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<b>Meeting Date</b>	Wednesday, 28 August 2024
<b>Panel Chair:</b>	<b>Dr Philip Pollard</b>
<b>Panel Members:</b>	Kerry Hunter Colin Brady
<b>CN Officers:</b>	Elle Durrant, Urban Design Review Panel Coordinator Ellise Redriff, Business Operations Officer

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AGENDA	Item	Description
	<b>2</b>	<b>Matters for consideration</b>
9:30am-10:30am [60 mins]	<b>2.1</b>	<b>UD2023/01155.01 - DA2023/01154</b> <b>237 Wharf Rd Newcastle</b> Residential flat building - including ancillary development (pool) and demolition of existing structures <b>Attendees:</b> Applicant: Emma Mason, Town Planner C/- de Witt Consulting Kate Hopoi, Landscape Architect - Terras Brock Hall, C/- EJE Architecture John Streeter, C/- EJE Architecture  CN Officer: Iain Watt, Senior Development Officer (Planning)

*In the interest of providing open access to information to the public this referral will be made available on City of Newcastle's (CN's) Application Tracking system.*

*The content of this advice is intended to provide information for the Assessment Officer to consider in the determination of the relevant application. The Urban Design Review Panel (UDRP) is an advisory Panel only and the advice provided by the Panel is to inform the assessment process.*

*It is not the purpose of the UDRP to have any role in the determination of development applications, nor are its recommendations binding on CN's determination of an application.*

### Scope

The following drawings / documents have been reviewed:

Plan No / Supporting Document / No. of Pages	Prepared by	Reference/ date
Amended Architectural Drawings (45 pages)	EJE	16 August 2024
Amended Landscape Drawings (20 pages)	Terras Landscape Architects	27 August 2024

### Background

The development proposal has previously been considered by the UDRP on two occasions. First on a pre-application bases at the meeting held 23 November 2022. Subsequently, the subject development application DA2023/01154 was lodged, and the proposal reviewed by the UDRP for a second time at the meeting held 31 January 2024.

In response to matters raised during the assessment process, including the UDRP advice, the proposal has been amended and the development application, as amended, is again referred to the UDRP for consideration.

Relevant extracts from previous UDRP written advice have been reiterated below in italics, followed by comments on the current development application.

## 1. Context and Neighbourhood Character

### 23 November 2022

#### Connection to Country

- *An architectural/design response for Connecting with Country is required as a basis for understanding the place and establishing a site analyses.*
- *NOTE: This should be considered in context of changes to Architectural Registration Continuing Professional Development. As at 1 July 2022, the NSW Architectural Registration Board introduced annual Continuing Professional Development for Understanding and Respecting Country. The expectation is this on-going professional development will translate into professional practice to facilitate a process and a pathway to better understand the places where we live work and visit, systems, cultural meaning and going forward towards repair and reconciliation. Integration of Country into design is by guidance from appropriate knowledge holders within culturally safe design practice. How engagement looks will be different for each project.*

#### Site Analysis

- *Generally, submitted information provided a useful summary of current wider post-colonial place analysis and a helpful context of public policies.*
- *Information about natural systems water and canopy should also be included particularly as the site is flood impacted with additional implications for rising sea waters due to climate heating; implications for character for the site – how should the interface and ground plane be considered etc?*
- *While public domain and urban form are considered at A01-A04, there is a disconnect with the design response at dwg A05-A06. The spatial implications of the public domain objectives of the previous analysis seem to fall away. In particular, the Brown Street view corridor is defined by the geometry and building alignments south of Scott Street. This should be continued through the subject site reinforcing the north-south axis.*
- *Site Analysis should also note the existing building currently partially obstructing this axis.*
- *Building separation considerations should be considered in a context that anticipates similar redevelopment may occur in future (as it has on the subject site) as well as any overlooking from the adjacent office building of private spaces in the proposed development. It should be assumed is a possibility given both the subject site and the neighbouring property were a paired development.*
- *Landscape analysis and considerations – public and private domain – should be reinforcing the public character and definition of the subject site.*
- *See previous comments regarding Connecting with Country.*

#### Brown Street reservation and view corridor

- *It is unclear how this is fully realized.*

- *Proposed site arrangement and encroachments of proposed building form and balconies do not adequately reinforce the axis.*
- *Proposed building alignments are inconsistent with the NDCP Principles that anticipate building form aligned to Wharf Road and likewise reinforce the Brown Street alignment.*
- *Wharf Road has a curved alignment which the public policy objectives intends building form to spatially reinforce that character.*

*Site arrangement/Orientation*

- *Site arrangement prioritises the southern boundary alignment rather than Wharf Road. While the intent to address a future lane condition is a positive approach, it will always be a secondary address and therefore Wharf Road and the public policy objectives should be the outcomes that are prioritized.*
- *Further consideration is needed to demonstrate how the proposed development and site arrangement will achieve a positive interface relationship should an additional lane on the eastern side be realized, and with the identified future Multi-Purpose Community Centre.*
- *The Panel encourages ongoing discussions with Council that may reveal opportunities for both the subject site and Council's key site.*

*Building entry and street interface*

- *It is unclear how the ground floor commercial space(s) could work in a practical sense.*
- *Street address presents a character as more of a walled enclave with security entry than comprising a publicly accessible activated commercial component.*
- *Podium and landscape should be responding to the Wharf Road geometry and creating a street presence.*

*Public domain*

- *Prioritizing how all development contributes to the definition and quality of the public domain – of all types - streets, parks, reservations, unloved left-over easements, buildings - needs to inform the design response as a contribution to city-making.*

31 January 2024

*Connection to Country:*

- *A demonstrated architectural response to Country remains unaddressed. The two written paragraphs in the Heritage Impact Statement is considered an inadequate response on this site and inconsistent with demonstrating Design Excellence required for heritage.*
- *Refer to previous comments.*

*Site analysis - needs to include:*

- *An understanding of natural watercourses generally, and including the stormwater culvert and pipe route (the Panel acknowledges only approximate location is known at this stage)*
- *Shipping noise needs to be identified and will require a design response in the Design Verification Statement as to how it is being addressed while natural ventilation is achieved to all habitable rooms. It is noted that noise-barrier planning principles for internal unit layouts is not proposed due to the expansive views and northern aspect also being towards the noise source. However, it requires a demonstrated design response.*

*Brown Street reservation and view corridor:*

- *The Panel supports the amendments to the building line that have responded to the view corridor.*

*Site arrangement/Orientation:*

- *The Panel notes the proposed body of the building form has retained the PreDA alignments. However, amendments to the balcony geometries have generally improved the clarity of the fundamental proposed form to achieve a more legible and rational proposition.*
- *Balconies, as a building element, now present with a more consistent geometry along Wharf Road, while maintaining the fundamental building orientation parallel with the western side*

*boundary (and largely to the rear boundary to the south). This successfully presents opportunities for future redevelopment on both the neighbouring site to the west and Council's site to the east (future Multi-Purpose Community Centre) that can create a cohesive streetscape form addressing Wharf Road while acknowledging the alignment variations of built form further west along the foreshore road.*

- The Panel notes the extensive use of retaining planter structures along both the northern and southern setback zones. Where possible the number and proximity of the planter walls should be reduced. Careful consideration of their proportions, scale of planting they can support will be needed to avoid becoming dominant constructed elements. Planter and wall materials require further consideration to present a high-quality, textural, tactile character and minimise maintenance over time. The strategy should be restrained, so a cohesive overall site character presents to all boundaries.*
- The Panel encourages the Applicant to continue discussions with Council to find opportunities to create an engaging future rear lane area, including as a lineal public space for pedestrian access east and west and linking the site both north and south.*

### *Building entry and street interface:*

- The Panel notes the intent to create strong entry forms expressed by awning frames/structures and integrated with balconies; and as an element that responds to the boundary alignment with Wharf Road at ground level in response to PreDA comments.*
- However, The Panel recommends reconsidering the scale of these entry canopies. They become dominant elements in the street and add a bulkiness to the Level 1 balconies. The Panel also questions the practicality of planted awning roofs that cannot be accessed for maintenance and are not of dimensions that appears able to accommodate viable volumes of soil/space to sustain plantings. The Panel considers a clear entry 'identity' can be achieved with some restraint.*
- The Panel supports the proposed ground floor uses that have removed the separate commercial tenancy. This has simplified the internal and external communal use zones and interfaces with private spaces of ground floor units.*

### *Public domain:*

- Previous Pre-DA comments should guide ground amendments.*

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### Connection to Country

- The Panel was encouraged to see that the landscape design has included a response to Country. However, the architectural design appears dislocated from this response, with no integration of a Response to Country being demonstrated.
- The landscape response identifies a significant number of local species. However, the Panel commented that there seemed a disconnect between the Connecting to Country response and the actual delivery of the landscape design (selection of local endemic species).
- The Response to Country should be weaving the engagement within the layers of design development and between consultant inputs.
- In order to 'close the loop' from the initial work undertaken in respect to Connection to Country, the Panel would like to understand if there has been any consultation with local Indigenous representatives. Preferably seek confirmation that the approach is supported, and/ or appropriate engagement may be able to include suggestions/resolutions to the landscape design or other elements of the architecture deemed appropriate. Where the Panel has seen this process undertaken in a meaningful way on other projects, it has proven to produce sometimes surprising and multi-dimensional positive outcomes.

### Southern boundary interface

- Amendments have deleted previous stairs and redirected fire egress via basement tunnels to Wharf Road. The impact is a walled interface to the south regardless of future development on the neighbouring site. Reinstating a generously proportioned stair linking the southern ground floor 'entry' to the deep soil landscape at the south will provide resident and maintenance

access in the immediate future and accommodate long-term outcomes facilitating a link to a future laneway or pedestrian link consistent with the DCP's intended interface.

- The rainwater tank is to be relocated under the building footprint (such as storage cages 05 and/or 06) to maximise this limited, but effective deep soil zone.
- Retaining walls moved out of the deep soil zones is positive.

## 2. Built Form and Scale

23 November 2022

### Building form

- *The proposed development should be considered in-the-round with three boundary conditions that effectively can be considered as having a public interface and will be visible from some distance.*
- *Further consideration is required to achieve a building form that responds to the geometry of Wharf Road and that reinforces the Brown Street built form axis.*
- *The Panel encourages exploration of options including rearrangement the site, further articulating the building form to express and reinforce the street geometries.*

### Height

- *A small variation to height is proposed, and in principle may be acceptable where it arises from freeboard requirements for flood mitigation.*
- *However, where ADG minimum performance for amenity is not achieved, variations to height and GFA are not supported without amendments to address shortfalls.*

### Setbacks

- *Proposed variations are not supported. Along Wharf Road, the encroachments at the north-east do not demonstrate any public benefit is achieved, nor is the proposed building form and associated encroachments consistent with the NDCP spatial definition objectives.*
- *East and South encroachments do not demonstrate how they are justified including future context of further development to the south for the Live-work key site.*
- *To the west the proposed encroachments have not adequately considered future redevelopment of that site. The design response needs to anticipate permissible future development which could expect a similar mixed use outcome. The proposed encroachments at both basement and above ground levels do not adequately consider landscape character, building separations, acoustic and visual privacy between properties – including consideration of the current use as a commercial building at the lower levels.*

### Building separation

- *SEPP 65 objectives expect equitable sharing of setbacks that achieve minimum acoustic and visual privacy through building separation.*
- *The proposed interface along the west is inconsistent with the ADG, noting also setback requirements increase above 4 storeys.*

### Balconies

- *Balconies are excessive and exacerbating significant setback encroachments.*
- *Extensively glazed balconies are not supported because of poor resident amenity outcomes and ultimately the appearance of buildings over time where ad hoc privacy screens can result. SEPP 65 ADG Design Guidance should be demonstrated.*
- *Integrating balconies as building elements in the overall composition of material and façade design needs to balance outlook, privacy and acoustic comfort. Options include partially solid upturns, operable, moveable screens integrated with the composition of building elements and façade design.*

### Building depth

- *See Amenity for deficiencies with proposed building depth also goes to Item 3 - Density*



*FL-FL - Waterproofing of roofs and slabs for wet areas above habitable rooms*

- *FL-FL Level 2 should be increased to a min 3.2m to allow for effective waterproofing*
- *The panel encourage 3.2m floor-to-floor heights for conditions where habitable rooms are below wet areas of units/spaces above - such as balconies, terraces and planters. Good detailing is essential to avoid waterproofing defects. Note the DBP Act is planned to be rolled out to all building classifications and provisions should be considered now given the retrospectivity of the existing legislation.*
- *NOTE: NSW Building Commission requirements and advice – implications are that DA approvals accommodate needed design development and tolerances for buildability.*

*Construction practice*

- *It is noted that the ARB CPD also now includes mandatory annual CPD for the National Construction Code to improve build quality in design decisions. Consideration should commence from concept design so design decisions facilitate best practice built outcomes.*

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*The Panel supports the design development that has followed the Pre-DA proposal noting the amendments that:*

- *Locate the eastern building line so that the required Brown Street view corridor is realised.*
- *Articulate and reduce the southern balconies, breaking up the previous monolithic expression. This presents as a finer grain scale that improves architectural legibility and composition of building elements when viewed from the public domain in the range from south-east through south-west.*
- *Improve natural daylight & natural ventilation amenity into the south-oriented family rooms achieved by the amendments to southern balconies and localised internal layouts.*
- *Introduce solidity to the balcony balustrades, graduating up the building responding to privacy, architectural design quality and presentation in the public domain.*

*Built form:*

- *Proposed balcony geometries has now generally provided needed restraint that achieves a more cohesive overall building form. Note amendments along the western boundary and north-eastern corner are required to address other concerns discussed elsewhere.*

*Height:*

- *Proposed departures are considered acceptable.*
- *Proposed Floor-to-Floor heights of 3.2 metres are necessary for statutory requirements for any future construction certificate and construction, and acknowledged as contributing to the height departure.*

*Setbacks:*

- *Proposed setbacks are generally supported with the exception of proposed balconies along the western boundary and at the north-eastern corner of the site. While a zero-boundary setback is permitted under the land-use zone, a proposal for residential apartments requires equitable sharing of setback obligations between properties and has required residential amenity through SEPP Housing Chapter 4 (formerly SEPP 65) and the Apartment Design Guide. This is to ensure adequate landscape, daylight, outlook and privacy amenity for each site, and positive spatial relationships with future redevelopment of neighbouring site(s) is achieved.*
- *The Panel notes all balcony areas are significantly larger than ADG requirements and that relatively minor adjustments will achieve the required setbacks, with intended screening and outlook amenity and the desired maintenance access along the western wall/window areas of Units 1.01 (typical Levels 1-4). A reduction to the northern-eastern corner balconies is needed to align in part with the Wharf Road geometry allowing the termination of the building to 'turn' as it rounds to the Brown Street view axis and increase the opportunity for landscape of a meaningful scale in the front setback. The Applicant is advised setback provisions apply to balconies as well as perimeter walls of a development.*

### *'Future DCP Laneway'*

- *The proposal relies on fire egress discharging onto the 'proposed future service lane'.*
- *The Panel strongly encourages the Applicant to negotiate with Council regarding public domain outcomes. The neighbouring Council-owned land to the south has high urban design potential to become a pedestrianised and landscaped public space and for a required path to be constructed to an open space. However, the Panel also noted that if this cannot be facilitated, then the Applicant will need to demonstrate an alternative egress strategy, and the visual emphasis on the southern entrance reduced. The Panel noted this will have implications to the landscape and podium arrangements.*
- *The Applicant advised they are willing to undertake public domain works along the south frontage within the neighbouring council land to facilitate the egress the proposal relies on.*

### *Building depth:*

- *The Panel notes the ground floor 'Resident Lounge' will be significantly inboard of the external edge of the development, with its depth somewhat exacerbated by the extended slab edges of balconies above. These slab extensions can be deleted while still achieving their intended definition by moving the balustrade locations slightly inboard if desired.*
- *See also comments below and at Landscape.*

### *Entry and pool canopy roofs*

- *The Panel acknowledged the intent of the extended main north entry canopy to 'define' the Wharf Road alignment in lieu of the building form that is squared with the western boundary. However, The Panel was unconvinced by the proposed solution.*
- *The scale of the consolidated northern canopy contributes to the busy-ness of the already busy ground plane and creates a somewhat overscale structure. The Panel noted practical maintenance considerations with narrowness of parts of this structure. The series of cut-outs appear intended to avoid creating an excessive, deeply shaded building entry, pool area and resident lounge.*
- *As proposed, there still appears a significant component of the terrace will be in shade.*
- *The Panel acknowledged the balance between obstructing sight lines down to the pool from apartments above for safety and providing some areas of shade for the communal outdoor space is needed; and that the solution should not detract from achieving a cohesion of the building form. The Panel considers the needed balance has not yet been demonstrated and recommends further design consideration is necessary. Deleting the pool canopy component would assist.*
- *Safe and readily accessible means of maintenance from common area(s) needs to be demonstrated for all planting on structure.*
- *The southern entry canopy is unnecessary even anticipating a future realisation of the rear lane. It can be significantly reduced or deleted. This secondary building entry is protected by the balconies on Level 1 which a localised increase at Level 1 could provide additional protection of the entry if desired. A spatial hierarchy is clear, and a sense of address can be achieved through the treatment of the walls and the visual activation around that entry to draw people in.*

### *Western façade - interaction with the existing commercial façade neighbouring*

- *The Panel does not support the reduced setbacks of the balconies along the western side.*
- *As a residential use, the balconies need to be a minimum of 6 metres from the western boundary to achieve adequate building separations that are equitably shared between properties.*
- *A minimum setback of 5 metres for the balconies of Apartments 1.01 and 2.01 is to be demonstrated. This will retain a minimum width needed for maintenance access/cleaning of the living room windows and some directional screened views towards the north-west.*

### *North-eastern balcony*

- *Apartments 104 and 204 – north-east corner unit - balconies remain dominant in the street and do not relate to the Wharf Road geometry. The Panel recommends a moderate reduction in their size to increase the Wharf Road setback and align part of the balcony geometry with the street.*

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### Balcony treatments

- Eastern balconies make a subtle geometric change at the north-eastern corner that better reflects the site and street geometry.
- The Panel supported the balcony upstands with solid elements at the lower levels.
- Western setbacks for upper levels of a minimum of 5.095 metres with shade devices on the western façade and balconies has addressed privacy issues and will better manage heat loads in hotter months.
- The deep balconies along the eastern side appear to adequately protect living areas during hotter months. However, if further modelling indicates additional protection is desirable for the very low angle sun, this should be similar to the treatment along the western side, with provision for the devices to be operable.

### 3. Density

23 November 2022

*The Panel does not support proposed exceedance of maximum FSR for the following reasons indicative of sought density being excessive:*

- *The Panel notes proposed internalized family rooms significantly inboard of the perimeter within deep recesses also propose 'snorkel' window types. These achieve poor amenity and impact on life-cycle energy demands for day-to-day tasks needing adequate light and ventilation.*
- *Encroachments into setback zones do not demonstrate a positive public outcome is achieved nor consistency with NDCP public domain objectives.*

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*The Panel supports amendments addressing dot-point one above, however, dot-point two requires further design consideration to be addressed.*

### FSR

- *The Panel notes that the building footprints and some internal layouts have altered in response to comments on the pre-DA proposal. It is requested GFA for each dwelling and clarifying internal walls have been included in calculations should be confirmed and included with the development information.*

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### Setback encroachments

- Encroachments have been reduced with previous and presented amendments that adequately addressed issues previously raised.

### FSR

- The Panel notes individual dwellings are large and include multiple bathrooms that add to the proposed GFA.
- Amendments have adequately addressed bulk and scale of the proposed GFA. Council to confirm GFA calculations are consistent with the NLEP definitions.



#### 4. Sustainability

23 November 2022

##### Carbon Footprint

- All new developments need to be considering and addressing their carbon footprints. It is no longer acceptable to be continuing a business-as-usual approach given the rapidly changing conditions and known direction of policy changes – including the new BASIX requirements.
- To be addressed:
  - a) Decarbonise energy supply
    - No gas connections – stranded assets for redundant pipework has long term impacts of whole life-cycle resource wastage, which is a consideration for all new development.
    - Heat pumps for units or alternative electric means for hot water
    - Induction cooktops
    - Consider hot water storage as a type of ‘battery’ when heated by solar/PVs.
  - b) Accommodate on-site power generation and storage
    - Rooftop PVs and battery storage (desirability for back-up storage as whole energy supply transitions)
    - Green roofs help cool roofs for improved PV performance
    - Potential for feed-in
  - c) EV charging capacity
    - Ensure reasonably rapid charge capacity – or better -for all car spaces, and consider several common rapid charge 3-Phase charging points.
    - Consider allowing for bi-directional (2-way) charging of EV battery for powering the building.
  - d) Passive design and thermal performance of the building fabric.
    - Note new BASIX performance - <https://pp.planningportal.nsw.gov.au/BASIX-standards>
    - Higher BASIX thermal performance standards will require 7 stars based on NatHERS rating system plus flags other changes.

Visible Light Transmittance through glazing should not be excessively dark, for internal amenity and external appearance reasons. Transmittance through glazing should not be reduced by more than 30% by tinting, (ie 0.7 VLT) and external shading should be provided in preference to any tinting.

##### General

- It is noted that the ARB CPD also now includes annual mandatory CPD for Sustainability, life cycle assessment and whole of life carbon.
- This should be a focus in context of state, national and global targets for net zero emissions and sustainability so the profession is meaningfully and effectively transitioning away from impactful and high emissions design decisions and materials. This is expected to be implemented through practice.

Habitable rooms with inadequate access to natural daylight and ventilation are inconsistent with sustainable building practice and principles of reducing demands on energy.

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The Panel notes no commitments for PV panels or other sustainability considerations appear on the architectural documents.

See previous Pre-DA Sustainability comments.

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The Panel notes PVs are proposed. However, previous comments for other commitments still apply.

### Fire pits

- The Panel questioned the proposed gas fire pits and noted alternatives such as timber or coal fires are not supported.
- The Panel encouraged the applicant to reconsider if these pits were really necessary.
- The Applicant was agreeable to removing them from the architectural drawings.

## 5. Landscape

23 November 2022

### General

- *Opportunities for deep soil planting around all site boundaries should be maximized.*
- *Where efficiencies can be achieved for basement excavation they should be pursued.*
- *A more generous landscape buffer (and corresponding reduced private open terrace area) is warranted between the building's western side and the adjacent office building.*
- *Above-ground areas of hardstand should be better coordinated with basement excavation rather than located above otherwise valuable areas for deep soil landscape.*
- *The swimming pool should be screened from the public areas around it by landscaping.*

### Podium

- *Excessive hard stand proposed for the ground floor level should be reconsidered.*
- *Landscape could be better relating to the public domain and reinforcing it.*
- *The landscape appears more of a secondary element against the primacy of maximizing the building footprint and 'shape' of preferred building form. This results in a less convincing urban landscape strategy that results in what appears more as left-over spaces around a stand-alone 'resort'.*
- *Landscape should be strengthening the future public domain including the relationship and definition of the interface with street geometries, future lane(s) and public facilities.*
- *See also comments for further consideration of fire egress at item 7 – Safety.*

### All Landscape areas:

- *All areas need to be capable of easy, safe access for landscape maintenance – without going through apartments to access these areas.*
- *Soil volumes need to be adequate to support vigorous plant growth, and should comply with the volumes specified in the ADG. Narrow planter beds dry out quickly and are unlikely to support viable landscape in the medium term. Automatic watering should be provided to all landscape areas. Any landscape area that contributes to common areas or that is contributory to the building appearance must be maintained by the body corporate. Provision should be made in the preliminary structural design for loads of landscape materials, penetrations of slabs for drainage and hydraulics. This should include design to ensure appropriate slab thickness, beam locations and the like.*

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### Landscape

- *The Panel notes the extent of basement and associated podium terraces resulting in a lack of deep soil and inconsistent with the ADG for residential uses.*
- *The Panel considers the site is capable of deep soil achieving volumes that can support landscape of a scale commensurate with the development.*

- *The Panel was also not convinced that the deep soil calculations of 3% were accurate - particularly with the extent of the basement, points of egress, stormwater structures, retaining walls and the like that all impact the ability to deliver meaningful deep soil.*
- *The Panel identified the south, and south-east, south-west and north-west corners of the site as locations for effective deep soil that appears achievable with some relatively minor amendments. Suggestions include:*
  - *reducing the depth of basement storage ST.02 to ST.04 currently proposed to be 5.65 metres*
  - *relocating the underground rainwater and OSD tanks to be under structure such as ST.05 and ST.06, and*
  - *the reconfiguration/rotating of the pool.*

*Pool configuration and boundary setback*

- *The pool as proposed along the northern boundary is not supported.*
- *The Panel recommends a setback from the northern boundary be provided to enable planting -including deep soil where possible – to be achieved by amendments to the pool configuration. Amendments should maximise opportunities to address the shade, canopy, and resident lounge depth issues, and which will improve the street presentation at ground level and improve privacy for pool users.*

*Boundary walls*

- *The southern setback zone presents a series of terraced retaining walls multiple small planters. The Panel questions the number and configuration of terraced planters with the aim that setback landscape planting selections can be of a scale commensurate with the development and can be sustained over time.*
- *Retaining walls need a robust treatment able to take a patina – say a stone type finish and durable textured concrete to those ground level retaining walls - rather than painted finishes that are difficult to maintain with landscape and on external boundary walls, are a target for graffiti.*

*See also Pre-DA comments for All Landscape Areas.*

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*Street trees*

- *The Panel recommended replacing the existing palms within the Wharf Road with a more appropriate species (cabbage palm) in consultation with Council so that any landscape theme is consistent.*

*Landscape planters*

- *The Panel continues to note the extent of planters only accessible from private units raising concerns about their uniform maintenance.*
- *This could be addressed via a condition of consent requiring all landscaping to be retained as common property in any strata subdivision with provision for their maintenance via the unit should the development application be supported.*

*Plant selections*

- *The Panel encourage engagement with Indigenous practitioners to weave appropriate local plant selections through the design.*

*Planter walls – lower levels*

- *Final documents are to confirm planter walls at lower levels are stone or similar to address previous concerns raised around maintenance and durability of painted finishes.*

## 6. Amenity

23 November 2022

*Natural daylight and ventilation – Family rooms*

- 16 units propose habitable rooms (family rooms + study space) with limited access to natural daylight and natural ventilation.  
*The central units are more severely impacted in this respect, with Family rooms located deeply inboard.*
- Amenity is exacerbated by addition of 'snorkel' windows, with natural light reduced by balcony areas that are deeper or more extensive than their location warrants.
- The proposed does not achieve minimum ADG amenity to enable day-to-day functions without the use of artificial lighting and mechanical ventilation.
- Habitable rooms need to be considering flexibility, meaningfully addressing climate issues, and moving to a zero-emissions future anticipated in the life cycle of the proposed development.

*Balconies*

- Extensively glazed balconies are not supported – a mix of partially solid balustrades is needed to better manage outlooks and acoustics and provide needed depth to the façade expression.
- Balconies need protection and privacy from the street particularly in a publicly exposed location, visible from all elevations. If this can be managed in the architecture, it will achieve a much better outlook.

*Vertical privacy screening*

- Operable screens also provide a more active, interesting façade.
- They should be operable and directional to control levels of desired solar access, and to manage desired levels of privacy.

*Overshadowing*

- Solar modelling should demonstrate impacts of the proposed development on future development on the identified key site to the south. While it remains unclear what development may occur, the modelling should understand potential impacts.
- SEPP 65 ADG includes consideration of future permitted development on neighbouring/nearby sites.

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*The Panel supports changes that have addressed natural daylight and ventilation, and vertical privacy screening.*

*Solar modelling should be presented as views-from-the-sun. This level of modelling is expected for all significant development and is needed for demonstrating design excellence, particularly for considering equitable sharing of setbacks along the western boundary. The Panel notes the proposed northern aspect of all dwellings will achieve excellent solar amenity.*

*Waste & recycling servicing*

- The Panel recommends liaison at an early stage with Council's waste / recycling Officer in respect to the proposed collection strategy, and encourages consideration of the public domain impacts resulting from waste servicing on the street.
- If small trucks accessing the basement are not an option, an existing loading zone in Wharf Road could be utilised to minimise public amenity impacts. It needs to be clearly located on the architectural plans.

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### External shading

- The Panel noted that fixed vertical shading has been provided to the western façade and balcony Levels 01-04, and for the southern half of the eastern façade Levels 01-04. However, it was noted the northern portion of the east façade relies on the balcony projections for sun protection.
- The depth of the eastern balconies is generous and largely effective as shade protection confirmed by solar modelling. The applicant agreed to exploring operable shading to the eastern balcony edge to provide protection from the low-angle morning sun during hotter months and in managing privacy for lower levels given the eastern elevation is highly visible in the public domain.

### Swimming pool geometry

- Consider the pool geometries to include parallel end walls for an area that allows lap swimming as well as general recreation.

## 7. Safety

23 November 2022

*Generally, appears satisfactory with clear lines of sight in the basement and ground level achieved. However, the following should be further considered:*

- *CPTED – resolution of the interface with a future laneway along the southern boundary.*
- *Fire stairs discharging and lobby exits to the podium terrace have no access to rear parcel of land. This requires a workable solution and needs to be coordinated with the landscape strategy and site arrangement.*

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*The rear potential future secondary entry and egress strategy has been improved compared to the PreDA proposal.*

*Further consideration of the interface and treatment of landscape walls along Wharf Road and future lane is to maximise opportunities for pedestrian amenity in combination with wall finishes that discourage graffiti.*

*There appears an opportunity for the 'Wine Cellar and Tasting Room' to include an opening to the south that in future could provide a positive outlook of the city beyond with the added benefits of increasing passive surveillance and contributing to the character of a future southern entry point.*

28 August 2024

### Basement

- The Panel noted fire egress for all levels is now linked with the basement with tunnels then exiting to Wharf Road as a single egress path. The Panel noted fire separation between the basement and residential levels may result in further amendments.
- BCA compliance would need to be demonstrated prior to any future approval.

### Ground floor

- Minor amendments required to consider the large double swing doors to the Resident Lounge. As proposed, the door swing into the main pool entry corridor – alternatives could include an inward door swing or a sliding door assembly.



## 8. Housing Diversity and Social Interaction

23 November 2022

- Large units catering to high-end market.
- Affordability is not an aim of this proposal.
- Opportunities for Platinum Level Livable Housing Design units can be achieved with the size and layouts proposed. This provides for some flexible housing choice albeit limited to the high-end market.
- The Panel recommended that the Gym and adjacent commercial space would be a better fit if intended to be used only by the residents of the building and their guests. The ground floor layout, including the location of the pool and the commercial spaces are an uncomfortable juxtaposition for the ground floor residences. The Sauna should have more private access to the shower and toilet facilities.

31 January 2024

No further comments.

28 August 2024

No further comments.

## 9. Aesthetics

23 November 2022

- The intent for high quality architectural outcome, particularly in context of less successful urban outcomes of the surrounding precinct is commended.
- Further consideration of the building form extent of glazing and integration of shade devices with the façade composition has the potential to achieve design excellence. However, amendments are required.
- Meter cupboards/ fire boosters/ rainwater tanks – are all infrastructure that if left until Construction certificate stage – will detract from the building, if not incorporated into the design at an early stage,

Airconditioning compressors for split systems

- Need to be shown on the drawings
- Need to be located to make sure they are not a noise problem for neighbours and that they are going to work properly (sufficient clearances from obstructions) whilst not being unsightly.
- Plant should be located within the overall building height.

31 January 2024

Architectural character

- Changes to balconies, their geometries and balustrade design, the use of operable vertical screens have improved the architectural proposition compared to the Pre-DA design.
- Amendments identified in this report should result in strengthening the definition and refinement of the composition of elevations, the expression of the building form as a whole, and communicate a clear design framework and hierarchy of building elements.
- Provision of simpler, more robust, ground-level perimeter and planter elements, with a greater opportunity for appropriately scaled soft landscape treatment.

28 August 2024

Generally, amendments have refined the material selection, which has improved the building's presentation, its durability, and achieved a more successful finer grain character compared to the original design.

A final document set should ensure all materials are clearly identified. The Panel noted previous agreement that exposed lower levels and for planters should include the use of stone finishes to avoid long term maintenance and durability issues associated with painted finishes.

### **Recommendation:**


23 November 2022

*While noting good potential in the preliminary scheme, the Panel was unable to support the proposal as presented. Amendments to the design as outlined above, as well as provision of additional information, are required for the Panel to potentially support the proposal. It is recommended that an amended proposal be presented again prior to the lodgement of a DA to the UDRP for further consideration.*

31 January 2024

*The Panel was generally supportive of the proposal, with design development since the pre-DA presentation having addressed the primary issues identified previously. There remain some issues that will need to be addressed by way of relatively minor amendments to the design, as outlined above, but it is anticipated that providing this is achieved, the proposal can be supported as a positive contribution to a highly prominent area of the City.*

28 August 2024

Selected Recommendation	Description	Action
<p>Green</p> 	<p>The UDRP supports the proposal with minor amendments as noted.</p> <p>The panel advises that this is a well-considered and presented scheme and that the architectural, urban design and landscape is of a high standard.</p>	<p>Relatively minor changes are required as noted - and provided these changes are incorporated, and presented to CN, the UDRP does not consider another presentation warranted. (Electronic confirmation to be provided)</p>