

# MINUTES OF DESIGN EXCELLENCE PANEL MEETING

## 11 July 2019

### DEP PANEL MEMBERS PRESENT:

Rory Toomey	Chairperson	Government Architect NSW
Alf Lester	Panel Member	LFA
Matthew Taylor	Panel Member	TaylorBrammer

### APPLICANT REPRESENTATIVES:

Brian Mariutti	AJ+C ARCHITECTS
Carlos Frias	URBIS
Matthew Sofi	Property Owner

### OBSERVERS:

Peter Nelson	Senior Town Planner	Liverpool City Council
Scott Sidhom	Coordinator Urban Design	Liverpool City Council

### ITEM DETAILS:

Application Reference Number: DA-262/2019

Property Address: 77, 79 Bathurst Street 86, 90, 92, 94 Castlereagh Street, Liverpool NSW 2170

Council's Planning Officer: Peter Nelson

Applicant: AJ+C ARCHITECTS

Proposal: Demolition of existing building and structures, excavation and remediation of the site, construction of a mixed use development comprising a commercial and retail podium including a two level restaurant, a 14 storey and 20 storey residential tower comprising a total of two hundred and sixty four (264) units, above three (3) levels of basement car parking and associated landscaping and services.

### 1.0 WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Chairperson introduced the Panel and Council staff to the Applicant Representatives.

Attendees signed the Attendance Registration Sheet.

The Liverpool Design Excellence Panel's (the Panel), comments are to assist Liverpool City Council in its consideration of the Development Application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

All nine design principles must be considered and discussed. Recommendations are to be made for each of the nine principles, unless they do not apply to the project. If repetition of recommendations occur, these may be grouped together but must be acknowledged.

### 2.0 DECLARATIONS OF INTEREST

NIL.

### 3.0 PRESENTATION

The applicant presented their proposal for DA-262/2019, 77, 79 Bathurst Street 86, 90, 92, 94 Castlereagh Street, Liverpool NSW 2170

### 4.0 DEP PANEL RECOMMENDATIONS

The nine design principles were considered by the panel in discussion of the Development Application. These are 1] **Context**, 2] **Built Form + Scale**, 3] **Density**, 4] **Sustainability**, 5] **Landscape**, 6] **Amenity**, 7] **Safety**, 8] **Housing Diversity + Social Interaction**, 9] **Aesthetics**.

Comment: My initial impression following first reading of this report was that the Panel and the minute-taker were operating in parallel universes. For example, the Panel was advised that Bathurst Street is being modified, is under RMS control and that access to the subject site is not permissible despite existing access to the site from Bathurst Street. The minutes appear to suggest that Castlereagh Street access would not be supported but if Bathurst Street access is not possible then there appears to be limited opportunity other than Castlereagh Street. Given the apparent contradiction in terms of preferred access, it is somewhat difficult to see how the Panel recommendation/outcome involves support for the project when the primary access issue is unresolved.

**The Design Excellence Panel makes the following recommendations in relation to the project:**

#### 4.1. Context

##### Street Trees

The proposal requires the removal of two Brush Box (*Lophostemon confertus*) street trees from the Castlereagh frontage. These trees form part of an avenue of mature street trees on Castlereagh Street. The removal of these trees is not supported. The trees are proposed for removal to accommodate vehicular entry to and exit from the site on Castlereagh Street.

The proposed basement is located within the Tree Protection Zone (TPZ) of the remaining Brush Box trees on Castlereagh Street and the development will potentially impact on the health and vigour of these trees. As a result the proposal will significantly reduce the existing amenity of the public domain on Castlereagh Street. This is a poor outcome and is not supported.

The Panel has concerns that the proposed single entry/exit on Castlereagh St presents safety risks for pedestrians and recommends exploring alternative locations (i.e. on Bathurst Street) for the site's vehicular entry/exit; in addition, the Panel recommends an amended basement design to provide for appropriate setbacks below ground from the Castlereagh Street frontage, to preserve trees located along the frontage. In the event that removal of these trees cannot be avoided, we recommend replacement with mature street tree planting compatible with the existing, in minimum 200 litre stock.

## 4.2. Built Form + Scale

**Given the unknown future of the low rise commercial buildings at 60 Memorial Avenue, the Panel notes assumptions have informed the current proposal** with regards potential future building envelopes and streetscape. **The forecourt/plaza to the north of the site and a street wall datum are attempts to provide** a cohesive long term outcome.

The Panel is supportive of this plaza to the northern boundary subject to minor changes and/or further information; the scheme can proceed with the Panel's support with the present access arrangements, on presentation of a detailed hard and soft landscape design for the plaza. This should address urban furniture layouts, landscape design and species specification, details of restaurant seating layout, a plan of management for public/restaurant interface including hours of operation and extent of commercially controlled versus fully public space within the plaza. Details of proposed weather protection, awnings, umbrellas, pergolas and the like should also be included.

The Panel recommends consideration of the following factors, as a minimum:

- Weather protection to plaza
- Passive surveillance to plaza and street from within the site
- CPTED objectives including improved sightlines, reduced opportunities for hiding
- Lighting to promote safety, amenity and support aesthetic aims for the plaza
- Opportunities for refuge and weather protection for pedestrians within and around the plaza space
- Ground surface treatments to signify a publicly accessible and welcoming space

## 4.3. Density

- Floor Space Ratio (FSR)  
The Panel notes that the proposal complies with Council's Liverpool LEP 2008 controls for FSR.

## 4.4. Sustainability

- Recommendation 1 – cross ventilated apartments – through articulation of the façade.
- Recommendation 2 – capture and reuse stormwater for irrigation. Include in stormwater report.
- Renewable Energy  
The Panel recommends using photovoltaic technology to generate power for common systems such as car park and common area lighting and basement ventilation. If panels are not provided during initial building construction, at a minimum the building should be future proofed to allow later incorporation of photovoltaic panels (e.g. space for integrating panels onto the rooftop).
- Water Management  
The proposal includes a lot of hard surfaces. The panel recommends investigating opportunities to capture rainwater and stormwater, for retention and re-use on site, including for irrigation.
- Ventilation  
The Panel notes that adequate cross ventilation through apartments will be achieved through articulation of the façade, and recommends including ceiling fans within apartments.

## 4.5. Landscape

- Street Tree Removal  
Refer to recommendations made under Section 41. Context, regarding the proposed

removal of two street trees along Castlereagh Street.

- Deep Soil Zone (DSZ)  
The Panel notes the deep soil zone along Memorial Avenue adjacent to the proposed plaza/eating area. This zone is considered adequate for tree planting as it is adjacent to the public domain. The Panel recommends preparing revised Landscape Plans to incorporate mature canopy trees within DSZ's.
- Communal Open Space  
The proposed communal open space includes a large central area with a swimming pool and other amenities. The Panel recommends including other open space options for residents, including smaller and more intimate passive spaces. The Panel recommends preparing a shade analysis of the communal open space, to determine the impacts of the two-storey podium on the swimming pool.

#### 4.6. Amenity

- Building Setbacks and Amenity  
Refer to recommendations made under Section 4.2 Built Form + Scale, relating to Building Setbacks and Amenity.
- Plaza  
The Panel recommends exploring opportunities with neighbouring tenants to open up both sides of the existing complex located at 60 Memorial Avenue to include outdoor dining and/or furniture which would assist in activating and improving passive surveillance of the plaza.

#### 4.7. Safety

- Crime Prevention through Environmental Design (CPTED) Principles  
The provision of an open landscaped area that is obscured to pedestrians approaching the site from the east does not satisfy crime prevention through environmental design (CPTED) principles. The Panel recommends incorporating landscaping, to help neutralise hiding opportunities behind the existing building. As per recommendation made in Section 4.6 Amenity, explore opportunities to open up both sides of the existing shop located at 60 Memorial Avenue, to assist with activating and providing passive surveillance to the proposed plaza area. Additionally, explore opportunities for night time trading (e.g. restaurant facing the plaza) to assist with passive surveillance.
- Driveway Safety  
The proposal incorporates a single entry point for residential, commercial, retail and service basement parking. This may result in conflicts (e.g. with waste collection and patrons). The Panel recommends separating the residential parking access from the commercial/retail/servicing driveway access. Engage an appropriately qualified and experience Traffic Engineer to prepare a traffic strategy and propose a suitable solution.

#### 4.8. Housing Diversity + Social Interaction

NIL.

#### 4.9. Aesthetics

- Materials and Finishes  
The Panel notes that overall, the buildings are well designed, with an aesthetic logic

around the modelling and changing of texture between the materials of the eastern and western towers.

- Sun Protection

The Panel recommends including high performance glazing with fixed overhangs, to provide sun shading on the lower levels of the building, along Memorial Avenue where western sun exposure will impact internal comfort and amenity.

## 5.0 OUTCOME

The Panel have determined the outcome of the DEP review and have provided final direction to the applicant as follows:

The proposal is commended for revisions to massing and modelling of the towers to improve amenity outcomes for the development and neighbours to the south. The proposal is supported subject to final traffic access design, plaza and deep soil planting details. We request the applicants respond to the recommendations made in this letter, then the plans are to be reviewed remotely by the panel prior to being assessed/approved by Council.

**Attachment 1: Previous DEP Minutes 13 September 2018:**

**MINUTES OF DEP MEETING**

**13<sup>th</sup> September 2018**

**DEP PANEL MEMBERS PRESENT:**

<i>Lee Hillam</i>	<i>Chairperson</i>
<i>Rory Toomey</i>	<i>Panel Member</i>
<i>Alf Lester</i>	<i>Panel Member</i>
<i>Caroline Pidcock</i>	<i>Panel Member</i>

**OTHER ATTENDEES:**

<i>Nelson Mu</i>	<i>Convener</i>
<i>Boris Santana</i>	<i>Planner</i>
<i>Greg Mottram</i>	<i>Planner</i>

**APOLOGIES:**

*Nil*

**OBSERVERS:**

<i>Christian McKelvey</i>	<i>Heritage Property Partners</i>	<i>0439 401 159</i>
<i>Matthew Sofi</i>	<i>Property Owner</i>	<i>0417 434 828</i>
<i>Sam Sofi</i>	<i>Property Owner</i>	<i>0408 434 411</i>
<i>Brian Marcutt</i>	<i>Allen Jack + Cottier</i>	<i>0434 321 826</i>
<i>Selynn Guo</i>	<i>Allen Jack + Cottier</i>	<i>0405 799 789</i>
<i>Carlos Frias</i>	<i>Urbis</i>	<i>0410 315 210</i>
<i>Audrey Chee</i>	<i>Urbis</i>	<i>0410 699 121</i>

**AGENDA:**

**Property Address:** 86 Castlereagh Street Liverpool

**Application Number:** PL-66/2018

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## **1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING**

*The Liverpool Design Excellence Panel (the Panel) comments are to assist Liverpool City Council in its consideration of the development application.*

*The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.*

*The 9 design quality principles will be grouped together where relevant, to avoid the unnecessary repetition of comment.*

## 2. DECLARATIONS OF INTEREST

Nil

## 3. CONFIRMATION OF PREVIOUS MINUTES

Yes

## 4. PRESENTATION

*The proponent presented their proposal for the construction of a mixed-use development of one podium structure, two towers and associated amenities and landscaping. The podium structure will extend throughout the site and contain a mix of commercial, retail, food and beverage and open space. The two towers proposed on the site will include commercial and residential uses. The masterplan proposes increased public amenity along Memorial Avenue including restaurants and cafes adjacent to a proposed public plaza.*

*The proponent's architect briefly explained the scheme as follows:*

- *Residential apartments, retail shops and potentially a supermarket are proposed as part of the scheme;*
- *Retention of solar access to adjoining sites has shaped the built form;*
- *The proponent has attempted to acquire the adjoining site (corner Memorial Avenue and Bathurst Street). Amalgamation has proven difficult given the pattern of ownership;*
- *The scheme provides for a distinct street wall and tower element above; and*
- *The Memorial Avenue frontage is important and the scheme provides for activation via a plaza and restaurant.*

## 5. DEP PANEL COMMENTS

*The 9 design principles were considered by the panel in discussion of the development application. These are 1] **Context**, 2] **Built Form+ Scale** 3] **Density** 4] **Sustainability** 5] **Landscape** 6] **Amenity**, 7] **Safety** 8] **Housing Diversity +Social Interaction** 9] **Aesthetics**.*

*The Design Excellence Panel makes the following comments in relation to the project:*

- ✓ *The Panel appreciated the proponent's presentation which provided a background on the design rationale for the overall development.*



- ✓ *The panel noted that the proposal is within the permissible building height limit but were also advised that the proposal exceeded the maximum permissible FSR for the site. The Panel recommends that the proposal be amended to comply with the permissible FSR.*
  
- ✓ *The proponent advised that the built form, mass and scale of the scheme have been influenced by the objective of minimising the overshadowing impact upon neighbouring sites, particularly the RFB to the south. The Panel supports the aim of protecting the solar access of adjacent sites.*
  
- ✓ *The Panel raised concerns about the isolation of adjoining sites including 60 Memorial Avenue (corner of Memorial Avenue and Bathurst Street) and southern adjoining sites facing Bathurst and Castlereagh Streets. The Panel recommends that the every effort should be made to amalgamate the subject site with the adjoining northern and southern sites to help ensure that a coherent development result for the precinct bounded by Memorial Avenue, Bathurst/Norfolk Street and Castlereagh Street. If the sites cannot be amalgamated the proponent should propose a development that acknowledges and responds to the adjoining sites limited future potential development in terms of urban design, scale, boundary treatment and view lines. Unarticulated zero lot line buildings are not acceptable where the adjacent sites will not likely be developed in a similar way.*

- ✓ *The Panel appreciated that the plaza to Memorial Avenue provides for a greater setback than that identified in the Liverpool LEP. The Panel considered that the departure from the guideline needed to be appropriately detailed and justified. The future development of the adjacent site, and the potential for this site to develop to the DCP set back, must be taken into account.*
- ✓ *The Panel questioned how the demands of the diversity of proposed land uses (including supermarket, restaurant, child care centre, office tower and two residential towers) will be addressed particularly in terms of servicing access to car parking via a single point from Castlereagh Street. The Panel supports the single entry point but questions the diversity of functions that will require car access via this entry. Confusion between supermarket customers, child care customers, office and residential uses is likely. The proponent should make a clearer strategy for addressing the use of the car park.*
- ✓ *The proponent indicated that discussions have taken place with the prospective supermarket operator. Smaller sized trucks, capable of utilising the proposed turntable, will be used instead of semi-trailers to deliver goods.*
- ✓ *Resident access to COS and the swimming pool is inequitable. Residents in the east tower will be required to walk around the building or going down to the basement carpark and then up to the first floor COS. The Panel did not support such arrangements.*
- ✓ *The treatment of the boundary wall and proximity of the car park entry to the existing residential flat building is unacceptable. Modifications to the design are necessary to protect the amenity of those residents.*

**General**

*Note: All SEPP 65 apartment buildings must be designed by an architect and their registration number is to be on all drawings. The architect is to attend the DEP presentations.*

**Quality of construction and Material Selection**

*Consideration must be given by the applicant to the quality of materials and finishes. All apartment buildings are to be made of robust, low maintenance materials and be detailed to avoid staining weathering and failure of applied finishes. Render is discouraged.*

**Floor-to-floor height**

*The panel recommends a minimum 3050 to 3100mm floor-to-floor height so as to comfortably achieve the minimum 2700mm floor-to-ceiling height as required by the ADG.*

***Sectional Drawings***

*Sectional drawings at a scale of 1:20 of wall section through with all materials, brickwork, edging details to be submitted.*

**6. CLOSE**

*The Panel does not support the proposal in its present form. A revised proposal that addresses the issues discussed above is to be referred to the Design Excellence Panel.*