

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2017/0288
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Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot C DP 383872, 11 - 13 Rodborough Road FRENCHS FOREST NSW 2086
Proposed Development:	Alterations and Additions to an existing building and construction of a new building, both for use as self storage premises and associated driveways and signage
Zoning:	LEP - Land zoned B7 Business Park
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Perpetual Trustee Company Ltd
Applicant:	Cityscape Planning & Projects

Application lodged:	03/04/2017
Application Type:	Local
State Reporting Category:	Other
Notified:	18/04/2017 to 04/05/2017
Advertised:	Not Advertised, in accordance with A.7 of WDCP
Submissions:	0
Recommendation:	Approval

Estimated Cost of Works:	\$ 6,339,709.00
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ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (upto the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

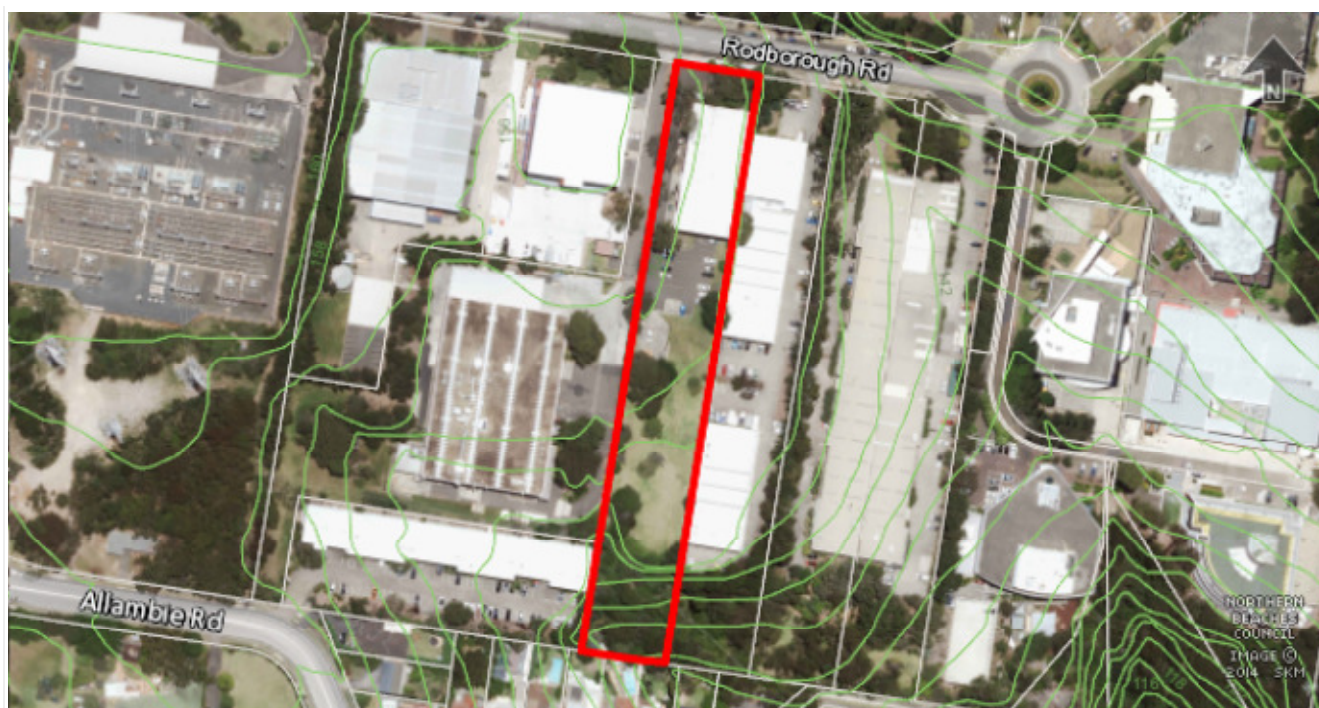
SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - B10 Merit assessment of rear boundary setbacks
 Warringah Development Control Plan - C3 Parking Facilities
 Warringah Development Control Plan - D3 Noise
 Warringah Development Control Plan - D9 Building Bulk
 Warringah Development Control Plan - D23 Signs
 Warringah Development Control Plan - E4 Wildlife Corridors

SITE DESCRIPTION

Property Description:	Lot C DP 383872 , 11 - 13 Rodborough Road FRENCHS FOREST NSW 2086
Detailed Site Description:	The subject allotment is located on the southern side of Rodborough Road, Frenchs Forest and is upon land zoned B7 Business Park. The site is rectangular and has a surveyed area of 8189m² with a 33.9m frontage and a depth of 240m. Presently the northern (front) portion of the site accommodates a 2 - 3 storey concrete and brick office building with associated driveways. The rear 2/3 of the site is natural bushland, with the southern-most portion of the site being densely landscaped and identified as a wildlife corridor. Surrounding sites to the north, east and west consist of other business park related businesses including storage facilities, office premises and manufacturing industry. South of the site and beyond the wildlife corridor are several detached low density dwellings. Topographically the site declines from north to south (front to rear) by approximately 17.5m.

Map:



SITE HISTORY

The site has been the subject of numerous historical applications relating to change of use and refurbishment.

Relevant to this current application are:

1. Pre Lodgement Meeting No. 2016/0074

A meeting held between Council and a developer to discuss the construction of an industrial warehouse development. The meeting was held on 2 August 2016 and the meeting minutes conclude with the following comments:

These Minutes are in response to a pre-lodgement meeting held on 9 August 2016 to discuss the construction of an industrial and warehouse development at No. 11-13 Rodborough Road, Frenchs Forest. The Minutes reference preliminary plans prepared by Humel Architects dated 25 July 2016.

The proposed development for the construction of a multi-storey manufacture/warehouse facility with ancillary office and showroom space is recognised as necessary for the viability of the site. Generally, Council supports an upgrade and/or renewal of the existing facilities.

The proposed development maximises the site without regard for the site coverage and landscaped open space controls (each 33.3%). These controls were developed to create a “Business Park” environment, where development was not “boundary to boundary” and where building separation and intervening landscaping would maintain a “park” like setting. The envisaged character is found in the majority of the business park.

The site coverage is to be reduced to reflect a development that is consistent with that of its surroundings and complementary to the streetscape in conjunction with the requirements and objectives of the control.

Similarly, the provision of landscaped open space is to be increased. It is recommended that the landscaping at the front of the development be made a feature of the site and that a landscaped strip be provided alongside the western boundary of the site.

The overall height of the development appears to be in conflict with No.15 Rodborough Road of which it proposes to abut. It is recommended that the overall height of the development be reduced and that a stepped design including architectural treatment be proposed to demonstrate that the height of the development will not appear as visually obtrusive and at odds with the sloping topography and relative heights of adjoining development.

The plans presented at the meeting require significant re-design both physically and through visual manipulation. Any development on this site should not have large and continuous wall planes without appropriate facade treatment to minimise and mitigate the impact by virtue of height, bulk and scale.

Overall, the proposal does not adequately respond to the context of the site and its surrounds within a Business Park. A more site responsive and contextually appropriate built form whereby the design respects the landscape setting and predominant building separations is required.

It is recommended that a new design be developed and sent through for further comment prior to lodging a Development Application.

2. Pre Lodgement Meeting No. 2016/0116

A meeting held between Council and the Applicant to discuss the construction and establishment of a self-storage unit facility. The meeting was held on 8 December 2016 and the meeting minutes conclude with the following comments:

These Minutes are in response to a pre-lodgement meeting held on 8 December 2016 to discuss the alterations and additions to the existing development at No. 11-13 Rodborough Road, Frenchs Forest. The Minutes reference preliminary plans prepared by Michael Standley & Associates Pty Ltd dated 24 October 2016

The proposed development for the refitting of the existing structures on site and the construction of a new 3 – 4 storey self-storage facility is generally supported by Council, however the following points require amendment, further detail or are matters of key importance:

- *The landscaped open space of the site is required to be 33.3%. No variation to this control will be supported. Further to this and the 'business park' development, the front setback area should have existing landscaping retained where possible, or otherwise replaced.*
- *A variation to the site coverage control may be supported by Council subject to the quantum of variation being relative to an increase of landscaping (as detailed above).*
- *An upgrade to the north-facing facade of the existing building would be supported, provided that it be architecturally and visually interesting.*
- *No facade of the development should present as a blank wall. Appropriate architectural treatment is required for all facades and can include (but is not limited to): articulation, stepping, terracing, voids, change of materials, colours and landscaping.*
- *The building height should be responsive and relative to surrounding developments, and should any portion of the building protrude higher than that of a neighbouring development, substantial architectural treatment as detailed above should be incorporated into this facade.*
- *Given the proposed 24/7 operation of the site and the varying intensity of use, an Operational Management Plan should be submitted with any development application that demonstrates how appropriate management of the facility will result in the development having a negligible impact on surrounding properties – particularly the residential properties directly south of the subject site.*

Provided the above notes are addressed in any design amendment, the application is supported in general. Prior to the lodgement of a development application, elevations should be sent to the author of this report for review, as elevations were not provided as a part of the pre-lodgement meeting.

The two separate PLM meetings were held with different architects and developers, and the subject development application is consequent of PLM2016/0116. It is noted that no elevations of the proposal were sent to Council for review prior to the lodgement of this DA.

PROPOSED DEVELOPMENT IN DETAIL

The development application is for alterations and additions, construction of a new building and a change of use to a self-storage facility.

The existing building is presently vacant and is to undergo extensive re-configuration inside, and be refurbished outside to generally upgrade the facades and points of ingress and egress.

To the rear of the existing building a new part 2 / part 3 storey building is to be constructed at the same height of the existing building.

The existing driveway is to be replaced and reconstructed down the western side of the site, providing vehicular access to the both existing and new building.

The development provides 18 car parking spaces, mainly centrally located in the site with 3 spaces at the front (existing).

The application includes signage atop of the existing front parapet walls and on the facades of the existing front building.

The development retains a large portion of the existing landscaping, particularly to the south of the site. The design allows for several other landscaped areas in the front setback, along the eastern boundary and along the driveway.

The site is to be operated 24 hours 7 days a week, with vehicular access restricted to the rear portion in the evenings. The facility will be manned between the hours of 8.00am and 6.00pm 7 days a week, and will generally be staffed by 2 - 3 persons. Additional criteria regarding the operations of the facility can be found in the recommended conditions of this report.

The premise is a secure facility with access available via security pass and gates to staff and to users of the self-storage facility.

Signage is also proposed on the building facade and a pole sign on the Rodborough Rd frontage.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

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Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent. <u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report. In summary, the development is required to remove a number of trees, however this is considered to be an appropriate form of development upon the land and will not unreasonably impact upon the existing ecology of the land and will allow for the continuation of native habitat and flora growth. Further, the rear portion of the site which accommodates the most significant portion of vegetation is to remain and be undisturbed by this development. (ii) Social Impact The proposed development will not have a detrimental social impact in the locality

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Section 79C 'Matters for Consideration'	Comments
	considering the character of the proposal. The development is considered to have negligible amenity and social impacts upon surrounding residential dwellings, given the use of the land and the significant vegetated buffer provided at the south of the site. The use of the site is considered to be complementary and appropriate to the business park setting. (iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the location of the site within a diverse and dense business park. The proposed use is appropriate and complementary to other existing land uses on surrounding sites and promotes the orderly development of surrounding lands.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Warringah Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	No objections subject to conditions to ensure compliance with the Building Code of Australia.
Development Engineers	Development Engineers have reviewed the proposal and raise no objections to the proposal subject to conditions.
Environmental Investigations	Council's Environmental Investigations Officer has reviewed the proposal and

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Internal Referral Body	Comments
(Industrial)	raises no objections, subject to conditions which restrict access to the rear building (new building) between the hours of 7.00 pm and 7.00 am daily. However, the Acoustic Report accompanying this development application and endorsed by Condition 1 of this consent includes several points within Part 8 - Conclusion - which have also been included as a part of this consent. Part 8 includes recommendations restricting vehicular access to the lower portion of the site, whilst still allowing internal access to the new building via the entry doors located off of the central car park. Inter alia the topography of the land and the landscaped buffer, it is considered that the conditions recommended within the acoustic report, when imposed via condition of consent, will result in an acoustic outcome that is appropriate.
Landscape Officer	No objections subject to conditions as recommended.
Natural Environment (Biodiversity)	Council's natural environment, biodiversity section raise no objections to the proposal.
Strategic Planning - Urban Design	The proposal sits well within the surrounding context and functions well as a self-storage facility. The proposal is acceptable in that respect.
Traffic Engineer	The development application is for an extension to the self-storage facility totalling 7,780sqm Gross Floor Area (GFA) and 5,593sqm Net Leasable Floor Area (NLFA). The proposal also include the provision of 18 car parking spaces including 1 disabled space, loading area for a MRV and SRV vehicle. The off-street parking supply is considered adequate for the type of operation within the facility. Vehicle swept path assessments for trucks within the site are generally considered acceptable. Further assessment on the MRV and SRV passing at the northern driveway would be required as the existing path encroach on an existing power pole near the common boundary of 11-13 and 7 Rodborough Road. The provided SIDRA intersection modelling at the intersection of Allambie Road and Rodborough Road has been submitted under the assumption that there are no upstream queuing from adjacent intersections at Warringah Road. Site observations however indicate extensive delays during the AM and PM peak hours at this location due to the poor performance of Warringah Road. This difference with the applicant's model outputs with the real world situation can be clearly seen in person during the peak hours. The network connectivity works by the Roads and Maritime Services (RMS) proposes changes to the intersections at Warringah Road at Allambie Road and Rodborough Road. These changes however are not expected to vastly improve delays for traffic exiting Rodborough Road during the PM peak hours. There are no changes expected for the roundabout and Rodborough Road.

Internal Referral Body	Comments
	The provided report also state that the development will generate a total 21 vehicles during the AM peak and 25 vehicles during the PM peak hour. This will contribute to the existing queuing currently experienced in Rodborough Road and Allambie Road, however assuming 60% of the peak hour trips generated by the site to be exiting traffic, this will contribute to about 2.9% of the PM peak hour westerly traffic volume in Rodborough Road. This is not considered to be significant to warrant the refusal of the application on traffic grounds. Planner Note: after receipt of these comments, the applicant was requested to provide a revised vehicle swept path analysis to ensure that MRV and SRV would not be in conflict with the existing telegraph pole at the front of the site. On 4 August 2017 Council received the requested analysis and Council's traffic engineer determined that it was satisfactory. Accordingly, a condition of consent has been recommended in this report requiring the amended vehicle swept path to be shown on CC plans.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPis)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7(1)(a) of SEPP 55 requires the consent authority to consider whether land is contaminated.

In response to the above requirements of the SEPP, the applicant has submitted an Environmental Due Dilligence Investigation dated November 2016 and prepared by WSP | Parsons Brinckerhoff. In its conclusion, the investigation states:

Based on the information obtained and reviewed as part of this Phase 1 Environmental Due Diligence and limited intrusive and geotechnical investigations, it is the opinion of WSP | Parsons Brinckerhoff that the Site located at 11-

13 Rodborough Road NSW represents a LOW risk of environmental liability for the continued use of the site for commercial / industrial uses.

As such, Council is satisfied that the site is suitable for the proposed use, subject to any recommendations of the Phase 1 report becoming a condition of consent of this report.

SEPP 64 - Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3 (1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is located within a business park precinct which displays numerous different types of signage. The proposed development includes both business identification signage and the use of corporate colours. The proposal is consistent with the character of the area.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The signage proposed does not incorporate advertising, rather it is business identification signage.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage does not detract from the amenity or visual quality of the surrounding area and is not of detriment to the local character as a business park.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The proposed signage is located wholly on the facade of the existing building and therefore does not obscure any existing views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage is located wholly on the facade of the existing building and therefore does not dominate the skyline nor obscure any existing vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	Yes, the signage does not interfere with any existing signage on other premises.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale and proportion of the signage is consistent with the built form and surrounding signage. Further, it will largely be obstructed by the provision of existing mature vegetation which is scattered throughout the business park.	YES
Does the proposal contribute to the visual	The signage proposed will create visual interest within	YES

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interest of the streetscape, setting or landscape?	the streetscape without impacting upon the existing landscaped setting.	
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signage is new and does not rationalise any existing signage. Notwithstanding this, the signage is not considered to be cluttered.	YES
Does the proposal screen unsightliness?	The proposed signage is largely located upon the facade of the existing building. There is no unsightliness to be screened.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage is compatible with the scale of the proposed development and the scale of surrounding buildings.	YES
Does the proposal respect important features of the site or building, or both?	The signage and development as a whole respects the architecture of the existing building and retains the landscaped setting of the business park.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No.	YES
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The signage is not illuminated.	YES
Can the intensity of the illumination be adjusted, if necessary?	The signage is not illuminated.	YES
Is the illumination subject to a curfew?	The signage is not illuminated.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The proposed signage does not reduce the safety of pedestrians, drivers of cyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage does not obscure any sightlines	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Warringah Local Environment Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	Complies
Height of Buildings:	N/A	10.72m	Yes

Notes:

The site is not subject to a Building Height control under the WLEP 2011. Notwithstanding this, the proposed height of buildings as above is consistent and compatible with that of surrounding developments.

Compliance Assessment

Clause	Compliance with Requirements
5.3 Development near zone boundaries	Yes
5.9 Preservation of trees or vegetation	Yes
5.9AA Trees or vegetation not prescribed by development control plan	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

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Built Form Control	Requirement	Proposed	% Variation*	Complies
B4 Site Coverage	33.3% [2729.6m ²]	33.8% [2776m ²]	-	Yes
B5 Side Boundary Setbacks	East - Nil	3.0m	-	Yes
	West - Nil	8.0m	-	Yes
B7 Front Boundary Setbacks	North - 10.0m	Building - 16m (no change to existing)	-	Yes
		Car parking - 8.0m (no change to existing)	20%	Yes
B9 Rear Boundary Setbacks	South - Merit Assessment	64.0m	-	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	33.3% [2729.6m ²]	33.7% [2762m ²]	-	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B4 Site Coverage	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
Side Setbacks - B7	Yes	Yes
Other land in B7 zone	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
Land in the vicinity of Warringah Road, Allambie Road and Wakehurst Parkway, Frenchs Forest with frontage to roads other than Warringah Road or Wakehurst Parkway	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
D23 Signs	Yes	Yes
E1 Private Property Tree Management	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes

Detailed Assessment

B10 Merit assessment of rear boundary setbacks

The rear setback of the proposed development is subject to a merit assessment as per B10 of the DCP.

The proposed development has a 64m rear boundary setback which allows for the retention of the majority of existing vegetation and mature trees. The retention of the significant portion of landscaping (approximately 1/3 of the site) allows for visual continuity and consistency between the subject and surrounding built forms, and provides a reasonable 'buffer zone' between the site and residential properties to the rear in order to maintain visual and acoustic amenity.

The proposed rear boundary setback of the development is considered satisfactory.

C3 Parking Facilities

Description of non-compliance

The Warringah Development Control Plan 2011 appendix H stipulates no car parking requirement for Self-Storage facilities. As such, parking standards are to be drawn from similar developments.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To provide adequate off street carparking.*

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Comment:

The development provides the following on-site car parking:

Use	Appendix 1 Calculation	Required	Provided	Difference (+/-)
Self-storage unit comparison	Maximum leasable area: 3,000m ² - 6,000m ²	Office parking - 1 Storage area parking - 5 Staff parking - 2 Trailer/Ute parking - 1	14	+ 4
Total		10	14	+ 4

Comparisons drawn from the *Aurecon Self Storage Facility Traffic and Parking Study 2009* and the *Supplement for Self Storage Facilities 2017*.

- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*

Comment:

The existing provision of 3 car parking spaces located within the front setback are the only visible car parking spaces when viewed from the street frontage. Given that the existing spaces are being retained and are somewhat integrated within the architecture of the building, and the consistency with the location of parking on surrounding allotments (being in the front setback area), the development is considered satisfactory and will have a minimal visual impact on the street frontage.

- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

Comment:

The at-grade parking facilities proposed and existing will not dominate the street frontage or other public space, given their open-air nature.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

D3 Noise

The use of the site as a self-storage facility is not anticipated to generate a level of noise which is considered excessive or offensive to the adjacent residential receivers on the southern boundary. However, as the premise will not be manned by staff 24/7 to control any excessive noise which may be generated by patrons loitering at the rear of the site, a condition has been included in the recommendations of this consent restricting the hours of vehicular access to the new rear building.

Pedestrian access into the new rear building can be attained 24/7 via the central parking area and lifts. Therefore it is

considered that the development consent can be reasonably conditioned to allow to desired operation of the facility without having any unreasonable impacts upon surrounding properties.

No significant adverse acoustic impacts will be generated by 24/7 access to the existing front building.

D9 Building Bulk

The bulk of the proposed development is considered to be satisfactory by virtue of the different roof lines, building materials, colours and finishes and the landscaping surrounding the building.

D23 Signs

Description of non-compliance and/or inconsistency

The application proposes 4 (four) pieces of signage consisting of the following:

Sign	Requirement		Width	Height	Area	Complies
Freestanding signs (not being a sign elsewhere listed in this table, and includes a bulletin board, tenancy board, and the like)	Shall not exceed 2 metres in height above the existing natural ground level; Shall not have an area greater than 4sqm; Shall not project beyond the boundary of the premises; and Shall not be illuminated.		4.4m	0.8m	N/A	Yes
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	Shall not be less than 2.6 metres above ground level; Shall not exceed 6 metres in height above the existing natural ground level; Must have a maximum area of no more than 4sqm on any single face; Shall not project beyond the boundary of the premises; and No more than one pole/pylon sign per site is permitted.		2.0m	3.2m	6.0m ²	No
Wall sign (painted onto a wall of a building or attached to the wall of a building, not being a sign elsewhere listed in this table)	Shall not extend within 200mm of the top and sides of the wall. Shall not cover any window or architectural projections; Must be of a size and shape that relates to the architectural design of the building to which it is attached; Where illuminated, shall not be less than 2.7 metres above the existing natural ground level ground; and Shall not project more than 300mm from the wall.	West elevation	Width of building - 49.6m	1.6m	N/A	Yes
		West logo	3.3m	2.9m	N/A	Yes
		North elevation	Width of building - 49.6m	1.6m	N/A	Yes
		North logo	3.3m	2.9m	N/A	Yes

Note: the 'west elevation' and 'north elevation' pieces of signage relate to both business identification writing and

expanses of corporate colour which extend for the entire length and width of the existing building.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.*

Comment: The signage proposed is designed and located in locations which will allow for easy identification of the business and land use to which the site relates.

- *To achieve well designed and coordinated signage that uses high quality materials.*

Comment: The signage is of a high-quality consistent with the general theme of the business park. Whilst the extent of corporate colours banding the building is extensive, it is obstructed by existing and proposed mature vegetation and will create visual interest within the streetscape.

- *To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.*

Comment: The signage will not create an adverse visual impact on the streetscape.

- *To ensure the provision of signs does not adversely impact on the amenity of residential properties.*

Comment: The signage is not visible from any surrounding residential properties.

- *To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.*

Comment: The signage is not inappropriate and will not result in any adverse impacts on open space, heritage items or conservation areas.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

E4 Wildlife Corridors

Merit consideration:

As the site is identified as being within a wildlife corridor, the development is considered against the underlying Objectives of the Control as follows:

- *To preserve and enhance the area's amenity, whilst protecting human life and property.*

Comment:

The proposed development seeks to retain and maintain a significant proportion of the existing mature trees and vegetation on site, particularly towards the southern boundary. The location of the proposed

buildings and retention of the bushland buffer between the subject site and residential properties to the south will provide for a reasonable level of amenity to be preserved for residential properties.

- *To improve air quality, prevent soil erosion, assist in improving water quality, carbon sequestration, storm water retention, energy conservation and noise reduction.*

Comment:

The retention of the existing mature bushland and scrub towards the southern boundary of the site will contribute to an enhanced air quality, water quality, carbon sequestration, storm water retention and noise reduction.

- *To provide natural habitat for local wildlife, maintain natural shade profiles and provide psychological & social benefits.*

Comment:

The vast majority of existing vegetation on the site is not being disturbed by this vegetation. As such, whilst some trees and vegetation will be impacted upon/removed, it is considered that a significant portion of the site will remain as natural habitat for local wildlife.

- *To retain and enhance native vegetation and the ecological functions of wildlife corridors.*

Comment:

The southern half of the site is identified as being a wildlife corridor and of this half, the southern-most portion of the site is densely landscaped with mature vegetation - the remainder is a lawned slope with few trees. Given the continuous dense vegetated corridor on adjoining sites which connect to the bushland on the subject site, it is considered that this is the most likely area to function as a wildlife corridor. As the proposal retains this vegetation, it is considered that the proposal satisfies this objective.

- *To reconstruct habitat in non vegetated areas of wildlife corridors that will sustain the ecological function of a wildlife corridor and that, as far as possible, represents the combination of plant species and vegetation structure of the original 1750 community.*

Comment:

The development is not attempted to reconstruct the existing dense bushland to the rear. Instead, other forms of perimeter landscaping are proposed which are not of a density nor width similar to that at the rear of the site. Notwithstanding this, it is considered that the combination of plantings (by virtue of species and maturity) will contribute to functioning as an ecological wildlife corridor.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WLEP 2011 / WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 6,339,709		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 60,227
Section 94A Planning and Administration	0.05%	\$ 3,170
Total	1%	\$ 63,397

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2017/0288 for Alterations and Additions to an existing building and construction of a new building, both for use as self storage premises and associated driveways and signage on land at Lot C DP 383872, 11 - 13 Rodborough Road, FRENCHS FOREST, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
1211:A3: 00	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 01	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 02	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 03	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 04	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 05	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 06	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 07	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 08	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 09	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 10	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 11	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 12	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 13	28 March 2017	Michael Standley & Associates Pty Ltd
1211:A3: 17	28 March 2017	Michael Standley & Associates Pty Ltd

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Landscape Concept 1 of 1	27 February 2017	Monaco Designs Pty Ltd
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Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Building Code of Australia Report Rev 02	13 March 2017	McKenzie Group
Civil Engineering Report Version 2	March 2017	James Taylor & Associates
Environmental Due Diligence Report Rev A	7 November 2016	WSP Parsons Brinckerhoff
Noise Impact Assessment Rev 3	10 March 2017	Rodney Stevens Acoustics
Operations Plan	Undated	Unspecified
Traffic and Parking Impact Assessment	16 March 2017	McLaren Traffic Engineering

- b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.
- c) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.
- d) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Report Title	Dated	Prepared By
Waste Management Plan	Undated	Unspecified

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

2. Occupancy

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans for any land use of the site beyond the definition of *self-storage units*.

Self-storage units are defined as:

"Means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials)."

(development is defined by the Warringah Local Environment Plan 2011 (as amended) Dictionary)

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent. (DACPLB03)

3. **Prescribed Conditions**

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);

(c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
- (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

(e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (i) protect and support the adjoining premises from possible damage from the excavation, and
- (ii) where necessary, underpin the adjoining premises to prevent any such damage.
- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

4. **General Requirements**

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

(b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.

(f) Where works are to be carried out to a Class 1a building, smoke alarms are to be installed throughout all new and existing portions of that Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

(g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(h) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(j) All sound producing plant, equipment, machinery or fittings and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

(l) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

(m) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at www.warringah.nsw.gov.au

(n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

(1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.

(2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.

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(3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewerred areas or managed on-site in unsewerred areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

(4) Swimming pools and spas must be registered with the Division of Local Government.

(o) New solid fuel burning heaters or existing solid fuel heaters affected by building works must comply with the following:

(1) AS 2918:2001 Domestic Solid Fuel Burning Appliances – Installation.

(2) AS 4013:2014 Domestic Solid Fuel Burning Appliances – Method of Determination of Flue Gas Emissions.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

FEES / CHARGES / CONTRIBUTIONS

5. Policy Controls

Northern Beaches Council Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Northern Beaches Council Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 6,339,709.00		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 60,227.24
Section 94A Planning and Administration	0.05%	\$ 3,169.85
Total	1%	\$ 63,397.09

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Northern Beaches Council's Development Contributions Plan.

6. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with

Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Council's infrastructure.

7. **Works Bonds**

(a) Construction, Excavation and Associated Works Bond (Drainage)

A Bond of \$5000 as security against any damage to Council's stormwater drainage infrastructure during the course of the works.

(b) Construction, Excavation and Associated Works Bond (Pollution)

A Bond of \$5,000 as security to ensure that there is no transmission of material, soil etc off the site and onto the public road and/or drainage systems.

(c) Construction, Excavation and Associated Works Bond (Failure to Remove Waste)

A bond of \$10,000 as security against damage to Council's road(s) fronting the site caused by the transport and disposal of materials and equipment to and from the site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection)

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Councils infrastructure. (DACENZ01)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

8. **On-site Stormwater Detention Compliance Certification**

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Warringah Council's "On-site Stormwater Detention Technical Specification" and the concept drawing by James Taylor & Associates, Project no. 5930, drawing number C15 revision B, C16 revision A, C17 revision A dated 21.03.17.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development. (DACENC03)

9. **Tree protection**

(a) Existing trees which must be retained

i) All trees not indicated for removal on DA Landscape Concept Dwg No. 1 dated 14 Mar 17 prepared by Monaco Designs P/L, unless exempt under relevant planning instruments or legislation

ii) Trees located on adjoining land

(b) Tree protection

i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.

ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.

iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.

iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause

E1 Private Property Tree Management and AS 4373 Pruning of amenity trees

v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site. (DACLAC01)

10. **Pre-Construction Dilapidation Survey**

Stormwater runoff from both the new self storage building and surrounding pavement catchment is to be piped to Council stormwater pit SPP17363. Existing stormwater connection to Rodborough Road is to remain unchanged.

A pre-construction / demolition Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset, to record the existing condition of the asset prior to the commencement of works. Council's Guidelines are available at <https://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/stormwater-and-development/2014-119050-guidelines-preparing-dilapidation-survey-council-stormwater-assets-april-2014.pdf>

The pre-construction / demolition dilapidation report must be submitted to Council for approval and the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Protection of Council's Infrastructure (DACNEC20)

11. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'***
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**
- (n) AS 4674 Design, construction and fit out of food premises
- (o) AS1668 The use of mechanical ventilation

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)

12. External Finishes to Roof

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development. (DACPLC03)

13. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building

- Developing and Plumbing then Building and Renovating.
Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water.
(DACPLC12)

14. Truck swept path assessment

A revised truck swept path assessment shall be provided showing satisfactory passing of a Medium Rigid Vehicle (MRV) and a small rigid vehicle at the property entrance driveway. Plans showing swept path assessment including any changes required for truck movements to Council's satisfaction. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifying Authority prior to the release of the Construction Certificate.

Reason: To ensure no conflicts between truck movements at the property driveway.
(DACTRCPC2)

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

15. Stormwater Pipeline Construction

Where connection to Council's nearest stormwater drainage system is required, the applicant shall undertake pipeline connection in accordance with Council's specification for engineering works (see www.warringah.nsw.gov.au) and shall reconstruct all affected kerb and gutter, bitumen reinstatements, adjust all vehicular crossings for paths, grass verges and household stormwater connections to suit the kerb and gutter levels. All works shall be undertaken at the applicant's cost, and upon completion certified by an appropriately qualified and practicing Civil Engineer.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure compliance of drainage works with Council's specification for engineering works. (DACENE03)

16. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

17. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifying Authority.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

18. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLAEO3)

19. **Protection of rock and sites of significance**

- a) All rock outcrops outside of the area of approved works are to be preserved and protected at all times during demolition excavation and construction works.
- b) Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features (DACLAEOG1)

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

20. **Fire Safety Upgrade and Access for Persons with a Disability**

The fire upgrading measures and works to upgrade the building to comply with the Building Code of Australia as detailed and recommended in the Fire Safety/ Building Code of Australia Audit Report, and the Disability Access Report, prepared by:

- a) McKenzie Group, dated 17/03/2017 and referenced 072897-02BCA, and
 - b) BCA Access Solutions dated 15 March 2017 and referenced CA170011-DA,
- are to be complied with.

Details demonstrating implementation are to be submitted to the Principal Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Reason: To ensure adequate provision is made for fire safety in the premises for building occupant safety. (DACBCF01)

21. **Authorisation of Legal Documentation Required for On-site Stormwater Detention**

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To create encumbrances on the land. (DACENF01)

22. **Registration of Encumbrances for On-site Stormwater Detention**

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for on-site storm water detention as to user is to be submitted.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To identify encumbrances on land. (DACENF02)

23. **Restriction as to User for On-site Stormwater Detention**

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such restriction.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure modification to the on-site stormwater detention structure is not carried without Council's approval. (DACENF04)

24. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Note: The following Standards and Codes applied at the time of determination:

(a) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003 - Plumbing and drainage - Stormwater drainage

(b) Australian/New Zealand Standard **AS/NZS 3500.3** - 2003/Amdt 1 - 2006 - Plumbing and drainage - Stormwater drainage

(c) National Plumbing and Drainage Code.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

25. **On-Site Stormwater Detention Compliance Certification**

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure stormwater disposal is constructed to Council's satisfaction.
(DACENF10)

26. Positive Covenant for On-site Stormwater Detention

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the on-site stormwater detention structure in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Warringah Council's delegate prior to lodgement with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such covenant.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure ongoing maintenance of the on-site stormwater detention system.
(DACENF12)

27. Creation of Positive Covenant and Restriction as a User

Where any conditions of this Consent require the creation of a positive covenant and/or restriction as a user, the original completed request forms, (Department of Lands standard forms 13PC and/or 13RPA), shall be submitted to Warringah Council for authorisation.

A certified copy of the documents shall be provided to Warringah Council after final approval and registration has been affected by the "Department of Lands".

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of a Interim / Final Occupation Certificate.

Reason: To identify encumbrances on land. (DACENF14)

28. Required Planting

Trees shall be planted in accordance with the following schedule:

No. of Trees Required.	Species	Location	Minimum Pot Size
All trees	As indicated on DA Landscape Concept Dwg No. 1 dated 14 Mar 17 prepared by Monaco Designs P/L	As indicated on the Landscape Plan	As indicated on the Landscape Plan

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity. (DACLAF01)

29. Post-Construction Dilapidation Survey

Stormwater runoff from both the new self storage building and surrounding pavement catchment is to be piped to Council stormwater pit SPP17363. Existing stormwater connection to Rodborough Road is to remain unchanged.

A post-construction Dilapidation Survey of Council's Stormwater Assets is to be prepared by a suitably qualified person in accordance with Council's Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset in order to determine if the asset has been damaged by the above works. Council's Guidelines are available at <https://www.warringah.nsw.gov.au/sites/default/files/documents/general-information/stormwater-and-development/2014-119050-guidelines-preparing-dilapidation-survey-council-stormwater-assets-april-2014.pdf>

The post construction dilapidation report must be submitted to the Council for review and the Certifying Authority prior to the issue of the Occupation Certificate. Any damaged to Council's stormwater infrastructure is to be rectified in accordance with Council's technical specifications prior to the release of the security bond.

Reason: Protection of Council's Infrastructure (DACNEF11)

30. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure bushland management. (DACPLF01)

31. Waste Management Confirmation

Prior to the issue of a Final Occupation Certificate, evidence / documentation must be submitted to the Principal Certifying Authority that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

32. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000. (DACPLF07)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

33. Hours of Operation

The hours of operation are to be restricted to:

- 24 hours a day, 7 days a week but including the following:

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- After 9.00pm and until 7.00am on weekdays and Saturdays no vehicular access is permitted to the lower driveway and garages;
- After 7.00pm and until 7.00am on weekdays and Saturdays no trucks are permitted to use the driveway and central parking-maneuvering area;
- After 9.00pm and until 8.00am on Sundays and Public Holidays no vehicular access is permitted to the lower driveway and garages;
- After 7.00pm and until 8.00am on Sundays and Public Holidays no trucks are permitted to use the driveway and central parking-maneuvering area.

Upon expiration of the permitted hours, all service shall immediately cease, vehicles and trucks which do not satisfy the above shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained. (DACPLG08)

34. **Acoustic Report**

The nine (9) dot points in the *Noise Impact Assessment* (R170043R2 Revision 2) by Rodney Stevens Acoustics found in Part 8 - Conclusion - on pages 15 and 16, are to be complied with at all times, unless modified by another condition of this consent.

Reason: To maintain a reasonable level of residential amenity. (DACPLGOG1)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Adam Mitchell, Planner

The application is determined under the delegated authority of:

Rodney Piggott, Development Assessment Manager

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ATTACHMENT A

Notification Plan	Title	Date
 2017/097828	Plans - Notification	06/04/2017

ATTACHMENT B

Notification Document	Title	Date
 2017/106476	Notification Map	18/04/2017

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ATTACHMENT C

Reference Number	Document	Date
 2017/097839	Plans - Survey	13/02/2017
 2017/097825	Cost Summary Report and Builders Quote	09/03/2017
 2017/097834	Report - Engineering	21/03/2017
 2017/097837	Report - Traffic and Parking	21/03/2017
 2017/097831	Report - Access	22/03/2017
 2017/097836	Report - Operation Plan	22/03/2017
 2017/097833	Report - Environmental Due Diligence	27/03/2017
 2017/097835	Report - Noise	27/03/2017
 2017/097838	Report - Waste Management	28/03/2017
 2017/098178	Plans - Master Set	28/03/2017
 2017/097824	Power of Attorney	28/03/2017
 2017/097829	Report - Statement of Environmental Effects	30/03/2017
 2017/097840	Plans - Landscape	30/03/2017
 2017/097832	Report - BCA	31/03/2017
 DA2017/0288	11-13 Rodborough Road FRENCHS FOREST NSW 2086 - Development Application - Alterations and Additions	03/04/2017
 2017/092530	DA Acknowledgement Letter - Cityscape Planning & Projects	03/04/2017
 2017/097821	Development Application Form	06/04/2017
 2017/097822	Applicant Details	06/04/2017
 2017/097828	Plans - Notification	06/04/2017
 2017/098080	Plans - Stormwater	07/04/2017
 2017/098181	Plans - Civil Engineering Appendices	07/04/2017
 2017/098180	Report - Civil Engineering Appendices	07/04/2017
 2017/098365	Report - WSA Assessment	07/04/2017
 2017/108443	Environmental Investigations (Industrial) - Assessment Referral - DA2017/0288 - 11 - 13 Rodborough Road FRENCHS FOREST NSW 2086	13/04/2017
 2017/106476	Notification Map	18/04/2017
 2017/106499	Notification Letter - 103	18/04/2017
 2017/114486	Environmental Investigations Referral Response - industrial use	26/04/2017
 2017/114490	Environmental Investigations Referral Response - industrial use	26/04/2017
 2017/115058	Building Assessment Referral Response	26/04/2017
 2017/119844	Natural Environment Referral Response - Biodiversity	01/05/2017
 2017/152299	Landscape Referral Response	26/05/2017

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	2017/185180	Development Engineering Referral Response - superseded	09/06/2017
	2017/185201	Development Engineering Referral Response	09/06/2017
	2017/191118	Environmental Investigations (Industrial) - Assessment Referral - DA2017/0288 - 11 - 13 Rodborough Road FRENCHS FOREST NSW 2086	15/06/2017
	2017/190056	Urban Design Referral Response	15/06/2017
	2017/195951	Environmental Investigations Referral Response - industrial use	20/06/2017
	2017/259412	Traffic referral updates	31/07/2017
	2017/263008	Traffic Engineer Referral Response	02/08/2017
	2017/266213	Stamped Plans	04/08/2017