

# **Attachment A**

**WMK Response to Recommended  
Condition of Consent**



## **WMK Response to Recommended Condition of Consent – 12-20 Rosebery Avenue**

### ***(6) DESIGN MODIFICATIONS***

*(c) The plans are to be amended to provide a target of 50% external solar shading (by area) to address summer solar heat gain through:*

*(i) external solar shading to the exposed glazing of the northern elevations of levels 1, 2 & 3 of both the Rosebery and Dalmeny Avenue buildings (50% effective at 12 midday in summer).*

*(ii) external solar shading to the exposed glazing of the western elevation of the Rosebery Avenue and Dalmeny Avenue buildings (50% effective at 3pm in summer). External shading is permitted to intrude in the 3m setback line from Rosebery Avenue for the upper levels. Ground levels to both buildings is excluded from this requirement.*

We have carefully considered these requirements in relation to the approved design and wish to raise the following key points:

This recommended condition of consent is a new request that has not been raised previously through the design competition recommendations or subsequent RFI process. It is noted that a generic request stating 'further solar shading needs to be provided to the western apartments at level 5 and to the northern apartments at lower levels'. (Design Advisory Panel comments dated 29/05/2025 & Request for additional Information PAN-515132 Comment 3.(i.) dated 05/06/2025)

Subsequent amendments were made to the design with detailed façade drawings and explanations submitted in a detailed response package, (WMK\_City of Sydney Council RFI\_12-20 Rosebery Ave. dated 18/07/2025)

In response WMK Noted the following:

*The facade treatment has been further developed to address the individual requirements of each cardinal elevation. Depth and setback glazing have been adopted where solar gain is prominent and solar shading is preferable.*

*Northern and western facades have been integrated and additional shade screens have been applied where applicable.*

*All apartments comply with BASIX*



## DESIGN ADVISORY PANEL DRAFT COMMENTS I - ADDITIONAL SOLAR SHADING

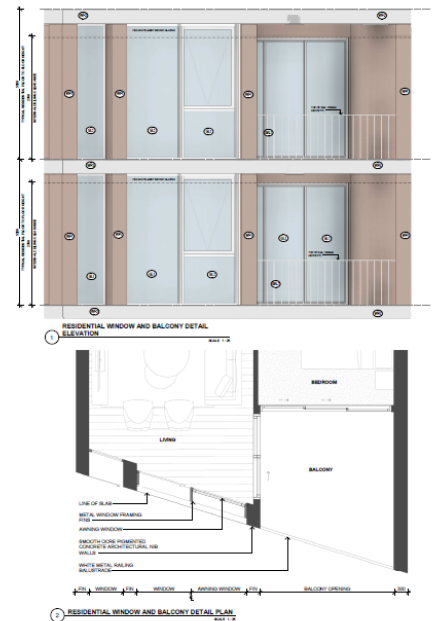
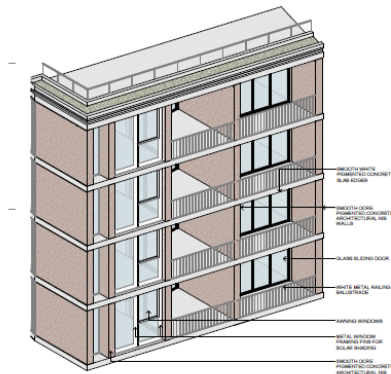
### CITY OF SYDNEY COUNCIL:

*Further solar shading needs to be provided to the western apartments at level 5 and to the northern apartments at lower levels.*

### APPLICANT RESPONSE

The facade treatment has been further developed to address the individual requirements of each cardinal elevation. Depth and setback glazing have been adopted where solar gain is prominent and solar shading is preferable. Northern and western facades have been intergrated and additional shade screens have been applied where applicable.

All apartments comply with BASIX



Current Western facade detail as per DA70

17 | 12-20 ROSEBERY AVE, ROSEBERY - CITY OF SYDNEY COUNCIL RFI: PAN-515132 | JULY 2025

WMK

We reiterate that the apartments have been designed to meet BASIX requirements (being the standard legal requirement for managing solar heat gain and thermal efficiency).

It is not apparent how the request to provide 50% solar shading to glazing at the specific times & dates can be achieved without significantly changing the approved (competition) façade design. These changes would also negatively effect winter solar gain, BASIX and ADG requirements for solar access.

The requested changes would also have an unsatisfactory negative impact on the visual outlook and amenity of the apartments creating a 'prison-like' outlook through the tightly spaced vertical shading fins.



### **Supporting points:**

#### **1. Impact on Facade Design and Design Excellence Outcomes – (See diagrams below)**

The proposed development has undergone a rigorous Design Excellence process, including independent review and refinement of facade articulation and materiality. The introduction of additional fixed louvre systems across north and west-facing facades would fundamentally alter the carefully balanced design outcome, obscuring the architectural language that was a cornerstone of the endorsed scheme. These changes are not minor technical adjustments but significant modifications to the built form, facade rhythm, and overall presentation of the project.

**CURRENT FAÇADE**



**REVISED FAÇADE**



#### **2. BASIX Performance Already Exceeded**

The development already exceeds the required BASIX energy efficiency targets mandated in NSW. This means the project demonstrably performs better than the regulatory baseline in terms of reducing summer heat gain and energy demand. Introducing further external shading measures is therefore redundant from a compliance perspective and risks unnecessary design compromise.

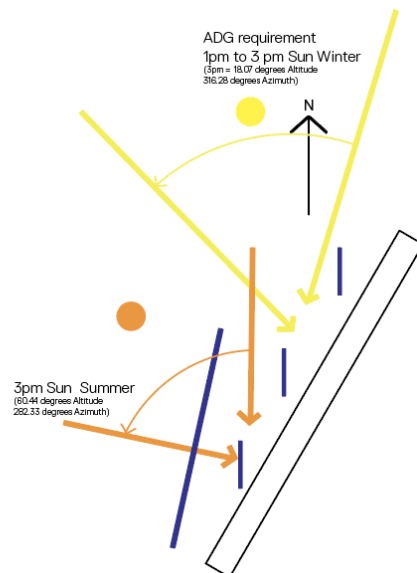
#### **3. Contradiction with ADG Solar Access Objectives – (See diagram below)**

The request for 50% effective shading at 3 pm in summer on western facades directly conflicts with the Apartment Design Guide (ADG) solar access requirements, which require sunlight to penetrate living rooms between 1 pm and 3 pm in winter.



- A fixed external louvre system capable of achieving 50% shading at 3 pm in summer will also block a significant proportion of low-angle winter sun at the same orientation.
- This results in a loss of winter solar amenity, undermining the ADG objective of providing natural light and thermal comfort in the cooler months.

In effect, the two requirements are mutually exclusive — achieving one necessitates failing the other.



#### 4. Existing Passive Design Measures

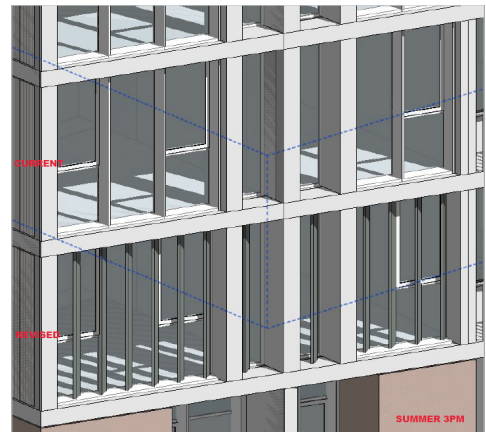
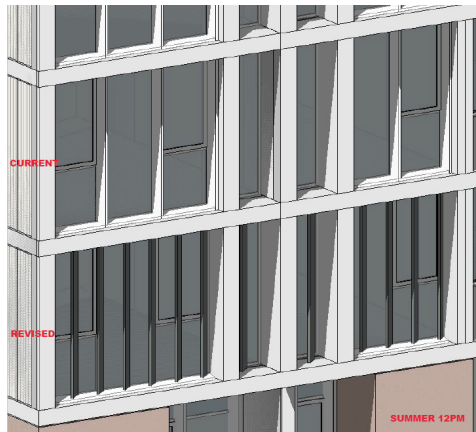
The design already incorporates a suite of passive design strategies to manage solar gain, including:

- High-performance glazing systems to mitigate heat load without heavy external devices.
- Balcony projections and slab noses that provide effective horizontal shading on north-facing apartments at midday.
- Carefully considered building orientation and separation, ensuring good cross-ventilation and minimising reliance on mechanical cooling.

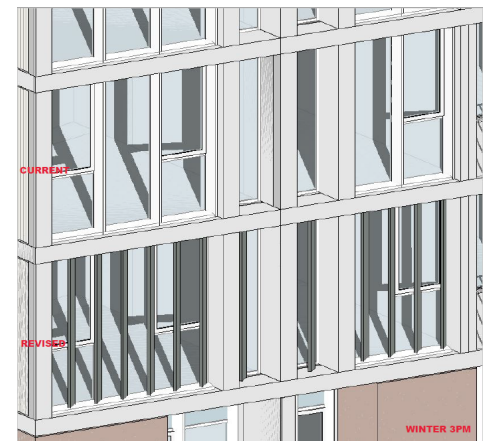
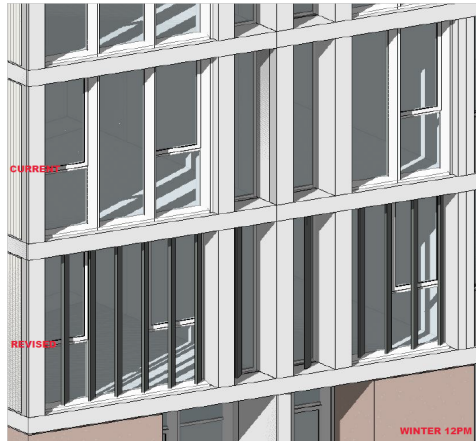
These measures achieve an integrated and elegant outcome that balances summer comfort with winter solar access, in line with best practice ESD principles.



## SOLAR DIAGRAM – CURRENT VS REVISED DESIGN - SUMMER

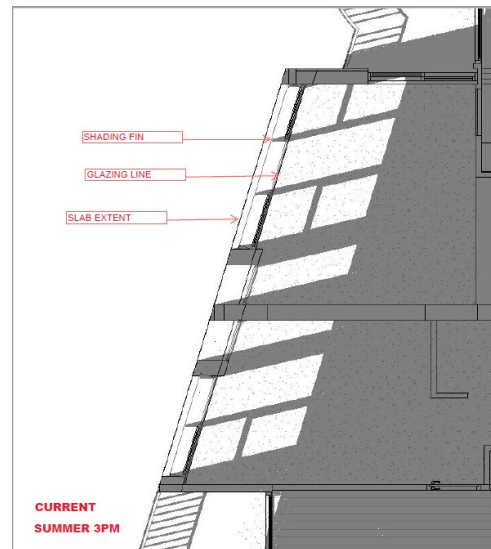
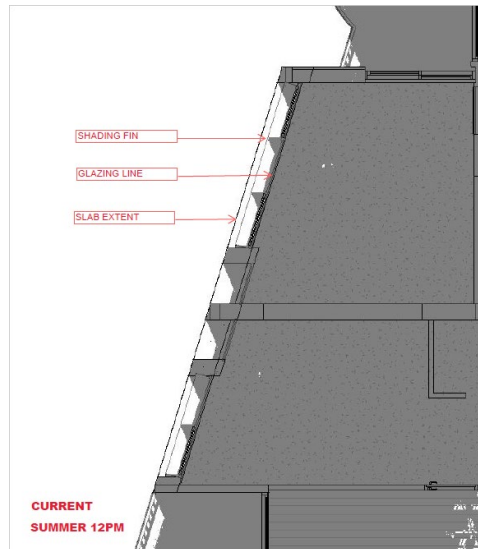


## SOLAR DIAGRAM – CURRENT VS REVISED DESIGN - WINTER

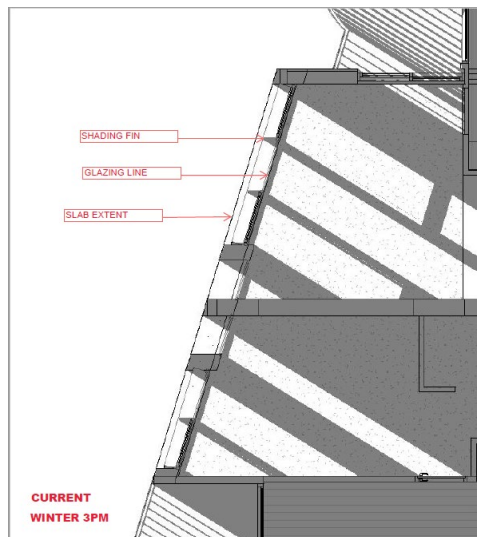
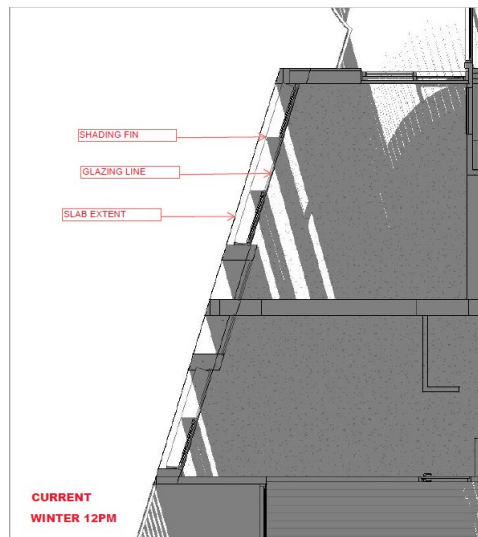




## SOLAR DIAGRAM – CURRENT DESIGN – SUMMER

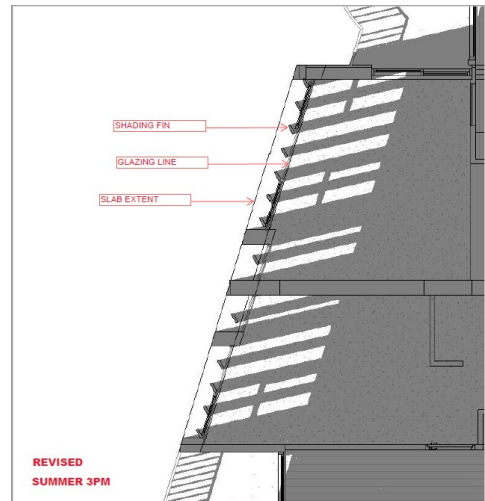
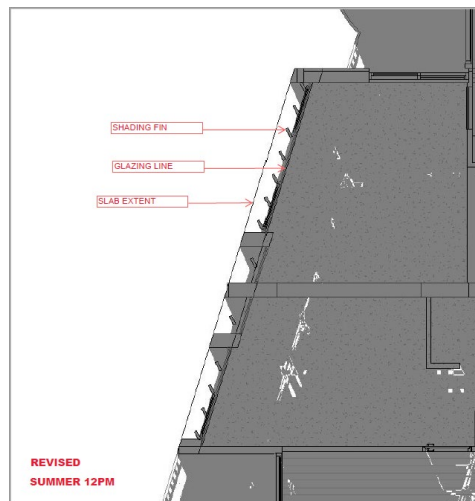


## SOLAR DIAGRAM – CURRENT DESIGN – WINTER

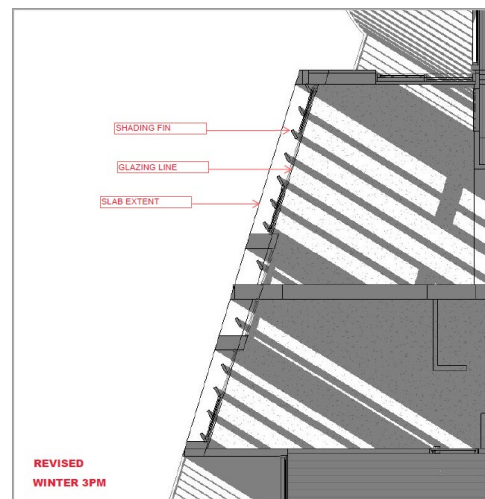
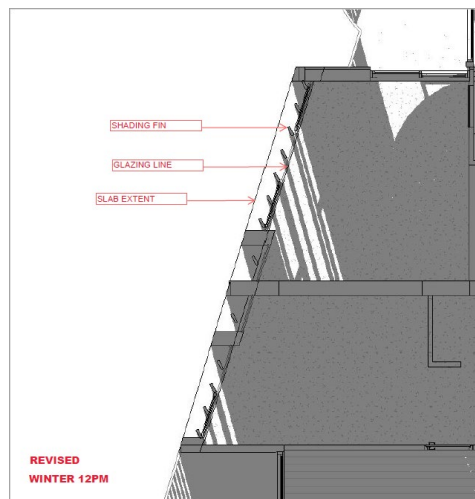




## SOLAR DIAGRAM – REVISED DESIGN - SUMMER



## SOLAR DIAGRAM – REVISED DESIGN - WINTER







## (6) DESIGN MODIFICATIONS

*6 (d) Additional privacy elements are to be incorporated into the private balcony balustrades to provide adequate privacy to private open space from the public domain. This could be addressed via colour matched solid metal upstands being added behind the metal palisade balcony treatments up to a height of 760mm*

### WMK response:

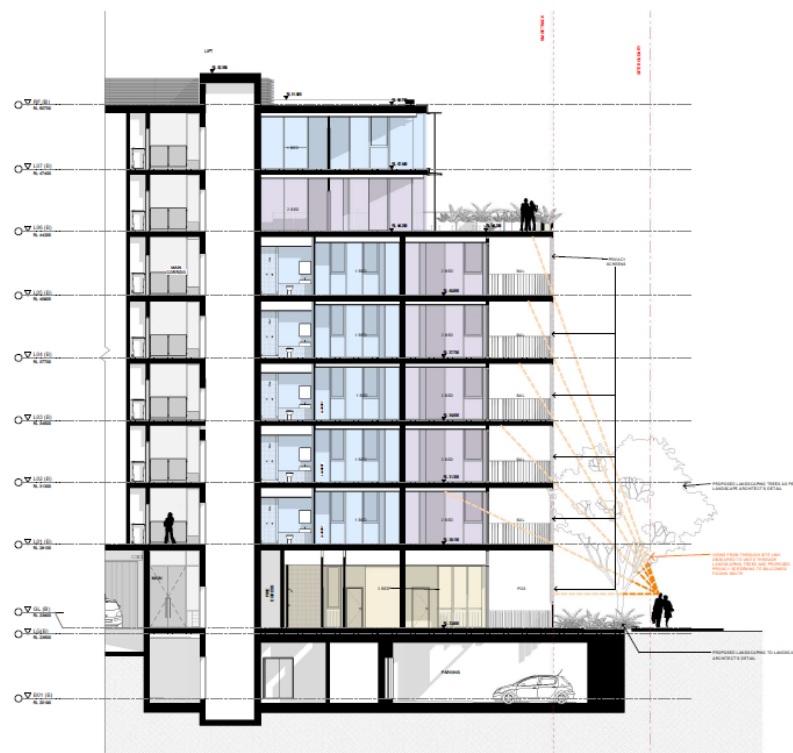
WMK consider that privacy from the public domain has been adequately addressed and request the condition is removed.

The requested introduction of 760mm high solid balcony panels is considered to be a significant departure from the competition approved façade design that impacts negatively upon the apartment's outlook and amenity.

Privacy from the public domain has been carefully considered in the design.

Balcony depths to upper-level apartments have been configured to provide privacy when viewed from the street. Landscape fencing, screens and planting have been configured to provide privacy to ground floor apartments.

The below diagram depicts a privacy view from the street showing direct views into the apartments from the public domain does not occur.





We also refer to the Central Sydney Planning Committee Report, Item 4 Development Application: 12-20 Rosebery Avenue, Rosebery - D/2025/184.

Within the report pg 52 details the Design Advisory Panels initial comments and then final comments are noted. We refer to the comments below. The DAP comments provide support for the current design and does not suggest additional privacy screening upstands are required to balustrades. These comments are contrary to the condition.

#### Design Advisory Panel Comments

66. The application was reviewed by Councils Design Advisory Panel on 29 May 2025 who were supportive of the application and recommended the following

<p>Additional privacy elements should be incorporated into the private balcony balustrades to prevent overlooking from the public domain.</p>	<p>Privacy protection from the public domain has been integrated through a multi-layered design strategy that ensures optimal resident amenity without compromising architectural quality.</p> <p>The upper-level apartments feature strategically configured balcony depths that create natural visual barriers when viewed from street level, whilst ground floor apartments benefit from a combination of landscape fencing, architectural screens, and targeted planting that establishes effective privacy zones.</p> <p>This approach delivers superior residential privacy through thoughtful spatial planning and landscape integration that enhances rather than detracts from the overall design composition.</p>
---	---