



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2019/0070

Meeting Date: 2 May 2019

Property Address: 49 Frenchs Forest Road East, Frenchs Forest

Proposal: Construction of a multi-storey cancer treatment facility (Health Care Facility)

Attendees for Council: Steve Findlay – Manager, Development Assessment
Lashta Haidari – Principal Planner
Catriona Shirley – Planner
Sean Khoo – Engineer – Specialist Development/Drainage
Patrick Bastawrous – Senior Traffic Engineer

Attendees for applicant: Karl Mayoh
James Curtin
Ian Edwards
Barry Moss
Mark Smith
Jennifer Lavery
Ross Noble
Zack Ashby

General Comments/Limitations of these Notes

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

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Warringah LEP 2011, Warringah LEP 2000 and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



Warringah Local Environmental Plan 2011 (WLEP 2011)

Consideration of proposal against Warringah Local Environment Plan 2011

The fundamentals	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	<p>Health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:</p> <ul style="list-style-type: none"> a) a medical centre, b) community health service facilities, c) health consulting rooms, d) patient transport facilities, including helipads and ambulance facilities, e) Hospital.
Zone:	B7 Business Park
Permitted with Consent or Prohibited:	Health Services Facility are Permitted with consent both WLEP 2011 and SEPP (Infrastructure) 2007, however the Development Application needs to be clear on whether the proposed use falls under the definition of a medical centre or a hospital.

Objectives of the Zone
<p>The proposal must be consistent with the following objectives of the zone:</p> <ul style="list-style-type: none"> • <i>To provide a range of office and light industrial uses.</i> • <i>To encourage employment opportunities.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.</i> • <i>To create business park employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.</i> • <i>To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.</i> <p><u>Comment:</u></p> <ul style="list-style-type: none"> • The new premises will introduce new uses that are compatible with the area given the presence of the new Northern Beaches Hospital nearby. The development application should specify the intended use of the internal space and specify whether the building is occupied as a single entity or a formation of independent health services grouped within the building providing diversity of employment. • The proposal is required to contribute to an '<i>environment of high visual quality that relates favourably in architectural treatment and landscaping to neighbouring uses</i>'. The



Objectives of the Zone

proposal does not fully satisfy this objective as presented at the pre-lodgement and further information and details are required to address this objectives.

- The proposal must not create conflict with adjacent land uses including the amenity of adjacent office buildings. The site does not adjoin residential land.

It is considered that the development, as presented, subject to providing detailed information satisfy certain objectives of zone.

Principal Development Standards:

Standard	Permitted	Proposed	Comment
Height of Buildings: Note: Building heights under WLEP 2011 are taken from existing ground level.	Not specified	15.5m to the parapet	Height is to be compatible with adjoining and surrounding buildings.

Part 5 Miscellaneous Provisions

Provision	Comment
5.3 Development near zone boundaries	Land is adequately separated from the zone boundary to not trigger the provisions of this clause.
5.8 Conversion of fire alarms	To be addressed with preliminary BCA report for the development application. BCA report should address kitchen requirements for fit out and service vents.
5.9 Preservation of trees and vegetation	The site contains no significant trees and is cleared of vegetation, for the building footprint.
5.10 Heritage conservation	No heritage items in close proximity to the building or on the site.

Part 6 Relevant Additional Local Provisions

Provision	Comment
6.2 Earthworks	Earthworks mean excavation or filling. The development is to satisfy the requirements of this clause and is to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
6.4 Development on Sloping Land	Site is classified within the 'Area A' for the slope hazard. As the proposal includes excavation works, a Geotechnical Report (prepared by an appropriately qualified person) in accordance with requirements of this clause is required to be submitted with the Development Application. Wide setbacks are recommended to reduce cross



Part 6 Relevant Additional Local Provisions	
Provision	Comment
	boundary issues and geotechnical risks including adequate space for drainage and infiltration.

Warringah Development Control Plan 2011 (WDCP 2011)

Consideration of proposal against Warringah Development Control Plan 2011

Warringah Development Control Plan			
Part B: Built Form Controls			
Control	Requirement	Proposed	Comment
B4. Site Coverage	33.3%	Insufficient information submitted to determine complies.	The footprint of the building cannot take up more than 33.3% of the site and 33.3% of the site must be retained for deep soil landscaping. Appropriate site planning and a reduction in floor space may be required to ensure compliance to address the balance between the built form controls and enable appropriate site planning. Any deep soil landscape area must be at least 2.0m wide to be included, 1m deep soil and at ground level.
B5 & B6. Side Boundary Setbacks	Merit assessment	Nil	There are number of easement and sewer line within the side boundaries. Any works within the proximity of these easements needs approval from Ausgrid and any relevant easement restrictions.
B7 & B8. Front Boundary Setbacks – Warringah Road and Wakehurst Parkway.	30m	Insufficient information submitted to determine complies.	Front setback to be landscaped. Reduced setback will only be supported if the building bulk and height is substantially reduced. Deep soil Landscaping area must not be compromised.
B9 & B10. Rear Boundary Setbacks	Merit assessment	Insufficient information submitted to determine complies	Refer to discussion above on side boundary setback.
Part C: Siting Factors			
Control	Comment		



Warringah Development Control Plan	
C2. Traffic, Access and Safety	<p>A driveway profile drawing is required and traffic / parking report to address design compliance with Australian Standard 2890 and safety (e.g. footpath access separate to the driveway, accessibility, ramp transitions, turning paths and the like.)</p> <p>The issues surrounding a single width ramp versus a two way ramp are to be addressed in the traffic report. Council's preference is for a two way ramp from a practical, safety and convenience point of view.</p> <p>Traffic assessment may require RMS traffic model for the proposed network of the RMS due to significant changes in the local precinct.</p>
C3. Parking Facilities	<p>Parking is required be satisfactory with the projected Health care facility demand including service vehicles. Plans are to demonstrate compliance with current requirements for Australian Standard 2890.</p>
C4. Stormwater	<p>Council's Development Engineer has provided the following comments:</p> <p><i>The applicant advises an Onsite Stormwater Detention (OSD) system already exists on the subject site. The applicant is to submit survey details of the existing OSD system. Supporting calculations and plans of the OSD system built as part of the subdivision are to be submitted with the Development Application to demonstrate the existing OSD system has capacity to receive the additional stormwater runoff from the development.</i></p>
C5. Erosion and Sedimentation	<p>An erosion and sediment control plan must be submitted with the development application.</p>
C6. Building over or adjacent to Constructed Council Drainage Easements	<p>The development site is burdened by some easements. Where any proposed structures encroach onto these easements, written concurrence from the beneficiaries of these easement are to be submitted with the Development Application.</p>
C7. Excavation and Landfill	<p>The application is to satisfactorily address the requirements of this clause.</p>
C8. Demolition and Construction	<p>A construction management plan is required to address construction parking and site access. This will include acoustic management with any excavation / jackhammering to ensure disturbance to neighbouring business uses is not unreasonable. Prior consultation is recommended with adjacent uses to identify any particular concerns.</p>
C9. Waste Management	<p>The development is to comply with the objectives and requirements of the part, in particular, with the section addressing non-residential development.</p> <p>A Waste Management Plan is to be submitted with the</p>



Warringah Development Control Plan	
	application.
Part D: Design	
Control	Comment
D1. Landscaped Open Space and Bushland Setting	A landscaped setting is required for the building from Warringah Road. As a baseline this net area exceeds 33.3% but with ancillary design losses in LOS for driveways, forecourt, reversing / turning areas, ramps and pathways, services and the like, compliance is still practicable and achievable.
D3. Noise	The location of plant motors such as air conditioning, lift motors and the like are to be shown on the plan. These should not be positioned where they may cause noise disturbance to adjacent office space on neighbouring land. Acoustic details will be required to ensure motorised equipment does adversely affect adjacent land.
D6. Access to Sunlight	Adjacent business park buildings also seek to use natural light for energy efficiency and therefore consideration is required to address the objectives of this clause does not clause. This is to ensure the building does not cause unreasonable overshadowing for existing adjacent buildings that were also designed to rely on access to sunlight. Shadow diagrams are required.
D9. Building Bulk	It must be noted the zone is “business park” not “industrial” and therefore the building design requirements / aesthetics are more onerous. Emphasis must be placed on high quality external materials and presentation of a building that “fits” appropriately with the surrounding buildings. Height, bulk and scale must respond to the building controls detailed in the DCP. Landscaping must be used to enhance the business park setting of the building.
D10. Building Colours and Materials	The use of stone and timber elements together with a muted colour scheme are to be incorporated into the facade treatments to soften the appearance of the development. A Schedule of Colours and Materials is to be submitted with the application.
D11. Roofs	The flat roof design is considered to be acceptable for the location of the development
D12. Glare and Reflection	The development application is to address the possibility of glare toward adjacent overlooking office space from the building design.
D18. Accessibility	The proposal is required to comply with the <i>Disability Discrimination Act 1992</i> (DDA). The proposal includes lift service, accessible car spaces and the like. Note that allocation car parking width should be appropriate to the mobility of patient ratio to normal (narrower) parking spaces. An Access Report (prepared by an appropriately qualified person) is to be submitted with the application.
D20. Safety and Security	The application is to provide an Operational Management



Warringah Development Control Plan	
	Plan (OMP) and formal risk assessment, including a consideration of the 'Crime Prevention through Environmental Design' principles.
D21. Provision and Location of Utility Services	The location of service rooms required for water meters, hydrants, electricity and the like are to be shown on the plans.
D23. Signs	Any signage proposed for the development is to be submitted with the application. Details are to include scaled and coloured plans which detail the location of such signs. The Statement of Environmental Effects is to address this part (and SEPP 64) should signage be proposed.
Part E: The Natural Environment	
Control	Comment
E1. Private Property Tree Management	The trees at the front of the site are to be identified and addressed by an Arborist report.
E10. Landslip Risk	No significant landslip risk from slope, however a Geotechnical Assessment is required due to the depth of excavation and potential impact on adjoining properties.

<p>Draft Northern Beaches Hospital Precinct Structure Plan</p> <p>Council has adopted the Hospital Precinct Structure Plan (HPSP) to guide future land use planning decisions in Frenchs Forest over the next 20 years. Whilst this is not a statutory document, Council is working with the NSW Department of Planning and Environment to implement Phase 1 of the HPSP into the statutory planning framework as part of the Frenchs Forest Planned Precinct project.</p> <p>The subject site is identified within an area for 'jobs growth' in the HPSP. The development proposes a new commercial building to include health related uses including radiation therapy oncology, imaging, consulting and wellness areas. The proposal is supported as it will contribute towards additional jobs for the precinct. In addition, the uses will support the new hospital and encourage employment growth in the area</p>

Other Relevant Environmental Planning Instruments/SEPPs
<p>You are advised that the following Environmental Planning Instruments apply to the development:</p> <ul style="list-style-type: none"> • SEPP No. 55 – Remediation of Land; • SEPP No. 64 – Advertising and Signage (if required); • SEPP (Infrastructure) 2007; and

Relevant Council Policies



Relevant Council Policies

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

- Policy for the Management of Applications
- Stormwater drainage for low level properties PDS-POL 135
- Building over or adjacent to constructed Council drainage systems and easements: PAS-PL 130
- Vehicle access to all roadside development: LAP-PL 315
- Section 94A Contributions Policy.

Required Documentation

- All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000;
- All information as required on the Development Application form checklist;
- Site Analysis;
- Site Survey (prepared by a registered Surveyor);
- Statement of Environmental Effects addressing:
 - Section 4.15 of EPA Act,
 - all relevant sections of WLEP 2011, including demonstrating consistency with the B7 Business Park zone and the compliance with the Height of Buildings Development Standard.
 - All relevant sections of WDCP 2011;
 - other relevant Environmental Planning Instruments.
- Architectural plans including 4 cross sections and driveway profile to the kerb.
- Geo-technical report with Site Contamination Assessment (SEPP 55);
- Accessibility and preliminary BCA assessment;
- Acoustic report (including construction / excavation management considerations)
- Traffic and Parking Report;
- Shadow diagrams (9am, midday ,3pm only);
- Landscape Plan showing the layout of the landscaping within the site
- Waste Management Plan;
- Stormwater Management Plan / Drainage Diagram as required
- Erosion and Sedimentation Plan;
- Colour and Materials Schedule;
- Signage Plan or details to be included in DA plans;
- Owners consent (all owners)
- Cost Summary Report (Note: S94A Contribution rates) This report is to be in addition to the Estimated Cost of Work options in Part 2.3 of Council's Development Application Form.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 2 May 2019 to discuss the development of the site for the construction of new health care facility. The notes reference preliminary plans prepared by TEAM2 Architects.

Based upon the review of the concept proposal, it is generally supported, subject to you satisfactorily addressing the matters raised in these notes prior to lodging a development



Concluding Comments

application, in particular the two points discussed above.

Other Matters

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

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

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

- **Privacy and Personal Information**

You are advised that Council is legally obliged to make Development Applications and supporting documents available for public inspection – see section 12 of the Local Government Act 1993. We do this at the Customer Service Centre and by placing copies of the applications and supporting documents on the Council website.

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

- **Monitoring DA progress after lodgement**

Once lodged you can monitor the progress of your application through Council's website – DA's online. www.warringah.nsw.gov.au