

**ORDINARY COUNCIL MEETING
25 OCTOBER 2016**

**CCL 25/10/16
LAND BOUNDED BY MOSBRI CRESCENT AND KITCHENER PARADE
THE HILL - ENDORSEMENT OF AMENDMENT TO NEWCASTLE LOCAL
ENVIRONMENTAL PLAN 2012 AND DEVELOPMENT CONTROL PLAN 2012**

Attachment C: Report from Urban Design Consultative Group

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URBAN DESIGN CONSULTATIVE GROUP MEETING

ITEM No. 8

Date of Panel Assessment: 15

June 2016

Address of Project: 11 to 17

Mosbri Crescent, The Hill

Name of Project: NBN Television Studios

DA Number of Pre-DA? Request to amend LEP 2012: Version 8

No. of Buildings: NA

No. of Units: 189

Declaration of Conflict of Interest: Nil.

Attendees: Applicant
Gordon Kirby
Frankie Layson

Council
Steve Masia
Murray Blackburn-Smith

Panel
Professor Peter Webber
Colin Brady
Philip Pollard

This report considers an updated proposal previously put to Council for preliminary consideration, relating to the possible future uses of the NBN Television studios site in Mosbri Crescent, The Hill, Newcastle. The site is currently zoned R2, and as such has a maximum height limit of 8.5m and maximum FSR of 0.9:1. The Group's earlier advice arising from its 17 February 2016 meeting broadly supported the proposal of an increased density for the site in principle, subject to recognition of the site's constraints, in the light of the objectives of the Local Planning Strategy (LPS) for The Hill.

The Applicant has indicated that the updated proposal (Version 8) before the Group, reflects the feedback to the three options document previously presented to Council.

Although the matter relates to a proposal for a “spot” rezoning, because of its residential nature, State Environmental Planning Policy No.65 is an appropriate format for its consideration.

Background Summary

1. Context and Neighbourhood Character

The Group previously noted (17 February 2016):

The subject site has been utilized by local television broadcaster NBN3 (now part of the 9 Network Australia) as its headquarters since its establishment in the mid sixties. The site is of 1.22 Ha, and is generally surrounded by a small, densely forested park to its east (Arcadia Park) and a mix of single cottages, townhouses and low-rise apartment blocks.

A more open and level small park, Mosbri Crescent Reserve, is located immediately opposite the site across Mosbri Crescent to the west. The Reserve is roughly semi-circular in plan, and is bounded on its western side by townhouses. The northern boundary of the site is formed by Kitchener Parade, which is set at a level approximately 8.5m higher than the main NBN3 building floor level. This difference in level is equivalent to locating Kitchener Parade several stories higher than the majority of the site. The site as seen from Kitchener Parade is also partly filtered by some mature trees, which become denser towards the eastern side of the site’s Kitchener Parade street boundary.

The topography surrounding the site is quite steep as it rises up to the north, east and south from the more level area addressing Mosbri Crescent. This is likely to have contributed to the retention of trees and vegetation on much of these three boundaries of the site.

Arcadia Park, which lies above and immediately to the east of the site, as well as land to the north and further south of the site are within the Heritage Conservation Area.

The study considers the question of what is the highest and best use of the site, given changes in technology and the intention of the Nine Network Australia to vacate the site in favour of more typical commercial space.

2. Built Form and Scale

The Group previously noted in part (17 February 2016):

The scale of any future development of the site and those nearby, should take into account the sensitivities of the surrounding Heritage Conservation Area, as well as the local predominately low-rise context. The existing television studios and ancillary buildings on the site are

somewhat bulky, and reach a height approximating a 3 to 4 storey residential building. The existing buildings are well shielded from the Obelisk and Wolfe Street to the east by the mature trees in Arcadia Park, and to an extent by trees towards the southern and northern boundaries of the site. The Group was of the view that any new development on the site should not be at all visible from Heritage Conservation Area locations such as the Obelisk and Wolfe Street. Any buildings facing Kitchener Parade should generally not appear higher above the road level than 2 stories, with a possible additional level well set back from Kitchener parade...

While the Group acknowledged the professionalism and design expertise demonstrated in the submission, the proposed heights and scale were considered to be still somewhat in excess of those that would be best placed to provide built form outcomes that achieve the neighbourhood vision outlined in the Local Planning Strategy (LPS). These heights, as demonstrated in the wire-frame overlays, also demonstrate that valuable views from Wolfe Street (Fig 4.4) to the west towards Mount Sugarloaf, would be partially obstructed by the upper two floors of Buildings B and D. Having considered the concept analysis, the Group was of the view that Buildings B and D should be reduced by two floors in height, and Buildings A and B should have their upper floor(s) set back further from Kitchener Parade.

3. Density

The Group previously noted (17 February 2016):

The Group considered the site capable of bearing a moderately greater level of development than the current R2 zoning would permit, but considered the height and densities proposed under Option 3 to be somewhat excessive...

The Group remained of the view that, while an increase in density above the 0.75:1 achievable under the R2 zoning was warranted, the density proposed of 1.54:1 could not be achieved while fully satisfying the objectives and vision of the Local Planning Strategy. In addition to the reduced heights suggested, the plan depth of building D in particular brought with it potential amenity impacts – particularly in view of the slope and dense foliage of Arcadia Park, which rises steeply to the east of the site.

A greater setback of Building D from the eastern boundary would reduce the deep shadow cast by the steep topography on the site and adjacent to it, and the dense foliage of the park and the retained significant trees on the subject site.

4. Sustainability

The Group previously noted (17 February 2016):

Providing winter sun to the majority of future residences on the site has been a major determinant in each of the design's massing illustrated in the options. This was agreed to be an important driver, as the topography of the site, coupled with its leafy surrounds, means that solar access from the east and to some extent the north, is quite restricted. This consideration should continue to be one of the prime determinants of layouts for residential development on the site.

The Group noted the comprehensive solar studies that formed part of the submission, and supported the overall site planning that was informed by the consideration of solar access. However, as previously noted, the steep topography and the leafy nature of the surrounds, further impose limitations upon natural light and solar access to potential residences on the site. As per usual practice, the shadows cast by surrounding vegetation are not included in the solar studies - nor did the Group suggest it would be appropriate to do so. However, the presence of the adjacent park and surrounding mature trees will inevitably create an impact on solar access, and are a further driver for limiting the plan depth of apartment blocks to those suggested by the Apartment Design Guide, as is maintaining adequate setbacks between buildings and from boundaries.

5. Landscape

The site benefits from a number of mature trees near its northern, eastern and southern boundaries. The Group supported the proposed retention of all of these significant trees, which both provide character to the site and its surrounds, and assist in providing an attractive interface with surrounding development and Arcadia Park...

While providing some limited public pedestrian access to and through Arcadia Park was potentially a positive initiative and was supported, there are a number of considerations that need to be embraced in any further design of suggested pathways and access. The fairly dense, forested character of the park, coupled with its steep topography, give it its character, which contrasts with more open and “manicured” parks such as nearby Mosbri Crescent Reserve and King Edward Park. Any new or formalized pathways through Arcadia Park should be limited in their number and extent, and should be designed to retain the more enclosed, forested character of this park

The Group noted that the earlier proposal for walkways and paths through Arcadia Park has not been carried through to Version 8 – possibly due to some of the issues raised in response to the previous proposal. However, in addition to providing public access through the site between Mosbri Crescent and Kitchener Parade as suggested, there are other opportunities for providing upgrades to nearby local public areas in respect to landscaping and pathways, that can serve as a useful public contribution in the light of the substantial increase in value that would flow from a re-zoning of the site. For example: a non-intrusive, landscaped pedestrian connection could be provided at the eastern end of Kitchener Parade connecting to Wolfe Street; bush regeneration, including removal of invasive plant species from Arcadia Park and their replacement with indigenous groundcovers, shrubs and trees would both enhance the subject site and make it a more enjoyable and more ecologically viable remnant area of rainforest bushland; thirdly, the small semi-circular park opposite the western side of the site in Mosbri Crescent could be upgraded and areas of seating provided for public use.

6. Amenity

The Group previously noted (17 February 2016):

The site is well located and is in proximity to many local attractions. However the topography of the site does mean that those with limited mobility would not be able to access some of the steeper grades of the pathways and roads surrounding the future development. Thus while the site is relatively close to the original Newcastle CBD and Hunter Street, there is a steep ridge separating the two, which would make walking or cycling between the two a challenge for those who have less mobility and fitness. While pedestrian access to Darby street is less challenging, even this route involves descending some 21 metres over the walk.

In addition to taking into account the dominance of the surrounding leafy slopes and their impact on possible solar access, the aesthetic qualities of the open spaces between the proposed buildings need to be carefully considered. These spaces will be defined by building height and building separation, as well as by the surrounding topography. Comments made elsewhere in this report in respect to increasing building separation and decreasing heights have both practical amenity and aesthetic benefits.

7. Safety

The Group previously noted (17 February 2016):

A developed DCP might well also consider how publicly accessible areas are to be separated from private open spaces

While this issue has been addressed to an extent in the submission (Version 8), the areas designated for public pedestrian access, including the landscaped space between Mosbri Crescent and Kitchener Parade need to be clearly defined. Public spaces need to be clearly legible as being different to private open spaces.

8. Housing Diversity and Social Interaction

The Group previously noted (17 February 2016):

While the site is centrally located as viewed on plan or from the air, it is surrounded on three sides by quite steep natural topography, which limits easy pedestrian access in all directions other than to the west. It is therefore not as accessible for people with impaired mobility as one might assume taking into account only the distances involved, rather than the steepness of the paths and roads. This is an unavoidable natural attribute of the site, but it is one of the factors against opting for the densest zoning of the area.

The constraints of the site, including the topography and its location at the foot of the upper reaches of a steep gully, mean that non-vehicular access out of the site for mobility impaired people is quite limited. Within the site, and towards Mosbri Crescent provision needs to be made for easily accessible outdoor social spaces. Consideration should be given to allowing all residents with limited mobility, to access lifts in Buildings A and or Building B to access ramps to Kitchener Parade level. Landscaped rooftops can also serve complementary social functions at a single building scale.

9. Aesthetics

The Group previously noted (17 February 2016):

The Group suggested that any lower-scaled development facing the curve in Mosbri Crescent would preferably follow the bend in the road, thereby creating more opportunities for separation and common landscaped place at the rear of the townhouses.

The central space between building C and Building D is no longer proposed as a shared vehicle/pedestrian zone, which is a positive decision. However, the space remains long and relatively narrow. This separation, and that between Building E and Building D should reflect at least the minimum separation distances as recommended in the ADG.

While the Precedent studies depicted in the “Spaces and Streets” section of Appendix 1 are attractive and well detailed, it is noted that, with the exception of one development (Eton Residence) the scale of the buildings depicted is quite a degree lower than most of the buildings proposed. Further, the spaces around these buildings are in a number of instances more generous. The building typology and landscape treatments, though attractive, are more suggestive of more open, sunny sites. In contrast to this, the subject site tends to be surrounded on three sides by steeply rising slopes, and the overall character of the landscape is quite lush and is a semi-rainforest. The landscape and architectural treatments should take these factors into consideration.

.Summary Recommendation

The Group concurred in full with the issues raised by Planning and Regulatory as presented in its Preliminary Review of the proposed LEP.

The particular comments under the headings above need to be addressed, in order for the proposed re-zoning to be supported, which is likely to involve a FSR closer to the more standard 0.9:1 for an R3 zone, and heights limited to some 2 stories lower than those depicted in the Version 8 Submission. Higher floors also need to be set further back from Kitchener Parade as described. Building separations should be increased, and for those buildings whose widths exceed the ADG recommendations, floorplate sizes need to be reduced.