

2015SYE163 – 138 Acacia Road, Kirrawee

(DA15/1393)

ASSESSMENT REPORT APPENDICES

Appendix	A	Conditions of Consent
	B	Pre-Application Discussion dated 10 August 2015
	C	Architectural Review Advisory Panel Report dated 21 January 2016

DRAFT CONDITIONS OF DEVELOPMENT CONSENT
Development Application No. DAno15/1393

GENERAL CONDITIONS

These general conditions are imposed to ensure that the development is carried out in accordance with the development consent, having regard to the environmental circumstances of the site.

MATTERS RELATING TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions involve either modification to the development proposal or further investigation prior to the issue of a Construction Certificate, so as to ensure that there will be no adverse impact on the environment or adjoining development. This information shall be submitted with the Construction Certificate.

PRE-COMMENCEMENT CONDITIONS

The following conditions are imposed to ensure that all pre-commencement matters are attended to before work is commenced.

CONSTRUCTION CONDITIONS

These conditions are imposed to ensure the development does not unreasonably impact on the amenity of the locality during the construction or demolition phase.

POST CONSTRUCTION CONDITIONS

These conditions are imposed to ensure all works are completed in accordance with the Development Consent prior to either the issue of an Occupation Certificate, a Subdivision Certificate or habitation / occupation of the development.

OPERATIONAL CONDITIONS

These conditions are imposed to ensure that the use or operation of the development does not adversely impact on the amenity of the neighbourhood and the environment.

END OF CONDITIONS

Peter Brooker - 9710 0571
File Ref: PAD15/0086

10 August 2015

PBD Architects
L2 52 Albion Street
SURRY HILLS NSW 2010

Dear Sir

Pre-Application Discussion No. PAD15/0086

Proposal: Demolition of existing dwelling and construction of a residential flat building containing 105 units with basement carpark

Property: 138 Acacia Road, Kirrawee, 473 - 489 President Avenue, Kirrawee

Council refers to the pre-application meeting (PAD) held on 10 August 2015 regarding the above development proposal. Luke Murtas (Team Leader), Bruce Powe (Traffic Manager), Barbara Buchanan (Landscape Architect) and Peter Brooker (Environmental Assessment Officer) attended the meeting on behalf of Council and Theo Krallis (Architect), Michael Watson, Robert Varga (Traffic Consultant), and Sue Francis (Planning Consultant) attended on behalf of the applicant.

The purpose of this letter is to provide a summary of the issues discussed at the meeting and provide information that will assist you should you proceed with preparing a development application (DA). Council cannot provide you with certainty on the determination of the proposal until a DA has been lodged and assessed.

Your DA will need to be supported by a Statement of Environmental Effects addressing all relevant Environmental Planning Instruments, and the detailed planning controls contained in Council's Draft Development Control.

The Site and Proposal:

The site is located off the north eastern corner of the intersection of Acacia Road and President Avenue. The property is 50.29m to 55.17m wide, 120.71m deep and has an area of 6,290m². The land slopes moderately 3.0m down from the northern rear boundary to the southern President Avenue frontage. A significant natural feature of the site includes substantial native trees near the rear boundary and along the President Avenue frontage.

The proposal is to develop a complex of new four to five storey residential flat buildings containing 105 units. Basement parking over two levels for 171 cars and a loading area for garbage collection and other sundry services is to be provided with vehicular access from midway along the site's President Avenue frontage. There is a

Council's stormwater drainage pipeline and drainage easement across the western portion of the development site.

The property is within Zone R4 – High Density Residential under the provisions of Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015). The proposed Residential Flat Building is a permissible form of development within this zone.

SSLEP2015 indicates that the site is mapped as being Greenweb Restoration and is bordered by roads affected by very high traffic volumes. These specific characteristics of the site will need to be taken into consideration when preparing your DA.

Comments on the Proposal:

The following comments are provided in respect to the concept plans presented for consideration at the meeting.

1. SSLEP 2015 Compliances

Having consideration of the large size and relatively unconstrained nature of the site, compliance with all the development standards of SSLEP2015 will be anticipated to be achieved by the proposed development.

2. Design

A specific challenge for redevelopment of the land is that any built form must both reinforce the desired direction of the relatively new SSLEP2015 zone objectives but also respond appropriately to the neighbourhood context, site constraints and to future development on adjoining lands. It is strongly recommended that advice and refinement of the proposal with specific regard to SEPP65, the Apartment Design Guide (ADG) and comments from Council's Architectural Review Advisory Panel (ARAP) be given. An appointment with ARAP prior to the lodgement of a development application would be of benefit with progression of the development proposal.

The provision of adequate and reasonable solar access to units, natural ventilation and the like needs consideration to ensure ADG compliance.

3. Landscape Design

Residential land within the Sutherland Shire prominently exhibits deep soil areas and significant canopy vegetation. These corridors of vegetation between buildings assist in providing visual relief and enhance residential amenity, and contribute greatly to the visual appeal of the LGA for residents and users of its major arterial roads. The retention of established trees within the site as part of the approved development scheme on the adjoining land will reinforce the landscaped character of the locality.

Vegetation on adjoining lands may have roots extending into the site and root mapping and technical advice will be required to be sought to ensure that vegetation is not destabilised by the proposed excavation for the basement carpark.

The site is located within a Greenweb 'Restoration' area that requires all new tree plantings to be indigenous species and understorey plantings to be 50% indigenous species. Suitable plant species for the site can be selected from Native Plant Selector available on Council's website.

Council's landscaping development controls seek for planting on slab to be contiguous with deep soil planting. Additionally, as much of the common open space planting is on slab, care should be taken to camouflage the number of raised planter boxes by setting them down in the slab or alternatively raising the walkways and grassed areas around them.

Ensure that canopy trees in planter boxes on slab are provided to create shade and scale within the space. Planter boxes for small trees should have a minimum soil depth of 1000-1200mm.

Council's Public Domain Design Manual will require footpaths and the provision of large indigenous street trees to be planted as part of the development. President Avenue has been considered for the creation of a cycleway network and in this respect it is likely that the verge will be excavated to achieve the required levels which could impact on the final floor levels of the development. The consequences of these works may also include a requirement of the development to relocate light poles and underground any wires into the development. Early consultation with Council's Traffic and Public Domain Engineers is strongly recommended.

It is noted all the existing trees on the President Ave verge, except the two large Brush Box near the intersection with the Princes Highway, will be affected and consequently require removal and replacement.

4. Acoustic Treatment

Given the proximity of the site to main arterial roads, an acoustic assessment is required to accompany any development application detailing the proposed noise attenuation measures consistent with State Environmental Planning Policy (Infrastructure) 2007. This may influence the architectural treatment of the building facades and positioning of rooms.

Council is concerned with the ability of highway-side developments to provide adequate residential amenity in terms of adequate solar access, natural ventilation and acoustic privacy and also satisfy the requirement to treat buildings for noise intrusion according to the SEPP. Over-reliance on mechanical ventilation and physical screening can lead to unattractive streetscapes and inferior living spaces for future residents.

5. Driveway and Traffic

The position of the driveway to be located centrally to the site along President Avenue raised issues for vehicle access and egress safety at close proximity to a major traffic intersection and relative to the high traffic flows of the roadway. It is suggested that consideration be given to positioning the proposed driveway further to the east along President Avenue to provide additional length of roadway for vehicles to negotiate safely. However, at the pre-DA discussion it was suggested that a balance between urban design, pedestrian and cyclist safety and the need to negotiate safe traffic movements to, from and around the site must be struck.

The driveway to the garage should be as discrete as possible when viewed from the street and driveway walls to the street must have a high quality finish.

6. Stormwater and Easement

The site is affected by an existing significant stormwater drainage system of pipework and an associated easement in favour of Council. Early discussion and resolution of alternate solution(s) for any redirection of this service with the relevant Council officers is recommended to ensure an acceptable and workable outcome is achieved for both the design of the development and the functioning of the stormwater drainage system.

In this regard, an initial contact should be with Council's Stormwater Manager (ph 02 9710 0857) and Property Services Manager (ph 02 9710 0614)

7. Crime Prevention through Environmental Design (CPTED) and Adaptability

Consideration to the principle aims of CPTED contained within Chapter 3 of SSDCP2006 is required to be given. Paths and entry points (including basement) must be secure, visible and designed to be clearly legible from the public way. The residential entry should be prominently treated and given appropriate access control and safety treatment without detracting from its visual appeal.

The design will also need to consider the provisions of the Building Code of Australia (BCA), the fitout of basement spaces (e.g. exhaust discharge), relevant sanitary, accessibility and adaptable housing requirements. Council's Draft DCP requires a minimum 30% of dwellings to be adaptable, and this requirement has a flow-on effect for car parking.

8. Engineering Matters

The parking requirements for the development are subject to Council's Draft DCP 2015. A detailed Traffic Report which assesses the site suitability including the surrounding road and pedestrian routes, site access/ egress, parking provision and the design of the parking area should also be prepared. The report will need to demonstrate that the development will not result in any adverse traffic, safety or amenity impacts to the locality and to future residents.

Car parking areas are to be designed to comply with Council's Draft DCP and applicable Australian Standards. Suitable details shall be submitted demonstrating compliant manoeuvring, secured storage, adaptable provisions, and mechanical ventilation / exhaust discharge points. Providing adequate parking (including visitor) is highly recommended given the general nature of the adjoining road reserve and high general unavailability of public/ street parking around the site. Suitable loading facilities and access for a Medium Rigid Vehicle (MRV) are also required.

Suitable geo-technical investigation should be undertaken demonstrating site suitability and supporting the extent of basement excavation and earthworks proposed. This should include any impacts on the roadways adjacent to the site (including from dewatering etc) and measures to mitigate/eliminate these, given the critical, arterial nature of these roads.

9. Utilities and Infrastructure

You are advised to make enquiry early with the various infrastructure and utility providers to ensure relevant considerations for the provision of services have been taken into account early in the building design. Urban infrastructure and utilities are

reaching, or have reached maximum capacity in some localities in the Sutherland LGA. Electricity substations are required on occasion to ensure sufficient power to buildings and to meet flow requirements for sprinkler systems; NSW Fire have required substantial water tanks in other instances. Infrastructure to support these requirements will not be approved in the front boundary set back, or at the expense of landscaping or parking requirements.

10. Construction Management

A well considered management plan of the construction process must be provided with the development application given the extent and locality of the proposed development to ensure minimal disruption to traffic, adjoining residents and to the construction itself.

Conclusion:

In principle, the provision of 'mid-rise' residential apartments on the site is acceptable and the general scale is in keeping with Council's recently adopted LEP. However, having regard to that LEP, variations sought to development standards will not be supported, particularly as the site is relatively unconstrained. An early (ie. pre-DA) presentation to Council's design review panel is recommended as Council needs to be satisfied that the scheme, which is one of the first in the locality commissioned under the new LEP, exhibits design excellence. Coming to an accord with Council's Architectural panel is an essential step in demonstrating design excellence. Traffic and public domain details around the edges and entries of the site require further detailed resolution before full support could be offered for the proposed development.

It is important to note that the information provided in this letter is based on the planning instruments applicable at the time of writing. You should make yourself aware of any subsequent changes to legislation or local planning controls before lodging your development application. For detailed information about how to prepare and lodge a development application, please refer to the "Development" section of Council's website (www.sutherlandshire.nsw.gov.au). On the web page a "DA Guide" is available and an online tool called "Development Enquirer" which searches the applicable planning instruments for the planning controls relevant to your site and development.

Please contact Council if you believe any of the above information to be incorrect or if you need clarification of the advice provided. Your initial point of contact should be Peter Brooker (02 9710 0571) as this is Council's assessment officer who will most likely be responsible for the assessment of your DA. Council's Development Enquiry Officers are also available to assist you with the lodgement requirements for your application (02 9710 0520).

Yours faithfully

Mark Adamson
Manager – Projects and Development Assessment
for J W Rayner
General Manager

Architectural Review Advisory Panel

Proposal:

Demolition of existing dwellings and construction of a residential flat development containing 105 residential units and basement car parking

Property:

473-489 President Avenue KIRRAWEE NSW 2232

138 Acacia Road KIRRAWEE NSW 2232

Applicant:

Aplusgroup

File Number:

DA15/1393

The following is the report of the Architectural Review Advisory Panel Meeting held on 21 January 2016 at the Administration Centre, Sutherland Shire Council, Eton Street, Sutherland. The report documents the Panel's consideration of the proposed development described above.

1. **"DA15/1393 – Demolition of Existing Structures & Construction of a Five (5) Storey Residential Flat Building Comprising One Hundred & Five (105) Residential Apartments & Basement Car Parking at 473-489 President Avenue & 138 Acacia Road, Kirrawee - JRPP**

Council's Peter Brooker, Frances Beasley and Barbara Buchanan outlined the proposal for the Panel, including providing details of Council's relevant codes and policies.

Theo Krallis, Paul Buljevic, Paul Storch and Albert Bonansea addressed the Panel regarding the aims of the proposal and the constraints of the site.

Description of the Site and Proposal

The site is located approximately 400m from Kirrawee train station on the north-eastern corner of the intersection of Acacia Road and President Avenue, both of which are affected by very high traffic volumes. The property has an area of 6,290m², with approximate frontages of 55m to Acacia Rd and 120m to President Avenue. The land slopes down 3m from the northern rear boundary to the southern President Avenue frontage. A significant natural feature of the site includes substantial native trees near the rear boundary and along the President Avenue frontage.

The proposal is to develop a complex of new five storey residential flat buildings containing 105 units. Basement parking is proposed over two levels for 168 cars, with vehicular access from midway along the President Avenue frontage. There is a Council stormwater drainage pipeline and drainage easement across the western portion of the development site.

Key Controls:

Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)

Draft Sutherland Shire Development Control Plan 2015 (DSSDCP 2015)

Apartment Design Guide (ADG)/SEPP 65

Applicant's Submission

The functions and responsibilities of the Panel were explained to the applicant.

The Panel notes that the proposal has previously been reviewed by Council (PAD15/0086), but not by ARAP.

PRINCIPLE 1 – CONTEXT AND NEIGHBOURHOOD CHARACTER

The proposed development represents a significant change from the existing single storey residential development located immediately north of President Avenue to a substantial five storey residential complex.

The site is located adjacent to one of the busiest intersections in Sutherland, given the junction of President Avenue and Acacia Road marks the transition that ultimately leads to the Princes Highway.

There are 3 storey RFBs opposite and detached houses adjacent to the north, but the precinct is undergoing transition to increased densities permissible under SSLEP 2015. President Avenue has a strong landscape character and will have a cycle path; Acacia Road is much more bleak on the eastern side, though the western side has the benefit of large mature trees which shield the existing residential development from the busy road.

The proposal will be comfortable in its future context, with a 4-storey articulated façade and a recessed upper floor, and the use of face brick also echoes the built context.

The site is within a restoration area of the Greenweb.

PRINCIPLE 2 – SCALE AND BUILT FORM

The units are arranged in two L-shaped perimeter blocks that define the street well and create a generous, sheltered common open space to the north forming a buffer to the northern neighbours. The corner is well expressed with sweeping curved balconies.

The linear built form maximises the development potential and maximises solar access from the north, both for the apartments as well as the communal open space.

The Panel questioned the complex and defensive forms that had been designed to face both President Avenue and Acacia Road, with high brick walls restricting balcony openings and scaled as four storey elements. The applicant advised that, given the high traffic volumes experienced on both Acacia Road and President Avenue, the acoustic studies suggest that noise abatement can, in part, be addressed by reflecting generated sound using varied built form. This has resulted in a number of awkward spaces on balconies facing both President Avenue and Acacia Road, where solid built form walls return against glazed openings to living areas or bedrooms which potentially result in narrow almost non-usable spaces. There is a need to undertake further assessment and to potentially better utilise a number of the spaces generated by the curved four storey high projecting wing walls. At the same time, thought should be given to developing a less severe character for the proposal. In this process of re-consideration, the Panel suggests that the possibility of wintergarden balconies be contemplated, which might achieve improved daylight and more generous views of the well landscaped streets as well as afford the acoustic protection necessary. The process would also need to resolve the potential GFA implications with Council.

Advantage has been taken of the cross-site fall from north to south to determine an optimum ground floor level of around RL104, which sets most of the ground floor at around 1.5m above the footpath level along the President Avenue frontage. This is more than optimum under normal circumstances, but the Panel considers it reasonable given the busy nature of the street and the generous sloped landscaped setback to the terrace retaining walls. Care should be taken with detailing and landscape here, including appropriate balustrades on top of the retaining walls, to achieve a comfortable street edge for the frontage of the proposal.

The vehicle entry is centrally located but presents as a void with severe side walls. The applicant is encouraged to bring the roller shutter forward if possible and to soften what will be a major view corridor to the feature tree beyond. The path systems on both sides of the access road should be further investigated and be diminished or deleted, with landscape introduced to enhance and soften the harsh vertical walls proposed. This has the potential to reduce the height of the ramp walls and enhance the landscape experience on entering the site by vehicle as well as improve the landscape treatment of those apartments immediately adjacent to the vehicular entrance.

The development has to accommodate a redirected drainage easement around the NW corner which, as presented, will restrict the extent of large screen planting along Acacia Road. The Panel believes sizeable planting along Acacia Road is important - the benefits of this can be seen on the western side of the street, where large mature trees shield the buildings from the hostile street environment. The underground carpark proposes a small second level under an extensive first level. The Panel suggests evening out the footprint for both levels, which would result in a greater setback under the building for root growth. To ensure aeration for roots, porous paving should be used in private courtyards.

PRINCIPLE 3 – DENSITY

While the density appears to comply with the control, there are questions regarding the inclusion or exclusion of the breezeways and lobbies in GFA. Their status should be confirmed with Council officers and any necessary adjustments made to comply with the density control.

PRINCIPLE 4 - SUSTAINABILITY

The proposal provides for a high level of solar accessibility given the general orientation of living areas and terraces in the two building groups. Together with the north-facing communal area and the extensive nature of the communal area, there is a high level of amenity provided within the complex. Small amounts of eastern and western glazing help reduce thermal load.

The extensive use of face brick will reduce maintenance.

It is not clear to what extent provision has been made for the collection of stormwater for irrigation purposes and the way in which it will be stored and utilised. Little information is provided about the proposed reticulation to common open space, as well as landscape areas between and adjacent to the buildings and the perimeter landscaping. It is suggested that further work be undertaken to address these issues.

The Panel suggests the consideration of a Sedum roof to reduce the Urban Heat Island effect.

PRINCIPLE 5 - LANDSCAPE

Generally, the landscape is inappropriate for the location and size of the development. The planting is too small and fussy; it lacks structural strength around the boundaries and does not reinforce the environmental context.

Acacia Road

The need for large trees on Acacia Road requires consideration to integrate with the redirected drain and swale (see Principle 2). It is recommended that the drainage easement (1m wide) be moved west to the site boundary and that the private courtyards be reduced by 1m for the length of Acacia Road, resulting in a 2m wide deep soil strip from north to south. As the power lines are to be undergrounded, this should allow for a strong row of STIF forest species as street trees and a second row east of the drainage easement in this deep soil planting strip.

President Avenue

Existing trees on President Avenue are an effective screen at present however the proposed cycle way may impact them. To prepare for this, much larger trees than those proposed are needed within the site boundary. The proposed planting design is not strong enough on either street.

Walls, Fences and Levels

Fences need to be detailed in larger scale cross sections and all retaining walls, including on boundaries, need to be identified. The proposal should demonstrate how retaining walls to President Avenue and Acacia Road are integrated with the approach to each primary lobby.

It is not clear what level changes are being accommodated and why walls have been indicated. The plans need clear sections and details of walls etc. This is especially relevant to the central planter over the driveway.

The arboriculture report indicates that five significant trees can be retained however the large *E. saligna* could be affected by potential root damage. The root locations need to be mapped. Once located, the 'arboricultural method statement' explained in the report must be followed.

Central Driveway

The ramped pedestrian access along both sides of the underground parking driveway is harsh and uninviting (refer to comments under Principle 2).

Common Open Space

The large common open space has the potential to be an attractive feature however the planting design has not made best use of the areas of deep soil where large Eucalypts and STIF species can be planted to augment the Greenweb as well as provide privacy and aesthetic amenity. The extensive use of cluttered low plantings and magnolias undermine the sense of space, it is suggested that more use be made of lawn. Magnolias and Pyrus are not acceptable in restoration Greenweb areas of the Shire. The plan as

presented, especially without sections and levels, does not clearly show where there are walls and why.

Eastern Boundary

The compromised setback for deep soil along this boundary will create privacy issues for this development. This can be partially addressed with the redesign of the carpark levels (see Principle 2) so that there is deep soil under the building edge; nevertheless the lack of oxygen for root systems should be addressed. The Panel recommends that private open spaces on the eastern side use porous paving solutions. The planting design for this area needs to be reconsidered so that some tall STIF species are planted and the Pyrus are removed.

PRINCIPLE 6 - AMENITY

The Panel supports the location and nature of the proposed communal open space area given the northern focus of the space, although communal facilities and seating need more consideration and detail.

Most apartments achieve high quality solar access, ground floor units have generous private open space, and dual aspect units have dual balconies.

Entries from the street are deep slots spaces 4-5 storeys high and would benefit from overhead devices such as pergolas to humanise the scale of these spaces, as well as provide weather protection at the entry doors.

Letterboxes need to be provided.

PRINCIPLE 7 - SAFETY

There is good surveillance of the street from both lobbies and units. Breezeway lobbies from the street need security gates.

PRINCIPLE 8 – HOUSING DIVERSITY AND SOCIAL INTERACTION

The proposal provides for a range of 1, 2 and 3 bedroom apartments, with a communal open space that will foster social engagement.

The four lift cores serve to break up the large number of units into manageable 'neighbourhoods', resulting in multiple points of entry from President Avenue and Acacia Road.

PRINCIPLE 9 – AESTHETICS

While the façades are articulated and the main corner is well considered, the high curved brick wall elements set at angles to the street alignment, composed as 4 storey frames, lend a defensive and severe character to the street elevations. As noted above, they have apparently been developed as a response to the difficult acoustic environment, and they also have resulted in unresolved spaces (see Principle 2). In re-considering and developing the facades, the Panel suggests that some thought be given to softening the character of the elevations. The possibility of wintergarden balconies, as noted above, might facilitate this.

In this vein, the Panel was provided with updated graphics which showed less sombre colours for the street elevations than those contained in the original drawings. The Panel

is supportive of the lighter toned materials being proposed as a good start to this process.

RECOMMENDATIONS/CONCLUSIONS:

There was general support for the proposal subject to a review of the following issues of concern:

- A detailed review of the way in which the curved wall structures could be better integrated with effective space utilisation as well as the reduction of narrow non-effective external spaces between glass and curved walls.
- Further consideration of the character of the street facades, including the adoption of the lighter coloured materials that were tabled at the meeting.
- The need to cross-check GFA compatibility, particularly given the possible inclusion of part of the circulation space in lobbies.
- A review of the landscape proposals and related building adjustments as noted above.
- A review of the design approach associated with the carpark entry sequence and possible deletion of the pedestrian ramps on either side of the vehicular entry.”

Harry Levine
Acting ARAP Chairman

08 February 2016