

9 September 2020

Bayside City Council
444-446 Princes Highway
ROCKDALE NSW 2216

**DESIGN VERIFICATION STATEMENT
5 OSCAR PLACE, EASTGARDENS (DA2018/1003/C)**

As a qualified architect for the purposes of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development, I confirm that the proposed amendments to the original Development Consent (DA2018/1003) have been assessed against Section 115(3A)(a) of the Environmental Planning and Assessment Regulation 2000.

In accordance with Section 115(3A)(b)(i)&(ii) of the Environmental Planning and Assessment Regulation 2000, an assessment against the Design Quality Principles set out in Schedule 1 of State Environmental Planning Policy No. 65 and the Objectives of the Apartment Design Guidelines are satisfied and detailed on the following pages.

In accordance with Section 115(3A)(c) of the Environmental Planning and Assessment Regulation 2000, the amendments to the masterplan do not diminish or detract from the design quality, or compromise the design intent, of the development for which the development consent was granted.

Yours faithfully
MERITON GROUP



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In accordance with Section 115(3A)(b)(i) of the Environmental Planning and Assessment Regulations 2000, the SEPP 65 Design Quality Principles are addressed below:

Principle 1 – Context and neighbourhood character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

Comment:

The proposed modification will enable the reinstatement of 3 units along the western façade in place of the porte-cochere as originally approved.

Reinstating the 3 units in the approved existing mixed-use development will ensure the building is consistent with adjacent high-density residential buildings, streetscape and neighbourhood in the surrounding area which has been undergoing significant change for the last 7 years.

Principle 2 – Built form and scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Comment:

The proposed amendments provide the opportunity to fill the empty porte-cochere with 3 units over two levels, which is where units were originally approved in the masterplan and Stage 1 DA. Reinstating the units will return the bulk and scale into the porte-cochere that is consistent with surrounding development as originally envisaged by the masterplan.

Reinstating the 3 units in the approved existing mixed-use development restores the original character of the streetscape and parks, maintains existing views and vistas and will continue to provide internal amenity and outlook as envisioned in the masterplan.

Principle 3 – Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Comment:

The proposed amendment reinstates residential units back into the western façade by removing the port-cochere. The resulting density by reinstating the unit's results is a minor increase in density of 250sqm of gross floor area that has primarily resulted in providing a second swimming pool for the serviced apartments that will now be used for residents in the podium.

The urban density and built form scale remains consistent with the originally approved Stage 1 masterplan consent for the Pagewood Green site and the desired future character for the site envisaged under the BBDCP 2013 which establishes the desired future character of the site as a "vibrant mixed use community with a high level of amenity and quality public domain".

The proposed modifications to the Development Application will not result in changes to the approved site density. The approved density will not impact on existing infrastructure, public transport, access to jobs, community facilities and the environment.

Principle 4 – Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

Comment:

The proposed modifications are consistent with the ESD principles approved within the Stage 1 Masterplan, addresses design changes and will continue to deliver the desired positive environmental, social and economic outcomes for the approved development.

Principle 5 – Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long-term management.

Comment:

The proposed modifications will not result in changes to the approved landscape design.

This modification proposes to reinstate the 3 units along the western façade in place of the porte-cochere will incorporate more dense landscape planter boxes which will act as a privacy screen and assist in separating the public footpath and private courtyards. The proposed amendments provide opportunities for social interaction and equitable access and will continue to retain the desired landscape character of the streetscape and neighbourhood.

Principle 6 – Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Comment:

The proposed modifications will enable 3 units over two levels to be reinstated along the western façade in place of the porte-cochere that would otherwise remain an empty chasm. By having 3 units in lieu of the porte-cochere, a residential environment is created instead of a vehicles dropping of serviced apartment occupants.

Proposed units will be 2 storeys and larger in size than elsewhere provided, which will generate superior ventilation, outlook, privacy and layouts.

Principle 7 – Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.

Comment:

By removing the porte-cochere, the safety and security of the approved residential building will be improved for existing and future residents by not having an empty voided area with no activation that will end up creating unwanted criminal activity, graffiti area and the like.

Principle 8 – Housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

Comment:

This modification proposes design changes to the approved residential development. The development will continue to provide a range of apartment types and sizes to cater for different household types now and in the future.

The unit mix complies with Condition 34 of the masterplan.

Principle 9 – Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Comment:

The proposed modifications to the development consent will not impact on the mix of materials, colours and finishes already chosen for the development.

There is no change to the approved site and building design elements under the proposed masterplan modifications.

In accordance with Section 115(3A)(b)(ii) of the Environmental Planning and Assessment Regulations 2000, the objectives of the Apartment Design Guide are addressed below:

ADG Compliance

	Design Guidance/Criteria	Comment
Objective 3A-1	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	A site analysis was prepared during the original assessment of the application that originally had no porte-cochere. Removing again does not change the site opportunities and constraints as the building is already constructed.
Objective 3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development	The proposed amendment only applies to Building D. The building type does not change as it is already constructed.
Objective 3B-2	Overshadowing of neighbouring properties is minimised during mid-winter	The amendment to the Building D does not change the building height and hence no change in overshadowing of neighbouring properties.
Objective 3C-1	Transition between private and public domain is achieved without compromising safety and security	The proposed modification will enable the reinstatement of 3 units along the western façade. That will allow for ground floor private terraces with landscaping along edges that will improve the security and safety of the private and public domain areas, consistent with other ground floor units in the precinct.
Objective 3C-2	Amenity of the public domain is retained and enhanced	Removing the porte-cochere will result in less car movements which will overall improve the amenity of the public domain and pedestrian areas.
Objective 3D-1	An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	There is no change to communal open space areas as part of this modification, which is found at podium level.
Objective 3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	There is no change to communal open space areas as part of this modification, which is found at podium level.
Objective 3D-3	Communal open space is designed to maximise safety	There is no change to communal open space areas as part of this modification.
Objective 3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	There is not change to the provision of public open space.
Objective 3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	The modification does not change the deep soil zones. Notwithstanding, the private terraces incorporate landscaped areas for residential amenity and promote management of water and air quality.
Objective 3F-1	Adequate building separation distances are shared equitably between neighbouring sites, to	The proposed modification removes the porte-cochere which will enable the

	achieve reasonable levels of external and internal visual privacy	reinstatement of 3 units along the western façade. The proposal will maintain the approved building separation distances of 27.9m to the neighbouring building to the west.
Objective 3F-2	Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space	The removal of the port-cochere will reinstate the residential use along the western façade that will introduce 3 units previously permitted in a 2-storey layout that improves access to light, air, outlook and view from habitable rooms and private open space areas.
Objective 3G-1	Building entries and pedestrian access connects to and addresses the public domain	Where the porte-cochere provided the principal pedestrian and building entry to the serviced apartments to and from the public domain, will now encompass units with ground floor landscaped terraces, that also provide private entry/egress to the public domain that is consistent with other approved ground floor units.
Objective 3G-2	Access, entries and pathways are accessible and easy to identify	Access, entries and pathways to the reinstated 3 units on the Ground Level will enable the detailed access and easy to identify, consistent with other ground floor residential units that have landscaped, fenced private courtyards.
Objective 3G-3	Large sites provide pedestrian links for access to streets and connection to destinations	There is no change to pedestrian access links and connections to destinations as part of this modification. Reinstating units along the western façade continues links to streets and destinations.
Objective 3H-1	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Removal of the porte-cochere and reinstatement of residential units in lieu of the port-cochere improves safety by removing the main drop off zone for serviced apartments, that will no longer exist. The western façade will become a calmer part of the development with removal of the porte-cochere that otherwise would have a large number of vehicles mixing with pedestrians.
Objective 3J-1	Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	Car parking rates were established during the assessment of the Concept DA. The modification does not proposed changes to car parking or public transport.
Objective 3J-2	Parking and facilities are provided for other modes of transport	Removal of the porte-cochere and converting Building D back to residential will reduce car trips from tourists and business, which promotes use of other modes of transport, such as buses, walking and bicycles.

Objective 3J-3	Car park design and access is safe and secure	There is no change to the approved car park design and access.
Objective 3J-4	Visual and environmental impacts of underground car parking are minimised	Visual and environmental impacts of underground car parking will not be affected as a result of this application.
Objective 3J-5	Visual and environmental impacts of on-grade car parking are minimised	Visual and environmental impacts of on-grade car parking will not be affected as a result of this application.
Objective 3J-6	Visual and environmental impacts of above ground enclosed car parking are minimised	Visual and environmental impacts of above ground enclosed car parking will not be affected as a result of this application.
Objective 4A-1	To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	<p>The proposed amendment will create opportunity for 3, two storey units in lieu of the porte-cochere. Originally this area had 7 units over two levels. The 3 units will have superior access to sunlight due to being over two levels with sunlight accessing habitable rooms, primary windows and private open space.</p> <p>The development will continue to comply with above 70% of residential units having the requires solar access.</p>
Objective 4A-2	Daylight access is maximised where sunlight is limited	The modification to the development consent will result in 3 units over two levels that always provides superior daylight access.
Objective 4A-3	Design incorporates shading and glare control, particularly for warmer months	Removal of the porte-cochere takes away a 2-storey glazed wall encompassing a lobby that was for the serviced apartment. By reinstating residential units in this location, breaks up glare with a residential finish of balconies, windows, sliding doors to living rooms and landscaped private courtyards.
Objective 4B-1	All habitable rooms are naturally ventilated	Removal of the port-cochere to enable 3 two storey units at ground level will allow natural ventilation compared to single level units.
Objective 4B-2	The layout and design of single aspect apartments maximises natural ventilation	<p>Removal of the porte-cohere will result in two level units to take be placed in this space.</p> <p>Two level units are far superior for maximising natural ventilation where single aspect unit prevail.</p>
Objective 4B-3	The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents	The development will continue to comply with the required 60% of natural cross ventilation

Objective 4C-1	Ceiling height achieves sufficient natural ventilation and daylight access	The original development consent had residential units located in the porte-cochere area. Now the masterplan takes away the porte-cochere and reinstates units approved compliant ceiling heights will be reinstated.
Objective 4C-2	Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms	The original development consent enabled units to comply with ceiling heights and well-proportioned rooms. Removal of the port-cochere and reinstatement of units in this location will not change the ceiling heights as they were originally there.
Objective 4C-3	Ceiling heights contribute to the flexibility of building use over the life of the building	The original development consent enabled units to comply with ceiling heights for flexible user over time. Removal of the port-cochere and reinstatement of units in this location will not change the ceiling heights as they were originally there.
Objective 4D-1	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	Removal of the porte-cochere and reinstatement of units that were previously there and approved will continue to allow for functional room layouts, and with two level units always provides for superior layouts and always creates high levels of amenity.
Objective 4D-2	Environmental performance of the apartment is maximised	Removal of the port-cochere and provision of 3 units over two levels will continue to maximise environmental performance.
Objective 4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs	The amended development consent will promote layouts for a variety of households with 2 storey level units.
Objective 4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity	Ground floor units over two levels replace the porte-cochere with balconies and landscaped courtyards to enhance residential amenity.
Objective 4E-2	Primary private open space and balconies are appropriately located to enhance liveability for residents	Ground floor units over two levels replace the porte-cochere with balconies and landscaped courtyards to enhance liveability for residents. The original masterplan had 7 residential units in this location, which now has 3 units over two levels instead of a port-cochere.
Objective 4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	Removal of the porte-cochere will create 3 two storey units with both ground floor landscaped court yards and first floor balconies that fill a 2-storey void which will integrate into the overall architectural form of the space left by the porte-cochere.

Objective 4E-4	Private open space and balcony design maximises safety	The amended development consent will ensure private open space and balcony design maximises safety.
Objective 4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments	There is not change to common circulation spaces in the proposed modification.
Objective 4F-2	Common circulation spaces promote safety and provide for social interaction between residents	There is not change to common circulation spaces in the proposed modification.
Objective 4G-1	Adequate, well designed storage is provided in each apartment	Storage has been provided for the 3 units.
Objective 4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments	Storage has been provided for the 3 units.
Objective 4H-1	Noise transfer is minimised through the siting of buildings and building layout	Noise is not relevant to the proposed amendments and is addressed at the construction certificate stage through compliance with the Building Code of Australia.
Objective 4H-2	Noise impacts are mitigated within apartments through layout and acoustic treatments	Noise is not relevant to the proposed amendments and is addressed at the construction certificate stage through compliance with the Building Code of Australia.
Objective 4J-1	In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	The site is not in a noisy or hostile environment and is not relevant to the masterplan amendments.
Objective 4J-2	Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	Appropriate noise shielding or attenuation techniques have been incorporated in the proposed modification.
Objective 4K-1	A range of apartment types and sizes is provided to cater for different household types now and into the future	The modification will enable the replacement of 3 units will be unique in size and consist of two levels that will cater for larger household types.
Objective 4K-2	The apartment mix is distributed to suitable locations within the building	The modification to the residential approval unit mix is compliant with the Condition 34 of the masterplan.
Objective 4L-1	Street frontage activity is maximised where ground floor apartments are located	The porte-cochere with a residential approval will not be used leaving area as an isolated inactive place. Reinstating 3 units with ground floor court yards and level one balconies that will activate the area.
Objective 4L-2	Design of ground floor apartments delivers amenity and safety for residents	<p>The reinstatement of 3 units on the Ground Floor will improve the amenity and safety for residents.</p> <p>Leaving the porte-cochere as an empty chasm will result in minimal to no site activation.</p>

Objective 4M-1	Building facades provide visual interest along the street while respecting the character of the local area	The proposed modifications will ensure that the building façade provide visual interest along the street while respecting the character of the local area.
Objective 4M-2	Building functions are expressed by the facade	The proposed modifications will ensure that the building functions are expressed by the façade.
Objective 4N-1	Roof treatments are integrated into the building design and positively respond to the street	Not relevant to the modification. The application does not propose changes to the roof.
Objective 4N-2	Opportunities to use roof space for residential accommodation and open space are maximised	Not relevant to the modification. The application does not propose changes to the roof.
Objective 4N-3	Roof design incorporates sustainability features	Not relevant to the modification. The application does not propose changes to the roof.
Objective 4O-1	Landscape design is viable and sustainable	The proposed modification will create the opportunity for a viable landscaped ground floor courts instead of porte-cochere driveway.
Objective 4O-2	Landscape design contributes to the streetscape and amenity	The proposed 3 units will provide for landscaped courtyards that contributes to residential amenity and the streetscape that is consistent with the precinct.
Objective 4P-1	Appropriate soil profiles are provided	Not relevant to the proposed modification.
Objective 4P-2	Plant growth is optimised with appropriate selection and maintenance	Not relevant to the proposed modification.
Objective 4P-3	Planting on structures contributes to the quality and amenity of communal and public open spaces	Not relevant to the proposed modification.
Objective 4Q-1	Universal design features are included in apartment design to promote flexible housing for all community members	Universal design features suit the proposed 3x2 storey units.
Objective 4Q-2	A variety of apartments with adaptable designs are provided	Reinstatement of the 3 units will add to the variety of units.
Objective 4Q-3	Apartment layouts are flexible and accommodate a range of lifestyle needs	Reinstatement of 3 units over two storeys will provide flexibility for a range of lifestyle needs.
Objective 4R-1	New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	The amendment to the masterplan will create the opportunity to provide 3 units over two levels with a design that is consistent with the existing building and of a complementary charter with adjoining high-rise development.
Objective 4R-2	Adapted buildings provide residential amenity while not precluding future adaptive reuse	The original masterplan approved residential in Block D and where in the location of the porte-cochere.

		The building cannot be adapted to any other use.
Objective 4S-1	Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	Removing the porte-cochere will reduce traffic movements on the site and encourage increased pedestrian movement and activity throughout the site and to existing retail tenancies on the Ground Floor.
Objective 4S-2	Residential levels of the building are integrated within the development, and safety and amenity are maximised for residents	The proposed modification will enable the reinstatement of 3 units on the Ground Floor which is consistent with the original approval and surrounding land use. By removing the porte-cochere, the safety and amenity of the approved residential building will be improved for existing and future residents.
Objective 4T-1	Awnings are well located and complement and integrate with the building design	Not relevant to the modification to the masterplan.
Objective 4T-2	Signage responds to the context and desired streetscape character	Not relevant to the modification to the masterplan.
Objective 4U-1	Development incorporates passive environmental design	Removal of the porte-cochere reduces traffic generation into the development and promotes walking and bicycle use.
Objective 4U-2	Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	The modification does not change the requirement for compliance with relevant energy requirements.
Objective 4U-3	Adequate natural ventilation minimises the need for mechanical ventilation	The entire Block D will continue to comply with the required natural ventilation. The 2-storey design will promote superior natural ventilation to flow through both levels compared to single level units.
Objective 4V-1	Potable water use is minimised	The proposed amendment does not change the water component.
Objective 4V-2	Urban stormwater is treated on site before being discharged to receiving waters	The proposed amendment does not change the stormwater.
Objective 4V-3	Flood management systems are integrated into site design	The proposed amendment does not change Flood management.
Objective 4W-1	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Adequate waste storage facilities have been provided for the development.
Objective 4W-2	Domestic waste is minimised by providing safe and convenient source separation and recycling	Adequate waste storage facilities have been provided for the development.
Objective 4X-1	Building design detail provides protection from weathering	Not relevant to the modification.
Objective 4X-2	Systems and access enable ease of maintenance	Not relevant to the modification.
Objective 4X-3	Material selection reduces ongoing maintenance costs	Not relevant to the modification.