

RELEVANT INFORMATION FOR COUNCIL

FILE: D/2015/860 **DATE:** 18 March 2016
TO: Lord Mayor and Councillors
FROM: Graham Jahn, Director City Planning, Development and Transport
SUBJECT: Information Relevant To Item 9.7 - Development Application: 64 - 66 Cook Road, Centennial Park - At Council - 21 March 2016

Alternative Recommendation

That consent be granted to Development Application No. D/2015/86, subject to the conditions as detailed in the subject report to the Planning and Development Committee on 15 March 2016, amended as follows (with additions shown in ***bold italics***):

Insert Condition (44A)

(44A) CONSTRUCTION LIAISON COMMITTEE

- (a) Prior to the commencement of any work, a Construction Liaison Committee or an alternative approved in writing by Council's Director City Planning, Development and Transport, is to be established by the developer to ensure that demolition and construction related impacts (including construction noise and vibration, loading, issues associated with construction workers and vehicles, including cars parked on the street, traffic issues and management of the construction site) can be dealt with expeditiously and cooperatively.***
- (b) The Committee is to be comprised of interested parties representing potentially affected properties adjacent to and surrounding the site. A nominated representative of the Council may be an observer from time to time.***
- (c) The Committee shall meet prior to the commencement of works on the site and prior to the submission of the final Construction Management Plan to Council to address initial areas of concern, and then at monthly intervals or as considered appropriate by the Committee throughout the construction process.***
- (d) Prior to the commencement of work, the Site Manager is to provide the members of the Committee and Council with 24 hour contact details (including location of site offices and a 24 hour phone number) to ensure that any matters which arise during the construction process are addressed immediately. The Site Manager shall be available during normal business hours to provide information to the public about activities on site and to bring any complaints to the attention of the Applicant.***

- (e) ***A register of all complaints shall be kept by the Applicant throughout the duration of the project and shall be made available to Council Officers on request.***
- (f) ***The Committee meetings are to be recorded/minuted and such records/minutes are to be provided to Council within 14 days of the meeting.***
- (g) ***The first Committee meeting should establish Terms of Reference, including purpose, size and membership, quorum, meeting frequency and duration, procedures for meetings, recording/distribution of comments and outcomes and the like.***
- (h) ***The initial call for resident/worker nominations to be sent to the adjacent and adjoining property owners and tenants must be submitted to and approved by the Director City Planning, Development and Transport prior to sending.***
- (i) ***The Site Manager is to inform each Committee meeting about the construction program, progress reports and impending work.***

Background

At the meeting of the Planning and Development Committee on 15 March 2016, three matters were raised as follows:

- a) construction impacts on parked cars;
- b) view loss; and
- c) solar access.

Construction Impacts

To alleviate this concern and address any issues that may arise during construction activities, it is recommended that an additional condition be imposed to require a Construction Liaison Committee. This condition is detailed above.

View Loss

Two residents from Unit 12 and Unit 19 of 68 Cook Road spoke at the Committee meeting. They raised concern about view loss. After the meeting an email was received from the residents from Unit 17 confirming their comments in regard to view loss and overshadowing.

The report deals with view loss. 68 Cook Road is a 3-4 storey apartment building arranged on a long axis from Cook Road at the front to Furber Lane at the rear. This arrangement is shown in the aerial view below. The apartments within the building are arranged to have primary windows facing the side (northern) boundary which adjoins the subject site at 64-66 Cook Road.



The outlook from 68 Cook Road is by oblique angles towards the rear facing Furber Lane. The views are partly over the rear of the subject site at 64-66 Cook Road and also over the car park of the sports stadium site. The outlook offers a distant view of Sydney Tower and parts of the city skyline.

Units 12 and 19 are located approximately in the middle of the apartment building, where the red arrow in the aerial view above is positioned and unit 17 is located at the front (Cook Road) of the building. Unit 12 is on the first floor and Units 17 and 19 are on the second floor (which is the top floor).

The three images below show the current outlook from these units.



Outlook from balcony of Unit 12



Outlook from balcony of Unit 17



Outlook from balcony of Unit 19

It is acknowledged that there will be an impact when standing or sitting on the narrow balcony on an oblique distant outlook as a result of the proposed development. The units at the front and middle of 68 Cook Road will lose some of their outlook, while the apartments near the rear towards Furber Lane will lose less.

However, using the planning principles of the Court, which are detailed in the report to the Committee, it is considered that the view loss is reasonable in the circumstances. This includes consideration of the type of outlook which, in this case, is mostly at an oblique angle, that the apartments at the western end of the building (closer to Furber Lane) will retain some views, that the current views are over a number of other properties and that a development fully compliant with the height control would have the same effect on views.

Solar Access

Clarification was sought about the overshadowing impacts to the adjoining apartments at 68 Cook Road. In particular, the applicant's consultant addressed the Committee and spoke about solar access. Clarification about what was said is now provided.

The applicant's consultant has confirmed that he was referring to 80% of the proposed apartments on the development site, 64-66 Cook Road, as achieving the 2 hours solar access required by the controls. His reference to 20% was in relation to the remaining 20% of the proposed apartments not achieving the full 2 hours of solar access. The control requires 70% of proposed apartments to comply, and therefore, the proposal complies with this control.

However, it is understood that this information may have been misinterpreted to refer to the adjoining property at 68 Cook Road, with the 20% reference inferred to mean that only 20% of the adjoining apartments would lose sun.

The attachment to the report shows that the windows will lose morning sun as a result of the proposed development. However, afternoon sun from 1.00pm will start to be retained.

Specifically, there are a total of 58 windows/doors on the northern elevation of 68 Cook Road. Of these 58 openings, currently 51 (88%) receive more than 2 hours of sunlight between 9am and 3pm. Seven (12%) receive less than 2 hours.

As a result of the proposed development, 42 openings (72%) will receive 2 hours of sunlight. Sixteen openings (28%) will receive less than two hours.

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Attachments

Approved



**Graham Jahn, Director City Planning,
Development and Transport**