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25 July 2019

The Hon Carl Scully
Chair
Sydney Eastern City Planning Panel
c/o Planning Panels Secretariat
Email: enquiry@planningpanels.nsw.gov.au

Dear Mr Scully and Panel Members,

2018ECI018 – RANDWICK – DA887/2018: 150-162 BARKER STREET, 1 JANE STREET & 8-20 YOUNG STREET, RANDWICK

We write on behalf of *Cbus Property Sydney Residential Pty Ltd* (the Applicant) regarding **DA887/2018** which seeks consent for a mixed-use development at Lots N1 and N2, Newmarket Randwick. The application is to be determined by the Sydney Eastern City Planning Panel at the public meeting scheduled for Tuesday 30 July 2019.

We have had the opportunity to review Randwick City Council's assessment report and draft conditions dated 12 July 2019. There are two conditions of consent relating to Lot N2 that we wish to raise with the Panel, being Condition 2(a) and Condition 4(a). It is our opinion that these conditions are unnecessary and we are therefore requesting that they are removed prior to determination. The following sections outline our reasons for removal and should be read in conjunction with the attached supporting statements prepared by Bates Smart.

Condition 2(a)

Condition 2(a) states:

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:

a. The roof of the six storey building on Lot N2 shall be amended to be consistent with Option 2 as shown on the roof option study in the proportion analysis section dated 12 March 2019 and prepared by BATESSMART. Details shall be submitted to and approved by the Manager Development Assessment prior to a Construction Certificate being issued for the development.

It is our understanding that this condition has been inserted to address the comments provided by the Randwick Design Excellence Panel in response to a Roof Options Study prepared by Bates Smart in March 2019. We have not seen a copy of these comments as they were provided out of session.

In response to previous Panel commentary in June 2017, Bates Smart investigated alternative treatments to the upper level of Lot N2. These alternatives were detailed in the Design Report submitted with DA887/2018 and were presented to the Panel at the February 2019 meeting. Subsequently, the following additional commentary was provided by the Panel:

The Panel feels that further study is required to distinguish this level as a roof top level from the three middle levels below creating a base related to the townhouses, a middle layer and an upper layer against the sky. This could be achieved with a simpler roof form for the roof that does not mimic, as an extrusion, the level below and also allows for views through to the sky from balconies. The proposed treatment of the upper parapet is not a convincing way to distinguish this level from those below.

The proposed building façade can be further refined. Components on the building façade are to be developed to differentiate the bottom, middle and top. This can be achieved by providing upper roof setback to distinguish the upper floor and allow for views through to the sky from these balconies.

Further options were then tested by Bates Smart and provided to the Panel in March 2019. This analysis firmly stated that the project Architect, Applicant and team respectfully disagreed with the Panel's opinion that the building façade needed a defined bottom, middle, and top. It is our opinion that the scale and proportions of Lot N2 do not lend themselves to three façade components. Rather, the proposed scheme provides two building components comprising a podium and body in good proportion. This is demonstrated in Figure 1.

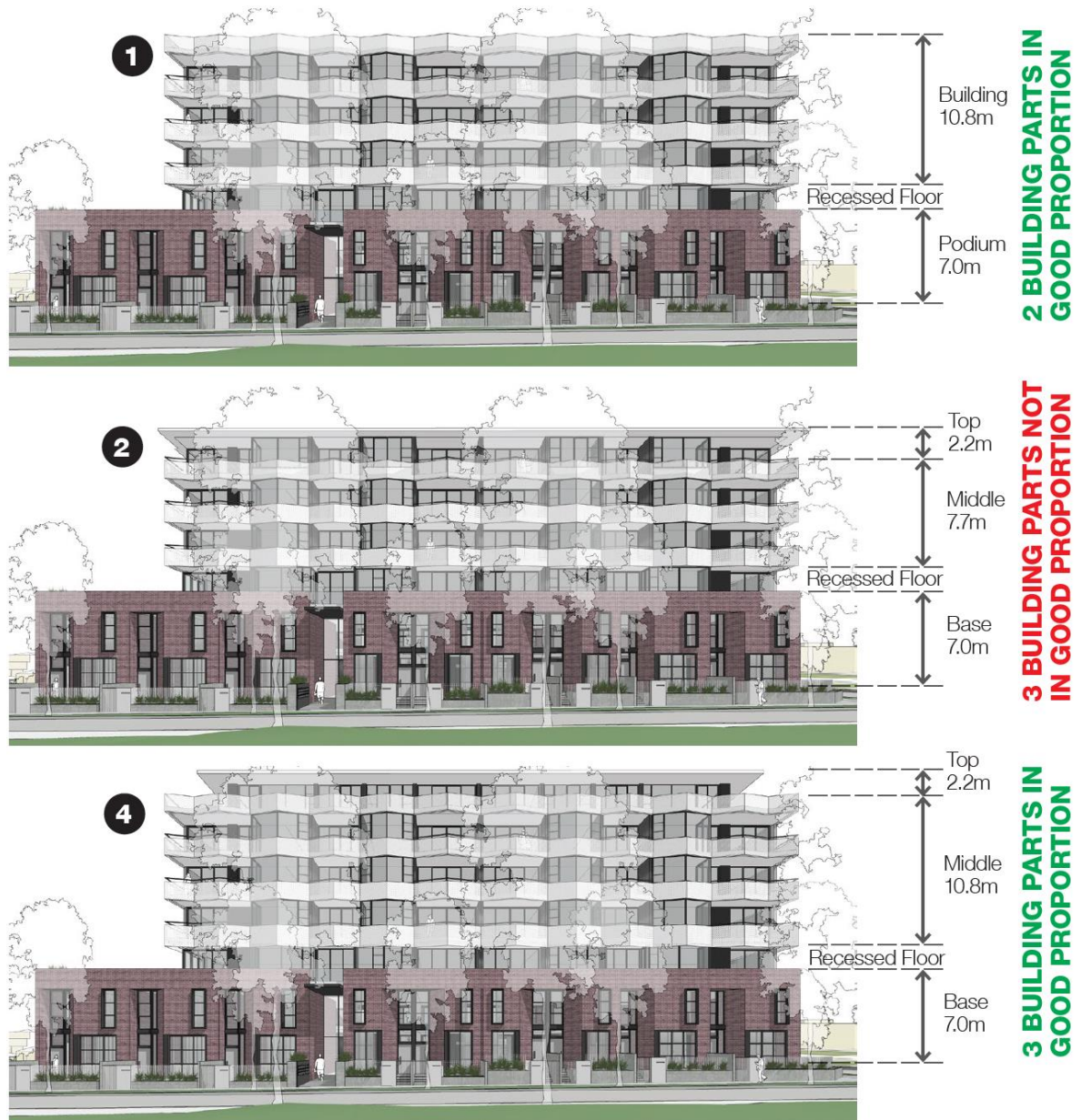
The proposed two-storey expressed podium is a crucial element of the development as it responds to the scale of adjacent properties within the struggle town heritage conservation area, as well as the adjacent heritage listed Newmarket House.

In order to create three building parts in good proportion the building would require an additional level. However, this would result in a significant non-compliance with the maximum height of building standard and approved Stage 1 building envelope.

The project team have engaged with the Randwick Design Excellence Panel throughout the preparation of the Stage 1 Concept Master Plan and subsequent detailed design applications for Stages 1, 2 and 3. Many of the recommendations provided by the Panel have been incorporated and the project has greatly benefited from the independent design advice provided by the Panel members. However, in this instance we respectfully disagree with the recommendation of the Panel and believe Condition 2(a) will result in a poorer design response in terms of context and neighbourhood character, built form and scale, and aesthetics.

We therefore, respectfully request that the Sydney Eastern City Planning Panel remove Condition 2(a) from the conditions of consent prior to determination.

Figure 1 – Lot N2 upper level study options



Condition 4(a)

Condition 4(a) states (with our emphasis added):

Randwick Council Heritage conditions

a. The western elevation of the townhouses which are part of the N2 building are to be redesigned to provide improved articulation, consistent with Master Plan consent condition no.12 which requires specific articulation of outer volumes, to the reduce the impact of new works on the Struggletown Conservation Area. Amended drawings are to be submitted to and approved by Council's Director City Planning, in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.

Master Plan consent condition no 12 states (with our emphasis added):

The following conditions are to be satisfied as part of any further development application/s submitted in relation to the site

12. As part of any further development application/s submitted in relation to the site, the design of town houses or apartments abutting the sites of Newmarket and The Big Stable must include specific articulation of outer volumes, utilising established techniques including but not limited to tapering and 'feathering' of building extremities, provision of open balconies and transparent glazed enclosures and open undercrofts to reduce the impact of new works on Newmarket House, The Big Stable, the Struggletown Conservation Area, and the interstitial areas between existing and new construction. Specific modelling of building E4 is to respond to the form, massing and setbacks of the Big Stable as viewed from the north and North West.

Master Plan consent condition no. 12 relates to townhouses or apartments within the Newmarket site abutting the State Heritage listed Big Stable building. Lot N2 does not abut the Big Stable building and therefore it is our opinion that condition no.12 of the Master Plan consent is not relevant to DA887/2018.

Notwithstanding, the design of the side boundary condition on Lot N2 has been carefully designed with regard to the scale and form of the Struggletown Conservation Area, as well as building separation, visual and acoustic privacy.

As depicted in the southern elevation at Figure 2, the skillion roof of the N2 townhouses falls towards the single storey dwellings toward the west, creating a reduction in scale on the western boundary. The proposed townhouses are located 4m from the side boundary – consistent with the approved Stage 1 Concept Master Plan envelope – and significantly greater than the side boundary setback of the existing townhouses to the west - which is typically 1m.

The west facing façade of the proposed townhouses includes glass sliding doors at ground level to provide access to the side garden, but no openings on level 1 ensuring no direct overlooking of adjacent properties. This approach is consistent with the existing two storey dwellings within the Struggletown Conservation Area.

A Statement of Heritage Impact prepared by OCP Architects was submitted with DA887/2018. The statement confirmed that potential impacts on the Struggletown Conservation Area had been reduced through the use of lower building heights, open balconies, tapering of building extremities and transparent glazed enclosures. Further, the statement confirmed the *“proposal for Lots N1 and N2 is generally consistent with the approved Masterplan and is therefore assessed as being consistent with the heritage provisions of the Randwick LEP 2012 and Randwick CDCP Chapter E5 2013, and considered acceptable in heritage terms”*.

It is our opinion that the form, scale and articulation of the western townhouses is appropriate and therefore we respectfully request that the Sydney Eastern City Planning Panel remove condition 4(a) from the conditions of consent prior to determination.

Figure 2 – Lot N2 – Southern Elevation



We appreciate your consideration of the above and look forward to discussing this further at the public meeting on Tuesday 30 July 2019. In the meantime, please do not hesitate to contact me on 0432 892 295 or swilson@urbis.com.au should you require any further information.

Yours sincerely,



Samantha Wilson
Associate Director

18 July 2019

Architecture
Interior Design
Urban Design
Strategy

The Hon Carl Scully
 Chair - Sydney Eastern City Planning Panel
 c/o Planning Panels Secretariat
 E: enquiry@planningpanels.nsw.gov.au

BATESSMART™

2018ECI018 – Randwick – DA887/2018 – Proposed DA Conditions of Consent

Dear Mr Scully

We request that condition 2(a) be deleted on the basis that it provides a poorer response in terms of context and neighbourhood character, built form and scale, and aesthetics.

This condition has arisen from feedback provided by the Joint Randwick/Waverley Design Excellence Panel (DEP). The Newmarket project has benefited from a positive and productive working relationship with the DEP, having incorporated recommended changes to the initial masterplan and each of the subsequent building designs (including N2 in the pre-lodgement phase).

However, in this instance, we respectfully disagree with the recommendation of the DEP. We believe the proposed changes will diminish the relationship of the proposed development with the adjacent Struggletown Conservation Area.

The diagrams below illustrate the proposed scheme and the alternative recommended in condition 2(a).



The proposal has been carefully designed to respond to the **context and neighbourhood character** of the Struggletown Conservation Area. The two-storey base relates directly to the **Built Form and Scale** of the conservation area. Above the base, a simple four storey volume relates to the taller buildings fronting Young Street and the new park. The proposed faceted roof profile provides a skyline silhouette which recalls the hipped roof profiles of the conservation area. This would be lost with a flat roof as proposed by the panel. We strongly believe that the faceted plan profile without expressed roof plane provide better proportions and a more contextual response to **Aesthetics**.

We believe that the proposed condition 2(a) will diminish the design and request it is deleted.

Yours sincerely
Bates Smart Architects Pty Ltd

A handwritten signature in black ink, appearing to read 'Matthew', followed by a long horizontal flourish.

Matthew Allen
Director

24 July 2019

Architecture
Interior Design
Urban Design
Strategy

The Hon Carl Scully
Chair - Sydney Eastern City Planning Panel
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BATESSMART™

2018ECI018 – Randwick – DA887/2018 – Proposed DA Condition of Consent 4A

Dear Mr Scully

We request that condition 4(a) be deleted on the basis that masterplan consent condition no.12 is not relevant to this location and the western elevation of the townhouses provide an appropriate response to the side boundary condition.

Masterplan consent condition no.12 requires that:

“the design of town houses or apartments abutting the sites of Newmarket and The Big Stable must include specific articulation of outer volumes, utilising established techniques including but not limited to tapering and ‘feathering’ of building extremities, provision of open balconies and transparent glazed enclosures and open undercrofts to reduce the impact of new works on Newmarket House, The Big Stable, the Struggetown Conservation Area, and the interstitial areas between existing and new construction. Specific modelling of building E4 is to respond to the form, massing and setbacks of the Big Stable as viewed from the north and North West.”

Even though the consent condition is not applicable to the western boundary of Lot N2, the design of the side boundary condition has been carefully designed with regard to ADG building separations, privacy, and the scale and form of the Struggetown Conservation Area.

The southern elevation, illustrated below, shows the scale of the townhouse reducing to the west, with the skillion roof falling towards the single storey dwellings to the west.



The proposed townhouses are located 4m from the side boundary – consistent with the masterplan envelope – and significantly greater than the side boundary setback of the existing townhouses to the west - which is typically 1m.

The west facing façade of the proposed townhouses includes glass sliding doors at ground level to provide access to the side garden, but no openings on level 1 ensuring no direct overlooking of adjacent properties. This approach is consistent with two storey dwellings within the Struggletown Conservation Area.

We believe that that the form, scale and articulation of the western townhouses is appropriately designed and request that condition 4(a) is deleted.

Yours sincerely
Bates Smart Architects Pty Ltd

A handwritten signature in black ink, appearing to read 'Matthew', followed by a long horizontal flourish.

Matthew Allen
Director