

Re: Council Reference DA2026/1007 Application – Demolition of Existing Dwelling and Construction of a Two-Storey Dwelling with Basement and Rooftop Balcony

After reviewing the documentation exhibited, it is difficult to reconcile how the proposed development can possibly be consistent with all the requirements for a single dwelling on a relatively small 733sqm site in an R2 residential zone. We write to lodge our formal objection to the above Development Application.

The documentation provided gives insufficient information to understand how this development would function as a high-quality single dwelling home or that the design responds to and fits sensitively into the existing low-density residential neighbourhood. The first impression, from the drawings provided, is that the development is very big and bulky, filling the site and overstepping just about all setback requirements. The appearance is cheaper and more basic commercial motel and less new refined and elegant beach house.

There are no gross floor area (GFA) calculations provided. However, the NatHERS Energy Efficiency Rating Certificate (EER) provides a list of the sizes of all the rooms contained in the development from which we estimate the building GFA could be in the order 725sqm. To put this in some context, the average large 5-bedroom single dwelling home in Australia is between 250 and 300sqm in area. The proposed 725sqm house is roughly the equivalent of 2.5 x 5-bedroom houses.

This proposed single dwelling development features some unusually high numbers, including 14 bedrooms (all with ensuites), a massive 500sqm basement (for car parking, boat storage etc), plus a huge 400sqm roof “balcony” (aka rooftop terrace, alfresco dining/bbq deck or neighbourhood viewing platform) fully enclosed with glass balustrades. But there’s more. The roof top balcony is also topped with a 3m tall canopy roof structure of tensioned fabric sails covering a large area of 200sqm to create a dynamic eye-catching third story feature. This very unusual design is drastically different to anything we have seen before in the surrounding residential neighbourhood and is generating significant interest in the Vincentia community. The neighbours and community have every right to question the bona fides of an application that seeks to characterise such an intensive use as a single dwelling.

As the local residents association and the Vincentia CCB, appointed by Council, we would be very keen to see more detail (such as the proposed floor plans and sections), to get a better understanding of just what is being proposed. We also suggest that perspective renderings showing just how this proposed design would appear in the existing residential streetscape should have been a requirement for such a significant new development. At this point, based on the information available for comment, the Vincentia CCB recommend the proposed development be refused on the following grounds:

1. The Development Exceeds the Permissible Plot Ratio Limit

The site area is 733sqm and the applicable floor space ratio (FSR) for R2 zone is 1:0.5 (or 50%). Meaning the maximum permitted house GFA is 366.5sqm. Our 725sqm GFA estimate, is almost double the maximum size of house permitted on this site. We acknowledge our estimate is just a ballpark guess, so we look forward to confirmation of just what the GFA figure is. However, if we are in the correct ballpark, this issue alone means the application should be refused, as there is no discretion for the 50% FSR to be exceeded even by a small amount.

2. Building/Basement Encroachments on setbacks and landscape area Excessive

The Basement Plan shows the footprint of the basement area extending virtually all the way to the Lambs Crescent front boundary. Inexplicably, there are no dimensions to confirm just how close to the boundaries the basement extends. Also inexplicably, there are no sections through the basement/site to indicate how far the basement will extend above natural ground or just how close the natural ground level is to the basement concrete roof adjacent to the Lambs Crescent front boundary. The Landscape Plan has a dotted line showing the extent of the proposed basement located under the turfed landscaped area (shown in green) and from the contour levels provided, it's obvious there are major problems with the proposed basement:

1. A significant portion of the basement (over 150sqm in area) extends beyond the building footprint and under the front yard landscaped area. The proposed open cut excavations would extend virtually from boundary to boundary. Over half of the "landscape area" shown (including the spot with one tree and 4 shrubs), is located over the basements concrete roof slab. In fact, the total "landscape area" on natural ground (that doesn't have a basement underneath or concrete slabs, driveways, pathways) is less than 110sqm. As a proportion of the site, the "landscape area" on natural ground (where there is sufficient soil depth for deep rooted trees) is in fact less than 15%. The SEE report is incorrect to suggest there is 32.8% of the site retained as "Landscape Area".
2. As a rule, basement walls should align with the building perimeter above and all walls should comply with Shoalhaven DCP 2014 setback requirements. The proposed development has significant areas of the building/basement walls that don't comply with setback requirements.
3. Basements are meant to be entirely or substantially underground. The extent to which this proposed basement sits more than 1m above natural ground level is significant. In fact, at the very back corner of the building, because of the height the basement extending above ground, we estimate the proposed ground floor level is up to 1.95m above natural ground level. The impact of this excessive height of the ground floor level on which 2 storeys plus a roof top balcony are constructed, will be most pronounced on the adjoining neighbours with the combination of loss of amenity, overlooking, overshadowing and facing the ridiculously high new boundary wall/fence.
4. The excessive size and height of the basement and ground floor then cause the height of the entire building to increase, which causes the building to exceed the building envelope and prescribed 8.5m height limit, which causes the excessive overall bulk and scale of the building relative to the surrounding development.

3. Building Height, Bulk and Scale Excessive

The height, bulk and scale of the proposed building is not consistent with established character of the surrounding low-density residential area. Even without the rooftop structures, the building exceeds the 8.5m height limit. The additional rooftop level structural canopy of shade sails forms a visually significant third storey element, which is unmistakably out of step with the surrounding built form and scale. This 200sqm, 3m tall canopy is not intended as a "minor element" on the roof of a 2-story building. It's intended as an eye-catching feature to provide cover from the sun and the rain for a large outdoor private open space. These types of structures with tensioned sails are often associated with public areas like shopping car park's, swimming pools, beer gardens etc. The height and extent of the proposed third storey outdoor open space is not an acceptable encroachment on the prescribed 8.5m building height limit. The elevations confirm that this third storey element would further exacerbate the excessive relative building height and visual dominance over adjacent neighbours. There is no plan and very little opportunity on the site to establish tall trees to help soften and screen the building bulk. The proposed excessive building scale and bulk would set a new and undesirable precedent for future character of the area.

4. Adequate Carparking Provisions Not Demonstrated

The carparking needs for the proposed 14-bedroom household have been entirely ignored by the applicant. The Basement plan gives no indication about number of car spaces to be accommodated. The Site Plan provides no indication of any visitor car spaces being provided on site at ground level. A 14-bedroom house (assuming 2 people per bedroom) can be expected to accommodate up to 28 people plus visitors. But what is the acceptable solution for a 14-bedroom single dwelling, when this scenario is not anticipated by the parking guidelines for R2 residential areas? The concern here is there is no way to accommodate all the parking needs on site, which would mean the surrounding street/verges become the default parking for the development residents and visitors. This is not a solution that would be supported by this CCB.

5. Excessive Overlooking and Loss of Privacy

The proposal will result in severe and unreasonable overlooking and privacy impacts on neighbouring properties to the east and south, arising from all windows and balconies, external stairs; and the large rooftop balcony intended for gatherings and social use. The extent of overlooking into neighbouring dwellings and private backyards represents a serious loss of amenity that has not been adequately considered or mitigated.

6. Overshadowing Excessive

The shadow diagrams confirm significant overshadowing impacts will occur to adjoining properties, particularly the property to the south, due to the excessive height and bulk of the development.

7. Excessive Cut and Fill

The extent of the basement, which extends from the eastern side boundary to the western Lambs Crescent frontage, will mean an excessive cut and fill, which is a good indicator of an overdevelopment of this small site.

8. Waste Management Deficiencies

No clear information is provided regarding the number or location of bins. The Waste Management Plan's reference to minimal waste generation is clearly inadequate for a building of this size and use.

9. Fence Height and Visual Impact Excessive

A proposed 1.8m fence constructed above the basement roof slab would present as up to 3.4m high to adjoining neighbours. Combined with the building mass above, this will result in unacceptable visual dominance and amenity impacts.

10. Provisions for Stormwater Retention On-site and Drainage Unsustainable

There is insufficient information regarding disposal of groundwater from the basement car park and stormwater overflow from the miniscule inground water tank. It is unsustainable for residential developments such as this to reduce the sites natural capacity to retain stormwater and grow deep-rooted trees to just 15% of the site. This is a terrible outcome for a low-density residential area policy.

11. Basic Elements of a Genuine Single Dwelling Home Missing

Without floor plans, sections and perspective drawings, we are at a disadvantage in understanding the home's design. From the drawings provided, it's impossible to make sense of how this might function as a single-family coastal home with high quality amenity. Many of the fundamentals necessary for high quality amenity are missing. For example, there is absolutely no indication on the Landscape plan of any actual landscape design. Where is the design for the backyard/private outdoor open space with paths, paved areas for the living/dining space for a gathering of family and friends for a household of 22 people? Where is the proposed planting beds and screen planting along the front boundaries to create

privacy from the street etc? Where is the service area for a washing line or the bins storage or where are the bins going on the street? How many bins are anticipated? There is very little evidence of design considerations for normal domestic uses, in the Landscape Plan which is very odd. It's as if there has been no real thought given to how a family is going to live on this site.

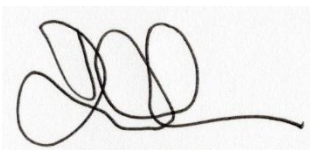
12. All the Hallmarks of Motel type Accommodation

From the information provided about the design, the proposed building has a distinct 'motel' development vibe. The repetitive arrangement of 14 rooms along continuous walkway or balcony with sliding entrance/exit doors window right beside the ensuite window, screams 'old motel design'. The external stairs leading up to a Rooftop party deck complete with shade structure says 'motel'. The lack of much landscaping design beyond one tree and the most basic turf to maintain for the entire grounds says 'motel'. Either way motel developments are not welcomed in residential streets

Conclusion

It is clear that the proposed new residence represents a significant overdevelopment of a relatively small site and fails to demonstrate that the design is consistent with the objectives and controls of the R2 Low Density Residential zone and Shoalhaven DCP 2014. For these reasons, Council should refuse the Development Application or, at a minimum, require the submission of complete and accurate documentation and reassess the permissibility of the proposed use.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Pursley', with a long horizontal line extending to the right.

David Pursley
President
Vincentia Ratepayers and Residents Association

Reply by email to secretary@vrra.org.au