

PRELODGEMENT ADVICE

Application No: PLM2020/00862017

Meeting Date: 19 May 2020

Property 60 Castle Circuit SEAFORTH

Address:

Proposal: Development Application Pre-lodgement Meeting

Attendees for Rodney Piggott – Manager Development Assessment

Council: Catriona Shirley - Planner

Attendees for applicant: Anthony Betros - Planner Deborah Allen - Architect Julian Brenchley - Architect

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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 the Manly LEP 2013 and the Manly DCP 2013 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.



DESCRIPTION OF WORKS

The proposal presented included the construction of a dwelling house and swimming pool with ancillary site works at 60 Castle Circuit Seaforth.

The subject site is currently vacant, heavily vegetated, with no structures onsite.

The site is approximately 626.8sqm in size and is constrained by very steep topography between 32 to 38 degrees. The subject site is burdened by an easement of support, for the Castle Circuit roadway.

MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)

Note: MLEP 2013 can be viewed at the NSW Government Legislation website.

Zoning and Permissibility	
Definition of proposed development: (ref. MLEP 2013 Dictionary)	Dwelling house means a building containing only one dwelling.
Zone:	R2 Low Density Residential Zone
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standards:	
Clause 4.3 Height of Buildings	
Standard	Proposed
8.5m	12.5m



Does not comply

The proposal involves a building height of 6m to 12.5m, which does not comply with the development standard for the maximum building height of 8.5m. A building height of 12.5 m is a significant departure from the Building Height Standard and is not supported.

The proposal exceeds the building height on the upper floor Level 3 which proposes a three (3) car garage, access stairs, entry and office.

The most prominent area of non-compliance specifically relates to the proposed roof height of the Level 3 level access stairs.

A review of the context of the site and surrounding area reveals that whilst the overall proposal may be consistent with the adjoining dwellings, and not readily visible from the Castle Circuit streetscape, the variation of Level 3 could be further minimised without affecting the architectural design or amenity for the occupants.

The excess building height is also clearly visible from the Sydney Harbour waterway and Public Reserve, which can creates poor amenity outcomes of excessive bulk along the length and breadth of the forth storey of the building.

It is recommended that building height of Level 3 be reduced to demonstrate a minimisation of the building height variation.

In addition, noting that the excess building height will be above any canopy tree the removal of the majority of existing canopy trees on site with no new canopy proposed forward of or in between the non-compliant built form, will also lead to a "jarring" effect when viewed from the waterway.

The building height non-compliance combined with insufficient landscaped areas results in a visually dominant built form that is inconsistent with the desired streetscape character and does not provide an appropriate relationship between the development the water foreshore area (in terms of views and scenic value).

As a result, you are advised to review the current design and present a revised design that further minimises the building height variation, and increase landscaped areas within the curtilage of the site.

Given the significant constraints of the site it is likely that a height breach is unavoidable, however, the bulk and height must be minimised in order for a variation to be supported

Should the DA be lodged with a non-compliant height, the proposed variation to the building height needs to be addressed within the Statement of Environmental Effects (SEE). A formal Clause 4.6 written exception as submitted must meet the requirements as set out in the decision of *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 to enable Council to determine the application.

Note: Building heights are measured from natural ground level.

Clause 4.4 Floor Space Ratio

Standard	Proposed
0.4:1	05:1



Does not comply

Whilst the significant variation to the Floor Space Ratio (FSR) development standard (approximately 25%) may be consistent with adjoining and nearby properties, the FSR is inconsistent with the desired character of the area. Non-compliant FSR combined with excess building height and additional floor levels results in an unreasonable bulk and scale, and can be reflective as an overdevelopment of the site.

There does not appear to be any strong reason to retain such a variation in that it is not a "forced" variation by virtue of being an undersized lot or having other existing constraints that warrant varying the development standard.

FSR can be an influencing factor on other potential impacts of bulk, scale, height, wall extent, setbacks, overshadowing, views and landscaping.

A reduction in the FSP is recommended to provide a greater level of compliance.

Part 6 Relevant Additional Local Provisions	
Provision	Comment
6.1 Acid Sulfate Soils	Not applicable.
6.2 Earthworks	The proposal involves major earthworks into the site, including excavation works into rock, within a registered road support easement. It is recommended that natural levels that are consistent with adjacent finished land levels and maintained within 0.9m of the side boundary to avoid excavation / artificial filling near adjacent neighbours. Maintaining an offset allows for drainage, landscaping and minimises potential cross boundary issues / disputes from dilapidation risks.
6.3 Flood Planning	Not applicable.
6.4 Development on Sloping Land	The site is within Map C for landslip hazard area "G1" under the DCP with an easement for support of road in accordance with DP200638. A comprehensive geotechnical assessment report is required to be submitted in order to determine that the potential hazards, conditions of the easement and requirements to the site have been appropriately addressed (See Clause 4.1.8 of the Manly DCP and Councils Road and Assets referral response).

MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

Note: The MDCP 2013 can be accessed via Council's website.

Part 3: General Principles of Development



Streetscape

Comment

This clause of Manly DCP includes impacts of parking structures, including general streetscape.

It is recommended that some adjustment to the parking structure and Level 3 be undertaken.

The fourth storey, or Level 3, whilst not redibly seen from the Castle Circuit streetscape is visually dominating from the Council Reserve and Sydney Harbour waterway.

However, the parking structure of Level 3 is dominates the front setback area and provides no integration with the landscape character of this section of Castle Circuit to softening the large concrete apron. Greater attempt to integrate Level 3 with landscaped setting should be undertaken to reduce visual impact when observed from the road street view, or when viewed from the high side.

3.1.1 Complementary Design and Visual Improvement

Comment

The proposal should include a medium to dark roof tones with some variations in material surface and span / sections, including roof top planting.

The applicant is required to address this control within the Statement of Environmental Effects and on the architectural plans to ensure the objectives of this control are satisfied.

The minimisation of glare and reflection may be achieved recessed areas over windows, wide eaves, landscaping, partitioned sections wall articulation, including external blinds and the like.

The reduction recommended reduction to the FSR and Building Height in order to reduce bulk, combined with an appropriate schedule of materials will improve the visual representation of the built form and reduce potential amenity impacts.

3.3.1 Landscaping

Comment

See comments below provided by Council's Landscape Referral for the proposal. In summary, a landscape plan is required that should consist primarily of endemic (native) species and appropriate height to ensure no unreasonable view obstruction. Landscape areas (total open space, deep soil, and private open space should be delineated on the plans.) Fencing details should be included with the landscape plans.

3.4 Amenity

3.4.1 Sunlight Access and Overshadowing

Comment

Complies

Shadow diagrams are required for the proposal. For overshadowing of glazing the use of additional diagrams for 10am, 11am, 1pm and 2pm assist to demonstrate sunlight into side windows for living areas which is commonly a concern where morning or afternoon sunlight is reduced along a side windows. Therefore, this additional detail should be included in this case.



3.4.2 Privacy and Security

Comment

The proposed development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwellings (both internal and external to the development).

In particular, the windows and terraces of the dwelling are to be located so they do not provide direct and close views into the windows of No. 58 Castle Circuit. It is recognised that the surrounding dwellings on the high side site at a much higher topography such that direct overlooking would not occur.

Note. The effective location of windows and reduced balcony size, to avoid overlooking, particularly to the south-eastern adjoining site is preferred to the use of screening devices, high sills or obscured glass.

The proposal shows a satisfactory approach particularly with the incorporation of non-trafficable areas and green roofing.

The proposal is required to address this control within the architectural plans and the Statement of Environmental Effects.

3.4.3 Maintenance of Views

Comment

Development is to allow for the reasonable sharing of views. In determining the extent of potential view loss to adjoining and nearby properties a view analysis is to accompany the application.

Sufficient information is to be provided with the application to enable a detailed assessment of view sharing between properties, particularly in regard to view lines from the south-east and other properties may look across the site from the south-eastern side boundaries. It is the applicant's responsibility to identify potential view impacts prior to lodgement.

Where view encroachments occur due to non-complying elements of the building the applicant should seek amendments to the design to eliminate those view impacts (for example by greater setbacks / reduced FSR / height or the like).

The applicant is required to address how the proposal has been designed to provide for view sharing in accordance with the Planning Principle established by the Land and Environment Court in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140.

3.4.4 Other Nuisance	The proposal should ensure and fireplace and the external built in BBQ will not create smoke / fume impacts on the adjacent neighbours.
3.7 Stormwater Management	See comments below provided by Council's Development Engineering Referral for the PLM.
3.8 Waste Management	The proposal should show any bin alcove or storage area particularly if the area is fronting the streetscape.
3.9 Mechanical Plant	Careful siting of pool pumps, air conditioner motors and lift motors should be included to they are well away from adjacent bedrooms and in spaces that will buffer / reduce the noise that may create nuisance to adjacent neighbours.



Part 4: Built Form Controls	
Part 4.1.2.2 Number of Storeys	
Control/Requirement Proposed	

Does not comply

The proposal is for four (4) storeys of built form. However, the control intends a maximum of two (2) storeys.

It is recognised that due to the significant slope of the site that the proposal will present as a one storey dwelling from the Castle Circuit street view, and a four storey dwelling from the neighbouring sites, Council Reserve and the Middle Harbour waterway.

The additional height and resultant building mass / FSR from the additional storeys could result in additional amenity impacts (visible bulk, shadowing, intensification and the like) to the neighbouring properties as well as undesirable impacts on the streetscape and Harbour area.

However, the additional storeys could be supported via demonstrating greater compliance with the Building Height and FSR controls, whilst incorporating additional landscaping to visually screen, integrate and minimise the contrast between built form and the landscape setting.

4.1.4.1 Street Front Setbacks

Control/Requirement	Proposed
Prevailing building / minimum 6m front setback.	0.3 (carport) – 2.9m Upper Floor (4 th Floor) 3m for the Ground (3), Level One (1) and Level Two (2)



Does not comply

The site has a street frontage to Castle Circuit, with the proposed pedestrian entry via a suspended driveway due to the steep road embankment along Castle Circuit.

The street front setback control requires the front setback to relate to the front building line of neighbouring properties and the prevailing lines in the immediate vicinity.

The front setback to the garage off Castle Circuit is consistent with adjacent land (to the southeast). However, the use of additional landscaping or reduction to the concrete apron could also be undertaken to provide greater consistency.

A review of the context of the site and surrounding area reveals that the proposals front setback alignment on the Ground Floor, Level 1 and Level 2 is consistent with:

- The adjoining dwellings that also reside on the downslope of the steep escarpment of Castle Circuit,
- The streetscape, and the character of the local area with regards to the setback of Level three (3), with the lower levels not visible from the streetview.

In practical terms, the proposed dwelling house, i.e. the Ground Floor, Level 1 and Level 2, are all largely hidden from public domain views, with the views of the Harbour waterway retained over the subject site.

Due to the steep topography of the site the front setback of Level Three (3) is warranted, and supported in this instance.

Appreciating that the subject site is constrained with regards to the topography, location and design of the existing structures, and the natural features of the site, Council will consider on merit the construction of a parking structure and dwelling house within the front setback area.

4.1.4.2 Side Setbacks

Control/Requirement	Proposed
1/3 Wall Height	5.3m – 6.5m Level 3
	6.59m – 5.0m Level 2
	6.59m – 3.0m Level 1 and Ground Floor

Comment

Complies

Whilst the side setbacks are compliant with the controls, the large wall plans are to be avoided. The consideration of suitable wall treatment options (of natural finishes and materials) to provide visual enhancement and break up building bulk, as appropriate to the DCP should be implemented.

4.1.4.4 Rear Setbacks

Control/Requirement	Proposed
8m/or prevailing building line	6.49m – 8.73m Level 3
	11.175m – 3.35 Level 2
	5.0m – 2.45m Level 1
	3.845m – 6.27m Ground Floor



Does not comply

The proposal demonstrates a variation to the rear setback. However, a review of the context of the constrained site, and the dwelling alignment being consistent with adjacent land is can be supported in this instance.

However, it is important to acknowledge that the rear setbacks must allow space for planting of vegetation, including canopy trees, other landscape works to ensure that the character of existing natural vegetated setting is maintained. Particularly important as this rear setback area adjoins the E2 Environmental Conservation zone.

As a result, it is recommended that the incorporation of additional landscaping areas, particularly in the side setbacks, and the far north-western area of the site to maintain a vegetation buffer to adjoining private open space areas, whilst also providing softening and screening of the built form to provide for an appropriate relationship between the development and the foreshore scenic area.

4.1.5.1 Minimum Residential Total Open Space Requirements

Control/Requirement	Proposed
A minimum of 60% of the subject site	69%

Comment

Complies

Open space components should be detailed on the plans. The principal landscape open space should be 3m x 3m or larger where such spaces are located across the property.

Total open space means that part of a site which is designed or designated to be used for active or passive recreation and includes:

- Landscaped area (see LEP meaning);
- Open Space Above Ground as defined in this DCP:
- Hard paved areas (un-enclosed pedestrian walkways and access paths pergolas, clothes drying and barbeque areas);
- Swimming pools occupying less than 30 percent of total open space; and
- Private open space (including principal private open space) as defined in this DCP.
- but excludes:
- any area for parking (including garages; carports; hardstands and vehicular access to that parking)

Any future proposal should include an appropriate areas of soft landscaping within the curtilage of the site to improve the landscape setting, considering the significant increase in height, bulk and scale of the proposal on the site.

A redesign that involves the reduction in the FSR and building bulk will enable to greater area of open space to be achieved.

Compliance with landscaped open space for the site is achievable to retain deep soil and other landscape space as per the DCP. A landscape plan and planting schedule is required for the development application. Plant species should include endemic coastal plants that are suitable for the site (including consideration for view lines for the minimum number of trees required).

4.1.5.2 Landscaped Area



Control/Requirement	Proposed
Area OS4 – at least 40% of open space	52%

Complies

It is considered that the proposal does not provide for the enhancement of native vegetation, to ensure the built form is visually screened and softened. Additional landscaping is recommended to ensure an appropriate relationship between the development and the surrounding environmentally sensitive and foreshore areas. See Landscaping referral response below.

4.1.6 Parking, Vehicular Access and Loading	Details of construction management should be included as a plan showing the phase of work to address removal of materials and delivery / storage of construction including trade parking, due to the changes to the driveway layback proposed.
4.1.9 Swimming Pools	The DCP seeks that pools are not located in the front setback and therefore the pools setback to Castle Circuit is considered to be a variation. This variation can be supported but must be detailed within the SEE.
4.1.10 Fencing	The Manly DCP includes some recommended fencing styles but in generally it is preferred to use recessed / open style sections and maintain fencing at 1.5m or lower in front of the building line.
	The integration of landscaping is encouraged. Fencing design in the area should also include elements to allow the movement of Bandicoots that inhabit native bushland and may enter gardens in the area.
4.4.1 Demolition	A waste management plan will be required to be prepared for the development work (including removal / recycling / reuse of existing demolition material).



5.4.1 Foreshore Scenic Protection Area	The bulk and scale of the proposal is not considered contextually sympathetic to the foreshore locality, with a resultant built form that will visually dominate the site as seen from the waterway. The proposal does not provide for the enhancement of native vegetation, to ensure the built form visually demonstrates low-density low-impact detached style housing.
	Greater landscaping treatment is required for the site with the retention and inclusion of additional trees to assist in softening the built form, such as there will not be a significant visual 'jarring' effect when viewed from the neighbouring properties, Castle Circuit Reserve and the Middle Harbour waterway.
	Minor amendments to the built form to provide additional landscaped areas will ensure a more appropriate relationship between the development and the foreshore, particularly in terms of scenic vale.
5.4.2 Threatened Species and Critical Habitat Lands	See comments below provided by Council's Biodiversity Referral for the PLM.

Specialist Advice



Referral - Landscaping

Following site attendance and review of the plans the following concerns are raised:

- loss of existing trees west of the proposed footprint required under 3.3.2 Preservation of Trees or Bushland Vegetation, which results in,
- the west elevation presents a development of considerable bulk, contrary to 5.4.1 Foreshore Scenic Protection Area,
- the west elevation setback is limited in width to support landscaping including tree planting to soften the built form required by 3.3.1 Landscape Design,
- the southern elevation landscape area within the side setback is unlikely to support landscaping including tree planting to adequately provide screening for privacy from the terraces overlooking the adjoining property required by 3.4 Amenity.

Impact to vegetation

An Arboricultural Impact Assessment report is required for the Development Application. The Impact Assessment will details the impact on any existing tree within the site, within the road reserve and on neighbouring property that is within 5 metres of the proposed works, or is likely to be impacted by development.

Council do not support the removal of existing trees of medium and high retention values that have a useful life expectancy. The planning of the site shall consider the retention of significant trees and should result in a building footprint layout and construction techniques that incorporates significant trees.

The Arboricultural Impact Assessment is required to provide clarification on which trees are to be retained or proposed for removal. Justification shall be provided that no design alternative is available in the consideration of any tree removal of significant trees.

Development impact shall be outside of the structural root zone, and impact to the tree protection zone, for trees retained, shall be limited to satisfy AS4970-2009.

The Arboricultural Impact Assessment shall be prepared by an AQF level 5 Arborist, and shall include assessment, tree protection requirements, and possibly construction techniques to ensure tree preservation in the vicinity of existing tree roots and canopy.

Provision of landscaping

A Landscape Plan will be required at Development Application to demonstrate how the built form will be softened by landscaping and to provide privacy to private open space areas, to satisfy the following Manly DCP controls:

- 3.3.1 Landscape Design
- 3.3.2 Preservation of Trees and Bushland Vegetation
- 3.4 Amenity (in terms of open space privacy)
- 4.1.5.2 Landscaped Area, including number of trees to be supported on site, with reference to Figure 37 minimum Number of Native Trees Required,
- 4.1.9 Swimming Pools, Spas and Water Features, and in particular 4.1.9.1 Height above ground, and
- 4.1.10 Fencing.

As expressed above, concern is raised that the landscape area proposed is insufficient in terms of landscape zone width to accommodate adequate tree planting.

Landscape proposals are to be provided to soften the impact of development and integrate the built form into the landscape character of the area. Existing natural landscape features such as rock outcrops and vegetation shall be retained.

Private Open Space areas shall be landscaped to maximise residential amenity and privacy.

Additional consideration should be given to the provision of screen shrub planting along boundaries to ensure privacy to adjoining properties.



Referral - Biodiversity

The following biodiversity-related provisions apply to the site:

- Manly LEP Clause 6.5 (Terrestrial Biodiversity)
- SEPP (Coastal Management) Coastal Environment Area

In order to achieve compliance with the above provision, the submitted plans and documentation are to address what measures have been incorporated within the design to avoid impact to native vegetation. If impact to native vegetation cannot be avoided, adequate compensatory planting must be demonstrated.

The proposal is to be accompanied by an Ecological Impact Assessment addressing MLEP Clause 6.5 (Terrestrial Biodiversity) and including Tests of Significance ('five part tests') for any applicable threatened species which may be utilising the site.

As such, a 'five part test' is required to be prepared by a suitably qualified ecologist, in accordance with Section 7.3 of the BC Act. The five part test should assess all potential impacts including construction-related impacts, identification of any hollow-bearing trees onsite and provision of appropriate landscaping. Any new landscape plan should be developed in consultation with the project ecologist.

The SEE is to address compliance with Section 6.5 of the Manly LEP (Terrestrial Biodiversity) and Section 5.4.2 of the Manly DCP (Critical Habitat and Threatened Species Lands, and with SEPP (Coastal Management) 2018.

Referral - Development Engineering

1) Easement of support:

There is an easement for support of road in accordance with DP200638.

And the proposed development is located within the easement areas, please refer to Transport & Civil infrastructure Assets for comment.

2) Driveway:

- There is a sloping areas between the kerb to the property boundary.
- A full driveway design must be submitted with the DA.
- The submission must be complied with AS2890.1.
- At least 3 longitudinal sections of the driveway must be provided.

3) Stormwater:

- The development is located within the zone 3 of Manly stormwater zone 3 in accordance with Manly on site stormwater specification.
- No on site detention system is required.
- The stormwater management system must be designed in accordance with section 6 of the above specification.



Referral - Transport & Civil infrastructure Assets

The subject site is burdened by an easement of support.

Any application must provide an appropriate report to substantiate that the proposal is satisfactory or complies with conditions of easement (confirmed by title search) and that any proposal must demonstrate that structurally engineered retaining will be erected to support the road base immediately following any excavation.

Support for suspended driveway must be independent of dwelling.

Any further questions can be directed to Stephen Watson, Manager, Transport & Civil Infrastructure Assets, telephone 9942 2650.

Relevant Council Policies

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

Development Applications Management Policy

Documentation to accompany the Development Application

- Electronic copy (USB) of plans and documents
- All information required to be submitted under Schedule 1 of the Environmental Planning and Assessment Regulation 2000;
- All information as required on the Development Application form checklist;
- Site Analysis;
- Site Survey (prepared by a registered Surveyor);
- Statement of Environmental Effects addressing:
 - o Section 4.15 of EPA Act,
 - All relevant sections of Manly LEP, including demonstrating consistency with the zone and the compliance with the Height of Buildings and FSR Development Standard as required.
 - All relevant sections of Manly DCP;
 - Other relevant Environmental Planning Instruments, including threatened species test for section 7.3 of the *Biodiversity Conservation Act*.
- Site Survey;
- · Architectural Plans, elevations and sections;
- Geo-technical report;
- Shadow diagrams;
- View analysis; including view analysis
- Privacy analysis (drawing to show, where appropriate, translucent glass, side screens on balconies etc.);
- Photomontages street view with intended colours and materials.
- Landscape Plan showing the layout of the landscaping within the site and the selection of species;
- Arborist report
- Waste Management Plan;
- Stormwater Management Plan;
- Erosion and Sedimentation Plan;
- Colour and Materials Schedule;



- Owners consent;
- Cost Summary Report, if the cost of works exceeds \$100,000. This report is to be in addition
 to the Estimated Cost of Work options in Part 2.3 of Council's Development Application
 Form

IMPORTANT: Please refer to Development Application Checklist and Lodgement Requirements 19/20 for further details.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 19 May 2020 to discuss construction of dwelling house, swimming pool and ancillary works at No.60 Castle Circuit, Seaforth. These notes reference preliminary architectural plans, dated March 2020, prepared by *Group Architects* and supplementary documents.

Consideration has also been given to the constraints of the site, and considerations during the PLM meeting, in context with the Manly LEP and Manly DCP.

The proposal is not acceptable in its current form, and requires redesign prior to submission.

There is scope to amend Level 3 to reduce the extent of the of the Building Height and FSR breech to further minimise building bulk and any potential amenity impacts to surrounding properties and the foreshore area.

Given the significant constraints of the site it is likely that a height breach is unavoidable, however, the bulk and height must be minimised in order for any variation to be supported.

The required area and quantity of landscaping is to be increased to demonstrate compatibility with the bushland/Environmental conservation character of the area. Appropriate landscaping and landscaped areas will contribute more favourably to the quality and identity of the residential area to reflect a more balanced relationship between the adjoin E2 Environmental Conservation zone and the subject site.

The incorporation of the recommendations will demonstrate an attempt to minimise the visual dominance of the proposed development when viewed from the street view, neighbouring sites and the Sydney Harbour waterway. The additional landscaping will contribute to minimising the perceived visual height and bulk of the dwelling whilst highlighting the high architectural quality of the proposed development.

Based upon the above comments you are advised to satisfactorily address (including architectural design changes) the matters raised in these notes prior to lodging a development application.