



General Manager
Georges River Council
PO Box 205
Hurstville NSW 1481

Attn: Linley Love

28 July 2021

Re: Development Application No. DA2021-0024, 124 Forest Road Hurstville

Dear Linley,

SJB Planning was requested to provide an independent peer review of the subject DA and proposed amendments in relation to the following urban design issues raised in Council's correspondence of 14 May 2021:

- Building separation and transition to the adjoining residential properties on Hudson Street and Wright Street;
- The built form, of the tower and podium forms;
- The siting and setbacks to Forest Road, Wright Street and Hudson Street;
- Architectural design; and
- Active street frontages

SJB supports the above elements of the amended DA and considers that they satisfy the relevant provisions of the Hurstville LEP 2012 (HLEP 2012), Hurstville Development Control Plan No. 2 - Amendment 12 (HDGP No. 2) and the Apartment Design Guide (ADG). An assessment of the above issues in response to Council's comments is attached.

Yours sincerely

A handwritten signature in black ink, reading 'Joanne McGuinness'.

Joanne McGuinness
Associate

The comments raised in Council's correspondence of 14 May 2021 are shown in italics, followed by our responses. Our responses have been informed by the amended architectural drawings prepared by DBJ. Where relevant, we have also considered the supporting submission and diagrams prepared by DBJ.

1.1 Built form - Transition and setbacks to adjoining residential development

- The proposed tower setback to the common boundary is only at 9m which is 3m less than the DCP requirements. As shown in the elevation drawings, the reduced side setback may not achieve a proper scale transition to the neighbouring residential development and exacerbates. It also exacerbates the perceived bulk and scale.*
- ADG Visual Privacy (Part 3F): There appear to be areas of balconies on the northern elevations that encroach the 9m setback control on Levels 10 to 13 are setback 9m rather than the 12m required. The proposal is to be amended to comply with the controls at every level.*

Response:

The DA has been amended to provide a 12m setback to the northern (residential) boundary from level 6 and above Building A and Building B. This ensures the habitable windows and balconies of apartments from level 6 and above are setback 12m from this boundary.

Level 5 of Building A and B has also been amended to provide a 12m setback from the building façade to the northern boundary. The balconies to the level 5 apartments are setback 9m from the northern boundary. A 3m deep landscape buffer provides additional screening and privacy to the balconies on this level.

These amendments ensure that the proposal complies with the ADG visual privacy design criteria (3F-1) relating to setbacks to adjoining property boundaries.

These amendments also ensure the proposal comply with the controls contained in Section 8.1.3.2 of the HDCP No. 2 which seeks to provide an appropriate transition in height and density to the adjoining R3 Medium Density Residential area to the north along Hudson and Wright Streets. Specifically, the amended DA complies with the following controls:

- A four (4) storey building form setback 6m from the boundary with 6-12 Hudson Street and 5-7 Wright Street; and
- A 12m setback to the boundary with 6-12 Hudson Street and 5-7 Wright for the built form above four storeys.

Having regard to the above, the amended DA resolves the issues raised by Council relating to non-compliances within Part 3F Visual Privacy of the ADG and the non-compliances with the setbacks and building transition controls contained in the HDCP No.2.

1.2 Built Form – Tower and podium

The context visit suggests that recent high-rise mixed-use developments in the vicinity of the site are predominantly characterised by distinct podium and tower form. Towers are generally aligned to address Forest Rd, forming a strong street definition.

Response:

In our view the existing mixed use developments in the vicinity of the site, including those currently under construction, as well as recently approved projects, are characterised by a variety of built forms. Some developments have a clear podium and tower form that is conveyed through tower setbacks. While other developments define the podium and tower forms through design and changes in materiality.

The Streetscape Character Photo Study (Diagram 3) prepared by DBJ in support of the amended DA, clearly conveys the variation in podium and tower built forms in the vicinity of the site. We consider DBJ's approach

to the siting and design of the tower and podium form responds to this context, as well as meeting the intent of the site specific provisions applying to the site under the HDCP No. 2.

The proposal exhibits a distinct podium and tower forms. The podium is expressed through a solid horizontal form, with glazing at the street frontage level to maximise activation. The horizontal profile is punctuated by arched openings to through-site links on Hudson and Wright Streets, and two (2) through site links from Forest Road. The archways on Forest Road are 13.5m and 13.7m in height and 6m wide, which provides a clear vertical break. Arched openings to the residential lobbies on Hudson and Wright Street provide additional vertical elements to break-up the strong horizontal form of the podium.

The Forest Road presentation comprises three distinct and visually separated towers of varying heights, above a discernible podium. The arched through-site links that puncture the podium, reinforce the sense of separation between the towers. The architectural expression of the tower facades fronting Forest Road incorporates more solid elements. This responds to the southern orientation and harsher environs of Forest Road attributed to the vehicle traffic and associated noise. Extensive landscaping of the roof-top of the podium reinforces a visual separation between the towers and podium when viewed from Forest Road.

The tower elevations to Wright and Hudson Street are articulated with curved and scooped balconies and recesses, and open balustrades. The towers exhibit strong vertical lines. The amended DA enhances the articulation to the tower façade of Building A with the introduction of a central vertical facade indent. The heavily articulated and vertical form of the towers contrasts with the solid podium form. This creates a distinctive podium and tower form.

1.3 Architectural design

- *The lack of vertical articulations/indents to most of the tower and podium facades contributes to an excessive built form when viewed from the public domain.*
- *The current design does not provide a sympathetic response to the desired 'humanscale' streetscape character. Vertical bays/indents should be incorporated into the podium and tower design to mitigate its perceived scale. The proposed archway design further exacerbates the proposal's visual bulk and is opposed to a 'humanscale' streetscape.*
- *The proposed window openings on the podium levels with a horizontal focus further exacerbates the perceived bulk and scale of the development. More vertical bays to the podium and well-composed window patterns should be explored to achieve a more human-scaled podium development.*
- *The Forest Rd and north-west elevations present a poor façade composition. Vertical articulations/modulations should be explored to achieve a well proportioned and balanced design, providing visual interest to the streetscape.*

Response:

Podium Design

As detailed in 1.2 above, the solid, horizontal form of the podium, is key to creating discernible tower and podium elements.

Vertical breaks in the form of arched entries to the through site links and building entries, break up the massing of the podium. Both of the archways on Forest Road have been increased in height to ensure they read as full vertical breaks in the façade. As a result the podium to Forest Road is not continuous but is broken into three (3) separate elements. Similarly, the podium on Wright and Hudson Street is punctuated with arches entries to residential lobbies and the through site links.

In this regard, we consider that the podiums on all elevations incorporate discernible vertical breaks, including two (2) major vertical breaks on Forest Road, and do not result in an excessive built form when viewed from the public domain. The podium form responds to the solidity of traditional street-front retail, while incorporating continuous glazing at ground level to maximise activation and contribute to the creation of a

human scale streetscape consistent with the urban design principles outlined in Section 8.1.1.4 of the HDCP No.2.

We do not agree that the archway design is opposed to a human scale streetscape. The archways provide visual interest along the streets and announce the entry to the through site links and the publicly accessible central landscaped open space.

The graded colour of the tiled podium surface, which transitions from green to white with a variety of gloss and matt finishes, also breaks up the expanse of the podiums while creating visual interest, particularly for pedestrians.

Tower Design

As outlined in 1.2 above, the tower elevations to Wright and Hudson Streets are articulated with curved and scooped balconies and recesses, and open balustrades. The towers exhibit strong vertical lines. The amended DA introduces an additional central vertical indent into the Hudson Street elevation of Building A.

The Forest Road presentation consists of three (3) distinct, visually separated towers of varying height and proportions. This separation and diversity in height and form breaks up the massing of the towers' forms when viewed from Forest Road. The tower facades are narrower than the longer- framed facades facing Wright and Hudson Streets.

The composition of each of the façades varies but is more restrained than the facades of Wright and Hudson Streets. A greater portion of solid elements is incorporated into the facades which is a direct response of the southern orientation and the need to minimise the number of south facing apartments. Vertical articulation is provided through materials and window configurations. Large format panels, vertically aligned with staggered horizontal joints help to emphasise the verticality of the façades. Centrally located arched openings also provide vertical elements. The vertical articulation of the Forest Road façade is appropriate, given the variation in height, form and proportions that is evident across each of the three (3) towers.

1.4 Built form – Setbacks to Forest Road

HDCP No. 2 - The upper level setback to Forest Road breaches the minimum 4m on the corner of Forest Road and Hudson Street

The proposed tower form presents a staggered building alignment to Forest Rd with a portion of the footprint area encroaching into the required upper-level setback zone. We recommend realigning the towers to address Forest Rd and street corners to achieve a more harmonious fit to the context.

Response:

The following diagram prepared by DBJ illustrates the minor nature of the encroachment into the 4m tower setback applying to Forest Road. The encroachments are represented by the pink shading and are described below:

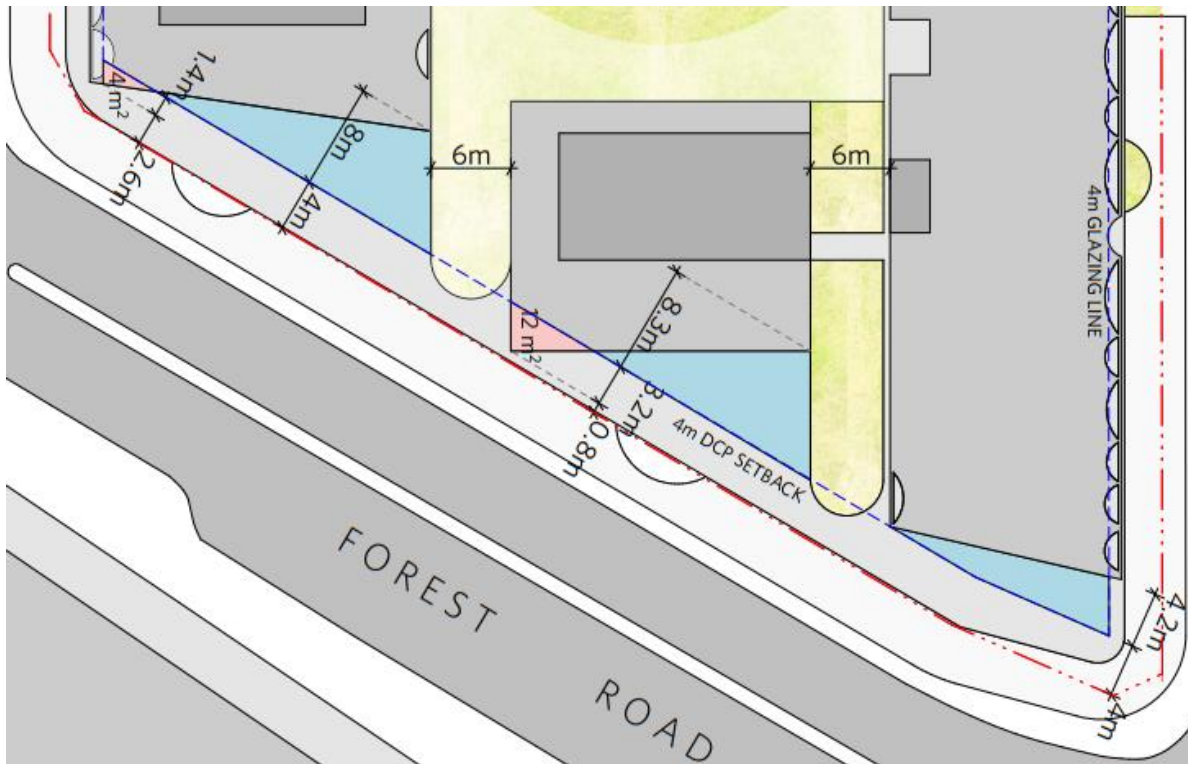
- A small portion of the south-western edge of Building A tower encroaches into the 4m setback by 1.4m at the corner with Hudson Street; and
- The corner of the central tower of Building B tower encroaches into the 4m setback by 3.2m, towards the centre of the site.

The encroachments are negligible and will be indiscernible given the towers are predominantly setback in excess of 4m. Tower A is setback up to 12m and the two towers forms of Building B have maximum setbacks of 8.2m and 12.3m. In this regard, the alignment of the proposed towers to Forest Road provides a larger setback on average than the minimum 4m setback required by the HDCP No. 2.

With the exception of the minor encroachments outlined above, the staggered tower alignment to Forest Road provides a predominant tower setback in excess of the minimum 4m required by the DCP. The

staggered alignment reduces overshadowing to the East Quarter development directly opposite the site on the southern side of Forest Road.

Aligning the buildings with Forest Road, would also diminish the perception of the three (3) and separate tower forms, and would increase the bulk and scale of the development from Forest Road.



It is noted that consistent with the HDCP No. 2, the podium to Forest Road has a maximum height of four (4) storeys and is built to the street frontage.

1.5 Built form – Setbacks to Hudson Street and Wright Street

The current LEP and DCP controls require active frontages to both Wright and Hudson St - 70% of the podium facades are required to be built to the Hudson St boundary and 30-70% to Wright St. However, the proposed development generally sets the podium levels back by 2.75m to Wright St and 1.1m to Hudson St. We assume the intention is to align with the adjoining residential developments to the north-west. We consider that a more responsive form could be potentially explored is to have the podium built to street corners with increased setbacks to the remaining street frontages, providing an improved corner definition and activation as well as better alignment with neighbouring developments.

We notice that the proposal has part of the Building B ground level built to the street corner but the remaining upper podium levels are set back by 2.75m from the street boundary. This results in a staggered built form which should be avoided. It provides nearly nil secondary setback to the tower above podium levels to Wright St, which does not respond to the predominant built form character of the area and presents a visually bulky form when viewed from surrounding medium/low scale residential areas. It is recommended that the upper podium levels to be aligned with the ground level footprint area to achieve a clear podium and tower form presence to Wright St.

The amended LEP proposal complies with the active frontage provisions of the HLEP 2012 as detailed in Section 1.6 below.

The HDCP No. 2 requires that podiums up to a maximum of four (4) storeys (15m) are built to street frontage along Hudson and Wright Streets. The upper levels of the building are required to be setback a minimum of 3m.

Wright Street

The podium to Wright Street has a predominant setback of 2.75m from the street boundary. The exception to this is the ground level, which has a zero alignment to 33m (48%) of the frontage. The ground level setback is increased to 2.75m for the remaining retail frontage. It is important to note that 79% of the frontage is activated within retail tenancies, lobbies and through site links.

The podium setback to Wright Street is appropriate as it ensures the majority of the ground level has zero alignment to define the street and maximise activation, consistent with the HDCP No. 2. The increased setback to the remaining third of the ground frontage provides a transition to the setbacks of the adjoining residential development on Wright Street and residential character further north along the street.

The increased setback to the upper levels of the podium also provides greater separation to the development on the opposite side of Wright Street and allows more sunlight to penetrate the podium apartments fronting Wright Street.

The proposal provides a variable 3m to 4m tower setback to Wright Street which complies with minimum 3m tower setback required under the HDCP. The variable tower setback is heavily articulated with curves and scallops to create a development that is visually interesting and distinctive, consistent with the urban design principles contained in Section 8.1.1.4 the HDCP No.2 (b).

The podium setbacks do not result in an undesirable staggered built form to Wright Street. For reasons detailed in Section 1. 2 and 1.3 above, we do not agree that increased setbacks to the upper three levels of the podium and the proposed tower alignment presents a visually bulky form. The amended proposal incorporates additional vertical indentations and architectural elements to emphasise a distinct podium and tower form that responds to the varied character of the surrounding built form.

Hudson Street

The DA has been amended to provide a zero alignment to the ground level fronting Hudson Street. This ensures 31.8m (62%) of the Hudson Street frontage is occupied by retail premises and a residential lobby with zero setback and is consistent with the HDCP No. 2. The remainder of the frontage is occupied by the required through site links, landscaped setbacks and vehicle access.

The three (3) levels of the podium above ground are setback 1.1m to align with the adjoining four (4) storey residential building at 6-12 Hudson Street. This step in the podium responds to the siting of the adjoining residential development, while ensuring the ground level reinforces the street edge and maximises activation. In this regard, the proposal is consistent with the HDCP No. 2, including the urban design principles outlined in 8.1.1.4 which seeks to ensure the built form outcome provides a transition to the adjoining sites and while defining the street edge.

A variable 3m to 4m tower setback is also provided to Hudson Street which complies with minimum 3m tower setback required under the HDCP No. 2. Like Wright Street, this tower setback is also articulated with curves and scallops to create visual interest when viewed from Hudson Street, consistent with the HDCP No. 2 urban design principles (Section 8.1.1.4 (b)).

1.6 Active Frontages

- *Hurstville LEP - Pursuant to Clause 6.6 an active street frontage is required to Forest Road, Hudson Street and Wright Street. The proposal does not provide any active street frontages as direct street level access to the ground floor commercial tenancies is not provided. The proposal is to be amended to comply.*
- *The plan suggests that the proposed commercial/retail suites are only accessible from through-site links. No direct entries from Forest Rd are indicated on the plan, which is not supported. It will result in low level of activation to the street. We also question how the proposed outdoor eating area (as shown in the photomontage) can be serviced while there are no direct entries from the streets.*

Response:

It is noted that the active street frontage provisions of the HLEP 2012 apply to Forest Road and Hudson Street and only a small section at the corner of Wright Street where it intersects with Forest Road. Notwithstanding, the amended proposal provides active frontages to Forest Road, Wright Street and Hudson Street in accordance with HLEP 2012, with the provision of commercial retail tenancies on the ground floor facing each street. Consistent with subclause 6.6(4) of the HLEP 2012, the only sections of the street frontage that do not accommodate retail premises include those areas required for vehicle access, residential lobbies and fire egress.

The HDCP No. 2 requires active frontages to all three (3) streets, including Wright Street. The flood affectation of the site has impacted on the opportunity to provide direct, level access from the existing footpaths to the ground level tenancies as required by the HDCP. Level access is provided from the through site links and internal spaces.

In response to Council's comments and to ensure consistency with the active street frontage provisions of the HLEP 2012 and the site specific provisions of the HDCP No.2, the proposal has been amended to include ramps within the tenancies to facilitate access from the streets. This maximise activation along Forest Road, Hudson and Wright Streets, within the constraints imposed by the existing flood affectation.

- *The street frontage to Hudson Street is predominantly occupied by loading dock area and vehicle ramp which limits the opportunity for desired passive surveillance and street activation to the public domain. We consider that alternative solutions to reduce the inactive frontage could be either incorporate the loading dock area into the basement level or relocate it to the rear of Building A where the retail suite 7 is.*
- *The retail/visitor parking entry from Wright St is recommended to be relocated to where the retail suite 1 is. This will help to achieve an improved active interface to the proposed through-site link and a continuous active frontage to Wright St with less conflicts between pedestrians and vehicles.*

Response:

The proposal has been amended to combine the loading dock and vehicle entry on Hudson Street. This has increased the amount of commercial retail tenancy frontage to the street to maximise activation.

The retail and visitor parking entry on Wright Street has been relocated in line with Council's recommendation, to increase the continuous active frontage along Wright Street. The through site link is flanked by commercial retail tenancies to facilitate maximum opportunities for activation of the link.

1.7 Layout and amenity

We note that the DA incorporates the following amendments and additional information in response to Council's miscellaneous comments relating to layout and amenity and to improve the satisfaction with the objectives, design guidance and criteria of the ADG:

- The common circulation corridor with Building A open at both ends from levels 5 to 12 to maximise sunlight, daylight and natural ventilation.
- Building B has been modified to ensure there are a maximum of 12 apartments on the podium level 3 and 4. Podium level 2 has nine (9) apartments.
- Additional details have been included on the drawings to demonstrate that the proposal satisfies the design criteria relating to minimum apartment sizes, room sizes and dimensions.
- A total of 1,490m² of communal open space is provided which exceeds 25% of the site area, as stipulated in the design criteria. This is comprised of:
 - Communal picnic area and playground at level 1 (ground) with an area of 1,036m²
 - Communal terrace on the level 5 podium with an area of 89m²
 - Roof-top communal terrace on Building B with an area of 365m²

Consistent with the design criteria, in excess of 50% of the communal open space receives a minimum of 2 hours of sunlight between 9am and 3pm.

Attachment 1: Curriculum Vitae

Joanne McGuinness Associate



Joanne McGuinness has over 25 years' planning experience in government and private practice. Prior to joining SJB, Joanne worked in consultancy as well as in state and local government. She is experienced in all facets of urban and regional planning including: statutory processes, strategic planning and policy development; social planning and public participation; and master planning and rezoning proposals.

Joanne's experience ranges from small scale domestic residential proposals, to the project management and coordination of large scale urban renewal projects involving multi-disciplinary teams. She also provides statutory planning reviews, planning advice and due diligence, and has assessed major development applications, master plans and rezoning proposals.

Qualifications

1997 Bachelor of Town Planning (Hons)
University of New South Wales

Career

2012 – Senior Planner, SJB Planning
2011 – 2012 Contract Planner, Transport for NSW
2009 – 2010 Director Planning and Urban Renewal
Redfern - Waterloo Authority (Sydney
Metropolitan Development Authority)
2009 – 2010 Acting/Director Planning and Urban
Design Redfern - Waterloo Authority
2007 – 2010 Planning Manager, Development
Assessment, Redfern - Waterloo
Authority
2005 – 2007 Senior Urban Planner,
Redfern - Waterloo Authority
2000 – 2005 Senior Urban Planner, Urbis

1998 – 1999 Strategic Planner,
Leichhardt Municipal Council
1997 – 1998 Development Assessment Planner,
Leichhardt Municipal Council
1995 – 1996 Student Development Assessment
Planner and Strategic Planner,
Holroyd City Council

Strategic Planning / Studies

- Planning advice and inputs for the Marion Street Development Control Plan, City of Parramatta NSW;
- Development control advice for the Urban Renewal Precinct Master Plans, Blacktown City Council NSW
- Statutory planning framework for the future development of the Showground Priority Precinct located within the Sydney Metro North-West (formerly North-West Rail Link) corridor, NSW Department of Planning, Industry and Environment, Castle Hill NSW
- Alpine Resorts Kosciuszko National Park Development Control Plan, Mount Kosciuszko NSW
- Preparation of the Redfern Waterloo Authority's planning framework, the Built Environment Plan – Stage One 2006, to facilitate the renewal of State significant sites within Redfern and Waterloo NSW;
- Preparation of the Redfern, Waterloo Contributions Plan;
- Preparation of the draft Redfern Waterloo Built Environment Plan, Stage 2 to establish a planning framework to facilitate the renewal of social housing within Redfern and Waterloo NSW;
- Preparation of a successful submission to the National Rental Affordability Scheme (NRAS) for Affordable Housing within North Eveleigh Site worth.

Planning Proposals / Rezoning

- Prepare and manage the Part 3A North Eveleigh Concept Plan which provides for the development of a mixed use precinct comprising around 1200 new dwellings, 60,000sqm of commercial and retail floor space, community and cultural facilities and public open space, located adjacent to Redfern railway station. The Concept Plan was approved by the Planning Minister in December 2008.



Development Applications

- Preparation of the Staged Development Application Concept Proposal for the Newcastle East End project, Newcastle NSW
- Preparation of a detailed Development Application for Stage 2 of the Newcastle East End project for mixed use residential, retail and commercial development, Newcastle NSW
- Preparation of a detailed Development Application for Stage 1 of the Newcastle East End project incorporating retail premises, shop-top housing, car parking and associated works, Newcastle NSW
- Preparation of the Development Application for the adaptive reuse of the former David Jones building, Newcastle, for a boutique hotel
- Preparation of a Development Application for the adaptive reuse of the former Crest Hotel for a mixed use residential and commercial development, Potts Point NSW
- Preparation of the Development Application for The Manhattan development at 8 Greenknowe Avenue, Elizabeth Bay NSW for 53 apartments
- Prepare Part 3A Application for the Former Rachel Forster Hospital site in Pitt St, Redfern NSW. The Concept Plan, which was approved by Planning Minister on 9 October 2007, allows for development of around 150 dwellings
- Prepare Statement of Environmental Effects for a staged application for a mixed use development comprising 120 dwellings at 2-14 Northcote Street, St Leonards NSW
- Prepare Statement of Environmental Effects for a residential flat building comprising 152 dwellings at 186 Great North Road, Five Dock NSW
- Prepare Statement of Environmental Effects for a mixed use development comprising 57 dwellings at 9-13 Parnell Street, Strathfield NSW