



northern
beaches
council

SUPPLEMENTARY MEMO

DATE: 24 October 2023
TO: Development Determination Panel
CC: Rodney Piggott, Manager, Development Assessments
FROM: Claire Ryan, Principal Planner
SUBJECT: DA2023/0278 – 3 Pavilion Street, Queenscliff

Dear Panel,

Correspondence from Mr Robert Winton of 1/1 Pavilion Street, Queenscliff and Mr Mick Dover and Ms Peta Dover of 2/1 Pavilion Street, Queenscliff has raised concerns with the Assessment Report for DA2023/0278, addressed as follows:

The Assessment Report states the proposed development “does not extend any further seaward beyond the existing built-upon footprint.” Mr Winton raised concern with this statement, noting that the south elevation shows amended walls to the lower ground and ground terraces, that the wall includes a door at the lower ground level, and that the works extend the building seaward. Mr Winton and Mr & Ms Dover reiterated dissatisfaction with this element of the proposed works, with respect to access to light to their properties.

A comparison of the survey plan, proposed ground floor plan and proposed lower ground floor plans demonstrates the following:

At the lower ground floor level –

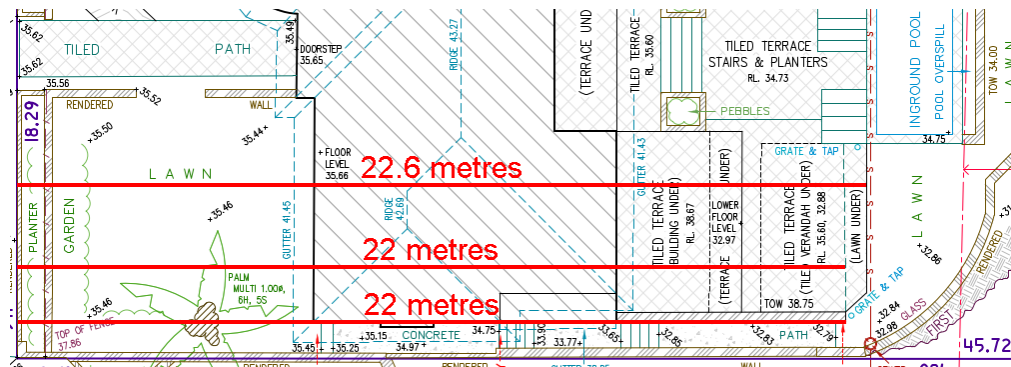
- The existing terrace ends 22 metres from the front boundary.
- The proposed terrace extends to 23.6 metres from the front boundary.

The amended terrace and the proposed copper blade wall amounts to a seaward extension of 1.6 metres.

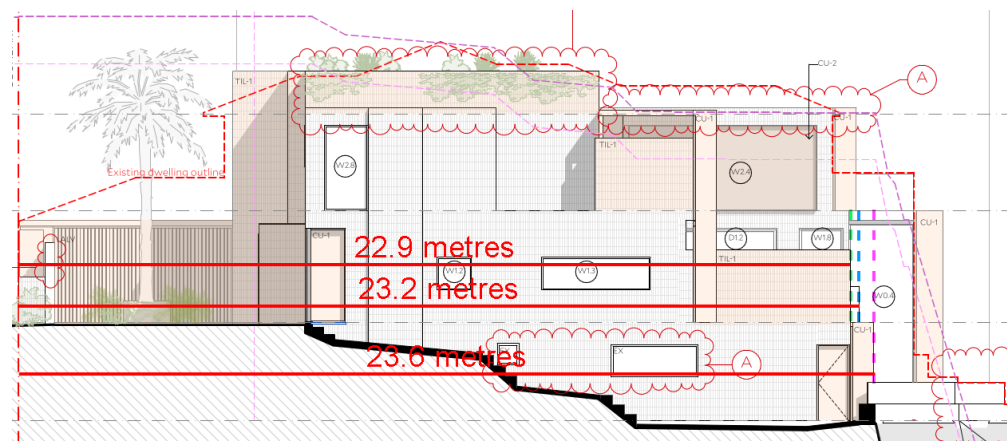
At the ground floor level –

- The existing terrace ends 22.6 metres from the front boundary.
- The existing southern wall adjoining the terrace ends 22 metres from the front boundary.
- The proposed terrace extends to 23.2 metres from the front boundary.
- The amended southern wall adjoining the proposed terrace extends to 22.9 metres from the front boundary.

The amended southern wall is extended 900 millimetres and the amended terrace is extended seaward by 600 millimetres.



Above: The existing distance of the ground floor terrace (22.6 metres), lower ground floor terrace (22m) and southern wall (22m) from the front boundary.



Above: The proposed distance of the ground floor southern wall (22.9m), ground floor terrace (23.2m), and lower ground floor terrace with southern wall (23.6m) from the front boundary.

The incorrect statement that the development did not extend seaward arose from a comparison of the submitted demolition plans to the proposed plans. It was assumed that the demolition plans depicted the *existing* built form (which is common practice for demolition plans), but it was instead established that the demolition plans depicted the *proposed* built form.

Despite the seaward extension, no concern is raised regarding cliff stability, as the works are supported by a geotechnical report demonstrating acceptably low risk. The plans have been reviewed by Council's internal referral bodies, including the Development Engineer and Coast & Catchments Team. All referral bodies are supportive of the amended development, subject to conditions of consent, which have been included in the recommendation of the Assessment Report.

The proposed development is compliant with the requirements for access to sunlight set by Part D6 of the WDCP, and the portion of the development that concerns Mr Winton and Mr & Ms Dover is compliant with the applicable built form controls of both the WLEP and WDCP. As such, the proposed element in question is acceptable.

Mr Winton also raises a new concern, with respect to lightning strikes and the conductivity of the copper blade wall. Mr Winton's concern is that a lightning strike would energise his metal vergola, which is connected to the electronics of his apartment, and may impact upon the electronic apartment controls. No changes are suggested as the proposed finishes are consistent with normal building materials. It is at the Panel's discretion whether alteration is made in this regard.

Claire Ryan
Principal Planner