



Pre-lodgement Meeting Notes

Application No: PLM2024/0073
Meeting Date: 6 August 2024
Property Address: 14 Aquatic Drive FRENCHS FOREST
Proposal: Development Application Pre-lodgement Meeting
Attendees for Council: Alex Keller – Principal Planner
Thomas Burns – Principal Planner
James Brocklebank – Traffic Engineering
Joseph DiCristo – Development Engineering
James Brisbois – Catchment Management
Robert Blackhall – Bushland & Biodiversity

General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only.

These notes are an account of the advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the meeting.

These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority.

A determination can only be made following the lodgement and full assessment of the application.

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

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



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Response to Matters Raised by the Applicant

Main road setback:

Principal concern that the building (as an entirely new build) does not step back in response to the past loss of the main road setback area resumed by TfNSW and the entire northern elevation does not comply, including the basement floorspace. Detailed advice for meeting the objectives and requirements of the 30m Main Road Setback is provided.

Building height:

The building is suitably lower than the existing, but the outer build setbacks have been brought forward (to the north). Landscaping opportunities will be limited by bushfire protection applied to APZ's reducing effective screening. DSAP notes are also provided to be read in conjunction with PLM notes herein.

Landscape setting:

Landscaping will be limited by APZ requirements; however, more opportunity exists to enhance the business park setting including converting some parking spaces along the access handle to assist with tree / water filtration swales and a wider buffer to Warringah Road to compensate for tree losses with recent major road widening works.

The Northern Beaches Council Hospital Precinct Structure Plan intends to retain the existing role and function of the Frenchs Forest Business Park, where the site is located.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

WLEP 2011 can be viewed at

<https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2011-0649>

Part 2 - Zoning and Permissibility

Definition of proposed development: (ref. WLEP 2011 Dictionary)	Light industrial warehouse and self-storage facility
Zone:	SP4 Enterprise
Permitted with Consent or Prohibited:	Permitted with consent

Clause 4.6 - Exceptions to Development Standards

Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court.



A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
No height* or FSR standards*			

*This does not mean building height and FSR are an 'unfettered' building control. The location is a business park environment to support employment generating uses that provide a parklike setting for buildings with high amenity, high-quality built form with an emphasis on landscaping and wide setbacks to street frontages.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

WDCP 2011 can be viewed at

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/pages/plan/book.aspx?exhibit=DCP>

The following notes the identified non-compliant areas of the proposal only.

Part		
Control	Permitted	Proposed
Main Road Setback	30m Warringah Road	Does not comply. 8.1m to 14.6m
<ul style="list-style-type: none"> To provide a densely landscaped buffer between the development and the main road/s. To enhance the aesthetic quality of main roads. <p>The DCP provides detailed requirements to assist the design of new development in order to be consistent with the objectives, the <i>requirements</i> of the control outline as to what needs to be effectively done (or not done) to achieve those objectives.</p> <p><i>1. Development is to be set back the minimum indicated on the DCP Map Main Road Setbacks. The measurement is to be made perpendicular to the property boundary to the main road.</i></p> <p><i>2. On land where the main roads setback is 30 metres, the front setback area:</i></p> <p><i>a) must be densely landscaped using locally occurring species of canopy trees and shrubs; and</i></p> <p><i>b) no signs are to be erected in the 30 metre front setback area.</i></p>		



Part

The Main Roads setback is an increased setback requirement but allows for exceptions for carparking that may be permitted between 15 to 30 metres from the road boundary, subject to screening from view.

It should be noted that the full width of the landscape setback becomes more important where bushfire controls will limit the density of trees and other vegetation in order to comply with APZ and *Planning for Bushfire Protection*.

In widening Warringah Road TfNSW may have undertaken compulsory acquisition of part of the front setback area. This will have been at a cost to TfNSW in that the building setback line has been pushed back into the site by the area and dimension of Lot 107 DP 1211755, plus for former public reserve in front that was taken away for roadworks. Accordingly, the redevelopment of the site should respond to this and not seek to retain the same setback line prior to the road widening. To compensate, the landscaping space and built form in this NW corner should respond with the new building footprint. The compensated land area removed was landscaped space, however the proposed design has not adjusted the setback line recreated by the road widening acquisition. TfNSW may also see value in a pedestrian link into the site (from Warringah Road) to reduce longer walking / cycling distance via Aquatic Drive that does not have complete footpath links.

Notwithstanding the DA assessment with DA2004/0737 (refused DA carparking in the NW corner) a revised low-level carpark and driveway was later approved with DA2006/0070 in the north-west corner when the 15m wide public reserve in front of the site fronting Warringah Road still remained intact. It is noted that the front setback area has been encroached on for additional parking new elements to cater for past staff capacity of the former office use. In demolishing and re-developing the entire building it is considered that this NW corner should be opened up by the deletion of G04 and WH104 to step back the main wall line and open up the NW corner component to comply with the Main Road setback.

It is considered that the new warehouse building, particularly the above ground element should be more responsive to the 30m setback across the northern frontage. This may take the form of an open sided / open space area incorporated into the design as staff facilities rather than placing them outside the building footprint.

Alternatively, it would be possible to delete WHG08 and WHG04 and WH108 and WH104 and step the entire NW corner back beyond the main road setback with the basement self-storage rooms concealed below a landscaping roof or outdoor terrace style area for employees to use as a north facing semi-shaded landscaped lunch break area with integrated staff facilities. This would involve also stepping back the building setback, along the western half of the building, with the NW vehicle aisles wrapping closer around WH107 and WHG107 and the NW two-storey fire escape stair also stepped back to the 30m building alignment to exit at ground level outside.



Part		
Front setback (Aquatic Drive)	10m (Other roads – Rodborough Road)	Complies
<p>In order to be consistent with the objectives and the requirements of the control outline what needs to be done (not done) to be achieve those objectives requires that:</p> <ul style="list-style-type: none"> • <i>Development is to maintain a minimum setback to road frontages.</i> • <i>The front boundary setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences.</i> <p>Some re-configuration of the front entry may be required to improve / adjust the existing entry point at Rodborough Road for vehicles, trailers, small trucks and the like. This gives opportunity for some car spaces close to Rodborough Road (or where kerb lines are to be reshaped) to allocate additional landscaping elements. Some car spaces may be removed to be made suitable as landscape water filtration zones to trap carpark runoff. The site drains to Manly Dam and filtering bitumen / concrete areas that have surface contaminants (oils, dirt, litter, etc) in landscape swales with OSD is encouraged to include with the re-development. All landscaped spaces must be <i>at least</i> 2 metres wide with 1 metre of soil depth at ground level to be included with the 33.3% landscape requirement.</p>		
Side Setback	Merit assessment	
<p>The proposal should maintain similar side setbacks to the existing building or wider for practicable access. It is noted that some “opening up” of the southern elevation (and upper storey) was included with a revised set of plans after DSAP Review.</p> <p>Deep excavation along the boundary may be a concern for adjacent buildings that are also close to the side boundary. A 1m gap in the side setbacks on the east and SE boundary allows for better drainage, maintenance, ventilation and the like which should be considered. It is noted however that the side wall must comply with BCA fire separation and a nil setback may raise dilapidation concerns for adjacent buildings. The side setback to the western boundary is much wider due to the easement area and landscaping buffer shown and with the retention of canopy trees is appropriate. This provides a more business-park enterprise appearance when viewed from the western boundary with Tilley Lane properties.</p>		
Building footprint	33.3%	*Proposal uses access handle to credit site area for footprint.
<p>Concern is raised that the building footprint (landscaping component) allowable area are distorted by the access handle area that increases the overall site. Normally this would be excluded, however, the width allows significant space for carparking areas as has been used with the original development of the property in the late 1980's as a corporate office building. A balance of landscaping and building footprint should</p>		



Part		
<p>therefore be acknowledged due to the wide access corridor. Hence the building mass in the NW corner should be pulled back from the Main Road setback to balance the 3 components (distribution) of built form applying to the land (being LOS, footprint, ancillary elements).</p> <p>*Excluding the access handle the site is 13,060sqm and non-compliant setbacks combined with non-compliant LOS will be seen as overdevelopment.</p>		
Landscaping	33.3%	Does not comply
<p>All landscaping must be at ground level and at least 1 metre deep of soil and 2 metres wide to be included as landscaping.</p> <p>The conversion of some of the existing car spaces along the access handle is supported. This may allow such spaces to be used as a filtration swale if large enough (say 4m x 4m) to support new canopy trees and shade parking without being an issue for APZ requirements.</p> <p>It is noted that a number of pathways (perimeter fire escape links) are still to be shown that will take up landscape space and deplete the quantum of landscaping.</p>		

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<p>Development Engineering</p> <p>The site is burdened by Council stormwater infrastructure and a drainage easement. In accordance with Section 6.7.1 of Council's Water Management for Development Policy, the applicant must accurately locate, confirm dimensions including depth, and plot to scale Council's stormwater pipelines and infrastructure on the development application 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 the stormwater infrastructure should be provided).</p> <p>The proposal indicates that this infrastructure may be impacted by the proposal. In this regard the proposal is to be designed in accordance with the requirements of Section 6.1 of Council's <i>Water Management for Development Policy</i>.</p> <p>The subject property is possibly burdened by overland flows from upstream catchments. Based on the current proposal it appears that the basement floor may be affected by overland flow. An overland flow study is required to ensure that the proposal does not cause inundation of the building. Hence a design in accordance with Section 11 of Council's Water Management for Development Policy shall be undertaken by a Civil Engineer who is currently registered on the National Engineers Register (NER). The Civil Engineer should be engaged to investigate and verify whether the subject property is affected by overland flows during a 1% AEP event. In this regard the overland flow study is to include, but not be limited to the following information:</p> <ul style="list-style-type: none"> Hydrological data.



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- Hydraulics data.
- Catchment plan showing sub-catchments (where applicable).
- Computer model such as HEC-RAS showing the 1% AEP stormwater flow over the subject site.
- Cross sections detailing the 20% and 1% AEP water surface levels traversing the site.
- Extent of water surface levels to extend upstream and downstream of the subject property.
- Above details are to be provided for both existing and post-developed conditions.
- Any overland flow mitigation measures to protect the proposed development from stormwater inundation must not exacerbate flooding for adjoining properties by diverting more flows to adjoining properties.
- Recommended floor levels and driveway crest levels are to be determined in accordance with required freeboard of minimum 500mm above the 1%AEP flood level by the applicant's Engineer.

The proposal will require on-site stormwater detention (OSD) designed in accordance with Section 9.3.2 of Council's *Water Management for Development Policy*.

Traffic Engineering

The proposal is for self-storage units at basement level and warehousing/distribution on the ground and first level:

- Parking appears to exceed Council's Warringah DCP requirements, given the small size of the warehouse units, the excess parking is considered necessary.
- It appears all levels are to be accessible by medium rigid vehicles (MRV). This size of vehicle is considered appropriate for the size and type of development. This will however mean that overhead clearance throughout each level of 4.5m will be required to ensure units can be accessed.
- The capacity for passing of two MRVs on ramps will be required. It will be unacceptable and unsafe for a MRV to have to reverse along a ramp to allow an opposing MRV to pass. The swept path plots that have been shown on the PLM plans do not include the required 300mm manoeuvring clearances on either side of the vehicle as per AS2890.2 2018 clause 5.4. These will be required and must be plotted on any plans submitted with the DA. This will require widening of the ramps.
- For internal circulation of each level passing of a B99 vehicle and an MRV (with the required manoeuvring clearances) as a minimum will be required.
- MRV access to and from each critically located unit must be demonstrated with the required loading bays dimensioned as per requirements in AS2890.2 2018 Table 4.1.
- Sight line triangles as per the requirements of AS2890.1 clause 3.2.4 must be demonstrated.



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- The vehicle crossing and driveway must be designed to allow for concurrent passing of inbound and outbound MRV's without any loss of on-street parking or encroachment into opposing traffic lanes. The above to be demonstrated in the traffic and parking impact assessment report. The DA will be referred to TfNSW.

Landscape Architect

Specific review by Council's Landscape Architect:

- proposed landscaped setback to Warringah Road.
- provision of landscaped open space at the site.
- impact of development to existing trees.

Relevant Warringah Development Control Plan clauses:

- **B14 Main Roads Setback**
 - › **Objectives:** provide a densely landscaped buffer between the development and the main road/s; and enhance the aesthetic quality of main roads.
 - › **Requirements:** 30 metres and the measurement is to be made perpendicular to the property boundary to the main road; and the land must be densely landscaped using locally occurring species of canopy trees and shrubs; and no signs are to be erected in the 30 metre front setback area.
 - › **Exceptions:** ground level car parking may be permitted between 15 and 30 metres from the road boundary provided views of the car park area, from the main road, are screened by landscaping.
- **D1 Landscaped Open Space**
 - › **Objectives:** enable planting to maintain and enhance the streetscape; conserve and enhance indigenous vegetation, topographical features and habitat for wildlife; provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.
 - › **Requirements:** 33.3% landscape area, defined as a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.
- **E1 Preservation of Trees or Bushland Vegetation**
 - › **Objectives:** protect and enhance the urban forest of the Northern Beaches; manage the risks that come with an established urban forest through professional management of trees; promote the retention and planting of trees which will help enable plant and animal communities to survive in the long-term.

Landscape Architects comments:

B14 Main Roads Setback:

- › Proposal does not achieve the 30 metre setback.
- › The calculated main road setback utilises Transport for NSW land (west end) that is 12.086m (Transport for NSW land plus distance to main road from that land), that leaves 7.601m at boundary (8197 building setback) as proposed with the development



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land tapering to 14.608m at the east end of the development property, and the west end is thus limited to supporting tree canopy development, further restricted by the imposition of Planning for Bush Fire provisions as the land is certified Bush Fire Prone Land.

- › The notation of “*Densely planted landscaped buffer to Warringah Road to screen & minimise any potential visual impacts*” is contrary to the provisions for landscape planting under Planning for Bushfire Protection.
- › Thus it is anticipated that tree canopy proposals will be limited across the frontage to the main road as will planted garden beds, and the physical and visual presence of any landscape proposal will be restricted to what is proposed, and reliance to achieve the objectives of main road streetscape present a landscape transition to the main road will require architectural/landscape elements such as landscape treatment to facades (vertical gardens and the like).
- › The proposed vertical landscape treatment as proposed (see below) may require densely planted treatment within natural ground and within the structure to adequately present dense planting as this would have no bearing of bush fire risks if designed with low fire risk planting.



VIEW FROM NORTH STREET

D1 Landscaped Open Space:

- › Proposal does not achieve the 33.3% requirement.
- › The proposal achieves an increase to the existing landscape area.
- › It is considered that to improve the landscape setting, the proposed landscape area should be considered in terms of increasing the front setback to the main road to improve the landscape transition from the development property to the main road.

E1 Preservation of Trees or Bushland Vegetation:

- › Existing trees of assessed medium and high retention value shall be considered for retention, as the current proposed landscape area is limited in achieving replacement tree planting, as noted.



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DA requirements:

- › Landscape Plans
- › Arboricultural Impact Assessment

Environmental Health (Contaminated Lands)

In the event the proposed PSI requires a DSI Council cannot grant consent until:

- A *detailed site investigation* (DSI) be carried out and should include both asbestos assessment and ground water investigation. The investigation should include supplementary waste classification.
- A *Remedial Action Plan* (RAP) prepared by a suitably qualified Environmental Consultant in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, and with any contaminated land planning guidelines under the *Contaminated Land Management Act 1997*;
- A *hazardous building materials survey* is to be conducted by a suitably qualified and experienced person. The survey is to include a survey of hazardous building materials including but not limited to asbestos, lead, SMF and PCBs. Following the survey a Hazardous Building Materials Register is to be prepared for the premises providing recommendations for the safe management/removal of hazardous building material.

Environmental Health (Industrial)

An acoustic report is to be prepared and submitted with the Development Application and it must include details on the following but not limited to

- Expected noise levels to be generated through the earthworks, demolition and construction phase,
- Expected noise levels generated from excavation, earthworks to include types of machinery expected to be utilised, times of use, duration of use.
- Expected noise levels from the delivery of goods onsite throughout the demolition, construction and operational phase.
- Expected noise levels from the collection of waste throughout the demolition, construction and operational phase.
- Details on the proposed noise mitigation measures for the above but not limited too,
- Complaint response protocol for any potential noise complaints received during the demolition and construction phase. This is to include details on where, who and how the allocated personnel are to be contacted.



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- Ongoing use of the plant and equipment onsite.

Water Management

The development site is subject to the following controls specific to water management quality and quantity:

- Warringah DCP 2011 Section C4 Stormwater
- Northern Beaches 'Water Management for Development Policy' (WM) Section 4 Protecting the Environment, and Section 7 Water Conservation

With reference to the Water Management for Development Policy (WM Policy):

- The proposed development is in the headwaters of Curl Curl Creek in the Manly Dam catchment, a high-quality catchment (refer Water Management for Development Policy map page 95).
- The water management objectives for the high-quality catchment are to improve stormwater quality and mimic natural water flows. The proposal must demonstrate how it will meet the required water quality targets of the WM Policy, in this case Table 5 – General Stormwater Quality Requirements.
- The water quality requirements must be achieved through a Water Sensitive Urban Design (WSUD – see below). Cartridges are permitted to form part but not all of what must be a treatment chain for meeting the water quality requirements. Council will not accept only cartridges as a strategy for managing water quality. The increase of deep soil areas has potential benefits for water infiltration and subsequent water quality and is viewed as a positive feature.
- To demonstrate compliance with the relevant stormwater performance requirements, a model preferably through the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), or an equivalent, widely accepted model or methodology must be provided.
- Groundwater - the proposal includes potential below ground works, such as excavation for a basement. The geotechnical report to be submitted must include information on likely groundwater interference and any likely dewatering requirements.
- As the proposed development is in the headwaters of Curl Curl Creek in the Manly Dam catchment, a high-quality catchment, it is recommended that the proponent prepare a detailed erosion and sediment control plan for the site.

DSAP

DSAP provided 18 recommendations for the proposal and a number of these will require further design changes to that shown in the revised plans. It is noted that some recommendations were added or removed without significant revision to the plans,



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however further review and design refinements are required to achieve a better or more compliant design response. This may include discussion with TfNSW for pedestrian link and co-ordinating landscape planting with the actual restrictions that will arise from *Planning for Bushfire Protection* and NSW RFS.

It is noted that DSAP seek the design *to be further developed and improved*. In this regard issues raised in these PLM notes should be fully incorporated into the design, particularly stepping the built form back to the 30m Main Road setback and increasing opportunities for landscaped setting throughout the buildings setting and carparking.

In summary, it should be noted that the entire frontage from the basement and the two levels of warehouse storeys are situated well inside the 30m Main Road setback. The existing office building essentially still complies with the main road setback despite past road widening to the north. Therefore, some substantial change to the northern building elevation and frontage is warranted for the new building, especially for all above ground levels.

Additional refinements to the building are required to address traffic / truck access (including passing). Basement vehicle movement, such as chamfered in internal corners in the basement to prevent trailer impact / collisions at 90 degree turns.

Overall, the proposal is supportable subject to building alignment changes at the NW corner to setback appropriately, including employee facilities and additional landscaping that will comply with PBP. The general form, external materials and articulated design and use of colours being suited to a landscaped business park is encouraged to provide an attractive working environment for employees, users and the SP4 locality.

Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
 - Site Plan;
 - Floor Plans (driveway gradients to be shown);
 - Elevations; and
 - Sections (minimum 2 x E-W and 2 x N-S).
 - Photomontage
- Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Landscape plan and arborist report.
- Bushfire report.
- Traffic and parking report SIDRA modelling (diagrams including swept paths, pedestrian and bike links)
- Cost of works estimate/ QS Report
- Survey Plan (Boundary Identification Survey)
- BCA (fire safety, accessibility, acoustic) Report
- Geotechnical report



- Phase 1 / Site contamination / Building materials report.
- Site Analysis Plan (with site constraints, built form controls and DCP setbacks overlaid)
- Demolition Plan (addressing if part of the building to be removed by CDC)
- Excavation and fill Plan
- Water quality report
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist. (including MUSIC file.

IMPORTANT NOTE FOR DA LODGEMENT

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

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

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 6 August 2024 to discuss demolition and construction of a self-storage and warehouse complex at 14 Aquatic Drive, French Forest. The notes reference the plans prepared by SBA Architects dated 22 May 2024 and later revised plans following DSAP advice issued on 25 July 2024.

Overall, further design changes and refinements are required for the development to be supported by Council and DSAP. In particular, the main road setback is to be improved to provide a greater buffer and landscaping to Warringah Road.

When amended plans are done, and if further feedback is sought, the Development Advisory Services Team is happy to review and given additional advice.

Question on these Notes?

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