

## **Chapman Planning Pty Ltd**

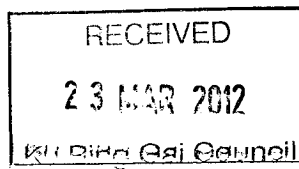
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23 March 2012

General Manger  
Ku-Ring-Gai Council  
Locked Bag 1056  
PYMBLE NSW 2073



**Attention: Ms. Kimberley Munn**

**Development Application: 0173/11**

**Property: 36 – 40A Culworth Avenue, Killara**

I refer to the above mentioned development application reported to the Joint Regional Planning Panel – Sydney West (JRPP) meeting on 23 February 2012. As you are aware the JRPP determined to defer the application for the submission of further information to address seven (7) items. This letter supports amended plans and further information submitted to address the items listed in the minutes of the JRPP meeting.

This letter supports the amended plans and documents as follows:

- Architectural Plans numbered SK01 – SK12 and SK16 – SK26 prepared by Mackenzie Architects Pty Ltd,
- Landscape Plans numbered LPDA11 – 67/3G,1F and 4C prepared by Conzept Landscape Architects,
- BASIX certificate No. 333613M\_09,
- Solar Impact Report prepared by PSN Matter,
- Natural Ventilation Statement dated 23 March 2012 prepared by Windtech, and
- Tree Impact letter dated 23 March 2012 prepared by Advanced Treescape Consulting.

Additionally, SEPP 1 objections to the purported variations to the Deep Soil Landscape Area and Site Coverage development standards (contained in the Council Officer's report to the JRPP) are submitted.

The following addresses the amended plans and reports in accordance with the items listed in the minutes from the JRPP meeting.

**A. *Supply a cross section diagram for garbage truck access based on correct survey data demonstrating compliance with the 2.6m clearance.***

Plan No. SK – 22 is a longitudinal driveway section with the level at the boundary consistent with the survey plan and the section shows a 3.6m clearance is achieved to the basement carpark.

**B. *Submit a complying Basix certificate and in particular correcting the garden area connected with Unit 3.***

The Basix Certificate No. 333613M\_09 is consistent with the landscape calculation plan No. LPDA 11-67/3G prepared by Concept Landscape Architects.

**C. *Improve the disabled access generally which may include moving accessible units closer to the street, and better safety by design with the re-entrant access for 31 units.***

The access from Culworth Avenue to the eastern (front) building has been amended with an accessible path in addition to the accessible path to the rear building. Further, the accessible dwellings are located in front building being units numbered 23 and 26, 36 and 39, and 49 and 50.

The amended plans have been reviewed by Mark Relf – Accessibility Solutions.

**D. *Provide ease of access generally and clearly register the front entrance.***

As addressed the entry to the front building has been amended with a clearly defined entry point at Culworth Avenue and a direct line of sight from entry point at the street to the building entrance.

Additionally, the entry point and path to the rear building is also defined at Culworth Avenue and the entry points can be differentiated by the unit numbers with signage at the entry points. This could be addressed by condition.

**E. *Improve casual surveillance generally.***

In my opinion the main entry points to the site and buildings, the paths and communal open space areas have a good level of casual surveillance. The path to the rear building and associated entrance is overlooked by living room and bedroom windows on the southern side of the building.

Further, the entrance to the front building is visible from Culworth Avenue improving the surveillance of this entrance.

**F. Setback the penthouse to 9m separation.**

Unit 51 at the penthouse level has been amended to ensure the habitable room windows are setback a minimum of 9m from the rear boundary ensuring the proposal meets the building separation 'rule of thumb' for 5 storey buildings being 18m between habitable rooms – balconies and 13m between habitable rooms/balconies and non-habitable rooms.

**G. Address the issues by redesign, of the reasons for refusal in the Council's report under the headings Residential Amenity and Unit Layout.**

The plans have been amended to address the issues raised under the heading Residential Amenity and Unit Layout. The amendments and issues are addressed under the following headings:

Cross Ventilation

The proposal has been designed with a ventilation void/shaft to the 2 storey units numbered 31, 34, 43 and 46 ensuring these dwellings meet the natural cross ventilation 'rule of thumb' contained in the SEPP 65 – RFDC.

It is noted that the proposal has 31 cross - through and corner dwellings and the addition of the 4 x 2 storey dwellings results in 35 dwellings (61%) being cross ventilated and the proposal meets the SEPP 65 – RFDC.

The natural ventilation assessment is supported by a statement from Windtech confirming the proposal complies with SEPP 65 and 44 units (77%) receive adequate natural ventilation.

Single Aspect Apartments

The internal design of the single aspect units has been amended to ensure habitable rooms (including study areas) are a maximum of 8m from a window. This complies with the 'rule of thumb' contained in the RFDC and reference is made to *Staldone v Ku-ring-gai Council*, paragraph 70 of the judgement states:

*The experts agree that where apartments are over 8m in depth that only non-habitable rooms are within this zone and therefore comply with the RFDC.*

Bathroom Windows

The Council report states that only 22% of bathrooms have windows. The amended plans have 22 bathrooms (38%) of the units in the development having bathrooms with windows and this is beyond the RFDC requirements and a good design outcome for the proposal.

### Studies

The modification to the internal design has deleted the studies with the single aspect units having study areas between the bathroom and bedroom and these areas are less than 8m from a window.

### Solar Access

The amended plans are supported by a solar report prepared by PSN Matter and the report found that 70% of the dwellings will receive a minimum of 3 hours of solar access to living areas and private open space at mid winter. Of the remaining 17 units, 13 of the units receive some solar access at mid winter.

### Adaptable Units

The adaptable units have been amended being located in the eastern building fronting Culworth Avenue. Additionally, plan No. SK – 26 shows the clear space and furniture layout to comply with AS4299.

Further, the amended plans have been reviewed by Mr. Peter John Cantrill – Tzannes Associates.

We are in a position to meet with Council's Executive Assessment Officer to review the amendments to the plans and additional information. In this regard please contact Garry Chapman on 9560 7013.

Thank you



Garry Chapman  
Chapman Planning Pty Ltd

Attachments: SEPP 1 Objection – Deep Soil Landscape Area  
SEPP 1 Objection – Site Coverage