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16 September 2024

Byron Shire Council Officers
70 Station Street
Mullumbimby 2482

Via: NSW Planning Panel

Dear Greg Yopp,

NOTICE OF AMENDED ARCHITECTURAL DRAWINGS FOR A MODIFICATION APPLICATION AT 29 SHIRLEY STREET AND 2-4 MILTON STREET, BYRON BAY

Urbis act on behalf of *The Trustee for The 29 Shirley Street Trust* (the *Applicant*) in relation to a S4.55(2) Modification Application to an approval for a Residential Flat Building at 29 Shirley Street and 2-4 Milton Street, Byron Bay (**Council Reference:** 10.2022.371.2) (**Originating Council Reference:** 10.2022.371.1).

We now seek Council's continued determination of the application with an amended architectural scheme included in this letter. Note that an addendum to the previous Visual Impact Amenity Assessment will be provided to Council within the coming week to support the architectural changes.

This updated scheme reflects a series of amendments aimed at addressing DDA compliance and enhancing the overall quality of the development by significantly improving the residential amenity and private open spaces. These amendments have been designed to offer prospective residents a higher standard of living, with particular attention to maximizing comfort, functionality, and aesthetic appeal.

To ensure transparency and clarity, a summary of changes document has also been provided within this submission package. The adjustments are intended to support Council's planning objectives while addressing market demands, with a clear focus on increasing the liveability and desirability for future residents.

The proposed architectural changes are outlined in further detail within the below section.

This letter is accompanied by the following supporting documentation:

- **Appendix A** – Amended Architectural Drawings and Development Summary, prepared by Hayball, dated 6 September 2024, Revision 2; and
- **Appendix B** – Summary of Changes, prepared by Hayball.

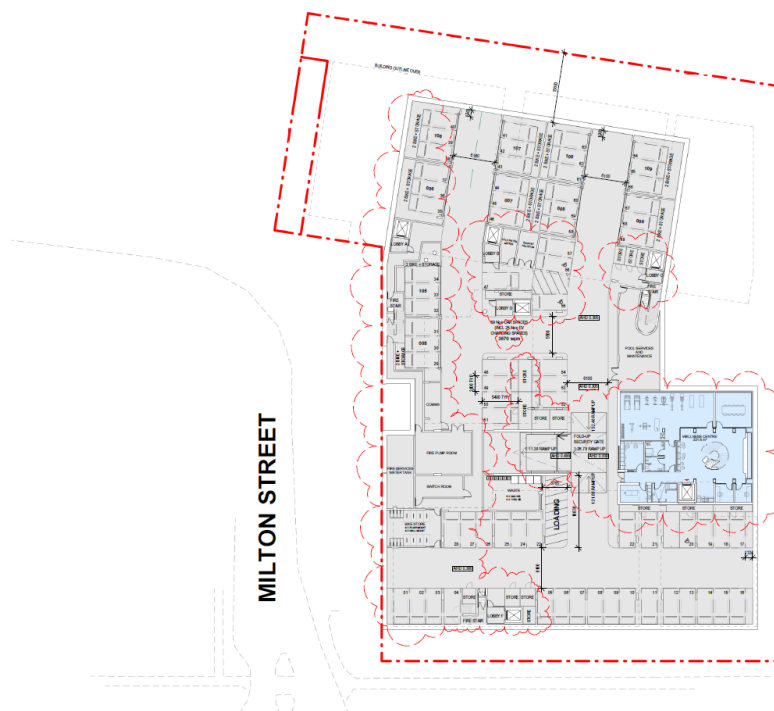
1. MODIFICATION OVERVIEW

1.1. BASEMENT LEVEL

The amended basement plan is shown below in **Figure 1** to illustrate the extent of changes to the building footprint and internal configurations. Notably, the GFA of the basement itself has been reduced from 3,630m² to 3,570m², and the wellness centre reduced from 352.8m² to 331.6m². This has been done in order to increase the setback of the basement to the adjoining lot to the east at 27 Shirley Street.

As illustrated, the eastern side of the wellness centre has been reduced inwards and now sits flush with the front portion of the basement therefore reducing its overall building footprint. Internal modifications such as the deletion of an office space and the reduction of a storage area have facilitated in this reduction. Additionally, there have been no changes to the car parking provisions or bicycle spaces included as part of the submitted scheme.

Figure 1 Amended Basement Plan



Source: Hayball

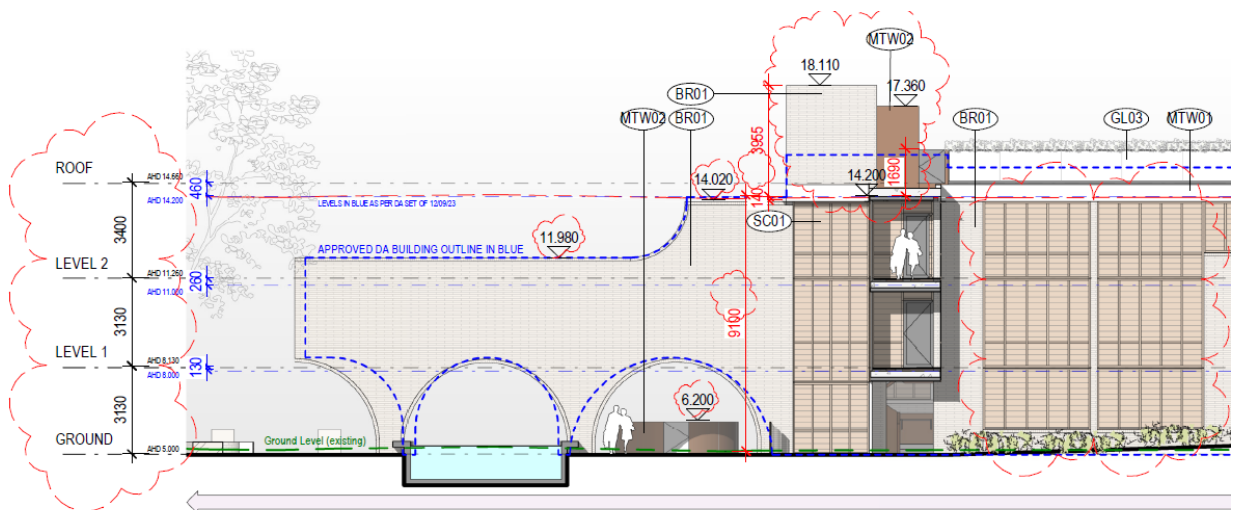
1.2. ELEVATIONS

The below **Figure 2** demonstrates the amended western elevation of the eastern building that fronts Shirley Street. This illustrates the changes to the lift shaft which as outlined above, has been extended up to provide access to apartment 210 and the rooftop garden for compliant DDA access.

The architectural scheme as part of the submitted S4.55(2) package included a proposed building height of 11.21m for the buildings proposed within the R3 zoned portion of the site, equivalent to a variation of 24.56%.

The addition of the lift shaft extent as included within the further amended package results in a total building height of 13.05m within this portion of the building only within the R3 zoned land. This is an equivalent increase of 45% above the 9m building height line. Importantly, this proposed increase is consolidated to the one location to facilitate the increased lift shaft, with the balance of all building heights to remain the same as originally submitted as part of the modification application.

Figure 2 East Building - Western Elevation

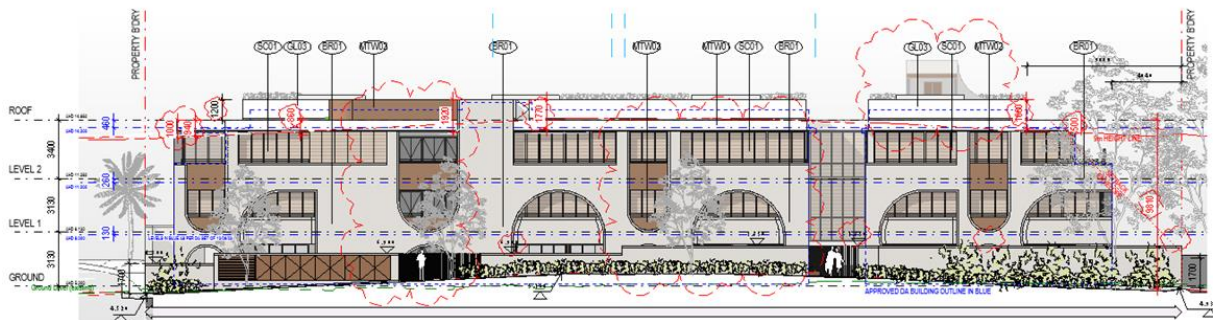


Source: Hayball

The amended southern elevation is shown in **Figure 3** below to illustrate the extended lift shaft from the frontage. As demonstrated, the lift shaft extent is situated outside of the setback envelope and will have minimum visibility from a streetscape level from Shirley Street as it is largely setback behind the private rooftop terrace. From a streetscape perspective, pedestrians travelling along Shirley Street will be unable to view the lift shaft.

Additionally, from this perspective, the extended lift shaft does not add any additional bulk or massing to the proposal overall as it is largely concentrated to one minor location behind the private open space of apartment 201.

Figure 3 South Elevation - Shirley Street



Source: Hayball

2. SUMMARY OF CHANGES

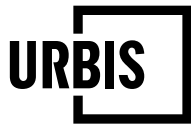
The majority of amendments to the scheme are largely focused on increasing the quality of the proposal through improved residential amenity and private open spaces, and to address DDA compliance through each apartment (including rooftop terrace access to apartment 201).

An updated Development Summary has been included within this package for further clarity.

The key changes to the amended architectural scheme include the following:

- **Site Plan (DA1.01)** – lift access extended to private roof garden to apartment 201, with a canopy provided over the lift doors;
- **Basement Floor Plan (DA1.11)** – basement extent updated to suit required substation easement, with the storeroom, services room, and storage layout updated. There are no changes to the total car parking numbers or bicycle space provisions. To increase the basement level setback to the adjoining lot to the east, the wellness centre extent and layout has been reduced by 21.2m²;
- **Ground Floor Plan (DA1.12)** – entry hallways have been added to apartments 001, 005, 006, 007, 008, 009 and 010 to improve residential amenity and privacy. Private open space has been extended for apartments 001, 002, 003, 009 and 010. Further, the lightwell to the basement wellness centre and communal seating extent has been updated;
- **Level 01 Plan (DA1.13)** – entry hallways have been added to apartments 101, 105, 106, 107, 108, 109 and 110 to improve residential amenity and privacy;
- **Level 02 Plan (DA1.14)** – entry hallways have been added to apartments 201 and 210 to improve residential amenity and privacy;
- **Roof Plan (DA1.15)** – lift access with a canopy over has been extended up to apartment 201's rooftop garden to allow for DDA compliant access and weather protection;
- **Typical Layouts Ground Floor (DA1.21)** – no change;
- **Typical Layouts Ground Floor (DA1.22)** – no change;
- **Typical Layouts Level 01 (DA1.23)** – no change;
- **Typical Layouts Level 01 and 02 (DA1.24)** – no change;

- **Street Elevations (DA7.01)** – a sprinkler control valve (SCV) cupboard has been added to the Shirley Street frontage to comply with fire authority requirements;
- **Elevations (DA7.02)** – the basement extent under car park ramp has been updated;
- **Elevations (DA7.03)** – the lift shaft has been extended up to provide access to apartment 210 roof garden. Further, the windows to the apartment entries to apartments 010, 110 and 210 have been updated;
- **Elevations (DA7.04)** – the lift shaft with a canopy over for weather protection has been extended up to provide DDA compliant access to apartment 210 roof garden. Apartment 001 private space has been extended to the north;
- **Elevations (DA7.05)** – façade design updates to coordinate with revised apartment layouts, and apartment 009 private open space extended to the north;
- **Elevations (DA7.06)** – no change;
- **Sections (DA8.01)** – no change;
- **Sections (DA8.02)** – no change;
- **Sections (DA8.03)** – apartment 009 private open space extended to the south, and lift shaft extended up to provide access to apartment 201 rooftop garden;
- **Sections (DA8.04)** – basement extent under car park ramp updated;
- **Sections (DA8.05)** – lift shaft extended up to provide DDA access to apartment 201 rooftop garden;
- **Height Plane (DA.9.01)** – general updates in coordination with revised drawings, sections and elevations;
- **Shadow Analysis (DA9.11)** – general updates in coordination with revised drawings, sections and elevations;
- **Shadow Analysis Solar Access to Communal Spaces (DA9.12)** – general updates in coordination with revised drawings, sections and elevations;



SUMMARY

We trust that the information provided as part of this submission package will assist Council with the ongoing assessments as part of this S4.55(2) application.

Should any further information be required, please do not hesitate to contact the undersigned.

Kind regards,

A handwritten signature in blue ink, appearing to read "Melissa Griffin".

Melissa Griffin
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