



Pre-lodgement Meeting Notes

Application No: PLM2023/0161
Meeting Date: 15 February 2024
Property Address: 1 Gondola Road NORTH NARRABEEN
Proposal: Development Application Pre-lodgement Meeting
Attendees for Council: Daniel Milliken – Manager, Development Assessments
Adam Croft – Principal Planner
Alex Keller – Principal Planner
James Brocklebank – Traffic Engineering
David Hellot – Water Quality
Joseph DiCristo – Development Engineering
Patrick Stuart – Stormwater / Flood Engineering
Valerie Tulk – Waste Services
James Brisbois - Coast and Catchments

General Comments/Limitations of these Notes

These notes have been prepared by Council's Development Advisory Services Team 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 advice on the specific issues nominated by the Applicant and the discussions and conclusions reached at the 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 application.

In addition to the comments made within these Notes, it is a requirement of the applicant to address the relevant areas of legislation, including (but not limited to) any State Environmental Planning Policy (SEPP) and any applicable sections of the Pittwater Local Environmental Plan 2014 and Pittwater 21 Development Control Plan, within the supporting documentation including a Statement of Environmental Effects, Modification Report or Review of Determination Report.

You are advised to carefully review these notes and if specific concern have been raised or non-compliances that cannot be supported, you are strongly advised to review your



proposal and consider amendments to the design of your development prior to the lodgement of any development application.

SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Response to Matters Raised by the Applicant

New scheme for site that combines (replaces) previous approved design for 1-3 Gondola Road.

PLM comments on waste room, floor arrangements, basement plans, building height and general concept plans.

Detailed responses are provided below including technical matters as well as comments on post PLM plans received with further revisions made after the PLM meeting / discussion.

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014 (PLEP 2014)

PLEP 2014 can be viewed at

<https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0320>

Part 2 - Zoning and Permissibility

Definition of proposed development: (ref. PLEP 2014 Dictionary)	Shop top housing
Zone:	E1 Local Centre
Permitted with Consent or Prohibited:	Permitted with consent

Clause 4.6 - Exceptions to Development Standards

Clause 4.6 enables the applicant to request a variation to the applicable Development Standards listed under Part 4 of the LEP pursuant to the objectives of the relevant Standard and zone and in accordance with the principles established by the NSW Land and Environment Court.

A request to vary a development Standard is not a guarantee that the variation would be supported as this needs to be considered by Council in terms of context, impact and public interest and whether the request demonstrates sufficient environmental planning grounds for the variation.



Part 4 - Principal Development Standards			
Standard	Permitted	Proposed	Compliance
Height of Buildings	8.5m but cl4.3(2A) permits building height to be no more than 8.0m above FPL (RL4.4) therefore RL12.4)	Uppermost Habitable Floor : RL14.5 (top of roof slab) Lift overrun: RL17.75	No. 5.35m as per Dwg 3004 (Site flood affected – height variation for top storey, including lift and roof access)

PITTWATER 21 DEVELOPMENT CONTROL PLAN (P21DCP)

P21DCP can be viewed at
<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Pages/Plan/Book.aspx?exhibit=PDCP>

The following notes the identified non-compliant areas of the proposal only.

Part		
Control*	Permitted	Proposed
Front building line (P21DCP)	Gondola Rd - 3.5m Minarto Ln – 3.5m	3.5m 1.5m
Side building line (P21DCP)	South – Nil West – Nil	Nil
Building envelope (measured from FPL) (P21DCP)	South - 4.2m	Outside envelope
	West - 4.2m	Outside envelope
<ul style="list-style-type: none"> SEPP Housing overrides local DCP controls where inconsistencies arise. Council seeks to achieve the best amenity outcomes if there is discrepancy in the controls. For example, wider setbacks can be more appropriate for building separation which may require reduced density which in turn enables improved balance between parking compliance, solar access, neighbour amenity, landscaping, and provision of other inclusions such as adequate storage required by the ADG. 		

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PLANNING



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1. Recommend investigating lowering of internal 5m of commercial to grade and reconfigure carparking. Alternatively, create a central entry courtyard and widened foyer.
2. Reduce U101 balcony size to increase separation from western boundary and U107
3. U102 and U202 configurations are awkward and provide poor amenity to living rooms and bedrooms
4. Multiple units exceed 8m depth from glass line for living rooms and should be reduced.
5. The proportion of 3 bedroom apartments contributes to the bulk and amenity issues – consider reducing the number of 3 beds
6. The protruding façade elements will reduce solar access and outlook to various units
7. Internal circulation needs to be resolved eg. Residential lift access from street, separation of commercial and residential, pedestrian access through the basement and also to the bin store.
8. Pull roof terrace away from western and southern boundaries, consider increasing extent of roof planting.
9. Details of blank ground floor façade to Minarto Lane

Amended plans

1. The “Commercial Landscape” area is not of a scale that materially improves the articulation of the parking/retail façade. The façade length is considerable and is otherwise a continuous 5m high, 34m long concrete and glass wall.

Greater dimensions may also enable the space to actually be usable in conjunction with the commercial tenancies. This is a great opportunity to provide a high-quality entry sequence beyond a simple stair, lift and plants. Consider also widening the internal foyer to match the street lift access – this would enable separation of the lift from the carpark and provide a location for mailbox provision.

- Why is the landscaped area raised above ground level? Can it be integrated with the footpath levels?
 - Are the blade walls necessary? They appear to enclose the space behind, rather than creating an identifiable entry with excellent amenity.
2. The reduction to the U101 balcony is generally acceptable.



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3. Unit 102 and 202 configurations are largely unchanged – see comments at points (4) and (5).
4. Glass line depths now appear largely compliant, with the exception of Units 101 and 201. However, the configurations of Units 105 and 205 are arguably worse than the previous layouts, with no line of site from the kitchen to a window.
5. Consider re-allocating Bed 3 of units 106/206 to units 105/205. This would enable a reduction in the north-south depth of units 105/205 and subsequent increase in the width of 102/202, 103/203 and 104/204. This would also assist in reducing the discrepancy in unit areas for 2 vs 3 bedrooms – the 3 bedrooms all significantly exceed compliance, whereas the 2 bedrooms only just meet the minimum 75m². It would also allow for the provision of internal storage within the 2 bedroom units, which currently appears scarce. It is noted that the minimum required storage will need to be provided internally as it does not seem feasible to provide any storage in the basement.
6. The protruding façade elements are revised to maximise morning sun.
7. Internal circulation is generally resolved. Access to the bin store is not ideal, but the difficulties caused by the flood affectation is acknowledged. Advice from Council's Waste section must be considered.
8. Roof terrace revisions are generally acceptable.
9. Minarto Lane lower façade requires further resolution.

WASTE MANAGEMENT

- Council will provide a wheel out-wheel in service for the residential waste service.
- Council will supply 13 x 240 litre waste bins for the 16 residential units, comprised of 5 garbage, 3 paper 3 bottles, 2 garden organics. Each bin has a footprint of 750 x 600 mm. The waste storage room layout should enable unobstructed manoeuvring and removal of individual bins by service staff, in accordance with <https://www.northernbeaches.nsw.gov.au/services/rubbish-and-recycling/building-waste> and should not contain any other equipment or utilities (eg gas or electricity metres or air conditioning ducting etc).
- The waste storage room is well located for servicing from Minarto Lane, however access for residents would preferably be not by exiting the building and re-entering via the vehicular driveway.
- The commercial bin room needs to have a separate access and cannot be accessed via the residential bin room.
- Access for servicing of the residential bins should not be via the vehicular driveway. Doors need to be outward opening, unlocked on the day of service and able to be latched in the open position.
- A separate Bulky Goods storage is required as per Councils Waste Management Guidelines chapter 4, which is available here



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<https://www.northernbeaches.nsw.gov.au/services/rubbish-and-recycling/building-waste>. This room also requires a separate entrance.

Comment on Waste arrangement for post PLM plans.

- The changes show numerical allocation of bins. It is still considered that planning comments may require further adjustment along the setbacks and the access to the bin room is convoluted with arrangement corridors and steps. This may be difficult for person with limited mobility such as someone living in an adaptable unit.

TRAFFIC ENGINEERING

Shop top housing development comprises 14 x units (8x3 bed and 6x2 bed) and 2 retail tenancies with a combined with GFA of 408.69m² and offstreet parking for 40 vehicles. 2 x motorcycle parking bays and bicycle parking are also provided.

The development is accessed via a single driveway off Minarto Lane

The following comments are made:

- There is no delivery/courier bay shown on the PLM plans [now shown on revised PLM plans]. Under the Pittwater DCP both a delivery bay and a courier bay are required for developments with a GFA greater than 400m². For this site at least 1 space capable of accommodating a Small Rigid Vehicle should be provided. It is noted that there are no on-street Loading Zones in the vicinity and a high demand for any nearby short term parking so an off-street loading/servicing bay must be provided.
- No wash bay is provided and under the Pittwater DCP one is required for developments more than 10 units. This should be revised in the DA plans [now shown with revised PLM
- The driveway will need to cater only for right turns in and right turns out as there is a One Way southbound traffic movement in Minarto lane. These movements must be verified with swept path plots for the B99 vehicles and must assume that a vehicle is parked opposite the driveway. The plots should also be prepared to demonstrate adequate passing around a waiting B85.
- There is no provision for two vehicles to pass on the ramp into the basement. How will this be managed? And where will vehicles wait at the top and bottom of the ramp to allow passing? It would be much preferred if two way access on the ramp were available however if this is not feasible traffic light control of vehicle movements between the two levels must be provided.
- A swept path plot is to be provided for the movements to and from ground floor parking into/out of the ramp to the basement for the B99 vehicle
- The above swept path plot should also be demonstrate access to and from ramp into and out of basement for the B99 vehicle



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- The above plots must demonstrate passing of a waiting B85 on both the ground floor And basement parking levels
- The driveway widens to 5.5m at the boundary with the widening must extend for at least 6m inside the property boundary and concurrent turning of a B99 right in past a B85 waiting at the top of the ramp must be demonstrated.
- Grades at property boundary are 10% in excess of the 5% normally required by AS2890.1. Given that the road reserve is very narrow and noting the flooding issues at the site the 10% grade is acceptable provided that a long section is provided to demonstrate that scraping will not occur at the driveway/road junction or at any point along the driveway and carpark ramps for travel by a B99 vehicle.
- A roller shutter has not been shown on the PLM plans to separate the commercial and residential parking levels. If a roller shutter is provided where will it be located? and where is the roller shutter access card point? It should be conveniently located on the drivers side and in a location where it does not impede access or turning.
- Accessible parking appears ok but commercial and visitor accessible spaces could be located closer to the lift/alleyway to commercial
- Parking numbers for residential are not compliant. 28 residential spaces and 4 visitor spaces are required however only 26 residential and 3 visitor spaces are provided. While a slight shortfall can be considered in this locality given proximity to transport and services, it will need to be justified in a traffic report
- Parking numbers for commercial are compliant
- The Pittwater DCP required 1 motorcycle parking space for business/commercial developments larger than 200m². It is noted that two motorcycle parking bays are proposed which is not opposed and caters for alternate transport modes.
- It is noted that bicycle parking appears to have been provided, additional details on the number and type of bicycle parking facilities to demonstrate compliance with DCP requirements will be required with the DA
- A sight line triangle as per AS2890.1 clause 3.2.4 for visibility to pedestrians at the Minatro Lane junction will be required

Comment on amended plans submitted after the PLM.

- The traffic and parking report will address changes made as part of the post PLM plans however due to additional planning changes sought relating to streetscape and entry areas and SEPP 65 (e.g need for storage) this may required further adjustment to the basement areas / balance of parking.

DEVELOPMENT ENGINEERING

- As the site is flood affected OSD is not required.
- The proposal will require the construction of kerb and gutter along the Minarto Lane frontage and reinstatement of the existing crossings in Rickard Road.



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- A new footpath along Rickard Road will be required.
- The internal driveway grades are to be in accordance with AS/NZS2890.1:2004.
- Flood Team are to provide comments with regard to the flood levels for all access points to the basement.

COAST and FORESHORES

- The proposed development is located within the coastal zone of NSW and is subject to the provisions of the Coastal Management Act 2016 (CM Act) and State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H).
- Under the SEPP R&H, the subject site has been included on the Coastal Environment Area and Coastal Use Area Map, as such the requirements of sections 2.10 and 2.11 apply. The objectives and requirements of both the CM Act and the SEPP (R&H) must be addressed within the **Statement of Environmental Effects (SEE) Report** as they relate to development within these coastal management areas. In addition, the general SEPP (R & H) clause 2.12 relating to an increase in risk of coastal hazards must also be addressed within the SEE report.

ENVIRONMENTAL HEALTH

Acid Sulfate Soils

The land has been identified as potentially containing Class 3 Acid Sulfate Soils - that being works more than 1 metre below the natural ground surface and/or works by which the water table is likely to be lowered more than 1 metre below the natural ground surface.

A previous report in 2017 *identified there was a potential for ASS in the soils at a depth of 2.0-2.2m BGL.*

As this development proposes basement car parking, consideration will need to be given to the depth of excavation and if excavation is at or below a depth of 2.0-2.2m BGL, then an acid sulfate soils assessment will be required in accordance with The Acid Sulfate Soils Manual 1998.

Food Premises

Consideration will need to be given to the location of ventilation ductwork and exhaust outlets in relation to the commercial tenancies. Such ductwork and outlets can create a noise and odour issue to residents in Shop Top Housing development. Adequate



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acoustic treatment may need to be provided to reduce potential noise impacts. The proposed location needs to be reviewed effectively.

Any commercial tenancies proposed for food production must comply with *Australian Standard 4674:2004 Design, construction and fit-out of food premises*.

Design and Sustainability Advisory Panel (DSAP)

The DSAP has provided detail advice on further refinements and design opportunities for the proposal as per its report comments dated 1 February 2024. In summary, the DSAP provided the following conclusion:

The Panel does not support the proposal in its current form. Amendments in response to the above recommendations are required.

Details were provided in the DSAP report and in summary recommendations require design changes to the façade and entry foyer and external material changes, (reduce excessive glazing, improved landscaping and use of more traditional materials), adjustment to parking areas, changes to selected units and sustainability measures.

Documentation to accompany the Development Application

- Lodge Application via NSW Planning Portal
- Survey Plan (Boundary Identification Survey)
- Scaled and dimensioned plans:
 - Site Plan;
 - Floor Plans;
 - Elevations; and
 - Sections.
 - Photomontage and external materials / colours schedule
- Site Analysis Plan (overlaid / annotated with information regarding setback, height controls, road/pathways, adjacent site considerations, site constraints)
- Demolition Plan
- Excavation and fill Plan
- Landscape plan
- Waste Management Plan (Construction & Demolition)
- Certified Shadow Diagrams (depicting shadows cast at 9am, Noon and 3pm on 21 June). These will need to show 3D shape (including POS) of the new approved development in Gondola Rd and Rickard Road.
- Statement of Environmental Effects
- Clause 4.6 request to vary development standard
- SEPP 65 statement addressing compliance with Design Guide.
- Flood report
- Water quality model



- BCA / Access report
- Concept strata layout if proposed / allocation of common property and parking.
- Traffic and parking report.
- Driveway Design Plan (if any change is proposed to the driveway)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans
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IMPORTANT NOTE FOR DA LODGEMENT

Please refer to the Development Application Lodgement Requirements on Council's website (link details below) for further detail on the above list of plans, reports, survey and certificates.

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/pdf-forms/development-application-da-modification-or-review-determination/2060-da-modification-lodgement-requirements-mar21.pdf>

The lodgement requirements will be used by Council in the review of the application after it is lodged through the NSW Planning Portal to verify that all requirements have been met for the type of application/development.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 15 February 2024 to discuss construction of shop top housing at 1-3 Gondola Road North Narrabeen. The notes reference the plans prepared by *Mackenzie Architects* received 23 February 2024 (post PLM) and 1 December 2023.

The protruding basement element should not present to the street with floor lip protruding outward. The proposal would be assisted by use of some suitable facing / cladding such as recycled brick (in front of the basement concrete) or regular sandstone block facing and enhanced native planting that matches No.2-6 Rickard. This may include low embankment / to slope up the ground to reduce / conceal the half or more of the basement protrusion.



The large framing blades around the entry area off Gondola would appear to interfere with water views and the outlook of the commercial unit toward the Narrabeen lake. This entry should be further widened to have the same landscaping space either side (taking up the 3 car spaces below) to open up the entry the steps may be extended out further toward the frontage to provide wider / spacious foyer.)



Concluding Comments



In conclusion, the proposal needs to “tie in” for streetscape continuity with No.5-7 Gondola Road and No.2-8 Rickard Road. The extensive use of curved styling and glazing with protruding floor slabs and minimal use of brick / sandstone / timber and landscaping is visually disconnecting for the streetscape. Providing a good fit will enhance the character by maintaining a common theme in the styling. The curved styling should be limited to the interior and roof top terrace.

Question on these Notes?

Should you have any questions or wish to seek clarification of any matters raised in these Notes, please contact the member of the Development Advisory Services Team at Council referred to on the front page of these Notes.