

Botany City Council
Coward Street
Mascot NSW

19th September 2016

Attention: Chris Mackey

RE:32 Page, Banksmeadow, Sydney NSW ("Project")

Dear Chris,

VIG Pagewood Development Unit Trust ("Applicant") writes with commentary regarding the JRPP report and draft conditions as drafted by Botany City Council (BCC) relative to its s96(2) application seeking to modify DA14/080.

In summary, we would like to thank Council for the recommendation to the JRPP to approve the proposed modifications, and for your assistance during the assessment of the application. However, in light of our review of the draft conditions, we have identified a select number of conditions (some of which identified in the application documentation) that require further modifications and/or clarification.

We have copied in the JRPP secretariat to this email to ensure that they are also aware of the above matter prior to the Panel Meeting.

Assessment of Modification

- **Increased Height**

The Applicant understands BCC's sensitivity to height controls throughout the previous DA approval process, and specifically to the proposed communal lounges, and accompanying lift and stair access, to Level 7.

Subject to the permissibility under the s96(2) determination of lift overruns (for lifts serving to Level 6 only), service equipment (a/c condensers, domestic hot-water) to a maximum height of 1.5m over roof level, the Applicant agrees to withdraw the Level 7 communal lounge, terrace and lift overruns (latter serving Level 7). The design of the lift cores has been closely reviewed and a suitable lift specified which allows for a significant reduction to the overall heights shown on the existing DA drawings. The Applicant shall seek, within the constraints of envelope controls, to relocate the remnant GFA within the balance of the development.

The lift overruns have been reduced significantly from that shown on the existing DA drawings, with the overrun height reduced from RL38,800 to RL37,900 (900mm reduction) through the selection of a minimal overrun lift (3600mm AFFL). This reduced overrun is approximately 600mm above the height control, which is considered acceptable as there is no resultant impact on shadows, views or amenity for the development or surrounding properties. Similarly, the rooftop plant and skylights (including those recommended by the DRP to be added to the upper level bathrooms and laundries) will sit partially above the height control, though all are setback considerably from the edge of the roof, to negate any



impact on shadows, views or amenity for the development or surrounding properties.

The Applicant **does not agree** with BCC's suggestion in the officer report that an apartment on Level 6 of each of Building A and B is converted to a communal lounge and terrace. This will result in a reduction of apartments across both buildings and undermine commercial viability. It should be noted that the communal open space provision for the proposed development is as follows:

- Site: 14,821sqm
- Level 1 landscape podium "landscape" - 3238sqm;
- Level 2 communal landscape between building A and B - 232sqm; and
- Street Entry lobbies (excluding mail room and lift waiting area at ground) - 230sqm
- Total Area - 3695 or 25%)

Therefore, the L7 spaces were in excess of the ADG requirements therefore the removal of the L7 facility will not be detrimental in a rule-of-thumb sense.

RECOMMENDATION

We respectfully request that the Council seek to modify Condition 2 as follows:

*Prior to the issue of the Construction Certificate the applicant is to submit to Council for approval, an amended plan which deletes all structures on Level 7 from both Building 1 and 2, so as not to exceed 22 metres in height, **with the exception of lift overruns (for lifts serving to Level 6 only), service equipment (a/c condensers, domestic hot-water) and roof-lights to bathrooms/laundries to a maximum height of 1.5m over roof level.***

- **Traffic Consideration/Conditions**

Condition 74 of the original approval relates to the upgrade of the Wentworth Avenue and Page Street intersection. Condition 74 reads as follows:

No part of the development shall be occupied by any residents, and no occupation certificate shall be issued until the required upgrade to the intersection of Wentworth Avenue and Page Streets has been completed.

The Applicant has requested that this condition be deleted and continues to contend that the restriction to occupation of the development until such time as the intersection upgrade works to both Wentworth Avenue/Page Street and Wentworth Ave/Baker Street have been completed is inequitable.

As noted in the previous JRPP Report:

"Council has entered into a Planning Agreement with Karimbla Constructions Services (NSW) Pty Ltd for the upgrade of the intersection of Wentworth Avenue and Page Street in line with the recommended works listed above. This is associated with the development of the former BATA site, at 130- 150 Bunnerong Road, Eastgardens. The interstation should be upgraded within the next three years. Council is in the process of preparing the design for the works."

The Applicant has no ability to directly undertake or influence these works to ensure a timely completion as these are controlled by third parties including BCC. The Applicant has made several offers for its traffic consultants to meet with BCC's engineers and resolve these matters including Applicant proposed interim solutions until such time as the permanent works (by others) are completed.

The Applicant contends that the previous and current conditions relative to intersection upgrade works to both Wentworth Avenue/Page Street are inequitable and unreasonable. Appropriate interim measures are available and BCC has failed to give these matter full consideration.

The Applicant is willing to undertake the extensive upgrade works under current draft Condition 6 (previous condition 5) as its own cost and risk.

The addendum Traffic and Parking Assessment prepared by McLaren Traffic Engineering in support of this application concludes the following in relation to Condition 74:

- *Supporting letters provided to Council for DA/080/2014 demonstrate alternative measures that can be put in place to manage the additional traffic load on the surrounding road network, until such time as the upgrade of Page Street / Wentworth Avenue is completed. Turn restrictions during peak hours, as discussed in our 25th September 2015 letter of advice below:*

"If "No Right Turn" was implemented from Holloway Street to Page Street, the redirected vehicles will utilise Baker Street to access Wentworth Avenue, which will be upgraded to a signalised intersection. It is very likely that once this intersection is upgraded, it will become a more attractive route to travel north and east if Page Street improvements are not undertaken by Council"

"To appease Council concerns with respect to the development traffic generation, further recommendations can be implemented by prohibiting right turns from Holloway Street to Page Street which redirects development traffic (And existing traffic) to Baker Street which will be upgraded to signals as part of Council's adopted S.94 plan. The conceptual roundabout provided by the undersigned and submitted to Council is no longer offered by the Applicant, as it is evident this local area management solution is not supported by Council."

- *During congestion periods, motorists are most likely to select a route that provides the lowest delays (i.e. path of least resistance). Residents of 32 Page Street would become well aware of the surrounding road network during peak hours (prior to the completion of works) such that they are likely to avoid utilising Page Street to travel to Wentworth Avenue and would select alternate routes via Baker Street.*
- *Council's traffic study (prepared by SMEC dated 24th April 2015) identifies the performance issue at Page Street / Wentworth Avenue to be in the AM peak period, whilst the PM peak period has an improved LoS.*
- *During peak times it is typical that "green time" is increased to the RMS state road, Wentworth Avenue and the expense of side streets (Page Street), which ultimately increases delay to the lower order Page Street. By redirecting vehicles to Baker Street*



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and westbound on Wentworth Avenue to avoid Page Street is sufficient due to the "spare" capacity of the left turn at Baker Street and lesser impact on the Wentworth Avenue / Page Street intersection for the westbound through movement along Wentworth Avenue due to the greater green phase time for this movement compared to the left turn from Page Street to Wentworth Avenue.

It is therefore requested that Condition 74 be **deleted**

- **Other Design Related Matters (DRP)**

"2a. The mesh screen layer wave balustrades on the RFB's are to be modulated horizontally (perhaps to express individual units) to break down the scale of the facades"

Response:

The varied curvature of the balustrade setout serves to provide contrast in depth and shadow across the façade. Further, the detailing of the balustrade system is designed to give variation across the length of the building, with the individual balustrade panels employing differing sized punctuations to accentuate the curves and bends.

The definition of the apartment modulation is created through the balcony dividing walls which extend to the rear face of the balustrade to create an outdoor room for each apartment.

The Applicant contends that no amendment is required.

2b. The top storey could be defined by a variation in the façade treatment (behind the balustrades) including a lightweight structure for visual lightness and to provide a top to the RFB's;

Response:

The proposal employs a contrasting approach to the uppermost level to mark a defined shift in the building rhythm.

The roof is expressed as separate to the balustrade language to provide a defined 'lighter' top to the buildings. The apartments to Level 6 are typically set back from the northern and western facades to give an increased setback with the balcony diving walls reduced and the roof supported on a series of freestanding columns to accentuate the floating roof form.

The Applicant contends that no amendment is required.

2c. Include a cross-over from another lift core at an upper floor to provide an alternative access in these situations.

Response:

The design of the lift cores and apartment plates complies with the objectives and requirements of the ADG and the Building Code of Australia (BCA). The proposed buildings are five levels above the podium and served by a lift and fire stair to each lift core.

The provision of single lift cores is an orthodox and accepted approach to medium density buildings of this nature and is considered appropriate in this instance.

The Applicant contends that no amendment is required and is inappropriate.

2d. Provide roof lighting and ventilation at the top level internal bathrooms and laundries. The design of the car park as proposed with some natural lighting and ventilation is commended.

Response:

The provision of natural light and ventilation to the upper level bathrooms and laundry rooms (not when effectively cupboards) may be achieved though this would result in a very minor breach of the building height controls as previously identified (approximately 600mm). This is due to the construction and installation requirements for operable skylights to be installed at a minimum pitch of 15 degrees, and sit atop a concrete hob for waterproofing.

The Applicant can accept the suggested alterations subject to relief on height controls

2e. Provide weather protection to all unprotected glazing and window openings;

Response:

The glazing to the apartments along the northern and western facades is protected by generous balcony overhangs. The eastern and southern facades incorporate inboard balconies, that protect the glazing and provide outdoor rooms off the living areas, and strip glazing between the horizontal spandrels.

The strip glazing between the spandrels has been designed to minimize the potential for rainwater ingress through the utilization of fixed glazing and awning windows. The ribbon spandrel above the glazing sits proud of the glazing line, creating a built drip groove to assist in the shedding of water from the façade. Similarly, the upper level roof projects beyond the glazing to protect the glazing to the upper level apartments.

2f. Provide a small meeting alcove with a bench seat as part of the residential entries to the RFB's, close to the mail boxes and at each upper storey lift lobby.

Response:

The primary entry lobbies off Page and Holloway Streets provide an enclosed lounge area to the street interface to serve as communal address and meeting places for the development at the street edge.

The podium level lobbies also provide covered seating to encourage meeting and chance encounters at the entry to every lobby. This podium level location is closely linked with the landscaped and play areas to encourage the potential for meaningful interaction and play within the landscape setting, rather than at the internalized upper level lift lobbies.

The Applicant contends that no amendment is required.

2g. Provide adequate seating for adults supervising children in the play area.

Response:

The landscape design for the podium levels includes built in seating adjacent to the children's play areas.

The Applicant contends that no amendment is required.



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Representatives of both the Applicant and specialist consultants will be available at the JRPP hearing on 21 September to discuss the above matters.

Should you have any questions please contact me on 0412375584 or david.radford@viggroup.com.au.

Yours Sincerely,

David Radford

Senior Development Manager

VIG Real Estate Development Pty Ltd

For and on behalf of VIG Pagewood Development Unit Trust