

TOWER 2, LEVEL 23 DARLING PARK, 201 SUSSEX ST SYDNEY NSW 2000

URBIS.COM.AU Urbis Pty Ltd ABN 50 105 256 228

13 March 2018

Ms Lisa Foley Planning Panels Secretariat Sydney City East Planning Panel Level 22, 320 Pitt Street Sydney NSW 2000

Via email: lisa.foley@planning.nsw.gov.au

Dear Lisa,

2017 SCL 058 DA - NEWMARKET GREEN (SOUTHERN PRECINCT)

1. INTRODUCTION

We write on behalf of the applicant in this matter, *Cbus Property Sydney Residential Pty Ltd* (CBUS Property).

This letter is provided to the Panel prior to the scheduled meeting of 15 March 2018 and seeks to amend various draft conditions contained within the recommended conditions of consent. CBUS Property is in the process of discussing these matters with Randwick Council, however would like to provide the Panel with advanced notice of its intention to amend these draft conditions.

This letter is accompanied by explanatory information prepared by the design architects that supports our reasoning. It also includes a formally amended plan that we now rely upon as part of the approved drawing set.

2. DRAFT CONDITIONS SOUGHT TO BE AMENDED

2.1. **OVERVIEW**

The three conditions sought to be amended (and the nature of their amendments shown in strike through) are outlined below: Sections 2.2-2.4 of this letter provide our reasoning for amending these conditions.

Condition 2A:

A 1.4m high planter box with a depth of 1.5m to be located at the northern side of apartment 405 (2-B corner apartment) which is to wrap around the eastern side of the apartment for a length of 8.4m. The planter box shall contain perennial species to a minimum height of 1.7m above the communal roof terrace floor level. The maintenance of planting within the planter box shall be included in the plan of management for the site.

And replace with:



Continuous planting is to be provided on the northern side of apartment 405 (2-B corner apartment) which is to wrap around the eastern side of the apartment for a length of 8.4m. The planting shall have a minimum soil depth of 700mm and contain perennial species to a minimum height of 1.7m above the communal roof terrace floor level. The maintenance of the planting shall be included in the plan of management for the site.

Condition 30 (and in turn Condition 1):

The treatment of rear balconies and of ground floor decks to Building S2.2 is to be further resolved in terms of oversight of the Struggletown Conservation Area. Items to be further resolved are:

- The relative levels of ground floor decks and landscape areas to the northern rear boundary and ground plane.
- The use of white glazed brick to the northern elevation, this not being supported on the basis
 of prominent colour exacerbating rather than mitigating the proximity and scale of the new
 works to the Conservation Area. Subducd colour finishes should be utilised to all elements of
 the northern elevation of Building S2.2.

Condition 1: Approved Plans & Supporting Documentation

The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated
DA.S2.07.003 ELEVATIONS – TERRACES Issue 10 11	NEESON MURCUTT ARCHITECTS PTY LTD	24/1/18 08/03/18

Condition 32:

To mitigate the massing of Building S3 the horizontal banding of the exterior elevations should be relieved by further articulation. Elements to be considered include openings to the top floor verandah soffit, overlays of glazing or brickwork extending up from the pronounced horizontal layering or inserts to the external banding at key points such as the beginning of the recessed verandas reducing the apparent length of the three principle bays. Details showing compliance with this condition shall be submitted to and approved by Council's Manager of Development Assessment or Heritage Planner prior to a Construction certificate being issued for the development.

2.2. CONDITION 2A: PLANTER BOX TO APARTMENT 405

The wording of this condition is confusing in its interpretation. We understand the intention of this condition is to provide privacy to apartment 405 (the 2B/r corner apartment) from the adjoining roof-top communal space. In order to maintain this intention, and to prevent the structure of the planter box not to project above the parapet, hence creating climbability issues, alternate re-wording of this condition has been provided.



A soil depth of 700mm will support planting to achieve a height in excess of 1700mm that will provide sufficient privacy to the apartment from the adjacent communal space.

The effect of this condition is illustrated in the section within the separate drawing pack provided by Bates Smart, attached to this letter

2.3. CONDITION 30: BRICK COMPOSITION TO NORTHERN FAÇADE OF BUILDING \$2.2

This condition was specifically recommended by Council's Heritage Planner. Despite referral of the DA to the Heritage Office, only comments relating to archaeology issues were raised. The Heritage Office did not deem it appropriate to comment on the design or materials relating to Building S2.2.

It was the design architect's intention to provide a predominate brick colour for this building, but also to provide a degree of variation and interest through the use of a white glazed brick throughout the external pattern.

Elevation Plan DA.S2.07.003- Issue 11 (dated 8 March 2018) shows this brick pattern and confirms the composition of the white glazed brick to a maximum of 10% of the total brick blend. This level of information was not available until recently and we hope clarifies the intention behind this issue. Accordingly, Draft Condition 1 should be amended to refer to the recent plan date and version number to ensure this building is constructed in this manner.

Given the clarification provided above, there is no need to further restrict or regulate the amount of white glazed brick as is identified in the second bullet point within Condition 30. This opinion is further reinforced when considering the following additional matters:

- The northern elevation has very limited exposure to the public domain within the heritage conservation area. Due to fencing, landscaping and intervening buildings in the streetscape, this elevation would only be seen from a limited position when approaching the building from the north along Jane Street. The view of this elevation is limited to within the rear yards of 2 or 3 nearby properties.
- The heritage conservation area does not provide any significant uniformity in external materials use and./or colour. The buildings within Struggletown consist of a mix of styles, materials and colours, and the prescription against a relatively subservient component of white brick within the overall brick blend is not required from a heritage viewpoint.
- The proposed plans, including materials selection and perspectives were considered by Council's Design Excellence Panel in its meeting in June 2017 where the DEP took no issue with this matter and ultimately concluded that 'With the incorporation of the above comments the Panel feels this will be an exemplary design and a fine addition to this precinct does not need to see this project again.'

2.4. CONDITION 32: REQUEST FOR ADDITIONAL ARTICULATION TO BUILDING S3.3 TO ADDRESS HERITAGE ISSUES

This condition was also specifically recommended by Council's Heritage Planner. It was sought to reduce the bulk and scale of Building S3.3 when viewed in the context of the Big Stable.



It is noted that the primary view corridor of the Big Stable is from the north (ie from the Barker Street frontage). This is recognised in site-specific DCP for Newmarket and one that the approved Masterplan responds to.

Whilst the western (side) elevation of the Big Stable can be seem along DV1, this is not the primary view of the building. The view of the Big Stable and its relationship with S3 is not readily visible from the broader area of Paine Reserve. Building S3.3 can only be viewed from Paine Reserve (in the context of the western edge of the Big Stable) when standing immediately in front of Building S3.3 (ie from within the existing Scout Hall carpark). This does not represent a primary or dominant view.

We agree that the design should seek to reduce the bulk and scale of Building S3.3. However, the design has already achieved this through the following key massing moves that have been previously supported by Council's Design Excellence Panel:

- The long southern frontage is broken into three elements separated by recessed balconies.
- The five-storey eastern envelope (approved under the masterplan) now accommodates only four storeys
- The four-storey element is set back 2m from the southern building line to open the view of the Big Stable from DV1 (and the Scout Hall carpark)

We disagree that the additional detailed façade articulation identified in Condition 32 will contribute to a reduction in the bulk and scale of Building S3.3. Bates Smart have deliberately proposed a 'calm' façade composition as a neutral backdrop to the highly articulated and brightly coloured Big Stable. We are concerned that additional articulation to the Building S3.3 façade could actually provide a distraction from the Big Stable.

Given the above, we believe Condition 32 should be deleted.

3. SUMMARY

We kindly request the Panel consider this submission, together with the accompanying information in amending or deleting conditions 1, 2A, 30 and 32 as we have identified in Section 2 of this letter.

Please do not hesitate to contact the undersigned on 02 8233 9949 or 0409 466 723 should you wish to discuss further.

Yours sincerely,

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Peter Strudwick Director – Planning

Encl. Appendix 1 - Amended plan showing materials associated with building S2.2 (Conditions 1 and 30)

Appendix 2 - Batessmart explanatory design pack (Conditions 2A and 32)

APPENDIX 1

AMENDED PLAN SHOWING MATERIALS ASSOCIATED WITH BUILDING S2.2 (CONDITIONS 1 AND 30)





GENERAL LEGEND		APARTME	NT LEGEND SERV	ICES LEGEND	CONSULTANTS			UE DATE	REVISION	PRO
AD ALUMINIUM DOR AW ALUMINIUM WIN PS PERFORATED SC CONC CONCRETE RF1 ZINC ROOF	NDOWS GP GRASS	I PAVERS BT B AIC TILE SH S GE UNIT WC T	ATH TUB GM HOWER BA OILET FH	HYDRANT BOOSTER GAS METER BACKFLOW ASSEMBLY FIRE HYDRANT CONDENSOR UNIT			11	08/3/18	REVISED DA	PR FOR
RF2 COLORBOND R RF3 TILED ROOF BR1 BRICK 1 - 3 TONE BR2 BRICK 2 - GLAZEI BR3 BRICK 3 - TERRAG	TG TIMBER TD TIMBER NE MIX GD GARAG ED WHITE BRICK COL COLUM ACE BRICK AB1 ALUMIN	E GATE LT L R DECK LC L GE DOOR DW D VN SK S NIUM BATTENS - WHITE F F	AUNDRY TUB INEN CLOSET JISHWASHER INK RIDGE		- COMPLY WITH RELEVANT AUTHORITES REQUREMENTS - COMPLY WITH THE BUILDING CODE OF AUSTRALIA - COMPLY WITH ALL RELEVANT AUSTRALIAN STANDARDS	F DISCREPANCY EXISTS NOTIFY ARCHITECT COSE - CONFIRM ON SITE F IN DOUBT ASK				<u>NO</u> DA 7.0
GS GARBAGE CHUT LC LINEN CUPBOAR PF PALISADE FENCE RM RENDERED MASS	RD ST STONE CE WA WATER	METERS P F	TOVE TOP		- DIMENSIONS IN MILLIMETRES - USE FIGURES DIMENSIONS ONLY - DO NOT SCALE	CAD File: NEWSECTION 171121 v2017.wwx		AWN BY HS	CHECKED BY ?? AS CHECKED DRAWING CAN BE CONSIDERED APPROVED UNDER INMA QUALITY MANAGEMENT SYSTEM	Cop

		ME : NEWMARKET GREEN	NEESON MURCUTT ARCHITECTS PTY LTD L2 9 ROSLYN ST POTTS POINT 2011 T. 8297 3590 F. 8297 3510			
ROJECT NO: 1613 r CBUS PROPERTY			NOMINATED ARCHITECT : RACHEL NEESON No. 6692			
)	REV	TITLE	PHASE	SCALE	DATE	
4.S2.0 003	11	ELEVATIONS - TERRACES	DA	1:250	13/07/16	
pyright in all documents and drawings prepared by NEESON MURCUTT ARCHITECTS and in any works executed from those cuments and drawings shall remain the property of, or on creation vest in NEESON MURCUTT ARCHITECTS. Pty Ltd						

APPENDIX 2 BATESSMART EXPLANATORY DESIGN PACK (CONDITIONS 2A AND 32)



NEWMARKET Lot S3

PLANNING PANEL 15 MARCH 2018



CONDITION 2A

PROPOSED REPLACEMENT CONDITION

"Continous planting is to be provided on the northern side of apartment 405 (2-B corner apartment) which is to wrap around the eastern side of the apartment for a length of 8.4m. The planting shall have a minimum soil depth of 700mm and contain perennial species to a minimum height of 1.7m above the communal roof terrace floor level. The maintenance of the planting shall be included in the plan of management for the site."



cbus property



CONDITION 32

PROPOSED REMOVAL OF CONDITION 32

"To mitigate the massing of Building S3 the horizontal banding of the exterior elevations should be relieved by further articulation. Elements to be considered include openings to the top floor verandah soffit, overlays of glazing or brickwork extending up from the pronounced horizontal layering or inserts to the external banding at key points such as the beginning of the recessed verandahs reducing the apparent length of the three principle bays. Details showing compliance with this condition shall be submitted to and approved by Council's Manager of Development Assessment or Heritage Planner prior to a Construction certificate being issued for the development."



setback

cbus property







BATESSMART







BATESSMART



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BATESSMART



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YOUNG ST Proposed Massing



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