

31 March 2015

**Project:** Lindfield Mixed Use Development  
23-41 Lindfield Ave & 7, 11 Havilah Lane, Lindfield, NSW

**Reference:** s.75w Submission (MP08\_0244)  
Design Statement and SEPP 65 - Summary Compliance Statement

This **Design Statement and SEPP 65 - Summary Compliance Statement** has been prepared to accompany an application to modify the Minister for Planning & Infrastructure's approval of Project Application MP 08\_0244 for the mixed use development at 23-41 Lindfield Avenue and 7, 11 Havilah Lane, Lindfield.

The proposed modifications to the development comprise the integration of Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue) into the development site and resulting amendments to the design of the mixed use development. Accordingly the modified description of development is summarised as follows:

1. demolition of existing structures on the site;
2. excavation of the site;
3. construction of a mixed use development with a maximum gross floor area (GFA) of 15,540m<sup>2</sup>, comprising:
  - 2,720m<sup>2</sup> GFA retail floorspace at ground floor within a single storey retail podium;
  - 141 residential apartments in two (2) towers above the retail podium;
  - Four (4) levels of parking for 255 vehicles;
  - 898m<sup>2</sup> of communal open space at podium level between the two towers;
  - associated landscaping, servicing and infrastructure; and
  - fit-out and use of the proposed major retail tenancy as a supermarket.
4. FSR at 3.91:1 (0.68:1 retail and 3.23:1 residential).

## Description of Proposed Modifications for s.75w Scheme – MOD 3

The modifications to the development are driven by integrating the adjacent sites Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue) into the development while substantially retaining the previously approved scheme. The numeric modifications are described in the following table:

MOD 2 Preferred Project Report	This s.75w Modification (MOD 3)	Difference
Site Area: 3,482 m <sup>2</sup>	Site Area: 3,974 m <sup>2</sup>	Additional 492 m <sup>2</sup>
FSR: 3.91:1	FSR: 3.91:1	No change
Total GFA: 13,621 m <sup>2</sup>	Total GFA: 15,540 m <sup>2</sup>	Additional 1,919 m <sup>2</sup>
Retail GFA: 2,750 m <sup>2</sup>	Retail GFA: 2,720 m <sup>2</sup>	Decrease of 30 m <sup>2</sup>
Apartment Nos.: 122	Apartment Nos.: 141	Additional 19 Apartments
Total Car Parking Nos: 238	Total Car Parking Nos: 255	Additional 17 Car Spaces
Communal Open Space: 699.5 m <sup>2</sup>	Communal Open Space: 897.8 m <sup>2</sup> (22.59% of total site area)	This represents an increase of 198.3 m <sup>2</sup>

The development retains the following attributes:

- Three basement levels of secure residential car parking accessed directly via a ramp from Havilah Lane comprising residential spaces, residential visitor spaces and retail staff spaces;
- Retail car parking located on lower ground floor, directly accessed from Havilah Lane;
- Single level of retail use containing a supermarket and specialty retail tenancies with pedestrian access from Lindfield Ave and Kochia Lane;
- Residential apartments in two buildings with separate dedicated entry lobbies located at street level;
- The Lindfield Ave building (Building A) is 8 storeys high and the Havilah Lane building (Building B) is 7 stories high;
- Communal open space for residents located on top of the retail podium at level 1.

The development has been modified in the following areas:

- The site now incorporates Lot D in DP 347906 and Lot 4 in DP 713505;
- Basement 1 detention tank has changed configuration and Tower A garbage rooms have been increased in area;
- Lower Ground Floor has been enlarged to accommodate the new site area. The internal planning has been modified to include additional retail parking spaces, two substations and a temporary parking zone for Council's Waste Truck. The travelators have been relocated and the sprinkler tanks and pump room has been relocated. The residential entry lobbies remain unchanged.
- Ground Floor has been reconfigured to incorporate the new lots and now includes 5 residential apartments facing Havilah Lane and the supermarket layout;
- The finished floor level (FFL) of the Ground Floor Level has been lowered (now that the Rights of Way are extinguished) resulting in a level entry to the Retail Mall from Lindfield Avenue, and a 1:20 ramp from Kochia Lane. The Retail Mall from Kochia Lane has been reduced in width to 4 metres with Retail 7 relocated to the boundary adjacent to 2 Kochia Lane. The residential entry lobbies remain unchanged.
- Residential Levels comprise these modifications:
  - The Retail Mall skylight has been removed and children's play equipment installed in lieu in the increased communal space landscaping;
  - Building A now incorporates an additional two apartments per floor, integrating the area on Lot D in DP 347906 and Lot 4 in DP 713505 and the street boundary setbacks as previously approved have been retained and incorporated into this design modification;
  - Building A balcony to Apartment No. 111A is extended by 1280mm to align with the south wall of Building A and incorporates privacy screens to the Kochia Lane facade;
  - Building A - The apartments on Level 1 and Level 2 extend to the boundary for a portion to respond to the adjacent development (currently lodged for DA with Ku-ring-gai Council) which has zero setback controls to the side boundaries;
  - Building B extends to the north boundary for a portion to respond to the adjacent development (currently lodged for DA with Ku-ring-gai Council) which has zero setback controls to the side boundaries;
- The overall building height has decreased by 800mm.

## Principle 1 – Context

The proposed modifications have been made to integrate Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue), and incorporate design modifications to respond to the adjacent development (currently lodged for DA) without eroding the previously approved design. The design modifications maintain a resolved and finessed development with strong presentation to all the street frontages.

### Street Character

*To strengthen the role of Lindfield Avenue as the “main street” retail area for Lindfield providing local services.*

*Improve the streetscape character of the town centre lanes including Bent Lane, Kochia Lane, Tryon Lane and Havilah Lane.*

The architectural language and improvements in this modified design to the public domain including paving, bike parking and active street frontages remain consistent with the previously approved scheme and MOD 2 PPR scheme. Lindfield Avenue street trees have been incorporated in lieu of the existing low level shrubs to improve the vision to the shops at street level and soften the interface between the development and Lindfield Ave and Train Station at the residential levels.

### Public Spaces

*To establish a new public space (town square) centrally located within the commercial precinct of Lindfield.*

The Kochia Lane retail mall entry has reduced in width to 4 metres in response to the internal planning of the retail mall and Supermarket and now provides easy access to the mall via a 1:20 ramp. Retail Tenancy 7 has been relocated to the boundary adjacent to 2 Kochia Lane and addresses both the street and the Mall with active frontages. The connection with the future Town Square is retained.

### Culture and Community

The active retail frontage on Lindfield Ave and Kochia Lane remains largely unchanged. A new retail tenancy (Tenancy 1) is accommodated on Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue) with zero boundary setback maintaining the pattern of village shopfront along Lindfield Avenue. The design modification retains a major pedestrian access route on Kochia Lane that will form a direct connection with the development and future Town Square. This is consistent with the previously approved scheme.

## Principle 2 – Scale

The scale of the modified development has been determined based on the permissible heights for the site as defined by the Ku-ring-gai Local Environment Plan (Local Centres) 2012. The overall height of the modified design has reduced by 800mm as the Rights of Way through the site are redundant.

The building form, being two residential buildings on a common retail podium (as previously approved), has been maintained, with the taller of the two residential buildings defining Lindfield Ave to reinforce the street adjoining the rail corridor, and the shorter building facing Havilah Lane, so that the development steps down towards the lower rise developments to the east of the development.

Building A has been extended to the north over Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue). The street boundary setbacks as previously approved have been retained and incorporated into this design modification.

Minimal additional overshadowing is created by extending Building A to the north however overshadowing is reduced in some areas in response to the reduction in height of the overall development. Refer to the shadow diagrams which show the approved scheme shadows overlaid on the modified scheme shadows.

## Principle 3 – Built Form

The building form, being two residential buildings on a common retail podium (as per the approved scheme) remains unchanged. The apartments retain good outlook, good solar orientation and cross ventilation.

The articulation of the retail podium remains essentially unchanged and addresses the street at both Lindfield Ave and Kochia Lane, retaining the 4m setback of the Kochia Lane façade at street level to improve the public domain at this prominent corner. A new retail tenancy (Tenancy 1) is accommodated on Lot D in DP 347906 and Lot 4 in DP 713505 (39 and 41 Lindfield Avenue) maintaining the pattern of retail frontage to Lindfield Avenue.

The Havilah Lane façade is generally set back 1m from the boundary as previously approved. The dock facilities remain within LOT1 in DP1198025, separated from the retail car parking and pedestrian entries. The loading dock is still configured with the turntable to allow trucks to enter and leave site in a forward motion.

The articulation and setbacks to the residential portion of the development above Ground Level remains largely unaltered with the exception of the following:

- Building A balcony to Apartment No. 111A is extended by 1280mm to align with the south wall of Building A;
- Building A is extended to the north over Lot D in DP 347906 and Lot 4 in DP 713505 and incorporates a new retail tenancy at Ground Level and an additional two apartments per floor above. The apartments on Level 1 and Level 2 extend to the boundary for a portion to respond to the adjacent development (currently lodged for DA with Ku-ring-gai Council) which has zero setback controls to the side boundaries. The setbacks previously imposed on the upper levels are observed and provide an articulated façade that reduces the visual length and bulk of the building;
- 5 Apartments are now located at Ground Floor within Building B facing Havilah Lane in lieu of the previous rear wall to the Supermarket;
- Building B extends to the north boundary for a portion to respond to the adjacent development (currently lodged for DA with Ku-ring-gai Council) which has zero setback controls to the side boundaries.

## Principle 4 – Density

The density of the modified development is appropriate for the site given the availability of transport and infrastructure. It is also appropriate to underpin the desired future character of the area. The site area has increased by 492m<sup>2</sup>. The modified scheme FSR is 3.91:1 which represents no change to MOD 2 PPR and an additional 0.01:1 FSR above the MOD 1 Approved Development of 3.90:1.

## Principle 5 – Resource, Energy and Water Efficiency

The modified proposal has been designed to incorporate both active and passive solar design, which includes north facing windows and operable sun shading devices. Refer to the BASIX Report by Cundall for the measures to be incorporated in the detailed design including energy efficient appliances and fittings through-out.

The building complies with the guideline recommendations of SEPP65 for cross ventilation and solar access in mid-winter as stipulated in Principle 7 – Amenity below.

Bicycle parking racks are located at each retail entry and within the retail car parking at Lower Ground Floor to encourage bicycle use for trips to the retail centre and for visitors. Lockers are provided for retail staff at Basement 1 Level and staff can access the retail mall via the retail lift. The retail lift will have secure access to Basement 1 for staff and residents only. Bike lockers are provided in basements 2 and 3 for the residents.

Shopper (Retail) Bike Racks:	14 spaces at Ground Floor
Retail Staff Lockers:	6 lockers at Basement 1
Visitor Bike Racks:	20 at Lower Ground

### Principle 6 – Landscape

The communal landscaped area is increased by 198.3 m<sup>2</sup> over Lot D in DP 347906 and Lot 4 in DP 713505. The skylight to the retail mall has been removed and a children's play area incorporated in lieu. The design aesthetic of the communal landscaping is maintained. Planters at Level 1 have been incorporated adjacent apartments 101A, 107A, 101B and 107B to provide some visual privacy screening between the private outdoor spaces and the adjacent development.

Street trees are incorporated along Lindfield Avenue as discussed under *Street Character* above.

Refer to the Landscape Architect's drawings for more detail.

### Principle 7 – Amenity

The proposed apartments have a high level of amenity and do not cause any significant amenity impact on any neighbouring property.

#### Building Separation and Visual Privacy

Building separation of 18.25m remains unchanged between the internal facing apartments of Building A and Building B and building separation in excess of 18m between the Building B apartments fronting Havilah Lane and the apartments on the north-east side of Havilah Lane.

This MOD 3 scheme has been re-designed to respond to the proposed neighbouring development at 43 – 47 Lindfield Avenue. The DA drawings for the neighbouring development show no side boundary setbacks. In response to the expanses of blank wall, the north-western ends of both buildings have been designed to extend to these side boundaries for a portion of their length. Building A along Lindfield Avenue extends to the side boundary for a portion of Level 1 and 2 only. Above Level 2, the building sets back from the side boundary as does the adjoining development. A planter at level 1 has been incorporated adjacent to the side boundary to provide soft landscaping to cover and soften the visible portion of the neighbouring blank wall. Building B has extended to the side boundary for a portion of its length for all levels.

The form of the extensions to both buildings is recessed in plan from the street boundaries, which provides relief in the façades to improve legibility between the developments. This architectural response is made to improve the design outcome at the interfaces between both developments and prevent narrow slots between the buildings on Lindfield Avenue and Havilah Lane.

#### Building Entry

The retail centre has pedestrian access from both major street frontages on Lindfield Ave and Kochia Lane. This is consistent with the approved scheme. The Kochia Lane retail mall entry has reduced in width to 4 metres in response to the internal planning of the retail mall and Supermarket as discussed under *Public Spaces* above.

The residential entry lobbies to both buildings are clearly demarcated and defined. Each residential building contains two vertical circulation cores and each core is accessed individually from their respective public street frontage. This entry configuration remains largely unchanged from the approved scheme.

Retail and residential car parking continues to be separated with separate entries for each use to reduce confusion and improve security. The Rights of Way off Havilah Lane have been made redundant and this has allowed the removal of one of the vehicle crossings to the retail parking. The retail parking access has been consolidated to one driveway. Boom gates have been located at the retail car park entry to prevent all day commuter parking. The loading dock use remains separated from the retail parking.

#### Balconies

Balconies are provided to all apartment living areas, and in some cases, balconies are provided to bedrooms as well. These balconies are provided to increase the sense of space from apartment interior and maximise outlook and views. Balcones are provided with sun-shading devices to control solar heat gain and provide visual privacy. This is consistent with the approved scheme.



## Acoustic Privacy

The two residential buildings are located close to the street frontages to provide adequate acoustic separation between the buildings. Balconies are separated by either blade walls or solid elements of the building. This is consistent with the approved scheme.

The loading dock is equipped with a turntable to allow trucks to enter the site and leave in a forward motion so that the residential developments fronting Havilah Lane are protected from the sound of loading and unloading delivery vehicles. This is consistent with the approved scheme.

The Council Garbage Truck will enter site at Lower Ground Level to collect residential waste from the garbage rooms and is allocated a dedicated temporary parking zone. This temporary parking zone is contained wholly within the building to shield the residences from the noise of garbage collection.

Acoustic screens are provided to screen the roof top plant on Building B to protect both Building A residents and the residents in the existing residential development at 8 Havilah Lane across the street from unwanted plant noise. Refer to the Acoustic Report by Acoustic Logic for further details. This configuration remains consistent with the approved scheme.

## Daylight Access

The modified scheme achieves 2 hours of mid-winter solar access to 72% of apartment habitable areas and private open spaces between the hours of 9am – 3pm which satisfies the requirements of SEPP 65. Refer to the Cundall Report for further analysis.

## Natural Ventilation

55% of apartments are naturally cross-ventilated in the proposed scheme (comprising through apartments and corner apartments only) which is below the 60% rule of thumb parameter stipulated in SEPP 65 and represents a deficit of 9 apartments. The objective of this requirement is to create a comfortable indoor environment by providing habitable spaces with direct access to fresh air, provide natural ventilation to non-habitable rooms where possible and reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning. All of the single-aspect apartments are designed with full height and width glazed sliding doors to the living areas and large expanse of windows to the bedrooms to maximise access to fresh air. 56 of the 60 single-aspect apartments (that are not counted as being naturally cross-ventilated) are planned so that the bedroom is situated on the external line of the façade adjacent to the balconies. These bedrooms have openings to two facades providing cross-ventilation to these rooms. While the rule of thumb parameter is not met for fully cross-ventilated apartments, 93% of the single-aspect apartments that are not counted as fully ventilated are partially cross-ventilated.

## Depth of Kitchen – Single-Aspect Apartments

SEPP 65 provides a rule of thumb whereby single-aspect apartments should be limited in depth to 8 metres from a window and for the rear wall of the kitchen to be 8 metres from a window. There are 11 apartments where the rear wall of an L-shaped kitchen is either 8.615m or 8.64m from the balcony glazed doors. This figure represents a cupboard depth and is not greatly in excess of the rule of thumb parameter. This planning decision has been made because it is more beneficial to include the additional 610mm and 640mm depth within the apartment area than give this area to the common corridor for the sake of meeting this rule of thumb. We note that these apartments face north-east and achieve good access to sunlight.

## Principle 8 – Safety and Security

The proposed modifications have optimised safety and security to the public domain as well as internal to the development. This has been achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, maximising activity to the street, limiting concealed and recessed entries, providing clear, safe access points, appropriate lighting and clear definition between public and private spaces. Where planning has necessitated recessed entries, the lighting levels will be sufficiently high to illuminate the area and prevent concealment.

The residential entry lobbies are clearly demarcated and open directly to the public streets. The residential entries and car parking will incorporate secure access, security lighting and an intercom system. Casual overlooking of the Level 1 Communal Landscaped area provides additional safety to this area.

The retail mall entries are readily identifiable from Lindfield Ave and Kochia Lane. Retail and residential car parking are separated with separate entries for each use.

With removal of the Rights of Way, the entry to the retail car park has been consolidated into one vehicle crossing with security boom gates. This has removed one of the vehicle crossings from Havilah Lane and prevents daily commuters from using the retail car park. Secure access is still provided to the residential parking via a separate driveway on Kochia Lane and the Loading Dock includes a Dock Manager to manage the vehicle and personnel movements.

## Principle 9 – Social Dimensions

Ku-ring-gai Local Environmental Plan (Local Centres) 2012 outlines particular aims for local centres throughout the Local Government Area with aspirations to achieve an orderly and economic development of residential land while maintaining the local character. These aims include providing development that enhances the economic role of the centre and caters for the retail and commercial needs of the local community, provides a variety of housing choices within and adjacent to these centres and achieves land use relationships that promote the efficient use of infrastructure.

The proposed modifications to the development have increased the number of apartments on the extended site and improved the apartment mix to include more 2 bed apartments. There has been a commensurate increase in car parking to support these additional apartments. A car wash space is still included and available to all residents.

The supermarket layout has been developed with the Tenant and forms part of this submission. The concept for the retail offering continues to work in concert with the existing Lindfield retail offerings in the immediate area to provide holistic convenience shopping.

A child's play equipment area has been included in the communal open space at Level 1. Refer to the Landscape Architect's drawings.

## Principle 10 – Aesthetics

The architectural language draws on a suite of material types and forms. The retail component continues to reinforce the existing retail street and comprises mostly glazed shopfront. The architectural language of the residential towers has been retained. This architectural aesthetic remains generally unchanged from the approved scheme.

## Accessibility for the Disabled

The proposed modifications ensure equal and equitable access to all areas of the development that are required to be accessible in accordance with the Building Code of Australia.

Disabled access to the retail mall from Lindfield Ave and Kochia Lane has been improved and simplified due to the removal of the Rights of Way at Lower Ground Floor Level. The Lindfield Ave access is now at grade and directly accessible from the footpath without the requirement for a switch back ramp. The Kochia Lane entry is accessible via a 1:20 ramp. Access to the retail mall from the retail car park on Lower Ground Floor continues to be via a public lift. The retail mall is level from Lindfield Ave and easy access is afforded to all retail tenancies from within the mall. The external retail tenancies fronting Lindfield Ave and Kochia Lane have at grade access from the street frontages. Adaptable apartments are provided within the development in accordance with Ku-ring-gai Local Centres Development Control Plan at a rate of 10% equating to fifteen apartments.

Refer to the Access Report from PSE Access Consultants for further details.

In conclusion, the modifications encapsulated in the s.75 documentation satisfy the key aims of the previous approval conditions and the guidelines of SEPP 65. The proposed development continues to display a sophisticated architectural response to the surrounding environment as already approved.

End Report

**CRONE PARTNERS PTY LTD**