



Pre-lodgement Meeting Notes

Application No:	PLM2021/0044
Meeting Date:	9 March 2021
Property Address:	9 Ferguson Street, Forestville
Proposal:	Demolition works and construction of a dwelling house
Attendees for Council:	<ul style="list-style-type: none">• Tony Collier – Principal Planner• Stephanie Gelder – Planner
	Additional comments provided by:
	<ul style="list-style-type: none">• Robert Barbuto – Development Engineering

General Comments/Limitations of these Notes

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

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

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

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

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

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



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Response to Matters Raised by the Applicant

Landscape Open Space

Please see separate comments under Clause 'D1 Landscaped Open Space and Bushland Setting' later in these Notes.

Easements from Subdivision

The various easements burdening the property are required to remain in-situ as they service the infrastructure for the rear allotment.

Rear Setback

Please see separate comments under Clause 'B9 Rear Boundary Setbacks' later in these Notes.

Plunge Pool in Front Setback

Please see separate comments under Clause 'B7 Front Boundary Setbacks' later in these Notes.

OSD Tank Changes

Please see separate comments provided by Council's Development Engineer later in these Notes. In summary, the existing OSD tank may be decommissioned and relocated to another part of the site.

In relocating the tank, careful attention is to be given to the soil depth provided above the tank to ensure that a minimum of 1.0m soil depth is provided to qualify as deep soil landscaped area.

The tank may be partly located beneath the outdoor terrace area and lawn.

Please be aware that the rainwater tanks cannot be used to offset the volume of the OSD tank.

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)	Dwelling house
Zone:	R2 Low Density Residential
Permitted with Consent or Prohibited:	Permitted with Consent

Part 4 - Principal Development Standards

Standard	Permitted	Proposed	Comment
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Part 4 - Principal Development Standards			
4.3 - Height of Buildings	8.5m	7.4m	Complies

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 (indicated in bold) of the proposal only. All remaining applicable controls contained within the WDCP 2011 are to be carefully considered and addressed in the final design of the proposal.

Part B – Built Form Controls		
Control	Permitted	Proposed
B7 Front Boundary Setbacks	6.5m	Building: 7.5m to 8.4m Plunge Pool: Unknown
<p>The proposal includes the potential for a plunge pool to be located within the front setback area. It is understood from discussions at the meeting that the pool would be of a similar size to a spa pool.</p> <p>Council would have no objection to the inclusion of this feature within the front setback area given that this area is the property's principle private open space area and that there is no other viable location on the site. Furthermore, it is noted that this area is screened from the street by a fence and hedging which conceals the private open space area from the street.</p>		
B9 Rear Boundary Setbacks	6.0m	2.1m
<p>The rear boundary setback on the southern boundary is proposed to be 2.1m.</p> <p>The current dwelling house is on a 1.0m rear setback, so there will be a 1.1m rear setback increase. As the front setback is 7.5m and greater than the 6.5m required, you are encouraged to site the dwelling forward to the permitted 6.5m front setback alignment. This would result in a greater rear setback of 3.2m and improve the amenity of the neighbouring property to the rear as well as provide you with a more useable space at the rear of the dwelling.</p>		
Part C – Siting Factors		
C2 – Traffic, Access and Safety		
<p>The reconfigured driveway to create two separate crossovers is not supported.</p> <p>As discussed at the meeting, the existing type arrangement is to be utilised so that one crossover remains. This will assist in maintaining the provision of on-street car parking.</p>		
Part D – Design		
D1 Landscaped Open Space and Bushland Setting	40% (129.24m ²)	31.6% (102.1m²)
<p>The proposed landscape open space is greater than the existing provision which is currently 25% (81.9m²).</p> <p>Given the small size of the site, it is considered that the proposed additional provision of 27m to achieve compliance is not feasible and that the proposed provision of landscaping is acceptable in this particular circumstance, particularly if the rear setback is increased as discussed earlier under Clause B9.</p>		



Part B – Built Form Controls

The relocating of the OSD tank was discussed at the meeting whereby it was considered that the existing OSD tank may be decommissioned and relocated to another part of the site. However, in relocating the tank, careful attention is to be given to the soil depth provided above the tank to ensure that a minimum of 1.0m soil depth is provided to qualify as deep soil landscaped area. The tank may also be partly located beneath the outdoor terrace area and lawn.

In addition to the above, the reconfigured driveway to create two separate crossovers is not supported. As discussed at the meeting, the existing type arrangement is to be utilised so that one crossover remains. This will assist in maintaining the provision of deep soil landscaped area.

Specialist Comments

Development Engineering

1. The applicant proposes to build over an existing on site stormwater detention tank located below an existing carport. The applicant can choose to relocate the detention tank partly under the deck, however the majority of the tank would need to be open to the sky for access/maintenance purposes. The existing detention storage volume will need to be maintained and any amendments need to be supported by new stormwater drainage plans/calculations in accordance with Councils water management policy for development.
2. There is an existing restriction on title which restricts vehicular access to the subject lot (burdened lot) from Ferguson Street to be by way of the right of carriageway partly affecting the same and not across any other part of the frontage of the subject lot. A new vehicle crossing is not supported accordingly as it would remove a vehicle car parking space from the on street car parking. The existing vehicle access arrangement is to be used for egress to the proposed garage.
3. The proposed new dwelling is to be clear of any existing easements or right of carriageways.

Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects
- Scaled and dimensioned plans:
 - Site Plan
 - Floor Plans
 - Elevations
 - Sections
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Cost of works estimate/ Quote
- Survey Plan (including **Boundary Identification by Survey**)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- 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



Documentation to accompany the Development Application

- BASIX Certificate.

Please refer to Development Application Lodgement Requirements for further detail.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 9 March 2021 to discuss demolition works and construction of a dwelling house at 9 Ferguson Street, Forestville. The notes reference the plans prepared by G.J. Gardner Homes dated 16 November 2020.

The development as proposed is considered to have merit subject to the matters raised in these Notes being satisfactorily addressed.

The site is noted as being constrained by its relatively small size and inclusion of numerous easements which limit the building footprint. The proposed dwelling is of a modest scale commensurate to the size of the site and strict compliance with the applicable built form controls pursuant to the *Warringah Development Control Plan 2011* is considered to be not feasible as this would render the site undevelopable.

Therefore, the variations to the controls discussed in these Notes are considered to be acceptable in this particular instance.

Please ensure that the matters raised in these Notes have been satisfactorily addressed prior to the lodging of a Development application.

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.