

Rick Beers

From: Russell Olsson [russell@olssonassociates.com.au]
Sent: Wednesday, 16 March 2011 1:26 PM
To: Rick Beers
Cc: info@olssonassociates.com.au; george@urbanapartments.com.au; Brian Olsen
Subject: Re: DA 2010.211 for 11-15 Deane St & 20 George St, Burwood

Attachments: 18 George Street.pdf; ATT1159272.txt; pastedGraphic.tiff; ATT1159273.txt



18 George
Street.pdf (354 KB)



ATT1159272.txt
(272 B)



pastedGraphic.tiff
(10 KB)



ATT1159273.txt (1
KB)

Rick,

Please find attached my response to the issues raised by the objector from 18 George Street.

with regards,

Russell

Mr Rick Beers
Senior planner
Burwood Council
Suite 1, Level 2
1-17 Elsie Street
Burwood
NSW 2134

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Ref No: 1002
From: RO
Date: 16th March 2011
Pages: 3

RE: Development Application 15 Deane Street Burwood

Subject: Response to objection from owner of 18 George Street Burwood

Dear Rick,

The following response is made to your email of 14th March regarding an objection received from the owner of 18 George Street, based on a pre-DA cross sectional drawing. As I have not been forwarded the drawing, my comments are made in response to your text, which reads :

"Council has received a pre-DA application from the owner of 18 George St for development of that site. He has also forwarded this as an objection to the above development principally on the basis that the proposed setbacks of the Deane St proposal on all levels don't comply with Burwood Council's Town Centre LEP and DCP."

The pre-DA plans show a 17 storey building with a setback to the southern (common) boundary of 4.2m at podium level, then this setback being maintained for commercial levels up to the 8th floor, beyond which apartment levels are set back 9m to the 17th (top) floor. No openings are indicated on the plans."

Regarding the LEP, the site at 18 George Street is greater than 500 sqm, exceeding the minimum site size. It is approximately 648 sqm.

The principal objection is that the setbacks of our DA for 15 Deane Street do not comply with the Burwood Town Centre LEP and DCP. The DA complies with all street setbacks in the DCP, and I assume that the objection is focussed on the common boundary setback between the 2 properties, given the information provided.

Drawing No. DA14 shows in plan and section how our DA complies with the DCP, and also how it could relate to a building envelope on 18 George Street. Section CC shows our building being built to all property boundaries for the lowest 4 storeys / 15m. This complies with Provision P2 2.2.1.4 which states that "streetfront development up to 15m must be built to the side boundary and may be built to the rear boundary" and Figure 2.2.1.4.

Our commercial levels labeled 4, 5 and 6 then set back 6m from the property boundary. This complies with the DCP 2.2.1.5 Provision P1 that states "For all development refer to the building separation provisions of the Residential Flat Design Code which supplements SEPP 65 - Design Quality of Residential Flat Development."

Note: *The same rules apply to non-residential development in terms of building separation and frontage as apply to residential buildings."*

The RFDC building separation controls P.28 show that, the separation for a building up to 12m high is to be 12m separation. In Burwood Town Centre, this separation distance must apply above the 15m podium, as Council requires podiums to be built to side boundaries and allows them to be built to rear boundaries. It would be illogical to calculate the separation from ground level, as the separation objectives include appropriate massing and spaces between buildings for the desired area character. Council has decided that the desired area character is to have podiums built to boundaries. Therefore it is illogical to say that there should be separations between these podiums at lower levels, and that these separations must comply with the RFDC (which would be 12m separations from ground level up, shared equally between neighbours, with 6m setback by each). It is clear that the DCP controls do not mean this, and that the desirable built form is to have mostly continuous 15m high podiums. In built form terms, where buildings are to be separated, across a boundary, above the podium, the 12m separation will apply up to a height of 12m. The DA does this, with 3 commercial levels set back 6m from the boundary.

Regarding the boundary setback by development on 18 George Street, Section CC shows how it could be set back 6m to achieve the 12m. The owner of 18 George Street has submitted a cross section with a 4.2m setback from the common boundary from ground up to Level 8, approximately $8 \times 3.6\text{m} = 28.8\text{m}$. This 4.2m setback is permissible under the Town Centre DCP for the podium, up to 15m. However, it does not comply with the DCP controls, which are the same as RFDC controls. The RFDC says for buildings greater than 25m, the separation should be 24m. Therefore the building should be set back 12m from the boundary. The pre-DA prepared by the owner of 18 George Street does not comply with the RFDC or DCP.

In fact, it would be relatively simple for the pre-DA scheme to comply with the RFDC, by reducing the height of commercial by 1 storey, building to the rear boundary, up to 4 storeys, then setting back the storeys above the podium 6m from the boundary. This would be similar to the Section CC drawing, however the 3 levels over the podium would be commercial and not residential, as shown.

The description of the pre-DA by the owner of 18 George Street says that the total residential and commercial height of the building is 17 storeys. No plan is shown or described. It is extremely unlikely that a development on that site could achieve 17 storeys. The site area is 648 sqm, the FSR is 6 : 1, total floor area = 3888 sqm, average floor area per level = 228 sqm. This is a very small floorplate for either commercial or residential. However, we also know that the commercial levels must be built to front and side boundaries, and with a 4.2m rear setback, a typical commercial level is approximately 520 sqm. To achieve 4:1 commercial FSR, there will be $4 \times 648 \text{ sqm} = 2592 \text{ sqm} / 520 = 4.98$ floors, say 5 floors.

However, it is the residential calculations that demonstrate the impossibility of achieving 17 storeys total, with 9 of those being residential, as described in the email. The residential FSR is 2:1, the site area is 648 sqm. The residential floor area = 1296 sqm. If this was distributed over 9 floors, each floor plate would be 144 sqm. Take out 2 lifts and 2 fire stairs (for a 17 storey building) and circulation area, this would be approx 28 sqm, which reduces the useable floor area to 116 sqm. This is 1 apartment per floor, which has never been built in the inner west of Sydney. Even if there were 2 apartments per floor (very unlikely, but possible), the residential floors would be 4.5, say 5 floors. Added to 5 commercial floors, the total building height would be 10 floors, not 17. This is relevant to the question of building separation between the sites. If the podium of 18 George Street is 4 storeys, and total height 10 storeys, then 6 storeys will be above the podium. These would be 1 commercial (3.6m) and 5 residential (3m each). The height in metres would be 18.6m. The RFDC says that for a building less than 25m, the separation is to be 18m. Our DA for 15 Deane Street has a 9m setback at upper levels, which complies with the need for a total separation of 18m across the boundary. This is shown in Section CC on drawing DA14. This section also shows the impact in terms of daylight access, urban form, open space and visual and acoustic privacy that a 10 or 11 storey building at 18

George Street would have on 15 Deane Street, and it would be minimal. This section demonstrates that our DA complies with the Town Centre DCP 2.2.1.5, provision P2, in terms of daylight access, urban form, open space and visual and acoustic privacy.

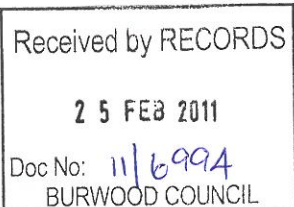
Please do not hesitate to contact me for further information regarding this issue.

sincerely.,

A handwritten signature in black ink, appearing to read 'Russell Olsson'. The signature is fluid and cursive, with the first name 'Russell' on the top line and the last name 'Olsson' on the bottom line, connected by a continuous stroke.

Russell Olsson
Olsson & Associates Architects Pty. Ltd.

Attachments:



Distribution:

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Ref No:

From:

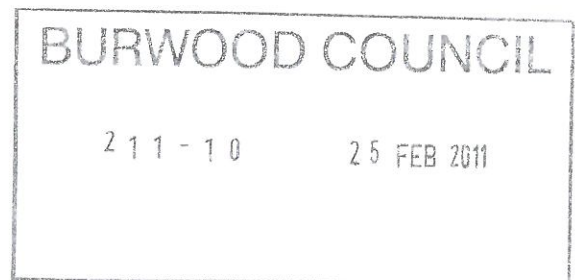
Date: 24 Feb 2011

Pages:

RE: Nos. 11-15 Deane Street and 20 George Street, Burwood
Proposed 16 Storey Mixed Development over Basement parking
DA No. BD. 2010.211

In regards to your letter sent to our client Mr George Elias, we would like the opportunity to respond to the relevant issues as assessed against the Council's LEP, DCP and the Residential Flat Design Code (RFDC). We would also like to resubmit the following revised DA drawings:

- 0912 DA00 Cover sheet
- 0912 DA01 Site Plan 1:200 ISSUE B
- 0912 DA03 Floor Plans 1:200 ISSUE C
- 0912 DA04 Floor Plans 1:200 ISSUE C
- 0912 DA05 Floor Plans 1:200 ISSUE C
- 0912 DA06 Floor Plans 1:200 ISSUE C
- 0912 DA07 Floor Plans 1:200 ISSUE C
- 0912 DA08 Elevations 1:200 ISSUE B
- 0912 DA09 Elevations 1:200 ISSUE B
- 0912 DA10 Sections 1:200 ISSUE B
- 0912 DA11 Sections/Schedule of Finishes and Materials ISSUE B



The new revisions of the above drawings are issued to show the latest amendments highlighted with a cloud. These amendments relate to the following responses to your letter:

2.1 Response to LEP objectives

- The architectural plans have been amended to indicate hard paved surfaces in the Deane Street setback. Refer to DA03
- The Deane Street awning has been extended to a width of 3.6m to provide sufficient amenity to pedestrians. Refer to DA03

2.3 Response to DCP controls

Building configuration:

- The isolation of No. 18 George Street has been addressed in the SEE submitted with the DA.

- The site is located within the Commercial Core Area as defined by DCP No.36. This encourages a commercial podium style development built to the street with the exception of a 3m setback along Deane Street at street level. This is the only possible location for a deep soil zone. However it was necessary due to the existing tight constraints of the site to build the basement to the existing site boundaries. We acknowledge that landscape associated with the development would be desirable and recommend that our Section 94 contributions be used for street tree planting for the footpaths along George and Deane Streets.
- The issue of landscaping along the Deane Street setback has been addressed in 2.1

Residential amenity:

- 2 units shown on the plans, 804 and 904 are incorrectly labelled 'adaptable'. These units should be labelled 'accessible' and are designed as such in accordance with AS 1428. These 2 apartments make up 5% of the apartments which is what is required for DCP No.36. Units 1004, 1104, 1204, 1304, and 1404 can be easily converted to accessible units following the layout of units 804 and 904. This would involve the modification of an internal common walls to the main bedroom, kitchen and ensuite and reconfiguring the existing kitchen and ensuite. Therefore these apartments can be considered as 'adaptable' apartments as they can be easily modified in the future. The plans have been amended to show which units are labelled accessible and which are adaptable. A detail plan of units 804 and 904 is shown on DA07. It demonstrates how an apartment labelled adaptable can be converted to an accessible apartment. In total 7 out of 36 (19 %) apartments are either accessible as shown on plan or can be adapted.
- The referred to balconies on the south west facing units have an area of exactly 8 m2 according to the CAD drawings prepared for the DA by this office.

Commercial amenity:

- The retail space referred has been amended so that a passage is included that connects the space to the commercial garbage room behind. Refer to DA03.
- A shower has been shown on each level of the commercial floors. Refer to DA04 and DA05.
- No toilets have been shown to the ground floor retail spaces, as their location will depend on the layout of the individual tenancies after the DA is determined. It is likely that these layouts will be resolved at a later stage before construction. The inclusion of such amenities can be conditioned as part of the DA consent.

2.4 Response the RFDC

Building configuration:

- DCP No.36 specifies no percentage of 3 bedroom units that are required for a mixed used development. It is felt the percentage supplied is appropriate for a mixed-use development that has only a small amount of units due to the required allocation of only a third of the total GFA to the residential component of the development.
- It is felt that it is important that commercial and residential foyers are to be entered from the street, which is identified as the main street address of development.
- It would be impractical to have two cores in terms of functionality, cost and space available. The comment made in the letter mentions no reason why the separation is deemed as necessary.
- The issue of joint entry for both commercial and residential entry is raised in the letter but the joint entry referred to is only a common external space from which either a residential or commercial

foyer can be entered. This arrangement has the precedence of many similar mixed-use developments, which are considered successful. There is no issue with perceived safety because both foyers are entered from a public open space, of which the residential foyer can have restricted access to residents only.

- No ground level communal open space or private space for the commercial component of the development is deemed as necessary since ground floor residential units are prohibited in DCP No. 36.
- The SEE submitted with the DA incorrectly states that the rooftop space is communal. This space as shown on the plans is private.
- The issue of the landscape strip in the Deane Street setback has been addressed in 2.1
- A qualified Landscape Architect has prepared the landscape plans and appropriate plant species have been specified for the designated planting strips.
- The mailboxes have been relocated to the wall common to the retail and foyer outside the entry doors. Refer to DA03
- Security is maintained between the commercial and residential floors by terminating the commercial lift at Level 7. The residential lifts start at ground level and are only accessible from levels 7 to 15. Entry to the residential floors will require a keycard owned by the resident to firstly enter the residential foyer and then operate the lift and gain entry to the level in which the apartment is located. On the rare occasion of the break down of the commercial lift, it is envisaged that the building manager would make one of the residential lifts available during its repair.
- Bicycle parking is conveniently located at the residential parking levels and where the individual residential storage units are located. It is encouraged that bicycle users use the available lifts to gain access to the ground floor foyer rather than the car ramp, which would be unsafe.
- The 8.28m wide vehicle entry is necessary to accommodate the sweep path of an 8.8m MRV. Refer to the diagrams on the submitted Traffic and Parking Study.
- The large blank wall proposed on the boundary of No. 18 George Street has been redesigned so that there is a pattern of different colour bands within the palette of materials already selected. Refer to DA09.
- It is not clear whether the statement that the rooftop presents as a square block on top of the tower is a qualitative assessment of the design. If so it is subjective because the building is conceived in a classic tower configuration of base, shaft and capital. These elements are designed so that there is a compositional unity as expressed in the regular pattern of the cladding elements between the components of the tower.
- We acknowledge the statement that the chosen colours are 'unnatural and we propose to submit real glass samples to the Council for your consideration. We believe that the balustrade glass shown on the elevations is not indicative of the colour in reality, especially when viewed at a distance. However we have amended the podium level glazing by replacing some of the blue glass with clear. Refer to the elevations.
- The need to relate the colours of the metallic panels and glass elements to existing surrounding buildings is difficult because there is no consistent building element in texture and colour in the surrounding context to relate to. The area is undergoing a transition to similarly scaled developments and therefore the context is in process of change.
- The compost room has been relocated to the commercial garbage room. Refer to DA03.

Residential amenity

- The issue concerning the 20% of southern facing apartments is a result of the problem common to all residential towers that have a centrally located service core typical to each floor plate. That is one or two of the apartments will always have a southern orientation. The allowable densities specified by the LEP will create densities similar to that found in areas like Pyrmont and the City Centre. These respective development controls state that where possible it is necessary to provide alternative orientations to southern facing units. Therefore we believe that it is appropriate for the RDC 'rules of thumb' to be relaxed in recognition of this.
- DCP No.36 requires that the podium areas of a development be used as communal open space. The problem with this is that the LEP allocates a 4:1 commercial FSR component to the overall 6:1 FSR that is allowed for this site. The result is that the resulting GFA of the commercial component cannot be contained within the podium of the development and the remaining GFA is allocated to the three floors above the podium. This means that the podium roof becomes isolated from the residential floors above.
- Access to the communal space has been redesigned to take into account Council's comments. The communal space is accessed only by the residents using a keycard from the residential foyer. Level 7 has a secure lift lobby where access to the communal space is again via a residential keycard. The gymnasium is accessed by the public via the ground floor commercial foyer. There is no direct access from the gymnasium to the communal open space. Refer to the amendments made on DA06.
- DCP No.36 or the RDC for multistorey apartments does not require an outdoor drying space.
- The furniture layout can easily be altered to provide accessibility to the balcony. The apartment complies with AS4299 requirement to have 2250mm diameter turning area.
- The southwest apartments have at least 3.7 lineal metres in total of solid wall for media/television units.
- The design of these one bedroom apartments with this particular arrangement has been proven popular, especially for the single resident because the bedroom wall can slide open to the living space, thereby increasing the spaciousness, flexibility and usability of a small apartment.

Should you require any further clarification of these above points please do not hesitate to contact me on at this office on 9281 0181.

Yours faithfully

George Matsos
Architect
NSW Architects Registration Board No 7561

Distribution:

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Ref No:

From:

Date: 17 Jan 2011

Pages:

**RE: Nos. 11-15 Deane Street and 20 George Street, Burwood
Proposed 16 Storey Mixed Development over Basement parking
DA No. BD. 2010.211**

In regards to your letter sent to our client Mr George Elias, we resubmit (6) copies of the following DA drawings

Architectural: Olsson & Associates Architects

0912 DA02 Floor Plans 1:200 Issue B
0912 DA03 Floor Plans 1:200 Issue B
0912 DA04 Floor Plans 1:200 Issue B
0912 DA05 Floor Plans 1:200 Issue B
0912 DA06 Floor Plans 1:200 Issue B
0912 DA07 Floor Plans 1:200 Issue B

BURWOOD COUNCIL

211-10

17 JAN 2011

We have responded to the matters requiring resolution in your letter and the following points listed correspond to the items as they appear in your letter. The revised architectural drawings also show the amendments clouded on the drawings. that were changed in response these matters contained in your letter.

Waste Conditions

- The waste chute system and the recycling storage has been redesigned to that they are located together in a separate enclosure on residential levels 8 to 14.
- Provision is made for recycling facilities on level 15
- The plans have been amended so that the commercial levels have no access to the residential garbage chute.

Traffic and Parking

- The parking allocation summary on the Traffic and Parking Study will be amended so that it matches the table on the same page. This will be resubmitted when the extra traffic modelling is completed. The summary of parking on the architectural plans as shown on DA01 is correct but the basement plans have been amended to show this allocation correctly.
- Parking spaces on B1, B2, and B3 have been amended so that the mobility parking spaces are located adjacent to the lifts.
- All visitor parking has been relocated on Level B2 so that passing through the boom gate is not necessary.
- The Traffic and Parking study will be amended to include a modelling of the morning peak but will be undertaken at the resumption of the current school year.
- A mountable median has been shown at the entrance of the carpark and loading bay as requested.
- A Construction Management Plan will be amended to include the further information requested.

RailCorp requirements

- Geotechnical and structural documentation in accordance with the brief supplied by Railcorp will be submitted upon completion.

Should you require any further clarification of these above points please do not hesitate to contact me on at this office on 9281 0181.

Yours faithfully

George Matsos
Architect
NSW Architects Registration Board No 7561

