

Appendix E – SEPP65 Design Review Panel Endorsed Recommendations

Note, references to 'Report – 14/12/2016' and '14/6/2017' respectively relate to consideration by the DRP of a pre-lodgement proposal and the development application proposal as lodged.

Context & Neighbourhood Character	Report – 14/12/2016 The site is on the corner of the Esplanade and King Street and Howard Street Warners Bay. It is located towards the southern end of the Warners Bay town centre precinct and the design is informed by the Warners Bay Town Centre Plan. It enjoys westerly and north-westerly views across the lake and good winter solar exposure from the north. The panel considered a previous proposal for the site prepared by SHAC Architects for a previous owner. The current owner purchased the site and intellectual property pertaining the previous design, and the proposal presented represents design development undertaken by Stewart Architecture and SHAC in association. The primary points raised by the panel in response to the previous proposal have been substantially addressed, by increasing the width of the central courtyard, lowering its height as well as a range of other positive design revisions and refinements. 14/06/2017 No further comment 13/09/2017 No further comment
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Built Form & Scale	Report – 14/12/2016 The visual bulk of the previous proposal has been reduced and there has been a minor reduction in the overall building height, which is fully compliant with the building envelope with the minor exception of the upper 5th and 6th floors setbacks facing Howard Street. The panel considers the latter to be acceptable in the context. The proposal responds to the Warners Bay Town Centre Plan Guidelines which require a two storey scaled base to a building by presenting King Street and The Esplanade, with a two-storey high portal or framed structure which follows the site street boundaries. This element was considered to be quite attractive as it is represented in the hand drawn elevational sketches presented, but is less successful as viewed in the 3D rendering, as seen from the roundabout. In the latter, the masonry framed structure does not turn the corner comfortably, and is visually at odds with the curved format of the balustrade up-stands above. The panel understands that this 3D simply represents a process in the design development, but encourages the architects to explore further refinement of this device to better integrate it in the overall building form and to more sympathetically compliment the curved form of the balustrades. Some horizontal layering of shade or shelter for the open space between the building footprint and the frame device would assist in this respect, as would mere extensive use of climbing vines and vegetation as suggested in the elevations. 14/06/2017 The panel raised some concerns in respect to the 3D renderings of the proposal and the degree to which soft landscaping of an appropriate scale can be utilized to soften the built form. Furthermore, it was noted that building above street wall height was not expressed with a mid-level form, but rather the upper floor particularly on the King Street/The Esplanade corner, was very strongly expressed. It was recommended the mid- level structure's visual expression be strengthened, particularly with a greater emphasis on the vertical elements, with the upper one or two floors to be less visually assertive. In respect to the street front treatment of the lower levels, some elevations indicate trees of a height that is comparable to the masonry form. The landscape plan should include larger scaled elements, as these are considered to contribute significantly to the amenity and external presentation of these spaces on all street frontages. It was noted that limited available footpath area and practical constraints imposed by RMS requirements, mean that it is unlikely that any street planting outside the site can be achieved. It is therefore crucial that appropriately scaled soft landscaping be achieved within the site itself. 13/09/2017
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	Changes to the façade treatments have largely addressed the previous concerns. The Panel notes the JRPP's request for further consideration of building separation and associated overshadowing, privacy and urban design outcomes. Comments are provided in relation to overshadowing and privacy under the heading of "amenity" below. In relation to urban design and building separation, the Panel considers there to be two aspects to determining what is appropriate in this regard. One relates to impacts and the other to visual appearance. In relation to impacts, under the "amenity" heading the Panel is seeking further analysis to confirm overshadowing impacts associated with the proposed variations to ADG setback guidelines. Until that information is received, it cannot be confirmed whether a more compliant scheme will reduce overshadowing impacts and warrant further amendment to do so. However, notwithstanding this, the Panel has revisited the proposal in terms of its visual appearance to The Esplanade and considers that it would benefit from some further setback from the southern boundary at Level 4 of 4.5m to match the setback of level 5 and 6. This would be relatively modest, bringing that level into line with the setback for the two uppermost levels (possibly resulting in the loss of one unit). This additional setback would provide a more balanced and comfortable relationship with the progressive side setbacks on the building to the south. This would improve the streetscape appearance of the two buildings and also improve the amenity to the southern building (even if it is not strictly necessary based on the outcomes of the further analysis requested by the Panel). The Panel has taken a view that it is unlikely that the building to the south would be redeveloped and that the proposal needs to provide a better transition to this building.
Density	Report – 14/12/2016 Density was considered appropriate to the site. 14/06/2017 No further comment 13/09/2017 No further comment

Sustainability	Report – 14/12/2016 At this stage, there remain to be explored a range of inclusions such as PV panels, rainwater collection, natural light and ventilation to bathrooms wherever possible, and other opportunities for a more sustainable development. 14/06/2017 The panel noted the project is of significant scale and as such should be able to incorporate opportunities for the above inclusions. For example – electricity for the common area lighting and pool filtration could readily be supplied by rooftop PV panels and batteries. It is recommended that adjustable solar shading is provided, particularly to west facing balconies and windows. 13/09/2017 No further comment
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Landscape	Report – 14/12/2016 The proposal in its current form provides significant opportunities for high quality landscape treatment to communal open space and public domain. The panel notes that much of the landscape treatment will be on slab and encourages the applicant to explore means of including large scale canopy trees in these areas. One positive means of achieving this would be to create dropped areas in the slab in order to accommodate deep soil. 14/06/2017 The panel's previous comments remain relevant regarding the need to include large-scale trees generally, and particularly within courtyard communal open space area. The applicant is again advised to explore opportunities for set-downs into the slab, if necessary at the expense of car-parking, which is noted to be in excess of Council controls. The area is also sufficiently large to permit some naturalistic mounding and level changes that would also improve the opportunity for deeper soil, and larger scaled plantings. The panel is not supportive of the extent of hard finishes and would prefer to see a much greater extent of soft landscape within the communal areas. The rigid symmetry and extensive areas of tiles and hard paving in the central courtyard were considered to be working against a more relaxed lakeside landscape approach. The evident need to introduce built elements for shading and privacy to the pool area reflect the lack of suitably scaled tree and large shrub inclusion in the species list. The panel notes that the central communal courtyard also provides the best opportunity along King Street for substantial tree planting that is visible from the street. This opportunity needs to be taken up and used as a tool to assist in the demarcation of public and private spaces, as opposed to reliance only upon built structure, and may result in the line of private space being set into the courtyard further. The deep soil area in south-west corner of the courtyard should be redesigned to allow primarily for planting of large scale trees. Overlooking of adjacent properties from this area must be avoided. Opportunities for tree planting within the site's ground level street setback areas need to be maximized - particularly along The Esplanade where deep soil is available. Careful selection of species is required to respond to the constraints of the built form. In addition to utilizing large scale plantings where possible, climbing plants should be included over batons and pergola structures, to provide additional green softening of the façade. Further opportunity for visually softening of the
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	façade would be to include balcony level planters with cascading plants. 13/09/2017 The Panel notes the changes have largely responded to the issues raised by the Panel.
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Amenity	Report – 14/12/2016 High level of amenity should be achievable for all dwellings within the development. Consideration should be given to providing adjustable sun shading, in particular to the afternoon western summer sun for all units. The amenity of the adjacent apartment building to the south on The Esplanade was raised as an issue - in particular those rooms and very small balconies facing north near the common property boundary. Further information should be obtained in respect to the nature of these rooms – whether habitable or not, and some articulation and visual treatments applied to the southern wall of the proposed development. It is noted that the significant improvement over the previous proposal has been achieved via the inclusion of ground level deep soil planting to the eastern end of this common boundary. The latter will assist considerably in maintaining an attractive and functional northerly aspect from the rear courtyards of the adjacent properties. Provision should be made for the appropriate, screened location of outdoor air conditioning compressor units, giving due consideration to both the acoustic and visual impacts of this infrastructure (whether provided as part of the construction or post-fitted). 14/06/2017 While the panel supports the strategy of permitting maximum sunlight into the rear courtyards of the properties to the south, which is considered to be the highest priority, it was none the less necessary for the detailed shadow impact of the proposal to be provided. The panel suggested that it was necessary to demonstrate in greater detail the nature and extent of overshadowing and any other impacts of the properties to the south. This should involve a comparison of an ADG complying envelope with the scheme as proposed, and should involve an understanding of window openings on the northern elevations of the buildings to the south. The panel also noted the proposed floor to ceiling height of the commercial spaces in the Howard Street block are well below the recommended dimensions. This is likely to create difficulties in providing services to the commercial spaces and may limit potential use and function of the commercial spaces. It is recommended this be revisited in any consideration of altering the 'skip stop' apartments to single level apartments and in the light of the panel's suggestion of utilizing the commercial space on the north east corner of the block as a coffee shop/café. A further consideration in respect to this commercial space is that market demand in the area appears to be greater for small retail or commercial spaces, and it may be advantageous in respect to tenanting the areas, to allow flexibility in the design for subdivision into smaller
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	commercial areas. This would then require consideration to servicing and access to storage, waste and recycling areas and amenities. The panel reiterated its earlier comments in respect to location of residential air conditioning compressors and infrastructure. AC compressors if located on balconies should be enclosed in an integrated, well designed structure. The panel's initial review of the waste management facilities on site suggest there needs to be further design development of this aspect, as it has ramifications for presentation to Howard Street and ramp gradients. 13/09/2017 The applicant has responded with quite detailed analysis of the view and overshadowing impacts to the south. Whilst this analysis has largely satisfied the Panel in relation to the absence of privacy impacts, there remain questions about shadowing impacts analysis. In particular, it was unclear what the built form of the 'complying scheme' was based in terms of building depth and ADG compliance. The Panel considered that the analysis did not allow it to draw conclusions on the following questions: 1. Do living areas within the adjoining development receive at least 2 hours of direct sunlight as a result of the proposed development? 2. If not, is the extent of overshadowing from the proposed development to living areas to the south any worse than a 'complying development'? In this regard, a complying development should be demonstrated to meet applicable building depths and setbacks in accordance with the ADG. 3. Would removing elements of the proposed building that breach the ADG/DCP side setback controls as shown on the drawing set, reduce the extent of overshadowing of the living rooms to the south? Based on the outcome of this analysis, additional design modifications may be required to achieve acceptable overshadowing outcomes.
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Safety	Report – 14/12/2016 The issue of whether the central courtyard was secured in respect to access by the public was raised, and the panel was advised that because very good casual surveillance from the adjacent apartments, one option under consideration was to have this central area visible and accessible to the public. It was noted that in any event, the swimming pool would need to be fenced, and while the panel was supportive of the desire to retain public visual and physical access, it may eventuate that at least after hours, it is necessary for this area to be secured. Rather than such fencing thus becoming a post construction afterthought, it was suggested that the design be undertaken such that it could be fenced if necessary without detracting from the integrity of the design. 14/06/2017 The panel reiterated the need both for function and for aesthetic reasons, of clearly delineating the private, communal and public areas around the central courtyard. This needs to incorporate pool safety fencing, but also should provide security to the communal open space. To that end, consideration of potential use of structures such as planter beds as unauthorized access points to POS should be addressed. The central courtyard should be redesigned giving consideration to both landscape outcomes and safety by design principles. 13/09/2017 Whilst there has been an improvement to the differentiation of the public and private domains, the architectural drawings are still not entirely clear in some aspects, particularly in relation to access restrictions and landscape treatment along the frontage of the pool. Further refinement is considered necessary.
Housing Diversity & Social Interaction	Report – 14/12/2016 The proposal includes an appropriate mix of apartment types and a useful provision of attractive commercial and retail space. 14/06/2017 Panel noted some minor deviations from recommended housing mix, but considered the proposals to be acceptable. 13/09/2017 No further comment

Aesthetics	Report – 14/12/2016 The panel strongly supportive of the treatments implied in respect to the façade concepts and layering as depicted in the hand drawn elevations. This textured layering appears to have lost a degree of its refinement in conversion to the 3D rendering, and the architects were encouraged revisit the street-front ground floor frame element in particular, with a view to achieving the finer grained aesthetics implied in the hand drawn sketches and the character shown in the precedent photographs. The panel was generally supportive of the concept treatment of the corner on the upper levels and the expression of the roof form. 14/06/2017 A number of issues were raised in respect to the presentation of the building in its context, some of which are discussed under the above headings. In terms of the overall treatment of the building facades, it was considered that a greater emphasis on the mid height element was desirable which should incorporate vertical element expression. The roof element of The Esplanade block, in particular at the corner of King Street, was considered to be overly expressive and detracting from the curved balustrade forms on the floors below. The upper floor or upper two floors should be less strongly expressed elevationally. Earlier presentations of schemes for the site suggested layering of the façade using screen elements and landscaping, and the panel supported a re-examination of the proposal to incorporate such layering. Inclusion of appropriately scaled trees within the site, supplemented by climbing plants on trellises and pergola structures was required. Functional sun shading to reduce summer heat loads and glare would also assist in providing visual depth, shadow and texture to the facades. It was suggested that a greater degree of contrast of materials and finishes could be applied than was suggested in the renderings, which might include the introduction of some colour. The panel noted that an earlier proposal for the site included some areas of blue ceramic tile which is an example of a possible direction. A sample board including all of the proposed materials, finishes and colour selections should be provided. Plans and elevations should designate all areas for substation, fire services and hydrants, gas meters and other infrastructure and ensure that it is integrated as part of the design of the building. Signage for the building, including commercial areas, should be integrated in the architectural design to avoid post-fitting of unsympathetic signage. 13/09/2017 The Panel is generally satisfied with the applicant's
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	response to the above comments.
<u>Note</u> The panel has reconsidered the current scheme in the light of amendments made since it last reviewed it and in response to the JRPP's request for further consideration to be given to certain elements, most particularly setbacks and associated impacts. Whilst the Panel remains fundamentally satisfied with the latest iteration of the scheme, it considers some further relatively minor adjustments would improve its relationship with adjoining development to the south. The extent of these modifications will be informed by the additional analysis requested. However at least some additional setback to the southern part of level 4 is warranted, which would require the setback of building at level 4 to match the 4.5m setback of the building at level 5 and 6 from the southern boundary. This would provide a better relationship to the building to the south.	