



Application No: PLM2020/0212
Meeting Date: 17/09/2020 9:30:00 AM
Property Address: 48 Johnson Street, Freshwater
Proposal: Construction of a dwelling, carport, swimming pool and cabana including demolition works
Attendees for Council: Rod Piggott – Development Assessment Manager
Phil Lane – Principal Planner

Attendees for applicant: Vaughan Milligan – Consultant Planner (Vaughan Milligan Development Consulting Pty Ltd)
Maki Yamaji (MCK Architects)
Tara McDougall (Owner)

General Comments/Limitations of these Notes

These notes have been prepared by Council 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.



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
Carparking <u>Relevant WDCP Clause</u> <i>Clause C3 Parking Facilities</i>	<p>Council raised issues with the initial design with only one (1) carspace given that the proposal is a new dwelling which requires a two (2) carspaces.</p> <p>Amended design received on 16 October 2020 – now demonstrates the provision of two (2) carspaces which is compliant with Clause C3 Parking Facilities of Warringah Development Control Plan 2011 (WDCP 2011).</p>
Front Setback and Side Setback <u>Relevant WDCP Clause</u> <i>Clause B5 Side Boundary Setback & Clause B7 Front Boundary Setback</i>	<p>The revised carport and open carspace will be located within the front setback area. It is noted that the carport has a 1m setback from the front boundary which is considered to provide a sufficient setback to the streetscape.</p> <p>Additionally, the carport will have a nil setback to the eastern side boundary which is supportable as it is an open structure.</p>
Building Footprint <u>Relevant WDCP Clause</u> <i>Clause B5 Side Boundary Setback, Clause B7 Front Boundary Setback, Clause B9 Rear Boundary Setback and D1 Landscape Open Space and Bushland Settings</i>	<p>The proposed building footprint subject to the variations for the carport/carspace is considered generally consistent with adjoining and surrounding dwellings within the vicinity. The revised landscape design now demonstrated compliance with Clause D1 Landscape Open Space and Bushland Settings.</p>

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Note: WLEP 2011 can be viewed at [Council's website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	Dwelling house means a building containing only one dwelling.
Zone:	R2 Low Density Residential
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standards:	
4.3 Height of Buildings	
Standard	Proposed
8.5m	8.5m



Comment

Compliant

Note: Building heights are measured from existing ground level.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Note: The WDCP can be viewed at [Council's website](#).

Part B: Built Form Controls	
B1 Wall Height	
Control/Requirement	Proposed
7.2m	7m
Comment Compliant	
B3 Side Boundary Envelope	
Control/Requirement	Proposed
5m @ 45 degrees	Within envelope
Comment Compliant	
B5. Side Boundary Setbacks	
Control/Requirement	Proposed
0.9m	Dwelling – 0.9m Carport – Nil
Comment The proposed nil setback to the eastern side boundary for the carport is supportable given the open nature of the structure.	
B7. Front Boundary Setbacks	
Control/Requirement	Proposed
6.5m	Dwelling – 6.5m Carport – 1m
Comment Variation to the single open carport and open carspace are supported given the small allotment size (404.8sqm) and generally consistent with the streetscape.	
B9 Rear Boundary Setback	
Control/Requirement	Proposed
6m	Dwelling – 17.365m Swimming pool and deck with awning – 1.8m (occupies 43.4% of rear setback area)



Comment Compliant	
D1 Landscaped Open Space and Bushland Settings	
Control/Requirement	Proposed
40% - 161.9sqm	40.7% - 164.8sqm
Comment The revised plans now demonstrate compliance with this clause.	

Specialist Advice	
Referral Body	Comments
Development Engineers	<p><i>"The following pre lodgement comments are provided for the proposed development. These comments are only preliminary in nature and a detailed assessment can only be provided upon DA lodgement:-</i></p> <ol style="list-style-type: none"> <i>1. The driveway crossing is to be in accordance with Council's Vehicular Crossing normal profile which is available in Council's web page. https://www.northernbeaches.nsw.gov.au/planning-development/permits-and-certification/driveway-and-vehicle-crossings</i> <i>2. On-site stormwater detention (OSD) is not required for the proposal. Drainage shall be collected and connected to the existing kerb outlet."</i>
Landscape	<p><i>"Looks like a Jacaranda in the middle of the site, which is exempt so no issues with removal.</i></p> <p><i>The main concern is if the Driveway need widening or reconstruction, impacts may occur to the Bruch Box Street tree in Johnson St. They will need an Arborist's Report to address that as we would not support removal." 17/9/20</i></p> <p><i>"Based on the amended plans provided, If the Engineers are OK with the proposed driveway width, I think it could be supported with Project Arborist supervision." 2/11/2020</i></p>



Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at [Council's website](#):

- [Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140](#)

Documentation to accompany the Development Application

- Electronic copies (USB)
- Statement of Environmental Effects
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Waste Management Plan Ongoing
- Certified Shadow Diagrams
- BASIX Certificate
- Schedule of colours and materials
- Landscape Plan
- Arboricultural Impact Assessment Report
- Swimming Pool Plan
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist

Please refer to Development Application Checklist for further detail.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 17 September 2020 to discuss Construction of a dwelling, carport, swimming pool and cabana including demolition works at 48 Johnson Street, Freshwater. The notes reference preliminary plans prepared by MCK Architects and revised plans submitted to Council on 16 October 2020.

The revised plans have addressed Council's concerns in relation to parking for the proposed new dwelling while demonstrating an adequate spatial setback from the front northern boundary. In addition the amended landscaping is now compliant with Clause D1 Landscape Open Space and Bushland Settings of the WDCP 2011.

The proposal is acceptable and may be supported.



Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.