



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2018/0129

Meeting Date: 2 June 2018

Property 91 - 93 McIntosh Road NARRAWEENA

Address: Lot 101 and Lot 102 DP868560

Proposal: Demolition and construction of a shop top housing development with basement carparking.

Attendees for Council: Daniel Milliken – Acting Development Assessment Manager
Alex Keller – Principal Planner
Patrick Bastauraus – Traffic Engineer
Patrick Stuart – Flood Officer
Andrew Ho – Waste Services

Attendees for applicant: Joe Vescio – JV Urban Pty Ltd
David Benson – Benson McCormack Architecture
Phei Ding Lee - Benson McCormack Architecture
Steve Macri – Dreambuild
Peter Brush – Dreambuild
Andrew Dawes – Dawes Consulting Engineers
Morgan Stanbury – Stanbury Traffic Planning

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Warringah LEP 2011 and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council's Response
<u>Relevant Warringah DCP 2011 Clause</u>	
B5 Side boundary setback	<p>Basement setback is to be clear of the stormwater easement along the southern boundary.</p> <p>Side setbacks for above ground structures are to include appropriate treatment to break up wall planes on the boundary and (where appropriate) deep soil landscaping to screen and soften the commercial units (1 & 2) to maintain the amenity of adjacent residential land.</p> <p>Natural landscaping and ground shaping along the easement is to be appropriate to assist overland flow above the pipeline.</p>
B7 Front boundary setback	<p>Setback alignment is influenced by the need for pedestrian ramp access and floor levels to accommodate the flood planning level. Visual character of the front boundary setback is required to respond to the additional design requirements under <i>Part F1 Neighbourhood Centre</i>. (Detailed within these notes)</p>
C2 Traffic, access and safety <i>Traffic Engineering comments</i>	<p>The applicant will be required to provide the following as general traffic access and safety requirements:</p> <ul style="list-style-type: none"> • A Traffic Impact Assessment • Ensure the car parking layout, and access to, are designed in accordance with AS2890. • Public domain upgrades along both frontages to ensure pedestrian safety. • Changes to street parking arrangements and vehicles access thereto in response to accident data identifying traffic / pedestrian safety issues close to the site. Referral and Consultation with Council's <i>Traffic Committee</i> is required. <p>A traffic report is to be provided addressing the traffic safety implications, parking provision, etc.</p> <p>The provision of the vehicle crossing is required in accordance with Warringah Council <i>Development Engineering Minor Works Specifications</i>. Sight</p>



	<p>distances at the entry are to comply with AS2890 to ensure pedestrian safety. Footpath works are to be consistent with Council's requirements for paving and visual differentiation for crossovers, if required.</p> <p>Vehicle access – the application will be referred to both Council's <i>Traffic Network Team</i> and <i>Transport and Civil Infrastructure Assets Team</i> with respect to the proposed vehicular access point to McIntosh Road and any particular safety issues relating to the adjacent signalised intersection.</p> <p>The assessment shall address all requirements as per the RMS Guide to preparing Traffic Impact Assessments, with the addition of the following:</p> <ol style="list-style-type: none">The applicant can consider the alteration of on-street parking to create 60° angle parking provided a safety assessment is undertaken to ensure the change will not further exacerbate any existing hazards or create new safety risks.Bike and motorbike on-street can be considered provided sufficient evidence is providing supporting the locations as being safe and not detracting from the current parking amenity.The applicant should consider a median island on both frontages to prevent vehicles from crossing the centre line to enter angled parking spaces and to avoid vehicles making a right turn into the access driveway. A safety assessment should be undertaken to ensure this does not exacerbate any existing hazards or create new safety risks.All line marking should also be refurbished to ensure maximum visibility and compliance within the locality. <p>The applicant is to incorporate Council's standard driveway profile for the driveway design. Any transitions with the driveway levels are to commence within the property. Engineering long section of both sides of the driveway showing the existing and proposed surface levels must be submitted with the Development Application.</p>
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	<p>Cross fall for the footpath area is to comply with Council requirements and shown in section detailing a 3% to 4% (or as appropriate) cross fall to the kerb, including maintaining continuity of levels in longitudinal fall along McIntosh and Alfred Street at the property boundaries. Details are to be shown on the plans for works within the road reserve / footpath area.</p>
<p>C3 Parking facilities</p> <p><i>(Traffic Engineering comments)</i></p>	<p>Vehicle access – the application will be referred to both <i>Council's Traffic Network</i> and <i>Transport and Civil Infrastructure Assets</i> with respect to the proposed vehicular access point to McIntosh Road.</p> <p>Both these teams will need to comment on the preferred driveway configuration for the development, potential re-location of line marking, footpath, structures in the road reserve and carparking layout.</p> <p>On-street parking on McIntosh Road frontage may be impacted to accommodate the proposed driveway crossover where the driveway is to extend straight up to the parking alignment in McIntosh Road.</p> <p>The reduction in residential Unit floor space (Level 2) will enable parking spaces for staff (for the commercial / retail units) to be provided within the basement area.</p> <p>The applicant shall submit a Traffic and Parking Impact Assessment.</p> <p>The carpark layout and access should be compliant with AS 2890.1:2004.</p> <p>Residential parking must be fully compliant with the DCP requirements. As per the History of the site, the customer parking provisions may be discounted based on merit. However, some accommodation of customer / employee parking should be made within the basement.</p> <p>Traffic Engineering services may be contacted on 1300 434 434 if there are technical traffic / roadwork / safety issues that require clarification.</p>



C4 Stormwater

(Development Engineering comments)

Stormwater runoff from the development site is to be directed to Council's stormwater drainage network traversing the development site.

Council's records indicate that No.93 McIntosh Road is burdened by a 825mm diameter stormwater pipeline and associated infrastructure which traverses through the middle of the site. This is indicated on Council's stormwater map which is available on the webpage.

As the development site is affected by flooding, onsite stormwater detention will not be required for the development.

To determine if the subject property is burdened by overland flows surcharging from a Council drainage stormwater system or if it is located in a sag, a Civil Engineer who is currently registered on the *National Professional Engineers Register (NPER)*, should be engaged to investigate and verify whether the extent the subject property is affected by overland flows during a 1 in 100 ARI event (supplementing the existing data available from Council). In this regard, the overland flow study is to include, but not be limited to the following information:

- i. Hydrological data.
- ii. Hydraulics data.
- iii. Catchment plan showing sub-catchments (where applicable).
- iv. Computer model (applicant is liaise with Council's Development Engineering Team with regards to type of computer modelling required, i.e., 1 Dimensional or 2 Dimensional).
- v. Top water surface level at the receiving water on the drainage layout plan (applicant is to verify/confirm the above level with Council's Development Engineering Team prior to undertaking the above study).
- vi. Cross sections detailing the 1 in 100 year ARI water surface levels traversing the site.



	<p>vii. Extent of water surface levels to extend upstream and downstream of the subject property</p> <p>viii. Above details are to be provided for both existing and post-developed conditions.</p> <p>ix. Engineer's certification that the development will not exacerbate overland flow regime for subject property and surrounding properties</p> <p>The following details are to be submitted with the application should the applicant propose to modify, relocate, upgrade or remove a public drainage system in accordance with the above mentioned policy:</p> <ul style="list-style-type: none"> Hydraulic design & construction plans and an accompanying report detailing the Council drainage system upgrade are to be prepared by a Civil Engineer registered on the NPER. Hydrological and Hydraulic technical guidelines as specified in Council's Engineering Design Specification -AUSPEC ONE are to be used in the preparation of the Hydraulic design plans and report. <p>To demonstrate compliance with Council's <i>Water Management Policy</i> including <i>Technical Specification</i> for specific technical plan requirements.</p>
<p>D9 Building Bulk (Urban Design comments)</p>	<p>Level 2 for the building will need to be substantially reduced in floor area. This will require an approximately 50% reduction in the top floor area shown on the PLM plans. As a guide any Level 2 units will need to be confined within the area "B"- "C" to "2"- "5" (on the PLM plans). Terrace areas outside this area should not extend within 1.5 metres (m) of the edge of the building (Level 1 below).</p> <p>The lift mechanism is to be changed to an alternative side mounted motor to minimise lift overrun and enable this roof level structure (stairs and lift room) to be deleted and relocated to Level 2.</p>



	<p>The corner element of the building facing McIntosh and Alfred Street is to be revised to be a partially open structure / wall, including detailing for visual interest to the streetscape. A reduction in the solid elements on the corner is strongly recommended.</p> <p>Variation in external materials and colours is to be used to enhance the visual interest and amenity of the building. In this regard, the proposal should combined use of natural sandstone and hardwood timber with contemporary use of brickwork, finished concrete / render, steel / glass to provide attractive quality finishes for visual interest and appropriate streetscape for a small neighbourhood centre.</p> <p>The building must demonstrate appropriate articulation to break up building bulk and use landscaping elements to soften wall planes and enhance the ground floor setting. The use of a photomontage is required to demonstrate the visual setting of the building.</p>
<p>C6 Building over or adjacent to Constructed Council Drainage Easements</p>	<p>Council's records indicate that the subject property is burdened by a Council stormwater pipeline. As outlined in the Development Application Checklist, the applicant is required to demonstrate compliance with Section 6, <i>Building Over or Adjacent to Council Drainage Systems and Easements of Council's PL 850 Water: Water Management Policy</i>.</p> <p>This consists of accurately locating, confirming dimensions and plotting Council's stormwater pipelines and associated infrastructure to scale on the DA plans which show the proposed works. This should be carried out by a service locating contractor and registered surveyor. (The applicant will need to provide evidence of methodology used for locating). A plan outlining the indicative locations of Council's stormwater infrastructure is available from Council's Stormwater Operations and Planning Team.</p> <p>All structures are to be located clear of any Northern Beaches Council pipeline or easement. No floor space or building elements are permitted to overhang or encroach into the easement space (above or below ground) along the southern boundary.</p>



	<p>Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned policy. Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.</p> <p>Should the applicant be proposing to relocate, upgrade or remove this infrastructure, details should be provided.</p> <p>For further clarification on the above, please contact Council's <i>Stormwater Operations and Planning Team</i> on 1300 434 434</p> <p>Building over or adjacent to constructed Council drainage systems and easements, it is recommended that the following details are submitted with any application. (link below)</p> <p>https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineering-specifications/building-over-or-adjacent-constructed-council-drainage-systems-and-easements-technical-specification.pdf</p> <ul style="list-style-type: none">a) Accurately locate, confirm dimensions including depth and plot to scale Council's stormwater pipelines and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided)b) If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline attached.c) All structures are to be located clear of any Council pipeline, pit or easement.d) Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned
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	<p>policy.</p> <p>Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted.</p> <p>A CCTV Report for Council Stormwater Asset is required for:</p> <ol style="list-style-type: none"> 1. Any development works located within the vicinity of a Council Stormwater Asset on public or private land and may be required as a condition of development consent. Generally, a CCTV report is required for stormwater lines longer than 10m in length, and 2. Any new stormwater infrastructure that has been constructed as part of a development and will be handed over to Council's care and control. <p>Council Engineering Services has a written guideline for CCTV survey work to assist Applicant's.</p> <p>Flood Engineering team may be contacted on 1300 434 434, if there are technical issues that require further design advice.</p>
C7. Excavation and Landfill	<p>Details of any dilapidation risks to adjacent land are to be provided to demonstrate the excavation methods and retaining will not create risk or require underpinning on adjoining land. Details of retaining wall sections and footings are to be shown on the plans.</p>
C8. Demolition and Construction	<p>A demolition plan is required to be submitted.</p> <p>A draft construction management plan is to be submitted and include details of any required arrangements for hoarding or construction zone and traffic management in the vicinity of the signalised intersection and pedestrian safety during school term.</p>
C9 Waste management (Waste Services comments)	<p>The bin room location is acceptable. The design should ensure the door is 1.2m wide for external access.</p> <p>Stairs to the external access / kerb are not permitted, the access to the bin room must be</p>



	<p>accessible (not lockable) and free of any obstructions and able to be latched open / outwards. (The door cannot swing out over the footpath)</p> <p>A bulk waste room is to be located adjacent to the bin room for separate residential bulky items. The room is to be 4 cubic metres, having practical dimensions to accommodate discarded lounges, mattresses and the like.</p> <p>The retail/commercial uses must have their own common collection / bin room.</p> <p>Waste collection facilities must not be readily visible from the street and designed to comply with Council's Waste Policy.</p> <p>Ventilation and connection to the sewer from a floor drain and a (recessed) tap connection for the waste bin rooms is required.</p>
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WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Note: WLEP 2011 can be viewed at [Council's website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	<i>shop top housing</i> means one or more dwellings located above ground floor retail premises or business premises.
Zone:	B1 Neighbourhood Centre
Permitted with Consent or Prohibited:	Permitted with consent
Heritage:	Narraweena Primary School (opposite the site) has heritage listing – Item “I102” within Lot 741 DP 752038. The proposal is to have regard to its proximity and context to this heritage item.

Principal Development Standards:	
4.3 Height of Buildings	
Standard	Proposed



8.5 metre (m)	12.8m (Currently, variations exceeding 10% cannot be approved under staff delegation, and must be considered by the Northern Beaches Local Planning Panel).
<p>Comment</p> <p>The building height needs to be reduced in order to minimise associated impacts of bulk and scale on the streetscape, overshadowing and maintain the amenity of adjacent land.</p> <p>In this regard, the style of lift access should be changed to a side mounted mechanism to remove the need for a high overrun above Level 2.</p> <p>The width and depth of the top floor must be stepped-in to ensure the outer wall height is not readily visible and is setback far enough to align overshadowing with the lower floor outer edge. This will require the top floor (Level 2) to be confined within the area “B”-“C” to “2”-“5” (shown on the PLM plans).</p> <p>The floor to floor height (including slab thickness) should be reduced to achieve an overall lower building height. It is noted however that a 2.75m internal floor to ceiling height allows a 50 millimetre (mm) additional space for better fitting of conduits, wiring etc. throughout the ceiling.</p> <p>A clause 4.6 submission to vary height is to be submitted with the development application to address additional height. The submission will address the 1997 Deed of Agreement with Council to “give consideration” to permit a higher building due to the road widening (land acquisition) made for public carparking along the site frontages.</p> <p>Additionally, the site is affected by overland flow stormwater flooding that requires the ground floor to be raised for flood protection, adding height the building. The clause 4.6 is to follow the guidelines provided by the <i>NSW Department of Planning</i> in addressing the considerations to be made, including the zone objectives, reasons for variation and outcomes <i>for</i> and <i>from</i> the development.</p>	

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Note: The WDCP can be viewed at Council' website
www.northernbeaches.nsw.gov.au

Part B: Built Form Controls	
B5. Side Boundary Setbacks	
Control/Requirement	Proposed



Merit assessment	<p>Side setback shown as 0.0m to 6.0m along east boundary, with variation for driveway, balcony and recessed elements.</p> <p>Side setback shown as 1.5m (easement), with along south boundary with variation for balconies and recessed elements.</p> <p>Comments are provided within these notes on the acceptable side setback for Level 2. Building is not to extend into the stormwater easement.</p>
B7. Rear Boundary Setbacks (corner site, not applicable)	
Part D: Design	
Control	Comment
D1. Landscaped Open Space and Bushland Setting	<p>No minimum requirement.</p> <p>Refer to landscaping requirements under SEPP 65. Soil depth that is less than 1m will not be able to support deep rooted screen planting that is commensurate with the scale of the building.</p>
D2. Private Open Space	<p>Due to the lack of open space within the site or adjacent the site, all balcony spaces should have at least compliant dimensions and area with the DCP. Thereby, automatically also satisfying dimension requirement of SEPP 65.</p>
D3. Noise	<p>The site is located in a 'Neighbourhood Centre' zone that allows for a range of uses. Therefore the design of the proposal is required to address potential impacts noise impacts from balconies, driveways, foyers and mechanical plant.</p>
D5. Orientation and Energy Efficiency	<p>The site has a corner frontage therefore the building will be able to achieve compliance with Part D6 or SEPP 65.</p>
D6. Access to Sunlight	<p>Solar access is advantageous for the site due to the north and west facing corner frontage. Detailed shadow diagrams for 9am, Midday, and 3pm are to be submitted to demonstrate solar access to the outdoor private open space adjacent land.</p>
D8. Privacy	<p>Privacy between internal Units and between adjacent lands must satisfy minimum separation distances. (Refer to SEPP 65). "Borrowing" of separation distances from adjacent land is not supported where Units face toward other housing.</p>



	The development must not include a roof terrace. Access to the roof, above level two, can only be for maintenance.
D12. Glare and Reflection	Use of a variety of low reflective colours and materials to suit the urban surroundings is encouraged. Glass wall planes should not be excessive to avoid a “jarring” impact of the building and discontinuity to the existing streetscape.
D14. Site Facilities	Space is also to be allocated for service ducts, service installations (hydrants), electricity (Ausgrid) and other service provider’s essential facilities. Design details should accommodate fire protection for any external hydrant of the building integrated to the design. The design is to incorporate facilities for ventilation ducting as food services (café) may be located at ground floor level, including provision for grease trap. The design should allow a CDC for occupation.
D15. Side and Rear Fences	Any proposed rear fencing should be detailed on the plans. Replacement boundary fencing is to be at the applicant’s expense, in consultation with neighbours.
D18. Accessibility	Disabled persons access is required from the street and from the carparking areas to all residential floors (common areas) and the retail / commercial areas. Disabled persons toilets are also required for any commercial / retail space. Refer to DCP requirements with inclusion of suitable commercial / retail unit WC facilities for staff and customers. Accessibility is required to comply with the <i>Disability Discrimination Act</i> and AS1428. The Building Code of Australia (BCA) report should ensure appropriate path of travel and the DA plans being suitable to avoid any significant changes for the Construction Certificate. (CC)
D20. Safety and Security	The proposal should demonstrate safety and security considerations in the design. The use of long narrow corridors should be avoided where practicable and spacious entry areas for pedestrian movement. The service areas / carparking should be designed to enable security and ease of use by



	residents.
D21. Provision and Location of Utility Services	Provision must be made and shown on the plans for service installations, such as water meters, fire protection equipment, access to service boards and the like to prevent problems in meeting service provider requirements at construction certificate stage.
D22. Conservation of Energy and Water	A Basix certificate is to be submitted with the application to address Part D22.
D23. Signs	Details of signage should be included with the proposal. This may be generic (schematic elevation details) showing the location and size for future signage spaces to be used on the street façade facing Condamine Street. Note that there are restrictions on signage above the ground level. Signage should also address SEPP 64 as the site has frontage to a main road.
Part D: The Natural Environment	
Control	Comment
E11 Flood Prone Land <i>(Flood Engineering comments)</i>	<p>A Flood Management Report must be completed showing compliance with <i>Part E11 Flood Prone Land</i> of the Warringah DCP and <i>Flood Management Report Guidelines</i> on the Council website.</p> <p>As indicated in the Flood Information Report dated 13 April 2018, the maximum Flood Planning Level for the site is 74.77m AHD, which is relevant for the ground floor areas on Alfred Street and corner of McIntosh Road.</p> <p>The 1% AEP flood level at the proposed basement carpark entrance on Macintosh Rd is 73.9m AHD. As the flood depth there is shallower than 300mm, a freeboard of 300mm on top of the 1% AEP flood level at the proposed basement Carpark entrance is acceptable to comply with Council's requirements.</p> <p>Therefore, the FPL at the proposed basement Carpark entrance location is 74.2m AHD.</p> <p>As the carpark is below natural and existing ground level for part/all of the site, it is classified as a basement carpark for the purposes of flood planning and Council will not accept flood gates or flood shutters to exclude flood waters from entering the</p>



	<p>carpark.</p> <p>The crest level of the basement carpark must be at the level of 74.2m AHD or higher.</p> <p>The applicant can license the Flood Model from Council for a fee of \$3,372.80. See form #4094 on Council's website.</p>
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Part F: Zones and Sensitive Areas

Control	Comment
F1. Local and Neighbourhood Centres	
<p>Objectives</p> <ul style="list-style-type: none"> • <i>To encourage good design and innovative architecture.</i> • <i>To provide a safe and comfortable environment for pedestrians.</i> • <i>To provide a range of small-scale shops and business uses at street level with offices or low-rise shop-top housing to create places with a village-like atmosphere.</i> • <i>To enhance the established scale and pattern of development and the continuity of existing streetscapes.</i> • <i>To enhance the public domain.</i> • <i>To increase adaptability, environmental performance and amenity of buildings</i> 	<p>Requirements</p> <ol style="list-style-type: none"> 1. Buildings are to define the streets and public spaces and create environments that are appropriate to the human scale as well as being interesting, safe and comfortable. 2. The minimum floor to ceiling height for buildings is to be 3.0 metres for ground floor levels and 2.7 metres for upper storeys (to be shown on the section details). 3. The design and arrangement of buildings are to recognise and preserve existing significant public views. 4. Development that adjoins residential land is not to reduce amenity enjoyed by adjoining residents. 5. The built form of development in the local or neighbourhood retail centre is to provide a transition to adjacent residential development, including reasonable setbacks from side and rear boundaries, particularly above ground floor level 6. Buildings greater than 2 storeys are to be designed so that the massing is substantially reduced on the top floors and stepped back from the street front to reduce bulk and ensure that new development does not dominate existing buildings and public spaces. 7. Applicants are to demonstrate how the following significant considerations meet the objectives of this control:



	<ul style="list-style-type: none"> • Scale and proportion of the façade; • Pattern of openings; • Ratio of solid walls to voids and windows; • Parapet and/or building heights and alignments; • Height of individual floors in relation to adjoining buildings; • Materials, textures and colours; and • Architectural style and façade detailing including window and balcony details. <p>8. Footpath awnings should be designed to allow for street tree planting.</p> <p>9. Awnings should be consistent in design, materials, scale and overhang with adjacent retail developments.</p> <p>10. Awnings should have an adequate clearance from the kerb.</p> <p><u>Comment:</u> The PLM plans are inconsistent with a number of these requirements. Advice is provided within these notes to ensure the scale, height, amenity top floor massing and external appearance is appropriately addressed for this small neighbourhood centre. Particular emphasis is provided with respect to ensuring the visual bulk and scale of the building, including the top floor is reduced and treated to meet these specific requirements.</p>
Other Relevant Controls within WDCP 2011	
<p>Appendix 1 – Car Parking Requirements</p> <p>Retail (Shop) – 1 space per 16.4 sqm of Gross Leasable Floor Area GLFA (6.1 spaces per 100 sqm of GLFA)</p> <p>Business/Office – 1 space per 40 sqm excluding customer service / access area, plus for customer service / access areas 1 space per 16.4 sqm GFA.</p> <p>Shop top housing – 1 space per 1 bedroom dwelling, 1.2 spaces per 2 bedroom dwelling, 1.5 spaces per 3 bedroom dwelling, plus 1 visitor space per 5 units or part of dwellings.</p> <p>Carparking totals are to be rounded up, to provide the whole space.</p> <p>A shortfall in net parking for the residential apartments will not be supported. Parking dedicated within the street frontage principally serves the existing shops. The proposal will reduce the area of existing retail space on site and a reduced area for Level 2 will</p>	



enable employee parking in the basement.

Other Relevant Environmental Planning Instruments/SEPPs

You are advised that the following Environmental Planning Instruments apply to the development:

- SEPP No. 55 – Remediation of Land;
- SEPP No. 64 – Advertising and Signage;
- SEPP No. 65 – Design Quality of Residential Apartment Development (including the Apartment Design Guide (ADG));
- SEPP (Infrastructure) 2007; and
- Warringah Local Environment Plan 2011.

SEPP 65 – Apartment Design Guidelines

Part	Guideline	Comments/explanation of compliance
PART 01 - LOCAL CONTEXT		
Building Height	Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.	Not Applicable No FSR applies.
	Test heights against the number of storeys and the minimum ceiling heights required for the desired building use.	Ground: 2.8-3.0m proposed (Retail/Commercial) Level 1-2: 2.75m proposed (Residential) (Refer to “ceiling heights” within in this table) Internal floor to ceiling height to be shown on the plan.
Building Depth	In general, an apartment building depth of 10-18m is appropriate. Developments that propose wider than 18m must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	To be shown on the plans All apartments to achieve a depth of less than 18m. Total building however is deeper than 18m.
Building Separation	Design and test building separation controls in plan and section. For buildings up to four storeys/12m: (a) 12m between habitable rooms/balconies; (b) 9.0m between habitable/balconies and non-habitable rooms; (c) 6.0m between non-habitable	To be addressed Separation is to shown on the plans (to adjacent buildings). Noise reverberation from the common areas may create diminished amenity for residents. Extra noise treatment for higher standard glazing / wall structure may be suitable for noise



Other Relevant Environmental Planning Instruments/SEPPs

	rooms. Note: The ADG defines a habitable room as any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, study, kitchen, sun room and play room	protection.
	Test building separation controls for daylight access to buildings and open spaces.	A minimum of three hour's direct sunlight between 9am and 3pm in mid-winter, is required to support proposal. Solar access diagrams required to show solar access for each hour between 9am and 3pm.
Street Setbacks	Identify the desired streetscape character, the common setback of buildings in the street, the accommodation of street tree planting and the height of buildings and daylight access controls.	The development does not comply with the height of 8.5m and has an overall height of 12.8m. At present the proposed size of the building is out of context with the existing development either side of the site and expectation for re-development. In order to address this issue the building height around the outer walls should be reduced including changes to the lift overrun / stair core. This will require the top floor to be reduced (Level 2) by 50% and stepped in from the edge.
	Test street setbacks with building envelopes and street sections.	Not Applicable
	Test controls for their impact on the scale, proportion and shape of building facades	Ground floor of proposal is consistent with the DCP streetscape setbacks however upper floor (L2)



Other Relevant Environmental Planning Instruments/SEPPs

		does not comply and is to be substantially reduced in area. (Not more than 50% of the floor below)
Side & Rear setbacks	Relate side setbacks to existing streetscape patterns.	To be addressed within the design.
Floor space ratio	Test the desired built form outcome against proposed floor space ratio to ensure consistency with building height- building footprint the three dimensional building envelope open space requirements.	Not Applicable

PART 02 - SITE DESIGN

Site Configuration

Deep Soil Zones	A minimum of 25% of the open space area of a site should be a deep soil zone; more is desirable. Exceptions may be made in urban areas where sites are built out and there is no capacity for water infiltration. In these instances, Stormwater treatment measures must be integrated with the design of the residential flat building.	Limited deep soil area available as a shop top housing development.
Open Space	The area of communal open space required should generally be at least between 25% and 30% of the site area. Larger sites and brownfield sites may have potential for more than 30%.	Limited requirement as the site is for shop top housing development.
	Where developments are unable to achieve the recommended communal open space, such as those in dense urban areas, they	The development recommended to include additional private open space area for apartments to compensate for a limited communal open space.



Other Relevant Environmental Planning Instruments/SEPPs

	must demonstrate that residential amenity is provided in the form of increased private open space and/or in a contribution to public open space.	
	The minimum recommended area of private open space for each apartment at ground level or similar space on a structure, such as on a podium or car park, is 25m ² ; the minimum preferred dimension in one direction is 4.0m. (See Balconies for other private open space requirements).	Dimensions to be shown on the plans
Planting on structures	<p>In terms of soil provision there is no minimum standard that can be applied to all situations as the requirements vary with the size of plants and trees at maturity. The following are recommended as minimum standards for a range of plant sizes:</p> <ul style="list-style-type: none"> • Large trees such as figs (canopy diameter of up to 16m at maturity) - minimum soil volume 150m³ - minimum soil depth 1.3m - minimum soil area 10m x 10m area or equivalent. • Medium trees (8.0m canopy diameter at maturity) - minimum soil volume 35m³ - minimum soil depth 1.0m - approximate soil area 6.0m x 6.0m or equivalent. • Small trees (4.0m 	<p>Section plans required to ensure adequate design of planter box structures including plant species, drainage and watering systems.</p> <p>Advanced shrubs / trees should be used for planting.</p>



Other Relevant Environmental Planning Instruments/SEPPs

	<p>canopy diameter at maturity) - minimum soil volume 9.0m³ - minimum soil depth 800mm - approximate soil area 3.5m x 3.5m or equivalent.</p> <ul style="list-style-type: none"> • Shrubs - minimum soil depths 500 -600mm • Ground cover - minimum soil depths 300 - 450mm • Turf- minimum soil depths 100 - 300mm • Any subsurface drainage requirements are in addition to the minimum soil depths quoted above. 	
Safety	<p>Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.</p>	<p><u>Surveillance</u> Internal walkways and basement area have stair access to the public street. Within the ground level and basement / ground floor there are associated exist tunnel / alcoves / bin rooms which provide opportunities for concealment from the front entry area.</p> <p><u>Access Control</u> The development provides security control to the basement and near the pedestrian entries. The access points are to be well defined control points.</p> <p><u>Territorial Reinforcement</u> Controlled by the internal walkways.</p> <p><u>Space Management</u> This matter is to be addressed via on-site management.</p>
Visual amenity	<p>Refer to Building Separation minimum standards</p>	<p>The development must address impacts on development potential to the east and south and differences in zoning of commercial and residential</p>



Other Relevant Environmental Planning Instruments/SEPPs		
		amenity considerations. The adjacent sites will have cross boundary issues due to potential amenity (solar and privacy) impacts toward residential land. The proposal must address this issue in detail.
Pedestrian access	Identify the access requirements from the street or car parking area to the apartment entrance.	The development includes pedestrian access points to the residential component via the basement and ground floor. Access points are clearly defined. Security access to be detailed for the commercial/retail uses located on the ground floor.
	Follow the accessibility standard set out in AS 1428 (parts 1 and 2), as a minimum.	Detail to be provided to demonstrate compliance with access from disabled person's parking space to foyers and retail/business space. Intercoms must be provided. Disabled persons access must be provided to ground floor areas. (Note: door widths are to be adequate with ramp options to access ground floor shops / commercial units)
	Provide barrier free access to at least 20% of dwellings in the development.	Details to be provided Details those apartments that have barrier free access.
Vehicle access	Generally limit the width of driveways to a maximum of 6.0m.	Design details required for driveway, crossover and ramp (plus splays) to allow traffic access to the carparking area to comply with engineering requirements and Australian Standard.
	Locate vehicle entries away from main pedestrian entries and on secondary frontages.	Crossing sight distances and standard splays to be provided and any treatment of driveway surface along footpath area.
PART 03 BUILDING DESIGN		
Apartment layout	Single-aspect apartments should be limited in depth to 8.0m from a window.	Details to be provided To be demonstrated that all single aspect apartments have depth greater than 8.0m from a window to the rear wall.



Other Relevant Environmental Planning Instruments/SEPPs		
		Design change/detail required to ensure compliance.
	The back of a kitchen should be no more than 8.0m from a window.	<p>Details to be provided</p> <p>All apartments to achieve a depth not greater than 8.0m from a window, to the back of the kitchen.</p> <p>Design change/detail is required to ensure compliance.</p>
Balconies	Provide primary balconies for all apartments with a minimum depth of 2.0m. Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context-noise, wind – can be satisfactorily mitigated with design solutions.	<p>All balconies should achieve a depth of 2.5m or greater. This should be increased to compensate for no communal space.</p> <p>(Note: WDCP requires 2.5m to avoid non-compliance with DCP). Top floor terraces should not be closer than 1.5m to the roof edge below. Top floor apartments confined to within area “C-B” to “2-5” on the plans (Level 2)</p>
Ceiling Heights	<p>The following recommended dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL). These are minimums only and do not preclude higher ceilings, if desired.</p> <ul style="list-style-type: none"> <i>in mixed use buildings: 3.3m minimum for ground floor retail or commercial and for first floor residential, retail or commercial to promote future flexibility of use</i> <i>in residential flat buildings in mixed use areas: 3.3m minimum for ground floor to promote future flexibility of use in residential flat buildings or other residential floors in mixed use buildings</i> <i>In general, 2.7m minimum for all habitable rooms on</i> 	<p>The development is for a mixed use building. As such the following floor to retail ceiling heights have been proposed:</p> <p>Ground Floor (Retail/Commercial) – 3.0m</p> <p>Upper Floors (Residential) – 2.75m (appropriate to small neighbourhood centre) and 2.75m for Level 2 as per room requirements to be detailed.</p>



Other Relevant Environmental Planning Instruments/SEPPs		
	<p><i>all floors, 2.4m is the preferred minimum for all non-habitable rooms, however 2.25m is permitted.</i></p> <ul style="list-style-type: none"> <i>• for two storey units, 2.4m minimum for second storey if 50 percent or more of the minimum wall height at edge</i> <i>• for two-storey units with a two storey void space, 2.4m minimum ceiling heights</i> <i>• Attic spaces, 1.5 metre minimum wall height at edge of room with a 30 degree minimum - ceiling slope.</i> 	
Ground Floor Apartments	Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. This relates to the desired streetscape and topography of the site.	Not applicable to shop top housing
	Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	Not applicable to shop top housing.
Internal Circulation	In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight.	Compliance to be maintained



Other Relevant Environmental Planning Instruments/SEPPs		
Storage	<p>In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:</p> <ul style="list-style-type: none"> • studio apartments 6.0m³ • one-bedroom apartments 6.0m³ • two-bedroom apartments 8.0m³ • three plus bedroom apartments 10m³ 	<p>1 bedroom - 6.0m³ 2 bedroom - 8.0m³</p> <p>All storage should be in the basement or ground level with access to storerooms being not through another area of private space.</p>
Building Amenity		
Daylight Access	<p>Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in mid-winter. In dense urban areas a minimum of two hours may be acceptable.</p>	<p>Compliance to be demonstrated.</p> <p>Diagrams to show shadowing at 9am, Midday, 3pm on the 21 June.</p> <p>A summary compliance table to be included listing the, floor area, balcony area, time and duration of direct sunlight and % sunlight coverage of POS for each unit.</p>
	<p>Limit the number of single-aspect apartments with a southerly aspect (SWSE) to a maximum of 10% of the total units proposed.</p> <p>Note: The ADG does not define single-aspect apartments but does define dual aspect apartments as having at least two major external walls facing in different directions, including corner, cross over and cross through apartments.</p>	<p>Single aspect apartment shown as west facing.</p> <p>Operable screens and directional privacy screens should be shown where balconies overlook dwelling houses to east /south-east.</p>
Natural Ventilation	<p>Building depths, which support natural ventilation typically range from 10m to 18m.</p>	<p>Detail unit depth on the plans.</p>
	<p>Sixty percent (60%) of residential units should be</p>	<p>Detail air flow and use of wide openings</p>



Other Relevant Environmental Planning Instruments/SEPPs

	naturally cross ventilated.	to encourage maximum air flow.
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Building Performance

Waste Management	Supply waste management plans as part of the development application	A waste management plan to be prepared to satisfy this requirement by conditions of consent.
Water Conservation	Basix provisions will address this requirement.	Section details to be shown for landscaping planter boxes.

Referral Body Comments

Referral Body	Comments
External referrals	No external referral body comments necessary. Referral to <i>Ausgrid</i> will be made with the DA.

Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at Council's website:

- Stormwater drainage for low level properties PDS-POL 135
- Development Assessment Management policy
- Vehicle access to all roadside development: LAP-PL 315

Documentation to accompany the Development Application

- Electronic copies (USB) and 1 paper copy of documents and plans
- Statement of Environmental Effects (including brief heritage assessment)
- Request to vary a development standard ("Clause 4.6" of Warringah LEP 2011)
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan (including detail of vent locations)
- Elevations and Sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan



- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Waste Management Plan Ongoing (commercial / retail / residential)
- Certified Shadow Diagrams
- BASIX Certificate
- Energy Performance Report
- Schedule of colours and materials
- Photo Montage
- Statement of Heritage Impact (brief)
- Draft strata plan
- Road design works Plan
- Advertising Structure / Sign Plan (schematic only)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management / Stormwater Drainage Assets Plan
- Geotechnical Report
- Flood Risk Assessment Report / Overland flow Study
- Traffic and Parking Report
- Construction Traffic Management Plan, including any recommended change to parking angle, kerb alignment as required to address intersection / parking safety.
- BCA Report addressing Accessibility, Fire Safety Measures and Acoustic issues (including mechanical ducting)
- SEPP 65 Report, including design verification statement
- Copy of Deed of Agreement (dated 9 April 1997)

Concluding Comments

These Minutes are in response to a pre-lodgement meeting held on 2 June 2018 to discuss shop top housing at No.91 - 93 McIntosh Road Narraweena. The Minutes reference preliminary amended plans prepared by *Benson McCormack Architects*, dated May 2018.

The proposal has a number of substantial non-compliances and critical design issues that will not enable Council to support the proposal as presented. However, integrating the recommended changes advised in these notes will enable the substantial height and storey non-compliance to be addressed and supported. The upper floor (Level 2) must be substantially reduced (as detailed within these notes) to meet the planning considerations appropriate to the site, including the Deed of Agreement (dated 9 April 1997). This will require design changes detailed within these notes to address objectives for the LEP 2011 *B1 Neighbourhood Centre zone* and *Part F1 Local and Neighbourhood Centres* under the DCP 2011 and SEPP 65 requirements.

Carparking and the additional upper floor elements are subject to considerations outlined within the Deed of Agreement, dated 9 April 1997, made in association with the road widening and street parking works undertaken in front of the site.

No building elements (above or below ground level) are to encroach within the



stormwater easement along the southern boundary.

Based upon the above comments you are advised to satisfactorily amend the plans to address the matters raised in these minutes prior to lodging a development application. Alternatively Council recommends additional contact with Council if further assistance with addressing the SEPP, LEP and DCP controls is required to be clarified.