

# STATEMENT OF ENVIRONMENTAL EFFECTS

FORESTWAY SHOPPING CENTRE



PREPARED FOR ARE CHEMIN DE LA FORET PTY LTD



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# 1. INTRODUCTION

## 1.1. OVERVIEW

This Statement of Environmental Effects (**SEE**) has been prepared by Urbis Pty Ltd on behalf of ARE Chemin De La Foret Pty Ltd (the applicant) and accompanies the development application (**DA**) submitted to Northern Beaches Council (**Council**) for a partial redevelopment and expansion of the Forestway Shopping Centre on Forest Way, Frenchs Forest (**the site**).

The proposal aims to provide an improved local convenience centre with enhanced food and beverage offering and the addition of other essential and complementary services including allied health, child care and gymnasium. The refurbishment will:

- resolve current operational issues within the centre
- secure ongoing retail viability
- create a centre to serve as an attractive and amenable community hub
- reposition the centre in response to the changes in the local area brought around through the new Northern Beaches Hospital and the proposed Frenchs Forest Planned Precinct.

The land is partly identified as bushfire prone land and is integrated development requiring concurrent approval from Rural Fire Service. Further, a signalised intersection and revised egress/ingress to Forest Way is proposed and as such concurrence is required from Roads and Maritime Services under the *Roads Act 1993*.

## 1.2. REPORT STRUCTURE

This Statement of Environmental Effect identifies the subject site and surrounding locality, describes the proposed development and provides an assessment it against the relevant matters for consideration, pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This report is structured, as outlined below:

- **Section 1:** Introduction
- **Section 2:** Site and surrounding context
- **Section 3:** Strategic Context
- **Section 4:** Background
- **Section 5:** Proposed Development
- **Section 6:** Statutory Planning Assessment
- **Section 7:** Conclusion

## 1.3. PROJECT TEAM

This Statement of Environmental Effects should be read in conjunction with associated architectural plans and specialist reports identified in **Table 1**.

Table 1 – Supporting Documentation

Appendix	Document title	Consultant
Appendix A	Request to Vary the Height Development Standard under Clause 4.6 of WLEP	Urbis
Appendix B	Warringah DCP Compliance Table	Urbis

Appendix	Document title	Consultant
Appendix C	Architectural and Survey Plans	Buchan
Appendix D	Architectural Design Statement	Buchan
Appendix E	Landscape Plans and Design Statement	Place Design
Appendix F	Civil and Stormwater Management Report	TTW
Appendix G	Independent Consultation Report	Elton Consulting
Appendix H	Traffic and Parking Impact Assessment Report	Colston Budd Rogers and Kafes
Appendix I	Bushfire Risk Assessment Report	ABPP
Appendix J	Economic Impact Statement	Location IQ
Appendix K	Acoustic Assessment Report	Acoustic Logic
Appendix L	Arborist Report	Arboreport
Appendix M	Accessibility Report	McKenzie Group
Appendix N	BCA Assessment Report	McKenzie Group
Appendix O	Fire Engineering Report	Olssen Fire and Risk
Appendix P	Sustainability Statement	Norman Disney Young
Appendix Q	Soil Assessment Report and Groundwater contamination assessment	Prensa
Appendix R	HAZMAT	Prensa
Appendix S	Geotechnical Report	Coffey
Appendix T	Construction Management Plan	Hutchinson
Appendix U	Operational Waste Management Plan	Point Polaris
Appendix V	Services Infrastructure Report	ADP Consulting

## 1.4. CONSENT AUTHORITY

The project has a capital investment value of more than \$30 million and therefore Sydney North Planning Panel will determine the application.

The DA will be referred externally to Roads and Maritime Services (RMS) for concurrence under the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) and Section 138 of the *Roads Act, 1993* as well as for consent under Section 87 of the *Roads Act 1993*. Refer to the Parking and Traffic Assessment provided at **Appendix H** for a summary of the consultation undertaken by the applicant with RMS.

The proposed works include a child care centre on mapped bushfire prone land and therefore it is understood that the application is Integrated Development and requires the General Terms of Approval from the NSW Rural Fire Service to Section 100B of the *Rural Fires Act 1997*.

## 2. SITE AND SURROUNDING LOCALITY

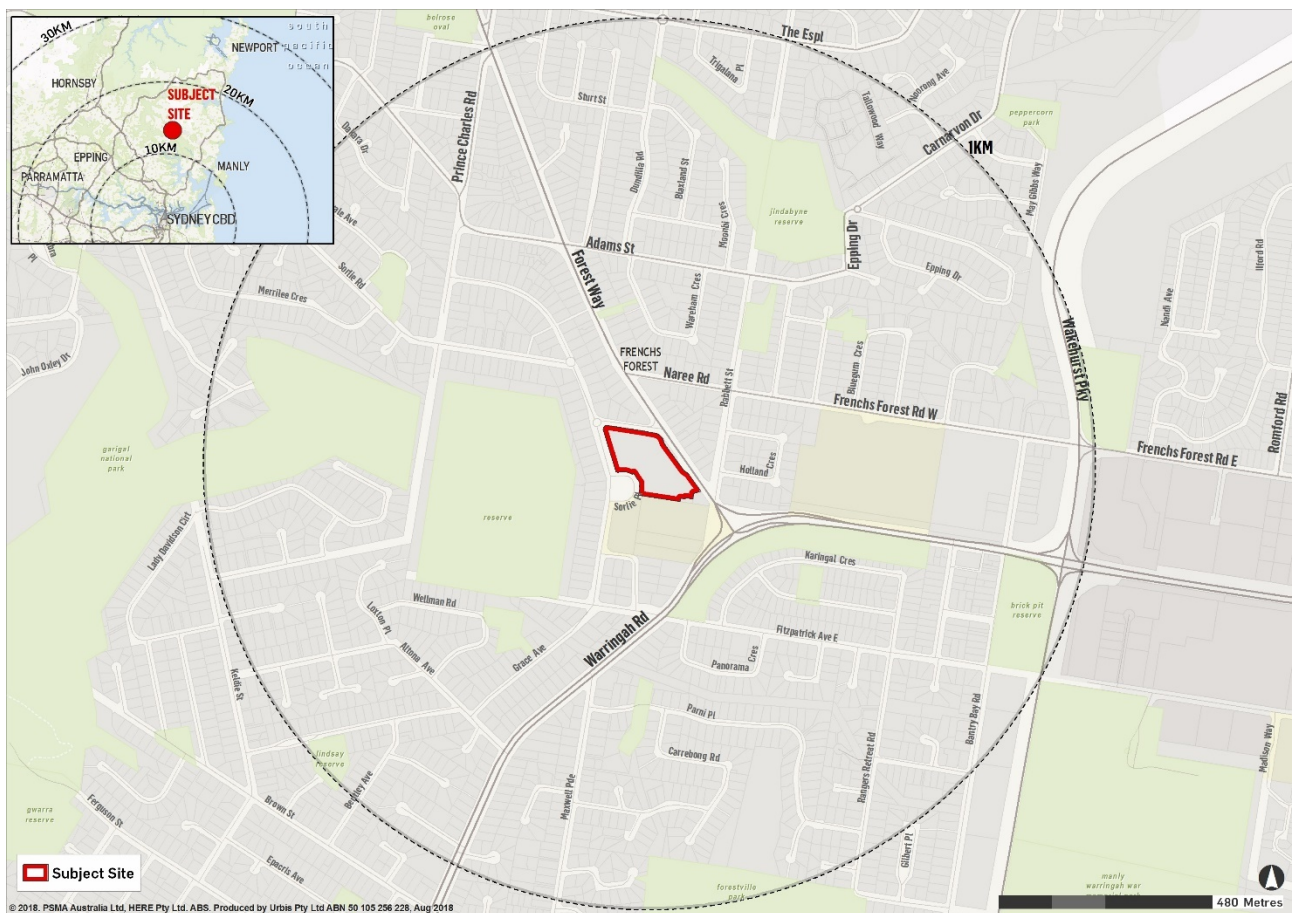
### 2.1. LOCALITY

The site is located in the suburb of Frenchs Forest in the Northern Beaches Local Government Area (LGA). Frenchs Forest is approximately 13kms from the Sydney CBD and is identified as a Planned health and education Precinct in the North District Plan.

The site is situated proximate to the junction of Warringah Road and Forest Way, which is undergoing significant roadwork infrastructure largely undertaken to service the new Northern Beaches Hospital and in the future a greater intensity of development including residential uplift. The existing character is however predominately low-density residential west of Forestway. The broader area is interspersed by National Park and public reserves as well as commercial development on Bantry Bay Road and Warringah Road.

A locality diagram indicating the location of the site relative to Sydney CBD is provided at **Figure 1**.

Figure 1 – Locality diagram





## 2.2. SUBJECT SITE

### 2.2.1. Site Description

The site is situated on a large irregularly shaped parcel of land with a legal description of Lot 20 DP1209801. The site is bound to the north by Russell Street and low-density housing further northwards, Grace Street to the west and a row of housing and bushland further westward, Frenchs Forest Primary School and Sorlie Place to the south and Forest Way to the east. The site area is approximately 2.041 hectares. The site is elevated with land falling away substantially on the western side of Grace Avenue.

The site has a gradual natural slope that falls to the east of the site by up to 2m and contains limited vegetation, with the only substantial planting located along the northern street frontages of the site. Two storey deck car parking is along Forest Way. Vehicle access to the site is currently available from the southern part of the site from Forest Way, from Russell Avenue and from Grace Avenue.

An aerial image of the site is provided at **Figure 2**.

Figure 2 – Aerial image



Source: Urbis

### 2.2.2. Existing Development

The site is occupied by Forestway Shopping Centre, a multi-tenancy commercial/retail development that originally opened in 1964. The centre is anchored by an Aldi and Woolworths supermarkets and contains approximately 45 specialty stores. The centre provides local convenience shopping with associated banks, services, limited food offering and speciality retail and has an existing GLA of 9,577sqm. There are over 400 parking spaces available to the centre including on Sorlie Place and Grace Avenue. Sorlie Place is Council owned with predominate use by the centre and the nearby school.

The built form comprises a single level retail centre with double storey open car park structure on Forest Way. Separate car wash and drive through liquor retail outlets are in separate buildings fronting Russell Avenue to the north.



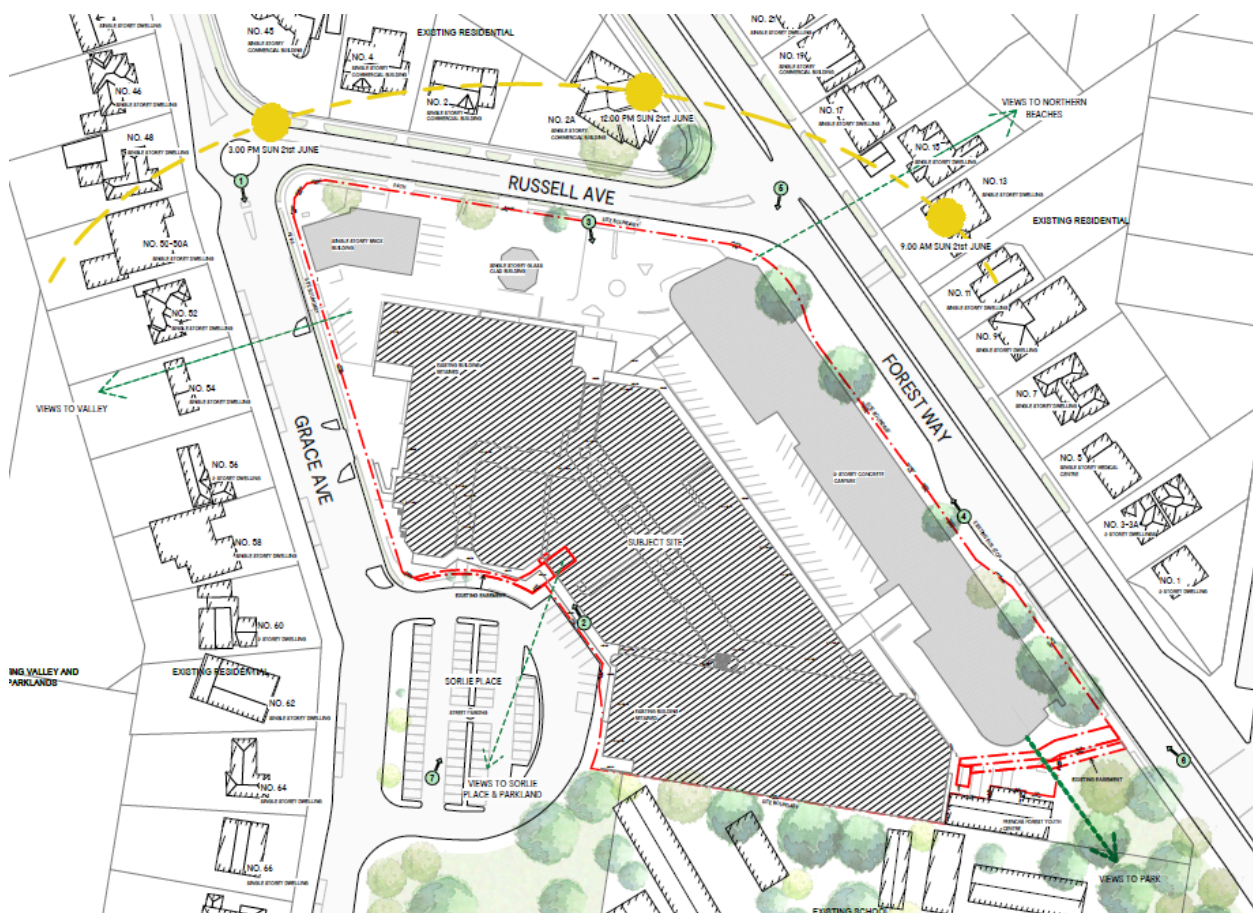
The current operating hours are:

- Monday: 9am - 5.30pm
- Tuesday: 9am - 5.30pm
- Wednesday: 9am - 5.30pm
- Thursday: 9am - 8pm
- Friday: 9am - 5.30pm
- Saturday: 9am - 5pm
- Sunday: 10am - 4pm

The car park is open 24 hours.

An existing conditions plan is provided below.

Figure 3 – Existing Site



Source: Buchan

Photographs of existing development on the site are provided at **Figure 4**.

Figure 4 – Site photographs



Picture 1 – Cnr Forest Way and Russell

Source: Urbis



Picture 2 – south west corner, Russell Ave

Source: Urbis



Picture 3 – Loading area on Grace Ave

Source: Urbis



Picture 4 – South of the entrance from Russell Ave

Source: Urbis



Picture 5 – Internal ramp and multi deck car park

Source: Urbis



Picture 6 – Southern boundary, along Grace Ave

Source: Urbis





Picture 7 – Woolworth loading on Sorlie Place  
Source: Urbis



Picture 8 – Existing shopping centre structure, south of car park  
Source: Urbis

## 2.3. SURROUNDING CONTEXT

The surrounding land use context is predominately characterised by residential, recreational, health and education uses broadly indicated on the figure below. As detailed in Section 2.4 below, the future character of the broader Frenchs Forest area, particularly to the east will substantially change.

Figure 5 – Context (source: Sixmaps and Urbis overlay)





Adjacent and adjoining land uses are described as follows.

### **2.3.1. North**

To the north of the site is low density residential dwellings in the suburbs and Frenchs Forest and Belrose further to the north.

A locally listed heritage item is located on the northern side of Russell Avenue.

### **2.3.2. East**

The eastern boundary of the site is bounded by Forest Way, a classified road the leads north to Mona Vale Road. Further east is a pocket of low-density residential dwellings and then Frenchs Forest High and the future Northern Beaches Hospital, under construction.

### **2.3.3. South**

Frenchs Forest Primary school is located to the south on the western side of Forest Way.

Council owned Yo Yos Youth Centre is located to the south of the site and is accessed via the existing access from Forest Way (and by way of an easement). Car parking spaces are also provided immediately adjacent to the site to service visitors.

### **2.3.4. West**

To the west of the site along Grace Avenue is low density dwellings with Gadigal National Park further west.

Photos of the surrounding context are provided in Figure 6 below.

Figure 6 – Surrounding Context Photos



Picture 9 – Forest Way looking south

Source: Urbis



Picture 10 – Eastern side of Forest Way, towards hospital site

Source: Urbis



Picture 11 – Commercial uses on northern side of Russell Ave

Source: Urbis



Picture 12 – Local Heritage item (dentist), cnr Grace and Russell Ave

Source: Urbis



Picture 13 – Low density residential on western side of Grace Ave

Source: Urbis



Picture 14 – Sorlie Place, looking towards school

Source: Urbis





Picture 15 – Youth centre and open space near Forestway entrance

Source: Urbis



Picture 16 – Yo Yos car parking, at entrance from Forest Way

Source: Urbis

## 2.4. TRANSPORT NETWORK

### 2.4.1. Pedestrian Access

Existing pedestrian access is provided at the following locations:

- Off Forest Way to the north of the existing signalised crossing. A walkway through the car park leads to one of the three centre entrances;
- Off Russell Avenue, east of the car wash and then through to the centre entrance to the east of Aldi;
- Off Sorlie Place, to the north of the circular roadway.

The subject site is bounded by pedestrian footpaths along the edges of Forest Way, Russell Avenue and Sorlie Place however, pedestrian access into the shopping centre site is currently only accessible through car park or traversing internal accessways.

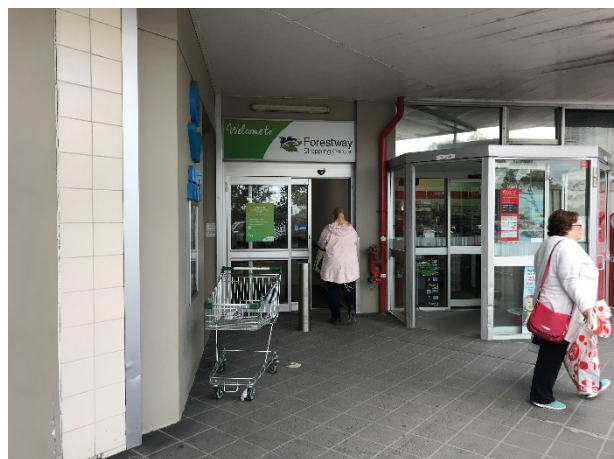
The proposed development seeks to improve the pedestrian experience and access to the subject site.

Figure 7 – Access points



Picture 17 – Forest Way bus stop, under construction

Source: Urbis



Picture 18 – Entrance from Sorlie place

Source: Urbis

### 2.4.2. Vehicular Access and Parking

The surrounding road network provides good access to the centre for residents of the surrounding area with Forest Way being a major north-south carriageway. This provides direct access to the centre for residents from Frenchs Forest in the south through to Terrey Hills in the north. The junction with Warringah Road is also proximate to the site and enhances accessibility for residents of Forestville, Allambie and Beacon Hill.

Existing vehicular access into the site is provided at three locations; one from Forest Way in the south, one from Russell Avenue and one from Grace Avenue.

Improvements in the vehicle access arrangements are proposed as part of this development application as described in detail within **Section 5**.

Figure 8 – Vehicle access



Picture 19 – Entrance from Russell Ave

Source: Urbis



Picture 20 – Entrance from Grace Ave

Source: Urbis

### 2.4.3. Public Transport Access

Public Transport access to the site is provided by way of a main bus stop on Forest Way.

Routes by Sydney Buses and Forest Coach Line service the site from Sydney's CBD, North Sydney, Northern Beaches, and Lower North Shore.

## 3. STRATEGIC CONTEXT

### 3.1. GREATER SYDNEY REGION PLAN 2017 AND NORTH DISTRICT PLAN

*A Metropolis of Three Cities – the Greater Sydney Region Plan*, includes five key principles which aim to support the long-term strategic growth of Sydney and transform it into a metropolis of three cities; the Western Parkland City, the Central River City and the Eastern Harbour City. The plan envisions most of the population living within 30 minutes of jobs, education, health facilities and services.

The site is within the Eastern Harbour City and is subject to the North District Plan. The plan identifies retail centres as essential local infrastructure providing 817,000 additional jobs to be accommodated in Greater Sydney by 2036. There is a strong focus on locating this employment in economic corridors, health and education precincts and strategic centres. The North District has the following attributes:

- Contains the Frenchs Forest Planned Precinct - This is an identified as a health and education precinct. The subject site is on the periphery of the precinct.
- Housing Target: Approx. 5,360 dwellings.
- Employment Target: Approx. 2,300 jobs.

The proposal will contribute to achieving the planning priorities of the North District Plan as follows:

- A city supported by infrastructure:
  - *Objective 2 – Infrastructure aligns with forecast growth*
  - *Objective 3 – Infrastructure adapts to meet needs*
  - *Objective 5 – Benefits of growth realised by collaboration of governments, community and business.*

The plan supports the new Planned Precinct which is termed as transformative precinct delivery. The site is on the periphery of the Planned Precinct and will contribute to providing essential services and facilities. The improved centre will align with the Plan's attribute of "City of great places" – offering not only access to services but a local centre that recognises the local character and also increased access to open space. The Skypark (discussed later in this report) creates an elevated open space available to the surrounding community.

The site is located on a major bus route that will significantly benefit from the substantial road infrastructure works currently underway to service the Precinct

- A city for people:
  - *Objective 6 - Providing services and social infrastructure to meet people's changing needs*
  - *Objective 6 – Services and infrastructure meet communities' changing needs*
  - *Objective 12 - Great places that bring people together*

The proposal provides an enhancement of an existing local centre that has high patronage. The centre is adapting to the changing trends in retail through the greater inclusion of food and beverage tenancies and other facilities (gymnasium, child care, medical and office premises). Importantly, its role and function in sub-regional centres hierarchy is not proposed to alter.

- Jobs and skills for the city:
  - *Objective 21 - Internationally competitive health, education, research and innovation precincts*
  - *Objective 22 - Investment and business activity in centres.*

The proposal considers the future needs of the community by acknowledging the importance of convenience shopping, open space, facilities and a quality public realm as the area densifies.

The plan aims to deliver healthy, safe and inclusive places that support active and socially connected communities. The proposal also does not preclude the future inclusion of residential development as



envisaged in the Precinct structure plan to create a mixed-use development providing opportunities for people to walk and cycle to schools, local shops and community services.

## **3.2. NORTHERN BEACHES HOSPITAL STRUCTURE PLAN**

### **3.2.1. Overview**

The Forestway Shopping Centre site forms part of the Northern Beaches Hospital Structure Plan and the Frenchs Forest Planned Precinct. The Structure Plan, endorsed by Council in August 2017, provides the strategic land use planning framework for Frenchs Forest over the next 20 years. A number of technical studies, including traffic and economic assessments have informed the Structure Plan. The Structure Plan:

- Recognises the need for growth in the precinct driven by the Northern Beaches Hospital and the associated significant investment of infrastructure.
- Identifies the Hospital and immediate land serving as a town centre as being a new strategic centre and increased density within and around the town centre
- Foresees a modal shift from private to public transport and includes the future Beaches Link Tunnel and East West bus rapid transit system from Chatswood to Dee Why in the medium to long term.
- Outlines a phased development of the Precinct with the delivery of approximately 5,360 dwellings and 2,300 new jobs.
- An initial implementation stage is proposed to deliver approximately 3000 dwellings around the town centre as is dictated by the traffic modelling and specific road and intersection upgrades.
- Provides three broad stages for the future implementation of the structure plan, with the subject site located in the third stage with an estimated 10+year timeframe and includes the delivery of medium density residential.

The current status is that the Structure Plan is endorsed. DPE and state agencies are currently in collaboration to carry out additional planning studies to inform LEP changes with a view to place the Stage 1 LEP Amendment (i.e. the town centre) on public exhibition, originally earmarked for the last half of 2018.

The Structure Plan and associated proposed land use zoning plan are provided below.

Source: HPSP Final Structure Plan August 2017





B1 Neighbourhood Centre	R2+ Low Density Residential plus additional land uses	R3+ Medium Density Residential plus additional land uses
B4 Mixed Use	R3 Medium Density Residential	SP2 Infrastructure
Phase 1 (Immediately)	Phase 2 (10 years)	Phase 3 (10 years +)
Proposed new road		

Picture 22 – Proposed Land use zoning and phasing strategy

Source: HPSP Final Structure Plan August 2017

### 3.2.2. Northern Beaches Council Meeting: 26 June 2018

A report was considered by Northern Beaches Council in June 2018 in relation to the built form and exhibition 'options' for the Hospital Town Centre site. Council endorsed Recommendation A which was to recommend to Department of Planning that a one-step exhibition process occur on the Option 1 built form (which is largely consistent with Council's structure plan). Other built form options were presented which included taller tower forms and an increase in open space/piazza area.

The built form in Option 1 recognises the importance of the retention of the tree canopy/natural environment (which was a key issue in recent technical studies), which in turn reduced the developable footprint and subsequent reduction in FSR for the site. The retail floor space has also been reduced in the town centre to 15,000sqm and 11,400sqm of commercial. 1,080 dwellings are also included.

It is our understanding that this density and land use mix will inform the public exhibition of the Draft LEP for 'Phase 1', primarily being the town centre site and some residential areas to the north and south, earmarked for end half of 2018.

### 3.2.3. Commentary on Strategic Context

Of relevance to the site:

- The site is earmarked in the Hospital Precinct Structure Plan as being rezoned to R3 Medium Density in phase 3 in the delivery plan, i.e. in the long term, which is defined as 10years +.
- FSR of 2.2:1 and maximum height of 40m (approximately 12 storeys).
- Redevelopment of Forestway and the proposed town centre can both be supported in the precinct. That is, the works to Forestway will not jeopardise the proposed new Frenchs Forest town centre.
- The proposed plans for the Forestway Shopping Centre can accommodate both structurally and in a design sense, residential development over the Shopping Centre in the event that the planning controls are amended as articulated in the adopted structure plan. The design also allows for connection to the potential for future green link. Given there is no certainty at this stage or any amendments to controls exhibited or gazetted, there is no inclusion of drawings, which would at this early stage, be seen as speculative. No further analysis is required at this stage.

Overall, the subject DA has been prepared and submitted under the current planning controls, prior to the draft LEP (for Stage 1) being exhibited, however has ensured we are 'consistent with the future intention' outlined in the Structure Plan.

## 4. BACKGROUND

### 4.1. PRELODGE MENT DISCUSSIONS

A pre-lodgement meeting was held between the project team and Northern Beaches Council on 3 July 2018 to discuss the proposed development and Council issued formal meeting minutes. A second informal meeting was undertaken on 22 August 2018 to table amended drawings incorporating Council's pre-DA feedback.

**Table 2** below provides a summary of the discussion at this meeting and provides responses to the various points raised by Council. The below responses are to be read in conjunction with associated supporting information as referenced in the **Table 2**.

The applicant has reviewed the comments in detail and amended the design accordingly both in response to Council's feedback but also that of RMS (as per Section 4.2.2).

Table 2 – Pre-lodgement meeting comments

Requirement	Council Comment	Response
Building Design	A minimum 2m setback should be provided to all street frontages.	<p>Additional building setbacks now provided following pre-DA discussions:</p> <p><i>Grace Ave:</i> the majority of Level 1 slab has been setback 2m however the Ground Level lightweight 'green wall' element (and lightweight open stairs) is positioned adjacent to site boundary as space for truck manoeuvring inside the Loading Dock is required.</p> <p><i>Russell Ave:</i> Ground Level and Level 1 building façade along Russell Ave has been set back minimum 2m (with Level 1 Terrace is set back even further). Cantilevered Level 2 roof eave is located within the 2m zone, to create depth in the façade treatment, maximise number of rooftop carparks and provide additional shading to the north facing glazed façade and retail.</p> <p><i>Sorlie Place:</i> A hard landscaped strip is proposed between the boundary and the restaurants fronting Sorlie Place.</p>
	<p>Screen the vehicular ramp on Forest Way</p> <p>Encourages detailed elevation and section plans be submitted to Council for comment</p>	<p>Updated elevations have been prepared and appropriately treat the ramp with a solid concrete upstand behind perforated cladding panels. This enables the concrete component to form a crash barrier and reduce light spill and is also sleeved to provide an improved visual appearance.</p>
Acoustic Impacts	<p>Consideration of D3- Noise in WDCP namely:</p> <p>Management of the relationship of the loading docks and R2 low density residential zone</p>	<p>In response:</p> <p>The design has taken into account the residential interface and has incorporated appropriate screening including placing a roof structure on the consolidated loading area and through other acoustic measures including management (see acoustic report).</p>

Requirement	Council Comment	Response
	<p>Outdoor seating be removed from Sorlie Place</p> <p>The Skypark has the potential to cause unreasonable acoustic impacts on nearby residential properties (current and in future NBHSP)</p> <p>An acoustic report is required</p> <p>An operational management plan for the loading dock required for DA</p>	<p>The outdoor seating has been reduced and the proposed Skypark stair assists in screening potential noise acoustically and visually.</p> <p>The Skypark incorporates appropriate acoustic screening facing the residential interface consisting of a solid perimeter and transparent upstand. The Skypark will be locked/gated after hours (i.e. 11pm to align with restaurants) to assist in the management of the space.</p> <p>An acoustic report is submitted with the DA submission.</p> <p>Operational and management principles are submitted with the DA submission.</p>
Landscape treatment	Require additional building setbacks including 2m landscaped setback on all street frontages	This landscaped setback is incorporated into the proposal.
Child care	<p>DA to provide an assessment of the SEPP (Educational Establishments and Child Care Facilities) 2017</p> <p>Pick up and drop off marked within the car park level and assessed in traffic report</p> <p>Outdoor area to be acoustically treated to minimise adverse acoustic impacts</p> <p>Hours of operation and total enrolment to be included in DA</p> <p>The site is bushfire and a child care centre triggers the integrated development provisions</p>	<p>A detailed assessment of the SEPP and accompanying Child Care Guideline will be undertaken once an operator is secured, however:</p> <ul style="list-style-type: none"> <li>- The site aligns with the principles of the SEPP</li> <li>- The location and number of car parking drop off spaces has been considered as part of this proposal</li> <li>- The child care centre has moved away from the residential interface responding to bushfire and acoustic matters.</li> <li>- The proposed hours of operation and approximate number of places are included in the DA submission</li> </ul> <p>A bushfire statement accompanies the DA submission assessing the future child care use.</p>

Requirement	Council Comment	Response
	A bushfire report is required and integrated development fees payable	
Parking (Sorlie Place)	The total amount of car parking required should be contained within the boundaries of the site. Concessions may be granted for the use and reliance upon some of these spaces however this must be comprehensively addressed and justified within the traffic report.	The proposed car parking does not rely on Sorlie Place spaces. Refer to accompanying traffic and parking statement.
Community Consultation	Strongly encourages to engage with affected and local community groups/members prior to lodging a DA.	A comprehensive community consultation regime has been undertaken with key stakeholders. A community engagement report is included in the DA submission.
Excavation/staging	Result in significant excavation for the basement car parking levels. A full and comprehensive geotechnical report must accompany any DA.  Staging plans and construction methodology must accompany any DA.	Coffey have undertaken a full geotechnical review of the site including testing- see accompanying report.  The architectural package includes an excavation drawing showing nominal extent of excavation based on current available information available. This will be further resolved in the detailed design stage.  The accompanying CEMP details the staging of construction.
Building height	A minor breach to the 12m height limit may be supported however detailed elevation and section plans should be submitted to Council prior to lodging the DA. The overall building height should maintain compliance with development standard.	Refer to the Clause 4.6 Variation prepared as part of this DA submission. Elevations, sections and building height plane diagrams are submitted with the DA submission.  The proposed lift overrun on Forest Way has been reduced following Council feedback on the building height non-compliances during the second pre-DA meeting.
Parking provision	Comprehensive review of the parking requirements based on the individual	The submitted traffic and parking statement assesses the retail centre as a whole and using surveys of the parking demand. The surveyed parking rate provides a more accurate baseline for estimating parking requirements

Requirement	Council Comment	Response
	uses within the shopping centre	rather than applying the individual parking rates for various land uses. Refer to traffic statement.
Access	<p>Review of the access arrangements, particularly along Forest Way.</p> <p>Egress on to Forest Way is not desirable.</p>	The traffic report has assessed all proposed access arrangements and also been in consultation with RMS. Refer to submitted traffic statement.
Trip generation	<ul style="list-style-type: none"> <li>• A detailed Traffic Impact Assessment (TIA) identifying all assumptions and any warrants for trip reductions.</li> <li>• The TIA will need to identify the impacts of the peak demand on the network and all intersections within an 800m radius of the site.</li> <li>• The TIA will also need to identify the impacts on the regional corridor.</li> <li>• Identification of how the yields fall in line with the Hospital Precinct Structure Plan and the Consolidated uplift Scenario Testing report prepared by ARUP.</li> <li>• The report will need to identify the Trigger for the additional infrastructure upgrades</li> </ul>	The submitted traffic statement and associated modelling and assessment of the proposal responds to each of Council's matters. This report also incorporates feedback and discussions with RMS.
Connections to public transport	Provision of links across Forest Way for pedestrians (consideration of a pedestrian bridge and removal of pedestrian signals).	Pedestrian links are integral to the development proposal and have been adequately incorporated into design outcome from all three sides. A pedestrian bridge is outside the subject site and is not a practical solution at this time.



Requirement	Council Comment	Response
State Authority Concurrence	The Development Application (DA) must be referred to RMS and Transport NSW for review and concurrence of the state road impact	A meeting was held with RMS on 30 August 2018 and their feedback is summarised in Section 4.2.2 and within the accompanying traffic report.
Public Domain	The DA plans must reflect the final outcome of the public domain configuration as per the Hospital Precinct Plan.	The landscape architect has been in discussion with Council on the public domain. Refer to landscape plans.
Loading dock access	All servicing of the site must be accommodated onsite.  Management Plan for the interaction of the Woolworths service bay and the bus zone in Sorlie Place.	All servicing occurs on site. Refer to submitted management details in Sections 5.10 and 5.11.
Stormwater management	The proposed development is to provide OSD in accordance with council's technical specification.  For the pre-existing stormwater flows the site is to be assumed to be fully impervious or greenfield.  The site catchments are to be drained to mimic the existing flow paths of site i.e. either side of the crest that bisects the site. All stormwater flows up to the 1 in 100 year ARI to downstream RMS and Council drainage systems are to be less than the current flow regimes.  The condition of the western Council downstream drainage networks are to be condition assessed by	TTW have undertaken a comprehensive analysis of the stormwater requirements for the site. Refer to accompanying drawings and report.  The catchment areas to each proposed OSD tank mimics the existing catchments at the site. Proposed OSD attenuates flows to less than the existing flow rates.  Gross Pollutant Tanks and stormwater filters have been proposed to meet the requirements set out in Council's stormwater management policy



Requirement	Council Comment	Response
	<p>CCTV and engineers report. Where the structural condition of these lines are poor they will need to be replaced or relined in accordance with Councils technical specifications.</p> <p>Gross pollutant traps are to be incorporated into the stormwater drainage design in accordance with Councils stormwater management policy</p>	
Site works/basement excavation	<p>In accordance with the Sydney Coastal councils "Ground water management handbook" the basement will need to be fully tanked if groundwater is encountered.</p> <p>Any proposed dewatering of the site is to comply with the handbook and Northern Beaches Council requirements</p>	At this stage it is likely that no tanking or dewatering is required based on the Geotechnical investigation undertaken. The site is mostly a sandstone base from 1 metre down.
Strategic Planning	<p>Proposed development is inconsistent with the Northern Beaches Hospital Structure Plan (HSP).</p> <p>Proposed access is contrary to HSP and not supported. Applicant needs to provide access that is consistent with Council's endorsed HSP.</p> <p>Stage 3 of HSP identifies that approx. 1,300 dwellings will required to be delivered in the Stage 3 area. The Forestway site covers a large area of Stage 3 of the HSP, hence the applicant would clearly</p>	<p>Refer to Section 3 of this SEE.</p> <p>At this stage, the proposal aligns with the current zoning. The proposal does not incorporate any residential and is seeking to retain the local convenience shopping centre.</p> <p>The construction of the proposed development will incorporate structural elements that will allow for future residential tower/s. However, at this stage any forma; contemplation of residential is speculative pending changes to planning controls that must occur in the first instance</p>

Requirement	Council Comment	Response
	<p>need to demonstrate that the yields anticipated under the endorsed HSP can still be achieved should the development, as proposed, proceed. Plans (Inc. illustrations) to be provided to demonstrate how residential dwellings can be accommodated (separate package) and also a structural engineers report to confirm that any residential towers can be accommodated in the future above the proposed centre.</p> <p>Need for improved pedestrian connectivity. Removal of pedestrian crossing on Forest Way and construction of a pedestrian bridge to provide better connectivity to the new town centre on the FFHS site.</p>	
DA inputs	List provided	Each item on the list has been prepared and submitted with the DA submission.

A second follow up meeting was undertaken on 22 August 2018 to table amended drawings and seek additional feedback. The key issues for discussion, and amendment, were:

- **Entry statement height to Forestway (lift overrun)** – it was recommended that the height of the lift overrun be reduced by one panel to improve the architectural presentation/treatment of this feature. *This has been amended.*
- **Restaurant on Corner of Russell and Grace at level 1.** It was recommended to relocate the outdoor area on western elevation (Grace Ave) to the Russell Ave frontage to minimise noise and include operable door. There is still the ability to incorporate glazing on Grace Avenue. *This has been amended.*
- **Sorlie Place – Restaurant seating.** It was recommended to reinstate the 2m setback into this location to provide a perimeter 2m landscape setback. Concern was raised in relation to acoustics given the nearby residential properties. *This setback has been amended and an acoustic report has assessed the outdoor seating and requirement for any mitigating or management measures.*
- **Shadow diagrams** – Recommended to include the school playing fields as part of the assessment. *This has been provided.*

- **Landscaping on elevations** – Council requested that a ‘clean set’ of elevations be submitted to enable a full assessment of the built form. *This has been provided.*
- **3D Fly through** – It was stated that it may be beneficial to provide fly-thru 3D model for the DA submission (in lieu of a physical model). *This has been provided.*

## 4.2. STAKEHOLDER CONSULTATION

### 4.2.1. Applicant led consultation

Elton Consulting on behalf of Invesco were engaged to facilitate and report an independent community consultation process with the community and key stakeholders (such as retailers, customers and neighbours). A consultation report is submitted with the DA submission and documents the groups consulted and the key issues raised.

In summary:

- 22 retailers attended individual briefings
- 27 houses on Grace Avenue approached
- 330 people attended information sessions
- 97 survey/feedback forms were received.

An overview of the feedback is summarised as follows:

- Almost all respondents who provided feedback acknowledged that the centre was well overdue for renovation.
- There was a strong desire to ensure the centre maintains a local focus.
- The concept of a rooftop community hub and Skypark were seen as a very desirable addition to the centre.
- The design concept put forward were generally well supported particularly the intention to stay largely within the existing height limit, the undergrounding of carparking and the extension of the centre to Forestway and more suited to the “village and forest” character of the area. Very few concerns were raised about the creation of additional floor space.
- Traffic congestion within the surrounding network and along Grace Avenue was noted as an ongoing issue to be addressed, with some concerns that an expanded and more attractive centre may add to this problem.

### 4.2.2. RMS

The Traffic and Parking Impact Assessment prepared by Colston Budd Rogers and Kafes and provided in **Appendix H** provides details on the ongoing consultation and discussions undertaken with RMS on the proposed works.

A meeting with RMS was held on 30 August 2018 and their feedback was:

- The proposal should give consideration to the precinct modelling.
- The proposal should give consideration to an option of left in/left out on Forest Way with the traffic signals at the intersection of Forest Way/Russell Avenue, allowing a right-hand turn into Russell heading south. Additional work has been undertaken to determine as to whether this is feasible (e.g. civil design, need to acquire land etc). RMS recommended that this option is discussed in the traffic report along with our current design along with the associated modelling. This option was tested and was determined to be not the preferred approach.
- No real concerns with bus stop

Further advice was sought from RMS following the submission of the requested modelling however at the time of the DA submission no response has been received.

CBRK report analysis provides in greater detail commentary on the consideration of the RMS option for the Forest Way/Russell Avenue intersection and states,

- *“Traffic flows on Russell Avenue and Grace Avenue (between the site access and Russell Avenue) would increase by some 150 to 240 vehicles per hour compared to the signalized site access option;*
- *Russell Avenue would require upgrading to at least two eastbound lanes between Grace Avenue and Forest Way;*
- *Pedestrian connectivity between the shopping centre and the bus stops on the eastern side of Forest Way is reduced (as the pedestrian crossing has been relocated to the north); and*
- *The SIDRA analysis found generally similar levels of service as the signalized access option. However, the analysis found that*
  - *95% queues extended back from Russell Avenue through the intersection with Naree Road; and*
  - *The northbound queue on Forest Way from Russell Avenue was some 280 metres. This length extends almost back to Warringah Road (some 300 metres south of Russell Avenue). The longer northbound queue compared to the site access option is due to the Russell Avenue intersection operating a three-phase cycle while the signalized site access is a two phase cycle*
- *Overall, while the Russell Avenue option is a workable option however it has a number of greater impacts compared to the signalised access option, including queuing extending closer to Warringah Road”.*

#### **4.2.3. Private/Local bus operators**

The local bus routes and existing bus stops along Forest Way are proposed to be maintained as part of the development scheme.

Closer to the construction period, the proponent will engage with the local and private bus operators that access the site to ensure these services are not disrupted, with interim solutions to enable smooth operation during construction.

## 5. PROPOSED DEVELOPMENT

### 5.1. DEVELOPMENT SUMMARY

The key elements of the proposal can be summarised as follows:

- Partial demolition of the existing retail centre
- 12,016m<sup>2</sup> additional GLA (net increase), including demolition and additions to the existing facility to enable the following new facilities:
  - Ground level retail including two x enlarged supermarkets, two x mini majors and speciality retail;
  - Level 1 retail level comprising restaurants, gymnasium, allied health, commercial offices and child care.
  - A passive recreation Skypark available to the community
- Two levels of basement car parking and one upper level of car parking at Level 2 providing 841 spaces (increase of 413spaces) and also including a car wash facility.
- Consolidated loading area from Grace Avenue for Aldi and specialty retail and Woolworths loading remaining in existing position. A light loading zone is located in the B2 basement.
- New signalised intersection and crossing on Forest Way
- Pedestrian access points include a centralised entrance generally aligning with the future green link to the Hospital precinct, new entry square near corner of Forest Way and Russell Street, access adjacent to Forestway vehicle entrance and access from Sorlie Place.
- Ancillary amenities, landscaping and infrastructure

Architectural Plans prepared by Buchan are included at **Appendix C**. Key numeric aspects of the proposal are provided at **Table 3** and the various components of the proposed development are described in the following sections.

Table 3 – Numeric Overview of Proposal

Component	Existing	Proposed
Gross Lettable Floor Area	9,577sqm	21,593sqm
Additional GLFA	n/a	<p>12,016sqm. The additional GFLA is <i>broadly</i> broken down as:</p> <ul style="list-style-type: none"> <li>• Supermarket = 943sqm</li> <li>• Speciality retail = 103sqm (comparing existing specialty retail and freestanding)</li> <li>• Mini major = 2,312sqm</li> <li>• Kiosk = 208sqm</li> <li>• Restaurant = 2,577sqm (existing McDonalds is included in freestanding above)</li> <li>• Commercial/office = 24sqm</li> </ul>

Component	Existing	Proposed
		<ul style="list-style-type: none"> <li>Gym = 1,619sqm</li> <li>Child care = 1,509sqm</li> <li>Medical = 1,415sqm</li> </ul>
Maximum Height	Less than 12m (car park structure)	Lift overrun on Forest Way: +12m  Built form: +12m (projections above height plane include shade sails, lift overruns, car park upstand and pitched roof forms at corner)  Variable range from 1.97m to 4.98m above the 12m standard
Car parking spaces	428  (this includes access to 80 car spaces in Sorlie Place)	841 (413 additional)  (this includes access to 80 car spaces in Sorlie Place and 20 car spaces on Grace Avenue)

## 5.2. PROPOSED USES

The following land uses form part of the proposed development:

- Retail (supermarkets, mini majors, speciality retail, kiosks)
- Restaurants/cafes
- Commercial office
- Allied health
- Child care
- Gymnasium
- Car wash
- Passive recreation area at the rooftop

See operational details of uses in Section 5.10.

## 5.3. DEMOLITION

The proposal seeks consent for the demolition of the two-storey car parking structure, part of the eastern end of the retail centre and two single storey pad sites on Russell Avenue.

The proposed demolition is shown in detail within the Architectural Plans at **Appendix C**.

## 5.4. PROPOSED RETAIL REFURBISHMENT & ADDITION

### 5.4.1. Basement B2

The proposed works at this level include:

- 291 car parking spaces
- Light loading area in the south eastern corner

- A large back of house storage area in the south eastern corner as well as along Forest Way edge and adjacent to Aldi
- Water tank and other plant is also located at this level

#### **5.4.2. Basement B1**

The proposed works at this level include:

- 208 car parking spaces
- Storage in underutilised corners of the basement
- Water tank and other plant is located at this level

#### **5.4.3. Ground Level**

The proposed works at this level include:

- Extension of Woolworths floor plate (totalling 3600sqm LGA)
- Retention of the Aldi footprint (1603sqm GLA)
- Inclusion of a mini major (2000sqm GLA) fronting Russell Avenue and a smaller mini major (312sqm GLA) at the vehicle entrance on Forest Way
- Retention of Chargrill Charlie tenancy (nearing construction completion) and four adjoining tenancies
- Inclusion of multiple speciality retail and food and beverage tenancies (including external seating) of 3,797sqm GLA in size
- Creation of an entry square proximate to the corner of Russell Avenue and Forest Way with outdoor seating opening onto the plaza
- Access to 80 car spaces in Sorlie Place and approximately 20 car spaces on Grace Avenue.

#### **5.4.4. Level 1**

The proposed uses and works at this level include:

- Larger restaurant tenant (1,794sqm) at the corner of Grace Avenue and Russell Avenue
- Large publicly accessible sky park, approximately 2,194sqm in size, fronting Grace Avenue with open stair access
- 1,415sqm GLA Allied health area and pharmacy
- 1,509sqm child care centre with outdoor area fronting the adjoining primary school
- 828sqm commercial office on the boundary with the adjoining primary school
- 1,619sqm gymnasium fronting Forest Way, to the south of the site and assisting in sleeving the ramp to the upper level car park
- 685sqm of food and beverage
- 1,627sqm of specialty retail and kiosks

#### **5.4.5. Level 2 car park**

The proposed uses and works at this level include:

- 242 car parking spaces
- Large central plant area as well as plant in the underutilised corners of the site
- Car wash facility on the Sorlie Place edge, with a small office of 118sqm in size



## 5.5. ACCESS, PARKING AND LOADING

### 5.5.1. Vehicular Access

In terms of vehicle access arrangements:

- Existing access from Forest Way retained.
- The existing pedestrian signals on Forest Way will be modified to provide traffic signal controlled access (left in, left out and right out) to/from the centre. A concept design of the proposed Forest Way access has been prepared by TTW and is provided as an attachment to the traffic report. The new signalized access will allow right turns out of the site (as well as left in/left out). The lanes from the centre are proposed as:
  - One access driveway
  - Three egress lanes
- Grace Avenue access to both the basement levels and rooftop car park level. This has two egress lanes and one ingress.

### 5.5.2. Parking

As described above, car parking is provided at two basement levels and one roof top car parking level. Sorlie Place, although outside the site boundary, retains the existing 80 car spaces.

### 5.5.3. Service vehicle access and loading

Consolidation of loading in the area of the current loading on Grace Avenue for speciality, reconfiguration of Aldi loading and mini major loading. Woolworths loading is retained off Sorlie Place.

Light loading is also provided at B2.

## 5.6. PEDESTRIAN ACCESS

Direct and improved pedestrian access from outside the shopping centre into the development will be provided at these locations:

- **Forest Way entrance:** adjacent to bus stop, improving the legibility of the centre and connection with public transport and future green link to the east.
- **Russell Avenue, Forest Way end:** through the new plaza area which has hard and soft landscaping and activated by many restaurant and cafes opening onto the space.
- **Grace Avenue, near corner of Russell:** the pedestrian access leading up open stairs to the Level 1 Sky park.
- **Sorlie Place:** a new entrance on eastern side of Sorlie generally adjacent to the Woolworths tenancy.

## 5.7. LANDSCAPING, TREE REMOVAL AND PUBLIC DOMAIN

Tree removal is sought for 19 trees on Forest Way, Russell Avenue and at Sorlie Place and as denoted in the drawing set and on the landscape plans.

Landscaping works are proposed as part of the proposed development.

The main landscaping elements include:

- **Street frontage planting** – setback and street tree planting.
- **Signature planting at ground floor plaza** – at main entry nodes fronting corner restaurant plaza on Russell Avenue to be planted with a *Ficus rubiginosa* tree to define this location with a recognisable landscape element.
- **Skypark** – Provision of an elevated local park that comprises artificial lawn, raised planters with tree and shrub planting, green wall, indicative play with nature play elements and arbour walkway.

Refer to the Landscape Plans and the Statement of Landscape Intent at **Appendix E** for further information and detail.

The proposed development will necessitate the removal of a number of trees and this has been described in the Arboricultural Impact Assessment provided at **Appendix L**.

Future intention to provide weather protection on Sorlie Place leading to the school bus zone. This is outside the property boundary and not Invesco's land and as such could be undertaken in consultation with Council at a later stage through a potential Part 5 approval.

## **5.8. SIGNAGE**

Signage is not proposed as part of this development application and will be addressed through a separate application to Council at a later date.

## **5.9. MATERIALS AND FINISHES**

A schedule of materials and finishes is included on elevations contained within the Architectural Plans provided at **Appendix C**.

Materials include plain and perforated concrete panels, perforated metal panel, stone feature walls façade glazing with black mullions, timber fins and colourbond in shale grey. The colour palate and design is responsive to the surrounding residential dwellings through pitched roof, timber elements and subdued colours.

## **5.10. OPERATIONAL HOURS OF USES**

### **5.10.1. Centre Trading Hours**

Monday: 9am - 5.30pm

Tuesday: 9am - 5.30pm

Wednesday: 9am - 5.30pm

Thursday: 9am - 8pm

Friday: 9am - 5.30pm

Saturday: 9am - 5pm

Sunday: 9am - 5pm

### **5.10.2. Woolworths Supermarket**

Monday: 7.00am - 10pm

Tuesday: 7.00am - 10pm

Wednesday: 7.00am - 10pm

Thursday: 7.00am - 10pm

Friday: 7.00am - 10pm

Saturday: 7.00am - 10pm

Sunday: 7.00am - 10pm

### **5.10.3. Aldi Supermarket**

Monday: 8.30am - 8pm

Tuesday: 8.30am – 8pm

Wednesday: 8.30am – 8pm

Thursday: 8.30am – 9pm

Friday: 8.30am – 8pm

Saturday: 8.30am – 7pm

Sunday: 8.30am – 7pm

#### **5.10.4. Restaurants and Skypark**

Monday: 7.00am - 11pm

Tuesday: 7.00am - 11pm

Wednesday: 7.00am - 11pm

Thursday: 7.00am - 11pm

Friday: 7.00am - 11pm

Saturday: 7.00am - 11pm

Sunday: 7.00am - 11pm

#### **5.10.5. Sorlie Place Restaurants**

Monday: 6:30am – 9pm

Tuesday: 6:30am – 9pm

Wednesday: 6:30am – 9pm

Thursday: 6:30am – 10pm

Friday: 6:30am – 10pm

Saturday: 6:30am – 10pm

Sunday: 7:30am – 9pm

#### **5.10.6. Child care Centre**

Mon – Friday: 6:30am – 7:30pm

Sat and Sun: potential to operate from 8am - 6:00pm

### **5.11. SITE MANAGEMENT PRINCIPLES**

#### **5.11.1. Skypark**

- Security: CCTV will be installed to monitor the space and it will be patrolled in a similar manner to the rest of the centre.
- The Skypark will be gated at top of stairs from Grace Ave and will be locked after hours.
- Appropriate lighting is proposed to be installed to ensure safety and security after dark. Lighting will be downlit (including catenary lighting) up to closing and then low-level security lighting after close.

#### **5.11.2. Child care**

- Child care centre parking is proposed in dedicated spaces at B1, B2 & L2 and can be dedicated spaces as required. Access and egress to child care is via the associated travelators and lifts. The carparking will be open for childcare, supermarkets and café operators that open earlier than the centre core centre hours.
- A proposed evacuation route for the child care centre is via fire stairs on southern boundary or alternatively fire stairs fronting Forest Way to the east.
- A detailed operation and management plan will be prepared by the end operator and submitted with the DA which seeks approval for the operational and fit out characteristics of the child care centre.

### 5.11.3. Loading Docks

#### Management

Access to the loading docks is to be blocked by chains or bollards. These barriers are to be erected outside of the prescribed hours (see below) to ensure that vehicles cannot access the dock outside of the approved hours. The servicing of the premises by waste vehicles/ garbage trucks is restricted to between 7:00am until 9:00pm, seven days per week.

#### Woolworths:

- Dock will accommodate up to 19m articulated vehicles
- Hours of operation 7am to 9pm
- Frequency – daily 19m trucks with various smaller rigid vehicle deliveries

#### ALDI:

- Dock will accommodate up to 19m articulated vehicles
- Hours of operation 7am to 9pm
- Frequency – daily 19m trucks with various smaller rigid vehicle deliveries

#### Specialty:

- Dock will accommodate up to 14m rigid vehicles
- Hours of operation 7am to 9pm
- Frequency – many smaller deliveries throughout the day

#### Loading Dock Signage

Signage is to be provided at each of the loading docks indicating the approved hours of operation for standard truck deliveries as well as the hours of operation for waste vehicles. These signs will also provide a contact number for the after-hours security should there be a delivery outside of the approved operating hours.

## 5.12. SUBSTATION

The proposed development will require the installation on one new substation. The existing substation remains on site. It is proposed to locate the new substation proximate to the Forest Way frontage, near the southern boundary. The specific details of the route will be design and constructed in consultation with AUSGRID.

## 5.13. CONSTRUCTION STAGING

The Construction Management Plan prepared by the project builder, Hutchinson Builders at **Appendix T** provides details on proposed construction staging which is summarised below:

- Phase 1 - Early works - Site Establishment, Remediation, Demolition and Excavation.
- Phase 2 –Structure
- Phase 3 – Façade
- Phase 4 – Fitout
- Phase 5 - External Works and Landscaping

The construction period is expected to take 36 months and operate under the following hours of work:

- Monday to Friday – 7am to 7pm
- Saturday – 7am to 5pm
- Sunday and Public Holidays – No Work

## 6. SECTION 4.15 ASSESSMENT

### 6.1. STATUTORY POLICY AND COMPLIANCE

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as follows:

- *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- *State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64)*
- *Warringah Local Environmental Plan 2011 (WLEP 2011)*
- *Warringah Development Control Plan 2011 (WDCP 2011)*

This SEE demonstrates that the proposed development is generally consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions. A departure is sought in relation to building height and has been justified by way of demonstrating consistency with objectives for the height control stated in WLEP 2011.

### 6.2. ROADS ACT 1993

Forest Way is a classified road. The site fronts Forest Way, and it is proposed to install new signals/entrance on Forest Way, to the north of the existing vehicle access, which comprises:

- One access driveway
- Three egress lanes

A signalised intersection and pedestrian crossing at the car park entrance is will require Road and Maritime Service (RMS) concurrence under the *Roads Act 1993*.

### 6.3. RURAL FIRES ACT 1997

The development site is partially mapped as Category 1 Bushfire Prone Vegetation with the 100 metre wide buffer zone on Northern Beaches Bushfire Map.

Section 4.14 of the Environmental Planning and Assessment Act 2017 requires that the proposed development comply with the requirements of Planning for Bushfire Protection 2006 with respect to the protection of persons, property and the environment from the danger that may arise from a bushfire.

The development includes a Childcare Centre and this type of use is defined as a “Special Fire Protection Purpose Development” and as such is integrated development pursuant to Section 100B of the *Rural Fires Act 1997* requiring concurrence from Rural Fire Services.

### 6.4. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

*Stat Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)* applies to the State and aims to identify development that is State significant and regionally significant development.



Schedule 7 of the SRD SEPP specifies development declared to be regionally significant for the purposes of the EP&A Act. General development that has a capital investment value (CIV) of more than \$30 million is specified as regionally significant development.

The proposed works has a capital investment value of over \$30 million and therefore will be determined by the Sydney North Planning Panel.

## 6.5. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

The requirements of *State Planning Policy No. 55 – Remediation of Land* (SEPP 55) apply to the Site. In accordance with Clause 7 of SEPP 55, the consent authority must not consent to development on land unless it has considered if the land is contaminated and, if so, whether it is suitable, or can be made suitable, for the proposed use.

A Soil Assessment Report and Groundwater Monitoring Contamination Assessment Report have been prepared by Presna and is provided at **Appendix Q**.

The assessment follows on from previous monitoring of the site undertaken with the departure of a BP service station. Seventeen monitoring wells were gauged and sampled within the broader site. The recent assessment found that some contamination remains in the groundwater in the vicinity of the former service station site in the northern section of the site (in approximate location of current car wash facility). Given the proposed two levels of basement excavation, the report recommended:

*“The existing Human Health Risk Assessment (HHRA) for the former service station will need to be reviewed and updated to take into account the proposed basement excavation (which is likely to intersect hydrocarbon contaminated groundwater).”*

*A Construction Environmental Management Plan (CEMP) would be required that would include details of the management controls to be implemented during and post -construction of the basement levels in the northern section of the site, where there is a high likelihood that excavations will intersect hydrocarbon contaminated groundwater”.*

Further a hazardous building materials assessment, prepared by Prensa was undertaken. A number of recommendations were made that include remediation of asbestos containing debris and broken fibre cement. It is anticipated that the recommendations will be conditioned.

## 6.6. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) sets out requirements for various public authority and infrastructure works throughout the State. In addition, it requires the referral of certain development applications to the Roads and Maritime Services (RMS) during the DA assessment process.

Clause 101 of ISEPP requires referral to the RMS in relation to development proposals for land with a frontage to a classified road. Forest Way is a classified road and therefore referral to and concurrence of the RMS will be required in relation to the development application which proposes adjusting vehicular ingress and egress arrangements to the site, including conversion of the existing signalised pedestrian crossing to a vehicle signalised intersection. The site is also proximate to substantial roads works on Warringah Road and Forest Way as a result of the Northern Beaches Hospital Precinct with modelling traffic over the various stages of the Frenchs Forest Planned Precinct.

RMS has been consulted as prior to the submission of the DA and commentary and modelling have been included in the traffic report as requested. More commentary is provided in the Traffic and Parking Assessment Report provided at **Appendix H**.

Clause 104 of ISEPP require referral to and concurrence of the RMS in relation to certain types of traffic generating development with vehicular access to local road or a classified road. The proposed development triggers referral by virtue of the retail floor space proposed.

The Traffic and Parking Assessment provided at **Appendix H** considers the impact of the development in terms of traffic generation and subsequent implications for local road network function and efficiency. The Assessment demonstrates that traffic impacts will be acceptable and are supportable.

## 6.7. STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

*State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* aims to facilitate the effective delivery of educational establishments and early childhood education and care facilities across the state.

### Centre-Based Child Care Centres Guideline

Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline. As described in the previous sections, this application seeks approval for the use only and the operational aspects (including number of places and mix, staff ratios etc) as well as the fit out of the tenancy and compliance with the National Quality Framework (Part 4 of the Guidelines) will be subject to a further DA once the operator is secured.

An assessment against Part 3 of the Guidelines 'Matters for Consideration' has been undertaken for completeness (refer Table below).

Table 4 – Part 3 - Matters for Consideration

Matters for Consideration	Proposed	Complies
3.1 Site selection and location	<p>The proposed centre is proximate to the local primary school which represents a favourable location for families requiring both facilities. The proposed centre is a complementary land use to a retail centre having access to ample car parking, safe access and other local services.</p> <p>The location within the centre is dictated by bushfire requirements and mitigating acoustic impacts.</p>	Yes
3.2 Local character, streetscape and the public domain interface	Multiple shopping centres contain child care centres at the upper level and are a complementary service. The proposed centre integrates into the retail centre and will not be visible from the public domain. The location in the centre and the adjoining interface is compatible in relation to surrounding land uses including the local primary school playing fields to the south.	Yes
3.3 Building orientation, envelope and design	The centre will form an integral part of the centre and be wholly contained in the building envelope. The outdoor play space will be open to the sky and provide a break in the roofline.	Yes
3.4 Landscaping	The future DA will provide high quality outdoor areas which enable a safe learning environment for children. The current DA however has been designed to ensure there is the provision of unencumbered outdoor play space including access to air and natural light.	Can comply

Matters for Consideration	Proposed	Complies
3.5 Visual and acoustic privacy	<p>The location of the proposed facility is separated from residential properties with limited opportunity for overlooking to and from adjoining developments.</p> <p>As the child care centre is located within the vicinity of residential properties. Appropriate acoustic measures are recommended in the attached acoustic report. The placement of the centre is somewhat internalised into the site and screened by the Allied Health tenancy to the west.</p>	Yes
3.6 Noise and air pollution	<p>The site is proximate to Forest Way, a major road. However, the siting of the tenancy is such that it is distanced and screened by the remainder of the centre to the east. A detailed acoustic report will be submitted with the future DA submission.</p>	Yes
<p>3.7 Hours of operation</p> <p><i>C29 of the guidelines states:</i></p> <p><i>Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.</i></p> <p><i>C30</i></p> <p><i>Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility.</i></p>	<p>The proposal seeks the following hours of operation, although is subject to the future operational requirements of the end operator:</p> <ul style="list-style-type: none"> <li>• Mon – Friday: 6:30am – 7:30pm</li> <li>• Sat and Sun: potential to operate 8am - 6:00pm</li> </ul> <p>In accordance with C30, the site is located in a mixed-use area and accordingly has been assessed with regards to the proposal's compatibility with the site context.</p>	Yes, with appropriate management measures
<b>3.8 Traffic, parking and pedestrian circulation</b>		
<i>To provide parking that satisfies the needs of users and demand generated by the centre.</i>	<p>The proposed car park will provide dedicated child care spaces, signed and with a safe path of travel to the centre.</p>	Can comply
<i>To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.</i>	<p>The safety and access arrangements of the car parking is considered in totality in this subject DA and deemed appropriate.</p>	Yes

Matters for Consideration	Proposed	Complies
<i>To provide a safe and connected environment for pedestrians both on and around the site.</i>	The proposed, refurbished centre provides a safe and well connected environment for pedestrians.	Yes

## 6.8. STATE ENVIRONMENTAL PLANNING POLICY NO. 64- ADVERTISING AND SIGNAGE (SEPP 64)

Whilst the proposal is for a retail centre where business and building identification signage is anticipated, no signage is proposed as part of this DA and a future DA will be submitted seeking consent for an integrated signage package across the whole site.

## 6.9. WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The Warringah Local Environmental Plan 2011 (**WLEP 2011**) is the local environmental planning instrument applying to the site and provides for zoning and permissible land uses.

There is no floor space ratio development standard prescribed to the site under the WLEP.

A Clause 4.6 request to vary the height development standard prescribed under WLEP is required for non-compliances largely resultant of the rooftop car park upstand, lift over runs, shade sails, pitched roof form and architectural features.

### 6.9.1. Zoning and Permissibility

The site is zoned B2 Local Centre. *Business premises, commercial premises, medical centre, centre based child care centre, recreation facility (indoor)* are all permissible with consent in the zone. An extract of the zoning map is provided at **Figure 4**.

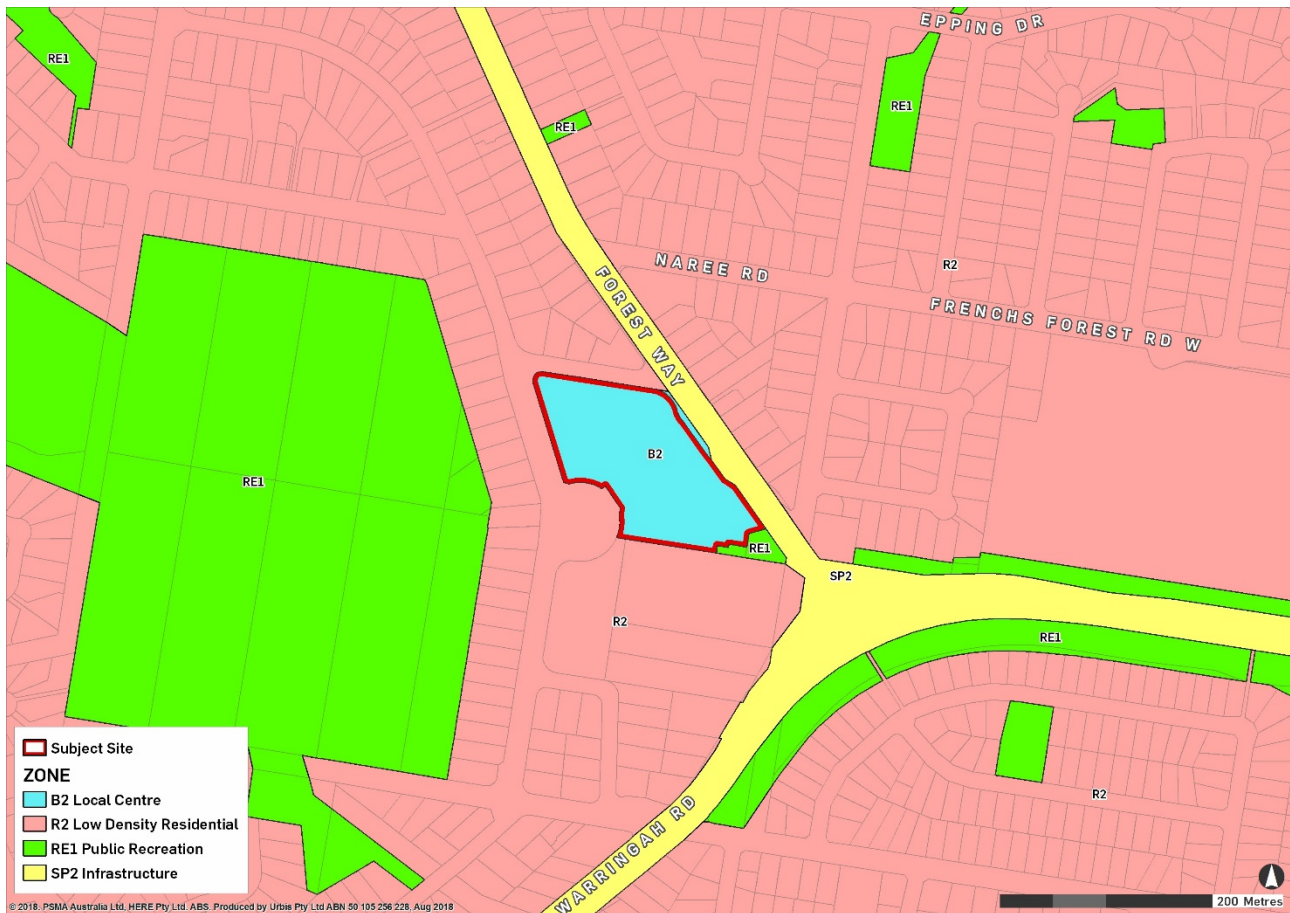
The B2 Local Centre zone objectives are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To provide an environment for pedestrians that is safe, comfortable and interesting.*
- *To create urban form that relates favourably in scale and in architectural and landscape treatment to neighbouring land uses and to the natural environment.*
- *To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses*

The proposed alterations and additions to Forestway are consistent with the above zone objectives in that the expanded centre will provide a broader range of retail convenience, food and lifestyle offerings and will generate additional employment opportunities in a location which is accessible by public transport. The proposed development has been designed to ensure any amenity impacts on the nearby residential uses are managed and mitigated.



Figure 10 – Zoning map extract



### 6.9.2. Height

The Height Map to Warringah LEP identifies the site as being subject to a 12metre height standard.

Portions of the proposed development do not comply with the 12metre height standard with the greatest exceedance and maximum building height of 16.89 metres to the top of the lift overrun adjacent to the Forest Way frontage. The areas of non-compliance relate to the lift overruns, roof plant, shade sails, car park upstand and pitched architectural roof forms. Importantly the building, including any areas of GFA are below the 12m building height.

The proposal includes a variation to the permissible height development standard under the provisions of Clause 4.6 of WLEP. The justification for the variation is included in the attached Clause 4.6 request (**Appendix A**).

### 6.9.3. Exceptions to Development Standards

Clause 4.6(3) of Warringah LEP provides that development may contravene a development standard if the proposed development is consistent with the objectives of the standard and the zone, and a written request has justified the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The consent authority must also consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard.

A Clause 4.6 request is a contravention of the height development standard as defined under Warringah LEP as,

**Building height (or height of building)** is defined in the LEP as:

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The justification for the departure to the building height standard is provided in **Appendix A**.

#### 6.9.4. Heritage

Clause 5.10 seeks to conserve the environmental heritage of the Warringah LGA including heritage items, conservation areas, archaeological sites and Aboriginal objects and places of heritage significance. The site is not in a heritage conservation area or a listed heritage item. The site is in the vicinity of one locally listed heritage item at 45 Grace Avenue ('dental surgery', I59).

The proposed development will not be detrimental to the heritage significance of this item as:

- The existing use of the item is commercial, for use as a dentist and as such is compatible with the retail and commercial activity on the subject site. Whilst some associated land uses are introduced as part of the proposal, fundamentally the site's use is unchanged.
- The shopping centre and heritage item have historically been adjacent to each other and are both thus contributory items to the established Russell Avenue streetscape. The refurbishment will maintain this relationship.
- The proposal will allow greater appreciation of the item through the introduction of activated edge on Russell Avenue

#### 6.9.5. Preservation of Trees and Vegetation

Development consent (or if applicable a permit) is required for the removal and cutting down of trees or vegetation as to which the applicable DCP applies under Clause 5.9. Development consent is sought as part of this proposal for the removal of many significant trees on the site boundaries. Please refer to the landscape plans and the arborist report for the exact location, type and condition of the trees. Replacement trees are indicated on the landscape plans.

#### 6.9.6. Earthworks and Landslip

The site is identified on Council's Landslip Risk Map. The proposal has also been considered in relation to Clause 6.2 of WLEP which aims to ensure that earthworks do not impact on surrounding properties or result in an unsatisfactory environmental impact.

A Geotechnical Report prepared by Coffey is attached and demonstrates that the proposed addition, including the basement carpark, can be constructed without a risk of landslip or impact on adjoining properties.

The Coffey report includes commentary and recommendations on the following:

- Subsurface conditions and geotechnical model;
- Basement excavation and subgrade preparation;
- Excavation capacity of the ground, excavation batters and stability, and trafficability of the subgrade,
- Temporary retention systems and relevant geotechnical design parameters;

- Building footing types and geotechnical design parameters;
- Soil aggressivity to buried steel and concrete;
- Relevant geotechnical recommendations for construction phase

The proposal seeks approval for earthworks associated with the development. The civil report contained in the DA submission provides additional comments on the proposed civil works including bulk earthworks, ground works, drainage facilities and erosion and sediment control.

It is anticipated that a detailed Construction Waste Management Plan conditioned by council for construction certificate stage and that the document will adequately address any concerns regarding the safe disposal of the extracted material. A preliminary construction management plan has been prepared and submitted with the DA.

## 6.10. WARRINGAH DEVELOPMENT CONTROL PLAN 2011

Part F1 – Local and neighbourhood centres of the Warringah Development Control Plan 2011 (**WDCP 2011**) contains (minimal) site specific development controls for Forestway. General provisions in Parts B, C, D and E also apply and have been assessed in a compliance table in **Appendix B**.

The proposed works achieve a high degree of compliance with relevant development controls or have the ability to comply during the detailed design of the proposal. In summary:

- The DCP's provisions in relation to setbacks are based on a merit assessment to ensure there is regard to the surrounding streetscape, amenity and setbacks of neighbouring properties. The proposal meets this provision as follows:
  - A 2m setback, on average, is provided around the entire development allowing for landscaping. A green wall is also provided along with a landscaped Skypark enhancing the appearance of the building and softening the built elements.
  - The amenity of the adjoining residential area has been addressed by providing enhanced vehicle access on Forest Way (and in turn potentially reducing movements on Grace Ave), providing a roof structure or 'lid' on the loading dock area, creating a dining and gathering plaza distanced from the west and ensuring mitigating measures are proposed as recommended by the acoustic report.
  - The form and functioning of the development is largely unchanged providing shared access from Forest Way and Grace Avenue.
  - The arrangement of the land uses and potentially 'noisy' activities are located away from the residential interface (such as the plaza and child care) or have incorporated appropriate mitigation measures (such as acoustic barrier to the Skypark).
  - The acoustic report has assessed the likely operational noise including traffic noise and the development can comply subject to the stated recommendations (See Section 6.11.4).
  - There is no adverse overshadowing on neighbouring properties as a result of the proposal, complying with the solar access requirements in the DCP (see Section 6.11.3).
- Despite the DCP encouraging, where practical, access from minor roads, the proposal retains the Grace Avenue and Forest Way access points to ensure a 'sharing' of vehicle movements across the site. Further the traffic report states, that a new signalised intersection, with the provision of direct right turn egress from the shopping centre, will have the following benefits:
  - Allowing better egress from the centre onto Forest Way and hence greater accessibility for customers with a destination along Warringah Road; and
  - Less traffic on Russell Avenue and Grace Avenue

Further, RMS' Russell Avenue traffic signal option has been investigated. While a workable option, it is not favoured as it has a number of greater impacts compared to the signalised access option, including queuing extending closer to Warringah Road.

- Each individual land use has not separately applied the various car parking rates in the DCP. Colston Budd Rogers and Hunt have assessed the car parking requirements of the centre assuming the rate for a shopping mall, where multipurpose trips predominate, as allowed in the DCP.
- The assessment of potential operational impacts such as noise as well as environmental impacts such as stormwater have been able to comply with the relevant requirements in the DCP.
- Of relevance to the provisions, specifically relating to Forestway:
  - The redevelopment better addresses the relationship of the centre with the adjoining residential area through the proposed architecture, presenting as a series of individual buildings, with pitched roof form, inclusion of a green wall, maintaining the location of the Grace Ave access point and assessing any likely acoustic impacts.
  - The parking and access arrangements will minimise conflicts between pedestrians and vehicles.
  - Whilst additional vehicular access from streets other than Forest Way is preferred, the proposal has assessed any local traffic implications and proposed an additional egress lane on Grace and a relocation of the existing signalised intersection on Forest Way which will reduce the potential for queuing on Russell Avenue.

Detailed comments are provided in the DCP compliance table and the following sections of the SEE.

## 6.11. BUILT ENVIRONMENTAL IMPACTS

The proposed development has been designed to be consistent with the surrounding built environment and to mitigate significant adverse impacts on adjoining development as described within the following subsections.

### 6.11.1. Built form and urban design

The built form and design of the proposed development has been considered on various contextual scales:

- How the development integrates with existing land uses particularly the low density residential to the west on Grace Avenue and future land uses and development to the east as part of the Planned Precinct.
- How the development addresses the street frontages to Forest Way, Russell Avenue and Grace Avenue. The development improves the Forestway frontage from a hard, deactivated and monolithic decked car parked edge to a glazed and permeable elevation. Driveways on Russell Avenue are removed allowing for an activated retail edge. The service area and loading area is consolidated and capped also improving the acoustic and visual impact.
- How the development responds to the opportunities and constraints of the site. As an example, the design accommodates a 1.5m level difference on Grace Avenue to retail level.

The built form is appropriate for the following reasons:

- The built form addresses the primary frontage of Forest Way and implementing varying architectural elements, colours and materials. Key elements employed in the built form design include:
  - Varying textures, surface treatments and architectural elements, to provide relief in the façade.
  - Designing the car ramp to be subservient to the retail structure.
  - Use of plain and perforated concrete panels, perforated metal panel, stone feature walls façade glazing with black mullions, timber fins and colourbond in shale grey. The colour palette and design is responsive to the surrounding residential dwellings through pitched roof, timber elements and subdued colours.
  - A range of roof elements are incorporated into the design to break-up the roof plan through the inclusion of shade sails across a portion of the rooftop car park, and a varied roof pitch.
- The building is orientated towards the street frontages, however the key improvement from the existing is the interface with Forest Way; a prominent road within the LGA. The orientation of the built form to this street frontage:



- Reflects the retail nature of the use allowing high visual exposure;
- Increases glazing and natural surveillance from the ground level retail and level 1 gymnasium; and
- Increases activation of the local area through the transformation of a currently uninspiring and monolithic frontage and providing a pedestrian through link into the centre (and accommodated a future link to the east to the new Frenchs Forest town centre)
- The proposal introduces and creates spaces for people to linger and the community to gather, of:
  - a piazza/gathering place at the corner of Forest Way and Russell Avenue
  - Skypark; elevated open space available to the public
- Screening of the service area and service vehicle operations through creating a roof to minimise noise and visual impact.
- Landscaping including a range of drought tolerant, low maintenance and foliage year-round plants that provide a visual buffer and transition between the development site and road.
- Incorporates main entry architectural features to enhance external legibility of the built form, and correspond with other surrounding architectural styles.
- The proposed building height, represents two large retail floors and although there are non-compliances beyond 12m, there is no overshadowing, overlooking or privacy impacts on any nearby residential buildings as a result.
- The design allows for incorporation of a possible future residential scenario as envisaged in NBHSP structure plan, including provision of 600-900mm columns, flexibility in leases and workable orientation and design which could have the ability to comply with the ADG. The design also allows for connection to the potential for future green link. It is noted that there is no certainty at this stage or any amendments to controls exhibited or gazetted, so a residential outcome is speculative at best as this stage.

Perspectives are provided at **Figure 11** and **Figure 12** to demonstrate the anticipated appearance of the development when perceived from Forest Way and Grace Avenue.

An Architectural Design Statement has been prepared by Buchan Architects and details the design intent of the redevelopment works and is provided at **Appendix D**. A summary of the design intent is as follows:

*The architectural design intent is to express the overall mass of the building as a series of individual buildings. The inspiration was taken from the typical character of a cluster of buildings, within a traditional village. Building mass and architectural expression is exaggerated by contemporary gable edge roof profile along important corners of the site and entrances to the building.*

*The idea of horizontal planes and expressed edge details is firstly used as a means of reducing the impact of scale with the typical gable end profile reinterpreted in a contemporary style and secondly, to make it possible to incorporate planters, greenery and the overall integrated landscape strategy.*

*Large overhangs and expressed edging was inspired by the covered walkway edges of the typical Northern beaches shopping strip aesthetic.*

*The choice of materials is inspired by local neighbourhood and Northern beaches context and involves use of raw, natural and honest materials which are integrated with layered landscape elements.*

*The concept of “filtered light” is expressed through perforations in material - particularly along Forest way where texture is expressed on the large surfaces and wherever possible natural light filters into the building through the perforated facades.*

*For the roof and general facades - a lighter material colour was selected as part of the overall ecological sustainability strategy and is a means of reducing solar heat gain to the building.*

Figure 11 – Forest Way and Russell Avenue Photomontage



Figure 12 – Sorlie Place Photomontage



### 6.11.2. Visual impacts

The proposal will generate a significant improvement and overall positive impact on the visual appearance of the Centre. The last major works to the centre were completed over 20 years ago. This included the construction of the decked car parking structure that dominate the the main Forest Way frontage. Conversely the Grace Avenue frontage currently presents as a confusing mix of back of house and discreet secondary pedestrian accesses into the centre. Overall it presents an overwhelming internalised and somewhat “brutal” contribution to the public realm. The design seeks to rectify these shortcomings by delivering a high-quality design, open up key vantage points for visual and pedestrian permeability, activating key frontages and bringing some architectural relief to built form, generating a positive contribution to streetscape character.

The proposal seeks to deliver structures above the maximum height of 12m prescribed in the DCP and therefore an assessment of the visual impact is required to illustrate how the non-compliant element of the building will be perceived, particularly from adjacent residential areas to the west.

The exceedance in the maximum height (from 1.97m to 4.98m above 12m) is resultant of elements that assist in architectural expression (such as the pitched roof forms, identify building entrances (such as the lift over run on Forest Way) and provide shading and safety perimeter barriers to the car park.

The proposed variation is predominately internalised in the broader site and allows for the development in keeping with scale and context of surrounding development and of that envisaged by the WDCP.

The built form ensures that the scale and desired character of the area is maintained. The architectural design provides pitched roof forms drawing reference to the pitched forms of the residential context and to provide interest to retail centre.

The project architects have proposed materials and finishes which will provide a high quality and aesthetically pleasing finish.

It is noted that the building will not obscure any significant views such as water views or views of iconic landmarks.

### 6.11.3. Overshadowing

Solar diagrams have been prepared and are included with the Architectural Plans provided at **Appendix A**. The diagrams indicate the extent of shadow cast by the proposed development at hourly intervals between 9am and 3pm on 21 June.

Part D6 of WDCP 2011 states that at least 50% of the required area of private open space of adjoining dwellings are to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21.

Shadow drawings are submitted with the DA submission, particularly showing there is a negligible impact on the playing fields of the school and the front gardens of the residential properties on Grace Avenue. The diagrams show that the dwellings on Grace Avenue will experience additional overshadowing in the morning period, however the private open space of the residential dwellings only experience the shadow for approximately 45minutes and by 10am will be unaffected.

Extracts of shadow diagrams at 9am and midday are provided at **Figure 13**.

Therefore, the private open spaces of dwellings will continue receive the required sunlight to their private open space areas between midday and 3pm.

Figure 13 – Shadow diagram



Picture 23 – 9am shadow diagram

Source: Buchan



Picture 24 – 10am shadow diagram

Source: Buchan

#### 6.11.4. Acoustic impacts

An Acoustic Assessment has been prepared by Acoustic Logic and is provided in **Appendix K**. This assessment includes the following noise emission:

- Patron (vocal) noise on site from use of the 'Skypark' area
- Patron (vocal) noise from use of outdoor dining areas
- Operational noise from childcare centre
- Vehicular noise on site from use of the carparks (basement and above ground)
- Noise generated through use of the loading docks
- Noise created on public roads as a result of traffic generated by the site
- A preliminary assessment of noise from mechanical plant

An assessment of noise emissions from the operation of the facility has been conducted and concluded the following:

*"Noise emissions impacts to surrounding residents associated with the proposed Forestway Shopping Centre redevelopment have been assessed with reference to relevant EPA and Council acoustic guidelines.*

*An analysis of typical operational noise (patron, vehicle, plant / equipment) indicates that the site is capable of complying with relevant noise emission criteria"*

The Acoustic Assessment recommends the following mitigating measures in the following areas of the proposal:

Element	Mitigation measures
Skypark	<ul style="list-style-type: none"> <li>• A 1.5m high imperforate barrier is to be installed to the Grace Avenue / Sorlie Place perimeter</li> </ul>
Outdoor dining areas	<ul style="list-style-type: none"> <li>• The total number of patrons in outdoor dining areas is not to exceed the following limits; <ul style="list-style-type: none"> <li>– Grave Avenue seating – 50 patrons</li> </ul> </li> </ul>



Element	Mitigation measures
	<ul style="list-style-type: none"> <li>– Forest Way seating – 120 patrons</li> <li>– Restaurant Terrace Seating – 110 patrons</li> <li>• Outdoor dining areas to be in use between the hours of 7am – 10pm</li> <li>• Internal dining areas to be in use between the hours of 7am – 12am.</li> <li>• In the event a venue is licenced, a separate acoustic assessment should be conducted in accordance with the requirements of the NSW Liquor and Gaming should be undertaken</li> </ul>
Car park areas	<ul style="list-style-type: none"> <li>• 1.5m high imperforate parapet is to be installed to the perimeter of the rooftop car park.</li> </ul>
Loading dock	<ul style="list-style-type: none"> <li>• Loading dock to be in operation only between the hours of 7am – 10pm.</li> <li>• Garbage collection is to occur only between the hours of 7am – 10pm</li> <li>• Forklifts to service loading / unloading of delivery vehicles should be electric or LPG type (no diesel forklifts), and use non-tonal movement beacons</li> </ul>
Mechanical plant and equipment	<ul style="list-style-type: none"> <li>• Detailed acoustic review of all plant items should be undertaken following equipment selection and duct layout design. Initial analysis indicates that with acoustic treatment, all plant items will be capable of meeting noise emission requirements</li> </ul>

### 6.11.5. Traffic impact and car parking provision

The proposal involves the provision of 413 additional parking spaces, a new entrance/egress/signalised intersection on Forest Way and retention of vehicular access from Grace Avenue as well as Forest Way. All existing driveways on Russell Avenue will be removed.

A Traffic and Parking Assessment Report has been undertaken and is provided at **Appendix H**. The Report considers that impact of the proposed development on the efficiency and functioning of the local road network. This includes consideration of the broader Planned Precinct traffic modelling, intersection performance and queuing as relevant to Warringah Road. As discussed in Section 4.2.2, RMS has been consulted prior to lodgement and their matters for consideration have been detailed in the CBRK report.

The assessment has considered the RMS option of the intersection at Forest Way and Russell Avenue and whilst it is a workable option, the impacts are greater when compared to the subject scheme in so far as:

- Traffic flows on Russell and Grace would be greater than current scheme (by some 150-240 vehicles per hour)
- Russell Avenue would require upgrading and inclusion of an additional lane
- Pedestrian connectivity is reduced to bus stops are reduced
- 95% queues extended back from Russell Avenue through the intersection with Naree Road
- Due to a three-phase intersection cycle for a Russell Ave option, the northbound queue on Forest Way from Russell Avenue was some 280 metres (almost back to Warringah Road)

The report is summarised as follows:

*In summary, the main points relating to the traffic implications of the proposed expansion of Forestway shopping centre development are:*

- *the proposed development has good access to public transport services with local and regional bus services operating along Forest Way adjacent to the site;*

- *the proposed development is in accordance with government objectives and would increase retail and employment densities close to public transport services;*
- *the proposed parking provision is appropriate;*
- *access and internal layout are considered appropriate subject to detailed design in accordance with the requirements AS 2890.1-2004 and AS2890.6- 2009;*
- *proposed service arrangements are considered appropriate subject to detailed design in accordance with the requirements of AS2890.2-2002 and implementation of a loading dock management plan;*
- *with the proposed road upgrades under construction completed, the surrounding road network can satisfactorily accommodate the additional traffic generated by the proposed development;*
- *the proposed signalized access on Warringah Road has minimal impact on the operation of Forest Way with queues not extending back to Warringah Road;*
- *the Russell Avenue traffic signal option has been investigated. While a workable option, it is not favoured as it has a number of greater impacts compared to the signalised access option, including queuing extending closer to Warringah Road.*

## 6.12. NATURAL ENVIRONMENT IMPACTS

### 6.12.1. Water quality

A stormwater report has been prepared by TTW and is submitted with the DA submission. The report considers the site to have three catchment areas, whereby the proposed development can meet the required water quality targets for all discharge points and provides on-site detention for each catchment area. A preliminary stormwater design is included in the report.

The following recommendation and conclusions are made:

- *The proposed stormwater plan will reduce the peak discharge by 60% from its current level. Post development discharge will be less than a 0% impervious undeveloped state.*
- *A total of 443m<sup>3</sup> of on-site detention is required split over the three discharge points to meet the above.*
- *Stormwater quality targets can be met with on-site detention and Spel Hydrosystem units or an equivalent.*
- *Stormwater discharge will be to existing stormwater pits located on Forest Way, Grace Ave and Sorlie Place*

The development will have no significant adverse impact on water quality during construction and operational phases of the development. Appropriate conditions of consent will be imposed to ensure construction impacts are managed.

### 6.12.2. Tree removal and landscaping

An Arboricultural Impact Assessment, prepared by Arboreport is provided at **Appendix L** and has undertaken an assessment the proposed development on twenty-two (22) trees. 18 trees are proposed to be removed as they are either located within the footprint of the proposed development footprint or are likely to suffer unacceptable impacts as a result of their proximity to the proposed works and encroachment within the TPZ. The report's recommendation include:

- *The replacement planting of at least 18 locally native or deciduous canopy trees shall be installed in 45L pot size to offset the loss of trees on site. Provision of adequate soil volume on trees growing over slabs must be provided to allow the trees to attain their full size and provide benefit.*
- *The retention of Tree No. 's 18, 19 & 22. The construction will not impact these trees.*
- *The retention of Tree 21.*
- *Tree sensitive construction measures must be implemented if works are to proceed within the TPZ of any tree to be retained as prescribed by the Australian Standard AS4970-2009 Protection of trees on development sites.*

- *Pruning of branches should comply with Australian Standard No 4373 -2007 - Pruning of Amenity Trees.*

Replacement planting is proposed as detailed in the Landscape Plans, prepared by Place design provided at **Appendix E**. This includes trees within the development site, a green wall on Grace Avenue, considerable landscaped elements at the Skypark and street trees (outside the development site).

The development site is somewhat restricted in its ability to provide substantial amount of planting along the site boundaries as a result of the basement car park limiting deep soil. Landscaping has been selected to respond to the microclimatic conditions of the site and the coastal character of the locality. However the proposed replacement planting and the site landscaping will offset the loss of existing trees such that the impact on the natural environment is neutral.

## 6.13. SOCIAL AND ECONOMIC IMPACTS

### 6.13.1. Economic impacts

The proposed development will introduce new business and employment options to the local area, and will have a significant economic benefit to Frenchs Forest locality. Importantly retention of the site as retail will not be at the detriment of the planned Frenchs Forest town centre as the Economic Impact Assessment, prepared by Location IQ, found a significant demand of retail, with a low provision of supermarket floor space throughout the main trade area and particularly as the population increases, it stated,

- *There are currently 61,750 persons residing in the Forestway Shopping Centre main trade area, including 32,620 persons within the primary south sector. Demand for convenience shopping facilities will increase in the future, with the main trade area population projected to increase to almost 70,000 by 2031 (including an additional 6,000 residents in the key primary south sector).*
- *Forestway Shopping Centre is an established, successful convenience-based shopping centre, located on a high-profile site.*
- *Given the lack of existing full-line supermarkets serving the main trade area currently, a full-line supermarket offer with supporting retail and non-retail specialty floorspace would make an ideal location for continued use of the subject site for convenience retail facilities*

The economic impact assessment (refer to **Appendix J**) and the report concludes:

*"It is the conclusion of this report that a substantial net community benefit will result from the expansion of Forestway Shopping Centre. Offsetting the trading impacts on some existing retailers, there are very substantial positive impacts including the following:*

*- The creation of a convenience shopping destination for local residents that will include a full-line supermarket (Woolworths), existing smaller format discount supermarket (Aldi) and a complementary provision of specialty floorspace as well as destinational non-retail uses (medical centre, gym, child care centre etc.).*

*- The creation of additional employment which will result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. In total, some 459 jobs are likely to be provided both directly and indirectly as a result of the proposed Forestway Shopping Centre. This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.*

*It is concluded that the combination of the substantial positive economic impacts serve to more than offset the trading impacts that could be anticipated for a small number of the existing retail stores, particularly supermarkets, in the region. Further, the impacts would not threaten the viability of any of these retailers or centres".*

The proposed development does not alter the role and function of Forest Way Shopping Centre and will continue. Whilst the proposed doubles the current GLA, there is a focus on improving the range of convenience based retail, local services and facilities as well as food and beverage options aligned to significantly enhanced amenity.

### 6.13.2. Social impacts

The positive social impacts of the proposal include:

- The proposal introduces and creates spaces for people to linger and the community to gather, of:
  - a piazza/gathering place at the corner of Forest Way and Russell Avenue
  - Skypark; elevated open space available to the public
- Continuation of a convenience shopping with additional/ diversifying retail and services available within the centre including allied health, gymnasium and child care.
- The concept of a rooftop community hub and Skypark are seen as a desirable addition to the centre
- Improved accessibility and pedestrian amenity, continued provision of community facilities, and improved integration, amenity and activation.
- Skypark is proposed to be an integral part of the proposal and of potential benefit to the community at large. Any associated potential impacts have been managed as:
  - Visually the Skypark Level 1 FFL appears to align with or be above existing roof line of Grace Ave houses.
  - The DA will incorporate appropriate acoustic screening on the residential interface.
  - Importantly the edge of the Skypark is in excess of 45 metres from the nearest residential property.
  - The addition of the Skypark will also provide essential outdoor passive recreation/ community space for occupants of any future residential development.

It is also noted that the development will have some short term negative impacts in terms of construction traffic and noise, however it has been demonstrated through associated consultant reports that these impacts can be appropriately mitigated.

### 6.13.3. Safety and Security/CPTED

In accordance with the Department's guideline - *Crime prevention and the assessment of development applications* – the following Crime Prevention Through Environmental Design (CPTED) principles, have been considered in the Concept Plan design for the site:

The key CPTED principles are:

- **Natural surveillance** – maximising opportunities for passers-by or residents to observe what happens in an area (the 'safety in numbers' concept). This may be achieved through, for instance, the placement of physical features, activities and people.
- **Access control** – control of who enters an area so that unauthorised people are excluded, for instance, via physical barriers such as fences and grills.
- **Territorial reinforcement/ownership** – people are more likely to protect territory they feel they own and have a certain respect for the territory of others. This can be expressed through installation of fences, paving, signs, good maintenance and landscaping.
- **Space management** – ensures that space is appropriately utilised and cared for. Space management strategies include; activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned-out lighting and the removal or refurbishment of decayed physical elements.

The design and operational measures that will be implemented for the site are outlined below. These measures will ensure that the building satisfies the CPTED principles:

#### Lighting

- All external entries to the centre and the car park will have appropriate levels of lighting to avoid poorly-lit dark spaces and create a sense of safety and security.



- The Skypark will have low level security lighting after dark to ensure safety of the area but no adverse light spill to neighbouring properties.
- Lighting in and around the centre will be checked to ensure it provides for adequate visibility for customers leaving or entering the centre whilst ensuring the lighting levels do not cause a disturbance for local residents around the centre.

#### Designing for casual surveillance

The facility has been designed to ensure that there are opportunities for casual surveillance from users of the centre overlooking over the public domain and beyond to achieve 'eyes on the street' in the following ways:

- The elevated gym provides glazing on the eastern and southern façade providing visibility over Forest Way and YoYos community facility.
- Retail on ground level will be glazed on Forest Way and also provides an access point on the eastern side of the site allowing visibility along the pedestrian accessway and over the street and bus stop reinforcing casual surveillance along shared spaces.
- The plaza on the north eastern area of the site as well as the outdoor dining proposed Sorlie Place allow for an activated edge and passive surveillance along Russell Avenue and Grace Avenue.
- All pedestrian accessways are straight in form and do not contain dog-legs that would obstruct the view between the public domain and these points of access.

#### Landscaping

- The external centre entrances will be visible from street and will not be obscured by landscaping. It is proposed to only use low planting immediately adjacent to the centre maintaining full visibility.
- The landscaping of the immediate precinct has been designed to minimise opportunities for both the entrapment or the concealment of persons to facilitate clear view lines across the site.
- Landscaping is also used to minimise exposure to blank facades and therefore the ability to potentially attract graffiti.

#### Access

- The centre will be secured at the conclusion of trading hours to ensure there is limited opportunity for undesirable behaviour. Part of the centre will be accessible to enable customers to access Woolworths and the restaurants and Skypark.
- The design has incorporated well located and visible pedestrian entry/exit points for the centre.
- Access into the Skypark will be controlled and gated to ensure this area is not accessible after hours.
- Prior to the occupation of the centre, entry / exit points for emergency services and evacuation points will be determined.
- The centre will have the ability to 'gate off' parts of the centre and vertical transportation. Car park will not be open 24 hours however will be open from the earliest to the latest trading operators.
- Number plate recognition along with number of available spaces & wayfinding within all parking levels.

#### Delineation of public and private space

- The site contains an established centre and forms an isolated site that is surrounded by roads with the exception of the public uses to the south (school and community centre). The proposed redevelopment will assist in providing and improving the public interface through a more integrated street edge and a reduction in driveways on Russell Avenue and 'back of house' areas.

- The development improves the Forest Way frontage from a hard, deactivated edge to a glazed and permeable elevation.
- The site will be kept clean and free of graffiti and rubbish and landscaping well maintained to limit opportunity for undesirable behaviour and assist in creating a clear sense of ownership and territorial reinforcement.

#### Materials and Maintenance

- Regular maintenance of the centre will promote an image of a well-cared-for development which in itself discourages vandalism. The centre management will undertake a regular maintenance and management program of the centre.
- The centre will provide facilities for the proper waste disposal of all waste materials including glasses and bottles.

#### CCTV and Security Personnel

- CCTV is proposed as well as roaming security personnel

## **6.14. SUITABILITY OF THE SITE FOR DEVELOPMENT**

The proposed development is considered well suited to the site and locality for the following reasons:

- It will achieve an enhanced retail shopping experience on Sydney's Northern Beaches
- The subject site is zoned B2 Local Centre and all proposed land uses along with car parking and ancillary works are permissible with consent in this zone.

## **6.15. THE PUBLIC INTEREST**

The proposed development meets the public interest for the following reasons:

- The proposal is a permissible form of development in the B2 zone, confirming with a form of development that meets what the community could reasonably expect as an outcome to refurbish and expand Forestway shopping centre.
- Has had regard to the positive impacts and benefits of the scheme, including improved retail and other services for the local community and also including additional food and beverage options and an elevated community park
- Enhances the appearance of the streetscape along all street frontages
- Improves the legibility of pedestrian and vehicle access
- The proposal will benefit the wider community through greater retail choice, improved accessibility and enhance appearance and function of the site.
- The architectural design and building material treatments proposed will also ensure that the development creates a positive element in the landscape.
- The proposal will result in creating in the local jobs and additional employment during the operation and construction phase.
- The proposal will not be detrimental to the realisation of the Frenchs Forest Planned precinct in terms of economic impact, traffic or residential potential (in the future).

## 7. CONCLUSION

This application has been assessed in accordance with the provisions of the EP&A Act. The proposal is considered acceptable and worthy of approval for the following reasons;

- **The proposal satisfies the applicable local and state planning objectives and policies.** The proposal achieves a high level of compliance with the *Warringah Local Environmental Plan 2011*, with the exception of marginal exceedances in height and achieves a high level of consistency with the key planning controls within *Warringah Development Control Plan*.
- **The design responds positively to the site conditions and the surrounding urban environment.** The design has been formulated having close regard to the existing site conditions, residential context and the desired future built form and character of the Frenchs Forest Planned Precinct. The proposed use and built form are compatible with the locality.
- **The proposal is in the public interest.** The proposal maintains the established use of the site for retail purposes and specifically convenience shopping and now with additional complementary services. The proposal will deliver a high-quality development for use by the community in an area accessible to public transport. It will contribute a significant number of jobs through the construction phase of the development, as well as the on-going operational employment opportunities.
- **The proposal will provide many positive benefits** including the provision of a new elevated open space as well as essential retail services, improved dining opportunities and complementary facilities and services for the community. The proposal will not be detrimental to the amenity and environment of the local area through a design that ensure it maintains solar access to residential properties, manages traffic and acoustic impacts and proposes a built form that is responsive to the site and surrounds.

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# **APPENDIX A      REQUEST TO VARY THE HEIGHT DEVELOPMENT STANDARD UNDER CLAUSE 4.6 OF WLEP**

APPENDIX B

WARRINGAH DCP COMPLIANCE TABLE

**APPENDIX C      ARCHITECTURAL PLANS**

## **APPENDIX D**

## **ARCHITECTURAL DESIGN STATEMENT**



# **APPENDIX E      LANDSCAPE PLANS AND DESIGN STATEMENT**

# **APPENDIX F      CIVIL AND STORMWATER MANAGEMENT REPORT**

## **APPENDIX G**

## **INDEPENDENT CONSULTATION REPORT**

# **APPENDIX H      TRAFFIC AND PARKING IMPACT ASSESSMENT REPORT**

APPENDIX I

BUSHFIRE RISK ASSESSMENT REPORT



APPENDIX J

ECONOMIC IMPACT STATEMENT

## **APPENDIX K**

## **ACOUSTIC ASSESSMENT REPORT**

**APPENDIX L**

**ARBORIST REPORT**

**APPENDIX M      ACCESSIBILITY REPORT**

**APPENDIX N      BCA ASSESSMENT REPORT**



APPENDIX 0

FIRE ENGINEERING REPORT

APPENDIX P

SUSTAINABILITY STATEMENT

# **APPENDIX Q      SOIL ASSESSMENT REPORT AND GROUND WATER CONTAMINATION ASSESSMENT**

# APPENDIX R      HAZMAT

**APPENDIX S      GEOTECHNICAL REPORT**



**APPENDIX T      CONSTRUCTION MANAGEMENT PLAN**

# **APPENDIX U      OPERATIONAL WASTE MANAGEMENT PLAN**

APPENDIX V

SERVICES INFRASTRUCTURE REPORT





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