

5 March 2018

Ms Emma Butcher
Department of Planning & Environment
GPO Box 39
Sydney NSW 2000

Dear Emma,

RESPONSE TO DP&E REQUEST FOR ADDITIONAL INFORMATION - MOD 1 TO MP09_0146 EASTLAKES SHOPPING CENTRE

1. INTRODUCTION

This letter has been prepared by Urbis on behalf of Stateland East Unit Trust (The Applicant) regarding MP09_0146 Mod 1 – Modification to Eastlakes Shopping Centre Mixed Use Development.

The purpose of this letter is to provide a response to the matters raised by the Department of Planning & Environment (DP&E) via email dated 21 February 2018. In support of this letter, the following revised plans have been prepared:

- Revised Architectural Drawings prepared by FJMT (see **Appendix A**).
- Revised Landscape Drawings prepared by Turf Design Studio (see **Appendix B**).

Our preference is to meet to explain the proposal to ensure DP&E fully understands the reasons for certain aspects of the design.

2. RESPONSE TO MATTERS RAISED

The following sets out the matters raised by DP&E in an email dated 21 February 2018 (shown in '*italicised*' text) and is followed by the applicant's response.

East and West boundaries

1. *The proposed landscape plans significantly reduce the width of the landscaped setbacks and the extent of plantings, along both boundaries at the ground and podium levels. These changes, including conversion of areas from landscaping to egress/access paths on both sides, are not supported as they would impact on the amenity of adjoining properties. This was a key issue in the assessment of the original application and is contrary to the intentions of modifications B2 and B5.*

Additional landscape improvements compared to the submitted proposal at ground floor and podium level along the eastern and western boundaries have now been incorporated (see **Appendix A** and **B**). The proposal results in 1,511m² of planting area which is 260m² greater than the approved design.

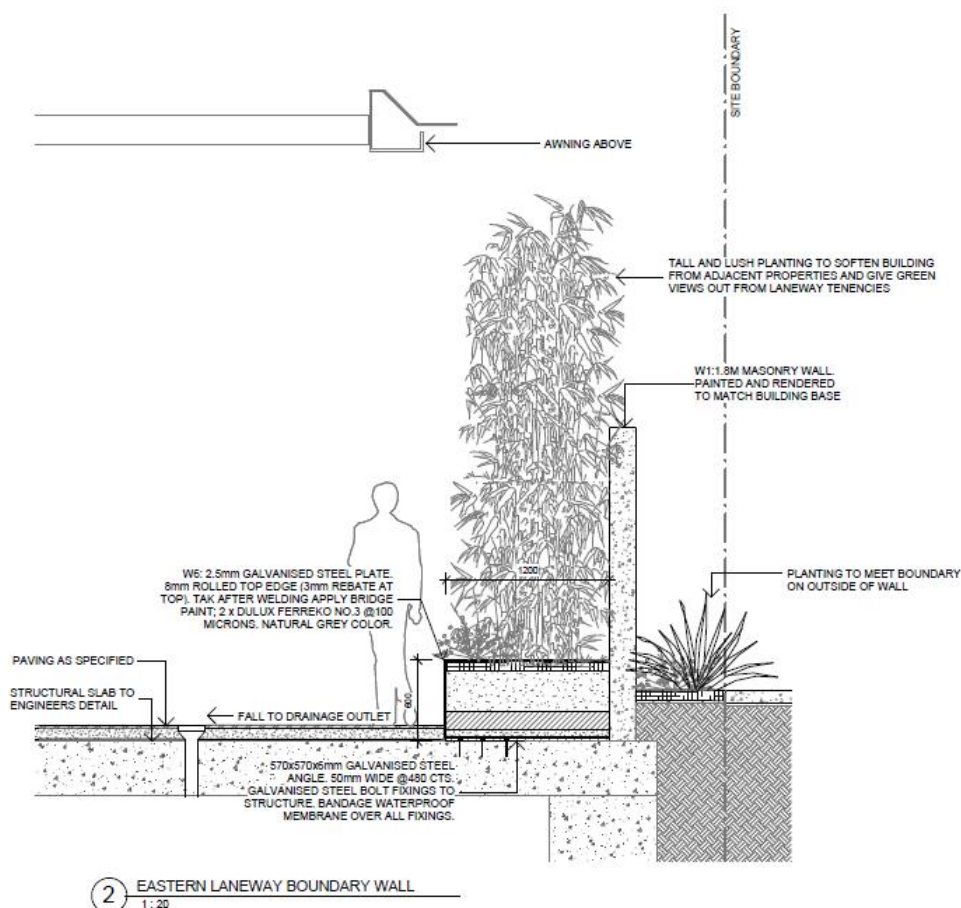
In terms of the western elevation, the previously proposed hard paved areas have been removed and landscaping comprising understorey planting and new trees are now proposed for the full extent of the setback. This setback is required to be trafficable for maintenance reasons and to provide access to

Regarding the eastern elevation, at ground level the southernmost end has been converted to a pedestrian trafficable area. This is proposed in order to provide a secondary entry to the retail mall and provide opportunities for further activation to improve its functionality and accessibility to ensure its vitality.

In response to DP&E comments, a landscape strip has been incorporated into the revised proposal. This landscaping sits on either side of a 1.8m high masonry wall which is proposed close to the boundary in order to ameliorate noise and privacy impacts to the neighbouring residents. This wall adjoins the neighbouring building's vehicular driveway, with the neighbouring building setback further to the east with limited window openings and open space areas along the western elevation at ground level. This means it will have limited visual impacts on the neighbouring property.

Given the above, the proposed secondary pedestrian entry is considered acceptable. As illustrated in **Figure 3**, the landscaped strip comprises suitable species to soften the wall's appearance and give green views out when viewed from the driveway, generally consistent with the approval.

Figure 3 – Section of Eastern Laneway Boundary Wall



Source: Turf Design Studio

Additional landscaping has been added along the eastern boundary at podium level, comprising understory planting and new tree plantings (refer **Appendix B**). This provides for an improved outlook for the neighbouring apartments located above ground level, consistent with the approved landscaped strategy.

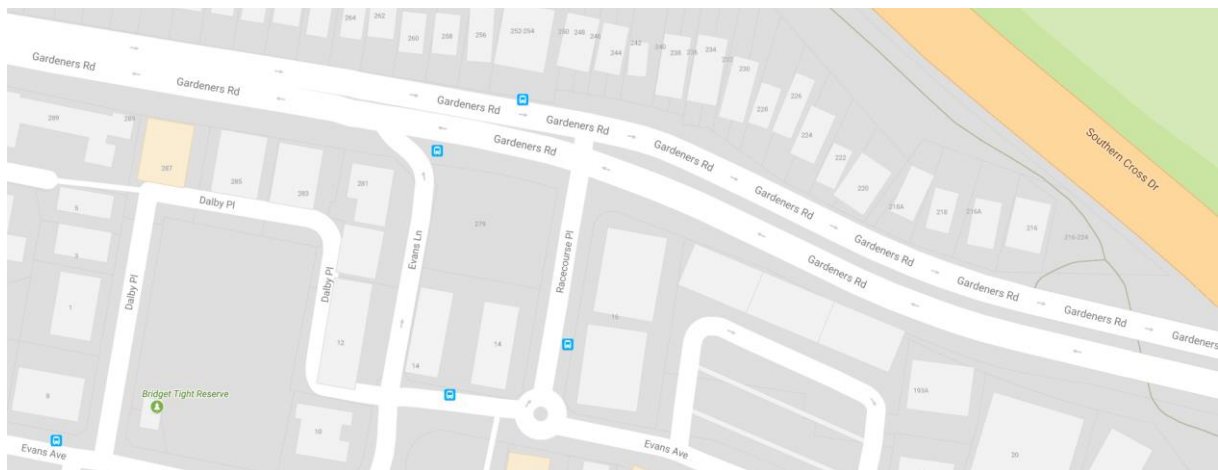
Gardeners Road

2. *The proposal to extend the ground floor footprint to the boundary results in an unbroken wall up to 6 metres in height, next to the pedestrian footpath. This would result in an adverse urban design outcome, with a significant increase in bulk, loss of landscaping and adverse visual impacts.*

The proposal directly fronts Gardeners Road which is a six-lane arterial roadway that carries large volumes of traffic. The proposal has no entrances or active retail uses fronting this elevation, and this is generally consistent with the remainder of the streetscape. It is therefore not considered that Gardeners Road is conducive to high pedestrian traffic as it does not provide a high level of amenity.

In addition, the prevailing built edge character and building setbacks to Gardeners Road is generally built to the boundary (see **Figure 4**).

Figure 4 – Prevailing Built Edge Character and Setbacks to Gardeners Road



Source: Nearmaps

It is therefore considered that the proposal to extend the retail footprint towards Gardeners Road is acceptable provided the varying 6-metre-high wall is treated in an appropriate way.

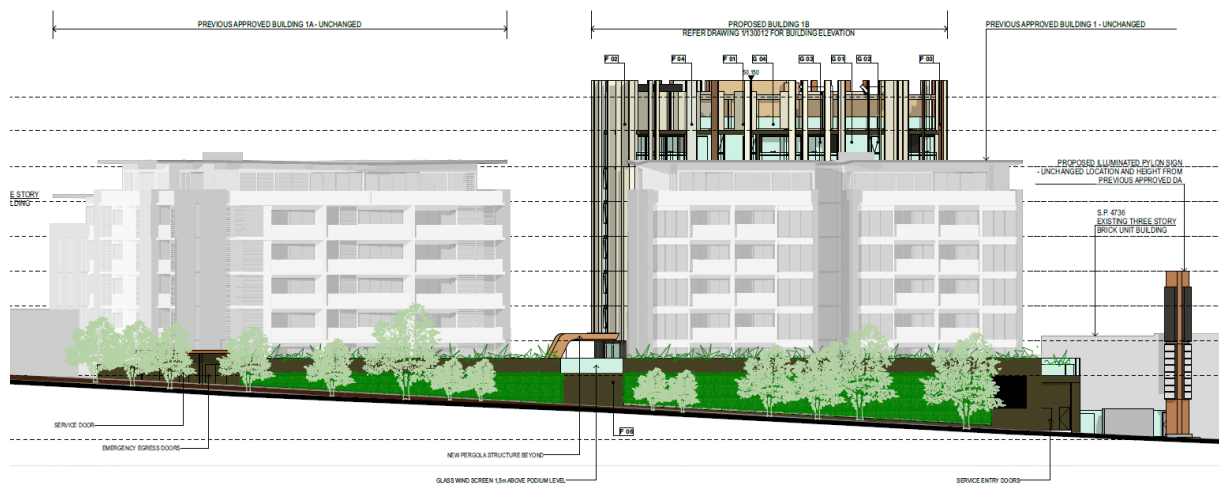
In response, it is proposed to treat the wall with landscaping climbers. The wall will also be screened by existing street trees. As illustrated in the following Figure extracts, the proposed amendments present generally consistent with the approved elevation albeit the wall being closer to the street edge. It is noted that some of the existing street trees shown in the approved elevation have since been removed and seven (7) existing trees are sought for removal under this modification. As discussed in response to Item 3 below, replacement planting is recommended and there is still ample space for a continuous green edge flanking the street to be established.

Figure 5 – Approved Northern Elevation (Gardeners Road)



Source: Rice Daubney

Figure 6 – Proposed Northern Elevation (Gardeners Road)

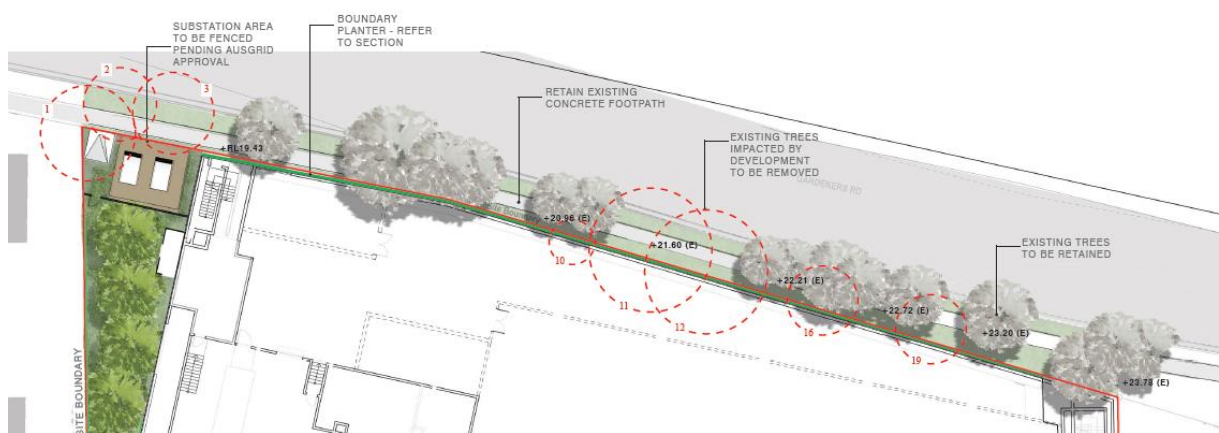


Source: FJMT

3. The proposed change also results in the loss of significant street trees not previously proposed for removal. There has been no assessment or justification for the loss of these trees. The application as submitted only sought removal of street trees in Evans Avenue.

The proposed modification to the retail footprint results in the removal of 5-existing street trees along Gardeners Road. An additional 2-existing street trees are also required to be removed along this elevation due to proximity to building services and site infrastructure in the north-western corner (refer to **Figure 7**). Note: Tree 1 has already been approved for removal under the existing approval.

Figure 7 – Ground Level Landscape Plan



Source: Turf Design Studio

The Arboricultural Report prepared by Ecological Australia (submitted at Appendix E of the modification application) provided an assessment of Trees 11 & 12. The trees are classified as *eucalyptus microcorys* species and have a medium retention value. The report concludes that the two trees cannot be retained on the site as the proposed works result in a 'major encroachment' into the tree protection zone. The report recommends that the trees are replaced with suitable species in accordance with the *Botany Bay Street Tree Masterplan 2014*. It is proposed that replacement planting is conditioned accordingly.

A separate Arboricultural Report prepared by Treescan (submitted at Appendix 11 of the original Part 3A application) provides an assessment of all existing trees across the site. The remainder of the street trees sought for removal are identified as Trees 2,3,10, 16 & 19. These trees are classified in the Report as follows:

- Tree 2 – fair condition but recommended for removal.
- Tree 3 – poor condition; spare crown lopped for power line clearance.
- Tree 10 – poor condition; root system in bank.
- Tree 16 – poor condition; dying.
- Tree 19 – fair condition; weak junction at base.

These trees are not identified as containing any ecological significance and are in fair to poor condition. These trees also provide limited aesthetical contribution to the streetscape and do not form part of any established tree line along Gardeners Road. Removal of these trees is therefore considered acceptable.

Replacement planting to offset the proposed removal can be incorporated if deemed necessary. It is recommended that this is conditioned accordingly.

The remainder of the modifications to the approved landscape design along this elevation are to provide a landscape strategy that aligns with the *Botany Bay Street Tree Master Plan 2014*.

4. *Modification B2 specifically removed/relocated a sign on Gardeners Road due to the impacts on the provision of landscaping, street trees, and the character of the area. The proposal to reinstate the sign in a similar location with the same adverse impacts is not supported.*

Noted. This sign is proposed to be removed from the works sought by Modification 1. This is illustrated on the Architectural Drawings prepared by FJMT and submitted at **Appendix A**.

5. *Further consideration should also be given to the design of the pylon sign and landscaping around the electrical kiosks/fire boosters, to improve the pedestrian experience at this part of the site (consistent with the relevant parts of modifications B2-B5).*

Since discharge of Condition B2 and through design development with specialist services advice, it has become apparent that due to the pylon sign's proximity to the electrical substation, a 2m high blast zone was required for the pylon structure. This was the impetus for the changes to the sign's design under this modification.

The Proponent is open to incorporating a more 'open' base to respond to safety concerns. However, this can only occur above a height of 2m for the reasons outlined above. It is considered that at this height it wouldn't be capable of responding to the pedestrian safety concerns identified. Therefore, additional landscaping around the sign and site infrastructure is proposed to assist in deterring crime and anti-social behaviour. Reference should be made to the Landscape Plans submitted at **Appendix B**.

Landscape Plans

6. *The Landscape plan does not provide sufficient information. The approved landscape plans include specific planting details, species, soil depths. An updated plan to the same level of detail should be provided. The extent of landscape planting, particularly the provision of trees across the site should not be reduced and ideally should address the requirements to improve the extent of planting as required by conditions B3 – B5.*

Additional landscape plans have been prepared and are submitted at **Appendix B**. The level of detail is consistent with the approved plan set including ground floor and podium landscape plan, planting plan, soil depth plan, sections, typical details and material schedule.

Condition Discharge

7. *The Department notes conditions B3 – B5 specifically require improvements to the public domain and the landscaping and therefore are relevant to the assessment of this application. The conditions don't appear to have been discharged, despite works commencing on the site. The proposed landscape plans also appear not to address the requirements in the conditions, but also to reverse the quality of the already approved landscaping, contrary to the intentions of the conditions. This requires addressing.*

Condition B3-B5 will be satisfied prior to the CC for above ground works. The amended landscape plans have considered and incorporated the requirements outlined in these conditions relative to the North Site. Reference is made to the Landscape Plans submitted at **Appendix B**.

3. CONCLUSION

We trust this letter responds to the matters raised by the Department of Planning & Environment in an email dated 21 February 2018. The Proponent and the project team are also more than happy to meet to explain the proposal to ensure DP&E fully understands the reasons for certain aspects of the design.

Should you have any queries, please do not hesitate to contact the undersigned on 8233 9986.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jessica Ford", written in a cursive style.

Jessica Ford
Senior Consultant