

## Public submissions evaluation – PEX2018/0009

Note that x12 indicates that the theme has been raised within 12 submissions.

A total of 23 submissions were received in response to the statutory exhibition of the Planning Proposal. 21 submissions objected to the proposal and 2 indicated support subject to conditions. The following table provides an overview of the public submissions made.

Theme	Feedback – submission	Applicant Response	Officer Response	Response
<b>Bulk and Scale</b>	<b>(19) submissions highlighted concerns with bulk and scale of Development.</b>			
Bulk and Scale - Character	<p>13 submissions highlighted concerns about impacts to Narrabeen's village character, stating that the proposal is:</p> <ul style="list-style-type: none"> <li>not in keeping with the village atmosphere,</li> <li>setting a precedent for future development,</li> <li>changing Narrabeen into another Dee Why</li> <li>not sympathetic to the heritage cottage and Furlough House.</li> </ul>	<p>The site proposes a similar scale to the surrounding developments and height at the village of 11-12m. Dee Why has a building height of 30m.</p> <p>The PP proposed a modest increase in allowable building height resulting in a proportionately modest increase in density comparable to the town centre in which the subject site adjoins and arguably stands within. Allowable uses within the subject site are unchanged with these factors ensuring the 'village atmosphere' is preserved.</p> <p>Density is in line with NBC requirements. Building separation is in line or greater than that required within the ADG.</p>	<p>Consolidating existing commercial uses at the front corner of the site and allowing an increase in height by one storey will support the medical centre to grow and meet the needs of a growing and ageing population in Narrabeen. It will not set a precedent for nearby sites as the rationale for this planning proposal is to recognise uses operating under existing use rights.</p> <p>The site's R3 medium density residential zone has long supported a three-storey residential flat building format noting that this site has been underutilised for many decades. This proposal seeks one additional storey to align with the height controls in the adjoining town centre resulting in a four-storey built form.</p>	<b>No Change is recommended</b>
Bulk and Scale – Height	<p>6 submissions focused on the impacts of additional building height, including impacts to:</p>	<p>The proposed 11-12m height is in line with those in the adjoining Village Centre and existing</p>	<p>The existing built form of low-density houses across the site has existed despite long standing controls that support a three-storey residential flat buildings</p>	<b>No Change is recommended</b>

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	<ul style="list-style-type: none"> <li>Solar access for adjoining properties, particularly for 1290 Pittwater Rd.</li> <li>Privacy impacts for adjoining properties to the North including lower levels of 1-7 Lagoon st and 1290 Pittwater Rd</li> <li>View Sharing</li> </ul>	<p>development to the south. The proposed height being less than the building opposite at 1-7 Lagoon Street which is in excess of 14m in height. This is addressed in detail within GMU's urban design report.</p> <p>ADG compliant side boundary setbacks demonstrate generous solar access for existing neighbouring dwellings especially dwellings within No.1290 Pittwater Rd.</p> <p>Building separation complies and indeed exceeds ADG requirements and as such is deemed appropriate for the scale of development proposed. Shadow diagrams are included on p40 of GMU, Urban Design Report.</p>	<p>across this site under the R3 Medium Density zone. The one additional storey supported by this planning proposal will be largely contained within the roof line as an 'attic style' with fourth floor setbacks specified in the Development Control Plan.</p> <p>Building separation complies with and exceeds Australian Design Guidelines for building separation to protect solar access and privacy.</p> <p>Landscaping requirements outlined in the DCP seek to ensure appropriate screening to protect privacy and minimise noise impacts to direct neighbours.</p>	
<b>Road Network</b> <b>13 Submissions highlighted concerns relating to the Road Network</b>				
Road Network – Parking	<p>11 submissions mentioned parking constraints including:</p> <ul style="list-style-type: none"> <li>A lack of on-street parking with difficulties finding a spot most of the day despite being timed.</li> <li>On-site parking needed for medical centre staff in addition to customers.</li> <li>Loss of loading zone access</li> </ul>	<p>Parking for occupants and visitors are provided within basement level parking in line with NBC requirements.</p> <p>No changes to the existing 'Loading Zone' on the northern side of Albert Street are envisaged because of the proposed Planning Proposal development</p>	<p>On-site parking for residents and for the medical centre is proposed across two basement levels in accordance with council policies.</p> <p>This proposal is less than 450m from a B-line bus, directly adjoins a town centre and is an easy walk from recreation opportunities (Beach and lagoon). Current and Future residents are well-positioned to reduce dependence on cars.</p> <p>Timed parking exists to promote turnover including 4-hour parking on Albert St and 2-hour parking on Lagoon St. There are likely to be opportunities to improve parking turnover in high demand areas with</p>	<b>No Change is recommended</b>

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			the <i>Northern Beaches Transport Strategy 2038</i> Smart Parking Future Direction committing to developing local parking management plans for town and village centres.	
Road Network – Congestion & Safety	<p>8 Submissions highlighted concerns with traffic congestion and safety including:</p> <ul style="list-style-type: none"> <li>• Albert St is not wide enough for two cars to pass each other, its effectively a one-way street which creates gridlock &amp; accidents with cars having to pull in to let others pass.</li> <li>• Turning from Albert St into King St is risky due to poor visibility</li> <li>• Access via Albert St is already at capacity, additional traffic from this development will be untenable.</li> <li>• Traffic report underestimates existing congestion with assessment undertaken on only 2 days in 2018, local congestion does not align with city bound peak periods.</li> <li>• Driveway of existing medical centre is heavily used and creates a lot of near misses.</li> </ul>	<p>It is acknowledged that the planning proposal will increase traffic flows along Albert Street. However the planning proposal traffic assessment has indicated that these flows can be satisfactorily accommodated by the surrounding road network, including Albert Street (refer also letter from TTPP Traffic engineers for further detail)</p>	<p><b>Width of Albert St</b> At 7.5m wide, this is a relatively narrow street which is why passing opportunities have been created with No Parking zones set up in front of 1-7 Lagoon St and in front of 3-5 Albert St to support safe passing of vehicles.</p> <p><b>Intersection with King St</b> Albert does not intersect with King St. Turning from Albert St into Lagoon St has excellent visibility.</p> <p><b>Traffic assessment</b> We note the applicant's consultant has chosen a period pre-covid for their assessment. Recent traffic studies undertaken by Council in March 2021 provide further data over a 7-day period including traffic counts in this street.</p> <ul style="list-style-type: none"> <li>• Average vehicle movements over a 7-day period did not exceed 40 vehicles per hour at any time during the study.</li> <li>• Annualised daily traffic in both directions (total volume) is 518 vehicles across the day.</li> <li>• Currently 85% of all vehicles are travelling at less than is 37.1km/hr along Albert st, so from a safety and traffic calming perspective this is satisfactory</li> </ul> <p>The proposed location of the medical practice will see a significant improvement in safety and accessibility. The current one-way driveway (~3.5m) is located on a steep gradient with poor visibility from surrounding parked cars. Under the proposal, parking for the medical practice will be accessed via a two-way driveway with a significantly improved gradient and visibility.</p>	<b>No Change is recommended</b>

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Road Network – Driveway Placement	<p>3 Submissions focus on the Driveway placement and suggestion of closing access to Albert St from Pittwater Rd.</p> <ul style="list-style-type: none"> <li>Proposed location of driveway at intersection of Albert and Lagoon St – concerns about safety impact. One submitter highlights this does not meet Figure 3.1 of Australian Standard 2890.1:2004.</li> <li>Driveway should be on Pittwater Rd.</li> <li>Removal of vehicle access from Pittwater Rd will block access to driveway for 1290 Pittwater Rd and the loading zone that services many businesses along Pittwater Rd since the 24hr bus lane was installed.</li> <li>Bus routes rely on access to Albert St from Pittwater Rd after they terminate to start their next run (182 and 155), closing access from Pittwater Rd will impact busses</li> <li>Safety issue with busses requiring full width of Albert St to turn and this may create</li> </ul>	<p><b>The location of the driveway</b> will be finalised at DA stage, however what is depicted on GMU's Urban design report shows the intended and most appropriate location taking into account site constraints including flood design levels; TfNSW designation of Pittwater Rd; distance from Pittwater Rd and Albert St intersection; setback from heritage item; basement levels and Lagoon St intersection. (Refer also TTPP letter on this item).</p> <p>No changes to the existing 'Loading Zone' on the northern side of Albert Street are envisaged because of the proposed Planning Proposal development</p>	<p>The proposed Driveway location:</p> <ul style="list-style-type: none"> <li>Aligns with TfNSW Guidelines</li> <li>Maintains heritage item setbacks</li> <li>Is set back from Pittwater Rd to maintain safe intersection sight lines</li> <li>Provides an access point above the flood free board level</li> </ul> <p>Council's traffic engineers confirm the advice provided by ttp transport planning including that the application of Figure 3.1 must consider the one-way section of Albert St between Pittwater Road and Lagoon St. The Australian Standard is a guideline that does not apply to any access driveway that would otherwise be denied access due to physical impossibilities such as the constraints listed above.</p> <p>Pittwater Rd is a State Road with designated B-line lanes. TfNSW guidelines do not support direct access to Pittwater rd. the Australian Standard guideline does not provide sufficient justification to challenge the TfNSW guidelines and designated status of Pittwater Rd.</p> <p>We do not anticipate that the proposed position of the driveway would create challenges for buses turning into Albert St as the driveway is set back from Pittwater Road. If there were any difficulties, alternative routes exist via King or Narrabeen St. A bus layover stop was installed by Council in front of 58 Ocean St Narrabeen approximately 18 months ago to encourage layovers in an alternative location to reduce impacts on Narrabeen centre.</p> <p>Vehicles exiting a private driveway must give way to traffic already on the public road.</p>	<p><b>No Change is recommended</b></p>

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	conflict with driveway for this proposal.			
<b>Interface with Public Domain</b>	<b>8 Submissions highlighted concerns with the proposals interface with the public domain</b>			
Interface with public domain – Pittwater Road (including flooding) <b>x5</b>	Objections relate to changes to setbacks along Pittwater Road due to its residential zone and concerns about flooding.	<p>Currently the setback of the existing commercial building is 0m. The Urban Planner (GMU) recommended maintaining this. NBC has increased the setback to what is now proposed at 2m at ground level and an additional 3m at level 3 and above.</p> <p>Refer to the Flooding Risk assessment report. Matters raised have been included within the planning report for the site and will continue to be further through the DA stage design process.</p>	<p>Council's position for a Setback of 2m at the ground floor for Building A is based on recommendations from the Design and Sustainability Advisory Panel (DSAP) and advice from Council's Urban Designers to enable a transition from the town centre (0m setback) to 2m setback at Building A and then a 6.5m setback for Building B in line with existing controls for the residential zone.</p> <p>The 2m setback for Building A provides increased footpath space compared to the current 0m setback to support active travel and amenity at one of only two pedestrian crossings in Narrabeen.</p> <p>The Proposal has been reviewed by Council's Stormwater Floodplain Engineering team who are satisfied the proposal generally complies with the flood controls in the LEP, DCP and recent changes to ministerial directions. Referral advice was also sought from NSW State Emergency Service.</p>	<b>No Change is recommended</b>
Interface with the public domain – Landscaping <b>x2</b>	<p>Landscaping and removal of existing trees will impact the village and neighbouring properties.</p> <p>Several significant trees provide habitat for local birds and need to be protected.</p>	Whilst trees are being removed to allow the redevelopment of the site, these will be replaced with well designed landscaping that will improve the amenity of the site and surrounds. New canopy trees will be planted within and adjoining the subject site to reduce the heat island effect of the immediate context.	DCP controls have been developed to maximise opportunities for deep soil planting in addition to landscaping across the site. Requirements for planting of mature canopy trees along the setback of building B at Pittwater Road and along the Albert St boundary will provide shade for active travel routes and reduce urban heat island effects for Narrabeen village while providing canopy habitat for local birds and wildlife.	<b>No Change is recommended</b>
Interface with the public domain – Albert St <b>x1</b>	<p>Not enough space for a full footpath width in Albert St.</p> <p>Setback at the corner of Pittwater Road and Albert St needs to be increased to</p>	Excavation and retaining will be required in order to achieve a footpath in Albert St.	<p>The urban design outcome for Albert St is specified in the DCP controls, including excavation and retaining wall to make the most of available space.</p> <p>The current commercial building at the corner of Pittwater Rd and Albert St has a 0m setback from the</p>	<b>No Change is recommended</b>

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	provide a small garden with seating for aged patients waiting to be picked up		boundary. The exhibited DCP controls require a 2m setback, providing significantly more pedestrian space with potential opportunities for street furniture.	
Planning Proposal Process	6 Submissions highlighted concerns with the Planning Proposal process or with the Public Exhibition process			
Planning Proposal Process <b>x5</b>	<p>Three submissions objected to the Planning Proposal Process allowing the rules to be changed or 'broken'. One of these was concerned that it will open the door for other developers outside the strategic planning LEP or masterplan process with concerns that the DA process will see changes to what is currently proposed with additional elements out of context for the site.</p> <p>Two submissions were concerned that they had not been formally notified of the statutory exhibition.</p>	<p>NBC and DPIE control what rezonings can and cannot be sought. An approval of this site by no means "opens the door" for any subsequent rezoning.</p> <p>The PP sets the bulk and scale control for the DA process.</p>	<p>The Planning Proposal process is rigorous and seeks to deter inappropriate applications. This application was initially lodged in 2018 and since then has been reviewed by the Northern Beaches Local Planning Panel, the Northern Beaches Design and Sustainability Advisory Panel and has been considered at three meetings of Northern Beaches Council. A wide range of studies have been reviewed by specialist officers across council including traffic engineers, flood engineers, heritage planners, urban designers, economic development and a landscape architect.</p> <p>The rationale for supporting this proposal considers the long standing commercial and medical uses on the site which adjoins an established centre, the need for the medical centre to grow to meet the changing needs of the Narrabeen Community and the lack of appropriate accessible floorspace in the centre to support a large modern medical practice. This proposal is consistent with Council's strategic position in <i>Towards 2040: Local Strategic Planning Statements</i> including housing supply, choice and affordability in the right locations.</p> <p>Notifications to adjoining property owners and occupiers and property owners and occupiers across a street or road from the subject site were notified in line with the <i>Northern Beaches Community Participation Plan</i>. This Statutory Exhibition process was promoted via council's 'YourSay' mailing list and 'Yoursay' webpage.</p>	<b>No Change is recommended</b>
Affordable Housing	5 Submissions commented on the Affordable Housing Contributions Scheme			
Affordable Housing <b>x5</b>	<ul style="list-style-type: none"> <li>Object to affordable housing strategy as</li> </ul>	The site contributes to NBC's affordable housing policy through	This is the first site to which the Northern Beaches Affordable Housing Scheme applies. This planning	<b>No Change is recommended</b>

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	<p>there has been numerous occasions where the use of the strategy has been removed at DA stage</p> <ul style="list-style-type: none"> <li>• An affordable housing scheme would not add value to existing owners and residents.</li> <li>• Pricing in Narrabeen is high, beggars belief that it will be low cost.</li> <li>• Support implementation of the scheme acknowledging this is a prime location offering excellent access to public transport the town centre, beach and lagoon.</li> </ul>	<p>provision of financial levy paid direct to the NBC.</p>	<p>proposal seeks to directly reference the scheme in the LEP which will give it stronger legal weight.</p> <p>As the first site to which the scheme applies, council has requested a monetary contribution in this instance. The intention is to require physical dwellings in most instances moving forward. When physical dwellings are dedicated to Council, they will be provided as affordable rental dwellings in perpetuity with rents capped at a proportion of the worker's income.</p> <p>The provision of affordable housing across all communities on the northern beaches will bring benefits of greater diversity and attraction of key workers to provide essential services to the community.</p>	
<b>Commercial uses</b>	<b>5 Submissions commented on the proposal for commercial floorspace</b>			
<b>Commercial Uses x5</b>	<ul style="list-style-type: none"> <li>• Concern about existing vacancy rates in Narrabeen Centre <b>x2</b></li> <li>• Albert St is the boundary of the town centre there is no need to extend the centre</li> <li>• Retail and commercial tenancies should have appropriate hours of operation and servicing</li> <li>• No parking exists for these uses</li> </ul>	<p>The majority of non-residential use already exists on the site and is being consolidated to the most appropriate location at the corner of Pittwater Rd and Albert St.</p> <p>The commercial uses currently extends beyond Albert St with existing medical centre and bank buildings located at the corner.</p> <p>Basement parking is included as a part of the proposal for occupants and visitor cars in line with NBC requirements.</p>	<p>This proposal seeks to consolidate the existing medical centre and commercial land uses (financial services office) on the site and support a modest increase in floorspace to accommodate growth of the medial centre to meet the changing needs of an aging population in Narrabeen. An Economic Impact Assessment considered vacancies in Narrabeen and determined that available spaces lacked the size and accessibility required for a medical practice.</p> <p>On-site parking for the medical centre will be provided within the two levels of basement parking proposed.</p>	<b>No Change is recommended</b>

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Heritage	3 Submissions commented on the protection of Heritage			
Heritage x2	<ul style="list-style-type: none"> <li>Concern that heritage property might be demolished</li> <li>Applaud the considerable lengths the applicant has gone to preserve the heritage item,</li> <li>Overshadowing of Heritage item. heritage curtilage including setbacks to the heritage item (9m). this will require relocation of the driveway.</li> </ul>	<p>The heritage report addresses concerns and setback requirements from the heritage item</p> <p>Proposed location of driveway complies with proposed heritage setbacks.</p>	<p>Protection of the heritage bungalow at 2 Albert St has been a consideration throughout the planning proposal process. The proposed changes to the LEP specifically exclude the bungalow site while the DCP specifically addresses the heritage bungalow through a number of provisions including setbacks of other buildings and a requirement for a Heritage Management Plan.</p>	
Active Travel and Car Share	3 Submissions commented on Active Travel and Car Share			
Active Travel and Car Share	<ul style="list-style-type: none"> <li>No tangible evidence that there is a need for more pedestrian access</li> <li>Elderly patients of medical practice will not be using active travel</li> </ul>		<p><i>The Move Northern Beaches Transport Strategy 2038 prioritises Active Travel as one of five themes with an objective to expand the footpath and shared path networks to improve connectivity and safety that make walking and cycling attractive alternatives to the car. Provide a safe environment, both on and off-road for all users and the end of trip facilities to make it a realistic option for commuting.</i></p> <p>This proposal contributes to improved active travel routes for the broader Narrabeen community to access the B-line and Narrabeen town centre. Encouraging uptake of active travel reduces car dependency, reduces traffic congestion, frees up parking capacity, reduces carbon emissions and improves health outcomes.</p>	<b>No Change is recommended</b>
Car Share	<ul style="list-style-type: none"> <li>Car share plan is non-compliant (no further detail was provided)</li> </ul>	Any specific car share requirements will be addressed at DA stage.	<p>On-site car parking will be provided for the new medical centre which is located within 450m of the b-line bus stop.</p> <p>Requirements for car-share spaces will be confirmed at DA stage.</p>	<b>No Change is recommended</b>



## Public authority statutory submissions evaluation

A total of 3 submissions were received in response to the statutory exhibition of the Planning Proposal. The following table provides an overview of the public authority submissions made.

Agency	Feedback	Response
NSW Department of Planning and Environment – Environment, Energy and Sciences Group	<p><i>The Planning Proposal has not justified inconsistencies with the Section 9.1 Direction 4.3 Flooding. The proposal contains provisions that apply to the flood planning area that will permit a significant increase in the development and dwelling density, which is not permitted under the direction.</i></p> <p><i>However, on review of the information presented in the flood report, EES would not anticipate any significant issues to arise due to the proposed increase in density. This conclusion is based the following key points: only a fraction of the site interacts with the fringe of flooding, and evacuation access is available via Albert Street.</i></p>	<p><b>No change is recommended.</b></p>
NSW State Emergency Service	<p>At the time of response staff were involved in NSW SES operations and so a standard response was provided:</p> <p><i>Due entirely to the need to meet priorities dictated by legislated responsibilities, the NSW SES is not able to assess any detailed development proposal or to work with developer's consultants in preparing any such proposal.</i></p> <p>The standard response highlighted that the Planning Proposal needs to be considered against the relevant Ministerial Section 9.1 Directions and consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005.</p>	<p><b>No change is recommended.</b></p> <p>These matters have been considered in the Planning Proposal with a Flooding Risk Assessment Report provided by the applicant and referral advice from Council's Floodplain Engineers</p>
Transport for NSW	<p>TfNSW has reviewed the submitted documentation and raises no objection as the planning proposal is not likely to have significant traffic impact on the adjoining classified state road network.</p> <p>TfNSW provides advisory comments in Attachment A for consideration as part of any future development application lodged post gazettal of the subject draft Local Environmental Plan amendment.</p>	<p><b>No change is recommended.</b></p>