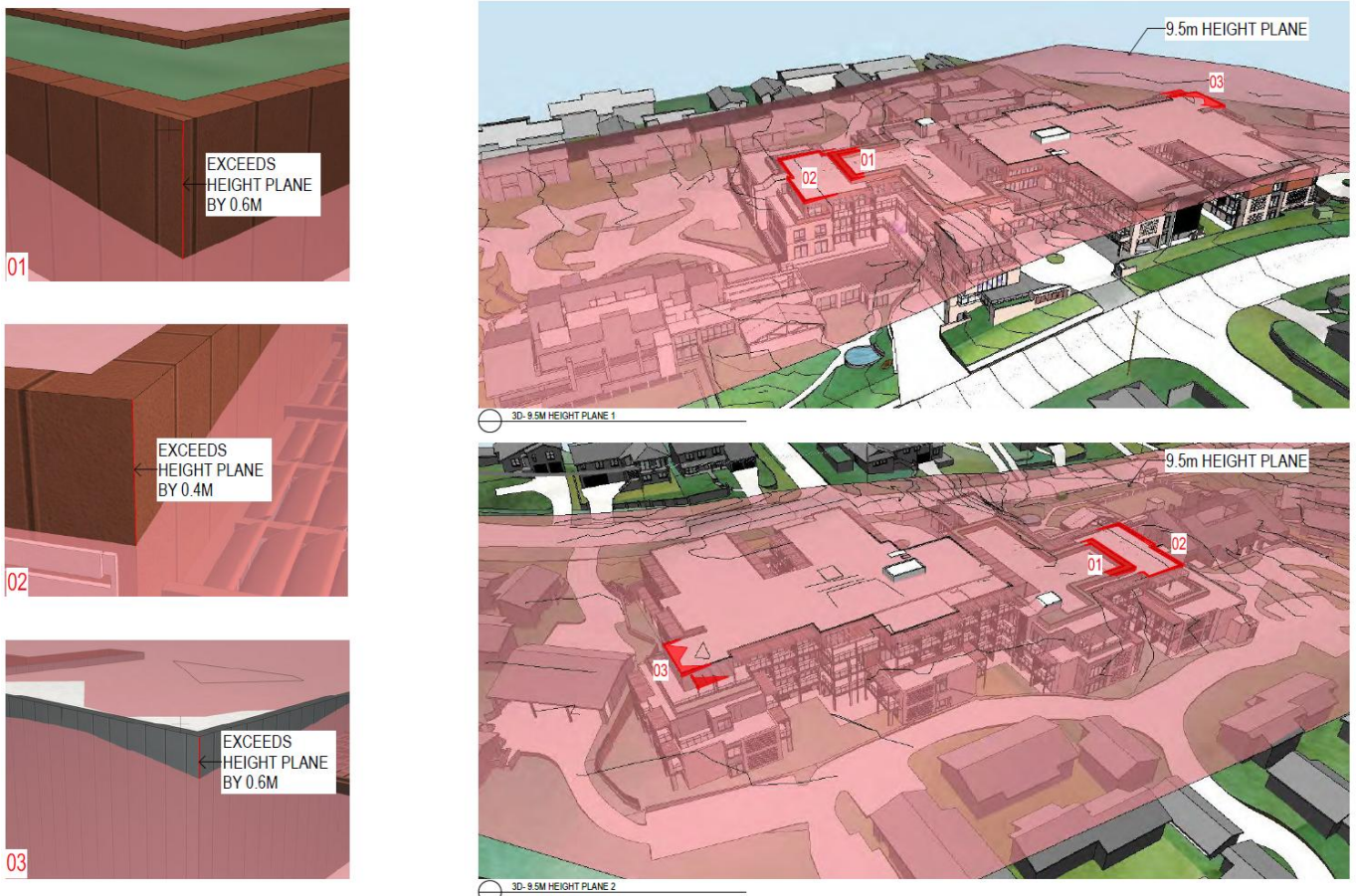


Figure 42 Proposed Height Plan Variation

Source: Calderflower

7.1.2 Upper-Level Setbacks

The proposed development contravenes the upper-level setback requirement in Section 84(2)(c) of the Housing SEPP, which requires additional storeys above two storeys to be set back within planes projecting at a 45-degree angle from all side and rear boundaries (**Figure 43**).

The variation is primarily due to both the site's topography and the location of the new subdivision boundary between the Opal site and the adjoining Aveo land. While a new lot boundary is created, both parcels form part of an integrated seniors housing precinct. The building footprint extends over this boundary into the portion of the community centre located on the Aveo site, resulting in a technical non-compliance with the control. All exceedances occur internally within the village and will not be visually discernible from, or have any impact on, the street or external properties.

It is noted that Section D2.7 of the Pittwater Development Control Plan 2021 (PDCP) prescribes a building envelope that has a similar intent to Section 84(2)(ii) of the Housing SEPP but is measured from 3.5 above the boundary, rather than at the natural ground level. This difference in measurement point means the DCP control results in a more generous envelope. The proposed building sits within the DCP envelope for the majority of the boundary, with minor encroachments at some roof edges, balconies and corners. These minor exceedances are a result of the site's irregular slope and shape. Despite this, the overall built form remains consistent with the surrounding character and sites, many of which will not be subject to the Section 84 standards due to land uses.

A Clause 4.6 Variation Request has been prepared, included at **Appendix F**, assessing the proposal (inclusive of the upper-level setback exceedance) against the objectives of the relevant standards and justifying the contravention.

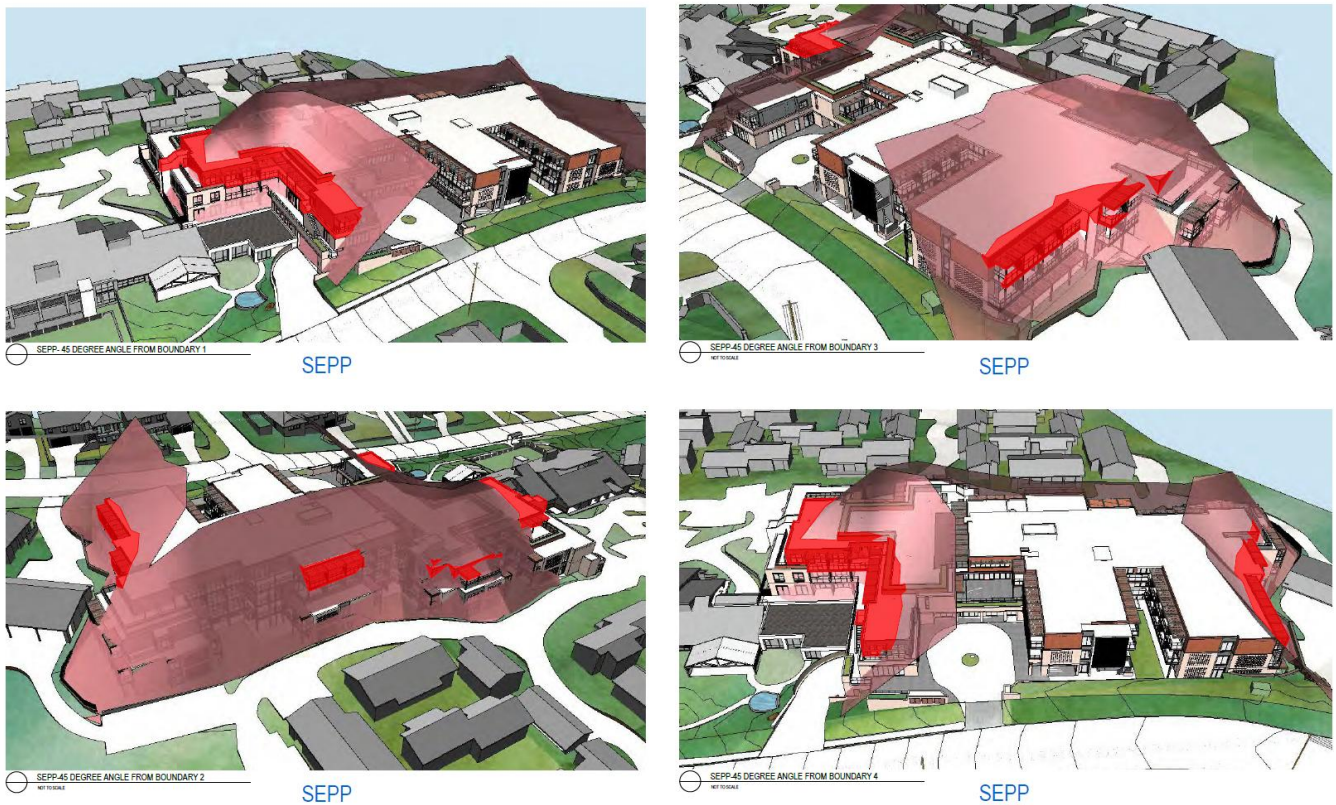


Figure 43 Proposed Upper-Level Setback Variation

Source: Calderflower

7.2 Public Domain and Landscaping

Landscape Plans have been prepared by Taylor Brammer, included at **Appendix W**. The proposal provides a landscaping strategy that includes a network of courtyards, terraces, rooftop gardens and deep soil plants distributed across off levels of the building, as described in **Section 4.8**. These spaces have been designed to promote resident wellbeing, provide opportunities for recreation and social integration, and integrate the new built form into the established landscape character of Bayview.

Specifically, the proposal provides the following landscaped areas:

- 4,618m² of total landscaped area, equating to 76.2% of the site area, distributed across the lower ground, ground, and upper levels;
- 1,274m² of external communal open space;
- 567m² of deep soil planting (9.4% of the site area); and
- Substantial tree canopy cover, including new canopy trees, understorey planting, and green roof areas that contribute to the site's urban tree canopy and assist in heat island mitigation.

A total of 44 trees are proposed for removal, primarily due to the building footprint. To offset this removal, a compensatory planting ratio of 2:1 is proposed in accordance with the recommendations of the SBAR (**Appendix AA**). This approach ensures adequate replacement of vegetation, achieving a net improvement in landscape quality, biodiversity, and canopy coverage over time.

The proposed landscape treatment will soften the building's visual presentation, enhance privacy between rooms and adjoining sites, and reinforce the landscaped character of the Bayview locality. The integration of shaded seating areas, sensory gardens, pergolas, and productive planting promotes resident engagement and wellbeing, consistent with the objectives of the Seniors Housing Design Guide.



Figure 44 Lower Ground Level Landscaping Plan

Source: Calderflower



Figure 45 Ground Level Landscaping Plan

Source: Calderflower



Figure 46 Level 1 Landscaping Plan

Source: Calderflower



Figure 47 Level 2 Landscaping Plan

Source: Calderflower

7.3 Residential Amenity

The proposed development has been designed to provide all dwellings with high quality internal amenity and outlook. This is demonstrated in **Table 8** which provides an assessment of the proposed development against each of the design guidelines of the Housing SEPP.

Furthermore, a detailed assessment against the Seniors Housing Design Guide is provided at **Appendix K**, which confirms the development is consistent with the design criteria. Of note:

- The design supports resident health and wellbeing by maximising natural daylight, cross-ventilation, and direct access to landscaped courtyards and balconies.
- A household care model has been adopted, providing small, domestic-scaled groupings of rooms with shared living areas, promoting familiarity and social connection.
- The internal layout, circulation, and wayfinding strategies reduce stress and support residents with mobility, sensory, or cognitive needs, including dementia-specific design features.
- Materials and finishes are durable, low-maintenance, and residential in character, avoiding institutional expression and ensuring comfort, dignity, and long-term sustainability.

Based on above, it is evident that the design achieves a high level of residential amenity in accordance with the Housing SEPP and the Seniors Housing Design Guide.

7.4 Environmental Amenity

7.4.1 Overshadowing

Shadow diagrams have been prepared by Calderflower and are provided within **Appendix I**. As illustrated on the diagrams, the proposed development will not result in any unreasonable overshadowing impacts.

The proposal generally improves solar access to the Annam Road street frontage by reducing shadowing in this area compared to the existing built form. Most of the additional shadow generated will fall within the site boundary, ensuring minimal impact on neighbouring properties. A small amount of additional shadow will extend onto the adjoining Aveo BGRL site to the west, although this represents only a very slight change from existing conditions. The building has been carefully designed and orientated to mitigate overshadowing impacts, with an articulated and stepped form that follows the natural topography. Generous rear setbacks further assist in maintaining sunlight access to surrounding residential properties.

Figure 48 below provides an excerpt of the overshadowing diagrams during mid-winter.





COMPARISON SHADOW DIAGRAM 21JUNE 3PM

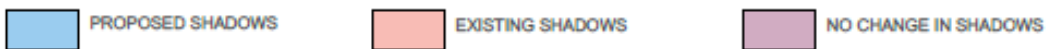


Figure 48 Shadow Diagrams

Source: Calderflower

7.4.2 Visual Impact

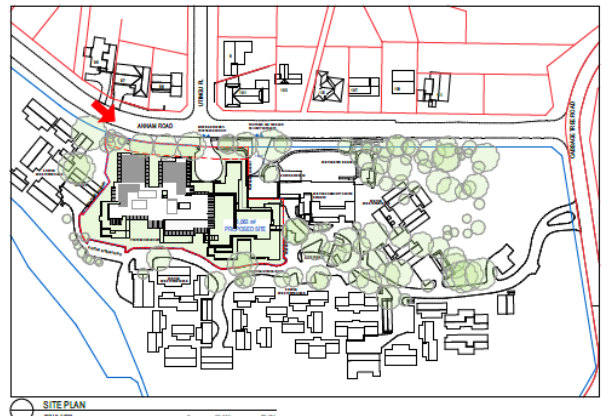
The proposed development has been designed to minimise visual impacts on the surrounding area and neighbouring properties. The building is located within the existing Aveo BGRL precinct, where it will be read as part of the established village character rather than as a standalone element in the streetscape. Mature vegetation along Annam Road, together with proposed landscaping, provides effective screening and softens views from the public domain.

The built form is appropriately scaled in relation to the existing village buildings and steps with the site's topography to reduce perceived bulk. Articulation, roof variation, and material treatments further assist in breaking down the building's massing so that it does not appear monolithic or intrusive. From the street and adjoining residential properties, the development presents as a compatible addition to the existing village context.

Importantly, the proposal does not generate adverse impacts in terms of visual bulk, overshadowing, or loss of outlook to adjoining dwellings. Instead, it maintains the landscaped, campus-style character of the site and delivers a contemporary RCF that integrates sensitively into its setting while maintaining neighbourhood amenity.



STREET VIEW 1 - WITH TREES



SITE PLAN



Figure 49 Street Views

Source: Calderflower

7.4.3 Views

There are no identified prescribed or protected views in the vicinity of the site. Given the building's scale and the absence of protected views, the development is not expected to adversely impact the views of surrounding properties or public spaces.

7.4.4 Reflectivity

The materials proposed for the development, including cladding, glazing and finishes have been selected to minimise any potential reflective impacts. Through the use of non-reflective and matte finishes, the development avoids glare that could affect surrounding properties or roads. As a result, no adverse reflectivity impacts are anticipated.

7.4.5 Wind

Given the scale of the proposed development, no wind impacts are expected. The proposal's design, consisting of a predominately three-storey building, is not anticipated to create significant wind impacts in the surrounding area.

7.5 Traffic, Transport and Accessibility

A Traffic and Parking Assessment has been undertaken by Transport and Traffic Planning Associates, included at **Appendix P**. The assessment confirms that the proposed development will not result in any adverse traffic impacts, is suitably located in relation to public transport, and provides adequate parking, accesses and servicing arrangements. A Driveway Memo has also been prepared by Birzulis Associates Pty Ltd (**Appendix Q**) to provide a performance-based justification for the proposed driveway design, discussed below.

7.5.1 Operational Traffic Impacts

Traffic

The TfNSW Guide to Transport Impact Assessment (2024) specifies a traffic generation rate for *Housing for Seniors* of 0.30 vehicle trips per hour (vtp) in the site peak and 0.17 vtp in the PM peak. Applying these rates to the existing 112-bed facility on the site results in 33.6 vtp (site peak) and 19.0 vtp (PM peak). For the proposed 177-bed development, this increases to 53.1 vtp and 30.1 vtp respectively. This represents an increase of approximately 19.5 vtp in the site peak hour and 11.1 vtp in the PM peak hour, equating to an additional vehicle movement roughly every three minutes.

This additional traffic generation is considered negligible within the context of the surrounding road network and will not result in queuing or delays at nearby intersections. The Cabbage Tree Road/Annam Road intersection currently operates at Level of Service (LOS) A during both AM and PM peaks with average vehicle delay (AVD) of approximately 12.8–12.0 seconds, indicating satisfactory conditions with no conflicts or excessive delays. Accordingly, the proposed development will not create any adverse traffic impacts or reduce intersection performance.

The proposal also includes the construction of a community room on the adjoining Aveo Bayview Gardens Retirement Living (Aveo BGRL) site. As the gross floor area and capacity of this facility remain unchanged, it will not result in any increase in traffic generation or parking demand.

Parking

Parking has been provided in accordance with Section 147 of Housing SEPP, which provides the following non-discretionary standards:

- 1 space per 15 beds;
- 1 space per 2 staff;
- 1 ambulance space.

Based on the proposed development of 177 beds and 66 staff, this equates to the requirement of 45 spaces and 1 ambulance space.

The proposal provides a total of 72 on-site parking spaces (including 68 basement spaces and 4 at-grade spaces). It is noted that this provision is supported by an agreement with Aveo that allows Aveo's continued use of 16 parking spaces within the proposed carpark, replacing the existing on-grade spaces on the site. In sum, 56 spaces will be available to the Opal site, complying with the non-discretionary standard under the Housing SEPP.

It is emphasised that the 16 spaces currently existing on the Opal site will be replaced through the dedication of 16 basement parking spaces to Aveo. As there is no change in Aveo parking spaces, no additional impacts will arise from the Aveo site.

Access

Vehicular access to the site is provided by a single driveway from Annam Road, to be located on the Aveo BGRL site. A Driveway Memo has been prepared by Birzulis Associates Pty Ltd (**Appendix Q**) to provide a performance-based justification for the proposed driveway design. The memo addresses the interface with Annam Road, where a 17.5% longitudinal grade results in a cross fall exceeding the 5% limit specified in AS2890.2. The assessment demonstrates that, though operational controls (low-speed entry, left-in/right-out movements) and a smoothed transition apron, the design achieved safe and functional heavy vehicle access. Quantitative analysis confirms compliance with rollover thresholds, supporting the proposal as a valid performance solution consistent with the intent of the Standard.

7.5.2 Construction Traffic Impacts

An Indicative Construction Traffic Management Plan is included within **Appendix P**. Construction vehicle access will be via the existing driveway on Annam Road, with no on-street Works Zone proposed. Truck movements will be restricted to designated routes, avoiding Aveo site access roads.

Key management measures include:

- Provision of worker parking on site, particularly once basement car park becomes available;
- All materials to be stored on-site;
- Engagement of traffic controllers, where required;
- Type A fencing and gated access alongside boundary;
- Construction hours consistent with consent conditions; and
- Construction program: demolition (3 weeks), excavation (4 weeks), construction (50 weeks), and fit out (10 weeks).

These measures will ensure construction related traffic does not adversely impact surrounding traffic, pedestrian, or public transport operations.

7.6 Noise and Vibration

A Noise and Vibration Assessment has been undertaken by JHA Consulting Engineers (**Appendix R**) confirming that potential noise and vibration impacts from the proposed development can be managed through appropriate design and mitigation measures.

7.6.1 Noise Receiver Areas

The site is predominantly surrounded by residential receivers. The most sensitive receivers include:

- Aveo BGRL (NCA1), approximately 10m from the site boundary; and
- Residential properties across Annam Road (NCA2), approximately 20m from the site boundary.

These locations were identified as the nearest and most affected properties.

7.6.2 Existing Noise Environment

Attended and unattended noise monitoring was undertaken to establish baseline conditions. Long term noise monitoring at a representative location (L1) recorded background (RBL) and ambient noise levels of approximately:

- Day (7am-6pm): RBL 37 dB(A), LAeq 51 dB(A)
- Evening (6pm-10pm): RBL 38 dB(A), LAeq 52 dB(A)
- Night (10pm-7am): RBL 35 dB(A), LAeq 45 dB(A)

Short-term monitoring confirmed similar conditions across the site, with traffic on Annam Road being the dominant external noise source.

7.6.3 Operational Noise Assessment

The assessment considered operational noise sources, including:

- Mechanical plant (e.g. rooftop condenser units);
- Waste collection activities;
- Surrounding road network; and
- Additional traffic movements generated by the proposed development.

Mechanical Plant Noise Emissions

A high-level assessment has been undertaken based on preliminary selections for rooftop condenser units. A total of 27 condenser units are proposed on the roof, including:

- 11 x Daikin REYQ12BYM9 (Lp at 1m – 59dB[A] each)
- 14x Daikin REYQ20BYM9 (Lp at 1m – 65 dB[A] each)
- 1x Daikin RZAV60C2V1 (Lp at 1m – 50 dB[A])
- 1x Daikin RZAV140F2V1 (Lp at 1m – 53 dB[A])

The rooftop mechanical and hydraulic plantrooms will be partially enclosed by 2m-high weatherproof louvres without a roof, with the nearest sensitive receivers approximately 40m away. To mitigate noise emissions, acoustic screening is required to extend at least 300mm above the tallest condenser unit and be constructed of a continuous solid lining or an acoustic louvre.

Further detailed acoustic review will be undertaken during final design to confirm compliance at the nearest receivers.

Waste Collection/Loading Dock Noise Emissions

Noise from operations within the loading dock is not expected to result in any acoustic amenity impacts, as it is located on the lower ground level in a predominantly enclosed area with no line-of-sight to surrounding receivers. Aside from Council waste collection, loading dock activities are recommended to take place between 7am-10pm where possible.

Traffic Noise Generation

When assessing traffic noise from new developments, the NSW Road Noise Policy (RNP) specified that increased up to 2dB above existing levels are considered insignificant. The Traffic and Parking Assessment identified an increase in approximately 2 vehicle trips per hour during peak period. The predicted noise level changes are included at **Table 13**. As the increase is well below 2dB, the report concludes that no perceptible change in traffic noise is expected.

Table 13 Predicted traffic noise level increase

| Road | Time | Peak Traffic Flows (Vehicles/hr) | | dB increase | Complies (Yes/No) |
|-------------------|---------|----------------------------------|--------|-------------|-------------------|
| | | Existing | Future | | |
| Cabbage Tree Road | AM Peak | 642 | 644 | ≤0.01 | Yes |
| | PM Peak | 693 | 695 | ≤0.01 | Yes |
| Annam Road | AM Peak | 52 | 54 | 0.2 | Yes |
| | PM Peak | 33 | 35 | 0.3 | Yes |

Traffic Noise Intrusion

An assessment of road traffic noise intrusion from Annam Road found noise levels to be low. Based on the noise-monitoring data, glazing with a minimum Rw 32 (6.38mm laminated) is recommended for all facades. The report concludes that traffic noise break in will not be an issue if a typical façade design and the nominated glazing recommendations are following. The façade design will be further detailed at detailed design stage.

Overall, subject to compliance with the recommended mitigation measures (**Appendix D**), operational noise emissions are expected to comply with the relevant criteria at nearby receivers.

7.6.4 Construction Noise Assessment

Construction noise and vibration were assessed in accordance with the NSW Interim Construction Noise Guideline and the RMS Construction Noise and Vibration Guideline. Predicted airborne noise levels for typical equipment, including piling rigs, excavators and concrete pumps indicate that, due to proximity of residential receivers (specifically, the Aveo BGRL, within 10m of the site), some exceedances of management levels may occur during standard hours.

To manage this, the assessment recommends the preparation and implementation of a detailed Construction Noise and Vibration Plan prior to CC. Other mitigation measures are outlined at **Appendix D**. Vibration impacts are expected to be manageable provided minimum separation distances are observed or additional monitoring is undertaken when equipment operations closer than recommended guidelines.

7.7 Water Management

An Integrated Water Management Plan (IWMP) has been prepared by Birzulis Associates (**Appendix S**) to address stormwater, wastewater, potable water, and groundwater management for the proposed development. The IWMP demonstrates compliance with the PDCP, and the Water Management Development Policy 2021.

The IWMP adopts an integrated water cycle approach incorporating potable water efficiency, stormwater quality and quantity management, flood mitigation and groundwater protection, consistent with Australian Rainfall and Runoff (ARR) 2019 principles.

Stormwater Management

The proposed stormwater system incorporates on-site detention (OSD) to ensure post-development peak flows do not exceed pre-development conditions, mitigating downstream impacts on Cahill Creek and Pittwater. Water Sensitive Urban Design (WSUD) measures will be integrated into the landscape, including gross pollutant traps, proprietary filtration systems, permeable paving, and a grass-lined swale, ensuring stormwater quality targets are met. MUSIC modelling confirms compliance with Council's pollutant reduction targets:

- Gross Pollutants: 100% reduction.
- Total Suspended Solids (TSS): 85.3% reduction.
- Total Phosphorus (TP): 75.7% reduction.
- Total Nitrogen (TN): 59.9% reduction.

Water Efficiency

A 56kL rainwater harvesting system will capture roof run off for reuse in irrigation and toilet flushing. Non-potable demand will be met through automatic top-up and backflow prevention systems.

Wastewater Management

The proposal will connect to the existing 150mm Sydney Water gravity sewer within Annam Road via a new Terminal Maintenance Shaft at the site boundary. The system has been designed in accordance with the relevant Australian Standards as a fully gravity-based network, with no pumping required. A servicing Advice Note or Notice of Requirement will be obtained from Sydney Water prior to construction. The wastewater infrastructure will operate independently from the adjoining Aveo BGRL site.

Groundwater Management

The basement will be constructed as a drained structure with perimeter subsoil drainage to relieve hydrostatic pressure. Groundwater was not encountered in shallow boreholes and is expected at depths greater than 5m. Sustained dewatering is not required and any temporary dewatering during construction will be managed to avoid off-site impacts.

Construction Phase Management

During construction, erosion and sedimentation risks will be managed in accordance with the Landcom Blue Book and Northern Beaches Council requirements. Temporary measures including sediment fencing, diversion bunds, stabilised access points, and pit protection will be implemented progressively. The OSD system will be installed early to provide attenuation during construction.

7.8 Ground and Groundwater Conditions

A Geotechnical Investigation Report and Groundwater Impact Assessment have been prepared by WSP and included at **Appendix T** and **Appendix U** respectively.

Geotechnical Conditions

The investigation identified subsurface conditions generally comprising a thin layer of fill (asphalt, gravelly sand, and silty sand) overlying stiff to hard residual silty clay extending to approximately 2.5-3m, underlain by interbedded sandstone and siltstone of low to medium strength. The soils are stable and suitable for the proposed development, with no significant issues expected. Excavation of soils can be managed with standard machinery, while harder rock may require heavy ripping and localised hammering. The site is not considered aggressive to buried infrastructure, and there is little risk of acid sulfate soils. Suitable foundations can be achieved using conventional footing systems and retaining walls.

Groundwater Conditions

Two rounds of groundwater investigations were carried out by WSP in July/August and November 2025, comprising:

- Drilling of eight investigation boreholes at selected locations at the site;
- Installation of three new groundwater monitoring wells at the site;
- Development of monitoring wells installed at the site;
- Manual measurement of groundwater levels in all groundwater monitoring wells;
- Collection of groundwater samples collected from three monitoring wells and submissions of these samples for laboratory analysis;

- Installation of automated water pressure transducers and data loggers in three groundwater monitoring wells at the site and the monitoring and recording of groundwater levels using the water level loggers; and,
- Performance of hydraulic tests using slug test methods of three monitoring wells.

Testing confirmed that the predicted maximum inflows to the proposed drained basement during the construction and operation phases of development are expected to be 0.35ML/year. Based on this, the passive collection of groundwater in the planned drained basement during the long-term operation of the development will not require a Water Access Licence from *WaterNSW*.

This annual volume of groundwater intake is expected to have minimal impact to the surrounding groundwater system, neighbouring properties, and other water supply works. The maximum modelled groundwater drawdown extent remains within 45m from the edge of the proposed development basement over a 10-year period. Additionally, the proposed development is not expected to adversely impact groundwater quality, interfere with any off-site oil and/or groundwater contamination, or interfere or impact any acid sulfate soils.

The Groundwater Impact Assessment concludes that a drained basement is suitable for the proposed development.

7.9 Contamination and Remediation

A Preliminary Site Investigation (PSI) has been prepared by WSP (**Appendix V**) which confirmed that the contamination risk of the site is low and the site is suitable for the proposed development.

Historical review of the site showed predominately agricultural and residential uses, with the current Aveo BGRL facility constructed around 1986. Eight boreholes were drilled to 10m in depth, revealing fill materials overlying clay and sandstone. Laboratory analysis found no asbestos and all tested contaminants, including hydrocarbons, heavy metals, pesticides and PCBs, were below relevant human health and ecological criteria.

7.10 Ecologically Sustainable Design

An Ecologically Sustainable Development (ESD) report and a Section J Report has been prepared by JHA, provided at **Appendix Y** and **Appendix Z** respectively. The reports provide an overview of how the proposed development responds to sustainable planning, through all stages of design, construction and operation of the facility.

The ESD initiatives proposed for the project aim to reduce environmental impacts associated with the development and have been established to ensure industry benchmarks are achieved. Specifically, the development will be an all-electric building, supported by on-site renewable energy generation, capable of complying with the NCC Section J.

The following provides a summary of the key ESD initiatives implemented to allow the development to achieve these performance targets:

- High-performance building fabric, including insulation, high thermal performance glazing, and external shading to minimise heating and cooling loads.
- High-efficiency electric HVAC systems exceeding NCC Section J minimum requirements.
- Electric heat pump hot water systems in lieu of gas-fired systems.
- LED lighting throughout, with timer controls, daylight sensors, and occupancy sensors where appropriate.
- Roof-mounted solar photovoltaic (PV) system to generate renewable electricity on-site.
- Sub-metering for energy monitoring, including renewable generation and EV charging infrastructure.
- Water-efficient fixtures and fittings meeting minimum WELS ratings.
- Rainwater capture and reuse for landscape irrigation and/or toilet flushing.
- Implementation of a Construction Waste Management Plan targeting up to 80% diversion of construction and demolition waste from landfill.

Further detail on the proposed ESD initiatives is provided in the ESD Report as well as summarised in the Mitigation Measures Table provided at **Appendix D**.

7.11 Biodiversity

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires that an SSD application be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have a significant impact on biodiversity values. A Streamlined BDAR has been prepared by Narla Environmental, included at **Appendix AA**, in accordance with the *Biodiversity Assessment Method* (BAM) and the *Biodiversity Conservation Regulation 2017*.

The assessment identified one Plant Community Type (PCT 3234: Hunter Coast Lowland Spotted Gum Moist Forest) within the site, corresponding to the BC Act listed Endangered Ecological Community (Pittwater and Wagstaffe Spotted Gum Forest in the Sydney Basin Bioregion). Approximately 0.16 hectares of this PCT will be removed to facilitate the development, requiring the offsetting of two ecosystem credits. No threatened species were confirmed or assumed to be present, and no species credits are required.

The proposed works will also result in the removal of 0.14 hectares exotic-dominated vegetation. The works involve demolition of human-made structures with potential to provide roosting habitat for threatened microchiropteran bats, however, targeted surveys have confirmed no evidence of roosting bats.

Mitigation measures are outlined at **Appendix D**. The report concludes that, with implementation of these measures and the offsetting of the required ecosystem credits, the proposal will not result in unacceptable biodiversity impacts and satisfies the requirements of the *Biodiversity Conservation Act 2016*.

7.12 Waste Management

7.12.1 Operational Waste Management

An Operational Waste Management (OWMP) (**Appendix CC**) has been prepared by Universal Foodservice Designs, in line with the Pittwater DCP, as well as a range of waste management guidelines at a local, state and federal level.

The report outlines the waste generation estimates for each proposed land use, which have been calculated based on generic waste and recycling rates. Based on these calculations, the report recommends bin sizes, quantities and collection frequencies in accordance with the below:

- General waste: 5 x 1,100L bins collected 2 x weekly
- Recycled waste: 2 x 1,100L bins collected 2 x weekly
- Medical waste: 2 x 120L bins collected 1 x weekly
- Cytotoxic waste: 2 x 120L bins collected 1 x weekly
- Secured paper waste: 1 x 240L bin collected as volume dictates
- Garden waste: 1 x 660L bin collected as volume dictates
- Fluid waste: 1265 x 645mm banded pallet collected as volume dictates

It is noted that, as an aged care facility, medical and cytotoxic waste collection is also required. Medical waste removal will be conducted weekly by a specialist private contractor. Two x 120L litre bins will be maintained on site in the case that waste cannot be collected due to uncontrollable circumstances. Cytotoxic waste will be segregated from other waste streams and also collected weekly by a specialist private contractor.

The proposed development has been designed accordingly to accommodate the above recommendations.

It is noted that the Aveo site has their own OWMP which will be amended to reflect the proposed development to the community centre. It is noted that these changes to the community centre are minor and will not result in any increase in waste generation.

7.12.2 Construction Waste Management

A Construction and Demolition Waste Management Plan (**Appendix BB**) has been prepared by Universal Foodservice Designs to assess the volumes and management of waste during the construction and demolition phase of the project in accordance with the relevant legislation and guidelines.

The report identified the type, volume and disposal methods for all waste materials during the demolition and construction phase. The report also recommends the location and design of waste management facilities on site.

7.13 Social Impact

An Integrated Engagement and Social Impact Assessment Report has been prepared by Willowtree Communications (**Appendix H**). The Social Impact Assessment (SIA) has been prepared in accordance with the *Social Impact Assessment Guidelines for State Significant Projects (2021)*.

The report outlines the following social impacts of the proposed development:

Likely positive social impacts

- Provision of 177 high-care beds, directly addressing the identified shortage of 765 beds by 2036 in the Northern Beaches LGA, enabling residents to age in place.
- Enhancement of the continuum of care, reducing the trauma of relocation and supporting family and community connections.
- Creation of local employment opportunities during both construction and operation phases, including ongoing jobs in nursing, care, hospitality, and administration.
- Support for local businesses, as staff and visitors are expected to increase demand for retail and hospitality in the nearby Mona Vale commercial centre.
- Specialised dementia care, with a 16-bed memory care unit providing tailored environments for vulnerable residents.

- Integration with existing Aveo Bayview Gardens, strengthening community cohesion through shared facilities and pedestrian connections.

Likely negative social impacts

- Temporary construction impacts: noise, dust, vibration, and disruption to residents, particularly elderly residents in the adjoining Aveo community.
- Change to local character and amenity: due to the scale and bulk of a three-storey building in a two-storey residential setting.
- Traffic and access impacts: increased vehicle movements from staff, visitors, and service vehicles, with potential parking pressure.
- Vegetation loss and visual impacts: removal of some established trees affecting local amenity, though landscaping is proposed to offset this.

To mitigate any negative social impacts arising from the development, Willowtree has provided the following recommendations:

- Implementation of a Construction Environmental Management Plan (CEMP) to minimise noise, dust, vibration, and general disruption during works.
- Adoption of design and landscaping strategies, including building articulation, setbacks, and new native planting, to soften visual impacts and support local amenity.
- Provision of basement parking and a new Annam Road access driveway, supported by a Traffic Impact Assessment, to manage traffic and parking impacts.
- Commitment to tree retention where possible, with compensatory planting and landscaped courtyards to maintain Bayview's leafy character.
- Establishment of ongoing community engagement mechanisms, including newsletters and forums, to ensure residents and stakeholders remain informed during construction and operation.

These measures have been incorporated into the proposal and, overall, the report concludes that there is significant benefit to the proposal in context of the high demand for seniors housing in the area and, more broadly, diverse housing types in well located areas. For a detailed assessment of the proposed social impacts, refer to **Appendix H**.

7.14 Flood Risk

An Integrated Water Management Plan (IWMP) has been prepared by Birzulis Associates (**Appendix S**) to assess flooding and overland flow risk. Northern Beaches Council's flood hazard mapping confirm that the Opal site is not flood-affected and lies outside the mapped High, Medium and Low Flood Risk Precincts.

The nearest flood-prone land is associated with Cahill Creek and a drainage easement to the south and south-west of the broader Aveo BGRL site, with are identified as high-risk precincts. The Opal Bayview site sits at a higher elevation, several metres above the 1% AEP flood extend and is therefore not directly impacted.

Flood risk management measures incorporated into the design include:

- Finished floor levels of habitable areas and basement entries set above the 1% AEP flood planning level plus freeboard.
- OSD sized to ensure post-development discharges do not exceed pre-development conditions, avoiding downstream flood impacts in Cahill Creek.
- Overland flow conveyance maintained through the site and broader Aveo BGRL site with flows directed to the existing grass-lined swale and discharged to Cahill Creek.
- No obstruction of major flows, ensuring the development footprint does not redirect stormwater onto neighbouring properties or increase flood risk.

7.15 Bushfire Risk

A Bushfire Statement has been prepared by Building Code and Bushfire Hazard Solutions, included at **Appendix DD**.

Approximately 5m² of the broader Aveo BGRL site is identified as containing 'Vegetation Buffer' by the Northern Beaches Council Bushfire Prone Land Map. The Opal Bayview site, and the proposed development is not captured as containing Category 1, 2 or 3 Vegetation or the Vegetation Buffer.

Once the subdivision (proposed under this SSDA) is completed, the Opal Bayview site will not be captured by the Bushfire Prone Land Map, and the site will not be bushfire prone and there is no bushfire risk associated with the development.

7.16 Heritage Impacts

7.16.1 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment (ACHA) has been undertaken by Urbis (**Appendix EE**) in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011), the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010), and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010). Consultation with Registered Aboriginal Parties (RAPs) was conducted in line with statutory requirements.

The site has local Aboriginal archaeological potential, but the proposed development is unlikely to cause direct harm to Aboriginal objects. The assessment found that no Aboriginal objects or places are recorded within the site. The site lies within 200m of a tributary of Cahills Creek, which is considered a landscape feature of potential past Aboriginal land use. However, the subject area has undergone substantial historical disturbance associated with Aveo BGRL, including cut and fill, landscaping, roads, and services, with geotechnical investigations confirming the removal of natural A horizon soils. As a result, the site is assessed as having local Aboriginal archaeological potential. While the broader cultural landscape surrounding the site has moderate social and cultural significance for the Aboriginal community, no specific cultural significance has been identified for the site itself. Therefore, the proposed development is considered unlikely to cause direct harm to Aboriginal objects.

7.16.2 Environmental Heritage

A Preliminary Historical Archaeological and Built Heritage Advice, prepared by Urbis (**Appendix FF**), confirms that no listed heritage items occur within the site or within sightlines, and that archaeological potential is low due to extensive prior development. While any surviving evidence of Sir Edward Hallstrom's former Koala Sanctuary would be of State Significance, such resources are not expected to remain. Further assessment is not required, subject to implementation of standard unexpected finds procedures.

7.17 Hazards and Risks

The proposed development does not present any unacceptable hazards or risks to people, property or the environment. The facility will store a small quantum of gas on-site, estimated at 2-4 cylinders, in a designated rack within the basement. The gas is required solely for medical purposes within the aged care facility. Given the small scale, medical purpose, and controlled storage environment, no adverse safety impacts are anticipated. As identified in **Section 0**, the development is not considered to meet the definition of a *hazardous storage establishment* under the Resilience and Hazards SEPP.

7.18 BCA

An Access Compliance Report (**Appendix HH**) and BCA Schematic Design Review (**Appendix II**) have been prepared by Formiga1 to assess the proposal against the BCA 2022 and the Disability (Access to Premises – Buildings) Standards 2010. These reports confirm that the proposed RCF can achieve compliance with the relevant BCA provisions through a combination of Deemed-to-Satisfy measures and performance solutions.

The assessment identifies that the development will be classified predominantly as Class 9c Residential Aged Care, with back-of-house areas and the basement car park to be appropriately classified as Class 5/7a. The building is required to achieve Type A construction with a fire resistance level of generally 120 minutes. The report confirms that the proposed compartmentation, smoke separation, fire protection measures, and sprinkler coverage can be accommodated within the design. Access provisions under Part D of the BCA and the Premises Standards are also addressed, with the design capable of providing equitable access throughout the facility, including to resident rooms, communal areas, and external spaces.

A key consideration relates to the fact that the new Opal RACF is physically connected to existing Aveo-managed buildings within the Bayview Gardens precinct. While this reflects the operational integration of the sites, the BCA treats adjoining buildings under separate ownership/classification as fire-source features, triggering the requirement for either a 3m separation at the upper levels or alternative fire-resistant construction. This matter has been identified early and can be resolved through fire engineering and detailed design, ensuring compliance with the relevant provisions.

Overall, the reports demonstrate that the proposal is capable of meeting all relevant BCA and access requirements, subject to detailed resolution at the CC stage.

8.0 Project Justification

Considering the assessment of impacts above, this section provides an overarching justification and evaluation for the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development.

8.1 Project Design

The Opal Healthcare Bayview development proposes the redevelopment of an existing, disused aged care and serviced apartment buildings on the site for the construction of a new RCF, comprising 177 beds.

Specifically, the development comprises:

- Demolition of the existing aged care and serviced apartment buildings and driveway on the site;
- Construction of a three-storey building, accommodating:
 - 177 beds,
 - Basement parking,
 - Ground floor ancillary facilities;
- Construction of a 182m² community centre, to be located on the Aveo BGRL site;
- Construction of a new driveway, to be located on the Aveo BGRL site;
- Torrens title subdivision of the Opal Healthcare Bayview site from the Aveo BGRL;
- Associated amenities and landscaping works;
- Augmentation of, and connection to, existing utilities as required.

Further detail on the proposed development is provided in **Section 4.0** of this EIS and in the Architectural Drawings and Architectural Design Report prepared by Calderflower, attached at **Appendix I** and **J** respectively.

8.2 Statutory Justification

A detailed assessment against the statutory planning context of the proposed development is provided in **Section 5.0** of this EIS, which is summarised below:

- The proposed development is entirely permissible with consent and meets the relevant statutory requirements of the Pittwater LEP 2014, Chapter 3 of the Housing SEPP and other relevant environmental planning instruments.
- The proposed development has been designed accordingly with the provisions of the DPHI's *Seniors Housing Design Guide* as per Section 97 of the Housing SEPP.

8.3 Community Views

This project has been subject to extensive engagement with key government agencies, including DPHI and Council, as well as the local community. The detail of this engagement is provided within the Integrated Engagement and Social Impact Assessment Report provided at **Appendix H** and at **Section 6.0** of this report.

In summary, the consistent feedback received during this consultation was in relation to:

- The building height, bulk and scale being out of character with Bayview's predominantly two-storey residential setting.
- Traffic safety and increased parking demand associated with staff, visitors, ambulances and service vehicles using Annam Road.
- Potential impacts during construction, including noise, dust, and disruption to existing residents and the Aveo BGRL community.
- Concerns about the loss of established vegetation and the effect on the area's leafy character.
- Uncertainty regarding how the new facility will integrate and operate alongside the existing Aveo BGRL community.
- Recognition of the growing demand for aged care accommodation and support for providing additional high-care services that enable ageing in place within the Northern Beaches.

The proposed development has considered the feedback received, which has informed the design iteration throughout the course of the project and relevant mitigation measures contained within the supporting technical studies.

8.4 Likely Impacts

In accordance with the SEARs, the EIS has undertaken a detailed assessment of the scale and the nature of the likely environmental, social and economic impact of the proposed development, including cumulative impacts:

Environmental Impacts

The EIS has considered all potential environmental impacts of the proposed development, including:

- Build Form and Urban Design
- Public Domain and Landscaping
- Residential and Environmental Amenity
- Traffic, Transport and Accessibility
- Noise and Vibration
- Water Management
- Ground and Groundwater Conditions
- Contamination and Remediation
- Ecologically Sustainable Design
- Biodiversity
- Waste Management
- Social Impact
- Flood Risk
- Bushfire Risk
- Heritage Impacts
- Hazards and Risks
- BCA and Accessibility

The assessment concluded that the proposed development will not result in any adverse impacts and where any impacts are posed, mitigation measures have been identified, which are summarised in **Appendix D**.

Social Impacts

There are a number of positive social impacts and benefits of the proposed development, including:

- **Improved access to high quality aged care services** for older residents within the Northern beached LGA, addressing a critical shortfall in aged care supply.
- **Enhanced wellbeing and quality of life for residents** through the provision of 24/7 clinical care and allied health services in a purpose-built environment.
- **Support for ageing in place**, enabling older people to remain in their local area with proximity to family, social networks and established services.
- **Relief of housing supply pressure** by facilitating the natural transition of older individuals from underutilised family homes to more appropriate accommodation, supporting housing turnover and availability.

Economic Impacts

A summary of the economic impacts of the proposed development is provided below:

- **Creation of employment opportunities**, with 103 FTE construction jobs and 36 FTE operational jobs generated, supporting the local job market as well as boosting the economy.
- **Reduced strain on public health infrastructure**, by providing specialised residential care in a dedicated facility, alleviating pressure on local hospitals and emergency services.

8.5 Principles of Ecologically Sustainable Development

The ESD Report (**Appendix Y**) addresses the project's consistency with the principles of ESD as defined in Division 5, Section 193 of the EP&A Regulations 2021. The ESD Report confirms that the proposal exhibits consistency with these principles as summarised in **Table 14** below.

Table 14 Assessment against ESD principles

| Principle of ESD | Assessment |
|---|--|
| <p>The Precautionary Principle</p> <p>Where there are threats of serious or irreversible environmental damage, a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:</p> <ul style="list-style-type: none"> (a) Careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and; (b) An assessment of the risk-weighted consequences of various options. | <p>The Opal Bayview development has been designed in line with the precautionary principle, integrating ESD strategies that minimise the risk of serious or irreversible environmental harm. Key passive design features, such as high-performance glazing, external shading, natural ventilation, and thermal insulation, are incorporated to reduce energy use, limit emissions, and lower the building's environmental footprint.</p> <p>In addition to the above, a Climate Change Resilience Assessment has been undertaken to evaluate exposure to future climate risks (e.g. flood, storm, heatwaves, bush fires, extreme storms and other weather events). The outcomes of this assessment have directly informed material selection, building orientation, and infrastructure resilience. Mitigation measures such as durable finishes, light-coloured roofing, and shading structures are embedded in the design to address long-term environmental risks.</p> |
| <p>Inter-Generational Equity</p> <p>The present generation should ensure the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.</p> | <p>The development has been designed with long-term sustainability and community benefit in mind, aligning with the principle of inter-generational equity. By delivering a high-quality aged care development, the project provides a lasting care facility for the elderly that will benefit current and future residents, staff and the broader community.</p> <p>Environmentally, the project adopts measures that reduce resource consumption and emissions over the building's life. These include water-efficient fixtures, rainwater harvesting, on-site renewable energy generation, and the use of low carbon and durable materials. Such initiatives not only lower the environmental footprint during construction and operation but also ensure that future generations inherit a site that is resilient, efficient and aligned with sustainable development goals.</p> <p>The focus on passive design, long-term durability and operational efficiency reflects a commitment to maintaining environmental quality and usability over time, helping to preserve ecological and community value for decades to come.</p> |
| <p>Conservation of Biological Diversity and Ecological Integrity</p> <p>The conservation of biological diversity and ecological integrity should be a fundamental consideration.</p> | <p>The proposed development has been designed with a strong focus on conserving the site's ecological integrity and enhancing local biodiversity. The Landscape Report confirms that the works will not significantly impact any threatened species, ecological communities, or their habitats. The design retains significant areas of vegetation, ensuring the preservation of ecological corridors and natural features.</p> <p>Mature trees have been retained where possible, and the landscape strategy incorporates native and endemic species to support habitat creation and ecological resilience. The project includes green outdoor areas, structured garden beds, and permeable surfaces to support biodiversity and maintain natural water flow. Ecological assessments have informed the design, ensuring minimal disturbance and alignment with principles of sustainable development and environmental stewardship.</p> |
| <p>Improved Valuation, Pricing and Incentive Mechanisms</p> <p>Environmental factors should be included in the valuation of assets and services, such as—</p> <ul style="list-style-type: none"> (a) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, and (b) the users of goods and services should pay prices based on the full life cycle of the costs of providing the goods and services, including the use of natural resources and | <p>The project incorporates environmental valuation principles by prioritising materials and construction methods that reflect full life-cycle costs, including environmental impacts. Material selection is guided by industry-recognised sustainability standards and whole-of-life cost assessments, rather than focusing solely on initial capital expenditure. Where possible, certified recycled, reused, or low embodied energy materials will be used to reduce environmental footprint and promote resource efficiency.</p> <p>In line with the "polluter pays" principle, the project aims to minimise construction waste and emissions at their source through smart design, efficient procurement, and responsible waste management. Incentive-based decision-making is embedded in the process, encouraging supply chain partners to propose cost-effective, sustainable alternatives. This approach ensures environmental outcomes</p> |

| Principle of ESD | Assessment |
|---|---|
| <p>assets and the ultimate disposal of waste, and</p> <p>(a) established environmental goals should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.</p> | <p>are achieved in a financially responsible manner, aligning with broader sustainability and policy goals.</p> |

8.6 Suitability of the Site

The proposed development is entirely suitable for the site for the following reasons:

- It is permissible with consent under the Housing SEPP and is consistent with the objectives and provisions of relevant environmental planning instruments.
- The site forms part of the established Aveo BGRL and is surrounded by seniors housing, making it ideally located for a RCF.
- It involves the redevelopment and revitalisation of a site that has been vacant and underutilised for years, and therefore, will positively contribute to the urban landscape and desired future character of the area.
- The site is not significantly impacted by natural or environmental constraints.
- Feedback from key government agencies and the local community have largely been in support of the proposed development.

8.7 Public Interest

The proposal will deliver significant public benefit that aligns with the public interest through the following outcomes:

- Addresses a growing shortfall in aged care accommodation in the Northern Beaches, contributing to social equity and health outcomes for older residents.
- Caters to high care residents by providing a dedicated Memory Care Ward designed specifically for individuals with dementia. This will assist in addressing demand for dementia care and ensure that residents with high care needs receive appropriate support in a secure and supportive environment.
- Facilitates the redevelopment of an underutilised and outdated facility.
- Supports local job creation and economic activity during both construction and operation.
- Supports housing supply by enabling senior residents to transition from family homes into aged care, indirectly supporting housing availability and affordability for younger households.
- Alleviates pressure on the NSW public health system by increasing the availability of aged care places, thereby reducing the number of hospital patients awaiting discharge to aged care. Recent reports indicate that over 1,150 aged care and NDIS recipients are occupying NSW hospital beds beyond their expected discharge date, costing taxpayers an estimated \$1.2 million per day and contributing to widespread hospital “bed block”.

9.0 Conclusion

The Environmental Impact Statement (EIS) has been prepared to consider the environmental, social and economic impacts of the proposed development, Opal Healthcare Bayview, a new RCF. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with Part 8 of the EP&A Regulations.

With regard to the biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The development aligns with key State and Local Government strategic planning objectives, including the Greater Sydney Region Plan and Northern Beaches Local Strategic Planning Statement, which prioritise the delivery of health-supportive infrastructure and diverse housing choices for ageing populations.
- The proposed development is permissible with consent and satisfies the relevant statutory requirements of the *Pittwater Local Environmental Plan 2014* and the *State Environmental Planning Policy (Housing) 2021*, which enables residential aged care facilities within the R2 Low Density Residential zone.
- Minor variations to the height and upper-level setback development standards are supported by Clause 4.6 Variations which demonstrate that the variations are well justified and will not result in significant environmental impacts.
- The development will facilitate the redevelopment of an underutilised and vacant aged care building within an established seniors living precinct. The site's existing context, infrastructure and land use make it ideally suited for this purpose.
- The built form has been carefully designed to ensure a high-quality, contextually appropriate outcome, with consideration given to the amenity of both residents and surrounding neighbours. The RCF includes landscaped communal areas, basement parking, and integrated infrastructure upgrades.
- The site is suitable for the proposed use in terms of access, servicing, and environmental conditions, and is not constrained by flooding, bushfire risk, or heritage significance. Specialist studies confirm that any potential impacts can be managed through the identified mitigation measures.
- The proposal is in the public interest, offering measurable social and economic benefits. These include expanded access to aged care services, employment generation, support for ageing in place, and contribution to broader housing market efficiency.

Given the merits described above, we recommend the development is approved, subject to the mitigation measures listed at **Appendix D**.