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Keith Ng
Team Leader
Housing & Key Sites Assessments – Affordable Housing Assessments
Department of Planning, Housing and Infrastructure

Dear Keith,

Response to TOA Comments - 23-31 Dover Road, Rose Bay

1 Overview

We are writing on behalf of Dover Street (Rose Bay) Developments Pty Limited (**the proponent**) in respect of the State Significant Development application (**SSDA**) (SSD- 86017721) for an in-fill affordable housing development at 23-31 Dover Road, Rose Bay (**the project**).

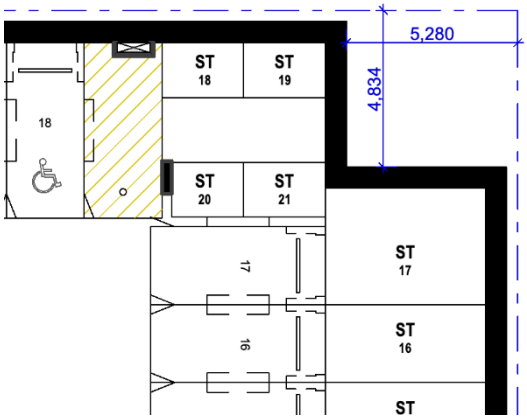
This information is submitted in response to the Request for Additional Information (**RFI**) issued by the Department of Planning, Housing and Infrastructure (**DPHI**) via email on 11 March 2026.

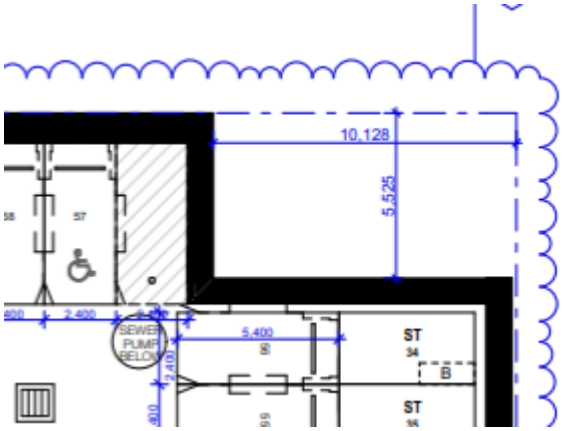
In response the DPHI's queries, the applicant has pursued design changes to the architectural and landscaping plans and provided additional information to support the assessment process.

2 Response to RFI

DPHI Query	Status
1. The Department has concerns over the size of the storage spaces provided on the basement levels especially on the eastern side of the basement. Due the storage sizes the development does not have side setbacks/ deep soil along the eastern property boundary. The Department notes that the Applicant has advised	The storage space is not causing the size of the basement, the basement structure relates to the safest and most efficient way of constructing on that boundary, given the required retaining way and associated structural integrity. An amended design is proposed for the basement to help address the DPHIs comments. The footprint of basement level 1 and basement level 2 has been reduced by pulling back the eastern corner from 5,280m to 10,128m and 4,834m to 5,525m, as per the below:

that basement redesign is not a feasible option and will require additional excavation, however looking at the storage sizes recommended in the ADG, the storage areas can be resized to comply with the ADG requirements. Units 14 – 22 and 34 – 42 have approximately 26sqm of storage which can be reduced whilst still providing room for bicycle storage.





This results in a reduction from 1,823 m² to 1,792 m² internal building footprint area in the basements.

Refer to Amended Architectural Plans, and separate plan at Appendix Z, prepared by MHNDU.

A full re-design of the basement and setback along the full extent of the south-eastern boundary is not feasible. Further reductions in the basement floor plate will have an adverse impact on the structural integrity of the building, significantly constrain vehicle circulation and parking efficiency, and compromise compliance with minimum access, safety, and service requirements.

The loss of residential storage and potential parking spaces would have an unacceptable impact on project feasibility which would compromise the viability of the development, reduce its functionality for future occupants, and undermine its ability to meet operational requirements.

Market expectations for high-end residential developments in Rose Bay typically include generous storage provisions, particularly for three-bedroom apartments. The value of storage space is a critical revenue component; however, rising construction costs are eroding potential income and placing pressure on the project's overall viability. The proposed design satisfies the minimum storage requirements set out in the NSW Apartment Design Guide, and it is noted that no maximum control on storage is prescribed.

The applicant brings substantial experience in delivering residential projects across Sydney's Eastern Suburbs and is well positioned to advise upon, and provide, a product that aligns with prevailing market expectations.

The reduction in the basement extent allows for an increase in deep soil zones compared to the SSDA October 2025 scheme of:

Provision	SSDA October 2025	RTS April 2026
Tree canopy: 15%	15.4% (409.6sqm)	28.4% (755.69sqm)
Deep soil zones with a minimum dimension of 3m (Tree Canopy Guide for Low- and Mid-Rise Housing): 7%	9.8% (261.5sqm)	11.4% (302.5sqm)
Deep soil zones with a minimum dimension of 6m (NSW ADG): 7%	2.7% deep soil (71.74sqm)	3.2% (86.9sqm)

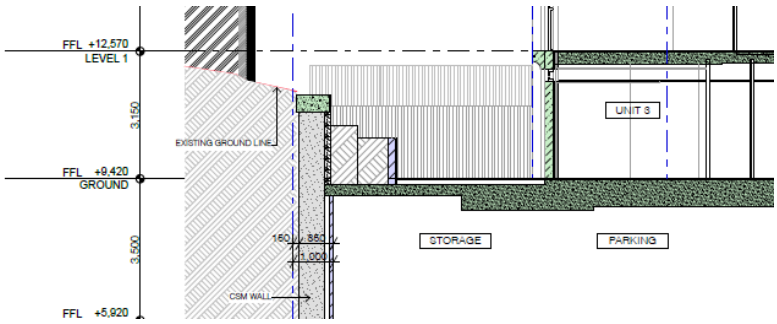
In addition to the increased deep soil provision, the revised design enables further soil planting along the side boundary. This allows for the planting of 1,000mm medium-sized trees in place of the previously proposed small trees, resulting in a significant uplift in canopy coverage. The trees are proposed to be planed in planter boxes with a depth of 68m^3 which is greater than the minimum 35m^3 volume requirement for medium trees under Section 4P of the NSW Apartment Design Guide. This will supplement deep soil planting on the sites where opportunities for this are limited.

The proposed soil volume along the boundary is appropriate for plant growth to support the long-term health of the vegetation.

As illustrated in the table above, the revised design results in a significant increase in canopy coverage from 15.4% (409.6sqm) to 28.4% (755.69sqm). This is well above the minimum requirement of 15%.

The design is considered acceptable and a further decrease in the basement is not required as:

- The scheme achieves the intent of the deep soil zone through significant planting and soil volume in planter boxes along the side boundary. Wyer and Co conclude that deep soil zones would not provide substantial improvements to the overall Landscape amenity. Planting quantity, Open space & Solar access in this area will remain similar with either approach given the intent to allow residents to utilise open space along the Eastern Boundary.
- From a construction perspective, the basement setback cannot be increased due to the constraints of the piling wall system. The piling wall system proposes retention walls immediately on the site boundary to support the construction. A Section Plan of the proposed piling wall system and basemen is provided below.



- The above is further confirmed by the structural engineer NDY, which confirms in the Structural Statement that the proposed basement layout and structural form, address the boundary conditions, by enabling safe installation of the retention along the shared boundary with 33 Dover Road, coordinated with the required landscaping works and access strategy.

  The basement retention system has been setback with an offset (tolerance) from the boundary to facilitate installation of the retention structure to retain the neighbouring existing ground level. This is required to establish a safe piling platform for construction of the basement perimeter wall. **A retaining wall is required along the boundary in any design scenario** due to the level changes between the neighbouring properties. Relocating the basement wall away from the boundary will not remove this requirement.

- Finally, the geotechnical engineer Morrow confirms in the Geotechnical Letter that proposal provides a sufficient shoring zone to safely allow for installation of the proposed basement shoring zone. Morrow Geotechnics confirms that the proposed

		basement footprint layout can be safely designed for protection of neighbouring structures on 33 Dover Road. The proposed basement design is supported.
2.	Unit numbers and storage size for Level 6 is missing on drawing 9104, please update.	Architectural Plans have been updated.
3.	There is concern over access to communal garden located on the ground floor as residents have to leave the building onto the pedestrian footpath in order to access the communal garden. Please reconsider the accessibility to the communal garden.	The western garden at ground level has been retained within the scheme. Direct access from the lobby to this garden through the site is not feasible due to the site's topography and limited frontage width. Accordingly, while this area (86sqm, representing 3.2% of the site) will continue to be provided on site, it has been excluded from the formal communal open space calculation in response to the DPHI concerns regarding accessibility. In addition to the primary rooftop communal open space (561sqm), both forecourts (162sqm, representing 6% of the site) have been redesigned to provide genuine and functional communal open space. While DPHI has advised that these areas cannot be formally counted toward the communal open space requirement, the current design iteration has significantly enhanced their usability through increased landscaping, additional seating, and dedicated lawn areas suitable for pets. These improvements support informal recreation and social interaction for residents, while also creating a high-quality transition between the buildings, communal open space areas, and the public domain. The exclusion of the western garden and forecourts from the formal communal open space calculation results in a 4% shortfall against the 25% requirement under the ADG. This results in a reduction of communal open space from 808.4sqm (30% of the site area) to 561.32 (21% of the site area). Ultimately, if all areas were included within the communal open space calculation, there would be a significant over-provision of >30% of the site area. The reduction in provision still deemed acceptable for the following reasons: ▪ Whilst it was requested by the DPHI to remove these areas from the communal open space calculation, they will still be provided and contribute meaningfully to residential amenity. They offer valuable opportunities for passive recreation, informal gathering, and outdoor respite, consistent with the objectives of Section 3D of the ADG. The spaces are supported by seating, landscaping, and shaded areas, creating functional and usable communal areas for residents. ▪ Collectively, the development provides a diverse range of communal open spaces across both the ground plane and

		rooftop levels, responding appropriately to the site constraints and ensuring a high level of amenity. ▪ All units also benefit from private open space, further enhancing residential amenity and reducing reliance on communal areas alone.
4.	Please add the Appendix/ documentation references where the detailed answer is provided in section 4.4 of the RtS report, which will assist the community members who made submissions.	The Submissions Report prepared by Urbis (10 April 2026) has been revised to include appendix and documentation references.
5.	A bin tug vehicle is now proposed to be stored within the basement as an alternative waste collection strategy , please clarify the proposed storage area on the plans.	The waste storage area is identified on the Architectural Plans.
6.	Update the plans to also include transfer path for bulky waste.	The MRA Waste Response Statement confirms the transfer path for bulky waste will be the same as bin transfer path. The transfer of bulky waste items to the kerbside for Council cleanup will be facilitated by a small trailer used in tandem with the bin tug.
7.	DA9106 illustrates routes for private contractor to bin storage for collection still going through the lobbies and Appendix N states that this strategy will not change. Please clarify whether the route going via the lobbies will be used for waste collection? Subsequently remove routes that go through the lobby areas from the architectural plans, as this will remove any ambiguity on the waste travel routes.	The MRA Waste Response Statement confirms no bins or bulky waste will be transferred through the residential lobby.

8.	Noting that the private contractor will be using the shared driveway to move the bins, please update to include safety measures and also how the bin movements will not impact traffic.	The MRA Waste Response Statement outlines the following safety measures to manage waste: ▪ Bin transfer will occur outside of peak commuter periods to avoid potential traffic conflicts where possible. ▪ Convex mirrors can be placed along the path of travel for bin transfer to ensure there are no blindspots for incoming our outgoing traffic. ▪ Building management or cleaner will be required to wear high visibility clothing while conducting bin or bulky waste transfer to the kerbside. ▪ The driveway will be well lit to ensure visibility along the proposed bin transfer path ▪ Personnel required to use the bin tug and trailer will be inducted and trained in their use.

It is understood the submission of this additional information closes out all requests related to the assessment of the SSDA, and as such the application can proceed to final assessment and determination.

Kind regards,

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