



northern  
beaches  
council

**Application No:** PLM2020/0140  
**Meeting Date:** 7 July  
**Property Address:** 15 Jubilee Avenue WARRIEWOOD  
**Proposal:** Use of site as a transport (bus) depot  
**Attendees for Council:** Tony Collier – Principal Planner  
Max Duncan – Planner  
Duncan Howley – Floodplain Planning  
Patrick Bastawrous – Traffic Engineer  
Timothy O’Keeffe – Environmental Health  
**Attendees for applicant:** Greg Boston – Planner  
Jeremy McNally - Applicant  
Matthew Gray - Applicant

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#### 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 Pittwater Local Environment Plan 2014 and Pittwater 21 Development Control Plan 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.



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## SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
<b>Side Setback</b>  <u>Relevant PLEP/P21 DCP Clause</u>  <i>Clause D16.7 side and rear setback</i>	The proposal is to comply with the minimum 3m side setback control.  Compliance with the setback control on the eastern side of the development is required to offset the visual impact of the development given the existing residential development that adjoins the subject site.

## PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP 2014)

**Note:** PLEP 2014 can be viewed at the [NSW Government Legislation Website](http://www.nsw.gov.au/legislation/other-legislation/legislation-repository)

Zoning and Permissibility	
<b>Definition of proposed development: (ref. PLEP 2014 Dictionary)</b>	<b>Transport depot</b> means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.
<b>Zone:</b>	B7 Business Park
<b>Permitted with Consent or Prohibited:</b>	Permitted with consent

Principal Development Standards:	
<b>Clause 4.3 Height of Buildings</b>	
Standard	Proposed
11m	N/A
<b>Comment</b> Floor plan only provided at pre-lodgement stage.  It is expected that the proposal comply with the building height control. A variation the building height control would not be supported in this instance.	

## PITTWATER 21 DEVELOPMENT CONTROL PLAN (P21 DCP)

**Note:** P21 DCP can be accessed via Council's Website [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

Section A: Shaping Development in Pittwater
<b>A4 Localities</b>
<b>Comment</b> Warriewood Locality The proposal is to address (in brief) consistency with regard to the Warriewood Locality



**Section A: Shaping Development in Pittwater**

Statement within the DCP.

**Section C: Development Type Controls**

**C2 Design Criteria for Business Development**

**Control/Requirement**

**Proposed**

C2.1 Landscaping

**Comment**

As noted above, a fuel tank and plant room is proposed to the front of the property. Dense landscaping should be incorporated into the proposal to offset the visual impact of these elements of the proposal when viewed from the street.

**Section D: Locality Specific Development Controls**

**D16 Warriewood Valley**

**Clause D16.6 Front setback**

**Proposed**

6.5m

6.5m

**Comment**

The plans indicate a compliant front setback. A non-compliance with this control would not be supported.

**Clause D16.7 side and rear setback**

**Proposed**

3m to all rear and side boundaries

- 1m – rear
- 1m - side

**Comment**

Please see previous comments related to the side setback.

The 1m rear setback could be supported subject to the development not unreasonably overshadowing the adjoining properties to the rear (particularly with respect to the proposed acoustic wall). Detailed shadow diagrams demonstrating compliance are to be submitted as part of the development application.

Further consideration should also be given to any potential structural impacts should excavation be required along the rear and side boundaries.

**Clause D16.9 Solar Access**

**Proposed**

**Comment**

The adequacy of sunlight received is assessed in accordance with the Land and Environment Council Planning Principle in *The Benevolent Society v Waverly Council [2010] NSWLEC 1082*.

**Specialist Advice**

**Referral Body**

**Comments**

**Environmental**

Bus depot - new use on the premises - breaking-up environmental health comments into categories for discussion in the subsequent DA proposal



Specialist Advice	
<b>Health</b>	<p>documents:</p> <p><u>Noise</u> Acoustic report has been prepared and analyses/discussions are focused on mitigation measures. Some key points:</p> <ul style="list-style-type: none"> <li>• With regard to Noise Policy for Industry guideline, what are the projected levels of intrusive noise (above existing amenity)?</li> <li>• How will the depot mitigate increased traffic noise - ingress, egress and idling buses?</li> <li>• Hours and noise levels of automated washing.</li> <li>• Will there be a mechanical workshop in operation all hours?</li> </ul> <p><u>Preliminary investigation required – contaminated land planning guidelines</u> The new use requires excavation of soil, a preliminary investigation of the land must be carried out in accordance with the contaminated land planning guideline. It is understood that the area was used for market gardens - associated with chemical use and makeshift (sometimes asbestos-containing) structures. Clause 7 (1)(a) of SEPP No. 55 requires a 'consent authority to consider whether the land is contaminated' - Council requires the preliminary investigation to satisfy this Clause.</p> <p><u>Acid sulfate soils</u> Mapped as Class 5 acid sulfate soils, what is the risk of excavation exposing potential or actual acid sulfate soils?</p> <p><u>Fuel Storage</u> Full details of above-ground fuel storage and dispensing / supply in a bunded area.</p> <p><u>Odour – Protection of Environment Operation Act</u> Idling of buses on-site: will odour / air pollution / exhaust fumes be an issue on and offsite? If yes, how will this be managed?</p> <p>Guideline document: Department of Environment and Conservation NSW – Technical framework: Assessment and management of odour from stationary sources November 2006.</p> <p><u>Wash Bay</u> Diagram / description of (automated) wash bay is required. Consider full height walls and ceiling to minimise potential for air / detergent particulate, fitted with appropriate noise pollution attenuation (including the entry and exit doors)</p> <p><u>Lighting</u> Lux Diagram will be required to demonstrate light spillage. Note: light spillage into the residential area is not permitted.</p>
<b>Referral Body</b>	<b>Comments</b>
<b>Development Engineering</b>	Stormwater drainage plans are to be submitted with the Development Application detailing the provision of On Site Stormwater Detention in accordance with the requirements of Pittwater 21 DCP Clause B5.7



Specialist Advice	
	<p>Stormwater management – On site Stormwater Detention.            -Any proposed driveway crossing is to be clear of any existing footpath sewer manholes or Telstra pit lids.</p>
Referral Body	Comments
<b>Landscape</b>	<p><u>DA documentation</u></p> <p>On review of the pre-lodgements plans and the site, the following information is required for development application, to minimise the built form and protect valuable vegetation:</p> <ul style="list-style-type: none"> <li>• Landscape Plan</li> <li>• Arboricultural Impact Assessment / Tree Protection Plan</li> </ul> <p>Both reports shall be prepared in accordance with the DA Lodgement Requirements, inclusive of detailed landscape plans to demonstrate the design intent, and detailed arboricultural assessment to provide tree protection measures for trees to be retained and justification for any proposed removal.</p> <p>Existing trees are located within the Jubilee Street road verge and within the site at the rear of the property and along the western boundary.</p> <p>The existing trees along the road verge shall be retained and protected during all stages of development.</p> <p><u>Arboricultural Impact Assessment</u></p> <p>An Arboricultural Impact Assessment report, prepared by a qualified Arborist with a minimum AQF level 5 qualification in horticulture/arboriculture shall be submitted. The report shall document the impact from the proposed development from excavation and construction works, in accordance with the Northern Beaches Council DA Lodgement requirements, when works are proposed within 5.0m of a tree.</p> <p>To satisfy Control B4.22, an Arboricultural Impact Assessment is required to provide clarification on which trees are to be retained, including tree protection measures, and which trees are proposed for removal. A proposal to remove an existing tree(s) of High and Medium significance shall be justified, and otherwise shall be refused if an alternative design layout or construction techniques is available.</p> <p>Clarification is required on the removal of the existing trees within the drainage easement to justify removal based on the operation of the easement, ie. is the reason for removal based on access or overflow calculations.</p> <p><u>Landscape Plan</u></p> <p>Landscape treatment shall be provided to all landscaped areas of the site. A detailed landscape plan, in accordance with the Northern Beaches Council DA Lodgement requirements, is required to satisfy the outcomes and controls</p>



Specialist Advice	
	<p>of the DCP as noted below:</p> <p><u>C3.1 Landscaping</u> A range of low-lying shrubs, medium-high shrubs and canopy trees shall be provided to soften the built form.</p> <p>Landscaping shall reflect the scale and form of development, and shall be incorporated into the building design through setback and modulation. Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</p> <p><u>C3.18 Public Road Reserve - Landscaping and Infrastructure</u></p> <p>Landscaping in the public road reserve is to include street trees planted to the road reserve frontage of the development placed at 6m centres.</p> <p>Street trees are to be planted so as not to obstruct the free passage of pedestrians along the road verge and not interfere with existing power lines.</p> <p>Tree species are to be a minimum 400 litre size with 1m x1m hole and backfilled with planting medium. Trees are to be protected by tree guards.</p> <p>Selected species are to as per the existing adjacent street trees or native species to the area as listed in the Warriewood Valley Landscape Masterplan ad Design Guidelines (Public Domain) 2018, including sections 2.0 and S-2.</p> <p>Grassed areas are to be turfed with Couch species (weed free) and even grade to a maximum 4% grade.</p> <p>All work is subject to a Section 139 approval from Council.</p>
Referral Body	Comments
<b>Stormwater Asset</b>	<p>The PLM application form has 'Easements' as an item for discussion however the stormwater easements along the West and South side of the lot doesn't pose any issue to the proposal, similar to the previous PLM for this site. I believe the applicant may be referring specifically to the Sydney Water "Easement for sewerage services 4' wide" that is located through the centre of the site. As such, I'm not sure how necessary it is for me to attend the meeting but I'll leave myself available during that time so that I can attend via Teams should the applicant want to speak to me about something.</p> <p>As such, please find below comments from the Stormwater Engineering team in relation to PLM2020/0140 - 15 Jubilee Avenue WARRIEWOOD.</p> <ul style="list-style-type: none"> <li>• Council's records indicate that the property at 15 Jubilee Avenue Warriewood is burdened by a Council Drainage Easement, Creek (SPO50622) and associated infrastructure along the Western Boundary of the lot. This is shown on Council's stormwater map which is available on the webpage. (Please follow the relevant link below and select the 'Stormwater' map from the 'No Overlay Map' drop down menu. You can then search by address and use the zoom functionality to see pipe diameters and asset id numbers. i.e. 600 mm and SPP or SPI etc.). <ul style="list-style-type: none"> <li>○ <b>Council's Stormwater Planning Map:</b></li> </ul> </li> </ul>



## Specialist Advice

<https://services.northernbeaches.nsw.gov.au/icongis/index.html>

- According to the plans submitted for this Pre-lodgement meeting, the proposed bus depot will be located a suitable distance away from Council's drainage easement and infrastructure, however it is recommended that the applicant accurately locate, confirm dimensions and plot to scale the Creek (SPO50622), easement and infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor.
- To demonstrate compliance with Pittwater 21 Development Control Plan – Section B5.12 Stormwater Drainage Systems and Natural Watercourse, B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System) and Council's Water Management Policy PL 850 Water (Section 6 – Building Over or Adjacent to Council Drainage System and Easement). It is recommended that the following details be submitted with any application:
  - Accurately locate, confirm dimensions (including depth) and plot to scale Council's stormwater pipelines and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided);
  - If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline attached;
  - All structures are to be located clear of any Council pipeline, pit or easement and comply with minimum vertical and horizontal clearances;
  - Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned policy; and
  - Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.
- **Pittwater 21 DCP:**  
<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/Book.aspx?exhibit=PDPCP&hid=11881>
- **Water Management Policy PL850:**  
<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/water-management/water-management-policy/2017327805watermanagementpolicy.pdf>
- **Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specifications (Section 6):**  
<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineering-specifications/building-over-or-adjacent-constructed-council-drainage-systems-and-easements-technical-specification.pdf>



Specialist Advice	
	Should the applicant have any questions regarding this, please contact Council's Stormwater Asset Engineer."
Referral Body	Comments
<b>Flooding</b>	<p>The site at 15 Jubilee Avenue, Warriewood is identified as being subject to flood risk, specifically surcharges from an open creekline along the western boundary of the site as depicted in the Ingleside, Elanora and Warriewood Overland Flow Study, 2019. The proposed Development Application must be accompanied by a Flood Management Report, guidelines to undertake this are available on Council's website.</p> <p>The proposed development must:</p> <ul style="list-style-type: none"> <li>• Ensure no net loss of flood storage in a 1% AEP flood event.</li> <li>• Ensure all new commercial space such as offices are located above the Flood Planning Level.</li> <li>• Not store hazardous or polluting goods below the Flood Planning Level.</li> <li>• Install movement prevention devices for vehicles up to the Flood Planning Level.</li> <li>• Comply with the other relevant requirements of the Pittwater 21 Development Control Plan.</li> </ul>

Relevant Council Policies
<p>You are advised that copies of the following (but not limited to all) Council's policies are available via Council's website <a href="http://www.northernbeaches.nsw.gov.au">www.northernbeaches.nsw.gov.au</a> :</p> <ul style="list-style-type: none"> <li>• Development Assessment Management Policy</li> <li>• Flood Risk Management Policy</li> <li>• Geotechnical Risk Management Policy for Pittwater</li> </ul>

Documentation to accompany the Development Application
<ul style="list-style-type: none"> <li>• Electronic copies (USB)</li> <li>• Statement of Environmental Effects</li> <li>• Request to vary a development standard</li> <li>• Cost of works estimate/ Quote</li> <li>• Site Plan</li> <li>• Floor Plan</li> <li>• Elevations and sections</li> <li>• Survey Plan – Boundary Identification.</li> <li>• Site Analysis Plan</li> <li>• Demolition Plan</li> <li>• Excavation and fill Plan</li> <li>• Waste Management Plan (Construction &amp; Demolition)</li> <li>• Waste Management Plan Ongoing</li> <li>• Certified Shadow Diagrams</li> </ul>





### Documentation to accompany the Development Application

- Schedule of colours and materials
- Landscape Plan
- Arboricultural Impact Assessment Report
- Advertising Structure / Sign Plan
- Erosion and Sediment Control Plan Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Stormwater Drainage Assets Plan
- Geotechnical Report
- Acoustic Report
- Coastal Assessment Report
- Flood Risk Assessment Report and Flood Risk Emergency Assessment
- Traffic and Parking Report
- LUX Diagrams
- SIDRA assessment

*Please refer to Development Application Checklist for further detail.*

### Concluding Comments

These notes are in response to a pre-lodgement meeting held on 7 July 2020 to discuss construction of a transport depot at 15 Jubilee Avenue, Warriewood. The notes reference preliminary plans prepared by Noxon Giffen dated 12 April 2020.

The proposal may be considered subject to any future application implementing the recommendations outlined by the referral bodies within these notes.

As stated previously within the notes, a compliant side setback along the eastern side of the development is required to ensure reasonable amenity is maintained to the adjoining residential property (No. 185 Warriewood Road, Warriewood).

Further, it should be noted that only a floor plan was provided for discussion at the meeting. The comments reflect this drawing only.

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