20 March 2012

Members of the Sydney East Joint Regional Planning Panel
C/o Angela Kenna
Panel Secretariat
23-33 Bridge Street
SYDNEY NSW 2000

Via Email

Dear Panel Members

RE: 100-102 ELLIOTT STREET, BALMAIN 2011SYE105 – LEICHHARDT – D/2011/529

This submission has been prepared in support of the above development application in response to Leichhardt Municipal Council's development assessment report and recommended deferred commencement conditions of consent.

We have reviewed the report in detail and generally support the conclusions, but provide comments for consideration in regard to the following:

- Approval by way of deferred commencement consent;
- Condition 5(a) requiring the deletion of 3 units in Building E fronting Broderick Street (Apartments 3.12, 3.13 and 3.14); and
- Condition 5(b) requiring the deletion of a waterfront apartment in Building B (Apartment UG15).

1. Deferred Commencement Consent

All of the deferred commencement conditions are adequately specific to give certainty of the outcome. However, if the JRPP has any concerns with the range and number of deferred commencement conditions, we are firmly of the view that these conditions could be moved to 'general conditions of consent' to be satisfied prior to the issue of a Construction Certificate.

It is recommended that the Panel include the deferred commencement conditions as general conditions of consent.

2. Condition 5(a)

We are of the opinion that the three apartments within Building E (3.12, 3.13 & 3.14) (recommended to be deleted) contribute to a development which is consistent with the established bulk, scale and streetscape along Broderick Street and generally within the building envelope control as detailed below.

Roche Group Pty Limited ABN 59 000 606 682
365 New South Head Road, Double Bay NSW 2028
PO Box 325, Double Bay NSW 1360
Telephone: (02) 9270 6000 Facsimile: (02) 9270 6090

a) Bulk and Scale

Beyond the subject site, the character of Broderick Street is generally defined by dwellings two and three storeys in height, with raised ground levels, generous floor to ceiling heights at each level and a range of small setbacks.

The relevant DCP's building envelope control comprises a 6m front wall height control with an inclined plane of 45 degrees from the top of the front wall. The DCP states that the wall height control is a general guide and the prevailing circumstances should be paramount in assessing a building envelope.

The attached drawing shows the building envelope control at 2 section points through each building fronting Broderick Street and three sections through Building E. It also shows the dwellings on the opposite side of Broderick Street, based on accurate survey data.

The drawings demonstrate:

- that existing dwellings generally exceed the building envelope control;
- the proposed buildings are substantially within the building envelope control; and
- protrusions through the building envelope control are light-weight building elements such as pergolas and are at points where the land slopes away.

The bulk and scale of Building E and the other proposed buildings on the site is minimised by generous landscaped setbacks increasing direct sunlight, the openness of the street and the separation from the dwellings opposite.

In support of this position, a peer review of the proposal has been undertaken by Gabrielle Morrish, a highly regarded architect/urban designer with particular regard to the appropriateness or otherwise of the bulk and scale proposed along Broderick Street.

In summary, the comments from Gabrielle Morrish are as follows:

- The **bulk and scale** of Building E at 2 to 2.5 storeys with roof is compatible with the street and an appropriate response to the terrace houses opposite.
- The pitched roof form ties-in with the character of the street and moderates the building length.
- The high quality roofing with subservient dormer windows makes the upper level read as a roof, rather than an upper level.
- Deleting this roof level would be detrimental to the architectural character and streetscape by introducing an elongated parapet rather than pitched roof.

b) View Impact

The report reaches the correct conclusion that the changes to the views from affected Broderick Street dwellings results from a substantially compliant development. As noted in the report, if the design was to be wholly within the envelope control, this would ***'restrict views to a similar or greater level as the current proposal'.*** As shown on page 64 of the report, the deletion of apartments 3.12, 3.13 and 3.14 will not lead to the retention of any more of the existing views.

It is recommended that the Panel delete deferred commencement condition 5(a).

3. Condition 5(b)

Although we stand by the findings in the Statement of Environmental Effects, on closer inspection, the recommendation for the deletion of the waterfront apartment UG15 on the top level of Building B is considered a reasonable request. It is acknowledged that potential impacts as a result of development are generally greatest on properties directly adjoining a site rather than those which are separated from the site by a street with landscaping. The applicant accepts the deletion of an apartment within Building B (UG.15) on the basis that this will further address issues raised by the owner of No.2 Broderick Street.

Condition 5(b) is accepted.

We look forward to discussing this submission further at the JRPP meeting on 21 March 2012.

Kind regards,

Wes van der Gardner
General Manager - Development

GM Urban Design & Architecture
Studio 201
8 Clarke Street
Crows Nest NSW 2065

T. 9460 6088
F. 9460 6099
M. 0407 007 444
E. gmorrish@gmu.com.au
W.www.gmu.com.au

19 March 2012

Members of the Joint Regional Planning Panel

Sydney East Region

C/o Wes van der Gardner

Roche Group

Via email

Dear Panel Members

Re: Development Application for 100 – 102 Elliot Street Balmain

GMU has been approached by Roche to review the bulk and scale of the proposed development application in response to the generally favourable planning report by Leichhardt Council to the Joint Regional Planning Panel. The report recommends approval of the application with deferred commencement conditions of consent.

The relevant condition of consent that has been proposed by Council that is considered in this submission is set out below:

> 5. Amended plans are to be submitted incorporating the following amendments:
>
> a) Dwellings 3.12, 3.13 and 3.14 within the third level of Building E which front Broderick Street and their associated open space areas/terraces and lift access and entry foyers shall be deleted. As a consequence of this amendment:
>
> > i) The front wall and general roof height (the roof height above the dwellings on the second floor) of Building E on Broderick Street shall not exceed RL 25.78 AHD.
> >
> > ii) The built form, elevational detailing and materials and general design of Building E on Broderick Street below RL 25.78 AHD shall not alter from that depicted on the architectural plans listed in Condition 7 of this consent.
> >
> > iii) To facilitate access to dwelling 3.11 a reconfiguration of dwellings 3.10 and 3.11 will be required to permit access from the northern entry foyer of Building E and
> >
> > iv) The location of the southern wall of dwelling 3.11 is to remain in its proposed location and amended to detail finishes consistent with the external finishes detailed within the development.

The reasons given within the body of the report for the reduction in massing in this location to Broderick Street is summarised here as:

- To better reflect the existing built forms on Broderick Street so Building E is more responsive to the context of each street that it addresses.
- Building E clearly presents as a fourth level to Broderick Street which adds height and bulk to Building E particularly when viewed from adjoining properties. The height and form is not considered acceptable given the maximum 3 storey forms fronting Broderick Street.
- A three storey parapet form will provide a better and appropriate fit contextually with the height, form and appearance of the existing dwelling stock along Broderick Street.

Comments

The comments provided in this report only relate to the specific issue of bulk in relation to Building E that is raised in the conditions of approval. Brief consideration of the proposal indicates that it has been developed to provide a reasonably sensitive response to the area given the role of Elliot Street as a connector to the ferry and the scale and massing of the Department of Housing developments adjacent to it.

In forming a view about how appropriate the fourth level of Building E is in the context of Broderick Street it is important to consider the form and appearance of the houses to the south of the street.

The street comprises a mix of architectural styles but has a relative consistency in the lot width and finer grain character. The houses range from 1-3 storeys in height with the majority providing 3 storeys in scale with pitched roof forms as seen below. More recent additions to the street have terminated the buildings in flat roofs above a 3 storey form, others are 2 storeys with pitched roof and raised ground floors that deliver the overall 3 storey scale. At least one of the properties is 3 storeys with the upper floor contained within the roof form as expressed at the gable.

Existing massing of houses in Broderick Street

It is understood that the overall height of these dwellings ranges from RL 22.12 AHD up to RL 27.57 AHD. The houses step up and down along the street but three of the properties have ridge heights closer to the greater AHD height. Building E is generally located opposite these taller dwellings and in fact emulates their grouping in terms of the building length.

The extent of the top floor (being the third floor as noted in the drawings) is less than Building E overall as it setback some 8.6m from the western end of the building. This pulls the third floor massing further back up the street. Review of the officer's report suggests that the concern over this floor is not view impact but the scale of the development relative to Broderick Street. The report recommends that a parapet form with upper floor setback to the alignment of Apartment 3.11 it is assumed. This will require reconfiguration of Unit 3.10 and is likely to result in the loss of two dual orientation units for two corner units.

As perceived from Broderick Street Building E is actually only 2.5 storeys high with the 3rd floor contained within the zinc roof form. This is seen in the Broderick Street elevation on drawing A.01.D. The lowest floor of the building steps down the hillside and is not perceived from the street. The first floor is the floor which effectively creates the ground floor of the building. So the perceived scale of the building to Broderick Street is 3 storeys to its western end and 2.5 storey plus roof to its eastern end.

The composition of this building and its form also relates to Building F. Building F is located at the intersection of the two streets and has a 2 – 2.5 storey form with again a habitable roof form. Building E in its current design and height provides a sense of transition that responds to the topography from the higher ridge line of Building F down to the lower height of Building E at the western end and then down Building D and Building B near the water. Building E currently has a pitched mansard roof form as does Building F, D and E and as do most of the terrace houses on the southern side of the street. This is an important architectural element in tying the street together and achieving an appropriate design response to the street.

Deletion of the proposed units would change this sense of transition as well as the composition of the building grouping to the street. The result

would be that Building E would take on a particularly elongated form due to its overall length with only a parapet rather than a pitched roof. It would also be the only parapet form along that side of the streetscape. In my opinion this would be discordant and would create a perception of length to the building that would not be in character with the street without effecting a major change in height and scale. The current design moderates the building length and height visually by use of the pitched roof form.

The other point is that a parapet height is not going to offer such a difference in height that it would achieve a great deal. The proposed ridge height for instance for Building E is RL 28.5m AHD. The floor level of level 3 is at RL 24.78 AHD. A parapet would need to have a balustrade height of at least 1m which will give it an RL of 25.78 AHD – the difference is 2.72m. Given the roof form pitches back from the street the massing will not read as substantially different massing and the proposal to provide a parapet will result in the built form being taller at the edge of the building.

The relative level of the ridge lines for Building E average at RL 28.5 AHD. The roof ridges of the houses to the south opposite the property are RL 27.57, RL 26.89, RL 22.12 and RL 26.39. The difference between these heights and the proposal can be seen in the Broderick Street elevation as dotted lines.

Study of the elevation shows that the relative difference is reasonably minor (from 900mm – 2.1m for the 2-3 storey houses) and from the street level would not be perceived as a significant difference that would incite concerns about bulk and scale.

The roof form proposed is not dissimilar to the steeply pitched roofs seen on many terraces and heritage items around the area. The massing of the roof is the element that reads in the street rather than whether it is occupied by habitable space in this instance. Given the predominant expression is that of "roof" rather than a 4th floor, the design proposed is preferable from an urban design viewpoint to a parapet roof edge with setback upper floor.

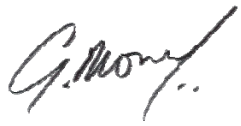
Conclusion and Recommendation

The overall form of Building E as a 2.5 – 2 storey building with roof in Broderick Street is considered to be an appropriate height response to the terrace houses on the opposite side of the street. In terms of its 2-3 storey scale it is not out of place with the 2-3 storey houses and the pitched roof form assists in tying it into the street and also moderating the length of the building.

The design offers a high quality roofing material and the dormer windows for the units in the roof are subservient to the roof overall ensuring that it reads as a roof first rather than an upper floor. The proposal to delete the units in favour of a parapet edge to the roof is not favoured as it will impact on the overall architectural character and consistency of both the proposal and the streetscape for little real benefit in height difference.

Therefore it is recommended that the Joint Regional Planning Panel approve the development without the imposition of Condition 5a). Should there be any questions regarding this letter please do not hesitate to contact the author on 0407 007 444.

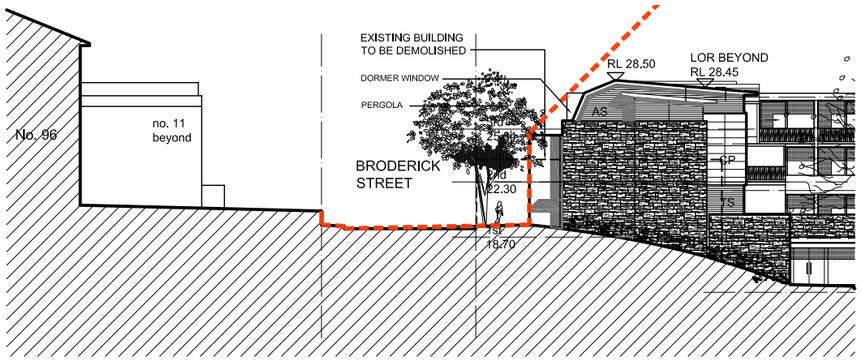
Yours Sincerely,



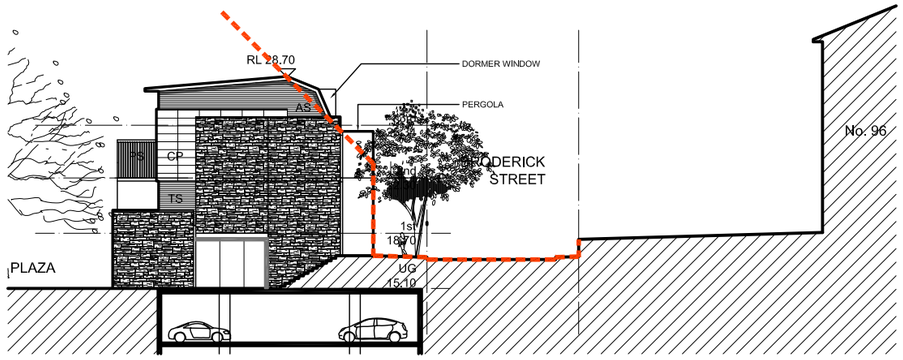
Ms Gabrielle Morrish

Managing Director

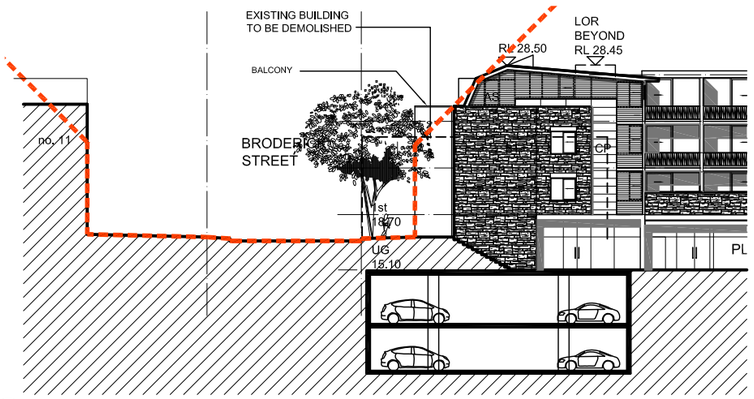
GM Urban Design & Architecture Pty Ltd



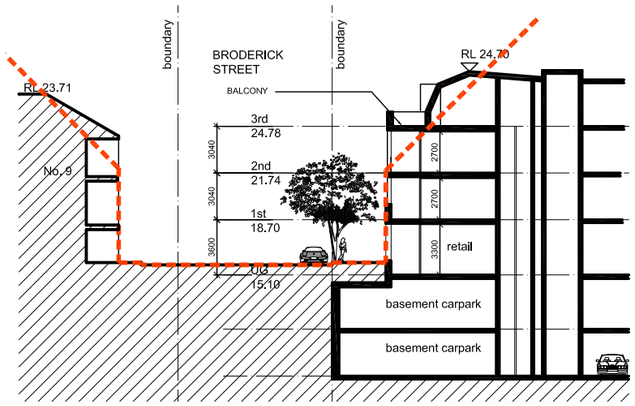
1
BUILDING F



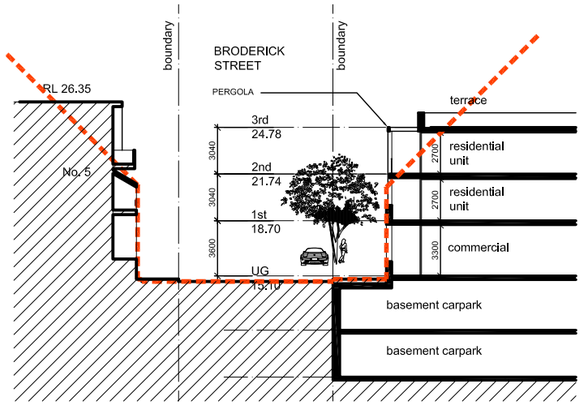
2



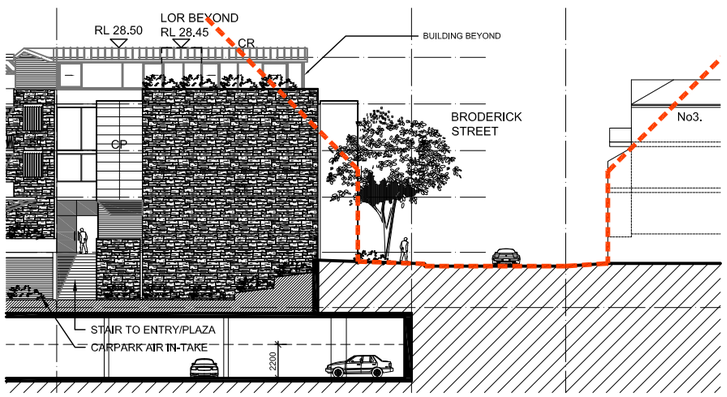
3
BUILDING E



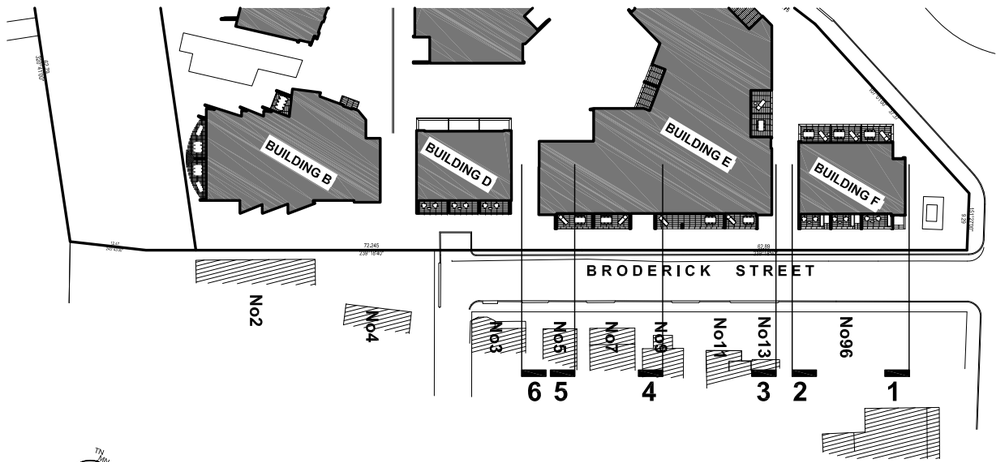
4



5



6
BUILDING E



KEY PLAN

PROPOSED MIXED USE DEVELOPMENT AT 100-102 ELLIOTT STREET BALMAIN NSW 2041

OWNER

Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

DEVELOPER

Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

CONSULTANTS

Arch.,Interior Design
Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

IN ASSOCIATION WITH:

mijollo INTERNATIONAL

LEGEND:

SIDE SETBACK CONTROL

BUILDING ENVOLOPE CONTROL

ISSUES

No.	Date	Description
A	5.8.11	FINAL DRAFT
B	10.8.11	DEVELOPMENT APPLICATION
C	06.1.12	REVISED DEVELOPMENT APPLICATION
D	18.3.12	JRPP SUBMISSION

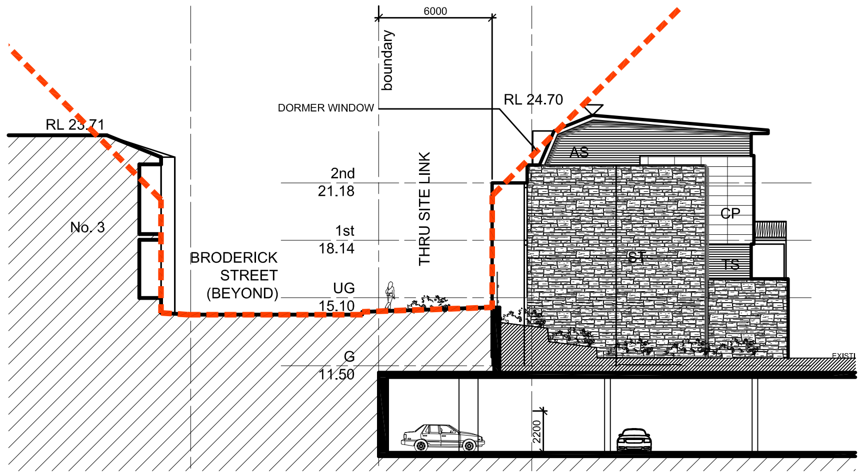
GENERAL NOTES:

These drawings have been prepared for Development Application submittal only.

ROCHE GROUP
PO Box 325, Double Bay NSW 1360
365 New South Head Road, Double Bay NSW
Telephone 61 2 9270 6000 Fax 61 2 9270 6090 www.rochegroup.com.au

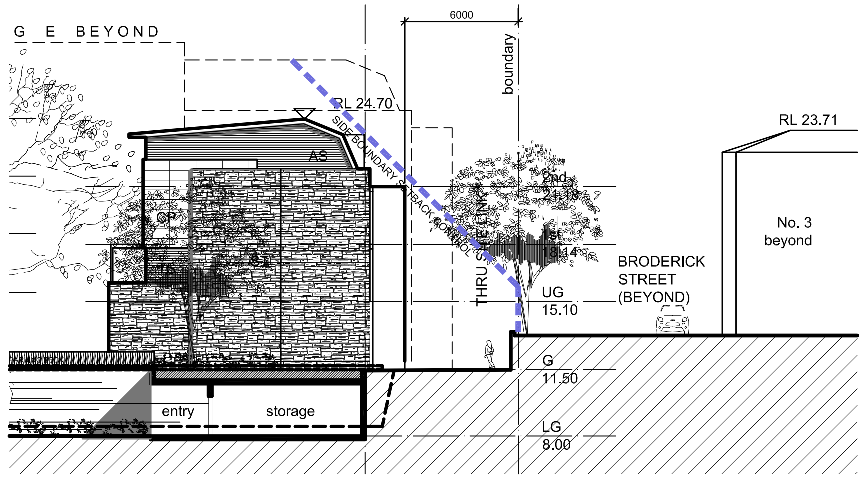
DRAWING TITLE
BROADERICK STREET CONTEXT

SCALE	DRAWING No.	DATE
1:200	A8.01 - D	Jan 2012

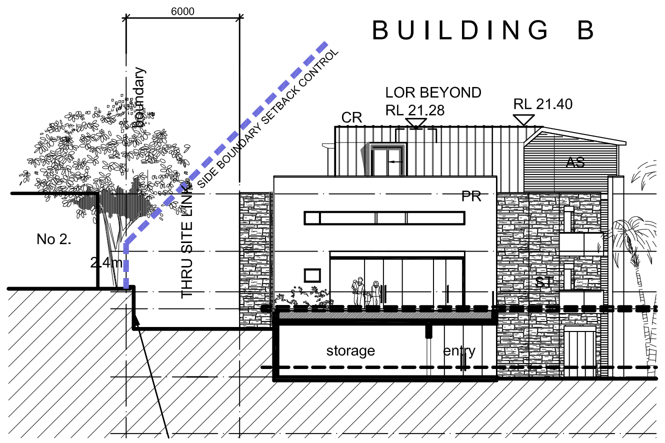


7

BUILDING D

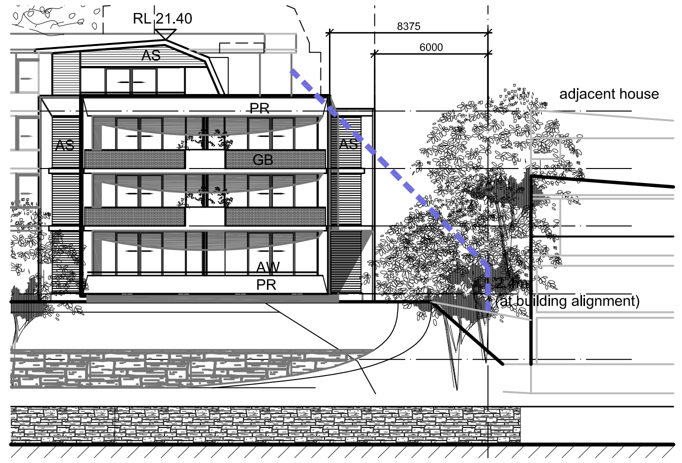


8

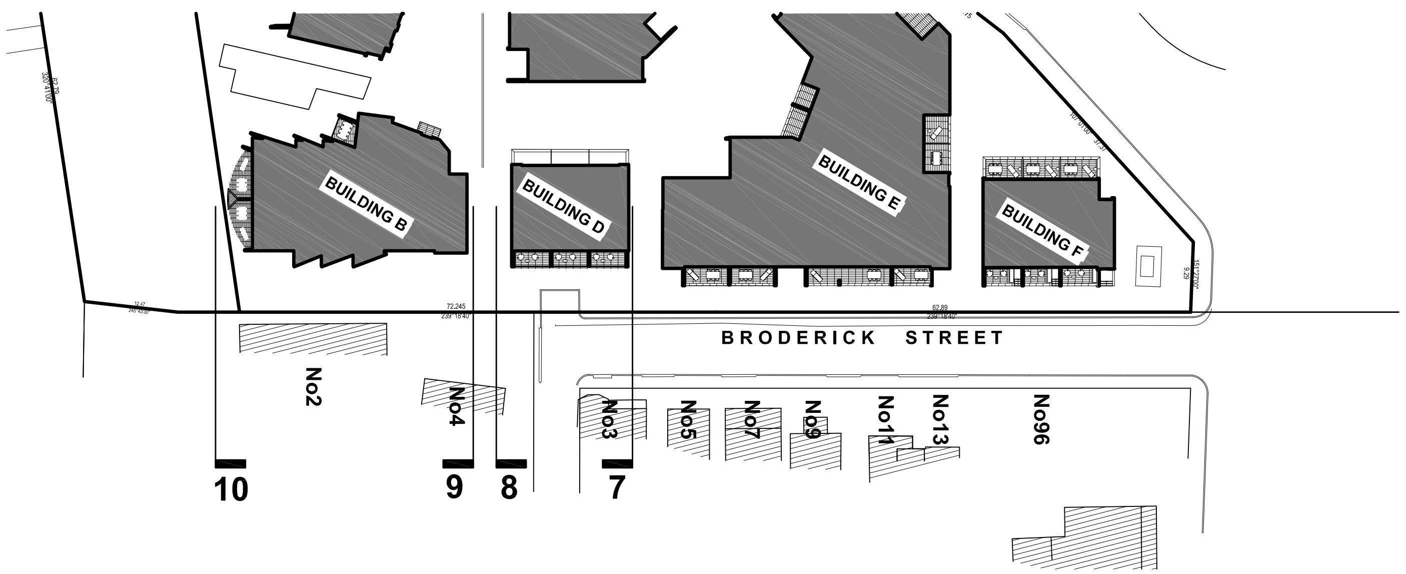


9

BUILDING B



10



KEY PLAN

PROPOSED MIXED USE DEVELOPMENT AT 100-102 ELLIOTT STREET BALMAIN NSW 2041

■ **OWNER**

Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

■ **DEVELOPER**

Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

■ **CONSULTANTS**

Arch./Interior Design
Roche Group, PTY Limited
365 New South Head Road,Double Bay NSW 2028
TEL: (02) 9270 6013 FAX: (02) 9270 6090

IN ASSOCIATION WITH:

mijollo INTERNATIONAL

LEGEND:

SIDE SETBACK CONTROL

BUILDING ENVOLOPE CONTROL

ISSUES

No.	Date	Description
A	5.8.11	FINAL DRAFT
B	10.8.11	DEVELOPMENT APPLICATION
C	06.1.12	REVISED DEVELOPMENT APPLICATION
D	16.3.12	JRPP SUBMISSION

GENERAL NOTES:

These drawings have been prepared for Development Application submittal only.

ROCHE GROUP
PO Box 325, Double Bay NSW 1360
365 New South Head Road, Double Bay NSW
Telephone 61 2 9270 6000 Fax 61 2 9270 6090 www.rochegroup.com.au

DRAWING TITLE

BRODERICK STREET CONTEXT

SCALE	DRAWING No.	DATE
1:200	A8.02 - D	Jan 2012