



Urban Design Review Panel comments and Pre-lodgement Notes

PROPERTY: Allengrove Major Project site
(1-9 Allengrove Crescent, 116A-122B Epping Road &
259-263 Lane Cove Road, North Ryde).

MEETING DATE: 19 March 2013 **TIME:** 10 30am

PRELODGMET No: PRL2013/7

DEVELOPMENT: Residential Flat Buildings (Major Projects Concept Plan)

ATTENDANCE: **Urban Design Review Panel**
Deena Ridenour
Geoff Baker
John Wilson

Prelodgement Panel:
Glenn Ford Ahmed, Client Manager
Vince Galletto, Client Manager

Proponents:

Michael Baker SJB Planning
John Prudell SJB Architects
Marcus Lewin SJB Architects
York Zue, Arise Constructions

NOTES FOR PROPONENTS

The purpose of the meetings is to discuss your proposal with both Council's Urban Design Review Panel (UDRP) and Prelodgement Panel. The UDRP and Prelodgement Panels will endeavour to provide information which will enable you to identify issues that should be addressed in any application.

However, the onus remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of the application. The Panel's comments are based on the level of information you have provided in those meetings.

The UDRP and the Prelodgement Panel's advice and comments do NOT constitute a formal assessment of your proposal and at no time should these comments be taken as a guarantee of approval of your proposal.

URBAN DESIGN REVIEW PANEL COMMENTS

General Comments

This proposal is based on an earlier concept plan which received Concept Approval under Section 75O and 75P of the Environmental Planning and Assessment Act 1979. There are a number of differences between the Concept Approval and the proposed DA which is the subject of this review.

The current proposal is for a residential development with two levels of basement parking and 179 units in five buildings which range in height from three to five stories. This is the first time the Panel has reviewed this proposal.

The Panel notes that there are aspects of the proposal which it regards as unsatisfactory, such as the lack of useable communal open space, but that these are part of the Concept Approval. A better approach to site planning would see greater building heights on the northern corner of the site, allowing building footprint to be removed elsewhere and meaningful open space provided in its stead.

Taking note of the immediate context of the site, the Panel believes that the massing and heights in relation to the abutting neighbours are satisfactory.

Relationship to Nimbin Reserve

This small piece of public open space is bounded on two sides by the subject site. Buildings A and E have end walls that face the reserve, with only minor windows in those walls. In addition to safety and security concerns, this is a missed opportunity. At a minimum, the apartments adjoining the end walls should be reoriented so that their private open spaces and living areas face the reserve. The Panel recommends a further change in which the two end units on each floor of each building are replanned so that they both face the reserve.

Public Thoroughfare

A public pathway is proposed within the site along its southeast boundary. The Panel is not convinced of the need for this pathway, since it serves only the Allengrove Crescent cul-de-sac. If it is to be included in the proposal, the Panel comments as follows:

- The end facades of Buildings A, B, C and D facing the pathway should have larger openings, particularly to living areas, to provide greater visual surveillance of the pathway
- The project's Communal Gardens face south and may be subject to vandalism. They should be relocated to the secure external areas within the development
- Adequate lighting is essential
- The stepped buildings and fence alignment provides opportunities for concealment. The edges of the link should be redesigned with clear sight lines to improve safety and security for pedestrians. Entries to the development should be more highly visible along the link.

Ground Floor Unit Access

The Panel questioned the lack of direct access from the street for ground floor units facing Epping and Lane Cove Roads. Whilst it is appreciated that in some cases level

differences do not reasonably permit this, it may be possible for some units to have direct access, particularly along Epping Road. The Panel requested that this issue be further investigated.

It is recommended that the direct access to ground floor units along Allengrove Crescent be replanned so that each unit has its own direct pathway to the street. High walls at street level should be avoided.

Where there is limited or no direct access from the street the pedestrian entries require greater emphasis. This will help with the transition between the public and private domain and improve the visibility of the circulation.

Circulation

The north-south pedestrian access way within the development steps around buildings, resulting in poor sight lines and wayfinding. Its maze like character is dominated by ramping with little space remaining for any meaningful vegetation. As the main circulation spine within the development, which will be highly used by residents and visitors, the legibility of this space should be improved.

Internal pathways are dominated by high retaining walls and fences to private spaces (Section 01 and 02).

Greater consideration of the pedestrian spaces within the development is needed to provide better human scale to the space and to provide a balanced approach between privacy and outlook within communal and private areas. Stepped retaining walls and planting could assist.

More emphasis on the pedestrian entries into the site is recommended.

External Open Space

If the widths of Buildings A, B and C are reduced as described under "Lightwells" below, the amount of open space between these buildings would increase. This additional open space should be located between Buildings B and C to consolidate it in one location and provide some hierarchy to the spaces within the site. The Communal Gardens could be relocated to this space.

The Panel is not convinced the green roof over the car park entry ramps is beneficial other than as a cosmetic treatment to the exposed roof. Further consideration to the extent of this space and its impact on the pedestrian space adjoining buildings C and D is needed.

Lightwells

The proposal includes lightwells to Buildings A, B and C. These were not part of the Concept Approval design. The Applicant indicated that these lightwells provide cross ventilation to the associated apartments and that these apartments are included in the total count of cross-ventilated units for the development. The lightwells are approximately 2.5m wide and on Site Section – 02 appear to extend down into the basement parking.

The Panel questions the efficacy of the lightwells for cross-ventilation and views them as unacceptable because of the potential for noise and odours to travel between units. They are up to five times taller than they are wide, and would therefore offer little daylight to adjoining spaces, particularly on the lower levels.

If the lightwells were removed, along with the adjoining internal rooms (refer below), the overall width of the buildings could be reduced to a footprint similar to that of Building D, thereby increasing the width of the external spaces between the buildings.

Internal Spaces

The single aspect units in Buildings A, B and C include an internal room facing a lightwell. This room appears to be shown on the plans as a study, but could easily be converted into a bedroom. The amenity of these rooms is unacceptable and they should be removed.

The single aspect units in Buildings E also have internal spaces without direct access to light and air. They should also be deleted.

Bedroom Windows

The bedrooms to the single aspect units in all buildings have a solid external wall and receive light and air solely from the adjoining terrace or balcony. It is recommended that operable windows be provided in the external walls. This will assist natural ventilation. If traffic noise is an issue, the windows can be closed and will then still provide morning sunlight to these bedrooms.

Natural Cross-Ventilation

It is understood that the Applicant's estimate of the total number of cross-ventilated units relies on the inclusion of single aspect apartments which connect to the proposed lightwells. As noted above, the Panel does not accept that the lightwells can be relied upon for natural ventilation. It notes that in the Concept Approval the number of units served by a lift and stair was typically three, two naturally cross-ventilating and one single aspect. In the current proposal each lift and stair generally serves four units, two naturally cross-ventilating and two single aspect. The percentage of units naturally cross-ventilating is therefore expected to be less than the 60% standard in the SEPP 65 Residential Flat Design Code.

Sunshading

Whilst metal screens are provided for sunshading on most elevations where they are required, there are some locations where screens are not shown, but are necessary (the West Elevation facing Lane Cove Road for example). All openings receiving sun west of due north should have screens.

Elevations

It is noted that if windows to the bedrooms in single aspect apartments are provided (refer bedroom windows above) the corresponding elevations will be improved by reducing the perceived mass of the external bedroom walls.

The Panel also notes that the North Elevation facing Epping Road, and to a lesser extent the West Elevation facing Lane Cove Road, are less visually interesting than other elevations within the scheme. It is recommended that the North and West Elevations be enhanced along the lines of the other elevations to provide greater articulation and visual interest and reduce their perceived scale.

PRELODGEEMENT MEETING NOTES

Description of Proposal

The proposed development is five residential flat buildings ranging from 2 to 5 storeys in height containing 179 units with parking for 218 cars in 3 basement areas. Design parameters relating to the height and footprints of each building have been set by the Concept Plan approval issued by the Department of Planning and Infrastructure for MP10_0037.

Urban Design Panel Matters

The proposal has been reviewed by Council's Urban Design Review Panel which has raised several concerns. The proponents are strongly encouraged to consider the comments in any review of the proposed design. In any future Local Development Application (LDA) submission, advice is required that shows how the comments of the UDR Panel have been considered and where applicable, how the design has been amended to address any issues or concerns raised. Similarly, the reasons for not implementing changes should be clearly documented. This presentation may be in the form of a table

The changes suggested by the Urban Design Review Panel, if implemented, will result in an amended design for the project. It is recommended that a further Prelodgement meeting should be held prior to lodging any LDA.

Submitted Information

The proponents submitted plans, elevations and a report addressing issues for the proposal. A report and plans showing how the development fits into the Concept Plan building envelopes and what variations are proposed was also submitted.

Draft Ryde LEP 2011 & Draft Development Control Plan 2011

At its meeting of 12 March 2013, Council endorsed Draft Ryde LEP 2011. The Draft Plan has been forwarded to the Department of Planning and Infrastructure for consideration. If the Draft LEP is gazetted, then Council's Development Control Plan 2011 becomes effective. If the LEP is gazetted before this application is lodged, the LDA submission needs to address any relevant changes in the new DCP. For the most part, this may be confined to changes in terminology and procedure but it should be noted that Draft DCP2011 does not include an existing Part that deals specifically with Residential Flat Buildings (DCP2010 – Part 3.4 Residential Flat Buildings and Multi Dwelling Housing (not within the Low Density Residential Zone)). The subject Part was seen to apply to subject proposal on the basis that the character of the development is high density although the underlying zoning is low density. Under any new DCP2011, the Part will no longer apply.

CONCEPT PLAN ALLENGROVE SITE

The Concept Plan application for the Allengrove site as a Major Project has been handled by the NSW Department of Planning and Infrastructure (DoPI) and its predecessors. Following amendments to the Major Projects State Environmental Planning Policy, Council is now the assessment authority for future phases of development on the site and depending on the value of individual developments, the Sydney East Joint Regional Planning Panel is the approval authority for residential developments exceeding \$20 million in value.

As such, your application is the first application for this site to be submitted directly to Council. Therefore, the application needs to be tailored specifically to the needs of Council so that it can clearly and effectively execute its obligations under the Environmental Planning and Assessment Act and in accordance with the plans, policies and expectations of Council and its community. The proponent needs to understand that the Council requirements for a lodging Local Development Application will be different to those for a Major Projects application to a State Government authority. In practice, this may require a revisiting of some past matters in order to inform and engage Council including a number of new Councillors who will not be familiar with the history of the project and some of the individual issues that arise as a result of that history.

The Concept Plan application was also the subject of concern for local residents and community groups. Any development application will be deeply scrutinised. There is already an active community group who will have an interest in all aspects of the proposed development.

Changes to the Concept Plan

The proponent has provided a report and plans explaining how the submitted design relates to the approved Concept Plan. Council's position is that the changes proposed warrant an application to the DoPI for a Modification to the Concept Plan approval.

In this regard, Council notes the reduced height of the buildings and would support any approach to reduce the height of the development. With regard to the changes to the building footprint, Council will consider the changes alongside the advice of the Urban Design Review Panel and other factors. It is noted that any future modification application may not confine itself to the changes shown in the submitted plans.

SUBMISSION REQUIREMENTS FOR A DEVELOPMENT APPLICATION

Please refer to Council's website for information and general checklist on submission requirements for a Development Application.

Previous Submission Advice

Earlier discussions have identified the following items that are proposed to accompany the LDA and a list is reproduced below. Comments relating to certain highlighted items are provided at the end of the list.

Submission Plans & Reports

Aborist Report (a)
Acoustic Report
Architectural Plans, Sections Elevations, Site Plan, Site Analysis
Access Report
BASIX Certificate
Building Code of Australia (BCA) Report
Concept Plan Comparison (Plans)
Contamination Report (Phase 2)
Construction Management Plan
Demolition Plan (b)
Detailed Cost Report / Quantity Surveyor Statement

Energy Efficiency Performance Report / Ecologically Sustainable Development (c)
 Geotechnical Report
 Hydrology / Stormwater Management Plan
 Landscape Plans
 Landscape Plan for Nimbin Reserve
 Model / Photomontages
 Notification Plans
 Services and Utilities Report
 SEPP 65 Development / Design Verification
 Shadow Diagrams
 Site-Waste Minimisation and Management Plan
 Statement of Environmental Effects (SEE)
 (SEE to address all Concept Plan commitments) (d)
 Stormwater / On-Site Detention Concept Plan
 Survey Plan
 Sustainable Travel Plan
 Traffic Impact Assessment (e)
 Water Sensitive Urban Design Report

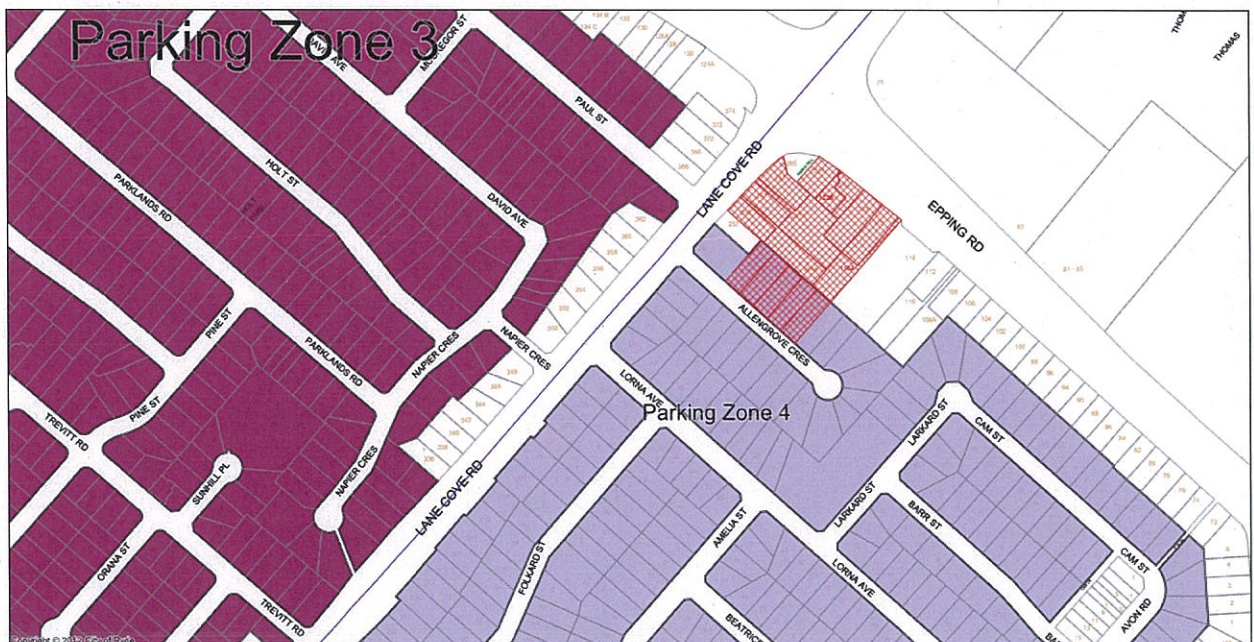
Additional reports that should be provided

- Safer by Design or CPTED Report. It is noted that a report was prepared for the Major Project application. A report specific to the
- Wind Assessment Report

Comments on Submission requirements

- (a) Arborist Report / Landscaping Plans: Existing trees to be retained or to be removed should be identified in the Landscaping Plan. The provisions of Council's DCP2010 - Part 9.6 – Tree Preservation need to be addressed. Consideration under the threatened species legislation may be warranted (e.g. a seven part test of significance) if any of the affected trees fall into that category.
- (b) Demolition Plan: Consideration needs to be given to whether the LDA submitted is also seeking approval for demolition. Other requirements for Council's consideration include submission of a Demolition Work Method Statement and photographs of all structures proposed to be demolished. If it is proposed to include demolition, Council requires payment of all relevant fees and charges associated with this at the time that the LDA is lodged. Please note that the calculation of the Security Deposit (or Damage Deposit) is based on the length of road frontage for the site. In this case that figure is approximately 250 metres. Prior to finalising the LDA for submission, a Fee Schedule should be sought from Council's Customer Service Centre (9952 8222) so that the full amount payable can be identified. Any consideration to adjust the Damage Deposit to reflect a controlled entry exit point can only be made at the highest level and would require supporting information within the Demolition Plan and Construction Management Plan.

- (c) The proposal to include reports addressing energy efficiency, water efficiency, Water Sensitive Urban Design and a BASIX Certificate is noted. However, Council has its own DCP Part covering some of these matters (DCP2010 Part 7.1 – Energy Smart, Water Wise). While it is recognised that some elements of the DCP have been superseded by more recent legislation and controls, the SEE for the LDA should address the applicable sections of this DCP.
- (d) As identified above, the SEE needs to fully address Council's controls as they apply to the project. While the Major Project application has a long history, this is its first full exposure to Council's Assessment Planning Team. The merits of the proposed design will need to be strongly and clearly argued with solid supporting information. Additional background information on the concerns that have been raised to date by Council and the community are available from the Department of Planning and Infrastructure's Major Projects Register (on its website). The SEE should be used to show how the proposed design can deal positively with those issues that can be addressed. In any case, the SEE must deal fully with all the items in the Statement of Commitments for the project and the items in Schedule 3 of the approval (Future Environmental Assessment Requirments)
- (e) A perusal of submissions on the Concept Plan indicates that traffic and parking is seen as a major issue associated with this development. As such, it is not sufficient to rely solely on the fact that the Concept Plan has been approved to say that the traffic and car parking issue is addressed. Council and the community remain to be convinced that the surrounding road network can cope with the additional traffic and car parking that will be generated by this development. Please note that Allengrove Crescent has an operational Resident Parking scheme (see diagram below). Any impacts on how that scheme will operate into the future in this locality should be addressed in the LDA.



“Isolated Site” at 253-257 Lane Cove Road

It was recognised at the Major Projects stage that approval of the Concept Plan as submitted had potential to isolate No 253-257 Lane Cove Road as future potential development site. This was addressed by the former proponent in the submitted design and has also been considered in the current design process. In this regard, it is noted that the affected site is currently zoned R2 – Low Density Residential and does not have scope for redevelopment at the same scale as the Concept Plan site.

However, in dealing with this issue the LDA will need to consider the impact in light of the principles established by the NSW Land and Environment Court proceedings of *Melissa Grech vs. Auburn Council* [2004] NSWLEC 40 for isolated sites and demonstrate this to Council's satisfaction.

The three (3) principles to consider are:

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s79C of the Environmental Planning and Assessment Act 1979.

Waste Management

The means of site waste management has been determined and it is proposed to use Council's services. In this regard, it is recommended that the proponents discuss waste management needs with Council's Section Manager for Waste Management (Jude Colechin) prior to finalising the design. In general, the separate loading facility proposed to accommodate Council's standard waste collection vehicle appears workable but additional information should be included in the overall Site Waste Management Plan to clearly identify the processes of waste collection, storage and delivery to the loading point for all categories of waste.

Traffic and Car parking

As indicated above, the issue of traffic generated by the proposed development and the impact on local traffic conditions will be a matter that will receive a high level of scrutiny from the community when the LDA is lodged. In this regard, the application should include details on how the measures proposed under the approved Concept Plan will be implemented (including the widening of Allengrove Crescent) and how this will work with the current resident parking scheme.

The “transit oriented development” features of the proposal need to be clearly identified and should include plans and details on how the car share scheme will work. For example, some plans at a higher level of detail could be included to highlight such features. Details of the landscaping strategy should be included in the application including the means to improve pedestrian connectivity across the site between Macquarie Park Railway Station and essential community facilities.

For traffic and car parking internal to the site, the following issues have been identified for the proposed design:

- Ensure that the design can accommodate the safe movement of vehicles throughout all the car parking areas. A swept path analysis should be included.
- This analysis should include a focus on the supporting columns located adjacent to ramps and where there is a turning movement at a change of level. For example in Drawing No. DA – 202, the column at the bottom of the main eastern ramp may be in constant risk of collision and an alternative structural design should be considered.
- Details of the bicycle parking strategy should be presented including visitor spaces as well as residents’ secured spaces.

Landscaping

Given the extent of basement over the site, the Landscape Plan should include sufficient details to demonstrate that deep soil planting areas over the site are workable and to show how landscaping over the constructed areas will be viable in the long term.

CONCLUSION

The approved Concept Plan has set building envelope controls for the Allengrove development site. The presented proposal seeks to increase the number of units shown in the Concept Plan and this has raised some concerns from a design point of view on how well this increase works within the fixed parameters set by the concept approval. In the view of the Urban Design Panel, the move to increase the number of units presents a number of concerns and this concern is endorsed. The proponents may need to consider a design that more closely resembles the number of units seen as appropriate in the original Concept Plan.

In any case, Council’s position is that changes to the Concept plan that alter the approved building envelopes should be made only through the Section75W process.

Any development application lodged with Council needs to meet all submission requirements for a full assessment. It is recommended that a further meeting be convened before the LDA is lodged to ensure that all information requirements are addressed.

OUTCOMES

- The proponents should consider addressing the concerns raised by the Urban Design Review Panel (UDRP) and make necessary design changes with any future development proposal to be lodged with Council.
 - If this is not proposed, then the application needs to be able to satisfactorily demonstrate why the suggested changes are not supported.
 - Council's Waste Co-ordinator, Jude Colechin can be contacted on 9952 8269 for information and advice regarding the garbage storage area and garbage disposal arrangements.
 - Council's Section Manager - Traffic and Governance can be contacted for information and advice on the need for Traffic Assessment.
 - Before finalising the design of the proposal, the proponent should contact Ausgrid to determine what design considerations need to be incorporated to address substation requirements and to determine if any other utility structure is required for the development. Any required facility will need to be wholly accommodated on the development site and installed in accordance with Energy Australia's network standards. Ausgrid can be contacted by e-mail on northda@ausgrid.com.au.
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