

Urban Design Referral Response

Application Number:	DA2018/0487
To:	Alex Keller
Land to be developed (Address):	Lot 45 DP 6040 , 4 Brookvale Avenue BROOKVALE NSW 2100

Officer comments

The proposal in its current form cannot be supported for the following reasons:

1. SEPP 65-Design Quality of Residential Apartment Development (ADG)

The applicant is advised that compliance with the requirements of the ADG are to be demonstrated inclusive of, but not limited to, the following clauses which have not achieved compliance in the proposed development;

- *1B Local Character and Context, 1C Precincts and Individual Sites, 2B Building Envelopes, 2F Building Separation, 2G Side and Rear Setbacks, 3B Orientation, 3G Pedestrian Access and Entries, 3F Visual Privacy, 4A Solar and Daylight Access, 4B Natural Ventilation, 4E Private Open Space and Balconies, 4H Acoustic Privacy*

3G Pedestrian Access and Entries

Objective 3G-2

The design of ground floors and underground car parks minimise level changes along pathways and entries

Response

Disabled parking is to be located in the basement carpark. No disabled spaces are indicated on the drawings.

4E Private Open Space and Balconies

Objective 4E-2

Private open spaces and balconies predominantly face north, east and west.

Response

Compliance with Private Open Space and Balconies has not been demonstrated.
(Refer also 3. D2 Private Open Space)

2. Built Form Controls

WLEP 2011

Aims of the LEP in relation to residential development, are to:

- i. protect and enhance the residential use and amenity of existing residential environments, and*
- ii. promote development that is compatible with neighbouring development in terms of bulk, scale and appearance, . . .*

Response

Compliance with the WLEP 2011 has not been achieved.

The proposed mass and bulk of the front elevation in particular, the projection of the balconies is not in sympathy with the existing residential environments.

Consideration should be made to provide some relief to the street edge through considered articulation and relief to the balcony projections.

3. WDCP 2011

B2 - Number of Storeys

Objectives

- *To ensure development does not visually dominate its surrounds.*
- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*
- *To provide equitable sharing of views to and from public and private properties.*
- *To ensure a reasonable level of amenity is provided and maintained to adjoining and nearby properties.*
- *To provide sufficient scope for innovative roof pitch and variation in roof design.*
- *To complement the height of buildings control in the LEP with a number of storeys control.*

Response

When assessed against the Number of Storeys Map the development demonstrates instances through the building sections where the number of storeys is exceeded. The sectional overlap of units shown in Section AA (Drawing A14) should not exceed two storeys.

For example measuring the roof from balcony fascia of units 10/11 which vertically align over units 2 & 3 (measured to finished ground line) has a height of 14.8 metres approximately (dimensioned from drawing A13).

For this reason we believe the building exceeds the Height of Buildings control and is therefore non-compliant.

B3 – Side Boundary Envelope

Requirements

1. Buildings on land shown coloured on the DCP Map Side Boundary Envelopes must be sited within a building envelope determined by projecting planes at 45 degrees from a height above ground level (existing) at the side boundaries of: 4 metres

Response

Please provide adequate sections which demonstrate there is no encroachment into the side boundary envelope. This could be demonstrated through building sections taken at relevant intervals as the building steps down the site. Built form is to comply with the Building Envelope requirements as it steps down the sloping topography.

B5 – Side Boundary Setbacks

Objectives

- *To provide opportunities for deep soil landscape areas.*
- *To ensure that development does not become visually dominant.*
- *To ensure that the scale and bulk of buildings is minimised.*
- *To provide adequate separation between buildings to ensure a reasonable level of privacy, amenity and solar access is maintained.*
- *To provide reasonable sharing of views to and from public and private properties.*

And

Exceptions

Land Zoned R3

Basement car parking structures, and private open space:

. . . Basement Car parking may extend:

- *Up to 2 metres from the side boundary, . . .*

Response

The encroachment of the basement carpark structure into the side boundary zone on the eastern

elevation leaves little room for deep soil planting.

D1 Landscaped open space – Site Coverage/Landscaped Areas

Objectives

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*
- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*
- *To enhance privacy between buildings.*
- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Response

The requirement for Landscaped Open Space is not adequately shown on the Landscape drawings and as such the landscaped area calculation is not supported for this reason.

There are some anomalies with the landscape plan on the eastern side of the site whereby the planting indicated does not demonstrate the relative level to which the planting applies. Calculations demonstrating the required 40% landscaped open space are required across the ground plane of the site in order to determine the various levels of landscape and terrain. Areas under the suspended balconies cannot be counted as landscaped areas.

Deep soil zones for planting require a minimum 3 metres for productive maturation of planting. These zones are not clearly demonstrated on the drawings. The current drawings demonstrate that deep soil zones may not be achievable in locations where the carpark has encroached in to the setback zone, thus leaving little depth for deep soil plantings.

D2 Private Open Space.

Objectives

- *To ensure that private open space receives sufficient solar access and privacy.*

Requirements

6. *Private open space is to be located to maximise solar access.*

Response

Proposed private open space has not been located to maximise solar access.

The proposed development indicates all private open spaces are located to the front of the property/development, facing due south.

This planning arrangement has a negative effect in regards to the proposed orientation, planning and distribution of apartments. With the building stepping down over the site and the balconies projecting over the lower units' open private spaces, the constraints indicate that there would be little to no solar access to these private open spaces during winter.

D6 - Access to Sunlight

Objectives

- *To ensure that reasonable access to sunlight is maintained.*

Response

Accurate shadow diagrams (generated from 3D model) demonstrating living spaces receive minimum of 3 hours of sunlight between 9am and 3pm on June 21 will be required. They should also show the buildings own projected shadow to the south facing balcony areas for assessment of the solar amenity to private open spaces.

D8 – Privacy

Objectives

- *To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for occupants and neighbours.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To provide personal and property security for occupants and visitors.*

Response

The proposed balconies overlooking private open spaces and windows of the adjoining properties No. 2 and 4, compromise the amenity of the adjacent residences.

Screening devices should be considered to minimise privacy issues.

D9 – Building Bulk

Objectives

- *To encourage good design and innovative architecture to improve the urban environment.*
- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Requirements

- 1. Side and rear setbacks are to be progressively increased as wall height increases.*
- 2. Large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief.*
- 3. On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:*
 - The amount of fill is not to exceed one metre in depth.*
 - Fill is not to spread beyond the footprint of the building.*
 - Excavation of the landform is to be minimised.*
- 4. Building height and scale needs to relate to topography and site conditions.*

Response

Reduction in the extent of excavation is required across the site by stepping the building up the site, so as to work with the contours and sloping topography. The proposed excavation depth up to 19 metres is considered excessive.

Recommended Heritage Advisor Conditions:

Nil.