

PRESERVING AUSTRALIA'S OLDEST GARDEN SUBURB

P.O. Box 85, HUNTERS HILL, N.S.W. 2110

**SUBMISSION ON A PROPOSAL TO REDEVELOP
THE GLADESVILLE SHOPPING VILLAGE
GLADESVILLE SHOPPING VILLAGE DEVELOPMENTS PTY LTD**

DA 2013-1036

7 November 2013

SUMMARY

The Hunters Hill Trust is opposed to the proposal from Gladesville Shopping Village Developments Pty Ltd for the redevelopment of the Gladesville Shopping Village (GSV) for the following reasons:

- 1. *It is an overdevelopment of the site.***
- 2. *The revised DCP, which sets the planning controls, is flawed and misleading.***
- 3. *It will have an adverse impact on the character and amenity of the surrounding residential and commercial areas.***
- 4. *It will exacerbate existing parking and traffic problems.***
- 5. *It creates a poorly designed gated community physically separated from the rest of the area and fails to provide a safe and healthy environment for its occupants.***
- 6. *It involves the demolition of a building of considerable heritage significance, which was on land previously owned by Council.***
- 7. *The proposed GSVD redevelopment is a cheap and very ordinary proposition that is driven by commercial profit and pragmatism.***
- 8. *The Council, as a stakeholder in the proposal, has failed to properly represent the community by taking a leadership role in its development.***

Disclaimer

The comments made in this submission are based on a limited assessment of the collection of documents available on the Hunters Hill Council website. Some details were missing from this collection, including floor plans of the top two floors of all the towers and plans and sections of the entry foyer to Tower 4 and the associated commercial space under Tower 4. **Note:** there appears to be a missing ramp or stairs from the entry beside the post office up to the arcade level.

1. AN OVERDEVELOPMENT OF THE SITE

The GSV proposal and the LEP density and height controls

It has been difficult to check the Floor Space Ratio (FSR) because of a lack of information, particularly regarding the layout of the top two floors of the towers and a lack of site dimensions.

Similarly the measurement of the height of the buildings was difficult to check without access to a site survey and section drawings through all the buildings. It was necessary to determine what the existing ground level may have been prior to the construction of the car parks. Extrapolated measurements from the drawings indicate that in our estimation all of the towers exceed the maximum building height.

Building heights do not comply

The revised maximum height control for the site is **34 metres** for the main part of the site (towers 1,2 and 3) and **26 metres** for that part of the site occupied by Tower 4.

Towers 1 and 2

The site slopes from the ROW down to Flagstaff Street and the towers are approximately parallel to this slope. The north-east end of the towers is approximately 36.5 m high, or 2.65m above the maximum height.

Tower 3

The north-east end of the towers is approximately 35 m high, or 1m above the maximum height.

Tower 4

The existing site slopes down from Massey Street towards Cowell St. The existing entrance to the shopping centre is at RL 38. There is a 2 metre drop off from the level of Massey St to the level of the front gardens to the existing houses along its south eastern side, which is considered ground level.

A line between the two levels determines the existing ground level. Tower 4 is approximately 27.8 metres high, which exceeds the maximum height by 1.8 metres.

Floor space ratios

The Statement of Environmental Effects (SEE) that accompanies the proposal states, on page 29, that the proposed height and FSR controls are exactly the same as the maxima allowed in the LEP.

There is no supporting evidence for this statement. A rough check of the floor areas suggests that the applicant has included the area of the Right of Way in the overall site area in order to satisfy the FSR controls.

The ROW is an essential public access way for vehicles going to car parking areas of developments along Victoria Road, for delivery vehicles for the Victoria Rd properties, for fire escape, for emergency vehicles, pedestrians etc. It was designated as a roadway in the 2010 DCP and clearly should not be included as part of the site area of this development.

The maximum development of the site

The proposal assumes the maximum FSR and Height controls as a "right". This is typical of a widespread misunderstanding that planning controls set out the minimum development allowed on any site.

The proponent claims to have satisfied the required density simply because of their (questionable) claim that the proposal is identical to the maxima.

No site setbacks

In maximising the development of this site, buildings have been taken to 100% of its extremities and no allowance has been made for landscaping. This compares unfavourably with the 2010 DCP's intention to provide set backs and planting along Flagstaff St and the ROW. (See appendix.)

Tower 3 and 4 Setbacks

The boundary setbacks for Towers 3 and 4 are less than 6 metres, which is the minimum rear boundary setback for a single dwelling (let alone an 8 storey high tower) in Council's DCP.

2. A FLAWED AND MISLEADING DEVELOPMENT CONTROL PLAN

The Trust submits that a major reason for the overdevelopment of the site is because Council accepted the revisions to the LEP and DCP in the Newbold Review of 2009.

Council commissioned the Review from planner and urban designer Brett Newbold . The revised LEP controls in the Newbold Review increased the maximum building heights to 34m from 27m.

The Newbold Review's diagrams both understate the impact of development to the revised heights as well as creating a template for this particular proposal.

Justification for the Newbold Review recommendations

The main justification was to allow a more intense development of the site because the previous controls "would not deliver **financially-feasible** redevelopment according to the benchmark, which is provided by the LEP's maximum FSRs." According to Council's strategic planner, Phillipa Hayes, the recommendations were based on two feasibility studies, one from Sphere Property Corporation from November 2006 and another from Hill PDA from December 2005.

Newbold concluded that very poor amenity would be achieved by low-rise perimeter style buildings advocated by the draft DCP. This conclusion was largely based on the modelling carried out for his report which involved analysis of wind, solar access, bulk and orientation. On page 25 of his 2009 report he states "*long rows of buildings as anticipated by the DCP would not comply with SEPP 65 and*

consequently would not be approved.” His recommendations were that tower and podium development should be supported and the draft LEPs building heights be adjusted to accommodate 9 storeys.

Page 2 of his report states:

“A financially feasible quantum of floorspace upon those properties (ca 2.7:1) requires buildings of up to nine levelsin order to accommodate two retail levels, plus up to seven residential storeys which should be setback at least 10m from street frontages

This clearly puts the developer’s financial interest ahead of the community’s interest and the maintenance of the amenity of the surrounding area.

A Template for the Development of the Site

The Review put forward, through a series of sketches, a template for the development of the site. The sketches suggested the construction of a podium over the shops, supermarket and parking areas with a number of residential towers to be built on the podium. It also downgraded the previous DCP’s tree-lined access road through the top end of the GSV site between Massey and Cowell Streets to a Right of Way, 8.5m wide with no landscaping.

At its December 2009 meeting, Councillors Astridge, Quinn, Sheerin and Sheil signed off on the Newbold revisions. Councillors Butt and Hoopmann were absent.

The Trust believes that Council was misled by the illustrations that accompanied the Newbold Review, which clearly do not show the true impact of any future development under the proposed controls.

Newbold’s sketches downplay the impact of development

The sketch diagrams that accompany Brett Newbold’s Report significantly downplay the impact of development of the site. For example, Newbold’s sketch of the future corner of Cowell and Flagstaff Streets suggests a height of a little more than two storeys but in the GSV proposal the wall is **5 storeys** high.



Newbold’s Recommended heights and form.

A truer understanding of the impact of the proposal can be gained from a visit to the new development at Top Ryde and from the photos of the model for the GSV scheme.



Top Ryde's podium wall from Tucker Street



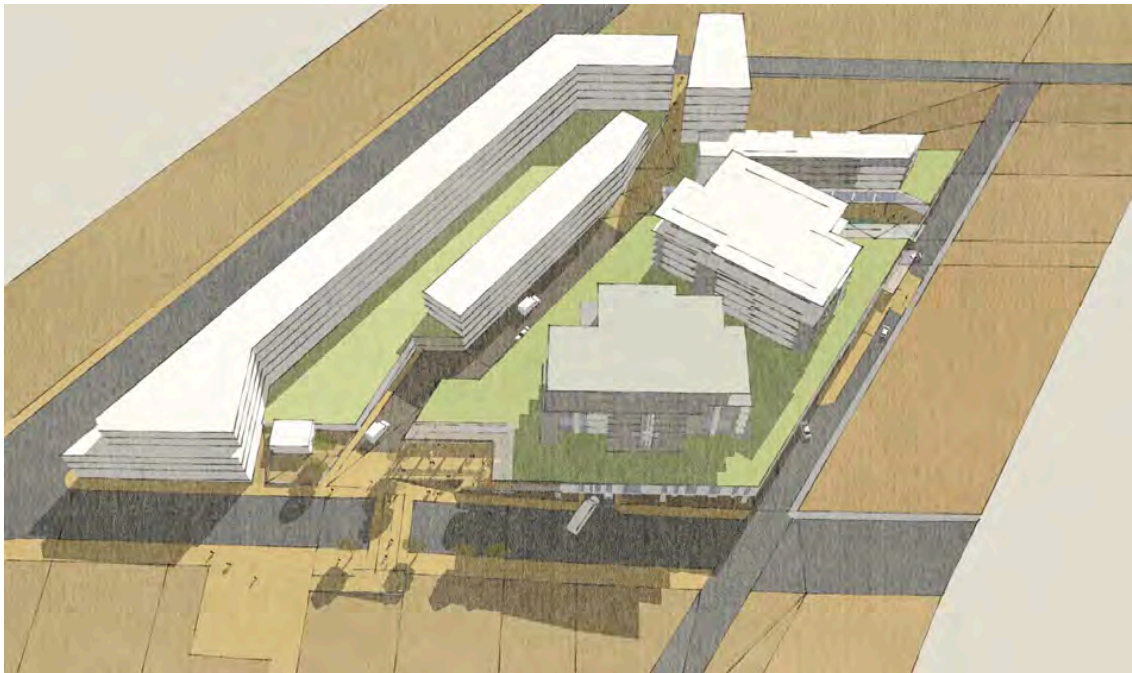
GSV Model – corner of Cowell and Flagstaff – the five-storey wall to the podium



Top Ryde – 6 storeys on the left, 9 storeys to the right.

Overshadowing and heights minimised

Other sketches from the Newbold Review sketches also downplay the impact of the residential towers.



Newbold's figure 22 showing midday midwinter shadows from nine stories

The effect of Figure 22 is to make the nine-storey towers appear no higher than the five storey buildings along Victoria Road. The shadows cast by these buildings appear modest with little adverse impact.

They considerably underestimate the extent of the shadows cast by a nine-storey building. Council's own designated date for taking shadows is the Winter Solstice (June 22), not midwinter. On this date shadows cast by the GSVD proposal would extend to a point halfway between Cowell and Junction Street. By 3pm the shadow will extend all the way to Junction Street and at 4pm all the way to Batemans Road.

The legacy of the Newbold Review

The GSV proposal has very closely followed the overall schema, diagrams, setbacks etc that are set out in the Review. The revisions to the controls have resulted in a proposal that is much more detrimental to the amenity of the locality and for future unit occupiers than the original DCP 2010.

3. AN ADVERSE IMPACT ON LOCAL CHARACTER AND AMENITY

There are many ways in which this proposal will adversely impact on the amenity and character of the surrounding area.

Flagstaff and Cowell Streets

A major impact will be the construction of the wall along Flagstaff Street that extends from the existing supermarket to the corner of Cowell Street and then returns up Cowell Street to the top of the site. The top of this wall is 1.25m above the podium level.

This will result in the loss of the heritage item at 10 Cowell St, the two-storey units next door and the gardens and trees associated with these lots. As previously noted, the wall at the corner will be 14.85 metres high, the equivalent of 5 storeys.



Corner of Cowell and Flagstaff to be replaced with a five-storey high wall.



Units, heritage cottage and gardens to make way for a five storey high wall.

The existing heritage cottage on the corner and the two-storey unit blocks make a transition from the commercial and retail scale and activity of Victoria to the low density residential scale of Cowell and Flagstaff Streets. This will be lost.

Non-active street fronts

Active street fronts allow for shops and offices to be accessed from the street. This proposal has much of its street front activated only by car park entrances and loading docks.

Flagstaff Street frontage: With the exception of the rear entrance to the shopping centre there has been no attempt to incorporate into the Flagstaff Street frontage anything other than a solid wall to the car park and the back of the shops.

Cowell Street frontage: With the exception of the Plaza area and a lower entry to the shopping centre via the post office, there has been little attempt to incorporate into the Cowell St frontage anything other than the entry dock to the supermarket.

The ROW: Similarly the ROW has been treated like the back end of something with no attempt to enliven it with anything other than blank walls. The western side remains a jumble of backyards and car parks.

Overshadowing

The shadow diagrams provided are of poor quality, difficult to read and appear to understate the extent of the overshadowing. They do not show the impact of the overshadowing on the elevations of adjacent buildings. Check shadow diagrams show that the extent of overshadowing will be significant.

In the mornings the backs of the developments along Victoria Road will be overshadowed. From midday onwards the towers will begin to overshadow themselves and from 2pm onwards, Flagstaff Street will be in shadow and places in Cowell St will lose their sun.

Loss of views

The proposal will tower above any new unit buildings proposed for Victoria Road because the height limit for the redevelopment of the adjoining properties to the west of the GSV site is either 16 or 19 metres compared to 34 and 26 metres. Distant views from new residential units along Victoria Rd will be blocked by the towers of the GSV development.

Loss of privacy

There is a major loss of privacy for the Massey Street townhouses, which will be overlooked by towers 3 and 4.



Massey St townhouses are overlooked by the towers

4. PARKING, TRAFFIC AND ACCESS PROBLEMS

A failure to amalgamate the whole site

The problems of this development will be compounded by the expected redevelopments of Victoria Road between Massey and Cowell Street. There is a current DA for the redevelopment of 209 to 213 Victoria Road, which will have commercial and residential development (12 units) with parking for 29 cars. The carpark will be accessed from the ROW as will the loading dock. These are directly opposite the Plaza, which is the main entrance to the development.



The existing Right of Way – not much to change



Pedestrian Street at Top Ryde

By contrast, the new development at Top Ryde has all its parking underground and its loading docks are accessible from the perimeter streets. This frees up the site for a lively pedestrian street through its centre.

Problems arising from retaining the existing parking areas and access points

The decision to keep the existing supermarket car park has clearly been made for short term economic reasons, which includes keeping the supermarket operational for as long as possible during the construction stage.

This comes at a considerable price as the location and design of this car park severely restricts the possibilities for sound redevelopment in the following ways:

- It means the loss of an opportunity to redesign and increase the amount of car parking for a much wider area of the Gladesville shopping centre.
- It leads to a very clumsy and confusing break-up of residential and retail car parking areas in the current proposal.
- It locks in the retail spaces at their existing level, which ensures that the podium level is more than one storey up from ground level of the ROW and sets up the gated nature of the residential part of the site.
- It prevents any further excavation below its lowest level, which reduces the number of cars that can be accommodated on the site.
- It means the layout of the car parking areas will be very confusing for retail and residential parkers alike.
- It disallows the possibility of having a building setback from Flagstaff St, which would have allowed proper planting to soften the impact of the scale of the podium as per the 2010 DCP.
- It ensures that the street walls to Flagstaff Street are inactive car park walls.

The re-use of the existing car park entrances

This cheapskate measure is quite beyond belief – it ensures that these two dangerous and badly designed access ways will be perpetuated. It is much more than a cheapskate solution, it is verging on being criminally negligent.

Vehicular traffic through the site and an Inactive Street Front

As a result of the need to provide vehicular access through the site via the ROW, with the redevelopment of the Victoria Rd sites there will be an increasing number of cars and service vehicles moving through the top part of the site. This will be at odds with pedestrian movement through the site, leading to an increased potential for accidents.

Restricted access to ROW

The width of the ROW is 8.5m with a 1.8m wide footpath along one edge so that it has a vehicle access way just over 6 metres wide. This is even narrower than the existing car park's access ways and will be problematic for large delivery trucks and cars using it at the same time. Its width is further reduced and access impeded by existing buildings and the site ownership pattern to the north of the shopping centre entrance. At one point it is only 5m wide.

Problems of access to the Right of Way during construction

At the Cowell St end of the ROW it is proposed to construct 6 levels of car parking down to a depth of 17 metres below ground. This will prevent access to the ROW for a considerable time and will have a major impact on the properties relying on the ROW for vehicular access. This will particularly impact on the recently lodged DA for the redevelopment of 209 -213 Victoria Road.

Increased vehicular traffic generally

The surrounding streets will bear the brunt of increased traffic and visitor parking and street parking will become a problem. Flagstaff Street will become an even more dangerous thoroughfare than it is now.

Pedestrian access to the supermarket and shops

The main entrance to the retail level of the proposal is via the "Plaza" on the corner of the ROW and Cowell Street. Here one goes up a set of steps to the plaza level from the corner of the site and then down a 2.3 metres to the retail level. This is a substantial set of steps, which means access from the plaza area to the shops is only for the fit and healthy.

There does not appear to be any wheel chair access to the Plaza level (why steps if this is not the case?) nor wheel chair accessibility down to the retail areas from the Plaza.

Confusing levels at the base of the stair from the Plaza

Once one has come down the Plaza stairs there are additional stairs down to a lower area containing a small liquor store. The levels shown on the drawing are at odds. The lower arcade and liquor store is shown at 43.5, the main arcade 44.65 and an area at the top of the liquor store steps at 44.457 and the shopping centre entry off Cowell St at 43.5. Who knows how one moves from one level to the other? The drawings do not provide an answer.

Flagstaff Street Entrance

There is no footpath along Flagstaff Street even though there is supposed to be a major entry to the retail area from this street. For their own safety, pedestrians will need to keep well clear of this entry point.

Unresolved Traffic and access issues

The Traffic report Commissioned by Council to assess the impact of this development has clearly shown that suggested traffic patterns in the revised DCP are seriously wanting.

5. A POORLY DESIGNED AND GATED COMMUNITY

This proposal compares unfavourably with recent shopping and residential developments such as Central Park and Green Square where the provision of community facilities and public open space is integral to the design. Even Top Ryde, which is a similar design, does a much better job in the provision of facilities and places for the wider community. At Top Ryde, access to the residential towers is provided directly from public streets. The residential fire escapes discharge directly onto public streets.

A gated community with no communal open space

The general community is locked out of the major landscaped space that has been created for the residential units, which are located above ground level and only available to unit residents. This is the antithesis of urbanism where residents and the community members come together and interact in a public place.

Poor access for visitors and residents to the residential units

Tower 4 is accessed directly off a laneway from Massey St. Access to Towers 1, 2 and 3 is either via the lifts from the residential subterranean car parks or from the foyers that are accessed from the podium level.

Visitors entering from the foyers will need to access the podium from either the long stairway from the ROW or from the very long ramp from Massey St. Prior to accessing the stair or ramp, a visitor will need to enter a security code to open the security doors. These access doors will need to be openable from the inside without a key in the event of an emergency.

Access to the units from the shopping centre will be denied when the shopping centre is closed.

Fire safety problems - escape

The fire stairs from Towers 1,2 and 3 discharge onto the podium. However, from the podium level there are only two exits – the stair and the ramp. In the event of a fire this is totally inadequate and, if the ramp exit is blocked, it would be impossible for invalids or wheel-chair-bound people to escape unaided.

Fire safety problems – access for the fire brigade

There is no direct access for fire brigade vehicles to the podium level, which will make fighting a fire at this level or in one of the unit blocks very difficult.

Lack of privacy for unit owners

The walls of Towers 1, 2 and 3 are 18 metres apart. Residents on the lower floors will feel like they are living in a fishbowl, looking out at 8 storeys of windows looking in at them. Floor-to-ceiling glazed walls and clear glass balustrading to balconies compound the lack of privacy.

Overshadowing from other unit blocks

The worst overshadowing created by the GSV proposal is the internal overshadowing caused by the unit blocks overshadowing each other, particularly for Towers 1 and 2, which is compounded by their proximity.

6. THE DEMOLITION OF 10 COWELL STREET

The Trust is totally opposed to the demolition of the house at 10 Cowell Street, which is an item of considerable heritage significance. Its heritage status was originally recognised in the 1982 LEP as a Schedule 7 Contributory. It was re-assessed in *The Gladesville Shops Heritage Assessment and Conservation Guidelines March 2005* by Paul Davies, as a "potential Schedule 6 Heritage Item". Council's Conservation Advisory Panel supported this upgrade and recommended it to the General Manager.

Davies proposed that seven upgraded Heritage Items should be included in the 212 LEP. All of these were included, with the exception of 10 Cowell Street. Despite several conflicting statements from Hunters Hill Council officers, the reasons for Council's failure to include 10 Cowell St as a Schedule 5 Heritage in the 212 LEP remain unclear.

The Trust believes the retention of 10 Cowell St *must* be part of any scheme to develop this part of Gladesville. It is a fine example of a timber-framed 19th century cottage and an important marker of the history of settlement of the Gladesville area.

As well, its position on the corner of Flagstaff and Cowell Streets makes for a much smoother and sympathetic transition from the low-density residential scale of the rest of the street to the higher density residential, commercial and retail scale of Victoria Road.

Similarly this important corner in the development would be softened by the retention of the trees and greenery that are part of the site.

The cottage could readily house a community use that would help to activate this part of the site.

7. A CHEAP AND VERY ORDINARY PROPOSAL

The proposed GSV redevelopment is at base a cheap and very ordinary proposition that is driven by commercial profit and pragmatism rather than the aim of creating a fine public place with well-designed and properly integrated private housing, car parking and retail facilities. It does not aspire to excellence.

Questionable feasibility and a false economy

The proposed reuse of the car park structure involves boosting the carrying capacity of its columns and beams and is very briefly contemplated in a sketch structural report that accompanies the proposal.

However, the impact of this strengthening work has not been fully analysed particularly in relation to the existing footings. The strengthening process could well become more expensive than demolition and starting from scratch. It could also impact on the parking area layouts.

The use of existing materials for wall cladding

The reuse of the existing car park walls along Flagstaff Street and the use of similar materials to for the extension of those walls will perpetuate an existing ugliness and extend its scale twofold.



Flagstaff St – existing fabric and carpark entrances to be retained.

So-called green walls

The splattering of a bit of green on a drawing to represent foliage is the latest fad. However it does not ensure that walls will have a soft growing, living skin. This requires plenty of soil, which this scheme does not have, and continuous maintenance. If it works it is a poor substitute for a proper reserved garden bed for deep soil planting (as shown in the 5m setback in the original DCP).

Questionable Aesthetics

A full investigation of the proposed materials and colours has not been undertaken. From a brief overview of the proposal we make the following observations (without prejudice to all previous comments):

- The use of the coloured criss-cross patterning around the base of Tower 4 seems an excessive and inappropriate design element.
- The same applies to criss-cross patterning to the podium wall to Cowell Street.
- The use of different colours for balconies and supporting members seems arbitrary and unnecessary.
- The use of glass balustrading to balconies adds an extra layer of reflecting material and is useless for privacy.

It would be better to maintain consistency in the use of materials, colours and forms for the residential towers. Recessive colours are preferable for wall materials and structural elements as the forms have enough modelling to provide variation through light and shadow without the introduction of differing elements or colours.

8. COUNCIL HAS FAILED TO PROPERLY REPRESENT THE COMMUNITY'S INTEREST

Hunters Hill Council's landholdings are essential to the amalgamation and redevelopment of this site. Council is therefore in a powerful position to be able to set the agenda for what the development should achieve and to be an active player in developing design solutions to benefit the wider community and to ensure that Hunters Hill's heritage is preserved.

Council has deliberately relinquished a leadership role in the development. Instead it has passively sold off its land holdings to the developer and allowed the demolition of an important item of Hunters Hill's heritage that was previously under its stewardship.

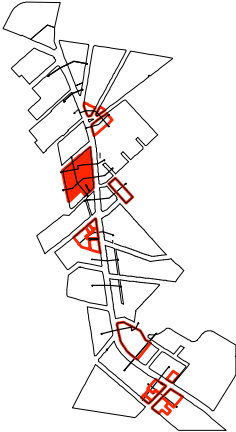
As well, Council's approach to the management of its land holdings has lacked transparency. For example the reasons given for the downgrading of the heritage status of No 10 Cowell St have been contradictory and no real explanation has been given for why it was considered better to sell it than to insist that the place be kept, restored and incorporated into the development.

Council now finds itself in the totally invidious position of having no control over what happens on this site and unable to pass comment on the plans because of its "vested interest".

As a result of Council's ineptitude the community has lost out. Profit and pragmatism have prevailed over the community interest.

Tony Coote
Vice President
The Hunters Hill Trust

7 November 2013



4.3.6 BLOCK 21

(MASSEY-COWELL STREETS) PUBLIC DOMAIN CONTROLS

Objectives

- Create new streets to maximise legibility and enhance circulation.
- Enhance pedestrian links to create a walkable network of public spaces.
- Create a public face to the expanded shopping centre, and maximise opportunities for public spaces away from Victoria Road.

Existing site

- This site is currently a network of car parks and service lanes, with no defined pedestrian space. The shopping centre has an entrance off the service lane, with a vehicle dominated environment. There is no seating, shade or comfort for pedestrians.

Controls

- Create a new street, minimum 16 metres wide, that connects Cowell street and Massey Street. The street must be designed to limit traffic speeds and maximise amenity and comfort for pedestrians. It shall have wide footpaths, generous street tree planting, seating, lighting and appropriate furniture.
- Layout the street to reduce traffic speed.
- Provide pedestrian connections to Victoria Road in the form of arcades and other through site links.

See also Section 3.3.10



BLOCK 21 PUBLIC DOMAIN PLAN

