

10 August 2015

The General Manager
Lake Macquarie City Council
Box 1906
Hunter Region Mail Centre 2310

Attention: Elizabeth Lambert

REVISED DOCUMENTATION, DA/1774/2013, MIXED USE AND RESIDENTIAL DEVELOPMENT, KOPA STREET AND DUDLEY ROAD, WHITEBRIDGE

I am pleased to provide this letter covering submission of additional plans relating to the abovementioned development application. Please note that these amended plans are provided to allow Council to undertake any additional referrals considered necessary, having regard to the nature of the proposed amendments. Subsequent to this submission, further documentation will be provided detailing the reasoning and merit of the proposed changes. At the Joint Regional Planning Panel ("the Panel") meeting on 23 July 2015 the decision of the Panel was to defer determination 'pending the submission of additional plans and details incorporating:

1. Deletion of dwellings 401 & 410 on Lot 4 to provide greater building separation between the development and adjoining land. Additional landscape screening is to be provided in this setback.
2. Deletion of the fourth storey dwellings on Lot 1 (A301, A302 and B201).
3. Redesign of apartments A101, A102, A201 and A202 to create a minimum setback of 7 metres from the rear of the maisonette apartments, resulting in the deletion of one dwelling on each floor in this location.
4. Redesign of the roof form of the building on Lot 1 (incorporating the changes in 3 above) to maintain the roofscape form of the current design.
5. Additional details being provided regarding the proposed mechanism to deliver and manage the proposed open space on Lot 25 as publically accessible open space.

While the reasoning behind the requested changes has not been detailed in the minutes provided by the Panel, in consultation with our design team, led by project architect Peter Smith (Smith&Tzannes), we reviewed the decision and provide the enclosed amended plans to address the issues raised. In some instances however, the action differs from those identified in the Panel decision, as explained below.

Deletion of Lot 4 dwellings

Deletion of dwellings 401 and 410 was requested to increase separation between the development and adjoining land and to allow for additional landscape screening. Following consideration, the development has been amended to provide a setback of 1.5m for the full height of the building, which will allow for landscape screening using *Syzigium 'Resilience'* that has a mature height of 4m.



Allowing for this amendment, these two dwellings are proposed to be retained for the following further reasons.

- Deletion of these two dwellings will increase the side setback to in excess of 7.5m. This is considered an inefficient use of the site that is inconsistent with the zone objectives and, if replicated on adjoining land, would sterilise development potential.
- The absence of openings or windows on the northwest (side) elevation of these dwellings protects privacy both to and from adjoining residential land, mitigating the need for greater setbacks or extensive landscaping to ensure privacy.
- The existing setbacks and height of the buildings does not result in any significant or adverse overshadowing of the adjoining land, especially having regard to the location of the existing garage immediately adjacent to the boundary.
- The setbacks and height of the development at this side boundary are considered to provide appropriate streetscape and amenity for Kopa Street that is consistent with relevant controls and establishes a suitable future pattern for development in this area.
- The building elevations at this interface are:
 - well within the specified 10m height control,
 - have material variation, and
 - appropriately separated by distance and with elevation differences at the rear, to provide visual relief and interest when viewed from adjoining properties and from the street.
- The combination of:
 - the fall of the land,
 - low height plane of these two dwellings, and
 - the existence of side fencing, a garage, retained trees on adjacent land and the proposed landscaping,break the visual mass of the buildings and mitigate the need for an extensive setback.

An urban design analysis was undertaken by the architect to investigate the potential form of development that could occur on the adjoining site (DA-A-SK003). Medium density housing could adopt a similar 0.9m to 1.5m setback, with dwellings oriented to Kopa Street. The result would be a consistent rhythm to this section of Kopa Street creating dwellings and a streetscape that would afford a high level of amenity to residents and street users. The built form follows the topography down the slope of Kopa Street. With architectural variation and street plantings, the design would achieve a good outcome consistent with the rhythm and pattern to be established by this development. The width of the road reserve, height of development and the fact that there is open space both on the southwest intersection with Lonus Avenue and the western end at the Fernleigh Track, combine to mitigate the potential for an adverse sense of enclosure in the public space.

Deletion of 4th storey dwellings on Lot 1

Deletion of dwellings A301, A302 and B201 was requested to address the maximum height variation. Dwellings A301 and A302 are deleted, being the 4th storey element within Building A in the commercial zoned land. This significantly reduced the height

Building B, being the eastern residential flat building in the residential land, has been reconfigured. Floor levels have been reduced and so to the overall height of the building by approximately 1.1m. From Dudley Road this building generally presents as three storey to the street. The highest point (109.725AHD) is set by the lift overrun. Retention of dwelling B201 softens the appearance of the lift overrun by providing the sloping roof that transition back to the Dudley Road height plane at the eastern edge. Removing B201 does not remove the requirement for the lift overrun

Non-compliance with the 10m DCP height provisions along Dudley Road are limited to the roof form. These minor variations to the 10m height plane have no significant environmental

impacts in terms of overshadowing, visual amenity etc. The height variation is a response in part to the need to:

- provide an appropriate roof form that provides variety and interest to the building,
- accommodate the change in levels, with falls east along, and the north away from, Dudley Road, and
- provide an overrun for the lift shafts and deliver a design response that softens the sharp edges created by this protrusion from the building roofline.

Shadow diagrams have been provided that address the shadow cast to Dudley Road. It is demonstrated that the areas of non-compliance from the height of the roof do not affect the amenity of the street during the Winter Solstice. The streetscape benefits provided by the consistent height of the building and interesting roof form outweigh the minor loss of sunlight that only affects to the centre of the road.

Redesign of apartments A101, A102, A103 and A202 to provide setback of 7m

Limited detail was provided and it is unclear as to the purpose of this request. These four apartments all have a high level of amenity. The eastern apartments receive 3 hours of solar access to living spaces and the western apartments receive 4 hours of solar access. All apartments, because of the orientation and configuration, have good cross ventilation. The level 1 apartments are located such that they look over the top of the maisonette apartments providing a good outlook and amenity. The maisonettes are all orientated to the north and do not rely on an outlook to the apartment building.

The current configuration of the building with these units provides built form definition to the pedestrian laneway and results in a more private, central courtyard space. Appropriate landscaping is provided to this edge space. In reviewing the apartments in this location, it came to our attention that the amenity of the ground level unit apartment could be improved. It was located close to the through site link and solar access was not ideal. Amendments to the layout of this apartment have been made that result in improved solar access (4 hours) to the living room and private open space. Further, the common open space between the maisonettes and the apartment building receives improved solar access.

Lot 1 roof design

Refer to amended plans showing revised roof design for Lot 1. The previous design of the roof has been retained and the room elements are simply lower in height. The roof form does still result in a partial non-compliance with the height limit, which as detailed above is in part due to the lift overruns. However, the interesting roof form is considered to provide greater benefit to the streetscape and urban character than strict compliance with the height limit and the major non-compliance has been removed with the deletion of dwellings A301 and A302.

Additional details regarding access to Lot 25 open space

It is intended that this will occur using provisions of the *Conveyancing Act 1919*. We note that the conditions drafted by Council require adequate provision to be made for the management, maintenance and access to the open space on Lot 25 through arrangements to the satisfaction of Council. Any alternate provisions to the *Conveyancing Act* will therefore need to be endorsed by Council as suitable of achieving this intent.

Conclusion

The revised documentation responds to JRPP's request for information and we now seek determination of the application. Should you wish to further discuss the revised documentation or require additional information please contact me directly on (02) 4954 8866.

Kind regards,



Wade Morris

Approvals Coordinator

SNL Building Constructions Pty Ltd

E: wade@snlbuilding.com.au