

Joint Regional Planning Panel (Sydney East Region)

JRPP No.	2013SYE051
DA No.:	DA/320/2013 – Demolition of the existing buildings; excavation works and construction of a part 6, part 7 mixed use development comprising ground level retail space, 100 residential units and 3 basement levels of 277 car spaces and associated landscaping works at 84-108 Anzac Parade
Applicant:	Luxcon Group
Report By:	Scott Williamson, Senior Assessment Officer.

1. JRPP Resolution

The Panel considered the above amended DA at its meeting of 5 March 2014. The Panel resolved that:

- 1) *The Panel resolves unanimously to defer the determination of the application in order to allow the applicant to provide, by 14 March 2014, amended drawings that achieve the following:*
 - a) *The fifth and sixth storey (noted as levels 8 and 9 on the application drawings) of the western façade of the northern section of the building must be set back a minimum of 4m, excluding some encroachments for balconies to achieve articulation. (For clarity, the northern section of the building is the building that does not have the perforated metal screen.)*
 - b) *The setback of the rooftop seventh storey (noted as level 10 on the application drawings) is to be a minimum of 6.5m.*
 - c) *The corner building with the perforated metal screen is modified as follows:*
 - i) *Delete the top two levels of the metal screen.*
 - ii) *Modify the seventh storey (noted as level 10 on the application drawings) so that it appears as a rooftop level with a minimum setback of 6.5m from Anzac Parade, 1.5m from Goodwood Street and 5m from the rear (eastern) boundary.*
- 2) *The Panel requests the council assessment officer to provide, by 21 March 2014, a supplementary report on whether the applicant has complied with the above requirements. If yes, the Panel also requests draft conditions of consent.*
- 3) *Following receipt of the supplementary report, the Panel will determine the application by communicating by electronic means.*

2. Applicant's response

The applicant submitted amended plans on 14 March 2014 in response to the above resolution. The amended scheme is discussed against the requirements of the resolution as follows:

- a) ***The fifth and sixth storey (noted as levels 8 and 9 on the application drawings) of the western façade of the northern section of the building must be set back a minimum of 4m, excluding some encroachments for***

balconies to achieve articulation. (For clarity, the northern section of the building is the building that does not have the perforated metal screen.)

The plans submitted on 14 March 2014 show glass lines to the northern modules of the building at levels eight (8) and nine (9), being setback four (4) metres from the Anzac Parade boundary, as required.

Balconies, privacy screens and planter boxes protrude into the setback, providing articulation and interest to the façade. The bulk of the building remains setback the necessary four (4) metres. The intention of the control is considered to have been met.



Figure 1: 3D view of the amended proposal submitted 14 March 2014.

b) The setback of the rooftop seventh storey (noted as level 10 on the application drawings) is to be a minimum of 6.5m.

The plans submitted on 14 March 2014 show glass lines to the northern modules of the building at level ten (10), being setback 6.5 metres from the Anzac Parade boundary.

Balconies, privacy screens and an awning protrude into the setback, providing articulation and visual interest to the façade. The bulk of the building remains setback the necessary 6.5 metres and as such, the intention of the control is considered to have been met.

c) The corner building with the perforated metal screen is modified as follows:

- i) Delete the top two levels of the metal screen.***
- ii) Modify the seventh storey (noted as level 10 on the application drawings) so that it appears as a rooftop level with a minimum setback of 6.5m from Anzac Parade, 1.5m from Goodwood Street and 5m from the rear (eastern) boundary.***

The plans submitted on 14 March 2014 show the above required changes having been largely implemented. The bulk of level ten (10) on the southern corner element of the building has also been redistributed, generally sitting within the identified setback constraints.

The height of the metal screen has been reduced, no longer enclosing level ten (10). It should be noted the upper floor has now been wrapped in an alternative screening treatment.

The new screening will present external bulk to level ten (10) that protrudes forward of the required 6.5 metre front setback. In this respect the design does not meet the

required 6.5 metre Anzac Parade setback. It is recommended a condition of consent require reduction in the extent of this screening component to be consistent with the 6.5 metre setback requirement.

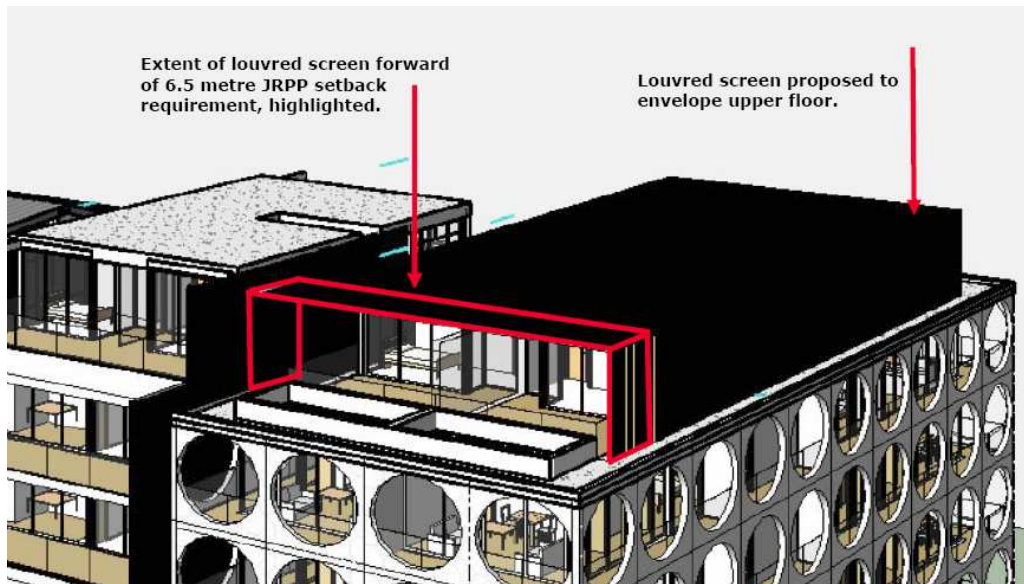


Figure 2: Montage of the amended proposal

3. Additional submissions received

It should be noted that during this latest amendment process, two (2) additional submissions were received:

- A Square Planning on behalf of 29 Elsmere Street, Kensington, received 12 March 2014;
- 29 Elsmere Street, Kensington; received 18 March 2014.

The submissions are provided in Appendices one (1) and two (2) respectively, for the information of the Panel.

4. Outstanding Engineering issues

To address a number of concerns previously raised by Development Engineering, additional non-standard conditions have been included in the schedule of recommended conditions provided at Appendix three (3), relating to

- Access driveway width;
- Access driveway grades;
- Parking allocation to proposed supermarket;
- Service/delivery parking;
- Motorbike parking;
- Bicycle parking;
- Waste Management;
- Management of Groundwater.

5. Conclusion

The plans submitted to Council on 14 March 2014 have been amended to be in general agreement with the above requirements, set out by the JRPP on 5 March 2014.

A recommended condition seeks to enforce the minimum 6.5 metre setback requirement of level ten (10), applying to a screening device. Subject to the inclusion of this condition, the proposal has been amended in accordance with the requirements of the JRPP Resolution of 5 March 2014.

A number of conditions have also been recommended in order to resolve outstanding Engineering issues.

Council's recommended conditions are provided in Attachment three (3).

6. List of appendices attached:

- **Appendix one (1):** Submission from A Square Planning on behalf of 29 Elsmere Street, Kensington;
- **Appendix two (2):** Submission from 29 Elsmere Street, Kensington;
- **Appendix three (3):** Council's recommended conditions of consent.