

21st May 2025

The CEO
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Tom Burns - Principal Planner

Dear Mr Burns,

**Development Application No. DA2024/1303
Issues response/ Supplementary Statement of Environmental Effects
Forestville RSL Club redevelopment including new Club building and
seniors housing
22 Melwood Avenue, Forestville**

Reference is made to Council's request for further information (RFI) of 21st January 2025, the subsequent Sydney North Planning Panel (SNPP) Briefing Note which had regard to without prejudice plans submitted in response to the RFI for Council comment/ feedback and the Record of Briefing from the SNPP meeting of 26th March 2025.

As discussed during the SNPP briefing, the subject application is not a concept/ staged development pursuant to section 4.22 of the EP&A Act but instead a development application which will be implemented in stages by way of partial construction certificates and interim occupation certificates. We request that Council structure any draft conditions of consent to facilitate the construction staging as outlined within the development application documentation.

This submission details the considered response to the issues raised and is to be read in conjunction with the following amended/additional plans and documentation:

- Amended Architectural plans (various revisions) prepared by Quattro Architecture
- Updated Design Verification Statement prepared by Quattro architecture
- Updated landscape plans (various revisions) prepared by Space Landscape Design
- Updated stormwater management plans prepared by ACOR
- Updated stormwater management report prepared by ACOR

- Updated urban design report prepared by David Wolski
- Updated streetscape perspective images
- Updated BCA Capability report prepared by VPL Consulting
- Updated ESD report prepared by Aspire Sustainability Consulting
- Updated Geotechnical report prepared by Geo-environmental
- Updated PSI investigation prepared by Geo-environmental
- Updated traffic Impact assessment prepared by Traffix
- Updated accessibility report prepared by ABE Consulting
- Updated waste management plan prepared by MRA Consulting Group
- Updated noise impact assessment and referral response prepared by Acoustic Logic
- Updated NatHERS summary prepared by Aspire Sustainability Consulting
- Amended BASIX Certificate prepared by Aspire Sustainability Consulting
- Updated groundwater assessment prepared by Katarina David
- Updated to Operational Plan of Management
- Updated clause 4.6 variation requests for FSR, height of buildings and height plane
- Owners consent from ADMHC for Lot 11, DP 626916

The amended plans and documentation provide for the following amendments:

- ADG compliant setbacks provided between residential pavilions and side/rear boundaries and between pavilions on the site.
- Seniors units redesigned to satisfy ADG.
- A reduction in the front setback of the street facing residential pavilions to be more consistent with established setbacks in the street.
- The redesign of the upper level of the street facing pavilions to be more recessive with increased front and side setbacks.
- The introduction of shallow pitched roof forms to the street facing residential pavilions to be more consistent with established streetscape character.
- Modifications to the upper third storey of the club pavilion to achieve minimise encroachments into the 45° boundary setback requirement.
- Changes to the building footprint to provide a minimum 3 metre landscaped setback to all boundaries.
- The reconfiguration of apartments layouts and unit mix to accommodate the above changes.
- Carparking and access redesign to provide a centrally located access to a consolidated basement arrangement with separate access for servicing adjacent to the southern boundary of the property.
- Rationalisation of the basement levels to provide more efficient layout and significantly increase deep soil landscape opportunities around the perimeter of the development.
- Improved way finding with clearly define entry and reception areas for the seniors component with security fencing and gates to delineate between the Club and seniors components of the development. The provision of security fencing and gates where necessary.

- New access pathway and right of footway across the northern portion of the site to provide access to and from 17 Forestville Avenue, Forestville.
- The provision of additional parking in B1 and B2 for club use to accommodate patron number spikes throughout the year associated with the use of the function room, major televised sporting events and public holiday activities including Anzac Day and Australia Day.
- Amendments to the landscape plans to reflect the amended architectural footprint.
- Updates to the Operational Plan of Management to reflect the recommendations contained within the acoustic report and in response to concerns raised in relation to the appropriate separation of club and residential uses on site and the operation/ management of the residential component of the development.

We respond to the specific issues raised in the RFI response as follows.

Development Standards (WLEP 2011 and SEPP Housing)

Building Height

Response: The plans have been reviewed in consultation with the project structural engineer to identify potential areas where the height of the club building could be reduced. Ultimately, it was determined that the proposed floor to floor height for the ground floor level club of 4.5 metres was the minimum required to accommodate the transfer slabs required to achieve the open plan nature of the club facility sought whilst providing sufficient ceiling heights to meet contemporary standards/ expectations for a registered club.

Similarly, the floor to floor heights proposed for the residential levels above are considered to be the minimum required to achieve 2.7 metre ceiling heights whilst also accommodating sufficient structural slab thicknesses.

Although the overall height of the club facility has not been reduced the upper level of the development has been set back a further 2 m from the southern boundary of the property resulting in a reduction in overall building height on this portion of the site relative to existing ground levels.

We also note that shallow pitched roof forms have been provided to the street facing residential pavilions to reflect the low density residential characteristics established by surrounding development with these elements resulting in minor building height breaches as indicated on architectural plan DA_A_300(G).

This submission is accompanied by an updated clause 4.6 variation request in support of the variation to the 9.5 metre building height standard. We consider such request to be well-founded.

Floor Space Ratio

Response: We confirm that the amendments to the proposal to address the building height, building height plane and urban design concerns have resulted in a reduction in GFA as defined as depicted on plan DA_A_054(G).

We note that the seniors housing non-discretionary FSR standard of 0.5:1 contained within SEPP housing applies to development for the purpose of seniors housing and to that extent does not appear to anticipate the non-residential floor space component of a registered club located on the same allotment. Whilst the overall GFA of development on the land including the seniors housing and registered club components is 9601m² representing an FSR of 1.065:1 the residential component of the development has a total GFA as defined of 6770m² representing an FSR of 0.75:1.

We also note that 345m² of the residential floor space is located in Basement 1 (gymnasium and cinema) where it does not in any way contribute to above ground bulk and scale. When this floor space is deducted from the overall residential floor space the residential component of the development would have a total GFA of 6425m² representing an FSR of 0.7:1.

Council will also be aware that the subject property is identified on the indicative low and mid-rise housing (LMR) mapping being located within 800 metres of the Forestville Local Centre. In this regard, residential flat development is permissible on the land pursuant to Chapter 6 of SEPP Housing with a non-discretionary FSR standard of 0.8:1 applying to residential apartment development on the land together with a building height of 9.5 metres. In this regard, the residential FSR of 0.75:1 is entirely consistent with the residential FSR anticipated on the land pursuant to the LMR provisions as is the 9.5 metre building height proposed.

In our opinion, the distribution of floor space and building forms across the site in a series of detached pavilions provides for a contextually compatible and appropriate built form outcome on the site having regard to the desired future character anticipated by the LMR provisions. This submission is accompanied by an updated clause 4.6 variation request in support of the variation to the 0.5:1 FSR standard. We consider such request to be well-founded.

Building Planes

Response: The amended plans provide an increased setback to the upper (third) level of the club building to ensure that all floor space is located within the prescribed building plane. We note that a storey is defined in the LEP standard instrument as follows:

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include -

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

Whilst relative minor balustrade, privacy screen and eave elements breach the building envelope they are not spaces within the building situated between one floor level and the floor level next above to which the storey definition/ standard applies and accordingly strict compliance with the building planes standard is achieved.

Deep Soil

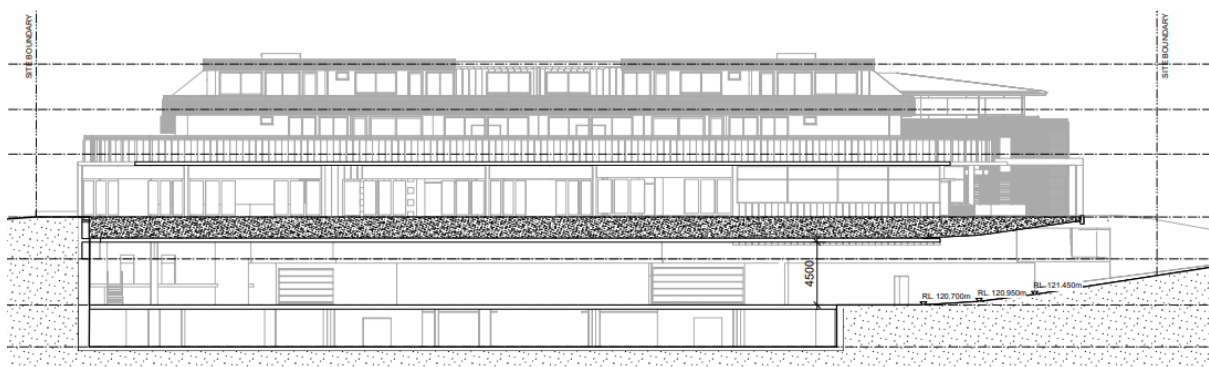
Response: The proposal provides for a total deep soil landscaped area having a minimum dimension of 3 metres of 1740m² representing 19% of the site area in strict accordance with the minimum 15% SEPP housing standard. The additional deep soil landscape opportunity is located around the perimeter of the site where additional landscape treatments are proposed which will soften and screen the development as viewed in the round.

This issue has been appropriately resolved.

Warringah DCP

B5 Side Boundary Setbacks

Response: We confirm that the basement design and access arrangements have been amended to ensure that the majority of the southern setback area is available for landscape treatments with the plan extract below (DA_A_250(G)) demonstrating that in excess of 1 metre of soil depth is achieved over the service driveway to achieve such outcome.



This issue has been appropriately resolved.

B7 Front Boundary Setbacks

Response: The front setback area adjacent to the club building has been redesigned to minimise hard stand areas and increased landscape opportunities within the 6 metre front setback area of the development. The accompanying updated landscape plans demonstrate that the building will sit within a landscaped setting. Further, the pedestrian entry sequence has been refined to minimise potential pedestrian/particular conflicts with an ambulance bay and courier/delivery parking for the residential component of the development the only car parking now located at the front of the property and behind the 6 metre front building setback,

This issue has been appropriately resolved.

B9 Rear Boundary Setbacks

Response: The plans have been amended to rationalise the basement footprint and provide additional deep soil landscape opportunities around the perimeter of the development including the western (rear) boundary of the site where the development adjoins the adjacent reserve and seniors housing development.

This issue has been appropriately resolved.

SEPP Housing

S92 - Development on land used for the purposes of an existing registered club

Response: We confirm that the family courtyard/kids play area has been relocated to the southern side of the club building with the updated acoustic report addressing concerns in relation to potential noise impacts associated with the club building on the residential apartments.

The acoustic report confirms that compliant acoustic outcomes are achieved without the need to close the doors and windows of any residential apartment up to approximately 10pm each night after which a number of apartments will need to close windows and doors to achieve the traditional noise criteria as nominated within the acoustic report. These apartments will be provided with separate outside air intake fan units and ducting providing an alternative fresh air supply to habitable rooms should the occupants choose to close windows and doors to achieve a greater level of acoustic amenity. This is detailed on page 25 of the updated acoustic report.

In relation to potential amenity impacts associated with cigarette smoke from the alfresco dining area we confirm that the alfresco area will be fitted with a fresh air supply and exhaust system to ensure the maintenance of appropriate air quality with separation distances to all residential apartments and associated balconies exceeding industry standards.

These issues have been appropriately resolved.

97 - Design of Seniors Housing

1. Neighbourhood amenity and streetscape

Response: The plans have been amended to increase setbacks at the upper level of buildings 1, 2 and 3 to ensure that the third storey components are recessive elements in the streetscape. The façades of all buildings are appropriately modulated and articulated to ensure that the pavilion style building topology adopted reflects the three storey residential flat building topology anticipated by the recently gazetted LMR provisions. Landscaping has been provided to the eastern edge of the upper-level residential floors within the club building to soften and screen their presentation to the street. In this regard, the proposed development is consistent with the 3 storey medium density residential desired future character of the LMR mapped area in which the site is located and to that extent will not be perceived as inappropriate or jarring in a streetscape or broader urban context.

These issues have been appropriately resolved.

2. Visual and acoustic privacy

Response: The plans have been amended to provide Part 3F ADG compliant building separation to surrounding residential properties and between the building pavilions proposed on the site. In this regard, consent authority can be satisfied that reasonable visual privacy is maintained between adjoining residential development and between the residential apartments and club use proposed on the site.

This issue has been appropriately resolved.

3. Solar access and design for climate

Response: The plans have been amended to improve the solar access efficiency of apartments with compliant solar access achieved in accordance with the SEPP Housing provisions.

This issue has been appropriately resolved.

6. Accessibility

Response: The pedestrian entry arrangements have been refined in accordance with the DSAP recommendations.

This issue has been appropriately resolved.

Schedule 9 – Design Principles for Residential Apartment Development

Response: We rely on the accompanying design verification statement prepared by Quattro Architecture to demonstrate that the amended proposal satisfies the design quality principles at Schedule 9 of SEPP Housing.

These issues have been appropriately resolved.

Apartment Design Guide (ADG) and Amenity

3D Communal and Public Open Space

Response: The communal open space areas have been rationalised and now centrally located to remove potential amenity impacts to surrounding development. The perimeter deep soil landscape areas are available for landscaping which will soften and screen the development whilst also providing secondary privacy attenuation to surrounding properties.

This issue has been appropriately resolved.

3F Visual Privacy

Response: As previously indicated, the plans have been amended to provide ADG compliant separation distances to all surrounding properties and between proposed residential apartments within the development site.

This issue has been appropriately resolved.

3G Pedestrian Access and Entries

Response: The pedestrian entry arrangements have been refined in accordance with the DSAP recommendations.

This issue has been appropriately resolved.

4A Solar and Daylight Access

Response: The plans have been amended to improve the solar access efficiency of apartments with compliant solar access achieved in accordance with the SEPP Housing provisions.

This issue has been appropriately resolved.

4D Apartment Size and Layout

Response: Living room depths have been revised to ensure consistency with the apartment depth design criteria.

This issue has been appropriately resolved.

ADG Compliance Report

Response: Annexure B within the accompanying design verification statement prepared by Quattro Architecture contains a detailed ADG compliance table.

This issue has been appropriately resolved.

Right of Carriageway

Response: The plans been amended to nominate an access pathway and right of footway across the northern portion of the site to provide access to and from 17 Forestville Avenue, Forestville.

This issue has been appropriately resolved.

Site Planning and Planning Outcome

Response: This submission demonstrates that the amendments made to the scheme which reduce the perceived bulk and scale of the upper levels of the development, significantly increase perimeter deep soil landscape opportunity and which provide for ADG compliant separation to surrounding residential properties and between pavilions within the development demonstrate that the site planning provides for a contextually appropriate and responsive building form which will not be perceived as inappropriate or jarring having regard to the desired future character anticipated by the recently adopted LMR provisions.

We are of the opinion that the club component of the development has been appropriately designed to provide family friendly food and beverage offerings in a relaxed and visually stimulating environment with appropriate amenities for members and their guests. It is not uncommon for clubs to have ancillary office, administration and function/ entertainment areas at basement level with BCA compliant amenity achieved to these areas. We note that a double height ceiling space and skylight is provided to the basement 2 level multipurpose function room. We are of the opinion that an appropriate level of amenity is provided to the basement level ancillary office/administration and function/entertainment areas proposed.

These issues have been appropriately resolved.

Plan Details

Response: These issues have been resolved on the amended plans and within the accompanying design verification statement.

Referrals

Landscape

Response: The architectural and landscape plans been amended to significantly increase deep soil landscape opportunity around the perimeter of the development with appropriate soil depths provided adjacent to the southern boundary to accommodate landscaping which will soften and screen the development in the round. The OSD has been relocated to under the front driveway with landscape opportunity maximised within the front setback to Melwood Avenue to accommodate landscaping which will soften and screen the development in a streetscape context. Street tree removal has been avoided wherever possible.

These issues have been appropriately resolved.

Water Management

Response: This submission is accompanied by an updated stormwater management report and plans addressing the concerns raised within the water management referral including the incorporation of water sensitive urban design (WSUD).

These issues have been appropriately resolved.

Waste Management

Response: The concerns raised in Council's waste management referral response have been addressed on the updated architectural plans and within the accompanying updated waste management plan.

These issues have been appropriately resolved.

Traffic

Response: The amended architectural plans provide for the relocation of the main access to the centre of the site is recommended by Council. This has facilitated a complete redesign of the basement access and car parking arrangement the acceptability of which is detailed in the accompanying traffic impact assessment. Compliant bicycle parking is also now provided.

The traffic impact assessment identifies a requirement for a minimum of 79 car parking spaces for the residential ILU element of the development (in accordance with the DCP) and a minimum of 113 customer/guest parking spaces for the registered club element based on the existing development and comparison of similar registered clubs.

The development proposes a total of 86 car parking spaces for the senior's living element (including 12 spaces for visitors) and 203 for the club patrons resulting in a total 289 spaces.

The surplus of residential car parking is considered satisfactory on the basis that a significant percentage of residential occupiers are likely to own two vehicles with two off-street carparking spaces for a three bedroom apartment not considered to be an unreasonable proposition.

Whilst an additional basement level has been provided for club carparking such surplus is based on the carparking survey detailed within the traffic impact assessment. We note that this survey was undertaken on a Friday and Saturday night when the existing first floor club function rooms were not in use. In this regard, the surplus club carparking proposed will accommodate patron number spikes which occur throughout the year associated with the use of the function room/s, major televised sporting events and public holiday activities including Anzac Day and Australia Day where patron numbers have been known to increase to approximately 800 throughout the club.

The stated surplus of club carpark does not recognise these patron number spikes which occur throughout the year with the additional on-site parking proposed ensuring that the club can accommodate the off-street carparking demand during these periods without relying on on-street parking or carparking within the adjacent public carpark which is often full on a Saturday when Forest Rugby Club has its home games.

These issues have been appropriately resolved.

Environmental Health (Contaminated Lands)

Response: In response to Council's request for a DSI we rely on the recommendation contained within the updated Psi namely:

Finally, it is the opinion of GEE that the site can be made suitable for the proposed use, subject to the carrying out of a DSI and, if necessary, the preparation and implementation of a remediation action plan and standard remediation works. Particularly given that most of the site will be excavated to at least 3m depth and into the bedrock formation to construct the proposed two basements. In this regard, GEE considers that the DSI can be completed as a condition of DA consent and during the Construction Certificate (CC) stage.

We also refer to the matter of *Mackenzie Architects International Pty Ltd v Northern Beaches Council LEC No: 2022/384679 DA2022/0919* involving the construction of a shop top housing development where the requirements of further testing and the preparation of a RAP formed operational conditions of consent.

We respectfully request that Council impose suitably worded conditions in accordance with recommendation of the PSI.

These issues have been appropriately resolved.

Park and Reserves

Response: As previously outlined within this response the concerns previously raised in relation to the absence of adequate landscaping adjacent to the southern boundary has been addressed with the location of the proposed driveways also now agreed with Council's traffic engineer.

These issues have been appropriately resolved.

NSW Police Force

Response: The recommendations contained within the NSW Police Force response have been incorporated into the updated Operational Plan of Management

Design and Sustainability Advisory Panel

Response: We respond to the recommendations within the DSAP minutes as follows.

1. Ensure required setbacks are achieved on all sides with lots of appropriate landscaping to enrich the residents' amenity and biodiversity.

Response: This recommendation has been considered and adopted into the amended architectural and landscape plans.

2. Consider separation of the club and residential uses so the club occupies the south part of the site only while the residential can sit on the land to the north, opening up to the east, north and west.

Response: This recommendation was considered but ultimately not adopted as it was not economically viable to do so without significantly increasing the height of the residential pavilions on the northern portion of the site. This was considered to be contextually unacceptable.

3. Consider a smaller footprint for the club that extends over 2 stories, with more space to the north for a landscaped pathway and activity zones as noted below

Response: This recommendation was considered but ultimately not adopted as it was not economically viable to do so without significantly increasing the height of the residential pavilions on the northern portion of the site. This was considered to be contextually unacceptable.

4. Consider 3 - 4 buildings for the residential area, stepping down to 2 storeys on all boundaries to better integrate with the neighbouring sites.

Response: This recommendation was considered with amendments made to ensure ADG compliance separation distances to all boundaries of the property and compliance with the third storey 45° building plane SEPP Housing standard.

5. Include a landscaped pathway from Melwood Avenue to Forestville Avenue that will: a. Connect Melwood Avenue with the community buildings and parks to the west and Forestville Avenue b. Separate the club and the residences, enabling clear entries and control of access to each area c. Locate the activity zones for the residences off this path, providing easy access without conflict to the residents private areas

Response: The amended plans provide for enhanced through site access.

6. Open up views and access of the club to the southern fields by locating kiosk, external gaming and other access on the southern side of the building.

Response: This recommendation was considered however ultimately not adopted as it was considered that the main club floor space was better located to the south where the majority of patrons could take advantage of views and outlook.

7. Consider removal of all residential apartments from the Club building and redesign as a more compact, well-articulated 2 storey high building that opens up to the public space to its east, south and west.

Response: This recommendation was considered but ultimately not adopted as it was not economically viable to do so without significantly increasing the height of the residential pavilions on the northern portion of the site. This was considered to be contextually unacceptable. We note that the three storey building forms are consistent with the form of development anticipated in the LMR mapped area.

8. As noted above, consider 3 - 4 buildings for the residential area, stepping down to 2 storeys on all boundaries to better integrate with the neighbouring sites.

Response: As above.

9. Ensure the scale, built form and articulation of the residential apartments are informed by ADG compliant approaches to amenity and privacy for the apartment spaces.

Response: As outlined within this submission, the amended proposal provides for ADG compliant separation and amenity between apartments and to surrounding residential receivers. The scale of the development is complimentary and compatible with the desired future scale of development anticipated within the LMR mapped area.

10. Re-consider the overall site planning as noted in the first recommendation so that it is informed by strong and legible pedestrian access, with vehicles working around this.

Response: This recommendation has been considered and wayfinding throughout the development significantly enhanced.

11. Re-consider the access to the basement car parks so that it is more central and does not require the residents to drive through the club basement

Response: This recommendation has been considered and adopted as outlined within this submission.

12. Consider redesigning the set down area for the club so it sits behind the landscaping in the set back from the street. Less parking spaces at this level could assist in reducing the hard paved area.

Response: This recommendation has been considered and adopted as outlined within this submission.

13. Reduce the amount of carparking so only as much as is needed is included. Include secure bike parking facilities.

Response: Secure bike parking facilities have been provided. The quantum of car parking proposed has been justified as previously outlined.

14. Consideration should be given to canopy planting at different levels with trees that will attain a variety of heights to help with the visual intrusion of such a large development in an otherwise residential area.

Response: This recommendation has been considered and adopted within the amended landscape plans.

15. Multiple garden beds should be located around the entire perimeter to assist with visual and audible privacy between neighbouring properties and to begin to provide green corridors as suggested in the submitted landscape documentation.

Response: This recommendation has been considered and adopted within the amended landscape plans.

16. The service entry and drive along nearly the entire length of the southern boundary is excessive and the row of tree planting located on the Council verge should be located within the property.

Response: This recommendation has been considered and adopted within the amended landscape plans.

17. The basement car park intrudes into the required setback area of 6 metres and needs to be redesigned to lie outside this area to allow for proper root development for large tree planting.

Response: This recommendation has been considered and adopted where considered feasible.

18. The proposed synthetic turf areas should be replaced with a rubber soft fall (made from recycled material) in a light colour to ensure does not become too hot in the summer sun.

Response: Communal open spaces have been completely redesigned as detailed on the accompanying landscape plans.

19. The child play area with soft fall is located directly adjacent to a 3-bedroom unit with views into the bedrooms and living rooms. This play area should be located within the RSL site adjacent to a passive observation area for parents.

Response: This recommendation has been considered and adopted with the children's play area now located to the south of the building to provide direct passive observation for parents.

20. The community gardens are also located directly adjacent to a 3-bedroom unit with views into the bedrooms and living rooms. This area should be located in a Communal Open Space area where gatherings are encouraged.

Response: Communal open spaces have been completely redesigned as detailed on the accompanying landscape plans.

21. The entry area and dedicated carparking along Melwood Avenue is excessive and proposes far too much hardscape elements and should be reconsidered.

Response: This recommendation has been considered and adopted.

22. A plan clearly showing the required setbacks on all sides along with the calculations of deep soil, landscaped area and communal open space should be provided by the Landscape consultant for assessment by Council.

Response: This recommendation has been considered and adopted as detailed on the accompanying amended architectural and landscape plans.

23. Redesign to include required setbacks which include landscaping as noted above.

Response: As above.

24. Ensure all residences have private open space opening to the east, west and north boundaries and enabling: a. More than 2 hours sunlight to the living areas in mid-winter. b. Natural ventilation sourced from open landscaped areas

Response: This recommendation has been considered and adopted where considered feasible.

25. Consider a variety of residence sizes and possibly smaller areas to increase the mix available and help address issues noted above.

Response: As above.

26. Maintain a similar approach in redesign.

Response: This recommendation has been considered and adopted.

27. Investigate suitability of materials for durability over time, and consider maintenance. Sustainability.

Response: This recommendation has been considered and adopted where considered feasible.

Water NSW

Response: We note that Water NSWs has issued its General Terms of Approval (GTA's). As previously indicated, the proposal provides for an additional basement level of club car parking with this submission accompanied by an updated groundwater assessment. We anticipate that this will trigger a referral to Water NSW in accordance with the GTA's.

We are of the considered opinion that the amended documentation, the subject of this submission, comprehensively responds to the issues raised and provides for an overall refinement in the detailing and design quality of the development. Having given due consideration to the matters pursuant to Section 4.15(1) of the Environmental Planning and assessment Act, 1979, it is considered that there are no matters which would prevent Council from granting consent to modification sought in this instance.

Please not hesitate to contact me to discuss any aspect of this submission.

Yours faithfully

Boston Blyth Fleming Town Planners

A handwritten signature in black ink, appearing to read 'Greg Boston', with a stylized flourish at the end.

Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director