

VIGOR MASTER

Suite 201A
24 Thomas Street
Chatswood NSW 2067

T +61 (0)2 9411 3998
F +61 (0)2 9413 3983
E ivy.w@vigormaster.com.au



16 September 2022

Dear Sir/Madam

**PROPOSED S8.2 REVIEW FOR REFUSED DEVELOPMENT APPLICATION - DEMOLITION OF AN
EXISTING HOUSE, CONSTRUCTION OF A NEW DWELLING WITH A SECONDARY DWELLING AND
THREE PARKING SPACES**

28 STUART STREET COLLAROY

DA2021/2566

I refer to the subject application and to Council's Notice of Determination dated 21st July 2022. The applicant wishes to request a review to the refusal and the following is the applicant's response to the reasons for refusal.

The letter is to be read in conjunction with the following documentation:

- Revised Architectural Plan
- Other documents lodged with the development application

Response to Issues

The following response are provided in relation to the reasons for refusal.

1. B1 Wall Heights of the Warringah DCP

Part B1 of WLEP allows variation to this control if the slopes within the building footprint are greater than 20%. The calculated building slopes are shown on the Site Analysis Plan (drawing A002) and it is confirmed the slopes within the building footprint are greater than 20%.

The side setbacks increase for upper levels to avoid vertical walls that are higher than 7.2m. Please refer to drawing A302. The only exception is the external wall outside the lift and staircase on the western elevation which is measured at 7.5m high.

There is no maximum required FSR in WDCP. An FSR calculation (exclude basement parking spaces) is included on drawing A001. The FSR of 0.563:1 is considered reasonable. The building design is of high quality, with large landscape area, provides generous front and side setbacks, in response to the site topography, and complies with requirements under WDCP.

2. B3 Side Boundary Envelope of the Warringah DCP

An additional plan (drawing A302) has been prepared to confirm the compliance with Side Boundary Envelope requirements.

3. Development for the purpose of secondary dwellings in Zones R2

The architectural plans have been amended to reduce the size of the proposed secondary dwelling to 59.94m². Please refer to the lower ground floor plan (drawing A102).

4. Access and Road Works

The existing garage is located close to Stuart Street while the proposed basement parking is 9.3m away from the street. The civil design retains existing levels outside of the property boundary to ensure there is no impact on the vehicle access to the adjoining property (30 Stuart St) as requested by the Council's engineer.

The current condition towards the end of Stuart Street is shown below.



The existing road at the site frontage is a “non-standard” road end with no road crown and steep reverse bitumen cross falls (driveway).

The proposed civil engineering design improves council road reserve as requested from previous RFIs and at the same time maintaining existing neighbouring driveway access for all the properties especially No.30 Stuart Street.

The existing bitumen grade is very steep, the proposal is not making the existing situation worse but maintaining the current gradients for the existing vehicle access used by No.30 Stuart Street.

Providing a “standard” bitumen cross fall would cause cut at the end of road and the common boundary with adjoining property, this conflicts with council’s previous instruction.

We request the Council to assess the application with site specific constraints. Since the kerbside road would probably only be utilised by the subject site, we have demonstrated the driveway accessibility. The existing parking sign can be maintained at the same location to prevent people from parking at a steep kerbside.

Summary

In summary, it is considered that the reasons for refusal have been satisfactorily resolved through this submission and the accompanying documentation.

We accordingly look forward to Council’s continued and favourable consideration of the application.

It is requested that should you have any on-going concerns that you do not hesitate to contact me to discuss.

Yours Sincerely
Ivy Wang
Project Manager