



Pre-lodgement Meeting Notes

Application No: PLM2022/0219
Meeting Date: 31 January 2023
Property Address: 87 Blackbutts Road FRENCHS FOREST
Proposal: Construction of four senior's housing dwellings
Attendees for Council: Daniel Milliken - Manager, Development Assessments
Maxwell Duncan - Principal Planner
Adam Urbancic - Planner
James Brocklebank - Traffic Engineering Coordinator
Ray Creer - Waste Services Officer

General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team 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 advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the 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 application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your proposal and consider amendments to the design of your development prior to the lodgement of any development application.



WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

WLEP 2011 can be viewed at: <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0649>

Part 2 - Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	seniors housing means a building or place that is— (a) a residential care facility, or (b) a hostel within the meaning of <i>State Environmental Planning Policy (Housing) 2021</i> , Chapter 3, Part 5, or (c) a group of independent living units, or (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for— (e) seniors or people who have a disability, or (f) people who live in the same household with seniors or people who have a disability, or (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital.
Zone:	R2 Low Density Residential
Permitted with Consent or Prohibited:	Permitted with Consent (pursuant to SEPP (Housing) 2021)

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

WDCP 2011 can be viewed at:
<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP>

Specialist Advice
Development Assessment
<p>The application seeks consent for demolition works and the construction of a two-storey seniors housing development containing 4 self-contained units (Additional dwelling to that approved under DA2020/0341), pursuant to <i>State Environmental Planning Policy (Housing) 2021</i>.</p> <p>The proposed development includes:</p> <ul style="list-style-type: none">• 4 x 2 bedroom dwellings;• 4 car spaces;



Specialist Advice

- Pedestrian entry; and
- Waste storage

The application is seeking to largely replicate the building footprint of the approved development of DA2020/0341 and notes that given general compliance with the non-discretionary provisions of SEPP Housing 2021 and similar envelope, this would justify the additional dwelling on site.

Control	Permitted	Proposed	Compliance
Site area	At least 1000sqm	938.1sqm	No
Frontage	>20m	23.95m	Complies
Building height	9.5m	No elevations or section plans provided at PLM stage.	Complies
Floor Space Ratio	0.5:1	0.5:1	Yes
Wheelchair access	100% of units	100% of units	Complies
Non-discretionary development standards for independent living units—the Act, s 4.15			
Control	Permitted	Proposed	Compliance
Landscape Area	30% (436sqm)	33.4%	Complies
Deep soil	15% (with 65% within the rear)	25.8%	Complies
Solar access	70% to living rooms and POS between 9am – 3pm mid-winter	All the proposed dwellings will receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter.	Complies
Parking	4	4	Complies

Warringah DCP Built Form Controls			
Standard	Permitted	Proposed	Complies
Wall height	7.2m	Insufficient information provided at PLM stage.	-
Side Boundary envelope	4m at 45 degrees	Within side boundary envelope	No
Side Setback	Building – 0.9m	West Building – 3m Terrace/outdoor living 0m – 0.7m East Building – 6.4m	Building complies
Rear Setback	6.0m	3.7m	No
Front Setback	6.5m	6.7m	Yes

General Comments

Setbacks

The applicant is encouraged to increase the setback to the western boundary at ground floor level. The wall as currently shown on the plans is setback 1m, an increased side setback will reduce the bulk and scale of the development when viewed from the west and allow for increased level of planting along the western boundary, which as a result would offset the visual impact of the bulk of the development.

Building Height



Specialist Advice

Elevation and Section plans have not been provided at this stage. Council would only consider a compliant proposal in terms of height. There is no constraint or planning justification for any breach to the building height.

Amenity

In terms of amenity, given elevations and sections plans have not been provided at this stage, a reasonable assessment of privacy and solar access impacts cannot be undertaken. However, it is noted that the adjoining properties to the east, west and south each have their private open space orientated towards the subject site. Windows at first floor level where possible should be orientated away from private open space.

Concluding Comments

The incorporation of an additional dwelling is generally supported. However, it is strongly recommended that the recommendations above particularly with regard to setbacks are incorporated into any application lodged with Council.

Development Engineering

The proposed development will require on-site stormwater detention (OSD) in accordance with Council's Water Management for Development Policy. The pre-developed site discharge (PSD) is to be calculated using a fraction impervious area of 0% i.e. the state of nature condition for all design storms up to and including the 1 in 100 year storm event. The applicant's consultant is to use the 'Drains' hydraulic model to design the system and provide the calculations with the submission to Council. The OSD tank is to be located in an open area that will permit 24 hour access".

The driveway crossing is to be in accordance with Council's Vehicular Crossing normal profile which is available in Council's website. Any transitions to the driveway levels/gradients are to occur within the development site.

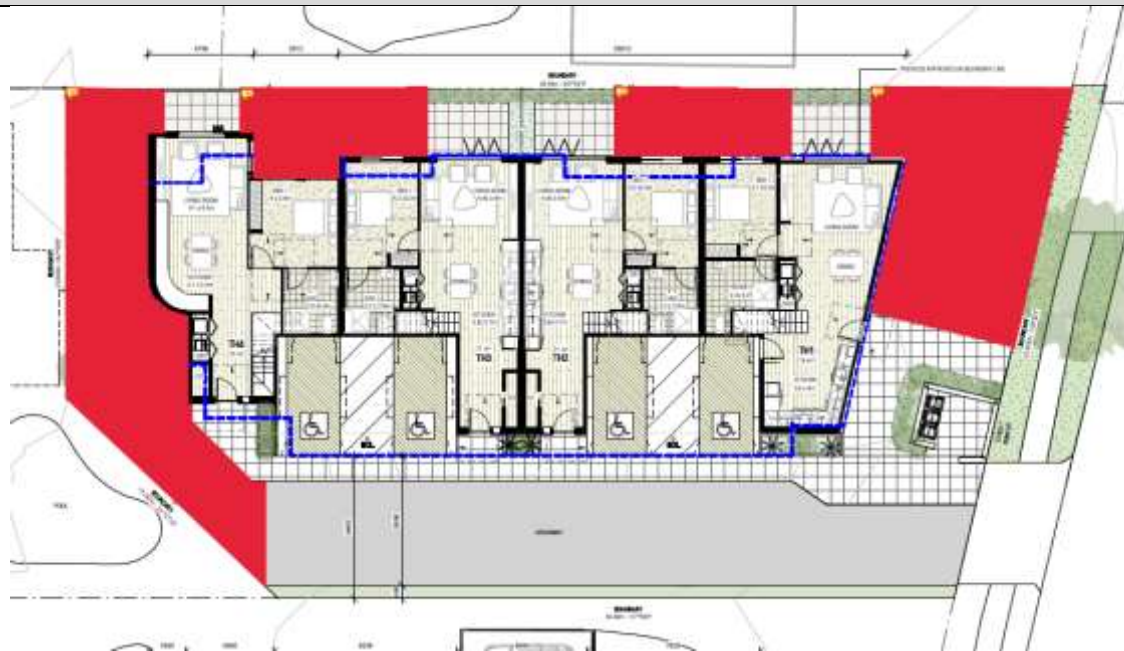
An Access Report is to be submitted by a suitably qualified Access Consultant to assess compliance with the requirements of Clause 26 Location and access to facilities of SEPP (Housing for Seniors or People with a Disability) 2004. Where the proposal requires the extension or upgrading of footpaths and pram crossings to comply with the SEPP requirements, details are to be included with the DA submission.

Landscape Officer

Landscape Referral raises concern that the proposed development does not achieve the 40% landscaped area under the WDCP requirement; however, this matter will be assessed and determined under merit consideration by the Assessing Planning Officer. Landscape Referral calculates compliant landscaped area as approx. 23%.



Specialist Advice



Landscaped area is defined under WLEP as “*part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area*”. More consideration shall be given to achieving landscaped area compliance.

The Statement of Environmental Effects shall include commentary of relevant landscape clauses of the DCP, and in this instance the following:

- D1 Landscaped Open Space and Bushland Settings
- E1 Preservation of Trees or Bushland Vegetation

The land is zoned R2 Low Density Residential and as such the objectives of the zone shall be satisfied.

D1 Landscaped Open Space and Bushland Settings

A **Landscape Plan** is required to demonstrate that the proposed development satisfies the DCP clause, including:

- establishment of low lying shrubs, medium high shrubs and **canopy trees** of a size and density to mitigate the height, bulk and scale of the building
- provide privacy between buildings and/or provide privacy to private open spaces

The applicant is advised to read Council's DA Lodgement Requirements under Landscape Plans, and submit an appropriate Landscape Plan prepared by a suitably qualified professional (ie. Landscape Architect or Landscape Designer).

E1 Preservation of Trees or Bushland Vegetation



Specialist Advice

The Arboricultural Impact Assessment was completed over 2 years ago and shall be updated as necessary to capture any required amendments.

Traffic Engineering

The pre lodgement plans are for a 4 x 2 bedroom independent living units at No.85-87 Blackbutts Road.

In terms of the traffic and parking aspects of the proposal the following comments are made:

Parking:

SEPP Housing 2021 requires 0.5 parking spaces per bedroom which for this development would equate to 4 parking spaces. The 4 x accessible parking spaces proposed are acceptable. The spaces appear to be designed in compliance with AS2890.6 however the DA plans should be dimensioned to confirm that this is the case.

Access:

The development is accessed via driveway which appears to be 5.8m in width at kerbside however landscaping near the front boundary prevents the full width of the driveway from being used for passing of two vehicles. The number of units is low and consequently the number of inbound and outbound vehicle movements using the driveway will also be low. AS/NZS2890.1 clause 3.2.2 suggests that 30 or more vehicle movements in an hour is generally required before a double width driveway is necessary however in this case, given the high volume of traffic using Blackbutts Road it is much safer if a vehicle does not have to prop on Blackbutts Road to wait for a vehicle to exit the driveway before it can enter. The safest option would be to allow for at least the first 6m of the driveway inside the property boundary to be at a width of no less than 5.5m to allow for two way access. This would allow a vehicle to pull off the street to wait (inside the property) for a vehicle egressing the driveway to pass. If required to meet landscaping or other requirements the driveway could then be narrowed further inside the property. As discussed at the PLM a compromise which allowed for this passing to occur partly inside the property and partly on the footpath area would, in this case, noting the low anticipated volumes, be acceptable.

Traffic Generation:

The volume of traffic generated from this development is unlikely to have an impact on the operation of the surrounding road network, particularly if provision for passing on the driveway at the property boundary (as outlined above) is available.

Access to Public Transport:

There is safe and obvious access to public transport as required by SEPP Housing 2021 with a bus stop serving the 274 & 281 bus routes located approximately 70m west of the development on the south side of Blackbutts Road. Both services proceed only in a westbound direction along Blackbutts Road. Blackbutts Road is on a near flat gradient and a footpath is present on the south side of Blackbutts Road so pedestrian access to and from the bus and hence to services is available.

Summary

Given the above, the proposal appears to have no significant issues from a traffic perspective.



Specialist Advice

Waste Officer

Bin Storage

The location of the bin storage facility complies with Council requirements.

The 4 residential units require a room/bay large enough to contain 6 x 240 litre bins. Each bin being 600mm wide and 750mm deep.

Aisles between rows of bins or between a row of bins and a wall to be a minimum of 1 metre wide.

The bin storage facility must have a roof with a minimum ceiling clearance of 2.1 metres.

Service Access to Residential Bin Storage Room

Access to the bin storage room for service staff must be via a flat, smooth, non-slip pathway without any steps or gradients steeper than 1 in 8.

The pathway must be a minimum of 1200mm wide.

The pathway must be separate from the vehicular driveway.

All doors used to access the bin storage area must remain unlocked, open outwards and be able to be latched in the open position.

Any doors requiring to be secured must be fitted with a timer lock programmed to be unlocked on the scheduled day of collection.

Bulky Goods Storage

There is no requirement for bulky goods storage for this proposal.

Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal

Plans

- Scaled and dimensioned plans:
 - Site Plan;
 - Floor Plans;
 - Elevations; and
 - Sections.
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and Fill Plan
- Driveway Design Plan
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Landscape Plan(s)

Reports

- [Owners Consent Form](#) (if the applicant is not the property owner)



- [Cost Summary Report Form](#) (prepared by a building industry professional for works up to \$1,000,000 or a Quantity Surveyor for works equal to, or greater than, \$1,000,001)
- Statement of Environmental Effects
- Access Report
- Arboricultural Impact Assessment (if the proposal requires the removal, or works within 5.0m, of any protected trees on the site, adjoining properties and/or road reserve)
- Building Code of Australia (BCA) Report
- Waste Management Plan (Construction & Demolition)

IMPORTANT NOTE FOR DA LODGEMENT

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-22-23-jan23.pdf>

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 31 January 2023 to discuss the construction of four seniors housing dwellings at 87 Blackbutts Road, Frenchs Forest. The notes reference the plans DA101, DA102, DA400, DA500, DA502-DA503, DA550, Rev No. 2, prepared by Walsh Architect and dated 25 January 2023.

The proposed development is not supported in its current form, but may be supported subject to the design amendments outlined within these notes.

Question on these Notes?

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.