

**MINUTES OF NSROC DESIGN EXCELLENCE PANEL MEETING # 2**  
**LANE COVE COUNCIL**  
**Wednesday 21<sup>st</sup> September 2022**

**DEP PANEL MEMBERS**

Peter St Clair (PSC)	Chairperson	Architect
Michael Harrison (MH)	Panel Member	Urban Designer/Architect
Brendan Randles (BR)	Panel Member	Architect

**APPLICANT REPRESENTATIVES**

Nick Byrne (NB)	DKO	Architect
Xiaoran Ding	DKO	Architect
Asier Celaya	DKO	Designer
Han Chen	Turf	Landscape Architect
Samip Shah	AT & L	Civil Engineer
Tim Michel	AT & L	Civil Engineer
Stephen White	Urbis	Town planner
Jessica Ford	Urbis	Town planner
Matt Cogan (MC)	Turf	Landscape Architect
Michael Lee		Traffic
Jeremy Hung	JQZ	Owner & developer

**COUNCIL STAFF**

Mark Brisby	Executive Manager, Environmental Services
Rajiv Shankar	Manager Development Assessment
Chris Shortt	Senior Town Planner
Terry Tredrea (TT)	Strategic Planner
Angela Panich	Panel Secretary

**APOLOGIES**

Digby Hall (DH)	Panel Member	Architect/Sustainability
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**ITEM DETAIL**

Property Address: 26-50 Park Rd, 27-47 Berry Rd, 48-54 River Rd NSW 2065 (Areas 22 and 23).

Council's Planning Officer: Chris Shortt

Owner: JQZ

Applicant: JQZ

Proposal: Demolition of existing houses and related structures and the construction of a mixed-use development featuring approximately 323 residential apartments and town houses and associated landscaping, pool, and parking.

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

RS and 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. DH was not available to attend however had reviewed the documents before the meeting and provided detailed comments to the other Panel members.

## **2.0 DECLARATIONS OF INTEREST**

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

## **3.0 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 dated October 2020, Lane Cove LEP 2009 (including Clause 7.6 Design Excellence) and Lane Cove DCP Locality 8 (Parts A & B), dated 22nd October 2020. 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.

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. 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 to the Panel for further review.

## **4.0 DESIGN REVIEW**

### **4.1 Presentation**

The Applicant and Design Team were invited to present the developed pre-DA proposal for the subject sites. The DKO team and MC presented the architectural and landscape proposal document titled *Area 22 & 23 St Leonards South Design Review Panel September 2022*.

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

The Panel commends the Applicant and Design Team on the further development of the design in response to the Panel's previous comments and recommendations.

The overall built form and materiality has been well considered and is generally acceptable to the Panel. The sustainability and design with Country frameworks and strategies are not yet sufficiently advanced and need further development to exhibit design excellence. The detail planning of some apartments, the corner arrangement of the Southwest corner and the amenity of some common corridors, need further development. Additional solar shading is recommended to facades and further solar studies are requested to demonstrate satisfactory winter solar access.

The Panel makes the following specific comments and recommendations in relation to the project.

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

The Panel commends the quality and depth of the site and context analysis provided, including the strategic diagrams that explain the evolution of massing and language and the design with Country narrative.

The landscape architect and indigenous design consultant presented the design with Country principles and some initial strategies which included the application of colour and artwork. However, further development is requested to demonstrate tangible strategies within the built form, landscape design and their relationship to the overall sustainability strategy, which should include matters such as building energy efficiency and solar shading.

A number of options were discussed in relation to the new cross street including the provision of shared pedestrian and vehicle zones. The view of the Panel was that the character and form of this street requires more design development, to ensure that it feels contiguous with the adjacent high quality street network, feels public and is pedestrian friendly and safe. A pedestrian crossing could be provided between Areas 22 and 23 and opportunities for WSUD could be explored in respect to planting and water management. This should be further co-ordinated with Council officers to ensure the development interfaces well.

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

The design team has responded to the Panel's previous concerns regarding the massing by reducing building lengths, limiting the number of apartments served per core and introducing building breaks. The proposal's form and expression show great promise, including the modelling of all facades, the materiality proposed and the modulation along the courtyard interfaces. The north façade upper levels are very flat however with large expanses of glass and require additional articulation and sun shading.

Council was concerned with the methodology employed for counting part storeys. This results in some podiums not achieving the 6 m setback requirement at the upper levels. This should be addressed with Council. TT also noted that the private courtyards to some ground level apartments extend into the green spine by more than the 1m stipulated in the Lane Cove DCP. The Panel has no specific concerns with this assuming satisfactory privacy control is maintained.

The nature of the building break addressing River Rd was discussed and it was generally agreed that it did not support pedestrian circulation. Instead, this could be seen as a viewing courtyard for the green spine and neighbouring apartments. Visual and acoustic privacy needs to be carefully controlled within and across this space.

The depth of the vertical façade recesses appear to have been reduced in comparison to DRP #1. This would result in reduced effectiveness of these recesses for cross ventilation, daylighting and visual articulation. The design team should review this and aim to re-instate the original recess depths consistently to the facades.

The south facing townhouses to River Rd have been significantly improved through the provision of dedicated entrances from adjacent streets.

The sectional interface drawings are extremely helpful in explaining the proposal's interface with the public domain, however additional diagrams are required to demonstrate interfaces in locations not yet explained. The interface of Area 23 to Park Rd (Section 03) shows a number of subterranean apartments at Levels B-1 and B-2. These are not supported by the Panel.

The building facing River Rd should be made thinner to levels B -1 and B -2 as there continue to be negative impacts on the amenities of these apartments. Refer to Principle 6.0 for further details.

#### **4.2.3 Principle 3 Density**

No further comments.

#### **4.2.4 Principle 4 Sustainability**

A clear sustainability narrative is still not evident in the design. The Applicant should provide a more detailed sustainability report to address the building and landscape design initiatives.

As discussed at the first Panel meeting sustainability measures such as Nathers ratings should exceed minimum compliance in order to achieve design excellence and meet Lane Cove Council's Sustainability Action Plan and Climate Resilience Plan.

The issues raised at the previous DRP have not been addressed.

#### **4.2.5 Principle 5 Landscape**

The landscape strategies are well considered creating a number of differently themed and programmed spaces. The Applicant is commended for the provision of additional communal open space to building roofs.

Council expressed concern at the stepping nature of the communal open space to Area 22 and the inconsistency of this with the landscape master plan. The Panel is generally supportive of this approach subject to equitable access being achieved between these levels, possibly by means of adjacent elevators.

Pedestrian connectivity between the courtyards of each building should be enhanced through improved coordination of lobbies to both buildings with the new cross street so as to provide accessible and safe access. It was suggested at the meeting that relocating a communal room to the Northwest corner of Area 23 may be a way of facilitating this objective.

It is not clear from the landscape drawings if security is provided between the new cross street pedestrian pathways and the private green spaces of Areas 22 and 23. The extent of public and private access should be clarified. The residents of both Areas should be permitted to easily access all communal open space and the pool, by the most direct route possible.

It appears that a number of existing significant trees are being removed from the communal open space. Further details are required together with supportive arguments in the form of an arborist's report.

#### **4.2.6 Principle 6 Amenity**

##### **Generally**

The planning of units to the Southwest corner is not supported as it results in a poor built form outcome and likely visual and acoustic privacy impacts, where windows of 2-3 different apartments converge in an unacceptable manner. As the East-West wing is only three storeys high, it is recommended that it is significantly narrowed (using the north side of the core to set out the wings north façade for example). This may lead to the loss of a few units, but it will greatly improve the amenity of adjacent units and may even allow natural light and air light to the north end of the adjacent lobby.

A number of South facing 4-bedroom apartments, such as those to Levels 1, 2 and 3 in the Southwest corner, include excessively deep living/dining spaces with likely impacts on daylighting. These and some neighbouring 3-bedroom apartments should be reviewed and may benefit from a component of east or west orientation to living rooms.

Consider providing a greater variety to individual apartment entrances through the use of door sidelights, wider recesses, and offset entrances to avoid visual privacy concerns from corridors.

Some apartments include dogleg entrance corridors resulting in a poor entrance experience and amenity. These should be reconsidered by for example situating the living rooms to the corner with two aspects and a bedroom either side.

### **Wayfinding and circulation**

The overall approach to building entrances and horizontal and vertical circulation has been improved, with resulting benefits to the building amenity and wayfinding.

The design team confirmed that all apartments are provided with a primary building entrance from Park Rd or Berry Rd or in the case of street level apartments via ground level private courtyards. Entrances from the green spines are only utilized as secondary access points for residents and for access to communal open space.

While common corridors have typically been shortened, a number of building levels still feature excessively long corridors. Some window slots such as those to Levels 1, 2 and 3 of the West building Area 23, are too narrow and deep to provide genuine daylighting or outlook and should be re-configured. The Panel instead recommends the adoption of windows at the southern end of corridors exceeding 12m in length as this will provide the highest level of amenity.

### **Visual and acoustic privacy**

Visual and acoustic privacy continues to be a concern between living rooms of adjacent apartments to Park Rd at Levels 1, 2 and 3. This should be addressed by offsetting windows and the provision of privacy screens or other strategies in accordance with Parts 3F and 4H of the ADG.

### **Cross ventilation**

The cross-ventilation count appears to incorporate the following 1-bedroom apartments to Area 23:

- Park Rd facing apartments to Levels 1, 2 and 3
- Berry Rd facing apartments to Level B-1 and Ground

Given the minimal depth of the façade recesses, the narrow dimension of these apartments relative to their depth and the window placements, the Panel would not consider these as compliant with Part 4B of the ADG. The overall number of cross-ventilated apartments should be corrected and if necessary, the floor plans amended.

### **Solar access and shading**

While further details have been provided, the view from sun diagrams and associated plan diagrams are not sufficient to demonstrate compliant solar access to east facing apartments. More detailed geometrical analysis is required to demonstrate that Objective 4A-1 of the ADG has been satisfied.

The internal solar penetration views and sections are commended, however they do reveal that solar access is excessive in some cases and will likely be worsened as the analysis is limited to 3 pm. This will lead to significant heat gain and amenity impacts in summer afternoons and

implies that additional screening and fenestration is required to meet Objective 4A-3 of the ADG and the anticipated requirements of higher Nathers ratings. The Panel proposes the adoption of operable external sun shading or screening to the West facing elevations above Level 2, looking towards Park Rd and into the green spine. This is particularly important given the high-level exposure of the facades adjacent to the lower scale housing situated to the West.

#### **4.2.7 Principle 7 Safety**

Few details have been provided of the lobby entrances and associated visibility and way finding nor of the security provided to communal open spaces and ground level apartments. Further details are requested.

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

The location of communal rooms should be reviewed and if possible coincide with horizontal and vertical movement paths into the green spine.

#### **4.2.9 Principle 9 Aesthetics**

The building form, elevational treatment and materiality have been further developed to create a variety of architectural solutions suited to the different streetscapes and orientations. This is supported by the Panel.

Additional sun shading should be incorporated into the western facades and be configured to provide effective sun-shading of glass and private open spaces, when taking into account low altitude afternoon sun in summer.

The provision for air conditioning plant adjacent to elevators appears minimal and may not be sufficient to cater for all apartments per floor. This should be further developed, taking into account that the Panel would not support balcony, garden or roof mounted AC units.

### **5.0 OUTCOME**

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

The Panel does not support the proposed development in its current form, however, believes it is capable of achieving design excellence. An amended and more developed proposal should be prepared, satisfactorily addressing the issues identified under each Principle. These matters could be captured within a Development Application to Council. The Panel does not believe a further review meeting is necessary, subject to all issues within this report being satisfactorily addressed in this way.