



11 October 2021

RJC:20-045

Mills Oakley
Level 7, 151 Clarence Street
Sydney NSW 2000

Attn: Ms Shivi Bhargava

email: sbhargava@millsoakley.com.au

Dear Shivi,

**Re: Land and Environment Court case number 2021/00169097 (“the Proceedings”)
Sit Family Pty Ltd (“the Applicant”)
22C Burran Avenue, Mosman (“the site”)
Demolition of existing dwelling and construction of a new dwelling, a swimming
pool and landscape works (“the proposal”)
Amendments to DA plans (“the amendments”)**

I refer to your recent request for my town planning inputs to the filing of amended DA plans in the Proceedings on behalf of the Applicant.

I make the following observations on the amendments.

1. Amendments to the DA plans

The amendments which has been made by PBD Architects are identified on each of the amended DA plans and are as follows: -

- i. Revised balcony extent and building envelope to comply with the Foreshore Building Line;
- ii. Revised bedroom layout to suit the amended balcony extent; and
- iii. Additional planter at lower ground level.

2. The amendments seek to reduce the issues in the Proceedings

In the order of the amendments noted above, I make the following comments on the way in which the amended plans seek to reduce the issues in the Proceedings: -

Lower Ground Plan

- The additional planter at lower ground level increases the extent of landscaping at ground level adjacent to the common boundary with 22A Burran Avenue.

Ground Floor Plan

- The alignment of the balcony off the three (3) east facing bedrooms now aligns with the foreshore building line so that no part of the new dwelling (unlike the existing dwelling) extends beyond the foreshore building line; and
- the associated adjustment to the configuration of the bedrooms results in a reduction in GFA and FSR.

Level 1

- The alignment of the balcony off the east facing living area now aligns with the foreshore building line so that no part of the new dwelling (unlike the existing dwelling) extends beyond the foreshore building line.

GFA Diagram

- The GFA on the lower ground floor and ground floor has been reduced to 119.83m² and 117.48m² respectively (from 123.56m² and 12.78m² respectively) resulting in a total GFA of 449.86m² which equates to and FSR of 0.4536:1 compared to the maximum of 0.4706:1 which is permissible.

Landscaped Area Calculation Diagram

- the landscaped area has been increased to 542.4m² (from 540.5m²) which equates to 54.6% of the site area compared to the 50% which is required.

3. MLEP 2012 compliance table

Provided below is an MLEP 2012 compliance table for the proposal, in light of the amended DA plans.

Provision	Compliance	Consideration
Part 1 Preliminary		
1.2 Aims of Plan	Yes	
Land Use Table		
Zone R2 Low Density Residential	Yes	The proposal is permissible with consent in the R2 Low Density Residential zone and satisfies the zone objectives.
Part 4 Principal development standards		
4.3 Height of buildings	Yes	A maximum height of 8.5m is permitted.

		A maximum height of 7.19m is proposed.
4.3A Height of buildings (additional provisions) – more than two storeys	No	The proposal has 2 storeys above existing ground level.
4.3A(4) Height of buildings (additional provisions) – wall height	Yes	A maximum wall height of 7.2m is permitted. A maximum wall height of 7.19m is proposed.
4.4 Floor space ratio	Yes	A maximum FSR of 0.4706:1 is permitted. A FSR of 0.4536:1 is proposed.
Part 6 Additional local provisions		
6.3 Foreshore building line	Yes	The proposal complies with the FSBL.
6.4 Scenic protection	Yes	The proposal will have no adverse impact on the scenic qualities of the locality.
6.6 Landscaped area	Yes	A minimum 50% of the site area is to be provided as landscaped area. The proposal provides 54.6%.

I trust that this assists.

Yours faithfully
BBC Consulting Planners



Robert Chambers
Director
Email bob.chambers@bbcplanners.com.au