

## COUNCIL ASSESSMENT BRIEFING REPORT TO PANEL

### SYDNEY EASTERN CITY PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSEC-245 DA-2022/357
<b>PROPOSAL</b>	Integrated Development - Demolition of existing structures and construction an 8 storey self-storage facility and 12 storey commercial building with above ground parking and landscaping
<b>ADDRESS</b>	Lot 24 in DP 515070 and Pt 1 in DP 515070 1-3 and 3A Ricketty Street, Mascot
<b>APPLICANT</b>	The Trustee for the Canal Aviv Trust
<b>OWNER</b>	Canal Aviv Pty Limited
<b>DA LODGEMENT DATE</b>	1 December 2022
<b>APPLICATION TYPE</b>	Development Application (Integrated)
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Section 2.19(1) and Clause 2 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as general development with a capital investment value (CIV) over \$30 million
<b>CIV</b>	\$49,786,000 (excluding GST)
<b>CLAUSE 4.6 REQUESTS</b>	Clause 4.3 of the Bayside LEP 2021 (Height of Building)
<b>LIST OF ALL RELEVANT PLANNING CONTROLS (S4.15(1)(A) OF EP&amp;A ACT</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Planning Systems) 2021;</li> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021;</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021;</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021;</li> <li>• Bayside Local Environmental Plan 2021</li> <li>• Botany Bay Development Control Plan 2013</li> </ul>
<b>AGENCY REFERRALS</b>	<ul style="list-style-type: none"> <li>• Transport for NSW</li> <li>• Heritage Office</li> <li>• Ausgrid</li> <li>• NSW Police</li> </ul>

	<ul style="list-style-type: none"> <li>• Sydney Airport</li> <li>• Telstra</li> <li>• NSW Office of Water</li> <li>• Sydney Water</li> </ul>
<b>TOTAL &amp; UNIQUE SUBMISSIONS</b>	2
<b>KEY ISSUES</b>	<ul style="list-style-type: none"> <li>• Design Excellence</li> <li>• Proposed 'staging' of development, particularly to ensure public domain outcomes are achieved</li> <li>• Building Height exceedance</li> <li>• Demolition of part of building located within City of Sydney Council</li> <li>• TfNSW Response – Sydney Gateway Active Transport Strategy</li> <li>• Submissions from City of Sydney &amp; Inner West Council's</li> <li>• Heritage – Alexandra Canal State Heritage Item</li> </ul>
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<ul style="list-style-type: none"> <li>• DRP Presentation – GCCV and Design Office</li> <li>• DRP Workshop Minutes</li> </ul>
<b>PREVIOUS BRIEFINGS</b>	14 March and 11 May 2023 (refer to below)
<b>ASSESSMENT STATUS</b>	Awaiting additional information
<b>PREPARED BY</b>	Andrew Ison
<b>DATE OF REPORT</b>	21 August 2023

#### **TIMELINE BETWEEN DA LODGEMENT AND 11 MAY 2023**

- 18 January 2023 – end of notification period;
- 24 January – reported to the Bayside Design Review Panel (DRP);
- 16 March – first kick off briefing meeting;
- 5 April – request for information (RFI) letter issued to the applicant;
- 21 April – DRP workshop with amended scheme presented based on minutes from 24 January DRP minutes.

#### **TIMELINE SINCE 11 MAY BRIEFING**

<b>Date</b>	<b>Event</b>
11 May	<p>Kick off briefing with the Sydney Eastern City Planning Panel. The following issues were raised:</p> <ul style="list-style-type: none"> <li>• Staged development with storage building (first stage) and separate commercial building (above height limit)</li> <li>• Issues include street frontage activation and relationship to canal as part of stage 1</li> <li>• How to activate the ground floor of a storage building</li> <li>• Existing DA approval dated May 2018. Design controls have strengthened since.</li> </ul>

Date	Event
	<ul style="list-style-type: none"> <li>Storage building designed for potential conversion to office use in future</li> <li>Panel suggest council obtain a peer review of the design by a consultant such as Paul Walter. If this doesn't result in an acceptable design, the Panel are able to meet with DRP and the applicant.</li> <li>Next DRP meeting should focus on this DA only and use the same panel members</li> <li>Next Panel briefing to be scheduled for 20 July (post 6 July DRP meeting and RFI response).</li> </ul>
4 July	Amended plans lodged with Council in response
10 August	DRP meeting with applicant
18 August	<p>DRP Minutes issued – the Panel were generally supportive and the following recommendations were made:</p> <ul style="list-style-type: none"> <li>The Panel supports the application subject to the changes described [in the minutes]. The application satisfies the design quality principles</li> <li>Subject to the changes described [in the minutes], the Panel supports the application. The application achieves Design Excellence in accordance with Clause 6.10 of Bayside LEP 2021.</li> </ul> <p>The Panel requests that it assess the required amendments electronically; the proposal does not need to return to the Panel.</p>

## SITE LOCATION

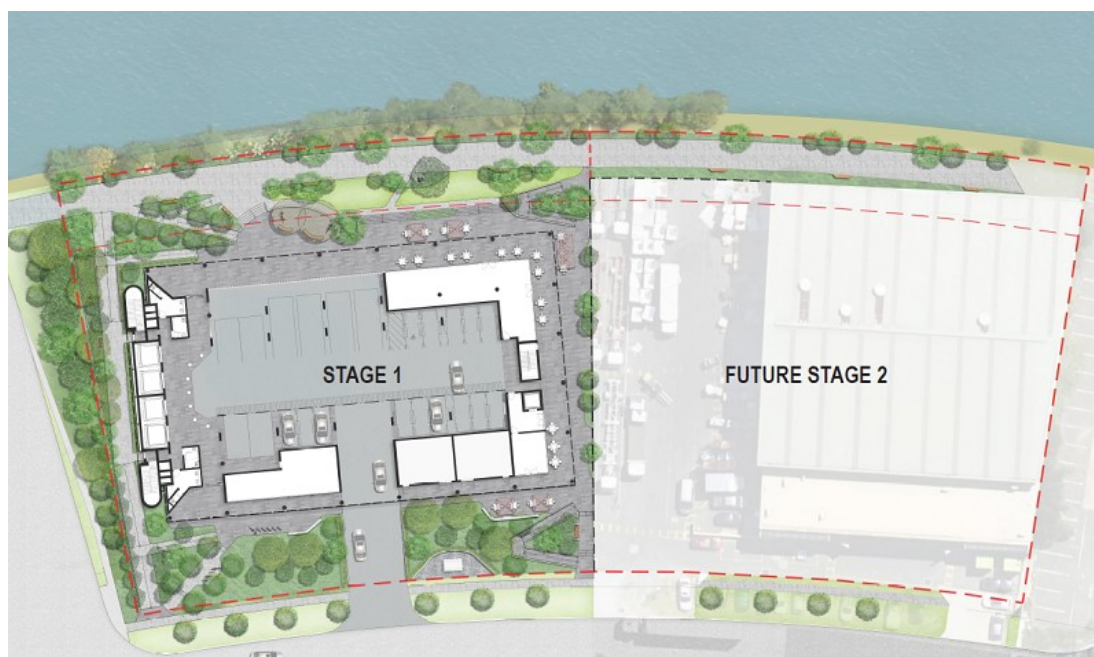




## **AMENDMENTS**

Key design amendments made to scheme presented to Design Review Panel on 10 August 2023:

- Staging plan amended to now include the full length cycle way along the Alexandra Canal. This allows the continued use of the existing building within the Stage 2 area.



- New pedestrian linkages along Ricketty Street and northern property boundary.
- Greater activation proposed at ground level for storage building with new active tenancies.
- The size of the storage building has been reduced to benefit the promenade design. Across the two buildings, there has been a reduction in the gross floor area by 877m<sup>2</sup>.

## **KEY ISSUES**

Below is an update of some key issues with the application:

### **1. Suggested design changes by the DRP**

- The relationship between the two buildings can be strengthened. This could be achieved in a number of ways including by improved design & material relationship for the buildings, staggering the height difference for the Stage 2 building from one to two storeys, modifications to the gap in Stage 2 or changes to the façade gardens in Stage 2. However, the Panel are of the view that there is to be no increase in the current proposed height;
- Reconsideration is to be made of the façade gardens as viewed on the southern elevation of the office building with alternative arrangements;
- The glazed slots on the storage building's fire stairs can be extended to ground level to provide, light and enhanced passive surveillance to the adjacent path;
- There is to be a reduction of hard surfaces within the central through site link between the two buildings, which can be improved with large canopy trees to deliver a strong civic space;
- Sustainability commitments including solar array capacity are to be provided for review;
- The provision of indigenous themed public art work;
- A site wide signage strategy to inform placemaking, arrival and wayfinding; and
- Main lobby area to the office building is to be relocated to be more active to Venice Street.

The Panel requests that it assess the required amendments electronically; the proposal does not need to return to the Panel.

### **2. Cycleway**

The Sydney Gateway Active Transport Strategy identifies the Alexandra Canal frontage of this site as a 'High Priority' off-road active transport link intended to improve connectivity and safety and contribute to the strategic cycleway corridor network.

As shown earlier in this report, the staging has been amended to ensure that the full cycleway can be constructed within the Stage 1 section.

Once amended plans are finalised, a referral will be sent to Transport for NSW for assessment.

### **3. Variation to height for Stage 2 building**

A variation of 2.85m above the 44m Height of Building development standard is proposed for the office building. The Clause 4.6 statement has advised that the

majority of this non-compliance is to the uppermost edge of the lift and stair core, however, 0.55m of this is to the parapet edge of level 11.

Given the extent of the variation, its location and containing no habitable space above the maximum development standard, the sites significant setback requirements (e.g. 10m to the Canal) and other environmental planning grounds such as no adverse amenity impacts on neighbouring properties such as privacy, overshadowing and loss of views, this variation may be supported by Council subject to resolution of issues raised by the Design Review Panel.

4. Connecting With Country

The DRP Minutes make reference to this by way of the following:

*Given that this has not been acted upon yet. The panel request that the applicant adopt Country as a theme to inform the approach to landscape and public art. This would centre on native species and include utilizing marginalized native species to encourage the biodiversity on the site.*

*First Nations artists should be engaged to fulfill the public art objectives for the project. This should include works within the landscape as well as the buildings.*

5. Approvals required from City of Sydney

Future Stage 2 contains a warehouse building that is currently subject to a long-term lease. However, the path of the future cycleway within Stage 1 should ensure that no demolition is required in this stage.

Given that approval is still required from City of Sydney for demolition of part of the building located within Stage 2, an appropriately worded condition would need to be prescribed, prior to any works commencing for Stage 2. This will be done in consultation with the City of Sydney before any draft conditions is finalised.

Advice is currently being sought from City of Sydney as to whether an approval is required for the small section of Stage 1 cycleway in the northern section of the site. If so, it would be likely that any recommendation for approval when the determination report is finalised would be for a Deferred Commencement subject to approval of these works from City of Sydney.

6. Request for information letter

The following is required to be provided with any amended plans:

- Amended landscape plan;
- Heritage Impact Statement;
- Swept path analysis;
- Amended stormwater plans;
- Amended flood modelling;
- Addressing submissions;
- Contamination;
- Signage detail; and
- Details on uses to enable contributions calculations.

Further to the above is further detail on two of these dot points:

- Contamination: Further detail is required from the applicant with relation to a Detailed Site Investigation and a possible Remediation Action Plan. This matter is still subject to ongoing discussions with the applicant, however, it is anticipated that it should not result in any extended delays in the finalisation of the assessment of this application.
- Signage detail: Council is not supportive of the projecting type signage currently proposed for the storage building, with a lower placed more integrated design likely to be proposed as part of an amended architectural design package.

### **RECOMMENDATION**

Following an assessment of the amended architectural plans and other information as per the RFI letter and following further electronic review by Council's Design Review Panel, Council will finalise the assessment for determination.