



northern  
beaches  
council

## MEMORANDUM

**DATE:** 10 September 2024

**TO:** Sydney North Planning Panel (SNPP)

**CC:** Steve Findlay, Acting Executive Manager Development  
Assessment

**FROM:** Maxwell Duncan, Principal Planner

**SUBJECT:** PPSSNH-466– MOD2024/0051 – 8 Forest Road, Warriewood

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The purpose of this memo is to provide a response to the Panel in relation to an email from the Applicant in relation to the recommended Conditions of Consent.

The email from the applicant seeks to amend the following recommended conditions.

### GENERAL

#### **Condition No. A1E - Modification of Consent 3 - Approved Plans and supporting Documentation**

The applicant has noted that the reference to Plan A300 – Elevation Building A and B, is incorrectly stated to be Rev 8, this is incorrect, and the correct plan is Rev 11.

Further, the stormwater plans are noted to be drawn by Kliatro, and this is an error and should reference WSCE. This has been reviewed and deemed an error and the amendment to the conditions are agreed.

### BUILDING COMPLIANCE

#### **Condition C38 – Access and Facilities for Persons with Disabilities**

The condition was imposed by Council's Building Surveyor. The condition references the incorrect BCA Report. The incorrect reference to this report has been deleted from the condition.

### WASTE

#### **Condition C39 – Building Code of Australia Fire Safety Requirements**

The applicant notes that the condition is incorrectly titled. The is a Council error and is to be titled "Waste and Recycling Requirements".

**Condition D26 - Waste/Recycling Requirements (Materials) and Condition E29 – Waste/Recycling Compliance documentation**

The applicant has requested that the application include wording within the condition that ensures that this condition only applies to works undertaken for works following determination of this application.

No objections were raised from Councils Waste officer amending this condition to include this wording.

**Condition E27 – Garbage and Recycling Facilities**

The applicant has requested that new Condition E27 be deleted, noting that it was previously covered by the parent consent under Condition B26.

Council’s Waste officer has reviewed the request and has amended condition E27 to only refer to the new waste rooms proposed under this modification application to provide transparency between the two conditions.

Council’s Waste Officer has further recommended an amendment to condition B26 to delete the reference to bins sizes.

**TRAFFIC**

The applicant recommends the amendment of existing Conditions B43 and E21 and the deletion of existing condition B50 as a result of the proposed changes to the private accessway.

**Condition B50**

The applicant noted that the private accessway has been reduced to 4.0m wide road as per the current submitted plans. This road will not be accessible to the public or community and will only be used for maintenance or emergency vehicles, and there is no parking provided along this private access way. There is no objection is to the deletion of this condition.

**Condition B43 and E21**

Conditions B43 and E21 reference the previously approved 5.5m central private access way. The applicant notes that this is to be amended to reflect the 4.0m Private Access Way Road.

No concern is raised in relation to the amendment of this condition.

**RECOMMENDATION**

That the following changes be made to the conditions contained in the Assessment Report:

*Note: Amended wording in condition A1E, B43, C38, D26, E21, E27 and E29 are highlighted in **bold**.*

- **Amend Condition No. A1E - Modification of Consent 3 - Approved Plans and supporting Documentation to read as follows:**

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan

A001	Rev 13	Preliminary Site Plan	ADS Architects	8 August 2024
A099.1	Rev 12	Floor Plans - Basement 1 - East	ADS Architects	8 August 2024
A100.1	Rev 19	Floor Plans - Ground Floor Plan - East	ADS Architects	8 August 2024
A100.2	Rev 19	Floor Plans - Ground Floor Plan - West	ADS Architects	8 August 2024
A101.1	Rev 11	Floor Plans - Level 1 - East	ADS Architects	7 May 2024
A102.1	Rev 11	Floor Plans - Level 2 - East	ADS Architects	7 May 2024
A103.1	Rev 09	Floor Plans - Roof Level - East	ADS Architects	30 April 2024
A103.2	Rev 09	Floor Plans - Roof Level - West	ADS Architects	30 April 2024
A300	<b>Rev 11</b>	Elevations Building A and B	ADS Architects	7 May 2024
A301	Rev 11	Elevations Building C and D	ADS Architects	7 May 2024
A302	Rev 11	Elevations Townhouses	ADS Architects	7 May 2024
A350	Rev 03	Gym and Pool Ground Floor Plan 1/2	ADS Architects	7 May 2024
A351	Rev 03	Gym and Pool Ground Floor Plan 2/2	ADS Architects	7 May 2024
A352	Rev 03	Gym and Pool Roof Plan	ADS Architects	7 May 2024
A353	Rev 03	Gym and Pool Elevations	ADS Architects	7 May 2024
A354	Rev 03	Gym and Pool Sections	ADS Architects	7 May 2024
-	-	FF&E Schedule	ADS Architects	30 April 2024
L-01	Rev U	Landscape Master Plan	Site Design + Studios	1 July 2024
L-02	Rev U	Existing Trees Plan	Site Design + Studios	1 July 2024
L-03	Rev U	Ground Floor East Landscape Plan	Site Design + Studios	1 July 2024
L-04	Rev U	Ground Floor West Landscape Plan	Site Design + Studios	1 July 2024
L-05	Rev U	Riparian Planting	Site Design + Studios	1 July 2024
L-06	Rev U	Sections	Site Design + Studios	1 July 2024
L-07	Rev U	Sections	Site Design + Studios	1 July 2024
L-08	Rev U	Sections	Site Design + Studios	1 July 2024
L-09	Rev U	Typical Details and Notes	Site Design + Studios	1 July 2024
C5.01	Issue 3	Road set-out plan	<b>WSCE</b>	September 2023
C5.11	Issue 1	Road Long Section - Access Road	<b>WSCE</b>	September 2023
C5.21	Issue 1	Road Cross Section - Access Road	<b>WSCE</b>	September 2023
C5.22	Issue 3	Road Cross Section - Ring Road Sheet 1	<b>WSCE</b>	September 2023

C5.23	Issue 3	Road Cross Section - Ring Road Sheet 1	<b>WSCE</b>	September 2023
C4.01	2	General Arrangement Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C4.02	4	General Arrangement Plan - Sheet 2	<b>WSCE</b>	17 June 2024
C6.01	2	Stormwater Layout Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C6.02	4	Stormwater Layout Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C6.06	2	Stormwater Drainage Details - Sheet 1	<b>WSCE</b>	17 June 2024
C6.07	2	Stormwater Drainage Details - Sheet 1	<b>WSCE</b>	1 February 2024
C6.11	3	Bioretention Basin Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C6.12	2	Bioretention Basin Plan - Sheet 2	<b>WSCE</b>	17 June 2024
C6.13	1	Bioretention Basin Sections - Sheet 1	<b>WSCE</b>	3 November 2023
C6.14	1	Bioretention Basin Sections - Sheet 1	<b>WSCE</b>	3 November 2023
C6.21	3	Stormwater Catchment Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C6.22	3	Stormwater Catchment Plan - Sheet 1	<b>WSCE</b>	17 June 2024
C6.41	3	Trunk Drainage Longitudinal Section	<b>WSCE</b>	17 June 2024

<b>Approved Reports and Documentation</b>			
<b>Document Title</b>	<b>Version Number</b>	<b>Prepared By</b>	<b>Date of Document</b>
Building Code of Australia Assessment Report	1	BCP	4 April 2024
BASIX Certificate No. 669006M_09	9	Efficient Living Pty Ltd	7 November 2023
BASIX Certificate No. 668084M_10	10	Efficient Living Pty Ltd	2 November 2023
Operational Waste Management Plan	C	Elephants Foot Consulting	20 June 2024
Bushfire threat assessment	-	AEP	25 June 2024

Traffic and Parking Review	-	MLA Transport Planning	1 July 2024
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In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

- **Amend Condition B26 to read as follows:**

Garbage enclosures/stores shall be provided and maintained in accordance with the following:

- a. A separate room or an appropriately constructed area is to be provided for the storage of garbage and recyclables.
- b. The walls of the enclosure shall be cement rendered and steel trowelled to a smooth, even surface.
- c. The floor shall be of impervious material coved at the intersection with the walls, graded and drained to an approved floor waste within the room/enclosure.
- d. Stormwater shall not enter the floor of the garbage enclosure such that the sewer system may be contaminated by rainwaters
- e. Garbage and recycling rooms shall be vented to the external air by natural or artificial means. The installation and operation of the mechanical ventilation system shall comply with AS 1668, Parts 1 & 2.
- f. The room used for the storage and washing down of garbage and recycling receptacles shall be constructed of solid material (brick, concrete blocks, structural fibrous cement or similar homogeneous material) so as to prevent the formation of cavities which become possible harborage for insects and vermin. Framing in timber is not permitted.
- g. The garbage and recycling room shall be made vermin proof.
- h. Cold water hose cocks shall be located within a garbage enclosure or in close proximity to Council's satisfaction.

- **Amend Condition B43 to read as follows:**

Asset Protection Zone (APZ) area, accessways and all infrastructural works including the fire trail (or Fire Access Road), 8m wide Driveway Access Road, **4m** wide central private access way and the communal detention based etc related to the development site are to remain in private ownership and are to be located wholly within the development site and within private property, and maintained by the owners of the development or its Owners Corporation over the life of the development. These facilities located on residential allotments are to be maintained by the respective owners of these allotments in perpetuity.

- **Amend Condition B50 to read as follows:**

**B50.**  
**Deleted**

- **Amend Condition C38 – Access and Facilities for Persons with Disabilities to read as follows:**

Access and facilities to and within the building are to be provided as required for Persons with a Disability in accordance with the Building Code of Australia **2019 and AS1428.1-2021.**

Details are to be provided to the Certifying Authority prior to the issue of the Construction

Certificate and be implemented prior to occupation of the building.

Reason: To ensure adequate provision is made for access to and within the building for Persons with a disability.

- **Amend Condition C39 – Building Code of Australia Fire Safety Requirements to read as follows:**

**C39. Waste and Recycling Requirements**

Details demonstrating compliance with Northern Beaches Waste Management Guidelines, are to be submitted to and approved by the Certifier prior to the issue of any Construction Certificate.

If the proposal, when compliant with the Northern Beaches Waste Management Guidelines, causes inconsistencies with other parts of the approval i.e. architectural or landscaped plans, a modification(s) to the development may be required.

Reason: To ensure adequate and appropriate waste and recycling facilities are provided.

- **Amend Condition D26 - Waste/Recycling Requirements (Materials) to read as follows:**

During demolition and/or construction the following materials are to be separated for recycling: timber, bricks, tiles, plasterboard, metal, concrete, and evidence of disposal for recycling is to be retained on site.

**This is to occur for all works undertaken following the determination of this modification application.**

Reason: To ensure waste is minimised and recovered for recycling where possible.

- **Amend Condition E21 to read as follows:**

A Plan of Management is to be produced to provide for the ongoing management of the development and is to include:

- a. The responsibilities, management, operation, ongoing maintenance and the repair of all common property and infrastructure including the Asset Protection Zone (APZ) areas, accessways and all infrastructural works including the fire trail (or fire access road), 8m wide Driveway Access Road, **4m** central private accessway and the communal detention basin etc.
- b. Space management strategies including activity coordination, site cleanliness, rapid repair of vandalism and graffiti, and the maintenance of lightning and landscaping (including all planter boxes).
- c. The maintenance requirements of the communal water management facilities, as outlined in the approved Water Management Report referenced in this consent and amended via condition.
- d. Maintenance requirements and responsibilities for the access driveway and bridge from Jubilee Avenue in accordance with Condition B68.

- **Amend Condition E27 – Garbage and Recycling Facilities to read as follows:**

All internal walls of the new waste rooms **approved under this modification application** shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning. Waste room floors shall be graded and drained to an approved Sydney Water drainage system.

Waste rooms shall be clear of any other services or utilities infrastructure such as gas, electricity air conditioning, plumbing, piping ducting or equipment.

Reason: To prevent pollution of the environment, provide a safe workplace for contractors and residents and to protect the amenity of the area

- **Amend Condition E29 – Waste/Recycling Compliance documentation**

Evidence of disposal for recycling from the construction/demolition works shall be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

**This is to occur for all works undertaken following the determination of this modification application.**

Reason: To ensure waste is minimised and recycled.