

From: David Watt
To: [IPCN Enquiries Mailbox](#)
Subject: Planning Proposal to implement the St Leonards South Master Plan
Date: Monday, 27 May 2019 8:47:27 PM

Dear IPCN,

I make this submission on behalf of residents of the Hayberry Precinct, one of several divisions of the North Sydney local government. We represent the views of North Sydney residents to the North Sydney Council and other local governments where appropriate. The Hayberry Precinct is located to the south east of the St Leonards South precinct. The nearest point of the Hayberry Precinct is about 600 m distant from the St Leonards South precinct. So, although Hayberry Precinct is not the “next door neighbour” we are only “two doors down the road” from the St Leonards South precinct.

In addition to our earlier submission, sent to you by John Fitzgerald, expressing our in-principle objection to the planning proposal, we would like to propose a peer review by an independent, registered architect of this planning proposal against SEPP 65 including mandate requirements like ADG part 3 & 4. The registered architect or architecture firm should have a track record in peer reviews for Sydney Councils of SEPP and ADG compliances.

The proposed peer review should be based on the following brief review of the architectural documentation. The review below is not a full comprehensive review in detail of all elements of SEPP & ADG legislation. The review highlights and demonstrate possible non-compliances of the design against some parts of the ADG, the Apartment Design Guide, non-compliances. The peer review to be undertaken should review the design to all mandated parts of the ADG (part 3 & 4) in the SEPP, the SEPP itself, and preferably provide a comment against the non-required ADG parts (1,2, 5 and appendices).

The following is our brief review of parts of the ADG:

Part 3F: Visual Privacy. The visual privacy contains minimum requirements. For a building more than 5 storeys they are for habitable rooms 9 metres to side boundary or centre line between two buildings on the same site and 4.5 metres for non-habitable rooms to side boundary or centre line between two buildings on the same site. Drawing DA02.108 shows a 4.5 metre separation there is a nominated 4.5 to centre line. The plans show balconies and this should be in our opinion 9 metres. Also the separation between buildings on Holdsworth Ave and Canberra Ave measured from the drawings does not meet the required separation of 18 metres (two time 9 metres as the setback is 9 metres to the centre line between two buildings) for habitable rooms. The apartments as shown must have habitable rooms facing each other. A further guide to proper building separation in urban design and planning proposal is part 2F

4A Solar Access and natural light. While the design report states 71% the report does not demonstrate this in detail or a listed table. Furthermore, it seems to grossly overestimate number of apartments achieving the required 2hrs solar access. The overestimate is, firstly, in the podium or plinth level., None of the townhouses seem to receive two hours of natural light. Secondly, in the solar angle diagrams on drawing DA21.002, a lot fewer apartments seem to be visible throughout the shots shown. In other words, few apartments seem to receive two

hours of sun. This means that the total apartments that receive the required two hours of sunlight is a lot less. This would be expected for apartment units in buildings with an east west orientation as the proposed planning scheme is such. In addition to this the non-compliance, solar access is more likely for buildings with inadequate setbacks. Setbacks are mandated to ensure solar and light access and privacy (see page 37 about building setbacks).

Third and lastly, taking the calculation and diagrams as shown in the design report as the base, we calculated the number of apartments on a typical floor plan as shown to be 8 of 40 units that do not receive direct sunlight. This means 20% of units do not have access to direct sunlight which is non-compliant to the ADG mandated 15% maximum units without direct sunlight. A detailed analysis should be undertaken to confirm exact numbers of units receiving the sunlight and the total units not receiving sunlight, including the townhouses.

We would also like to point out the statement in the report: Located at the bottom of the hill and overshadowed by taller buildings to the north, the site has limited exposure to direct sunlight on the winter solstice. The site is located in a valley and behind a ridge. The ridge should be modelled and taken into account as this would further reduce the early morning hours sunlight and therefor number of units that receive adequate sunlight.

Building setbacks, sun and daylight are highly sort after amenities, and ADG and SEPP legislation are set in place to provide any new multi residential units and or planning proposals with minimum mandatory requirements to comply to. We do not think that the current planning proposal meets these minimum mandatory requirements and the scheme should at least be amended in such a manner that with a better urban design, architectural design and higher apartment living is achieved. This is likely to mean that fewer units, less density and a smaller number of buildings are permissible on the site to meet the mandated legislated requirements of the SEPP and subsequent ADG part 3 & 4.

Yours sincerely

David Watt
Secretary
Hayberry Precinct

Sent from [Outlook](#)