

## JOINT REGIONAL PLANNING PANEL (Sydney East Region)

<b>JRPP No</b>	2016SYE034
<b>DA Number</b>	DA-2016/276
<b>Local Government Area</b>	BAYSIDE
<b>Proposed Development</b>	Construction of a six (6) storey boarding house, comprising 38 boarding rooms including one manager's room, rooftop communal open space and ground level parking and demolition of existing structures.
<b>Street Address</b>	4 Innesdale Road, Wolli Creek
<b>Applicant/Owner</b>	VP1 Pty Ltd
<b>Number of Submissions</b>	Eight (8) submissions including one (1) petition with 46 signatures and 4 submissions from one household.
<b>Regional Development Criteria (Schedule 4A of the Act)</b>	'Affordable Housing' with a Capital Investment Value >\$5M.
<b>List of All Relevant s79C(1)(a) Matters</b>	<p>Relevant environmental planning instruments; s79C(1)(a)(i):</p> <ul style="list-style-type: none"> <li>• SEPP – Affordable Rental Housing</li> <li>• SEPP – State and Regional Development 2011</li> <li>• Rockdale Local Environmental Plan 2011</li> </ul> <p>Any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii);</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul> <p>Relevant development control plan: s79C(1)(a)(iii);</p> <ul style="list-style-type: none"> <li>• Rockdale Development Control Plan 2011</li> </ul> <p>Any relevant planning agreement:</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul> <p>Any coastal zone management plan: s79C(1)(a)(v);</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul> <p>Any relevant regulations; s79C(1)(a)(iv) e.g. Regulations</p> <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Regulations 2000.</li> </ul>

<b>List all documents submitted with this report for the panel's consideration</b>	Assessment report and draft conditions of consent.
<b>Recommendation</b>	Approval subject to original draft conditions as modified within the Conclusion of this report.
<b>Report by</b>	Fiona Prodromou – Senior Assessment Planner

**Supplementary Assessment Report and Recommendation Cover Sheet**

## REASON FOR REFERRAL TO JRPP

At its meeting of 12<sup>th</sup> October 2016, the JRPP resolved to defer the determination of item 2016SYE034 – Bayside – DA-2016/276 at 4 Innesdale Road Wolli Creek.

The proposal was for the construction of a six (6) storey boarding house, comprising 38 boarding rooms including one manager's room, rooftop communal open space and ground level parking and demolition of existing structures.

The aforementioned matter was deferred to allow the applicant to submit amended drawings and/or supplementary information to address matters of concern raised by the JRPP.

Following the submission and review of amended plans and supplementary information, the application is now resubmitted to the JRPP for determination.

## DEVELOPMENT ASSESSMENT REPORT

Amended plans and documentation were submitted to Council for assessment. The matters raised by the JRPP are addressed as follows:

1. *Minimise the bulk of structures on the roof which breach the height control, remove enclosing structures and roof and replace by planter boxes for privacy, remove toilet, storage and one lift.*

Comment: As originally proposed the rooftop communal terrace as proposed incorporated two lift cores, stair overrun, lobby, storage room, toilet and pergola structures. This is illustrated below in Figure 1.

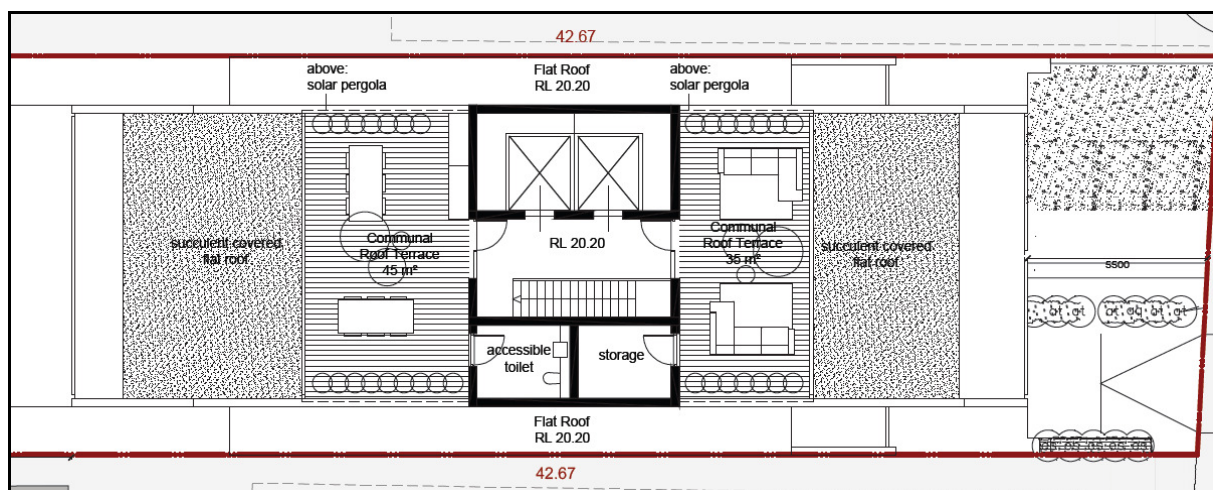


Figure 1 – As originally proposed

Amended plans as submitted by the applicant have removed and minimised rooftop, thus reducing the bulk and extent of any structures penetrating the height limit on site.

As can be seen below in Figure 2, only a single lift overrun extends to the rooftop level and the previously proposed enclosing structures including the pergolas, wind amelioration screens, toilet, store room and lobby area have been deleted.

Solar panels have been relocated to the roof level of the floor below and sit flush with this level as do exhaust outlets. Planter boxes, 1.1m high X 1.1m wide, have been introduced along the periphery of the communal roof top terrace and are proposed to be planted with Camellia Sasanquas, which comprise a mature height of 2 metres and will provide privacy to neighbouring properties and wind amelioration to future users of the terrace.

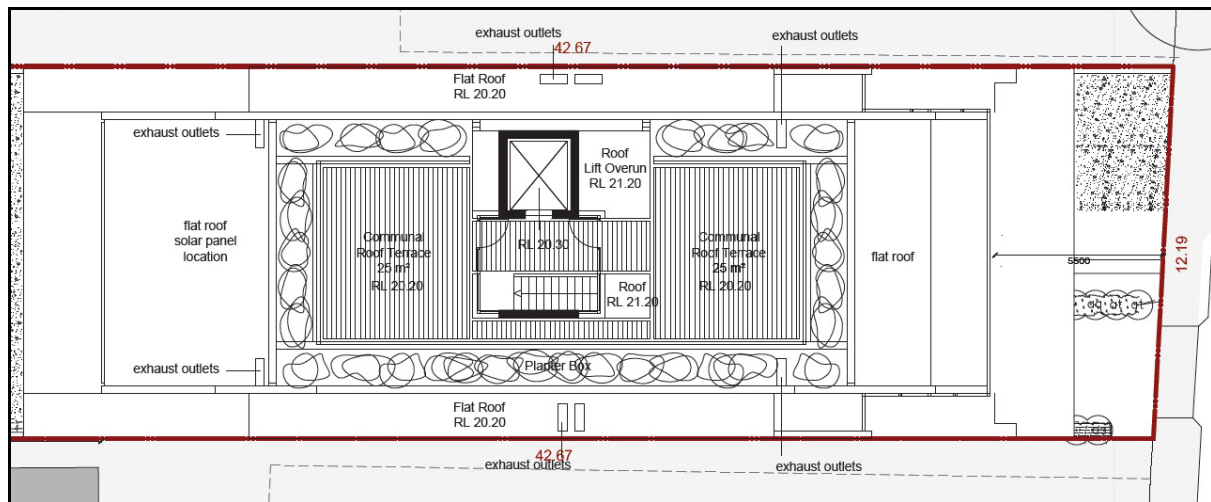


Figure 2 – Amended Rooftop Plan

The proposed amendments illustrated above are deemed to satisfactorily address the concerns raised by the JRPP.

2. Demonstrate how the stacked parking will work, given that there is intended to be separate ownership of cars above each other in the stacked arrangement and there cannot be pits because of potential flooding. If the stacked parking does not work, how does the proposal meet the parking requirements of SEPP (Affordable Rental Housing) 2009.

Comment: As originally proposed, the ground level car parking area comprised a finished slab level of 2.35RL as illustrated in Figure 3 below in order to ensure appropriate clearance was provided to avoid any potential future flood affectation. Details in regards to car stackers were not clarified within the JRPP report and concerns were raised in regards to their implementation and practicality of use on site. The aforementioned has been clarified below.

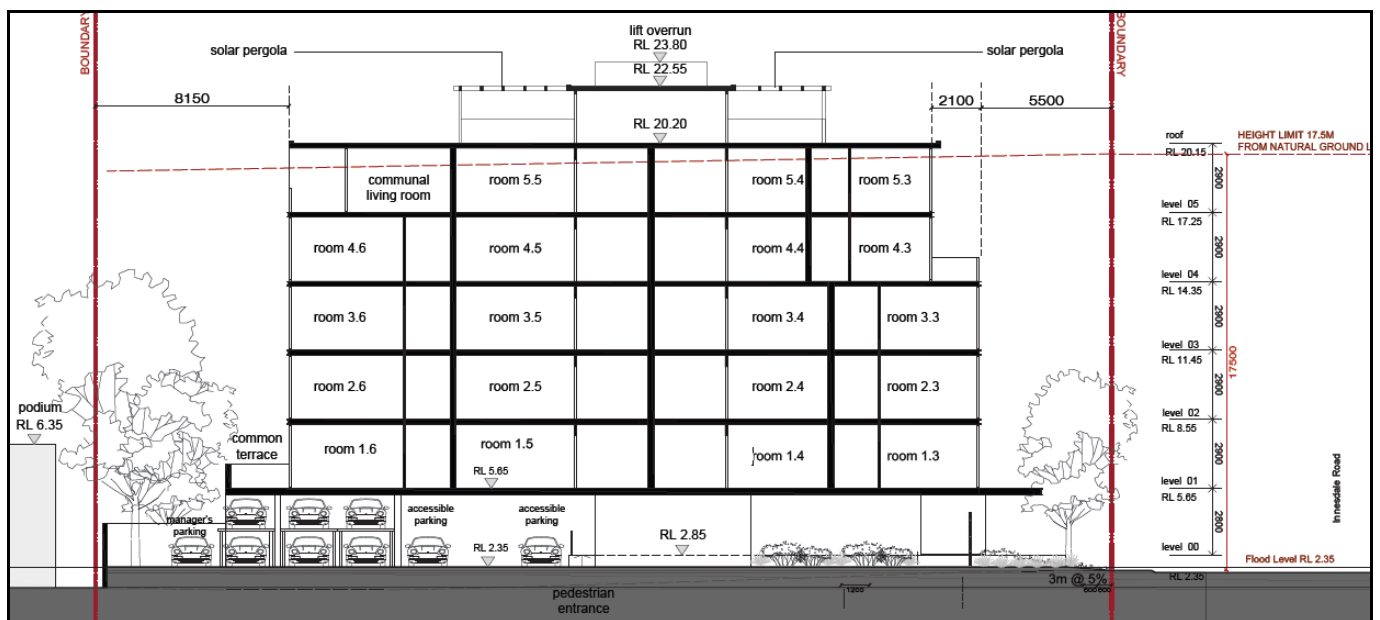


Figure 3 – Original Section AA

Amended plans as submitted by the applicant depict minor changes to the ground floor level of the development, in order to enable a crest level of 2.85RL to avoid potential flood waters entering the site and to further enable sufficient head room for the proposed car stackers.

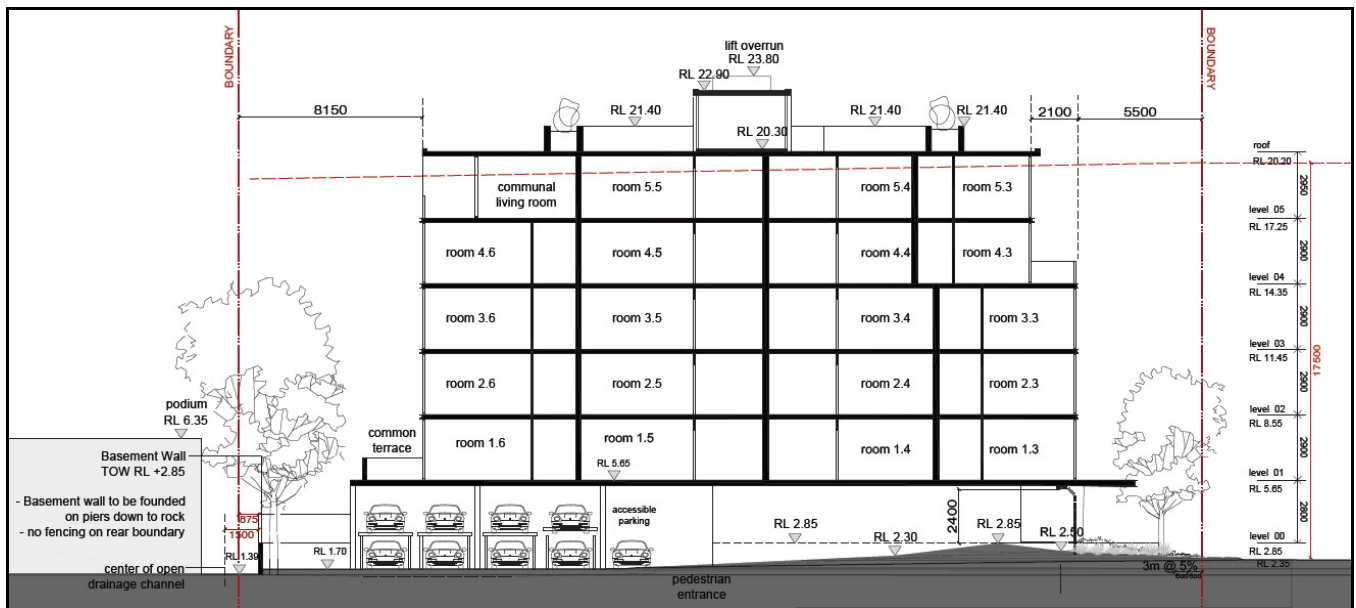


Figure 4 – Revised section AA

The type of stackers chosen are called the 'Evolution Parking System'. These stackers enable the top vehicle to be driven straight onto a rotating platform, raised and parked above a vehicle at ground level. To exit the stacker system, the vehicle is lowered by a mechanical arm and rotated on the rotating platform, to enable forward entry and exit on site.

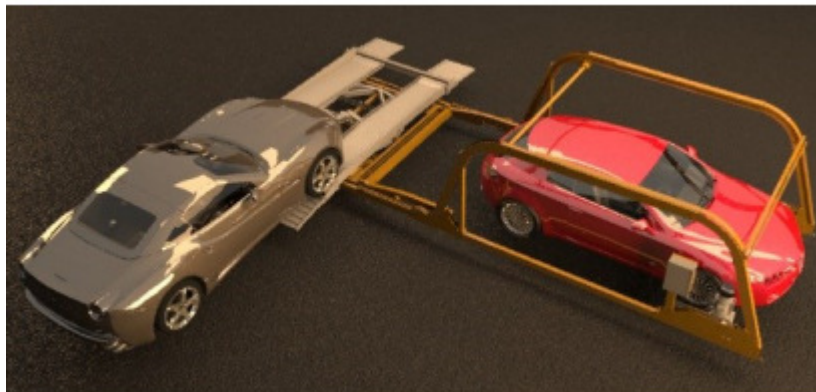


Figure 5 – Evolution Parking System

Council's Engineer has reviewed the chosen car stacker system and confirmed that appropriate headroom and aisle width is provided for the proposed stackers on site. Further that the proposed finished level of the ground floor car parking area is satisfactory in relation to flooding constraints on site.

3. Demonstrate by sketch how the services will be conducted in the bulk heads, given that the floor to floor height is only 2.9m and cannot be increased without additional breaches of the height control which the Panel would not accept.

Comment: As noted by the JRPP, clarification, including sketches for the proposed 2.9m floor to floor height were requested in order to ensure appropriate amenity is achieved within the constructed development.

Given the above, the following calculations are provided for habitable / non habitable areas for a proposed 2.9m floor to floor level.

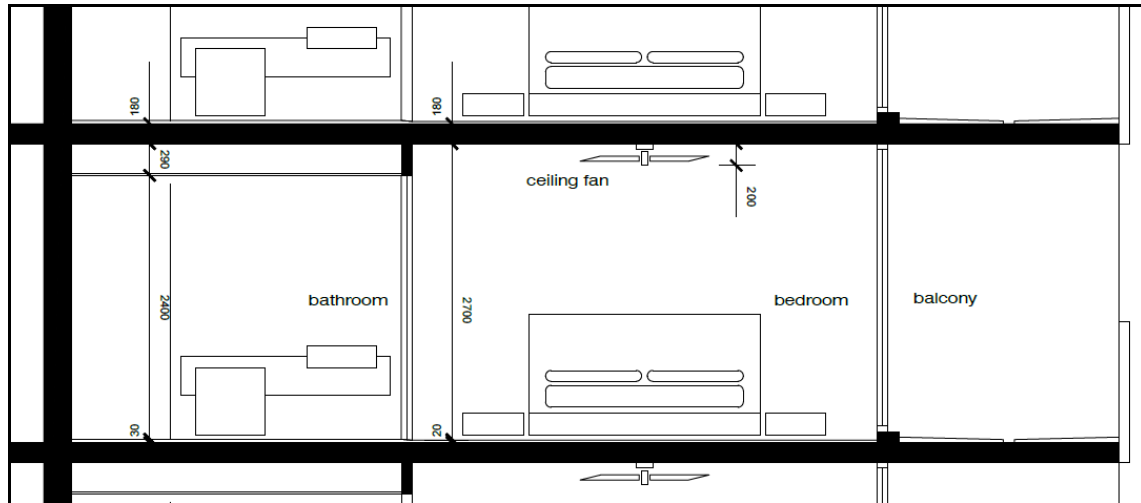
#### Habitable

- 180mm R.C Slab
- 20mm Carpet and Underlay, or direct glue-fixed floor tiles

- No False Ceiling (bathroom exhaust duct concealed within top of cupboards or vented to main building services ducts)
- 2700mm ceiling height

*Non Habitable*

- 180mm R.C Slab
- 30mm Tile floor
- 2400mm ceiling height
- 290mm false ceiling cavity concealing plumbing to stacked bathrooms above.



*Figure 6 – Room section*

The above specifications illustrate that a 2.9m floor to floor level is achievable, with acoustic amenity to comply with the requirements of the BCA.

Additionally, the applicant advised that nil air conditioning is proposed within the development and that ceiling fans are to be provided within boarding / communal rooms. The provision of ceiling fans is satisfactory with respect to Section J of the BCA and the proposal retains compliance with these provisions.

The applicant's structural engineer further confirmed that the proposed slab thickness satisfies the Building Code of Australia in relation to fire and insulation requirements and is capable of safely supporting the AFS concrete walls as proposed in the architectural plans.

Given the above specifications, bulk heads are not required and no further height increase is required to accommodate the development.

*4. Sketch the possible development of the adjoining site No. 2, to demonstrate that it will not be an isolated site.*

Comment: Plans submitted by the applicant depict a possible redevelopment design of the adjoining site for a five storey residential flat building with basement and first floor car parking areas incorporating 11 residential units and a communal rooftop terrace. Plans have been uploaded onto Dropbox as procedurally required by the JRPP.

It is reiterated that the proposal is not considered to result in the isolation of the adjoining western property at 2 Innesdale Road Wollie Creek, as this property benefits from an alternative secondary frontage and is of appropriate width and area to enable it to be redeveloped in its own right.

As noted in the original assessment report, plans depicting the redevelopment potential for the adjoining lot were reviewed by the Design Review Panel and it was concurred that this adjoining property could be redeveloped as a single allotment.

The proposed development does not result in the isolation of adjoining properties



5. Demonstrate that the proposal has adequate parking for bicycles and motorcycles to comply with the SEPP (Affordable Rental Housing) 2009.

Comment: Amended plans illustrate the location of eight motorbike spaces within the rear of the site upon a grass-crete area. Eight bicycle spaces within the driveway of the proposed development. These spaces are appropriately dimensioned and are confirmed to be satisfactory by Councils Engineer.

The proposal thus complies with the provisions of SEPP – ARH 2009 in this regard.

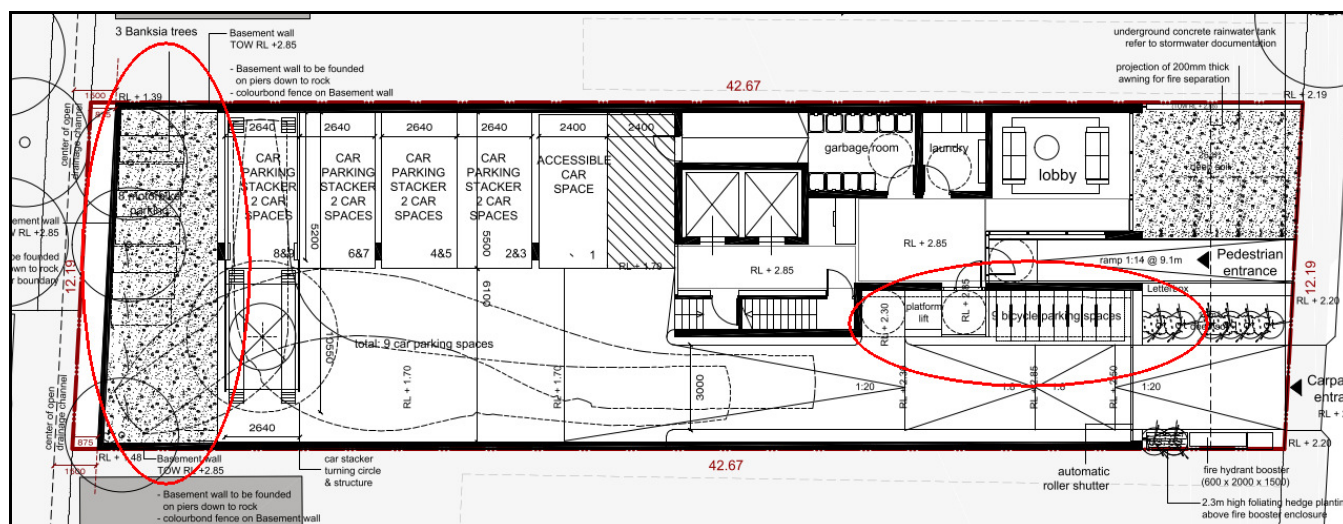


Figure 7 – Motorbike and Bicycle Parking Locations

6. Check for inconsistencies between the plans and elevations and resolve such inconsistencies to the satisfaction of the assessment officer. There should be no openings or translucent materials on the boundary.

Comment: Amended plans have resolved inconsistencies between floor plans and elevations. Revised elevations confirm that there are nil openings and / or translucent materials located at common side boundaries.

An opaque glazing cladding system is proposed to be fixed to solid walls at the eastern and western sides of boarding rooms fronting Innesdale Road. These boarding rooms are setback a minimum of 1.585m from common side boundaries as illustrated in Figure 8 below which depicts level 1.

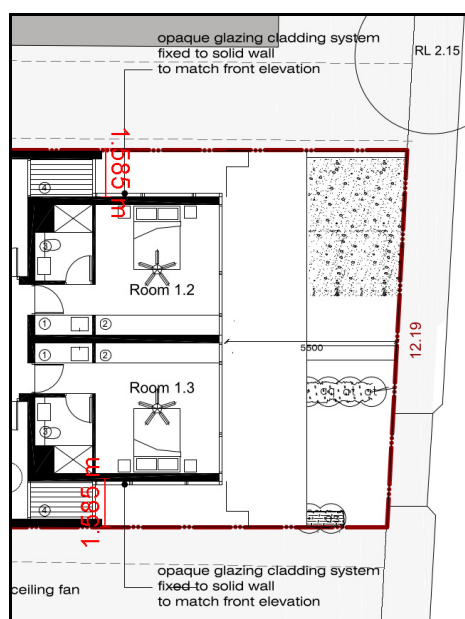


Figure 8 – Location of fixed opaque cladding

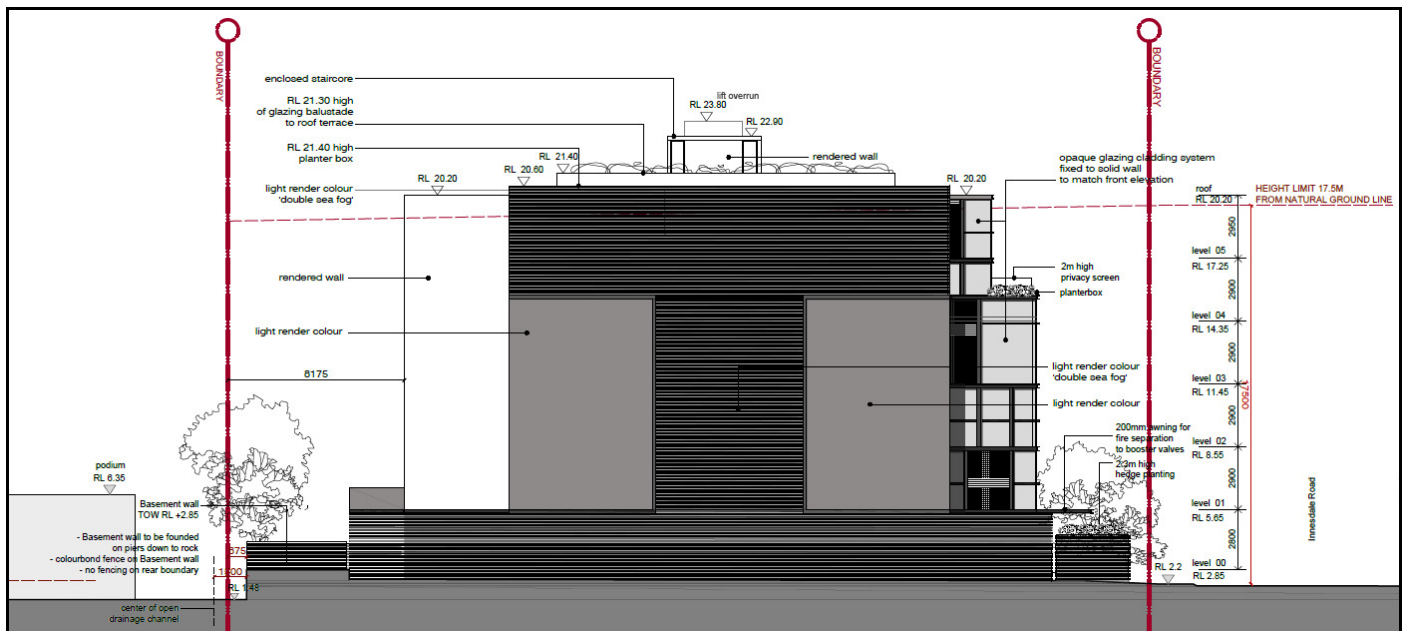


Figure 9 – Revised Western elevation illustrating location of opaque cladding

The proposal is satisfactory in this regard and solid party walls are proposed at common side boundaries.

7. *The extent to which the proposal meets the requirements of Clause 30A of SEPP (Affordable Rental Housing) 2009, which relates to consistency with the character of the area, specifically in relation to building on the side boundaries.*

*Comment:* Clause 30A - Character of Local Area of SEPP - Affordable Rental Housing 2009 states:

*'A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.'*

In response to the above the following is noted.

- a) Properties opposite the subject site within Innesdale Road to the south are zoned R2 Low Density Residential and are thus are restricted to a 8.5m height limit and a substantially lower FSR applicable i.e. 0.5:1.

Building forms within the R2 zone opposite the site generally comprise one and two storey detached dwelling houses.

- b) The subject site is located within the R4 High Density zone and is positioned within the street block bound by Innesdale Road, Gertrude Street, Princes Highway and Robert Lane. This subject street block is transitioning from a low density / industrial area to a high density residential / mixed use environment.

Within the aforementioned street block and fronting the subject streets, the following height and FSR controls are applicable.

- Princes Highway – 28m height restriction / 3:1 FSR
- Gertrude Street – 29.5m height restriction / 2.2:1 FSR
- Innesdale Road - 17.5m height restriction / 2.2:1 FSR

Further to the above it is important to note a further 0.5:1 bonus applies to the subject site as permitted by clause 29(1)(c)(i) of SEPP– ARH 2009 and as such the subject site comprises a 2.7:1 FSR. (note- the FSR of the proposal is 2.48:1)



Building forms approved, emerging and constructed within the R4 High Density Residential area within this subject street block comprise either mixed use and / or residential flat building developments which are built or approved to be built to side property boundaries in order to achieve a street wall development within the subject street block. This is illustrated in Figure 10 below, which depicts the approved plans atop an aerial overlay. The proposal to build to common side boundaries is consistent with the aforementioned existing and approved building forms within the street block.

The proposal will provide a street wall periphery development within Innesdale Road and enable adjoining properties to attach, when they are re-developed in future, as envisaged within Part 7.1 – Wollie Creek of Rockdale DCP 2011, in particular control 1. which states *'building design is to provide street wall buildings with zero side setback at the street frontage'*.

Given the aforementioned, the proposed nil side setbacks are not unreasonable, nor inconsistent with the future desired character of the area and the proposal is satisfactory in this instance.



Figure 10 – Approved Plans on Aerial Overlay

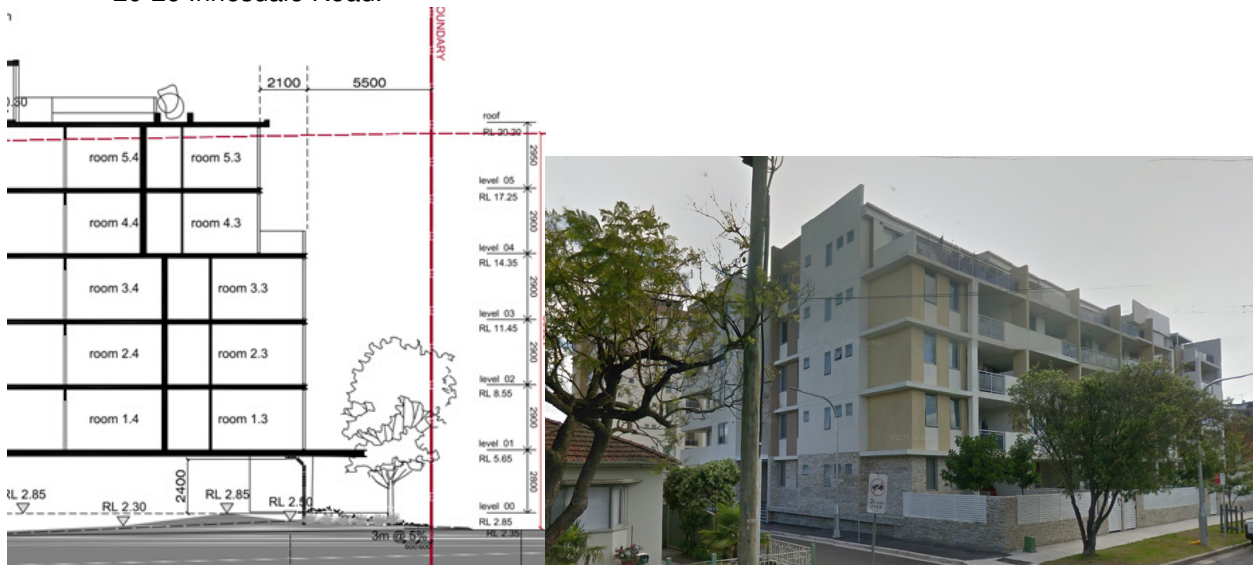
- c) With regard to (a) above, consideration has been given to the varying context and character of existing and emerging developments within proximity to the subject site.

Given properties to the south opposite the site are currently zoned R2 Low Density Residential, consideration has been given to the low density scale of these properties in the design of the development.

As noted within the report to the JRPP, the proposal has been designed to present as a 4 storey building to Innesdale Road, with levels 5 / 6 and the rooftop communal open space area recessed further into the site from lower levels. Recessing the upper levels of the development minimises the bulk, height and scale of the development when viewed from Innesdale Road and allows the



proposal to provide a sympathetic built form response to the low density residential nature of dwellings on the southern side of Innesdale Road. As can be seen below in Figure 11, a 7.6m front setback is proposed to levels 5 and 6, with a 5.5m front setback to lower levels. This is not inconsistent with the established setbacks of the existing residential flat building further to the east at 20-26 Innesdale Road.



*Figure 11 - Recessed upper levels / 20-26 Innesdale Road Wolli Creek*

As noted in the original report, the streetscape appearance of the development at ground level incorporates landscaping within the front setback of the site, including a range of shrubs ground covers and two frangipani trees with a mature height of 5m -10m. A single entry / exit driveway is proposed along the western side boundary with a horizontal steel vehicular entry gate provided. A pedestrian pathway links the main entrance of the development to the public domain. This main entrance adjoins a glazed communal lobby, enabling natural passive surveillance of the street. The ground level façade of the development incorporates concrete rendered walls with horizontal timber cladding elements.

Given the zoning of the subject site, existing and emerging context, the massing, height, scale, built form, setbacks and design of the proposed development are considered to be satisfactory with regards to the existing and future desired character of the area.



*Figure 12 – Revised Photomontage*

## CONCLUSION

Further to the original draft Conditions of Consent, it is recommended that the JRPP adopt the following amendments to the original draft conditions as a result of the resolution of the above issues and to ensure consistency with revised plans. The below modified conditions have been incorporated into the revised Draft Notice of Determination.

### Modification to Condition 2 as follows:

The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
Ground Floor DA2.01 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Level 1 DA2.02 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Level 2 DA2.03 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Level 3 DA2.04 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Level 4 DA2.05 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Level 5 DA2.06 Issue E	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Terrace Level DA2.07 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
Rooftop DA2.08 Issue E	Marchese Partners Pty Ltd	21/10/2016	25/10/2016
North Elevation DA3.01 Issue J	Marchese Partners Pty Ltd	07/11/2016	07/11/2016
South Elevation DA3.02 Issue J	Marchese Partners Pty Ltd	07/11/2016	07/11/2016
East Elevation DA3.03 Issue J	Marchese Partners Pty Ltd	07/11/2016	07/11/2016
West Elevation DA3.04 Issue J	Marchese Partners Pty Ltd	07/11/2016	07/11/2016
Section AA DA4.01 Issue J	Marchese Partners Pty Ltd	07/11/2016	07/11/2016
Section BB DA4.02 Issue H	Marchese Partners Pty Ltd	21/10/2016	25/10/2016

### Modification of Condition 32 as follows:

32. The design and construction of the off-street parking facilities shall:

(i) Comply with Australian Standards AS/NZS 2890.1:2004, AS2890.3:1993 and AS/NZS2890.6:2009.

One (1) on site car space shall be provided as an accessible space.

(ii) Comply with Council's Vehicular Entrance Policy in relation to the design of the access driveways, in particular the layout of the access driveways shall be provided in the form of a layback in the kerb and gutter.

(iii) Provide Semi-automatic car stacker that enables parking of both cars independently, without pit. The minimum vehicle heights on lower and upper levels are to be 1.55m and 2.0m respectively with a ground to ceiling clearance of 3.65m minimum.

### Modification of Condition 35 as follows:

35. The boarding house shall comprise a maximum of 38 individual boarding rooms, including 1 manager's room and 1 accessible room. Each room shall be single occupancy only, with a maximum of 38 individual persons permitted to reside within the boarding house on site.

Modification of Condition 54 as follows:

54. The number of car parking spaces accommodated in the ground floor car park shall be restricted to 9 spaces, in which 1 space shall be an accessible space.

Modification of Condition 61 as follows:

61. The development shall implement the recommendations of the Section J Report, prepared by Wind Tech, dated 17 October 2016 with respect to building fabric and sealing, glazing and ventilation systems, artificial power, lighting, water supply and facilities for energy monitoring. Details are to be illustrated on plans to be reviewed and approved by the PCA prior to the issue of the Construction Certificate.

Modification of Condition 63 as follows:

63. The following recommendations of the Wind Report prepared by Wind Tech Pty Ltd are to be implemented on site.

- a. Inclusion of 2-3m high densely foliating hedge planting on the south-western perimeter of the ground level driveway.
- b. Inclusion of 2-3m high densely foliating hedge planting on the western edge of the private terrace on Level 1.
- c. Inclusion of 1.8m high impermeable screen in the middle of the private balconies on Level 5.

The above details are to be illustrated upon Construction Certificate drawings and amended Landscape Plans. Documentation is to be approved by the PCA prior to the issue of the Construction Certificate.

Addition of Condition 63A as follows:

- 63A. Periphery landscaping at the rooftop terrace level shall be planted with 'Camellia Sasanquas' 40cm pot size. Details to be illustrated upon Construction Certificate drawings and approved by the PCA prior to the issue of the Construction Certificate.

Modification of Condition 100 as follows:

100. Nine (9) off-street car spaces (including 1 accessible space) shall be provided in accordance with the approved plans and shall be sealed and line marked to Certifying Authority's satisfaction. The pavement of all car parking spaces, manoeuvring areas and internal driveways shall comply with Australian Standard AS3727 – Guide to Residential Pavements.

Addition of the following conditions as follows:

- 63B. The carpark basement retaining wall structure shall be designed with a waterproof retention system to a height of 500mm above the 0.5% AEP flood by a qualified engineer.

The runoff from deep soil landscaping and motorbike parking areas is to be collected and pumped out in accordance with the Australian Standard 3500.3 and the Council's Technical Specification Stormwater Management.

Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

- 63C. The car parking area shall be flood proofed to a minimum of 500mm above the 0.5% Annual Exceedence Probability flood level. The levels shall be certified by a registered surveyor prior to construction of the driveway, retaining walls or other openings.