

PRE-LODGEMENT MEETING NOTES

Application No:	PLM2015/0141
Meeting Date:	10 December 2015
Property Address:	64 Quirk Street, Dee Why, 9 Patey Street, Dee Why; and 14 Patey Street, Dee Why
Proposal:	Alterations and additions to existing hospital
Attendees for Council:	Tony Collier – Senior Planner Kevin Short - Planner Sean Khoo – Specialist Development/Drainage Engineer
	Apologies: Rezvan Saket – Traffic Engineer
Attendees for applicant:	Ingrid Statis – Hospital Director Greg Boston – Boston Blyth Flemming Juliana Bandera Chaves – Architect John Simpson – Project Manager

DESCRIPTION OF PROPOSAL:

The Notes of the pre-lodgement meeting held on 10 December 2015 refer to the following plans:

- 01 – Existing Conditions dated 17 November 2015;
- 02 – Existing Conditions dated 16 November 2015;
- 03 – Proposed Basement dated 16 November 2015;
- 04 – Proposed Ground Floor dated 16 November 2015;
- 05 – Proposed First Floor dated 16 November 2015;
- 06 – Proposed Roof dated 16 November 2015; and
- 07 – Sections dated 16 November 2015.

The proposal involves the construction of a new L-shaped wing at the eastern side of the existing hospital.

The new wing is to be located on two neighbouring allotments (being 64 Quirk Street, Dee Why and 9 Patey Street, Dee Why) and will accommodate the following:

- A part basement/part ground level carpark (RL 66.80 & 65.80) accommodating 41 parking spaces accessed from Quirk Street and Patey Street, storage and lift access.
- Two ward levels (RL 69.80 & RL 72.80 respectively) accommodating 33 and 34 beds respectively, amenities, utility rooms, nurses stations and lift/stair access.

The floor levels of both new wards are established by the floor levels of the existing wards in the main hospital building (at 14 Patey Street, Dee Why).

It is understood that the proposed new wards are to be constructed initially (Stage 1) followed by a reconfiguration of the floor area in the existing east wing of the hospital (Stage 2).





The total site area will increase to approximately 6,360m².

SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issues Raised	Councils Response
Building Height <u>Relevant WLEP 2011 Clause</u> <i>Clause 4.3 – Height of Buildings</i> <i>Clause 4.6 – Exceptions to Development Standards</i>	<p>The development proposes a variable building height of between 8.8m and 10.5m.</p> <p>The proposed building height is considered against the building heights of dwellings within the R2 Low Density Residential zone which reflect a consistent maximum height of 8.5m.</p> <p>The proposed height is also considered against the bulk and scale of the proposed building which was raised as a concern, particularly given the continual length of the walls and their setbacks from side boundaries.</p> <p>The sum effect of these elements results in an unacceptable building bulk and scale which is inconsistent with that of surrounding residential development.</p> <p>A variation of up to 10% to the building height could be considered under the provisions of Clause 4.6 if the design was better modulated and articulated to reduce the overall bulk and scale over such consistent and continuous wall lengths.</p>
Setbacks <u>Relevant WDCP 2011 Clauses</u> <i>Clause B3 – Side Boundary Envelope</i> <i>Clause B5 – Side Boundary Setbacks</i> <i>Clause B7 – Front Boundary Setbacks</i>	<p>As discussed above, the combination of the continuous wall lengths and heights, in conjunction with the proposed side setbacks, results in a development which does not sensitively respond to its neighbour.</p> <p>Concern is raised that the development will enclose the residential property at No. 66 and 68 Quirk Street (and to a lesser extent, No. 7 Patey Street) resulting in a significant and unacceptable loss of residential amenity.</p> <p>It is recommended that the side setbacks facing these neighbouring properties be increased – particularly at the upper storey - to 4.5m and modulated and articulated to minimise visual dominance.</p> <p>Increased setbacks and greater modulation/articulation will also assist in maintaining an acceptable level of sunlight access and view sharing, in particular from the neighbouring properties at No. 66 and 68 Quirk Street as well as improving the provision of</p>



	landscaped open space on the site (see commentary below).
Access/Traffic <u>Relevant WDCP 2011 Clauses</u> <i>Clause C2 – Traffic, Access and Safety</i> <i>Clause C3 – Parking Facilities</i> <i>Appendix 1 – Car Parking Requirements</i>	
Additional Issues Discussed	Council Response
Landscaped Open Space <u>Relevant WDCP 2011 Clause</u> <i>Clause D1 – Landscaped Open Space and Bushland Setting</i>	<p>Clause D1 requires that the development provides for 40% of the total site area (in this instance a provision of 2,544m²).</p> <p>To measure the area of landscaped open space:</p> <ol style="list-style-type: none"> Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks, etc., and any open space areas with a dimension of less than 2 metres are excluded from the calculation; The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; Landscaped open space must be at ground level (finished); and The minimum soil depth of land that can be included as landscaped open space is 1 metre. <p>As discussed above, while it is accepted that the site could not, under its current arrangement, provide a landscaped area of 40%, the provision of increased side setbacks to the proposed development will assist in maximising the provision of landscaped open space on the site, as well as providing a vegetation screening to the hospital building from neighbouring residential properties.</p>
View Sharing <u>Relevant WDCP 2011 Clause</u> <i>Clause D7 - Views</i>	<p>As discussed above, the continuous wall length, in conjunction with the proposed side setbacks and building height, will unreasonably impact upon the available views of the Long Reef Headland and Dee Why district.</p> <p>Increased modulation (i.e.: breaking up of wall elements to maintain through site views) and/or reducing the overall building height to permit the maintenance of views is recommended.</p> <p>As well as designing the building to achieve equitable view sharing, a View Analysis will be required to be submitted with a Development Application which graphically demonstrates how the development will maintain view sharing. The Analysis is to be taken from the neighbouring properties at No. 66 & 68 Quirk Street. The Analysis</p>



	<p>is to include consideration against the four steps detailed in the Planning Principle established by the Land and Environment Court in <i>Tenacity Consulting v Warringah Council</i> (2004) NSWLEC 140. The Court case can be found here:http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/c45212a2bef99be4ca256736001f37bd/a250daeb7704b18bca256e6e0016e31c?OpenDocument</p>
<p>Privacy</p> <p><u>Relevant WDCP 2011 Clause</u> <i>Clause D8 - Privacy</i></p>	<p>The extent of walls which abut the neighbouring residential properties to the north and south raise concern with respect to a loss of privacy.</p> <p>The hospital is unlike the typical residential uses which surround it where the facility (and ward rooms) is in use 24/7. It is anticipated that such an increase in intensity and activity so close to the property boundary will have an unacceptable effect upon residential amenity.</p> <p>Various design techniques may be employed to reduce this effect such as screens etc. However, as discussed above, increasing the side setbacks of the development away from the neighbouring residential properties, in conjunction with screening (vegetation and architectural) will greatly improve the perception of being overlooked.</p>
<p>Building bulk and scale</p> <p><u>Relevant WDCP 2011 Clause</u> <i>Clause D9 – Building Bulk</i></p>	<p>As discussed above, the bulk and scale of the development is of great concern in that it results in a number of significant issues which degrade neighbouring residential amenity.</p> <p>The overall effect of the development would be to enclose the neighbouring residential properties to the south and introduce a domineering visual impact upon the neighbouring residential property to the north. It is also very likely that the continuous length of the building, in conjunction with the proposed building height and side setbacks will introduce a built form on the apex of Patey Street which would be visible from the lower slopes.</p> <p>The proposed built form is considered to be excessive and unacceptable and, in order to become a good neighbour in the R2 zone, it is recommended that the continuous wall planes be broken up by modulation/articulation, increased setbacks and the effective use of landscaped screening.</p>

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Zoning and Permissibility



Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	<p>Hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:</p> <ul style="list-style-type: none">a) day surgery, day procedures or health consulting rooms,b) accommodation for nurses or other health care workers,c) accommodation for persons receiving health care or for their visitors,d) shops, kiosks, restaurants or cafes or take away food and drink premises,e) patient transport facilities, including helipads, ambulance facilities and car parking,f) educational purposes or any other health-related use,g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),h) chapels,i) hospices,j) Mortuaries.
Zone:	R2 Low Density Residential
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standard			
Standard	Permitted	Proposed	Comments
Height of Buildings: Note: Building heights are measured from existing ground level.	8.5m	Between 8.8m and 10.5m	<p>Not supported.</p> <p>The proposed height is considered against the bulk and scale of the proposed building which is raised as a concern, particularly given the continual length of the walls and their setbacks from side boundaries.</p>



Principal Development Standard			
Standard	Permitted	Proposed	Comments
			<p>The sum effect of these elements results in an unacceptable building bulk and scale which is inconsistent with that of surrounding residential development.</p> <p>A variation of up to 10% to the building height could be considered under the provisions of Clause 4.6 if the design was better modulated and articulated to reduce the overall bulk and scale over such consistent and continuous wall lengths.</p>

Note: The WLEP can be viewed following this link:

<https://eservices1.warringah.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=LEP>

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Part B: Built Form Controls			
Control	Requirement	Proposed	Comments
B1 Wall Height	7.2m	Between 8.8m and 10.5m	<p>Not supported.</p> <p>The proposed wall height is considered to be excessive and is to be reduced by increasing the side setbacks to 4.5m to break up the continuous wall planes.</p>
B3 Side Boundary Envelope	5.0m x 45°	Outside the envelope	<p>Not supported.</p> <p>The encroachment of the development outside of the building envelope is a result of the</p>



			<p>proposed side setbacks which are considered to be insufficient.</p> <p>Increasing the side setbacks of the upper level will ensure that the bulk and scale, and therefore the visual dominance and impact upon neighbouring residential properties, of the building will be appropriately reduced.</p>
B5. Side Boundary Setbacks	0.9m	1.0m to 1.5m	<p>Not supported.</p> <p>Although compliant, the side setbacks are not considered to be adequate to resolve the bulk and scale of the development (as illustrated by the building envelope).</p> <p>The side setbacks may be appropriate for a two storey scaled development which is adequately modulated and screened but not for a three storey development where the continuous wall lengths and heights contribute towards an unacceptable loss of residential amenity.</p> <p>It is recommended that the side setbacks facing these neighbouring properties be increased – particularly at the upper storey - to 4.5m and modulated</p>



			<p>and articulated to minimise visual dominance.</p> <p>Increased setbacks and greater modulation/articulation will also assist in maintaining an acceptable level of sunlight access and view sharing, in particular from the neighbouring properties at No. 66 and 68 Quirk Street as well as improving the provision of landscaped open space on the site</p>
B7. Front Boundary Setbacks	6.5m	6.5m	Compliant
B9 Rear Boundary Setback	6.0m	6.0m	Compliant
D1 Landscaped Open Space and Bushland Settings	40% (2,544m ²)	7.8% (507m ²) (approx.)	<p>Not supported.</p> <p>It is noted that the site currently provides approximately 21.5% (1,373m²) landscaped area (using the calculation method described above).</p> <p>The development will reduce this provision significantly and unacceptably to approximately 7.8%.</p> <p>It is recommended that the side setbacks at the ground floor be increased to a minimum of 2.0m to incorporate sufficient landscaped open space area as well as providing an appropriate level of</p>



			dense landscaped screening along the side boundaries abutting residential properties.
Other Relevant Controls within WDCP 2011			
<u>Appendix 1 – Car Parking Requirements</u>			
<p>The DCP stipulates that car parking comparisons must be drawn with developments for a similar purpose.</p> <p>A Traffic Report is to be submitted with a Development Application which provides such comparisons and which addresses the impact of the proposed volume of additional traffic on the local road network.</p> <p>Note: The WDCP can be viewed by following this link: https://eservices1.warringah.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP</p>			

Referral Body Comments	
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Development Engineering <u>Relevant WDCP Clause</u> <i>Clause C4 - Stormwater</i>	<ol style="list-style-type: none">1. The proposed development will require on-site stormwater detention (OSD) in accordance with Council's OSD technical specification. The pre-developed site discharge (PSD) is to be calculated using a fraction impervious area of 0% i.e. the state of nature condition for all design storms up to and including the 1 in 100 year storm event. The applicant's consultant is to use the 'Drains' hydraulic model to design the system and provide the calculations with the submission to Council. The OSD tank is to be located in an open area that will permit 24 hour access.2. As the portion of the development site falls naturally away from Patey Street, stormwater discharge from the development must be in accordance with Council's "Stormwater Drainage : From Low Level Properties" Policy, PDS-PL 136. In this regard, the applicant is required to drain stormwater to Carew Street via a gravity fed pipeline. The applicant will be required to obtain easement(s) to drain stormwater through adjacent downstream properties.3. Council may consider stormwater discharge to the kerb and gutter in Patey Street from the development provided:<ul style="list-style-type: none">• Maximum stormwater discharge is limited to 20 litres per second for all storms up to and



Referral Body Comments	
	<ul style="list-style-type: none">including the 1 in 100 year ARIGutter capacity check of the road drainage system in Patey Street to demonstrate the road drainage system can cater for the additional stormwater runoff from the development – applicant's consultant must consider the existing catchment draining Patey Street as part of the gutter capacity check
Traffic Engineer <u>Relevant WDCP Clause</u> <i>Clause C2 – Traffic, Access and Safety</i> <i>Clause C3 – Parking Facilities</i>	<p>Council's Traffic Engineer does not raise any objection to the proposal. However, a Traffic Report is to be submitted with a Development Application which provides such comparisons and which addresses the impact of the proposed volume of additional traffic on the local road network.</p> <p>All parking bays, access aisles, manoeuvring spaces and access/egress ramps are to comply with the relevant Australian Standard.</p>

Relevant Council Policies
<p>You are advised of the following (but not limited to all) Council's policies available at www.warringah.nsw.gov.au:</p> <ul style="list-style-type: none">Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140Stormwater drainage for low level properties PDS-POL 135Vehicle access to all roadside development: LAP-PL 315Waste PL 850

Documentation to accompany a Development Application
<ul style="list-style-type: none">All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000;All information as required on the Development Application form checklist;Site Analysis;Site Survey (prepared by a registered Surveyor);Statement of Environmental Effects addressing:<ul style="list-style-type: none">Section 79C of EPA Act,All relevant sections of WLEP 2011, including demonstrating consistency with the R2 Low Density Residential zone and the compliance with the Height of Buildings Development Standard.All relevant sections of WDCP 2011;Other relevant Environmental Planning Instruments.Geo-technical report;Access Report;BCA Report;Traffic and Parking Report;Crime Prevention Through Environmental Design (CPTED) assessment;SEPP 65 Design verification statement from a qualified designer;Shadow diagrams;



Documentation to accompany a Development Application

- View Analysis;
- Photo montages;
- Landscape Plan showing the layout of the landscaping within the site and the selection of species;
- Waste Management Plan;
- Stormwater Management Plan;
- Erosion and Sedimentation Plan;
- Colour and Materials Schedule;
- Lighting Plan (including Lux Diagrams) if necessary;
- Signage Plan (if required);
- Cost Summary Report, if the cost of works exceeds \$100,000. This report is to be in addition to the Estimated Cost of Work options in Part 2.3 of Council's Development Application Form.

Note: Development with a CIV over \$5 million and which is private infrastructure will be referred to the NSW Joint Regional Planning Panel for determination.

Concluding Comments

These Minutes are in response to a pre-lodgement meeting held on 10 December 2015 to discuss alterations and additions to existing hospital at No. 14 Patey Street, Dee Why (although the development would principally be at No. 64 Quirk Street and No. 9 Patey Street, Dee Why).

The development, as proposed, is considered to be excessive in scale and cannot be supported in its currently proposed form.

Because the site is located within the R2 Low Density Residential zone and is surrounded by low density residential development, it is imperative that the development responds in a sensitive manner to ensure that residential amenity is maintained.

The proposed wall heights, lengths and side setbacks conspire to unreasonably reduce the residential amenity of neighbouring properties to the north and south and, in this regard, it is recommended that the development be designed to include increased setbacks of a minimum of 2.0m at the ground level and 4.5m at the upper level, as well as the incorporation of modulation/articulation to the upper level, to maintain sunlight access, equitable view sharing and minimise building bulk and scale when viewed from No. 66 and 68 Quirk Street and from No. 7 Patey Street.

The further loss of landscaped open space from the site is of concern. However, the provision of increased setbacks will ensure that an acceptable level of landscaped open space and screening will be provided (given the non-residential use of the site).

It is recommended that the design of the new wing be considered in conjunction with the future staging of the eastern side of the existing hospital to which the new wing adjoins. This may provide an opportunity to integrate the new wing into the existing hospital while addressing the various and inter-related concerns raised in these notes.

Based upon the above comments you are advised that the development, as proposed at the meeting, would not be supported. You are advised to satisfactorily address the matters raised in these minutes prior to lodging a development application.



General Comments/Limitations of these notes
<p>These notes are an account of the specific issues discussed and conclusions reached at the meeting. They are not a complete set of planning and related comments for the proposed development. A determination can only be made following the lodgement and full assessment of the development application.</p> <p>In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP, relevant Clauses of the WLEP 2011 and WDCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.</p> <p>You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.</p>