

**Report and Recommendations of the
Design Review Panel, Sutherland Shire Council
Thursday, 2 May 2024**

Panel Members: Peter Hill (Chair), Kathy Bryla, Bruno Pelucca, Jared Phillips
(Landscape – online attendance)

Council Staff: Beth Morris, Yuwen Wang, Jaya Bray

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Planning Proposal No: RZN24/0001

Project Address: 23 Kiora Road & 2-6 Willock Avenue, Miranda

Proposal: SSLEP amendments to building height 60m and floorspace of 5.5:1

PREAMBLE

A proposal for the site has not previously been reviewed by Council or the DRP.

The site was visited by the Panel members prior to the meeting.

The proposal has been considered in relation to the Design Quality Principles of SEPP 65. Detailed matters relating to Principle 5 (Landscape) are not covered by the Panel and will be separately reported by Council Officers.

Issues considered relevant to the proposal are noted below.

COMMENTS

The Panel appreciates the detailed approach to describe design principles evident in the architectural reference design, particularly in its depiction of potential built forms aligned with the requested changes to the LEP development controls. While the Panel is generally supportive of increasing building height and floor space ratio for this site in the Miranda Commercial Centre, there are specific aspects of the planning proposal and the reference design that warrant further consideration. These recommendations are detailed below.

Preamble

1. The Planning Proposal seeks to amend the Sutherland Shire Local Environmental Plan (LEP) 2015, with site-specific changes to the LEP Maps, as follows:
 - Building Height
 - a. currently: 25 metres
 - b. proposed: **60 metres**
 - Floor Space Ratio
 - a. currently: 2:1
 - b. proposed: **5.5:1**
2. An architectural reference design has been submitted to support the planning proposal.
3. Planning proposals for additional development capacity through 'spot rezoning' must have strategic and site-specific merit.
4. The architectural reference design is to be a diagrammatic design that is to respond to the opportunities and constraints of the site, take account of the supporting studies and reports, and satisfy the Proponent's functional brief and the applicable planning framework. Insofar as can be ascertained from its diagrammatic nature, it must be capable of satisfying the non-numeric, qualitative objectives and controls in the Sutherland planning framework.
5. Following review of the materials provided, along with a visit to the site, in the view of the Panel there are challenges in demonstrating strategic and site-specific merit of the proposed scheme for the reasons described below.

Context and neighbourhood character

1. The site is well-positioned on a corner at the northeastern end of the Miranda town centre, with two street frontages, zoned E2, with FSR 2:1 with maximum height of building (HOB) 25 metres. The E2 zone extends to include the sites across Willock Avenue at the north. The sites on the opposite side of Kiora Road are zoned R4, FSR 1.2-1.5:1 with HOB 16-20m. There are significant street trees on Kiora Road and Willock Avenue.
2. The site is approximately 400m walking distance from Miranda Station. The Miranda town centre is well situated to provide opportunities for additional housing close to transport and is not constrained by bushfire risk or other issues. All of the adjacent

sites have been redeveloped, except for the police station site on the opposite side of Willock Avenue.

3. In accordance with the DCP, all sites on the southern side of Willock Street have been developed with a setback for widening the footpath for the block to Central Road, with space for street trees. The subject site is expected to also contribute to the widening and public domain improvements.

Strategic merit

1. Additional housing is clearly a pressing need across Sydney. The state government is in the process of releasing a number of planning strategies to provide for more well-located housing. While the details of the planning changes are still in preparation, the released strategies are limited to upzoning sites near rail stations. The changes are intended to deliver six-storey buildings to new height controls of 22-25 metres at new maximum floor space ratio controls of 2.5:1.
2. A few town centres will have higher scale development. Miranda has not been included in these proposed changes, perhaps because much of the town centre has already been developed to a similar six-storey scale.
3. In its review of the planning proposal, the Panel must advise not only on the built-form quality of the reference design proposal, but also on the future character of the Miranda Local Centre, and its community interest.
4. In the current strategic context, the proposal could be considered to have strategic merit if it provides good quality housing and community outcomes in a centre near public transport.
5. However, the Panel considers that the site-specific merit of the full quantum of additional floor space requested, and architectural resolution of the reference design built form, are not a good fit for the site when assessed through a site-specific checklist. In the Panel's view the request for FSR uplift should not be approved in its entirety.

Site-specific merit

Height and FSR

1. The planning proposal report and drawings present a good case for some development uplift on this site:
 - a. The Salvation Army (TSA) will be provided with new accommodation on its site where it currently delivers services. The proponent states that a large proportion of floorspace is dedicated to the operations of the Salvation Army. As this floorspace is not likely to be producing revenue for the building owner – council needs to confirm this arrangement - a case can be made that a considerable uplift in the development controls may be reasonable.
 - b. The building is designed with a podium that completes the corner of the block, in a form that limits overshadowing impact on neighbouring residences.

- c. The considerable uplift in height appears to be achievable without undue impact on overshadowing the adjacent area of common open space.
 - d. The typical floor to floor height at 3.2m is suitable for mixed-use buildings and best practice construction detailing related to the Design and Building Practitioners Act.
2. The uplift in height appears supportable. However, there are a number of concerns with the proposed reference design, which should impact on the total gross floor area allowed under a change to the development controls. The change to the maximum GFA could be reflected in a slight reduction in height.
3. The proposed building envelope is determined by the setbacks:
 - a. The setback to the southern neighbour follows the ADG;
 - b. The setback to the western neighbour appears suitable;
 - c. The ground floor setback to Kiora appears suitable;
 - d. The ground floor setback to Willock extends the footpath widening in accordance with the DCP. However the podium in the proposal reverts to zero setback on levels above ground, which would impact existing street trees and the planting and establishment of new street trees. The Panel requires that the alignment of the street widening set out in the DCP and followed by the developments to the west of the site should be extended to the corner with Kiora - continuous in width and continuous open to the sky - to allow the line of street trees to extend for the length of the street.
4. Active street frontages should be provided to both Willock Avenue and Kiora Road. The TSA has been provided the full frontage to Willock, but that is activated at the expense of Kiora. There is good public access to the ground floor on Willock, but the TSA extends further south at the same level, so the floor is below ground at the southern and western sides of the site. A courtyard has been cut into the floor plan at the southern end, but its location south of a 16 storey building would limit solar access. It should be possible to provide the public facilities of the TSA on both public sides of the building so that workers and visitors can be provided good ventilation and daylight.
5. The frontage proposed to Kiora is not active, which may be argued suits the street, as not all of the buildings on Kiora, from the subject site south to Kingsway, provide an active frontage. However, it is the view of the Panel that it is worth considering placing the TSA on the full length of the Kiora frontage and the eastern half of the Willock frontage, preferably in a split-level arrangement that can provide access from street levels to different parts of the TSA operations. There could be an emphasis on the corner, that provides an external gathering space, currently a useful function of the open space near the existing TSA/church building.
6. The residential entry from Kiora, elevated above a busy road, accessed by ramp or stair, is not a comfortable entry to people's homes. In the view of the Panel, it is worth considering relocating the residential entry to the western half of the Willock frontage.
7. According to TfNSW Traffic Volume maps, Kiora Road is a noisy road. In order to comply with ADG/Infrastructure SEPP requirements for noise attenuation and cross

ventilation to the apartments, the noise environment is to be studied and impacts ameliorated. This should require improvements to the built form proposed for the Kiora frontage, as noise impacts are better dealt with through design rather than with fallible technology after layouts are confirmed.

8. The pedestrian wind environment will be impacted by a building to 60m in height. Wind impacts are to be studied; it could be expected that, in order to reduce wind impacts on the pedestrian environment, the setback of the tower from the podium may need to be increased to 6m-8m. Note that the DCP setback of 4m is suitable for the much lower building, to 20m in height, envisaged in the current development controls, not the proposed building to 60m in height.
9. Solar – views from the sun show that the proposed arrangement of the frontage to Kiora does not provide 2 hours solar. This is also the case with some of the western elevations. Solar access to the units will need to be reassessed in light of the Panel request to increase the podium setback to Willock Avenue.

Recommendations

1. In light of the Panel's concerns with the resolution of the architectural reference design the Panel cannot recommend the full request for FSR to 5.5:1. Panel recommends that an FSR in the range 5.0:1 – 5.2:1 would be more suitable.