

# Bayside Design Review Panel

## REPORT OF THE BAYSIDE DESIGN REVIEW PANEL

Meeting held on Thursday, 5 December 2024 at Bayside Council

### Panel members:

Jason Cuffe  
Richard Nugent  
Matt Hollenstein  
Gabrielle Morrish

### Coordinator:

Marta Gonzalez-Valdes

### ITEM # 1 - DESIGN EXCELLENCE

<b>Date of Panel Assessment:</b>	5 December 2024
<b>Applicant:</b>	Emag Apartments Pty Ltd
<b>Architect:</b>	Axel Richter Architect
<b>Property Address:</b>	465-469 Princes Highway & 5-7 Geeves Avenue ROCKDALE NSW 2216
<b>Proposal:</b>	Integrated Development - Demolition of existing structures and construction of a twelve-storey shop top housing development consisting of two commercial tenancies at ground floor level with residential co-living above, basement car parking and landscaping
<b>No. of Buildings:</b>	1
<b>No. of Storeys:</b>	12
<b>No. of Units:</b>	157
<b>Consent Authority Responsible:</b>	Bayside Council
<b>Application No.:</b>	DA-2024/286
<b>Declaration of Conflict of Interest:</b>	Nil

The Panel inspected the site, reviewed the submitted documentation and met with representatives of the applicant including Alannah Ghosn (Admin) & Wil Nino (Project Mngr/Town Planner) – EMAG Apartments; Nicholas Nasser (Architect) – Tier Architects and Marta Gonzalez-Valdes (Coordinator) and Ayse Lavorato – Bayside Council.

Design Principle	Comments
<p><b>Context and Neighbourhood Character</b></p> <p>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.</p> <p>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.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>The subject site is located in the Rockdale Town Centre Precinct, one of the Special Precincts identified in the Rockdale DCP 2011. As such the built form controls are intended to define a limit for the site capacity and the relationship of the building to the desired future character of the area.</p> <p>The Rockdale Town Centre Precinct also identifies a proposed 'Amalgamation Pattern' which sets a baseline for a realisation of a built form consistent with other guidelines such as the ADG.</p> <p>The proposal comprises six lots located on the western side of Princes Highway known as Nos. 465-469 Princes Highway and 5-7 Geeves Avenue, Rockdale. Total site is 927sqm which is over the minimum 800sqm required to allow development on the site.</p> <p>A key driver of the building organisation is the location of services and parking access from Geeves Lane, however this is not a public way and cannot be relied on for this access. The Panel defers to Council and the proponent to determine an appropriate way forward for identifying a suitable location for these components.</p> <p>This is the first time the Panel has reviewed this proposal.</p>
<p><b>Built Form and Scale</b></p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>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.</p> <p>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.</p>	<p>As there is no FSR attached to this site, DCP controls become critical in defining the built form outcome for the site.</p> <p>The proposed Amalgamation Pattern is inconsistent with that of the DCP. While the Panel understands that an approach has been made to adjacent landowners and the resulting site configuration appears to be fixed, it nevertheless gives rise to a number of issues with amenity and building separation. These are noted in Amenity below.</p> <p>The proposal also exceeds the allowable height by about 17%. Justification needs to be provided for this. The Panel does not support this increase. While the DCP indicates a 10-11 storey tower the proposal provides 12 levels.</p> <p>There are also non-compliances with respect to the Geeves Lane streetwall and the Princes Highway streetwall.</p> <p>The Proposal needs to be measured against all DCP controls preferably in 3D model form to confirm heights, setbacks and streetwall configurations. This model should also include any controls, such as the ADG envelope, measured from the actual site configuration bounds, not the DCP Amalgamation Pattern bounds. Compliance with these controls will likely result in a significantly different built form outcome.</p>
<p><b>Density</b></p> <p>Good design achieves a high level of amenity for residents and each</p>	<p>No FSR is assigned to the site. However, as the massing is inconsistent with the DCP it appears that excess GFA is being forced on to the site.</p>

Design Principle	Comments
<p>apartment, resulting in a density appropriate to the site and its context.</p> <p>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.</p>	<p>The building bulk should be revised to be consistent with the DCP therefore bringing the GFA into line with that intended in the DCP.</p>
<p><b>Sustainability</b></p> <p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and livability 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.</p>	<p>Little information was reviewed as far as sustainability is concerned. It was noted that solar panels were indicated on the roof.</p> <p>Attaining Design Excellence requires an applicant to go beyond minimum requirements for any category. The proposal needs to go further in terms of natural light and ventilation to internal circulation spaces, solar access to Communal Open Space, water harvesting, efficiency of layout, etc. to be able to achieve Design Excellence.</p>
<p><b>Landscape</b></p> <p>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.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises usability, privacy and opportunities for social interaction, equitable</p>	<p>The current design comprises of two zones of communal open space (COS) split between level 1 and level 3. The level 1 COS is orientated north, however is compromised due to heavy shadowing from existing and future buildings to the north and proposed walkways above. The level 3 COS has a north-west orientation and is accessed via an elevated walkway that is via a series of internal corridors from the internal core. The Panel note that the arrangement, scale and use of the COS is compromised as a result of the over scaled building mass and poor internal planning.</p> <p>The current arrangement of communal open space does not provide high quality amenity for the residents and is not supported by the Panel. The following points must be addressed to meet design excellence:</p> <ul style="list-style-type: none"> <li>• Consolidate COS into a single level with direct and equitable access from the core. The Panel recommend that one option would be to reconfigure apartment layouts and core locations to allow sight lines to the COS upon exiting the COS.</li> <li>• COS to be located at a level that maximizes solar exposure and is not compromised by walkways over.</li> <li>• COS to be orientated to Geeves Lane.</li> </ul>

Design Principle	Comments
<p>access, respect for neighbours' amenity and provides for practical establishment and long-term management.</p>	<ul style="list-style-type: none"> <li>• Height of raised planters to be reduced to allow for 450mm high seating edges. Soil zones to be integrated into slab designs where possible.</li> <li>• COS to have a range of active and passive communal programs that respond to the future community of the building. BBQ areas, small gather zones, areas for 1-2 people to sit should all be considered</li> <li>• Planting to respond to the local context and climatic conditions.</li> </ul> <p>Soil depths to be suitable for planting and trees as per Bayside DCP</p>
<p><b>Amenity</b></p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.</p> <p>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.</p>	<p>As noted above, the site configuration gives rise to a number of amenity issues including:</p> <ul style="list-style-type: none"> <li>▪ Poor amenity and solar access in the COS. The current configuration is not acceptable.</li> <li>▪ Non-compliant building separation issues, per ADG recommendations, with the northern property line and potential future building to the North.</li> <li>▪ Inefficient building layout with respect to stair location, circulation, and dog-leg entrance accessways to many rooms.</li> <li>▪ Lack of natural light and ventilation to corridors.</li> </ul> <p>Other amenity issues include:</p> <ul style="list-style-type: none"> <li>▪ Bathrooms opening directly into kitchens.</li> <li>▪ Awkward balcony configuration at the southeast corner of the building.</li> <li>▪ Poor sightlines within the building corridors.</li> <li>▪ The current stair configuration – This does not encourage people on the lower levels to use the stairs for access in lieu of the lifts. Access to the stairs from the residential lobby should be provided to encourage this.</li> <li>▪ Residential foyer configuration - For a building of this size the foyer should be generous enough to provide some seating as a gathering place for residents.</li> <li>▪ Questionable Floor to Floor heights - These are indicated at 3.0m. Consideration should be given to increasing these to accommodate appropriate ceiling clearances and compliance with current building practices (the ADG cites minimum 3.1m but many builders are now using greater floor to floor heights).</li> </ul>
<p><b>Safety</b></p> <p>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</p>	<p>The access balcony across the northern side of the internal courtyard appears to be an afterthought and potentially confusing during a fire event. This creates a potential privacy issue.</p> <p>A more rational layout for the residential floors would provide improved sightlines and can avoid hidden corners and dog-leg accessways.</p>

Design Principle	Comments
<p>surveillance of public and communal areas promote safety.</p> <p>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.</p>	
<p><b>Housing Diversity and Social Interaction</b></p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>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.</p>	<p>No issues raised.</p>
<p><b>Aesthetics</b></p> <p>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.</p> <p>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.</p>	<p>The panel supports the use of non-painted or rendered materials such as brick and finished concrete.</p> <p>Building aesthetics lacks a cohesive approach to:</p> <ul style="list-style-type: none"> <li>▪ Fenestration</li> <li>▪ Integration of upper and lower levels</li> <li>▪ Resolution of the corner</li> <li>▪ Profiles of projecting elements such as balconies</li> <li>▪ Integration of built form with potential adjacent development</li> </ul> <p>The Panel believes that a simpler approach to the aesthetics should be considered. A reference was made to the Iglu projects in Mascot as an example to be reviewed.</p>

Design Excellence – Clause 6.10 of Bayside LEP 2021	
In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:	
(a) whether a high standard of architectural design, materials and detailing appropriate to the	(a) Not achieved.

building type and location will be achieved,	
(b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,	(b) Not achieved.
(c) whether the development detrimentally impacts on view corridors,	(c) None identified.
(d) the requirements of any development control plan made by the Council and as in force at the commencement of this clause,	(d) Not achieved.
(e) how the development addresses the following matters:	
(i) the suitability of the land for development,	(i) Suitable.
(ii) existing and proposed uses and use mix,	(ii) Suitable.
(iii) heritage issues and streetscape constraints,	(iii) No heritage issues identified.
(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,	(iv) Not achieved.
(v) bulk, massing and modulation of buildings,	(v) Not achieved.
(vi) street frontage heights,	(vi) Not achieved.
(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,	(vii) Not achieved.
(viii) the achievement of the principles of ecologically sustainable development,	(viii) Not achieved.

(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,	(ix) Not achieved.
(x) the impact on, and any proposed improvements to, the public domain,	(x) Not achieved.
(xi) achieving appropriate interfaces at ground level between the building and the public domain,	(xi) Not achieved.
(xii) excellence and integration of landscape design.	(xii) Not achieved.

## RECOMMENDATION

- The design cannot be supported in its present form and should be amended as outlined above for reconsideration by the Panel.

## RECOMMENDATION – DESIGN EXCELLENCE

- The Panel considers that the proposal cannot be amended to achieve Design Excellence in accordance with Clause 6.10 of Bayside LEP 2021.