

21st October 2022

The General Manager
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Mr Jordan Davies – Principal Planner

Dear Mr Davies,

Development Application No. DA2022/1000
Issues response/ Supplementary Statement of Environmental Effects
Demolition works, alterations and additions to existing buildings and
construction of new mixed-use buildings
Royal Far West
19 - 21 South Styene and 22 Wentworth Street, Manly

Reference is made to Council's correspondence of 16th September 2022 in which a number of issues were raised and subsequent discussions and email communications between various Council and applicant experts in relation to the final design detailing of the development. This submission details the highly considered response to the issues raised and is to be read in conjunction with the following amended/additional plans and documentation:

- Architectural Design Response Statement, dated 14th October 2022, prepared by Murcutt Candalepas
- Amended Architectural plans Issue 2, dated 13th October 2022, prepared by Murcutt Candalepas,
- Landscape Design Response Statement prepared by Jane Irwin Landscape Architecture,
- Amended landscape plans Revision 2, dated 18th October 2022, prepared by Jane Irwin Landscape Architecture,
- Updated Heritage Impact Statement, dated 14th October 2022, prepared by Urbis,
- Updated Capital Investment Value (CIV) advice, dated 14th October 2022, prepared by MBM,
- Updated Statement of Compliance – Access for People with a Disability, dated 11th October 2022, prepared by Accessible Building Solutions,

- Response to DSAP – Acoustic amenity and natural cross ventilation report, dated 14th October 2022, prepared by Acoustic Logic,
- Addendum arborist report, dated 14th October 2022, prepared by Jacksons Nature Works,
- Updated Building Code of Australia Compliance Capability Statement, dated 19th October 2022, prepared by City Plan,
- Amended Civil Engineering plans, dated 14th October 2022, prepared by Northrop,
- Flood Statement, dated 14th October 2022, prepared by Northrop,
- Addendum Transport Assessment, dated 14th October 2022, prepared by Stantec,
- Amended Waste Management Plan, dated 14th October 2022, prepared by Low Impact Development Consulting,
- Updated draft Strata and Stratum plan of subdivision prepared by Bee & Lethbridge,
- Updated ESD Energy Performance and Green Star Report prepared by Aspire, and
- Amended BASIX Certificate prepared by Aspire

The amended plans provide for the following built form changes:

- Basement Levels - A significant reduction in the extent of excavation at basement level B2 and the consequential reconfiguration of car parking including the provision of a compliant quantum of residential and commercial carparking spaces.
- C.C.K - Planning adjustments to the southern portion of the ground floor and Level 1.
- Drummond House (Southern Annex) - A reduction in the number of guestrooms, and associated building bulk, at the eastern and western ends of Level 1. Minor floor plan refinement throughout. Removal of plant enclosures from the roof.
- Drummond House (Northern main building) - Minor floor plan refinement throughout. A reduction of mass at Level 3 and eastern side on ground floor. The addition of a passenger lift.
- Building C (Roof terrace) - consolidation of plant enclosures and associated increase in communal space. Relocation of main rooftop access lift overrun from northern core to the central core to reduce visibility. Removal of rooftop kitchen exhaust fans.
- Building C (Western façade) – The provision of an increase side boundary setback to Levels 1 and 2. The removal of the bathroom window hoods on Levels 3 to 7.
- Building C (General) - Replanning to ground floor. Internal reconfiguration of apartments to improve solar access. The removal of internal building service risers.
- Building C (and Basement Level 1) - Amendments to facilitate residential waste collection by Council including the provision of a waste room on ground floor with direct access to the street.

- Building D - Minor replanning of apartments. Minor adjustments to northern façade. Reduction in plant enclosures on roof.
- Landscaping - Minor adjustments to landscaping throughout including the removal of the pergola between building B and C (Ground Level).

In relation to the issues raised in Council's correspondence of 16th September 2022 we respond as follows.

1. Design Sustainability Advisory Panel comments

Response: The DSAP meeting minutes of 28th July 2022 have been comprehensively responded to in the document at Appendix 1 of the Architectural Design Response Statement, dated 14th October 2022, prepared by Murcutt Candalepas.

2. Concept Approval – Condition B1 Building Envelope and Separation (Building C)

Response: These issues have been comprehensively responded to in the accompanying Architectural Design Response Statement, dated 14th October 2022, prepared by Murcutt Candalepas. Such response document is to be read in conjunction with the accompanying amended Architectural plans.

In addition to the Architectural and Landscape expert responses, we also note that any reasonable assessment of the proposal's consistency with the concept approval requirement that "*Future development application(s) involving Building C shall demonstrate that the building, including the 'neighbour facing zone', is setback by at least 4.6m to the boundary adjacent to 29 Victoria Parade*" must also have regard to the balance of the sentence associated with the requirement as contained within the Concept Approval namely:

Future development application(s) involving Building C shall demonstrate that the building, including the 'neighbour facing zone', is setback by at least 4.6m to the boundary adjacent to 29 Victoria Parade and adequate soil planting zones is provided to optimise adjacent residential amenity and visually screen the commercial tenancies.

In this regard, the stated objective or purpose of the setback requirement is to *optimise adjacent residential amenity and visually screen the commercial tenancies* with such outcome facilitated through a combination of spatial separation and landscaping.

Consideration must also be given to the overall spatial relationship and juxtaposition of proposed Building C to the residential flat building at No. 29 Victoria Parade whereby the portion of the proposed building located immediately adjacent, in a horizontal plane, to the residential apartments within the adjoining building are the ground, Level 1 and Level 2 floors which are to be occupied by the proposed commercial tenancies.

The floor plates occupied by the proposed residential apartments are located above the eave line of the adjoining residential flat building. Having regard to the above considerations, including the stated objective or purpose of the setback requirement, we make the following observations:

- The amended plans provide a 4.6 metre setback where the residential apartments at No. 29 Victoria Parade immediately adjoining the proposed commercial floor plates as depicted in Figure 1 below.

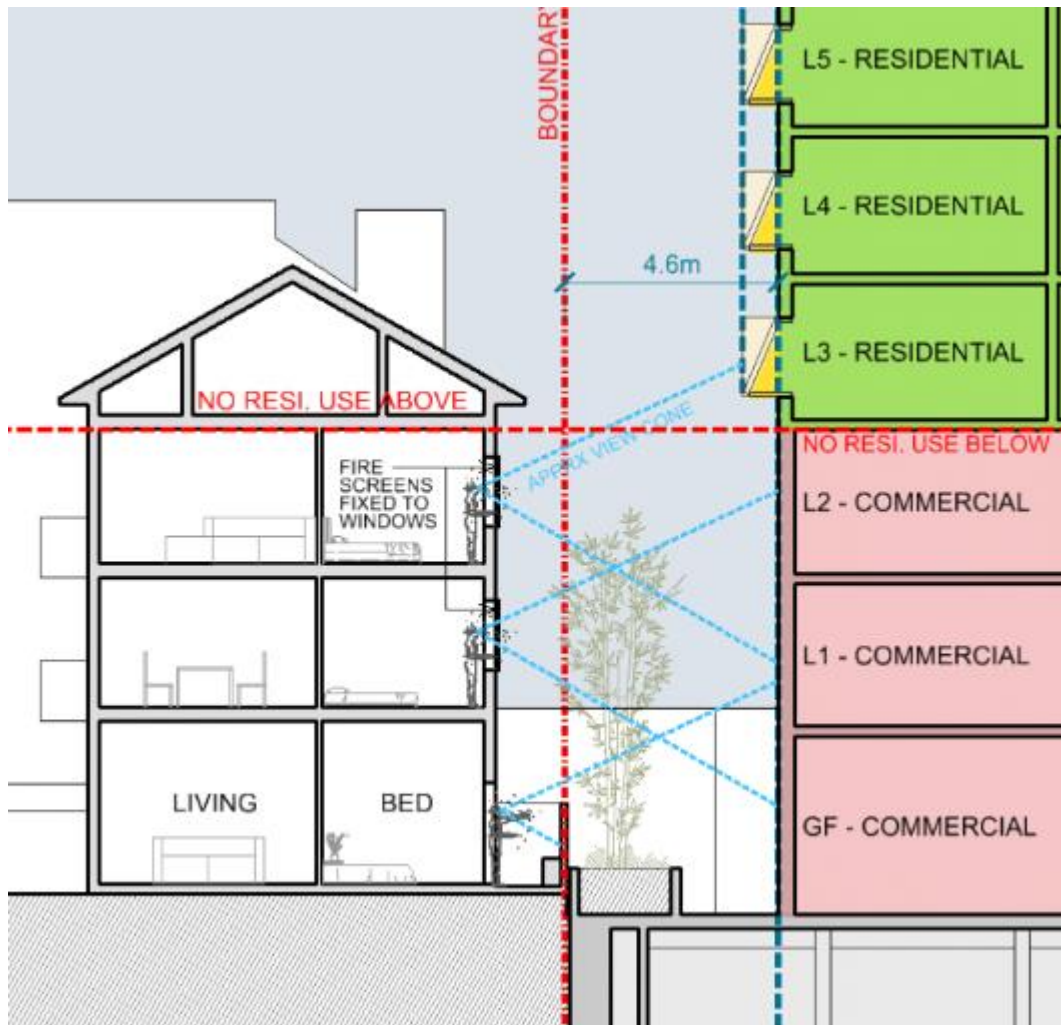


Figure 1 - Plan extract showing the overall spatial relationship and juxtaposition of the proposed development to the residential flat building at No. 29 Victoria Parade

- The proposed 4.6 metre setback facilitates adequate soil planting zones and associated plantings as depicted on the accompanying landscape plans to visually screen the commercial tenancies as viewed from the adjoining residential apartments. Such outcome not only satisfies the numerical requirement but also its stated objective/purpose being the establishment of landscaping to visually screen the commercial tenancies.

- The proposed 4.6 metre setback at ground level, Level 1 and Level 2 is in strict accordance with the setback requirement with integrated privacy measures incorporated into the west facing fenestration at these levels to optimise/ maintain appropriate residential amenity in relation to privacy.
- The building façade associated with the residential floor plates located above the eave line of the adjoining residential flat building at No. 29 Victoria Parade also maintains a 4.6 metre setback to the common boundary although bay windows with integrated privacy and sun shade louvres do project within the 4.6 metre setback by up to 700mm.
- We are satisfied that such encroaching elements do not compromise the landscape outcomes achieved between adjoining development or the residential amenity outcomes in terms of views, solar access or privacy nor do they contribute to unacceptable visual bulk impacts.
- In fact, the bay windows represent integrated and architecturally resolved privacy attenuation measures which optimise amenity to and from the development in terms of maintaining appropriate levels of privacy between adjoining development whilst also affording necessary sun protection and passive climate control to the fenestration located within the western façade of Building C.
- The setback breaching bay window elements also introduce building façade articulation and visual interest and to that extent contribute to the overall façade composition and design quality of the development.

In this regard, the consent authority can be satisfied that the setbacks proposed are contextually appropriate and responsive and are consistent with objective 3F-1 Visual privacy of the ADG whereby *adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.*

Under such circumstances, the consent authority can be satisfied that the proposed building setbacks between Building C and No. 29 Victoria Parade are not inconsistent with the setback requirements of the Concept Approval with the stated objective or purpose of the requirement achieved through the maintenance of contextually appropriate and responsive setbacks, landscape opportunity and building façade treatments/detailing.

Approval of the proposed setbacks would also be consistent with Objective 1.3(g) of the Environmental Planning and Assessment Act 1979 being to promote good design and amenity of the built environment.

3. Concept Approval - Condition A5 Building Height

Response: As above.

4. Condition A6 Building Envelope, Form and Separation

Response: As above.

5. Apartment Design Guidelines - Solar Access 4A-1

Response: As above.

6. Landscaping Comments

Response: The concerns raised in relation to the proposed landscape regime have been addressed in detail in the accompanying Landscape Design Response Statement prepared by Jane Irwin Landscape Architecture and as reflected in the Amended landscape plans Revision 2, dated 18th October 2022, prepared by Jane Irwin Landscape Architecture and the addendum arborist report, dated 14th October 2022, prepared by Jacksons Nature Works.

7. Flooding Comments

Response: The concerns raised in relation to flooding have been addressed in the accompanying Flood Statement, dated 14th October 2022, prepared by Northrop and as reflected in the accompanying amended architectural bundle. This report confirms that the amended plans have adopted the required Flood Planning Levels.

8. Traffic and Carparking Comments

Response: The issues identified in Council's Traffic Engineering Referral Response of 8th September 2022 have been addressed in the accompanying Transport Assessment Addendum report prepared by Stantec and as reflected in the accompanying amended architectural bundle. The accompanying report provides the following commentary in relation to the adequacy of parking supply:

The updated development plans propose a total of 217 car parking spaces, which is a reduction of 14 parking spaces compared to the lodged plans. Provision for three motorcycle spaces has also been made, increasing the total parking supply to 220 spaces. Therefore, the total parking provision continues to comply with the Concept Approval requirement of a minimum of 184 spaces.

The revised layout and strata boundaries result in a provision of 99 residential parking spaces, inclusive of 10 dedicated visitor parking spaces. Therefore, the DCP requirement of 86 residential spaces is exceeded.

A total of 50 parking spaces has been provisioned for CCK and Drummond House to meet the previously approved provision.

A total of 68 spaces has been provided for use by the new commercial and retail spaces. This increase in commercial and retail parking supply meets the DCP parking requirement of 68 spaces.

The revised plans and proposed amendments meet or exceed the DCP parking requirements for all development uses.

In relation to accessible car parking spaces the accompanying report provides the following commentary:

An accessible parking space is to be provided for each residential adaptable unit proposed. The revised development plans continue to propose 15 adaptable units, therefore a total of 15 residential accessible parking spaces are required. The revised plans include 15 residential accessible parking spaces and meet this requirement.

The accompanying report also confirms that the proposal continues to provide compliant bicycle parking and that the revised car parking layout The review confirms has been designed in accordance with the relevant Australian Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009) and Off-Street Commercial Vehicle Facilities (AS2890.2:2018).

This submission is accompanied by a number of additional updated/amended consultant reports which reflect the amended Architectural and landscape plans and which complete a considered wholistic response to the issues raised.

We are of the opinion that the amended documentation, the subject of this submission, comprehensively responds to the issues raised and provides for an overall refinement in the detailing and design quality of the development. Having given due consideration to the matters pursuant to Section 4.15(1) of the Environmental Planning and assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from recommending approval of the application to the Sydney North Planning Panel.

Please not hesitate to contact me to discuss any aspect of this submission.

Yours faithfully

Boston Blyth Fleming Town Planners



Greg Boston

B Urb & Reg Plan (UNE) MPIA
B Env Hlth (UWS)
Director