

COUNCIL ADDENDUM ASSESSMENT REPORT

Panel Reference	PPSSEC-52			
DA Number	DA2020/0143			
LGA	City of Canada Bay Council			
Proposed Development	Demolition of existing structures and construction of three residential apartment buildings of 4-6 Storeys over two levels of basement and containing 145 units.			
Street Address	25 George Street North Strathfield			
Applicant/Owner	North Strathfield One Pty Ltd (Applicant) North Strathfield One Pty Ltd (Owner)			
Date of DA lodgement	12 June 2020			
Total number of Submissions Number of Unique Objections	Initial notification <ul style="list-style-type: none"> 28 (including 20 objections and 8 in support) Re-notification <ul style="list-style-type: none"> 4 (including 3 objections and 1 in support) 			
Recommendation	Approval subject to Conditions			
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	The development has a capital investment value of greater than \$30 million CIV = \$44,675,000.00			
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> State Environmental Planning Policy No. 55 (SEPP No. 55) - Remediation of Land State Environmental Planning Policy No 65 - Design Quality of Residential Flat Buildings State Environmental Planning Policy - Building Sustainability Index (2004) State Environmental Planning Policy (Infrastructure) 2007 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (Vegetation in Non-Rural Areas) Canada Bay Local Environmental Plan 2013 City of Canada Bay Development Control Plan 2017 Canada Bay Special Precincts Development Control Plan Planning Agreement, Ref: 738885:24822479_1 			
List all documents submitted with this report for the Panel's consideration	Reference/Dwg No	Title/Description	Prepared By	Date/s
	DA 102 (Revision D)	Basement 1 Plan	FUSE Architects	10.02.2022
	DA 104 (Revision D)	Level 1 Plan	FUSE Architects	18.02.2022
	DA 105 (Revision D)	Level 2 Plan	FUSE Architects	18.02.2022
	DA 106 (Revision D)	Level 3 Plan	FUSE Architects	18.02.2022
	DA 107 (Revision D)	Level 4 Plan	FUSE Architects	18.02.2022
	DA 108 (Revision D)	Level 5 Plan	FUSE Architects	18.02.2022
	DA 109 (Revision D)	Roof Plan	FUSE Architects	18.02.2022
	DA 201 (Revision D)	Elevations (North & West)	FUSE Architects	18.02.2022
	DA 202 (Revision D)	Elevations (South & East)	FUSE Architects	18.02.2022
	DA 301 (Revision D)	Sections (A & B)	FUSE Architects	18.02.2022
	DA 302 (Revision D)	Sections (C & D)	FUSE Architects	18.02.2022
	DA 303 (Revision D)	Sections (E & F)	FUSE Architects	18.02.2022
	DA 304 (Revision D)	Sections (G)	FUSE Architects	18.02.2022
	Response to Planning Panel	Response letter to Panel from Architect Re Solar Access	FUSE Architects	18.02.2022
	SK01	Sun Eye View Sheet 1	FUSE Architects	No date

	SK02	Sun Eye View Sheet 1	FUSE Architects	No date	
	SK03	Solar Study Analysis Living Area	FUSE Architects	No date	
	SK 05	Shadow Study – 23A George St Sheet 1	FUSE Architects	No date	
	DA 602 (Revision D)	SEPP 65 – Daylight Access	FUSE Architects	10.02.2022	
	DA 603 (Revision D)	SEPP 65 – Daylight Access	FUSE Architects	10.02.2022	
	No ref.	Cover letter	Greg Dowling (Dowling Urban)	22.02.2022	
Report prepared by	Peter Giaprakas				
Report date	25 February 2022				

1. Background

The Panel considered the matter in a public meeting held by teleconference on 10 February 2022.

The Panel resolved to defer the determination of the matter until the following information is provided:

- *Sun eye diagrams to be provided which show the extent of solar penetration (hours numerically) between the hours of 9 and 3pm mid-winter on a 30 minute basis for the living areas and private open space of each dwelling.*
- *The sun eye diagrams to have regard to the impact on existing buildings and private open space in the vicinity on the solar access to the proposal.*
- *A solar impact analysis is required to establish the impact of the proposal on the adjoining development to the South being 23a George Street.*
- *Having regard to the proposed visitor parking, prior to making any decision the Panel would like a plan to understand the location, functionality, and accessibility of those spaces (separate to the residential parking).*

The applicant has responded to the Panels request as follows:

- Cover letter prepared by Greg Dowling (Dowling Urban), dated 22 February 2022.
The cover letter addresses the following required information by the Panel:
 - Sun eye diagrams and solar impact analysis;
 - Visitor parking; and
 - Air conditioning condensers
- Sun eye diagrams prepared by Fuse Architects
- Revised Basement 1 Plan – Visitor spaces indicated
- Revised above ground levels – Level 1, 2, 4 & 5 plan removes AC units from balconies
- Revised Roof Plan – Addition of screened open service areas on roofs to accommodate AC condensers
- Revised Elevations – AC units from balconies and addition of screened open service areas on roofs to accommodate AC condensers
- Revised sections – AC units from balconies and addition of screened open service areas on roofs to accommodate AC condensers

The condition set has been revised and submitted to the NSW Planning Portal. Revisions are included in red. The conditions of consent relating to parking numbers remaining the only conditions in contention (Condition No. 34 **DACCE01 - Amendments to Approved Plans** and Condition No. 42 **DACCG08 - Off Street Car Parking Space Provision**).

Council has prepared an addendum assessment report in response to the applicant's additional material responding to the matters raised by the Panel above. The proposal is recommended for approval with conditions.

2. Solar Access

The Panel requested the following information with regard to solar access and solar impact.

- *Sun eye diagrams to be provided which show the extent of solar penetration (hours numerically) between the hours of 9 and 3pm mid-winter on a 30 minute basis for the living areas and private open space of each dwelling.*

Comment: The applicant has provided sun eye view diagrams (drawing No's SK01-SK02) which indicate the extent of solar penetration between the hours of 9 and 3pm mid-winter on a 30 minute basis for the living areas and private open space of each dwelling.

The solar analysis schedule on SK03 indicates solar access in accordance with SEPP65 Apartment Design Guidelines is achievable for 100 of the 145 apartments, resulting in 69% of the overall apartments receiving 2 hours of solar access. This equates to a minor shortfall from the minimum 70% recommended under the ADG.

The minor non-compliance (1%) with the design criteria of the ADG is a direct result of the deliberate design response to achieve a greater residential amenity and to minimise exposure to the eastern elevation of the development as it adjoins the Main Northern rail line.

- *The sun eye diagrams to have regard to the impact on existing buildings and private open space in the vicinity on the solar access to the proposal.*

Comment: The sun eye view diagrams (drawing No's SK01-SK02) have regard to the impact on existing buildings in the vicinity on the solar access to the proposal. All buildings in the vicinity (adjacent either side of the site) have been mapped into the diagrams and indicated the extent of solar access not received to the proposed building and the extent the proposed building will prevent solar access to windows of 23A George St.

With regard to impact on private open space in the vicinity (namely 23A George St), this has been demonstrated on the applicant's plan shadow diagrams (drawings DA 409 & 410, revision B). These drawings indicate both the existing shadows and proposed and have been considered in the original report where it was identified that relatively small areas of additional shadow will fall over private open spaces of 23A George St during the winter solstice between 9.00am 3.00pm, and that some areas of the communal gardens around the pool will be opened up to receiving direct solar access which previously did not exist. On balance the solar access afforded to the communal open space is acceptable.

- *A solar impact analysis is required to establish the impact of the proposal on the adjoining development to the South being 23a George Street.*

Comment: The analysis on drawing SK05 indicates that windows within the adjacent wall of 23A George St will receive adequate solar access as a result of the proposal. All of the windows will receive 2 hours or more on June 21 between 9am and 3pm.

The proposal is considered acceptable with regard to solar access and overshadowing.

3. Parking

The Panel requested the following information with regard to visitor parking.

- *Having regard to the proposed visitor parking, prior to making any decision the Panel would like a plan to understand the location, functionality, and accessibility of those spaces (separate to the residential parking).*

Comment: The applicant has provided a revised Basement 1 Plan (drawing No. DA102, revision D) indicating 15 visitor car parking spaces. The visitor spaces are grouped together and appropriately located in close proximity to the entry/exit driveway and lift/stair access.

Condition 42 **DACCG08 - Off Street Car Parking Space Provision** has been revised to reflect the applicant's revised parking allocation which includes 15 visitor spaces. As discussed above, car parking numbers remain in contention. Council's position with regard to the maximum permitted car parking spaces of 126 (including visitor spaces) remains the same.

Should the Panel concur with Council that a maximum 126 car parking spaces (including visitors) should apply, and that the required minimum 15 visitor spaces should also be provided, it will result in 111 of the total 145 units being allocated with 1 car parking space each and 34 units with no car parking space. As discussed above, this is reflected as such in the revised condition 42.

4. AC Plant

The applicant has also provided revised plans that locate the above-ground air conditioning condenser units on the roof of the buildings within enclosed screened service areas, instead of on unit balconies. The screened service areas do not result in height non-compliance (no higher than lift overruns) or identifiable additional overshadowing.

The condenser units for ground floor apartments will remain within the courtyards. Council raises no issues in this regard.

Conclusion

The proposed residential flat building development is consistent with the desired future character that has been established through the deliberate and considered rezoning of this site through the Concord West Precinct Masterplan.

The proposed development is appropriately located within a *R3 Medium Density Residential* zone under the provisions of *Canada Bay Local Environmental Plan 2013* and is consistent with the statutory and non-statutory development standards and controls of relevance to the proposal.

Further, the development performs adequately in terms of its relationship to the surrounding built and natural environment, particularly in relation to likely impacts upon surrounding

properties. Consequently, the proposal is supported from an environmental planning perspective.

Prepared by:



Mr Peter Giaprakas
Senior Statutory Planner
City of Canada Bay
10 March 2022

Endorsed by:



Mr Shannon Anderson
Manager
City of Canada Bay
10 March 2022

Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 (as amended)

The Sydney Eastern City Planning Panel, as the determining authority, grant consent to development application DA2020/0143 for Demolition of existing structures and construction of three residential apartment buildings of 4-6 storeys over two levels of basement and containing 145 units (including affordable housing dedicated to Council) on land at 25 George Street, North Strathfield, subject to the site specific conditions contained in Amended Condition Set dated, 25 February 2022 (Revision 3).