



## Pre-lodgement Meeting Notes

**Application No:** PLM2023/0125  
**Meeting Date:** 17 October 2023  
**Property Address:** 75 Old Pittwater Road BROOKVALE  
**Proposal:** Research Laboratory, demountable building and new concrete slab  
**Attendees for Council:** Julie Edwards – Planner  
Lachlan Rose – Student Planner  
Valerie Tulk – Acting Team Leader, Floodplain Planning & Response  
Rosemary Roche – Environmental Health Officer  
Jason Ruszczyk - Acting Team Leader – Catchments  
David Hellot - Senior Environment Officer – Catchments  
Matthew Makomaski - Senior Development Engineer

### General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only.

These notes are an account of the advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the meeting.

These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority.

A determination can only be made following the lodgement and full assessment of the application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Warringah Local Environmental Plan 2011 (WLEP) and Warringah Development Control Plan 2011 (WDCP), within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.

### SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION



## Response to Matters Raised by the Applicant

### ***Flooding***

#### Comment:

A Flood Management Report prepared by a suitably qualified engineer should be submitted with the DA. The Flood Management Report should demonstrate compliance with all requirements in Part E11 of the WDCP and Clause 5.21 of the WLEP. Please see the Flood Engineering comments under Specialist Advice for full details.

### ***Approved Use***

#### Comment:

The Statement of Environmental Effects (SEE) will need to detail the history of the site, detailing past approvals for the use and structures.

## WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP)

WLEP can be viewed at <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0649>

Part 2 - Zoning and Permissibility	
<b>Definition of proposed development:</b> (ref. WLEP Dictionary)	<b>General Industry</b> general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.
<b>Zone:</b>	E4 General Industrial
<b>Permitted with Consent or Prohibited:</b>	Permitted with Consent

## Clause 4.6 - Exceptions to Development Standards

Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court.

A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
<b>4.3 Height of Buildings</b>	11m	3.316m – Lab Roof 6.31m – Flum Stack	Yes

## WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP)

WDCP can be viewed at <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP>

The following notes the identified non-compliant areas of the proposal only.



Part B Built Form Controls		
Control	Permitted	Proposed
<b>C3 Carparking Facilities</b>	1.3 spaces per 100m <sup>2</sup> GFA (including up to 20% of floor area as office space component. Office space component above 20% determined at office rate).	Parking rate not provided
<p><u>Comment:</u> See Traffic Engineers comments below.</p>		

Specialist Advice
<p><b>Traffic Engineer</b></p> <p>The prelodgement proposal is for relocation of a demountable building on the site plus construction of a new industrial building (GFA 74.43m<sup>2</sup>) and concreting of 520m<sup>2</sup> of the site</p> <p>The proposed works will have a minor level of impact in terms of traffic generation that is unlikely to result in any appreciable change to traffic conditions in the surrounding area.</p> <p>In terms of parking the prelodgement information has suggested that the new lab building will require parking at a rate of 1.3 spaces for every 100m<sup>2</sup> i.e the rates for industrial/warehouse premises. It is noted that the lab appears to be a place of work for at least 6 persons and as such the parking requirements would be more appropriately assessed as an office or premises use i.e 1 space per 40m<sup>2</sup>. Never-the-less the parking requirement is low. Aerial photo imagery suggests that the new lab building will be sited on land that is currently used for parking. The DA should outline what approved parking is lost as a result of the work and any new or relocated parking that will be provided to offset the loss or to otherwise demonstrate that the parking requirements of the uses on the site are met or exceeded.</p> <p>On site loading areas and provisions for delivery truck turning should also be outlined to confirm that the proposed works are not going to impact upon the ability of delivery vehicles to enter and exit the site in a forwards direction.</p> <p>The development application should also include details of proposed bicycle parking facilities to support the development on the site (in compliance with WDCP requirements) to encourage travel by alternate travel modes.</p>
<p><b>Development Engineering</b></p> <ul style="list-style-type: none"> <li>The site is flood affected and hence the provision of OSD is not required.</li> <li>The method of stormwater disposal is to be in accordance with Council's Water Management for Development Policy. The policy is available in Council's web page. <a href="https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/water-management/water-management-development-policy/water-management-development-policy-aug2020.pdf">https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/water-management/water-management-development-policy/water-management-development-policy-aug2020.pdf</a>.</li> <li>Please refer to flood team for applicable flood controls.</li> </ul>
<p><b>Flood Engineering</b></p>



### Specialist Advice

The following flood data comes from the Manly Lagoon Flood Study (2013). The site to which these data apply is as shown on the Proposed Site Plan, Drawing DA-03.

#### Flood Level Data

- 1% AEP flood level: 13.0m AHD
- Flood Planning Level (FPL): 13.5m AHD
- Probable Maximum Flood (PMF) level: 14.66m AHD
- Flood Risk Precinct: Medium
- Flood Life Hazard Category: H5
- Hydraulic Category: Flood Fringe

Two buildings are proposed along the western part of the site. The proposed FFL of the laboratory is 14.0m AHD and the proposed FFL of the relocated demountable is 14.41m AHD.

A Flood Management Report prepared by a suitably qualified engineer should be submitted with the DA. The Flood Management Report should demonstrate compliance with all requirements in Part E11 of the WDCP and Clause 5.21 of the WLEP. In particular, please note the following controls:

- A2 – The site for the two buildings is partially affected by the 1% AEP event. The hydraulic category is Flood Fringe rather than Flood Storage, so even if the buildings were enclosed underneath, it is not considered that there would be a loss of flood storage or associated adverse impacts.
- B2 – As per Control E1, shelter-in-place refuge is required so the development must be designed and constructed to ensure structural integrity up to the PMF level, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification from a suitably qualified engineer will be required prior to issue of the construction certificate.
- B3 - Electrical equipment, points, wiring, fuel lines or any other service pipes and connections must be waterproofed and/or located above the FPL.
- C1 - Internal floor levels need to be at or above the FPL. However please note that as per Control E1, at least some of the internal floor needs to be at or above the PMF level.
- E1 - With a Flood Life Hazard Category of H5, the Flood Management Report should include a flood emergency assessment. Flood-free evacuation above the PMF is not available, so shelter-in-place refuge is required within each building. The floor level of the refuge should be at or above the PMF level, with an area large enough for at least 1m<sup>2</sup> per person. It should be intrinsically accessible to all people on the site, plainly evident, and self-directing, and must contain as a minimum: sufficient clean water for all occupants; portable radio with spare batteries; torch with spare batteries; and a first aid kit
- G1 - Any hazardous or potentially polluting materials (including chemicals) are not to be stored below the FPL unless adequately protected from floodwaters.

Guidelines for development on flood prone land and how to prepare a Flood Management Report are available on Council's website.

The current design is not supported as appropriate shelter-in-place refuge is not available in each building.

### Environmental Health



### Specialist Advice

Harrison Manufacturing will need to engage a suitably qualified consultant to assess the quality of the air and odour emissions from the new laboratory operations. The consultant will need to assess any potential air pollution and odour issues that may arise from the additional laboratory onsite and identify any effective mitigation measures.

The assessment needs to provide information on the quality of the air being emitted and what potential impacts it may have on the air quality. Effective mitigation measures are to be provided within the report and submitted to Council with the Development Application.

### Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
  - Site Plan;
  - Floor Plans;
  - Elevations; and
  - Sections.
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Flood Management Report
- Air Quality and Odour Emissions Report

### IMPORTANT NOTE FOR DA LODGEMENT

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

### Concluding Comments

These notes are in response to a pre-lodgement meeting held on 17 October 2023 to discuss Alterations and Additions at 75 Old Pittwater Road BROOKVALE. The notes reference the plans prepared by Space Design Pty Ltd dated 01/08/2023.

The current proposal is not supported as it does not comply with shelter in place provisions. However, the application can be supported if the proposal is amended to comply with the

**Concluding Comments**

recommendations of the Flood Management Report and the requirements of the WDCP and WLEP. The DA should outline what approved parking is lost as a result of the work and any new or relocated parking that will be provided to offset the loss or to otherwise demonstrate that the parking requirements of the uses on the site are met or exceeded. The SEE will also need to demonstrate that the site has approval for its existing 'Use' and structures.

**Question on these Notes?**

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.