



northern  
beaches  
council

## PRELODGE MENT ADVICE

**Application No:** PLM2017/0149  
**Meeting Date:** 14 December 2017  
**Property Address:** 5 Skyline Place FRENCHS FOREST  
**Proposal:** Demolition works and Construction of a Mixed-Use Development comprising of Seniors Housing, Child Care Centre, Retail Outlets, Village Square and Medical Centre  
**Attendees for Council:** Anna Williams – Development Assessment Manager  
Lashta Haidari – Principal Planner  
Maxine Szeto – Principal Strategic Planner  
Adonna See – Strategic Planner  
Robert Barbuto – Principal Engineer – Major Development  
Andrew Ho - Coordinator Waste Operations  
Rezvan Saket – Traffic Engineer  
Dominic Chung - Senior Urban Designer  
**Attendees for applicant:** Dan Keary  
Paula Motteak  
George Revay  
Rose Munro

### General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

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 and any applicable clauses of the Warringah LEP 2011, Warringah LEP 2000 and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, 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.



## **A. INTRODUCTORY DISCUSSION**

### **Outline of the Proposal**

Plans referred to in the meeting were prepared by PA Studio.

The proposal seeks consent for demolition works and the construction of a multi-storey mixed development over basement car parking, which includes the following:

- Seniors Housing Development made pursuant to State Environmental Planning Policy (Housing for Seniors or People with a Disability 2004 as amended in 2017);
- Gymnasium;
- Retail outlets (Village Square)
- Childcare centre;
- Medical Centre;
- Allied Health; and
- Medical Specialist suits

## **B. COMMENTS PROVIDED BY COUNCIL DEPARTMENTS**

The following comments have been provided by Council staff that was in attendance at the meeting:

### **Strategic Planning**

Council's Strategic Planning Section has provided the following comments

#### ***Hospital Precinct Structure Plan***

*Council has adopted the Hospital Structure Plan (HSP) to guide future land use planning decisions in Frenchs Forest over the next 20 years. Whilst this is not a statutory document, Council is working with the NSW Department of Planning and Environment to implement Phase 1 of the HSP. The vision for the Business Park precinct located east of Wakehurst Parkway is for this area to be retained and protected to provide important employment opportunities now and into the future. While there are no changes to the existing land use zone, this precinct is able to grow and mature under its current zoning to support the new hospital and deepen the locality's employment base. The proposal's residential component (independent living units) is inconsistent with the HSP, which envisages employment related uses in the Business Park precinct.*

#### ***Land Uses***

*The following uses are supported – gymnasium, childcare centre, café, medical centre, allied health and medical suites. These uses meet the objectives of the B7 Business Park zone under WLEP 2011 and are permissible with development consent. These uses will encourage employment opportunities to support the new hospital.*

*In regards to the 205 independent living units proposed under SEPP (Housing for Seniors or People with a Disability) 2004, this use is not supported and will not assist in achieving the overall aims of the HSP for jobs growth in the Business Park and target of 12,000 to 13,000 jobs by 2036 outlined in the Draft Revised District Plan.*



*The residential use has the potential to impact future economic development. An analysis of the economic impact would need to be undertaken to demonstrate how the proposed residential component will not have any impact on the current and future economic activities of the Business Park.*

*The residential use is considered to be located in a highly inappropriate location. The subject site is located within a Business Park and accessibility to and from the site is from three major roads – Wakehurst Parkway, Warringah Road, Frenchs Forest Road. Low residential amenity for future residents will result from the poor location .e.g. noise concerns, truck movements, hours of operation of nearby businesses, accessibility, safety etc. There will also be amenity impacts on surrounding residents associated with increased traffic and noise.*

*As a residential use is proposed in a Business Park zone, a preliminary investigation of the subject site in accordance with the Contaminated Land Planning Guidelines & SEPP 55 would be required.*

### **Traffic and Transport**

*As part of the preparation of the HSP, significant traffic and transport modelling was undertaken by Council and RMS for the Hospital precinct, which included the subject site. The purpose of this modelling was to determine the appropriate level and locations for growth within the Hospital precinct. The modelling concluded that the capacity of the existing road network was 3,000 dwellings (subject to identified road upgrades), concentrated west of Wakehurst Parkway and north of Warringah Road.*

*Previous advice from RMS as part of the development of the HSP concluded that any additional growth east of Wakehurst Parkway would not be supported (by RMS). In addition, RMS advised that there were major constraints to the existing road network in Frenchs Forest due to the limitations of the existing network, the convergence of a number of major roads carrying large volumes of traffic and the high car dependence of the local area. It is recommended that any application be supported by micro-simulation traffic modelling prepared by a suitably qualified traffic engineer or consultant. This model should illustrate the impacts of the development on the local and regional road network. In particular, the following intersections:*

- *Naree Rd/Forest Way*
- *Rabbett St/Frenchs Forest Rd*
- *Town Centre Entry/Frenchs Forest Rd*
- *Hospital Access/Gladys Ave*
- *Wakehurst Parkway/Frenchs Forest Road*
- *Allambie Road/Warringah Rd*
- *Wakehurst Parkway/Warringah Rd*
- *Forest Way/Warringah Rd*
- *Forest Way/Adams St*
- *Road corridor from Warringah Rd at Forest Way to Roseville Bridge*

### **Powerlines**

*The Applicant should be aware that Ausgrid may request the undergrounding of powerlines along Frenchs Forest Road. The cost for this would need to be borne by the proponent.*



### **Traffic Engineering**

Council's Traffic Engineer has provided the following comments which you will be required to satisfactorily address:

*The traffic and transport comments have been covered by the Strategic planning's comments below. Just I would add that the traffic modelling should be undertaken by the applicant taking into account the future growth within the Hospital precinct.*

*In regards with the discussion at the PLM that how the applicant can have access to any data from the traffic and transport modelling undertaken for the Hospital precinct, the applicant should approach the RMS to get the required data.*

Rezvan Saket (Traffic Officer) can be contacted on 9942 2111 during normal business hours, should you wish to discuss any Traffic/Parking arrangements of the proposal.

### **Urban Design**

Council's Urban Designer has provided the following comments:

- 1. The proposal is at odds with the current Northern Beaches Hospital Precinct Structure Plan (NBHPSP) being a duplication of the planned support services and residential (as seniors housing) accommodation surrounding the new hospital.*
- 2. The proposal is located about 0.8km and 0.5 km to the future Frenchs Forest Town Centre and hospital respectively. Considering 800m is 10 minutes' walk, the proposal is within convenient walking distance. However there is an existing business park zone in between the site and the hospital. This zone is unlikely to change to protect employment target. As such, the proposed seniors living complex will become an isolated development surrounded by business parks which will not be appropriate.*
- 3. The proposed 40m building height will be a 'significant built form' for this area and will set up a negative precedent being much taller than the immediate surrounding developments. The NBHPSP states that the hospital will set the benchmark for the maximum building height in the precinct at 41m. The new town centre will be 40m maximum height and surrounding apartment buildings should step down to adjoining lots to provide articulation and relief. Therefore the proposed 40m (12 storeys) building height cannot be supported. Future development height on the proposed site should be consistent with the adjacent developments in the Business Park.*
- 4. Nuisance factors related to future residents enjoying their stay in the proposed seniors housing complex will be a problem e.g. Amenities to residents will be affected by the surrounding Business Park activities which could potential be a noisy and unpleasant environment. There could also be traffic issues with increased residential traffic and parking on the streets, etc.*

### **Statutory considerations**

- 1. LEP – Future development should have boundary setbacks that are consistent with setbacks of existing buildings.*



2. *DCP Part A.5 – Objectives... To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained.*

*The site is located on an elevated ridgeline adjacent to a main road similar to the new town centre and hospital. The future Frenchs Forest town centre and hospital are planned to be the tallest built forms to act as an appropriate landmark that is visible from a distance in all direction. The proposed 40m building height which is the same height to the new town centre cannot be supported as the proposed built form should be perceived as part of the Business Park area and not the town centre. This is to ensure 'scenic qualities' prescribed by the DCP objective above are maintained from 'visually intrusive development'.*

#### **Actions that Council should initiate with assessment of the Planning Proposal**

*A traffic generation and impact study on the road network must be submitted for increased future residential traffic.*

#### **Landscape Officer**

Council's Landscape officer has provided the following comments which you will be required to satisfactorily address:

##### ***Frenchs Forest Road East frontage.***

*The development should enhance the streetscape character of Frenchs Forest Rd East with retention of existing trees and enhancement of lower level native landscaping encouraged.*

*It is noted that the plans indicate the provision of a Childcare Centre fronting onto Frenchs Forest Rd East. Landscape treatments will need to have regard to the NSW Department of Planning & Environment Child Care Planning Guideline, particularly along this frontage. The proposed design needs to address requirements for setbacks in terms of LEP/DCP requirements and the Guideline with care taken to ensure that there is clear separation of setback requirements for streetscape/amenity and for provision of unencumbered open space for child care purposes.*

##### ***The Village Green***

*Adequate soil depth and volume for supporting high quality landscaping including trees, shrubs and groundcovers needs to be demonstrated to ensure long term sustainable plant establishment.*

##### ***General***

*Setback requirements should be densely landscaped in accordance with the relevant planning controls with opportunities for tree retention or establishment of new canopy trees being addressed.*

*The proposal will require detailed landscape plans provided by qualified landscape architect/designer indicating high quality landscape provision of adequate dimensions to cater for the volume and types of users proposed. Plans should demonstrate how Green Infrastructure is to be integrated with other Grey Infrastructure (e.g. Roads, stormwater and services) to achieve sustainable outcomes.*



*An Arboriculture Impact Assessment and tree protection plan prepared by qualified consulting Arborist addressing impacts on existing trees and protection of trees to be retained will be required.*

### **Waste Officer**

Council's Waste officer has provided the following comments:

*In principal the concept is acceptable. Waste will require to drive onto the property, as such the road must support a HRV and 6M wide (no street parking) or 9M wide (with street parking). The clearance height must be 4.5M and free of any obstruction for the truck to enter and exit in a forward direction.*

*The applicant will need to demonstrate each tower will have appropriate floor space on ground level to store waste bins (ratio is determined by number of dwellings per tower). The entire development based on 200 dwellings requires 36 x 660L bins emptied twice weekly. Similar the development will need to provide household bulk waste storage room of 100 cubic metres. The bulk waste room must be adjacent to the waste store room. The bin room and bulk waste room must be within 6.5M of where the waste truck will remain stationary and free of any obstructions.*

*The commercial properties will need to have independent waste facilities from the residential bin room.*

### **C. CONSIDERATION OF THE PROPOSAL AGAINST THE RELEVANT SECTIONS OF THE APPLICABLE STATE ENVIRONMENTAL PLANNING POLICYS, THE CURRENT WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 AND THE CURRENT WARRINGAH DEVELOPMENT CONTROL PLAN 2011**

#### **STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEROPLE WITH DISABILITY) 2004 AND AS AMENDED IN 2017**

#### **Site Compatibility Certificate**

The Applicant has advised that a SCC is not required given that the land is 'zoned primarily for urban purposes' and legal advice to that effect has been submitted to Council.

The legal advice is noted, and Council reserves its right to investigate this matter further once a Development Application (DA) is lodged with Council.

Notwithstanding, the issue of whether a SCC is required. The use of Seniors Housing within the B7 zone is not supported for various reasons as outlined in the notes. If the applicant wishes to lodge the DA, despite this advice then the Statement of Environmental Effects submitted with a Development Application is required to include a full analysis against the applicable requirements of the SEPP, including the design requirements and the character test.



## **STATE ENVIRONMENTAL PLANNING POLICY NO. 65 - DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT.**

State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development applies to the proposal.

The SEPP defines a Residential Flat Building as follows:

*“a building that comprises or includes:*

- (a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and*
- (b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops),*

*but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.”*

The proposal is to be designed to achieve consistency and compliance with the following provisions:

### **Schedule 1 Design quality principles**

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 4: Sustainability
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 7: Safety
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

### **Apartment Design Guide**

The development is also required to satisfy the various Standards/Rules of Thumb contained under the Apartment Design Guide.

The Statement of Environmental Effects submitted with a Development Application is required to include a full analysis against the 9 x Design Quality Principles and the Rules of Thumb of the Apartment Design Guide (this must be comprehensive and detailed, including graphical depiction of Access to Natural Light and Cross Ventilation).

A Design Verification Statement signed and dated by a qualified and registered architect is required to be submitted as per the EPA Regs 2000.



## WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Consideration of the proposal against the current provisions of the Warringah Local Environment Plan 2011 is provided as follows:

The fundamentals	
<b>Key definitions</b> (ref. WLEP 2011 Dictionary)	Seniors Housing Development Gymnasium Childcare Medical Centre Health Consulting suites Office premises Retail Premises
<b>Zone:</b>	B7 Business Park zone
<b>Permitted with Consent or Prohibited:</b>	<b>Seniors Housing Development</b> – Prohibited (Refer to SEPP (HSPD) 2004 above for discussion. <b>Gymnasium</b> – Permissible with Consent <b>Childcare</b> - Permissible with Consent <b>Medical Centre</b> - Permissible with Consent <b>Health Consulting Rooms</b> - Permissible with Consent <b>Office premises</b> - Permissible with Consent <b>Retail Premises</b> – Prohibited (except for Neighbourhood shops and Take away food and drink premises)

Objectives of the Zone
<p>The objectives of the B7 Business Park zone are as follows:</p> <ul style="list-style-type: none"> <li>• <i>To provide a range of office and light industrial uses.</i></li> <li>• <i>To encourage employment opportunities.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.</i></li> <li>• <i>Create business park employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.</i></li> <li>• <i>To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.</i></li> </ul> <p><u>Comment:</u> The proposed development is found to be inconsistent with the objectives of the zone for the following reasons:</p> <ul style="list-style-type: none"> <li>• The main intent of the B7 zone is to permit employment uses such as business and office premises. Allowing residential development (i.e. seniors housing) on the site will undermine the intent of the B7 zone objectives;</li> </ul>





#### Objectives of the Zone

- The bulk and scale of the proposed development is found to be inconsistent with the surrounding land uses; and
- The proposed residential component of the development will create land use conflict with other uses surrounding land uses.

Accordingly, the proposed seniors housing component of the development cannot be supported as it is found to be inconsistent with the objectives of the B7 zone.

#### Principal Development Standards:

Standard	Permitted	Proposed	Comment
<b>Clause 4.3 - Height of Buildings</b>	No height limit prescribed for the area	Up to 40m	The proposed height is found to be inconsistent with the surrounding development and inconsistent with Hospital Structure Plan, as discussed above.

#### Part 6 Relevant Additional Local Provisions

Provision	Comment
<b>6.1 Acid Sulfate Soils</b>	<p>According to Council's Acid Sulfate Soils Map, the site is not affected by acid sulfate soils.</p> <p>Notwithstanding, given the proposed depths of the basement car parking, a Geotechnical Engineering Report is to be provided which includes details on acid sulfate soils and, if encountered, appropriate methodologies on how it is to be managed.</p>
<b>6.2 Earthworks</b>	<p>A Geotechnical Engineering Report is to be provided which addresses the proximity of excavation works to Council's road assets, adjoining private properties and the NSW Roads and Maritime roads assets (Warringah Road).</p> <p>The Report is to detail appropriate methodologies on how excavation is to be managed.</p> <p>As the development involves substantial excavation works to accommodate multi-level basements, dewatering and tanking may be required. If dewatering is identified as a requirement then your application will be classified as Integrated Development and additional referral fee of \$320 plus a Council administration fee of \$140 will be required to</p>



Part 6 Relevant Additional Local Provisions	
Provision	Comment
	be paid at the lodging of a Development Application.
<b>6.4 Development on Sloping Land</b>	<p>The proposed development area of the site is located within Landslip Areas A and B, as detailed in Council's Landslip Risk Map.</p> <p>Given the construction of basement car parking, a Geotechnical Report will be required to be prepared by a suitably qualified person and submitted with a Development Application. The report is to provide an analysis of how the development will respond to the geotechnical nature of the site. The report is to include recommendations as to the safe construction methodology of the development having regard to the protection of surrounding development and public assets.</p>

#### WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Consideration of the proposal against the relevant provisions of the Warringah Development Control Plan 2011 is provided as follows:

Part C: Siting Factors	
Control	Comment
<b>C2. Traffic, Access and Safety</b>	Refer to comments provided by Council's Traffic Engineer earlier in these Notes.
<b>C3. Parking Facilities</b>	<p>Compliant off-street car parking is to be provided within the subject property boundaries having regard to the land use, hours of operation, availability of alternative parking in accordance with the SEPP (HSPD) 2004 for the residential component and WDCP for all other uses.</p> <p>The car parking is to be designed in compliance with the relevant Australian Standards considering the height clearance required for the access of service vehicles on the accessway.</p> <p>The comprehensive Traffic Report is to address parking compliance, traffic generation and its impact upon the local road network.</p>
<b>C3A Bicycle Parking and End of Trip Facilities</b>	Give the unique location of the site close to Frenchs Forest Hospital, the provision of bicycle parking facilities is to be provided as required by this clause.



<b>C4. Stormwater</b>	Refer to comments provided by Council's Development Engineer earlier in these Notes.
<b>C5. Erosion and Sedimentation</b>	<p>This clause requires:</p> <ol style="list-style-type: none"> <li><i>1. Erosion and sedimentation prevention measures must be installed on all sites where some degree of soil erosion and sedimentation is likely to occur.</i></li> <li><i>2. Any erosion and sedimentation is to be managed at the source.</i></li> </ol> <p>Development that is likely to result in erosion and sedimentation is to be accompanied by a Soil and Water Management Plan which ensures minimum soil erosion and maintenance of the downstream water quality.</p> <p>The Plan is to be prepared in accordance with the <i>Managing Urban Stormwater: Soils and Construction Handbook</i> and is to provide details of the proposed method of on-site erosion and sediment control.</p>
<b>C7. Excavation and Landfill</b>	<p>Excavation of the site is to minimise impact upon Council's drainage assets and upon adjoining properties.</p> <p>A Geotechnical Engineering Report is to be provided which addresses the proximity of excavation works to Council's drainage assets and details appropriate methodologies on how it is to be managed.</p>
<b>C8. Demolition and Construction</b>	Section 1 of the Waste Management Plan must be satisfactorily completed and submitted with the Development Application.
<b>C9. Waste Management</b>	Compliance with Clause C9 is to be achieved and demonstrated within the Application.
<b>Part D: Design</b>	
<b>Control</b>	<b>Comment</b>
<b>D1. Landscaped Open Space and Bushland Setting</b>	Although no numerical requirement is provided, a plan is to be included with the Development Application which clearly identifies areas allocated for landscaping.
<b>D2. Private Open Space</b>	The development is to provide private open space areas for each dwelling in the form of terraces and/or balconies with a minimum dimension of 2.5m and a minimum area of 10m <sup>2</sup> .



	Each terrace and/or balcony is to be directly accessible from a living area and is to be located so as to avoid privacy impacts to other units within the development and to any surrounding residential development. As a rule of thumb, locate terraces/balconies away from bedrooms of neighbouring dwellings.
<b>D3. Noise</b>	<p>This clause requires that noise from combined operation of all mechanical plant and equipment must not generate levels that exceed the ambient background noise by more than 5dB (A) when measured in accordance with the NSW Industrial Noise Policy at the receiving boundary of residential and other noise sensitive land uses.</p> <p>A <i>Noise Management Plan</i> is required at DA Stage to address noise from demolition, excavation and construction.</p> <p>Furthermore, Given the proximity of dwellings to Warringah Road, an Acoustic Report is to be prepared by a suitably qualified person and submitted with the Development Application which addresses Clause 102 of <i>State Environmental Planning Policy (Infrastructure) 2007</i>.</p>
<b>D5. Orientation and Energy Efficiency</b>	The development is to demonstrate compliance with the objectives for this clause and <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> .
<b>D6. Access to Sunlight</b>	The development is not to unreasonably reduce sunlight to surrounding properties (particularly to the south and east). Shadow diagrams, certified by the architect, are to be provided which show the extent of shadow cast by the proposed building at 9.00am, Noon and 3.00pm on 21 June. Diagrams are to include "Elevational Shadow Diagrams" for all affected buildings to the south and east and are to show shadowing on an hourly basis.
<b>D7. Views</b>	The development is to allow for the reasonable sharing of views. A detailed view analysis is to be provided from various vantage points.
<b>D8. Privacy</b>	<p>This clause requires the following:</p> <ol style="list-style-type: none"> <li>1. Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.</li> <li>2. Orientate living areas, habitable rooms and</li> </ol>



	<p>windows to private open space areas or to the street to limit overlooking.</p> <ol style="list-style-type: none"> <li>3. The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.</li> <li>4. The windows of one dwelling are to be located so they do not provide direct or close views (i.e. from less than 9 metres away) into the windows of other dwellings.</li> <li>5. Planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</li> </ol> <p>Careful consideration is to be given to the potential overlooking into the dwellings within the subject site.</p>
<b>D9. Building Bulk</b>	Refer to comments provided by Council's Urban Designer earlier in these Notes.
<b>D10. Building Colours and Materials</b>	<p>The effective use of colours and materials complement the architectural articulation of the built form and, in order to express how the development will relate to its surrounding built and natural environment, colour montages are to be provided which conceptually show the facades of the development as viewed from the public and private domains.</p> <p>An architectural scale model will be required to be submitted with a Development Application.</p>
<b>D11. Roofs</b>	<p>The flat roof form is considered to be appropriate given the elevated nature of the building.</p> <p><u>Note:</u> Lift overruns air conditioning and plant rooms are to be contained within the parapet and in compliance with the applicable height limit.</p>
<b>D12. Glare and Reflection</b>	<p>Given the height of the building and the highly visual location of the site in proximity to a classified road, glare and reflection to be minimised.</p> <p>Appropriate colours and materials are to be selected to ensure that the development does not result in light overspill or glare from artificial illumination and/or sunlight.</p>
<b>D14. Site Facilities</b>	Site facilities including garbage and recycling



	<p>enclosures, mail boxes and clothes drying facilities are to be adequate and convenient for users and services and are to have minimal visual impact from public places. In particular:</p> <ul style="list-style-type: none"> <li>• Waste and recycling bin enclosures are to <i>be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection;</i></li> <li>• <i>All dwellings which are required to have landscaped open space are to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets;</i></li> <li>• <i>Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers;</i></li> <li>• <i>Landscaping is to be provided to reduce the impact of all garbage and recycling enclosures. They are to be located away from habitable rooms, bedrooms or living areas that may detract from the amenity of occupants; and</i></li> <li>• <i>Mail boxes are to be incorporated into the external facade of the development adjacent to the residential lobby entrance. Alliteratively, the mail boxes could be located within the residential lobby entrance to be made accessible via an unlocked outer door.</i></li> </ul>
<b>D18. Accessibility</b>	<p>The siting (levels) and design (layout) of the development is to ensure that access will be made available to the public.</p> <p>Such access is to comply with the requirements of <i>the Disability Discrimination Act 1992</i> of the Commonwealth and with <i>Australian Standard AS 1428.2—1992, Design for access and mobility—Enhanced and additional requirements—Buildings and facilities.</i></p> <p>An Access Report is required to be prepared by a suitably qualified person and submitted with a Development Application.</p>
<b>D20. Safety and Security</b>	<p>A formal crime risk assessment, including the consideration of the '<i>Crime Prevention through Environmental Design</i>' principles will be required to be submitted with the Development Application.</p>



<b>D21. Provision and Location of Utility Services</b>	The development is to provide for connection to all available utility services.
<b>D22. Conservation of Energy and Water</b>	<p>The development is to demonstrate compliance with the objectives for this clause and <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>.</p> <p>Further, the proposal should incorporate other Environmental/Water Sensitive Urban Design initiatives such as water harvesting, passive solar design and the effective control of heat loading on the building.</p>

#### Part E: The Natural Environment

Control	Comment
<b>E10. Landslip Risk</b>	<p>The proposed development area of the site is located within Landslip Areas A and B, as detailed in Council's Landslip Risk Map.</p> <p>Given the construction of basement car parking, a Geotechnical Report will be required to be prepared by a suitably qualified person and submitted with a Development Application. The report is to provide an analysis of how the development will respond to the geotechnical nature of the site. The report is to include recommendations as to the safe construction methodology of the development having regard to the protection of surrounding development and public assets.</p>

#### Other Relevant Environmental Planning Instruments/SEPPs

You are advised that the following Environmental Planning Instruments apply to the development and must be addressed in the Statement of Environmental Effects:

- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP No. 55 – Remediation of Land;
- SEPP No. 64 – Advertising and Signage (if required);
- SEPP No. 65 – Design Quality of Residential Apartment Development;
- SEPP (Infrastructure) 2007;
- SEPP (Building Sustainability Index: BASIX) 2004; and
- Warringah Local Environment Plan 2011.

#### Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au):



### Relevant Council Policies

- Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140
- Stormwater drainage for low level properties PDS-POL 135
- Building over or adjacent to constructed Council drainage systems and easements: PAS-PL 130
- Common vehicular access to multiple properties: LAP-PL 310
- Vehicle access to all roadside development: LAP-PL 315
- Voluntary Planning Agreements PL 600 VPA  
([http://www.warringah.nsw.gov.au/sites/default/files/documents/policies-register/planning-and-development/voluntary-planning-agreements-policy/voluntary-planning-agreement-policy-pl-600-vpa-current\\_1.pdf](http://www.warringah.nsw.gov.au/sites/default/files/documents/policies-register/planning-and-development/voluntary-planning-agreements-policy/voluntary-planning-agreement-policy-pl-600-vpa-current_1.pdf) (if required)).

### Required Documentation

- 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, floor plans, elevations and sections
- Site Survey (prepared by a registered Surveyor)
- Statement of Environmental Effects addressing:
  - Section 79C of EPA Act,
  - all relevant sections of WLEP 2011 and the WDCP 2011; and
  - other relevant Environmental Planning Instruments);
- Geotechnical Report
- Design Verification Statement
- Architects Statement (Design Excellence)
- SEPP 65 Report
- Apartment Design Guide Report
- Solar Access and Natural Ventilation Report/Plans.
- Construction/Site Management Plan
- Construction Traffic Management Report
- Access Report
- Building Code of Australia Report
- Traffic and Parking Report
- Crime Prevention Through Environmental Design (CPTED) assessment
- Model of the proposed development at a scale sufficient to show the topography, road alignments and surrounding development
- Shadow diagrams (Certified) to show shadows cast by the development at 9.00am, Noon and 3.00pm of 21 June (the diagrams are to illustrate shadows in plan and elevational form)
- View Impact Analysis
- Colour photo montages (to be taken from key visual vantage points)
- Landscape Plan
- Sample Board of External Finishes





#### Required Documentation

- Stormwater Management Plans
- Soil and Water Management Plan
- Waste Management Plan
- Erosion and Sediment Control Plan
- BASIX Certificates
- Public Domain Treatment Report and Plans
- Wind Loading Report
- Acoustic Report (Apartment Design) and Noise Management Plan (Demolition/Excavation/Construction)
- Water Sensitive Urban Design Report
- Quantity Surveyors (QS) Report verifying the Cost of Construction

**Note:** Cheques to the value of \$320 each are to be made out to the NSW Roads and Maritime Service and NSW Office of Water respectively (this is applicable if excavation works involve any impact to the RMS road infrastructure and/or dewatering). Administration fees of \$140 each will also be required to be paid directly to Council.

#### Concluding Comments

These Notes are in response to the pre-lodgement meeting for the development for demolition works and the construction of a multi-storey mixed use retail/commercial and residential building with basement car parking for the purpose of providing Seniors housing.

Various departments within Council have provided their comments, requirements and recommendations in these Notes and it is expected that these will be incorporated into the development prior to lodgement of any Development Application.

A Development Application is not to be lodged until the matters raised in these Notes have been satisfactorily addressed and compliance with the relevant standards and controls have been achieved.

#### Other Matters

- **Requirement to Submit Correct, Clear and Accurate Information at Lodgement**

You are advised, that if an application is unclear, non-conforming or provides insufficient information, or if Council requests additional information in accordance with Clause 54 of the EPA Regulations 2000 and it is not provided within the specified time frame, a development application may be rejected or refused without notice.

The time to discuss and amend your design is prior to lodgement of your Development Application, as there will be no opportunity to do so during the assessment process.

- **Privacy and Personal Information**

You are advised that Council is legally obliged to make Development Applications and supporting



#### Other Matters

documents available for public inspection – see section 12 of the Local Government Act 1993. We do this at the Customer Service Centre and by placing copies of the applications and supporting documents on the Council website.

Should this proposal result in a development application being lodged these notes will form part of the development application documentation that will appear on Council's website – DA's online. [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au)

- **Monitoring DA progress after lodgement**

Once lodged you can monitor the progress of your application through Council's website – DA's online. [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au)