



Ref: 0169r03v01

27/08/2021

Sit Family Trust & O'Connell Street Caddens Unit Trust  
c/-  
Mills Oakley  
Level 7, 151 Clarence Street  
Sydney NSW 2000

Attention: Matt Sonter

**RE: 22C BURRAN AVENUE, MOSMAN  
SIT FAMILY PTY LTD -V- MOSMAN MUNICIPAL COUNCIL (LEC CASE NO. 2021/ 00169097)  
DEVELOPMENT APPLICATION FOR A PROPOSED RESIDENTIAL DWELLING  
LETTER OF RESPONSE TO THE TRAFFIC CONTENTIONS**

Dear Matt,

We refer to the abovementioned NSW Land and Environment Court proceedings and the Statement of Facts and Contentions (SOFC) issued by Mosman Municipal Council (Council) dated 26/06/2021, relating to Development Application No.8.2020.283.1. The SOFC outlines a number of matters of contention including the proposed car parking arrangements for the development as per Contention 7.

This letter has been prepared to respond to the issues raised by Council under Contention 7. For clarity, we have reproduced Contention 7 below which is highlighted, with our response provided underneath.

### **7. Garage Design and Parking**

*The development application should be refused as the proposed parking solution is an inappropriate site response.*

#### Particulars

- (a) *The incorporation of a fully automated mechanical parking system with bulk excavation of up to 8.49m is unwarranted given that the minimum car parking requirements for a new dwelling can be achieved in a conventional arrangement with minor design changes to the proposed garage (5m x 7.13m) at street level.*
- (b) *The proposal is inconsistent with Objective O6 and Planning Control P9 set out in Section 5.1 Garage Design and Parking of MRDCP as the proposed automated mechanical parking system (including associated plant) requires extensive bulk excavation, and has no regard for the site's environmental constraints.*
- (c) *The proposal is inconsistent with Objective 12 and Planning Controls P26 and P27 set out in Section 5.10 Transport, Access and Parking of MRDCP as the use of mechanical parking systems is expressly discouraged and is only considered in limited circumstances where a conventional parking arrangement is not appropriate. The proposed parking system results in significant site disturbance and is an inappropriate site response given that a double garage at street level will satisfy minimum parking requirements.*

**PDC Consultants**

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### Consideration of Conventional Double-Vehicle Garage

The provision of a conventional double-vehicle garage was considered during the design development however, due to a combination of site constraints and the client's design vehicle requirements, it was determined that a conventional garage arrangement would occupy a significant proportion of the Level 1 floor area, resulting in an inefficient and inappropriate design outcome for the site. Further details are provided below:

#### *Design Vehicle*

- The proposed residential dwelling will be a place of residence for the client who owns two (2) oversized luxury vehicles each having the following characteristics:
  - Length of 5.98 metres and width of 2.02 metres, with a minimum turning radius of 6.89 metres (wall to wall).
- By comparison, a B85 Design Vehicle (B85), as specified in AS 2890.1-2004 (AS 2890.1) and being the standard design vehicle for residential garages, has the following characteristics:
  - Length of 4.91 metres and width of 1.87 metres with a minimum turning radius of 6.18 metres (wall to wall).
- It is clear from the above that the vehicles owned by the client are longer, wider and have a larger turning radius compared to a B85.
- Whilst it is not the applicable design vehicle in this instance, it is also noteworthy to mention that the client's vehicles are also larger than a B99 Design Vehicle, as specified in AS 2890.1, which has a length of 5.20 metres and width of 1.94 metres, with a minimum turning radius of 6.71 metres (wall to wall).
- The appropriate design vehicle for the subject development is therefore the client's oversized luxury vehicles, given these will be the largest vehicles that are required to be accommodated on-site. This can be otherwise expressed as the 100<sup>th</sup> percentile design vehicle for the site.

#### *Access Driveway Width*

- As shown on the architectural plans and identified on **Figure 1** below, there is an existing stormwater pit located along the Burran Avenue kerblane, along the site frontage.



**Figure 1: Location of Existing Stormwater Pit**

- The existing stormwater pit has a length of approximately 2.0 metres and accordingly, any vehicle access driveway serving the proposed development, either with a conventional double-vehicle garage or mechanical stacker, would have a reduced width at its intersection with the Burran Avenue kerblane (as to avoid any conflict with the stormwater pit) before flaring out at the property boundary of the site. This arrangement is illustrated on **Figure 1**.
- For a conventional double-vehicle garage, the width of the driveway is an important consideration, as it directly influences the required location of car spaces within the site when considering vehicle entry / exit movements to the car spaces. i.e. a wide driveway would generally allow for car spaces to be positioned closer to the frontage road, whereas a narrower driveway may require car spaces to be positioned further into the site.
- The required access driveway arrangement has been used to inform vehicle swept paths to / from the site for a conventional double-vehicle garage as discussed below.

#### *Vehicle Swept Paths*

- Swept path analysis has been undertaken to consider the required layout and dimensions of a conventional double-vehicle garage for the subject development. The analysis was undertaken using site-specific swept path templates that have been created for the client's oversized luxury vehicles which have a length of 5.98 metres, width of 2.02 metres and a minimum turning radius of 6.89 metres (wall to wall).
- The concept plan and swept path analysis drawings included in **Attachment 2** demonstrate the conventional double-vehicle garage would need internal dimensions of approximately 11.0 metres in length and 7.0 metres in width to accommodate the client's two oversized luxury vehicles.
- This conventional double-vehicle garage would occupy approximately 40% of the Level 1 floor area and result in an inefficient and inappropriate design outcome.

Having regard for the above, it was determined that the provision of a conventional double-vehicle garage would result in an inefficient and inappropriate design outcome for the site, which led to consideration of a mechanical car parking system.

#### Consideration of Mechanical Car Parking System

In contemplating the provision of a mechanical car stacker for the subject development, consideration was given to Objective 12 and Planning Controls P26 and P27 of the Mosman Residential Development Control Plan 2013 (MDCP 2013), Section 5.10, which has been reproduced below.

#### ***Section 5.10 Transport, access and parking***

*O12: To have the use of mechanical car parking systems discouraged and only considered in limited circumstances and where the effects of such systems are minimised.*

*P26: The use of a mechanical car parking system is not encouraged.*

*P27: Mechanical car parking systems will only be considered where it can be demonstrated that:*

- (a) The use of a conventional car parking arrangement is not appropriate;*
- (b) The proposed land use does not represent an overdevelopment of the site;*

- (c) *No inconvenience will arise from the use of the facility having regard to an assessment of:*
- (i) *The adequacy of the queuing area for vehicles (queuing must be managed without causing disruption to internal vehicle circulation paths or the external road system);*
  - (ii) *The adequacy of the dimension of the facility is capable to store a range of vehicles (i.e. the facility is capable of storing the 100th percentile vehicle, e.g. small sports cars to large 4WDs);*

The following comments are made in response to Objective 12 and Planning Controls P26 and P27 of the MDCP 2013, Section 5.10:

- Given the site constraints and design requirements for the client's vehicles, it was determined that the provision of a conventional double-vehicle garage would result in an inefficient and inappropriate design outcome for the site. In the limited circumstances, a mechanical parking system was therefore considered in accordance with Objective 12 of the MDCP 2013, Section 5.10.
- The proposed development is in the form of a low-density residential dwelling, consistent with the site's R2 Low-Density Land Zoning, and accommodates two car parking spaces complying with the requirements of the MDCP 2013. The proposal does not represent an over-development of the site.
- The proposed mechanical car parking system will cause no inconvenience for other road users or residents of the development. The proposed development will generate one (1) vehicle trip during both the 7-9am (AM) and 4-6pm (PM) peak periods, consistent with other residential dwellings. Upon arriving at the site, residents will use a remote control to open the roller shutter before driving onto the platform associated with the mechanical parking system, which will remain positioned at Level 1 (entry level) when not in use. Accordingly, the time taken for a resident to enter the system will be comparable to that of a conventional garage (including that of the existing development) and there will be no queuing impacts on other motorists along Burran Avenue.
- The mechanical parking system will be custom built to cater for the specific requirements of the client's oversized luxury vehicles, ensuring the system will accommodate the 100<sup>th</sup> percentile vehicle.

With regard to the above, it is considered that the development satisfies Objective 12 and Planning Controls P26 and P27 of the MDCP 2013, Section 5.10.

#### Consideration of Objective O6 and Planning Control P9 of MDCP, Section 5.2 Garage Design and Parking

Contention 7(b) includes reference to Objective O6 and Planning Control P9 of Section 5.1 - Garage Design and Parking of the MDCP 2013. From review of the MDCP 2013, it appears reference to Section 5.1 is an error and should read Section 5.2. The relevant clauses of Objective O6 and Planning Control P9 of the MDCP 2013, Section 5.2 are reproduced below:

#### ***Section 5.2 Garage Design and Parking***

***O6:*** *To have parking provided by the development that relates to the environmental and built constraints of the site.*

***P9:*** *On some steeply sloping sites requiring excavation, garages will be considered at the front of sites subject to satisfactory visibility for users entering and leaving; external finishes of the exterior and doors; and integration into the landscape. Excessive excavation should be avoided.*

It is considered that the above controls do not relate to traffic engineering and should be addressed by others. Nevertheless, we note that basement car parking for developments is common practice and is considered necessary



in this instance given that a conventional double-vehicle garage would result in an inappropriate and inefficient design outcome for the site.

We trust the above is of assistance and satisfactorily addresses the concerns raised under Contention 7 of the SOFC. Please contact the undersigned should you have any queries or require anything further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Corbett', with a long horizontal stroke extending to the right.

**Paul Corbett**  
Director, PDC Consultants

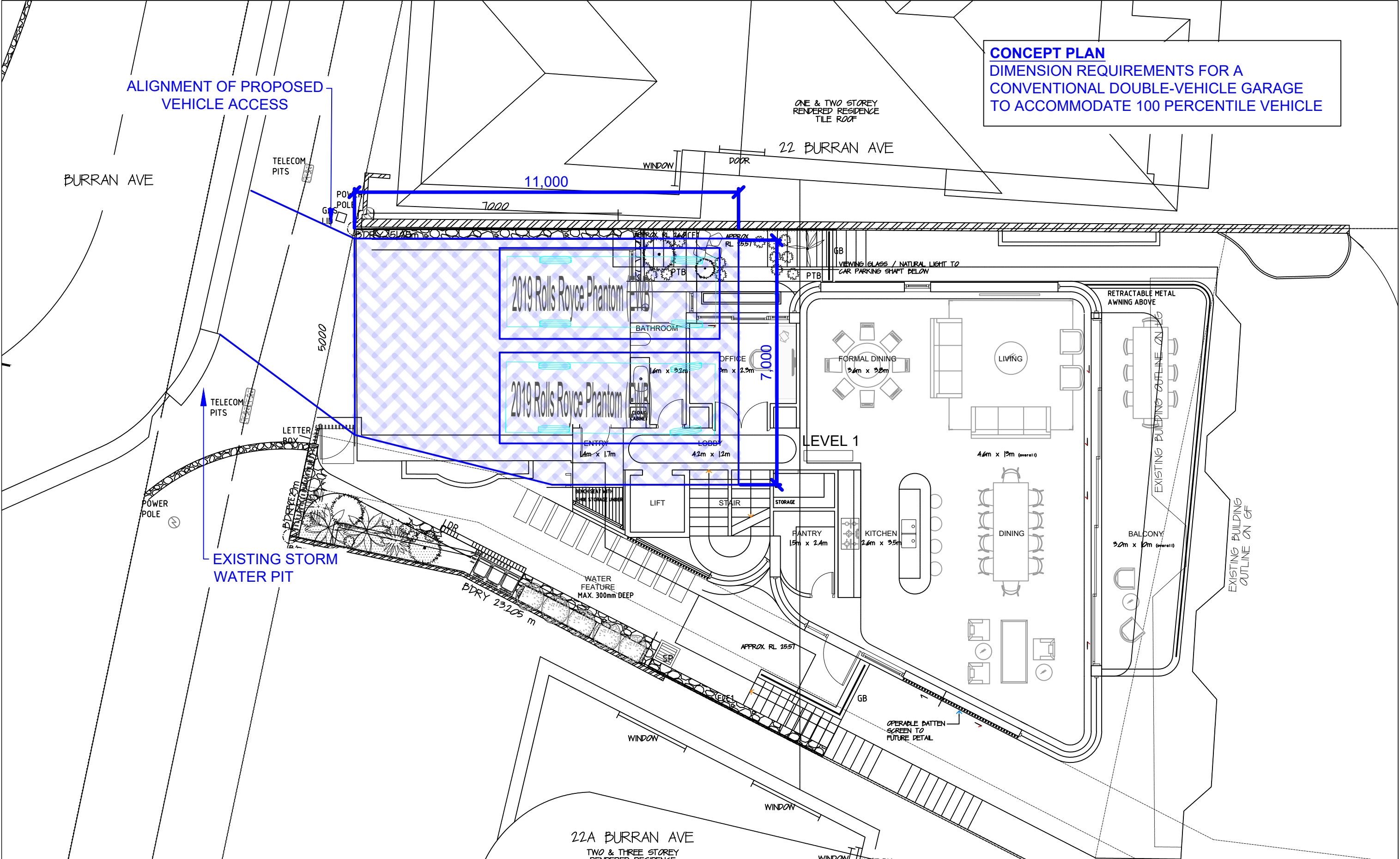
Email: [pcorbett@pdconsultants.com.au](mailto:pcorbett@pdconsultants.com.au)

*Attachments:*

- 1) Concept Plan and Swept Path Analysis Drawings of a Conventional Double-Vehicle Garage*

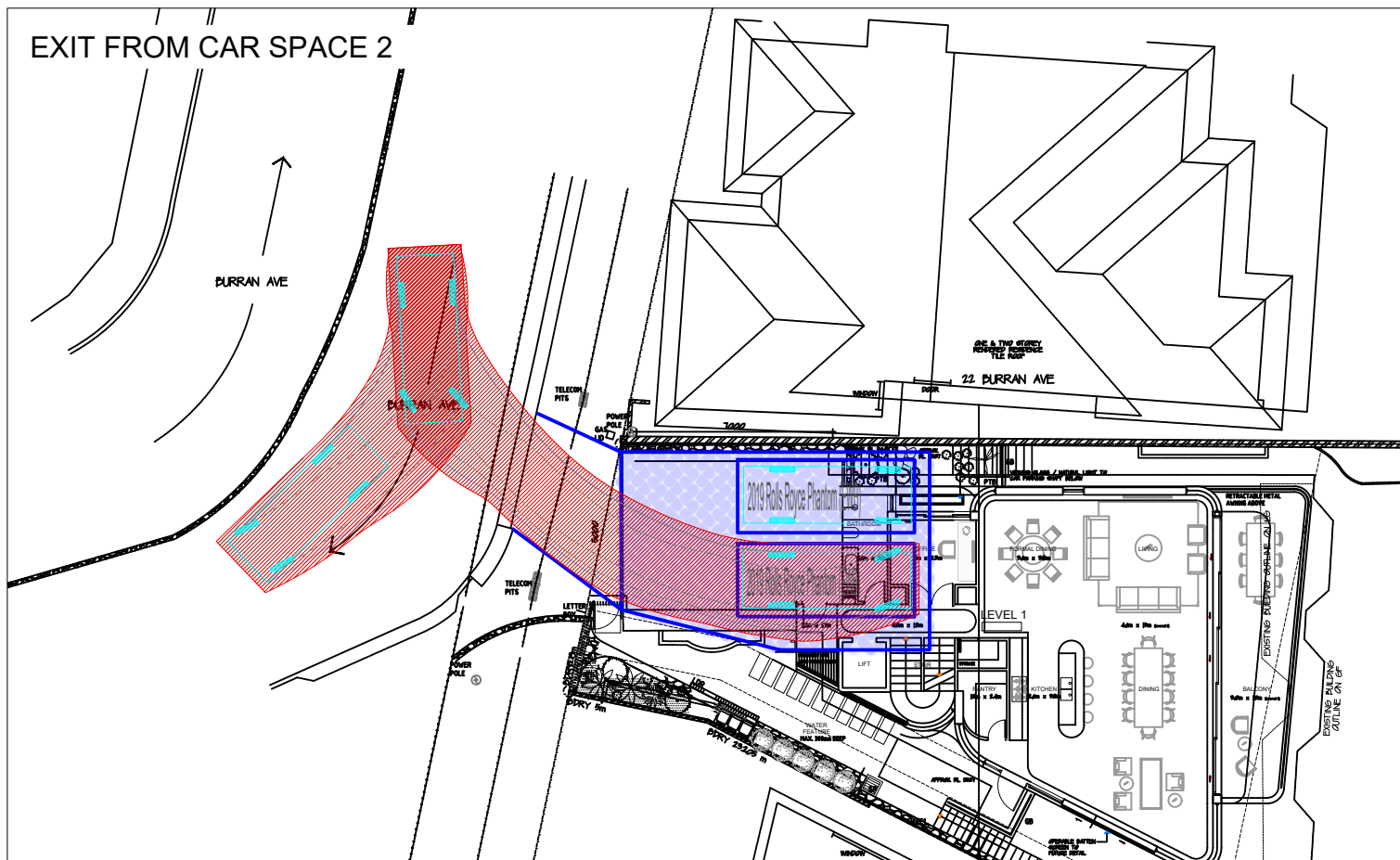
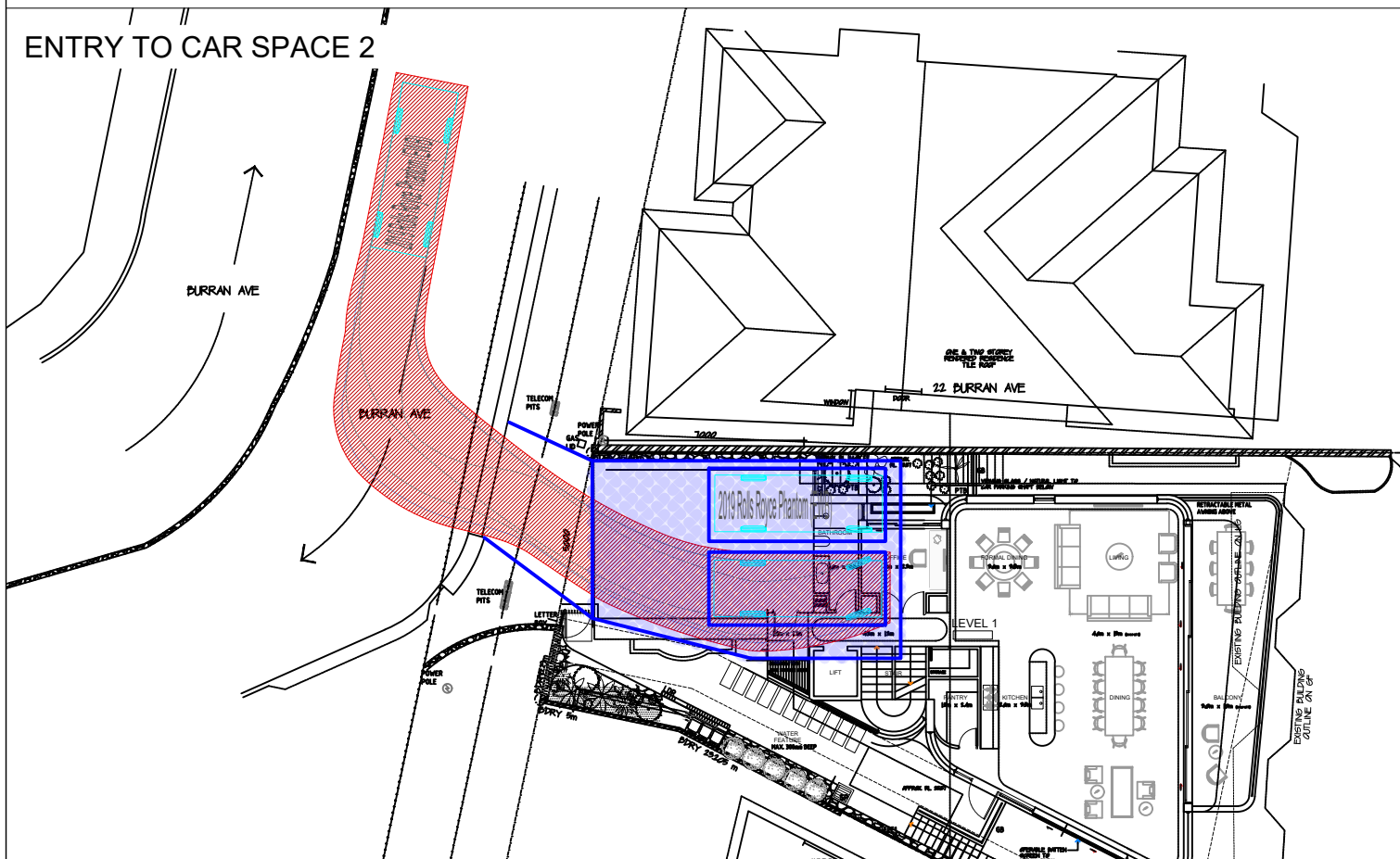
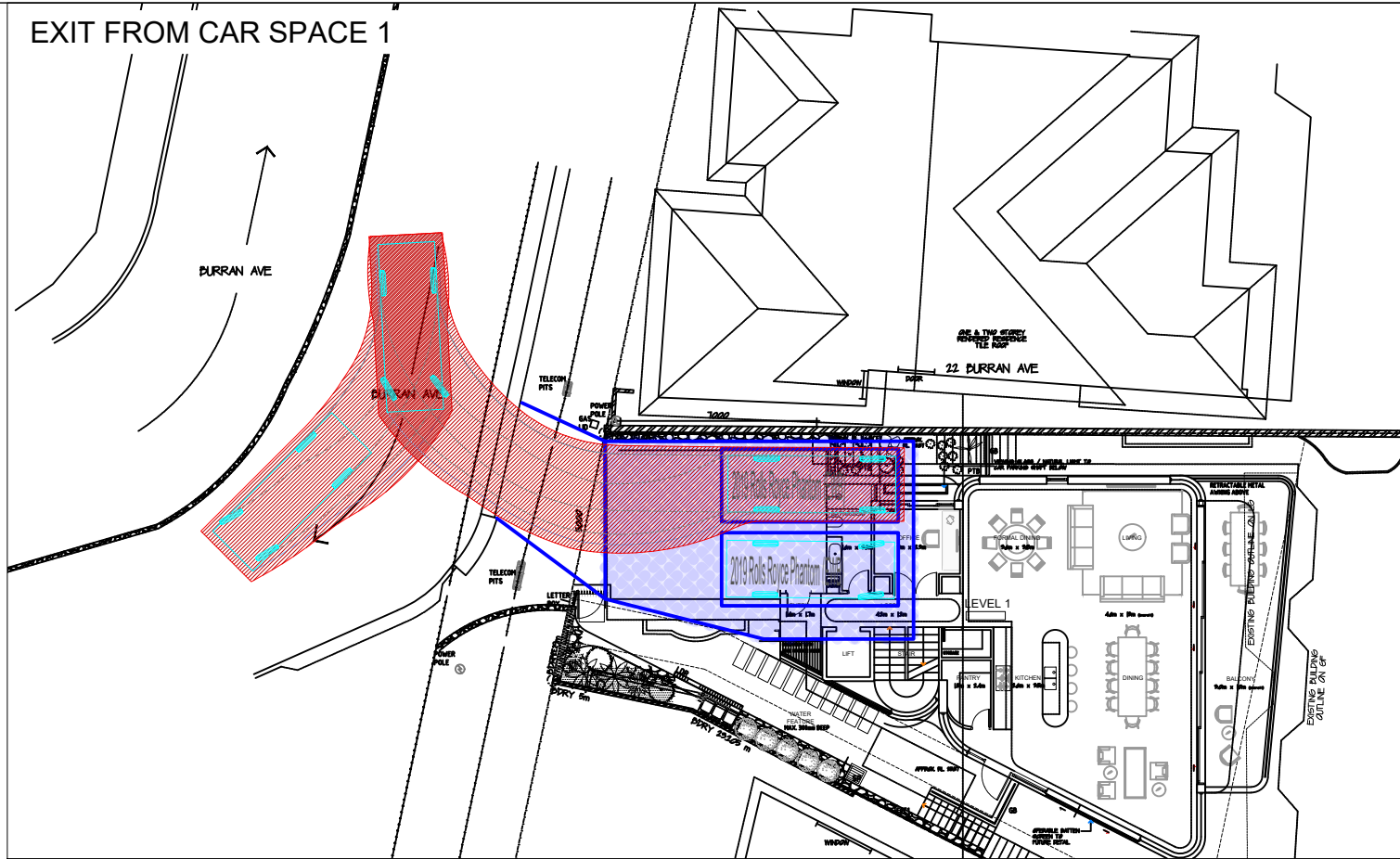
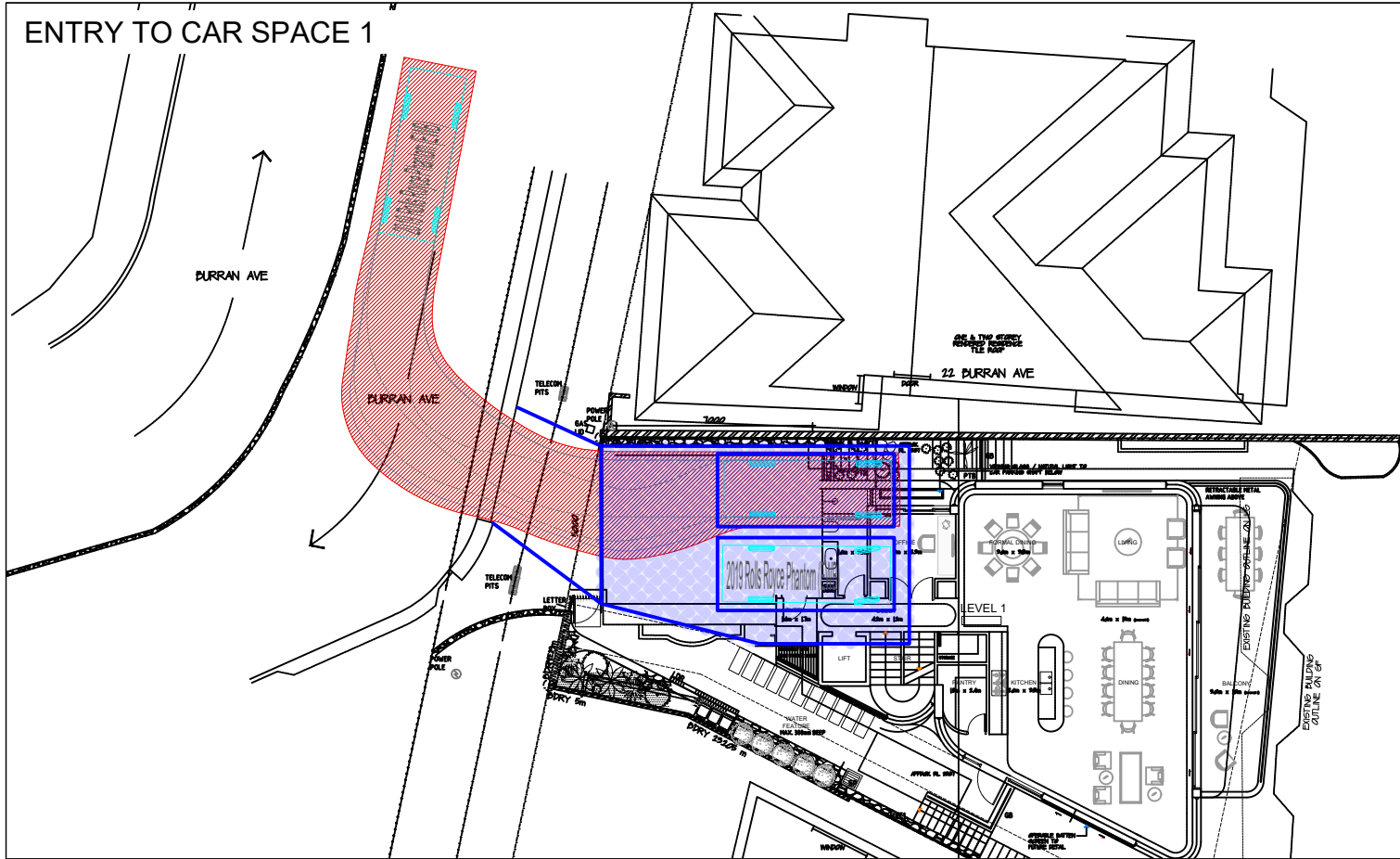




## Attachment 1



No.	Date	Description	Swept Path Key	North	Drawing Prepared By	Architect	Project	Drawing Title	Drawing No.	Revision No.
			----- Vehicle Wheel Path ----- Vehicle Body Envelope ----- 300mm Vehicle Clearance		 PDC Consultants Level 14, 100 William Street, Woolloomooloo, NSW 2011 t: +61 2 7900 6514 w: www.pdcconsultants.com.au ABN: 70 615 064 670	PBD Architects	22C Burran Avenue Mosman	Concept Plan of a Conventional Double-Vehicle Garage for Client's Oversized Luxury Vehicles	SK.01	-
						Client Sit Family Trust & O'Connell Street Caddens Unit Trust	Project No 0169	SHEET STATUS NOT FOR CONSTRUCTION	Drawn By MM	Date 27/08/2021
									Scale 1:100 @ A3 	





No.	Date	Description	<div>Swept Path Key</div> <div><div>-----</div> Vehicle Wheel Path</div> <div><div>—</div> Vehicle Body Envelope</div> <div><div>—</div> 300mm Vehicle Clearance</div>	<div>North</div> <div></div>	<div>Drawing Prepared By</div> <div><div><div>PDC Consultants</div><div>Level 14, 100 William Street, Woolloomooloo, NSW 2011 t: +61 2 7900 6514 w: <a href="http://www.pdcconsultants.com.au">www.pdcconsultants.com.au</a> ABN: 70 615 064 670</div></div></div>	<div>Architect</div> <div>PBD Architects</div>	<div>Project</div> <div>22C Burran Avenue Mosman</div>	<div>Drawing Title</div> <div>Concept Plan of a Conventional Double-Vehicle Garage for Client's Oversized Luxury Vehicles with Vehicle Swept Paths</div>	<div>Drawing No.</div> <div>SK.02</div>	<div>Revision No.</div> <div>-</div>
						<div>Client</div> <div>Sit Family Trust &amp; O'Connell Street Caddens Unit Trust</div>	<div>Project No</div> <div>0169</div>	<div>Sheet Status</div> <div>NOT FOR CONSTRUCTION</div>	<div>Drawn By</div> <div>MM</div>	<div>Date</div> <div>27/08/2021</div>
<div>Scale</div> <div>1:250 @ A3</div> <div><div>0m</div><div>2</div><div>4</div><div>6</div><div>8</div></div>										