



DESIGN EXCELLENCE PANEL MEETING

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| PROPERTY | 23-35 Atchison Street, St Leonards |
| PROPOSAL | Design concept for an 18 storey mixed use building with a 4 storey non-residential podium |
| DATE | 16 August 2017 |
| TIME | <i>Commenced:</i> 4.15pm <i>Concluded:</i> 5.45pm |
| HELD | Ros Crichton Pavilion, North Sydney Council Chambers |
| ATTENDANCE | |
| <i>Chair</i> | Peter Webber, Community Representative |
| <i>Panel Members</i> | Kylie Legge; David Tordoff |
| <i>Council staff</i> | Emma Booth; Yi Ho; George Youhanna |
| <i>Proponents</i> | Tony Polvere (ppd); Gavin Zhang (TWT); Jim Koopman (AJ+C Architects); Nelson Silva (TWT) |

Background

TWT Group has a 7,700sqm landholding on the eastern edge of St Leonards. 23-35 Atchison is the southernmost site within the landholding and is approximately 2,100sqm.

Yi Ho presented an overview and context of the scheme and initiated a discussion on key issues of the proposal prior to the site inspection. Following the site inspection, the proponents presented the scheme and took questions from the Panel.

The site is zoned B4 Mixed Use under North Sydney LEP 2013, with a maximum height of 20 metres.

The TWT landholdings fall within the *St Leonards / Crows Nest Precincts 2 & 3 Planning Study* (the Planning Study). The Planning Study was adopted by Council in 2015. It states that planning proposals for greater density and height within the study may be considered, subject to a design process and meeting a suite of design principles for additional height.

The Planning Study recommends either an amalgamated 16 storey podium and tower built form for 23-35 Atchison Street or a masterplan option for the TWT landholdings as a whole. This proposal is a discreet design concept for 23-35 Atchison St.

It is worth noting on 14 April 2015 the Design Excellence Panel considered Auswin's earlier proposal for the landholdings, including the subject site, as part of a broader review of submissions received during public exhibition of the draft Planning Study. The Panel made a number of recommendations to Council that informed the finalisation of the Study. On height, the Panel recommended: *"the maximum height on the Auswin landholdings should be more in line with the draft study (13 storeys) and should not exceed 16 storeys"*.



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Proposal

The proposal is a mixed use 18 storey building with a 4 storey commercial podium. The building has a non-residential FSR of 2:1 and a total FSR of 6.8:1.

There is a nil whole of building setback along Atchison Street with a 6 metre double storey ground level setback along Atchison Street, 5m whole of building setback along Oxley Street and 1.5 metre whole of building setback along Albany Lane. The proposal has a 6m wide laneway along its western boundary.

Panel Comments

The Panel notes that this type of development could potentially make a positive contribution towards the revitalisation of St Leonards, and that the indicative architectural forms as suggested in the submission are in themselves of good quality.

However, the Panel raises strong concerns regarding the scheme's impact on the amenity of the existing, and any future, development to the south and is unable to support the scheme in its present form.

The following issues were discussed:

Height and solar access

- The proposal substantially exceeds the maximum height limit of 20 metres in the North Sydney LEP 2013, and is two storeys above the 16 storeys under the Planning Study. In terms of scale, it is noted that there may be limited difference in perceived height between a 16 and an 18 storey building, however there will be additional overshadowing impacts.
- The information provided in the submission suggests the proposal will:
 - Create some additional overshadowing of the proposed Hume St Park upgrade;
 - Overshadow some podium-level dwellings at 7-19 Albany Street; and
 - Create an unacceptable level of overshadowing of the 6-storey mixed use developments at 30-36 (Encore) and 46 Albany St (Aria). Encore and Aria already have limited solar access to living areas given their main address faces south onto Albany Street and their secondary, northern frontage is to the narrow, Albany Lane.
- No additional overshadowing of the future park is acceptable. Given it occurs around 2.30pm mid-winter, reconfiguration of the mass of the top floors may prevent this.
- Solar access to Encore and Aria has not been adequately considered or resolved. The built form must allow adequate solar access to these buildings. Any revised proposal could include consideration of:
 - A proposed tower form that is less wide in the east/west direction, particularly along the southern façade;
 - Greater podium and tower setbacks to Albany Lane, with possible redistribution of GFA to the north of the podium;



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- A building form that cantilevers the tower out above the solar access plane to Encore and Aria may also be worth considering.
 - To enable further consideration of the revised built form, more detailed solar analysis is required. This must include:
 - Tables and diagrams that compare available solar access with the existing buildings on the site, a compliant 20 metre high building, the current 18 storey proposal and the revised proposal.
 - The above tables must explicitly identify the location and number of affected apartments in each circumstance, including those that will achieve less than 2 hours of solar access a day.
 - An assessment of the requirements of the Apartment Design Guide Objective 3B-2. Against a benchmark of a compliant 6 storey building envelope, tables should identify any residences where solar access becomes less than 2 hours and where solar access is further reduced by more than 20%.
 - Solar access diagrams should also consider the impact of future development of the owner's other sites to the north. An indicative mass based on the Planning Study could be used.
 - There needs to be clear public benefits associated with the scheme to justify an additional two storeys. Justification in terms of the provision of a new laneway and a 0.5:1 non-residential FSR increase is questionable. The laneway addresses the isolation of 21 Atchison Street and mitigates the impact of the development on dwellings south of Albany Lane. The increase in non-residential FSR represents a commercial benefit. The departure may also set an unacceptable precedent for surrounding development. Notwithstanding, there may be an argument to retain an 18 storey height if solar access complying with ADG recommendations to Encore and Aria is achieved via a reduced tower and podium footprint.

Tower setbacks

- The 23m built form width is acceptable provided design guidance under SEPP 65, the Apartment Design Guide and the above concerns regarding solar access can be addressed.
- The 12m separation distance between the south face of the residential tower and the centreline of the laneway is supported provided the above concerns regarding solar access can be addressed.

Podium height and form

- The increase in non-residential FSR from 1.5:1 to 2:1 to achieve a full commercial podium is supported.
- The podium height on Atchison Street is predominantly 3 storey due to the level changes across the northern frontage. A 4 storey podium height at the north western end of the site (in lieu of the current 3 storeys) would better integrate the building with the adjacent context to the west.



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- The proposed 'vertical cuts' on the north façade of the podium will make the commercial floor plate very difficult to tenant. These 'vertical cuts' should be reconsidered to create a floor plate that better supports a range of non-residential uses.
 - Utilising 'horizontal cuts' in the south of the podium to improve the view aperture from Encore and Aria is supported. These 'horizontal cuts' could be widened/ lengthened and any commercial space lost as a result transferred to the north of the podium in lieu.
 - Horizontal cuts' in the south of the podium is also likely to result in a more consistent podium height in the laneway.
 - Street activation opportunities, including all four corners of the development, should be maximised.

Podium setback to Atchison Street

- The Panel notes the proposal departs from the 3 metre whole of building setback to Atchison Street under the *North Sydney DCP*, the *Planning Study* and *St Leonards Public Domain Upgrade Plan*. It is understood this control serves as a transition between Crows Nest and the denser built form of St Leonards. It enables large canopy street trees and better sunlight aspect to the street.
- Extending the podium to the lot boundary for the two upper podium floors represents a loss of public amenity.
- Further, awnings along Atchison Street at its highest point are two storeys high. These may not be sufficient for weather protection, particularly at times of heavy rain.
- The Panel notes, however, the zero podium setback will be more consistent with the built form to the west, provided the podium is strengthened from its current, highly articulated design, as discussed above.
- At a minimum, the proposal's built form should provide for unimpeded, undercover public access and large canopy street trees. One option may be to retain the 6m 2-level setback, as proposed, but require 1.5m from the lot boundary to be provided at grade for public access. The remaining 4.5m setback can be used for terraced seating. This may reduce the need for a full 3m awning over the public thoroughfare.

Podium facades

- The podium façade to the north appears residential in character, a façade approach that better reflects the desired non-residential character of the podium should be considered.
- The upper level eastern facing podium façade appears very solid, facades that enhance passive surveillance and activation towards the new park should be considered.

Isolation of 21 Atchison Street

- The potential isolation of 21 Atchison Street is of concern, however the Panel is of the view that providing a public laneway along the western side of the site will



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enable the redevelopment of 21 Atchison St to accommodate an 8 storey mixed use building with good solar access. 21 Atchison Street's outlook onto the laneway will need to be protected via an appropriate ownership arrangement or alternative.

- Shared basement access to 21 Atchison Street is supported.
- Any redevelopment of 21 Atchison Street should be built to cover up existing blank walls on 15 Atchison Street.
- The gap between the awnings on 23-35 Atchison Street and a re-developed 21 Atchison Street would not provide consistent weather protection. This is highly desirable.

Public benefits

- The 5m full building setback to Oxley Street to provide the linear park is supported.
- It is understood Council has accepted the laneway as a public benefit. In addition to benefits outlined above, the laneway has the potential to make a positive contribution towards the placemaking and accessibility of St Leonards.
- Further clarity is required on the proposed ownership arrangement of the new laneway and 5m setback for the linear park to secure these benefits in perpetuity.

Conclusion:

Based on the information provided, the current proposed building envelope cannot be supported. It is recommended that a revised concept proposal is submitted with the additional information requested above.