



Pre-lodgement Meeting Notes

Application No:	PLM2023/0050
Meeting Date:	8 June 2023
Property Address:	116, 118 and 120 Frenchs Forest Road West and 11 Gladys Avenue, FRENCHS FOREST
Proposal:	Development Application Prelodgement Meeting Demolition works and construction of three residential flat buildings consisting of 100 apartments over two basement levels.
Attendees for Council:	Daniel Milliken, Manager Development Advisory Services Anne-Marie Young, Principal Planner Adam Croft, Principal Planner Maxine Szeto, Principal Strategic Planner Robert Barbuto, Development Engineer James Brocklebank, Traffic Engineering Coordinator James Montgomery, Environmental Health Officer Ray Creer, Waste Services Officer David Hellot, Riparian and Water Management

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.

PROPOSAL

Demolition of all structures on the site, excavation and construction of three residential flat buildings comprising 100 residential apartments, 107 resident car parking space, 10 visitor car parking spaces, 13 car share parking spaces, 50 motorcycle parking spaces, 200 resident bicycle spaces, 25 visitor bicycle spaces, 2 car wash spaces and 2 EV charging spaces (as amended).



On 25 May 2023 the application was presented to the DSAP. The DSAP report concludes:

The Panel does not support the proposal in its current form, however with further design development, taking into account the comments and recommendations is capable of exhibiting 'design excellence'.

On 8 June 2023, the applicant submitted amended drawings to address the comments from DSAP. The amended plans included the following changes:

- 12m separation between buildings;
- Partial 6th level to building A, and
- Consequential change to apartment mix which still contains 1, 2 and 3 bedroom apartments.

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2021

35A Additional requirements for development applications in Frenchs Forest Precinct

- (1) *A person must not apply to a consent authority for development consent to carry out development on land in the Frenchs Forest Precinct unless the application is accompanied by an assessment of the consistency of the proposed development with the Frenchs Forest 2041 Place Strategy.*

Comment: The applicant is reminded of the obligation under s35A(1) Additional requirements for development in Frenchs Forest Precinct under the Environmental Planning and Assessment Regulation 2021.

SEPP 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT (2002 EPI 530)

Potential concerns regarding the development's compliance with the Apartment Design Guideline and Amenity are listed below:

- The limited façade articulation and inefficient internal layouts result are likely to result in poor amenity for various rooms/apartments within the development. It is recommended that the design be amended to increase the articulation of the building facades and that further consideration be given to the internal planning.
- The locations and layouts of the circulation cores of Buildings B and C is questioned. It is recommended to either:
 - locate lifts/services and circulation centrally within the building, with apartments adjacent to the external walls; or
 - locate corridors adjacent to external walls, with the lifts/services internally, to maximise sunlight and amenity to the communal corridor spaces.

Refer to the detailed issues raised by DSAP.

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)	Residential Flat Building <i>means a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing</i>
Zone:	R3 Medium Density Residential zone <i>Objectives</i> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To ensure that medium density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah. • To ensure that medium density residential environments are of a high visual quality in their presentation to public streets and spaces
Permitted with Consent or Prohibited:	Permitted with consent
Schedule 1 Clause 24 Additional Permitted Use Rights Applicable to Nos. 116, 118 and 120 Frenches Forest Road	Clause 24 permits development for the purpose of business premises, health consulting rooms at ground level, medical centres, office premises, and shop top housing Response: Consideration shall be given to the use of the ground floor of Building A as business uses to help activate the street frontage and support the Northern Beaches Hospital and the Frenches Forest town centre. Refer to comments from Council's Strategic Planner and DSAP.
Part 8 Frenches Forest Precinct	<i>Objectives</i> <ul style="list-style-type: none"> (a) to facilitate development in accordance with the objectives and principles of the Frenches Forest 2041 Place Strategy, (b) to promote design excellence in relation to buildings, open space and public domain areas, (c) to ensure a balance between the provision of high-quality housing and a mix of retail, business, employment, civic, cultural and recreational facilities, (d) to accommodate additional employment opportunities, service functions and space for business, (e) to ensure development positively contributes to the visual quality and pedestrian comfort of the public domain and provides a seamless integration between public and private spaces, (f) to ensure development is designed with consideration of transport infrastructure, (g) to ensure development is sustainable and contributes to reducing greenhouse gas emissions, (h) to ensure high quality landscaped open space.



Key Sites	Site G Frenches Forest Precinct
8.5 Design Excellence	<p><i>Development consent must not be granted unless the consent authority considers that the development exhibits design excellence.</i></p> <p><i>(3) In considering whether the development exhibits design excellence, the consent authority must consider the following—</i></p> <ul style="list-style-type: none"> <i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i> <i>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i> <i>(c) whether the development detrimentally impacts on view corridors,</i> <i>(d) how the development addresses the following matters—</i> <ul style="list-style-type: none"> <i>(i) the suitability of the land for development,</i> <i>(ii) existing and proposed uses and use mix,</i> <i>(iii) heritage issues and streetscape constraints,</i> <i>(iv) the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i> <i>(v) bulk, massing and modulation of buildings,</i> <i>(vi) street frontage heights,</i> <i>(vii) environmental impacts including overshadowing, wind and reflectivity,</i> <i>(viii) the achievement of the principles of ecologically sustainable development,</i> <i>(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,</i> <i>(x) the impact on, and proposed improvements to, the public domain,</i> <i>(xi) the quality and integration of landscape design.</i> <p>Response: The pre-lodgement DSAP advice and recommendations in respect to Design Excellence are endorsed by Council and should be considered in full in the progression of the scheme as satisfaction of WLEP Clause 8.5 is a precondition for approval.</p>
8.10 Power Lines	Power lines are to be underground.

Note: Emphasis added by Planner

Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance



Part 4 - Principal Development Standards			
Height of Buildings Building A and B	17.5m	Building A = 17.5m TBC Building B height to TBC	Building A Appears to be compliant Building B The envelope diagram shows a breach to the top floor
Height of Buildings Building C	13m	13m TBC	Appears to be compliant
FSR Building A and B	2.1:1	8333.6sqm TBC (as amended)	Appears to be compliant
FSR Building C	1:1	1:1 (1573.4sqm) as amended TBC	Appears to be compliant

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.

Pursuant to Clause 4.6(8) of the WLEP the FSR control **cannot be varied** on the subject site (Key Site G).

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 G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood	
Control	Permitted



Part G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood

G9 (2) Desired Future Character Statement	<p><i>Frenchs Forest is an urban forest, with green streets and new open space, making a feature of the forest that has always shaped the site's story.</i></p> <p><i>Frenchs Forest will provide character and great places; it will foster health and connected communities, attract families and encourage new business. It will set the benchmark for health and wellness, liveability and prosperity in a new urban centre.</i></p>
Character Statement	<p><i>The Frenchs Forest Road West Neighbourhood will provide a contextually appropriate interface to surrounding low density residential areas, whilst increasing housing diversity and activating Frenchs Forest Road West with a range of office, health and medical uses to support the town centre and Hospital. The precinct will be characterised by:</i></p> <ul style="list-style-type: none"> <i>• High quality medium rise apartment buildings, up to 6 storeys to create a new urban residential character to the north of Frenchs Forest Road West.</i> <i>• Mixed use buildings with a range of ground floor uses, located directly opposite the town centre on Frenchs Forest Road West to create an active and engaging streetscape.</i> <i>• Non-residential ground floor uses along Frenchs Forest Road West, including medical and health related uses, supporting the Northern Beaches Hospital.</i> <i>• A pedestrian focused street at Frenchs Forest Road West to deliver a high quality streetscape on Frenchs Forest Road West</i>
<p>Response: To ensure the development complies with the Desired Future Character of Frenchs Forest it is strongly recommended that the comments from DSAP are fully incorporated into an amended design. Consideration shall also be given to non-residential uses on the ground floor to Building A to support the Northern Beaches Hospital, the town centre and to activate the Frenchs Forest Road West street frontage.</p> <p>In addition, Council's Landscape Officer raises concern about the side and front setbacks of the basement and the location of the bin store to Building C which provide limited opportunities for substantial landscaping to ensure that the development responds to the Desired Future Character of Frenchs Forest, refer to Landscape Officer's comments below.</p>	
Front setback	<p><i>Frenchs Forest Road 3.5m setback required</i></p> <p><i>Gladys Avenue 6.5m setback required</i></p> <p><i>Front setback areas are to be landscaped and free of any structures, basements, car parking or site facilities other than driveways, mail boxes and garbage storage areas.</i></p> <p><i>Development fronting Frenchs Forest Road West shall have the fifth floor set back at least 3m from the street wall.</i></p>
<p>Response: The bin holding area has a nil setback to Gladys Avenue. The breach of the 6.5m setback and is not supported as the location of the proposed bin holding area prevents appropriate landscape treatment of the Gladys Avenue frontage and causes further issues as raised by Council's referral sections. These issues arise due to the limited width of the frontage</p>	



Part G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood

and it is considered that amalgamation with adjoining properties may be necessary to achieve an acceptable outcome.

Objectives of Building Setbacks	<p><i>A. To provide a consistent streetscape along Frenchs Forest Road West in order to achieve the Desired Future Character and Character Statement for the Precinct.</i></p> <p><i>B. To provide landscaped streetscapes consistent with those of adjacent low-density residential areas for all street frontages other than Frenchs Forest Road West.</i></p> <p><i>C. To ensure spatial separation between buildings that will provide an appropriate interface to adjoining low density residential areas.</i></p>
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Response: Council's Landscape Officer has raised concerns about the 2m wide side setbacks of the basement, the 3.5m front setback to building A and the location of the bin store to Building C. These setbacks present limited opportunity for significant planting to reduce the built form which is inconsistent with the objectives of the control.

Side and rear setbacks	<p><i>Requirement</i></p> <p><i>1. Development with frontage to Frenchs Forest Road West shall have a nil side setback to ensure a continuous frontage to the street.</i></p> <p><i>3. Development adjacent to the R2 Low Density Residential and RE1 Public Recreation Zone must provide a minimum setback of 6m from the side or rear property boundary for the first 2 storeys. Development above 2 storeys is to be set back within a 45-degree angle, projected from a height of 2 storeys</i></p>
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Response: The proposal is inconsistent with the requirements of the side setback control and consideration should be given to non-residential uses. Should the proposal retain 100% residential uses any future DA shall be supported with a justification for a departure to this side setback control. Refer to comments from Council's Strategic Planner and DSAP.

5.2.4 Street wall and upper floor setbacks	<p><i>Requirements</i></p> <p><i>1. Development fronting Frenchs Forest Road West shall have the fifth floor set back at least 3m from the street wall.</i></p> <p><i>3. Developing fronting Gladys Avenue shall have the fourth floor set back at least 3m from the street wall.</i></p> <p><i>Objectives: To reduce bulk and scale of buildings, minimise streetscape impacts and provide an appropriate scale transition to adjoining low density residential development.</i></p>
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Response: Building A - The fifth floor to Building A is not recessed in accordance with the control and the design requires an amendment to include the 3m setback of the fifth floor to the street wall.

Building C - The amended plans indicate a compliant setback of the fourth floor to Building C to Gladys Avenue.

5.2.5 Building design	<p><i>Requirements</i></p> <p><i>1. Development shall be located to front or address the street. On corner lots, the buildings shall be located to front or address both streets.</i></p>
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Part G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood

	<p>2. Upper floors above the street wall are to be emphasised through a change in architectural expression, material selection and design elements.</p> <p>3. Building facades are to be articulated into smaller elements or distinctive treatments, at a scale or grain that reflects:</p> <p>3.1 Different uses and/or components of the building;</p> <p>3.2 The residential entries and/or lobby; and</p> <p>3.3 The podium and upper levels of the building.</p> <p>4. Mail boxes shall not dominate the streetscape and ensure that:</p> <p>4.1 Key lockable mail boxes are provided;</p> <p>4.2 They are located adjacent to a building entry foyer that has street frontage (in accordance with any requirements of Australia Post);</p> <p>4.3 The mail box collection area must be from within the building foyer or other area which is only accessible to residents or building occupants; and</p> <p>4.4 The mail box collection facility must be in view of video surveillance.</p>
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Response: Refer to the comments from DSAP and Council's Strategic Planner.

5.2.6 Site consolidation	<p><i>Requirement</i></p> <p>3. Should a development result in an isolated lot, the applicant must demonstrate that the isolated lot is capable of being reasonably developed without detracting from the character of the surrounding area.</p>
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Response: The proposal has the potential to result in the isolation of Nos. 9 and 9A Gladys Avenue and preclude its development for the purpose of residential flat building development. The proposal may also lead to the isolation of 114 Frenchs Forest Road west due to the restrictions on access from Frenchs Forest Road West. Any development resulting in the isolation of adjoining sites must also be accompanied by documentation addressing the relevant Planning Principle - *Karavellas v Sutherland Shire Council [2004] NSWLEC 251*. Refer to comments from Council Strategic Planner.

5.2.8 Landscaped area	<p><i>Requirements</i></p> <p>3. Canopy trees must be planted within the front setback of residential flat buildings.</p> <p>4. Building setbacks are to be landscaped and generally free of any structures, basements, car parking or site facilities other than driveways, mail boxes, garbage storage areas and fences.</p> <p><i>Objectives</i></p> <p>A. To ensure that new development achieves the Desired Future Character and Character Statement for the precinct.</p> <p>B. To retain existing trees, encourage new tree plantings and maximise deep soil areas.</p>
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Part G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood

	<i>C. To ensure communal open space minimises amenity impacts to adjoining neighbours.</i>
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Response: Concern is raised about the insufficient front and side basement setback to allow for canopy tree planting. Refer to clause 5.2.3 building setbacks and comments from Council's Landscape Officer.

5.2.9 Active frontages	<p><i>Requirements</i></p> <p><i>1. Active frontages are to be provided for development with frontage to Frenchs Forest Road West.</i></p> <p><i>Objectives</i></p> <p><i>A. To encourage a range of non-residential ground floor uses to promote street activation.</i></p> <p><i>B. To define areas where active streets are required or desirable.</i></p> <p><i>C. To achieve the Desired Future Character and Character Statement for the Precinct.</i></p>
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Response: The proposal is inconsistent with the requirement and control. Refer to comments above and from DSAP and Council's Strategic Planner.

5.2.10 Parking, basement design and basement access	<p><i>Requirements</i></p> <p><i>1. Parking rates shall be provided in accordance with Control 6.</i></p> <p><i>2. Parking, servicing and loading shall be accommodated internally within the building and screened from the street.</i></p> <p><i>3. Basement car parking and servicing areas are to be consolidated under building footprints to maximise the site area available for deep soil planting.</i></p> <p><i>4. Vehicular access is prohibited from Frenchs Forest Road West and Wakehurst Parkway. This includes all vehicular access points for loading and unloading, garbage and recycling services and building services generally.</i></p> <p><i>8. Vehicular access is to be designed to:</i></p> <p><i>8.1 Separate and clearly differentiate pedestrian and vehicle access;</i></p> <p><i>8.2 Minimise the size, quantity and visual intrusion of vehicle access points on the streetscape; and</i></p> <p><i>8.3 Ensure that basement entries have an appropriate clearance height that is capable to allow for internal waste collection (where applicable).</i></p> <p><i>9. Basement Plans are to identify areas for storage. Storage facilities shall be lockable, located in secure areas of the basement and clearly allocated to specific apartments with appropriate storage size volumes per bedroom.</i></p> <p><i>Objectives</i></p> <p><i>A. To ensure on-site car parking is provided underground in order to minimise the visual impact on the public domain.</i></p>
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Part G9 – Frenchs Forest Town Centre, cl. 5.2 Precinct 05 Frenchs Forest Road West Neighbourhood

	<p><i>B. To minimise the size and quantity of vehicle and service crossings to retain streetscape amenity and reinforce a high-quality public domain.</i></p> <p><i>C. To ensure car parking areas and the access to these are safe and address the needs of building occupants.</i></p>
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Response: Refer to comments from Council's Transport Engineer and DSAP.

Note: To avoid repetition the comments from Council's Development Assessment Planner are included in the body of the report.

Specialist Advice

Waste Officer

Residential Waste

Waste Collection Location

Waste, for both bins and bulky goods, will be collected from the kerbside on Gladys Avenue. It has been noted that the street frontage on Gladys Avenue is narrow and constricted. This will result in the waste collection trucks blocking access to the buildings' underground car park whilst waste removal operations are undertaken.

Bin allocation

Council will provide the following waste and recycling bins for the proposed 95 residential units:

- 18 x 240 litre garbage bins – includes 2 additional bins to remain on the carousels
- 12 x 240 litre paper recycle bins – Note: additional bins may be required for rotation of full for empty bins in the recycling cupboards.
- 8 x 240 litre container recycle bins – Note: additional bins may be required for rotation of full for empty bins in the recycling cupboards.
- 16 x 240 litre vegetation bin (1 bin per 200sq m landscape area + 2 additional bins for resident use).

Note: This number of bins is for twice weekly collection of garbage and recycling bins AND fortnightly collection of vegetation bins.

Street Level Bin Holding Bay

As this is a multiple occupancy proposal, Council will provide a "wheel out / wheel in" service for the bins. The owners corporation / building occupants are not to place the bins in the public area outside the building for collection.

It will be the responsibility of the owners corporation to transfer the bins between the basement bin rooms, the recycling cupboards and the street level holding bay.

The proposed street level bin holding bay must be large enough to contain the required number of bins – 52 x 240 litre garbage, recycle and vegetation bins.

Aisles a minimum of 1 metre wide are required between rows of different types of bins. This will require a floor area of approx. 35sq m depending on the shape of the bay.

The street level holding must obscure bins from being view from the public road.

A roof with a minimum ceiling height of 2.1 metres is required over the bin holding bay.



Specialist Advice

The bin bay is to be set back from the front property boundary as per Councils' Landscape Architect requirements.

Bins are not to be stored in holding bay on a permanent basis – this will be conditioned.

Access to Street Level Bin Holding Room

- a) Access to the bin storage area must be within 6.5 metres of the property boundary with the street.
- b) Service access for Council waste collection staff must be via a pathway that is separate to the vehicular driveway.
- c) Service access pathway is to have a flat, smooth non-slip surface with a maximum gradient of 1 in 8 and contain no steps.
- d) Service pathway is to be a minimum of 1200mm wide.

Any doors fitted on the waste storage area, pathway and access must be:

- a) Able to be latched in an open position for servicing without obstructing access and manoeuvring of bins.
- b) Unobstructed by any locks and security devices. Any doors requiring to be secured must be fitted with a timer lock programmed to be unlocked from 6.00am to 6.00pm on the scheduled day of collection.
- c) a minimum 1200mm wide
- d) Openable in an outward direction only and away from the direction of travel between the bin storage room to the street.

Recycling Bins/ Cupboards

Recycling bin cupboards are required to be placed adjacent to every chute access point on every level of the building.

Recycling Bins

- 1 x 240 paper bin and 1 x 240 container bin to be located in the cupboards adjacent to every chute access point.
- Additional recycling bins will be provided to allow for rotation of full bins for empty bins between scheduled service days.
- The applicant is to provide an explanation as to how available recycling capacity will be maintained at all times to the building occupants. Special procedures to manage this are to be included in the Plan of Management for the building and submitted with the DA for assessment.

Storage for additional recycling bins used for rotating must be provided. Council will provide the exact number of additional bins required once it is determined how many units are on each level of the buildings.

Bulky Goods

Bulky goods will be collected on a once per five-week schedule.

Basement Bulky Goods Room

It is noted that a bulky goods room has been provided in the basement.

The bulky goods room is required to have a floor area of 28.5 sq metres.

The room is to have a minimum ceiling clearance of 2.1 metres.



Specialist Advice

The room is to be of a usable shape – square or rectangular.

The room is to have a door a minimum of 1200mm wide that opens outwards.

Bulky Goods Collections

Bulky goods will be collected from the street level bin holding bay.

It will be the responsibility of the owner's corporation to transfer bulky goods from the basement room to the street level holding bay for removal by Council.

Commercial Waste (if required)

A commercial waste storage area must be provided. This must be a separate room/area to the residential waste storage room.

Commercial waste is to be collected from within the property. Bins are not to be placed at the kerbside for collection.

Council's Design Guidelines for Waste Storage can be found at:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/building-waste/wastemanagementguidelineschapter3-7-on-goingwastemanagement.pdf>

Council's bin allocation numbers can be found at:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/building-waste/waste-management-guidelines-appendices-sep2022.pdf>

Transport Engineer

The development will occupy No.s 118, 120, 116 Frenchs Forest Road and No.11 Gladys Road and is for a 4-5 storey residential flat building with 100 units over 2 levels of basement parking.

Amended plans were presented at the prelodgement meeting. The tabulation of parking spaces advises that there will be 107 residential parking spaces which meets the DCP requirement. This is acceptable and complies with the DCP requirement for the Frenchs Forest Town Centre which stipulates that there is a maximum rate for residential parking spaces that is not to be exceeded. The plans however differ from the tabulation and show 102 residential spaces. This aspect should be clarified on the DA plans.

Visitor and car share spaces are to be publicly accessible i.e cannot be located behind a roller shutter where they are not accessible by visitors. The location of any roller doors or access control measures should be shown on the DA plans together with details in terms of how such facilities will be accessed.

225 bicycle parking spaces required including 200 residential spaces, however, there does not appear to be anywhere near that number shown on the plans. Approx. 25 visitor spaces appear to be shown although most of those are within the residential parking area so it is unclear how they would be accessed by visitors. There does not appear to be enough space allocated for residential bicycle parking – the bicycle parking locations and numbers should be clearly defined on the plans.



Specialist Advice

In terms of motorcycle parking the DCP requirement is for 50 spaces however the plans show only 47 with the notes on the plans for basement 1 advising there are 48. The discrepancies should be resolved and the DCP requirement should be met or exceeded.

As noted in the prelodgement summary report there are no details provided in terms of bicycle end of trip facilities. This is a DCP requirement and details must be outlined and shown on the DA Plans

While the required number of car share spaces (13) have been shown there is not yet any information provided with regard to the anticipated car share provider. This should be provided with the DA to confirm that a car share provider has been approached and arrangements for access to vehicles will be to their satisfaction.

There is limited information provided with regard to pedestrian access through the site and linking to Frenchs Forest Road West and/or Gladys Avenue. It appears that pedestrian access to/from the site will be primarily to Frenchs Forest Road rather than Gladys Avenue however appropriate pedestrian links to Gladys Avenue should also be available to cater for access from vehicles parked in Gladys Avenue given the absence of parking on the Frenchs Forest Road frontage of the site. As active travel is a critical component of development in the Frenchs Forest Town Centre it is important to demonstrate that there are good pedestrian and cyclist access to buses, shops and services and path widths and gradients and appropriately graded links to existing footpaths must be demonstrated. Consideration may be given to requiring a footpath along Gladys Ave

The vehicle access into the site appears to be of appropriate width (6m) and grades on the driveway ramp appear acceptable however a driveway long section should be provided with the DA plans to demonstrate that grades are consistent with the requirements of AS/NZS 2890.1 clauses 2.5.3 and 3.3

For a 100 unit development there will be frequent need for removalist trucks to access the site and for trucks delivering furniture or other larger deliveries. As there is limited parking on Gladys Ave provision for such deliveries to occur offstreet is required. This is consistent with clause C2 section 6 of the Warringah DCP. Details of the provisions for such vehicles to access and park on site shall be outlined.

As the development will significantly increase traffic in Gladys Ave, traffic modelling of Gladys Ave/Frenchs Forest Road will be required together with details of any measures to address any deterioration in Level of Service or increase in vehicle delays at the intersection.

Development Engineer

- 1) The development application is required to be supported by a stormwater management plan that details the provision of on-site stormwater detention in accordance with Councils water management for development policy .
- 2) The applicant is to submit a DRAINS model as required by the policy to demonstrate all post development flows to the 1/100AEP are less than the pre-developed state of nature flows.
- 3) The on-site stormwater detention tank (OSD) is to be located in a common area that can be accessed for 24 hour maintenance and inspections. The tank is not to be located below a habitable floor area. The OSD tanks location is to be compatible with the retention of existing native trees and any proposed landscaping plan.



Specialist Advice

4) The on-site detention tank and stormwater drainage system is to be integrated with the water quality treatment systems that are required by the water management for development policy. Please refer to separate requirements for water quality management from the Coast and Catchments team.

Strategic Planning

3.5m front setback – consider the treatment of the building façade and how the building presents to Frenchs Forest Road West. No fences to be erected here. Consider opportunities for landscaping and canopy trees here (with reference to referral comments from Landscape).

Additional Permitted Uses – note that the site benefits from additional permitted uses for: business premises, health consulting rooms that are located at ground floor level, health services facilities that are community health services facilities, medical centres, office premises, shop top housing. Consideration of these uses are encouraged, particularly as the site is near the Northern Beaches Hospital and potential future demand associated from the hospital.

Basement/Mezzanine levels – refer to the referral comments from Traffic and note that compliance with the active transport requirements is important for all development within the Frenchs Forest Precinct, given the maximum parking rates proposed and objective to reduce car ownership.

Bicycle parking - consider whether all bicycles will be stored in a common area or as part of an extended garage cage or secured with a wall/floor mounted rack within each individual storage cage (this needs to be demonstrated on the architectural plans). If stored in a common area, how will the bicycles be safely accessed and stored?

Storage cages – consider whether there is enough space within the basement/mezzanine levels for the required volumes per apartment size. Consider location of storage cages and safety and security (DCP Control 5.2.10, Requirement 9).

Amalgamation – additional lot amalgamation would be seen as a positive outcome e.g. No. 114 Frenchs Forest Road West; Nos. 9 & 9A Gladys Avenue; Nos. 114 Frenchs Forest Road West, 13 & 15 Gladys Avenue.

Can the Applicant demonstrate that the surrounding lots are able to be redeveloped in the following patterns below:

- 9 & 9A Gladys Avenue
- 114 Frenchs Forest Road West, 13 & 15 Gladys Avenue

It is likely that the above lots will only be able to achieve multi dwelling housing as they would not meet the minimum street frontage requirements (30m) for residential flat buildings.

Mail boxes and collection areas – consider appropriate locations for each building (refer to DCP Control 5.2.5, Requirements 4 to 4.4).

Development contributions – note that various levies will apply including a Section 7.11 Contributions and a State Infrastructure Contributions (SIC) levy.

Clause 4.6 variations – note that FSR cannot be varied under clause 4.6(8)(ba) of Warringah LEP 2011.

Useful documents:

- Frenchs Forest 2041 Place Strategy (NSW Department of Planning and Environment): https://shared-drupal-s3fs.s3.ap-southeast-2.amazonaws.com/master-test/fapub_pdf/Frenchs+Forest+2041+Place+Strategy.pdf
- Alluvium Frenchs Forest Planning Precinct Water Sensitive Urban Design Study Strategy (December 2019): <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/Document.aspx?t=webdoc&id=6meoppR4aq8V0A60ki4OEg==>



Specialist Advice

- Frenchs Forest Town Centre Section 7.11 Contributions Plan: <https://yoursay.northernbeaches.nsw.gov.au/frenchs-forest-town-centre-section-711-contributions-plan>
- Northern Beaches Affordable Housing Contributions Scheme: <https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/LoadGenWebDoc.ashx?id=HBWUDC3VbgIV0A60ki4OEg%3d%3d>
- Frenchs Forest Technical Studies: <https://www.planningportal.nsw.gov.au/frenchsforest>

Landscape Officer

The proposed development property is located within *Part 8 Frenchs Forest Precinct of the Warringah Local Environmental Plan 2011 (WLEP)* and *Part G9 Frenchs Forest Town Centre of the Warringah Development Control Plan 2011 (WDCP)*.

The landscape component of the development proposal shall be planned to satisfy the following WLEP clause:

- 8.3 (h) to ensure high quality landscaped open space, and
- 8.5 (3) (xi) design excellence applies in terms of the quality and integration of landscape design.

Under WDCP, the proposed development property is within *Precinct 05 Frenchs Forest Road West Neighbourhood Centre*.

Additional requirements of the Apartment Design Guidelines for landscape outcomes shall also be required to be satisfied.

Landscape Referral Review:

Gladys Avenue building

- The front setback and area beyond to Gladys Avenue frontage provides adequate area for landscape treatment including tree canopy planting.
- Bin enclosure structures shall not be located at nil setback to the Gladys Avenue frontage and shall be setback at least 1.0 metres to the structure walling to support mass dense screen planting.
- The side setbacks to basement are 2 metres in width and thus are able to satisfy the requirements for 'landscape area' calculation under WDCP. Such deep soil widths however will only support shrub planting and at best low height small trees unable to soften the built form, and this is contrary to the landscape objective requirements and minimum dimension requirements under the Apartment Design Guidelines for landscape including the objectives of control 3E Deep Soil Zones.
- Adjoining areas on structure should be considered for incorporation of areas with adequate soil volume to support medium sized canopy trees (varying in height from 6 to 9 metres) to achieve a height to soften the building along the side boundaries.

Frenchs Forest Road West buildings

- The front setback to the western building at 3.5 metres is compliant with the WDCP control however this presents limited opportunity to reduce the impact of the built form to the streetscape, where such a setback will only support shrub planting and at best low height small trees.
- The side setbacks to basement are generally 2 metres in width, with the northern boundary setback to the western building at 3 metres from basement, and thus are able to satisfy the requirements for 'landscape area' calculation under WDCP. The 2 metre wide setbacks however will only support shrub planting and at best low height small trees unable to soften the built form, and this is contrary to the landscape objective requirements



Specialist Advice

and minimum dimension requirements under the Apartment Design Guidelines for landscape including the objectives of control 3E Deep Soil Zones.

- Adjoining areas on structure should be considered for incorporation of areas with adequate soil volume to support medium sized canopy trees (varying in height from 6 to 9 metres) to achieve a height to soften the building along the side boundaries.

General

- At least 45% of the property is to be landscaped area satisfy WDCP clause 5.2.8 Landscaped Area. It is noted that landscaped areas are located into either deep soil or upon on slab structure.
- Note: Under WDCP the landscaped area must be at least 2 metres in width and at ground level, whilst the minimum soil depth on structure that can be calculated as landscaped area is 1 metre (and 2 metres in width).
- As noted above the additional requirements for deep soil under the Apartment Design Guidelines shall also be required to be satisfied.

Impact to existing trees

- The proposed retention of sixteen existing trees within the frontage of 116 Frenchs Forest Road West is supported as these remain in undisturbed ground under the development proposal including at a distance from proposed basement excavation.
- The proposed retention of three existing trees within the rear of 11 Gladys Avenue is supported as these remain in undisturbed ground under the development proposal including at a distance from proposed basement excavation, however the proposed retaining walling shown on drawing SK1.03 within the tree protection zone of the trees counters the capability to retain these trees.
- The plans show tree T92 as retained however the Arborist Report provide advice on design requirements to ensure retention and a definitive proposal is to be provided at development application stage for Council assessment.
- All existing street trees within road reserves shall be retained.

Information required at DA stage:

- Additional compliance with the Apartment Design Guidelines for landscape including the objectives of control 3E Deep Soil Zones, 4O Landscape Design, 4P Planting on Structures.
- In accordance with Council's DA Lodgement Requirements: Landscape Plans and Arboricultural Impact Assessment.

Riparian and Water Management

The site is located in the headwaters of Middle Creek in the Narrabeen catchment.

The project is subject to the following controls specific to water quality, riparians lands and creeks:

- Warringah DCP 2011 Sections C4 Stormwater and G9.9 Water Management Objective A and B, Requirements 1, 2 and 3
- Warringah Local Environmental Plan 2011 Part 8 - 8.5 Design excellence 3 (viii) the achievement of the principles of ecologically sustainable development.
- Alluvium Frenchs Forest Planning Precinct Water Sensitive Urban Design Strategy (dated December 2019) Water Sensitive Urban Design & MUSIC Modelling]
- Northern Beaches 'Water Management for Development Policy' (WM) Section 4 Protecting the Environment, and Section 7 Water Conservation



Specialist Advice

With reference to Alluvium Frenchs Forest Planning Precinct Water Sensitive Urban Design Strategy (dated December 2019) Water Sensitive Urban Design & MUSIC Modelling:

- The project is to demonstrate an integrated water management strategy to manage stormwater flows in quality and quantity.
- The proposal should be using water WSUD principles to achieves an adequate treatment chain, refer attached WSUD strategy.
- The DCP is stating that Integrated Water Sensitive Urban Design measures in new developments should address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.
- The aim is to mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle and to reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources.
- Take note of the rainwater tank requirements of the study.

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

- 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 retainment of deep soil areas has potential benefits for water infiltration and subsequent water quality and is viewed as a positive feature. Another possible treatment method that could be included in the treatment chain is a green roof, which may be possible in this circumstance.
- 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 significant 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.

Environmental Health

Acoustics

The development is seeking to provide a Residential flat building with residential receivers surrounding. Noise is anticipated given the proposed building. Based on this acoustics of the development must be considered as part of any development application which will include an acoustic report completed by a suitably qualified acoustic consultant.

There must be suitable attenuation within the windows, doors, walls and floors of the residential receivers within the development that reduce noise levels of the area and any plant from the premise. This may include acoustic sealing, double glazing or thicker glass, and adequate density in floors/ walls/ ceilings.

Appropriate voids for mechanical ventilation must be incorporated into designs that have adequate noise attenuation.

Compressors and air- conditioning units should be located in the below ground carparking areas so as not to further contribute to the background noise levels of the area. Or if placed on the roof must have suitable noise attenuation based on modelling from the expected combined sound power level of the units.

Any plant for lifts must be adequately attenuated as well.



Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Statement of Environmental Effects (SEE). The SEE shall address the following matters:
 - o Environmental Planning & Assessment Regulation 2021 – clause 35A Additional requirements for development applications in Frenchs Forest Precinct (i.e. an assessment against Frenchs Forest 2041 Place Strategy).
 - o Clause 8.10 of Warringah LEP 2011- undergrounding of powerlines. It is important that the applicant considers the undergrounding of the 33kV Powerlines at Frenchs Forest Road West to achieve the desired future character (high quality streetscape) for this section of Frenchs Forest Road West and to ensure that the proposed development is in accordance with the Frenchs Forest Precinct planning controls.
 - o Sustainability measures proposed with reference to Part G9, Control 8 of Warringah DCP 2011 and Control 6 Parking.
- Scaled and dimensioned plans:
 - o Site Plan;
 - o Floor Plans;
 - o Elevations; and
 - o Sections.
- The architectural plans shall provide details of
 - o Affordable housing dedication (if physical dwellings are to be provided). Note that in Frenchs Forest, there is a preference for the provision of physical dwellings rather than a monetary contribution.
 - o Where relevant, sustainability measures.
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June).
- Landscape Plans
- Cost of works estimate/ Quote
- Survey Plan (Boundary Identification Survey)
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Driveway Design Plan
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Clause 4.6 variation, if required
- SEPP 65 Report Design Statement
- Arboricultural Impact Assessment.
- Geotechnical Report
- Acoustic Report
- Traffic and Parking Report
- Water Report / MUSIC Model DRAINS model

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.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>



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 8 June 2023 to discuss a residential development at 116, 118 and 120 Frenchs Forest Road West and 11 Gladys Avenue, FRENCHS FOREST. The notes reference the plans prepared by Brewster Murray dated 14 March 2023 and 22 May 2023.

It is Council's preference that the site is amalgamated with No. 9 and 9A Gladys Avenue and possibly 114 Frenches Forest Road to ensure that there is no future isolation of these lots. Any development resulting in isolation of adjoining sites requires information to address the relevant planning principles *Karavellas v Sutherland Shire Council [2004] NSWLEC 251*. In addition, indicative plans are required to show how these lots will be developed in the future.

The amendments detailed in the plans dated 22 May are acknowledged, however, there appears to be some discrepancies with the information detailed in the tables and the plans, which requires resolution.

Critically, the proposal requires further refinement to address the requirements of DSAP and ensure compliance with the site-specific controls, the Desired Future Character of the Frenches Forest Locality, the Design Excellence provisions, and the concerns raised by Council's referral Officers. In summary, the proposal as presented is not supported and it is recommended that the issues detailed above are fully resolved before any future DA is lodged

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.