

**MINUTES OF NSROC DESIGN EXCELLENCE PANEL MEETING
LANE COVE COUNCIL
Thursday 26th October 2021**

DEP PANEL MEMBERS

Peter St Clair	Chairperson	Architect
Jason Cuffe	Panel Member	Landscape Architect
Lucinda Varley	Panel Member	Landscape Architect
Aldo Raadik	Panel Member	Architect

APPLICANT REPRESENTATIVES

Tony Pizzolato	Applicant	Modern
Andrew Lu	Applicant	Modern
Stephen White	Planner	Urbis
Anna Wang	Planner	Urbis
Simon Parsons	Architect	PTW
Lilian Gu	Architect	PTW
Matthew Durning	Landscape Architect	RPS

COUNCIL STAFF

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

COUNCIL OBSERVERS

None

APOLOGIES

None

ITEM DETAILS

Property Address: 14-16 Marshall Avenue, 2-10 Berry Rd and 5-9 Holdsworth Av

St Leonards NSW 2065 (Areas 13,14 and 15).

Council's Planning Officer: Chris Shortt

Owner: Holdsworth Land Pty Ltd

Applicant: Holdsworth Land Pty Ltd

Proposal: Demolition of existing buildings, construction of 3 x 11-13 storey residential flat buildings comprising a total of approximately 195 apartments, basement car parking, provision of east-west pedestrian link and associated stairways, landscaping and green spine/communal open space on ground level to 3 lots and other associated landscaping.

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.

2.0 DECLARATIONS OF INTEREST

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

3.0 PRESENTATION

The Applicant and Design Team were invited to present the modified pre-DA proposal for the subject sites at 14-16 Marshall Avenue, 2-10 Berry Rd and 5-9 Holdsworth Av St Leonards South, also known as Areas 13, 14 and 15. SP presented the architectural proposal contained in PTW's DRP Response Package dated October 2021. MD presented the pre-DA Landscape Report issue C.

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 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.

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 Panel makes the following comments and recommendations in relation to the project. A number of issues raised at the previous DRP meeting have not been fully addressed by the Applicant. While these items have not generally been repeated in this report they remain current and so this report should be read in conjunction with the DRP #1 Minutes.

All these matters must be addressed in order for the Panel to consider that the development exhibits design excellence.

4.3 Principle 1 Context and Neighbourhood Character

The design narrative should include investigation of Connection to Country with the opportunity for references within the overall design. The current design does not adequately respond to Country with no evident Designing with Country process having been undertaken. The Panel strongly recommends that an indigenous consultant be engaged by the design team to inform the design outcome.

The north-western corner of Building 13 has not yet been satisfactorily resolved as a gateway entry to the St Leonards South precinct. The landscape design should complement the architectural design to address the gateway at footpath level with a positive contribution to the streetscape and less emphasis on high fencing.

The pedestrian entrance between Buildings 13 and 15 from Berry St should provide a highly aesthetic visual link from the public domain to the landscape within the north-south spine. It currently presents as a view to decking, a retaining wall and a small grassed space.

The Panel recommends that the Applicant liaise with Council's Tree Officer and Stormwater Engineer to ensure that the maximum number of Brush Box street trees are retained as these provide an established streetscape character. Although individual specimens may not be of high quality, collectively, they provide an existing character and wildlife habitat.

4.4 Principle 2 Built Form and Scale

The built form of the podium and upper levels are of a high quality with a clear articulation between these components providing a varied character and high degree of legibility from surrounding streets and more distant vantage points.

The building setbacks to the north-south spine require further consideration to enhance private open space to the Ground Level apartments and to provide more building articulation to avoid a canyon-like space.

Further details should also be provided of:

- The functional planning of the loading docks capacity and use, including detailed strategies to avoid peak blockages by additional trucks
- The screening of services planned for the lid of the car park ramp, as this open plant area is visible from buildings in Areas 12-14
- The height compliance for the Building 14 lift motor rooms, noting a minimal over-run is shown on the drawings

4.5 Principle 3 Density

No additional comments.

4.6 Principle 4 Sustainability

The sustainability report provided does not adequately address the site's unique position relative to the broader landscape context, with proposed sustainable approaches not developed to a high enough standard for a development of this scale.

A clear sustainability narrative is not yet evident in the current precinct or landscape architectural approach with the sustainability approach compartmentalised. The Panel strongly encourages the design team to think about sustainability as an opportunity to drive a bigger site wide narrative beyond a standard approach.

The response to the National Climate Emergency is not adequate with little detail. A holistic approach is required to meet design excellence.

The approach to the rooftop design must be further developed to consider not only solar panels but water harvesting and low level planting that promotes diversity and ecology.

4.7 Principle 5 Landscape

Overall the landscape design lacks a clear conceptual narrative with a compartmentalised approach to programme that compromises the Masterplan gesture of the green spine. Whilst the landscape architect confirms collaboration with sites further south, the co-ordination with Area 12 is lacking and has resulted in a green spine that is not a singular gesture. The Panel strongly recommends that the green spine be reviewed with the proponent of Area 12 to develop a more cohesive approach to the communal open space.

The Panel recommends that the Applicant and Council ensure that the WSUD and landscape design elements that support the creation of natural habitat features and ground water re-charge, are carried through to Aqualand's site to the south and then onto the Berry Creek wildlife corridor.

The Panel questions whether the removal of the eastern most north-south pedestrian link is a positive outcome. The relocation of the external lift to within Building 15 is supported however greater consideration should be given in relation to access to and from the green spine.

The reduced level change along the north-south pedestrian link within the green spine is supported however it is the Panels view that the landscape terraces do not appropriately deal with the 5 m level change in the centre of the green spine. The Panel strongly recommends that the landscape terraces be extended north-south to create a smoother level transition and provide greater opportunity for activation. One option would be to incorporate several of the terraces within the green spine located in Area 12.

The flaring of the east-west link at Berry Road is understood to be a result of existing tree locations. The final arrangement and location of elements must be coordinated with Lane Cove Council and relate to the broader St Leonards South Master Plan, specifically the pedestrian crossing location across Berry Road.

The Panel recommends that the arborist report be submitted. The trees that have been identified by the arborist as being 'worthy of retention' do not appear to have informed finished levels and should be retained to minimise the site's radiant heat output and for the benefit of providing wildlife habitat.

The Panel also recommends:

- An increase to deep soil planting areas to achieve the DCP requirement of 25% as it is currently 4% below this and will result in the planting of only 9 large trees (large trees being defined in Section 3E of the ADG as having a mature height of 13-18m). This is particularly important as 26 existing trees are proposed for removal.
- That roof tops be used for positive environmental outcomes. The proposed solar panels should be sufficient to reduce the carbon footprint of not only common areas but also the apartments, or to feed energy back to the grid for Body Corporate income. Areas not used for solar energy production should be covered with soft landscaping to minimise radiant heat output.
- The plant species selection, particularly trees and tree ferns should utilise locally indigenous species where possible. The high level of tree canopy coverage proposed is supported.
- Additional dense middle-storey plantings be provided for small birds where sight lines are not required for passive surveillance.
- The western facades of all buildings incorporate landscape design solutions, which together with sun-shading should reduce radiant heat gain.
- A car share scheme be provided to reduce the carbon footprint of residents.
- Soil depths above structure be a minimum of 1 m where trees are proposed.

4.8 Principle 6 Amenity

For a complex of this size (3 buildings) the Panel would expect a level of indoor social amenity provision for the residents. The Panel considers that the deletion of the indoor community space and roof top garden on Building 14 is a loss of amenity and recommends that roof gardens be provided on all three buildings.

Outdoor and indoor common spaces should respond to the diverse residential community and be inclusive of teenagers, possibly through the provision of a swimming pool, basketball hoops and meeting spaces.

The Panel continues to be of the view that the ADG requirements for natural ventilation and solar access cannot be averaged across all three sites as this would not promote an acceptable design quality. Building 14 should satisfy these requirements as an independent building.

The Panel requests additional graphical data to demonstrate 2 hours of solar access is achieved to all the east facing apartments shown as compliant, given the sun eye views show the sun-path as almost parallel to the east facade at 11.00am.

The Panel notes the central apartments of Buildings 13 and 15 at Levels 3-5 and 9-11 are noted as naturally cross ventilated, for example units 130502, 130503, 150506 and 150507. Window and door openings are however only provided to the west and east facing facades and to balconies. Without additional openings to the north and south facades the apartment plans do not correspond with the ADG illustrations such as Figure 4B.8 that demonstrate acceptable air movement paths as extending right through the apartment.

The Panel also requests further development of :

- The apartment entry layouts in all buildings to avoid cross viewing from corridors to living spaces.
- Privacy / light and amenity issues to the lowest apartments in Building 15 (150104) adjacent to the DDA lift.
- West facing facades to incorporate a sun screening strategy to reduce reliance on air conditioning.
- The DDA garden lift and undercover approach spaces.

4.9 Principle 7 Safety

No additional comments.

4.10 Principle 8 Housing Diversity and Social Interaction

No additional comments.

4.11 Principle 9 Aesthetics

The Applicant confirmed that all brickwork would be a dry pressed clay type and not precast brick panels. The Panel requests further details of the brickwork types and details and that all renderings and sample images be representative of the selected brick type such as those on page 55 of the DRP Response.

5.0 OUTCOME

5.1 Direction to Applicant

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. An amended proposal should be prepared, satisfactorily addressing the identified issues, as recommended below.

4.12 Summary of key recommendations to achieve design excellence

1. Develop the landscape and Connection to Country narrative and design and update the Landscape Report.
2. Enhance the connection of the WSUD and landscape design elements that support the creation of wildlife habitat and ground water re-charge.
3. Improve environmental footprint by increasing solar energy production, providing for a car share scheme and by minimising the heat that will radiate from the buildings.
4. Develop the communal open space design to provide additional variation in landscape characters and amenities, a smoother level transition and to enhance the street address to Marshall Av. consistent with the St Leonards South Landscape Masterplan Private Open Space Typologies - Communal Open Space.
5. Provide compliant deep soil at 25% of the site area, in accordance with Part J of the Lane Cove DCP. This may require a reduction to the basement intrusion into the green spine consistent with Part C of the Lane Cove DCP page 63.
6. Provide a copy of the arborists report and retain additional existing trees.
7. Review solar access to all east facing apartments and graphically demonstrate that 2 hours of sunlight is achieved to living spaces and private open spaces in accordance with Part 4A of the ADG.
8. Provide sun-shading devices to west facing windows consistent with Part 4A of the ADG.
9. Enhance natural cross ventilation airflow to Levels 3, 4, 5 and 9 apartments adjacent to the Building 13/15 recess, with strategies such as additional openings and revised internal planning, to achieve airflow consistent with Figure 4B.8 of the ADG.
10. Coordinate communal open space with neighbouring properties to achieve more contiguous design with Areas 12, 15 and 16 as per St Leonards South Landscape Masterplan Private Open Space Typologies - Communal Open Space.
11. Demonstrate visual and acoustic privacy will be achieved between Sites 14 and 12 in accordance with the ADG Parts 3F and 4H of the ADG.
12. Provide additional street activation in the form of ground level apartment gates, letterboxes, seating and planting consistent with Part 4L of the ADG and demonstrate this in a detailed street elevation.
13. Provide additional street legibility to the Building 13/15 entrance through strategies such as a landscaped forecourt, canopy, lighting and signage consistent with Part 4M of the ADG and St Leonards South DCP 7.4.6.
14. Reinstate the indoor communal facilities and roof terrace to Building 14 included in the pre-DA design proposal presented in May 2021, consistent with the St Leonards South Landscape Masterplan Sustainability Design Principles and Private Open Space Typologies - Roof Gardens and St Leonards South DCP 7.4 Private Domain and 8.3 Green Roofs.
15. Expand ground floor private open spaces into the communal open space to further activate the space and enhance apartment solar access as per St Leonards South Landscape Masterplan Private Open Space Typologies - Private Courtyards and Terraces.
16. Develop apartment planning to maintain internal visual privacy from corridors and develop loading dock functionality.