

26 June 2019



Boston Blyth Fleming Pty Ltd  
Suite 1 9 Narabang Way  
BELROSE NSW 2085

Dear Sir/Madam,

**Development Application No: DA2019/0108 for Demolition and Construction of Self Storage Units at 11-13 Cook Street FORESTVILLE.**

Council has completed a preliminary assessment of your application which was received by Council on 08/02/2019 and has identified a number of areas of non-compliance and insufficient information that will not allow Council to support the application in its current form.

These matters are as follows:

**Building Height**

Insufficient information has been provided to determine the total height of the proposed building and determine how the application will satisfy the requirements of the Height of Buildings development standard in the Warringah Local Environmental Plan 2011 (WLEP 2011).

An estimate of the total height of the building on the south-west corner of the building is at 10.3m above the existing ground level. This differs from the estimate provided in the written request to vary the development standard, provided with the application.

Additional cross-sections, adjoining this corner of the building, should be provided to determine the exact height of the proposal.

This information is considered necessary as it relates to a prominent part of the building that fronts Cook Street and Council requires clear information to determine if the requested variation will be consistent with the relevant objectives.

**Front Setback**

The front setback of the building is not compliant with the minimum front setback of 6.5m specified in the Warringah Development Control Plan 2011 (WDGP 2011).

The ground floor is located as close as 4m to the front boundary (measured from the awning). The first floor ("Level 02") is located at 5.4m from the front boundary.

Given the strong visual presence of the building on its east elevation (and the non-compliance with building height, which accentuates the impact) a full compliance with the standard is expected, to achieve the objectives of the control.



### **Overshadowing**

Shadows in elevation should be provided to determine the exact extent of the shadow cast on the adjoining residential zone / properties to the south, at Nos.15 and 15A Cook Street. This information is necessary to determine if the proposal satisfies the solar access objectives of WDCP 2011.

### **Landscaped Area Adjoining Northern Boundary**

The setback of the building from the northern boundary, adjoining the Currie Road properties, needs to be provide greater areas of deep-soil and plantings to minimise the visual impact of the proposed building when viewed from these residential areas.

### **Signage**

The wall sign on the west elevation that adjoins the properties at 5 and 7 Cook Street is of a size that does not comply with both the objectives of Part D23 of WDCP 2011 and in particular the provisions of the *State Environmental Planning Policy No 64—Advertising and Signage*. The proposal fails the Schedule 1 Assessment criteria, which relates to:

- Respecting the viewing rights of other advertisers;
- Protrusion above existing adjoining buildings; and
- Being of a scale, proportion and form that is appropriate for the streetscape, setting or landscape.

It should be noted that the sign would require the concurrence of the NSW Roads and Maritime Services as it both exceeds 20m<sup>2</sup> in area and is above 8m from the ground level and is both visible and within 250m of a classified road (Warringah Road). However, concurrence will not be sought in this instance as Council does not support the proposed signage.

### **Advice for the Applicant**

Please accept Council's sincere apologies for the delay in this correspondence.

Unfortunately, due to the extent of the issues outlined in this correspondence, Council is unable to support the proposal in its current form.

You are therefore strongly encouraged to withdraw this application and resubmit a new application that addresses all of the issues listed above

Should you choose to withdraw this application within fourteen (14) days of the date of this letter, Council will refund **75%** of the application fees. If you have not contacted Council by 11 July 2017, Council will assume that you are not withdrawing this application. In this case, no fees can be refunded and the application will be assessed and determined in its current form.

Should you agree to withdraw and in order for Council to process the request, confirmation must be received in writing to [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)



To speed up the processing of your refund, please supply bank details using the table provided below, otherwise your refund will be forwarded by way of cheque.

**Please note that bank details supplied should match the name listed on the top line of your tax invoice receipt for the application.** If bank details supplied do not match this name, then the refund will be forwarded by way of cheque. Council cannot be held responsible if the bank account details provided by you are incorrect.

<b>Bank</b>	
<b>Account Name</b>	
<b>BSB</b>	
<b>Account Number</b>	

If you have not contacted Council by 11 July 2019, Council will assume that you are not withdrawing this application. No fees will be refunded and we will assess this application in its current form.

Should you wish to discuss any issues raised in this letter, please contact Nick England on 1300 434 434 between 8.30am to 5.00pm Monday to Friday.

Yours faithfully

Anna Williams  
**Manager, Development Assessment**