



Pre-lodgement Meeting Notes

Application No:	PLM2023/0156
Meeting Date:	14 December 2023
Property Address:	12 William Street BROOKVALE
Proposal:	Demolition and construction of a 4 storey self-storage development
Attendees for Council:	Daniel Milliken, Manager Development Assessment Anne-Marie Young, Principal Planner Lachlan Rose, Student Planner Richard Platt, Coat and Catchment Officer

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 and Warringah Development Control Plan 2011**, 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.



PROPOSAL

The PLM proposal is for a self-storage facility with two basement levels of storage units, a ground floor parking level and 3 levels of above ground storage units. In total seventy-eight self-storage units are proposed served by 4 off-street parking spaces (including one disabled space) and a loading bay for a Small Rigid Vehicle.

STATE ENVIRONMENTAL PLANNING POLICY

State Environmental Planning Policy (SEP) Resilience and Hazards 2021

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

Response: As a minimum, a Preliminary Site Investigation (PSI) is required to demonstrate that the proposal meets the provisions of clause 4.6 of the SEPP, refer to comments from Council's Health Officer below.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

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

Part 2 - Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	self-storage units <i>means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).</i>
Zone:	Zone E3 Productivity Support



Permitted with Consent or Prohibited:	Permitted with consent
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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
Height of Building (HoB)	11m	14.6m	No 3.6m breach (32.7% breach)
Response: Most level 3 breaches the 11m height limit and it is unlikely that sufficient environmental planning ground can be argued in a CI 4.6 variation to justify the excessive 3.6m (32.7%) breach noting the issues with the basement excavation, non-compliant parking, front setback, and landscape issues. It is therefore recommended that level 3 of the development be deleted or as a minimum extensively reduced in size.			

Clause 6.2 Earthworks

(1) *The objectives of this clause are as follows:*

- (a) *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,*
- (b) *to allow earthworks of a minor nature without requiring separate development consent.*

(2) *Development consent is required for earthworks unless:*

- (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) *the work is ancillary to other development for which development consent has been given.*

(3) *Before granting development consent for earthworks, the consent authority must consider the following matters:*

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*



(d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*

(e) *the source of any fill material and the destination of any excavated material,*

(f) *the likelihood of disturbing relics,*

(g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Response: A geotechnical report will be required to demonstrate compliance with the requirements and objectives of Cl. 6.2 and include an assessment of the potential interference with the groundwater table and if approval (Integrated Development) is required from Water NSW for dewatering, refer to comments from Council's Water Management Officer. The geotechnical report shall also assess potential impacts to neighbouring properties.

The 5.6m deep excavation for the construction of the two levels of basement is excessive noting both basement levels have a zero side setback and a very limited setback to the front and rear boundaries. The extent of excavation also has implication in respect of compliance with the front setback control, landscaping, and car parking provisions, refer to discussion below.

*Refer also to **Clause C7 Excavation and Landfill of the WDCP**.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

WDCP 2011 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.

Control	Permitted	Proposed
B6 Merit Assessment of Side Boundary Setback	Merit assessment <u>Requirement</u> <i>1. Side boundary setbacks will be determined on a merit basis and will have regard to:</i> <ul style="list-style-type: none"> <i>• streetscape;</i> <i>• amenity of surrounding properties; and</i> <i>• setbacks of neighbouring development</i> <i>2. Generally, 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.</i>	Nil
<p><u>Response:</u> Concern is raised regarding the zero side setback of the basement to the adjoining sites. A geotechnical report is required to demonstrate that there will be no unreasonable impacts on the neighbouring properties in compliance with Cl 6.2 of the WLEP (see above). Furthermore, the applicant shall ensure that any future application addresses the following objectives of the control:</p> <ul style="list-style-type: none"> <i>• To provide opportunities for deep soil landscape areas.</i> <i>• To ensure that development does not become visually dominant.</i> 		



<ul style="list-style-type: none"> • To ensure that the scale and bulk of buildings is minimised. • To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained. • To provide reasonable sharing of views to and from public and private properties. 		
B7 Front Boundary Setback	<p>Consistent with adjacent buildings Requirement</p> <p>1. Development is to maintain a minimum setback to road frontages.</p> <p>2. 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.</p> <p>3. 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.</p> <p>4. 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 (emphasis added).</p>	<p>Basement = 1.5m – 1.9m</p> <p>Ground level = 7m</p> <p>Level 1-2 = 6.5m - 7m</p> <p>Level 3 = 6.5m - 7m to the edge of a green roof and 10.8m – 11.2m to the external wall</p>
<p><u>Response:</u> The adjoining buildings have a varied front setback to William Street. It is noted that No 10 William Street has a 10.6m setback and No. 14 William Street a 3.8m setback. Any future development application needs to be supported with a detailed contextual site analysis that provides an assessment of the established building line along William Street.</p> <p>The plans suggest that the existing landscape frontage is to remain the same as existing, by replacing the existing garden planting with new planting. Concern is raised in respect of the extent of the excavation with the two basement levels having a minimum 1.5m front setback. The location of the proposed basement is inconsistent with requirements of Cl. B7 noting that it extends beyond the building line of adjoining sites. Furthermore, it will not be possible to provide a dense landscape setback as there is limited deep soil area, as such, the proposal is inconsistent with the following objectives of the clause:</p> <ul style="list-style-type: none"> • To create a sense of openness. • To maintain the visual continuity and pattern of buildings and landscape elements. • To protect and enhance the visual quality of streetscapes and public spaces. <p>Refer to comments from Council's Landscape Officer and Urban Designer below.</p>		
B10 Merit Assessment of Rear Boundary Setback	<p>Merit assessment Requirements</p> <p>1. Rear boundary setbacks will be determined on a merit basis and will have regard to:</p> <ul style="list-style-type: none"> • streetscape; 	<p>A small triangular wedge of space to the rear boundary (max 1.4m wide).</p>



	<ul style="list-style-type: none"> • <i>amenity of surrounding properties; and</i> • <i>setbacks of neighbouring development</i> 	
<p>Response: The proposal illustrates a small triangular wedge of space to the rear boundary. Any future application shall include an assessment of Clause B10 Merit Assessment of Rear Boundary Setbacks and demonstrate how the proposal meets the following objectives of the control::</p> <ul style="list-style-type: none"> • <i>To ensure opportunities for deep soil landscape areas are maintained.</i> • <i>To create a sense of openness in rear yards.</i> • <i>To preserve the amenity of adjacent land, particularly relating to privacy between buildings.</i> • <i>To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.</i> • <i>To provide opportunities to maintain privacy between dwellings.</i> 		
C2 Traffic, Access and Safety	<ol style="list-style-type: none"> 1. <i>Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</i> 2. <i>Vehicle access is to be obtained from minor streets and lanes where available and practical.</i> 4. <i>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.</i> 5. <i>Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.</i> 	
<p>Response: Concern is also raised in respect of the location of the accessible parking bay and sight lines to the property which may have unreasonable impacts between pedestrian and vehicle at the property. Refer to comments from Council Transport Engineer below</p>		
C3 Parking Facilities	<ol style="list-style-type: none"> 2. <i>Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</i> <ul style="list-style-type: none"> • <i>the land use;</i> • <i>the hours of operation;</i> • <i>the availability of public transport;</i> • <i>the availability of alternative car parking; and</i> • <i>the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.</i> 3. <i>Carparking, other than for individual dwellings, shall :</i> <ul style="list-style-type: none"> • <i>Avoid the use of mechanical car stacking spaces;</i> • <i>Not be readily apparent from public spaces;</i> • <i>Provide safe and convenient pedestrian and traffic movement;</i> 	<p>Four (4) off-street car parking spaces (including one disabled space) and a loading bay for a Small Rigid Vehicle are proposed.</p>



	<ul style="list-style-type: none"> • 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>4. 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>5. 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>6. 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>7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.</p>	
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Response: Significant concern is raised in respect of the limited off-street parking (4 spaces) to serve 78 storage units. The Warringah DCP requires 1.3 parking spaces per 100m² of GFA for warehouse uses and this rate is considered the most relevant for this type of development which would require **24 car parking spaces** for the proposed floor area of 1,850.79sqm. The proposal is therefore deficient 20 on site car parking space.

The excessive breach of the car parking requirements to service the development contributes to significant concerns in respect of the overdevelopment of the site. Consideration shall be given to the deletion / extent of excavation for the 2 levels of basement storage (35 storage units) which in turn will address landscape and front setback issues. In addition, consideration shall be given to deleting / reducing the level 3 (13 storage units) which in turn will address issues relating to the height breach.

Concerns are also raised in respect of how the development is serviced and a second goods lift is recommended which will also reduce the FSR and parking demand.



Any breach of the parking requirements shall be supported with a Traffic Impact assessment that compares similar developments. A plan of management shall also be provided detailing how the facility will operate. Refer to comments from Council Transport Engineer below.

D3 Noise	<p><i>1. 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.</i></p> <p><i>See also NSW Industrial Noise Policy Appendices</i></p>	
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Response: An acoustic report is required assess noise impacts of the completed development and what impact this may have on the nearest sensitive receivers, namely the residential across William Street, refer to the detailed comments from Council's Environmental Health Officer below.

D6 Access to Sunlight	<p><i>1. Development should avoid unreasonable overshadowing any public open space.</i></p> <p><i>2. At least 50% of the required area of private open space of each dwelling and at 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</i></p>	Insufficient information to confirm compliance.
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Response: Shadow diagrams are required to assess solar impacts in accordance with the control.

D9 Building Bulk	<p><i>1. Side and rear setbacks are to be progressively increased as wall height increases.</i></p> <p><i>2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.</i></p> <p><i>4. Building height and scale needs to relate to topography and site conditions.</i></p> <p><i>5. Orientate development to address the street.</i></p> <p><i>6. Use colour, materials and surface treatment to reduce building bulk.</i></p> <p><i>7. Landscape plantings are to be provided to reduce the visual bulk of new building and works.</i></p> <p><i>8. Articulate walls to reduce building mass.</i></p>	<p>Nil side setback to all levels.</p> <p>No increase in setback to the rear</p> <p>Insufficient deep soil zone available to frontage for landscaping</p>
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Response: The proposal is inconsistent with requirement 2 given the zero side setback at all levels and there being no increase in the setback of the building to the rear. The proposal is inconsistent with requirement 7 given the insufficient deep soil zone to the front to provide for landscaping to help reduce the visual bulk of the building. It is recommended that the design



is amended to reduce the height and basement excavation. Any future application shall demonstrate compliance with the requirements and following objectives of the control:

- *To encourage good design and innovative architecture to improve the urban environment.*
- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Specialist Advice
Urban Designer
<p><u>Controls</u></p> <ul style="list-style-type: none"> • <u>Warringah LEP 2011</u>, including but not limited to: <ul style="list-style-type: none"> o Warringah LEP 2011 – E3 – Productivity Support o Warringah LEP 2011 - Height of Buildings Map shown as 11m. o Warringah LEP 2011 - Land Slip Risk Map-Area A – Slope <5 • <u>Warringah DCP</u>; Parts; A Introduction, B Built Form, C Siting Factors, D Design, E The Natural Environment, F Zones & Sensitive Areas, H Appendices. Including but not limited to: <ul style="list-style-type: none"> o DCP Part B5 – Side Boundary Setbacks - Merit o DCP Part B7 – Front Boundary Setbacks – Consistent with adjacent buildings. o DCP Part B9 – Rear Boundary Setback - Merit o DCP Part D • Northern Beaches Council Public Space Vision & Design Guidelines • <u>State Environmental Planning Policy (SEPPs)</u>, including but not limited to: <ul style="list-style-type: none"> o State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub.2-12-2021) o State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021) o State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021) o State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022) o State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021) <p>This report is a preliminary response to the preliminary option drawings & summary of proposed works cover letter submitted by the applicant. The information supplied by the applicant is limited & preliminary, and therefore the response is proportionate to the information supplied and is preliminary.</p> <p><u>Front Boundary Setback</u></p> <p>According to DCP section B7 Front Boundary Setbacks, any new development on land zoned E3 and not having frontage to Kamber Road or Kimbriki Road must comply with the following requirements:</p> <ul style="list-style-type: none"> • <i>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.</i> <p><i>The objectives of this requirement are:</i></p>



- *To maintain the visual continuity and pattern of buildings and landscape elements.*
- *To protect and enhance the visual quality of streetscapes and public spaces.*

Any new development should be consistent with the front boundary setbacks of adjacent buildings and the applicant will need to show how their proposed front building line relates to adjacent building lines and the level of consistency and any justification for any inconsistency to ensure the proposed development is in accordance with the DCP controls.

Side Boundary Setbacks

The applicant proposal illustrates zero side setbacks. The applicant will have to address Section B6 Merit Assessment of Side Boundary Setbacks which applies to land and justify their proposed design and show how it meets the objectives and requirements. The objectives of this section are:

Objectives

- *To provide ample opportunities for deep soil landscape areas.*
- *To ensure that development does not become visually dominant.*
- *To ensure that the scale and bulk of buildings is minimised.*
- *To provide adequate separation between buildings to ensure a reasonable level of amenity and solar access is maintained.*
- *To provide reasonable sharing of views to and from public and private properties.*

Requirements

1. *Side boundary setbacks will be determined on a merit basis and will have regard to:*

- *streetscape;*
- *amenity of surrounding properties; and*
- *setbacks of neighbouring development*

2. *Generally, 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.*

Rear Boundary Setbacks

The applicant proposal illustrates a small triangular wedge of space to the rear boundary. The applicant will have to address Section B10 Merit Assessment of Rear Boundary Setbacks which applies to land and justify their proposed design and show how it meets the objectives and requirements. The objectives & requirements of this section are:

Objectives

- *To ensure opportunities for deep soil landscape areas are maintained.*
- *To create a sense of openness in rear yards.*
- *To preserve the amenity of adjacent land, particularly relating to privacy between buildings.*
- *To maintain the existing visual continuity and pattern of buildings, rear gardens and landscape elements.*
- *To provide opportunities to maintain privacy between dwellings.*

Requirements

1. *Rear boundary setbacks will be determined on a merit basis and will have regard to:*

- *streetscape;*
- *amenity of surrounding properties; and*
- *setbacks of neighbouring development*



2. Development adjacent to Narrabeen Lagoon in the B2 Local Centre zone is to address the water and parkland. Buildings are not to dominate the parkland setting and will incorporate generous setbacks where necessary to achieve this.

Conclusion

The information supplied by the applicant is limited & preliminary, and therefore the response is proportionate to the information supplied and is preliminary. The applicant should address all relevant controls in their SEE and drawings.

In conclusion, Urban Design may be able to support the proposal if the items identified above are adequately addressed.

If the applicant is considering a Development Application, the applicant should address the items noted above and all relevant controls in their SEE and drawings. It is likely that for any Development Application the applicant will at minimum need to supply:

- Comprehensive context & site analysis to show how the proposed design has resulted from the specific opportunities and constraints, and character of the context and site.
- Site planning and building massing that responds to the context.
- Address the requirements for the front boundary setback.
- A merit assessment and justification of proposed side and rear setbacks.
- Drawings should include all relevant controls. Maximum heights must be illustrated on all sections and elevations, and preferably on a 3D drawing.
- The applicant should include all setbacks, trees, dimensions to neighbouring properties, a solar analysis showing any impacts on the proposed and existing development.
- The design drawings should illustrate how any impacts on neighbours are to be designed-out or mitigated.
- A comprehensive site survey.
- A comprehensive set of drawings/documentation and SEE.

Transport Engineer

The following concerns are raised:

Only 4 offstreet parking spaces are proposed to serve 78 storage units. This seems too few. As there is no capacity for drivers to circulate through the facility to park adjacent to their storage units all parking activity and loading/unloading activity generated by the units will need to be accommodated from the ground floor and via the one goods lift. These arrangements seem impractical with the single goods lift likely to prove inadequate to cater for all transfer activity between to storage levels. Consideration should be given to a second goods lift. The four parking spaces are also likely to prove inadequate to cater for parking demand generated by the 78 storage units. The Warringah DCP requires 1.3 parking spaces per 100m² of GFA for warehouse uses and this rate is considered the most relevant for this type of development. If a lesser amount of parking is proposed it must be adequately supported in a traffic and parking impact report with comparisons to other similar sites operating in the same manner to be provided. Reliance upon parking on street or in other offstreet parking areas will be unacceptable.

The accessible parking bay is poorly located as forwards egress from the space appears to be prevented if the Loading Bay is occupied. The accessible parking bay should be relocated OR forwards ingress/egress demonstrated for a B85 vehicle using the space in its existing location and without impacting on the Loading Bay.

The loading bay is designed to cater for access by a Small Rigid Vehicle (SRV). It appears that there is 3.5m clearance throughout the ground floor level as required by AS2890.2 for a SRV however this will need to be confirmed by a height clearance plot for a SRV passing between the road and the loading bay. A swept path plot has been provided to demonstrate forwards ingress



and egress from the loading bay by a SRV however this plot has been prepared for a floor plan that differs from that shown on the latest set of plans. The plans should match on the DA submission

There are concerns about sightlines at the property boundary. William Street is well used by pedestrians and concerns have been received by Council relating to impeded sightlines between pedestrians and vehicles at other properties. It is noted that it is proposed to retain the existing hedge along the property frontage. This hedge currently impedes sightlines to pedestrians coming from the west as it is both too high and too close to the edge of the driveway. A pedestrian sight line triangle consistent with clause 3.2.4 of AS/NZS 2890.1 is required and this should be plotted on the DA plans.

Water Management Officer

Context

The proposal is for demolition and construction of a building for commercial or mixed use or industrial purposes. The lot size is less than 1000 square metres and the proposal increases impervious surfaces by more than 50 square metres. The site is near Brookvale Creek and within the Manly Lagoon catchment.

Key Policy and Legislation

- Northern Beaches Water Management for Development Policy (WMD Policy)
- Warringah LEP and DCP
- Water Management

Key features of the relevant policy and legislation are listed below. The WMD Policy is main key guiding document for assessment of water management and relevant sections are discussed below. Warringah DCP 2011 is also considered.

WMD Policy

Section 1.0 of the WMD Policy identifies which planning controls apply.

Section 4.0 of the WMD Policy. The proposal will increase impervious surfaces by more than 50 square metres and so Section 4.0 of the WMD Policy applies. Section 4.0 does not have specified requirements and instead outlines water management outcomes sought by Council that relate to water sensitive urban design, stormwater quality, water reuse and water infiltration into the soil. As such, assessment under this section is a merit based. It is noted that the proposal includes rainwater tank, green roof and permeable paving, and as a collective these features help to support the proposal under this section of the WMD Policy. On preliminary review, no water management issues identified under this section.

Section 4.2 of the WMD Policy. The proposal includes two basement levels and so substantial excavation would be required. Groundwater may be intercepted, triggering Section 4.2 of the WMD Policy. Refer to the below comments regarding Groundwater.

Requirements Regarding Groundwater

The development application is to include a Geotechnical report describing the potential interference with the groundwater table and if approvals must be obtained from WaterNSW.

If the development is expected to interfere with groundwater and dewatering is required then the development will be subject to the integrated development assessment process for construction dewatering and be referred to WaterNSW.

To undertake construction dewatering, the following approvals must be obtained from WaterNSW.

- water supply work approval



- water access licence (WAL) - unless the project qualifies for an exemption, please refer to the fact sheets for more information
- water use approval

Refer to WaterNSW guidelines for dewatering construction:
<https://www.watarnsw.com.au/customer-services/water-licensing/dewatering> and
https://www.watarnsw.com.au/_data/assets/pdf_file/0005/167279/Fact-sheet-Geotechnical-investigation-reports-Minimum-requirements-FA.pdf

The development will be subject to a Council issued dewatering permit which can be requested by contacting catchment@northernbeaches.nsw.gov.au. A Council issued dewatering permit can be issued after the Development Application is successful.

Warringah DCP 2011, C4 Stormwater

The section contains similar objectives for water management as the WMD Policy. This section has two requirements, including that stormwater systems are consistent with the WMD Policy and that stormwater has minimal environmental impact on features such as watercourses. Regarding the latter, thought must be given to nearby Brookvale Creek. In its preliminary form, the proposal includes water management features that support its assessment against the water management objectives and requirements of this DCP section.

Warringah DCP 2011, C7 Excavation and Landfill

Note the following requirement from this section: 4. Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment. The proposal could achieve this requirement through proper sediment and erosion control, of which the basis is a sediment and erosion control plan.

Concluding remarks

The proposal in its current form includes features consistent with the outcomes sought by Council with relation to water management. The proposal includes excavation and so geotechnical information on groundwater is required. If the groundwater table is intercepted then the development will become integrated. A sediment and erosion control plan is required.

Environmental Health

Land Contamination

As the proposal involves excavation, possible soil removal and unknown historic activities onsite, Environmental Health would ask for a Preliminary Site Investigation to be undertaken by a suitably qualified consultant. They will need to look at the past historic uses, take soil and groundwater samples, to name a few.

There is a mechanical repair workshop at No. 10 William Street so that will need to be taken into consideration when assessing potential contamination.

If the Preliminary Site Investigation requires a further Detailed Site Investigation, then this would need to be undertaken and provided with the Development Application.

Acoustics

The applicant will need to engage an acoustic consultant to review and assess noise impacts of the completed development and what impact this may have on the nearest sensitive receivers – with density residential across William Street. The acoustic consultant will need to assess the impact of the following but not limited to, vehicle movements per day, times of use, operational features (alarms, entry features). The acoustic report is to identify all noise generating activities



from the operation of this development and assess what impact this will have on the residential receivers. Design mitigation measures are to be provided.

In addition, the acoustic report is to include an assessment of noise generating activities during demolition, excavation and the construction phase. The report is to identify noise sources and provide mitigation measures. A Plan of Management will need to be prepared by the applicant, identifying ways the person responsible is going to manage noise onsite during the mention phases.

Dust/Water Pollution

The Plan of Management is to include controls measures for possible dust and water pollution during the demolition, excavation and construction phase.

Development Engineer

On-site detention

On-site detention is required in accordance with Section 9.3.2.6 Pre and Post Development Runoff for Full Computation Method of the Water Management for Development Policy. The pre-development stormwater runoff or PSD, both piped and overland from the total site, must be calculated in the Full Computation Method. For all developments, the runoff from the site after development is not to exceed the runoff from the total site prior to the development for all storm durations for the 20% AEP, 5% AEP and a 1% AEP storm event.

The PSD is to be calculated on the maximum allowable impervious fraction of 0%. That is, discharge off the site is to be restricted to the "state of nature" condition. Use ARR 2019 methodology with an IL-CL hydrological model. Provide DRAINS model to Council for perusal. Stormwater discharge from the OSD tank is to be by gravity. Pump out systems will not be accepted. If the development cannot drain to William Street by gravity, a drainage easement through rear properties will need to be obtained.

Landscape Officer

The landscape outcomes of WDCP control **B7 Front Boundary Setbacks** shall be considered and demonstrated by inclusion of a Landscape Plan.

Control B7 objectives include: *to maintain the visual continuity and pattern of buildings and landscape elements; and to protect and enhance the visual quality of streetscapes and public spaces;* amongst other objectives.

The requirements of B7 in terms of landscape outcomes includes:

- › Point 1: *Development is to maintain a minimum setback to road frontages.*
- › Point 2: *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.*
- › Point 3: *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.*
- › Point 4: *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.*

The pre-lodgement plans include representation that the existing landscape frontage is to remain the same as existing, by replacing the existing garden planting with new planting. To reflect the



requirements of B7 the new landscape areas to the frontage shall be increased to satisfy points 2, 3 and 4 of B7.

The Landscape Plan(s) shall be prepared by a qualified professional (Landscape Architect or Landscape Designer) in accordance with Council's DA Lodgement Requirements, to demonstrate that the proposed development satisfies the WDCP. The proposed green roof shall be documented to provide adequate details including soil depth, automatic watering provisions and planting design.

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.
- Landscape Plan, including details of the green roof
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan including assessment of established building line (refer to comments from Council's Urban Designer)
- 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
- Pre and Post Development Runoff calculations
- Geotechnical Report which includes an assessment of groundwater and confirmation on whether the development triggers Integrated Development under the Water Management act.
- Preliminary Site Investigation and Detailed Site Investigation if required
- An Operational Plan of Management
- Construction Plan of Management to include controls measures for possible dust and water pollution during the demolition, excavation and construction phase
- Acoustic Report
- Transport and Parking Assessment. Swept path plots to be included on plans
- Photomontage
- BCA Report
- Access Report
- Energy Performance 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 14 December 2023 to discuss a proposal for demolition works and redevelopment for self-storage units at 12 William Street, Brookvale. The notes reference the plans prepared by DWA dated 5 December 2023.

The proposal represents overdevelopment of the site given the excessive height breach, the extent of basement excavation and, what appears to be (given the limited information available) insufficient car parking. To address the servicing needs of the development, greater parking justification is necessary or it is recommended that the basement and level 3 be deleted or reduced extensively in scale which will in turn reduce the car parking requirement, address front setback and landscaping issues and the height breach. Any future application shall address the issues raised by Council's referral Officers.

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.