

SYDNEY WEST CENTRAL PLANNING PANEL BRIEFING REPORT

SWCPP Ref:	2018SWC043
Property Address:	29 Carter Street LIDCOMBE NSW 2141
Proposed Development:	Construction of a mixed use development containing three (3) buildings of a height between 6 and 14 storeys containing 418 residential units and 7 neighbourhood shops over 2 levels of basement car parking within the southern part of the site in "Zone 3". The development will be determined by the Sydney Central City Planning Panel.
DA Number:	DA/174/2018
Applicant:	AUSTRALIA YMCI PTY LTD
Architect:	KANNFINCH
Owner:	AUSTRALIA YMCI PTY LTD
Assessment officer:	Helen Mulcahy

Description, Zoning and Conditions

BACKGROUND

The site is part of the wider Carter Street Priority Precinct (Precinct), an industrial area within the former Auburn Local Government Area (LGA). The rezoning for the Carter Street Priority Precinct was finalised by the Department of Planning & Environment (DPE) in November 2015.

The proposal was the subject of a pre-lodgement process (PL/176/2017) with Council in October and November 2017. As part of that process the applicant presented preliminary drawings of the scheme to Council's Design Excellence Panel on 23 November 2017. The Panel's comments are discussed in more detail below.

SITE

The site ("Zone 3") falls within the northern portion of Lot 13 in Deposited Plan 1217641, as illustrated at Figure 1, which provides a location plan, showing the approximate "Zone 3" boundary relative to the approximate development site boundary. The total site area is approximately 43,418m² ("Zone 3") and the proposed development site area is 14,045m².

The topography is generally flat, with slight variations of between 0.5m to 1m across the site.

Existing development on the site comprises predominantly hardstand. Demolition of the buildings that previously occupied the site was approved under DA 1273/2016. There is no existing vegetation within the site boundaries.

Council granted consent to DA 1273/2016 of 11 July 2018 for demolition of the existing hardstand, bulk earthworks and remediation works across the site.

The site is located north of John Ian Wing Parade and Hill Road intersection and south of Old Link Road to the north. Qudos Bank Arena and ANZ Stadium are located to the east of the site (on the opposite side of Edwin Flack Avenue) and are surrounded by large public open spaces. The wider locality comprises a mix of types and scale of industrial and residential developments. The southern side of Carter Street is characterised by a variety of industrial / warehouse developments. There is a waste treatment plant located approximately 300 metres to the north of the site.

The site is not located within the vicinity of any heritage items, is on land previously used for heavy industrial activities and is known to be contaminated and affected by acid sulphate soils but is not affected by flooding.

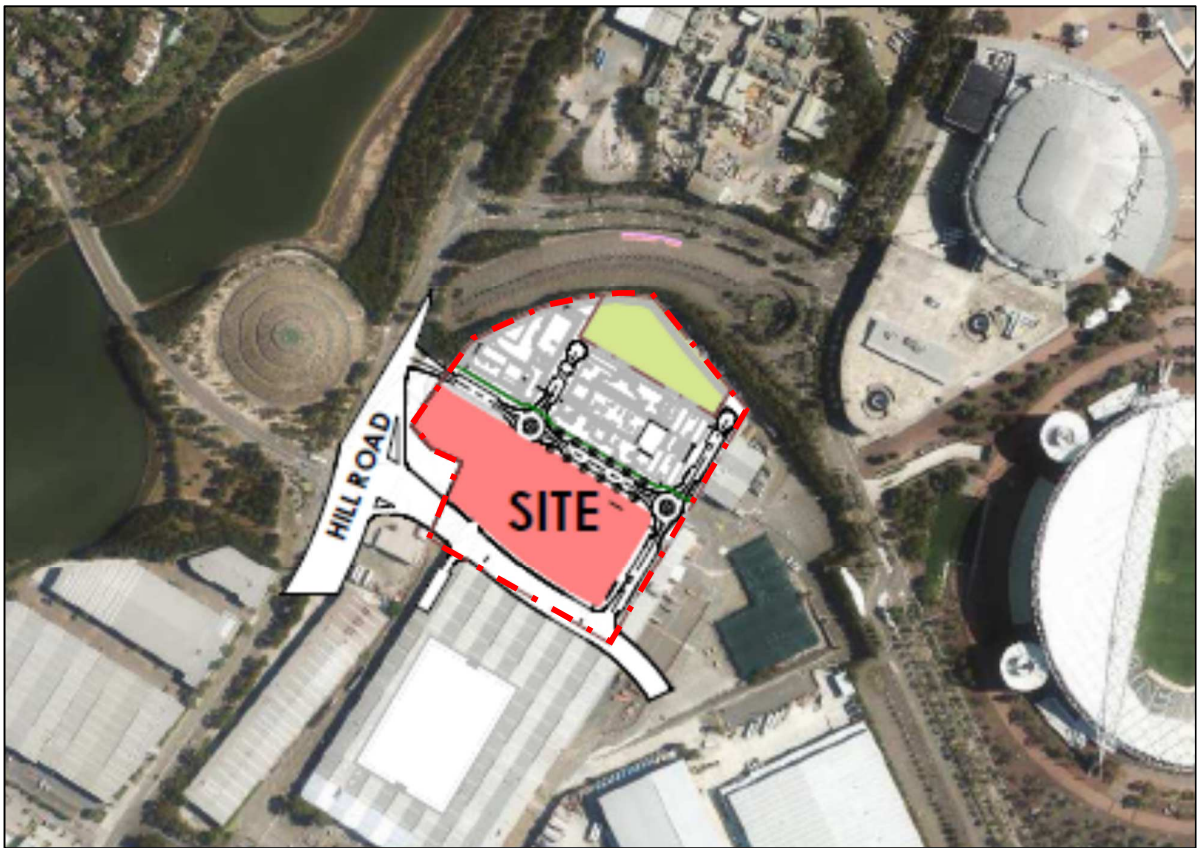


Figure 1. Aerial view of locality (Zone 3 delineated by red dotted line, subject site in pink).

RELEVANT PLANNING INSTRUMENTS

- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP No 55—Remediation of Land
- SEPP No 65—Design Quality of Residential Apartment Development
- SEPP (Infrastructure) 2007
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SREP (Sydney Harbour Catchment) 2005
- Auburn Local Environmental Plan 2010
- Auburn Development Control Plan 2010
- Carter Street Precinct Development Control Plan 2016

PROJECT DESCRIPTION

The proposal includes the following:

- Excavation of 2 basement levels to provide 529 car parking spaces, bicycle parking, services and storage;
- Construction of 3 residential flat buildings:
 - Building 3C1 (6 – 11 storeys):
 - 197 residential apartments (2xstudio, 45x1-bed, 120x2-bed, 15x2-bed + study, 15x3-bed);

- 7 retail tenancies at ground level
- Building 3C2 (9 – 11 storeys):
 - 103 residential apartments (18x1-bed, 58x2-bed, 16x2-bed + study, 11x3-bed);
- Building 3D (10 – 14 storeys):
 - 118 residential apartments (27x1-bed, 82x2-bed, 9x3-bed);
 - 100 place Child Care Centre
- Total:
 - 418 residential apartments (2xstudio, 90x1-bed, 260x2-bed, 31x2-bed + study, 35x3-bed);
 - 7 neighbourhood shops (495m²)
- Civil Works:
 - new roads – Road 3 South, Road 5 South and part Road 2
- Landscape treatment

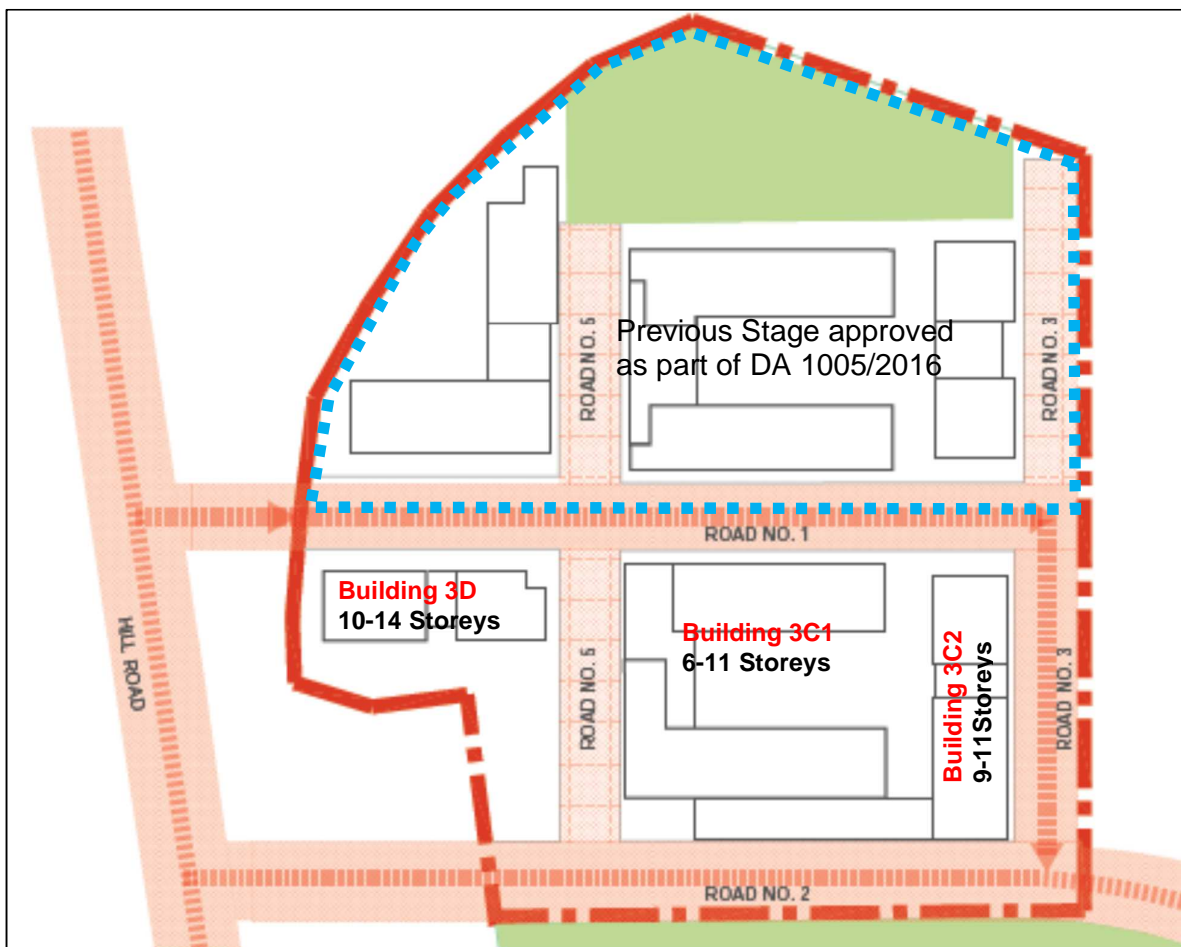


Figure 2. Site Plan showing Building Numbering and Heights



Figure 3. Photomontage of proposal as viewed from proposed Road 2 looking east.



Figure 4. Photomontage of proposal as viewed from the west along Road 1 showing proposed retail units (ground floor) and the relationship to the previous stage (DA1005/2016).



Figure 5. Photomontage of Building 3D (tallest element) as viewed from Road 1 looking south east.



Figure 6. Photomontage of proposal as viewed from the south across future park (Road 2 in foreground).

COMPLIANCE AGAINST DEVELOPMENT STANDARDS / CONTROLS

Auburn Local Environmental Plan 2010

CLAUSE	CONTROL	PROPOSAL	COMPLY?
Land Use Table	R4 High Density Residential	Residential Flat Buildings and Neighbourhood Shops	Permissible
Clause 4.3 - Height of Buildings	3C1: 29.9m 3C2: 29.9m 3D: 42.0m	3C1: 38.95m 3C2: 39.15m 3D: 48.75m	NO (30.26% breach) NO (30.9% breach) NO (16.1% breach)
Clause 4.4 - FSR	2:1 Site area Zone 3: 40,495m ² Max GFA 80,990m ² Approved GFA 39,733m ² (Zone 3A & 3B) Remaining GFA 41,257m ² Proposed GFA 41,251m ²	2.0:1 (41,251m ²)	Yes
Clause 4.6 – Variation of Development Standard	Height Standard	As above	Under Assessment



Figure 7. Comparison of areas of the proposed development over / under height limit.

Carter Street DCP 2016

CLAUSE	CONTROL	PROPOSAL	COMPLIANCE
3.1 Street network and design	2 x 20m local roads – Roads 3 and 5 (south)	Road 3 South 20m Road 5 South 14.5m	Yes NO
	1 x Primary Green Spine 20m + swale (Road 2)	Road 2 32.95m	Yes
4.1 Building Height and Form	4 – 8 storeys	6 – 14 storeys	NO
	Max length 65m	3C1: 71.4m (southern element) 3C2: 70.2m 3D: 64.7m	NO NO Yes
	Max footprint 900m ² (buildings over 12 storeys)	Building 3D = 11-14 storeys 3D: > 900m ²	NO
4.2 Setback and public domain interface	3C1: 5m setback 3C2: 5m setback 3D: 5m setback	3C1: 4m ground level / varies between 1m -3m above (north – Road 1) 6m – 20m (south – Road 2) 5m (west – Road 5) 3C2: 7m (north – Road 1) 6m (south – Road 2) 5m (east – Road 3) 3D: 5m (north – Road 1) 0m (east – Road 5)	NO (but is consistent with 3B1 to the north) Yes Yes Yes Yes Yes Yes NO
4.4 Private open space and landscaping	Min 30% common open space	30.5%	Yes
	Min 50% common outdoor space soft planting	50% NOT QUANTIFIED	Unknown
4.5 Vehicular access and parking	Parking max 1.2m above ground	Unclear	Unknown
	Max Residential Resident Car Parking: 452	419 residential spaces	Yes
	Max Residential Visitor Car Parking: 84	75 visitor spaces	Yes
	Max Commercial Car Parking: 10	10 retail spaces	Yes
	Child Care Centre (Auburn DCP 1space / 4 children)	25 spaces	Yes
	Max Total Car Parking: 567	529	Yes
	Min Residential Cycle Parking: 418	418	Yes
	Min Visitor Cycle Parking: 35	35	Yes
	Min Commercial Cycle Parking: 2	2	Yes
4.9 Adaptable housing	Min: 42	42	Yes

Auburn DCP 2010

It should be noted that the majority of the controls contained with Auburn DCP 2010 are superseded by the Carter Street DCP 2016 or the Apartment Design Guidelines.

SEPP 65 – Apartment Design Guide

CONTROL	DESIGN CRITERIA	REQUIRED	PROPOSED	COMPLY?
Communal Open Space	Min 25% of the site area (m ²)	3,511m ²	4,461m ² (31.8%) (claimed)	Yes
	Min 50% of communal open space to receive 2 hours direct sunlight between 9.00a.m - 3.00p.m June 21	2,230.5m ²	Under assessment	To be confirmed
Deep soil zone	Min 7% of the site area. Minimum dimension of 3m required	983m ²	1,798m ² (12.8%) (claimed)	Yes
Building Separation	3C1 (North) : 3C2	12 - 24m	14.7m (no openings in 3C1 eastern elevation)	Yes
	3C1 (South) : 3C2	12 - 24m	13.7m (no openings in 3C1 eastern elevation)	Yes
	3C1 (North): 3C1 (South)	12 – 24m	28.8m	Yes
	3C1 (West) : 3D	12 - 24m	20.26m	NO
Car Parking	Refer to local control.		N/A	N/A
Solar Access	At least 70% of living rooms and private open space to receive at least 2 hours direct sunlight between 9.00a.m and 3.00p.m on June 21	293	305 (claimed)	Yes
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00a.m and 3.00p.m midwinter.	3C1: 30 3C2: 15 3D: 18	3C1: 26 3C2: 4 3D: 11	Yes
Cross Ventilation	At least 60% of apartments are to be naturally cross- ventilated.	in first 9 storeys 3C1: 100 3C2: 49 3D: 47	3C1: 103 (claimed) 3C2: 55 (claimed) 3D: 48 (claimed)	Yes Yes Yes
	Building depth (glass to glass)	<18m	3C1: 16.0m 3C2: 17.5m 3D: 18m	Yes Yes Yes
Ceiling Heights	Habitable Non-habitable	2.7m 2.4m	2.7m (claims compliance but 2.4m does not specify)	Yes
Apartment Size	Studio 1 bedroom 2 bedroom 3 bedroom Extra bathroom	35m ² 50m ² 75m ² (all have 2 bathrooms) 95m ² (all have 2 bathrooms) +5m ²	>35m ² >50m ² >80m ² >95m ² >+5m ²	Yes
	All rooms to have a window in an external wall			Yes

CONTROL	DESIGN CRITERIA	REQUIRED	PROPOSED	COMPLY?
	Habitable room depths to be a maximum 2.5 x the ceiling height.	6.75m	6.75m	Yes
	Maximum depth (open plan) from window.	8m	Up to 8m	Yes
Bedroom size	Master bedrooms Other bedrooms Min dimensions	10m ² 9m ² 3m	>10m ² >9m ² >3m	Yes
Living room width	1 bedroom 2 bedroom 3 bedroom	3.6m 4m 4m	>3.8m >4m >4.2m	Yes Yes Yes
Balconies	1 bedroom 2 bedroom 3 bedroom	8m ² /2m 10m ² /2m 12m ² /2.4m	>8m ² /2m >10m ² /2m >12m ² /2.4m	Yes
	Ground or podium apartments	15m ² /3m	>15m ² /3m	Yes
Circulation	Maximum apartments per level.	8	3C1: 4 3C2: 7 3D: 5	Yes Yes Yes
	Max units per lift	40	3C1: max 39 3C2: max 38 3D: max 52	Yes Yes NO
Storage	1 bedroom 2 bedroom 3 bedroom	6m ³ 8m ³ 10m ³	>6m ³ (claimed) >8m ³ (claimed) >10m ³ (claimed)	Yes

REFERRAL RESPONSES

Design Excellence Advisory Panel:

The application was reviewed by Council's Design Excellence Advisory Panel on 23 November 2017 as part of the pre-lodgement process. The Panel provided the following comments:

- The Panel notes that the proposal does not accommodate 5m setbacks for built form and basement footprint. The Panel considers and does not accept the argument of existing approvals within the precinct that do not currently comply.*
- The proposal's basement parking, like the aboveground development, extends to all property boundaries, and passes under the streets. The Panel does not support this and recommends providing the 5m setback, as mentioned in the DCP, in order to provide more deep soil planning (sic) along the streetscape and afford a softer street edge. The encroachment under the street is also not supported and the Panel recommends keeping underground parking within each site boundary's setbacks.*
- The Panel notes that the development does achieve the minimum 7% deep soil requirement stated in the ADG. However, the Panel raises the concern that by allocating all the deep soil to one part of the development (behind building 3D) does not achieve the required outcomes of quality planting, healthy plants and tree growth, and infiltration of rain water to the water table.*
- The proposed building forms are large, long and unrelenting and block sun access and sight lines. The U shaped building's massing (3D1) surrounds a Communal Open Space with continuous buildings on almost all four sides. The Panel recommends breaking up the buildings into smaller blocks that could be designed to better frame the Communal Open Space, provide more permeability through the development and reduce the "fishbowl" effect the current form has on the Open Space.*

5. *The elevations for the proposal are difficult to read clearly in order to understand the intent of the proposed material palette and built form, and how this will appear with sufficient differentiation from the first stage DA. The Panel insisted that a more distinctive architectural expression was critical for this DA so that the overall development did not start to appear like a 'gated estate'. Further explanation of the design approach to achieve this, together with a better resolved presentation, will be expected in any subsequent submission.*
6. *The Panel noted that for the southern half of Block 3C1 there was not an alternative means of access to the upper floors of each part served by only a single lift. As was identified in the first stage DA for this site, it is important that a means of access is available to residents in one lift is out of action in a 10 storey building. This could be achieved on L10 by creating through connections from lift F to lifts E and D via the communal roof terrace, and associated unit re-planning.*
7. *The Proposed Childcare Centre is located in the corner of Building 3D, adjacent to an undeveloped site and along a road. The Panel questions the location as inappropriate for a Childcare Centre and recommends relocating it to a more suitable position.*
8. *In relation to detailed design and layout of private balconies, the Panel recommends that:*
 - a) *HVAC equipment should preferably be grouped within designated screened plant areas either on typical floors or on roof-tops.*
 - b) *Wall mounted equipment (e.g. instantaneous gas HW heaters) and associated pipework is concealed into wall cabinets and ducts*
 - c) *If service equipment is located on private balconies, additional area above ADG minimums should be provided.*
 - d) *Rainwater downpipes are thoughtfully designed and integrated into the building fabric.*
 - e) *The above items should be positioned so that they are not visible from common areas or the public domain adjacent to the development.*
 - f) *Balustrade design must address visual screening of large items typically stored on balconies, for example BBQ's, clothes drying devices and bicycles.*
9. *Active ESD provisions such as rainwater re-cycling, solar power and solar hot water were not discussed at the meeting, however it is assumed that at a minimum these measures will be included in the development.*
10. *The Panel recommends that annotated 1:20 scale cross-sections and details of all proposed façade types and materials are included with the DA submission and form part of the consent documentation.*
11. *Plans sections and elevations need to extend beyond the site boundaries to include land form and buildings whether planned, existing or under construction to show the relationship of the proposed development and its surrounding context.*

The Parramatta Design Excellence Advisory Panel does not support the proposal in its current form. The Panel advises that there are a number of significant issues with the proposal.

Internal:

- Landscape & Tree Officer – additional information required to address lack of detail in landscape information submitted with the application
- Development & Catchment Engineer – Additional information required relating to stormwater design, including OSD, WSUD and corresponding landscape design.
- Engineering comments – issues associated with the privatisation of Road 5 South
- Civil Assets – longitudinal and cross sections in Civil plans acceptable. Some departures from Council standards for paving finishes (can be addressed by conditions).

- Traffic and Transport – proposed development is required to provide minimum 455 bicycle parking spaces – storage area and bicycle rail not shown on floor plans. Must comply with AS2890.3. Design of Road No.2 and No.3 may need to be adjusted in the context of the Master Plan for the area which is under development.
- Environmental Health (Waste Management) – Acceptable subject to conditions.
- Environmental Health (Acoustic) – Acceptable subject to conditions.
- Environmental Health (Contamination) – Acceptable subject to conditions.
- Social Outcomes – Plan of Management required for Child Care Centre. Further detail required in relation to Fire Evacuation for the Centre, visual and acoustic privacy (having regard to potential future development on adjacent sites), provision of an additional accessible parking space for the Centre. Applicant should:
 - reconsider dwelling mix to support a more inclusive community (increase proportion of 3 bedroom dwellings);
 - reconsider proposed height variation to protect amenity of future public park to the south of the site
 - clarify total amount of communal open space that meets ADG solar access guidelines
- Urban Design (Public Domain) – Concerns raised in relation to:
 - inadequate setbacks and deep soil;
 - proposed privatisation of Road 5 south;
 - landscape treatment / species within the public domain;
 - cycleway requirements for both sides of Road 2;
 - treatment of median in Road 2.
 Draft Conditions also included in response.
- Infrastructure – No objections, conditions provided.
- ESD Review – Application does not adequately demonstrate compliance with the Carter Street DCP and BASIX. ESD Report also required.
- City Architect – does not support the development in its current form as it does not properly address the DEAP comments from the meeting held on 23 November 2017 and there are major non-compliances regarding setbacks, heights and cross ventilation.

External:

- RMS – requires updated plans to reflect the current design of the Hill Road/John Ian Wing Parade intersection. Further discussions between applicant and RMS (facilitated by Council) to resolve intersection design and implications for Road 2.
- Ausgrid – No response received to date.
- Environment Protection Authority – No response received to date.
- Sydney Olympic Park Authority – no specific comment but notes that the wider YMCI development relies on running services to Hill Road through a strip of SOPA land – this is being resolved between SOPA, YMCI and Council's property department.
- Sydney Water – No response received to date.
- Department of Planning & Environment – No response received to date.
- Rural Fire Service – no specific recommendations.

PUBLIC NOTIFICATION

The application was notified and advertised in accordance with Council's Notification Policy for a 30 day period between 19 April and 21 May 2018. One submission has been received. The submission from a neighbouring property owner (Nos. 1-5 Hill Road) raises a number of concerns including:

- Design and road widths of Road 2 – departures from Carter Street DCP and RMS road designs;
- Potential site isolation of Nos. 1-5 Hill Road created by road widths and siting and scale of proposed building 3D;
- Overshadowing impact; and

- Relationship of proposed childcare centre (and 2.7m high boundary wall) to adjoining property will impact amenity of any future building on Nos. 1-5 Hill Road.

MATTERS FOR CONSIDERATION

- Design – City Architect does not support the proposal in its current form
- Height - Clause 4.6 Variation
- Design of Road 5 - Council does not support one-way southbound or 14.5m wide road reserve
- Privatisation of Road 5
- Street Setbacks / Deep Soil – Non-compliant
- Length of Buildings – Non-compliant
- Revised Carter Street controls (scheduled to be adopted prior to Christmas 2018). It is understood that there will be no savings and transitional provisions

NEXT STEPS

- Consider SWCPP views on key non-compliances
- Present to Council's Design Excellence Review Panel in February 2019
- Consider applicant's response to RFI dated 18 September 2018 (when received)
- Request revised drawings and/or additional information (if necessary)
- Report to SWCPP for determination 2019

p.p. Brad Roeleven
Executive Planner – City Significant Development
28 November 2018