

URBAN DESIGN REVIEW

481-487 SWIFT STREET ALBURY - DA10.2023.40336.1

23_111

REV - 12-01-2024



1 EXECUTIVE SUMMARY

The proposal seeks consent for a seven storey mixed use, shop top housing development. The development is located at 481, 485 and 487 Swift Street.

The proposal provides an architecturally robust response to the streetscape and overall provides for a positive contribution to the redevelopment of the Retail Core.

The proposal requests variations to key Apartment Design Guide criteria and DCP controls – which are discussed below in detail. Generally – with some minor design modifications as noted below these can be supported as they provide a sensible response to the context.

It is noted that the selected built form alignments – including the single storey street wall (DCP requires 3 storey), the reduced side and rear setbacks (9m required, 3 and 6m provided), and the 4.7m upper level street setback (DCP requires minimum 3) will have implications for the development on the remainder of the block. However, in this instance the proposal is considered appropriate for the context and the variations can be supported for the following reasons:

- **Single storey street wall:** - aligns with the street wall of the adjacent development that is heritage listed. It is noted that this part of Swift Street contains a number of single storey heritage items and a single storey street wall may be a more appropriate response for most of the remainder of the block up to David Street.
- **Reduced side and rear setback** – The scale of the proposed building is appropriate for the site. The adjacent site is more than 2ha in area. There are no current buildings that require privacy separation. Although the ADG encourages privacy setbacks to be equally shared between sites – given the substantial difference between the areas of the respective sites it is considered that the unequal setback can be supported, and would not in this instance disadvantage redevelopment on the adjacent site or reduce their development potential. The mitigation measures provided with privacy screens should be reviewed as noted below.
- **Upper level street setback** – moving the building forward to the 3m alignment will provide a better outcome allowing an increased rear setback, which would better align with potential development on the adjacent land if that was to comply with the 3m DCP control. However a 4.5m setback can be supported as a result of the reduced street wall height – allowing greater emphasis on the single storey street wall.

We consider that the development as proposed could be made acceptable with the following design amendments:

- A. Review street tree canopy to investigate whether an awning could be provided to the full street frontage in lieu of a colonnade.
- B. Increase colonnade depth along Arnolds Lane to 1.8m behind the columns.
- C. Review louvres to east and western facades to ensure a balance is provided that allows summer sun protection in the afternoon and winter solar access. Consideration of operable / sliding screens, or angle screens with larger blades / spacing – particularly at the upper levels.
- D. Amend kitchen layout in units 504 / 604 and adjacent services room so that kitchen can better integrate with dining room and have improved daylight access.
- E. Review opportunity to reduce front setback at upper levels to 3m and increase rear setback to at least 7.7m.
- F. No apartments are provided with Universal Design features. Apartments have sufficient space to incorporate features. Recommend condition of consent that requires 20% of the apartments incorporate the Silver Level Liveable Housing Universal Design Features.
- G. Provide additional architectural details in section or 3d view as required by the Regulations to support the design quality this includes:
 - o Nomination of materials and finishes
 - o Details of parapets
 - o Balustrades, screens and awnings
 - o Slab edges – finish and colour

This can be in the form of annotated 1:50 sections / elevations or annotated 3d views that communicate the design intent
- H. Further detailing around the residential entry could include incorporation of some of the architectural elements salvaged from the existing dwellings – such as the milk bottle columns and kookaburra finials.

2 DEVELOPMENT SUMMARY

Address	481 485 and 487 Swift Street Albury	
Architect	Cohen Leigh Architects	
Applicant	Habitat Planning	
Development Description	Seven (7) Storey Mixed Use, Shop Top Housing Development - Comprising of Thirty Two (32) Residences, Two (2) Commercial Tenancies, Swimming Pool, Carpark, Demolition of Three (3) Residences (including Heritage Item 164 and 166) & Thirty Four (34) Lot Strata Title Subdivision and Consolidation of Existing Titles	
Number of Apartments	32	
Site Area	2023m ²	
Floor Space Ratio	Standard: 3:1	Proposed: 2.98:1
Height of Building	Standard: 35m	Proposed: 29m

3 KEY DESIGN CRITERIA

The following table provides a summary of the compliance with the Apartment Design Guide (RFDC) 'Design Criteria

Design Criteria	Satisfied / Comment
Visual privacy between building and side boundary, See commentary below or combined for between windows on same site. (habitable / non-habitable) <12m – 6/3m 15-25m – 9/4.5m 25m+ - 12/6m	
Communal Open Space: 25% of site area (50% must receive direct sunlight to for 2hrs between 9am-3pm on June 21)	Satisfied
Car parking	ADG minimum car parking rates are exceeded. Satisfied
Overall depth of cross over apartments: max 18m	Satisfied
Single aspect max depth: 8m	Satisfied (except for units 504 and 604)
Min unit size: Studio: 35m ² 1 Bed: 50m ² 2 Bed: 75m ² (2 bath) 3 Bed: 95m ² (2 bath)	Satisfied
Private open space: Studio 4m ² 1 Bed: 8m ² (min 2m) 2 Bed: 10m ² (min 2m) 3+ Bed: 12m ² (min 2m) Ground floor: 15m ² (min 3m)	Satisfied
Ceiling Height habitable rooms: 2.7m	Satisfied
Kitchen: 8m from window	Satisfied (except for units 504 and 604)
Habitable room depth: max 2.5 x ceiling height	Satisfied
Minimum room sizes: Master bed 10m ² Other bedrooms 9m ² Living rooms: 3.6m (1 bed) 4m (2+bed)	Satisfied
Lobby access: Max 8 per lobby & 40 / lift	Satisfied
Storage: Studio: 4m ³ 1 Bed: 6m ³ 2 bed: 8m ³ 3 bed: 10m ³	Satisfied
3hrs winter solar access: 70%	69% [22/32] Objective achieved – see below
Maximum 15% apartments no direct sunlight between 9am and 3pm	6% [2/32] Satisfied
Natural cross ventilation: 60%	63% [20/32] Satisfied

4 ASSESSMENT AGAINST SEPP 65 DESIGN QUALITY PRINCIPLES

The following provides an assessment against the Design Quality Principles contained within *State Environmental Planning Policy No.65 – Design of Residential Apartment*

Development and also a consideration of the Urban Objectives contained within the Apartment Design Guide as relevant to the particular principle.

4.1 DESIGN PRINCIPLE 1- CONTEXT AND NEIGHBOURHOOD CHARACTER

How does the proposal respond to the natural features of the area and future character?

The subject land is zoned E2 Commercial Core and is located centrally within the Albury CBD.

The DCP controls evolve from the Albury CBD Masterplan 2009 that identifies this site as being located within the Retail Core, where it encourages a variety of uses and mixed use buildings. The site is identified as part of the Meyer City Centre opportunity site – for which there are no specific controls. Mixed use buildings are encouraged to provide retail and commercial uses at the ground floor.

Buildings are encouraged to be built to the street boundary to define the street.

The masterplan anticipates a 7 storey building across the site with a 3 storey street wall – where the upper levels are setback 3m from the street wall.



FIGURE 1: AERIAL PHOTO – SUBJECT SITES OUTLINED IN GREEN



FIGURE 2: SWIFT STREET - VIEW FROM WEST



FIGURE 3: SWIFT STREET - VIEW FROM EAST - MEYER CENTERPOINT CARPARK TO LEFT
The site has a flat topography.

The site comprises two heritage items at 485 and 487. They consists of single storey cottages. Both items are assessed by Council's heritage advisor as being historically and aesthetically significant at a local level, however the advisor notes that the context has been substantially altered by the continued expansion of the retail core. This expansion is likely to continue it is acceptable for the items to be demolished.

The adjoining land to the east and south comprises Myer Centerpoint a largely internalised retail building with on-grade car parking immediately adjacent the site on Swift Street. Arnolds Lane comprises loading facilities for Woolworths and Olive Street facing properties.

Swift Street is lined on both sides Plane Trees creating a boulevard effect.

The proposal is the first development within this locality to propose development to this height. There are no public plans for the re-development of the remainder of the 'opportunity site.

Site connectivity

The DCP identifies opportunities for 'ant trails' to enable improved pedestrian connection through the larger blocks. A study of existing connections and entrances to existing development suggests that the 'ant trail' is likely best placed further to the east to align more with the existing shopping centre entrance. The blank wall response at the boundary is appropriate – enabling redevelopment at ground level of the adjoining site to abut the proposed development.

How does the development enhance the streetscape and neighbourhood?

Overall the proposal provides for a robust architectural response to the streetscape. The upper levels are well articulated, and the division of the upper levels into three forms provides an appropriate response .

The 7 storeys is consistent with the height in the DCP. The proposal only provides for a single storey street wall- compared with the 3 storey street wall required by clause 11.7.4 of the DCP. Further the upper levels are setback 4.7-6m rather than 3m as required by the DCP.

The single level podium is appropriate in this context as it aligns with the scale of the parapets of the buildings on the other side of the laneway (listed heritage shopfronts). It provides a better contextual fit than the three storeys identified in the DCP. It is acknowledged that this may impact the scale of the street wall for the remainder of the street - however a single storey street wall is possible appropriate for this block given the series of single storey heritage items located opposite.



FIGURE 4: STREETSCAPE OF PROPOSED DEVELOPMENT



FIGURE 5: SINGLE STOREY FORM TO SWIFT STREET TO THE WEST OF THE PROPOSED DEVELOPMENT

4.2 DESIGN PRINCIPLE 2 - BUILT FORM & SCALE

Is bulk height and scale appropriate for the future character?

The proposed height of the built form is consistent with the desired character of the Retail Core. The overall scale of the development is considered appropriate and consistent with the desired future character as defined by the DCP and the Albury Masterplan. It is in scale with the likely form of buildings expected on the remainder of the block.

Does the proposal have an appropriate response to building alignment, manipulation of building elements?

Ground level alignment

At ground level the proposal provides a recessed shopfront and colonnade as opposed to the retail glass line being flush with the street boundary and an awning overhanging which is typical of the retail streets in the Albury Retail Core.

The colonnade is provided with heavy brick walls which provide a sculptural and robust architecture – however the limit the view lines into the retail spaces. The colonnade is a successful device along the Arnolds Lane frontage where there is no pedestrian path – an enables an active frontage along this edge. However, the colonnade depth should be increased to at least 1.8m behind the columns to allow two people to comfortably pass (currently only 1.2m). As noted below (in landscape) if the existing street trees enable a street front awning – this would be preferred to a colonnade along Swift Street as it will increase the visibility of the shopfront to the street and provide better weather protection for pedestrians.

Street alignment upper levels

The DCP requires a 3 storey street wall aligned with the boundary and the upper levels setback a further 3m. The proposal provides a 1 storey street wall – considered a better response to context (as noted above) and a 4.7m upper level setback. While no justification has been provided for the 4.7m upper level setback (as opposed to a 3m setback) it complies with the DCP control as the control is expressed as a minimum.

The increased setback can be considered justified as a result in the reduction of the street wall height and provides for a better scale and proportion – however a building with a 3m setback could also be considered appropriate.

Side and Rear Setbacks and Visual Privacy

The DCP does not have a provision for side setbacks for residential uses – but does have a rear setback requirement of 9m where the building height is greater than 5 storeys. The Apartment Design Guide provides design criteria under objective 3F-1 that habitable room windows and balconies should have the following setback from the boundary:

- Up to 4 storeys - 6m
- Up to 8 storeys – 9m

The proposal provides the following setbacks for all levels:

- Rear boundary 6.35m
- Side boundary 3m.

It is noted that the balconies along the side boundary are provided with shutters that can provide privacy separation. It can be said that privacy is achieved – however as noted below there is a resultant impact on amenity. There is no privacy separation provided along the rear boundary – and this would not be appropriate given the southern orientation which would substantially restrict light and views.

The extensive screening along the eastern and western façade – although providing screening from the afternoon summer sun – the screening substantially increases the perceived bulkiness of the built form and has the potential if the screens are poorly designed to reduce daylight and outlook from the large living room space behind the screens – reducing amenity for the occupants.

The ADG requires the equitable sharing of building separation at the boundary so development potential on one site is not at the expense of the development potential and amenity on the adjacent site. With the substantial non-compliance of the setbacks, development on the adjacent sites will be required to have a larger setback from the boundary – in this instance at the side boundary new development with habitable room windows or balconies would need to be setback **15m** rather than **9m**.

The adjacent site occupied by the Meyer development has an area of more than 2ha. There is no current masterplan for the site that has been submitted to council. Where the adjacent site is so large there is plenty of opportunity for higher building forms to have a greater setback from the boundary and ensure appropriate building separation to provide privacy and maintain solar access.

It is also noted that the proposed built form is generally well balanced provides an appropriate scale for the street and locality. It would be largely consistent with the scale of the likely future forms on the remainder of the block.

On this basis the setback to the side boundary is considered appropriate for the context and the variation to the design criteria can be supported – subject to the refinement of the screening as noted above and below.

The non-compliance of the rear setback (9m ADG and 9m DCP) could be remedied in part shifting the development closer to the street so that the current 4.5m street setback aligns with the 3m DCP setback. This would improve amenity for residents moving them slightly further away from the loading facilities at the rear of the site

Does the proposal define the public domain, contribute to the streetscape

Although the laneway presents as a rather defensive facade with respect to the on grade car park and substation – this is appropriate given the context and adjacent loading docks around the laneway.

The retail uses provide good activation to the streetscape subject to the comments made above.

The car park entrance would be better located from the laneway rather than Swift Street where it currently interrupts the active street frontage and reduces pedestrian safety.

Does the built form enhance internal and external amenity.

The proposed built form enables good amenity for the apartments – subject to consideration of the east and west facing screens as noted in this report.

4.3 DESIGN PRINCIPLE 3 -DENSITY

Does the proposal provide density suitable for the area in relative to infrastructure, public transport, access to jobs, community facilities and the environment?

The proposed density is below the maximum in the planning controls. The development is centrally located within the CBD Core. The density of the development is suitable.

Does the density of the proposal enable high level of amenity for each apartment.

The proposal provides for large apartments that have good amenity. The density is appropriate.

4.4 DESIGN PRINCIPLE 4 -SUSTAINABILITY

Apartment have been designed with generous windows and around a central core that maximises opportunities for cross ventilation.

The balconies and screening to the west provide good solar control for summer sun. Further analysis on the spacing and scale of the awnings should be provided to ensure sufficient daylight is available through the awnings and also the enabling of winter sunlight in the morning and afternoon to enter into the living areas.

Photovoltaics are provided on the roof for energy generation.

Water efficiency measures are stated in the BASIX certificate.

4.5 DESIGN PRINCIPLE 5 -LANDSCAPE

Public Domain interface

The proposal provides a colonnade to the street level edge as an interface with the public domain. The alternative of placing the shopfront windows on the boundary with an awning that overhangs the footpath would be preferable and more consistent with the typical 'main street' typology in Albury. This would also reinforce Swift Street as a retail street within this core – as opposed to the outer commercial streets where awnings are less common. This would improve the visibility of the shopfront to the street. (as noted above) However, a traditional street awning may create a conflict with the existing street established trees. While the *London Plane Tree* can grow well around awnings – this usually best occurs when the awnings are there before the trees are planted.

It is noted that the awning at the entrance appears to intersect with the street tree and may not be possible without additional pruning. If that awning is possible then a full street awning may also be possible.

Review of the street trees will determine if an awning could be accommodated.

(I note the Awnings Map is missing from the DCP – so it is unclear if they are required in this location)

Deep soil zones

The proposal provides for no deep soil across the site. The ADG allows for development within the commercial core to occupy the entire site where non-residential uses are provided at ground level.

The basement provides for an efficient footprint and is not considered to provide an unreasonable amount of car parking considering the context.

It would be expected that on larger sites deep soil planting could be provided

Landscaping

Landscaping is provided for the proposed development at ground level and also at roof level. The design of the proposed landscape

4.6 DESIGN PRINCIPLE 6 -AMENITY

Visual Privacy

The proposal is located on the corner and has 2 street frontages. It is noted that the side boundary setbacks do not provide separation distances from

Solar and daylight access

The proposal provides good daylight access to the habitable rooms to most of the dwellings as a result of the shallow depth of the rooms. However daylight is constrained to the living rooms and private open space of 501/601 503/603 as a result of the privacy screening to the east and western boundaries.

It is noted that there is no solar access study that accompanies the application that supports the claim, there are also no north points indicated on the plan. However, when transposing north from the survey plan, 22/32 units (69%) receive 3hrs solar access. 2 units receive no solar access to habitable rooms in winter. The proposal provides apartments on all sides of the building and maximises the number of apartments that have the living rooms and private open space facing north. The proposal is considered to have maximised solar access to the habitable rooms.

Cross ventilation

The number of apartments that receive natural cross ventilation are maximised as a result of small number of apartments per core arranged around a central core. 20/32 units (63%) are naturally cross ventilated.

Ceiling heights

Although ceiling heights are not annotated in the plans, the proposal provides a 3.2m floor to floor height for the residential areas which is sufficient to accommodate a 2.7m ceiling in habitable rooms with the proposed layouts.

The ground floor commercial tenancy has a 3.8m floor to floor that will allow 3.3m ceiling heights on the ground level.

Apartment size and layout

The layout of the apartments are rational and functional and result generally in a high standard of amenity. The apartments all exceed the minimum areas required by the ADG. A variety of different apartment sizes are provided.

The kitchen arrangement of unit 504 and 604 results in a poor arrangement where the kitchen is largely located along the corridor to the bathroom and laundry. Being a south facing apartment the kitchen will have limited daylight in this location. It is recommended the services rooms is re-organised so the kitchen integrates better with the dining room and runs parallel to the façade.

Private open space and balconies

The balconies all exceed minimum area dimensions providing enhanced amenity to the apartments.

Storage

Internal storage has not been separately calculated, however the drawings indicate sufficient storage within large laundries and other cupboards to satisfy the design criteria.

Noise and pollution

The acoustic report that accompanies the application suggests the amenity of the apartments will not be affected by external noise. NCC requirements ensure satisfactory internal noise attenuation between apartments.

Car parking

The proposal provides more spaces than required under the ADG Design Criteria and less parking for visitors than required by the DCP. The parking rates are considered acceptable by council traffic engineers given the proximity within the CBD.

4.7 DESIGN PRINCIPLE 7 -SAFETY

The proposal has been designed with regard to safety and security for the occupants and the general public.

The apartments provide an outlook to the street, and the ground floor lobby provides a clear and direct space.

4.8 DESIGN PRINCIPLE 8 - HOUSING DIVERSITY AND SOCIAL INTERACTION

Housing Mix

The proposed design incorporates various apartment configurations. The proposal provides an acceptable mix of apartment types and sizes consisting of:

- 18 x 2-bedroom apartments, representing 56% of the total dwellings
- 14 x 3-bedroom apartments representing 44% of the total dwellings

Communal spaces and common area circulation

Generous communal spaces are provided at roof level as well as at the ground level at the rear. Communal spaces are both internal and external. Roof top communal spaces receive more than 3hrs solar access in winter. The communal spaces inclusive of a swimming pool, BBQ and seating area, which will provide high amenity to building occupants, increasing social interaction between residents.

Universal design

Universal design features have **not** been nominated for any apartments. Accessibility is provided to the common areas only as required by the NCC. The apartments are large enough to accommodate silver level housing features. A condition of consent could be applied to specify that a minimum 20% of apartments are constructed to Silver Level Housing

4.9 DESIGN PRINCIPLE 9 - AESTHETICS

The proposal provides for a robust architectural response to the streetscape and establishes a sound precedent for the future redevelopment of the block.

The proposal is well articulated, breaking the building down into a series of smaller elements.

The documentation currently does not provide any details relating to the architectural detailing – including balustrades, slab edges, parapet details, awnings or shading devices. In particular consideration of the colour and detailing around the exposed slab edges will need careful consideration to ensure a quality outcome.

The proposal appropriately addresses the corner and establishes a precedent for the pattern of development that could continue along Swift Street.

Further detailing around the residential entry could include incorporation of some of the architectural elements salvaged from the existing dwellings – such as the milk bottle columns and kookaburra finials.

5 RECOMMENDED CONDITIONS OF CONSENT

The following matters could be addressed by design changes that could be carried out by condition of consent:

1. The construction certificate plans shall demonstrate that at least 20% of all apartments are designed to incorporate the Silver Level requirements for in accordance with the Liveable Housing Design Guidelines.