



URBAN DESIGN CONSULTATIVE GROUP MEETING

ITEM No.

Date of Panel Assessment:	26 October 2016
Address of Project:	643 Hunter Street Newcastle
Name of Project (if applicable):	The Empire
DA Number of Pre-DA?	DA2016/00042
No. of Buildings:	One
No. of Units:	128
Declaration of Conflict of Interest:	Glen Spicer declared an interest
Attendees:	<u>Applicant</u> Ray Bowen – applicant- Diocese of Maitland Matthew de Witt – Planner Barney Collins – EJE <u>Council</u> Melissa Thomas Murray Blackburn Smith

This report addresses the nine Design Quality Principles set out in the Apartment Design Guide (2015) under State Environmental Planning Policy No.65. It is also an appropriate format for applications which do not include residential flats.

Background Summary

The Group previously considered a Pre-DA submission for the site at its meeting of 17 June 2016. Pertinent sections of the Group's report from this earlier meeting are reproduced in italics.

1. Context and Neighbourhood Character

17/06/2016: The site is located on the south western corner of Steel and Hunter Streets, and includes the site of the (now demolished) historic Empire Hotel. Opposite the site on the northern side of Hunter Street is a relatively new fast

food outlet (KFC) that occupies the former site of the Palais. On the north eastern corner of Hunter Street, is the Hunter New England Health facility, which is a relatively recent building.

The general area was discovered to be rich in Aboriginal artefacts at the time of the demolition of the Palais and excavation for the KFC outlet, and it is quite possible that similar artefacts may exist on the subject site. The local area is also an area of rich social history since European settlement, being the former site of one of the oldest hotels in the state, and being located opposite the former social hub of the Palais.

The locality is currently under redevelopment, with substantial residential towers being constructed above areas of comparatively limited commercial or retail spaces at or near ground level.

26/10/16 No further comment.

2. Built Form and Scale

17/06/2016: The proposal at 47.45m is well within the maximum height controls for the area of 60m. The issues of street wall height and related setbacks of the podium are less clear cut, with the DCP nominating a street wall height of 16m in both Hunter and Steel Streets, with a possible increase of height for emphasis at the street corner. The proposal however includes a street wall height of some 23m along most of the extent of both street frontages, which the Group viewed as excessive, especially where this development is likely to set a precedent for future development in the immediate area. The setback of the tower to Steel Street is limited to 3.8m (DCP minimum 6m), and to between 2.9m and 3.9m to Hunter Street. The tower setback to the western boundary is a more generous 11.6m but is limited to 6.2m to the southern side boundary above Level 3.

The Group accepted that a raised part of the podium facing the street might well be utilized to emphasize the street corner, and that the LEP and DCP permitted this. However, as the street frontage moves away from the corner, it is highly desirable that the podium should step down to a lower scale more consistent with the 16m height nominated in the DCP. This is particularly the case on Hunter Street, where the scale of the heritage listed former Royal Theatre to the west should not be dominated by a high podium wall, if this were to be continued by further infill development. It was suggested that, as a minimum, the two westernmost units facing Hunter Street on Levels 5 and 4 be deleted for this reason.

26/10/16: The Group heard from the applicant and the architect that the project was at a point in terms of affordability that the loss of even one or two units may well make it unviable. Given the potentially beneficial contribution to affordable housing that the development could make to the city if it proceeds, the Group sought to assist in finding means of addressing the concerns previously noted in respect to street wall heights, while at the same time retaining the full quantum of proposed dwellings. To that end it was suggested that the upper level of the podium be treated more recessively, possibly with lighter weight materials in combination with a small setback from the bulk of the podium below. It was also

suggested that this treatment extend to the exposed western wall of the podium which, as proposed, somewhat visually dominates the heritage listed former Theatre Royale which is located a short distance to the west.

3. Density

17/06/2016: The proposed density of 4.76:1 is within the permitted FSR of 6:1
No Further comment.

4. Sustainability

17/06/2016: No specific information was provided in respect to sustainability inclusions.
No further comment.

5. Landscape

17/06/2016: The landscaped roof area was subject to issues raised under heading 7. Safety (below). It was suggested that the accessible areas of the roof be managed such that casual surveillance and personal safety was optimized. The areas of the rooftop that are less protected from wind and which lack winter sun were suggested to be treated as green roof rather than accessible areas.

26/10/16: No revised landscape plan was tabled for the development. The Group remains of the view that the Roof Level landscaped area, because of its layout, is likely to be a management problem and will offer limited recreational opportunity. This should be addressed by an amendment to the landscape design.

17/06/2016: At podium level, as discussed under heading 2. Built-form and Scale (above) the westernmost two bedroom units facing Hunter Street should be deleted to achieve a step down in the podium height to the lower scaled buildings adjacent. The nearby 1 Bedroom unit adjacent to the fire stair on Level 4, would be well located and offers a better and more useful layout for the Community Room and associated amenities.

Planter beds outside Studio Units at podium level facing Steel Street should be increased in area (plan depth) and should be maintained by the body corporate.

All planted areas, private and common, should be serviced by automatic watering systems.

The extent of artificial turf at both roof and podium levels should be limited, in favour of living groundcovers and green roof treatments.

26/10/16: The issues raised above at the June presentation should be addressed in a revised landscape plan.

6. Amenity

17/06/2016: The dividers between the decks of the adjoining Studio units need to be documented on the plans and elevations.

No tables summarizing overall compliance with ADG requirements for Solar Access, Storage provision or Cross Ventilation were provided for the Group's consideration.

The three bedroom units have generously spaced bedrooms and balconies, but have quite limited Living Areas – corresponding only to the size of Bedroom 1 and its balcony.

Solar access appears to be good for the majority of the units.

26/10/16: The Group was advised that since the Pre-DA submission solar access tables, storage volumes and cross ventilation statistics had been finalised for the proposal. These were not tabled at the meeting and although it appeared that compliance with the Apartment Design Guide in respect these items should be quite achievable, these aspects should be assessed by Council Planners in due course.

7. Safety

17/06/2016: There are a number of areas in which the opportunity for casual surveillance is quite limited:

At Ground Level, the Steel Street double driveway entrances, coupled with infrastructure including the electrical sub-station, plant room and the fire booster pump, provide quite a long street level façade that is relatively inhospitable to pedestrians. While these are obviously necessary inclusions, their detailed design could be refined to moderately reduce the lineal extent of frontage impacted. There is a deep space leading to the inner residential entry, which extends to a letter box area that is partially obstructed from view. It is recommended that the lines of sight to the letterbox area and the lift lobby are re-planned to provide a more clearly observable space. If it were possible to extend the ramp length to achieve a 1:20 slope, the overall Lobby area could be shared and treated as a more attractive space.

26/10/16: The Group noted that a number of minor improvements had been made to the ground floor entry area that collectively largely addressed the concerns raised previously in this area.

The Group remains concerned in respect to the casual surveillance and safety aspects raised under the Landscape heading both in respect to the podium common areas and the rooftop accessible areas. In respect to the podium level, the small southern meeting room and the open space overlooking Steele Street have poor inherent casual surveillance and some readjustment of the planning of this area is warranted.

8. Housing Diversity and Social Interaction

17/06/2016: Although the proposal is not submitted for consideration under the affordable housing SEPP, and it is intended to strata title the units, the Group was advised by the Applicant that it is intended by the Catholic Diocese of Maitland to make housing available at reduced rents to individuals and families

within the community who are deemed to be in need of assistance for a variety of reasons.

While any initiative is most welcome, to assist the many people in the community who because of their circumstances struggle to find affordable accommodation, such a provision at a large scale needs to be considered and managed very carefully if unintended adverse social consequences are not to arise. While the Diocese has long experience in the provision of social housing elsewhere in the region, this is at a much smaller scale and lower density than the subject 128 unit proposal.

The Applicant indicated that the final arrangements for the selection of residents and the management of tenancies have yet to be negotiated, and there are potential partners that may take on management or ownership of some of the dwellings that have broad and deep experience in the region in the social housing provision arena.

The Group noted that the social planning aspects for this substantial development needed to be as carefully drafted and considered as the physical planning considerations. Internationally and in our capital cities, there have been a considerable number of social housing high-rise developments constructed in the 1960s and 1970s, that have eventually been demolished because of the intractable social problems they suffered. The more recent social-planning response has been to provide social housing as a mixture with ordinary housing that is sold to owner occupiers, and / or rented on the open market. The local Linwood development by the HDC at Maryville is an example of a residential community that has very successfully been built from scratch, and includes one dwelling in eight that is managed by a social housing provider. The residents together have formed a cohesive, supportive community, that is a successful example of viable social housing provision.

Providing exclusively social housing in a denser urban environment as proposed, brings with it considerably more challenges, as the broader community created, in general does not have the resources to provide sufficient mutual support. In this situation for a successful community outcome, there needs to be an ongoing level of on-the-premises support on hand from the service provider. The most vulnerable members of the community need to be protected and supported, and an engagement needs to be embraced by the provider that ensures a level of civility is maintained at all times. It is most unlikely in the view of the Group that sufficient support and oversight could possibly be maintained in the absence of at least a resident manager or care giver / caretaker.

26/10/16: The Group was advised that it was proposed that the completed development would be managed by a "Tier 1" housing provider. Some 30% to 40% of the development would be assigned to social housing, of which 12 units would be set up for people with disabilities, who would be supported by a carer resident in the building. The remaining 60% to 70% of the development would be offered as affordable housing as defined under the Social Affordable Housing Fund legislation. The terms of this funding require affordable housing to be

offered to key worker groups (eg essential services workers) for a period of at least 10 years.

The exact arrangements were still currently being finalized, but the information provided went some way to alleviating the Group's previously expressed concerns in respect to the proposed social mix, and the need for on-site support for vulnerable residents. However, the Group remained of the view that, in addition to any dedicated carer who might be in residence to assist a limited number of people (12 in all) with significant disabilities in their homes, there needed to be a 24 hour managerial presence on site to act as a facility manager and contact person for essential services after hours.

9. Aesthetics

17/06/2016: The Group noted that the raised awning at the street corner would provide reduced shelter because of its height, and suggested that if any visual focus was to be displayed at this location, it should be an attractive non-commercial inclusion, such as an interpretive artwork. This might perhaps draw thematically upon the rich heritage of the site.

While the Group supported the smaller scaled vertical visual rhythm established at podium level in the facades, the larger scaled expression of elements at the higher levels was considered less successful.

The inclusion of clear glass balustrades, as per the ADG recommendation, was not supported, and it was also suggested that the use of adjustable full height screens that is indicated on some balconies, would appropriately be applied more broadly.

No sample board or colour scheme was submitted for the Group's consideration, but it was strongly suggested that finishes that appear white in the renderings should be more of a light grey tone. Similarly, the dark grey finish should not be an extremely dark tone. While the Group fully endorse the need to ensure that the exposed sides of the podium are treated architecturally to provide visual interest in the street, there remains some refinement in the design for these areas as well.

26/10/16: Apart from a number of relatively minor changes made to the driveway and Steel Street residential entrance at ground level, no changes were made to the proposal in response to the Group's previous comments. At a minimum, the Group's previous advice in respect to clear glass balustrades and corner element signage / artwork need addressing, as well as some visual refinements as noted.

.Amendments Required to Achieve Design Quality

17/06/2016: The Group understood that for contractual reasons, the DA for the project was submitted very soon after the pre-DA lodgment. The Group has not therefore had any opportunity to provide pre-DA feedback.

The following issues were identified as being in need of addressing:

- *Provision of information on compliance with ADG requirements for solar access to units; floor areas; cross ventilation; storage; colour and materials board.*
- *Reduction in the height of the podium away from the street corner in Hunter Street, as outlined.*
- *Revision of the design for the project in light of safety considerations, as identified under the headings above.*
- *Landscape modifications in the light of planning/layout changes and Safety concerns.*
- *Revision of the residential entry area and Street / Ground level façade to optimize street activation and provide an attractive, open entry.*

In particular, the Group emphasized the need for the ongoing social aspects of the development to be carefully planned and considered, and for this information to be provided in detail for consideration of Council and the consent authority.

26/10/16 The combined minor changes to the development at Ground Level address the previously noted concerns relating to the final dot point above. Furthermore, while the Group accepted that it would not be possible financially to delete the podium level units previously identified as being adversely impacting from their position well above the maximum street wall height, the visual impact of this podium element could potentially be alleviated to a degree by a small setback and some revised detailing for the upper podium level.

The remaining safety / casual surveillance considerations and revised landscape design require addressing.

.Summary Recommendation

17/06/2016: The Group was very supportive of the initiative to provide attractive housing for members of the community in need. The physical proposal was largely well designed and, with the suggested modifications and refinements, would represent an attractive residential inclusion in the city.

It is important though, that the social planning for the development, including planning and clear commitments in respect to the ongoing day to day management of the facility, should also receive the level of careful attention that the building planning has received.

26/10/16: The above Recommendation is reiterated.