

**MINUTES OF NSROC DESIGN REVIEW PANEL MEETING
LANE COVE COUNCIL
Tuesday 21st May 2024
11.00am**

DRP PANEL MEMBERS

Peter St Clair	Chairperson	Architect
Jason Cuffe	Panel Member	Landscape architect
Brendan Randles	Panel Member	Architect
Kaichi Leung	Panel Member	Architect

APPLICANT REPRESENTATIVES

Alex Longley	Arcadia
Emma Fitzgerald	Patch
Paul Buljevic	PBD Architects (online)
Giuseppe Rivatta	PBD Architects
Peitra Creak	Winim Developments
Patrick Nott	PGIM

COUNCIL STAFF

Mark Brisby	Director Planning and Sustainability
Rajiv Shankar	Manager Development Assessment
Chris Shortt	Senior Town Planner
Angela Panich	Panel Secretary

COUNCIL OBSERVERS

None

APOLOGIES

None

ITEM DETAILS

Property Address: 1 Gatacre Avenue Lane Cove
Planning Officer: Chris Shortt
Owner: Winim Developments
Applicant: Mason Stankovic - Patch Planning
Proposal: Proposed 5/6 storey residential flat building for 44 units and 2 level basement parking for 90 vehicles and 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.

2.0 DECLARATIONS OF INTEREST

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

3.0 INTRODUCTION

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 Lane Cove LEP 2009 and Lane Cove DCP. 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 (ADG), 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 to the Panel for further review.

4.0 DESIGN REVIEW

4.1 Presentation

The applicant and design team were invited to present the DA proposal for the subject sites. PB and EF presented the DA architectural proposal dated 12/04/2024. AL presented the DA landscape proposal dated 22/04/2024.

4.2 Panel comments and recommendations

The Panel commends the applicant and design team on aspects of the design proposal and the extensive analysis and reporting from specialist consultants.

The Panel provides comments and recommendations below in relation to all aspects of the ADG and some aspects of the Lane Cove Council DCP. The principal concern of the Panel is the excessively long building massing and the impact of this on overall neighbourhood character, the amenity of neighbouring properties to the south-west and the amenity of the proposed apartments and landscape areas.

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

4.2.1 Principle 1 Context and Neighbourhood Character

While some analysis of the local context and character was presented, the level of detailed site analysis was considered insufficient. Additional analysis should be provided with more focus on

existing and likely future built form, lot patterns and the existing landscape quality of adjacent rear gardens, which given its low density zoning, are unlikely to change. This analysis should include a variety of cross-sections through the side boundaries and proposed and existing buildings, showing existing trees, topography and other site features to each side of the site as well as a clear description of the scale transition between the proposal and its context. It is also crucial that the site analysis acknowledges both the topography and the elongated rectangular shape of the site, especially as the land slopes sharply from the Pacific Highway. A more complete site analysis may better support a design outcome.

It was not clear what level of First Nations engagement and/or research had been completed. This should be further developed.

4.2.2 Principle 2 Built Form and Scale

Built form

The thin nature of the proposed built form provides some benefits to apartment amenity, such as cross ventilation. However, the overall length of the building at between 60 and 70 m is excessive. While the proposed step in the building form is an improvement on earlier proposals, this relatively minor articulation along such a large building is not sufficient to reduce the proposal's overwhelming scale. This results in an unsuitable neighbourhood character and units with poor privacy and outlook (such as those looking north-east towards the side boundary and future building). In addition, the sheer length of the built form exacerbates building scale, increases over-shadowing and results in overbearing of the whole precinct to the south-west. This is an unacceptable outcome, especially given the precinct's steep topography, which increases apparent physical and visual bulk for lower scale dwellings below.

The proposal appears to be generally compliant with the DCP and ADG setback requirements, and the LEP height control. However, the site's steep topography and adjacency of a lower density residential zoning downhill from the site, results in an unsuitable built form. In addition, the long thin built form creates an inefficient distribution of units, resulting in single sided circulation, long corridors and excessive length (as noted above). If apartments were to be redesigned to face the street or the central courtyard, more compact layouts could be achieved, with smaller lobbies and no side facing units – thereby reducing privacy impacts, overlooking and poor outlook on side boundaries (especially uphill to the north-east).

A substantial portion of the façade is exposed along the south-western boundary, resulting in a stretched building form that is overly dominant and out of character. Additionally the interface with No. 7 Allison Avenue, featuring a 4-5 storey blank wall, further amplifies its visual dominance on a low-density residential street as a result of the topography. View sharing principles must also be considered for the existing and approved boarding house accommodation, which is located just 3 metres from the north-eastern boundary.

To address the issues raised above, the Panel recommends that the proposal be redesigned to achieve two distinct built forms above a connected podium. The separation between the two built forms would then be able to better align with the landscape character created by the rear gardens to the south-west. A redesign of the built should therefore be considered along these lines :

- Respond more directly to the site analysis and character of the site, including its dual address to 2 streets, lot and built form patterns to the south-west and established rear gardens and large trees
- Reduce the building massing and increasing site permeability from north to south
- Allow a central courtyard and communal open space at ground level with improved pedestrian circulation and a more connected landscape
- Allowing the orientation of all units either towards the street or inwards towards a "controllable" courtyard, thereby minimizing outlooks towards the north-east side boundary

- Reduce the number of units that are currently orientated east towards the future boarding house. The Panel notes that the current arrangement provides a very low level of amenity for future residents of these units due to poor outlook, visual and acoustic privacy issues and restricted solar access
- The Panel notes that a more creative and visually appealing approach to the western façade could be delivered to improve internal views out whilst still achieving visual privacy to adjacent blocks.
- Improve the building area efficiency by reducing single sided circulation and the extent of long corridors

A basement entry at the lower side of Allison Avenue – with pedestrian entry to the north - could unlock greater opportunities for site integration and reduce potential ramping. A robust site analysis would provide further clarity regarding this option's feasibility.

Below ground apartments

The ground level apartments to Gatacre Avenue appear to be significantly below the adjacent public reserve and footpath. It is noted too that a lack of finished ground level notations to the boundary and street, make it difficult to assess the relationship between the public domain, adjacent landscape and internal habitable spaces. This could result in poor amenity to the apartments, including overlooking from the public footpath and reduced daylighting. Floor levels greater than 1 m below adjacent boundaries are generally not supported by this Panel. The Panel does not support unit UG.02 noting that 75% of the frontage sits significantly below street level.

It would appear that subterranean apartments are the result of level set outs being extended from one side of the site to the other; on such a complex site this is liable to result in compromised units, such as above. It is therefore recommended that levels on both sides of the proposal be reviewed and more flexibility introduced to allow each frontage to be directly addressed. In addition, further cross-sections must be provided to Gatacre Avenue and all ground floor apartments to demonstrate how they relate to adjacent levels.

While the architectural expression of the built form at the Gatacre Avenue and Allison Avenue frontages is positive, side elevations are not sufficiently modelled to contain privacy impacts while optimising outlook.

4.2.3 Principle 3 Density

While the proposed density and FSR is generally compliant, it is not yet demonstrated that it can be housed on the site in a high quality, contextually sensitive and decorous manner.

4.2.4 Principle 4 Sustainability

Sustainability strategy

The Panel recommends a clear sustainability strategy be developed, that demonstrates compliance with the sustainability objectives of the recently revised and adopted Lane Cove DCP and of the Sustainable Buildings SEPP. Full site electrification without gas cooking, should be explored, in order to support a Net Zero (zero carbon emissions) outcome to mitigate climate change and enable the future community to access clean and affordable renewable energy whilst enjoying pollution-free indoor environments.

The Panel encourages the respondent further investigate green roof opportunities in, under and around the solar panels. The Panel notes that solar panels with green roof systems can be considered more efficient with heat loads and reflectivity from surrounding surfaces reduced.

Electric vehicles

Consideration should also be given to the future electrical load of the development should the project become fully electrified, inclusive of 100% electric vehicle charging per recent changes to Section J of the BCA. The design proposal clusters many EV parking spaces in one basement location. This may have implications by presenting an increased fire hazard. The applicant may wish to seek advice from a fire engineer regarding potential physical/fire separation of this zone, fire ratings of columns and additional sprinkler and drainage capacity etc. The Proponent must also confirm that the substation size currently proposed is adequate to support a development of this size in the future.

4.2.5 Principle 5 Landscape

Roof garden

The Zen roof garden at Level 3 provides positive communal open space with good levels of solar access and outlook towards the south-west. However, access to this space is limited to the residents of the eastern building. Even if access cards were provided, this important communal space appears to belong to the eastern building only and is therefore inequitable. Therefore, dual access to the centrally located garden (amended as per above) should be provided.

Whilst the inclusion of the roof garden is supported, the Panel notes that it is very small with limited opportunities for multiple residents to meaningfully utilize the space at the same time. Noting that the ground level communal open space is mainly planting with limited program, the Panel recommends that the roof garden be increased in scale.

The Panel notes that soil depths and volumes were ambiguous in the material presented. The Proponent should provide additional information to Council to demonstrate that soil depths and volumes are adequate for the planting currently proposed.

Communal open space

The ground level communal open space is largely limited to the south-west boundary and does not appear to have a clear program of use. Much of this space is shaded in winter, throughout the morning and well into the afternoon. Considering two buildings instead of one long building, may provide further benefits to the overall landscape qualities and allow solar access, views, breezes and some connected soil zones through the site, in a north-south direction.

Noting the above, the Panel commends the landscape architect for a sensitive approach to pathway networks that allow for connected soil systems under. The deep shadow, wet natured planting palette is supported.

4.2.6 Principle 6 Amenity

Solar access and cross ventilation

The compliance diagrams provided indicate good levels of cross ventilation and solar access to apartments, consistent with the Apartment Design Guide objectives.

Side boundaries and building separation

A significant number of apartments face north-east towards the side boundary, which in the future will be occupied by a boarding house. This is indicated as being only 3m from the shared boundary, leading to a future building separation of only 7.65m - 9m, whereas the ADG would typically require 12 m separation. This will result in reduced solar access to the subject property and compromised visual and acoustic privacy. Additional privacy screening should be considered such as sliding shutters to balconies and adjustable internal screens to living rooms, to allow residents to exercise a level of control over privacy and solar access.

Apartment views

The Panel notes that a relatively small number of apartments take advantage of the high-quality south and south-western outlooks, from living spaces towards Sydney Harbour. Alternative site

planning arrangements (such as recommended above) and the mirroring of some internal apartment planning to allow living spaces to face the south-west side boundary, may increase apartment amenity while also providing an improved commercial outcome.

A number of units in the southern corner feature large blank external walls. To optimize harbour and local views, the use of oblique, diagonal facing windows and/or windows with fixed privacy screens is recommended. For example, UG190, U110, U210 and U306.

Some apartments such as U302 incorporate outdoor condenser units and non-trafficable roofs, within areas that could otherwise provide high-quality views towards the south-west. This could be reconsidered.

Solar shading

A significant number of north-east facing apartments are provided with un-shaded glazing to living rooms and bedrooms. Horizontal shading should be considered consistent with Part 4a of the ADG, or alternatively vertical shading may be considered, that provides both shading and privacy control.

4.2.7 Principle 7 Safety

The through site landscaped pathway, is provided with passive surveillance from some apartments. An increase to the number of south-west facing apartments, may further benefit these safety provisions.

4.2.8 Principle 8 Housing Diversity and Social Interaction

The proposal provides a good mixture of dwelling typologies, including 2 storey townhouses, 1, 2 and 3 bedroom apartments.

See notes above regarding the insufficiently sized and inequitable communal open terrace.

4.2.9 Principle 9 Aesthetics

Material palette

The Panel commends the aesthetic treatment, including the restrained material palette of stone, face brickwork, fluted-concrete panels and timber soffits.

North and south elevations

Further opportunities may exist to vary window wall ratios, allowing different treatments to the north and south elevations. For example, larger south facing windows to capitalize on high quality views and smaller, shaded north-facing windows.

A two building option for the development (as recommended above), may introduce some further opportunities to differentiate the two buildings.

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 proposal in its current form and recommends that the DA submission including drawings and associated reports, be further developed in accordance with the above recommendations and returned to Council and the Panel for consideration at a further design review.