

## Design + Sustainability Advisory Panel Meeting Report – 24 June 2021

### DA2020/1167- 9 Francis Street 28 Fisher Road DEE WHY PANEL COMMENT AND RECOMMENDATIONS

#### *General*

The Panel notes that 'the site' consists of two separate lots being 28 Fisher Road, Lot 28 DP 7413 zoned B4 and 9 Francis Street, Lot 43 DP 4713 zoned R3. Both lots are 695.6m<sup>2</sup> for a potential consolidated site area of 1,391.2m<sup>2</sup>. The Panel has assumed that the lots will be consolidated for the purpose of this design review, however also maintains that the planning controls apply to the individual lots.

Council officers have provided the Panel with a comprehensive briefing in relation to the proposal including a general compliance review and referral comments.

Whilst the Panel acknowledges that the amended proposal has undertaken substantive changes to address previous Panel and Council comments, fundamental questions remain about the DA documentation, landscape and building design quality, gross floor area justifications, buildability and code compliance to the extent that the Panel has no confidence that an acceptable proposal can be delivered.

#### **What is likely to be constructed**

The drawings provided remain ambiguous and inadequate for the purpose of a DA approval in so far as it is difficult for the Panel to determine what is likely to be constructed.

#### *Strategic context, urban context: surrounding area character*

Further to previous Panel comments in the October 22 report, the Panel notes that the two sites have distinct strategic objectives and urban characters.

The desired future context for the B4 lot is a mix of community and commercial land uses with a 16m height limit (5 storeys) street wall podium forms and towers above, whilst the context for the R3 lot is an 11m height limit (3 storeys) low and medium density residential land uses with side setbacks intended to provide landscaped spaces for future medium density residential amenity.

The B4 zone provides for an FSR of 2.4:1 with an additional 0.5:1 FSR under SEPP ARH. The maximum gross floor area for 28 Fisher Road is therefore 2,017sqm. There are no density controls for the 9 Francis Street, so gross floor area is determined by setback and height controls.

The gross floor area controls for the B4 zone cannot be applied across both lots without fundamentally impacting the amenity and desired future character of the R3 zone.

Under SEPP ARH the landscape treatment to 9 Francis Street must be compatible with the streetscape. The design does not respond to the design principles for parking facilities set out in the Warringah DCP. The streetscape is dominated by a central driveway resulting in detrimental visual impact on the street frontage and no visual connection from street to the building lobbies. Entry to the building lobby should be clearly visible from the public domain.

#### **Recommendations.**

1. The Panel believes that to ensure the objectives of the LEP and DCP for each zone are achieved, the reasonable maximum gross floor on the site needs to be calculated on the basis of assessing each lot independently and only then consider how GFA is allocated across the whole site to demonstrate how consolidation will contribute to better amenity.
2. The Panel notes that the GFA for 28 Fisher Road is 3.25:1 which exceeds the maximum including bonus of 2.9:1. The Panel considers the gross floor area sought (3,312.84m<sup>2</sup>) is excessive and the



design is not skilful enough to offset the excess and deliver high quality urban design and amenity outcomes.

3. The Panel recommends reducing the gross floor area in general accordance with the methodology set out in the endnote below <sup>i</sup>
4. In terms of the design quality benefits and improved amenity to adjoining sites that might be obtained by consolidation, Council should consider if the FSR non-compliance of the B4 site (approximately 254sqm) could be retained by Clause 4.6 variation, and that any justification would refer to area be offset (reduced) on the R3 site. This would enable the bulk and scale of the R3 building to be reduced by an equivalent amount. In this way the amenity impacts to 7 Francis Street, whilst still considerable, could be considered reasonable in the planning context of an area undergoing renewal, subject to final assessment.
5. Although determination of the 4.6 variation is not the responsibility of the Panel, the Panel's concern is with the quality of the design, and assuming that a design of high quality can be achieved by complying with the controls, in the Panel's view any non-compliance with planning controls can only be considered where there is:
  - a demonstrable improvement in amenity within the proposal, (overshadowing, privacy, access to rooftop open space etc)
  - reduced impact on adjoining sites (either existing or in relation to future development potential)
  - contributions to the public domain or other public benefits (affordability, environmental performance)
6. Consider offsetting the driveway to the northern edge of the site to enable the street frontage to be activated with liveable spaces facing the street front and a level street front entry to be provided. (Close to Room 1.1).

### *Scale, built form and articulation*

The Panel is of the view that the footprint of the built form has been improved in response to the Panel's prior comments though it retains non-compliant setbacks albeit increased. The Panel notes that the built form on the critical southern façade generally complies with the side boundary envelope controls.

The built form over the whole site remains excessive. This is an outcome of non compliant FSR on 28 Fisher Road B4 zoned site combined with the FSR bonus for SEPP ARH which requires a skilful design to resolve without unreasonable amenity loss.

The 9 Francis Street building has lift access to 4 floors, however to squeeze in four levels in a height limit designed to provide 3 storeys, the floors are stepped. No heights of steps or RL's for stepped floors are provided, though they measure in Bluebeam software at 300mm. No internal ramping is shown on the floor plans to provide accessibility.

### **Recommendations.**

7. Refer to the FSR recommendations above, Consideration should be given to providing a break in the Francis Street building or reduce its height, possibly centrally, to reduce its scale and allow reasonable access to winter sunlight to the central townhouses on
8. The proposal for the Francis Street building should be amended to provide only 3 storeys with level floor plates facilitating access without ramped floors.

### *Access, vehicular movement and car parking*

The streetscape is dominated by a central driveway resulting in detrimental visual impact on the street frontage.

### **Recommendations**

9. Consideration should be given to reducing the central driveway ramp to a 3.6m wide shared ramp. Room for car waiting is available for exit vehicle waiting zones on proposed Lower Level (Dwg

4089/1.2). This would enable the landscaped area in the Francis Street front on the side of the entry path to be widened creating an improved street entry space.

## *Landscape*

The current landscape design is of very poor design quality

The landscaped area for the R3 site is required to be 40% of 696.6m<sup>2</sup> (278.24m<sup>2</sup>) Council briefing notes advised the Panel the amended proposal provides 11.6% (81sqm). Even if all landscaped planters less than 2m in width are measured, the area capable of providing planting remains less than 200m<sup>2</sup>. The shortfall results in the design failing to meet the objectives set out and in particular the provision of canopy trees, mitigation of the height and scale of the building, enhance privacy between buildings and to enhance the streetscape. The landscape design is not of an adequate design quality to compensate for the shortfall of compliant landscape area in the R3 zoning.

The pedestrian access paths are narrow with little amenity provided apart from seating benches.

Landscape plans provide inadequate documentation to assess detail.

The communal open space or facilities are inadequate. The design needs to recognise that main terraces will provide functional spaces, but they also need to provide for residents and gardening opportunities, e.g. BBQs, Shade and shelter, composting, herb gardens etc.

## **Recommendations.**

The following points are suggested as a set of landscape principles to establish a brief to move forward.

10. The site density allows little opportunity to reach the desired target of 40% canopy cover. Provide an area capable of supporting planting no less than 40% of the site area
11. Provide more usable, accessible external landscaped spaces.
12. Provide further documentation to assess detail. This includes documentation to ensure adequate planter volume over slabs to provide soil for larger tree growth (min. 1m deep and 20m<sup>3</sup>) and more detail on installation, planters, irrigation and maintenance methods for green facades (e.g. Climbers/terrace planters)
13. Remove palm trees and replace with large endemic canopy tree planting.
14. More detail to the greening of façades

## *Amenity*

Numerous amenity issues remain. e.g. and not limited to;

- a. Rooms 0.1 and 0.2: Floors are 1m below ground and landscape shows "landscape stairs and seating" immediately adjacent.
- b. Francis Street corridors have windows overlooking the 7 Francis Street townhouses which are as close as 6m. Horizontal privacy shelf are shown on the sections, but the design is not fit for purpose on Levels 1 and 2.
- c. Windows to rooms are small and poorly located to prevent outlook such as for (Fisher Road) rooms 1.11, 1.15, 1.16, 1.17, 1.18. Many rooms are adjacent communal decks and compromise privacy

Fire safety issues remain. e.g. and not limited to;

- a. There appears to be no fire egress from storage areas in the basement (Lowest Floor Plan 4089/1.1).
- b. The fire egress path on the north stops at the bin store and continues over grass at a 1:8 slope.
- c. The southern fire egress path requires sprinkler protection to the Foyer windows and the corridor windows, and class 3 used as residential aged care is to be protected with a sprinkler system but a sprinkler valve pump room is not shown on the drawings.

- d. Hydrant booster pumps and fire sprinkler booster assembly for 28 Fisher Road site are not shown at the Church Foyer. This will also affect the streetscape design.

### Recommendations.

15. Items noted above to be addressed with appropriate experts.

### *Façade treatment/Aesthetics*

The DA documentation does not demonstrate that a reasonable or acceptable design quality will be able to be achieved in terms of façade treatment and aesthetics. The elevations do not demonstrate that the façade design synthesises functional requirements, constructability, or detailing and the materiality is uncertain.

The glass curtain walls with supergraphics are not supported by the Panel as an appropriate design response for a residential building. It is not clear if windows are proposed in the glass curtain walls. Details on Drawing 4089/06.21 show window sashes and sunhoods but the plans do show window numbers.

The windows in northern facades do not incorporate shading devices appropriate to orientation.

### Recommendations.

16. All intended windows be numbered, dimensioned and identified as operable or fixed. This is important for circular window forms and windows in the glass curtain wall which appear to be unopenable due to the sunhood configuration.
17. Provide shading devices appropriate to orientation
18. Provide functional privacy screening as necessary to prevent overlooking

### *Sustainability*

### Recommendations.

19. Large amount of glazing to the common areas and fully glazed façade with minimal solar shading. This will need to be tested against section J requirements as a redesign may be required to be compliant.
20. Windows to boarding rooms are not well located. Access to natural light is important for health and well-being and the Panel recommends windows are to be designed and located to ensure all boarding rooms have a predominately day lit appearance and to achieve this are to be designed to comply with the NCC minimum average daylight factor
21. Rainwater is to be included in the BASIX certificate
22. The sprinkler system should incorporate test water re-use tanks in the revised BASIX
23. Consider replacing the gas instantaneous hot water system with solar heat pump hot water

## PANEL CONCLUSION

**The Panel does not support the proposal in its current form. A complete redesign and substantial reduction in the floor area is required. Any breaching of the height /setback controls would need to be supported by an analysis of the benefits compared to a complying scheme.**

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The methodology recommended for determining the development potential of the site in terms of GFA is as follows;

- Determine the 28 Fisher Road maximum gross floor area with SEPP ARH bonus provisions applied (2,017m<sup>2</sup>).



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- Determine the 9 Francis Street potential gross floor area using the height/setback controls of the LEP/DCP determine the gross floor area of a compliant building envelope area (approximately  $200\text{m}^2$ ) x number of storeys (3) =  $600\text{m}^2$  GBA x 75% (ADG 2B and 2D) =  $450\text{m}^2$  GFA. Apply the SEPP ARH bonus of 0.5:1 x  $695.6$  site area =  $348\text{m}^2$ . ( **$798\text{m}^2$** ). *Note: This approximately equates to the proposal FSR for the R3 site*
  - The consolidated site might achieve a reasonable maximum gross floor with SEPP ARH bonus of  **$2,815\text{m}^2$**  (FSR 1.67:1)