



northern  
beaches  
council

## MEMORANDUM

DATE: 15 May 2023

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Alex Keller, Principal Planner

SUBJECT: Item No. 4.1 - DA2022/0596 at 29-37 Dobroyd Road Balgowlah Heights  
- Construction of a mixed-use development comprising retail and 'Co-living housing'  
over part basement parking

TRIM REFERENCE: 2023/298071, 2023/298120, 2023/307113

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The purpose of this Memo is to advise the NBLPP that two (2) late submissions have been received from No. 8 Nolan Place in objection to the subject development application (DA). The following matters were raised:

1. Site area
2. Car parking
3. Laneway access
4. Side setback (building separation)
5. Access to public transport.

### Issue 1

*1. Concern that the site area is not adequate for the proposed 10 Co-living Units and is an overdevelopment of the land.*

This issue is addressed in detail within the Assessment Report (“the report”) including via the considerations made pursuant to “Clause 4.6 - Minimum lot size”. This matter was also raised in other public submissions and is therefore also considered under the heading “Notification and submissions received” within the report.

### Issue 2

*2. Concern that the proposal has inadequate carparking and will result in increased traffic, parking and safety issues around the building.*

This issue is addressed in detail within the report, under the heading “Internal Referral – Traffic

Engineer". The provision of the *SEPP (Housing) 2021* also apply to carparking requirements that are outlined within the report. Considerations of traffic, safety and parking have also been raised in other public submissions received and are therefore also considered under the heading "Notification and submissions received" within the report. Conditions are recommended to ensure compliance with *Australian Standards* to maintain safe access for vehicles and pedestrians.

### **Issue 3**

*3. Concern that Commerce Laneway is too narrow for two-way traffic and traffic noise will be increased to surrounding properties.*

This issue has been raised in other public submissions received and is therefore also considered under the heading "Notification and submissions received" within the report. Council's Development Engineers and Council's Traffic Engineers have considered the matters relating to traffic and width of Commerce Lane. Any change to street parking restrictions or two-way traffic flow changes would require review by Council's Traffic Committee which has not been recommended by Council's Traffic Engineers as part of the development review. Traffic noise is not considered to create unreasonable noise levels for surrounding land given the existing residential traffic and marginal difference / change in daily residential traffic expected.

### **Issue 4**

*4. Concern that the side setback along the western side of the property is inadequate.*

This issue is addressed in detail within the report, including via the considerations made pursuant to "Clause 4.6 – Building Separation." This matter was also raised in other public submissions and is therefore also considered under the heading "Notification and submissions received" within the report.

### **Issue 5**

*5 Concern that there is a lack of accessibility to convenient public transport services for the Co-living occupants.*

This issue has been raised in other public submissions received and is therefore also considered under the heading "Notification and submissions received" within the assessment report. Council's Traffic Engineers have considered the matters within the applicants *Traffic Impact Assessment*. The site already has a footpath link to local bus shelters. The proposal complies with the provisions of *SEPP (Housing) 2021* for access to public transport.

### **Conclusion**

The above submissions were received post report completion; however, the issues have been similarly raised in other submissions, or as matters that would otherwise be statutorily assessed, and already form part of the broader DA considerations.

### **Recommendation –**

The Panel note the two submissions received from No.8 Nolan Place.

No changes required to the recommendation or conditions contained in the assessment report.