



12 March 2021

The General Manager

Northern Beaches Council
1 Belgrave Street
MANLY NSW 2095

Attention: Alexander Keller
Assessment officer

RE: DA-2020/1585- 60 CASTLE CIRCUIT, SEAFORTH

Reference is made to Council's letter dated 25 February 2021 from Anna Williams, Manager, Development Assessment, Northern Beaches Council. Thank you for providing additional time to address the issues raised in your letter. After discussions with the client and architect, amendments have been carried out to address the issues, where feasible or reasonable (in our opinion).

1. Finished site levels/ retaining walls

Due to the site's natural topography, which presents a substantial gradient between 32 to 38 degrees, the proposed residence has been carefully designed to minimise site intervention and respond with a high-quality architectural built form that addresses the site constraints. Notably, the proposed excavation accommodates the lower levels, whilst the majority of the building is above or elevated over the existing ground level. However, the proposed soil fill is limited to the area around the swimming pool and is proposed in the form of terraced landscaping, which is considered to be appropriate to the sloping site as it helps to prevent erosion.

The proposed high-quality landscape design has been thought to complement the Landscape Heritage Item and Terrestrial Biodiversity surrounding the area whilst being compatible with the planting recommendations to developments in Bush Fire prone zones. The amended landscape plans have increased planting within the whole site, allowing for greater vegetation coverage, particularly along the boundaries, which ensure a better privacy relationship between the proposed dwelling and neighbouring properties.

Notwithstanding the landscaping design, the proposed landscaped provisions comply with the objectives and landscape character under part 3.3.1 of the MDCP 2013. The proposed dwelling appropriately addresses the relevant provisions in part 4.1.8 of the MDCP 2013 regarding Development on Sloping Sites by respecting the natural land topography. Additionally, this DA submission is accompanied by a Geotechnical Investigation Report and a Structural Report, which had considered the proposed works "acceptable" under existing conditions assuming that all recommendations outlined in the reports are implemented and complemented by reference to the guidelines for Hillside Construction.

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The excerpt of the sections below shows that no change to the natural ground level is proposed along the west, south and north boundaries. Additional cross-sections of the west boundary have been provided as requested in Council's letter, which exhibit the proposed terraced landscape around the pool. Refer to DWG 2019-011-303.

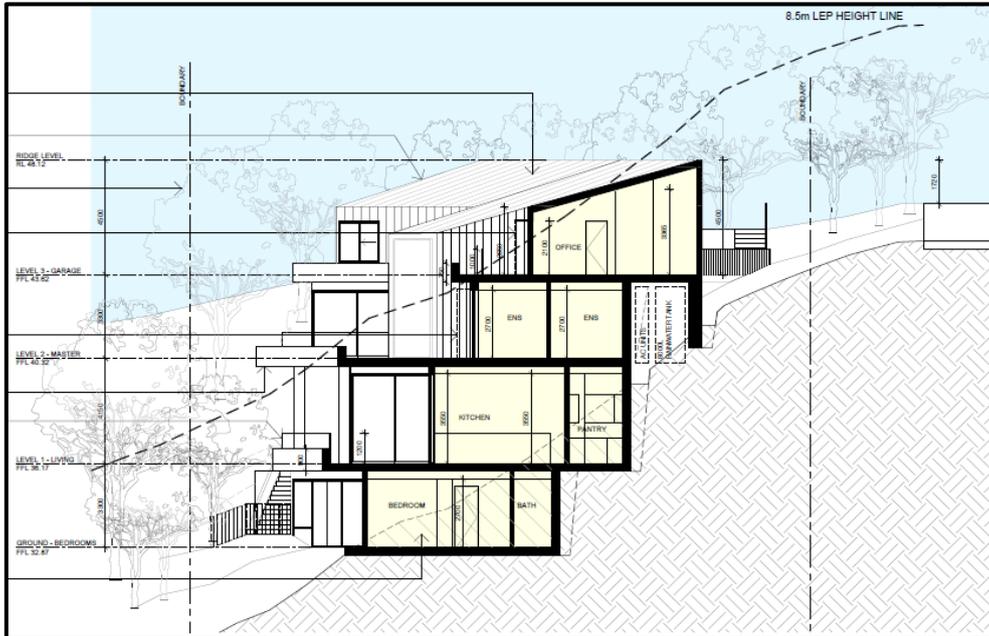


Figure 1: Excerpt of Section A noting the relationship between the proposed excavation works and the boundaries

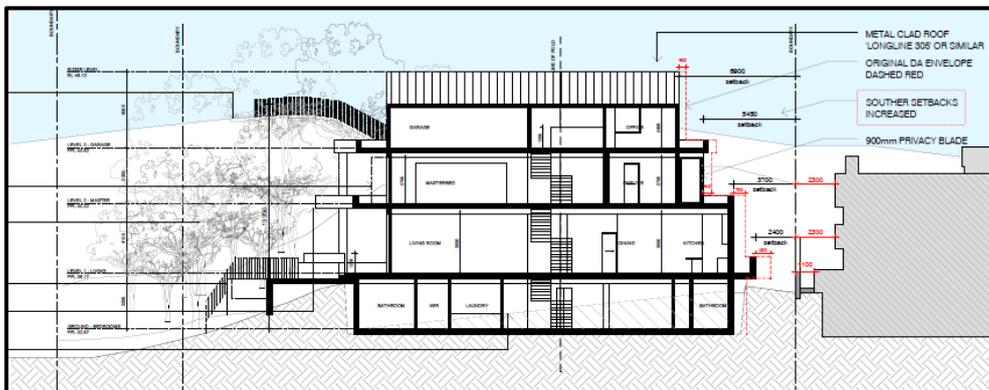


Figure 2: Excerpt of Section D noting the relationship between the proposed excavation works and the boundaries

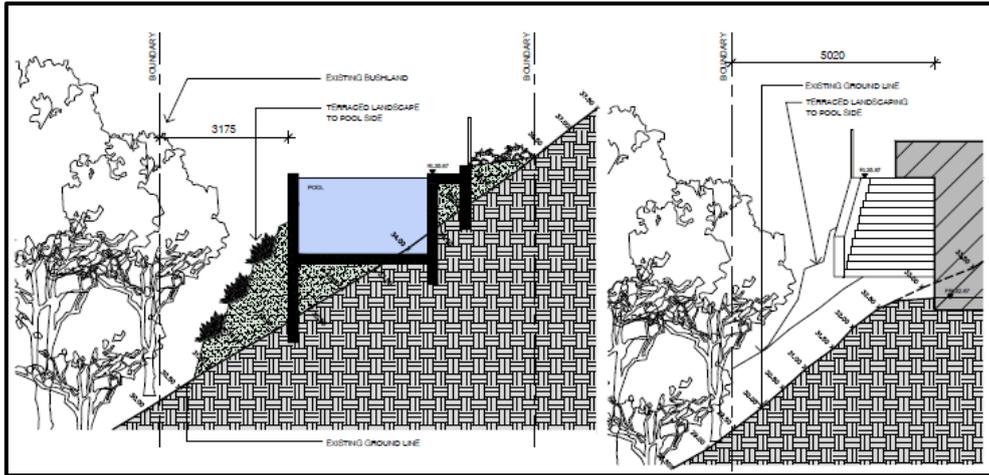


Figure 3: Excerpt of additional sections noting the proposed terraced landscaping as an alternative to the soil fill

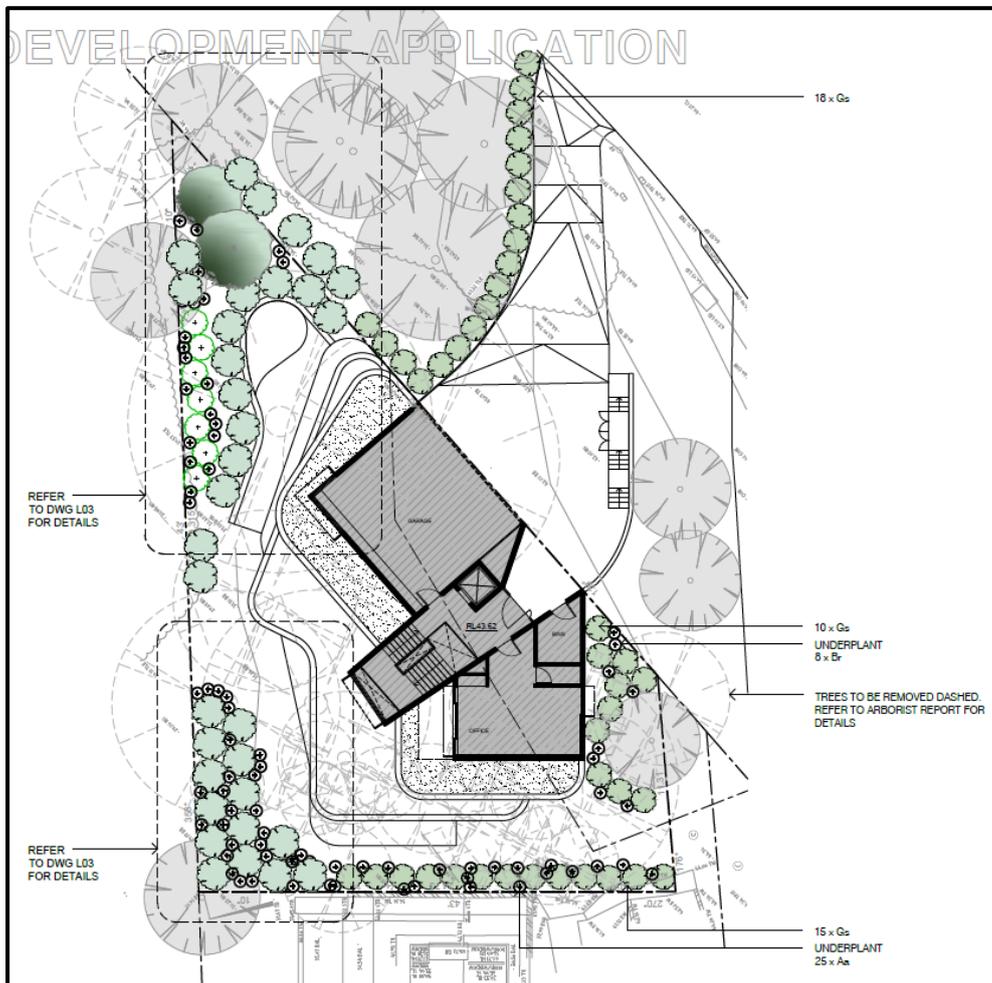


Figure 4: Excerpt of the landscape plan



Figure 5: Excerpt of the landscape plan noting the proposed terraced landscaping around the swimming pool

2. Floor Space Ratio

The amended plans include a reduction of the FSR to achieve full compliance under concession contained in the DCP – part 4.1.3.1, which allows for an increased FSR for undersized lots. The proposed FSR is 0.4:1, which was achieved by increasing the southern setback to the shared boundary with the neighbour at No. 58 Castle Circuit, as shown in **Figure 6** below and amended plans submitted.

Notably, the proposed FSR complies with the DCP concerning the extent of exception to the LEP FSR development standard pursuant to LEP clause 4.6, which should be no greater than the achievable FSR for undersized lots indicated in Figure 30 of the DCP part 4.1.3.1. that allows the 300m² of gross floor area sought in this application.

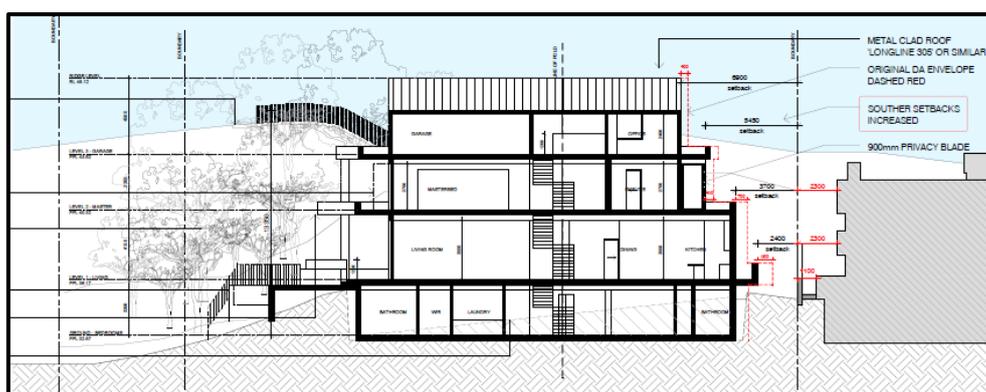


Figure 6: Excerpt of Section D noting the reduced built form and the relationship between the proposed amendment with the adjoining southern neighbour

The design amendment will improve the relationship with the surrounding properties, particularly with the adjoining southern residence. The proposal improves the amenity to the property at No.58 in regard to solar access by providing for increased setbacks from the southern boundary, allowing for better sunlight access to the northern elevation, living areas and POS. Shadow Diagrams accompany this submission and demonstrate that a minimum of 3 hours of direct sunlight between 9am and 3pm in mid-winter will be maintained.

Notably, the proposed footprint and envelope are sited with a significant greater separation distance from the shared boundary than the initial DA proposal, and existing neighbour, which, combined with the stepped built form and proposed landscaping, ensures the retention of privacy and minimises any visual bulk. The recessed envelope also allows for an increase of water views from the neighbouring properties and public domain towards the waterways to the west.

The proposed bulk and scale have been reduced in all levels, which minimise any unreasonable adverse environmental impacts on neighbouring properties, public domain, heritage landscaped item and watercourse. The proposed built form is, therefore, considered to satisfy the objectives of the Clause 4.4 of the LEP and the provisions of the DCP.

As stated in the submitted SEE, the proposed nil front setback is considered an appropriate alternative response to the site constraints. No front setback on the upper floor is proposed due to sloping and irregular site shape and environmental context. The compact upper floor footprint is sited closer to the front boundary to diminish potential protrusions above the height limit caused by the substantial gradient of the land, whilst also providing adequate rear setback and consequently a

safe distance from the adjacent landscape heritage area, which is also identified as bushfire prone zone. It is reiterated that setting the built form away from the front boundary would not significantly improve the amenity of surrounding properties and residents or diminish any visual bulk impact.

3. Legal Access

In response to the concern raised by proprietors of property No.52 and Council, the access stair adjacent to the southern boundary has been removed from the proposal. As shown on the amended plans below, the stair up and access, which had an encroachment with the adjacent access driveway shared by properties at No. 52, 54, 56 and 58, has been deleted. The proposed steps down retained follow the natural ground level and are fully sited within the site. It will not result in access or any circulation to the carriageway parallel to the eastern boundary. The amendment is considered to suitably address such concerns.

It is reiterated that the only pedestrian access provided to the site is located to the north boundary in association with the proposed driveway to the development and does not generate any adverse impact on southern residences regarding safety and security or privacy. The pedestrian access stairs to the north of the site do not encroach with the shared driveway built on privately owned land. It is situated approximately 5.2m from the driveway combined with proposed retained trees that screen and distinctly separate public and private domains.



Figure 7: Excerpt of Level 1 and 2 plans noting the deletion of the southern stair access associated with the adjacent access driveway area to the east of the subject site

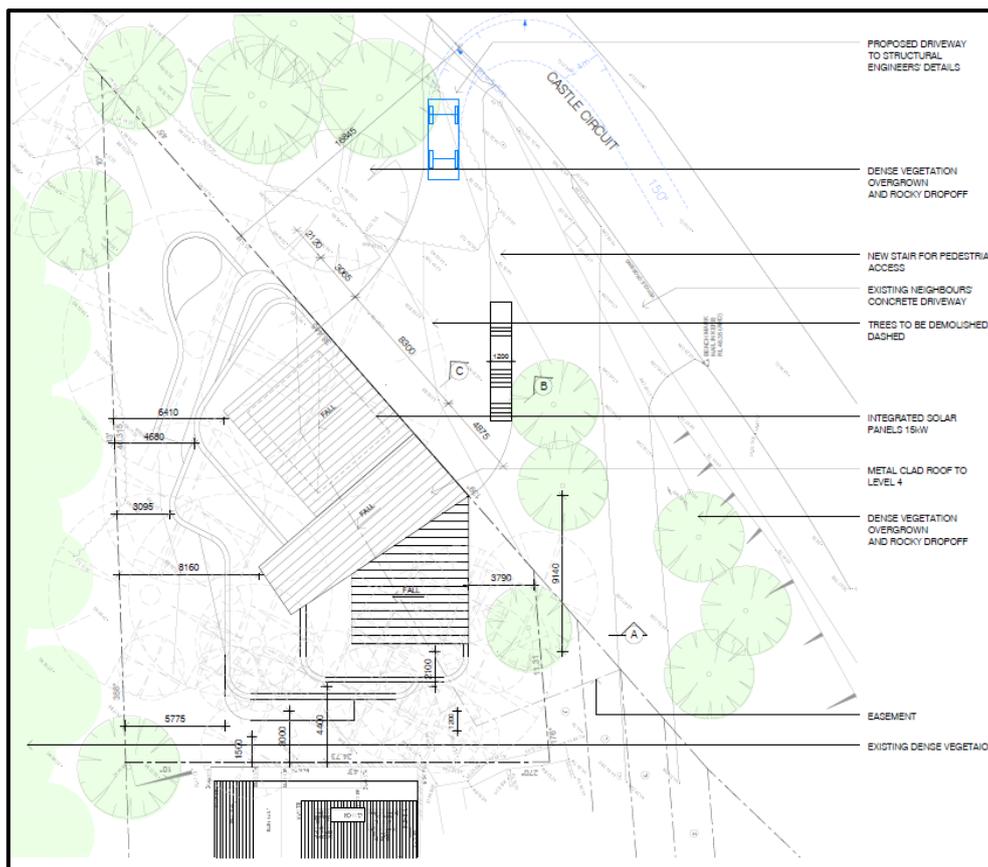


Figure 8: Excerpt of the Site Plan noting the deletion of the southern stair access associated with the adjacent access driveway area to the east of the subject site and retention of pedestrian access to the north

Additional information

The updated plan set, dated March 2021, includes the additional details as requested in Council's letter.

I trust this letter is satisfactory for your purposes. However, should you require any further information or clarification, please do not hesitate to contact me.

Yours sincerely,

Anthony Betros
 Director
 ABC Planning Pty Ltd