[redacted]

5th May 2011,

Attention: **Rajiv Shankar**
A/Manager, Development Assessment
May Li, Assessing officer,
Lane Cove Council
PO Box 20 Lane Cove
NSW 1595

Your Ref DA10/266

Dear Mr Shankar,

RE: 31-39 Mindarie Street Lane Cove
SEPP 65 COMMENTS AND RECOMMENDATIONS

Thank you for inviting me to comment on the revised version of this project. I refer to my previous comments dated Feb 2011.

I refer to your letter of the 13th April and to the accompanying documentation including a set of drawings dated 12th and 13th April 2011 By Wolski Coppin Architecture as well as an expert Opinion by Stephen King dated 12th April, Basix Certificate and letter from the Architects pointing out the changes made.

I have not been given the "view from Sun" drawings that Mr King has used to assess the Solar Access, apart from the 11am and 12 am views reproduced at reduced scale in his report.

The two issues in question are:

1. Solar Access

Without the benefit of the views from the sun, I must rely on the advice of Mr King and on the assessment I can make by looking at the plans and elevations. The orientation of the building is such that a rule of thumb can be established fairly confidently. I agree that the rule of thumb of 3 hours of sun between 9:am and 3:pm to 70% of the apartments is satisfied.

2. Cross ventilation

If one accepts that units G01, UG01, UG14,101,114,201,213 have acceptable cross ventilation, then the proposal achieves the 60% rule of thumb. There are a number of factors, however, which raise doubts as to whether these units really do achieve adequate cross ventilation.

- Positioning of recesses: the apartments in question are on the southern side of the building. The 'corner' situation is created by the inclusion of small recesses of 2m x 5m, which are located 12m in from the corners of the building. Do these recesses really create enough pressure difference to

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create a cross ventilation effect? I would expect that there would need to be very specific wind velocity and directions for this to be the case.

- Window positions: the bedrooms and living room have south facing windows, the bedrooms also have side windows or doors onto the balcony. I accept that the bedrooms will be cross ventilated, however I am concerned that the dining and kitchen areas will not have adequate cross ventilation, as the air flow needs to penetrate deep into the unit and return via a circuitous route to exit by the side windows into the recess. Will it really do this?

- I understand that Sydney's summer cooling breezes are from the North East. The units in question are on the south, or leeward side of the building in a gully situation. Will the negative pressure on this side of the building be sufficient to draw air through the units?

In my opinion, further explanation or modelling is required to establish whether the proposed method of achieving cross ventilation for these units is effective.

If these units are not counted as cross ventilated, the building only achieves 55% cross ventilation, which does not meet the rule of thumb figure of 60%.

Please do not hesitate to contact me should you require any further information

Tim Williams
Architect AIA

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21st February 2011

Attention: **Peter Thomas**
Manager, Development Assessment
May Li, Assessing officer,
Lane Cove Council
PO Box 20 Lane Cove
NSW 1595

Your Ref DA10/266

Dear Mr Thomas,

RE: 31-39 Mindarie Street Lane Cove
SEPP 65 COMMENTS AND RECOMMENDATIONS

Thank you for inviting me to comment on this project.

The following comments have been prepared based on the drawings and documents supplied by Council Including: Drawings by Wolski Coppin Architecture Pty Ltd, including drawings A0-13 dated December 2010 . Landscape drawings by Wallman Partners Pty Ltd 10.10.1A December 2010, Stormwater Drainage Concept Plans H1-H6 by ACOR Appleyard dated 10 2010, Statement of Environmental Effects by Ooi Personal Planning Pty Ltd dated December 2010, survey plan, reference number 2 2 162 dated 20 09 10 by Norton Survey Partners Pty Ltd dated November 2010, as well as and Arborist report by Dr Treegood reference number 2010-2 to 6 dated November 2010, Geotechnical assessment report by Kieghran geotechnical's, Waste Management plan by Basic services, Traffic report by Ray Dowsett at traffic and transport planning proprietary Ltd, preliminary essential services assessment by Basics services, Basix Certificate by Basics services.

Assessment report. We take on face value the accuracy of all the documents given to us and rely on them to form our assessment.

We have visited the site.

DESIGN QUALITY PRINCIPLES

Part 2 of SEPP 65 sets out the following design quality principles as a guide to assess a residential flat development. The 'Residential Flat Design Code' (The Code) is referred to as an accepted guide as to how the principles are to be achieved.

1. Context

Good design responds to and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a

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location's character or, in the case of precincts undergoing a transition, the desired future character as stated in Planning and design policies. New buildings will thereby contribute to the quality and identity of an area. (SEPP65)

Mindarie Road runs parallel and south of Mowbray Road. The area is characterised by post-war brick single dwellings and is in a state of transition, as it has recently been rezoned to allow higher density residential development.

Mindarie Road is a block north of the batten creek reserve, an area of natural bushland. The site is partially within a bushfire prone vegetation buffer zone.

The site is currently occupied by five separate dwellings. The proposal is for a four storey residential building with 60 units.

The proposed development is appropriate in the context of the future desired character of the area.

The proposal meets the objectives of this principle.

2. Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area. (SEPP65)

The proposal generally follows the height plane principles set out for the site under the LEP however it is noted that lift overrun and a roof elements extend beyond the 12m limit. This is not considered important as the lift overruns are in the centre of the building and will not be seen.

The proposal is in keeping with the future desire character of Mindarie Street in terms of scale.

The proposal meets the objectives of this principle.

3. Built form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of the building elements.

Appropriate built form defines the public domain, contributes to the character of streetscape and parks, including their views and vistas, and provides internal amenity and outlook.(SEPP65)

The form of the building follows the geometry of the site and is simply governed by the setbacks. As a consequence the building has a deep building footprint of about 24m. The recommended maximum width is 18m. The building has two lift cores, one for the east half of the development and one for the western side. The corner apartments achieve cross ventilation. As do the centre ones. More than half of the apartments have a single orientation.

The building does not respect the 6m setbacks on the east and North sides. The balconies on these facades protrude in to the setback zone by about 600mm.

The large footprint of the development results in a built form that does not achieve good amenity. The proposal does not meet the objectives of the principle.

4. Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents)

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality. (SEPP 65)

The number and mix of apartments is appropriate. This sort of density is consistent with the future desired density of the area.

The proposal generally meets with the objectives of this principle.

5. Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and re-use of water. (SEPP65)

In a relatively low building such as this one on the leeward side of a hill, single orientation apartments will not be able to provide adequate ventilation. I have counted 28 apartments out of 60 that have cross ventilation. The minimum rule of thumb is 60% of units with cross ventilation or in this case, 36 units.

The proposal has 9 units orientated to the south. The maximum rule of thumb is 10% or in this case 6 units.

The proposal just achieves the 70% rule of thumb for daylight access, however there are some units that have a poor outlook onto walls. I refer in particular to the units on the Lower ground floor. One that

faces south only has a 3m wall as an outlook. Those on the Northern side that benefit from the northern sun have a 3m wall as well. The same can be said for the units on the ground floor that have walls over 3m high about 4m from the façade of the building. These units will have poor amenity.

The northern façade has ample overhangs due to the balcony extensions and shade structures to provide shade to this façade. The east and west sides also have overhangs but require additional sun control to protect those façades from low angled morning and evening summer sun.
The proposal has made provision for the harvesting of water for car washing and watering of gardens.

The proposal does not achieve the objectives of the principle in terms of cross ventilation or the number of units facing south.

6. Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the site's natural and cultural features in responsible and creative ways. It enhances the development's natural environment performance by coordinating water and soil management, solar access, microclimate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise usability, privacy and social opportunity, equitable access and respect for neighbours' amenity and provide for practical establishment and long-term management. (SEPP65)

The landscaping occurs in the setback zones. Whilst the building will appear from the exterior to be in a landscape setting, the landscape zones are more or less just a buffer to the neighbours or to the street and are not very useful as common areas. Notwithstanding, the landscape plan indicates a good range of plants from small and medium shrubs and large native trees, which will enhance the biodiversity of the area.

The proposal meets the objectives of this principle.

7. Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility. (SEPP65)

The proposal has good-sized useful balconies or courtyards and adequate storage within the apartments with a generous amount of additional storage in the basement.

Visual privacy is of some concern with respect to the neighbours to the north, east and west. In consultation with the neighbours, I would recommend privacy louver screens to those façades.

Ventilation issues have been addressed above.

Accessibility issues have been well addressed in this proposal.

The proposal generally meets the objectives of this principle.

8. Safety and security

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces. (SEPP65)

Safety and security have been well considered in this proposal.

The proposal meets with the objectives of the principle

9. Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs of the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community. (SEPP65)

The proposed mix of dwellings has a sensible mix of one, two and three bedroom apartments, which corresponds to the likely demographic of the area.

The proposal generally meets the objectives of this principle.

10. Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area. (SEPP65)

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The design language, materials selection and building articulation appear to be well handled. The building's crisp and clean lines will be a positive contribution to the streetscape.

The proposal meets the objectives of this principle.

Conclusion

This proposal does not achieve the principles of good design in terms of natural ventilation and with respect to the number of units facing south.

I recommend that the design be modified to address these issues.

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