

21 May 2020

Our Ref: P-18007 (TC)

Mr Stuart Ratcliff
Executive Assessment Officer
Ku-ring-gai Council
818 Pacific Highway,
GORDON NSW 2072
kmc@kmc.nsw.gov.au

Dear Mr Ratcliff,

**RE: RESPONSE TO SYDNEY NORTH PLANNING PANEL DEFERRAL OF DA0134/18
PPS-2018SNH040
ADDRESS: ROSEVILLE MEMORIAL CLUB
PART 62, 64-66 PACIFIC HIGHWAY, ROSEVILLE**

This letter has been prepared by City Plan Strategy and Development (City Plan) on behalf of Roseville Returned Servicemen's Memorial Club as the Applicant, relating to the above-mentioned development application for subdivision of land, demolition of existing structures, and the construction of mixed-use building comprising new ground floor Memorial Club, shop-top housing of 33 residential dwellings, basement parking and associated works.

The letter deals with documents that are intended to be included as part of an amended development application.

This matter was referred to the Sydney North Planning Panel (SNPP) on 4 March 2020; whereby the application was deferred subject to resolving certain issues. The purpose of this letter is to address the issues raised most recently by the SNPP. It is supplementary to the letter from the Club and Hyecorp Property Group of 27 February 2020 which also includes documents that are intended to be included in the amended development application.

The reasons for the Panel's deferral are listed below:

The Panel is of the view the DA could not be approved given the outstanding Contamination Report and the inadequacy of the Clause 4.6 written requests for the Breach of height and FSR. In relation to the Clause 4.6 written requests, the Panel considers there have been insufficient environmental planning grounds particular to the circumstances of the proposed development demonstrating why dispensation from compliance with the development standards is justified in this instance.

However, the Panel felt there was merit in the proposal warranting a deferral to await the Contamination Report, expected at the end of March, and to resolve the following issues:

- a) Clarify Car Parking Credits (obtained by the historic monetary contributions paid to Council) and reconsideration of the allocation of spaces between residential and Club with a view to increasing the number of car spaces for the Club staff and patrons.*
- b) Further clarify gaming room smoke exhaust and outlet design and the visual interface between the street and gaming room*
- c) Provide details of sustainability initiatives for the proposed development.*

d) Consider redesign or construction methods to provide appropriate acoustic separation (eg a minimum of 10RW units above the minimum requirement specified in the Building Code of Australia) between the bedrooms of one unit and the living rooms or bathrooms of any adjoining unit where these rooms align.

e) Consider redesign to minimise any height breach, given additional uncertainties arising from the likelihood of further shade structures and the constraints of the proposed floor to floor heights.

- With regard to the proposed floor to floor heights, it is noted that the proposed development is a 6-storey mixed-use building, with 5 storeys (levels 1 to 5) to be residential units. The residential levels to be Class 2 building under the BCA2019.

- The proposed height of the building above ground level is 23.7 metres at the lift overrun and stairs.

- Clause E1.5 of BCA2019 for a Class 2 building requires sprinklers throughout the whole of the building, including any part of another class, if any part of the building has a rise in storeys of 4 or more (basements are not counted) and an effective height of not more than 25m.

- The Panel notes that any Construction Certificate lodged after 1 May 2019 for a building that contains 4 or more storeys and are Class 2 residential must provide sprinkler system in accordance with Specification E1.5 and E1.5a of BCA2019. This was not required under the previous version of the BCA.

- The Applicant is requested to consider the resultant impacts from any sprinkler pipes given that they will need to be concealed within the ceiling void - thereby requiring additional head height to ensure the minimum BCA2019 and SEPP 65 head heights are achieved.

In response to the issues raised above, the plans have been amended and additional information has been provided. The amended plans have been included as part of an amended development application. Each of the issues raised by the Panel will be discussed in detail below and then a general overview of other amendments and their benefits:

Each of the issues raised by the Panel will be discussed in detail below.

1. REVISED CLAUSE 4.6 IN RELATION TO HEIGHT AND FSR

Each of the Clause 4.6 Request for Variations have been revised taking into account comments from the Panel and referring to the latest set of amended diagrams. These are attached in Appendix 1. The particular circumstances of the case for each contravention request has demonstrated:

- Compliance with the development standard (in each case) would be unreasonable or unnecessary in the circumstances,
- The development is in the public interest because it is consistent with the objectives of the particular standard and the objectives of the B2 Local Centre Zone and RE1 Public Recreation Zone (in each case), and
- There are sufficient environmental planning grounds to justify the contravention.

2. CONTAMINATION REPORT

A Stage 2 Detailed Site Investigation prepared by Construction Sciences, dated 20/05/2020, has been provided as part of the amended development application.

This investigation included:

- desktop review,
- drilling of two bore holes, (one at the front and one at the back of the property), to depths of approximately 12m below ground level, with one located inside the current RSL Club building, to assess significant widespread contamination of the site,

- collection of soil samples,
- installing two groundwater monitoring wells,
- collection and analysis of groundwater from those new monitoring wells and also one existing well, and the data assessment and reporting.

Based on this assessment, the following conclusions were made:

- *"the site is not expected to be contaminated with dry cleaning chemicals"; and*
- *"The site is suitable for the proposed development, from a contamination perspective, in general accordance with the requirements of SEPP 55 and NEPM (2013)".*

The report also notes that contamination is 'unlikely'.

This Stage 2 Investigation satisfies the requirements of SEPP 55.

3. CLARIFICATION ON CARPARKING CREDITS AND REDISTRIBUTION OF PARKING

As the proposal includes the re-build of a new Roseville Memorial Club, and one that has a smaller floor space than the existing; the Panel requested clarification on the previous carparking contributions that were paid to Council.

The Applicant has conducted a thorough review of Council's file for DA1366/02 (in relation to the contribution paid for the carparking shortfall) and the following observations were made:

The SEE prepared by MG Planning Pty Ltd in relation to that DA, dated September 2002, says:

The plan contains a merit based assessment for calculating the parking demand for club proposals. This is addressed in the appended traffic study and in section 4.1.2. Parking demand from the development can be met by funding a contribution of the Section 94 fund which is dedicated to the expansion of the Larkin Lane car parking area, if required.

Annexed to the SEE is the traffic and parking report, which on page 9 concluded:

With the intent of the extensions being to improve the amenity and comfort of the facilities for the benefit of the existing club patrons, there will not necessarily be an increase in patronage. The club manager hopes that the dining room will attract an additional 15-2% of patrons. This would correspond with an additional 4 cars parked. If the parking demand increased pro rata with gross floor area, the additional parking demand would be 29 cars. ***We consider that it is more likely that the additional demand will be no more than about 20% overall, or about 9-10 cars*** (bold added).

The Council assessment report in relation to provision of parking says:

Section 94 permits developer contributions for Council provided services via conditions of development consent. In the subject circumstance's, the applicant's traffic consultant recommends that based on current patron per square metre figures, parking demands will increase by 28 Vehicles (page 7 of Christopher Hallam Traffic Statement). This figure could reasonably be reduced to 23 additional vehicles where the 'compensation' of 3 (new spaces in the lane) + 2 (existing deficiency in No 66 Pacific Highway) car spaces are considered.

There seems to be no justifiable planning grounds upon which to argue that this shortfall should be reduced or set aside.

On these grounds it is recommended that approval of the subject development be subject to a conditions requiring a cash contribution in accordance with the section 94 plan for expansion of the Larkin Lane carpark. ***This contribution is recommended to be set at compensating the shortfall of 23 car spaces not provided by the club.*** Further it is recommended that the applicant be required to construct the 2 car spaces as proposed, in accordance with Council Infrastructure requirements (*bold added*)

Condition 54 of the development consent for DA1366/02, which was issued on 14 August 2004, stated:

The applicant shall enter into a development agreement satisfactory to Council for the payment of \$152,636 for the future provision of car parking works required as a result of the proposed development. The agreement shall be in accordance with the development application, as amended by the applicant's written offer made to the Council in letter, dated 16 January 24. The agreement shall be executed and payment made to Council prior to the issue of a construction certificate.

Payment of this figure was made to Council on 1 December 2005.

Therefore, it is our understanding that the client made a financial contribution towards 23 parking spaces for the club in Dec 2005.

This proposal is for the reduction in floor space for the club and improved efficiencies, from what was previously built.

Further to this, due to the concerns raised regarding the number of parking spaces for the club, a review of the parking for the whole development has been undertaken and an amended traffic statement prepared by Colston Budd Rogers & Kafes Pty Ltd, dated 5 May 2020 has been submitted as part of the amended development application.

The Basement 3 Plan has been partially extended to the southern boundary to align with Basement 1 and 2, providing an additional 5 carparking spaces and parking has been reconfigured throughout.

Below is a table identifying the new proposal demonstrating additional spaces.

	Original Design	Local Centres DCP provisions		Amended Design
		Min	Max	
Club Spaces	5	21	27	10 + (23 credit (33))
Resident	42	32.2	44.2	40 (including 2 spaces for each 3 x bed unit)
Resident Visitor	6	5.5	5.5	6
Total Resident	48	38	50	46
Total	53	59	77	56 + (23 credit)

From this table it is evident that the number of parking spaces physically provided for the club has doubled and the number of parking for the residential component has decreased, whilst still allowing for the 3 bedroom units to maintain 2 x parking spaces each.

The revised traffic statement concludes:

In summary the proposed parking provision for the proposed redevelopment of Roseville memorial club for a mixed use development satisfies the requirements of Part 8B.2 of Section A of the Ku-ring-gai Local Centres DCP as set out below:

- *the 46 spaces provided for the residential component satisfies the minimum (38 spaces) and maximum of (50 spaces) provisions Local Centres DCP;*
- *the club has a credit for 23 spaces as a result of payment to Council in 2005 of \$152,636 in accordance with Condition 54 of the consent issued in March 2004 for DA1366/02; and*
- *when the credit for 23 spaces is added to the 10 club spaces now proposed in the basement car park, the 33 spaces provided satisfies the Council requirement for 21 spaces as set out in its SOFC.*

We believe the application now proposes a fair distribution of parking between the club and resident occupiers of the site, and complies with the objective of the Council's minimum and maximum parking rates for this site. It is an improvement for the community by physically providing double the rate of club parking as what is currently existing.

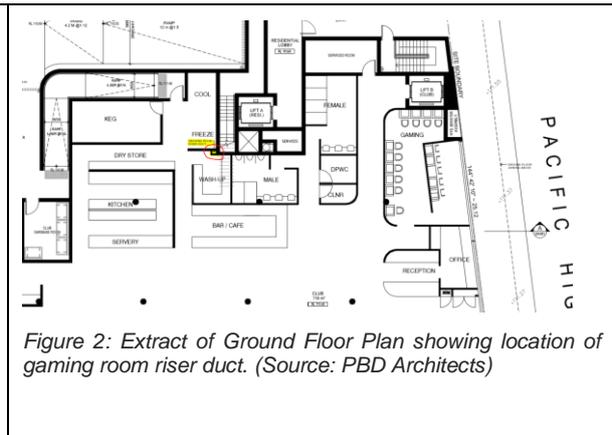
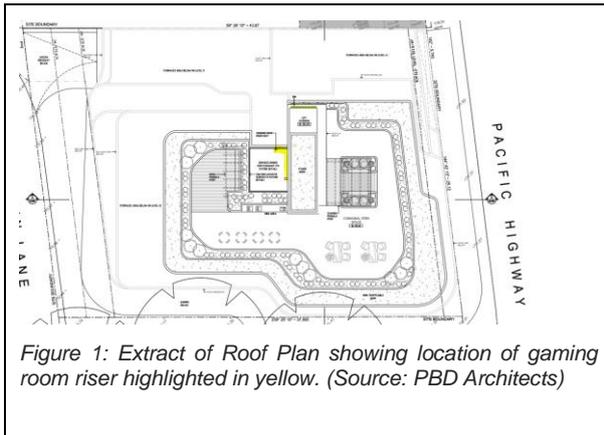
Any reduction in the residential car parking on the site is not supported, in would reduce the ability of the proposed development to meet established community need. The amended material includes a demographic report. Its key conclusions are as follows:

- Residential car parking proposed for the development should primarily meet the needs of older couple and lone person households as well as family with children households, as they are likely to be the key demographic groups in need of the new supply of compact, more affordable housing stock.
- The car parking rates proposed as part of the shop-top housing development are in line with established community needs. The proposal seeks to provide 40 residents spaces for 33 apartments. These rates equate to only 27% of apartments having 2 parking spaces, which is lower than the proportion of households living in high density apartments with two or more vehicles.
- Residential car parking rates above the minimum are justified as households living locally rely heavily on vehicles for most weekly travel needs. The majority of household trips (76%) are by vehicle, compared to 58% of trips in Greater Sydney. The average distance of trips made by vehicle is 7.3km, suggesting that many of these trips are local . A higher proportion of trips (33%) in Ku-ring-gai LGA are for social and recreation purposes, compared to only 25% of trips in Greater Sydney. While a lower proportion of trips are for commuting (12%), compared to 17% in Greater Sydney. This is likely reflective of the high proportion of older residents living locally that are no longer in the work force.
- The key demographic change likely to influence the community's need for local housing in future is the significant increase in residents aged over 60. This will drive strong demand for housing that can meet the needs of retirees, seniors and the elderly, in particular. There is projected to be a much smaller increase in the number of young adults (20-39 years) living in the area, suggesting that young adults will continue to relocate to other areas of Greater Sydney. There is likely to be less of a need for the subject housing from young adults.
- Young families with children will continue to need high density apartments in the locality, as such dwellings provide more affordable housing opportunities locally.
- Residential car parking proposed for the development should primarily meet the needs of older couple and lone person households as well as family with children households, as they are likely to be the key buyer market.

4. GAMING ROOM SMOKE EXHAUST & VISUAL INTERFACE BETWEEN THE ROOM AND THE STREET

4.1. Smoking room riser duct

A new riser duct has been provided from the smoking room, discharging in the centre of the roof, within the services vent area. The location of the riser duct is shown on the floor plans 103 - 108 Revision E and 109 Revision E; also North Elevation DA204 Revision E in the architectural plans for full details. An extract of the ground and roof plans are provided below.



The plans demonstrate that the smoke will be directed away from the street and pedestrians along Pacific Highway. It will be directed out above the centre of the roof and will be situated behind the acoustic screen. Given the distance from any boundary, the discharge of this smoke will not create any detrimental impacts to the surrounding area and is an improvement on the previous scheme.

4.2. Interface between gaming room and Pacific Highway

It is intended that the interface between the gaming room and the Pacific Highway would be constructed of a storm proof louvre/vent. This is demonstrated in Drawing DA305 Revision E, an extract is provided below.

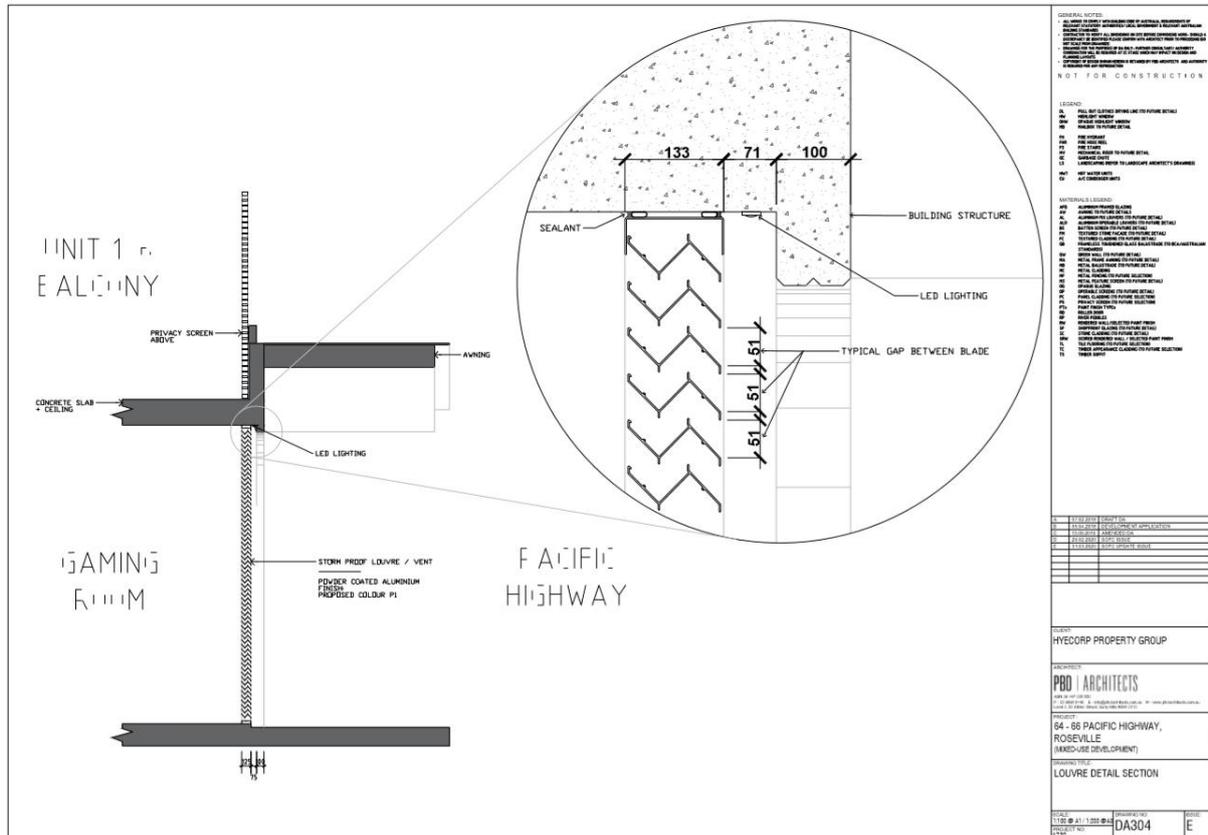


Figure 3: Gaming room louvre details. (Source: PBD Architects)

This louvre is 125mm thick with "zig-zag" formation, which restricts the viewing area of pedestrians into the gaming room and aids in reducing the extent of noise heard from the public place.

A gaming room must open to a public space and the location of the gaming room facing onto the Pacific Highway frontage is considered the best position, as it is positioned the furthest from lower density residents, thus reducing any detrimental impacts.

It also allows for the south-western corner of the building to provide an open outdoor terrace, connecting to the Memorial Park. This improves the visual and physical connection from the park along Larkin Lane.

5. SUSTAINABILITY

A list of the proposed environmentally sustainable commitments (ESD) for this development has been prepared by Efficient Living Sustainable Building Consultants dated 27-04-2020, Revision A and forms part of the amended development application.

This includes sustainability initiatives in relation to (but not limited to):

- Thermal comfort,
- Energy Residential, base building and RSL Club,
- Water and stormwater,
- Building materials, and
- Landscape.

These initiatives demonstrate the design's commitment to reducing the overall impact on the environment.

6. AMENDED ACOUSTIC INFORMATION

Revised acoustic information dated 5 May 2020 has been prepared by Renzo Tonin & Associates and forms part of the amended development application. This report has considered the BCA requirements and also the construction methods to increase acoustic separation between buildings, in line with the Panel's issue raised above.

In summary, the BCA requirements for acoustic separation between sole occupancy units in apartment buildings is a $Rw+Ctr$ (airborne) not less than 50. The Panel has requested that the applicant consider an increase on this requirement by 10 Rw , thus requiring $Rw+Ctr$ for both walls and floors to be increased to 60.

This revised report discusses the construction materials and location of room types etc within the building as well as existing construction methods, and makes the following comments:

- *There are inter-tenancy walls separating bedrooms of one unit from the living rooms or bathrooms of an adjoining unit. These walls could be upgraded to $Rw+Ctr$ 58-59 using a CSR Hebel wall system. There are no published Hebel options for apartments which will achieve a higher value of $Rw+Ctr$. Similarly, there are no published CSR options for dry wall constructions intended for apartments (meaning plasterboard affixed to steel studs) which will achieve a higher value of $Rw+Ctr$. Therefore, it is practically impossible to achieve a rating of $Rw+Ctr$ 60 using forms of construction intended for apartment buildings.*
- *The proposed construction of floors in the building is a 200mm concrete slab with 10mm plasterboard affixed to 28mm furring channels with no insulation in the cavity. A 200mm concrete slab on its own is a deemed-to-satisfy construction with an $Rw+Ctr$ not less than 50.*
- *Three bedrooms on Level 4 and seven bedrooms on Levels 4 and 5 have bathrooms or living rooms located above or below. According to the CSR acoustic design guide, in order to achieve $Rw+Ctr$ 58-59 this would require a 150mm cavity between the slab and plasterboard with two or three layers of 13- 16mm gyprock and acoustic insulation in the cavity. In order to achieve $Rw+Ctr$ 60, the use of gyprock resilient mounts would also be required. In our experience a form of construction of this kind has never been used in apartments. Importantly, whilst a 150mm cavity depth on Level 4 can be accommodated in bathrooms, the penetration of lighting and mechanical exhaust grilles will compromise the acoustic performance of the ceiling. In addition, there are three living rooms which would require an additional 150mm height which will have the undesirable consequence of increasing the height of the building by 150mm.*
- *I therefore recommend, as a practical measure, if acoustic issue d) is pressed, that a compromise construction be adopted involving the addition of acoustic insulation in the existing ceiling cavity which will result in a 53- $Rw+Ctr$.*
- *Whilst sections of relevant inter-tenancy walls may be acoustically upgraded to 58-59 $Rw+Ctr$ using constructions such as Hebel, significant changes to the Level 4 ceiling would be required to achieve 60 $Rw+Ctr$, the likes of which, in our experience have never been used in apartments.*

The Panel requested that the applicant consider methods to provide appropriate acoustic treatment between various rooms and units within the development. The advice from the Acoustic Engineer is that inter-tenancy walls and treatment within the ceiling cavities can be acoustically upgraded to improve the overall acoustic treatment. Thus we believe this has satisfied the issue raised by the Panel.

7. OVERALL HEIGHT AND BUILDING IMPLICATIONS ON SPRINKLER REQUIREMENTS

The height of the building has been modified in a number of ways to address the issues raised by the Panel and this is demonstrated in diagram DA301 and Figure 4 below. The changes include:

- Basement levels 1-3 inclusive have lowered the RL by 140mm,
- The club internal ground floor level has been lowered by 140mm,

- The floor to floor heights of all residential levels have been altered to be a consistent 3.1m, which is sufficient height to allow adequate services, sprinklers, etc,
- Levels 5 and 6 floors have been lowered,
- A covered pergola has been provided at the Communal Open Space (CoS) level to provide sun and weather protection.

Figure 4 below shows the changes in RLs in red, as compared to the previous scheme.

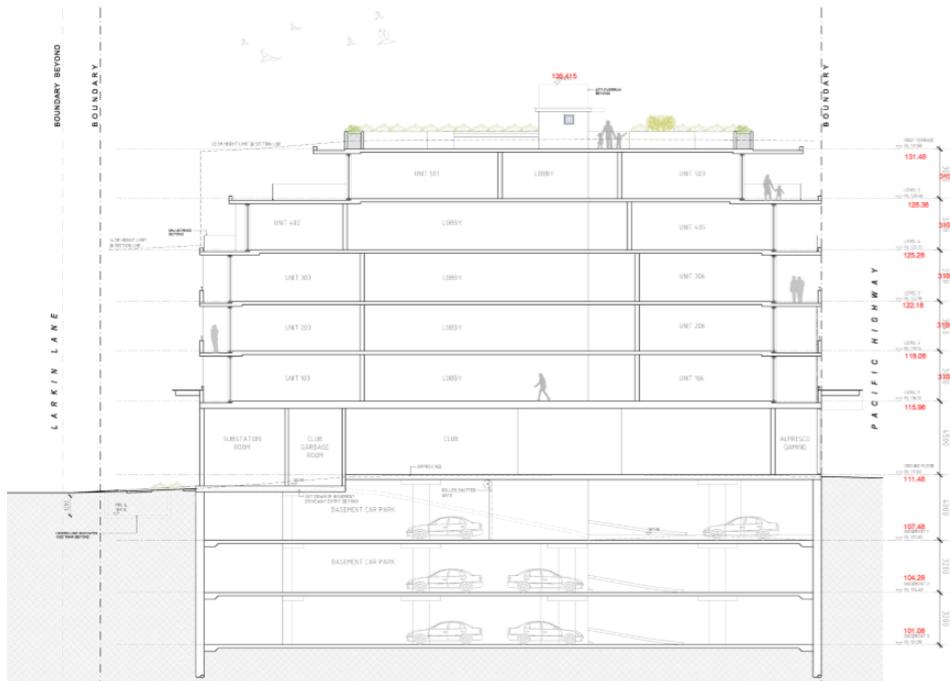


Figure 4: Extract of Section A-A DA301 Issue E, showing the amendments to the levels. (Source: PBD Architects)

The amendments achieve a development that provides sufficient head height to allow all required services per floor and is predominantly within the height limit, with the exception of some structures on the roof. The floor level of the CoS is within the height limit as are all habitable rooms associated with the residential units. The only structures that exceed relate to the lift over-run and amenities building providing equitable access to the CoS, the new shade structure, a small portion of the services section and a very minor section of the garden bed balustrading.

Under the provision of SEPP 65 Apartment Design Guidelines (ADG) provisions, CoS on the roof is not necessarily needed in this development, where the units themselves provide large balconies, the CoS cannot be provided on the ground level due to the Club, and a park adjoins the development site.

However, the rooftop CoS has been provided for the benefit of the occupiers and the broader social benefits that such spaces bring. The CoS is pushed towards to the south-eastern part of the building and is stepped back from the lower levels, thus making it not easily visible from the street or public areas. It cannot be provided at any other level as it will be in shade (due to the orientation of the site) and it will create adverse noise impacts on the residents of this site and adjoining alike. The rooftop CoS is considered a better outcome for this development and results in no material adverse impacts on the adjoining residents (or the wider community) by doing so.

Also, the bulk and mass has been arranged towards the south-eastern corner, where the Council's DCP recognises a landmark building is to integrate with the Pacific Highway and the Memorial Park. The proposal has put no floor space on the western part of the site, and a reduced floor space to the north, instead choosing to provide a 6m setback to the west and step the building away from the north. (Refer

to the architectural diagrams). This improves the separation and relationship from the building to the western and northern boundaries, but is offset by the additional bulk in the south-eastern corner.

A clause 4.6 variation request has been submitted as part of this letter, (Refer to Appendix 1), to justify the height variation and a separate one for the floor space ratio.

8. CLARIFICATION OF PROPOSED EASEMENTS/POSITIVE COVENANTS AND THE PUBLIC BENEFIT

The development application includes the subdivision and consolidation of a number of lots, one of which involves Council Land. Part of this application is for the imposition of easements and a positive covenant to ensure pedestrian and vehicular access is maintained, and no structures impede this access.

The Applicant proposes to construct a footpath for the use of the public (and associated landscaping) in what is presently the Council-owned land immediately adjacent to the Club's land (to the west of that land). This work is shown in DA103 Revision E, refer to the Architectural Plans. This aspect of the development is for the purposes of a road. The footpath will be subject to the maintenance and repair obligations under the positive covenant. That is, the owner of the proposed Lot 100 would be responsible for the maintenance and repair of the footpath and the associated landscaping within the easement area. This is of public benefit because if the land is owned privately, the community will have the benefit of a public accessway without the cost of its repair and maintenance.

These are explained in a separate letter in Appendix 2, which details the proposed wording of the easements and positive covenant and outlines the public benefit provided to the immediate area.

9. OTHER IMPROVEMENTS TO THE PROPOSAL

Further amendments have been made to the proposal which are listed below:

Improvement	Reason for change
Elevation Drawing DA205/E added demonstrating building height relationship to 11.5m street wall along Pacific Highway,	<p>The site immediate to the north has a 14.5m height limit, which then reduces to 11.5m as one moves northwards along Pacific Highway.</p> <p>Section 14F.9 "Built Form" of the Ku-ring-gai DCP Roseville Local Centre states buildings are to be designed to create a consistent 11.5m street wall that is built parallel to the street alignment of the Pacific Highway and also the subject site is to design a landmark corner building adjoining the Memorial Park.</p> <p>This diagram, extract below, shows the stepped relationship between the proposal and how it transitions down to respect the lower height provisions to the north. The diagram demonstrates future northern development to the maximum permissible height allowable, as this site is the first in this immediate area to be redeveloped.</p> <p>This achieves the LEP height objectives and the DCP built form provisions, whilst still allowing a landmark building on the south-eastern corner of the site adjoining the Memorial Park. As per the definitions in the DCP, a "Landmark building" is a building of high quality and unique architectural style, designed to be highly responsive to a specific site and its features, and utilises architectural elements to be easily seen and recognised as a point of reference and navigating tool for pedestrians, cyclists and vehicles.</p>

	 <p><i>Figure 5: Extract of Eastern Elevation showing the stepping down of the building to respect the transition to lower heights in the north, as well as providing a landmark building on the south-eastern corner. (Source: PBD Architects)</i></p>
<p>Drawing DA570/E Street Activation diagram and percentage updated to 80%</p>	<p>Ku-ring-gai LEP Local Centres 2012, cl 6.6(3) requires development to provide uses and building design elements that encourage interaction between the inside of the building and the external public areas adjoining the building.</p> <p>Further to this, Ku-ring-gai DCP, Section B, Part 14F.9, Precinct R2 Built form requires this site to provide active street frontages along the Pacific Highway and the frontage to Memorial Park (control 7 iii)).</p> <p>Figure 6 below demonstrates that 80% of the frontage to Pacific Highway and Memorial Park is considered "active", this is excluding the gaming room area, lift and stairs.</p> <p>The building has been oriented to the front the south-eastern corner, and "open out" onto the Memorial Park with the provision of the primary entrance to the club on the corner and an outdoor terrace along the frontage to the park. A sense of connection to the Park is provided, and with offices and the club facing the Pacific Highway it encourages interaction with that road.</p> <p>The gaming room has been located along the eastern frontage (rather than the western laneway or southern park frontage), to reduce any detrimental impact on adjoining residents.</p> <p>Overall, the proposal is considered to be consistent with the LEP and DCP street activation provisions, as well as providing a landmark building that focuses on that south-eastern corner.</p>

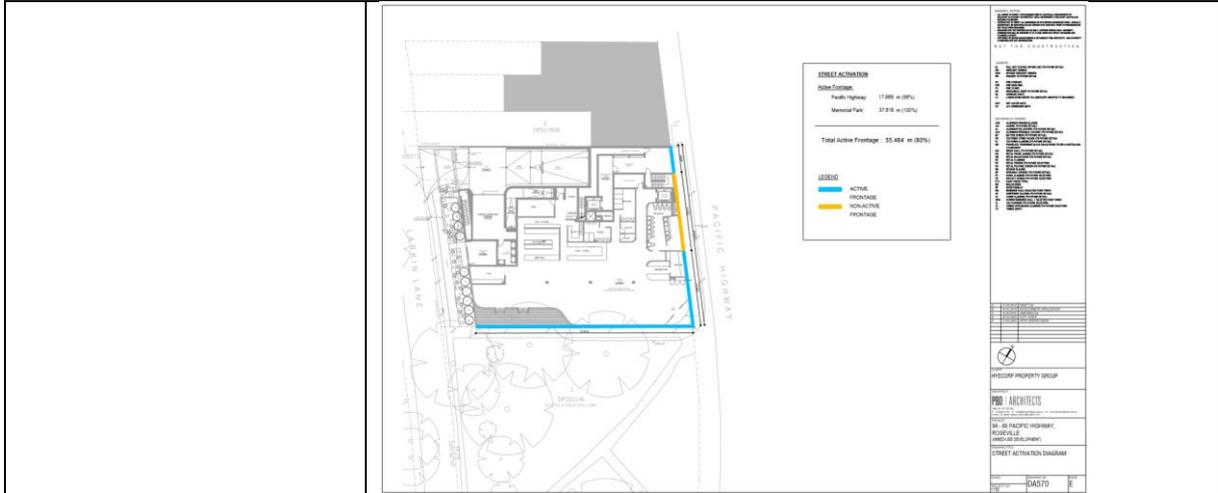


Figure 6: Street activation diagram. (Source: PBD Architects)

Study enclosure removed from Unit 403 on drawing DA106/E,

Unit 403 is a 3 bed unit which originally had an enclosed study area. To improve the light and ventilation to this study area, and improve the amenity of the dwelling, the enclosing walls have been removed. (Refer to Figure 7 below)



Figure 7: Extract of DA106 Revision E showing the new open study area, circled in red. (Source: PBD Architects)

Translucent screening film added to 760mm in height on Level 4 and Level 5 glass balustrades to provide additional privacy screening

To improve the privacy to Levels 4 and 5 balconies and increase the screening of those balconies from the adjoining properties, it is proposed that translucent screening film will be added to a height of 760mm.

An example of this type of screening that has been used on similar projects is provided below to show.

	 <p><i>Figure 8: Recent examples of proposed screening. (Source: PBD Architects)</i></p> <p>This demonstrates the effectiveness of providing additional privacy and screening, whilst still allowing light to penetrate through to the balconies.</p>
<p>Provision of new Rain Water Tank within Larkin Lane site setback indicated on drawing DA103/E.</p>	<p>To enable efficiencies in the basement level and allow for the levels to be revised, the rainwater tank and OSD tanks have been provided underground in the "Council land", along the western side of the basement area. (Refer to the Architectural Plans),</p>

10. SUMMARY

The amended plans and documentation have provided improvements to the overall development as well as addressing the issues raised by the Panel.

The proposal allows for an improved community facility by upgrading the Roseville Club and also benefitting the public by proving pedestrian and visual links between the Park and the public carpark in

Larkin Lane. The provision of the footpath and landscaping along the laneway aids in activating that frontage and is a definite improvement on the current situation.

The proposal provides for a mix of unit sizes to cater for the local demographics, and provides adequate parking for both residents and club users. Each unit has larger sized balconies than what is required under the ADG provisions and despite that, a generous communal open space area has been provided on the roof of the development providing equitable and safe access to all users, whilst achieving sufficient solar access. This does not create any detrimental impacts on adjoining residents.

The site is recognised in the Council DCP as providing a landmark building on the south-eastern corner adjoining the park. To achieve this and has less bulk, scale and shadow impacts on the adjoining lower density and height neighbours, the skilful design has re-allocated the building mass to the south-eastern corner where it has little impact on adjoining residents. The overall proposal achieves the same Floor Space Ratio as what would be achieved if the 3 x lots were developed individually; however, has a better contextual outcome.

The height and scale of the development are consistent with the objectives of the zone and relevant development standards, as explained in the Clause 4.6 request for variations.

We believe the issues raised by the Panel have been sufficiently addressed.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'T. Christy', with a stylized flourish at the end.

Tina Christy
Associate Director

APPENDIX 1 - REVISED CLAUSE 4.6 REQUEST FOR VARIATIONS FOR BOTH HEIGHT AND FSR STANDARDS

**APPENDIX 2 - CLARIFICATION OF EASEMENTS / POSITIVE COVENANTS ASSOCIATED WITH
THE PROPOSED SUBDIVISION**