

**MINUTES OF NSROC DESIGN REVIEW PANEL MEETING  
LANE COVE COUNCIL  
Tuesday 30th March 2021**

**DEP PANEL MEMBERS:**

Peter St Clair	Chairperson	Architect	Nettleton Tribe
Brendan Randles	Panel Member	Urban Designer	Brendan Randles
			Architect
Jason Cuffe	Panel Member	Landscape Architect	Hassell
Ben Jones	Panel Member	Sustainability	Steensen Varming

**APPLICANT REPRESENTATIVES:**

Simon Parsons	Architect	PTW
Alex Lin	Architect	PTW
Megumi Sakaguchi	Architect	PTW
Rachel Streeter	Planner	Willow Tree Planning
Julian Brady	Landscape Architect	Site Design Studios
Roger Luo	Applicant	NGIG
Hansen Dan	Applicant	NGIG
Patrick Yang	Applicant	NGIG
Connie Wang	Applicant	NGIG

**COUNCIL STAFF:**

Mark Brisby	Executive Manager, Environmental Services
Rajiv Shankar	Manager Development Assessment
Henry Burnett	Senior Town Planner
Terry Tredrea	Strategic Planner

**COUNCIL OBSERVERS:**

None

**APOLOGIES:**

Angela Panich	Panel Secretary
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**ITEM DETAILS:**

Property Address: 10-12 Marshall Avenue and 1-3 Holdsworth Avenue St Leonards NSW  
Council's Planning Officer: Henry Burnett  
Owner: New Golden St Leonards Pty Ltd  
Applicant: New Golden St Leonards Pty Ltd  
Proposal: Demolition of existing buildings, construction of a 13-storey residential flat building comprising 108 apartments, 2.5 storey basement car parking, provision of 400m2 public open space and green spine/communal open space on ground level and other associated landscaping.

## **1.0 WELCOME, ATTENDANCE, APOLOGIES AND OPENING**

Rajiv Shankar and Peter St Clair (PSC) welcomed the Applicants and Design Team. All Panel members, Council staff and Applicant's representatives introduced themselves and described their respective project roles. PSC provided an acknowledgement of country.

## **2.0 DECLARATIONS OF INTEREST**

Panel members had separately indicated that there were no conflicts of interest.

## **3.0 PRESENTATION**

The applicant was invited to present the pre-DA proposal for the subject site at 10-12 Marshall Avenue and 1-3 Holdsworth Avenue St Leonards South. Simon Parsons (SP) presented the architectural proposal contained in the Pre-DA Design Report dated March 2021.

SP noted the significant contribution the project can play towards the future aspirations of the St Leonards South Masterplan (Masterplan) and in particular the role of the public domain and landscape design in generating the spirit and character of the local area, which includes crafted brickwork buildings and filigree screens. The design aims to accommodate a large building envelope into an existing neighbourhood of smaller scale buildings by articulating its built form into smaller components with varying scales and materiality. The proposed built form considers the character of existing homes, the undulating topography and the free-form natural expression of Sydney Harbour, which forms key views from the apartments towards the south-east. A striking curved northern facade forms a key gateway to the St Leonards South precinct and to Holdsworth Avenue. Different elevations and boundary conditions are provided to achieve a balanced building form and expression. A face brick podium with hit and miss brick screens is consistent with the local houses. A cross-site pedestrian connection is provided to allow residents to move from Holdsworth Avenue to the communal open space by means of the building entrance and lift. A basement car park extends under the Communal Open Space.

Rachel Streeter (RS) presented the compliance of the proposal with the LEP, DCP, Masterplan and incentive clauses, including the provision of 400 m<sup>2</sup> of Communal Open Space. RS confirmed that the highest point of the building falls within the building height control limit of 44m.

Julian Brady (JB) presented the landscape concept design supported by additional landscape plans that did not form part of the original pre-DA Design Report. JB discussed the proposed character of the 24 m wide Communal Open Space/green spine, which would include a continuous tree canopy from the northern to southern site boundary. A palette of native trees is proposed (including Red Gums), which will form green links to adjacent sites as per the objectives of the Masterplan. An informal character is proposed with a variety of planting types that allow for flowering and aromas during different seasons. Deep soil is provided above the basement car parking to a minimum depth of 1m. While 23 existing trees are proposed to be removed, they will be replaced with the planting of 31 new trees.

## **4.0 DRP PANEL COMMENTS & RECOMMENDATIONS**

### **4.1 Introduction**

This design review forms part of the St Leonards South pre-DA process. The Panel is engaged by Council to provide independent and impartial advice on the design of development proposals and applications to lift the design quality of projects. The Panel's comments and recommendations are intended to assist Council in their design consideration

of an application against SEPP 65 principles and where relevant the requirements of the St Leonards South Landscape Masterplan (the Masterplan) dated October 2020, Lane Cove LEP 2009 and Lane Cove DCP amended 2016. The absence of a comment under a particular heading does not imply that particular matter to be satisfactorily addressed, more likely the changes are suggested under other principles to generate a desirable change.

Your attention is drawn to the following;

- SEPP 65, including the 9 Design Quality Principles and the requirements for a Qualified Designer (a Registered Architect) to provide Design Verification Statements throughout the design, documentation and construction phases of the project.
- The Apartment Design Guide, as published by Planning NSW (July 2015), which provides guidance on all the issues addressed below.

Both documents are available from the NSW Department of Planning.

1. To address the Panel's comments, the applicant may need to submit amended plans. **Prior to preparing any amended plans or attending additional Panel presentations, the applicant must discuss the Panel's comments and any other matter that may require amendment with Council's assessing Planning Officer.**
2. When addressing the Panel's comments by way of amendments, if the applicant does not propose to address all or the bulk of the Panel's comments and wishes to make minor amendments only, then it should be taken that the Panel considers the proposal does not meet the SEPP 65 requirements. In these instances it is unlikely the scheme will be referred back to the Panel for further review.

#### **4.2 Panel comments and recommendations**

The Design Review Panel makes the following comments and recommendations in relation to the project. These are based on the submitted pre-DA Design Report dated March 2021, the Design Review Panel Reporting Template completed by the Applicant and Council, the Assessment Summary and to a limited extent the additional drawings presented by the applicant (not forming part of the original pre-DA Design Report submission). The Panel appreciates the early presentation of the design proposal by the applicant and recognises that some elements of the design are still being developed.

#### **4.3 Principle 1 Context and Neighbourhood Character**

This principle requires that good design responds and contributes to its context, in this case the existing residential neighbourhood and the St Leonards South Landscape Masterplan. A key aspect of the Masterplan is the provision of continuous yet varied Communal Open Spaces (green spines) connecting adjacent sites from north to south.

The Panel does not believe the proposed west elevation and built form yet demonstrates sufficient variation, without which the building may contribute to overly repetitive Communal Open Spaces throughout the precinct.

Related recommendations are provided within Section 4.4.

#### **4.4 Principle 2 Built Form and Scale**

The Panel supports the general approach to the building form including the expressed podium to Holdsworth Avenue that provides a scale transition downwards to the street.

Some further development is required however to the western and southern facades as described below.

### **Building height and separation**

The building height appears to largely comply with the maximum incentivised building height when measured from the RL 73.4 Mezzanine level to the RL 117 Roof level. This assumes that the apartments to Level 12 and 13 are contiguous with internal stairs and that a lift motor room does not extend above the RL117 roof slab. Further details are requested to verify the building height is not exceeded at the eastern building facade.

The Panel notes that when taking into account the number of building storeys above ground (when viewed from Holdsworth Avenue), the building envelope to Levels 4 - 9 at the southern boundary does not satisfy the 9 m and 12 m boundary separation requirements of the ADG (Parts 2F and 3F).

The Panel would therefore recommend that the Applicant:

- provide updated elevations that clearly indicate the 44 m height control line measured at the two eastern faces of the building elevations to verify the building height sits within the height control,
- revise the design to achieve the required building separation at the southern boundary or demonstrate that there will be no additional visual privacy impacts or loss of solar access to neighbouring properties or public spaces as a result of this non-conformance.

### **Building form and elevations**

It is recognised that the drawings are not yet fully developed and appropriate to a pre-DA submission. The elevations presented within the Design Report require additional design development including the consideration of materials, window types, sun-shading and balcony treatments.

The west elevation provides little variation in the built form depending instead on material changes which could result in a sheer wall with insufficient depth and articulation. When seen in conjunction with the future buildings to the south, this could lead to a poor outcome. It is acknowledged that the additional renderings presented (but not included) in the Design Report did provide some additional design development. Additional variation to the built form could be achieved by introducing other apartment typologies, such as duplexes to Levels 1 and 2, which face the Communal Open Space and/or introducing a setback above lower levels.

The Panel considers the size and extension of the Level 1 balcony/terraces into the Communal Open Space to be appropriate and consistent with the Masterplan, subject to the provision of additional variation in terrace and planting configurations and levels of screening and enclosure consistent with the Masterplan "Private Open Space typologies - Private Courtyards and Terraces".

The Panel is concerned that the interface with the corner public space is not resolved at present. The north facing ground level three bedroom unit is located well below existing and currently proposed ground levels; outlook and access to light and air will therefore be severely constrained. Moreover, it is likely to create visual and acoustic privacy issues between the public open space and adjacent residents, thereby diminishing the public quality of the adjacent public space. A more amenable interface is therefore required that clearly satisfies this unit's internal requirements, without introducing privacy issues or creating a privatized character to adjacent open space.

The Panel notes that the proposed built form cantilevers over the public open space to a significant degree. Given the capacity of the public space to function well as a place of

repose, the Panel can support this departure from DCP controls. However, it is crucial that the cantilever is at a generous height so as not to reduce usable public space, does not introduce privacy issues (as noted above) and is well integrated into the built form parti. To meet these objectives, the cantilever may need to commence at level 02, rather than level 01, as currently proposed.

The Panel does not support the location of the Kiosk, which is seen as having a detrimental impact on the streetscape.

The Panel would therefore recommend that the Applicant:

- investigate greater variation to the building envelope and elevational treatment of the west elevation by for example stepping the building along its length, protruding some balconies and introducing varied sun shading strategies and green walls, in which case the Panel may support some minor encroachments into the 24m building separation if this were to result in a better urban form,
- explore the use of additional apartment typologies to the western, southern and northern facade such as narrower 2 storey duplex apartments to Levels 1 and 2 thereby providing the opportunity for greater variation in the built form as well as increasing the number of dwellings with direct access to the Communal Open Space,
- redesign the ground level northern three bedroom unit to improve its interface with the adjacent public park. It may be better for this apartment to face the street, so as to increase internal residential amenity and privacy without impacting on adjacent public space,
- explore the provision of additional outlook from the apartments to the south east corner to capitalise on harbour views, while ensuring visual privacy is maintained to the neighbouring property to the south
- redesign the northern cantilever to improve its interface with the adjacent public park. It may be better to commence this cantilever from level 02 so as to minimize incursions into the useable area of public open space required by the DCP,
- review the position of the kiosk to reduce the impact on the street facade at the location of the existing sandstone wall.

#### **4.5 Principle 3 Density**

The data presented to the Panel indicates that the density of the development is consistent with the maximum permitted FSR of 3.45:1. It would appear however that this density exceeds what can be accommodated within a fully compliant building envelope and may be contributing to some non-conformances as described within this report.

Refer to Section 4.4 for comments and recommendations related to building envelope non-conformances

#### **4.6 Principle 4 Sustainability**

##### **Integrated façade design**

The Panel notes that with regards to energy use and resident comfort the façade must balance the requirements of solar control, daylighting, glare control, natural ventilation, thermal performance and external connectivity among other factors and achieve the objectives of Part 4A Solar and Daylight Access and Part 4U Energy Efficiency of the ADG.

The Panel recommends that the Applicant:

- provide a Sustainability Strategy that clearly identifies all measures being included in the building and landscape design and addressing the sustainability objectives of the St Leonards South Landscape Masterplan, Lane Cove Sustainability Action Plan 2016-2021 and the ADG.

Refer also to Section 4.8 for further comments and related recommendations.

#### **4.7 Principle 5 Landscape**

##### **Existing street planting**

The Panel identified the importance of the existing street trees to the landscape qualities of the precinct, the benefits to local wildlife and value of this established tree canopy to reducing the urban heat island effect. Council and the applicant are encouraged to preserve tree planting wherever possible through the strategic location of new underground services, street parking and driveway crossings.

The Panel recommends that the Applicant:

- provide a drawing and Arborists report that clearly identifies the trees proposed to be removed for consideration by Council and the DRP.

##### **Public park and street interface**

The Panel feels the landscape character of the proposed public park to the north-east corner needs further resolution, as it currently appears neither public nor private and the multiple terraces may reduce its amenity and ability to be used for play and other recreation. The Panel highlights the extensive existing sandstone walls and stairs to this location, which currently form a level garden area above the street level. This may present an opportunity to retain the existing heritage character consistent with the Masterplan and provide a more level and useable raised public park to the street corner.

The Panel recommends that the Applicant:

- explore the re-use of the existing sandstone walls and stairs to the corner of Marshall Avenue and Holdsworth Avenue as a public park and corner address,
- develop an entrance forecourt and street address to the Marshall Avenue entrance to the Communal Open Space similar to a mews typology where open space shared by residents is often situated behind buildings yet visible to and accessible from the street.

##### **Landscape Character and Context**

The Panel highlights the objectives of the Masterplan, which encourage a variety of design solutions for differing public and private open space typologies.

The Panel recommends the Applicant:

- further develop individual design typologies for public and private outdoor space and document these within the landscape design package.

##### **Communal Open Space**

The Panel stresses the importance of a co-ordinated inter-site approach to the landscape design of the green spine and Communal Open Space in respect to planting, levels and the extent of deep soil. This is essential to achieving the objectives of the Masterplan.

The extent of deep soil zone to the Communal Open Space is not considered adequate or consistent with the Lane Cove DCP (amended 2016) nor Masterplan. This will negatively impact the extent of existing tree retention, the potential for new large tree planting and ground water recharge.

The Panel therefore recommends that the Applicant:

- approach the applicant and design team for the neighbouring property to the corner of Marshall Avenue and Berry Road to explore an integrated landscape design to the communal open space between the two sites,
- review the extent and depth of basement parking below the Communal Open Space and make every effort to preserve additional existing trees,
- maximise contiguous deep soil zones within the green spine to improve tree health, maximise ground water percolation and increase subsoil aeration.

#### **4.8 Principle 6 Amenity**

##### **Natural light and ventilation to the lobbies / circulation space**

The Panel considers that the corridors to Levels 02-09 are excessively long with limited opportunity for daylighting, natural ventilation and outlook. The ADG Part 4F identifies the need for higher quality and less energy intensive solutions that include additional daylight and natural ventilation to common lobbies and circulation spaces where more than 8 apartments are provided per building core. In the absence of a perceived higher quality, these spaces may appear uninviting, disconnected, not supportive of social interactions, and not in keeping with the assumed high-end finish of each apartment.

The Panel recommends that the Applicant:

- replan the building to provide additional daylight, natural ventilation and outlook to the common circulation spaces to Levels 02-09 inclusive, options may include a second window to the northern end of the corridor or a repositioned and significantly wider building recess, window area and seating space in front of the lifts.

##### **Cross ventilation and natural light to apartments**

The Panel expressed concern that significantly less than 60% of apartments appear to be naturally cross ventilated and therefore do not comply with the objectives of Part 2E and the design criteria of Part 4B of the ADG. The Panel does not support the proposed cross ventilation to the single sided west facing 2 bedroom apartments and north facing 1 bedroom apartment in their current form.

The Panel further notes that the north and east facing ground level apartments located at RL 71.3m may not be provided with adequate daylighting and natural ventilation.

The Panel recommends that the Applicant:

- revise the floor planning to provide additional corner and/or dual aspect apartments sufficient to achieve a minimum of 60% of apartments with natural cross ventilation within the first 9 storeys,
- review the amenity provided to the northern ground level apartment (RL 71.3 m) and provide additional details including a detail cross section looking west indicating the levels of the public park and an apartment layout plan, see also the related recommendation in Section 4.4.

##### **Solar access and shading**

The Panel considers that the orientation of the building and the floor planning provides good solar access and daylighting to a maximum number of apartments in the colder months. However the extent and operation of window shading devices necessary for the warmer seasons is not yet clearly identified on the drawings. The west elevation in particular would be subject to high radiant heat loads and should be provided with sun shading to all flush windows (ie. those not set back into a balcony).

The Panel recommends that the Applicant:

- develop and clarify the extent of sun shading devices such as shutters and screens and how these are operated to ensure maximum summer shading to the north and west elevations consistent with Part 4C of the ADG. Describe how their long-term robustness, durability and general performance have been evaluated.

#### **4.9 Principle 7 Safety**

This principle requires that public and private spaces be clearly defined and fit for their intended purpose. The proposed location of the public open space to the street corner may not support secure and safe recreation activities. Suggestions for enhanced safety are addressed by other recommendations within this Report.

#### **4.10 Principle 8 Housing Diversity and Social Interaction**

The Panel supports the proposed mixture of apartment types and sizes subject to the resolution of the natural ventilation requirements. The requirement for social interaction is addressed by other recommendations within this Report.

#### **4.11 Principle 9 Aesthetics**

The Panel commends the design for the overall building form and variety of facade materials, textures and colours and the articulation achieved to the northern elevation contributing to a legible gateway to the St Leonards South Precinct.

The Panel recommends that the Applicant:

- provide additional context and material analysis to support the proposed finishes and colours,
- further develop the facade design including material selections and sun shading,
- prepare and present additional detailed building elevations, 3d renderings and sample boards,
- review the west facing façade as described above.

#### **4.12 Other comments**

The Panel commends the Applicant and Design Team on the thoroughness of the Design Report and the well considered presentations given by the Design Team.

The Panel recommends that the Applicant and Design Team provide the following additional material for the next Panel meeting:

- site and context analysis including photography,
- finalised floor plans, elevations and cross sections,
- descriptions of façade and sun shading types,
- materials and finishes board or imagery,
- sustainable design strategy,
- arborists report and summary plan showing trees proposed to be removed,
- landscape design concepts (viewed but not submitted to this DRP),
- 3D conceptual drawings and renderings (partly viewed but not submitted to this DRP).



## **5.0 OUTCOME**

The Panel has determined the outcome of the DRP review and provides final direction to the applicant as follows:

- The Panel recommends that the pre-DA submission including drawings, schedules and the SEE be further developed in accordance with the above recommendations and returned to Council and the Panel for consideration at the next Design Excellence meeting.