

We, the Applicant, BL2093 Pty LTD, are owner/developer and future operator under our management company, SixC, of the proposed boarding house. Please see www.sixc.com.au We live on the Northern Beaches and propose for residents an affordable quality new generation boarding house experience. A home that they will enjoy coming home to and surrounding neighbours will be proud to have in the community.

Background

As applicant for 67 Pacific Parade (67PP) we have followed advice from the NBC planners and feel that no matter what we present, the assessing planners continue to backtrack on agreed outcomes to deny this reasonable application. The assessment report contains misleading statements. Specifically; discussion of previous assessments on plans that have been superseded and inclusion of the DSAP report specific to a previous design without stating such and inclusion of plans (Page 43) identified as supplied by our Architect but were not. Whilst our s34 conference was without prejudice, many issues were resolved, and the plans now before you are the same as those. Even where certain matters, such as car parking and landscaping, are supported by specialist referrals in the report, it recommends refusal on these grounds. We are respectfully requesting approval at the LPP and present this introduction that our experts will further support in the Panel hearing.

Our design was informed by the Council's 2016 WDAP Report for the neighbouring site to the east (65PP)– which lead to approval. Specifically, the Council Planners supported the non-amalgamation of 65PP with 67PP and 65PP to be developed as two narrow infill sites. Excerpt from WDAP Report:

“the strict application of the prescribed setbacks is not considered to be appropriate to narrow width allotments. The outcome of such a strict application would effectively render such sites (as is currently proposed) as undevelopable and thereby sterilize particular sites from future development to a medium density standard.”

“The applicant has provided concept architectural plans of a residential flat building on the adjoining site (No.67 Pacific Parade) which is of a similar scale to the current application. In summary, these plans demonstrate that both sites can be developed in isolation to achieve an appropriate urban form that, on merit, is generally consistent with the planning controls (front, side and rear setbacks, building height and site coverage) and will result in an acceptable level of amenity for both sites including solar access and privacy.”

The aforementioned plans of building envelope for 67PP proposed identical side-yard setbacks as 65 PP, similar to the current 67PP application and breach of the 45 degree building envelope identical to 65PP, consistent with the proposed 67PP current application. The development at 65PP was not for affordable housing and subject to the facilitating provisions of the ARHSEPP.

Response to Council Planner's Assessment Report recommendations – Pages 59-60-61:

1. Solar Access: Plans submitted confirm complying solar access to the internal area. 20sqm Open Space: The plan provides more than 20sqm. The revised Noise Management Plan incorporated into the POM allows for up to 14 occupants in the COS providing for ample opportunity for all residents Solar access throughout the day. Parking spaces: Council's traffic engineer supports the proposed 13 Car spaces because it meets the ARHSEPP requirements. Character of local area: The locality is characterised by buildings of similar and greater height, scale and form including immediate neighbours. The proposal is clearly compatible.
2. Aims of the WLEP 2011: The proposed plan is consistent with Clause 1.2 sections: (2)(b)(c)(d i, ii, iii) (f i, ii, iii)(h ii)
3. Objective 4: Subjective - Objective 5: Subjective
4. The Geotech report findings substantiate the ability to build the project without negative impact to neighboring properties. The additional borehole test recommended is proposed for where the current residence is situated. We request this be a condition of consent to be completed when the existing residence has been removed.

5. i. Subjective ii. Subjective – Agreed by Council Landscape Architect as acceptable.

6. Clauses of the Warringah DCP 2011:

Clause B1 Wall Heights: Not Applicable – This control does not apply to the subject site.

Clause B2 Number of Storeys: The adjacent properties present 4 storeys to the street. In the Council's WDAP Report recommending approval for 65PP in 2016, 4 storeys for 65PP and 67PP, was acknowledged by the assessing planners to be appropriate.

Clause B3 Side Boundary Setbacks Proposed setbacks are consistent with local R3 approvals for infill sites. Pre-lodgment Advice from NBC Planners 4-8-2020 *"structures must comply with the 4.5m side setback requirement or demonstrate consistency with setbacks provided at 65 Pacific Parade, subject to compliance with commentary made relating to Clause D8 below."* It was requested that design of 67 PP be inward facing with rooms oriented to the centre facing each other. Our architect considered this design and it was determined to provide significantly less amenity for the residents of the subject project and neighbors as well as cause more non-compliances than the currently proposed submission. **It was agreed at the Prelodgment Meeting that between 2 and 4 metres was an acceptable side setback.**

Other narrow Infill sites in R3 zone immediate neighbourhood:

1. 73 Oaks Ave, Dee Why, – similar infill site 1 block away – approved by Warringah Council under same setback requirements. Setbacks 2.2M East and 2.5 to 3.5M West side setbacks.
2. 65 Pacific Parade – neighbouring infill site – 1.5M – 3M East and Nil to 4M West setbacks.

Clause C3 Parking Facilities: **NBC's Traffic Engineer supports with conditions** the currently proposed car parking number and design including the access and the stacker system. Approval has been granted for stacker parking at the neighbouring 65PP and for 60+ room boarding house 691 Pittwater Road in Dee Why with only 12 parking spaces without information on operation and management.

Clause D1 Landscaped Open Space and Bushland Setting: **NBC Landscape Officer supports with Conditions.** The revised Noise Management Plan incorporated into the POM allows for up to 14 occupants in the COS providing for ample opportunity for all resident access.

Clause D3 Noise: Updated Acoustic report provides a Noise Management Plan adopted into the POM. NBC Planner's concerns with potential noise impact at level 3 of 65PP responds to illegal construction work at Unit 9 expanding the internal and external built form overlooking the subject property, which has created visual and acoustic privacy issues that we have addressed in the current design before the panel.

Clause D6 Access to Sunlight: The submitted plans have always shown appropriate access to Sunlight for neighbours and residents.

Clause D8 Privacy: Our Consultants and Architects have worked hard to provide the best Privacy outcome for the residents and neighbours. Visual Privacy to 65 Pacific Parade: 2016 Council WDAP Report for the 65PP application, *"the plans (refer to Plan No. A-06) indicate the provision of privacy screening to all bedroom windows both the balcony and the bedroom window."* 65 Pacific Parade does not have the privacy screening scheduled on the Approved plans.

Clause D9 Building Bulk: 67 PP Bulk and scale is appropriate for this infill site as was demonstrated by the applicants on 65 PP. The current design has no adverse impacts on the surrounding neighbours.

Clause D22 Conservation of Energy and Water: The site is being assessed for a new age boarding house under the SEPP AH 2009, SEPP 65 and the ADG are not applicable.

Please note: Senior Constable, Crime Prevention Officer, Lorraine Yates, of the Northern Beaches PAC has provided supporting submission. Included in documents on Planning portal.

Thank you for your sincere consideration of the merits of this application.