



Design + Sustainability Advisory Panel Meeting Report – Date 28 April 2022

Item 2 - DA2022 0145 - 4 Delmar Parade DEE WHY

PANEL COMMENT AND RECOMMENDATIONS

General

The proposal is part of the 'Delmar Precinct'. Proposals for parts of the site have been presented to the Panel previously:

- PLM2020/0226 at the Panel meeting of 24 September 2020

Following that, and partly in response to the concluding comments of the Panel, a draft Planning Proposal was brought to the Panel:

- Item 1 Delmar Planning Proposal (Discretionary Item) at the Panel meeting of 07 October 2021

The concerns and comments made in relation to these proposals remain relevant and unresolved.

The fundamental issue is the relationship between, heights, FSR, access and configuration of the site that results in land locked sites at the south of the areas due to the restriction on access to and from Pittwater Road.

This is the reason why the Panel recommended in response to PLM2020/0226 that the applicant engage in consultation with Council to attempt to resolve some of the issues.

The Panel notes that resolution of these issues is made more difficult by the provision in the WLEP that height in the Delmar Precinct is not subject to a cl4.6 application.

The Panel has previously gone to some length to illustrate the mismatch of heights and FSR (noting this is a maximum achievable FSR not a minimum) and the failure to allow for road access that should be subtracted from the site area when determining the heights in relation to FSR.

To be clear; the controls are not aligned in three respects:

- The FSR has not allowed for some of the site to become a public road to provide access to landlocked sites
- The maximum height does not align with the allowable FSR (this has been explained in detail to the applicant and council in previous advice)
- And lastly, flexibility and discretion to address and resolve these misalignments as the WLEP does not allow for variation to height development standard.

For this reason, the previous comments and conclusions are attached as Appendices 1 and 2; the DA and PP respectively.

Key development characteristics are in Appendix 3

Despite strong recommendations by the Panel that the planning and design for the precinct should be undertaken in close consultation with council, the proposal has been presented as a Development Application for an amalgamated site.

As noted in previous advice, site amalgamation often offers opportunities for better urban outcomes. In the case of the current proposal, the Panel notes that although the applicant has been in discussions with the owner of the adjoining site at 816 Pittwater Road this has not resulted in an overall site amalgamation.



The Panel has been provided with a copy of the submission made on behalf of the owner of this site and agrees with many of the main points in the submission, but most importantly that the current proposal for 4 Delmar appears to rely on 816 Pittwater Road remaining undeveloped to achieve adequate amenity.

Non compliances

3 x cl 4.6s required for LEP:

- cl 6.7 ground floor use (proposed as a Small Office Home Office option - SOHO)
- cl 4.5 FSR (28.6% Variation – 907.2m² on the 3.2:1 Pittwater area - proposes 4.12:1)
- cl 6.7A Podium (raised from 2 to 4 storeys BLG A and from 3 to 7 storeys BLG B).

Strategic context

The site is zoned B4 Mixed Use under the provisions of the Pittwater Local Environmental Plan and the proposed development is permissible with consent.

The immediate context is undergoing redevelopment that is significantly changing the existing Dee Why Town Centre with significant uplift generally consistent with Dee Why Master Plan.

Generally, the proposed use and building form are generally consistent with B4 zone objectives notwithstanding the need for 3 x cl 4.6s for Ground Floor LEP cl 6.7, cl 4.5 FSR, and cl 7.6A - Podium.

Following the previous Pre DA session (September 2020), 812 Pittwater Rd has been incorporated into the greater site with 4 Delmar Pde, and 2 Delmar Pde remains a stand-alone development now under construction. The acquisition of 812 Pittwater Rd is welcome as an amalgamated lot should present greater opportunities for making a positive public contribution and improved development outcomes.

The acquisition has therefore significantly increased the quantum, scale and arrangement of the current proposal compared to the Pre DA.

The Panel considers the best opportunity for proponents and design teams to address identified design quality issues is at the Pre DA stage of the concept design, prior to a DA being prepared.

The site is at the southern end of the Dee Why Town Centre on the eastern side of Pittwater Road and interfaces with:

- R2 low density residential to the east, which requires a sensitive interface outcome to successfully negotiate the sub different urban scale and typologies.
- RE1 zoned land to the south – the local heritage significant Stony Range Flora and Fauna Reserve, which requires sensitive resolution of the ground plane, site arrangement, building mass and setbacks to avoid impacts to public domain open space recreation and any flora or fauna significance and promote public domain connectivity.
- R2 zoned low density residential to the west of Pittwater Road.

Permitted height on the subject site (16m and 24m) needs to consider the interface with the R2 residential (7m).

- The existing urban character of the site includes large canopy trees visible through the site, which the design proposal provides no opportunity for replacement.

However, the presentation of the proposed development is as a Development Application, whereby amendments required to address design quality issues attract otherwise avoidable time and costs to address.

Design Excellence

The site is subject to WLEP cl 7.5 Design Excellence within the Dee Why Town Centre. The following should be addressed for consistency with achieving the required design quality:



- interface with Stony Range Reserve of the site layout and setbacks generally and the ground plane specifically
- deep soil and lack of urban canopy
- natural cross ventilation performance
- daylight and natural ventilation to common lobbies and all habitable rooms
- acoustic amenity and natural ventilation
- Communal open space rooms located on the southern side and are subterranean (and all COS being located at ground level rather than on a rooftop).
- Public domain interface with a lack of information demonstrating the merit of sought cl 4.6s
- Other issues as raised.

Urban context: surrounding area character.

The Architectural Design Report contains a significant amount of information but doesn't tell the fine-grained story of the spatial context.

Master Plan strategic approach is required. Consider:

- Connection to Country
- Public domain and ground plane
- Water as a natural and connected system
- Canopy and deep soil and natural and connected systems
- Spatial arrangement and hierarchy
- Vehicular movement and pedestrian access to the southern parts of the site in particular

Flood and overland flow paths

- Site Analysis (p12) presents a simplistic diagram and a written description that does not spatially explain the topography around the water system and the flow patterns; p16 likewise for overland flow(s?) bisecting the site – how, where from, what is it? Water systems are 3-dimensional, which the architectural graphic analysis needs to accurately convey. (Figures A2.3 and A2.5 of the Flood Study prepared by SGC should be coordinated into the Site Analysis).
- Proposed void for flood water flowing 'through' the building indicates a very high volume of water and assumptions for development of 816 Pittwater Rd. Further information is required to demonstrate impacts to future development of No 816 Pittwater Rd in particular for resolving basement access.
- The proposed 1.2m diameter pipe along the south and east will need to accommodate flows that consider the effects of the changing climate.
- As a consideration of climate related flood events, PMF may need to be accommodated.
- Further review may be prudent to confirm how proposed freeboard would have performed in recent town centre flooding.

Podium variation - Cl 7.6A variations provides no extended street elevations needed to demonstrate the merit of the variations in the streetscape contexts.

The relationship to 816 Pittwater Rd should be addressed in the planning.

- It becomes an isolated site between 818 Pittwater Rd and 2 Delmar Pde
- and/or if incorporated into the greater site, could improve the extent of street frontage that may assist the development proposal.
- The Panel notes an indicative building envelope for this site appears on p18 of the Architectural Design Report, which needs to be integrated for the solar modelling.



Public domain: relationship to public domain, safety/security.

The subject site is adjacent to the Stony Range Flora and Fauna Reserve to the south (local heritage significance). The proposed development will not provide a pedestrian connection linking Delmar Pde to the Reserve, but intends a visual connection be achieved through the site. However, the proposed excavation results in the ground plane through the site terminating at a wall a minimum of 3 metres high (excluding balustrading) which appears will obstruct that intended visual connection.

Opportunities for direct pedestrian connections from Delmar Pde to the Reserve via the central pedestrian link are encouraged to be reconsidered.

Proposed ground levels around all boundaries are to be provided on landscape and architectural plans.

Legibility in the street and within the site requires further consideration (see previous comments on a master planning strategy).

- Street activation appears will be indirect, with a significant street wall to the Delmar Pde footpath.
- Freeboard requirements for flooding will have priority. In principle, the ramp and frontage is an acceptable approach but requires stairs at the eastern end to maximise circulation options; and further refinements generally so the pedestrian movements between the commercial public domain interface and residential entries demonstrates a clear hierarchy.
- Central open space is positive in principle compared to the Pre DA. However, the proposed arrangement does not adequately resolve the inherent conflicts between being a 'public' pedestrian street providing an address for all residential entries (bar one for the western part of BLG B), or delineating what is private and the primary communal open space.

Unclear how the flood management is coordinated with the reserve and protecting public amenity/assets in the Reserve.

Vehicle access located at NE of the subject site is efficient and seeks to minimize impacts within the site. However, a pedestrian strategy is needed to clarify the status of the proposed shared pedestrian access zone. This is the single vehicle access point for all vehicle movements, truck deliveries/removals.

The proposed extent of excavation does not enable a through-site connection to Stony Range Reserve – 3m height differential at the centre of the site and approx. 7.8m between the boundary existing GL and proposed site levels at the south eastern corner.

Lack of information on architectural documents about the context of the podium variation to cl 7.6A is needed to communicate how the outcome is a positive contribution to the public domain as a pedestrian scale interface compared to the WLEP provisions.

Overshadowing impacts to the reserve flora and fauna and the picnic area should be clearly identified.

Recommendations

1. A development of the size, complexity of public domain and zoning interfaces, site geometry and relationships needs to be informed by, and established on, an overall master planning strategic approach.
2. Consideration of the place needs to commence with an understanding and Connection to Country, particularly given the scale of the development an integral relationship with Stony Range Reserve and the water courses. Engagement with the appropriate knowledge keepers needs to guide the design response from the outset and be interwoven with the whole of the design response.
3. Site Analysis is an active, coordinated design exercise that needs to convey information graphically as a meaningful explanation of physical conditions, considerations and challenges, special qualities, and coordinated with consultant inputs as a connected spatial exercise rather than reduced to simplified 2-dimensional pictogram information.
4. Further work is required to address public domain issues identified in particular opportunities for a public pedestrian connection through the site linking Stony Range Reserve and Delmar Parade and in resolving the street addresses.
5. Implications of 816 Pittwater Road as an isolated site and for redevelopment with the assumptions arising with the proposed stormwater void need to be addressed.



Scale, built form and articulation, Façade treatment

Proposed height plane appears is satisfied.

Information is required for implications of the proposed flood/stormwater design to the redevelopment of 816 Pittwater Rd. An indicative building envelope is needed for solar amenity/impacts to BLG B consistent with ADG modelling requirements.

Sections need to show the ground plane relationship with No 2 Delmar more clearly. Appears BLG B Ground Floor units are subterranean and single aspect and that a variation to permitted FSR is proposed – See comments on amenity.

Apart from the Delmar Parade elevation, there appears an over reliance on painted render finishes. This is not supported because of increased maintenance and tendency for edge detailing of proprietary systems whereby controlling the effects of water-shedding (such as dirt tracking down facades) presents difficulties for maintaining a high quality, fresh appearance over the long term.

Modulation of the building form along long building frontages need to be more clearly articulated. This will be assisted with a disciplined use a material palette that makes more use of robust materials in preference to painted render that predominates. It will be assisted by a clearly expressed architectural hierarchy of building elements. The eastern elevation and southern elevations should be further considered.

The extent of excavation results in the southern part of the site being subterranean in character.

Balconies that propose full height glazing are not supported because of amenity impacts for visual privacy.

See comments on amenity that result from overly deep building footprints. This appears is driven by a preferred outcome of yield rather than achieving design excellence, or good design.

Recommendations

6. Variations to the podium are to demonstrate their merit in a wider streetscape. See also recommendations requiring a design response consistent with strategic master planning.
7. Balcony balustrading should not present full height glazing. Balconies with components of solid upturns that may include handrails or glazing above so the solid elements do not obstruct outlook when residents are at a seated level. This enables more flexible use of private open spaces, needed visual privacy when viewed from the public domain, and outlook amenity for residents.
8. Further design development of façade modulation and a greater use of robust, low maintenance materials is required.
9. Excavation levels should be reconsidered to better coordinate with boundary interface levels and do not result in subterranean spaces.
10. Building footprints that propose excessive depth result in poor amenity and sustainability outcomes. See recommendations at Amenity.
11. Amendments are required to more appropriately balance the proponent's desired yield with the public obligation for design quality.

Landscape context

Stony Range Reserve is an important local flora and fauna public open space. Protection and enhancement for compatible and complementary planting should be demonstrated.

Clarify if a through site pedestrian connection is achieved to Stony Range Reserve. (p16 Architectural Design Report).

Landscape Plans and Stormwater Plans are inconsistent. No stormwater infrastructure appears has been coordinated – 1.2m diam pipes and large pits and that only grass swales can be planted. The overland flow setback zones appear on the Landscape Plans 'as if' they can support deep soil landscape and appear to have planting other than grassy swales.



Impacts of flow volume and velocity on the proposed landscape TBC.

Site analysis needs to clarify the extent of flood impacts and implications for the design response – DVS needs to directly address it.

The existing site has significant canopy trees. None will be retained and there is no scope for replacements with excavation effectively extending to all boundaries or any unexcavated setbacks accommodating stormwater pipes.

DWG TP06.03 does not achieve the deep soil identified due to retaining walls and 1.2m diam stormwater infrastructure. None of these areas support meaningful landscape of any scale appropriate for the scale of the proposed development.

Extent of excavation results in significantly sunken landscape areas on structure.

Recommendations

12. The extent of excavation should be reduced so replacement canopy is accommodated and adequate deep soil is achieved. Setbacks and other deep soil areas need minimum 6m dimensions for viable tree planting and continuity with ground water systems.
13. Setback conditions for landscape and 'channels' for stormwater infrastructure are to be further considered so that adequate perimeter landscape is achieved and opportunities for an environmental corridor are maximised.
14. Excavation needs to better resolve boundary ground plane relationships and avoid sunken/subterranean landscape areas within the site

Common areas and communal open space

Ground level central communal open space is the shared building entry court but also provides a central consolidated space that may be used by residents. Solar amenity is achieved.

- Locating the primary communal open space at ground level between all buildings creates conditions for noise reverberating. Rooftop communal amenity would be better and better amenity for residents gathering with visitors and more flexible uses.

Eastern lineal space suitable only for high volume, fast flow overland flooding. It is not accessible for use nor for meaningful landscape.

Residents Lounge, Pilates/gym and Games room areas are supported in principle but are at the far southern end of the site in BLG A and compromised by:

- Location within a deeply excavated subterranean context noting adjacent boundary levels
- Little scope for natural cross ventilation and good daylight (long and narrow, with the short axis at the perimeters)
- Little to no outlook
- Generally, poorly integrated with the central primary outdoor communal space, and rooms with little to no solar amenity.

These conditions result in a character of left-over floor area in a part of the site offering the poorest amenity.

Communal rooms should be located in areas that provide the best amenity, should be well connected and well considered in a wider communal space strategy.

Internalized lift lobbies are not acceptable. ADG and experience during Covid-19 needs to prioritise natural daylight, provision of natural ventilation, and preferably natural cross ventilation. Lobbies are incidental meeting places and should be considered as communal spaces that provide high communal amenity.



Recommendation

15. Opportunities for a rooftop communal open space are available with a reduction of sought GFA. This is in context of the variation to FSR being proposed.
16. The central open space requires reconsideration because of the extent of functions it is trying to perform and which present inherent conflicts.
17. Relocate any communal rooms to locations with the highest amenity and are well integrated.
18. All communal lobbies on all levels are to provide natural daylight and natural ventilation.

Amenity

Accessibility

- See previous comments for a needed pedestrian movement strategy.
- It is unclear how the accessible path network works to provide equitable and high-quality access for all people.
- Building entries lack cohesion and hierarchical clarity. For example, southern lobbies are nearly 100m from the main residential site entry and present as secondary entry points in context of the proposed separate ground floor SOHO entries. Northern lift access requires a significant switchback ramp.
- Freeboard requirements from the street require further consideration.

Natural cross ventilation

- Performance appears unacceptable. Claimed performance is 60.4% but this is not demonstrated.
- It is noted that the role of the Panel is not to provide assessment of compliance. However, the following should be considered as indicative of implications for achieving minimum amenity in context of design quality and design excellence. Of note is the predominance of single aspect apartment typologies appears, which appear would result in natural cross ventilation performance of approximately 31% averaged from:
 - BLG A 41/123 units 33%
 - BLG B 31/108 units 29%

Noise and natural ventilation along Pittwater Rd

- ISEPP and ADG provisions have different requirements, both of which need to be demonstrated.
- For sustainability, reliance on mechanical ventilation/air-conditioning over the life cycle of the development is not supported for units affected by noise. Noise barrier planning and means of demonstrating how natural ventilation is achieved with acoustic amenity is required.

Solar amenity and over shadowing

- Modelling for each level needs to identify living rooms and POS of units to demonstrate their solar access.
- Indicative future permitted development of 816 Pittwater Rd is to be included in the solar access modelling as views-from-the-sun.

Internalized habitable rooms

- A significant proportion of the development proposes habitable rooms with no daylight or natural ventilation (For assistance p24 of the Architectural Design Report examples includes but are not limited to BLG A – B101, B106, C101, C103, C104 typical all levels and studies in C103, D101, D102 typical all levels).

Daylight - Snorkel bedrooms



- Habitable rooms affected also have snorkel balcony types that further exacerbate the already poor design performance for natural ventilation and adequate daylight.
- See previous comments for natural ventilation.

Lobbies fully internalized

- Common spaces that provide no daylight or natural ventilation achieve poor amenity, are contrary to public health in the current covid-19 context, and increase energy demands for lighting and adequate ventilation.
- see comments for Common spaces.

Subterranean type apartments

- BLG B_ see dwg TP01.03 Ground Floor and Section 6 - units are subterranean.
- Proposed amenity is compromised by the predominance of walls around the spaces and units being single aspect.
- Further impacts on amenity will arise with podium levels of any future development of 816 Pittwater Rd see Units E101, E102, E105, E106, E107.

Balconies

- long axis of all balconies needs to be oriented to the sky. Unit types like E106, E211, E311 typical all levels are narrow and deep.
- Also, D102, D103, C103, C102, C101, B105, B104, B103 typical all levels create snorkel balcony types in addition to snorkel bedrooms. This achieves unacceptable natural daylight and ventilation amenity.
- See previous comments for full height clear glazed balustrading which does not achieve adequate visual privacy. Full height opaque or translucent glazing is not supported due to its poor aesthetic outcome.

Unit mix

- It is noted the proposed development is heavily skewed to 1 and 2-bed types, which total 87% of the development.
- Further consideration of the mix is required so that a diversity of housing choice within the Dee Why Town Centre suits families and varied living arrangements.

Recommendations

19. Design quality requires high levels of resident amenity. The deficiencies identified above are to be addressed. The combination of excessive building footprint depth and excessive yield appear to be a core reason for the areas of poor performance.

Sustainability and resilience

Natural cross ventilation performance must demonstrate consistency with Apartment Design Guide requirements. No cross-ventilation diagrams submitted.

Further info for solar amenity and overshadowing of future neighbouring development to be submitted.

EV charging and future proofing for renewable energy to be demonstrated. This will prevent otherwise avoidable costs in retrofitting where provisions are inadequate at the outset.

It is incumbent on all of us to be considering how developments are transitioning to a zero emissions future that is consistent with the NSW Net Zero Plan – Stage 1 2020-2030.

Extent of single aspect units increases energy demands for A/C and should be reconsidered.

Habitable rooms/spaces with no access to daylight or ventilation is contrary to sustainable practice.

Maximising opportunities for car share spaces should also be incorporated.



Materials – extensive use of painted render systems not supported – look terrible, more frequent maintenance and long term do not have the needed durability particularly in environments affected by particulate pollution from high volume of vehicle emissions.

Recommendations

20. Cross ventilation diagrams are to be submitted and the number of single aspect apartment types is to be minimized. Note: the Apartment Design Guide provides definitions and graphics of unit types accepted as achieving natural cross ventilation. Single aspect types with a corner window in one room or within narrow slots do not achieve natural cross ventilation.
21. Provision of rooftop PV and EV charging facilities is to be accommodated.
22. All habitable rooms and spaces are to have natural daylight and natural ventilation.
23. Solar modelling is required to consider future development on 816 Pittwater Rd.
24. Provision for the infrastructure needed for EV charging is necessary.

Vehicle movements and Car parking

All vehicle access is proposed from the north-east corner of the site at Delmar Pde. While this minimizes direct impacts on the site, it creates tensions that require further consideration.

- Car and truck movements are concentrated to a small area with the main basement car park access, servicing, deliveries and furniture removals occurring in a small area near the main entry.
- The logistics of moving furniture from the loading dock to units in BLG B needs to move between lifts, and across a distance of approximately 100m of ground is impractical.
- There is a pedestrian path that also conflicts as a shared space that appears to provide access to the rear communal rooms as well as providing an egress. The character of the space is compromised further by the stormwater swale.

Recommendations

25. Further consideration of the vehicle strategy is required to better balance the logistical challenges of residents' needs with minimizing site impacts of accommodating vehicles.

PANEL CONCLUSION

The Panel does not support the proposal in its current form.

The Panel is of the view that the recommended changes in the design generally, and particularly those related to public domain, landscape, communal amenity and resident amenity need to be resolved to demonstrate Design Excellence and merit for the sought variations to the WLEP.

The design and planning needs to consider the future development on adjoining sites.

Additional information required

The following information is required:

- Views-from-the-sun solar modelling including the impacts of potential building that comply with required envelopes on adjoining sites
- Cross ventilation diagrams identifying all cross ventilated apartments.
- Coordinated landscape and stormwater design information.



Appendix 1: PLM2020/0226. 24 September 2020

PANEL COMMENT

The proposal has a number of fundamental weaknesses that are the result of a significant divergence from the strategic vision for Dee Why.

Principal divergences are:

- The 16m height limit is intended to result in a 5 storey building
- The LEP requires that there be no residential at the ground level

Other weaknesses result from the relation of the lot to adjoining lots, and the need to retain and provide access to 812 Pittwater Road in the future.

In general, the Panel considers that any non-compliance with planning controls would need to show:

- a demonstrable improvement in amenity within the proposal,
- reduced impact on adjoining sites (either existing or in relation to future development potential)
- contributions to the public domain or other public benefits (affordability, environmental performance)

In order to demonstrate the benefits of non-compliance the proposal should be benchmarked and compared to a complying 'reference scheme'.

The application argues that the increased height achieves better amenity (by setting back from the eastern boundary), public domain benefits (by providing a larger common area adjoining the through site link), and attempts to create a landscaped low scale transition to neighbouring residential zone justify a significant variation to the height limit.

The Panel considers that these benefits are out-weighed by the impact of the development on the amenity of eastern facing units on 2 Delmar Parade.

Given that the applicant is also the developer for 2 Delmar Parade, the impact of the proposal for 4 Delmar should also take into account the reduction in solar access and whether this would have the effect of making 2 Delmar Parade non-compliant (through a reduction in the number of units receiving 2 hours of sunshine)

More detailed concerns are listed below but are unlikely to be resolved through minor modifications to the design. They are included to provide guidance and set out expectations for any re-design.

- It should be noted from the outset that FSR 2.4: is a maximum and not a right, and is contingent on acceptable amenity.
- It is not clear how access would be maintained during construction given that car parking extends beneath the proposed 7m right of way.
- Overshadowing and blocking of long sightlines from 2 Delmar Parade due to the height and proximity of the proposed building form
- Residential units at the ground level are not acceptable; not only in relation to permissibility in the LEP but also due to the high volume of vehicle movements immediately adjacent, the narrowness of the access way, the impact of the noise, the fact that the floor levels of the southern most units are well below the level of the roadway.
- Over provision of car parking is not supported give proximity to town centre and public transport and impact on affordability of units.
- Very little commercial use is proposed even though the LEP requires non residential uses at the ground level
- Although this is a pre-DA and full documentation and analysis of the design is not expected or required, better design ADG compliant residential (the diagrams and claims of cross-ventilation and solar access need to be checked given deeply recessed glass lines, self-shading and overshadowing by balconies.
- Greater activation to the streetscape and better amenity to the residential component.



- Eliminate undesirable transport routes past residential allotments.
- The changes in level across the site need to be taken into account ensuring that the floor level of habitable spaces are above adjacent ground levels.
- No consideration for the potential and need for 818 Pittwater to have a street address in the future; a 7m wide vehicular right of way is not an adequate street address.

RECOMMENDATIONS

The Panel makes no detailed recommendations for adjustments to the design in this case as this would infer that minor adjustments could make the design supportable.

The panel recognises that there are significant issues to the planning of the 'Delmar Precinct' as a whole that are beyond the control of the applicant.

The Panel recommends that:

1. The applicant and other landowners engage in the precinct engage with Council to develop an overall approach that addresses solar access, vehicular and pedestrian access, street address, public domain, landscaping, stormwater management, privacy, distribution of land uses (noting the LEP requirement that there be commercial /non-residential uses at the ground level of 818 as well as 4 Delmar) in an integrated and equitable manner.
2. There should be further discussions with the Panel as the planning for the precinct, and/or the individual site progresses.

PANEL CONCLUSION

The Panel does not support the proposal in its current form.

Planning for the subject site; 4 Delmar Parade needs to give more regard to the adjoining sites in relation to access, views, solar access, overlooking.

The Panel encourages the applicant to take the opportunity to comprehensively address/coordinate development within the whole 'Delmar Precinct' in further discussions with Council



Appendix 2: Planning Proposal 7 October 2021

PANEL COMMENTS

Overall Conclusion

The proposed master plan and planning proposal is a welcomed approach to development of the site but does not necessarily justify the scale, podium size, height and depth of buildings as currently proposed. The greatest asset that is proposed is the connection from Delmar parade to Stony Range Reserve and, to a lesser degree the future connection to residential sites to the east.

The proposal also offers community benefits for a library and community spaces to the council, however it's not clear whether the location of these community services is beneficial or desirable on this site, given its location at the southern edge of the commercial precinct.

It is both understandable and acceptable for precise figures for GFA and unit numbers to not be provided at this early stage of design. However it is the Panel's understanding the proposal is for an increase in unit numbers from around 300 up to 500 units.

The podiums with deep floor plates and high tower forms have been proposed on the basis that a range of public benefits will be provided including affordable housing community facilities, public space, extended road network and 'gateway statements'.

The Panel has identified a range of issues associated with these proposed benefits.

The Panel recognises that there is a misalignment between the heights and FSR on the subject sites and that insufficient allowance has been made for internal roads that should become dedicated public roads.

The Panel notes the difficulties and delays that might result from extending the B4 zone but considers the idea to have merit in the longer term.

The Panel does not support the proposal in its current form.

Overall recommendations

1. In relation to the amount of development and built form the Panel restates its advice from 2020 that this requires close collaboration with Council.
2. In relation to built form it is the Panel's view that variations from the existing planning controls would need to be justified by:
 - a demonstrable improvement in amenity within the proposal,
 - reduced impact on adjoining sites (either existing or in relation to future development potential)
 - particular attention should be given to the relationship to Stony Range Botanic Garden and impacts on flora and fauna, and the experience of visitors from within the garden
3. In relation to the quantum of development it is the Panel's view that variations from the existing planning controls would need to be justified by:
 - contributions to the public domain or other public benefits including but not limited to
 - the provision of affordable housing
 - commitments to leading environmental performance such as Net Zero Carbon
4. Any increase in the allowable GFA should be accompanied by an 'open book' approach should be developed to facilitate evaluation of the public benefit that might be achieved by varying the development controls in a transparent manner that could lead to a VPA.



Appendix 3: Key development characteristics

Site Area:	7790m ²
Zone:	B4
FSR:	3.2:1 (along Pittwater Rd - 28.6% variation sought 907.2m ² – 4.12:1) 2.4:1 (remainder of site – under 2.19:1 proposed)
Height:	24m (along Pittwater Rd) 16m (remainder of site)

PROPOSED DEVELOPMENT

Demolition of existing structures and trees. Construction of mixed use residential flat building containing 230 apartments and 340 car spaces across 2 x basement levels.

Apartment mix:

1-bed	95 units (41.3%)
2-bed	105 units (45.7%)
3-bed	30 units (13%)

Car parking:

275	residential spaces
46	residential visitor spaces (including 1 accessible)
19	commercial spaces
22	visitors