

4 May 2023

Tom Prosser
Northern Beaches Council
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S4.55 MODIFICATION APPLICATION SofEE:
No.2 Pacific Parade, Manly – Construction of 2 semi-detached dwellings, swimming pools & lot sub-division.

DA.2022/0696

Notice of Determination 01/03/2023

Reference is made to the submission we made to the NBLPP about a last-minute change to the DA basement parking plan that was not approved by the Panel - we have since done more work on this with our consultant team to address the concerns raised by the Council Traffic Engineer in the attached memo.

Below a list of the proposed S4.55 (1A) Modification Application design changes – refer to the enclosed correlating purple highlighted amended Architectural Drawings with reference to the modification numbering as listed below:

No.	S4.55 (1A) MOD Design Change	Reason for S4.55 Modification	Neighbour Environmental Impact	Comments Notes
A.	The previously shared 'common' basement Carpark amended to 2 side-by-side private parking Garages (one for each dwelling).	To eliminate the shared parking driveway area directly underneath the 2 dwellings resulting in a BCA Class 1a residential development.	No impact; below ground 'internal' change only.	<p>The proposed modification is for the below ground basement Carpark only – note the above ground design of the semi-detached dwellings, pool, etc unchanged as approved.</p> <p>Refer to the revised Traffic Engineer Report prepared for the Modification Application to address the basement parking & issues raised by the council traffic engineer.</p>

Please contact our office if you have any questions in relation to the above.

Regards,

Architect

EUGENE DU PLESSIS

B.Arch Stud [1996] + B.Arch [1997]

NSW REGISTERED ARCHITECT #7435
NOMINATED ARCHITECT: Eugene du Plessis

Planning Panels - Northern Beaches

<PlanningPanels@northernbeaches.nsw.gov.au>

From: du plessis & du plessis architects <duplessisarchitects@gmail.com>

Sent: Monday, 27 February 2023 12:23 PM

To: Planning Panels - Northern Beaches <PlanningPanels@northernbeaches.nsw.gov.au>

Cc: Thomas Prosser <Thomas.Prosser@northernbeaches.nsw.gov.au>; Andrew Tudhope <ATudhope@outlook.com>

Subject: RE: DA2022/0696 (2 Pacific Parade Manly): Northern Beaches Local Planning Panel Notice

Attention Heidi Young.

We refer to your letter 22 February 2023 about application No. DA2022/0696 - 2 Pacific Parade, Manly.

Submission - For consideration at the Northern Beaches Local Planning Panel (NBLPP) on Wednesday, 01 March 2023.

Reference is made to NBC Condition of Consent #9: Building Classification of a Class 2 building that we wish to be deleted/revised.

Please find attached amended Basement Parking Plan Issue H 27.02.2023 showing the below ground design to eliminate the "common space" being the parking driveway area underneath the dwellings and providing two separate driveways and private Garages side-by-side within each.

To achieve two separate domestic use vehicle turntables the below ground basement walls pushed out on both sides to have 0m side boundary setback for a small 6.7m portion of wall over 36.5m boundary length 18% [in support we refer to the recently approved No. 8 Pacific Parade DA semi's with 0m side boundary setbacks].

We therefore request approval of DA2022/0696 without the proposed Condition of Consent #9: Building Classification of a Class 2 building and revision to a Class 1 accordingly building please.



MEMORANDUM

DATE: 28 February 2023

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Tom Prosser, Principal Planner

SUBJECT: Item 5.3 - DA2022/0696 – 2 Pacific Parade, Manly

TRIM REFERENCE: 2023/136259

The purpose of this Memorandum is as follows:

- Address amended plans relating to the vehicular movements submitted by the applicant on 13 February 2023 which have now been assessed by Council Traffic Engineer
- Address amended plans relating to the basement design and class of building under the BCA submitted on 27 February 2023.

Additional Traffic referral

Council's Traffic Engineer provided the following comments on the DA.03 Basement Sub-Floor Parking Plan issue G dated 26.09.2022, and provided to Council on 13 February 2023:

"The amended plans have eased the gradient for the first 2m inside the property to 7.5%. While the Australian Standard suggests this gradient should not exceed 5% the long section plots have shown that the driveway gradient do not result in vehicle scraping by the B85 vehicle and, given the constrained nature of the site, the gradients are considered acceptable.

It is noted that the development engineers have already recommended a number of conditions

The conditions cover the following issues and are contained below in the recommendation

Mechanical Vehicle Turntable

Works Zones & Permits

Sight lines at driveway

Resident Parking Scheme

Amended Basement Plan

The applicant provided an amended DA.03 Basement Sub-Floor Parking Plan issue H dated 27.02.2023 and made a request that condition 9 be amended to refer to a Class 1 Building instead of a Class 2 Building

This plan made changes to the basement parking area including the removal of common space.

Councils Traffic Engineer comments

Councils Traffic Engineer has raised concerns with this amended plan, as follows:

"I have concerns about the amended plans which now propose two separate garages, 2 separate mechanical turntables and a common driveway separated by a party wall. My concerns relate to a lack of information to demonstrate that the proposal is workable.

AS2890.1 requires that the B99 vehicle be used where the failure of the vehicle to fit into the facility would occasion intolerable congestion or hazard. The B99 vehicle is 5.2m in length with a 3.05m wheelbase. Noting that the proposed turntables are 4m in width this leaves little margin for error when parking on the turntable and I have concerns that a poorly parked vehicle may be damaged when the turntable is rotating.

The 2.4m openings to the separate garages may also not allow adequate room for the B99 vehicle to access the turntables. Swept path plots are required to confirm if suitable access is available.

The party wall will impede intervisibility sight lines from one garage to the other meaning a vehicle or pedestrian attempting to egress one garage would be unable to be seen from the other. If the party walls could be reduced in length at the junction with the base of the driveway by approx. 2.5m this may address both this concern and the concern relating to access to the turntables. Alternatively, the first 2.5m of the party wall could be constructed so it was see through.

It is also noted that the design now proposes a min 2m head clearance at the base of the driveway. This is less than the 2.2m minimum required by AS2890.1 clause 5.3. This clearance is required to cater for larger cars such as 4WD's and light vans. The minimum clearance also appears to occur where there is a change of grade which may mean the effective headroom clearance is less than 2.0m. A

long section showing both the driveway and overhead structures and plotting access by the B99 vehicle would be required to confirm if an acceptable headroom is available.

Given the above issues, at this stage, I am more comfortable with the issue G amended plans which had less potential conflict and a headroom clearance of 2.275m.”

In this regard the amended plans Basement Parking Plan Issue H is not supported and the recommendations contained in the assessment report condition 1 for Issue G remain.

Council Building Surveyor

Council's Building Surveyor has recommended the following alternative for Condition 9:

“National Construction Code (Building Code of Australia)

Details demonstrating compliance with the National Construction Code (BCA) will need to be submitted to the Certifying Authority with the Construction Certificate application.

Reason: *To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.”*

This alternative condition allows for an Accredited certifier to determine the Building Class and require compliance with *National Construction Code (BCA)* at the Construction Certificate Stage.

RECOMMENDATION

That the recommendation in the assessment report be amended as follows:

Amend Condition 9 to read as follows:

National Construction Code (Building Code of Australia)

Details demonstrating compliance with the National Construction Code (BCA) will need to be submitted to the Certifying Authority with the Construction Certificate application.

Reason: *To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.*

Add the following conditions to read as follows:

15A. Mechanical Vehicle Turntable

The applicant is to provide information on the proposed vehicular turntable, operation details, and instructions to visitors on using the device, maintenance plan, and contingency plan during a malfunction.

Details are to be provided to Council for approval and this requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Certifier prior to the release of the Construction Certificate.

Reason: To ensure no vehicle conflicts within the basement carpark.

18A. Works Zones & Permits

Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site.

A separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.

Reason: To ensure Work zones are monitored and installed correctly.

33A. Sight lines at driveway

The required sight lines to pedestrians and other vehicles in and around the driveway entrance are not to be obstructed by landscaping. The applicant must ensure that the planting chosen for any land immediately adjacent to the driveway must not exceed a height of 1m

Reason: To maintain unobstructed sight distance for motorists.

33B. Resident Parking Scheme

Any residents and/or tenants of the subject site are not eligible for resident parking permits. This condition is to be provided on the property Title

Reason: To ensure the tenants are aware that they are not entitled to a permit regardless of whether they are within a Resident Parking Scheme (RPS)."