



Address: No. 16 Gladys Avenue, Frenchs Forest
Proposal: Boarding House
DECEMBER 2018

STATEMENT OF ENVIRONMENTAL EFFECTS



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GLADYS AVENUE, FRENCHS FOREST

PREPARED FOR WILLIAMSON BUILDING CORPORATION

DECEMBER 2018

PROJECT INFORMATION

In Brief: This Statement of Environmental Effects accompanies a development application lodged with consent of the registered property owner. The proposal seeks approval for the removal of trees, demolition of all existing improvements on site and construction of a boarding house comprising 82 rooms at No. 16 Gladys Avenue, Frenchs Forest and is made pursuant to the provisions of Warringah Local Environmental Plan 2011.

Site: Lot 1 DP 548605
No. 16 Gladys Avenue
FRENCHS FOREST NSW 2086

Architect:



Suite 1.04/ 77 Dunning Avenue,
ROSEBERY NSW 2018

Developer/Builder:



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1 THE SITE & CONTEXT

The subject site comprises Lot 1 DP 548605 and is identified as No. 16 Gladys Avenue, Frenchs Forest. The site is irregular in shape, has a frontage to Gladys Avenue 11.95 metres, and an area of 2,415m². The site falls from Gladys Avenue to its northern extremity by approximately 7.5 metres (see Survey Plan at **Attachment 1**). The site is located within an R2 Low Density Residential Zone and comprises an existing dwelling and associated structures (see **Figures 2 – 7**), which is serviced from an existing right of way across Lot 2 DP 548605. Adjoining the site to the east, north and west are various forms of low density residential development, predominantly detached dwelling houses.

The site is located midway along a quiet cul-de-sac road and it is bounded by battle-axe blocks of 16a & 16b Gladys Ave. This creates an 'island' effect on this large site, being it bounded by driveways or roads in almost all sides. The subject site is buffered by the access handles of the rear of the properties being 16A and 16B Gladys Avenue and has the benefit of a right of way over part 16A.

The front of the site has many trees located within it. There is a small retaining wall within the front setback which contains all of the significant trees found upon the site. Beyond this retaining wall is an open grassed area adjacent the dwelling. On the western side of the block is a group of Hill's Weeping Fig, which have extensive surface roots which extend approximately 4 metres from the trunk (see Arboricultural Impact Assessment at **Attachment 2**). There is also a group of Cocos Palms around the swimming pool. The swimming pool area is retained with a significant rock and masonry wall.

The Northern Beaches Hospital Precinct Structure Plan

Sydney is undergoing a period of growth, being underpinned by an increasing and ageing population. As Sydney's population grows (topping 5 million people in 2017), change is occurring across all regions, including the Northern Beaches. Since 2010, Frenchs Forest has been earmarked as an area for future growth by the State Government. This has been supported by significant infrastructure investment which has not been seen on the Northern Beaches in decades. The new Northern Beaches Hospital, approximately 200 metres from the site, has recently opened, with accompanying significant road upgrades. These works represent in excess of \$1 billion of investment in the area by the State Government. In addition, the State Government has recently announced funding for field studies and geotechnical testing as part of the proposed Beaches Link Tunnel.

In addition to this investment, the State Government has recognised the importance of Frenchs Forest in their strategic plans and policies. In 2010, Frenchs Forest was identified as a Potential Specialised Centre, and in 2014, was identified as a Strategic Centre for the Northern Beaches. Frenchs Forest joins four other strategic centres in the North district as areas identified for future growth, being Macquarie Park, North Sydney, St Leonards and Chatswood. More recently, the State Government has also nominated Frenchs Forest as one of fifteen new Priority Precincts in Metropolitan Sydney.

The Northern Beaches Hospital Precinct Structure Plan provides the strategic land use planning framework for Frenchs Forest over the next 20 years. The Structure Plan sets the vision for Frenchs Forest as it transitions into a Strategic Centre. More specifically, this will result in an increased density of development within and surrounding the town centre adjacent the Northern Beaches Hospital (with Council identifying an opportunity to deliver a 15% affordable rental housing target).

The Structure Plan highlights that the full capacity of the precinct is dependent on a further delivery of improved transport infrastructure and a continued modal shift from private to public transport. Over the next 20 years, the Structure Plan proposes the phased delivery of approximately 5,360 dwellings and 2,300 new jobs. Traffic modelling has indicated that in the short term, the precinct can support up to 3,000 additional dwellings concentrated around the future town centre. The provision of further dwellings (beyond the 3,000 dwelling threshold) will require the delivery of significant regional road works, such as the proposed Beaches Link Tunnel and/or an east-west bus rapid transit (BRT) system from Chatswood to Dee Why.

On 30 November 2016, Council resolved to publicly exhibit the draft Structure Plan for three months from 30 November 2016 to 28 February 2017. Council received 930 submissions. Following extensive community engagement, Council staff completed a comprehensive review of the draft Plan and have recommended certain amendments following the consideration of the issues raised. Additional research and traffic modelling has also informed a number of changes to the draft Plan.

The Structure Plan will form the overarching strategy for all future planning decisions in Frenchs Forest. It will set a 20 year vision for growth and development in the precinct. Council will continue to work closely with the Department of Planning towards implementation of the planning framework identified in the Structure Plan to allow for new homes, shops and businesses as Frenchs Forest transitions towards its place in the hierarchy of Metropolitan Sydney as a Strategic Centre. At its Ordinary Council Meeting on 1 August 2017, the Administrator resolved to adopt the Northern Beaches Hospital Precinct Structure Plan to provide the strategic land use planning framework for Frenchs Forest; to submit the Northern Beaches Hospital Precinct Structure Plan to the NSW Department of Planning and Environment to facilitate the phased rezoning process through an amending State Environmental Planning Policy (SEPP) process; and to commit to a 15% affordable rental housing target as part of any redevelopment of the future town centre at Frenchs Forest and a 10% target applicable for the remaining rezoned area.

Since that time, Council has been working with the NSW Department of Planning and Environment to implement Phase One of the Structure Plan. This has included the preparation of technical studies to inform the preparation of detailed planning controls, preliminary engagement with the community through the Planned Precinct community information session, an online Place Score survey, and consultation with Councillors, local State Members of Parliament and the Northern Beaches Hospital Precinct Structure Plan Consultation Committee.

At its Ordinary Meeting on 26 June 2018, Council considered a recommendation from staff to write to the Department of Planning confirming the preferred forward path for the Frenchs Forest Planned Precinct. The options for Council's consideration included:

- a) *A one-step exhibition process to consult on Option 1, which is largely consistent with the Northern Beaches Hospital Precinct Structure Plan (2017) and to exhibit the rezoning documents in the latter part of 2018; or*
- b) *A two-step exhibition process. The first step will include consultation on three options for the town centre. The second step will include a review of submissions and selection of a preferred option for a second round of exhibition in mid-2019.*

The minutes of the Ordinary Meeting recorded that a motion was carried to adopt a one-step exhibition process, to consult on Option 1 for the Frenchs Forest Planned Precinct and to exhibit the rezoning documents in the latter part of 2018.

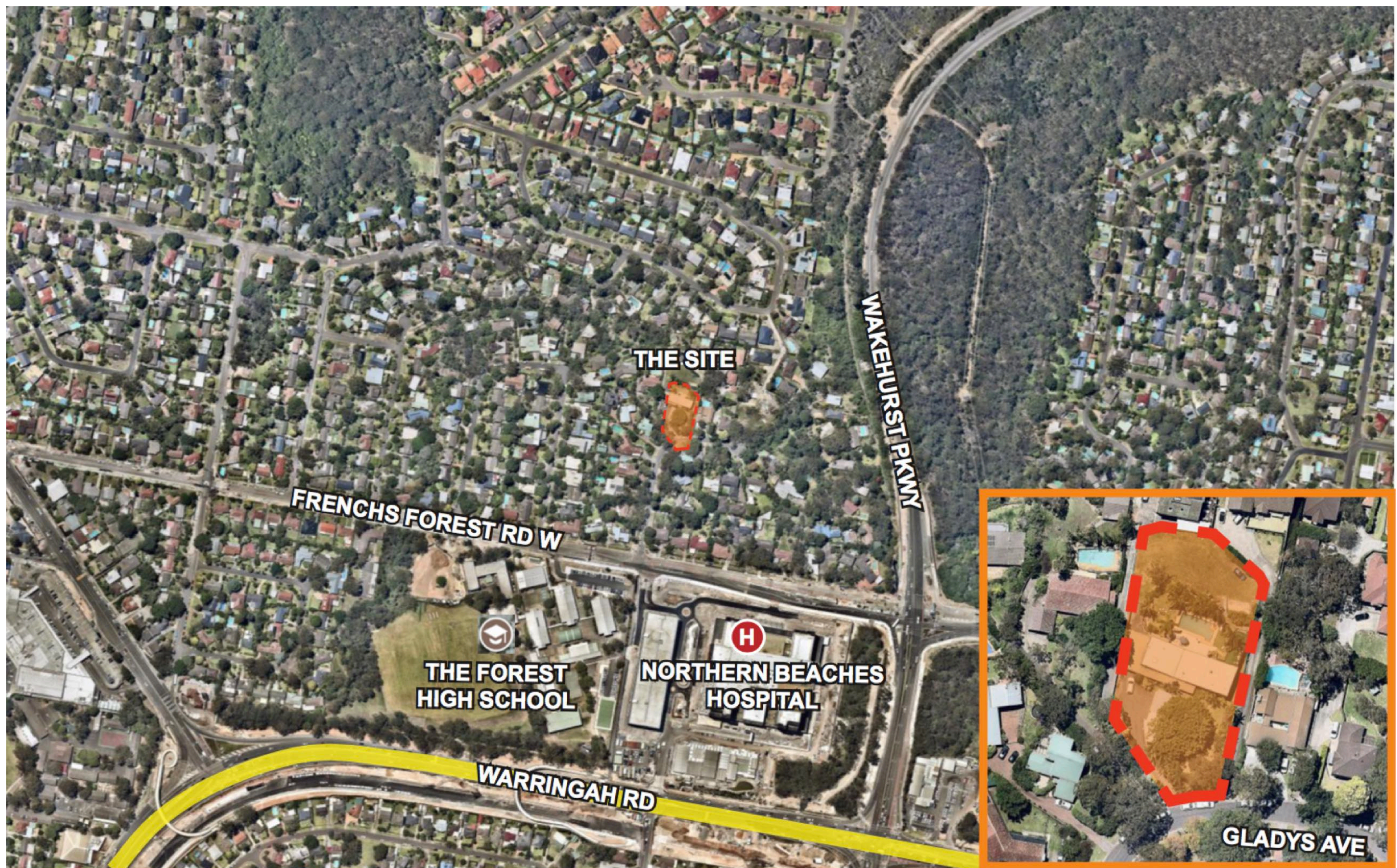


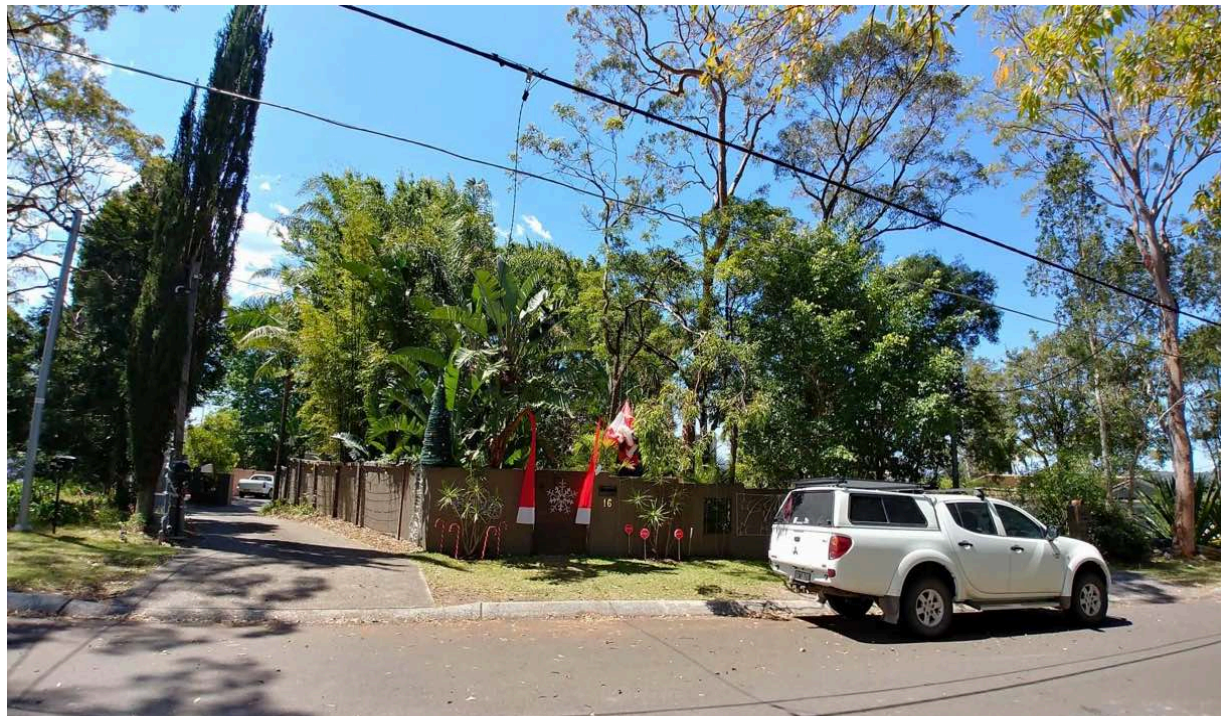
Figure 1

The site and its immediate context.



Figure 2

The site in context with potential future development envisioned by the Northern Beaches Hospital Precinct Structure Plan.



Figures 3 – 6

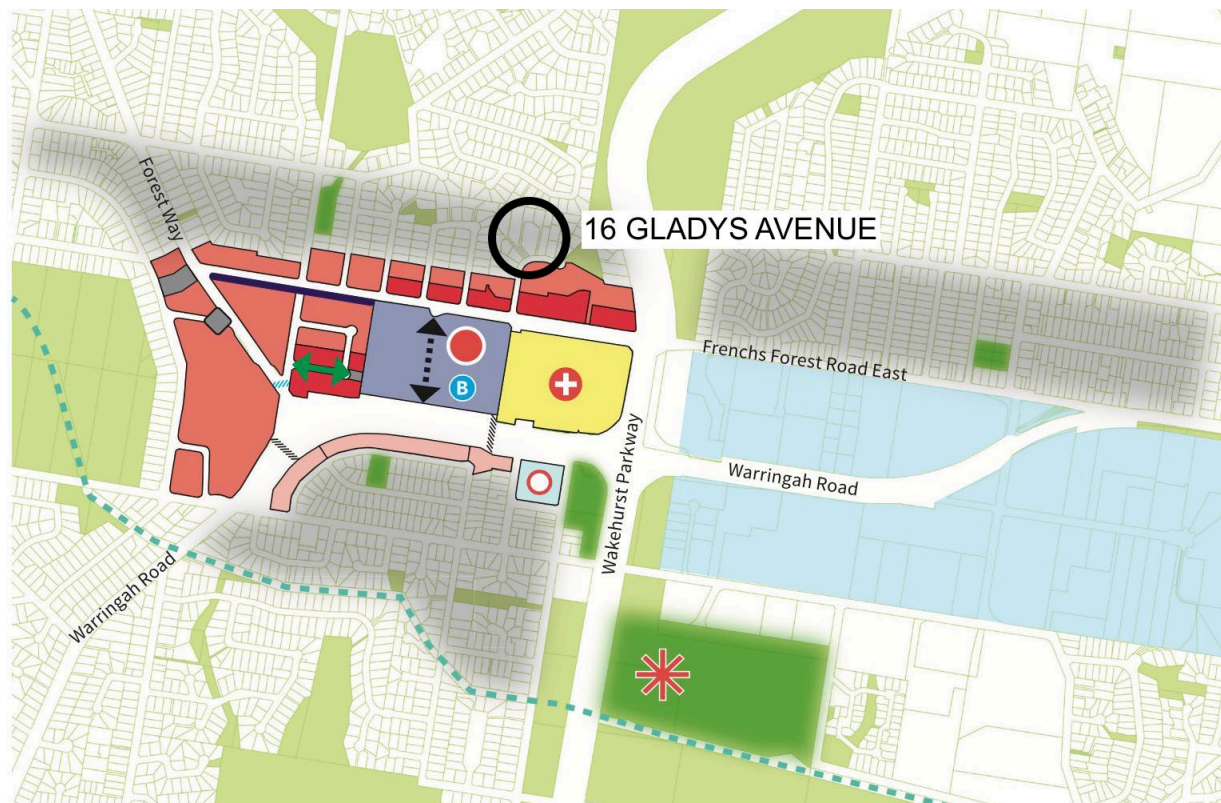
The site frontage to Gladys Avenue and aerial photos of the site in its context.





Figures 7 – 10

The existing dwelling and elevated viewing platform (above); The Northern Beaches Hospital Precinct Structure Plan extract (bottom left); and Northern Beaches Hospital (bottom right).



2 THE PROPOSAL

The application seeks approval for demolition of all existing improvements upon the site, removal of trees and construction of a boarding house development comprising 82 boarding rooms, including an on site manager's accommodation (see Architectural Plans at **Attachment 3**). The application is made pursuant to the provisions of Warringah Local Environmental Plan 2011. As there are very few controls within either the LEP or Warringah Development Control Plan 2011 that apply to boarding houses, State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP) has additionally been considered as a guide only to inform certain elements of the design.

Boarding houses are by their definition a form of affordable rental accommodation as espoused by the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. In their publication Supporting New Generation Boarding Houses, dated August 2014, the Department of Planning states that 'a boarding house provides a form of low cost rental accommodation for a wide range of tenants including singles, retirees, students and young couples'. It suggests the Department through amended provisions incorporated into the SEPP 'encourages both the traditional form of boarding houses, being those with shared facilities as well as new generation boarding houses, being those that are buildings with self-contained rooms'.

The development will be comprised of four modulated building forms and will be connected by a single shared path on the ground floors (upper and lower), whilst the front two buildings will be connected on all levels to allow for shared access to the stairwell and lift, which is also reflected within the rear buildings which share a common stairwell. The proposed development has been designed to respect the topography of the site, as the boarding house will cascade over a number of levels, but will appear as a 2 story building when viewed from the street and the various elevations upon the site. Each boarding room is designed to maximise residential utility and amenity relative to the opportunities and constraints of the site. The application is made pursuant to the provisions of the LEP, as a 'new generation' boarding house. Five (5) of the boarding rooms (Rooms G01, 101, 102, 105 and 109) are to be made available for persons with a disability. Further discussion on compliance with statutory controls relating to access for persons with a disability is found in the BCA & Access Compliance Report at **Attachment 5**.

44.3% of the site area is proposed to be landscaped (see Landscaping Plans at **Attachment 8**). A range of active and passive opportunities for recreation are provided on the site, including communal open space located at the ground floor and upon the roof, an informal gravel lounge area and garden courtyards. Seating has also been provided at the northern peripheries of the site and between the ground floor upper and lower to provide informal opportunities to socialise with other residents or to enjoy the serenity of landscaped area.

Pedestrian and vehicular access to the basement level is gained via Gladys Avenue. Twenty-one (21) car parking spaces are proposed within the basement car park along with, seventeen (17) motorcycle spaces, and seventeen (17) bicycle spaces.

The waste room (bin storage area) and bulk waste room will have a total combined area of 55.3m² located at the front of the property, with easy access to Council or their authorised contractors from Gladys Avenue (see also Waste Management Plan at **Attachment 11**). The waste storage area is contained within the building and appropriately screened from the public domain owing to the established planting to be retained along the site's frontage.

A Boarding House Management Plan at **Attachment 9** has been prepared in support of this application, to ensure the proposed boarding house maintains a high level of amenity for neighbouring properties and addresses such matters as general site management, the safety and amenity of the building's occupants, the amenity of adjoining neighbours, provides house rules, addresses fire safety of the premises including emergency management and evacuation procedures, considers occupational health and safety, provides for the internal and external cleanliness and appearance of the development, including communal areas and individual units, and develops protocols for a complaints register which will be made available for inspection to Northern Beaches Council or NSW Police on request.

Architecture Design Statement:

This design statement has been prepared by BKA on behalf of Williamson Building Corporation for the purpose of a DA Boarding House submission at 16 Gladys Avenue, Frenchs Forest. The intent of this design is to create a contextually appropriate development, through sensible architecture design that carefully articulates the building volumes with materiality, rhythm and proportion in harmony with the adjacent context.

The site is located midway along a quiet cul-de-sac road and it is bounded by battle-axe blocks of 16a & 16b Gladys Ave. This creates an 'island' effect on this large site, being it bounded by driveways or roads in almost all sides. There is a considerable change in level downwards from the street towards the north of the site, which makes it ideal to take advantage of long-distance views over the valley and favourable northern aspect with minimum overshadowing towards neighbouring properties. The site is within short walking distance of major transport routes and the newly opened Northern Beaches Hospital, an important piece of infrastructure that came in to completely change the needs and characteristics of this area.

The architecture proposed recognises that boarding housing, notwithstanding is a permissible use for the block, is a relatively new form within the immediate context, which is merely two and three storey large single dwelling residential. Hence, the buildings comprising the development are domestic in their form and scale. Addressing Gladys Avenue, it is proposed a two-storey element, with a single driveway, an ample balcony and articulated façades that fits perfectly within the residential streetscape. Large trees in the front setback have been retained and protected, and the existing front solid boundary wall has been removed to further naturally integrate the site with the adjacent densely planted context.

The remaining of the building volumes are distributed along the site following the steep topography. They present a two-story base with a recessed third story level to emphasise its domestic scale. The northern volumes are oriented to maximise solar access and take advantage of the splendid long-distance views. The side elevations of northern volumes are technically 'articulated blind walls' to minimise any overlooking into adjacent properties on 14 & 18 Gladys Avenue. They are setback 2m from side boundaries to allow for deep soil screening planting. The larger than 6m rear setback allows for lush planting and further screening of the proposal from 16a & 16b Gladys Ave dwellings.

The southern volumes are oriented east-west and incorporate large 6m side setbacks which, plus adding the battle-axe driveways, achieve more than adequate privacy from adjacent dwellings. Northern and southern volumes are separated by a couple of large courtyards, breaking the bulk and scale of the development and producing introvert communal areas, away from the side boundaries. These deep soil courtyards also allow for large tree planting within the development.

All ground floor units enjoy access to private terraces for greater amenity. These terraces are screened from neighbours and adjacent rooms by traditional timber screens and planting. Upper level units enjoy 'Juliet balconies' which allow for floor to ceiling glazing without compromising privacy. A Communal Rooftop Terrace is provided above northern buildings, offering amazing long-distance views to the residents.

The rooms proposed are the so called 'New Generation' boarding rooms, with self-contained private bathrooms and kitchenettes, targeting professional and working occupants, to satisfy the sudden demand created by the newly opened Northern Beaches Hospital.

Secure vehicular car parking is provided in a basement level, completely screened from the street. The number of car parking provided exceeds the minimum requirements by the DCP and allows for additional features like visitors parking or car sharing arrangements. Compliant motorcycle and bicycle are also securely provided within basement. Nevertheless, the site is located just a few meters away from major sources of employment like the new Hospital, Schools and the Business Park, and major public transport routes.

The materials selected, sand stone, reconstituted timber and exposed concrete, are noble and timeless in nature. They are consistent with contemporary residential developments along the Northern Beaches and ensure low maintenance and long-lasting appearance. The carefully designed landscape comprises low maintenance shrubs and grasses, as well as native and exotic species.

In summary the proposed Boarding House is a contemporary piece of architecture which uses traditional materials and techniques to create a visually exciting, yet respectful addition to the area. The development will provide great amenity for its residents and convenient accommodation for key workers of the newly opened Northern Beaches Hospital. The site is a prime location for the boarding house typology.



Figures 11 & 12

The site frontage to Gladys Avenue – existing versus proposed.





Figures 13 & 14

Communal open space and adjacent private courtyards.



3 STATUTORY PLANNING FRAMEWORK

3.1 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1)(a) of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The Department of Planning publication “Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land” provides advice on the process of determination as to whether a site is contaminated. In this regard, Section 2.2 of the Guidelines states:

When carrying out planning functions under the EPAA, a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.

When an authority carries out a planning function, the history of the land use needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with these Guidelines, the proposal may be processed in the usual way.

The Guidelines continue at Section 3.2.1 by stating that:

The potential for contamination is often linked to past uses of land and a good early indicator of possible uses is land zoning. Contamination is more likely to have occurred if the land is currently, or was previously, zoned for industrial, agricultural or defence purposes.

The site has used and occupied for the purpose of residential habitation for more than fifty years and it is therefore suggested there is minimal risk of contamination by past land use activities.

3.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

The Northern Beaches Hospital Precinct Structure Plan provides the strategic land use planning framework for Frenchs Forest over the next 20 years, and is intended to have a positive social impact. The Structure Plan aims to build on the strengths already present in the precinct and to improve liveability and social amenity in Frenchs Forest. The future town centre will provide an additional social benefit as it will be a vibrant, new place for people to meet, socialise and visit, and will ultimately play a more important role as the Strategic Centre for the Northern Beaches over the next 20 years and beyond.

Equally important is the provision of affordable rental housing for key workers to assist with housing affordability and to provide a more diverse community. Council’s Affordable Housing Policy outlines Council’s position for a 10% affordable rental housing target in all urban renewal and greenfield areas, as well as higher rates of provision where feasible. The Structure Plan demonstrates that a 10% target is feasible under current market conditions for all land proposed to be uplifted in the hospital precinct. In addition, the Structure Plan confirms that an increased target is feasible for the town centre site at 15%. The increased target for the town centre site will ensure the hospital precinct reflects best practice planning outcomes by integrating affordable rental housing within the new town centre, so that it is in walking distance to shops, services, amenities, jobs and the new hospital. The subject site is at the periphery of the centre and within 200 metres walking distance of the hospital.

State Environmental Planning Policy (Affordable Rental Housing) 2009 was introduced on 31 July 2009. The policy’s intent is to increase the supply and diversity of affordable rental and social housing in the state. The SEPP covers housing types including villas, townhouses and apartments that contain an affordable rental housing component, along with secondary dwellings (granny flats), new generation boarding houses, group homes, social housing and supportive accommodation. The SEPP has therefore been considered as a guide only in the preparation of this application.

The proposal is noted to be consistent with the broad aims of the SEPP. A summary of the controls prescribed by the SEPP is provided at **Table 1**.

Table 1

SEPP Affordable Rental Housing Compliance Table

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009			
CLAUSE	REQUIREMENTS	PROPOSED	COMPLIES
26 – Land to which Division applies	This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones: (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential, (e) Zone B1 Neighbourhood Centre, (f) Zone B2 Local Centre, (g) Zone B4 Mixed Use	The proposed development located within a R2 Low Density Residential Zone.	YES
27 – Development to which Division applies	(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.	This application proposes a boarding house.	YES
	(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.	The subject site is located within a R2 Low Density Residential Zone.	N/A
	(3) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.	N/A	N/A
28 – Development may be carried out with consent	Development to which this Division applies may be carried out with consent.	The proposed development seeks approval for a boarding house.	YES
29 – Standards that cannot be used to refuse consent	(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:		
	(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or	There is no maximum floor space ratio applicable to the site.	YES
	(b) if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or	N/A.	N/A
	(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus: (i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or (ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.	N/A.	N/A

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009			
CLAUSE	REQUIREMENTS	PROPOSED	COMPLIES
	(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:		
	(a) building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,	The maximum building height is 8.5 metres. The built form is contained within the 8.5 metre maximum height limit prescribed by Clause 4.3 of the LEP.	YES
	(b) landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,	Complies. The retained landscaping within the front setback is compatible with the established streetscape.	YES
	(c) solar access where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	Complies.	YES
	(d) private open space if at least the following private open space areas are provided (other than the front setback area): (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,	Complies. There are multiple areas of private open space provided across the site for the enjoyment of residents	YES
	(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,	The boarding house manager is provided a private open space with a minimum 2.5 metre width and a total area of 19.06m ² .	YES
	(e) parking if: (i) in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and (ii) in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,	N/A. See Traffic and Parking Assessment.	N/A
	(f) accommodation size if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.	Complies.	YES
	(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.	Noted. Each room is provided with kitchen and bathroom facilities.	YES
	(4) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).	Noted.	
30 – Standards for boarding houses	(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following: (a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	Complies.	YES

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009			
CLAUSE	REQUIREMENTS	PROPOSED	COMPLIES
	(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,	Complies.	YES
	(c) no boarding room will be occupied by more than 2 adult lodgers,	Able to comply.	YES
	(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Private bathroom and kitchen facilities have been provided for each room, plus a communal kitchen, living room and private open space.	YES
	(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	A boarding house manager is to be accommodated upon the site.	YES
	(f) (Repealed)		
	(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,	N/A.	N/A
	(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	See Traffic and Parking Assessment.	YES
	(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.	N/A.	N/A
30A – Character of local area	A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	The proposed development is considered to be compatible with the character of the local area.	YES

Clause 30A of the SEPP requires the consent authority to ‘take into consideration’ whether the design of the development is compatible with the character of the local area, which is consistent with the objectives of the R2 Low Density Residential Zone that seek to provide for the housing needs of the community within a low density residential environment, and to ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

The character of the local area is demonstrated in part by the established character, and in part by the desired future character of the locality, which would consider permissible land uses (the LEP) and relevant controls applicable to those forms of development (LEP, DCP and it is suggested the Northern Beaches Hospital Precinct Structure Plan). The planning principle in *Project Venture Developments Pty Ltd v Pittwater Council* [2005] NSWLEC 191 provides guidance in determining the compatibility of a development with the character of the locality:

22 There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

23 It should be noted that compatibility between proposed and existing is not always desirable. There are situations where extreme differences in scale and appearance produce great urban design involving landmark buildings. There are situations where the planning controls envisage a change of character, in which case compatibility with the future character is more appropriate than with the existing. Finally, there are urban environments that are so unattractive that it is best not to reproduce them.

24 Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

Is the proposal's appearance in harmony with the buildings around it and the character of the street?

26 For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

27 Buildings do not have to be the same height to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.

28 Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.

29 Landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees.

30 Conservation areas are usually selected because they exhibit consistency of scale, style or material. In conservation areas, a higher level of similarity between the proposed and the existing is expected than elsewhere. The similarity may extend to architectural style expressed through roof form, fenestration and materials.

31 It should be remembered that most people are not trained planners or urban designers and experience the urban environment without applying the kind of analysis described above. As people move through the city, they respond intuitively to what they see around them. A photomontage of a proposed development in its context provides the opportunity to test the above analysis by viewing the proposal in the same way that a member of the public would.

The impacts of the proposed development upon surrounding development have been considered in the context of this principle and found to be acceptable (see photomontage at **Figure 11**). The proposed development provides minimum setbacks that are consistent with the requirements for development within the R2 Low Density Residential environment.

The site is ensconced to east and west by battle axe handles a minimum 4.57 metres wide, providing vehicular access for properties to the north of the site. Combined with landscaped setbacks within the site, adequate provision is made for landscaping at the site periphery to ensure the landscaped setting of the development is in harmony with the natural environment, with screening species proposed to reduce perceived privacy impacts.

Although the proposed development has a larger footprint than adjoining development, the modulation and articulation of the building form and substantial relief is consistent with the scale of existing dwellings in the locality and likely future development within the adjacent Northern Beaches Hospital Precinct.

There is no significant overshadowing created as a result of the proposed development owing to site's aspect, topography and the orientation of the adjoining property's principle living room windows to the north.

It is acknowledged that 30A operates separately and is not necessarily applicable to the proposed development, however, having 'take into consideration' whether the design of the development is compatible with the character of the local area, it is concluded that the proposed development, which is permissible with development consent in the R2 Low Density Residential zone, is consistent with the existing and desired future character of development within the locality, and will provide much needed affordable rental housing accommodation to service the need of the local community.

3.3 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is an environmental planning instrument used to manage the development and conservation of all land within the former Warringah LGA. The particular aims of the LEP are:

- a) *to create a land use framework for controlling development in Warringah that allows detailed provisions to be made in any development control plan made by the Council,*
- b) *to recognise the role of Dee Why and Brookvale as the major centres and employment areas for the sub-region,*
- c) *to maintain and enhance the existing amenity and quality of life of the local community by providing for a balance of development that caters for the housing, employment, entertainment, cultural, welfare and recreational needs of residents and visitors,*
- d) *in relation to residential development, to:*
 - i. *protect and enhance the residential use and amenity of existing residential environments, and*
 - ii. *promote development that is compatible with neighbouring development in terms of bulk, scale and appearance, and*
 - iii. *increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity of Warringah,*
- e) *in relation to non-residential development, to:*
 - i. *ensure that non-residential development does not have an adverse effect on the amenity of residential properties and public places, and*
 - ii. *maintain a diversity of employment, services, cultural and recreational facilities*
- f) *in relation to environmental quality, to:*
 - i. *achieve development outcomes of quality urban design, and*
 - ii. *encourage development that demonstrates efficient and sustainable use of energy and resources, and*
 - iii. *achieve land use relationships that promote the efficient use of infrastructure, and*
 - iv. *ensure that development does not have an adverse effect on streetscapes and vistas, public places, areas visible from navigable waters or the natural environment, and*
 - v. *protect, conserve and manage biodiversity and the natural environment, and*
 - vi. *manage environmental constraints to development including acid sulfate soils, land slip risk, flood and tidal inundation, coastal erosion and biodiversity,*
- g) *in relation to environmental heritage, to recognise, protect and conserve items and areas of natural, indigenous and built heritage that contribute to the environmental and cultural heritage of Warringah,*
- h) *in relation to community well-being, to:*
 - i. *ensure good management of public assets and promote opportunities for social, cultural and community activities, and*
 - ii. *ensure that the social and economic effects of development are appropriate*

The site is located within the R2 Low Density Residential Zone. The objectives of this Zone are:

- *To provide for the housing needs of the community within a low density residential environment,*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah*

The development is permissible within the zone and is consistent with the objectives of the LEP, which include to increase the availability and variety of dwellings to enable population growth without having adverse effects on the character and amenity.

Clause 4.3 – Height of Buildings

The prescribed maximum building height for the site is 8.5 metres, measure to the highest point of the building. The proposed built form is contained within the height limit and is compliant with the LEP.

Clause 6.2 – Earthworks

The objectives of this clause are as follows:

- *To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*
- *To allow earthworks of a minor nature without requiring separate development consent.*

Suitable conditions can be imposed upon the development consent, consistent also with the recommendations for the development on sloping land as presented in the Preliminary Geotechnical Assessment at **Attachment 4**.

Clause 6.4 – Development on Sloping Land

The clause applies to the site as the land is identified as 'Area B' on the Landslip Risk Map. The objectives of this clause are as follows:

- *To avoid significant adverse impacts on development and on properties in the vicinity of development sites resulting from landslides originating either on or near sloping land*
- *To ensure the impacts of storm water runoff from development on or near sloping land are minimised so as to not adversely affect the stability of the subject and surrounding land,*
- *to ensure subsurface flows are not adversely affected by development so as to not impact on the stability of existing or adjoining land.*

A Preliminary Geotechnical Assessment has been prepared for the site and is appended at **Attachment 4**. The Assessment notes that no evidence of extensive subsidence or recent gross slope instability was observed on site. Minor soil settlement was observed near the northern site boundary, inferred to be the result of pine tree removal and subsequent soil moisture condition variations.

A geotechnical hazard risk assessment for the proposed works has been completed in accordance with the qualitative risk matrices provided in Section 7 of the Australian Geomechanics Society's Landslide Risk Management Guidelines (2007). The consultant's report considers five main geotechnical hazards. These and associated risks are described in Attachment D of the Assessment.

The proposed development is considered to constitute an acceptable risk to life and a low risk to property, resulting from assessed geotechnical hazard, provided that the slope treatment measures presented in Attachment D of the Assessment and the recommendations presented in that report are adhered to. A description of good hillslope engineering practices is also provided by the Assessment.

4 SECTION 4.15 OF THE EPAA

4.1 Environmental Planning Instruments – Section 4.15(1)(a)(i)

The proposal is permissible with development consent pursuant to the provisions of the Warringah Local Environmental Plan 2011. The impacts of other environmental planning instruments including SEPP 55 and SEPP (Affordable Rental Housing) have been adequately addressed in preparation of this development application, and the provisions of these relevant environmental planning instruments have been satisfactorily addressed within Section 3 of the SEE.

4.2 Draft Environmental Planning Instruments – Section 4.15 (1)(a)(ii)

N/A.

4.3 Development Control Plans – Section 4.15 (1)(a)(iii)

4.3.1 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 came into effect on 9 December 2011 and applies to all land within the former Warringah Local Government Area. The objectives of the DCP are as follows:

- a) *To ensure development responds to the characteristics of the site and the qualities of the surrounding of the site and the qualities of the surrounding neighbourhood*
- b) *To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome*
- c) *To inspire design innovation for residential, commercial and industrial development*
- d) *To provide a high level of access to and within development.*
- e) *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*
- f) *To achieve environmentally, economically and socially sustainable development for the community of Warringah*

The proposed redevelopment of No. 16 Gladys Avenue, Frenchs Forest, with a contemporary new age boarding house is consistent with the aims of the DCP.

The relevant controls of the DCP are addressed in **Table 2** over page.

Table 2

Warringah Development Control Plan 2011

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
Part B – Built Form Controls			
B1 – Wall Heights	Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	The external walls of the building are limited to no greater than 7.2 metres in height adjacent the site's boundaries.	YES
B3 – Side Boundary Envelope	Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: <ul style="list-style-type: none"> 4 metres, or 5 metres as identified on the map.	Complies.	YES
	On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side boundary envelope.	N/A.	N/A
B5 – Side Boundary Setbacks	Development on land shown coloured on the DCP Map Side Boundary Setbacks is to maintain a minimum setback from side boundaries as shown on the map.	Complies (900mm).	YES
	Side boundary setback areas are to be landscaped and free of any above or below ground structures, car parking or site facilities other than driveways and fences.	Complies.	YES
	On land within the R3 Medium Density Residential zone, above and below ground structures and private open space, basement car parking, vehicle access ramps, balconies, terraces, and the like shall not encroach the side setback except as provided for under Exceptions below.	N/A.	N/A
	<u>Exceptions – Land Zoned R2</u> <u>All development:</u> Screens or sunblinds, light fittings, electricity or gas meters, or other services infrastructure and structures not more than 1 metre above ground level (existing) such as unroofed terraces, balconies, landings, steps or ramps may encroach beyond the minimum side setback. <u>Ancillary to a dwelling house:</u> Consent may be granted to allow a single storey outbuilding, carport, pergola or the like that to a minor extent does not comply with the requirements of this clause	Complies.	
B7 – Front Boundary Setbacks	Development is to maintain a minimum setback to road frontages.	Complies.	YES
	The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.	Complies.	YES
	Where primary and secondary setbacks are specified, buildings and structures (such as carparks) are not to occupy more than 50% of the area between the primary and secondary setbacks. The area between the primary setback and the road boundary is only to be used for landscaping and driveways.	N/A.	N/A
	For land zoned E3 and not having frontage to Kamber Road or Kimbriki Road the minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and free of any structures, carparking or site facilities other than driveways, letterboxes and fences.	N/A.	N/A

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	<p><u>Exceptions</u> <u>Land Zoned R2 or R3</u> On corner allotments or sites with a double street frontage, where the minimum front building setback is 6.5 metres to both frontages, the front building setback may be reduced to a minimum of 3.5 metres for the secondary frontage, but secondary street variations must consider the character of the secondary street and the predominant setbacks existing to that street.</p> <p>Lot 2677 DP752038; Lot2783 DP46992; Lot 2610 DP752038; Lot 2615 DP 752038; Lot 1 DP 822212; Lot 2676 DP752038 10metres.</p>	N/A.	N/A
B9 Rear Boundary Setbacks	Development is to maintain a minimum setback to rear boundaries.	Complies (6 metres).	YES
	The rear setback area is to be landscaped and free of any above or below ground structures.	Complies.	YES
	On land zoned R3 Medium Density where there is a 6m rear boundary setback, above and below ground structures and private open space, including basement carparking, vehicle access ramps, balconies, terraces, and the like shall not encroach the rear building setback.	N/A.	N/A
	The rear building setback for land zoned IN2 Light Industrial at Tepko Road that adjoins land zoned R2 Low Density Residential is not to be used for industrial purposes or vehicle access.	N/A.	N/A
	The rear building setback for land zoned IN2 Light Industrial in the vicinity of Campbell Parade, Manly Vale is not to be used for industrial purposes or vehicle access.	N/A.	N/A
Part C – Siting Factors			
C2 – Traffic, Access and Safety	<p><u>Vehicular Access</u> Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p>	Complies.	YES
	Vehicle access is to be obtained from minor streets and lanes where available and practical.	N/A.	N/A
	There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way.	N/A.	N/A
	Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315.	N/A.	N/A
	Vehicle crossing construction and design is to be in accordance with Council's minor works specification.	Able to comply.	YES
C3 – Parking Facilities	<p><u>On-site loading and unloading</u> Facilities for the loading and unloading of service, delivery and emergency vehicles are to be: appropriate to the size and nature of the development; screened from public view; and designed so that vehicles may enter and leave in a forward direction.</p>	Waste to be collected from the kerb. Residential nature of development and furniture provision within boarding rooms limits demand for deliveries to the site.	YES
	<p>The following design principles shall be met:</p> <ul style="list-style-type: none"> • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.; • Laneways are to be used to provide rear access to carparking areas where possible; 	Complies. See Traffic and Parking Report. The proposed number of car spaces and motor bike spaces exceeds the standards.	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	<ul style="list-style-type: none"> • Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. <p>Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</p> <ul style="list-style-type: none"> • the land use; • the hours of operation; • the availability of public transport; • the availability of alternative car parking; and • the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. <p>Carparking, other than for individual dwellings, shall :</p> <ul style="list-style-type: none"> • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. <p>Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</p> <p>Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.</p> <p>For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.</p> <p>Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</p> <p>For Forest Way Village car parking at ground level is to be provided for individual units.</p>		
C3(A) – Bicycle Parking and End of Trip Facilities	<p>Bicycle parking facilities must be provided for new buildings and for alterations or additions to existing buildings. In the case of alterations or additions to existing buildings bicycle parking facilities are required for the additional floor area only.</p> <p>Bicycle parking shall be designed and constructed in accordance with Australian Standard AS 2890.3 – Bicycle Parking Facilities.</p> <p>Bicycle parking facilities shall be designed to be an integral part of the development and where visible from public places or streets, will complement the visual quality of</p>	Complies.	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011									
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES						
	<p>the public domain.</p> <p>Bicycle parking shall be provided in accordance with the generation rates in the following table and is determined by adding Column 1 and Column 2 requirements and rounding up.</p> <table><tr><td>Land use</td><td>Column 1 – High-Medium Security Level</td><td>Column 2 – High-Low Security Level</td></tr><tr><td>Boarding House</td><td>1 per 10 beds</td><td>Visitors: 1 per 20 beds</td></tr></table>	Land use	Column 1 – High-Medium Security Level	Column 2 – High-Low Security Level	Boarding House	1 per 10 beds	Visitors: 1 per 20 beds	Complies. 17 bicycle spaces will be provided, it is noted that only 8.2 spaces are required for the proposed development.	YES
Land use	Column 1 – High-Medium Security Level	Column 2 – High-Low Security Level							
Boarding House	1 per 10 beds	Visitors: 1 per 20 beds							
C4 – Stormwater	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council’s Water Management Policy.</p>	See Stormwater Concept Plan.	YES						
C5 – Erosion and Sedimentation	<p>All developments which involve the disturbance of land must install and maintain erosion and sediment controls until the site is fully stabilised.</p> <p>Any erosion and sedimentation is to be managed at the source.</p> <p>Erosion, sediment and pollution controls including water discharge from the site must comply with Council’s Water Management Policy.</p> <p>An Erosion and Sediment Control Plan must be prepared in accordance with Landcom’s Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of up to 2500m2 of land.</p> <p>Soil and Water Management Plan must be prepared in accordance with Landcom’s Managing Urban Stormwater: Soil and Construction Manual (2004) for all development which involves the disturbance of more than 2500m2 of land.</p>	See Stormwater Concept Plan.	YES						
C6 – Building over or adjacent to Constructed Council Drainage Easements	<p>All development on land containing or adjacent to or proposing to reconstruct/relocate a public drainage system, must comply with Council’s Water Management Policy and Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications.</p> <p>Any Council drainage line located within the property may require upgrading and easements created in favour of Council over the drainage line at the applicants expense.</p>	N/A	N/A						
C7 – Excavation and Landfill	<p>All landfill must be clean and not contain any materials that are contaminated and must comply with the relevant legislation.</p> <p>Excavation and landfill works must not result in any adverse impact on adjoining land.</p> <p>Excavated and landfill areas shall be constructed to ensure the geological stability of the work.</p> <p>Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.</p> <p>Rehabilitation and revegetation techniques shall be applied to the fill.</p> <p>Where landfill is necessary, it is to be minimal and shall have no adverse effect on the visual and natural environment or adjoining and surrounding properties</p>	See Preliminary Geotechnical Assessment at Attachment 4 .	YES						

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
C8 – Demolition and Construction	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	See Waste Management Plan at Attachment 11 .	YES
C9 – Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	See Waste Management Plan at Attachment 11 .	YES
Part D - Design			
D1 – Landscaped Open Space and Bushland Setting	The required minimum area of landscaped open space is shown on DCP Map Landscaped Open Space and Bushland Setting. To measure the area of landscaped open space: a) 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; b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the calculation; c) Landscaped open space must be at ground level (finished); and d) The minimum soil depth of land that can be included as landscaped open space is 1 metre.	Complies. 44.3% of the site will be landscaped.	YES
D2 – Private Open Space	Residential development is to include private open space for each dwelling.	Complies.	YES
	The minimum area and dimensions of private open space are as follows: Private open space is to be directly accessible from a living area of a dwelling and be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play.	Complies.	YES
	Private open space is to be located and designed to ensure privacy of the occupants of adjacent buildings and occupants of the proposed development.	Complies.	YES
	Private open space shall not be located in the primary front building setback.	Complies.	YES
	Private open space is to be located to maximise solar access.	Complies.	YES
D3 – Noise	Noise from combined operation of all mechanical plant and equipment must not generate noise 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.	Able to comply.	YES
	Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.	N/A.	YES
	Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.	Able to comply.	YES
	Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.	Complies.	YES
D6 – Access to Sunlight	Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.	Complies	YES
	Development should avoid unreasonable overshadowing any public open space. At least 50% of the required area of private open space of each dwelling and at	Able to comply.	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.		
D7 – Views	Development shall provide for the reasonable sharing of views.	The proposed development does not unreasonably interfere with views experienced from any adjoining property.	YES
D8 - Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties.	Building separation, landscaping and privacy screens have been utilised to optimise privacy for adjoining properties.	YES
	Orientate living areas, habitable rooms and windows to private open space areas or to the street to limit overlooking.	Complies.	YES
	The effective location of doors, windows and balconies to avoid overlooking is preferred to the use of screening devices, high sills or obscured glass.	Setback, building separation and landscaping are used in combination to eliminate potential privacy conflicts.	YES
	The windows of one dwelling are to be located so they do not provide direct or close views (ie from less than 9 metres away) into the windows of other dwellings.	Suitable screens and landscaping provided to optimise privacy.	YES
	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.	N/A.	N/A
D9 – Building Bulk	Side and rear setbacks are to be progressively increased as wall height increases.	Side setbacks are generally far in excess of the minimum 900mm required.	YES
	Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.	Substantial relief provided in the building form with setbacks, varying balcony depths and building splays and landscaping (see Landscape Plans).	
	On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular: <ul style="list-style-type: none"> The amount of fill is not to exceed one metre in depth. Fill is not to spread beyond the footprint of the building. Excavation of the landform is to be minimised. 	A description of good hillslope engineering practices is provided as Attachment E of the Preliminary Geotechnical Assessment at Attachment 4 .	YES
D10 – Building Colours and Materials	In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping.	See Architectural Plans at Attachment 3 .	YES
	The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape.		
	The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade.		
D11 - Roofs	Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs.	See Architectural Plans at Attachment 3 .	YES
	Roofs should complement the roof pitch and forms of the existing buildings in the streetscape.		
	Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas.		
	Roofs shall incorporate eaves for shading.		

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	Roofing materials should not cause excessive glare and reflection.		
	Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building.		
D12 – Glare and Reflection	<p>The overspill from artificial illumination or sun reflection is to be minimised by utilising one or more of the following: Selecting an appropriate lighting height that is practical and responds to the building and its neighbours;</p> <ul style="list-style-type: none"> • Minimising the lit area of signage; • Locating the light source away from adjoining properties or boundaries; and • Directing light spill within the site. <p>Any glare from artificial illumination is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> • Indirect lighting; • Controlling the level of illumination; and • Directing the light source away from view lines. <p>Sunlight reflectivity that may impact on surrounding properties is to be minimised by utilising one or more of the following:</p> <ul style="list-style-type: none"> • Selecting materials for roofing, wall claddings and glazing that have less reflection eg medium to dark roof tones; • Orienting reflective materials away from properties that may be impacted; • Recessing glass into the façade; • Utilising shading devices; • Limiting the use of glazing on walls and glazed balustrades and avoiding the use of highly reflective glass; and • Selecting windows and openings that have a vertical emphasis and are significantly less in proportion to solid massing in walls. 	Able to comply. Visible light reflectivity from building materials used on the facades of the buildings will not exceed 20%.	YES
D14 – Site Facilities	<p>Site facilities including garbage and recycling 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"> • Waste and recycling bin enclosures are to be durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection; • 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; • Garbage areas are to be designed to avoid common problems such as smell, noise from collection vehicles and the visibility of containers; • 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 form the amenity of occupants; and • Mail boxes are to be incorporated into the front fence or landscaping design. They are to be easily accessible and clearly identifiable. 	Complies.	YES
D20 – Safety and Security	<p>Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</p> <p>Service areas and access ways are to be either secured or designed to allow casual surveillance.</p> <p>There is to be adequate lighting of entrances and pedestrian areas.</p> <p>After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</p> <p>Entrances to buildings are to be from public streets wherever possible.</p>	Complies. See Architectural Plans at Attachment 3 .	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011				
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES	
	<p>For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime, safety or security risk. See Crime Prevention and Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 prepared by the Department of Urban Affairs and Planning (now Department of Planning).</p> <p>Buildings are to be designed to allow casual surveillance of the street, for example by:</p> <ul style="list-style-type: none"> a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance; d) Clearly displaying the street number on the front of the building in pedestrian view; and e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters. <p>Casual surveillance of loading areas is to be improved by:</p> <ul style="list-style-type: none"> a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and b) Providing adequate day and night lighting which will reduce the risk of undesirable activity. <p>Design entrances to buildings from public streets so that:</p> <ul style="list-style-type: none"> a) Building entrances are clearly identifiable, defined, lit and visible; b) The residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development; c) Main entrances are clearly identifiable; d) Pavement surfaces and signage direct pedestrian movements; and e) Potential conflict between pedestrians and vehicles is avoided. 			
D21 – Provision and Location of Utility Services	<p>If a proposed development will involve a need for them, utility services must be provided, including provision of the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.</p> <p>Service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets.</p> <p>Where possible, underground utility services such as water, gas, telecommunications, electricity and gas are to be provided in a common trench. The main advantages for this are:</p> <ul style="list-style-type: none"> a) A reduction in the number of trenches required; b) An accurate location of services for maintenance; c) Minimising the conflict between services; d) Minimising land required and cost; <p>The location of utility services should take account of and minimise any impact on natural features such as bushland and natural watercourses.</p> <p>Where natural features are disturbed the soil profile should be restored and landscaping and tree planting should be sited and selected to minimise impact on services, including existing overhead cables.</p> <p>Where utilities are located above ground, screening devices should include</p>	Able to comply.		YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	<p>materials that complement the streetscape, for example fencing and landscaping. The location of service structures such as electricity substations should be within the site area.</p> <p>Habitable buildings must be connected to Sydney Water's sewerage system where the density is one dwelling per 1050 square metres or greater.</p> <p>On land where the density is less than one dwelling per 1050 square metres, and where connection to Sydney Water is not possible, Council may consider the on-site disposal of effluent where the applicant can demonstrate that the proposed sewerage systems or works are able to operate over the long term without causing unreasonable adverse effects.</p>		
D22 – Conversation of Energy and Water	<p>The orientation, layout and landscaping of sites is to make the best use of natural ventilation, daylight and solar energy.</p> <p>Site layout and structures are to allow for reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties.</p> <p>Buildings are to be designed to minimize energy and water consumption.</p> <p>Landscape design is to assist in the conservation of energy and water.</p> <p>Reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks.</p> <p>All development must comply with Council's Water Management Policy.</p>	Complies.	YES
Part E – The Natural Environment			
E1 – Preservation of Trees or Bushland Vegetation	<p><u>Requirements of Tree Development Applications</u> All trees are prescribed for the purposes of clause 5.9 of the Warringah LEP 2011.</p> <p>A person shall not ringbark, cut down, top, lop, remove, poison, injure, or wilfully destroy any prescribed tree or bushland vegetation unless authorised by a current Development Consent. This includes damage to a tree or bushland vegetation by:</p> <ul style="list-style-type: none"> • Damaging or tearing live branches and roots; • Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on tree health; • Tree topping, where large branches and/or the trunk of the tree is removed from the top of the trees canopy; • Tree lopping, where branches are removed to reduce the height and spread of the tree. • Damaging the root zone of a tree by way of compaction, including storage and stockpiling materials; • Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling; • Underscrubbing of bushland vegetation; • Burning of vegetation (not part of a Hazard Reduction Certificate); or Any other act or activity that causes the destruction of, the severing of trunks or stems of, or any other substantial damage to, some or all of the native vegetation in an area. • Where such activities are required as part of other works for which a Development Application (DA) is required, the works will be assessed as part of the DA. • This control does not apply to Council or its duly authorised servants or agents to carry out approved maintenance or works, including those 	See Arboricultural Impact Assessment at Attachment 2.	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	<p>covered under Part 5 of the Environmental Planning & Assessment Act. Works conducted in accordance with a Hazard Reduction Certificate issued under the Rural Fires Act 1997 for asset protection hazard reduction works do not require a permit.</p> <p>Tree Development Applications (Tree DAs) are required for: a) Removal or cutting down of any tree over five (5) metres in height; b) Pruning of more than ten percent (10%) of a tree canopy. c) The removal of "Bushland".</p> <p>"Bushland" means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation (as defined by the Local Government Act 1993)</p> <p>The applicant must demonstrate that any tree to be removed as part of a Tree DA meets one or more of the criteria of the Removal of Tree Test in Appendix 8 (WDCP) and the Tree Retention Assessment in Appendix 9 (WDCP). An arborist report may be required to satisfy this requirement.</p> <p>Applications for the removal of bushland on land under the Warringah LEP 2011 must address relevant objectives and requirements of Parts E2, E3, E4, E5, E6, E7 and E8 of the Warringah DCP 2011</p> <p><u>Requirements for other Development Applications</u> Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.</p> <p>Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</p> <p>Development must also avoid any impact on trees on public land.</p> <p>For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 11 is to be submitted.</p> <p>Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 12 is to be submitted.</p> <p>Development applications which require the removal of bushland on land under the Warringah LEP 2011 must address relevant objectives and requirements of Parts E2, E3, E4, E5, E6, E7 and E8 of the Warringah DCP 2011.</p>		
E2 – Prescribed Vegetation	<p>The following is prescribed for the purposes of clause 5.9(2) of the WLEP: All native vegetation identified on: a) DCP Map Threatened and High Conservation Habitat b) DCP Map Wildlife Corridors c) DCP Map Native Vegetation d) known or potential habitat for threatened species, populations or ecological communities as listed under the NSW Threatened Species Conservation Act 1995 and/or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.</p> <p>Development is to be situated and designed to minimise the impact on prescribed</p>	N/A.	N/A

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES
	vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.		
E6 – Retaining unique environmental features	Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.	N/A	N/A.
	Development should respond to these features through location of structures, outlook, design and materials.		
E10 – Landslip Risk	<p>The applicant must demonstrate that:</p> <ul style="list-style-type: none">• The proposed development is justified in terms of geotechnical stability; and• The proposed development will be carried out in accordance with good engineering practice. <p>Development must not cause detrimental impacts because of stormwater discharge from the land.</p> <p>Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.</p> <p>To address Requirements 1 to 3:</p> <p>i) For land identified as being in Area A: Council may decide that a preliminary assessment of site conditions is required. If Council so decides, a preliminary assessment of site conditions must be prepared, in accordance with the Checklist for Council's assessment of site conditions (see Notes) by a suitably qualified geotechnical engineer/ engineering geologist. The preliminary assessment must be submitted to Council before the granting of any development consent.</p> <p>If the preliminary assessment determines that a geotechnical report is required, the same provisions apply in Area A as those that apply in Area B and Area D.</p> <p>ii) For land identified as being in Area B or Area D:</p> <p>A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application.</p> <p>If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</p> <p>Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p> <p>iii) For land identified as being in Area C or Area E:</p> <p>A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/ engineering geologist, must be submitted with the development application.</p> <p>Also, a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</p>	See Preliminary Geotechnically Assessment at Attachment 4 .	YES

WARRINGAH DEVELOPMENT CONTROL PLAN 2011			
CONTROL	REQUIREMENTS	PROPOSED	COMPLIES

iv) When a geotechnical report is required to be submitted, (determined in accordance with i) to iii) above), the report must include a risk assessment of landslip in relation to both property and life. The risk assessment must have regard to any guidelines published by the Australian Geomechanics Society.

4.3.2 Any Other Policies

N/A.

4.4 Impacts of the Development – Section 4.15(1)(b)

The impacts of the boarding house proposal are considered acceptable in the circumstances of the case. Environmental, economic and social impacts, along with compliance with quantitative controls of the SEPP and local policies are addressed throughout the SEE. Specific impacts of the development are addressed in the subsections below.

4.4.1 Crime Prevention Through Environmental Design

The application of Crime Prevention Through Environmental Design (CPTED) principles as developed in the USA in the early 1960s helps improve and maintain safe living and working environments. CPTED is considered in the literature as an environmental design science, but may also be considered as a risk management strategy, since there is likely to be risk and uncertainty created in terms of human behavioural outcomes resulting from, or being affected by, environmental and social conditions encountered in the community design process. The risks and uncertainties created may be reduced or eliminated through application of CPTED risk management strategies. The CPTED principles applied in the proposed development as follows.

Surveillance: Redevelopment of the site will in general improve 24-hour surveillance to Gladys Avenue, providing opportunities for spontaneous surveillance of the street from the activity generated from the residents of the site.

Access Control: There is one principle access points between the development and the public domain (vehicular and pedestrian entries). Each access point will be appropriately identified to promote access to desired users only, being residents and their guests. All accessible doors will have swipe card access. The swipe cards provide access to the rooms for the period the boarder has lodgings. Once the tenancy has expired the card is rendered useless. Windows and other access points at or near ground level will be lockable to restrict unwelcome access.

Territorial Reinforcement: The differentiation between the public and private domains is unambiguous. In addition to access control, which clearly delineates public and private spaces, additional visual cues such as paving materials and landscaping will be used to distinguish between these spaces.

Space Management: Some of the most common criminal activities include malicious damage to property, assault, theft, break and enter to dwellings and commercial premises, and theft from a motor vehicle. These forms of incidents would be sensitive to the introduction of security hardware and personnel within the complex.

4.4.2 Access and Traffic Impacts

Council's DCP aims to minimise traffic hazards, vehicles queuing on public roads, the number of vehicle crossings in a street, traffic, pedestrian and cyclist conflict, interference with public transport facilities, and the loss of on street kerbside parking. Traffic and Parking Impacts Report (**Attachment 10**) addresses all such issues, including the provision of car, motorcycle and bicycle parking requirements of the SEPP. The report has concluded the following:

- *The proposed parking provision complies with and exceeds Council's Development Control Plan requirements;*
- *The additional traffic from the proposed development will be maintained and will have no negative impacts on the street network operation;*
- *The design of access, car parking and servicing facilities complies with the relevant Standards; and,*
- *The proposed development is supportable on traffic and parking grounds.*

4.4.3 Access, Building Code of Australia and Fire Safety

A BCA & Access Compliance Report (**Attachment 5**) has been prepared to identify the extent of compliance achieved with the relevant provisions and standards of the Building Code of Australia (BCA) 2016. Where compliance cannot be achieved with the Deemed To Satisfy provisions of the BCA, performance solutions will be utilised that are able to achieve compliance with the Performance Requirements of the BCA. The assessment confirms the proposal is capable of achieving compliance with relevant requirements of the BCA and must be verified prior to issue of a Construction Certificate.

The proposed building has is classified as Class 3 Boarding House and Class 7a Carpark and will consist of a Type A Construction.

The objective of Section J is to reduce greenhouse gas emissions produced by a development. To determine what measures are required for the proposal to meet Section J Deemed-to-Satisfy requirements of the 2016 National Construction Code (NCC) a Section J Report has been prepared (see **Attachment 6**).

4.4.4 Economic Impacts

The proposal will have positive economic impacts, creating employment during the construction phase, and will contribute to the affordability of accommodation in the Northern Beaches Hospital Precinct.

4.4.5 Social Impacts

The proposed development will create temporary nuisance impacts during construction that will be controlled by appropriate conditions of development consent. It will however have long term positive social impacts, with the provision of a range of housing types catering to the varying needs of the local community, improving casual surveillance of Gladys Avenue and reducing the risk of crime, and making a significant contribution to the affordability of accommodation in the Northern Beaches Hospital Precinct.

The Boarding House Management Plan demonstrates how operation of the proposed boarding house aims to maintain a high level of amenity for neighbouring properties.

4.4.6 Acoustic Impacts

Noise from combined the operation of all mechanical plant and equipment will not generate noise 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 adjoining residences.

Waste collection and delivery vehicles will not to operate between 10pm and 6am.

The use of common areas within the development will be strictly policed by the boarding house manager. Live music will not be permissible on the premises at any time. No amplified music is permitted at any time within the outdoor communal areas. Recorded and/or amplified music is permissible indoors during daylight hours only between 8:00am and 8:00pm Monday to Thursday and between 8:00am and 10:00pm Friday to Sunday. A complaints and incidents register will be kept by the boarding house manager and will be made available to Council officers or NSW Police on request (see Boarding House Management Plan at **Attachment 9**).

4.4.7 Demolition and Construction Management

Prior to the commencement of demolition and/or excavation work on site, the following details will be submitted to and be approved by the Principal Certifying Authority:

- (i) Plans and elevations showing distances of the subject building from the site boundaries, the location of adjoining and common/party walls, and the proposed method of facade retention.
- (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
- (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
- (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.

These statements will, where applicable, be in compliance with AS2601-1991 Demolition of Structures, the Construction Safety Act 1912 and Demolitions Regulations; the Occupational Health and Safety Act 2000 and Regulation; any Council policy for waste minimisation, the Waste Avoidance and Resource Recovery Act 2001, and all other relevant acts and regulations, and will include provisions for:

- (i) A Waste Management Plan for the removal of refuse from the site in accordance with the Waste Avoidance and Resource Recovery Act 2001.
- (ii) The name and address of the company/contractor undertaking demolition/excavation works.
- (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
- (iv) The name and address of the transport contractor.
- (v) The type and quantity of material to be removed from site.
- (vi) Location and method of waste disposal and recycling.
- (vii) Proposed truck routes, in accordance with this development consent.
- (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
- (ix) Measures to control noise emissions from the site.
- (x) Measures to suppress odours.
- (xi) Enclosing and making the site safe.
- (xii) A certified copy of the Public Liability Insurance indemnifying Council for \$10,000,000 against public prosecution for the duration of the demolition works.
- (xiii) Induction training for on-site personnel.
- (xiv) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in

accordance with the procedures acceptable to Work Cover Authority.

- (xv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
- (xvi) Disconnection of utilities.
- (xvii) Fire Fighting. (Firefighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
- (xviii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
- (xix) Waterproofing of any exposed surfaces of adjoining buildings.
- (xx) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the Protection of the Environment Operations Act 1997).
- (xxi) Working hours, in accordance with this development consent.
- (xxii) Any Work Cover Authority requirements.

Demolition and construction works include temporary fencing, hoarding and warning notices required to conduct the works and protect the general public. All demolition, construction and building work will be adequately managed so as to minimise disruption to the local community and the environment. Noise generated by construction activities will comply with Council's standard construction times.

A plan of demolition can be found in Architectural Plans at **Attachment 3** and sediment control measures can be found in the Stormwater Drainage Concept Plans at **Attachment 7**.

4.4.8 Arboricultural Impacts

The proposed plans will have an underground car park to the edge of the existing retaining wall, which contains all of the significant trees upon the site. The Arboricultural Impact Assessment at **Attachment 2** notes the position of the car park will have an acceptable impact as per AS 4970-2009 Protection of trees on development sites on the tree protection zones of Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and Group 11., and concludes:

The proposed development has been developed in conjunction with an Arboriculturist. The aim has been to retain the streetscape amenity of the site whilst utilising the large area of land. This outcome has been achieved without a reduction in the streetscape amenity from the proposed development. The trees that are to be removed can easily be replaced in the landscape plans as there is more than adequate space on the northern and eastern boundaries of the site.

The area's amenity and wildlife resources will be maintained.

4.4.9 Geotechnical Constraint

The site is mapped on the Northern Beaches Council landslip risk map as 'Area A' (southern portion) and 'Area B' (northern portion). According to the Warringah Local Environmental Plan 2011, Part E: The Natural Environment, a geotechnical report is not normally required for 'Area A'. A geotechnical report is however required for 'Area B' when excavation depth will be greater than 2 metres. As the site will require bulk excavations of up to 6 mBGL, a Preliminary Geotechnical Assessment (**Attachment 4**) has been prepared to support the development application, which concludes as follows:

No evidence of extensive subsidence or recent gross slope instability was observed on site. Minor soil settlement was observed near the northern site boundary, inferred to be the result of pine tree removal and subsequent soil moisture condition variations.

A geotechnical hazard risk assessment for the proposed works has been completed in accordance with the qualitative risk matrices provided in Section 7 of the Australian Geomechanics Society’s Landslide Risk Management Guidelines (2007). We have considered five main geotechnical hazards. These and associated risks are described in Attachment D.

The proposed development is considered to constitute an acceptable risk to life and a low risk to property, resulting from assessed geotechnical hazard, provided that the slope treatment measures presented in Attachment D and recommendations presented in this report are adhered to, where applicable. A description of good hillslope engineering practices is provided as Attachment E.

4.5 Suitability of the Site – Section 4.15(1)(c)

The site is not affected by any known natural or technological constraint that would prevent development in accordance with the zone objectives.

Table 3

Does the proposal fit the locality?

Consideration	Outcome
Are the constraints posed by adjacent developments prohibitive?	No
Would development lead to unmanageable transport demands?	No
Are there adequate transport facilities in the area?	Yes
Will the locality contain adequate recreational opportunities and public spaces for new occupants?	Yes
Are utilities and services available to the site and adequate for the development?	Yes
Is the air quality and microclimate appropriate for the development?	Yes
Are there hazardous landuses or activities nearby?	No
Are ambient noise levels suitable for the development?	Yes
How critical is the site to the water cycle in the catchment?	N/A

Table 4

Are the site attributes conducive to development?

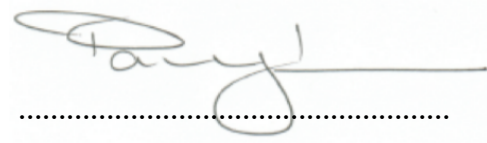
Consideration	Outcome
Is the site subject to natural hazards including floodplain, tidal inundation, subsidence, slip, mass movement, and bushfires?	No
Is the proposal compatible with conserving the heritage significance of the site?	N/A
Are the soil characteristics on the site appropriate for development?	Yes
Is development compatible with protecting any critical habitats or threatened species, populations, ecological communities and habitats on the site?	N/A
Is the site prime agricultural land and will development prejudice future agricultural production?	No
Will development prejudice the future use of the site for mineral and extractive resources?	N/A

4.6 Public Interest – Section 4.15(1)(e)

The proposal is considered to be in the public interest, with the provision of affordable rental housing in a highly serviced location, in close proximity to employment within a Strategic Centre, and consistent also with Council's desire to commit to a 15% affordable rental housing target as part of any redevelopment of the future town centre at Frenchs Forest and a 10% target applicable for the remaining rezoned area.

5 CONCLUSION

Having taken into account the relevant heads of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposal is considered an appropriate response to the opportunities and constraints of the site, complying with the intent of the R2 Low Density Residential Zone, whilst promoting affordable housing in a desirable location, consistent with the objectives of the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy (Affordable Rental Housing) 2009, which each strive to encourage the provision and maintenance of affordable housing throughout NSW.



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