

15 July 2016

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Mr Brendon Clendenning
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141 Coward Street
MASCOT NSW 2020

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Dear Brendon,

DA2016/9 - 200 COWARD STREET, MASCOT – SUPPLEMENTARY PLANNING REPORT

Further to the Joint Regional Planning Panel (JRPP) determination meeting on 12 July 2016 this letter provides supplementary information in support of our current DA for a mixed use development at 200 Coward Street, Mascot. It specifically provides information to demonstrate that development can occur without any obstruction to the RMS drainage easement which has recently been constructed along the site's northern and eastern boundaries.

Background

In consultation with RMS and to facilitate the comprehensive redevelopment of the site, a drainage easement which extended east-west broadly through the centre of the site has been relocated to run parallel to the northern property boundary. The new drainage channel has been fully constructed and work to decommission the old channel will be undertaken once excavation of the site commences. The total width of the drainage easement is 1.8m measured from the centre of the constructed channel.

As part of the assessment of DA2016/9 the application was referred by Council to the RMS. With reference to the treatment of the easement RMS responded as follows (RMS' requirements have been incorporated by Council into the draft conditions of consent for the DA (condition 10 as specified in the Council assessment report)(p51)):

"10. The proposed development is to comply with the following condition provided by Roads and Maritime Services on 29 February 2016:

- (a) *In relation to the easement for drainage acquired by Roads and Maritime:*
- (i) *All buildings or structures, together with any improvements integral to the future use of the site are clear of the O'Riordan Street road reserve (unlimited in height and depth) and the easement;*
 - (ii) *Access to the Roads and Maritime's easement is not denied; and*
 - (iii) *The integrity of the easement is not compromised."*

In effect, Condition 10 requires the RMS drainage easement to be entirely unobstructed by new development and prevents anything other than simple landscaping treatments (turf and paving) from being constructed/erected over the easement or in a way that would impact the structure of the drainage channel e.g. intrusion of tree roots and the like. Development structures including buildings, ramps, planter boxes, trees or mounding over the easement would be in breach of Condition 10.

Note: No additional approvals are required from RMS with respect to the easement; nor does RMS require further information relating to landscaping or building treatments in proximity to the easement to be provided to them. There is simply an expectation that the requirements of the condition will be met.

To address level differences between the pavement and the ground level of the development (in response to flood planning levels that apply to the site) the introduction of ramps was originally proposed to the development's O'Riordan and Coward Street frontages, thereby allowing for disabled access. During the finalisation of their assessment and preparation of their report for the JRPP Council identified concern that the location of some of these ramps, specifically that the ramps proposed to the western façade of Building A would encroach on the section of the RMS easement which extends along the site's western boundary resulting in a potential conflict with RMS requirements and Condition 10. Accordingly, Council has sought confirmation on the exact location of the drainage easement relative to the proposed building footprint, and where necessary that an amended landscape concept demonstrating that access can be gained to the ground level of the development can still be gained should it be necessary to remove any structure extending over the easement.

Council recommended that the determination of the DA be deferred until this matter has been resolved. Their planning assessment report states the following:

"It is recommended that the Joint Regional Planning Panel (JRPP), as the determining Authority in this instance, resolve:

...(b) To defer DA-16/9, for a mixed use development containing five buildings of between 7 to 8 storeys. The development comprises two levels of basement car parking, residential apartments, serviced apartments, ground floor retail premises and childcare centre, at 200 Coward Street, Mascot, until issues relating to the location of structures within the easement benefitting the RMS, are resolved."

On 12 July 2016, the JRPP deferred their determination on the DA in accordance with Council's recommendation.

At the JRPP meeting concerns regarding privacy impacts to residential properties immediately to the north were also raised by the neighbouring land owner. Measures to address these privacy impacts have been incorporated into the design of the proposal.

Updated architectural and landscape plans

An updated landscape concept plan illustrating an alternative approach involving a more minimalist approach to the provision of ramps to the O'Riordan Street frontage was provided to Council on 8 July 2016. We believe the information provided on the revised drawings demonstrates that suitable access can be gained to the ground level retail units without interference to the drainage easement. Determination of the DA may therefore proceed based on the information provided.

Additionally, we believe that the modifications to the plans fully address the requirements of draft Condition 13 and accordingly this condition is no longer required.

The architectural and landscape concept plan have been further refined in response to additional matters identified at the JRPP meeting in relation to landscaping treatments to the site's northern property boundary. Corresponding amendments to the architectural plans have also been made addressing revisions to the entries to the ground floor retail tenancies needed following removal of the previously proposed ramps.

Updated plans are provided at **Attachment 1** and **2** of this letter. The changes to the plans are summarised below:

- Reduced ramping to O’Riordan and Coward Streets

Revised architectural drawings are provided at **Attachment 1**. Ramp detail is shown on the landscape plans at **Attachment 2**.

- All ramp structures over the RMS easement have been removed. It should be noted that RMS requirements prevent the planting of trees over the drainage easement. Landscaping over the easement is therefore restricted to turf/paving.
- In accordance with the requirements of draft condition 13, no outdoor areas are provided to the Coward or O’Riordan Street frontages.
- Additional planting is proposed within the setback areas including the provision of trees.
- Childcare courtyard
 - The childcare centre courtyard has been setback to correspond to the tenancy building line as required by draft Condition 13.
- Deep soil area
 - We have discussed at length with Council the extent of deep soil zone required for the development. The agreed extent of deep soil zone areas have been incorporated into the revised architectural drawings and relevant adjustments to the parking layout to allow for these zones have been made to the basement plans. The deep soil zones comprise:
 - A pod planter to the south of the childcare courtyard.
 - A zone at western end of the central spine.
 - A zone adjacent to the northern boundary immediately to the north of Building B.
 - We believe that there is inconsistency with what has previously been agreed with Council with respect to the provision of deep soil area within the central spine and the requirements of Condition 53. Part (a) of this condition seems to imply that a more extensive deep soil zone is required stating that “the enlarged deep soil areas are to be continuous throughout the spine.” Given that the architectural and landscape drawings have now been modified to incorporate the required deep soil zones we ask that this wording be deleted from Condition 53 to avoid any misinterpretation of the conditions requirements.
- Privacy impacts to properties immediately to the north:
 - Northern entry to Building A and pathway: The northern entry to Building A has been amended to provide fire egress only. Residents accessing Building A will enter / exit from the O’Riordan Street entry. The pathway along the northern boundary remains but is intended for fire egress only.
 - Fencing Treatment: To clarify, the fencing illustrated on elevation drawing 0017 is internal site fencing to the ground level units of Building A. The palisade fencing

shown is not the intended property boundary treatment. No detail with respect to boundary fencing was included in our original DA drawing package.

It is our intention to provide a residential style boundary fence comprising a 1.8m solid timber fence paneling with a 300mm lattice fencing strip above. The fence style and location is illustrated in the revised landscape plan which accompanies this letter. The fencing will extend along the full length of the site's northern and eastern property boundaries.

- Landscaping treatments: No buildings or structures are permitted over the RMS drainage easement which extends along the northern boundary, this includes tree planting. We are therefore unable to provide new trees adjacent to the boundary fence line. Trees are proposed immediately to the north of the Building A ground level units as illustrated on the landscape plan.
- Balcony privacy screening: Privacy screens have been introduced to the balconies of the north facing units of Building A from Levels 1-3 as shown on the revised architectural drawings. Note: privacy screens are not provided to the ground level units as views from these units will be obstructed by their courtyard fencing and the boundary fencing.

Additional Landscape Requirements


We remain concerned regarding some of the requirements of Condition 53, in particular part (h). Our proposed landscaping treatments over the existing stormwater channel which extends along the eastern boundary of the site are limited to the laying of a turf cover. Condition 53(h) requires tree planting over the culvert but Sydney Water will not allow us to provide this.

We are proposing a timber boundary fence along the full length of the eastern boundary with landscape planting outside the extent of the easement.

We note that no objections have been raised from residents to the east of the site with respect to the privacy impacts of our proposal.

We trust that this information satisfies your requirements and that the assessment of the DA may now proceed. Should you require further information please do not hesitate to contact me on ph. 9287 2509.

Yours faithfully
MERITON GROUP



Norelle Jones
Senior Development Planner

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