

Warringah Development Control Plan 2011		
Control	Compliance	Comment
Part C Siting Factors		
C9 Waste Management		
1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	YES	A Waste Management Plan (WMP) has been prepared by MRA Consulting as part of DA2019/1346 . This modification will be in accordance with the WMP.
Part E The Natural Environment		
E1 Preservation of Trees or Bushland Vegetation		
6. Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.	YES	<p>DA2019/1346 did not appropriately consider the impact of the approved drainage channel and batter works on the three (3) trees identified. Travers bushfire and ecology prepared a Tree Assessment Report on 10 August 2018 (TAR) for the Subject Site as part of the DA2019/1346. As outlined in the report, 305 trees were assessed within the Subject Site. 48 trees were recommended for removal due to their poor condition. The development of the Site was anticipated to require the removal of 91 trees within the development area. 166 trees located within the study area were listed as to be retained.</p> <p>Trees 56, 57 and 58 were marked for retention in the August 2018 TAR however as per Council Stamped Plan, (Drawing Title: Finished Levels Plan Ground Floor, Drawing Number: CO13674.01-DA51 Issue D) approved under Mod2020/0611, the existing riparian corridor/waterway is to be reinstated as a drainage channel which will be deep enough to contain a 1 in 100 year flood event. Batters to the top of this reinstated waterway will also</p>



Warringah Development Control Plan 2011 Assessment

Modification to DA2019/1346

4-10 Inman Road, Cromer (Lot 1 DP 1220196)

Warringah Development Control Plan 2011		
Control	Compliance	Comment
		<p>be installed which will encroach within the TPZ of Trees 56, 57 and 58. As such, the removal of these trees is required to facilitate the construction of the approved development under DA2019/1346.</p> <p>Six (6) additional medium height trees are proposed to be planted within the riparian zone to off-set the removal of Trees 56, 57 and 58.</p> <p>An Arboricultural Letter has been prepared by Travers bushfire and ecology and can be found at Appendix 4.</p>
<i>7. Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.</i>	YES	Six (6) additional medium height trees are proposed to be planted within the riparian zone to off-set the removal of Trees 56, 57 and 58.
<i>8. Development must also avoid any impact on trees on public land.</i>	YES	The proposed modification does not impact on any tree located on public land.
<i>9. For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 11 is to be submitted.</i>	N/A	The proposed modification does not include the construction of a new building.
<i>10. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 12 is to be submitted.</i>	N/A	The proposed modification does not include the construction of a new building.
<i>11. Development applications which require the removal of bushland on land under the Warringah LEP 2011 must address relevant objectives and requirements of Parts E2, E3, E4, E5, E6, E7 and E8 of the Warringah DCP 2011.</i>	YES	Assessment is provided below.
E2 Prescribed Vegetation		



Warringah Development Control Plan 2011		
Control	Compliance	Comment
<p>1. The following is prescribed for the purposes of clause 5.9(2) of Part 2 of the Vegetation SEPP: All native vegetation identified on:</p> <ul style="list-style-type: none"> a) DCP Map Threatened and High Conservation Habitat b) DCP Map Wildlife Corridors c) DCP Map Native Vegetation d) known or potential habitat for threatened species, populations or ecological communities as listed under the NSW Threatened Species Conservation Act 1995 and/or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. 	N/A	The Subject Site is not mapped under the DCP Native Vegetation, Threatened and High Conservation Habitat or Wildlife Corridor maps.
<p>2. Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.</p>	YES	The proposed modification will have minimal impact on prescribed vegetation, remnant cover, canopy trees, understorey vegetation and ground cover species. The tree removal will support the approved drainage works under DA2019/1346 . Moreover, six (6) additional medium height trees are proposed to be planted within the riparian zone to off-set the removal of Trees 56, 57 and 58.
E3 Threatened Species, population, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat		
N/A – the Subject Site is not identified on the DCP Map Threatened and High Conservation Habitat.		
E4 Wildlife Corridors		
N/A – the subject site is not identified on the DCP Map Wildlife Corridors.		
E5 Native Vegetation		
N/A – the subject site is not identified on the DCP Map Native Vegetation.		
E6 Retaining Unique Environment Features		
<p>1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.</p>	YES	The proposed tree removal will not detract from any distinctive environmental features on the Site or adjoining nearby land.



Warringah Development Control Plan 2011		
Control	Compliance	Comment
<i>2. Development should respond to these features through location of structures, outlook, design and materials.</i>		Moreover, the proposed modification will ensure that approved drainage works under DA2019/1346 can be undertaken.
E7 Development on land adjoining public open space		
<i>1. Development on land adjoining public open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.</i>	N/A	Whilst the Subject Site does not directly adjoin any public open space, the proposal has acknowledged the presence of Cromer High School sporting fields across Inman Road and Cromer Park fields across South Creek Road. Notwithstanding, the proposed development will support the approved drainage works and overall design of the Site under DA2019/1346 .
<i>2. Public access to public open space is to be maximised.</i>	N/A	The proposal does not adjoin any public open space.
<i>3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.</i>	N/A	The proposal does not adjoin any public open space.
<i>4. Development is to provide a visual transition between open space, bushland reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.</i>	N/A	The proposal does not adjoin any public open space.
<i>5. Development is to protect views to and from public open space.</i>	N/A	The proposal does not adjoin any public open space.
<i>6. Development is to provide buffers for bushfire protection on private land, not on public land.</i>	N/A	The proposal does not adjoin any public open space.
<i>7. If the adjoining parks, bushland reserves or public open space contain bushland, development is not to threaten the protection or preservation of the bushland.</i>	N/A	The proposal does not adjoin any public open space.
<i>8. Development should be designed to maximise opportunities for casual surveillance of the public open space.</i>	N/A	The proposal does not adjoin any public open space.
<i>9. Development is to utilise landscaping or existing landscape elements to screen development.</i>	N/A	The proposal does not adjoin any public open space.
E8 Waterways and Riparian Lands		
N/A – the subject site is not identified on the DCP Map Waterways and Riparian Lands.		



Warringah Development Control Plan 2011 Assessment

Modification to DA2019/1346

4-10 Inman Road, Cromer (Lot 1 DP 1220196)

Warringah Development Control Plan 2011		
Control	Compliance	Comment
E9 Coastline Hazards		
<i>N/A - the subject site is not identified on the Warringah LEP Coastal Hazard Map.</i>		
E10 Landslip Risk		
1. The applicant must demonstrate that: <ul style="list-style-type: none">The proposed development is justified in terms of geotechnical stability; andThe proposed development will be carried out in accordance with good engineering practice.	YES	The Site is identified as being located sloping land. Notwithstanding, no changes to the predominant built form is proposed as approved under DA2019/1346 .
2. Development must not cause detrimental impacts because of stormwater discharge from the land.	YES	No changes to the predominant built form is proposed as approved under DA2019/1346 .
3. Development must not cause detrimental impact on the existing subsurface flow conditions including those of other properties.	YES	No changes to the predominant built form is proposed as approved under DA2019/1346 .
4. To address Requirements 1 to 3: <ul style="list-style-type: none">i) For land identified as being in Area A:<ul style="list-style-type: none">Council may decide that a preliminary assessment of site conditions is required. If Council so decides, a preliminary assessment of site conditions must be prepared, in accordance with the Checklist for Council's assessment of site conditions (see Notes) by a suitably qualified geotechnical engineer/ engineering geologist. The preliminary assessment must be submitted to Council before the granting of any development consent.If the preliminary assessment determines that a geotechnical report is required, the same	YES	The proposed works under this modification are located within land identified as Area A. No changes to the built form are proposed as approved under DA2019/1346 .



Warringah Development Control Plan 2011		
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<p><i>provisions apply in Area A as those that apply in Area B and Area D.</i></p> <p>ii) <i>For land identified as being in Area B or Area D:</i></p> <ul style="list-style-type: none"><i>▪ A preliminary assessment of site conditions prepared in accordance with the Checklist for Council's assessment of site conditions (see Notes) must be carried out for development. The preliminary assessment must be prepared by a suitably qualified geotechnical engineer/ engineering geologist and must be submitted with the development application.</i><i>▪ If the preliminary assessment determines that a geotechnical report is required a report must be prepared by a suitably qualified geotechnical engineer / engineering geologist and must be submitted with the development application.</i><i>▪ Also, if the preliminary assessment determines that a geotechnical report is required a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/ hydrological engineer, must be submitted with the development application.</i> <p>iii) <i>For land identified as being in Area C or Area E:</i></p> <ul style="list-style-type: none"><i>▪ A geotechnical report, prepared by a suitably qualified and experienced geotechnical engineer/ engineering geologist, must be submitted with the development application.</i><i>▪ Also, a hydrological assessment of stormwater discharge and subsurface flow conditions, prepared by a suitably qualified geotechnical/</i>		



Warringah Development Control Plan 2011 Assessment

Modification to DA2019/1346

4-10 Inman Road, Cromer (Lot 1 DP 1220196)

Warringah Development Control Plan 2011		
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<i>hydrological engineer, must be submitted with the development application.</i> <i>iv) When a geotechnical report is required to be submitted, (determined in accordance with i) to iii) above), the report must include a risk assessment of landslip in relation to both property and life. The risk assessment must have regard to any guidelines published by the Australian Geomechanics Society.</i>		
E11 Flood Prone Land		
<i>N/A – the Subject Site is not identified on any of the Flood Risk Precincts Maps as being affected by flooding.</i>		
Part F Zones and Sensitive Areas		
F1 Local and Neighbourhood Centres		
<i>N/A – the Subject Site is zoned IN1 General industrial.</i>		
F2 Brookvale Brickworks		
<i>N/A – the Subject Site is not the Brookvale Brickworks.</i>		
F3 SP1 Special Activities		
<i>N/A – the Subject Site is zoned IN1 General industrial.</i>		
F4 SP2 Infrastructure Zone		
<i>N/A – the Subject Site is zoned IN1 General industrial.</i>		
Part G Special Area Controls		
<i>N/A – the Subject Site is not identified in Part G.</i>		

