

COUNCIL ASSESSMENT REPORT SUPPLEMENTARY REPORT

Panel Reference	PPSEC-245
DA Number	DA-2022/357
LGA	Bayside Council
Proposed Development	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
Street Address	1-3 and 3A Ricketty Street, Mascot
Applicant/Owner	<u>Applicant</u> : The Trustee for the Canal Aviv Trust <u>Owner</u> : Canal Aviv Pty Limited
Date of DA lodgment	1 December 2022
Number of Submissions	2 (in the first round)
Recommendation	Refusal
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Private infrastructure and community facilities over \$30 million (Nominated CIV: \$49,786,000)
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Bayside Local Environmental Plan 2021
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Architectural Plans – GCCV Architects • Landscape Plan – Ground Ink Landscape Architects • Statement of Environmental Effects – Planning Ingenuity • Clause 4.6 Statement for Height of Building – Planning Ingenuity

Report prepared by	Andrew Ison, Senior Development Assessment Planner
Report date	11 March 2024

OUTSTANDING INFORMATION

The assessment report that was dated 4 March 2024 had four matters that remained unresolved, those being:

- Referral comments from DPE Water, in accordance with Section 91 of the Environmental Planning and Assessment Act 1979 with relation to works on waterfront land (in proximity to Alexandra Canal)
- Referral comments from DPE Heritage, in accordance with Section 58 of the Heritage Act 1977 with relation to works within proximity of a state listed heritage item (Alexandra Canal)
- Advice from Transport for NSW with relation to whether owner's consent was required for works within the Venice Street right of way easement
- Section 7.11 Contributions amounts for both stages

1. DPE Water

General Terms of Approval were issued on 11 March 2024.

2. DPE Heritage

Referral comments were received from DPE Heritage on 11 March, with the recommendation that the Heritage Impact Statement (HIS) requires to be amended to include the following:

- Aboriginal Cultural Heritage assessment;
- A comprehensive visual assessment of the proposal is recommended to inform the final design in terms of its impact on the identified significant views and setting of the SHR item; and
- Information on archaeology. If the HIS identifies impact on potential historical archaeology, a historical archaeological assessment must be prepared by a suitably qualified archaeologist in accordance with the guidelines

As such, the Reasons for Refusal will be amended to include insufficient information to satisfy DPE Heritage requirements.

3. Venice Street

Advice was received from Transport for NSW (TfNSW) on 7 March, and is as follows:

Venice Street was a new road built by the M8 project.

At the moment the road pavement, footpath and landscaped areas for Venice Street are currently undergoing survey processes which after the DP is lodged and registered, TfNSW can proceed to road dedication which will vest the road in Council as a local road.

Bayside Council provided concurrence some time ago that Venice Street would be a local road.

As such, at this stage, as Venice Street is still owned by TfNSW would require the applicant to receive formal approval from TfNSW (by way of owner's consent).

Based on the above advice, the recommended reason for refusal based on owner's consent is to be retained.

4. **Contributions**

The total payable contributions amount is **\$5,426,378.62** and is further broken down by each stage as follows:

- Stage 1 (Self-storage building): \$1,041,075.82
- Stage 2 (Commercial building): \$4,385,302.80