

**11 - 13 albert road
+
2 - 6 pilgrim avenue
strathfield**

sepp 65 design statement



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prepared for convertia pty ltd

revision b – revised da submission 30/06/21

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1. introduction

1.1 background

This statement has been prepared by Kennedy Associates Architects, to accompany the Development Application for the proposed:

**Mixed Use Development
at
11 – 13 Albert Road &
2 – 6 Pilgrim Road,
Strathfield**

This statement should be read in conjunction with the following documents:

- Architectural Drawings DA 00 – 72 prepared by Kennedy Associates Architects
- Landscape Drawings 1 – 15 prepared by Taylor Brammer Landscape Architects
- Statement of Environmental Effects prepared by Ethos Urban

This report summarises the proposed development's compliance with the provisions of the ADG and its response to the design principles of SEPP 65, in its current form

1.2 subject site + context

The subject site is located at:

**11 – 13 Albert Road +
2 – 6 Pilgrim Avenue,
Strathfield**

The site is legally described as: S.P. 8785, Lots 8 & 9 8785 and Lots A & B 100558

The site has an area of 2868.84m² and is irregular in shape. The site has benefit of two street frontages; an approximately 90m west facing frontage to Pilgrim Avenue and an approximately 32m east facing frontage to Albert Road.

The subject site is one half of a discrete block formed by Pilgrim Avenue (to the west) Albert Road (to the south) Raw Square (to the east) and the railway corridor (to the north).

The subject site is currently occupied by:

- 3 x two storey 'walk up' style apartment buildings
2 facing Albert Road and 1 at the end of Pilgrim Avenue
- 2 x single storey detached dwellings, facing Pilgrim Avenue

The neighbouring site to the east (the remainder of the block) is occupied by a single storey service station and convenience store.

The subject site is located immediately north-west of the 'Strathfield Town Centre' precinct and south of the 'Strathfield Triangle'. It is separated from the 'Strathfield Triangle' area by the railway line.

Strathfield Railway Station, 'a major interchange on the Sydney Trains network and a hub for buses serving the northern part of the inner west', is located approximately 200m to the east of the subject site.

Existing development in the immediate context of the subject site varies considerably and includes single storey detached and semi-detached dwellings and older style 2 - 4 storey 'walk-up' apartment buildings. However the area is in transition and the site also adjoins a number of more recently constructed larger mixed use and residential developments of 11 - 18 storeys.

1.3 history

1. Planning Proposal

The subject site (and the neighbouring site) was the subject of a Planning Proposal (PP_2017_STRAT-004-00), which sought to amend the permissible height and floor space ratio standards of Strathfield LEP 2012.

As part of the Planning Proposal, Kennedy Associates prepared an 'indicative scheme' for the subject site which informed and reflected the FSR and HOB standards (LEP) sought by the Planning Proposal as well as the more detailed massing included in the site specific DCP.

The Planning Proposal was approved in 2017 and Strathfield LEP 2012 was amended to allow for:

Max. FSR	5:1
Max. HOB	54m

In addition to the LEP amendments, a site specific DCP was prepared as part of the Planning Proposal. This DCP further detailed the anticipated form of development on the subject site (and neighbouring site) and outlined requirements for (among others):

- a maximum height of 11 storeys in the southern part of the site (towards Albert Road)
- a maximum height of 13 storeys in the northern part of the site (towards the Rail Corridor)
- a 'street wall' height of 4 storeys, with a 1m setback above
- active frontages to Albert Road and Raw Square
- pedestrian access from Albert Road and vehicular access from Pilgrim Avenue
- 60 public car spaces (30 per site)

2. Initial Development Application

Following the gazettal of the amendments sought by the Planning Proposal, a Development Application was prepared and submitted to Strathfield Council (Council) on 06 January 2021.

This application reflected the massing principles established by the indicative scheme and site specific DCP. The proposed development (as illustrated in Figure 1 below) was composed in a 'perimeter block' arrangement, of three connected residential 'towers' (A, B + C) arranged above a single storey commercial podium, with a 4 storey street wall height.



Figure 1: Pilgrim Road Elevation - Original DA Scheme

Source: KAA

3. Development Application Processing Design Review Panel & SECPP Recommendations

As part of the processing of the DA, the application was referred to Council's Design Review Panel (DRP). In the minutes of the meeting held on 20 January 2021, the DRP recommended that:

The most appropriate design approach would be for a development comprised of a lower podium level with two towers above that could exceed the number of storeys in the DCP (Item 3.6)

The DRP further detailed their preferred massing as follows:

...the panel recommends that Building C (northern building adjacent to the railway) be increased in height up to the maximum of 54m under the LEP. This would allow for a lower central element (Building B) connecting to the 11 storey building which would remain compliant with the DCP maximum number of storeys (Building A)... (Item 3.8)

It is noted that, during the Gateway Determination of the Planning Proposal for the subject and neighbouring sites, the DRP expressed a similar preference for 'two tower' massing, over the more continuous built form ultimately adopted in the Site Specific DCP.

In addition to the suggested massing, the DRP made a number of other recommendations for the proposed development, including in relation to: built form and external façades, cross ventilation and solar access.

Following the DRP meeting, correspondence was received from Council (dated 31 March 2021) providing comments from assessing officers, internal and external referrals and further summarising the outcomes of the DRP meeting. The correspondence includes:

The proposed design should be amended to address the DRP's comments. Council acknowledges the DRP comments suggest exceedance of the height guidelines in Development Control Plan No 26 (DCP 26) to modulate the building facade along Pilgrim Avenue. Council is open to this suggestion, provided the design outcome is of an exceptional quality and the merits of the exceedance are adequately demonstrated. (Page 1)

That is, a departure from the DCP massing was considered acceptable by Council, subject to design quality.

In April 2021, revised documentation (partial set) was submitted to Council outlining an alternative built form for the proposed development, which reflected the massing recommendations made by the DRP. Specifically, the proposed development was amended to provide:

- a 15 storey tower in the north-eastern part of the site adjoining the railway line
- an 11 storey tower in the south - western part of the site facing Albert Road
- a lowered (5 storey portion) in the central part of the site facing Pilgrim Avenue

This documentation was reviewed by Council, and the Sydney Eastern Planning Panel (SECPP). In their subsequent correspondence (dated 26 April 2021) Council note that:

Council and the Panel members were in agreement that the revised building proportions presented in the massing response are a general improvement and respond to the DRPs recommendation. (P1)

That is, the revised massing, recommended by the DRP, was considered acceptable by both Council and the SCPP, subject to appropriate detailed resolution and design quality.

Subsequent to the above the project was again reviewed by the DRP on 19 May and the Sydney Eastern City Planning Panel on 10 June 2021.

On 19 May the DRP wrote:

The Panel notes that the proposal has been amended and generally provides a strong response to the previous comments raised ...

The panel went on to note that:

a few minor issues remain unresolved

The Project was further reviewed by the Sydney Eastern City Planning Panel on 10 June 2021.

At this meeting the SECPP agreed with the DRP's support for the scheme and noted:

Panel request that Council actively engage with the applicant to have conditions agreed prior to submission of the Assessment Report.

The project has been further revised to address all issues raised by both the DRP & SECPP.

The scheme that this report addresses is the outcome of the above.

4. Revised Scheme

This SEPP 65 report accompanies the revised Development Application for the subject site.

As illustrated in Figure 2 below, the proposed development – in its current form – is consistent with the massing principles established through the assessment / review process detailed above and addresses the recommendations of the DRP & SECPP.



Figure 2: Pilgrim Road Elevation - Revised (Current) DA Scheme

Source: KAA

The massing strategy proposed by the DRP – and adopted by the revised Development Application – maintains the general principles outlined in the site specific DCP specifically:

- a taller built form in the northern portion of the site (towards the Railway Corridor)
- a lower built form in the southern portion of the site (towards the Albert Road Frontage)
- a four storey 'street wall height', along both frontages

However, the revised (DRP suggested) massing strategy incorporates:

- two separate towers, with a distinct 'break' between the two
- two additional storeys above that outlined in the site specific DCP (13st becomes 15st), in the northern portion of the site (towards the Railway Corridor)

The revised massing maintains compliance with the HOB and FSR* standards for the subject site, as outlined in Strathfield LEP 2102.

In addition to the above, the application has been amended to address the more detailed comments from Council, the DRP and the Panel including: architectural expression, articulation, cross ventilation, solar access, landscape and communal open space design, street activation and acoustics, amongst other items.

FSR

The key point of concern for the panels was whether the area of balconies of Building P, facing the railway line and within 20m of the boundary with Sydney Trains, which are required to be partially enclosed to prevent people throwing items onto Sydney Trains property, constituted Gross floor area.

These balconies have been designed in part as 'winter gardens' (that is partially glazed) because 'winter gardens' provide better amenity for apartments facing the rail corridor, than would be achieved by fully open balconies.

The argument raised by the DRP was that by glazing the balconies they became 'enclosed space' and therefore contributed to GFA.

The panel acknowledged that:

- were the balconies to be left fully open they:
 - would occupy the same volume
 - would be excluded from FSR
- partially enclosing the balconies improves residential amenity, without adding additional 'bulk' to the proposed development

That is, their concern was a numeric one rather than a qualitative one.

However, KAA have subsequently clarified that:

- none of the balconies are fully enclosed, including those designated as partial 'winter gardens'
- none of the balconies constitute a genuine 'winter garden'
- all balconies retain a significant portion of their frontage as permanently 'open' although covered by metal blade louvres to address the safety requirements of Sydney Trains
- that is part of each balcony does not include an 'outer wall'

This is consistent with the decision by Commissioner O'Neill in HPG Mosman Projects Pty Ltd v Mosman Municipal Council [2021] NSWLEC 1243, where she states, *'The definition of GFA excludes terraces and balconies with outer walls less than 1.4m high'*.

Notwithstanding the above, in case of a difference of interpretation of the ability to exclude the areas of winter gardens from GFA calculations, a 'precautionary' Cl.4.6 variation request for the amount of additional FSR equivalent to the proposed 'winter gardens' has also been prepared.

This Cl. 4.6 variation does not represent a departure from the bulk and scale permitted by the Planning Proposal or supported by the DRP.

1.4 proposed development

The proposed development includes:

223 car spaces over 4 levels of basement car park including:

175 residential spaces

13 commercial spaces

5 car share spaces

30 public spaces

201 m² of commercial space, in 2 tenancies, at the ground floor

168 residential apartments over 14 levels including:

54 x 1 bedroom units

110 x 2 bedroom units

4 x 3 bedroom units

As detailed above, the proposed development is composed in a podium + tower arrangement, with:

- a single storey commercial podium at street level fronting Albert Road
- an 11 storey tower (A) at the corner of Pilgrim Avenue and the Railway Corridor
- a 15 storey tower (P) at the corner of Pilgrim Avenue and Albert Road
- a 5 storey element, connecting the two towers, along the Pilgrim Avenue Frontage

Each tower is serviced by a separate core, with two lifts. A central communal open space 'courtyard' is located on the podium top (level 01) with two 'roof terrace' communal open spaces on levels 05 and 11. The terrace on level 11, the roof of Building A, has been positioned to take advantage of the district views available, as well as abundant solar access.

Pedestrian entry to the development is available via both street frontages. Entry to the two residential towers is via clearly defined lobby areas whilst ground floor apartments along Pilgrim Avenue are also provided with direct entries. An 'active' frontage wraps the Albert Road corner, with a wide colonnade, glazed commercial frontages, outdoor dining areas and planters providing interaction with and views to / from the public domain

Vehicular access is available via a single entry point, at the northern end of Pilgrim Road, consistent with the site specific DCP

The articulation and detailing of the proposed development has been carefully considered.

In particular, the 4 storey street wall height outlined in the site specific DCP is clearly expressed (through both materiality and the required 1m setback) whilst strong horizontal and vertical elements further modulate the building's bulk. Additional 'movement' and interest is created in the facades through more fine-grain articulation, landscape treatment, contrasting textures and architectural detailing, creating a varied and visually engaging streetscape appearance.



Figure 3: 3D Views - Revised (Current) DA Scheme

Source: KAA



2. adg assessment

2.1 compliance summary

Following is a summary of the proposed development's compliance with key measures of the ADG.

For detailed analysis of the project's compliance with the ADG, refer to the accompanying Apartment Design Guide Compliance Table.

Objective	Complies	Acceptable
3D-1 1. Communal Open Space Provision	Yes	-
3D-1 2. Solar Access to Communal Open Space	Yes	-
3E-1 1. Deep Soil Zone Provision	N/A	-
3F-1 1. Building Separations	No	Yes
3J-1 1. Car Parking Provision	Yes	-
4A-1 1. Solar Access to Living Rooms and Private Open Space (Sydney Metro Region)	Yes	-
4A-1 2. Solar Access to Living Rooms and Private Open Space (Other Areas)	N/A	-
4A-1 3. Apartments Receiving 0 hrs Solar Access at Mid-Winter	Yes	-
4B-3 1. Cross Ventilation	Yes	-
4B-3 2. Maximum Depth of Cross-Over or Cross-Through Apartments	Yes	-
4C-1 1. Ceiling Heights	Yes	-
4D-1 1. Minimum Apartment Sizes	Yes	-
4D-1 2. Habitable Room Windows	Yes	-
4D-2 1 Habitable Room Depths	Yes	-
4D-2 2. Combined Kitchen / Dining / Living Depth	Yes	-
4D-3 1. Minimum Bedroom Areas	Yes	-
4D-3 2. Minimum Bedroom Dimensions	Yes	-
4D-3 3. Minimum Living Room Width	Yes	-
4D-3. 4. Maximum Width of Cross-Over or Cross- Through Apartments	Yes	-
4E-1 1. Primary Balcony Dimensions	Yes	-
4E-2 1. Ground Floor Private Open Space	Yes	-
4F-1 1. Maximum Apartments Per Core (per floor)	No	Yes
4F-1 2. Maximum Apartments Per Core (10 storeys)	No	Yes
4G-1 1. Storage	Yes	-

NB: The summary above is not intended to be an exhaustive list of all criteria or guidelines outlined in the ADG, nor all design issues which may be applicable to the subject site and/or development. It contains the measures which, in our experience, most directly impact both the residential amenity of proposed developments and their acceptability in terms of urban design.

A broader discussion of how the proposed development addresses the nine design principles of SEPP 65, for which the detailed provisions of the ADG provide support, is included in section three of this report. This discussion addresses the intended outcomes of the ADG, without necessarily providing reference to individual design criteria or guidance.

Where additional criteria or guidance are considered particularly relevant to the proposed development, or where they provide useful clarification on an issue, they are referenced as required.

2.3 discussion of non-compliances

3F-1 1. Building Separations

The proposed development deviates from the design criteria of Part 3F-1 Building Separations / Visual Privacy and Balconies, in a number of minor instances as illustrated in Figure 4 below:

- a. the glazed corridor 'end' at the eastern edge of Building P, on levels 01 - 03
- b. the secondary living room windows and balcony openings at the eastern edge of Building P, on levels 08 - 14
- c. the secondary balcony and secondary opening to the primary balcony at the eastern edge of Building A, on levels 01 - 10
- d. openings onto the 'indent' on the eastern facade of Building P, on levels 01 - 03
- e. openings onto the 'indent' on the eastern facade of Building P, on levels 05 - 14

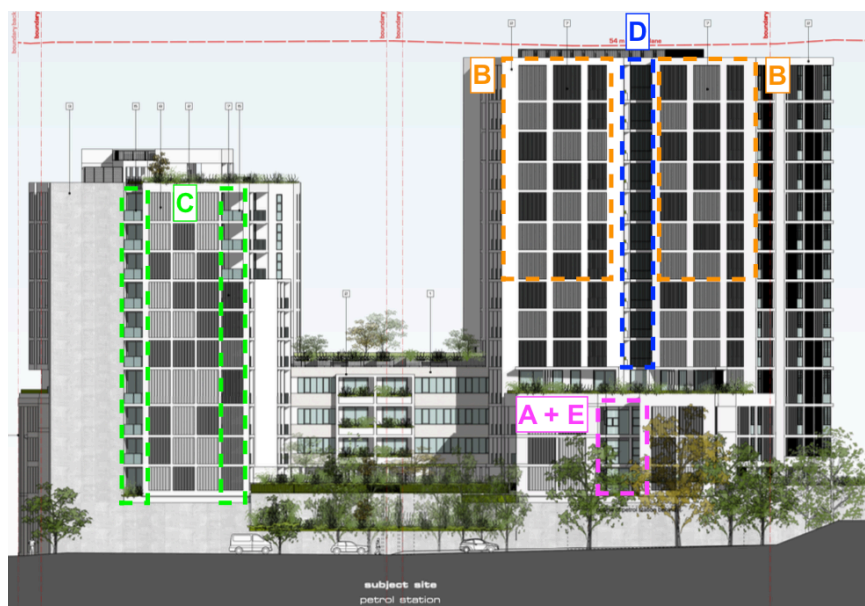


Figure 4: Diagram of Separation Non-Compliances

Source: KAA

Variations a – c relate to the separation to the eastern boundary of the subject site. The neighbouring site to the east, which shares this boundary, is currently occupied by a single storey service station and, as such, there are no material privacy concerns between the proposed development and the existing land use on the neighbouring site.

Kennedy Associates understands that the service station is currently profitable and that there are no current plans to redevelop the site.

The owners of the adjoining site were not part of, nor expressed interest in, the planning proposal application.

Notwithstanding this - at the instruction of the Regional Planning Panel - the neighbouring Service Station site was included in the Planning Proposal and, as such, the site benefits from the outcome of the Planning Proposal.

Accordingly, the achievement of reasonable levels of privacy to and from the proposed development should also be considered.

Variations d & e relate to the arrangement of openings around the 'U' shaped building 'indent' on the eastern facade of Building P.

This indent is located at the south eastern end of the central corridor of Building P and is approximately 4.5m wide. The walls surrounding the indent contain two units, including high level windows to those units.

Whilst the provisions of Part 3F may not technically apply to the proposed openings (the separation is not between different buildings, or to a boundary) the achievement of reasonable levels of privacy between the units arranged around this relatively 'compact' space should be considered.

A detailed discussion of each variation and its achievement of the objective of Part 3f-1 'to achieve reasonable levels of external and internal visual privacy' (p63) is outlined below.

a. Glazed Corridor, Building P, Levels 01 – 03

Part 3F states that *'gallery access circulation should be treated as habitable space when measuring privacy separation distances....'* (p63)

As such, the required separation for the glazed corridor end on levels 01 – 03 is **6m**.

The provided separation is **4.5m**.

In our opinion, the proposed variation is acceptable as:

- the glazed corridor end is of a modest size, having a width of approximately 2m
- there are limited view opportunities to or from the window
- only two units (per floor) are accessed in close proximity to the window
- there will be limited activity adjacent to the window
plus
- the glazing could be made obscure if it was of concern

In our opinion, the modest size of the window and the limited activity adjacent to it results in minimal, if any, privacy concerns between the proposed development and any future redevelopment of the neighbouring site, in this location.

In our opinion, the 'use' of the proposed window most closely aligns with that of a 'non-habitable' room which would require a setback of only 3m. As such, in our opinion, the proposed 4.5m separation is sufficient to achieve an appropriate level of privacy in this location.

Further, the amenity (light and ventilation) provided to the corridor by the proposed glazing results in a better outcome than a blank wall in this location, which would be fully compliant with this part.

As such, in our opinion, the proposed variation to the required building separation achieves a reasonable level of privacy, an improved level of internal amenity and is acceptable and capable of support.

b. Secondary Living Room Windows and Balcony Openings, Building P, Levels 08 – 14

Part 3F requires a separation of:

- 9m for habitable room windows and balconies, for a building height of up to 25m (5 – 8 storeys)
- 12m for habitable room windows and balconies, for a building height of over 25m (9+ storeys)

The eastern facade of Building P incorporates secondary openings to the living rooms and balconies of two units (per floor) on levels 04 – 14.

The provided separation between these windows and the boundary of the site is 9m.

As such, on levels 04 – 07, these openings comply fully with the requirements of this part.

However, on levels 08 – 14, these openings vary the requirements of this part.

This is because stepping the building at that point would not achieve a better built outcome as set out below.

In our opinion, the proposed variation is acceptable as:

- the south east facing living room windows are secondary windows only, with the primary outlook of the rooms facing the private open space balconies of the dwellings, to the north or south
- similarly, the south east facing balcony openings are also secondary openings, of limited size, with the primary 'open face' of the balcony to the north or south
- vertical screening is included across the face of both the windows (operable) and balcony openings (fixed), allowing for light and ventilation while directing views away from the neighbouring site
- the façade is relatively narrow and on the 'edge' of the site, minimising impacts on any future adjoining development

That is the windows and openings, which are fully screened, achieve the intention of the ADG with regards to the visual and acoustic impacts to be achieved by building separation.

In our opinion, the secondary nature of the openings and the screening measures included result in minimal privacy concerns between the proposed development and any future redevelopment of the neighbouring site, in this location.

This was recognized by the DRP who did not raise concerns regarding this issue.

Further, the amenity (light, ventilation and angled views) provided to the units by the proposed east facing secondary openings results in a better outcome than a blank wall in this location, which would be fully compliant with this part.

Additionally, as discussed, including a single 'step' in the setback of this building element (from 0m to 9m) results in a more attractive built form than would be achieved with the addition of another step (12m) to increase the setback at levels 08 – 12.

Including an additional step would create a 'ziggurat' appearance, which is actively discouraged by the ADG.

As such, in our opinion, the proposed variation to the required building separation achieves a reasonable level of privacy and is acceptable and capable of support.

c. Secondary Balcony and Secondary Balcony Opening, Building A, Levels 01 - 10

Part 3F requires a separation to neighbouring boundaries of between 6m – 12m, for balconies.

The proposed development incorporates a secondary balcony, for one unit (per floor), on the south eastern façade of Building A.

Additionally, the primary balcony for this unit – which has its 'open edge' to the north – is also provided with a secondary opening, on the south eastern facade.

The provided separation between the secondary balcony / secondary balcony opening and the boundary of the site is **0m**.

As previously discussed, although the neighbouring site was part of the Planning Proposal for the block, it is not anticipated that this site will be redeveloped in the near future.

The subject façade may remain a prominent element of the Strathfield streetscape for many years. The purpose of the recessed balconies is to provide greater articulation to this highly visible facade than would be afforded by a 'compliant' blank wall.

That is the outcome presents a more skilful solution to the issue of boundary walls.

Further, given the existing use of the neighbouring site as a single storey service station, in our opinion, the proposed balcony / balcony opening do not present any significant privacy concern (to or from the proposed development) with regards to its existing context.

Notwithstanding this, future redevelopment of the neighbouring site can be reasonably expected to 'abut' the wall of the proposed development, in this location. This is consistent with the massing studies for the whole block submitted with the Planning Proposal.

The proposed secondary balconies have been designed to allow for their enclosure and conversion to a storeroom, should redevelopment of the neighbouring site proceed sometime in the future.

That is, should the neighbouring site be redeveloped, the balcony will be 'removed' and the privacy concern it represents will be effectively 'deleted'.

Similarly, the secondary opening to the primary balcony has been designed to be 'filled in' in the event of redevelopment of the neighbouring site.

Neither the proposed secondary balcony nor the secondary opening of the primary balcony are relied upon to achieve compliance with any provisions of the ADG. However, the additional amenity they provide to the unit, including light, ventilation, views and additional useable outdoor space result in a better outcome than a blank wall in this location, which would be fully compliant with this part.

As such, in our opinion, the proposed variation to the required building separation achieves a reasonable level of privacy and is acceptable and capable of support.

d. Building Indent and Openings, Levels 01 – 03, Building P

Whilst Part 3F does not strictly require separation between openings in the same building, the objective of the Part – to achieve reasonable levels of external and internal visual privacy – is considered relevant to openings located in relatively close proximity, such as across building indentations.

As outlined above, the eastern end of Building P incorporates an 'indent' of approximately 4.5m x 4.5m, located centrally at the termination of the communal corridor (eastern facade). The 'indent' is completely open on one side (opposite the corridor) with the other two enclosing walls (north and south) forming part of two different units. On the lower levels, the walls surrounding the indent incorporate:

Eastern Wall (bottom of 'U'): - glazed communal corridor end, clear glass
- window to internal unit corridor, clear glass

Side A (north facing): - window to bathroom, with high level sill, translucent glass
- window to dining room, clear glass

Side B (south facing) - window to bathroom, with high level sill, translucent glass

That is, the proposed indent includes openings opposite to, or diagonally adjacent from, other openings, with a separation of approximately **4.5m**.

The location, size and treatment of the openings has been carefully considered in order to provide appropriate privacy to / from units. Specifically, the two bathroom windows have been located offset from one another, have a high sill level and are to be fitted with translucent glass.

This arrangement ensures that:

- there are no direct overlooking opportunities between the two bathroom windows (located on opposing walls)
- there are no angled view opportunities between the two bathrooms windows and other openings in the indent (for example, the glazed corridor end, from upper levels)

Notwithstanding this, should the opposing (translucent, high level) bathroom windows present a privacy concern to Council, the window in the south facing wall (unit facing the Railway Corridor) could be deleted. This would result in a blank wall and building separations fully compliant with the requirements of this part.

Due to the geometry of the built form, which results in restricted viewing angles, there is not considered to be any material privacy concerns between other openings (i.e. corridor to dining room).

That is, in our opinion, the arrangement of openings around the lower level building indent does not result in unacceptable privacy outcomes.

Additionally, in our opinion, the amenity provided to the units and common spaces, including light, ventilation, solar access and views result in a better outcome than blank walls in this location, which would achieve the numerical compliance criteria of this part.

Therefore, in our opinion, the proposed building separation achieves a reasonable level of privacy and is acceptable and capable of support.

e. Building Indent and Openings, Levels 05 – 15, Building P

Similar to the above, the upper levels of the Building P also incorporate a building 'indent', with various openings. Specifically:

Eastern Wall (bottom of 'U'): glazed communal corridor end, with fixed vertical blades

Side A (north facing): secondary balcony, with planter to face

Side B (south facing) blank wall

That is, the proposed indent includes openings diagonally adjacent from other openings, with a separation of approximately **4.5m**.

The location, size and treatment of the openings has been carefully considered in order to provide appropriate privacy to / from units. Specifically:

- fixed vertical blades are incorporated to the glazed corridor end, allowing views straight out but restricting angled views to the adjacent balcony
- a planter is incorporated along the open edge of the balcony, facilitating screen planting
- the south facing wall has been left blank, to avoid openings directly opposite each other

As such, in our opinion, the arrangement of openings around the upper level building indent does not result in unacceptable privacy outcomes.

Additionally, in our opinion, the amenity provided to the unit and common space, including light, ventilation, views and additional useable outdoor space result in a better outcome than blank walls in this location, which would achieve the numerical compliance criteria of this part.

As such, in our opinion, the proposed building separation achieves a reasonable level of privacy and is acceptable and capable of support.

In summary:

In our opinion, all instances of non-compliance with the requirements of Part 3F (as outlined in detail above) achieve the objective of the part – to provide good levels of privacy to and from units within the development and to / from neighbouring properties.

Additionally, the proposed non-compliances are considered to achieve a better design outcome for the building – in terms of residential amenity and streetscape appearance – than would be achieved by strict compliance with the numerical criteria of Part 3F.

Specifically, the proposed openings:

- maximise amenity to units in the 'interim' condition, prior to the development of the neighbouring service station site
- are not relied on to meet other provisions of the ADG, such as cross ventilation and solar access
- do not result in any material privacy concerns between units within the development or to future development on the neighbouring site
- achieve a better visual quality than would be achieved by a fully compliant scheme, which can be achieved with traditional blank walls as are usually employed in these situations
- provide an articulated and visually engaging facade to Raw Square.

That is they represent an appropriate design response to the site and conditions.

As noted above, although the neighbouring service station site was part of Planning Proposal for the site it is unlikely to be redeveloped in the near to medium future, if at all, and as a result the Raw Square facade of the proposed development (to which the proposed non-compliances relate) may be 'exposed' in the medium to long term.

Therefore, achieving a high-quality appearance to this facade – and maximising its potential amenity for future residents – is considered the most appropriate built form and design response.

The above issues were discussed with the DRP who did not raise concerns regarding them.

In our opinion the proposed non-compliances are acceptable and capable of support.

4F-1 1. Maximum Apartments Per Core (per floor) & 2. Maximum Apartments Per Core (total)

The proposed development deviates from the design criteria of Part 4F-1 Maximum Apartments Per Core, in the following locations:

- a. on levels 01 – 03 of Building P, where there are 9 apartments off 1 core
- b. for Building P, as a whole, which incorporates 2 lifts servicing 100 apartments over 14 storeys, at a rate of 1 lift per 50 apartments

A detailed discussion of each variation and its achievement of the objective of Part 4F-1 'Common circulation spaces achieve good amenity and properly service the number of apartments' (p97) is outlined below.

a. Levels 01 – 03 of Building P – 9 apartments off a circulation core

Part 4F requires a maximum of 8 apartments off a circulation core on a single level.

Three levels of Building P (level 01 – 03) include 9 apartments off the same circulation core.

In our opinion, the proposed variation is acceptable as:

- it is minor in nature, being 1 additional apartment only
- it effects a limited number of floors (3 out of 14)
- the 'core' is separated into two distinct corridors, at right angles to one another, which:
 - reduces the number (perceived and actual) of residents using any one portion of the corridor
 - facilitates short travel distances between lifts and apartment entries (approx. 15m maximum)
- the corridors are provided with a high level of amenity, with glazed ends providing light, ventilation and views / outlook

As such, in our opinion, the proposed core / corridor arrangement of Building P on Levels 01 – 03 achieves an appropriate level of amenity and service for residents, commensurate with that which would be achieved by numerical compliance with the Criteria.

Additionally, it is noted that the Design Guidance of part 4F allows for a maximum of 12 apartments off a circulation core on a single level, where the Design Criteria (above) is not achieved. The proposed arrangement readily complies with this secondary metric.

b. Building P – 2 lifts for 100 apartments

Part 4F requires (for buildings 10 storeys and over) that each lift service a maximum of 40 apartments.

Building P contains 100 apartments, over 14 storeys and is serviced by 2 lifts.

That is, Building P has a lift service ratio of 1 lift per 50 apartments.

Technical advice was sought, from a qualified and experienced lift engineer, regarding the proposed lift servicing arrangements. The advice received is as follows:

Objective 4F-1, design criteria 2 (lift requirement) is intended to ensure mid-rise and high-rise residential buildings are not designed/ constructed with only one lift and so make access to the dwellings very difficult and even impossible for some owners when the (one only) lift is out of service. The requirement of Objective 4F-1 (2) is met when 2 or more lifts are provided, regardless of the number of apartments.

(Arup Engineers, Email Correspondence 16/06/2021)

The proposed lift servicing arrangement of Building P is consistent with this advice and, as outlined above, is considered to meet the Objective of Part 4F to 'properly service the number of apartments'.

As such, in our opinion, the proposed variation to the maximum number of apartments per floor / core is acceptable and capable of support.



3. design quality assessment

3.1 introduction

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development identifies nine “Design Quality Principles” which aim to improve apartment developments in terms of both residential amenity and urban design outcomes.

An evaluation of the proposed development’s performance in relationship to the principles is included below.

3.2 principle 1: context and neighbourhood character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area’s existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

As previously discussed, the immediate context of the subject site includes a wide range of built form and use typologies, from single storey detached dwellings to 18 storey mixed use developments.

Whilst some larger developments are relatively new, a number are more established.

As also previously discussed, Strathfield Council are currently in the process of updating their Local Environmental Plan. As such, the future anticipated context of the subject site is somewhat unknown.

As discussed, Strathfield Station ‘a major interchange on the Sydney Trains network and a hub for buses serving the northern part of the inner west’, is located approximately 200m to the east of the subject site. The location of high density housing in close proximity to it and other key stations is a key element in the strategic planning objectives for Greater Sydney.

Notwithstanding the above, the proposed development has been designed to respond to both its existing and potential future context and neighbourhood character. In particular it:

- is of a typology that is increasingly prevalent in the area
- is of a typology appropriate for its context in terms of urban density
- is of a similar (or lesser) height, bulk and scale than a number of existing and recently constructed developments in the locality
- incorporates a 4 storey ‘street wall’ with an upper-level setback and articulation, consistent with the massing of similar developments in the area
- is of a high quality contemporary design which responds to and enhances the streetscapes, setting an appropriate precedent for future further redevelopment
- provides additional housing, in an area with good access to services, transport and jobs

As discussed in section 1.3, the subject site (and neighbouring site) were the subject of a Planning Proposal which sought (and was granted) additional height and floor space ratio for the urban block bounded by Albert Road, Pilgrim Avenue, Raw Square and the Railway Line.

The documentation accompanying the Planning Proposal included in-depth analysis of the appropriateness of a development of this scale, bulk, height, density and typology on the subject site and within its immediate and wider context.

That is, the appropriateness of a development of this scale, bulk, height, density and typology within the existing and future context of the subject site has already been established.

The proposed development complies fully with the development standards of Strathfield LEP 2012 (refer note page 7), as amended by the Planning Proposal, and achieves a high level of consistency with the detailed provisions of the site specific DCP.

Therefore, its character and contextual contribution is as anticipated for, and allowable on, the subject site.

Notwithstanding this, and also discussed in section 1.3, it is acknowledged that the proposed development in its current form incorporates some variations to the anticipated built form on the site as described in the indicative scheme which accompanied the Planning Proposal and the specific massing outlined in the site specific DCP.

These variations are the result of an extensive process of assessment and review and have been made on the recommendation of the DRP, with endorsement (subject to design quality) from Council and the Panel.

The changes to the design are considered to – and were made specifically with the intent of – improving the contribution of the proposed development to its context and neighbourhood character.

The proposed development is consistent with this principle

3.3 principle 2: built form and scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook

The detailed design of the proposed development has been carefully considered to be appropriate for the subject site and contribute to the character of its streetscapes.

Specifically, the massing and articulation of the built form has been carefully composed to provide attractive and visually compelling and engaging streetscapes. This is achieved through:

- the separation of the development into distinct towers above a highly articulated street wall
- the use of extensive vertical and horizontal articulation
- strong signification of building entries
- articulation of the fifth storey setback and datum line
- extensive use of planters and landscape elements, including along the building's facades
- deep vertical recesses reducing the overall scale of the built form
- the prominence given to the building volume at the corner of Albert Road and Pilgrim Avenue, through the use of a rounded corner (at the lower levels), a sharp corner (at the higher levels)
- the colonnade at the ground floor
- the use of various textures in the materiality of the building
- the use of louvres, shutters and other elements to 'activate' the facade

Additionally, the comments outlined in Principle 1 regarding the Planning Proposal process, its establishment of appropriate scale, density, built form and typology and the 'improvements' made by the revised design as part of the DA process apply equally to the particulars of Principle 2.

The proposed development is consistent with this principle

3.4 principle 3: density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

The proposed development provides 168 dwellings on a site area of 2868.84m², which represents a dwelling density of approximately 17m² per dwelling. The development has an FSR of 5 : 1

The proposed development is considered to be of an appropriate density for the subject site as:

- the subject site is appropriately located to provide additional housing. It is well located with regard to public transport connectivity, services and facilities (including shops, schools, higher education providers, banks and post offices) and public open space.
- the proposed development achieves a high level of compliance with the ADG – including all amenity criteria and applicable site based criteria (such as communal open space)
- the proposed development does not result in unacceptable impacts on existing development in the immediate context, or negatively impact the redevelopment potential of the neighbouring site
- the proposed development is of a similar scale and density as a number of existing developments in the immediate context

Additionally, the comments outlined in Principle 1 regarding the Planning Proposal process, its establishment of appropriate scale, density, built form and typology and the 'improvements' made by the revised design as part of the DA process apply equally to the particulars of Principle 3.

The proposed development is consistent with this principle

3.5 principle 4: sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

The proposed development has been designed to achieve good sustainability outcomes.

The proposed development is subject to the provisions of BASIX and is accompanied by a certificate outlining its compliance with the environmental sustainability measures required including; resource, energy and water efficiency, passive solar design, water capture and thermal performance.

Additionally, a 28kw solar array has been incorporated on the roof of Building P.

The development meets or exceeds the sustainability measures of the ADG including cross ventilation, solar access to units and communal open spaces, natural light and ventilation, low maintenance building materials and low maintenance landscaping.

Further, the proposed development provides a variety of unit types and sizes – include 20% achieving LHA Silver Level Universal Design Features – catering to a range of life stages and family / household configurations as well as incorporating adequate and well-designed spaces facilitating positive social interaction between residents

The proposed development is consistent with this principle.

3.6 principle 5: landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Due to the location of the subject site in a 'mixed use' area the proposed development is required to incorporate a 'built to boundary' commercial podium. As such, no deep soil planting is required or able to be accommodated on the subject site.

Notwithstanding the above, the proposed development has been designed to incorporate landscape as an integrated element of its overall design.

Substantial landscaped areas are situated within the communal open spaces on level 01 (podium) and levels 05 & 11 (roof terraces).

Planting ranges from expansive lawns, beds with multi-layered shrubs and ground covers and canopy trees for shade. The landscape design enhances residential privacy and amenity, provides an attractive and engaging outlook for residents, as well as useable spaces.

The proposed landscape design:

- provides substantial areas of 'planting on structures' capable of supporting a wide variety of plant types and scale, including canopy trees
- utilises a variety of plant types and sizes – including ground covers, shrubs and canopy trees – to create a multilayered, rich landscape treatment
- incorporates a number of native and endemic species
- softens the buildings' presentation to the Pilgrim Avenue street frontage, contributing to its positive streetscape contribution
- provides attractive, engaging and useable areas of communal open space
- incorporates places for active and passive recreation including terraced gardens, lawns and herb gardens for resident use

The proposed landscape design is considered to enhance the development's overall design in terms of sustainability, usability, amenity and appearance.

The proposed development is consistent with this principle.

3.7 principle 6: amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

The proposed development has been designed to provide a high level of amenity for future residents.

The proposed development meets or exceeds all ADG requirements for amenity including solar access, cross ventilation, apartment size and layout, private open spaces, visual privacy (with the acceptable variations detailed in section 2.3), storage, and communal open spaces.

In addition to meeting the requirements of the ADG, the proposed development includes a number of other elements which enhance the residential amenity for future residents. These include:

- including ensuites in the majority of 2 and 3 bedroom units
- maximising visual and acoustic privacy between units and neighbours through building layout, building siting and appropriate screening measures
- balancing need for winter sun with ability to mitigate heat load impacts in summer through orientation and appropriate screening measures to balconies and living rooms
- allowing residents to tailor thermal comfort and privacy, through operable fixtures
- incorporation of a large, highly detailed podium and roof top communal open spaces that provide an attractive outlook for units, usable and enticing spaces for activities and take advantage of the sweeping views available from the roof of the proposed development
- provision of a variety of communal spaces for specific activities including BBQ areas, children's play equipment and reflective gardens

Further, due largely to being situated on an 'island' urban block, the proposed development is not considered to negatively impact on the amenity of surrounding residential developments.

Additionally, as discussed in section 2.3, the proposed development will not impact on the ability to redevelop the neighbouring site into the future.

The proposed development is consistent with this principle.

3.8 principle 7: safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

The proposed development has been designed to achieve good outcomes for the safety of residents.

The proposed development is consistent with the Crime Prevention Through Environmental Design (CPTED) principles established by NSW Police

A high level of safety and security is achieved through:

- clearly defined building entries
- utilisation of technological access controls including key / swipe card points and audio / visual intercoms
- legible wayfinding and logical circulation throughout the development
- casual surveillance to the public domain and communal areas from living areas and balconies of units
- encouraging a sense of ownership through high quality, durable finishes and contemporary aesthetic design
- appropriate building management

The proposed development is consistent with this principle

3.9 principle 8: housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

The proposed development has been designed to achieve an appropriate level of housing diversity and social interaction.

The proposed development incorporates a range of unit types and sizes, providing for different life stages, family or household compositions and living preferences.

Specifically the proposed development incorporates:

- 54 x 1 bedroom units
- 110 x 2 bedroom units
- 4 x 3 bedroom units

In particular, the high percentage of 2 bedroom units is considered to support a variety of household configurations. For example, a second bedroom could accommodate 1 or 2 children, an elderly relative or be used for a different purpose, such as a study, home office, media room or gym. Additionally, the proposed development incorporates a number of 1 bedroom units which also have a study.

In addition to providing a range of unit sizes, the proposed development includes 27 (15%) adaptable units and 36 (20%) LHA Silver Level Units, as required by the site specific DCP.

Further, Kennedy Associates understands that 5% of the proposed development will be dedicated as affordable units.

As such, the proposed development specifically incorporates housing choices for different demographics and living needs.

The proposed development encourages social interaction of residents by providing two communal open spaces of different types and sizes, facilitating a range of activities including barbecues, meetings, active recreation and passive enjoyment of spaces.

The proposed development is consistent with this principle

3.10 principle 9: aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

The proposed development has been designed to achieve a high quality, contemporary, visually engaging aesthetic appearance. Elements contributing to the aesthetics of the proposed development include:

- using a single colour – white – in materials of different textures, to create a striking and visually engaging appearance with subtle and 'delightful' variations.
- using a variety of high quality and durable materials, ensuring longevity of the building's appearance
- a high level of articulation including; deep and shallow building indentations of varying heights and lengths, balconies of varying depths and planters visible from the public domain
- a high level of detailing including; fin walls, fenestration patterns, vertical screening and textured concrete panels
- provision of operable screening, to the Pilgrim Avenue facade, which creates a sense of movement and time with resident use
- incorporation and emphasis of vertical elements including; stacked balconies, deep building indentations and recesses, 'shifting' vertical fins and a ground floor colonnade
- incorporation and emphasis of horizontal elements including exposed slab edges to balconies, fifth floor datum line (with planted edge) and roof elements

The proposed development has been designed to contribute positively to the Albert Road and Pilgrim Avenue streetscapes. The development has been carefully considered to appear inviting, accessible and activated on all facades, including the façades to the neighbouring site and railway.

The proposed development is consistent with this principle.



4. conclusion

As outlined above, the proposed development has been designed to be consistent with the design quality principles of State Environmental Planning Policy – No. 65 and displays a high level of compliance with the provisions of the Apartment Design Guide.

The proposed development:

- achieves a high level of amenity for future residents
- is of an appropriate density, bulk and scale for the subject site, its context, neighborhood character and streetscape:
 - as established by the previously prepared Planning Proposal and further refined by the recommendations of the DRP, Council and the Panel
 - in relationship to recently constructed and more established buildings in the immediate locality
- does not result in unreasonable impacts on surrounding properties, or impact the ability to redevelop the neighbouring site into in the future
- provides additional housing supply and choice in the area
- encourages social interaction between residents and creates a positive, healthy living environment
- is of a high quality contemporary and visually engaging design, contributing positively to streetscapes and character of the locality

The proposed development not only addresses its statutory obligations but will deliver a highly attractive, safe and vibrant place to live.

In our opinion, the proposed development is capable and worthy of support and approval.