DA201300375 PLN12

19 December 2013

Stamford Property Services
10/139 Macquarie Street
SYDNEY NSW 2000

Attn: Mr. Anthony Rice

Dear Anthony,

DEVELOPMENT APPLICATION NO.: DA201300375
PROPERTY: 6 - 22 GROVE STREET, DULWICH HILL (ARLINGTON GROVE)

Reference is made to the above mentioned Development Application for substantial redevelopment of the land to accommodate 251 new dwellings, 1 retail premises and associated civil and landscaping works.

Following on from our recent meeting of Friday, 13 December 2013 and the ongoing assessment of the development the following matters are raised for your review and consideration.

Solar Access/Overshadowing

The consequence of the alternative master plan layout is significantly reduced sunlight to the central area of open space. In this regard while not clearly documented it looks unlikely that control C10 in section 2.7.5.2 of MDCP 2011 would be complied with, which requires 50% of the common landscaped area to receive direct solar access between 9.00am and 3.00pm on 21 June.

As discussed, solar access analysis should be undertaken and submitted that document the dates either side of winter solstice when the central grove will receive sunlight compliant with the control.

It is Council's preference that the design be refined to provide the minimum required solar access to that portion of common open space located within the central grove.

Boundary Setbacks/Massing elements

Grove Street – Building E

Ground level – front fenced detail

The ground level walls or "ramparts" are requested to be reduced in height to between 600 – 800mm.

Higher wall elements may be retained for the ground level courtyards to units E1-001 and E2-001 where they protect the privacy of principal private open space. The design should retain the modulated partly open style.

Consideration should also be given to improving/increasing the provision of landscaping/deep soil provided within the Grove Street front setback.

Upper level

Further design consideration is to be given to the variation of building form/massing at the upper level of Building E to Grove Street with the view to addressing solar access for residents on the opposite side of the street.

Detail of the contribution this element has to overshadowing of the adjacent dwellings is requested (i.e. details of shadow with and without the encroachment of the awning into the 3 metre setback).

Any requirement of the flood study to raise the floor level (and possible overall height) of Building E to overcome potential flood affectation will need to be considered in relation to this building element and any consequential impacts of overshadowing on the adjacent residential properties.

Western/Greenway setback

The proposed buildings, in particularly at the southern end of the site near Arlington Station encroaches into the Greenway "buffer" setback from the western boundary.

As discussed in our recent meeting, details of the weighted average of the setback together with justification of the departure are requested to be submitted.

While a staggered design having some slight encroachment with some greater indents is acceptable to break up the form, the balance should achieve or increase the required setback. Encroachments into the setback should be avoided on the northern end where it will cause greater overshadowing. The staircases coming off balconies in Building A1 should be deleted to increase the setback and provide additional landscaping.

In addition to the above further design resolution/investigation should be undertaken at the south western end of the site around the elevated outdoor seating terrace and stairs to the café to improve the visual connectivity of this element with the future extension of the

greenway corridor. Pathways through and connecting spaces with the greenway should be formalised footpaths, as opposed to the use of informal mulch pathways.

Building Separation

Northern elevation – Building B2

The setback of the upper floors from the northern boundary shared with Andrews Meats should achieve the following setbacks consistent with the apportionment rule of SEPP 65 and the Residential Flat Design Code (RFDC):

- Levels 1 – 4 (inclusive) 6 metre setback between the boundary and a balcony edge or habitable room window; and
- Levels 5 and above: 8 metre setback between the boundary and a balcony edge or habitable room window.

A built form response to achieve the minimum separation distances is preferred to the provision of screening measures.

Waste storage and collection point

The design of the waste management room is to allow for the following:

- A level transition from the waste storage room to the finished ground level of the adjoining footpath adjoining the north lane (and the originally identified loading/collection bay);
- The gutter of the adjoining loading bay shall be designed as a “rolling gutter” to ensure that if bins fall over the gutter edge they can be manoeuvred with ease;
- A key lock entry from the north lane street frontage that enables Council’s access to pull the bins out of the store to the loading bay. It is also requested that the waste storage area be designed to be secure from the remainder of the basement; and
- A separated hard rubbish/bulk store room immediately adjacent to the general rubbish store.

The following additional details are also requested to be included on the documentation:

- A dedicated waste storage room for the retail tenancy is required, designed and located to avoid the placement of any rubbish bins on the kerb.
- The waste management plan indicates the provision of a communal compost that is not shown on the plans. An indication of the capacity (volume of organic waste) will be managed by the system is also required combined with details of its management (i.e. source separation and who is responsible for delivering the waste to the compost area) and maintenance (i.e. caretaker/manager) and the use of the finished product

The use of 660L bins for the purpose of determining capacity and storage volume requirements for the site is suitable. However, use of compaction is not supported and Council seeks the applicants to remove all references on plan and within documentation to the use of such.

Environment and Sustainability

The Arborist report (dated 2 October 2013) is generally supported. However there is slight conflict between the South Lane and Tree 25 located in the rear yard of No. 70 Constitution Road. While the tree is exempt under MDCP 2011, allowing for its removal without consent, it is not located on land under the ownership/control of the applicant.

2 options are possible in this respect:

- obtain agreement from the adjoining landowner for the removal of the tree;
- provision of design details of suitable alternate construction methods, under the guidance from a suitably qualified Arborist to ensure that construction of the South Lane will not affect the tree.

Masterplan – Site amalgamation patterns

Under the MDCP 2011 envisaged masterplan, additional area was allocated to the width of Nos. 2 and 4 Grove Street to enable a viable development site to be achieved.

The concept design submitted in support of the alternative masterplan to demonstrate that the narrow site can be developed without the additional land may have difficulty achieving suitable access to the basement level parking.

As discussed through the course of the meeting, consideration may be given to an alternative solution such as the grant of easement through the basement of the proposed building to provide access to the adjacent site when it is redeveloped in the future. Alternatively, you may submit further design detail demonstrating that a suitable driveway entry can be constructed.

Engineering matters:

Flooding

Council's Development Engineer has reviewed the report and has the following concerns:

- Conduit sizes across the documentation are inconsistent. Noticeably the pipe along Grove Street is referred to as a DN900 in the report and the WMA report, shown as a DN600 on the drawings in Appendix B and then a DN1500 has been used in the DRAINS model. Also the DRAINS model has the 1800x1800 RCBC extending past Chamber C in both directions (i.e. 2 x 1800x1800 RCBC) where as on the drawings this is shown as a new 1400x1400 RCBC and the existing 1370mm diameter pipe. (Sydney Water may need to confirm existing Conduit sizes to assist assessment)
- In DRAINS, the low point in Grove Street which has a surface level of 22.25 in DRAINS (but 21.98 in the survey?) is shown as an on-grade pit and the overflow from this location has a 0.3% overflow path north along the street. In DRAINS the 'downstream' pit has a surface level of 22.80 i.e. over 0.5m above the existing low point. No drawings or details of the pipe along Grove Street or the re-grading have been provided making it hard to

understand how things will work. The proposed system appears to increase flood levels in Grove Street as the overland flow path is being forced upstream of the existing low point in Grove Street.

- The WMA Water Impact Analysis (Appendix A) indicates that the swale or overland flows (see Figure 3) will be directed towards the internal south road however no overflows are directed along this road in the drains model.
- In DRAINS there appears to be no overland flows from upstream as all the Inflow hydrographs are directed straight to the pipe system.
- Contrary to the observations made in the flood report (Section 2.2) An inlet pit does exist at the low point in the street. In my opinion the pipe system and overland flows and/or surcharge from this pit should be directed towards the south road which is in close proximity and not to the north road which results in increased flooding in Grove Street.
- The flood Study has not addressed the issue of minimum floor levels and flood protection for the basement carpark. 500mm freeboard is required above the 1 in 100 year flood level for the entry to the basement carpark and to habitable floor levels. In this regard the Flood Level in Grove street needs to be clarified. It appears From figure 6 of the flood study that the peak 1 in 100 year flood level is RL 22.5m AHD. If this is correct then floor levels for the dwellings facing Grove Street will need to be set at RL 23.0m AHD (i.e. provide 500mm freeboard)

The Flood Study Report for Grove Street Submitted by Aurecon dated 31/10/13 was referred to Sydney Water for comment and their referral is attached.

The flood study and accompanying documentation needs to be revisited for consistency and the above concerns and issue detailed by Sydney Water needs to be satisfied before a more detailed review can be undertaken.

Water Sensitive Urban Design

A MUSIC model is required to support the Water Sensitive Urban Design elements of the proposal.

Parking, Traffic and Access

The development was reported to and considered by Council's Local Traffic Committee in November and Full Council in December. The following resolution was endorsed:

- *The proposed development is supported in its current form, with the inclusion of 11 motorbike parking spaces in the basement car parking levels, in order to comply with council's requirements and the provision of additional bicycle parking spaces for the retail café.*

- *Residents of the proposed development will not be eligible to participate in any existing or future Resident Permit Parking Schemes for Grove Street or adjoining streets.*

- *The applicant be advised that the impact of traffic on Denison Road is to be addressed (i.e. traffic generated needs to be assigned to Denison Road) and the impacts of this be addressed and submitted to council for consideration, including any proposed measures.*

Since the development was considered by the Traffic Committee and endorsed amended plans have been submitted that alter the considered traffic flow/direction along the North Lane to permit a two way traffic flow, relocation of the loading/unloading bay to the north-western end of the Building C and restriction of the Hill Street access point to an "entry only" point.

Generally the vehicular circulation as initially proposed is preferred due to the following:

- Relocation of the loading/unloading requires service vehicles to reverse and will contribute to amenity disturbance of adjoining and surrounding residents;
- The modified circulation compromises the serviceability of the site as waste trucks can no longer enter and exit in a single direction with direct access to the waste storage areas; and
- The two way traffic flow reduces on street parking, with the loss of 2 at grade parking spaces that reduces the potential for the provision of car share spaces (refer to comments below).

Council's Transport Planner has also considered the proposal and seeks the following matters be considered and where appropriate the design/layout augmented:

- The provision of car share spaces for the use of residents is ideal. It is the preference of Council that car share spaces be provided at grade (on street) and within basements. In respect to the latter it is requested that the applicant liaise with car share operators to gauge the interest and potential of facilitating the provision of car share spaces within the basement car park.
- Bicycle parking is noted to be compliant. Bicycle spaces provided for visitors should be located in easily accessible places such as ground level open spaces near respective building entrances to encourage their use.
- Intersection of Grove/Constitution – the most recent designs that have been carried out by TfNSW/Cardno (as described in the DA) have changed since the DA was submitted; there will be no pedestrian refuge or other crossing facility of Constitution Road at this location and this should be taken into account given the increase in vehicle movements and pedestrian movements in this area that will occur as a result of the development.

If you wish to discuss the matter please contact the undersigned on 9335 2282.

Yours sincerely,

Rachael Snape
Senior Development Assessment Officer
TRIM No: 91004.13