

Design + Sustainability Advisory Panel Meeting Report – Date 16 December 2021

2 - DA2021 2257 - 42 North Steyne & 75 The Corso MANLY

PANEL COMMENT AND RECOMMENDATIONS

General

The proposal has been presented to council on a number of occasions (PLM 29 July 2020, 13 October 2021) and as a Pre-DA to the Panel on (23 September 2021).

Understanding the proposal in relation to its heritage significance, adaption of the existing structure and the amenity of the proposed units is complicated.

Consideration of these three aspects provide the basis for the Panels comments

It is not the role of the Panel to assess the heritage significance or the heritage impact however there are fundamental anomalies

Heritage

There appears to be some disagreement about whether No 41 is a heritage item or not.

In the CMP accompanying the DA: “1854 –Hotel Steyne, Manly

Conservation Management Plan” October 2019 (1854.07.01.CMP_v1r2_20191016_rw.docx) states: p16 emphasis and comments added:

*The 3-storey building at No. 41 North Steyne (to the north) is part of the hotel site. This a Federation Free style building with a café to the ground floor, pairs of timber shingled projecting balconies above, and a tall parapet featuring semi-circular blind arches. **This building is not heritage listed (incorrect) and is outside the Manly Town Centre Heritage Conservation Area. (incorrect)***

This does not align with the LEP listing that clearly states the heritage item is Manly Hotel Steyne 75 The Corso Lots 100, 101 and 102, DP 1069144

(<https://legislation.nsw.gov.au/view/whole/html/inforce/2016-01-27/epi-2013-0140#sch.5>) (refer to Figures 1,2,3)

As previously noted No 41 is not only on the same site is it functionally integral to the hotel and has been since its construction. In fact the CMP also notes that the provision of a minimal amount of accommodation was required to meet the licensing laws of the time.

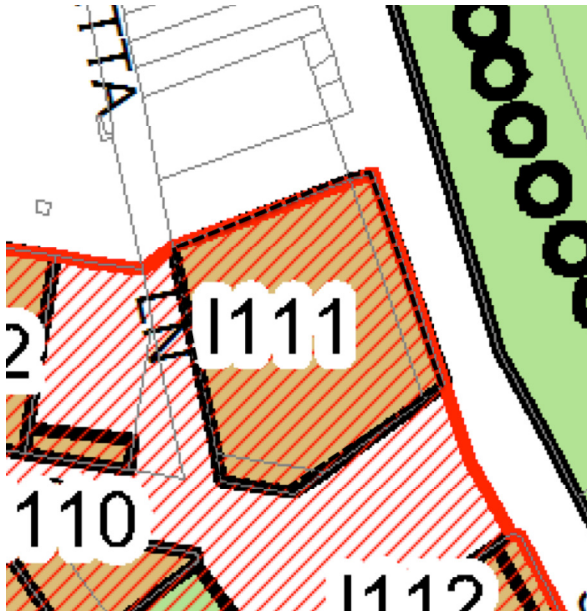
Furthermore, it would appear that the interior of No41 are more intact than those of the 1935 building that has been modified many times and bear little or no resemblance to the original interiors which were both and integral part of a ‘total design’ for the hotel.

The Panel notes Council’s Heritage Officer is not supportive of the demolition of the heritage listed building at 41 North Steyne (Item I111).

As previously noted, the very fact that the frontage; facade on the street alignment, inset balconies and doors opening to them are relatively intact, and provide clear physical evidence of the incremental development along the Steyne, and the variety of times and architectural approaches, in the Panels views strengthens the argument for the retention of No. 41 North Steyne.

The Panel is surprised that after such an extended period such fundamental aspects and matters of fact seem to be unclear.

Figure 1 Extent of Manly Heritage Conservation Area and diagram showing the site boundary (black) and street addresses (red)



<https://services.northernbeaches.nsw.gov.au/icongis/index.html>

Figure 2 Lots 100, 101, 102 DP 1069144 Six maps



Lastly, the proposed change in use from accommodation to private residential use

Recommendations

1. Resolve the definitions of the extent of the heritage The CMP consistently refer to 'the building when in fact the hotel comprises more than the single building as noted in the listing.
2. Determine on what basis all parts of No41 have been given a "D" level of significance CMP p29 with no mention of the façade or balconies. It is not clear why the eastern and southern facades of No 75 are given a 'B' ranking when No41 "remains highly intact externally".



Adaptive reuse and amenity

The Panel is strongly supportive of adaptive reuse, both for the potential to 'tell the story' of the place as an urban palimpsest, but also the environmental benefits in terms of embodied carbon, and also the potential to minimise disruption to vibrant centres like many during construction.

Environmental and disruption benefits are set out clearly in the report: "210223 42 North Steyne, Manly Buildability and Construction Methodology Report" section 4.3.

As noted above, the first of these benefits is lost in the proposal due to the removal of the entire frontage of No. 41 North Steyne.

The Panel recognises the environmental and minimal disruption benefit.

Despite the destruction of the built fabric, major modifications might be justified if the result provided apartment with a high level of internal amenity.

The Panel appreciates that the proponent has undertaken extensive modelling of the interior light level that would be provided by the light wells. However, the overall planning that includes main bedrooms facing the sea rather than providing much more generous living dining spaces results in deep plans with the kitchen areas set deep in the plan. These matters are addressed in detail in the 'Amenity' section.

Scale, built form and articulation

Note that these comments relate to the proposal *if* the proposal proceeds with the demolition of the frontage of No 41.

Height

The height of the existing building at 41 has been used to justify a building height that breaches the height limit. The extent of the non compliance is shown in figure 2 of "Report – Clause 4.6- Height of Buildings.pdf" This report give no regard to the scale of the Steyne façade or to the parapet height, or how the building might relate to it.

In the Panels view the only basis for exceeding the height would be the retention of No 41 intact, otherwise the height should conform and relate to the 1940 Steyne façade.

The Panels comments do not replace the legal requirements and tests of clause 4.6 of the Manly Local Environmental Plan 2013

The Panel notes the improvement to the roof scape of No 42 and reduction in visual obstruction for apartments to the west.

The panel does not support the awning and planter which detracts from the Steyne façade.

FSR

Floor space ratios are not arbitrary and are intended to ensure a building fits with its context, as well as providing internal amenity.

"Report – Clause 4.6- Height of Buildings.pdf" Having argued that No41 is not part of the hotel this report maintains that it is and on this basis argues that the floorspace may be transferred from one site to another.

It is clear in the LEP that the intention of the varying FSR relates to the heights and are co-extensive. (refer HOB map and FSR maps Manly LEP 2013.)

The proposition is that GFA be transferred from Site A, which currently has less GFA than permitted (3,151 sqm / 4,363 sqm).

(refer to Dwg DA-802A)

If only sites Band C are considered (the 'subject site as noted on dwg DA-005 B) then there is more GFA than permitted and than exists as follows:

B+C: permitted: 2,036 sqm, existing 2,380 sqm, proposed 2,645 sqm.



This represents an increase of 11% over existing and 30% greater than permitted.

Noting that the Panels comments do not replace the legal requirements and tests of clause 4.6 of the Manly Local Environmental Plan 2013, the approach the Panel takes to non-compliance with planning controls is that these should 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)

In order to demonstrate the benefits of non-compliance the non-compliant proposal should be benchmarked and compared to a complying 'reference scheme'.

This was requested by the Panel in the comment from the 23 September:

any breaching of the FSR and height controls would need to be supported by an analysis of the benefits compared to a complying scheme.

No complying scheme has been prepared or presented noting that this was requested after the PLM of 29 July 2021: p5/13

Prepare for the Design and Sustainability Advisory Panel's requirement of a comprehensive site analysis/ diagrams to arrive at the design strategy proposed. Any non-compliances proposed should be compared to a compliant reference scheme to demonstrate justifications on why better outcomes are delivered on environmental planning and public benefit grounds.

Recommendations

3. **If** the demolition of the front of No41 proceeds, the parapet height of the 1940s building should be continued. The Panel does not support the use of the existing building as a datum
4. Remove the awning and planter fronting No41.
5. GFA from site A should not be transferred to sites Band C as it results in overdevelopment of these sites, deep floor plans and low amenity. GFA should either comply or not exceed existing. The reduced floor area should be used to increase the size of the light wells.
6. Prepare a complying scheme for comparison

Access, vehicular movement and car parking

The Panel notes and supports the deletion of the 'penthouse parking' from the proposal and conversion to retail.

Landscape

The panel supports the Inclusion of the green wall to Henrietta Lane. As noted previously the Panel does not support the awning /planter to North Steyne.

Amenity

The internal planning is extremely convoluted and although lighting modelling has been undertaken it is the Panel view that an increase in the size of the light wells would be beneficial. There is a high proportion of circulation space, however the inclusion of a 2nd lift that only serves the penthouse only, as well as the retention of lift 5 complicates matters further. Pantries and laundries seem over large

Recommendations

7. Amenity would be greatly improved by more efficient planning and increase in the size of light wells.

8. A reduction in the floor area might also allow for larger balconies at the rear.

Façade treatment/Aesthetics

The Panel recognises the attempt to relate the façade of No 41 to the Steyne and the incorporation of 'winter gardens' that are an oblique reference to the art-deco style of the 1940s hotel. However this is a 'thin' element when viewed from the north as a result of the awkward arrangement of the balconies and bedrooms behind.

The Panel notes and supports these notes from the PLM of 29 July 2021:

The facade height at the street frontage should be comparable to the height of the existing parapet of The Steyne Hotel, with the upper levels progressively stepped back to provide articulation and an appropriate transition between The Steyne Hotel and the existing shop-top housing development to the north. It is noted that the adjoining development to the north, 43-45 North Steyne, is limited to a single storey at the street frontage, with the upper levels being significantly set back.

Recommendations

9. Retain and adapt the façade and balconies of No 41, or conform to the parapet height and step back the upper levels.

Sustainability

The proposal achieves BASIX compliance. Given that the proposal breaches height and FSR controls a much higher environmental performance is expected.

Recommendations

10. Consider utilising electric heat pump hot water and induction cooktops to replace the use of gas.
11. The Panel recommends inclusion of a substantial amount of rooftop PV (1.5kW/unit) with direct feed 'behind the meter' to each apartment as well as to common areas.
12. Add external windows to bathrooms and utility rooms wherever possible.
13. Include EV charging points for all car spaces in the basement

PANEL CONCLUSION

The Panel does not support the proposal in its current form.

The Panel does not consider the breaching of height and FSR controls justified, nor the demolition of the section of No. 41 North Steyne.

The Panel refers to its previous advice:

A complete redesign and substantial reduction in the floor area is required.

The floor space is the same, the layouts and floor plans are essentially the same

As noted any breaching of the FSR and height controls would need to be supported by an analysis of the benefits compared to a complying scheme.

The applicant has provided an analysis of the light levels and FSR but has not provided a comparison with a complying reference scheme.



	FSR	Area	GFA	existing	proposed
Site A	2.5	1,391	3,478	2,885	2,943
	3.0	295	885	266	254
	total	1,686	4,363	3,151	3,197
Site B	2.5	128	320	256	398
	3.0	134	402	356	621
	total	262	722	612	1,019
Site C	2.5	158	396	579	460
	3.0	305	914	1,189	1,166
	total	463	1,310	1,768	1,626
A+B+C			6,394	5,531	5,842
B+C			2,032	2,380	2,645
B+C			Compared to	permissible	130%
				existing	111%