

Report and Recommendations of the Design Review Panel

Sutherland Shire Council – Thursday, 24 August 2023

Panel Members:	Peter Hill (Chair), Alex McRobert, Bruno Pelucca, Matthew Taylor
Council Staff:	Alison Davidson (ROFF), Amanda Treharne (Team Leader)
Applicant Team:	Matthew Daniel – Pacific Community Housing, James Matthew – Pacific Planning, Frank Stanisic & Jason Nowosad – Stanisic & Assoc Architects, Liam Noble – Landscape Architect
DA No:	DA23/0380
Project Address:	26 Rosebery Street, Heathcote
Proposal:	Demolition of existing structures and construction of a residential flat building as an affordable housing development under SEPP (Housing) 2021

PREAMBLE

A proposal for the site has not previously been reviewed by Council or the DRP.

The site was visited by the Panel members prior to the meeting.

The proposal has been considered in relation to the Design Quality Principles of SEPP 65.

COMMENTS

The Panel supports well-considered design and acknowledges that care has been taken in the preparation of the development proposal. The Panel supports Affordable Housing in this location. However, there are certain aspects of the proposed design that the Panel recommends for further consideration, as outlined below:

Context and neighbourhood character

Built form and scale

1. The site is on the border between zones, and the site width is narrow for an apartment building in Sutherland Shire. To ensure the proposed development is a good fit with its context, it is important that an appropriate transition between scales of development is provided; treatment of the side setbacks is critical. The broad objective of the controls is to allow for buildings in a landscape setting.
2. The southern neighbour is an apartment building set well back from the side boundary, so the proposal is able to comply with overshadowing requirements while reducing overlooking impacts with windows oriented parallel to the side boundary. The proposed street set back of the balconies matches this southern neighbour.
3. The northern neighbour at 24A and 24B is a two-storey attached dual occupancy set further back from the street. Although the proposed balconies are closer to the street, set backs of significant parts of the proposal - the ground floor, the glass line behind the balconies, and the top floor – are closer to the setback of 24A and 24B. The southern dwelling of the pair relies heavily on its southern side – the northern boundary of the subject site – for light and air, so impacts of perceived bulk of the proposal and overlooking require careful consideration. The Panel suggests the upper floors be re-designed to improve the scale transition between zones.

The top-level unit A402 should be set back a minimum 6m from the side boundary to suit ADG Building Separation considerations.

Panel recommends that, in order to reduce impacts of bulk and scale of the proposed development on the duplex, it is worth considering re-configuring the northern two units on Level 3 — studio A305 and 1 Bedroom A306 — to follow the recommended side setback of 2 Bedroom unit A402 on Level 4, as well as its layout. Panel notes that greater consideration of visual privacy across the northern boundary will be needed at this level.

Amenity

4. Outlook and solar access of ground floor unit A104 is severely compromised by two paths of emergency egress. The basement fire stair is placed on the street front, blocking connection of the unit with the street; another emergency egress path on the northern side demands that the private open space is protected by a courtyard wall. Panel recommends that the emergency egress should be re-located on the southern side of the site so the ground floor unit can have an address to the street, at west, and be open to the northern side. In this configuration Unit A104 will gain better solar access and natural ventilation, as well as provide activation and passive surveillance to the streetscape, like many of the low-density

neighbours. The introduction of a small POS may be required within this area to add functionality to this unit, but direct access to the unit should be provided from the street. The proposed undercroft with limited site lines and blank façade is not supported by the Panel.

5. In order to reduce overlooking impacts from the front block, windows to Bedroom 1 in the side units (stack A306 and A304) have been directed to the west, parallel with the side boundary; however, this strategy has reduced the effectiveness of natural cross ventilation. The Panel recommends the bedrooms be re-configured to allow windows to be placed in the line of the wardrobes at the eastern wall. Similarly, the bedroom in unit A303 (stack) could incorporate a window facing west to improve natural cross ventilation. These changes would require adjustments to screening in the gallery space to prevent visual privacy concerns, and stepping in the lift lobby to the north.
6. Unit A305 (stack) should be considered a studio rather than a 1 bedroom unit, as the bedroom is not a separate habitable room. Additionally, this unit will need to consider unit depths should not exceed 2.5 x ceiling height (6.75m) to ensure the sleeping area receives enough light and ventilation. If the kitchen were to be placed at the rear of the living space, this studio unit may achieve 8m in depth.
7. Unit 103 (stack) need to be re-configured to comply with two hours solar access. Additionally, highlight and skylight windows are also not considered primary sources of solar access, and should not be relied upon for this calculation as demonstrated in Unit A401. The Panel notes, the use of highlight and skylight windows primarily support ventilation and add to the amenity for residents.
8. The proposed floor-to-floor height of 3050mm is less than considered sufficient to deal with the NCC and Building Commissioner requirements for drainage at balcony doorways, while providing minimum ADG ceiling height of 2700mm in habitable rooms. The Panel recommends a floor-to-floor height of 3200mm is adopted. If the applicant believes a lower floor-to-floor height is achievable, a 1:20 section and services drawings should be provided as part of the development application package to ensure compliance and design quality is maintained throughout the documentation process.
9. Adaptable units should not require significant reconfiguration to provide an accessible layout for tenants. As such, Adaptable Units 103 and 203 should not propose plumbing fixtures in walls that do not already have plumbing fixtures, and Adaptable Units 205 and 305 require a separate hand basin from the laundry sink post adaptation, as required under the BCA.
10. In relation to the design and layout of private balconies, the Panel recommends that:
 - HVAC equipment should ideally be grouped within designated screened plant areas either on typical floors or on roof-tops;
 - Wall mounted equipment and associated pipework is concealed into wall cabinets and ducts;
 - If equipment is located on private balconies, additional area above ADG minimums should be provided;
 - Rainwater downpipes are thoughtfully designed and integrated into the building fabric;
 - The above items should be positioned so that they are not visible from common areas or the public domain adjacent to the development;

- Balustrade design must address visual screening of large items typically stored on balconies, for example BBQ's, clothes drying devices and bicycles.
11. The Panel understands the complexity of waste collection on a site as narrow as that proposed, and does not support streetscape interfaces like that on the neighbouring RFB. Generally, the Panel is supportive of on street waste collection so long as:
- The trees noted as part of the Sydney Turpentine Ironbark Forest are not impacted; and
 - The Community Housing Provider administers the provision of on street collection via the use of tug as currently proposed.

Aesthetics

12. The proposed material palette is well-considered and robust, suitable for a development of mostly affordable housing. The reference to “painted finish” is unclear, but should be excluded, if possible, to reduce maintenance costs, and enhance the ongoing durability and finish of the development.

Sustainability

13. The Panel recommends that, although sustainable strategies were generally not discussed at the meeting, a full suite of well-considered sustainability measures should be designed and integrated into the proposal during design development. As a minimum this proposal should provide RWT for irrigation and WC flushing, electric systems rather than gas for domestic HW and solar PV cells. The addition of clothesline of balconies or in communal areas is also supported, to allow affordable housing residents the opportunity to freely dry clothes without the cost of owning or operating a clothes dryer.
14. The use of instantaneous electric hot water systems places a high energy use cost on tenants, particularly for an affordable housing development. The minimal use of PV panels does not support the use of this system. The Panel suggests incorporating heat pump hot water systems or offsetting instantaneous electric systems with additional solar panels. The Panel does not support the use of gas in new developments.

Housing diversity and social interaction

15. The Panel supports design which facilitates the opportunity for incidental connection and interaction between residents. The entry lobby could be made more open as a welcoming entry to a development of mostly affordable housing. Instead, after a narrow entry ‘throat’, the entry lobby presents as a large enclosed ramped space with unclear pathways, an unwelcoming space that may be difficult to furnish.

Landscape

16. The concept of a ‘terrestrial’ landscape is encouraged, as is the retention of the trees to the north eastern corner of the site. It is also noted that the extent of the carpark has been reduced to this corner so that there is further allowance for the existing turpentine tree to be retained and provide a more realistic distance from its SRZ. The use of native species, a number of which are endemic to the area is encouraged, however if the concept of terrestrial is taken to

its literal extent, a number of the species proposed are not endemic to the area. The Panel does not object to this inclusion of non-endemic species, as much of the surrounding area is a cultural landscape that includes a number of non-endemic species. In relation to a sustainable landscape design approach the Panel does not support the lack of new endemic tree plantings, particularly to the deep soil area to the northern boundary where there is a substantial opportunity for the further tree canopy plantings that would contribute to 40% tree urban canopy cover as a Sydney wide objective. The three Ornamental Pear trees to the northern boundary can be retained as they are clear of the building works and excavation of the carpark. While the replacement of turf with native groundcovers to the ground areas is supported by the Panel, the absence of further areas outside the “bump out” zones is encouraged with opportunities for seating and the enjoyment of the outdoor areas of the proposal, The provision of further accessible areas will enhance the use and enjoyment of the external areas, particularly in relation to taking advantage of the different spaces and around the existing trees to the north west corner of the site would benefit the scheme and take advantage of different seasons. The planter to the rear of the proposal on Level 3 is of a substantial width, which brings up issues of maintenance at this elevated height, particularly in light that the planter forms part of a private area and Occupational and Safety issues. The roof top area needs to be further developed for program point in concert to access to the ground level landscape areas.

17. If the CHP maintains ownership of this building (as suggested within the panel meeting and the lack of subdivision), the areas surrounding the ground floor units could be better utilised as private open space to provide amenity to tenants. Not only does this facilitate families and tenants with pets occupying the ground floor units, but it also reduces CPTED (Crime Prevention Through Design) issues by limiting access to the area surrounding POS and balconies.

In this case it will be the CHPs responsibility to maintain the viability of trees, particularly those in the protected Sydney Turpentine Ironbark Forest.

18. If the applicant does not wish to provide larger landscaped POS areas to ground floor units, secure gated access needs to be provided to side passageways to prevent concealment and entrapment opportunities. These will need to facilitate egress (as noted elsewhere) while maintaining resident access, safety, and amenity.
19. In the Communal Open Space calculations “Area 1” appears to be an egress path. This should not be considered as Communal Open Space.
20. The Communal Open Space on the roof area is generally supported as the best location within the development. However, steps should be taken to mitigate effects on neighbouring properties including screening planting, operational requirements, and ongoing management by the CHP to ensure a well-utilised and harmonious communal area for residents.

Delivery

21. The Panel recommends that conditions are included in any development consent to ensure as a minimum that:

- the architect is engaged to provide sufficient detailed documentation for the building facades and public areas so as to ensure that the approved design intent is met;
- any proposed change to external materials and/or details as specified in the approved documents is to be submitted to Council for approval;
- the architect is engaged to undertake regular site inspections and prepare regular reports that verify design intent is being met; these reports are to be provided to Council.

RECOMMENDATIONS

The Panel does not support the proposal in its current form. Further design development should be undertaken to respond to the issues noted above.