**SEPP 65 Urban Design Review Panel Recommendations**

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| **Property Details:** | 45 Pendlebury Road, CARDIFF NSW 2285  LOTS 1/2 DP 240602 & LOT 3 DP 787275 |
| **SEPP Application No.:** | SEPP65/3/2019/A |
| **Development Application No.: (if applicable)** | DA/458/2019 |
| **Proposal:** | Residential Flat Building And Demolition Of Existing Carpark |
| **Responsible Officer:** | Andrew D Leese & Lisa Blandford |
| **Applicants Name:** | EQUITY DEVELOPMENT MANAGEMENT |
| **Applicants Address:** | C/- Barr Property And Planning, PO Box 3107, MEREWETHER NSW 2291 |
| **Panel Members Present:** | John O’Grady  Kristy Ryan  Robert Denton  Phillip Pollard |
| **Applicant/Proponents Present:** | Brenton Porter (Shaddock Architects)  Ricard Megna (EDM)  Bruce Wallis (EDM)  Stephen Barr (BPP)  Stuart Allen (Centuria) |
| **Council Officers Present:** | Andrew Leese  Lisa Blandford  Amber Murray |
| **Chair:** | Phillip Pollard |
| **Date of Meeting:** | Wednesday 14 August 2019 |

**Introduction**

The Design Review Panel (the Panel), comments are to assist Lake Macquarie City Council in its consideration of the development application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

The Panel draws the attention of applicants to the Apartment Design Guide (ADG), as published by NSW Department of Planning & Environment (June 2015), which provides guidance on all the issues addressed.

The nine design quality principles to be addressed in SEPP 65 are grouped together where relevant, to avoid the unnecessary repetition of comments.

**Panel Comments**

The nine design principles as set out in SEPP 65 were considered by the panel in discussion of the development application. These are: **Context & Neighbourhood Character, Built Form & Scale, Density, Sustainability, Landscape, Amenity, Safety, Housing Diversity & Social Interaction, and Aesthetics.**

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| **Context & Neighbourhood Character** | **8 May 2019**  The site is immediately adjoining industrial sites to the north and across the street to the west. A similarly zoned B4 mixed use site is immediately to the south and across the Hunter Water canal to the east  The general streetscape reads as one of an industrial character, with larger-scale buildings surrounded by space around them in the form of car parks and in some instances landscaping.  Buildings are generally setback to the street frontage  The site’s outlook is best the east, poor to the north, and is unknown in respect to the vacant site the south, depending on what form of development takes place there. This site would be anticipated to be developed as of something of a mixed use nature, given the zoning of the site.  Site has an 8m fall from north west to south east.  The proposed use is something anticipated by the zone, but can potentially result in land use conflicts, given the surrounding industrial-zoned land, and current uses to the north and west.  Although the site currently feels somewhat isolated because of its largely non-residential surroundings, it is actually in fairly close proximity to services and recreational facilities. The Panel was of the view that inclusion of a ground-floor retail or commercial space was unlikely to achieve any useful street activation in this isolated location. Providing that it is possible to create an appropriate residential amenity within the subject site, its use as a residential (only) development could potentially be supported.  **14 August 2019** |
| **Built Form & Scale** | **8 May 2019**  The 3-buildings site planning approach and the general height and scale of the buildings is considered broadly appropriate for the site. However the siting of the buildings and proximity to the northern boundary at less than ADG setback requirements, is not supported.  An ADG separation of at least 6m would provide the ability to create a landscape buffer including canopy trees.  The southern side of the site is currently taken up by roadway, with no landscaping – which is unsatisfactory.  It would be a more functional solution to increase the setback here to also accommodate a landscaped pedestrian pathway linking the buildings through to the eastern communal landscaped area. Some significant planting along this soutern boundary is required.  The site to the north has a 15m height control. This provides the opportunity for this site to transition from this height, to the 13m height control along the southern side.  **14 August 2019**  The panel notes that it’s recommendation in respect to increased setbacks and the provision of a fourth level have been adopted in the revised proposal. As anticipated this results in a minor exceedance of the height control, but it is the panels view that the extent of this is minor, and no adverse urban design or other impacts arise. |
| **Density** | **8 May 2019**  Satisfactory - subject to resolution of the setbacks.  **14 August 2019** |
| **Sustainability** | **8 May 2019**  Panel recommended inclusion of PV solar collectors to augment electricity supply for lighting and mechanical services for the communal areas.  For upper floor units’ internal bathrooms should be provided with ventilated skylights.  **14 August 2019** |
| **Landscape** | **8 May 2019**  As outlined under built form, it is essential that the site create its own landscape amenity as a buffer to external boundaries. To achieve this, greater setbacks are required for deep soil planting – particularly to the northern and southern boundaries. Further consideration needs to be given to the quantum of area allocated to soft landscaping, to the character of hard paved areas, and to the level change impacts of the site and the proposed cuts for vehicle access.  The communal open space to the east of the site is somewhat divorced from the development - particularly from blocks A and B. Design modifications which better integrate this area with the remainder of the site are warranted.  The access roads to the undercroft parking should be treated as ‘shared-ways’ with appropriate paving, and better integration with the landscaped areas between the buildings.  The development should comply with the ADG and SEPP Affordable Housing minimum landscape area requirements.  **14 August 2019**  The landscape scheme lacks detail with regard to finishes, separation between areas and level resolution. The use of very large evergreen species around the boundaries needs to be considered with regard to shading of the communal areas. The selection of tress between the buildings could be reconsidered to provide more canopy and protection.  It is recommended that the use of retaining walling within the landscape area be minimized. Alternative solutions may include grading or use of block material in order to avoid future problems with tree roots. |
| **Amenity** | **8 May 2019**  Review of the general internal apartment layout was required to address the following points;   * Kitchens with no natural light or outlook. * Living areas and balconies should have a landscaped outlook opposed to an industrial outlook. * Undersized and non-compliant balconies. * ADG compliant storage associated with the parking or in the units. * Solar access complying with the ADG is doubtful due to the deeply recessed nature of the living rooms. * Typical units in the south-eastern corner of each block - eg; Units No.5 and No.6 of block A - currently have bedrooms adjoining living rooms in adjacent units which is not ideal for acoustic reasons.   It was also recommended that opportunities to place living rooms on external corners will maximize solar access  **14 August 2019** |
| **Safety** | **8 May 2019**  Concerns were raised in regard to casual surveillance of the open undercroft parking. A better outcome is likely to be achieved if car spaces can be provided with garage doors.  The suggested consideration be given to locating the internal stairs closer to the entry in place of the lift.  The isolated pathway on the northern side of the site presents privacy issues and places of concealment. The pedestrian path would potentially be better placed adjacent to the driveway.  While the view to the canal and to the eastern ridge beyond was quite a visually attractive one, consideration needs to be given to how this immediate area can be secured. A palisade fence was considered one appropriate option in this regard.  **14 August 2019** |
| **Housing Diversity & Social Interaction** | **8 May 2019**  Generally acceptable.  **14 August 2019** |
| **Aesthetics** | **8 May 2019**  The upper floor/floors could potentially be treated in a more recessive form, preferably set back, and retaining deep roof eaves.  The robust material selection is considered appropriate in this context, as are the solid balustrades.  **14 August 2019**  The panel notes the development has increased by a storey. This has increased the visual verticality of the each building and reinforced the uniformity of the facades. It was suggested that the treatment of the upper floors possibly from the line of the top of the balcony balustrades contrast with the materials and textures below.  Windows, sunshade and balconies should be more varied in order to provide greater visual interest in the façade. Sunshade should respond to their orientation.  An alternative colour to the black façade cladding is recommended to reduce heat loads and visual dominance. |

**Note**

The Panel acknowledged the considerable need in Lake Macquarie for affordable housing, and was supportive of making use of the site for that purpose, providing that a good standard of residential amenity is achieved within the site. To that end, substantially greater northern and southern boundary setbacks are required to provide adequate room for deep soil landscaping, and as a buffer from the conflicting industrial use on the adjacent site to the north. Within the site, greater consideration needs to be given to open spaces and to good landscape design. The Panel noted that it should be possible to increase the height of part of the buildings with a carefully-placed, recessive, additional floor towards the northern end of the blocks, as the adjacent industrial site has a height limit of 15 metres. A transition towards this height would potentially be acceptable, providing all impacts were adequately addressed.

The site layout is currently quite dominated by roadways, the extent and width of which are understood to be driven by planning for waste/recycling collection. The latter should not be the primary driver of site planning, and further liaison was encouraged with Council’s responsible officers with the aim at achieving a management approach that permits a less adversely impacting road layout.

Specific comments noted under the headings above including internal layouts, amenity, safety, and landscaping should be addressed in the design development of the proposal.

**August 14 2019**

The panel was generally supportive of the proposal but recommended some minor refinements which can be considered by Councils officers. Subject to their satisfaction the panel supports the proposal.

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| Council Reference Number | Details | No. of Pages |
| D09310220 | SEPP 65 Panel Plans | 9 |
| D09423382 | Architectural Drawings | 18 |
| D09423385 | Landscape Plans | 6 |