

**JOINT REGIONAL PLANNING PANEL
(Sydney East)**

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| JRPP No | 2011SYE002 |
| DA Number | D/2010/663 |
| Local Government Area | Leichhardt |
| Proposed Development | Construction of a new local area command police station including alterations and additions to heritage items known as the Cable Store and the Tram Depot and use of part of Derbyshire Road for dedicated police vehicle parking. |
| Street Address | 29 Derbyshire Road Leichhardt |
| Applicant/Owner | UGL Services Level 2 40 Miller Street North Sydney 2060 |
| Number of Submissions | 243 |
| Recommendation | Refusal |
| Report by | Adele Cowie, Executive Planner |

JOINT REGIONAL PLANNING PANEL

JUNE 2011



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| Development Application No. | ➤ D/2010/663 |
| Address | ➤ 29 Derbyshire Road, LEICHHARDT NSW 2040 |
| Description of Development | ➤ Redevelopment of the site to accommodate new Leichhardt Police Station. Works include alterations and fitout of the existing tram cable-store building; construction of a new three-storey building; new off-street parking and altered on-street parking on Derbyshire Road. Proposed hours of operations are 24 hours per day, 7 days per week. |
| Date of Receipt | ➤ 22 December 2010 |
| Value of Works | ➤ \$12,000,000 |
| Applicant's Details | ➤ UGL Services Thomas Clark Level 2 , 40 Miller St NORTH SYDNEY NSW 2060 |
| Owner's Details | ➤ State Transit Authority Of NSW PO Box 2557 STRAWBERRY HILLS NSW 2012 |
| Notification Dates | ➤ 13 January 2011 to 14 February 2011 |
| Number of Submissions | ➤ 243 |
| Building Classification | ➤ 5 |
| Integrated Development | ➤ No |

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|-----------------------|--|
| Main Issues | ➤ Parking, heritage, community safety, noise, traffic. |
| Recommendation | ➤ Refusal |

1. PROPOSAL

This application seeks consent for redevelopment of the site to accommodate a new Leichhardt Police Station (Local Area Command). Works include alterations and fitout of the existing tram cable-store building; construction of a new three-storey building; new off-street parking and altered on-street parking on Derbyshire Road.

The proposed Development Application comprises of the following areas:

- Ground Floor Plan (all areas) - Vehicular entry to the site along the William Street 'red road' to accommodate a 'drive-thru' van dock. A Police sign and flagpole along the Derbyshire Street frontage. Internal configuration of offices, public areas, custody areas, fire stairs and lift.
- Mezzanine Floor Plan (to existing Cable Store building only) – Internal configuration of offices.
- Level 1 Floor Plan (to new building only) - Internal configuration of offices, locker areas, staff amenities, conference/meeting areas fire stairs and lift.
- Level 2 Floor Plan (to new building only) - Internal configuration of offices, fire stairs and lift.
- Roof Plan - Configuration of the roof and outdoor plant room areas fire stairs and lift.

The proposal, inclusive of the Tram Depot building, has a proposed gross floor area of approximately 4100m²

The proposed Police Station building is designed to accommodate approximately 98 staff on a major shift who are on a rotational roster. Not all staff will occupy the building at the one time due to shift work arrangements. The Police Station hours of operation will be 24 hours a day, 7 days a week.

The van dock is located to the northern side of the building on the ground floor. This van dock is a 'drive-thru' configuration with vehicular access off William Street via the State Transit Authority 'red road' leading from the City West Link arterial road. Access to the car parking areas is also located off Derbyshire Street. The vehicular access off Derbyshire St also includes street parking for the 'first response' Police Vehicles. The footpath to the edge of the Pioneer's Memorial Park is proposed to be modified to provide the first response vehicles with the most direct access to the 'red road' for connection to the City West Link Road.

2. SITE DESCRIPTION

The site is approximately 4350m² in area and has a frontage of approximately 77m to Derbyshire Road. The site is located on the eastern side of Derbyshire Road, opposite Pioneer Park, and bordered by Leichhardt Secondary College to the east and south, and the State Transit bus depot to the north.

The site presently accommodates two dilapidated buildings, both listed as heritage Items under Leichhardt Local Environmental Plan 2000, and known as the Tramshed, and the Cable Store. The adjoining properties consist of the high school playing fields to the immediate east, and the bus depot to the immediate north. The

nearest residential properties are located on William/Henry Street, located about 60m from the Cable Store.

The site is located within the distinctive neighbourhood of Leichhardt - Helsarmel.

The subject site is a heritage item however it is not located within a conservation area. The site is not identified as a flood control lot.

3. SITE HISTORY

The following table outlines the development history of the subject site.

29 Derbyshire Rd

| Date | Application Details |
|-------------|--|
| D/2001/130 | Removal of underground storage tanks and remediation of site – approved. |
| D/2009/247 | Subdivision into two lots – approved. |
| D/2010/661 | Minor works to heritage items - approved |

The following table outlines relevant history of the surrounding properties.

160-180 Balmain Road (Leichhardt Secondary College)

| Date | Application Details |
|-------------|--|
| D/2001/366 | Closure of Moore St West for construction of new playing fields for school |

27 Derbyshire Road

| Date | Application Details |
|-------------|---|
| D/2001/376 | New vehicle access for Bus depot |
| D/2006/660 | New regional bus depot and access works |

4. ASSESSMENT

The following is a summary of the assessment of the application in accordance with Section 79C of the Environmental Planning & Assessment Act 1979.

(a)(i) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- State Environmental Planning Policy No. 1 – Development Standards
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (BASIX: Building Sustainability Index) 2004

- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environmental Plan 2000

The following summarises the assessment of the proposal against the development standards and lists the other relevant clauses of the Leichhardt Local Environmental Plan 2000.

| Development Standard | LEP 2000 Requirement | Proposal m² | Proposal ratio / % | Compliance |
|-----------------------------|-----------------------------|-------------------------------|---------------------------|-------------------|
| Floor Space Ratio | 1:1 | 4100m ² | 0.95:1 | Yes |

- Clause 12 – Vision of the plan
- Clause 13 – General Objectives
- Clause 15 – Heritage Objectives
- Clause 16 (1), (2) and (3) – Heritage Items
- Clause 16(7) – Development in the Vicinity of a heritage item
- Clause 16(8) – Development in Conservation Areas
- Clause 20 -Employment Objectives
- Clause 23(1) - Commercial floor space control
- Clause 35 – Suspension of Covenants, Agreements and Instruments

Clauses 15, 16(2) & 16(3) – Heritage

The application does not satisfy the heritage requirements of the Leichhardt Local Environmental Plan 2000.

The two existing buildings, known as the Tram Shed and the Cable Store, are heritage items under LEP 2000, listed as having State significance (albeit not on the State Heritage Register.) The application has been accompanied by a Conservation Management Plan, as required by Clause 16.

The proposed works to the Tram shed are modest, and largely constitute refurbishment and repair. Council raises no heritage objection to those works.

The proposed works to the Cable Store are significant, and involve the construction of a large contemporary three storey building attached to the northern wall of the item, a single storey contemporary structure attached to the southern wall of the item and a single storey multi-carport structure attached to the western wall of the item.

Of particular concern to Council is the extent of works proposed to the northern wall.

Council's Heritage Advisor has made the following comments with regard to the proposed works to the Cable Store:

The proposed new additions to the 'Cable Store' building are not supported due to the massing, bulk and scale of the northern addition. The new building will effectively isolate the remaining buildings of the former Tram Depot.

The height of additions should be reduced to lessen the visual impact on the heritage items and the connection of the addition to the northern wall of the heritage item 'Cable Store' should be reduced by the use of a single storey link of substantial length and simplified design.

The proposed additions in their present form, scale and design are an unacceptable negative impact on the significance of the heritage items, their curtilage and their connection to each other and to the adjoining heritage listed Pioneers Memorial Park.

Council staff met with the applicant to discuss possible design changes centred on the scale, bulk and visual impact of the current proposal on the heritage item especially the northern connection of the new and old building and ways to mitigate the impact. The possibility of creating a transparent link between the two buildings; or of reducing the link to single storey or lowering the height of levels was discussed. Although the applicant submitted draft plans to achieve a better heritage outcome these were not consistent with the discussions and have not been accepted.

Given the significance of the Item Council also commissioned a third-party review of the proposal by NBRS + Partners. That review advises, in summary, that the proposal is inconsistent with the Conservation Management Plan which was prepared for the buildings, and should not be approved, on heritage grounds.

The NBRS + Partners comments state:

Adaptive re-use of the site is a positive heritage outcome, particularly if the re-use conserves and enhances the cultural significance of the place. Use of the building as offices is suitable, providing the internal fabric and planning is retained and interpreted;

In our opinion, the proposed three-storey addition to the north of the Former Cable Store does dominate the existing single-storey buildings through the bulk and scale. The three-storey building obstructs appreciation of the North Elevation of the Former Cable Store building, particularly when viewed from the proposed main entry. Any redevelopment of the site should reduce the extent of development at the northeast corner of the site.

The proposed development will have considerable negative impact on views from Derbyshire Road to the North Elevation of the Former Cable Store and the Former Traffic Office. The negative impact is associated with a major level of reduction of views and vistas to the Former Cable Store and the Former Traffic Store.

In our opinion, the proposed works are not "in keeping" with the style of the existing buildings. The proposed building design is bulky. The size and scale of the proposed development overwhelms the existing single-storey tram buildings. Any redesign of the buildings should consider materials and style that adopt a sympathetic approach to the existing heritage buildings. It is recognised the design of the proposed Police Station with its need for on-grade carparking is limited by the available site area.

The three-storey extension to the North Elevation and the single-storey addition to the South Elevation of the former Cable Store will have a significant negative heritage impact on views and vistas to the heritage item because it has obliterated/denied the public views to the heritage item from Pioneers Memorial Park, a public facility.

The carparking bays with covered roof proposed for the West Elevation of the former Cable Store has obscured views to the heritage item when viewed by public from Pioneers Memorial Park.

The Former Traffic Office has been retained. However, works to the building do not form part of the scope of works to this development application. Nevertheless, views and vistas to the West Elevation of the Former Traffic Office would be obstructed by the public.

In our opinion, the form and proportions of the proposed development dominate the heritage items. The proposed extensions comprise a three-storey addition on the northern end of the former Cable Store and a single-storey addition to the southern façade of the heritage item. The scale difference between the existing single-storey and three-storey is dramatic. The rectilinear form and proportions of the proposed extension is an unsympathetic contrast to the existing heritage items. The proposed addition has little articulation or fenestration and this adds to the bulky-appearance of the proposed addition.

The proposal for the first and second floor to "overhang the ground floor area" at the northern end of the Former Cable Store is in our opinion an unsympathetic solution and fails to respect the form and proportions of the existing Federation period heritage item.

The proposed development treats the former Cable Store as a subservient element. The heritage item is subsumed by the proposed development. The North Elevations of the Former Cable Store was assessed in the Rappoport CMP as having High heritage significance. Although some fabric to the North Elevation has been retained, the proposed development obscures the elevation.

The junction between the three-storey addition and the existing building is, in our opinion, unsympathetic with the heritage significance of the place as there is no articulation of the two buildings and no respect of the character of the form of the building. Any re-development should step any new development back from the North Elevation to allow the elevation to be visible.

The location of the flat-skillion roof of the single-storey addition to house carpark carport, bin-bay, storage and amenities area, located at the southern end of the site, has obscured views and vistas to the South Elevation of the Former Cable Store. Locating the addition at an oblique angle to the existing building detracts from shows the symmetry of the South Elevation gabled form, assessed in the Rappoport CMP Draft as having High heritage significance.

In our opinion, the oblique angle of the single-storey carpark bears little relationship to the planning and form of the Former Cable Store.

When viewed from the east, the expressed sheet wall cladding to the eastern walls of the proposed three-storey addition, overwhelm the facade of the Former Cable Store, and provide little articulation to reduce the imposing scale of the proposed development.

The abutments and junctions of the proposed development and the Former Cable Store are unsympathetic and do not respect the heritage significance of the form of the building. A more sympathetic solution might be to articulate the junction with a rebate to define the two buildings.

The proposed three-storey addition to the northwest of the site blocks any views and vistas for the general public to appreciate the place from the public spaces, particularly from Pioneers Memorial Park(former Balmain Cemetery), Norton Street, Leichhardt.

Consideration should be given to respecting the elevations assessed as having "High" significance, in particular the South and North Elevations of the Former Cable Store.

There is no consideration of the "visual continuity" of the Former Cable Store. The proposed addition of a roof over the Undercover Parking along the West Elevation would mean that only the East Elevation would be retained intact.

Consideration should be given to expressing the bays of the South Elevation of the Former Cable Store. This could be achieved by retaining the axis of the existing building and setting clear of the building using a link building.

In conclusion, following our review of documentation associated with the proposed works described in D/2010/663, we have assessed the work adversely affects the identified heritage significance of the property located at 29 Derbyshire Road, Leichhardt. We would recommend the heritage aspects of this application not be approved and have provided heritage advice and recommendations to assist with new application that redesigns the Local Area Command Police Station to reduce negative heritage impacts on the heritage item.

Council concurs with these views and the application is not supported.

It is also advised that Council has received a submission from The National Trust (the site is listed with the Trust), as follows:

- *It is an inappropriate reuse for these heritage buildings.*
- *The design of the proposed new buildings overshadows, degrades and adversely affects the heritage values of these buildings*
- *Despite common authorship, the CMP and the HIS make contradictory assessments and assertions*
- *The HIS is inadequate and based upon incorrect information*
- *neither CMP or HIS (or Peer Review) addresses the industrial heritage values of the Cable Store Building (such as, for example, the former presence of a tram line running through the building from north to south, hence any development on these*

sides adversely affects the interpretation of the operational characteristics of the building)

- neither CMP nor HIS identifies the architectural design 'family' (whereby the use of common motifs and features in different ways and situations links many of the various Tramways buildings (there are specific exceptions, such as Fort Macquarie Depot) across the city into a recognisable architectural 'family' of buildings) within which the Leichhardt buildings fit. This value has historical significance, as such an approach by a single government department/authority is no longer a common practice.

State Environmental Planning Policy (Major Development) 2005

The proposal has a Capital Investment Value (CIV) exceeding \$5 million and is made by the Crown and thus comprises 'regional development' pursuant to the State Environmental Planning Policy.

The Joint Regional Planning Panel is the consent authority for such development.

(a)(ii) Draft Environmental Planning Instruments

There are no Draft Environmental Planning Instruments applicable to the subject application.

(a)(iii) Development Control Plans

The application has been assessed against the relevant Development Control Plans listed below:

- Leichhardt Development Control Plan 2000
- Leichhardt Development Control Plan No.32 – Equity of Access
- Leichhardt Development Control Plan No.36 – Notifications
- Leichhardt Development Control Plan No.38 – Waste: Avoid, Reuse, Recycle
- Leichhardt Development Control Plan No.42 – Contaminated Land Management

More specifically, the application has been assessed against the following clauses of Development Control Plan 2000.

- Part A2.0 – Urban framework plans
- Part A3.0 – Principles of ecologically sustainable development
- Part A3a.0 – Sustainable water and risk management
- Part A4.0 – Urban form and design
- Part A5.0 – Amenity
- Part A6.0 – Site analysis
- Part A7.0 – Heritage conservation
- Part A8.0 - Parking standards & controls
- Part A10.2.4 – Helsarmel distinctive neighbourhood
- Part C1.1- Site layout & building design
- Part C1.2 - Parking layout, servicing & manoeuvring
- Part C1.3 - Landscaping

- Part C1.4 - Elevation & materials
- Part C1.5 - Site facilities
- Part C2.1 - Site drainage & stormwater control
- Part C2.2 - Energy efficient siting & layout
- Part C2.3 - Building construction – mass & materials
- Part C2.4 - Solar control
- Part C2.5 - Insulation
- Part C2.6 - Ventilation
- Part C2.7 - Space heating & cooling
- Part C2.8 - Using solar energy
- Part C2.9 - Appliances & equipment
- Part C3.1 - Noise & vibration generation

Part A8.0 Parking standards & controls and Part C1.2 – Parking layout, servicing & manoeuvring:

It is advised that the application has been referred to Council's Traffic Committee for consideration, especially of the parking implications for surrounding streets and the proposed changes to parking availability along Derbyshire Road. The minutes of that meeting will be tabled when available.

The proposal provides 22 car parking spaces within the site, however, with the exception of a handful of spaces for most senior staff these parking spaces will cater for "operational" vehicles and not for the parking needs of staff.

There will be no on-site parking provided for staff.

Leichhardt Development Control Plan 2000 does not provide a carparking criteria for this type of use. The closest similar use would be "commercial", however there are important differences in the operation of a Local Area Command which affect parking demand, particularly the shift-work 24-hour a day nature of the activity.

If the use was to be assessed as a commercial activity the parking demand would be a minimum of 1.5 spaces and a maximum of 3 spaces per 100m² of floor area. The gross floor area of the Cable Store and the Tram shed plus the new works is approximately 4160m². The maximum carparking demand would be 125 spaces, whilst the minimum carparking demand would be 63 spaces. However, given the unique operational nature of a large police station, applying the "commercial" analogy may not be appropriate, particularly as the gross floor area does not truly reflect the staff numbers (there are, for example, large areas dedicated to staff change and locker space, staff recreation, holding areas and the like which would not result in inherent parking demand).

The RTA Guide to Traffic Generating Development concludes that the average office has 52% of its employees driving cars. If this was to be applied to the application then of the 98 nominated staff, 51 of them could be expected to drive to work.

The applicant has advised that all NSW Police officers are entitled to discounted public transport travel, and that officers will be encouraged to catch the bus to the site. It is not clear whether the discount entitlement applies to non-service staff (eg

office staff, cleaners etc however it is unlikely) nor is it clear what the expectation is for night-time shift work when local bus services have ceased. Notwithstanding the above, however, it is highly unlikely that all staff will take public transport options, particularly those working at night (buses cease generally by midnight).

It is apparent from site inspections that on street parking in the immediate vicinity is already at capacity, and there is little scope to accommodate more parking demand. Furthermore, as well as a quantum deficiency in the gross amount of parking there is the related problem that parking for residents is being pressured to the extent that often residents are unable to park near their homes. It is further noted that shift related parking demand is high in the surrounding streets due to the demands of workers from the adjacent Bus depot and the lack of on-site parking for employees at the depot.

Given the size of the facility, and present parking demand and supply concerns in the surrounding area, and concerns expressed by locals an independent traffic and parking review of the proposal has also been carried out.

The review identified parking shortfall and parking conflict as being a problem in the surrounding area if the application is to proceed. The review has also made the following observations with regard to traffic/pedestrian/cyclist safety:

In addition to the identified parking shortfall, the following transport-related issues also require further analysis:

- *Vehicular access to the proposed development would be via the 'Bus-Only' section of William Street which is currently controlled by two boom-gates, below in Figure 6.1. It is unclear how this system would operate if the proposed development was approved and whether the boom-gates would add unnecessary delay to police vehicles in an emergency situation.*
- *With buses arriving and departing the Leichhardt Bus Depot throughout the day, there is potential for conflict between buses and police vehicles in the streets surrounding the development site (particularly in the 'Bus-Only' section of William Street).*
- *Under the proposed development the western kerb of Derbyshire Road is to be allocated for the parking of six 'first response' police vehicles although under existing conditions on-street parking along the western kerb is banned (No Parking). No detail has been provided to demonstrate how the proposed arrangement would operate.*
- *With traffic congestion in and around both Norton Street and Balmain Road being particularly heavy during road network peaks as well as Friday and Saturday evenings significant delays could be experienced by police vehicles attempting to access the wider arterial road net work i.e. CityWest Link and Parramatta Road in an emergency situation.*
- *With the proposed development in proximity to high pedestrian generators such as the Sydney Secondary College, Pioneers Memorial Park and the Norton Street retail precinct there is a potential safety issue between police vehicle response speeds and pedestrians in the streets immediately surrounding the development site.*
- *With both Balmain Road and Moore Street designated as strategic on-road cycle links in Leichhardt Council's Bicycle Map 2009 there is a potential safety*

issue between police vehicles and on-road cyclists in the streets immediately surrounding the development site.

The parking assessment suggests that the parking demands of the police station, particularly at shift cross-over times (understood to be at 6.00am and 6.00pm) will result in the pattern of parking pressure being moved further out into surrounding streets, and that this will be to the further detriment of residents. It is also noted that the 6.00pm shift turn-over will coincide with residents returning from work. Given that there is often a lag in staff departing (i.e staff finishing up for the day may be running late trying to complete tasks, may want to shower and change etc) but not usually a delay in staff turning up, there is likely to be a lag in parking turnover – spaces will not be vacated before or as replacement staff turn up for work, but after, adding to demand at critical times.

Adding to the parking concerns above is the fact that this area is also used to accommodate parking from the bus depot staff, the high school, the nearby function centre, park users, sports teams using the playing fields and the Greek Church on Henry Street. This means that parking demand is not just during normal business hours but also affects weekends and evenings.

Council has consulted with the local community with regard to implementing a residents parking scheme along local streets both the east and west of the development site. Although there has been some community agreement from streets to the east of Balmain Road there is less consensus from Henry Street properties, therefore a resident parking scheme may not proceed along Henry St, or may be of a curtailed implementation. The matter of a resident parking scheme has been amended and is currently before local residents in William St, Henry St, Charlotte St and Alfred St for review. It seems more likely than not that some element of resident parking scheme restriction will be imposed along all or part of these nominated streets. This means that the parking needs of the police station will be pushed further away.

It is also advised that Council is pursuing parking restrictions along the northern perimeter of Pioneer Park, in order to better manage parking needs of casual park users. This will further restrict the provision of unconstrained street parking in the vicinity of the proposed police station.

It remains the case that the parking demand generated by the proposed use cannot be readily incorporated into the nearest streets without exacerbating detrimental impacts on local residents, and that there are significant traffic safety concerns which have not been adequately addressed by the proposal.

A5.0 - Amenity

Council is particularly concerned that the proposal has not adequately addressed mitigation of amenity implications for the well-being of surrounding residents. In this regard it is noted that the proposal is likely to have noise impacts which would affect the quality of life of nearby residents, however the submitted Acoustic report has not adequately addressed this issue (see later comments by Council's Environmental Health officer).

(a)(iv) Environmental Planning and Assessment Regulation 2000

The Development Application has been assessed against the relevant clauses of the Environmental Planning and Assessment Regulation 2000. The Development Application raises no major issues with regard to the Environmental Planning and Assessment Regulation 2000.

(b) The likely environmental both natural and built environment, social and economic impacts in the locality

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

- Parking demand cannot be accommodated on the site, and cannot be readily absorbed into the surrounding street network without affecting the amenity of nearby residents, and other users of street parking in the vicinity.
- The relationship between the heritage item known as the cable store, and the new building works is intrusive and overly-bulky and does not respond to acknowledged principles of good heritage conservation.

(c) The suitability of the site for the development

The site is zoned Public Purpose. It is considered that the proposal will have an adverse impact on the surrounding area for those reasons outlined elsewhere in this report and therefore it is considered that the site is unsuitable to accommodate the proposed development.

(d) Any submissions made in accordance with the Act or the regulations

The Development Application was notified for a period of 48 days.

The notification period was from 13 January 2011 to 14 February 2011. A further letter advising of the application in more detail was sent out on 25 February 2011, which asked for responses by 11 March 2011.

The notification of the application included:

- Approximately 1700 notification letters sent.
- A yellow site notice placed on the site.
- Listing under the notification section on Council's website.

241 objections were received objecting to the proposal. Two letters in support were also received.

The following information is provided in response to the issues raised in the objections.

Applicant did not consult properly with the community and did not canvass opinions or concerns.

Whilst this would have been beneficial, and good practice, the applicant is under no legal obligation to consult with the community prior to lodgement.

Proximity to Pioneer Park – will expose all users to criminal element

The Station will apparently be a charging/holding station, therefore criminals and accused criminals will be in attendance.

Proximity to Leichhardt Secondary College – will expose students, teachers and visitors to criminal elements

Given that the premises will have approximately 50-odd police staff coming and going at any given point over a 24 hour a day period it is considered likely that this high level of police presence would limit criminal activity in the area.

Traffic conflicts between extra vehicles accessing the Station, and emergency response vehicles – pedestrian safety will be compromised.

Traffic study is inadequate.

Agreed.

No parking is proposed for staff – local streets are already parked out by existing situation

Parking is a serious problem. There is very little excess on street parking available in the immediate vicinity.

Location is not particularly visible to the public – should be in a more visible location for reasons of security.

Noted.

Access and off-street parking facilities do not comply with the relevant Australian Standard.

Agreed. See Engineer's comments below.

No SEPP 1 objection has been received.

Initially it was unclear whether the proposal breached the relevant floor space ratio. If there was to be such a breach a SEPP 1 objection would have been necessary. However, there is no such breach and therefore a SEPP 1 objection is not required.

Inappropriate impacts on the heritage listed Cable Store building.

Agreed. See assessment of heritage impact above.

Object to the removal of on street parking in Derbyshire Road.

The applicants have advised that they are willing to delete the proposed parking works on Derbyshire Road, however there would be a need for operational (first response) vehicles to park on the eastern side of Derbyshire Road. This would need to be dedicated police parking which would remove these spaces from general use by the public. If other parking concerns could be addressed in the locality this in itself may not be problematic.

Noise impact from sirens.

Agreed. See response from Council's Environmental Officer regarding the submitted acoustic report.

St Gerasimos Greek Church in Henry St currently arranges with Council temporary closure of William St, and use of Pioneer Park for Easter celebrations and the like several times a year – will we still be able to do this if the Police Station is approved.

Council staff raised this issue with the applicants, and requested that Council be provided with a letter from the Area Commander confirming that the Police were aware of the Churches closure of William St and use of Pioneer Park on these occasions, and confirming also that such closure would not be opposed by the Police. The applicant advised that the Police were aware of these activities and had factored it into their operational requirements, however no such letter of confirmation has been received.

The police station has not been well-designed – should incorporate a local Court House so that persons charged do not have to be transported from one place to another – this is not efficient, neither is it safe.

Council has no information before it as to the logistical or housekeeping requirements of a Local Area Command, in this regard.

(e) The public interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is contrary to the public interest.

5. SECTION 94 CONTRIBUTIONS

Section 94 contributions are payable for the proposal as the works constitute new commercial development. The payable amount is \$240 346.58.

6. INTERNAL REFERRALS

The Development Application was referred to the following Council Officers:

Building

No concerns are raised with regard to the BCA compliance of the proposal. Relevant conditions have been recommended.

Drainage and Traffic Engineer

Council's engineers have provided the following comments:

1. The submitted Stormwater Plan on Drawing No D-101/A prepared by Wood & Grieve Engineers and dated 7 March 2011 is inadequate for the following reasons:
 - The Plan does not include surface and invert levels or dimensions. Due to the shallow depth of the Council's receiving stormwater system in Derbyshire Road, it is unlikely that the proposed on site detention storage facility can be drained by gravity into Council system. It is likely that this could only be addressed by upgrading/ replacing Council's existing drainage system in William Street and Derbyshire Road.
 - The Stormwater Plan does not include basic design details in accordance with Council's Stormwater Code, including cross sections to demonstrate minimum depth requirements, orifice plates, silt traps.
 - While water filtration baskets are referred to in the supporting documentation, they are not included on the Stormwater Plan.
2. Reference is made to the Traffic and Parking Assessment Report prepared by Varga Traffic Planning dated 22 December 2010.

Concern is raised in relation to the impact of traffic and parking on the local street network noting that on-street parking in the surrounding streets (Derbyshire, Henry, William, Alfred and Charlotte Streets) currently have very high occupancy levels.

The Report must be amended to provide an assessment on parking demand, and take into account the required police vehicles to serve the community noting future population growth and/ or future police number increases. The site must be amended to provide staff, accessible and private parking spaces in accordance with the outcomes of the Report.

In addition, the Report must assess traffic impacts at the intersections of City West Link/ Norton Street, City West Link/ Balmain Road, William Street/ Norton Street, Moore Street/ Balmain Road, Marion and Leichhardt Street/ Balmain Road and Marion Street/ Norton Street.

Concern is raised in relation to the proposed fast response on street parking spaces on Derbyshire Road given the spaces proximity to a park utilised by school students, the young and elderly. In addition, the proposal results in the loss of on street parking spaces and footpath connectivity. This is not supported. The proposal should be amended to provide fast response spaces perpendicular to the STA road.

Derbyshire Road does not provide a sufficiently sized footpath on the eastern side. Given the scale and nature of the development, both sides of the Road must provide for a minimum footpath width of 1800mm to provide adequate footpath connectivity. To facilitate this, a portion of the subject site may need to be dedicated as roadway. The report must address this issue.

The design of the access and off street parking facilities must be amended to address the relevant provisions of Australian Standards, including but not limited to AS/NZS 2890.1-2004 *Parking Facilities - Off-Street Car Parking*, AS 2890.2-2002 *Parking Facilities - Off-Street commercial vehicles facilities*, AS/NZS 2890.6-2009 *Off-street parking for people with disabilities* and AS 2890.3-1993 *Parking Facilities - Bicycle parking facilities*.

The following specific issues must be addressed in the design:

- The proposed waste area does not enable collection from trucks as the turning area can only accommodate cars. The waste area should be accessed internally. In this regard, headroom and manoeuvrability must be provided to accommodate a Medium Rigid Vehicle (MRV) in accordance with the requirements of AS 2890.2-2002. The truck must enter and exit the site in a forward direction.
- All vehicles must enter and exit the site in a forward direction.
- The garage accessed from the cul de sac results in vehicles reversing into a high pedestrian area adjacent to a school. The garage must be solely accessed internally.

In addition, details of the intended vehicles using the garage must be submitted. The applicant must demonstrate compliance with the headroom requirements of the Standard to its intended vehicle size and type.

- The proposed van dock exit laneway results in a conflict between entering vehicles from Derbyshire Street. The design must be amended.
- The SOEE states officers will be provided with free bus travel on buses travelling to and from the depot however no logistical detail has been provided to demonstrate how this will work.
- The access opening at the north west corner of the site must be set back a minimum 6000mm from the intersection to the north.
- Demonstrate that access in and out of the van dock complies with the headroom and manoeuvrability requirements of the Standard for the intended truck size and type.
- The vehicular access must be amended to provide clear sight lines (triangles) to pedestrians in accordance with the requirements of Clause 3.2.4(b) of AS/NZS 2890.1-2004.

- The access aisle and parking space widths must be sized in accordance with the requirements of AS/NZS 2890.1-2004 for their intended User Class.
- Provision of accessible parking spaces which comply with the dimensional requirements of Figure 2.1 of AS/NZS 2890.6-2009 Off-street parking for people with disabilities, including the provision of a shared area.
- A plan of the proposed driveway and car spaces must be provided demonstrating that vehicle manoeuvrability for entry and exit from each space complies with AS/NZS 2890.1-2004.
- Detail the loading / unloading requirements including truck size and type.
- The pump booster doors must not encroach/ swing into the road reserve.
- A longitudinal section along each edge of the vehicular access demonstrating compliance with the ground clearance and headroom requirements of the Standard, and showing that the boundary levels are 150mm above the adjacent road gutter invert for the full width of each vehicle crossing on Derbyshire Road. The sections must extend to the centreline of the road carriageway.
- A bicycle storage area must be provided to accommodate the numerical requirements of DCP 2000 and be designed in accordance with relevant provisions of AS 2890.3-1993.

Comment: The majority of these issues have not been addressed.

Heritage Advisor

The comments of Council's heritage advisor have been detailed in the assessment of the heritage impacts of the proposal above.

Community Planning

Comments / Conditions (in relation to social impacts):

- That the applicant provides details of community consultation undertaken. In particular, who was consulted and what concerns were raised. Refer to Council's Community Engagement Framework – www.leichhardt.nsw.gov.au/community-engagement.html
- That the applicant outlines how the development will impact (positively and negatively) on the amenity of the existing local neighbourhood, and how they plan to manage/mitigate these.
- That the applicant addresses the positive and negative impacts of a possible relocation of a Local Area Command Police Station from Glebe to Leichhardt.

- That the appliance identifies design elements that will facilitate the transition between the public domain and the built facility in a way that increases amenity and satisfies security requirements, for example – public art and landscape designs.

Comment: These requirements have not been addressed in the application.

Environmental Officer

The following issues are raised in response to the proposal:

- The submitted acoustic report has been submitted in a draft format.
- Detail of proposed mechanical plant has not been provided. Accordingly an additional acoustic report will be required prior to the issue of the construction certificate. The additional report to indicate size, type and location of all mechanical plant and method of compliance with established noise criteria for residential receivers. All plant to be considered including a/c units, refrigeration, mechanical extraction equipment any other plant which may cause the emission of nuisance noise.
- The acoustic report does not address noise impacts from the proposed development upon surrounding residential receivers.
- The acoustic report does not address the noise generated from sirens installed on vehicles and the noise generated from vehicles leaving the premises during emergencies.
- The acoustic consultant is to reference “Offensive Noise” as defined in the Protection of the Environment Operations Act 1997 and “intrusive noise” as defined within the NSW EPA Industrial Noise Policy as additional criteria for compliance.
- The acoustic consultant to provide a clear statement that the proposal, subject to implementation of all recommendations, will not cause the emission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 or “intrusive noise” as defined within the NSW EPA Industrial Noise Policy.

The application is not supported in regard to matters reviewed until such time as the above issues have been address to Council’s satisfaction.

7. EXTERNAL REFERRALS

The Development Application was not required to be referred to any external body for comment.

8. CONCLUSION

The Development has been assessed in accordance with Section 79C(1) of the Environmental Planning and Assessment Act 1979 and all relevant instruments and policies. The proposal is unsatisfactory in respect of parking impacts, traffic impacts, pedestrian safety, heritage and noise and will result in adverse impacts on the locality. Accordingly the application is recommended for refusal for the reasons listed below.

9. RECOMMENDATION

That pursuant to s80 of the Environmental Planning and Assessment Act 1979 the application D/2010/663 for construction of a new local area command police station including alterations and additions to heritage items known as the Cable Store and the Tram Depot and use of part of Derbyshire Road for dedicated police vehicle parking at property known as 29 Derbyshire Road Leichhardt be refused for the following reasons:

1. The proposal would result in significant additional carparking demand imposed on surrounding streets, to the detriment of nearby residents and other existing users of street parking in this area. Parking demand would spill into streets not currently experiencing significant parking problems.
2. The proposal would result in traffic conflicts along surrounding street networks, particularly during weekends when traffic movements are more constrained, and this would generate safety conflicts for other drivers, cyclists and pedestrians.
3. The proposal would result in unacceptable mass and bulk abutting and concealing important heritage fabric of the heritage item known as The Cable Store and is contrary to the heritage and conservation requirements of Clause 15 and 16 of Leichhardt Local Environmental Plan 2000 and is contrary to the objectives identified in the Conservation Management Plan prepared for the buildings.
4. The acoustic report submitted with the application is unsatisfactory as the report does not address noise impacts from the proposed development upon surrounding residential receivers. The acoustic report does not address the noise generated from sirens installed on vehicles and the noise generated from vehicles leaving the premises during emergencies.
5. The application is unsatisfactory in that no Social Impact Assessment has been received which properly outlines how the development will impact (positively and negatively) on the amenity of the existing local neighbourhood, and how the operators plan to manage/mitigate these.
6. Access from the cul-de-sac for larger vehicles including waste trucks is unsatisfactory as the cul-de-sac has been designed only to accommodate drop-off/pick-up movements for cars associated with students accessing the secondary college.

7. The proposal has not demonstrated the following: The design of the access and off street parking facilities must be amended to address the relevant provisions of Australian Standards, including but not limited to AS/NZS 2890.1-2004 *Parking Facilities - Off-Street Car Parking*, AS 2890.2-2002 *Parking Facilities - Off-Street commercial vehicles facilities*, AS/NZS 2890.6-2009 *Off-street parking for people with disabilities* and AS 2890.3-1993 *Parking Facilities - Bicycle parking facilities*.
8. The submitted Stormwater Plan on Drawing No D-101/A prepared by Wood & Grieve Engineers and dated 7 March 2011 is inadequate for the following reasons:
 - a) The Plan does not include surface and invert levels or dimensions. Due to the shallow depth of the Council's receiving stormwater system in Derbyshire Road, it is unlikely that the proposed on site detention storage facility can be drained by gravity into Council system. It is likely that this could only be addressed by upgrading/ replacing Council's existing drainage system in William Street and Derbyshire Road.
 - b) The Stormwater Plan does not include basic design details in accordance with Council's Stormwater Code, including cross sections to demonstrate minimum depth requirements, orifice plates, silt traps.
 - c) While water filtration baskets are referred to in the supporting documentation, they are not included on the Stormwater Plan.
9. It is not in the public interest to locate a major parking generator in a locality with limited on-street parking and high established demand from existing users unless the parking generated by the use is able to be accommodated without significant burden being placed on the surrounding area.