

8 May 2023

The Chief Executive Officer  
Northern Beaches Council  
Attention: Mr Alexander Keller

**STATEMENT OF ENVIRONMENTAL EFFECTS - ADDENDUM  
122 & 124 Queenscliff Road QUEENSCLIFF  
DA2022/0646 - Amendments**

Dear Sir,

BBF Town Planners are instructed by the applicant, to submit this additional information in support of the subject Development Application. The information responds to matters raised in correspondence dated 13 September 2022. The submission is accompanied and supported by the following:

- Architectural plans (with amendments clouded) – May 2023
- Change register by ESS Architects on the cover page of the revised plan set
- Accessible ramp study plans SK010 and SK011, showing alternative options considered
- Clause 4.6 exception request for building height
- Traffic Impact Statement – amended
- Operational Waste Management Plan – amended
- SEPP 65 Design Verification Statement – amended
- Architectural Design Statement, and ADG workbook – amended
- Landscape Plan – amended
- BASIX Certificate – amended
- Stormwater management plans - amended
- Architecturally rendered perspective streetscape images – amended

**1.1 Overview of the key design amendments**

Various design amendments have been made in response to the preliminary assessment of the DA, including the feedback received from the Design and Sustainability Panel and Council's planning officers.

A list of changes is provided Change Register letter by ESS Architects. It provides a floor-by-floor breakdown including the roof and façade amendments. In overview, the following key design amendments are noted:

- Relocated the living area to the side to increase solar access and cross ventilation (this required a redesign of each apartment).
- In-setting of the upper level. The upper level displays an increased side boundary setback of 1m (providing a 3.2m setback).

- Redesigned the access and services core to allow for the parking requirements (waiting bay) and to improve the entrance (double height, no narrow corridor) to the building.
- Amended basement layout to reflect the new access core design.
- Redesigned the spa pools and landscape design on the lowest level apartments to reflect the internal layout changes.
- Amend the front external areas of dwellings 1 and 2 to incorporate a stepped retaining wall and integrated planting within the wall terrace.
- Floor to ceiling height increased 100mm, the height change is accommodated by lowering the ground floor level by 100mm (to RL 26.050 from 26.150) and otherwise within the proposed overall height of the design.
- A 400mm retaining wall zone has been provided along the side boundaries. Any further reduction to provide a 1.0 buffer zone of landscape reduces amenity to the lower-level apartments and would adversely impact the proposed dwellings.
- A significant section of the side boundary retaining walls have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace.
- The front external courtyards to dwellings 1 and 2 have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace.
- An entry awning has been provided for weather protection of residents entering and exiting the building. We have explored a ramp in lieu of a lift, but the pedestrian ramp is too long for the appropriate gradient. Therefore, a lift is required.
- Driveway access to the car lift has been extended from 3.3m to 5.5m, the car lift has also been moved further from Queenscliff Road into the site to allow for a car waiting bay. This is to allow cars to safely wait off the road reserve area so that public traffic along Queenscliff Road is not forced to wait while the lift mechanism is being used during ingress / egress of other cars.
- Storage areas added to the basement level in accordance with the ADG.

## **Design Sustainability Advisory Panel (DSAP)**

Items from the Design Sustainability Advisory Panel report dated 28 July 2022 are repeated and responded to below.

### **2 Scale, built form, and articulation**

- 1. Enhance and further articulate central gap, explore use of northern clerestory windows to reinforce urban pattern and take advantage of solar potential for the upper units*
- 2. Significantly reduce reliance on excavated space for habitable rooms and reduce the internal floor areas of the lower units in particular.*
- 3. Allow for retaining wall thickness, soil and planting retention during and after construction wherever retaining walls are in proximity to boundaries. The Panel suggests retaining a continuous zone of at least 900mm adjacent to adjacent property line at natural ground level. The applicant mentioned technology that would allow for minimal setback from the boundary, but the Panel was not shown details of the final appearance or potential impact on neighbouring properties.*

*4. The side setbacks should be increased to take advantage of oblique views, solar access about Eastern and Western elevations, to lessen impact on adjacent neighbours and to improve views from footpath towards South.*

Response –

- In response to item 1, and the central articulation area, the revised design incorporates a window and further design articulation to the area adjacent to the car lift. The central gap is further articulated by recessing the car lift further from Queenscliff Road and creating a clearer separation.

Curved facade corners have been added to soften the proposed building's streetscape presentation. The side setbacks at the upper level are inset by an additional 1m (providing a 3.2m setback) from the lower levels (which are at 2.2m).

The facade/materials of the design have been revised to adopt a characteristic coastal materials palette based on brick and timber; to better suit the surrounding context; and to be compatible with the character of the neighbourhood. Timber battens with a clerestory window along with dripping greenery have been introduced to further differentiate the two residential 'blocks' from the central access core. These aspects are further addressed in response to Section 11.

Amended architecturally rendered perspective streetscape images accompany the submission to demonstrate the impact of the amendments.

- In response to item 2, in our opinion the proposed design does not rely on excavated space that would result in inappropriate habitable rooms; this is further addressed under section 12 of this submission.
- In response to item 3, a significant section of the side boundary retaining walls have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace. The project architects in conjunction with the project engineers advise that there are appropriate construction methods available to retain the proposed excavation. This construction data is appropriately addressed at the Construction Certificate stage and is not a determinative issue in the assessment of the development application.
- In response to item 4, the side setbacks at the upper level have been increased by 1m from 2.2m to 3.2m. This is further addressed within section 12 of this submission.

### **3 Access, vehicular movement, and car parking**

*Reconfigure entry considering protection, viability of lift and quality of experience. Utilise landscape features to enhance the amenity of the entry area.*

*It is likely that the driveway will require adjustment / widening to enable a waiting car to be clear of the road and local car traffic and buses passing the site.*

Response –

- In response to the above (unnumbered items), the amended architectural plans incorporate a revised vehicle entry. This is further addressed within section 8 of this submission.
- In response to the pedestrian entry, alternatives have been considered and discounted. Two alternatives are shown on the accompanying plans titled SK010 and SK011. Following review of the alternatives the current design (as lodged) is preferred as it:
  - Provides the most landscaped area

- Avoids excessive, circuitous ramping and hard paved area within the front setback
- Avoids adversely impacting on the landscaped area of proposed apartment G.01
- Maintains the development at its proposed height and avoids increasing the proposed building's height to reduce the access gradients.
- Is fit-for-purpose and adequate in meeting the demand generated by the low scale and intensity of the proposed development (6 apartments).

We respectfully submit that the design appropriately balances, landscaping, streetscape presentation, pedestrian entry, vehicle egress, and northern sunlight into the building. Therefore, in our opinion the design adequately responds to the Panel's comments and satisfies the relevant statutory requirements.

#### **4 Landscape**

- 5. Use all native species / endemic where possible in the landscape. The planting will do better also with more similar water/ nutrient requirements etc.*
- 6. Adjust tree locations to provide canopy cover in the rear yards.*
- 7. Consider shade, privacy and safety of rooftop private open space.*
- 8. Deep excavation within 1m of the side boundary just to "flatten" the side setbacks against the side boundary is not an appropriately sensitive design response. NGL within 1m of the boundary lines should be retained to allow for site stability, drainage, landscaping and prevent deep cutting / walls on the side boundary.*

Response –

- In response to item 5, the landscaping plan will be amended to incorporate a majority of native species / endemic in the landscape.
- In response to item 6, proposed tree locations have been adjusted to provide cover in the rear yard, as well as privacy to the residents on the ground floor level.
- In response to item 7, the spas on the roof terrace have been removed from the design. The area of roof top terrace has been reduced. Taller planting to provide privacy between neighbours will be selected by the landscape architect. Deeper planter boxes will be provided to accommodate the taller planting.
- In response to item 8, a significant section of the side boundary retaining walls have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace. There are appropriate construction methods available to implement the proposed excavation which is further addressed under section 12. Furthermore, we respectfully submit that the architectural and landscape design of these spaces provides a high level of amenity to the future residents of the proposed development.
- The front external courtyards to dwellings 1 and 2 have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace.

Further to the above, it is noted that the OSD tank is proposed to be relocated within building footprint to optimise deep soil calculation and address issues raised to its prior location.

#### **5 Amenity**

- 9. Reconfigure the plans and utilise increased side setbacks to allow sunlight to penetrate living spaces to all apartments and to minimise reliance on artificial lighting.*

10. Consider switching the layout of the units to have the living areas on the outside walls, include extensive obscure glass (that may need to be double glazed for thermal performance) to increase natural light levels.

11. Increase floor to floor heights to at least 3.3m where terraces are located above habitable space

12. Provide detail of cover to roof access stair, (the cranked stair arrangement will make the design and operation of these devices particularly challenging)

13. Provide adequate screening to southern boundary to protect privacy of neighbours.

14. The placement of the spa and large terrace in full view of numerous overlooking apartments to the north affords no natural privacy to this private open space. Reshaping this area, a smaller terrace that is partially protected by an attractive feature of the roof / parapet shape / roof area and helps to visually integrate with the streetscape of the adjoining buildings at No.124 and No.118 Queenscliff Road would provide a more innovative design response. This should minimise view impacts and avoid the need for ancillary elements such as cabana / shade installations on the roof to protect the BBQ/tables/spa area.

Response –

- In response to items 9 and 10, the amended architectural plans have reconfigured the floor plans and utilise sunlight to penetrate living spaces. The living room and master bedroom layout has been reversed throughout the project, positioning the living rooms against the façade, creating significantly better quality of light and longer durations of direct light to living spaces throughout the day. The proposed development now achieves compliance with the ADG's solar access requirement, and this is summarised within section 12 below.
- In response to item 11, the amended architectural plans have altered the floor-to-floor heights to provide an additional 100mm for each floor. The design has increased floor-to-floor heights from 3.1m to 3.2m, to allow for 2.7m ceiling height and insulation from terraces above. This allows for the required insulation in the ceiling between habitable spaces and external deck areas. The additional height has also enabled integration of the planter box within the floor to ceiling section, improving views while, maintaining greenery.
- In response to item 12, the amended architectural plans have relocated and straightened the stair for the sky door. A sky door system will be used, details of which can be provided now or at CC Stage.
- In response to item 13, The rooftop terrace has been redesigned for increased privacy and to respond the design amendments from the level below. Balustrades of decks facing side boundary have been designed solid, to facilitate privacy to the adjacent neighbours. We also note that the roof terraces are above the adjacent neighbouring living areas, with no direct line-of-sight between these spaces.
- In response to item 14, the spas on the roof terrace have been removed from the design. The area of roof top terrace has been reduced. Taller planting to provide privacy of neighbours will be selected by the landscape architect, deeper planter boxes will be provided to accommodate the taller planting.

## **6 Façade treatment/Aesthetics**

15. Investigate alternative materials, noting that the planting, while supported will rely on a commitment by owners to maintain it. The design should fit with its

*context without the use of planting. Investigate face brickwork as an alternative facade material with a view to improving the fit with the local context.*

*16. Removal of building infrastructure (service boxes, pergolas, convoluted pathways) in the front setback and a more graduated / stepped excavation profile with landscaping, at least 50% of the front fencing open style with landscaping is required. The WDCP (Part D2) does not seek any privatisation (balcony / bedroom courtyards etc) in the 6.5m front setback area.*

Response –

A response to these matters is provided within section 11 of this report.

## **7 Sustainability**

*17. Increase the PV provision and consider connection direct to the units as there is minimal common area energy consumption*

*18. Reconsider the apartment layout to provide some northerly aspect to the building*

*19. Ensure the lifts are included in the BASIX*

*20. Ensure the skylights and glazed entry to the stair wells are included in the NatHERS modelling*

*21. Consider the inclusion of bidirectional EV charging points*

*22. Replace a car space with space for motorbikes and scooters*

*23. Full electrification and no gas in anticipation of decarbonisation of the grid. Replace the stove tops with induction and the hot water with heat pump hot water.*

*24. Increase the size of the rainwater tank and connect it to the spa and pool top up as well as the irrigation*

*25. Investigate material choices with low embodied carbon; low carbon concrete mixes with 70% less cement are readily available. Fly ash concrete should be investigated for the structure of the building, as well as other low carbon materials*

*26. Select roofing materials with high albedo roof to reduce urban heat and install high insulation levels*

Response –

- Lifts are now included in the BASIX report (to be submitted).
- Living room and master bedroom layout has been reversed throughout the project, this will allow the living rooms to be against the façade, creating significantly better quality of light and longer durations of direct light to private spaces throughout the day.
- Full electrification has been provided to the project as per the BASIX report.
- Planting and the landscaped roof top will provide high levels of insulation on the roof.
- In response to item 18, the apartment layouts have been revised to provide some northerly aspect to the optimal number of apartments.
- In response to item 19, the amended plans will be supported by an amended BASIX certificate that includes the lifts.
- In response to item 26, roofing material to reduce urban heat will be confirmed.

In response to items 17, and 20 to 25, the suggestions may be considered as the design of the proposed development progresses, along with the development approval process. However, at this stage, the applicant respectfully submits that the design adequately responds to the Panel's comments and satisfies the relevant statutory requirements.

## **8 Traffic Access**

Council's letter dated 13 September 2022 states:

*'The driveway access to the car lift will require additional width to allow a car to safely wait off (clear of) the road reserve area so that public traffic along Queenscliff Road is not forced to wait while the lift mechanism is being used during ingress / egress for other cars. The proposed driveway also crossing appears to conflict with two existing utility service pits. In this regard, the application must provide a "pre-approval" consideration from the relevant service authority for the construction of the driveway crossing over these pits. These assets do not belong to Council and therefore the applicant is obliged to ensure workable outcomes can be achieved where the proposed works will interfere with other Service Authority Infrastructure'.*

Response -

- The amended architectural plans have reconfigured the driveway entry which has been widened to enable a waiting car to be clear of the road, local vehicle traffic and buses passing the site.
- Driveway access to the car lift has been extended from 3.3m to 5.5m, the car lift has also been moved further from Queenscliff Road into the project to allow for a car waiting bay. This is to allow cars to safely wait off the road reserve area so that public traffic along Queenscliff Road is not forced to wait while the lift mechanism is being used during ingress / egress of other cars.
- An amended Traffic Impact Statement accompanies this submission in response to the above issues.

## **9 Stormwater**

Council's letter dated 13 September 2022 states:

*'The submitted drainage plans including on-site stormwater detention (OSD) is not satisfactory. The design must include a summary table and calculations for the system. Also, the tank is located in a position that will not permit 24-hour access for maintenance and inspection. It is considered that the tank be relocated to the front of the site possible under the driveway to achieve this requirement. The plans must include sections and details of the orifice plate, pits and pipes for the internal drainage system'.*

Response -

The issues above are addressed by the following key amendments:

- Amended stormwater management plans accompany this submission in response to the above issues.



- The project's stormwater consultant has liaised with Council's stormwater team and will proceed with the OSD tank located at the rear of the site. The OSD will be relocated into the basement which will also improve the landscape open space.
- Council's request to locate the OSD tank at the front of the site under the driveway is not feasible. If the OSD tank were to be located under the driveway or at the front of the site, the tank would be 8m deep. This would be too unsafe for maintenance access and results in a series of unnecessarily deep stormwater pipes that would either have to run back and forth under the building or around the building.
- As the site naturally falls to the rear the most practical location for the OSD is at the rear of the site to ensure that it can provide effective detention to runoff from the majority of the site. If 24-hour access is essential, access arrangements may be formalised in an operational plan of management and as a condition of consent.

## 10 Building height

The method of calculating the building height has been revised to address the Commissioner's judgment in *Merman Investments Pty Ltd v Woollahra Municipal Council* [2021] NSWLEC 1582. Height plane diagrams have been provided for both 8.5m above natural ground level, as well as finished floor of existing basement floors as per the Merman method.

In summary:

- the existing building height exceeds the development standard as shown within the architectural plans.
- the proposed building height is variable and extends up to 9.3m above the existing ground level (figure 1).
- the proposed building height represents an exception ranging from 400mm up to 800mm or up to 9% of the development standard, and only in small horizontal sections, as shown in figure 1.
- A clause 4.6 exception request for building height is submitted addressing this matter.

## 11 Streetscape

Council's letter dated 13 September 2022 states:

*'It is not concurred that "the proposal has been designed to maintain and enhance the character and amenity of the surrounding neighbourhood context". The highly contemporary appearance, including extensive use of exposed concrete bulk does not provide a good fit with the form and materiality of adjacent buildings within the R2 Low Density zone. The reuse and inclusion of brickwork, sandstone and roof shape is required to better achieve Principle 1 Context and Neighbourhood Character, Principle 2 Built Form and Scale and Principle 9 Aesthetics pursuant to the Apartment Design Guide and as per Council's DSAP comments'.*

Response -

In response to item 15 from the DSAP report:

- Curved facade corners have been added to soften the proposed building's streetscape presentation.
- The driveway corners have been splayed to reduce visual impact.



- Planter boxes have been added to the bin holding area.
- The side setbacks at the upper level are inset by an additional 1m (providing a 3.2m setback) from the lower levels (which are at 2.2m).
- The facade/materials of the design have been revised to adopt a characteristic coastal materials palette based on brick and timber; to better suit the surrounding context; and to be compatible with the character of the neighbourhood. Key changes include:
  - Reduction of exposed concrete bulk
  - Inclusion of brickwork to better suit the neighbouring context
  - Timber screens to provide privacy to the streetscape as well as to the direct neighbours
  - Falling, lush greenery is maintained where applicable to soften the built form
  - Additional articulation is provided to the façades to compliment the context.
- A planter box has been included within the floor to ceiling building section with an open metal balustrade to allow for planting while also increasing views from terraces and balconies to the coastal views.
- Solid balustrades have been adopted alongside side boundaries to facilitate privacy.
- In response to DSAP item 16, the front setback has been increased from 6m to 6.2m and aligns with the western adjacent development at 126 Queenscliff Road. Landscape planting updated.
- The balconies to Queenscliff Road have been removed.
- Queenscliff Road boundary fence has been revised to an aluminium batten fence with integrated planting for softening and screening to reduce the appearance of concrete, creating an open style fencing.
- A double height entrance has been provided.

Side façade changes include:

- Aluminium screening has been removed and replaced with brick and timber screening.
- A solid balustrade has been provided for privacy to balconies.
- Windows have been added for increased solar access and cross ventilation with screening for privacy.

Rear façade

- A planter box has been included within the floor to ceiling build-up and provided a metal balustrade to maximise views while maintaining the terraced green aesthetic and privacy.
- This new design also allows for the greenery to not be present and still provide a well-articulated proposal that is complimentary to a coastal aesthetic.

We respectfully submit that the amendments are appropriate in addressing the issues raised. Direct responses to the following matters under SEPP 65 and the ADG may be provided if the design amendments are considered satisfactory by Council: *Principle 1 Context and Neighbourhood Character, Principle 2 Built Form and Scale and Principle 9 Aesthetics.*

## **12 Front and side setbacks**

Council's letter dated 13 September 2022 states:

*'Excavation within 1.0m of the front and side boundary including building engineered structures close to the boundary should be avoided in favour of providing a landscape buffer which preserves the continuity in existing site*

*levels between the road reserve and along the side boundaries. Landscaped retaining walls should be stepped or graduated to follow the natural contours and avoid “cutting out” the setback areas around the building footprint to preserve the integrity of the physical environment. The proposal is not consistent with Part B7 Front Boundary Setback, Part B5 Side Boundary Setbacks or Part C7 Excavation and Landfill pursuant to the Warringah Development Control Plan 2011 (DCP)’.*

Response –

### **12.1 In response to DCP control B5 Side Boundary Setbacks:**

Bedrooms are proposed within the northern, excavated section of the site and are adjoined by landscaped courtyards. The courtyards are of adequate dimension and area to provide natural light and amenity into the adjoining rooms.

The rooms will look onto the landscaped courtyards. These areas are not adjacent to principle living spaces. The areas offer quiet, high amenity spaces appropriate for bedrooms. ADG compliant solar access is achieved to the development.

A significant section of the side boundary retaining walls have been amended to incorporate a stepped retaining wall and integrated planting within the wall terrace.

A 400mm retaining wall zone has been provided along the side boundaries. Providing a 1.0m buffer zone of landscape would reduce amenity to the lower-level apartments and would create a cramped apartment.

Furthermore:

- The proposed development meets and exceeds the minimum side setback applicable to the land (900mm as shown on the DCP maps).
- There are no inappropriate amenity impacts on the adjoining land resulting from the side setbacks proposed.
- The proposed development provides compliant deep soil landscape areas under the ADG.
- The side setback areas are proposed to be landscaped.
- Whilst the control’s provisions relating to the R3 Medium Density Residential zone do not apply to the land, it is noted that principle private open spaces, basement car parking, vehicle access ramps, balconies, and terraces are not proposed within the side setback areas.
- The proposed development provides deep soil areas that are proposed to be comprehensively landscaped around the perimeter of the building.
- The terraced form of the proposed development steps in accordance with the slope of the land and incorporates a low-profile roof. It exceeds the minimum rear setback requirement and is not of inappropriate length. The proposed building will appear as two storeys when viewed from the streetscape and three storeys when viewed from the rear which is consistent with the land current built form and compatible with the local built form pattern on the south side of Queenscliff Road (figure 2).

We respectfully submit that the proposed design satisfies DCP control B5 Side Boundary Setbacks as reasonably applied to the land, a property that has existing use rights, and the proposed development.

### **12.2 In response to DCP control B7 Front Boundary Setbacks:**

- The proposed front setback has been increased from 6m to 6.2m and provides a compatible frontage to Queenscliff Road as depicted within figure 3.
- The proposed development exceeds the minimum rear setback requirement and by concentrated the development closer to the site frontage reduces its shading impact on the rear private open spaces within the adjacent properties.
- The proposed development is excavated and set-down below the street level and provides a modest bulk, mass, and scale that will be compatible with adjoining development on the southern side of Queenscliff Road.
- As detailed above, the design incorporates revised front fencing that will provide a positive front boundary interface that achieves Bay soft landscape edge to the site
- Landscaped front gardens do not consistently characterise the streetscape. Relatively high solid walls are a landscape feature along the southern side of Queenscliff Road near the site (see figures 10 and 11 within the Statement of Environmental Effects lodged with the DA).
- Overall, it is assessed that the proposed development, as depicted in the amended plans, will be compatible with the mixed development character of the local area.

We respectfully submit that the proposed design satisfies DCP control B7 Front Boundary as reasonably applied to the land and the proposed development.

### **12.3 In response to DCP control C7 Excavation and Landfill:**

- The proposed excavation will be obscured from the streetscape and adjoining land to the side and rear. It will therefore maintain, and not detract from, the visual and scenic quality of the land.
- The proposed excavation is not excessive and does not extend beyond the footprint of the building above. The purpose of the allocated spaces within the basement have been clarified and are needed to support the function and use of the proposed building.
- There are no inappropriate amenity impacts on the adjoining land resulting from the proposed excavation.
- The proposed excavation is capable of being constructed in a geologically and structurally sound manner.
- The proposed excavation is capable of being managed, and conditions may be imposed, to ensure that it does not create siltation or pollution of waterways and drainage lines or degrade or destroy the natural environment.

We respectfully submit that the proposed design satisfies DCP control C7 Excavation and Landfill as reasonably applied to the land and the proposed development.

## **13 Side Boundary Envelope**

Council's letter dated 13 September 2022 states:

*'The Warringah DCP has a number of requirements to ensure building bulk and wall planes are designed to provide good design outcomes for development. Side setbacks are to progressively step-in away from the side boundary in response to the side boundary envelope. Articulation along wall planes and excavation along the wall lines minimised to reduce the visual appearance of visual building mass. The proposal is not consistent with Part B3 Side Boundary Envelope and Part D9 Building Bulk pursuant to the Warringah DCP'.*

Response –

- The side setbacks at the upper level have been inset by an additional 1m (providing a 3.2m setback) from the lower levels (which are at 2.2m). This achieves greater level of numerical compliance with the side boundary envelope control with only a modest non-compliance remaining.
- The objectives of the Side Boundary Envelope controls are addressed within the Statement of Environmental Effects lodged with the DA. The assessment finds that the proposed development satisfies the objectives and flexibility in the application of the numerical control is appropriate.
- Articulation along wall planes is increased by the amended architectural plans as addressed above.
- The visual appearance of the building mass is principally limited to oblique views from the rear of the adjacent properties. These 3-storey sections of the proposed design are not visible from the streetscape. The appearance of the building from the rear of the adjacent properties is compatible with the 3-storey (and greater) height of buildings along to southern side of Queenscliff Road.
- The design (as amended) employs a stepped building form that is appropriately articulated, with no excessive, blank, or unarticulated sections.
- We respectfully submit that the proposed design achieves appropriate outcomes in relation to ‘building bulk and wall planes’ which are designed to provide good design outcomes’.
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### **13.1 Solar access**

#### **13.1.1 Solar access to the proposed dwellings**

Solar access to the proposed development has been improved by the amendments. The amended architectural plans incorporate views-from-the-sun modelling demonstrating compliance with the ADG. Furthermore, drawing number A2705 provides tables summarising the design’s solar access provision. The following conclusions are made in relation to solar access compliance or the amended design under section 4A of the ADG:

- 5 of the 6 (83%) proposed dwellings achieve 2 hours or more of direct sunlight to the living area glazing on June 21<sup>st</sup>.
- 5 of the 6 (83%) proposed dwellings achieve 2 hours or more sunlight to their Private Open Space (POS) on June 21<sup>st</sup>. 1 proposed dwelling (G.02) will receive 1 hour of sunlight to its POS.
- The above represents full compliance with design criterion 4A-1 (1) of the ADG.
- All of the proposed dwellings will receive some sunlight. 0/6 (0%) of the proposed dwellings will receive no sun between 9am - 3pm June 21. This represents full compliance with design criterion 3 of the ADG design criterion 4A-1 (3) which allows for 15% of apartments to receive no direct sunlight.

#### **13.1.2 Overshadowing**

Overshadowing to the neighbouring properties has not changed from the lodged development application, meets, and exceeds the minimum solar access requirements under DCP Control D6, providing an appropriate outcome.

## 14 Waste and Storage

Council's letter dated 13 September 2022 states:

*Council requires 'wheel in wheel out' bin storage, at grade and within 6.5m of the front boundary. The waste room facilities do not comply with Council's Design Guidelines for Waste Storage Facilities and must be provided at street level. Basement service rooms do not show space for domestic storage for each apartment and the space provided for service rooms such as electrical, plant equipment and the like should be kept to the minimum space needed to avoid unnecessary excavation and provide an efficient use of basement space. The proposal is not consistent with Part C9 Waste Management and Part D14 Site Facilities of the Warringah DCP.*

Response –

- The submission is accompanied and supported by amended and updated waste plan showing the revised bin store (holding bay) location.
- The project's waste consultant has liaised with Council's waste management team and amended the design to address the issues raised.
- A bin holding storage area has been provided 2m from Queenscliff Road within the site boundary. This is to allow for waste bins to be wheeled from the basement via the car lift and held at the bin holding storage area for easy transport to the street.
- The revised design incorporates bin holding storage for 8 bins, at grade level, adjacent to the eastern side of the driveway, accessed from within the property at the front of the site. The waste bin holding area is directly accessible from the car lift for residents and directly accessible from the street for pickup as requested by Council.

## 15 Conclusion

The applicant respectfully requests Council's consideration of the amended information provided in the assessment of the development application. Please don't hesitate to contact me if you wish to clarify any of these matters.

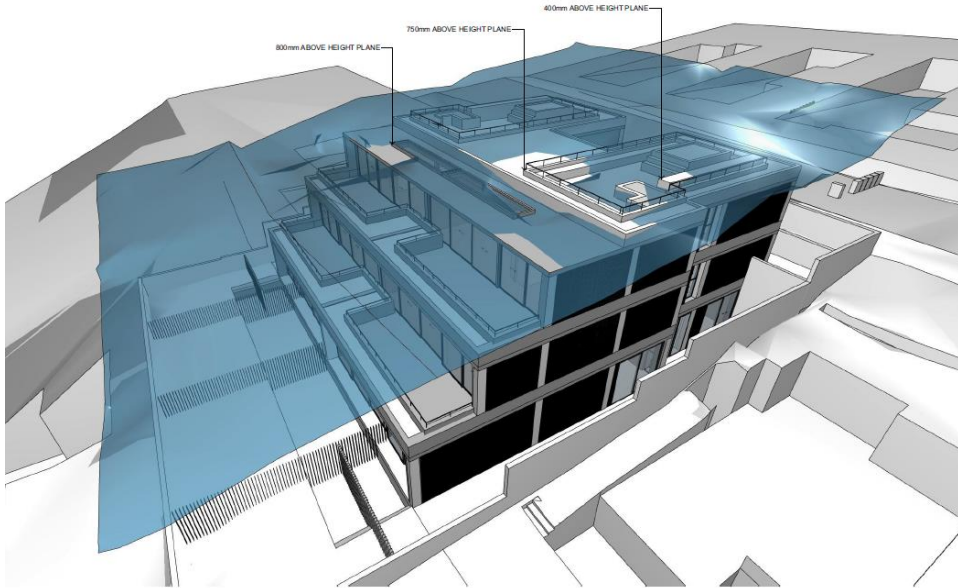
Yours sincerely,



Michael Haynes  
**Director - BBF Town Planners**



## Images



**Figure 1 – height blanket image of the proposed building showing the locations and extents (400mm, 750mm and 800mm) of the proposed exceptions with the 8.5m height plane based on the ‘Merman’ method of measurement**



**Figure 2 – the rear three storey character of development to the east of the subject site**

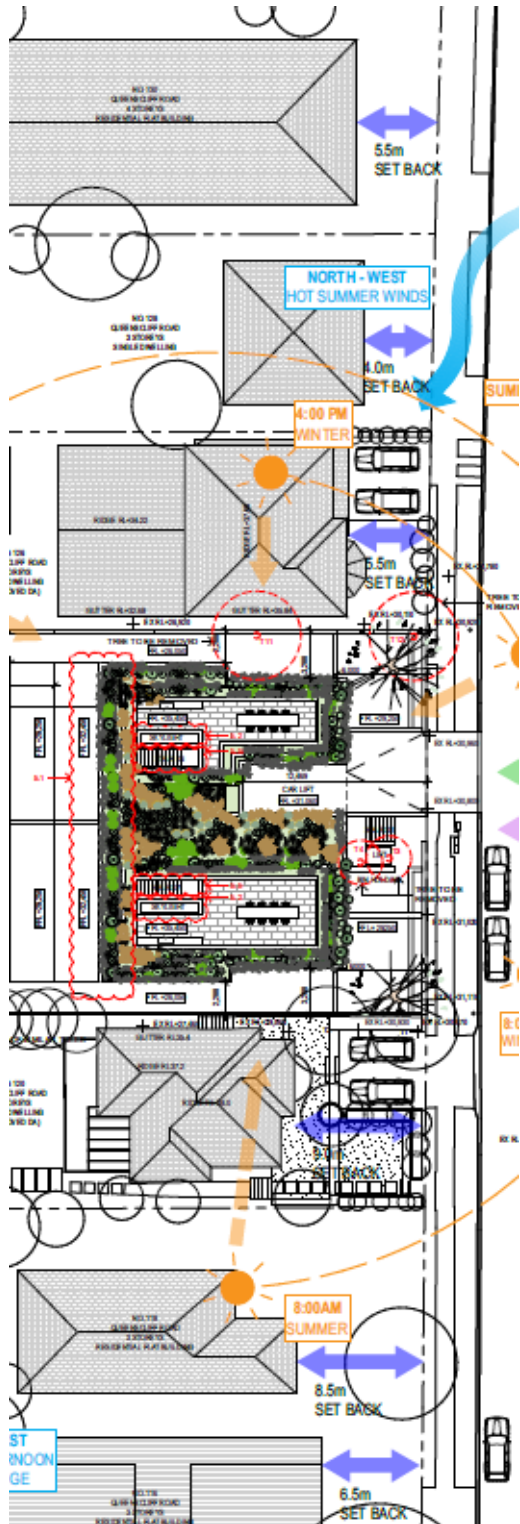


Figure 3 – the proposed front setback alignment is compatible with the adjacent development



## **Accessible ramp study plans SK010 and SK011**

The following should be read in conjunction with the Accessible ramp study plans SK010 and SK011 showing alternative options considered

### **Option 1:**

- The design requires the project to be raised by 200mm to achieve ramping, this will breach the height plane
- The project cannot be benched lower, as this will increase an already deep excavation
- To maximise the courtyard to unit G.01, we have designed an S shaped ramp to replace the current lift and stair
- The courtyard to unit G.01 is reduced to 2.7m, making this courtyard an unpleasant space
- The amount of ramping and walls produce a visually unpleasant entry way

### **Option 2:**

- The design requires the project to be raised by 200mm in order to achieve ramping, this will breach the height plane
- The project cannot be benched lower, as this will increase an already deep excavation
- The courtyard to unit G.01 is reduced to 1.3m, making this courtyard unusable
- The amount of ramping and walls produce a visually unpleasant entry way