

4 May 2023

Mr Rod Piggott
Manager, Development Assessment
Northern Beaches Council

Dear Mr Piggott

Re: 79 Ashworth Avenue, Belrose (DA2023/0067)

Thank you for your letter dated 16 March 2023 requesting further information on the demolition and subdivision development application. The following additional information is attached:

- **Attachment A:** Amended Plans.
- **Attachment B:** Amended Clause 4.6 Variation Request.

The amended Clause 4.6 Variation Request provides substantial justification for the proposed departure from the minimum lot size development standard.

Amended Proposal

The details of the proposed subdivision can be summarised as follows:

- The front Lot (Lot 1) is proposed to comprise 476.22sqm.
- The rear Lot (Lot 2) is proposed to comprise 621.75sqm (516.75sqm excluding the access handle).
- The access handle (shown as driveway) will comprise a total of 105sqm and form part of Lot 2.

The sizes of the lots are consistent the application that was originally submitted to Council.

The proposed subdivision now includes an Indicative Building Area (DA-004) and Indicative Building Envelope (DA-005). The purpose of these drawings is to provide a three-dimensional building envelope that the future dwellings must adhere to. This can be imposed via a section 88B instrument.

Key observations:

- The future dwelling on Lot 1 is to be contained within a building area that cannot exceed 182.28 sqm (inclusive of garage).
- The future dwelling on Lot 2 is to be contained within a building area that cannot exceed 161.40 sqm (inclusive of garage).
- The future dwelling on Lot 1 must be setback a minimum of 6.5m from Ashworth Avenue. Due to the consolidated vehicle access arrangement, the front setback will not comprise a driveway. This maximises the opportunities for landscaping.

- The future dwellings on Lots 1 and 2 must be setback a minimum of 2m from the side (west) boundary).
- The future dwelling on Lot 2 must be setback a minimum of 6m from the rear (south) boundary.
- One consolidated 3.5m wide driveway is proposed on Lot 2. This will be shared by Lot 1.
- The building envelope proposed allows for a minimum consolidated private open space (POS) area of 60 sqm to be provided. The indicative location of the POS is relatively flat.
- A maximum wall height of approximately 7.1m, as measured from ground level (existing) to underside of the ceiling.
- A maximum height to the roof ridgeline of 8.5m, as measured from ground level (existing).
- The progressive stepping of the side setbacks as wall height increases. This is achieved through a 45-degree angled building plane, measured approximately one storey or 3.1m above ground level (existing).

As shown in **Table 1**, the development of the resultant lots can accommodate a permissible use that complies with relevant planning provisions and controls. The building envelopes provide an enhanced environmental outcome that would otherwise be achieved under the DCP 2011 or the Codes SEPP.

Table 1: Comparison of Compliant and Proposed Envelope

DCP 2011 Chapter	Control	Proposed
B1 Wall Heights	Walls are not to exceed 7.2 metres from ground level (existing) to the underside of the ceiling on the uppermost floor of the building (excluding habitable areas wholly located within a roof space).	The building envelope proposes a maximum wall height of 7.138m.
B2 Number of Storeys	2 storeys	2 storeys
B5 Min Side Boundary Setback	0.9m	2m
B7 Min Front Boundary Setback	6.5m	6.5m – 7.745m
B9 Rear Setback	6m	6m – 7.448m
C1 Subdivision	Minimum building area: 150 sqm	Lot 1: 182.28 sqm Lot 2: 161.40 sqm
Access	3.5m wide	3.5m wide
C3 Parking Facilities	The controls seek to minimise dominance of car parking structures.	The garage for Lot 1 must be located within the building envelope proposed and must be accessed via a shared driveway. This is an enhanced streetscape outcome to a traditional residential development, where separate vehicular access is provided. This approach minimises the dominance of car parking structures. The garage for Lot 2 must be located within the building envelope proposed. It is therefore unlikely to be visible from the street.
D1 Total Landscaped Area	Minimum 40%	557.63 sqm (51%)
Lot 1 Landscaped Area		293.95 sqm (62%)

DCP 2011 Chapter	Control	Proposed
Lot 2 Landscaped Area		263.68 sqm (42% inclusive of access handle or 51% exclusive of access handle)
D2 Private Open Space	Minimum area of private open space required is 60sqm with a minimum dimension of 5m	An indicative area is shown on the plans to demonstrate to Council, how a future dwelling could comply with this control. The proposal does not seek to fix the location of the POS as there may be a position/orientation that achieves compliance. The POS areas are relatively flat and do not encroach on existing timber paling fence/retaining wall at the rear of the site.
D9 Building Bulk	Side and rear setbacks are to be progressively increased as wall height increases. Note: There is no numeric requirement	The envelope provides for the progressive stepping of the side setbacks as wall height increases. This is achieved through a 45-degree angled building plane, measured approximately one storey or 3.1m above ground level (existing).

The proposed building envelopes provide certainty that the future dwellings on each lot will achieve an enhanced environment outcome, without limiting flexibility for innovative architectural outcomes in the future.

Thank you for your consideration of this subdivision application and trust that the above allow you to progress the determination.

Kind regards,

Sam Down

Town Planner / Team Leader