



12 November 2018

Anthony Randall
Development Assessment Coordinator
Kiama Municipal Council
PO Box 75, Kiama NSW 2533
By email: Anthonyr@kiama.nsw.gov.au

Dear Anthony,

AMENDMENTS TO DA NO. 10.2016.286.1 - 23 MEARES PLACE AND 33 COLLINS STREET KIAMA

Reference is made to your emails of 9 and 12 November 2018 requesting clarification and additional information regarding Development Application DA No. 10.2016.286.1 (**the DA**). Urbis understands that these additional requests have arisen following further review of the amended application by Ms Deborah Laidlaw, technical adviser to the Southern Regional Planning Panel (**Planning Panel**), an architecture and urban review by Mr. Mark Hitchcock from BHI Architects, submissions received in response to Council's exhibition of the DA and Council's assessment of the DA.

Response to Submissions

This letter is a response to your correspondence and your request for additional information and clarification. It follows phone conference conducted with Ms Deborah Laidlaw on Friday 9 November 2018 and email exchanges with Council. **Table 1** sets out the matters identified as requiring clarification or additional information and our response.

The letter is supported by:

- Updated plans prepared by Kennedy and Associates
- Updated Accessibility Report prepared by Morris Goding Accessibility Consultants

Table 1 –Matters for clarification and additional information

Matter	Response
1. <i>Removal of or reduction in height of lift overruns</i>	KAA has investigated whether an alternative lift mechanism could be used to reduce the lift overrun in Building D and other buildings.
(a) <i>Clarification as to whether the lift overrun of Building D can be reduced in Height.</i>	The investigations concluded that, given the number of levels serviced by the lifts within the development and the access requirements to comply with BCA, the use of alternative
(b) <i>Advice as to whether all lift over runs can be removed to reduce/remove view loss</i>	

Matter	Response
<p><i>from and visual impacts to apartments in Meares Place in particular the impact of the lift overrun of Building C.</i></p>	<p>mechanisms for the lifts such as hydraulic lifts would not be practical.</p> <p>The minimum lift overrun possible would be 3850mm over the last stop plus structure. This means a total of 4150mm over last stop once structure is included. This is the measurement that has been used throughout the design.</p> <p>The lift overrun for Building D highlighted on the image on the email from Council is approximately 320mm over the height plane in one corner and 180mm on the other two corners. The fourth corner is within the height plane as shown on drawing 09C in the architectural package submitted following the section 34 Conference.</p> <p>The minor non-compliance of the building height plane was assessed as part of the resubmission package in terms of potential view impact and was found to be of a minor nature and acceptable. Notwithstanding this KAA have prepared an amended layout by flipping the roof top communal open space on Building D to the eastern side and then moving the entrance of unit 54 and providing it with an internal stair climber. This has resulted in Building D being located wholly below the building height plane.</p> <p>The top of the lift shaft of Building C is located in excess of one metre below the permissible height plane. As demonstrated in the architectural plans and the Visual Impact Assessment by Richard Lamb, while the lift overrun of Building C is a built form element that is within the view shed it does not result in a loss of a significant view.</p>

Matter	Response
<p>2. <i>Please provide certification from the applicant’s access consultant that the proposed development complies with SEPP SL Clause 26 and correction, as required, of all headings within the Access Report to ensure that it is clear that the report confirms compliance especially with all mandatory requirements of the SEPP.</i></p>	<p>The Morris Goding Accessibility Report has been amended to correct incorrect clause references. It also includes a statement that the access consultants are satisfied based on the information available to them that the development satisfies clause 26(2). A copy of the amended report is attached.</p>
<p>3. <i>Living room windows facing Minnamurra Street are shown with screens however these are indicated as fully openable. As the rooms in question all have a second opening which does not face the Minnamurra properties, this screen should be a fixed louvre style screen to minimise the privacy impact. This affects the north east facing living room window to units 20, 36, 47,48, 53, 54 and 55.</i></p>	<p>The northern façades of Buildings A, C & D have been amended to provide privacy screens to the living room windows of units 20, 36, 47, 48, 53, 54 & 55</p> <p>The screens will consist of fixed frames fitted to the outside of the windows for the full extent of the windows with operable horizontal louvres to enable maximum solar gain to the living rooms.</p> <p>The details are shown on the amended plans attached.</p>
<p>4. <i>For the roof top private open space facing North East on Building D - unit 55 (facing Minnamurra Street properties) the planter should be extended around to the north-east building edge.</i></p>	<p>The roof plan has been amended to reflect the changes to the lift overrun discussed at pint 1 above. If further refinements of the planter box are required it is appropriate for this to be imposed by way of condition.</p>
<p>5. <i>An objection is lodge from 34 Minnamurra Street, since they have reviewed the RLA Views Assessment Addendum Report, and can find no photomontage addressing the visual impact from their property in support of Architectural Sheet No. 1821 – DA47C.</i></p>	<p>The RLA View Assessment Addendum Report does not include an image from 34 Minnamurra Street as RLA were unable to gain access to the property to obtain the baseline photo required to prepare a photomontage.</p> <p>The impacted view is from a balcony at the rear of the site and as shown on drawing 47C it is a</p>

Matter	Response
<p><i>I note the RLA Views Assessment Addendum Report includes ghosted photomontages for No. 30, 32, 36, 38, 42A and 42B Minnamurra Street. Why was No. 34 Minnamurra Street excluded from having a photomontage prepared? Can a photomontage be provided for No. 34 Minnamurra Street?</i></p>	<p>view across the site to the south east towards the town centre.</p> <p>KAA have prepared a computer-generated view form 34 Minnamurra Street – drawing 55A which demonstrates the view across the site.</p>
<p>6. Collins Street Streetscape Character</p> <p><i>The character of the development has now been revised in relation to the Collins street façade. BHI believes the revised design now more adequately addresses the streetscape and the heritage context of the Collins Street precinct. (Refer to objectives DCP Chapter 26 Kiama Town Centre).</i></p> <p><i>However, revisions are recommended as follows.</i></p> <ul style="list-style-type: none"> <i>• The awning over the footpath should be a more slender / light weight form of similar detail to the upper roof canopy.</i> <i>• The façade should incorporate Bluestone to the base element of the building as a local “signature” façade material for Kiama Town Centre.</i> <i>• A more recessive treatment to the soffit of the basement entry by the use of a darker grey colour similar the façade over.</i> 	<p>While the design refinements sought by Council are not supported by the applicant or the applicant’s architect the design of the Collins Street facade has been amended to incorporate Council’s consultant architect’s recommendations.</p>
<p>7. Architectural Character</p> <p><i>The issue of colour and materiality has not been addressed in this revised application:</i></p>	<p>The comments made during the section 34 Conference in relation to the colour and materiality were considered in the revised submission and were considered in the context of</p>

Matter	Response
<p>- <i>The facades are largely monochromatic in materiality and colour, giving a “cold” appearance. Variation in building elements, textures and colours should be introduced to add warmth and character to the building.</i></p> <p><i>The primary facades of concern are views from Meares Place & from Terralong Street looking over the Leagues Club car park.</i></p>	<p>Chapter 26 of the Kiama DCP 2012 - Kiama Town Centre which states:</p> <p><i>Section 9 – Colours</i></p> <p><i>The selection of colours for new development in the Kiama Town Centre should be appropriate to the overall streetscape context while maintaining the integrity of the original design concept. “Heritage” colour schemes may not be the only choice when selecting a colour scheme for a new development.</i></p> <p><i>Colours appropriate for use in the Kiama Town Centre include white, light grey, light brown and deep brown ochre. Lighter colours can be used as highlights to emphasise particular parts of the building. Deeper colours may be used as trim.</i></p> <p><i>Roof colours such as deep grey, charcoal, deep green - grey, and olive are appropriate for use in the Kiama Town Centre.</i></p> <p>The project is a contemporary design that utilises a colour and material palette based on the recommendations of the DCP.</p> <p>It was, in part, premised on the observations the design team made of Kiama Town Centre and how the buildings using a restrained colour palette were both more visually coherent than others and ‘fitted’ into the landscape the most convincingly; and that the dominant colour of those buildings was either white or grey.</p> <p>The design is neither monochromatic nor ‘cold’ but rather follows modernist architectural principles of combining different elements, each</p>

Matter	Response
	<p>with their own unique material character, and allowing the dialogue between those elements to create the character, variety and harmony within the development.</p> <p>That is the emphasis is on the dynamics and balance of the massing, geometry, proportions and spaces created by the buildings as much as by their texture and colour.</p> <p>The buildings are seen as being a part of an integral design incorporating both lush and vibrant landscaping against the backdrop of the architecture.</p> <p>The materials were also chosen to minimise the visual impact of the development from outside the site and to provide a long term low maintenance environment.</p> <p>This palette is both contemporary in character and proven in its capacity to provide attractive, delightful and friendly environments.</p> <p>Recent award-winning projects such as:</p> <ul style="list-style-type: none"> • St Andrews House Residential Care Facility by Candelapas Associates • High Street Penrith Apartments by SJB • Parkview Ultimo by Kann Finch & CHROFI <p>all use a similar philosophy and palette to achieve buildings of a very high architectural standard.</p> <p>Notwithstanding the above KAA have prepared amended façade details and material palette to</p>

Matter	Response
	<p>address the issues raised by Council's consultant architect by:</p> <ul style="list-style-type: none"> • increasing the amount of timber elements on the façade • increasing the variation in brick between the two brick types • reducing the amount of painted render on the façade <p>The amended plans are submitted for Council's information and consideration yet the applicant's preference is to retain the exhibited scheme which when built will offer an appealing and friendly residential development that will fit calmly and subtly in its environment delivering a very high standard of architectural expression within the Kiama Town Centre.</p>
<p>8. <i>View Sharing and Height of Buildings</i></p> <p><i>Lift and Stair core to Building D</i></p> <p><i>This element has a minor encroachment into the height plane.</i></p> <p><i>However, the bulk of the lift core even if fully compliant still represents a significant intrusion into the views lines of the units at 21 Meares Place. The greatest impact is identified in the Views Assessment Addendum Report as being unit 6/21 having a moderate to severe rating.</i></p>	<p>The amendments to the layout of unit 54 and the roof of Building D has addressed this issue as discussed above.</p>

Matter	Response
<p><i>It is recommended that the design be revised the reduce the height of this element to a level equal to the lower parapet height adjacent.</i></p> <p>9. Solar access- Unit 12</p> <p><i>It is noted that Units 25 and 39 are no longer included in the solar access compliance due to there being no sun access to these units. In reviewing the ADG solar access requirements it is noted that a total of 41 units achieve solar access equating to 70.69%</i></p> <p><i>Further justification is needed for unit 12 on Level 01 of Building A. it is not clear that it achieves 3 hours as tabled.</i></p>	<p>Unit 12</p> <p>KAA have reviewed the performance of Unit 12 with respect to solar access at mid-winter and have confirmed that Unit 12 receives three hours of direct sunlight to its living room and private open space between 10.30am and 1.30 pm on the winter solstice.</p> <p>Unit 39</p> <p>KAA have also reviewed the design of Unit 39 and have amended it to provide a second area of private open space on its eastern side.</p> <p>This means that Unit 39 will receive three hours of sun to its living room and private open space between 9 am and 12 noon at mid-winter.</p> <p>The solar access to the living room is gained via a north facing window four metres wide, with 600mm high glazing, clearstory window running the full width of the living room.</p> <p>As a result of the above KAA have confirmed that 72% of units receive a minimum of three hours of sunlight to their living areas and private open space at the winter solstice</p>
<p>10. Natural Cross Ventilation of Apartments</p> <p><i>Privacy Impacts</i></p> <p><i>The area of concern is the relationship between the Minnamurra Street properties and the</i></p>	<p>As discussed above the design has been amended to incorporate amended privacy screens.</p>

Matter	Response
<p><i>adjoining units proposed along the Northern edge of the development.</i></p> <p><i>The design proposes privacy screens to the window openings and balconies.</i></p> <p><i>The other concern is between House 38 and the communal open space between buildings D and C.</i></p> <p><i>The privacy screens will be operable to allow adequate sunlight access to living areas and balconies, and hence the landscape screening proposed will be the primary method to minimize privacy impacts to the neighbors (sic) along Minnamurra Street.</i></p> <p><i>I recommend that further detail be provided in the Landscape documentation to demonstrate that the privacy objective will be achieved including the width of the terraced landscape beds along the northern boundary. In particular to Houses 32,34 and 38 Minnamurra Street.</i></p>	<p>Amendments to the landscape plans if required to provide additional screening is a matter that can be the subject of a condition.</p>
<p>11. Works within adjacent 20 Meares Place</p> <p><i>The application proposes physical works (i.e. pathways, stairs, retaining structures and landscape planting) on No. 21 Meares PI (SP 40278), and possibly works and landscape planting on No. 20 Meares PI (SP 83090), but I can find no reference to either of these lots on the DA form or that Owners Consent for the lodging of the application to carry out the works on No. 20 or 21 Meares PI has been provided by the respective Owners Corporations.</i></p>	<p>KAA have prepared amended layout plans drawing numbers 12, 13, 18, 19, 20 and 21 Revision D to delete reference to any physical works within the right of access over adjacent 20 and 21 Meares Place. This was a secondary access and is not essential to the proposal.</p> <p>Should the applicant seek to pursue the formalisation of this pedestrian access in the future a separate development application will be lodged with the required owners consent.</p>

Matter	Response
<p>12. Construction impacts.</p> <p><i>The Geotechnical Report (Appendix T) does not detail the volume of material being excavated, the number of truck movements and the haulage routes proposed to be used and methods to manage construction impacts.</i></p> <p><i>A rough calculation suggests 45,000m³ of material to be excavated, which equates to about 4,500 truck movements.</i></p> <p><i>Please confirm the volume of material being excavated, the number of truck movements and the haulage routes proposed to be used, and how we can protect the integrity of the local road network both in terms of its efficient functioning, and ensuring the trafficable surface does not become dilapidated as a result of the works.</i></p>	<p>KAA have estimated that a maximum 25,000 cubic metres of material may be required to be excavated from the site to accommodate the proposal. The Geotechnical Report identifies the variable nature of the materials on site, each of which will have a different bulking factor when excavated.</p> <p>The geotechnical report identifies methods to stabilise the site and protect the adjoining properties during the excavation process.</p> <p>A construction traffic management plan will be prepared by the contractor engaged to build the project. This will address the excavation and construction phases of the project and will include haulage routes and management of traffic within the local road network.</p> <p>A dilapidation report can be prepared for the local road network in the immediate vicinity of the site prior to and following completion of the works to identify potential impacts on the road network with any impact created as a result of the proposal rectified prior to occupation.</p>

Amended Plan References

Set out below is a list of amended plans submitted in response to Council's request for additional information and clarification. These amended plans and this response to submissions is made under clause 55 of the *Environmental Planning and Assessment Regulations 2000*. The

Amended Drawings:

- DA 02 D – introduction
- DA 03 D – perspective view 1
- DA 04 D – perspective view 2

Kiama Shores_ Council letter addressing amended DA No. 10.2016.286.1_response to architecture review

DA 09 D – design analysis 4 - 11m height plane
DA 13 D – proposed external works plan
DA 18 D – proposed level 02
DA 19 D – proposed level 03
DA 20 D – proposed level 04
DA 21 D – proposed roof
DA 22 D – elevations 1
DA 23 D – elevations 2
DA 24 D – elevations 3
DA 31 D – summary of ADG solar access
DA 32 D – solar & daylight analysis 01
DA 33 D – solar & daylight analysis 02
DA 34 D – solar & daylight analysis 03
DA 35 D – principal usable communal open space – area count
DA 36 D – shadow analysis plans – winter solstice – existing x proposed
DA 37 D – shadow analysis plans – winter solstice – communal open space
DA 38 D – shadow analysis plans – winter solstice – communal open space
DA 39 D – schedule of finishes
DA 40 D – typical unit layouts – building A
DA 41 D – typical unit layouts – building B & D
DA 42 D – typical unit layouts – building C
DA 44 D – view impacts – 40 minnamurra street
DA 45 D – view impacts – 38 minnamurra street
DA 46 D – view impacts – 36 minnamurra street
DA 47 D – view impacts – 34 minnamurra street
DA 48 D – view impacts – 32 minnamurra street

New Drawings:

DA 52 A – additional sun studies 1
DA 53 A – additional sun studies 2
DA 54 A – building D – access
DA 55 A – view from 34 minnamurra street

Conclusion

The project is a contemporary design that utilises a colour and material palette based on the recommendations of the DCP.

When built the project will offer an appealing and friendly residential development that will fit calmly and subtly in its environment delivering a very high standard of architectural expression within the Kiama Town Centre.



It is trusted that the above and the previous response have positively addressed the issues raised by Council and facilitate the completion of Council's assessment report to the Planning Panel. We would appreciate the opportunity to review and comment of the draft conditions prior to the meeting as required by Panel process.

Should you require clarification of the above submission please contact me on 8233 7678.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Clare Brown". The signature is fluid and cursive.

Clare Brown
Director

Enc.

- Updated plans prepared by Kennedy and Associates
- Updated Accessibility Report prepared by Morris Goding Accessibility Consultants