

21 July 2020



Motaland Pty Ltd
42 O'Dea Street
WATERLOO NSW 2017

Dear Sir/Madam,

Development Application No: DA2020/0433 for Construction of a storage facility at 4 Cross Street BROOKVALE.

I refer to your Application which is under assessment by Council.

The assessment of your application has revealed issues, which prevent Council from supporting the proposal in its current form.

The following is a list of the issues identified:

Building Height and Visual Impact

The proposal (as amended) represents a significant variation with the Height of Buildings development standard of Warringah Local Environmental Plan 2011. This variation is up to 34% beyond the maximum height permitted in the IN1 Industrial Zone.

The variation cannot be supported, based on the adverse visual impact of the proposal, which is most pronounced on the south, west and east elevations of the proposed building when viewed from Cross Street. In particular, the west and east elevations of the proposed building have significant unarticulated lengths which only serve to magnify the bulk and scale of the building.

The proposal therefore fails the following objectives of the standard, which are:

- (a) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access,*
- (d) to manage the visual impact of development when viewed from public places such as parks and reserves, roads and community facilities.*

Hence, there is not sufficient environmental planning grounds to support the proposed variation to the Height of Buildings development standard.

Side Setback and Visual Impact

The west and east elevations of the proposed building, in particular the east elevation, will have a significant bulk and scale when viewed from Cross Street. This will have insufficient regard for the existing streetscape.



In turn, this will not be consistent with the following objectives of Part B6 Merit Assessment of Side Boundary Setbacks of the Warringah Development Control Plan 2011 (DCP 2011), which are:

- To ensure that development does not become visually dominant; and
- To ensure that the scale and bulk of buildings is minimised.

Hence, there is insufficient merit in the proposed building to warrant the nil setback from the east and west boundaries of the site, in particular the east boundary.

Potential Contamination

Council's Environmental Health Officer has advised the following:

"The proposal is for the construction of a storage premises at 4 Cross Street, Brookvale.

The site was previously a storage premises that was destroyed due to fire and subsequently contaminated with friable asbestos.

The asbestos contamination was remediated and a clearance certificate provided. The site following the fire is now predominately hardstand

A Pre-Lodgement Meeting was held with Northern Beaches Council on 28 January 2020.

Comments from environmental health at the time were:

'Environmental Health understands that 4 Cross st has provided all the required information on the Clean up Notice referenced as PEO2019/0020. This includes an asbestos clearance certificate. To facilitate a timely assessment, the documentation provided as part of the clean-up notice should be provided with the development application and mentioned in the statement of environmental effects under contamination. Based on the provided information Environmental Health are satisfied that the site does not require further contamination testing at this stage.'

Notwithstanding the above, there are potential concerns regarding any potential contamination located beneath the hardstand. In particular, any chemicals that could have been released during the fire, any fill materials below the hardstand and impacts from previous uses of the warehouse.

Furthermore, the Geotechnical Report prepared by JKGeotechnics and provided as part of the application states the following on Page 4:

From review of the following architectural drawings, we understand that the proposed development will comprise a four storey Rent-A-Space self storage building, with no basement, founded on piles. Localised minor excavation may however be required for the centrally located lift and stair cores, and perhaps buried services. Existing floor slabs will be removed and new slabs constructed at about 0.1m to 0.2m below the existing levels.

And on Page 9:



'In summary, the proposed development comprises a ground floor level plus three commercial levels for storage. The building footprint extends over almost all of the site. No bulk excavation is planned but proposed finished floor levels will be about 0.1m to 0.2m lower than existing. The investigation has confirmed uncontrolled, poorly compacted fill, a high groundwater level, and deep highly variable soils over rock which occurs at varying depths and is of varying quality.'

From the above it appears that the works will involve the disturbance of soils located beneath the hardstand and that fill materials may also be present.

This proposal is not for a change of use however, as part of SEPP 55 a Consent Authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

There needs to be consideration of the risks during the construction and operation of the development. This includes work safety issues and the potential for construction to disturb contamination and cause off-site movement of chemicals.

A preliminary site investigation (Stage One) in accordance with SEPP 55 and NSW EPA guidelines is required in order to establish if there will be any risks from contamination during the construction and operation of the development.

Depending on the outcome of the preliminary site investigation, a detailed site investigation (Stage 2) may also be required in accordance with SEPP 55 and NSW EPA guidelines. If the land is found to be contaminated and not suitable for the proposed development, a Remedial Action Plan (RAP) will also be required for the remediation of the land."

As a result of these comments, Council does not have sufficient information to determine if the application has an acceptable risk to future occupants of the land and met the legislative requirements in respect to managing land contamination.

Stormwater Management

Council's Development Engineer has advised the following:

"The proposed storage facility is not supported for the following reasons:

The applicant was advised at a pre lodgement meeting (PLM 2019/0300) that the Council stormwater line running adjacent to the eastern property boundary needed to be located and surveyed as follows:

Council's records indicate that the property at 4 Cross Street, Brookvale is located adjacent to four 825mm stormwater pipelines (SPI20571, SPI20572, SPI20573, SPI13266) and associated infrastructure along the Eastern boundary of the lot, and a 525mm stormwater pipeline (SPI01948) and associated infrastructure along the Southern boundary of the lot. This is shown on Council's stormwater map which is available on the webpage. (Please follow the relevant link below and select the 'Stormwater' map from the 'No Overlay Map' drop down menu. You can then search by address and use the zoom functionality to see pipe diameters and asset id numbers. i.e. 600 mm and SPP or SPI etc.).

o Council's Stormwater Planning Map:



<https://services.northernbeaches.nsw.gov.au/icongis/index.html>

Based on the plans submitted for this Pre-lodgement meeting, the construction of the self-storage premises will be located within the vicinity of Council's public drainage system along the Eastern Boundary of the site. **The applicant will need to accurately locate, confirm dimensions including depth and plot to scale Council's public drainage system and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor.**

All structures will need to be located clear of any Council pipeline, pit, channel or easement and comply with minimum horizontal and vertical clearance requirements for Construction and Maintenance Access as outlined in Council's "Building Over or Adjacent to Constructed Council Drainage Systems and Easements Technical Specifications".

To demonstrate compliance with Warringah Council's Development Control Plan 2011 and Northern Beaches Council's Water Management policy PL 850 Water (Section 6-Building Over or Adjacent to Council Drainage Systems and Easements), it is recommended that the following details are submitted with any application:

- Accurately locate, confirm dimensions including depth and plot to scale Council's public drainage system and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided);
- If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline attached;
- All structures are to be located clear of any Council pipeline, pit or easement and comply with minimum vertical and horizontal clearances;
- Footings of any structure adjacent to an easement, pipeline or channel are to be designed in accordance with the above-mentioned policy; and
- Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted."

As such, the proposal has failed to meet the provisions of Part C4 Stormwater of WDCP 2011.

Traffic Management

Council's Traffic Engineer has advised the following:

"The proposed development is for the removal of the existing structures and the construction of a four (4) storey storage premises in the form of self-storage units, comprising approximately 8,345m² of gross floor area (GFA).

Traffic generation:



The traffic generation is projected to be the total of 19 vehicle trips per peak traffic hours, which resulting in 5 additional vehicle trips per peak hours. The proposed traffic generation is acceptable in the context of Brookvale business area.

Parking:

The proposal includes the provision of 11 parking spaces including one accessible space. The proposed parking provision is considered acceptable.

Car park design:

The following concerns are raised on the car park design:

- The 90 degree parking spaces proposed adjacent to the access driveway would result in conflict between the vehicles manoeuvring in/out of the parking spaces and the ingressing vehicles. Given the location of the premises within close proximity to a roundabout as well as Warringah Mall, any waiting on the street will not be acceptable. To prevent this, the parking spaces No.1 and 2 are to be allocated to staff.*
- The proposed accessible space is not in compliance with AS2890.6 in regards to the allocated shared area.*
- The plans indicate that heavy rigid trucks (HRVs) will be able to access the site, but there is no provision of loading and unloading bay / area within the car park.*
- It shall be demonstrated that vehicles exiting the driveway will have the minimum sight distance triangle of 2m by 2.5m clear of any obstruction to visibility of pedestrians in compliance with Australian Standards AS2890.1:2004.*

In view of the above, the proposal is not supported in the current proposed form."

In regard to the design of the car parking area, the proposal is not consistent with Part C2 Traffic, Access and Safety of the WDCP 2011.

Council is providing you with three options to progress the handling of your application:

1. Prepare and submit further supporting information addressing the issues by 11 August 2020 (21 days); or
2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application; or
3. Withdraw the application from Council, which may include the refund of a portion of the application fees. Please note, that should this be your preferred option, Council will require additional information and will request this under separate cover.

Please advise of your selected option by responding to this letter by **29th July** at council@northernbeaches.nsw.gov.au and marked to the attention of the assessment officer. Should Council not receive your response and selected option by this date, Council will assume that you are not withdrawing this application and it will be determined in its current form.



Should you wish to discuss any issues raised in this letter, please contact Nick England on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Anna Williams'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Anna Williams
Manager, Development Assessment