Urban Design Assessment Report

121-133 Burwood Road and 36 - 40 Railway Parade, Burwood, NSW 2134

Date: 16 December 2014

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1. Introduction

GM Urban Design & Architecture (GMU) has been appointed by Burwood Council to undertake a SEPP 65 assessment and urban design review of the proposed mixed use development for the site located at 121-133 Burwood Road, Burwood. The proposal involves amalgamation of four sites which are 121 Burwood Road, 123 & 125 Burwood Road, 127 to 133 Burwood Road, 36 and 38 Railway Parade. These sites are legally described as Lot 1 DP190106, Lot E&F DP404557, Lot 100 DP 703387 and Lot A DP363674 respectively.

The purpose of this report is to review the current development proposal and provide a preliminary assessment with regards to its performance against applicable planning controls, SEPP 65 and the principles of the Residential Flat Design Code (RFDC), as well as its likely impacts on adjoining existing and future development.

GMU has previously undertaken an urban design review of a previous scheme on this site which was prepared by the same design team in June 2012. Numerous issues were raised with the scheme at that point and recommendations were made that they should be addressed.

It should be noted that since this last assessment, a number of the same issues are still apparent in the current proposal. This assessment incorporates the comments which were made as they are still relevant and require resolution.

1.1 Proposed Development

The site of the proposed development is located on the north eastern corner of the intersection of Burwood Road and Railway Parade. It is adjacent to the existing 3 storey Burwood Plaza to the west. The subject site comprises the amalgamation of 4 lots and is bounded by Burwood Road to the east, Railway Parade to the north and Clarendon Place to the west. Burwood Railway Station is located opposite of the subject site to the north of Railway Parade.

The site is currently occupied by a number of 2-3 storey concrete and brick buildings on the four sites. An existing car park area is located at the centre of the amalgamated site with vehicular access from Clarendon Place. The amalgamated site is approx. 60.66m along Burwood Road frontage and 56.23m along Railway Parade street frontage. The site area is 3306.2sqm and has a cross fall of approx. 4.1m from the south-east corner to north-west corner of the site.

The proposal consists of the construction of a 20 storey mixed use development consisting of:-

- Four levels of basement parking for 288 cars
- Podium supporting three levels of retail
- One level of restaurants above the podium
- 16 storey tower above the restaurant level with:-
    - Seven storeys supporting 56 serviced apartments above;
    - Upper nine storeys supporting 68 residential apartments.

The proposed maximum height is approx. 69.45m and has a total FSR of 5.99:1.

1.2 Documents Reviewed

GMU has reviewed the following relevant drawings and documents while preparing this report:-

- Architectural drawings by Dickson Rothschild dated 05 June 2013.
- Burwood Central - DA Stage - Noise Impact Assessment by Acoustic Logic dated 11 July 2013
- Building Code of Australia Capability Report by Vic Lilli and Partners 26 June 2013
- DA Statement Of Heritage Impact by Colin Israel dated 21 August 2014

- Landscape Architecture drawings by Arcadia Design dated 29 May 2013
- SEPP 65 Design Verification Statement by Dickson Rothschild dated August 2014 (revision B)
- Statement of Environmental Effects by CDR Design August 2014
- Parking and Traffic Study by Gennaoui Consulting Pty Ltd dated 28 May 2013

GMU has reviewed the following controls which are applicable to the site and the development proposal:-

- Burwood Town Centre LEP 2012
- Burwood Town Centre DCP - Adopted by Council 12 February 2013
  Effective from 1 March 2013
  Amended 4 March 2014
- SEPP 65 and the Residential Flat Design Code

GMU has conducted a site visit and photographic documentation.

2. Preliminary Analysis

2.1 Local Context

2.1.1 Responding to Local Context

The subject site is located in Burwood Town Centre within the 'Commercial Core Area', as defined in Burwood Town Centre DCP Chapter 3, Figure 2a. This is an area undergoing significant transition, and on this basis it is important for any proposed development to respond not only to the existing surrounding context but most importantly to Council's vision and desired future character for the area in which it is proposed. The proposed development responds to the desired future character by introducing higher built form within the area intended for growth as envisaged by the DCP. However, the most significant issue with the proposal is that it is considered to be excessive in the design of the building envelope, resulting in bulk, scale and amenity issues. There are also issues with regards to the aesthetics and character of the tower form as a mixed use development.

The site has a very prominent position on the junction of the Burwood Road and Railway Parade. This junction is the centre of the Commercial Core Area, and due to this location, its importance in the role of the desired future character of the commercial core of Burwood is significant. The future desired character of the 'Commercial Core Area' as stated in the DCP envisages *"that much of the commercial and retail development will be concentrated in these Areas."* Within this context, the site is also located within close proximity and adjacent to a number of heritage items. These include:-

- I10 – 135-139 Burwood Road (Federation shops – First floor facades only)
- I12 – 166 Burwood Road (Federation building—First floor facade facing Burwood Road only)
- I13 – 168A Burwood Road (Former Burwood Post Office)
- I14 – 170-174 Burwood Road (Shops – First floor facades only)
- I18 – Burwood Railway Station
- I23 – 1A Railway Parade (Former Parcels Office—Building only)

The proposed development responds to the overall intent of the controls, which is to provide flexibility for future development to be used for retail/commercial purposes at ground level and at the street frontage, and to provide opportunity for street front activities to Burwood Road and Railway Parade. However, the proposal presents issues in relation to its response and interface at ground level, especially along Clarendon Place, but also along both Burwood Road and Railway Parade. Consideration of an appropriate built form transition needs to be taken into account in order to provide a sensitive response to the setting as well as to respect the heritage significance of existing heritage items in proximity, particularly to the heritage building to the south at 135-139 Burwood Road, as per Burwood Town Centre LEP 2012, Sheet number HER-001.

In terms of existing context, the streetscape character of Burwood Road is considered to be low scale (1-2 storeys), surrounded by retail uses. Burwood Road has a strong retail character and is the main arterial road servicing both, the northern and the southern parts of Burwood Town Centre. The location of the subject site in proximity to Burwood Railway Station, and also its location within the centre of the Commercial Core requires the proposal to be a strong and easily recognisable marker. A high volume of pedestrian and public transport activities occurs on street level around the intersection of Burwood Road and Railway Parade. The properties around the proposal have the potential to redevelop up to 70m under the 'Commercial Core Area'. The proposal requires careful consideration in terms of overshadowing to Burwood Road.

Figure 1: Burwood Road and Railway Parade corner

Railway Parade is located to the north of the proposal and runs in the east-west direction linking Wentworth, Burwood and Shaftesbury Roads. The 3-storey monolithic Burwood Plaza is located across Clarendon Place to the west of the subject site, with a potential to redevelop to greater heights. GMU has recently recommended that this site could be developed with tower elements on a podium base. It is vital that the proposal improves the existing streetscape along Railway Parade and Burwood Road as a key site within the commercial core, for the benefit of pedestrians walking to Burwood Railway Station and along Burwood Plaza's northern street frontage.

Clarendon Place bounds the subject site to the west and functions as a service lane for the shops along the western side of Burwood Road. This lane is accessed from Railway Parade to the north and is used as access to the existing on-grade car park currently on the subject site. A pedestrian entrance into Burwood Plaza is located on the western edge of Clarendon Place and aligns with the south western corner of the subject site. According to the DCP's Public Domain Strategy (Figure 23), Clarendon Place is to be transformed into a shared zone for pedestrian and vehicular access. Furthermore, the proposal at 27-31 Belmore Street, which is currently under construction, has allocated a pedestrian entrance towards the north-east corner. This means that there is the potential for high volume pedestrian movement to occur along Clarendon Place between Burwood Railway Station and the development at 27-31 Belmore Street.

Figure 2: Clarendon Place to become a shared zone

The prominence of the site and location within the Commercial Core requires a sensitive development within high design excellence to mark the site for generations to come, and to set the benchmark for good design. However, it is GMU's opinion that this proposal as a tower building requires further development in order to achieve a desired outcome in terms of architectural design excellence to signify this importance.

2.1.2 Building Types

The applicable zoning for the site is Zone B4 – Mixed Use as per the Burwood LEP 2010. The proposal is a mixed use building with 2 storey of retail in the podium level and 1 level of restaurant above the podium levels, 7 storeys of serviced apartment (commercial) on levels 3-9; and 9 storeys of residential between levels 10 and 18. Therefore, the proposal meets the required mix of uses.

2.1.3 Amalgamation and Subdivision

The proposal involves amalgamation of four lots, 121 Burwood Road, 123 & 125 Burwood Road, 127-133 Burwood Road and 36 & 38 Railway Parade. An isolated site is resulted at 34 Railway Parade (Lot A DP403027) which is located in the middle of the northern part of the site. This isolated site is approx. 58.8sqm with a frontage of approx. 6m and is currently occupied by a single storey brick building across the entire site. Due to the size of this site, it is highly unlikely to redevelop in isolation.

According to the Burwood DCP Chapter 3, 3.2.6 Site Isolation – Provision P1 and P2, 'the creation of isolated sites is not desirable' and 'where a development may result in the creation of an isolated site, the applicant is required to demonstrate that negotiations between the owners of the properties commenced at an early stage that was prior to the lodgement of the development application'. The proposal's DA submission incorporates correspondence with the landowner of the property 34 Railway Parade, which indicates attempts via letter correspondence on the 18th July 2012 and 28 August 2012 to start possible negotiations. However, this attempt to contact via letter has not elicited a response from the owner.

According to the architectural drawings, from Railway Parade, the podium appears as 3 levels (with Ground, Mezzanine and Level 1 of retail (approx. 13.1m), with an additional podium storey (Level 2) which is setback incorporating the proposed restaurant. This is illustrated in drawing DA-402 which shows that the relationship of this podium to the existing shop unit at 34 Railway Parade will result in scale and proportion issues to the northern elevation of the podium when perceived along Railway Parade. Further information is required with regards to the scale relationship and transition, and facade treatment for the exposed wall of the mezzanine level and upper level, above the existing isolated site as this may result in a negative outcome to the streetscape. Furthermore, this isolated site results in a 'hole' to the northern elevation of the podium due to its lower scale. The built form implication of the isolated site is evident especially when perceived directly in front of the site where a stepping built form will be perceived from the roof of the isolated site's building to the podium's level 1.

2.1.4 Building Envelopes

In order to assess the merits of this project and its performance with regards to building envelopes, GMU has relied on urban design analysis, review of applicable controls and their objectives as well as the RFDC. The RFDC determines the following Primary Controls, when assessing the building envelope:

Building Height

The maximum allowable building height as per the LEP is 70m. The proposal presents a maximum height of approx. 69.45m along the northern elevation, including lift over-runs and roof structures, and therefore complies with the building height requirement.

The proposed podium height is 10.2 metres approximately to Level 1 retail, as illustrated in Section B-B DA302, which complies with the DPC requirement under 3.3.2.3 Commercial Core and Middle Ring Areas Provision 2 of a maximum height of 13 metres along Burwood Road.

Building Depth

According to the RFDC, the appropriate building depth for an apartment building is 10 to 18m to ensure that the bulk of development is in scale with its context and to provide adequate solar access and natural ventilation for building occupants. The proposal's tower is generally a rectilinear footprint, with part of the planes curved to the north, east and west. The tower is located at the centre of the site with average building depths of approx. 37m (north-south) and 29m (east-west) from glass line to glass line, and has similar dimensions to both the north-south and east-west axis. This building depth significantly exceeds the maximum RFDC recommended building depth of 18m. The footprint incorporates deep intervals of varying depths at the centre of the façade on all four elevations. Although these have been incorporated to help articulate the façade, the overall mass and bulk of the building is still apparent. These intervals have also been incorporated to assist in terms of sun access and natural ventilation.

This resulting footprint does not optimise the internal amenity of the tower, and does not allow for slender proportions to give a clearly identifiable and memorable form to both the streetscape and skyline. Nor does it provide a clear indication of the tower's orientation to capture prevailing breezes for natural ventilation as well as ensuring that a minimum of 70% of residential units achieve reasonable solar access. It is considered to create a poor outcome in terms of built form and massing.

On lower ground level, ground level, mezzanine, and level 1, the proposal's podium occupies the entire site area except for the north-east corner where the existing Burwood Hotel is retained. While the DCP supports the proposed site coverage, there is limited allocation of deep soil planting.

Building Separation and Street Setbacks

The objectives of the RFDC with regards to Building Separation that are most relevant to this proposal are as follows:

- To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.
- To provide visual and acoustic privacy for existing and new residents.
- To control overshadowing of adjacent properties and private or shared open space.

- To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.
- To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.

The relevant building separation distances applicable to this proposal are:

• Five to eight storeys/up to 25 metres

- 18 metres between habitable rooms/balconies
- 13 metres between habitable rooms/balconies and non-habitable rooms
- 9 metres between non-habitable rooms

• Nine storeys and above/ over 25 metres

- 24 metres between habitable rooms/balconies
- 18 metres between habitable rooms/balconies and non-habitable rooms
- 12 metres between non-habitable rooms

Under Section 3.3.2.3 Commercial Core and Middle Ring Areas of Burwood DCP Chapter 3, the objectives and provisions for primary and secondary setbacks are set out under Figure 4 and 6 respectively.

To the west, the proposed development has a zero setback at the lower podium levels to level 1, a 12 metre setback to Level 2 and a setback of approx. 15.8metres to the Clarendon Place front boundary on levels 3 to 18. The DCP does not indicate any secondary setback requirement to Clarendon Place, and therefore the centre line of Clarendon Place represents the half-way point to determine the required RFDC's building separation distances. With a setback of over 12 metres to the common boundary for the entire western facade of the tower, the proposal complies with the building separation requirement in the event that the property to the west (Burwood Plaza) were to redevelop up to 70m in the future.

To the north, the proposal's podium has a 3m street front setback to the boundary. However, the setback only occurs to the north western corner of the site as the other northern boundary is occupied by Burwood Hotel and the property at 34 Railway Parade. The secondary setback of the proposal for the tower element is approx. 10.7m, which complies with the DCP's minimum required 6m setback.

To the south, the proposal's podium has zero setback to the common boundary to the south, therefore complies with the DCP's side setback requirement for the podium levels. The secondary setback for the entire southern facade of the proposal's tower is approx. 12.3m to the southern boundary. This building separation distance complies with the RFDC's building separation distance of 24m between habitable rooms/balconies (for nine storeys and above), by providing an equal share of the 12m of setback to the common boundary. This is a positive outcome in providing adequate visual and acoustic privacy to the residents by taking into account the future redevelopment potential of the properties to the south of the proposal.

To the east, the proposal's podium has zero setback to Burwood Road frontage as per the DCP. The secondary setback of the proposal is required to be 8m to the street boundary along Burwood Road. The proposal provides a secondary setback of approx. 9.9m, with minor protrusions of curved balcony elements (of less than a metre) and therefore fully complies with the DCP.

GMU believes that the proposal's building envelope satisfies the RFDC's building separation distances and the DCP setback controls as per DCP 3.3.2.3 Commercial Core and Middle Ring Areas – Street Front setbacks and Secondary Setbacks illustrated in Figure 4 and 6 respectively. However, the depth of the tower is excessive to provide adequate amenity for future residents. Therefore, it is suggested that the building envelope and floor plate be further articulated and reconfigured to achieve a better tower form by utilising the 'left over' allowable space to the north of the site (between the secondary setback and the proposed tower's north facade). In this case, the scale and proportion of the proposal's tower can be enhanced, with a greater slenderness, and the tower floor plate can be further articulated to enable more units to be cross ventilated or by narrowing the depth of the floor plate.

In addition, GMU considers that greater setback should be provided at the Level 2, particularly to the Burwood Road and Railway Parade elevations, ideally in line with the setback to the line of the tower. This will assist in reducing the bulk of the tower at its base and increase the slenderness of the tower, which will improve how it is viewed from the streetscape.

Floor Space Ratio (FSR)

The site's allowable total FSR is 6:1, and the proposal provides an FSR of 5.99:1 which therefore complies with this clause as per the LEP.

2.1.5 Overshadowing

The tower causes significant bulk which will overshadow the heritage item to the south which is 135-139 Burwood Road (I10). Other heritage items that have the potential to be overshadowed by the proposal are facade of 157-159 Burwood Road (I11), former Burwood Post Office (I13) and facades of 170-174 Burwood Road (I14). The extent of overshadowing impact to Burwood Road requires further investigation to ensure that the proposal does not cause significant negative impact to this main street.

Some information is provided in relation to shadow analysis of the tower and its impact to its immediate surroundings between 9am to 3pm March 21 and 9am -12pm for June 21. Shadow studies are provided only from 9am -12pm for June 21 in plan form the (drawing DA 920), to identify shadowing to surrounding buildings with some elevational studies to the east and west. Shadow studies are provided in plan form for March 21 from 9am – 3pm. The studies highlight that there is shadowing to Clarendon Place and the rear of Burwood Mall to the carpark. It is anticipated that the shadow would move across the afternoon and shadow a fair proportion of Burwood Road, which currently is not overshadowed by the site. At March 21, the studies indicate that Wynne Avenue would be partly overshadowed in the morning and Burwood Road would be overshadowed in the afternoon.

According to the architectural drawings, the proposal's tower form is uniform without any setback and limited articulation to upper levels. This does not result in a slender tower form which can cast a faster moving shadow therefore reducing the overshadowing impact to its immediate surroundings.

It is GMU's opinion that it is vital to understand the impacts of the proposal's tower envelope and form to the surrounding public and private domain to minimise negative outcomes to the desired future character and streetscape, particularly along Burwood Road. It is recommended that the shadow analysis is competed to show hourly intervals from 9am - 3pm on June 21 to further investigate the issue.

2.2 Site Design

2.2.1 Site Configuration

Street Address

The proposal has three frontages which includes Burwood Road, Railway Parade and Clarendon Place. The primary street address is to Burwood Road, where the frontage consists of an entrance forecourt in the centre, midway along the frontage, including serviced apartment and residential lobbies, as well as a retail entrance to the southeast of the frontage. The street frontage to Railway Parade is more limited, and primarily occupied by the existing Burwood Hotel and a shop at 34 Railway Parade. At the corner of the intersection of Railway Parade and Clarendon Place, the proposal presents a retail entrance to the lower ground level. The retail entrance from Clarendon Place aligns with the entrance of Burwood Plaza. There is an approx. 18 m wide opening to the centre of Clarendon Place frontage dedicated for a two lane vehicular car park access and loading dock. It is noted that in order to eliminate any form of servicing to the primary elevations of Burwood Road and Railway Parade, servicing and vehicular access has been contained to Clarendon Place.

As Clarendon Place is identified as being a shared zone within the DCP Public Domain Plan, which leads to a public square to the south, the streetscape of this elevation is important as a pedestrian moving between the development site and Burwood Mall. Location of the servicing and vehicular access in this area should be carefully designed to ensure the opening width is limited and the architectural treatment of elevation in this area creates a positive response being in close proximity of the entry to the retail centre and link to Burwood Plaza.

GMU considers that the elevation treatment of the servicing requires further design consideration.

Open Space

In terms of the RFDC's guidelines, a minimum requirement of 25-30% of the site area (826.6sqm) is required to be dedicated as communal open space. The SEPP Design Verification Statement states that the total Communal Open Space measures approximately 1,000sqm (approx. 30%), 615sqm (18%) of which is exclusive to residents only. As this stands, this is not sufficient. In addition, it is not apparent from the landscape drawings where these areas are located. According to the architectural drawings, there is open space provided on Level 2, and on the roof, as indicated on drawings DA207and DA214 respectively. Similarly, landscape drawing identifies private open space and public open space, which is not clear, and it has not been clearly identified who these spaces are to be used by. The area of roof top of the podium is labelled as 'proposed courtyard'. If this communal open space is dedicated for the residents' use, this area is potentially overlooked by the retail tenancies on level 2, which have been labelled for restaurant use, which is not an acceptable arrangement. There is also insufficient information with regards to the configuration of the lift cores to indicate the actual access path for residents on levels 10-18 and how the access from the retail and service apartments is prevented. According to the architectural drawings, the edges of the communal open space on the podium do not contain any protection from downward wind wash from the tower above.

Similarly, the open space proposed on the tower roof is not sufficiently described to indicate available facilities and weather protection for the potential communal open space to ensure an adequate level of amenity as per the RFDC's objectives. Therefore, further information, including the actual area to be included as common open space is required to better assess this issue.

Deep Soil Zones

Under the RFDC, which states that a minimum 25% of the open space area of a site should be deep soil zone, the area of common open space should be equivalent to 247m2, which would consequently mean a deep soil area of 62m2. Provision 2 under Podium Areas of Section 3.3.2.3 Commercial Core and Middle Ring Areas states that a minimum 0.6 metre soil depth must be provided over 50% of the area to support planting or soft landscaping. The areas of deep soil are indicated on Landscape drawing 12-68_DA_601, with areas of 800mm, 1000mm and 1500mm soil depth, however a clear calculation does not appear to be provided to determine the extent provided. Further calculations are required to fully assess this issue.

Fences and Walls

The proposal is open to street frontages in three directions. The active frontages occur to Burwood Road and Railway Parade as well as the southern part of Clarendon Place's frontage. The blank wall occurs on the western side of the single storey building at 34 Railway Parade, as the proposal's podium adjacent to it is setback 3m. This results in a discontinuous streetscape around that area. According to the ground level plan (DA-204), there is no indication of amenity or treatment within the 3m building setback from Railway Parade on ground level, especially as this area is intended as entrance into the lower ground. Therefore, details are required as to the treatment proposed within the area in question.

On ground level to Clarendon Place frontage, vehicular access and loading docks result in an inactive frontage. The impact is considered to be substantial due to its continuous length of approx. 18m. This does not contribute positively to the streetscape of Clarendon Place and its desired future character as a pedestrian and vehicular shared zone. Therefore, there is a need to soften the edges of the vehicular entrance and loading dock to minimise the impact on street level.

Orientation

The proposal's tower has a rectangular floor plate (approx. 29m by 37m) with the wider side oriented in the north-south direction, and it is symmetrical about this axis, with four units per side. However, the rectangular floor plate does not optimise solar access to the residential units.

2.2.2 Site Amenity

Safety

The proposed development has considered the safety of the residents by separating the main entrances for residential and retail uses. The entry to the serviced apartments is shared with the residential entry, from which there are two lobbies to access these two uses. The retail and residential entries are approximately 16 metres apart from each other along Burwood Road. In terms of casual surveillance, the proposal relies heavily on the activities along Burwood Road to ensure the commercial and residential entrances are safe.

A security shutter and operable door is provided on Burwood Road. Further details need to be provided to ensure the security shutter is of an appropriate design which will contribute to the streetscape.

No details have been provided on how the retail areas of the proposal at the podium level will be secured at night to avoid safety concerns to the retail tenancies during afterhours. Clarendon Place in particular requires careful consideration at the retail entrance to demonstrate that there are no potential security issues due to the poor street activation.

There is no indication that audio or video intercom systems and secure keyed or electronic access will be provided at the pedestrian entrances. Council should seek more information in regards to the proposal's *Crime Prevention & Safety Plan*.

Visual Privacy

As mentioned under Section 2.1.4 Building Separation, the floor plate of the proposal's tower is rectilinear and is within the allowable setback area, the proposal will not have visual privacy issues to adjacent developments.

In terms of materiality according to the architectural drawing DA-401, the proposal's tower indicates there are two types of materials proposed for the balconies. One type appears to be proposed as a glazed balustrade, which does not meet the RFDC's guidelines of designing balconies which offer some form of screening through an obscure or semi-obscure material to provide privacy. Burwood DCP Chapter 3, Section 3.2.14 Visual and Acoustic Privacy, Provision 2 states that the design detailing is to incorporate elements such as screen panels to balconies to provide privacy. Further design resolution of the balcony elements is required to meet the provisions in relation to visual privacy.

On Level 3, potential privacy issues exist with the location of the maintenance access and angled windows to habitable rooms of dwellings.

2.2.3 Site Access

Building Entry

Building entry points for the residential use, serviced apartment use and the retail use are located on all three sides of the proposal.

One of the primary entries to the retail arcade is located on Burwood Road. This is approximately 4 metres wide and provides access directly into the centre, with the escalators within visible proximity. The other entry point is located directly opposite which gives access to and from Clarendon Place. These entry points provide a direct line of vision from Burwood Road, through to Clarendon Place and beyond to Burwood Mall. This is an important link in relation to the connectivity beyond to Burwood Plaza. Within the retail ground floor, the lifts are located within the centre of the plan and are not readily visible for visitors.

On Burwood Road, at the corner of Clarendon Place the entry to the lower ground retail is located with escalator and lift access. This entry is separated from the main retail entry points just described, which has the potential to create confusion in terms of way-finding and orientation.

The residential use and serviced apartments share the same entry off Burwood Road through a common foyer to two separate lobbies. The lobby is recessed by approx. 4m from the general building line. As both serviced apartment and residential lift lobbies are located side by side, a better separation or use of the initial lobby space is required to avoid confusion to visitors. A concierge desk is located within the Serviced Apartment lobby, which is not easily identifiable as a visitor. These internal separate lobby spaces will require permanent artificial lighting and mechanical ventilation, which is a poor outcome.

Both the entry to the retail and the residential use and serviced apartments are expressed in the same manner, with a sandstone frame around the entry points. This treatment provides no clear identification of the different uses. The entries are recessed and lack legibility along the podium's façade, and is a poor outcome.

GMU recommends that a review is undertaken of the building entry points to address the issues raised.

Pedestrian Access

Within the residential component of the scheme, 20% of the units should be barrier free. Basement 4, Basement 3 and Ground Level provide barrier free lift access to residential floors.

Vehicle Access

In order to free the primary frontages of servicing, the proposal has dedicated the western edge of the site for the vehicular entry from Clarendon Place. The loading dock has an opening of approx. 4m in height. This entry is articulated in the same manner as the retail and residential entry points on Burwood Road, with the inclusion of a sandstone frame. This attempts to improve the streetscape of Clarendon Road where servicing and vehicular access has been concentrated.

Parking

The proposal has provided 288 car spaces for the whole development, which comprise of 70 resident car spaces, 58 serviced apartment car spaces, 146 retail car spaces and 14 visitor car spaces for residential use. Residential car spaces are located on Basement level 4 and 3, Serviced Apartment spaces on Basement level 3, and Retail spaces on Basement level 1 and 2. According to the DCP Table 2 – Car Parking Rates in Centres and Corridors, this provision fails to meet the numerical requirements of the car parking provision for the retail uses by falling short of 41 car spaces. This is a significant shortage in the car space requirement and is justified on the basis of a Section 94 Existing Credit as outlined in the Statement of Environmental Effects. Further clarification of this credit should be provided.

According to the DCP, Section 3.7.6 General Requirements in All Centres and Corridors – B1, B2, B4 and B6 Zones - Provision P5, development involving the construction of gross floor area in excess of 400 sq m or three dwellings must include facilities for parking of bicycles (racks and lockers) for use by bicycle riders. According to the architectural drawings, there is a small area of bicycle parking indicated on Basement Level 3. The proposal does not provide details the number of cycle parking space are to be provided, and whether this meets the requirements. There also appears to be no shower and change room facilities provided which fails to comply with this provision.

2.3 Building Design

2.3.1 Building Configuration

Apartment Layout - The proposal consists of 8 units for each of the residential floor levels 10 to 18. The layout of the floor plans is identical from levels 3-17, incorporating 1 and 2 bedroom units, with eight units per floor. This includes levels 3-9 of the serviced apartments. The top floor, Level 18 differs with the inclusion of four 3 bedroom units. The utilisation of identical floor layouts for all levels in the tower does not allow the proposal a diversity of apartment types and layouts to cater for different household requirements.

Apartment Mix - The DCP Chapter 3, 3.2.8 - Apartment Mix requires that residential development in excess of 20 dwellings must provide a mix of dwellings. This includes the serviced apartments as per the advisory note. The proposal's residential use consists of 32 one bedroom units, 32 two bedroom units, and 4 three bedroom units to the penthouse level. For the commercial use (serviced apartments), there are 28 one bedroom units and 28 two bedroom units. There is a very limited number of three bedroom units provided for the residential use and none for the serviced apartments.

Balcony -. Proposed balconies appear as either semi-frameless glass or concrete as indicated on the elevations and the schedule of materials. The proposed glazed balconies will not provide privacy for occupants and should be reviewed to allow some form of screening, in line with the requirements of the RFDC and the DCP Provision 2 of Section 3.2.14 Visual and Acoustic Privacy.

Ceiling Heights - The proposal's minimum ceiling height for the ground floor retail is approx. 3.5m. For the commercial uses (serviced apartments) on levels 3-9 of the tower, the ceiling heights are 2.7m which falls short of the required 3m under the DCP for non-residential floors above ground level. Although the nature of serviced apartment may not require 3m ceiling height,

the proposal's 2.7m ceiling height for these levels restricts the flexibility of future adaptation and usage for other commercial purposes as per the DCP Clause 3.2.11 Ceiling Height – O2 to allow for future mix of uses and flexibility of use. The ceiling height for the residential floors (levels 10-18) is 2.7m which complies with the residential ceiling height requirement of the RFDC and DCP Clause 3.2.11.

Mixed Use – The proposal incorporates mixed uses in accordance with the allowable zoning. This is proposed in the form of retail units on the Lower Ground, Ground, Mezzanine and Level 1, and the inclusion of restaurants on Level 2.

The layout of the retail component is generally considered poor and unresolved. There are a number of very small units, where the useability of the space is questioned. A number of units, particularly within the centre of the podium footprint, will not receive any natural daylight. The circulation outside the lift on the Mezzanine level does not work and is unacceptable (see Figure 3). The retail garbage store is located on this level, and access via lift for retail units on other levels will not work with a corridor of insufficient width.

In addition to this, GMU considers that the location of some of the retail uses and the restaurants should reviewed. The location of retail uses overlooking Burwood Road on Retail Level 1 is likely to result in no activation to the street. Similarly, as the restaurant spaces are located up on Retail Level 2, with their proposed setback, they are completely disconnected from the street. GMU believes that the restaurant which is located to the west side (Clarendon Road side) should be relocated to the Burwood Road edge of Retail Level 1. In place of this restaurant on the retail level 2, a gym/fitness centre could be appropriate, which could be used by residents of both the apartments and serviced apartments. A space such as this located here, for use by occupants of the building would then have a better relationship with the proposed common open space for residents.

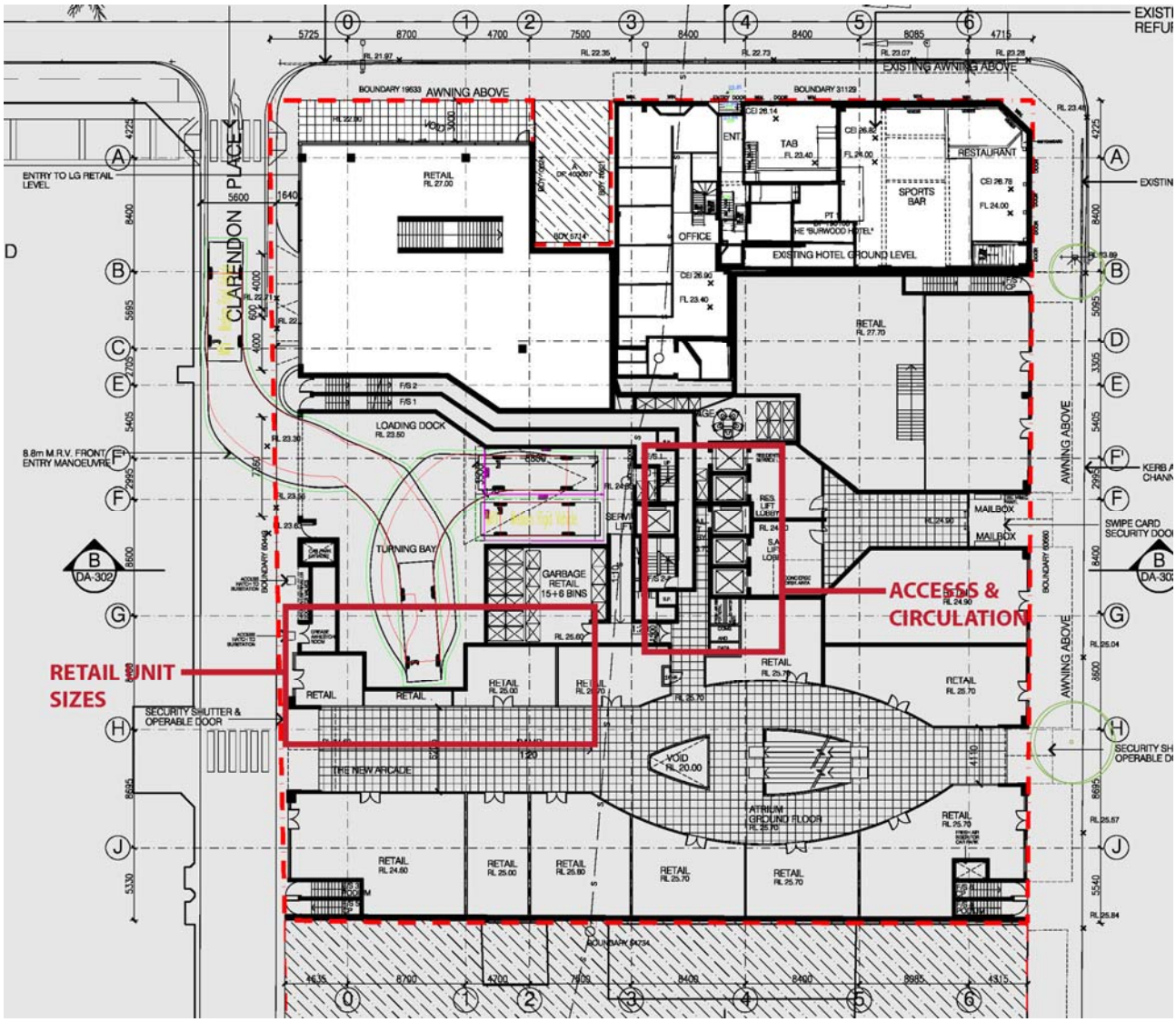

Figure 3: Extract of Lower Ground retail (source DR Architects)

Storage - The DCP Chapter 3, 3.2.17 refers to RFDC provisions for the minimum storage requirement for residential units under Provision 1. Storage is indicated within the units and also within the basement car park levels 4, 3 and 2, in the form of storage cells. The amount of storage has not been provided to assess compliance with the RFDC. In addition, the allocation of the storage cells adjacent to carspaces for serviced apartments or retail use has not been considered in terms of management and access and is a poor arrangement. Further details of the arrangements are required.

2.3.2 Building Amenity

In terms of acoustic privacy, the RFDC's better design practice suggests clustering noise generating areas next to each other and allowing quieter areas to have maximum acoustic privacy. The unit layouts have generally integrated this principle by clustering bathrooms and kitchens of adjacent units.

Daylight

In terms of daylight access, it is the DCP's and RFDC's requirement that the living rooms and private open spaces for at least 70% of the units should receive a minimum 3 hours of solar access between 9am and 3pm in mid-winter. Drawing DA-925 and the Verification Statement identifies that 16 units of the total number of 64 residential units (25%) receive under 2 hours of solar access. *It should be noted that the Verification Statement has omitted level 16 from Table 1 which identifies the Solar Performance.*

Angled windows are provided within the deep intervals of the building footprint, which serve as secondary windows to bedrooms and studies in Unit Type 2B. They serve as main windows to studies in unit Type 2A. These windows are considered acceptable in relation to the size of the study.

Windows to the second bedroom of Unit Type 4 are unacceptably small in size to provide adequate daylight to a habitable room. GMU suggests that there are two alternative solutions – either maintain the symmetry of the building and increase the width of this window to an acceptable minimum width (which would mean moving kitchen/bedroom 1/bath along); or move the party wall between these mirrored units so that one unit has a bedroom with decent window and the other unit has a slightly altered layout so that the storage/laundry area is tucked up near the party wall and a study area forms part of the living area. The current arrangement is not acceptable but there is a solution to resolve this issue.

Within the 3 bedroom unit type, the angled window to one of the bedrooms is not acceptable. GMU believes that this issue could be easily resolved through a minor re-arrangement of the layout. This could include extending the bedroom to fill the recess (the window then the width of the recess) – this would be subject to resolving possible privacy issues with the balcony of Unit Type 6 and 7. This would also mean a loss of natural light to the common hallway which could be resolved through a skylight to the roof.

According to the SEPP 65 Design Verification Statement, over 60% of the residential units achieve acceptable levels of natural cross ventilation. This is described as being able to be achieved through the inclusion of extended windows within the 2m wide x 13m deep interval at the centre of the façade.

Adaptable Units and Mobility Impaired Access

According to the Statement of Environmental Effects, the scheme proposes 68 residential units, of which 12 are proposed to be fully accessible (17%). In terms of numerical compliance, DCP Clause 3.2.19 Access and Mobility - Provision P6 applies, which states at least 10% of dwellings must be provided with access for people with disability in accordance with AS 4299: Adaptable Housing. However, further details are required to assess how these units will function.

In terms of accessible car parking, according to Provision P7 of the same section, at least one car parking space must be provided and allocated to each adaptable dwelling and the car parking space must be accessible in accordance with the provisions of *AS 1428.2* which facilitates automatic vehicular wheelchair loading and unloading. According to the Statement of Environmental Effects, there are 15 spaces required and 23 accessible car spaces are proposed. The proposal complies with the accessible parking requirement.

2.3.3 Building Form

Awnings and Signage

The awnings provided along the streetscape of Burwood Road and Railway Parade provide a glazed awning to correspond with the proposed glass façade of the street wall. This awning is not considered to be resolved, as whilst it maintains the same level of awning of the adjacent buildings and the heritage streetscape of Burwood Road, in places the height of awning is placed too high to be of effect. This is evident on the East Elevation drawing where the awning directly to the north of the residential entry is too high – this is considered to not provide an intimate scale for a pedestrian, nor will provide any protection from weather. The suitability of a glass awning is also questioned. Whilst it is contemporary and maximises daylight to retail units, it does not respond sympathetically to the traditional streetscape awnings of high street shops. The ability to maintain and clean of a glazed canopy is also limited.

Facades

The proposed development consists of a podium and tower element. Combined, these elements are not considered to respond positively to the surrounding context of Burwood Town Centre, or reflect the significance of the site.

The podium element is made up of glazed elements with framed stone portals to mark building entries, and glazed awnings over shop fronts. This architectural expression does not follow the grain of the existing streetscape. Similarly, it provides a very limited ability to provide any real activation of the streetscape, particularly at the upper levels and does not respond to the streetscape of Burwood Road or Railway Parade. GMU considers that the spaces of Level 1 retail should be occupied by one of the proposed restaurants, so that there will be some activity and connection with the streetscape. This could include an area of well-protected balcony for outdoor dining overlooking Burwood Road.

The SEPP 65 Design Intent Statement states that the language at the street wall takes its cues from the Westpac bank on the opposite corner of Burwood Road. This is a poor and weak architectural reference, against a building which is not architecturally significant nor heritage listed.

Overall it the elevations of the podium are a contrived response which do not contribute positively to the richness of the street and the traditional grain of heritage shopfronts.

The tower element provides a palette of materials consisting of glazing, metal framing, and painted white concrete and pewter-coloured powder coated elements. The elevations reflect the repetitive nature of the floorplans with similar expression of openings and horizontal bands of balconies. There is a small amount of expression through the integration of curved balconies at the upper residential levels (from level 10 upwards) and a rooftop structure to give prominence to the north-east corner. Overall, the proposal's tower lacks architectural and aesthetic interest, primarily due to the repetition of the plan, and uninspired choice of materials and elements.

The proposal's tower appears to be overwhelming in scale and bulk along most elevations, and particularly along the eastern elevation. This is primarily due to a lack of setbacks and articulation in the vertical direction. The approx. 31m wide tower perceived along Burwood Road appears to be excessive in proportion with the podium, resulting in its perception as a 'wall' or an oversized mass. There is a small attempt at breaking up and articulating the façade, however the result is that it lacks real architectural interest. The expression of both vertical and horizontal elements is poor and does not provide any clear articulation. A similar situation occurs on all other elevations as they have similar floor plan layout.

Furthermore, the roof design of the proposal's tower has insufficient articulation. According to the architectural elevations, the roof of the tower is flat and has no articulation or terminating elements. The absence of setbacks on the upper most level also contributes to the bulk and inappropriate scale to the overall building form. The inclusion of the rooftop structure, whilst presumably acting partly as a shade device, does not appear to provide a meaningful purpose and is considered a poor design response.

The photomontage provided in the SEPP 65 Design Verification Statement illustrates one of the primary views of the development from the corner of Burwood Road and Railway Parade. The architect states:-

"The façade also incorporates curvilinear elements to further break up the mass and scale of the façade. Recessed balconies and glazing also contributes to the scale. Solid balustrades at the north east corner of the building, along with the rooftop alpolic structure, create emphasis at the corner with the structure of the tower contributing to creating a landmark through built form (Figure 12)."

The resulting building needs further resolution in terms of architectural expression. The material choice and the design of the individual elements such as balconies, podium, entry points and roof features are not well considered and do not display architectural excellence, which should be expected from a development on a site as significant as this. Overall the architectural

language and materials proposed are considered to be dated and are neither relevant nor appropriate to a metropolitan centre undergoing significant revitalisation.

2.3.4 Flexibility

According to the architectural drawing DA-208, the serviced apartments on level 3 to 9 have identical floor plan layouts to the residential units, therefore, they need to achieve the same levels of amenity as residential units, in relation to unit size . This is as stipulated in the DCP – 3.2.8 Apartment Mix and Minimum Dwelling Sizes, with the inclusion of an advisory note under Provision 3. It is noted that the serviced apartments appear to meet this criteria.

3.0 Responses to LEP, DCP and RFDC

The following is a summary of the proposal's performance against the LEP, DCP and RFDC.

3.1 Responses to the LEP

The relevant objectives of the B4 Mixed use zone under Burwood Town Centre LEP 2012 are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The proposed development's performance measured against the numerical controls of the Burwood LEP 2012 is as follows:

- The proposed building height is 69.45 metres which is within the maximum permitted height of 70m.
- The proposed total Floor Space Ratio (FSR) is 5.99:1 which is within the maximum permitted FSR of 6:1.
- The use as a mixed use development is permitted within the B4 mixed use zone.
- According to LEP 2012-Heritage Map, the heritage items within close proximity of the proposal are:

  - I10 – 135-139 Burwood Road (Federation shops – First floor facades only)
  - I12 – 166 Burwood Road (Federation building—First floor facade facing Burwood Road only)
  - I13 – 168A Burwood Road (Former Burwood Post Office)
  - I14 – 170-174 Burwood Road (Shops – First floor facades only)
  - I18 – Burwood Railway Station
  - I23 – 1A Railway Parade (Former Parcels Office—Building only)

  In summary, the scheme complies with controls in relation to zoning, height and FSR. In relation to the existing heritage items in the vicinity, the scheme does not respond sensitively to the existing streetscape and heritage context, particularly along Burwood Road where a number of heritage items are located in close proximity.

3.2 Responses to the DCP

From an initial review of the proposal, GMU has identified the following issues with regard to compliance with the DCP:

- The proposal results in an isolated site at 34 Railway Parade. There is no demonstration of negotiation attempts to obtain the isolated site, or how this site could redevelop in the future in case it should fail to amalgamate with the proposal.
- The podium's facade to Burwood Road is overwhelming and it is not considered to be a sensitive response to the adjacent heritage items.

- Communal open space located on level 3 is considered to have privacy issues due to overlooking by restaurant tenancies on this level and the functionality of the area's footprint and shape. The information provided does not sufficiently provide details of areas of communal open space for residents.
- There is insufficient number of retail car parking spaces as per the DCP parking requirements.
- Ceiling height of commercial uses (service apartments) for levels 4-9 is 2.7m, which falls short of the required 3m as per the DCP. This limits the flexibility of those levels as per the DCP's objectives.
- Inadequate apartment mix for the residential and serviced apartment uses with an inadequate provision of 3-bedroom units.

3.3 Responses to the Residential Flat Design Code

From an initial review of the proposed development and its response to the objectives of SEPP 65, GMU has identified the following issues:

3.3.1Building design & configuration

- The proposal's tower depth (glass to glass) exceeds the maximum recommended 18m in both directions. This results in potential amenity issues to the residential units within the tower and an issue of overbearing bulk and scale.
- Given the depth of the tower, the proposal has the potential to create a large overshadowing area to the public domain of Burwood Road.
- The tower floor plate sits well within the setback area which allows opportunity for a better articulation of the shape of the floor plate to minimise the building depth, improve the amenity of the units and reduce the overshadowing impact.
- Insufficient deep soil zone.
- Poor arrangement of the communal open space on Level 2 adjacent to the restaurant, resulting in visual privacy issues for residents.

3.3.2 Internal amenity

- Materiality of the balustrade must allow a level of screening according to the DCP and RFDC in order to maintain privacy of units.

3.3.3 Aesthetics

- The overall massing of the proposal is box-like with an overwhelming scale due to excessive building depth in both directions. This impact is even more evident as there is no setback towards the upper levels, only at the top level and therefore it results in inappropriate bulk and scale.
- The tower elevations do not have sufficient articulation creating a continuous 'wall' built form, partly as a result of the repetitive nature of the floorplans. The materials and overall architectural language do not demonstrate design excellence expected from a significant site such as this. The material palette of finishes is dated and does not reflect any innovation. The expression of both vertical and horizontal elements is poor and does not provide any clear articulation. The tower's aesthetic fails to represent its internal uses, particularly the residential component from the commercial component.
- The facades of the podium in three of the elevations do not present distinct treatments to address their corresponding orientations and relationship to the streetscape, nor provide sufficient overlooking to the public domain.
- Roof design does not consist of any visual interest. The top of the tower's mass is rectilinear and generally with no articulation.

4.0 Preliminary recommendations

GMU considers the proposal as a bulky building envelope, insufficient amenity and lacking a sensitive response to the heritage and streetscape character; which would set a poor precedent for future development under the LEP and DCP. The proposed development requires a number of issues to be addressed as detailed throughout Sections 2 and 3 of this report. These can be generally summarised as follows:

- Isolated site to the north at 34 Railway Parade.
- Excessive tower floor plate depth in both directions which results in potential amenity issues and overbearing bulk and scale.
- Poor quality of the communal open space.
- Insufficient deep soil zone.
- Insensitive and poor facade treatment and response to the existing streetscape character along Burwood Road - does not clearly distinguish between different building use entry points, nor allow sufficient activation and overlooking of streetscape at the upper levels.
- Poor facade articulation and aesthetics to all tower elevations.
- Insufficient commercial ceiling heights for levels 4-9.
- Poor arrangement of retail units in relation to size and internal access and relationship to street.
- Insufficient number of retail car spaces.