

22 May 2023

Steven Findlay
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Dear Steven

[Development Application DA2022/0145– 4 Delmar Parade and 812 Pittwater Road, Dee Why](#)

We refer to Development Application DA2022/0145 which seeks consent for demolition works and construction of a mixed-use development comprising a residential flat building and shop top housing, basement parking, lot consolidation and torrens title subdivision at 4 Delmar Parade and 812 Pittwater Road, Dee Why.

The Sydney North Planning Panel considered Council's assessment report and recommendation for approval at the meeting held on 11 May 2023 and deferred determination of the application subject to the provision of additional information. One of the requested items of additional information was:

Diagrams of overshadowing of the Reserve (i.e. Stony Range Reserve) by the development

Rothelowman Architects have prepared the requested shadow diagrams on Drawings TP05.03 to TP05.14 Rev A dated 22.05.23 which accompany this letter.

The drawings illustrate hourly shadows from 9am until 3pm at the winter solstice, the equinox and also the summer solstice.

The drawings demonstrate that:

- at the winter solstice, there is a minor amount of shadow to the very northern edge of Stony Range Reserve.
- at the equinox solstice, there is a very minor amount of shadow to the very northern edge of Stony Range Reserve
- at the summer solstice, there is zero overshadowing of Stony Range Reserve by the proposal

Part D Control D6 of Warringah Development Control Plan 2011 applies to the subject site and provides the following in relation to Access to sunlight:

Objectives

- *To ensure that reasonable access to sunlight is maintained.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To promote passive solar design and the use of solar energy.*

Requirements

1. *Development should avoid unreasonable overshadowing any public open space.*

The control does not define what an “unreasonable” amount of overshadowing is to public open space, and also by definition contemplates some shadowing of public open space. The consideration of ‘unreasonable overshadowing’ must concern itself with the expected level of shadow which would result from a height compliant proposal, and also a qualitative assessment of the impact of any shadow to the relevant public open space.

In this instance, the shadow cast to Stony Range Reserve is the result of a fully height compliant development and therefore the shadow cast can be considered reasonable inasmuch as it reflects the anticipated amount of shadow which would result from redevelopment of the site.

Notwithstanding, the shadow diagrams also demonstrate that the proposed development will result in zero overshadowing of the Stony Range Reserve in summer, and only a particularly minor amount of shadow to the northern edge of the Stony Range Reserve throughout the equinox and to the winter solstice. Indeed, approximately half of the shadow which results from the western end of the development at the winter solstice falls across the car parking area for the Reserve and not the actual Reserve itself. From a qualitative perspective, the overwhelming majority of Stony Range Reserve, including seating areas and walking paths, will remain free from shadow throughout the year.

Therefore, the shadow diagrams demonstrate that the proposal does not result in any ‘unreasonable overshadowing’ of Stony Range Reserve and the proposal meets the Access to Sunlight objective of the Warringah Development Control Plan 2011 to ensure that reasonable access to sunlight is maintained.

Should you have any questions concerning the above, please contact Aaron Sutherland on 0410 452 371, or alternatively at aaron@sutherlandplanning.com.au

Yours faithfully



Aaron Sutherland

Sutherland & Associates Planning Pty Ltd



0900 - WINTER



1000 - WINTER

DA SUBMISSION

Revisions	A	11.05.23	COUNCIL ISSUE	JC
	B	22.05.23	COUNCIL ISSUE	JC

Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - WINTER**

Project No / **221054** Date / **22.05.23**

Author / **DM**

Scale: @ A1 / **1 : 750**

Drawing No. / **TP05.03 B**

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1200 - WINTER

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B	22.05.23	COUNCIL ISSUE	JC

Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - WINTER**

Project No. / **221054** Date / **22.05.23**

Author / **JC**

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1400 - WINTER

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Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - WINTER**

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Project / **4 Delmar Pde & 812
Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS -
WINTER**

Project No. / **221054** Date / **22.05.23**

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0900 Autumn



1000 Autumn

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Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - AUTUMN / SPRING**

Project No. / **221054** Date / **22.05.23**

Author / **JC**

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Drawing No. / **TP05.07 A**

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1100 Autumn



1200 Autumn

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Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - AUTUMN / SPRING**

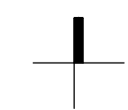
Project No. / **221054** Date / **22.05.23**

Author / **JC**

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Drawing No. / **TP05.08 A**

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1300 Autumn



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Drawing / **SHADOW PLANS - AUTUMN / SPRING**

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Drawing / **SHADOW PLANS - AUTUMN / SPRING**

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0900 Summer



1000 Summer

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Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - SUMMER**

Project No / **221054** Date / **22.05.23**

Author / **JC**

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Drawing No. / **TP05.11 A**

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1100 Summer



1200 Summer

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Project / **4 Delmar Pde & 812 Pittwater Rd, Dee Why**

Drawing / **SHADOW PLANS - SUMMER**

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