



Lane Cove Council

48 Longueville Road, Lane Cove NSW 2066

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Date: 6 December 2022

Hilary Apitz
Altis Bulky Retail Pty Ltd
Level 19, 60 Castlereagh Street
SYDNEY NSW 2000

Dear Madam,

Development Application: DA115/2022 – Demolition, Excavation and Construction of a Residential Flat Building Development
Property: 12-20 Berry Road and 11-19 Holdsworth Avenue, St Leonards

I refer to the above Development Application. This letter is to advise that a preliminary assessment of the application has been completed and to outline a request for further information under Clause 54 of the Environmental Planning and Assessment Regulations 2000.

1. Building Height

You are advised that there are proposed building elements such as balconies encroaching into the required 24m wide green spine would be contrary to the **maximum 2.5m** green spine building height development standard under Clause 7.1(3) of the LEP and it is requested that these elements be deleted.

2. Number of Storeys

The number of storeys for the proposed buildings is non-compliant and is to be redesigned to comply with Figure 10 of Locality 8 – St Leonards South Precinct of Part C – Residential Localities LCDCP 2010 which permits a **maximum of 10 storeys**. A **maximum of 11 storeys** is proposed for the building on **Area 16** and a **maximum of 12 storeys** for the building on **Area 17** as shown on the submitted sectional drawings. **Note:** To avoid any confusion, you are advised that the submitted architectural plans have incorrectly labelled Areas 16 & 17.

The proposal seeks to rely on one-part storey (for it not to be counted as a storey) for the proposed building at **Area 17** at the child care level however it is Council's opinion that this is not considered to be a part storey rather as a **'full storey'**. This level is to be counted as a storey.



Figure 10: Height of Buildings (in storeys)

3. Building Setbacks

You are advised that the subject proposal does not comply with the required setbacks to Berry Road and Holdsworth Avenue under Part 7 Built Form – Building Envelope – Setbacks of Locality 8 – St Leonards South Precinct of Part C – Residential Localities LCDCP 2010.

Front Building Setbacks A (Refer to Figure 9)

- 4m at street level
- + 3m at and above Level 6

To Canberra, Marshall, Holdsworth & Berry (1-19) + east (21-23)

Further, the proposal also does not comply with the required setbacks to the east-west pedestrian link and the required setbacks are:

Building Setbacks F (Refer to Figure 9)

- 6m at park and east-west pathway reservation level
- +3m at and above Level 5

- To Local Park (eastern buildings of Areas 21 and 22) and
- to east-west pathway reservation as shown in Figure 5(b) (for Areas 5, 6, 7, 8, 14, 15, 16 and 17).

A review of the submitted floor plans has indicated that there are substantial variations being proposed to the required **minimum 7m setback** for both buildings **at Level 6 and above to Berry Road and Holdsworth Avenue**. The non-complying levels are between the **Levels 03-08 Floor Plans** for the proposed building at **Area 16** and between the **Levels 04-09 Floor Plans** for the proposed building at **Area 17**.

Further, a review of the submitted floor plans has indicated that there are substantial variations being proposed to the required **minimum 6m setback** for both buildings between the **Levels Upper Ground-02 Floor Plans** for the proposed building at **Area 16** and between **Levels 01-02 Floor Plans** for the building at **Area 17**. Also, substantial

variations are being proposed to the **minimum 9m setback** for both buildings between the **Levels 03-09 Floor Plans** for the proposed building at **Area 16** and between the **Levels 03-10 Floor Plans** for the proposed building at **Area 17**.

You are advised that all proposed levels including any part storey level has been counted as a **'Level'** for the purposes of calculating setbacks. It is requested that a redesign occurs to comply with the required setbacks.

You are advised that Council will not support any above ground building articulation or balcony encroachments into the minimum building street and the **minimum 24m green spine** setback areas.



Figure 9: Building Setbacks / Building Depth

4. Landscape Master Plan (LMP)

You are advised that Council's Landscaped Architect is still assessing the proposal however it is noted that the proposal has not addressed the following matters:

- Studies demonstrating why deep soil zones have been located below playgrounds to the north instead of to the south where larger canopy trees could then be located.
- The area for deep soil landscaping shall be under the landscaped area to the south of the childcare facility and be populated with upper-story canopy trees.

Once their full assessment/comments are finalised, it will be forwarded to you separately or you contact Ted Webster, Manager - Open Space on 9911 3563 or twebster@lanecove.nsw.gov.au to obtain further advice.

5. WaterNSW

You are advised that the required General Terms of Agreement (GTA) has yet to be obtained from WaterNSW. It is recommended that you directly deal with WaterNSW to resolve any remaining issues and receive the relevant required GTA.

6. Traffic and Car Parking

You are advised that Council's Traffic Officer has assessed the proposal and has made the following comments:

Parking and Access - Additional Information Required as explained in Tables 1, 2 & 3

Table 1: Parking Issues

Parking	Required	DA Proposal	Additional Information
Residents Parking	1-Bed: 26 @ 0.5 s/d 2-Bed: 59 @ 0.9 s/d 3-Bed: 35 @ 1.4 s/d 4-Bed: 10 @ 2 s/d Total 130 units <u>26 Adaptable Units</u> 26 disabled spaces- Total 135 (rounded)	13.0 spaces 53.1 spaces, 49.0 spaces 20.0 spaces ----- 135.1 (135) 26 disabled spaces	<ul style="list-style-type: none"> No additional information required
Resident Visitor parking	1/5 units 130 @ 0.2 = 26 Disabled Visitor Spaces 1/10 visitor spaces = 3 spaces Total 26	26 (includes 3 Disabled spaces)	<ul style="list-style-type: none"> No additional information required
SEPP 65 min Parking Req'd	Resident = 106 Visitor = 19	Min 125 spaces	<ul style="list-style-type: none"> No additional information required
Childcare Staff Parking	1 space/2 employees 8 spaces for 15 staff	8 spaces	<ul style="list-style-type: none"> No additional information required
Childcare Visitor parking	1 space/6 children 1 accessible space per 50 car spaces	10 spaces 1 disabled space	<ul style="list-style-type: none"> What is the age breakdown of the children? Does it meet NSW Children to Educator Ratios?
Car Wash	1/50 units 3 spaces Req'd	3 spaces	<ul style="list-style-type: none"> No additional information required
Motorcycle	1 space/15 car spaces	12 spaces	<ul style="list-style-type: none"> No additional information required

	180/15 = 12 spaces		
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Table 1: Parking Issues (Cont')

Parking	Required	DA Proposal	Additional Information
Bicycles - Residents	1 per 4 dwellings $130/4 = 32.5$	38 spaces	<ul style="list-style-type: none"> Number provided OK How is the bicycle compound managed? Is it open to residents, visitors, and childcare staff at all times?
Bicycles Visitors	1 rack + 1 rack per 10 dwellings = 14	14 spaces	<ul style="list-style-type: none"> Number provided OK See previous comments
Bicycle - Childcare C	Staff 1 per 10 staff = 2 Visitor 2 racks	4 spaces	<ul style="list-style-type: none"> Number provided OK See previous comments
Community Hall	DCP Part R Provide analysis of proposed traffic generation and parking rates. Compare existing developments with similar characteristics.	Not provided	<ul style="list-style-type: none"> Need further explanation on the expected use of the Community Hall – who and when etc.
On-site Service Vehicles	1/100 units 3 service bays Req'd Council DCP Part R Section 2.10	Turntable Approx. 9m dia. Vertical clearance 4.5m	<ul style="list-style-type: none"> Provide swept paths on how three Service Vehicles can occupy the proposed Service Area simultaneously. All service vehicles must enter and leave the site in a forward direction.
EV Charging Stations	Council is considering specifying the installation of EV Charging stations, and the wiring for EV charging in all parking spaces, in all new developments	None identified	<ul style="list-style-type: none"> Are there plans for EV charging stations or outlets in the resident, visitor and childcare carparks?
Car Share	Council's DCP Part R, Section 2.5 – Car Share	None identified	<ul style="list-style-type: none"> Has "Care Share" parking spaces been considered?
Transport Access Guide (TAG)/ Sustainable Travel and Access Plan (STrAP)	Council's DCP Part R, Section R5	Not provided	<ul style="list-style-type: none"> A STrAP is required because the DA is proposing more than 75 dwellings.

Table 2: Access Driveways and Ramps

Access Driveways & Ramps	Required	DA Proposal	Additional Information
Driveways for Commercial vehicles	To conform to 2890.1:2004 2890.2:2002 Minimum width 7m for MRV	Not shown on plans	<ul style="list-style-type: none"> • More information on how access to the carpark will be controlled and managed • The centreline on Holdsworth Ave to be clearly shown on the swept paths to and from the driveway on Berry Rd..
Width of ramps	Minimum width for SRV & MRV vehicles 6.2m-6.5m	Not shown on plans	<ul style="list-style-type: none"> • Show that ramp widths conform to 2890.1:2004 – Table 2.2 for two-way operation.
Mirrors at 90-degree turns in the access ramps.	For safety	Not shown	<ul style="list-style-type: none"> • Show location of mirrors at the 90-degree turns in the access ramps
Longitudinal Grades	Max ramp grades as per 2890.1:2004 Section 2.5.3	To be confirmed	<ul style="list-style-type: none"> • Provide a longitudinal section along the extreme wheel paths of all ramps, at a scale of 1:20. • Show elevations and distances between changes of grade and the % grade
Transitional Grades	Max ramp grades as per 2890.1:2004 Section 2.5.3	To be confirmed	<ul style="list-style-type: none"> • Provide a longitudinal section along the extreme wheel paths of all ramps, at a scale of 1:20. • Show elevations and distances between changes of grade lengths of transitional grades.

Table 3: Swept Paths and Access from Berry Road

Swept Paths and Access	Required	DA Proposal	Additional Information
Swept Path Clearances on ramps	For speeds <10kph, Ramps clearances to be 300mm on both sides	Not clear	<ul style="list-style-type: none"> • Conform to 2890.1:2004, Appendix B • Show swept paths of vehicles travelling in both directions simultaneously on all ramps, particularly at the 90 degree pinch points. • Confirm height clearances.
Swept paths to parking spaces	Conform to 2890.1:2004, Section B3	Not clear	<ul style="list-style-type: none"> • Show swept paths for all parking spaces and for the Garbage collection vehicle • Confirm vertical clearances

Swept path to and from Holdsworth Ave	All vehicles must enter and exit the driveway from the kerb lane	Not clear	<ul style="list-style-type: none"> • Show left-turning swept paths to and from driveway, from the kerb lane • Show if parking restrictions are required on Holdsworth Ave for all vehicles to turn left-in and left-out from the kerb lane
Minimum sight lines for pedestrian safety	Conform to 2890.1:2004 Section 3.2.4 & Figure 3.3	Not Clear	<ul style="list-style-type: none"> • Confirm sight distance at access driveway exist as per 2890.1:2004 Section 3.2.4 & Fig.3.3

7. Community Services/Access

You are advised that Council's Community Development Officer has assessed the proposal and has made the following comments:

The proposed development is not entirely acceptable however can be amended to satisfy Council's / neighbour's concerns.

1. Continuous Accessible Paths of Travel (CAPT) eg ramp or lift must be provided to the external and landscaped portions of the site and external common areas on the site. This has not been indicated on the submitted plans.
2. It is unclear if adequate wheelchair turning circle has been provided in the visitable or adaptable unit bathrooms due to what looks like a shower or bath wall potentially obstructing the space. Refer to AS 1428.1 2009. Quote Access Report point 6.2: *The bathroom needs to be of an adequate size to achieve an AS1428.1 compliant bathroom of shower, WC and basin with required circulation spaces. Capped off service can be provided for the relocation of basin at post adaptation. The shower recess will require review during design development, Page 14 (Morris Goding Access Consultant).*
3. Unclear if all doorways in the visitable or adaptable units achieve required opening as required to comply with AS 1428.1. No measurements have been provided.
4. It is noted that the number of visitable and adaptable dwellings comply with the DCP.

Please address the above comments to the satisfaction of Council.

8. Design Review Panel (DRP) Comments

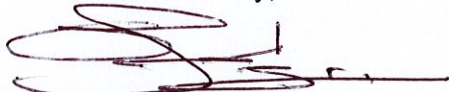
You are advised to address the relevant remaining issues or concerns (such as subterranean dwellings) raised by the DRP in November 2022 which had already been issued separately.

9. Outstanding Comments

You are advised that there are outstanding internal waste management comments to be received and should any requests for further information occur, it will be forwarded to you separately or you contact Brandon Louie, Waste Officer on 9911 3629 or blouie@lanecove.nsw.gov.au to obtain further advice..

Please provide the required further information within 28 days. If you have any questions regarding this correspondence you can contact me on 9911 3521 or gsamardzic@lanecove.nsw.gov.au

Yours sincerely,



Greg Samardzic
Senior Town Planner
LANE COVE COUNCIL
