

# Response to minutes: Urban Design Panel

**Note:** This document takes the form of a response to the minutes form the below UDCG Panel meeting, and discussing changes or design responses where relevant.

## 12 December 2019 Meeting - Item No. 2

---

<b>Date of Panel Assessment:</b>	12 December 2019
<b>Address of Project:</b>	118A Soldiers Point Road, Soldiers Point
<b>Name of Project (if applicable):</b>	N/A
<b>DA Number</b>	18-2019-64-1
<b>No. of Buildings:</b>	One building across three stages
<b>No. of Units:</b>	68
<b>Declaration of Conflict of Interest:</b>	Nil
<b>Attendees:</b>	<u>Applicant</u> Kelly O'Connell - Architect Matthew Brown - Planner Erin Daniel – Planner Simon Lack – Client Nick Sovechles – Client  <u>Port Stephens Council</u> Rean Lourens – Planning and Developer Relations Coordinator

## Background Summary

---

### PANEL

The proposal was presented to the panel in an early Pre-DA form, with a view to receiving feedback in relation to possible support for an application for a revised Site Compatibility Certificate. The Certificate would replace the current version, which permitted an existing development approval, obtained in 2014 for the site. Blocks A and B have been constructed under the current approval, but the owner has commissioned advice in respect to possible alternative layouts, in the light of the

# Response to minutes: Urban Design Panel

presence of extensive areas of hard rock that would be required to be excavated for construction of the remainder of the approved design.

## RESPONSE BY APPLICANT

***Noted.***

### **1. Context and Neighbourhood Character**

---

#### PANEL

The site is located on the eastern side of the Soldiers Point peninsula and has freestanding single residences to its northern and western boundaries. To its south is a tourist park, consisting primarily of freestanding short-stay cabins. Immediately to the site's east is the open, at-grade car park of the Soldiers Point Bowling Club, beyond which is the Club itself. The scale of buildings in the area is primarily of one or two storeys.

The existing approval is for an additional three long blocks of 2/3 storey residential units that are closely situated to each other, and are primarily orientated to the north. To the eastern edge of the site a further two smaller blocks are proposed to be situated on the edge of the Club car park. The ground plane surrounding the approved dwellings is largely taken up with driveways and exposed car parking that continues under the eastern two-thirds of each block. There is very limited opportunity for any landscaping between the approved blocks due to the presence of driveways and open car parking.

The site rises quite steeply towards its north-western corner, and the approved but unconstructed units rise with the topography of the site, to a maximum roof ridge level in the order of RL 26.4m. The close proximity of the approved blocks to one another, coupled with the fall of the land, create substantial overshadowing of other units on the subject site, with the exception of those closest to the northern boundary.

## RESPONSE BY APPLICANT

***Noted.***

### **2. Built form and scale**

---

# Response to minutes: Urban Design Panel

## PANEL

The proposed seven storey building is quite a different form to the primarily lowerscaled buildings in the immediate area, although the Salamander Shores hotel is within the broader visual catchment, and is also a comparatively tall building, the perceived height of which is exaggerated by its being situated on a small knoll. While a single, tall block with apartments facing east and west is not a form that might be expected as an initial response to the context, it was considered by the panel to have a range of positive benefits as compared to the approved development. These identified benefits are considered to go to both residents in surrounding dwellings to the west, and to existing and future residents on the subject site. Substantially increased separation distances can be achieved by the new development from residences in Ash Street and Grandview Close to the west and north of the site. The concentration of dwellings in an apartment building also allows retention of existing trees on the higher part of the site, and a more attractive and generous area that offers good potential for an attractive landscape treatment for residents.

The maximum height of the proposal is 4.4m higher than the maximum roof height of the northernmost approved block. However, the proposal is viewed at a substantially increased distance from the residences above the site in Ash Street and Grandview Close, and the retention of existing trees and the potential addition of landscaping will add to a leafy outlook. The architect tabled some block diagrams that she had prepared for her own background information, that examined view impacts from three existing residences in Ash Street, one in Grandview Close, and from the completed Block A on the subject site. Though not intended as a presentation document, the block renderings appear to confirm that from these locations, the retained visual aspects from these nearby existing dwellings are clearly more appealing than would occur if the closer approved development were constructed.

## RESPONSE BY APPLICANT

***We appreciate the Panel's understanding of the reasoning behind this very different proposal and the opportunities for improved amenity it presents for all parties.***

***Since the Pre-DA submission additional work has been undertaken in regards to both the building and the landscape proposals.***

***We note that the highest ridge of the proposed building is now slightly higher than at pre-da- at 5.6m above the approved ridge, however the actual impact of the roofline has been reduced.***

***This has been achieved by addressing another of the panels comments regarding greater articulation of the roofline. Previously the proposal had a consistent ridge line and height- all at the maximum level to accommodate clerestory windows which were only in key locations.***

# Response to minutes: Urban Design Panel

***The proposal as revised has dropped the general roof line in the areas where it is not providing clerestory benefit, and slightly raised it only in these areas so that the vertical window opening now is enough to allow for ventilation as well as light (without water entry problems).***

***The draft view impact diagrams are now included in the submission- it is noted that these are modelled in block form on the RL's from the stamped approved documents, but do not represent the full detail of the approved proposal (windows, balconies etc due to the substantial time involved). When these are considered the actual privacy impact of the approved design (not just the impact and proximity of bulk) and the substantial benefits of the new proposal become only more evident.***

## 3. Density

---

### PANEL

The panel was advised by the proponent that the number of dwellings achieved under the revised model would be slightly less than that achieved under the approved development. The panel indicated that any possible forthcoming support for the revised concept would be contingent in there being no additional floor space to that already approved.

### RESPONSE BY APPLICANT

***Noted. The proposal as discussed is a reduction in dwelling numbers. The applicant confirms there are 74 units approved but not yet built.***

***The proposal now has only 68 units.***

## 4. Sustainability

---

### PANEL

Although the majority of the approved dwellings are orientated nominally to the north, the close proximity of one block to the next, and the fall of the land greatly reduce the opportunity for desirable northern sun. The proposed single block is orientated such that its water-view apartments face just north of east, meaning that the “garden-view” apartments on the other side of the corridor face slightly south of west, which would result in a greater summer afternoon sun exposure and less winter sun. It will be

# Response to minutes: Urban Design Panel

important to provide orientation-specific sun shading for openings to reduce summer sun impacts.

The reduced area proposed for exposed driveways and open air car parking is considered a more sustainable approach, and it is highly desirable that shade trees be introduced into the existing car parks of both the Club and the residences to reduce what appears to be a considerable expanse of heat-absorbing hard stand.

## RESPONSE BY APPLICANT

***Noted.***

***As discussed in detail in the Design Report, the NEasterly units receive 3 hours of sun midwinter, and the Swesterly units receive 2 hours, this being achieved by not providing an overhang to the loungeroom windows. It is noted however that the loungerooms also have large balconies and sliding doors to the side- this means that the overall heat load is minimised whilst still allowing the option of midwinter sun through the smaller front windows.***

***It is noted that many units are provided not only with deep balconies but also with operable louvre screens. We note it is important that these remain operable when constructed as they provide an important role in managing sunlight.***

***The proposal has not only retained existing trees but added many more trees to not only the rear gardens but to the carpark areas.***

***Refer Landscape Plan.***

***The proposal now has only 68 units.***

## **5. Landscape**

---

### PANEL

The retention of the open space and the associated increase in deep soil area between the western façade and boundary is positive outcome of the new design, as is the potential for retention of existing vegetation.

# Response to minutes: Urban Design Panel

The panel commented that the opportunity exists to provide a better interface between the ground floor and the green space by avoiding following the basement line and integrating a more naturalistic transition for the courtyards and communal terrace.

Considering the extent of hard surface with the combination of the carpark and the eastern façade, it is highly recommended that appropriately scaled shade tree planting be integrated into the carpark to provide shade, improve the outlook for residents and visually soften the view to the façade.

## RESPONSE BY APPLICANT

### ***Refer landscape plan***

***While the landscape plan shows courtyards still following the basement line it is suggested that opportunity clearly exists to soften this further and 'blur the edges'.***

***The architectural plans propose to fill the 'gap' between the building and the corresponding contour on the hill, thus allowing an at grade connection and an area of level ground.***

***It is suggested that keeping the fences where shown but providing additional tree planting and garden beds in a more natural shape on the 'communal' side may achieve this. There may also be potential for a connecting pathway between these courtyards and the main communal space.***

***The landscape masterplan now proposes an additional area of communal terraces to the rear of the site.***

### ***Refer landscape plans.***

***Additional trees are proposed within the carpark- it is noted that the pre-da plans and 3d views did not illustrate the existing trees within the carpark which contribute by softening the visual interface between the public and private realms. These are now added to plans.***

# Response to minutes: Urban Design Panel

## 6. Amenity

---

### PANEL

The panel expressed concern in relationship to how one approaches the residential area through the Club car park – both by car and particularly as a pedestrian. This applies equally to both the approved design and the revision. A minimal setback of a few metres is proposed between the tower's eastern side and the eastern boundary of its lot – which corresponds approximately with the car park's western edge. This needs further consideration both of terms of how the building appears, its opportunity for landscaping on the eastern side, and to its ongoing viability as a residential building should the Club land be in the future developed or sold. The Apartment Design Guide requires a 9m setback to the boundary for a building of this height, and it is important that a mechanism be applied – such as a boundary adjustment or an addition to the land title of the Club that provides an enduring assurance that a future development does not occur at an inappropriately close proximity to the residential building.

### RESPONSE BY APPLICANT

***Refer planning response***

### PANEL

In addition to this, a pleasant, safe, landscaped walkway needs to be defined allowing a pleasant, shaded approach to the residential area from Soldiers Point Road. This should be accompanied by car park landscaping with shade trees, to reduce the heat-island effects and provide a more appropriate foreground to a large residential building.

### RESPONSE BY APPLICANT

***A new landscaped walkway is proposed from Soldiers Point Rd to the main entry of the club, where the existing pedestrian crossing leads to Greenside through the carpark. An additional path is also proposed in the landscape plans linking the new stages to the existing stage and pedestrian crossing.***

***Refer landscape Plan for detail.***

***Refer Planning Response.***

# Response to minutes: Urban Design Panel

## PANEL

The nature of the long internal corridor was questioned by the panel, particularly in the absence of the ADG required natural light and ventilation to the corridor at multiple locations along its length. Access along the corridor should not be interrupted by any need to traverse fire stairs.

## RESPONSE BY APPLICANT

*The pre-da proposal broke the corridor intentionally into separate cores with the solid wall of the fires-stair. While it was still possible for residents to use the fire-stair to cross between stages we understand the panels comments that if social connection is a driving feature of the design then it would be more pleasant for everyone if the connection was a more open one.*

*The proposal as revised has relocated the 2 fire stairs.*

*The first is relocated so that it no longer separates Stage A and B, leaving the corridor open and letting more natural light and ventilation in. While this is a much more pleasant area it does have the effect of causing a minor non-compliance with the sepp requirement as 9 units (not 8) now share the corridor. The benefits in this situation however clearly outweigh any additional impact, particularly in this environment which genuinely acts a community and has frequent social interaction between residents.*

*The second fire stair is relocated from the end corridor in Stage 2C. It previously closed off the corridor from natural light and ventilation, now, this remains as an open window at the end of the corridor, potentially with some pretty fantastic views at upper levels.*

*It is noted that at the completion of each stage a window is provided at the Northern end of the corridor, only to be removed on construction of the next stage.*

## PANEL

Consideration should be given to noise impacts of later stages of the development – particularly from mechanical noise transmitted through party walls.

# Response to minutes: Urban Design Panel

## RESPONSE BY APPLICANT

***Noted. It is suggested that a special acoustic treatment may be required to the units adjacent the next stage. This should be confirmed by an acoustic engineer prior to Construction certificate.***

## PANEL

It may be an option to create a modest sized space (say 3m) between stages, with a glazed section of corridor joining them. This would also provide some needed articulation to a long, unbroken façade, and would potentially introduce some needed crossventilation.

## RESPONSE BY APPLICANT

***The option of splitting the building further has been investigated, and the intent of the above suggestion is understood.***

***The option of entirely dividing the stages into separate buildings was briefly considered however the sense of connectivity and social interaction and the ease of access to shared facilities left this an undesirable outcome overall.***

***The option of splitting but retaining a link was investigated further, however the subsequent unit loss to achieve this option when applied over 2 x 3m 'breaks' was effectively 2 units per level (approx. 11 units) which genuinely rendered it unviable when compared with the current approved DA. The solution became to return to a scheme which covered the majority of the site again.***

***If the breaks were reduced in size to say 1m the losses were still significant in terms of yield as unit types and bedrooms, and the benefit for cross ventilation became void.***

***Instead the approach taken to address the issues raised as well as maintain a viable project was 2 fold:***

- 1. to articulate the building form to achieve greater visual stepping and reduction in visual bulk, and***
  - 2. to improve natural ventilation and light to both corridors (as described above) and to units on upper levels.***
- 
- 1. The façade has been adjusted with additional stepping at key locations- these are achieved through indented balconies with minimal loss to***

# Response to minutes: Urban Design Panel

*individual unit amenity. The roof line is substantially amended to also reflect additional stepping in form, breaking the eave and ridge lines. Simple vertical elements or 'blades' are introduced at key locations to further break the form.*

- 2. To improve natural light and ventilation to corridors both fire stairs have been relocated. This ensure s natural light and ventilation is retained to corridors even after completion of stage 2C. We note that on level 6, 2 x 2 storey voids have been introduced adjacent to the lifts, bringing natural light and ventilation into the Level 5 corridor from the roof above. Units on the top floor now all have ventilated skylights or clerestory windows for cross ventilation.*

*While we understand that a 38% compliance for cross ventilation is below the sepp 65 requirement we genuinely believe that the amenity of these seniors living dwellings with their large balconies, windows in multiple orientations, and sense of connectedness to neighbours and to their shared facilities such as gardens, common rooms, pool areas and terraces etc warrants support.*

## 7. Safety

---

### PANEL

The design is still in a schematic form, and pathways and landscaping have not yet been considered. Way-finding, fencing, security and the resolution of potential pedestrian/ car conflicts need to inform the ongoing design.

### RESPONSE BY APPLICANT

***Refer updated Landscaping plans***

***Refer CPTED report***

## 8. Housing Diversity and Social Interaction

---

### PANEL

The apartment mix appears appropriate.

# Response to minutes: Urban Design Panel

The impact of the development on surrounding residents needs to be carefully considered. The panel was advised that multiple presentations of the proposal by the Club had received very positive feedback from local residents, which is considered to be an important aspect to any consideration of the proposal. As the site does not have a height control, and as the proposal is of greater height than the immediate surrounding development, it is considered important that a high level of local acceptance / support can be demonstrated for the proposal.

## RESPONSE BY APPLICANT

***Noted. All plans are not only considered by the Board but by club members and consultation with neighbours and with existing residents is key in informing the design strategy and maintaining the good reputation of the club.***

***While it is of course possible that any proposal may not be able to satisfy everyone, to date it appears that the genuine attempts to provide a better design outcome for all parties have been well received. The reduction in visual, privacy and shadowing impacts when compared to the approved proposal are real and we hope the submitted documentation assists in further illustrating this.***

## PANEL

The potential for a very attractive landscape outcome on the residential site was acknowledged, and opportunities for resident activity – such as walking trails, seating, and possibly some simple exercise stations or activity points can be explored, as well as an attractive soft landscape scheme. The upper level common room was supported, as were smaller casual seating spaces on each floor.

## RESPONSE BY APPLICANT

***Refer updated Landscaping plans for common landscape detail***

***Relocation of the firestairs has provided an additional opportunity for seating at the Northernmost end of the corridor, where there are potentially excellent views available from upper levels.***

# Response to minutes: Urban Design Panel

## 9. Aesthetics

---

### PANEL

The treatment of the building exterior is currently in preliminary form, but the inclusion of primarily solid balcony balustrades and adjustable screens on balconies was strongly supported, as were the colours and finishes generally. Some additional articulation of the façade, and the roof was considered desirable – which might well go to inserting some breaks in the long form of the building.

### RESPONSE BY APPLICANT

***As discussed above additional articulation has been incorporated into the design including eave lines, roof forms and ridge lines, colours, recessed elements and vertical breaks. The proposal as amended will sit comfortably at the completion of each stage.***

### PANEL

The location of the building, and particularly its presentation from the east as it is approached from the street, need additional consideration, with the overall combined site being taken into account.

The building's visual impact from outside the site should also be considered, including views to it from surrounding streets.

### RESPONSE BY APPLICANT

***The proposal when viewed for the street is barely visible above the existing club due to the height of existing trees and structures. (refer 3d view)***

***As one enters the site and the carpark the building becomes more apparent, or as one travels further from the site the building may possibly be seen- however from a distance it is always seen against a backdrop of the hill behind with partial tree canopy above the ridge. If the building were located at the top of the ridge its impact would be much greater. When height of existing tree canopy and buildings opposite are taken into consideration it is clear that the visual impact of the proposal can be considered as 'proximate' not 'distant'.***

# Response to minutes: Urban Design Panel

## Amendments Required to Achieve Design Quality

---

### PANEL

It is acknowledged that the design is in its fairly early stages, and to date the architect's brief limited to the area of the current Site Compatibility Certificate. The brief needs to be broadened to take in the club site, and an urban design consideration of the overall development in relation to pedestrian access and movement, and how the development is perceived from outside the site.

### RESPONSE BY APPLICANT

***a landscape architect has been engaged to provide a landscape masterplan. The masterplan includes a new entry pathway and further landscape to provide additional amenity and improve wayfinding not only for the new buildings but existing residents and visitors.***

***This will be a valuable addition.***

***Issues regarding ROW and/or guaranteeing front setbacks are maintained into the future are addressed by the town planning report.***

***Additional articulation and development of the built form have substantially improved its presentation as well as amenity for residents.***

## Recommendation

---

### PANEL

The panel sees merit in the proposal, and subject to design development along the lines discussed under the headings above, and subject also to ongoing local community support, the proposal offers the prospect of achieving a positive built outcome for its residents and the community - particularly when considered in comparison with the current approved design – which has a range of shortcomings.

# Response to minutes: Urban Design Panel

## RESPONSE BY APPLICANT

*We thank the panel for its consideration of this new design direction. We believe the proposal will create dwellings of excellent amenity.*

*While the Architect does not compare to previous proposals or current approvals to justify the quality of this design, it is realistically still in the light of the current design that the financial viability and community benefit of any new proposal is judged.*

*It is hoped that the design as proposed not only stands alone as a good design outcome for the site and its neighbourhood on its merits but also balances the commercial needs of the client so that this much improved outcome can become a reality.*