

RESPONSE TO COUNCIL'S RFI 21 NOVEMBER 2023
CHROME TEMPLE GARAGE MONA VALE, 69 BASSETT STREET MONA VALE – DA2023/1068
29 NOVEMBER 2023

Thank you for the opportunity to address these issues.

The following is a response to the issues including a list of amendments to documents or further diagrams/documentation to support the proposal.

ISSUE 1 4.3 HEIGHT OF BUILDINGS

The Pre-DA submission showed a roof level of 14.46.

(copy of Pre-DA Section submitted attached)

The building section, elevation and 3D submitted showed further articulation beyond this level for elements, the light clerestory and entry elements. The articulation and visual form presented were supported at the Pre-DA.

The submitted scheme has a roof level of 14.960, we raised the roof level marginally as adjoining properties were noted as higher.

In order to address Council's concern we have adjusted the proposal as follows.

- Roof level lowered to 14.460 to match Pre-DA.
The 2 raised elements, the clerestory light which provides natural light and ventilation to the internals of the building and the entry feature which provides articulation and graphic interest celebrating the street corner have been lowered from 16.56 to 16.160.

These elements create no negative shadow, view loss or amenity loss yet provide the building with amenity and interest.

We ask Council to support our amendment here. The building is on average lower than adjoining neighbours. We will provide an amended cl4.6 once we are in agreement.

The Flood Planning level has been identified on the plans. Amended drawings attached.

ISSUE 2 4.4 FLOOR SPACE RATIO

The proposed use/function of this building is storage units specifically for private car collections.

The numerical requirements for this use are not stated in Council's Control P21 DCP. The RMS guide does not nominate specific parking requirements for this use.

The request for analysis from survey data for similar developments is clearly not possible as this building type and use is a new concept.

The model (and idea for) for this development is based on a Unit developed in Brookvale for a prior client

(image attached).

This is a standard industrial unit used to store a private car collection.

The Owner visits the facility usually weekly or fortnightly and swaps over cars. This allows the cars to be run occasionally (low mileage is critical to the value of most vehicles).

We have done extensive market research to establish if there is a demand for this type of facility and have worked closely with 3 to 4 potential owner occupiers. They all intend to use the facilities in the same way as our Brookvale Client.

ISSUE 2 4.4 FLOOR SPACE RATIO

Continued

This level of visitation is likely to be higher than a standard storage premises where visits are only likely to take place when bringing/taking away storage items. Therefore it is considered that an appropriate parking rate is somewhere between 1/300sqm that applies to warehouses (noting that some Council Development Control Plans adopt this control for standard storage premises) and the 1.3 spaces/100sqm (1 space per 76sqm) that applies to factories (ie light industrial) under the RMS guidelines. Using these 2 uses as the basis for considering the proposed use is also logical as these are the most common types of use in an industrial area and therefore in the event of a change of use, the proposal will ensure that adequate parking will be available and that the building has suitable flexibility into the future. The proposed 1 space for each unit (and the owners lounge) equates to 1 space per 154sqm of GLA which is considered to be a reasonable balance having regard to related requirements and the nature of the use.

Clearly from a compliance point each unit should require a designated parking space. Given the proposed use the parking space within each unit is entirely appropriate.

The parking space is entirely justified as being excluded from the FSR calculation.

Our Planner and Traffic Consultant are in total agreement with this.

The Take Away food and drink premises has been addressed by the Traffic Report. The proposal provides for 1 space for the proposed café, in accordance with the 1 space/30sqm Development Control Plan requirement. It is noted that Council, traffic engineer accepts that the provision of a visitor space for people with a disability and a delivery/car wash bay are appropriate.

LAND USE TABLE

On review of Council's RFI the 'ancillary spaces' allocated in each unit has been deleted for clarity as these didn't have a specific function and will simply form part of the 'storage area' which could include storage of car related parts, accessories and maintenance items.

The Owners Lounge and Terrace are a place for unit owners to have a space to spend time visiting their collections. As unlike normal storage facilities these units store items that owners like to spend time looking at and appreciating. They also like to meet other owners and their guests to discuss cars. It is not unusual for an industrial type development to provide a communal area for people to make and eat lunch. The lounge and terrace will offer the same communal benefits albeit for the owners not employees. This is a facility directly related to the storage facility and is not a function or business premises. Its use is clearly defined and controlled in the OMP.

ISSUE 3 9.6 FRONT BUILDING LINE

The extent of encroachment into the setback is identical to the proposal at Pre-DA which was supported by Council because of the articulation particularly of the top floor. What was requested by Council at the Pre-DA was that the landscape be extended to the 6.5m line at the ground floor which was done.

In response to Council's feedback we have made the following adjustments:

At the ground floor the blade element to the west has been set back behind the setback line.

On the upper level the roof has been set back behind the building line.

The result is that only one level is within the setback, the built form on ground and second floor are well set back. The front setback for the middle level has a large setback on the corner approximately balancing the non compliance (see attached plan and section diagrams). This articulation allows a good streetscape outcome by reducing the bulk on the corner. It should also be noted that the setback is greater than existing and that this setback has not been consistently applied to recent projects on Bassett Street.

ISSUE 3 9.6 FRONT BUILDING LINE
Continued

Compliance with the setback will make unit 3 unviable as it will not fit cars and there is no capacity to reduce internal circulation space.

We ask for Council's support on this matter.

ISSUE 4 TRAFFIC ENGINEER

Urban Research and Planning, who prepared the TIA have confirmed that the area of 530 sq.m. used was incorrect. They have adjusted to an accurate Gross Lettable Area of 634.5 sq.m. This increases the car numbers required from 4 to 5. The proposal provides a total of 7 spaces therefore still complies.

See attached confirmation from TIA and GFA Calculation Diagram.

The OMP has been adjusted to 7 a.m. to 5 p.m. six days a week consistent with TIA Report.

The proposal has been amended to show wash bay, bicycle parking and motor cycle parking in line with Traffic's recommendation.

The accessible parking and visitor parking have been adjusted in line with Traffic's recommendation.

The Operational Management Plan has been adjusted in line with Traffic's recommendation as follows:

- Unit owners are only allowed to park in their designated spaces within their units
- Vehicles are not allowed to be transported to the site using a car carrier of any type.
All vehicles must be driven to and from the site by their own means.

ISSUE 5 ENVIRONMENTAL HEALTH

The requirement for a detailed site investigation seems excessive in this case. There is no historical evidence of a contaminating use on the property. There is no proposed bulk excavation. With the exception of the landscaped setbacks the entire site will have a suspended concrete floor and the proposed use is storage of vehicles. Further, the adjoining property now under construction did not require any form of decontamination.

Notwithstanding this the cost of this DSI and SAQP and Acid Sulphate Soil is in excess of \$40,000. This is an entirely unreasonable expense at DA Stage particularly prior to indication of Council's support for the project.

We ask that the Acid Sulphate Soil Risk Mapping and Acid Sulphate Soils Management Plan are a Condition of DA.

We ask Council to reconsider the requirement for DSI and SAQP as it is clearly unnecessary. If Council still require this then it should be a Condition for CC or Conditioned prior to issue of DA.

ISSUE 6 – DSAP RESPONSE

Prior to responding we note that our proposal as submitted presents a building with a strong environmental and urban response.

- Natural lighting and ventilation systems
- Solar power capacity to run the entire complex
- Harvest and re-use of rainwater
- High quality site and street landscaping focussed on local natives
- Very adaptable built form and structure allowing for future re-purposing

ISSUE 6 – DSAP RESPONSE

Continued

- Graphic and articulated built form to add to streetscape quality. Particularly stepped back upper floor with planting to reduced impact on residential neighbours opposite.
- Corner setback exceeded to “celebrate” and articulate the street corner

In summary the submission is amongst the greenest and best landscaped buildings yet proposed in a Northern Beaches Industrial Zone to date.

The DSAP Committee ignored all of the above and coloured their entire agenda and issues with “not a sustainable use” because the building stores cars. While some of the landscape ideas were positive and useful much of the comment and assessment showed that the Committee had not understood the building, how it worked or the streetscape in which it will be built.

The cars in this building will be classic collectable vehicles and will be rarely running in the building as they will have very low usage. There will be minimal impact on the environment. These cars are amongst the great engineering and artistic achievements and are being stored not run and will be appreciated by future generations. This is not an unsustainable use.

We respond to the DSAP Report as follows.

General

The GFA calculations are not incorrect and further details clarifying parking have been submitted demonstrating compliance.

This is not an air-conditioned building for storing cars. There is a small fan coil unit in each Unit to reduce humidity. These will run for short periods approximately 1 hour per day and will be fully powered by solar panels with battery back up. The building relies on natural ventilation through cross ventilation via the louvre gallery in the circulation space and louvres in the clerestory skylight. The nature of low turnover and use means that this building will consume very low energy.

The Panel do not appear to understand how this building is used. “Planning and circulation deficiencies” is not a reasonable critique of the building.

While it could be argued that the current and future value of the collections to be housed in this building mean that this is likely to be a long term use. We agree entirely with the Panel that the building should be adaptable for future use and examination of the services, structure and access within this building shows a very adaptable building form. The building could be adapted and re-serviced for a broad range of uses. This was very much the approach from the early design stages.

Strategic Context

The impact on flooding has been clearly demonstrated to the satisfaction of Council's Engineers. At considerable expense the entire ground floor slab will be suspended with vermin proof openings to allow flood volume for the entire building footprint, this means there will be more capacity than the existing condition therefore mitigating not adding to flood impact.

Recommendation 1.

The adjoining building is a different use type and has multiple units requiring access at ground floor on a regular basis. This is not a functional requirement for the subject building and imposing their setout/use on the subject site is not appropriate. This is not a village shopping/pedestrian focussed streetscape. Our streetscape is articulated, particularly to allow significant trees and landscaping.

Scale, Built Form and Articulation

The minor setback non-compliance for one level off Bassett Street is more than justified in the highly articulated form facing Bassett Street, particularly the large top floor setback with landscaped edge as this faces the residential properties opposite.

The height of the proposal is consistent with adjoining properties and the articulated elements add to the quality of the built form with no impact.

Recommendations

2.

Following feedback from Council we have adjusted the building height to match the adjoining buildings and the original Pre-DA submission. The “pop up elements” which are the entry element and the clerestory lighting element create no visual or amenity impact. The entry feature provides considerable interest and articulation to this corner site. The clerestory skylight element is a very efficient way of providing natural light and ventilation into the building. We are somewhat surprised this element is not supported by this Panel as it is a very effective natural system that efficiently provides ventilation and solar controlled light access into the core of the building. A purely horizontal skylight will not allow good ventilation options nor shielded solar control without expensive louvre systems.

3.

The Building Code has been fully considered and our Consultant has confirmed compliance. The Panel has assumed that the ancillary spaces were lounges and offices. These areas were for Owners to fit out for extra storage or observation areas for enjoying their collection. In order to simplify the Application these areas have now been deleted and are just part of the storage area.

Access, vehicular movement and car parking

We are unsure why one driveway produces a better outcome, this is a statement with no explanation. It should be noted that the current site has multiple crossings, three double crossings on Tengah Place and one single off Bassett Street. The proposal significantly increases on street parking. The car parking layout and circulation were altered in accordance with the advice received from Council's Engineers at the Pre-DA meeting.

The criticism of the Café/Kiosk is assuming a certain type of usage. This is an industrial area used by tradespeople and local workers and not a village café. With the setback and open frontage to Bassett Street and Tengah Place the facility is very visible from the Street. The adjacent lawn area and long seat element provide an appropriate area if a Patron wishes to consume their coffee on site.

Recommendations

4.

There is no pedestrian safety issue here as all site lines are very clear. The driveway configuration has been resolved in response to Council's Engineers feedback at Pre-DA.

5.

The amenity and customer experience around the Café/Kiosk is entirely appropriate and of good quality and use for its location in an Industrial Zone.

Landscape

The landscape plan prepared for this Application was carefully considered and has a significant number of large, locally native trees proposed, far in excess of Council's requirements and any other recent development in the area.

The feedback and input in this section has some relevance and valuable information we are prepared to incorporate in the landscaping detail, particularly the use of the root cell product. MHDP projects on the Northern Beaches are renowned for their quality and commitment to native landscaping.

Recommendations

6.

The landscape plan meets all the requirements of Council and we understand was supported by Council's Landscape Department. We would be happy with a DA Condition requiring a more detailed landscaping plan picking up on some of the detail provided by the Panel input.

7.

The current planting schedule already incorporates these items.

8.

The intended lawn type is Buffalo, we are happy to adopt this recommendation.

9.

Given our commitment to providing large canopy trees we would welcome the opportunity to replace the existing street trees as per this recommendation.

10.

There is no conflict between the stormwater plans and the areas where trees are proposed.

Amenity

The ancillary spaces were merely intended as lounge/seating areas to look at and enjoy the car collections and display related graphics and memorabilia. The notation of ancillary space seems to have raised issues here beyond the intended use therefore for clarity these areas have been deleted.

Older cars (pre catalytic converter) will not be started in the building due to CO Emissions and the building will be monitored and alarmed to prevent this.

The Coffee Shop is a Kiosk type operation and is clearly accessible and serviceable. As stated earlier Patrons who want to stop and drink their coffee have a seat element in the landscape. The facility meets all BCA requirements.

The roof-top lounge is an Owners gathering space and not a function space. Its use is by Owners only and is limited accordingly in the Operational Management Plan. It is screened and set back via a planter maintaining total privacy to residential neighbours across the road.

Recommendations

11.

All ancillary spaces (now deleted) had both natural light and ventilation via the lift shaft and clerestory element.

12.

There are no polluting areas in the building. As noted above pre-catalytic convertor cars will not be started in the building and the central manoeuvring space is naturally ventilated by the eastern louvre wall with cross ventilation achieved via the lightwell and clerestory element.

13.

The amenity of the Café is addressed above.

14.

This issue is addressed above. The lounge is limited via the Operational Management Plan. Further we note no Objections were received from adjoining residential neighbours.

Façade treatment/Aesthetics

This is a very personal opinion “Architect” response to the building’s aesthetic treatment.

The aesthetic is not “cruise liner” it is Streamliner Modern, a style that developed as automobile design came into its own. It is entirely appropriate graphic/design approach for a building that will house significant collections of cars. Interestingly many of Sydney’s favourite industrial buildings were built in this style and are now celebrated. We believe it is entirely appropriate for use in this location. The response from locals and potential investors we have shared images of the building with has been extremely positive towards both the looks, the landscaping and the streetscape. The “solid blank walls” referred to are actually graphically etched, pre-cast concrete that have been carefully articulated and massed to provide a graphic and interesting form.

Recommendations

15.

We are not sure what materials are being suggested here, at the meeting use of recycled material was recommended. This is a commercial building on a small Lot with major Building Code requirements for fire rating, fire rating is not easily or commercially available for recycled material. This is an unreasonable and un-commercial request.

Sustainability

We re-confirm the intention to have solar panels with battery back up that will exceed the building’s energy requirements.

This building does not rely on external energy (fossil fuels) to heat, cool or ventilate. All services will be electric powered by solar panels. All rainwater will be stored and re-used and given the low use of this building will probably not require any town water.

We are very happy to provide a green roof under the solar panels, this is a good recommendation and we are happy for this to be a Condition of Approval.

Each Unit will be provided with an EV charge point.

Recommendations

16.

Happy to comply

17.

Unfortunately given the fire rating requirements and commercial reality pre-cast concrete is the most viable option for this project. We are exploring using Green Carbon Reduced Concrete if it is available at the time of construction.

18.

The building was designed from the outset to be adaptable, as particularly when we started the process we were not sure there was a market for this new type of building use. A review of the structural system, floor to floor heights, services layout and access clearly shows that this building is very adaptable with minimal expense.

The building could provide workshop, studio, office, storage and retail space subject to Council approval and the lower unit could be converted to car parking to meet Council's requirement for these uses.

ISSUE 7 – COVENANTS AND EASEMENTS

COVENANT J907094

This Covenant states that "no fence shall be constructed dividing Lot 1 in DP220294 and Lot 24 in DP221136".

Copy of Covenant attached.

This means no fence between 69 and 71 Bassett Street. This Covenant is clearly no longer relevant particularly in light of the advice re the Parking Covenants.

COVENANTS Q21842 and Q238954

These Covenants cover the parking arrangements between the two sites and were addressed in the legal advice provided. These Covenants are no longer relevant.

EASEMENT DP626911

Easement for Electrical Purposes.

The mains electrical supply and switchboards to both 69 and 71 Bassett Street are on the 69 Bassett Street site adjacent to the 71 boundary. As part of the Construction Certificate and in accordance with Ausgrid's requirements each property will have to have its own supply and metering. This work will be done in accordance with Ausgrid's requirements. This is not a DA issue and does not prevent the approval of a Development Application.

EASEMENT DP626911

Easement for Sewerage.

Currently the sewer from 71 Bassett Street runs through 69 Bassett Street to Tengah Crescent. The owners of 69 will have to concrete encase No. 71's sewer and maintain the Easement or re-route 71's sewer to Bassett Street. This is a Sydney Water issue and works will be resolved at Construction Certificate in accordance with this Authorities requirements. This is not a DA issue and does not prevent the approval of a Development Application.

SUMMARY

We have amended and adjusted the submission in response to Council's concerns and we believe we have justified the areas that we have not amended.

This is an innovative, new building type which we have worked through with Council from Pre-DA Stage with the aim of creating a positive contribution to the Bassett Street precinct. We have had largely very positive response from locals including neighbouring residential owners who really appreciate a considered, interesting and well landscaped building in their street. There were no Objections from these residents. We trust Council appreciate the effort in working with them in this response.

APPENDIX A

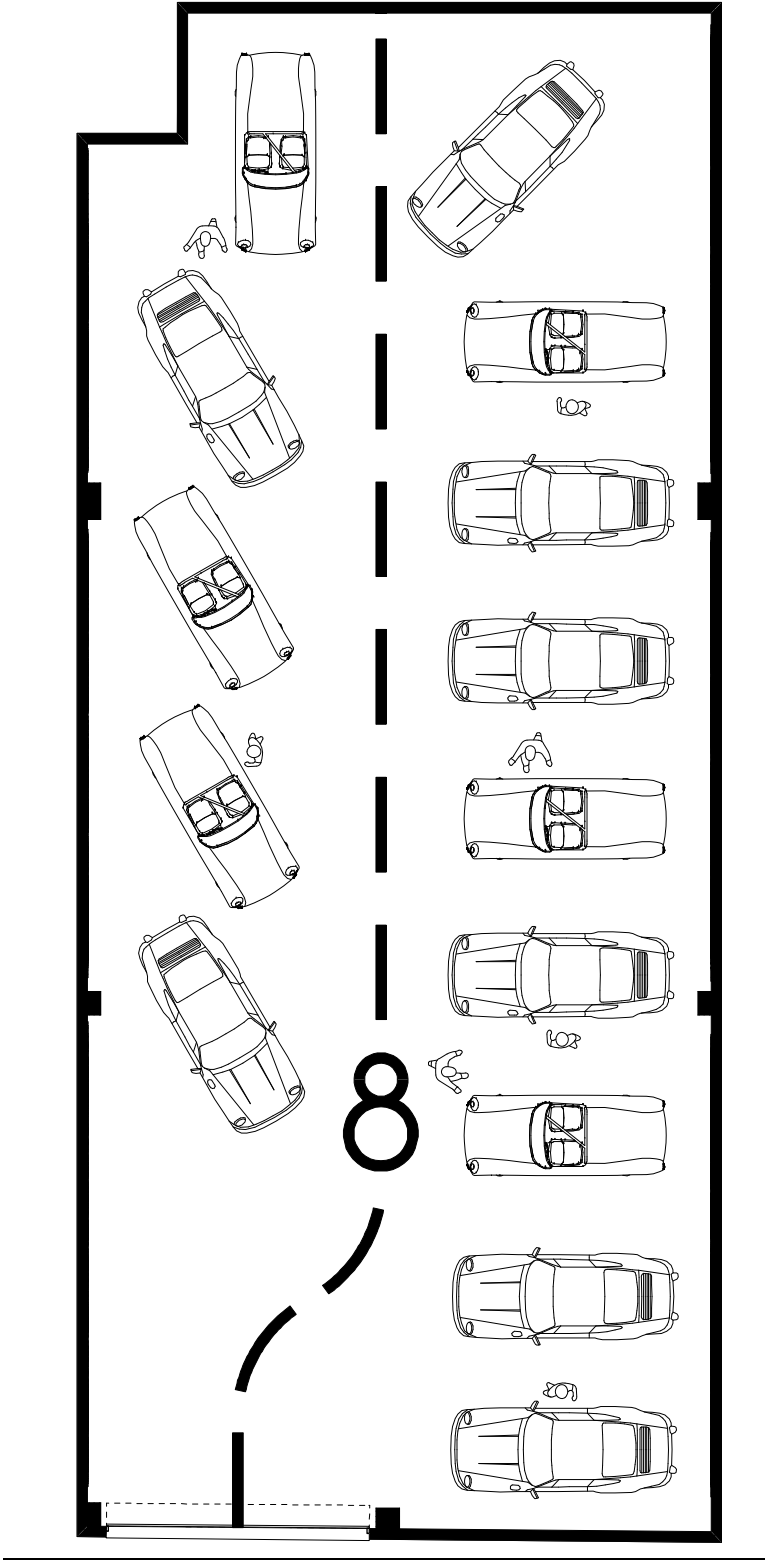


Image 1 – Plan

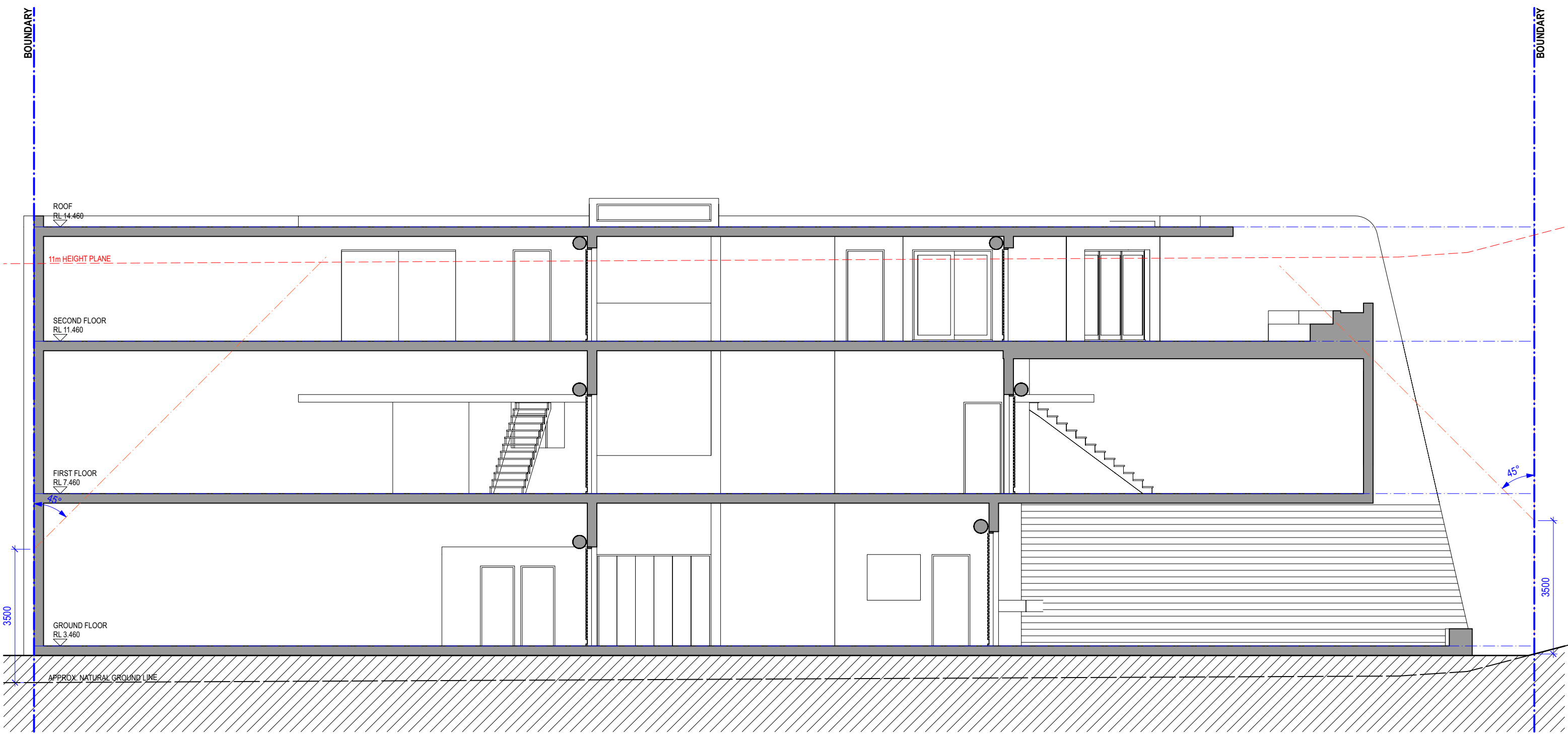


Image 2 – Perspective Render



Image 3 – Photograph

APPENDIX B



SECTION

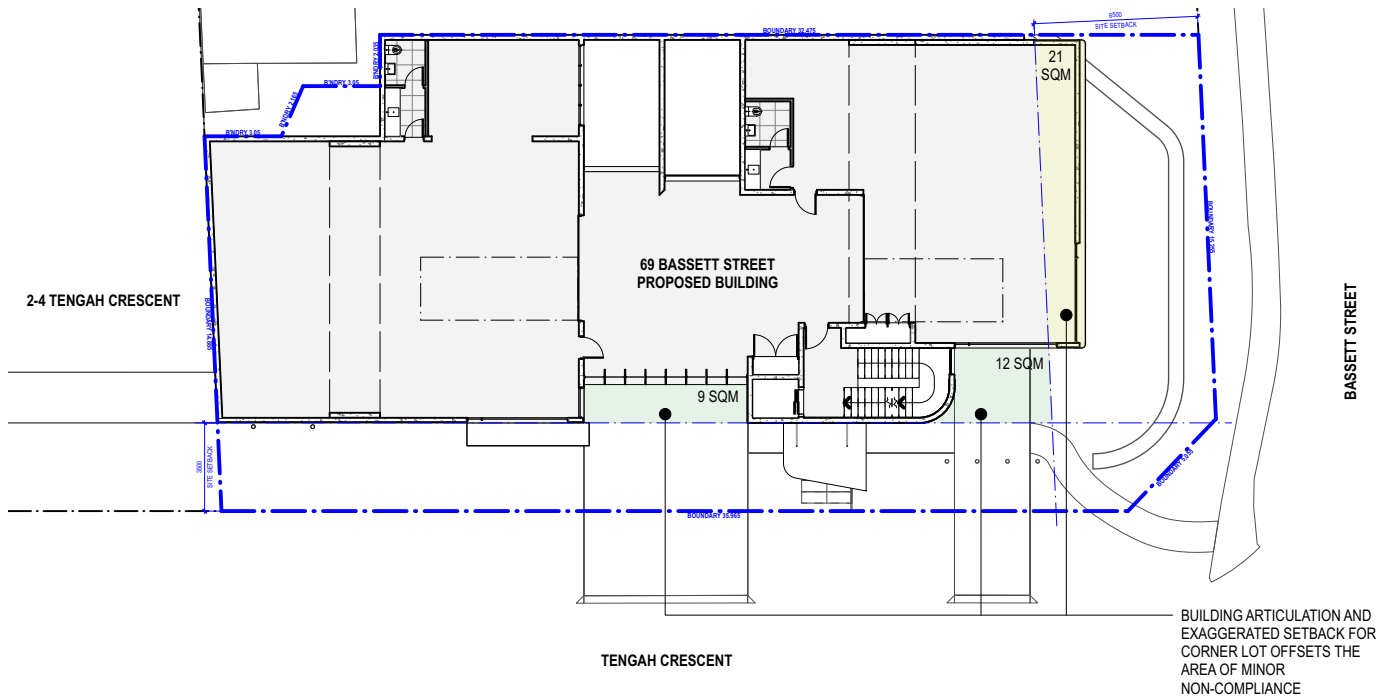
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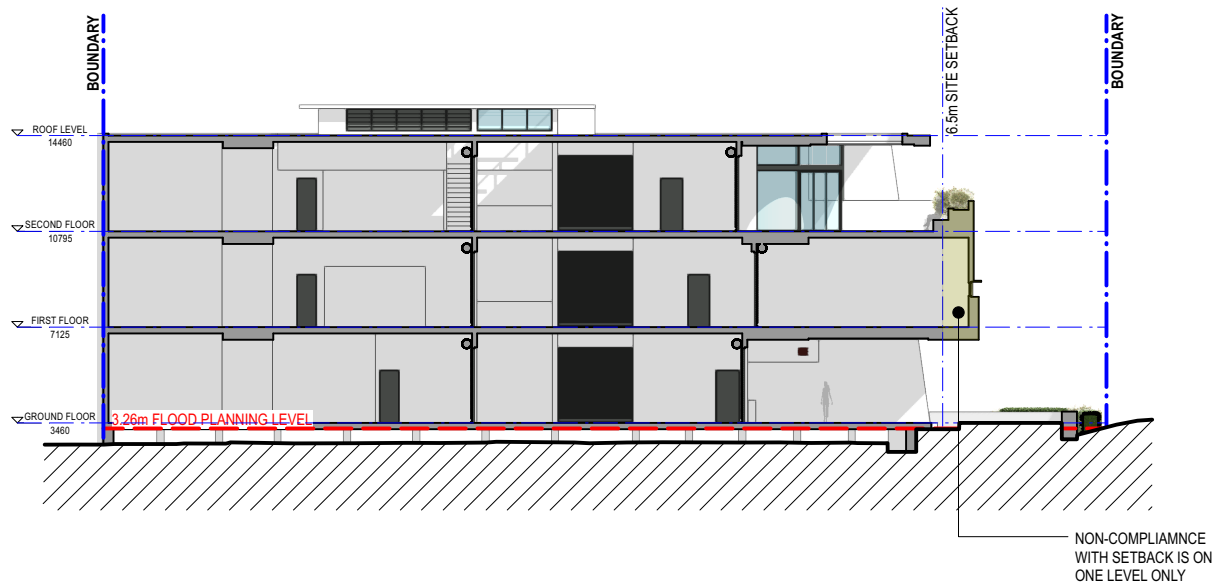


APPENDIX C



1

PLAN SHOWING SETBACK ARTICULATION



2

SECTION SHOWING SETBACK ARTICULATION

DIAGRAM SHOWING SETBACK ARTICULATION

