

**ITEM 12. DEVELOPMENT APPLICATION: 10 BRIDGE ROAD GLEBE****FILE NO: D/2015/1467****DEVELOPMENT APPLICATION NO: D/2015/1467****SUMMARY**

**Date of Submission:** 13 October 2015

**Amended Plans:** 18 April, 18 August, 14-19 October and 4-8 November 2016

**Applicant:** Michael Munro

**Architect:** Hosking Munro Pty Ltd

**Developer:** Bobbin Head Investments Pty Ltd

**Owner:** Bobbin Head Investments Pty Ltd

**Cost of Works:** \$2,856,040

**Proposal Summary:** Retention of the existing facades and part of the first floor level slab of an existing 2 storey former warehouse building and addition of 3 storeys to construct a part 4, part 5 storey mixed use building, comprising:

- 13 residential apartments;
- one ground floor commercial premises;
- one at-grade accessible car parking space;
- rooftop landscaping and communal open space; and
- basement bicycle parking, plant and storage.

The proposal has been amended several times over the course of its assessment to address concerns raised by Council officers and by Councillors.

The application was considered by the Planning and Development Committee on 10 October 2016, with several concerns raised about the proposal pertaining to the overall design, and compliance with the requirements of SEPP 65 and the Apartment Design Guide (the ADG), including requirements pertaining to natural cross ventilation and common open space.

**Proposal Summary:  
(continued)**

At the meeting of Council on 24 October 2016, concerns were raised regarding the following issues:

- inconsistency with the character statement and principles for the locality of Wentworth Park;
- failure to achieve design excellence;
- failure to comply with the requirements of the ADG pertaining to natural cross ventilation and common open space;
- inconsistency with the principles of SEPP 65 pertaining to context, built form and scale, amenity and aesthetics; and
- non-compliance with the 4 storey height control contained in the Sydney Development Control Plan 2012 (the DCP).

Council resolved that consideration of Development Application No. D/2015/1467 be deferred to the next meeting of Council to allow staff time to consult with the applicant on further changes.

The applicant subsequently met with Council officers to discuss how Council's concerns could be addressed and the applicant has responded by the submission of further amended plans and supporting documents on 4 and 8 November 2016 and which are shown at Attachments B, C and D.

Design changes incorporated into the final amendments are summarised as follows:

- reconfiguration of Apartments 5 and 6;
- a small planter box has been added to the terrace of Apartment 10;
- creating voids at the fourth floor level to improve building articulation;
- one apartment has been deleted to provide cross ventilation of Apartment 10; and
- finishes schedules have been provided on the elevations.

The final amended proposal has a height of 15m and an FSR of 2.49:1, which comply with the Sydney LEP 2012 height and FSR controls.

The final amendments are considered to achieve compliance with the natural cross ventilation requirements of the ADG, and provide greater building articulation and design details to improve the overall appearance of the building.

**Summary Recommendation:**

The development application is recommended for approval, subject to conditions contained in Attachment A.

**Attachments:**

- A - Conditions of Consent
- B - Final Amended Plans
- C - New Photomontage
- D - Schedule of Amendments
- E - Planner's Report to the meeting of the Planning and Development Committee on 10 October 2016

**RECOMMENDATION**

It is resolved that consent be granted to Development Application No. D/2015/1467, subject to the conditions as detailed in Attachment A to the subject report.

**BACKGROUND**

1. At the meeting of Council on 24 October 2016, concerns were raised regarding the following issues:
  - (a) inconsistency with the area character statement and principles which are to discourage residential uses on Bridge Road;
  - (b) failure to achieve design excellence;
  - (c) inconsistency with the principles of SEPP 65 pertaining to context, built form and scale, amenity and aesthetics;
  - (d) non-compliance with the 4 storey height control; and
  - (e) failure to comply with the requirements of the ADG pertaining to natural cross ventilation and common open space.
2. Council resolved that consideration of Development Application No. D/2015/1467 be deferred to the next meeting of Council to allow staff time to consult with the applicant on further changes.
3. The applicant subsequently met with Council officers to discuss how Council's concerns could be addressed and the applicant has responded by the submission of further amended plans and supporting documents on 4 and 8 November 2016 and which are shown at Attachments B, C and D.

**PROPOSAL**

4. The final amended proposal is for retention of the existing facades and part of the first floor level slab of an existing 2 storey former warehouse building and addition of 3 storeys to construct a part 4, part 5 storey mixed use building, comprising:
  - (a) 13 residential apartments, including:
    - (i) 4 x studios;
    - (ii) 5 x one bedroom apartments; and
    - (iii) 4 x two bedroom apartments;
  - (b) a ground floor commercial premises;
  - (c) one at-grade accessible car parking space;
  - (d) rooftop landscaping and communal open space; and
  - (e) basement bicycle parking, plant and storage.
5. A new photomontage of the final amended proposal is shown in **Figure 1** below.



**Figure 1:** New photomontage of the final amended proposal.

## **ECONOMIC/SOCIAL/ENVIRONMENTAL IMPACTS**

### **Design Response to Council's concerns**

6. The design response to the concerns raised at the meeting of Council on 24 October 2016, is discussed below.

### Inconsistency with the locality statement and design principles

7. Council raised concerns that the proposal was inconsistent with the Wentworth Park locality statement and design principles contained at DCP provision 2.6.3. This provision states that Bridge Road should feature high quality buildings and that residential uses should be discouraged from fronting Bridge Road because of the potential noise impacts from vehicle traffic and the light rail.
8. It is considered that the final amended proposal provides greater building articulation and design details to improve the overall appearance of the building to achieve a high quality building.
9. As for the original scheme, the proposed residential uses are permitted in the B4 Mixed Use Zone applicable to the site. In accordance with DCP provision 4.2.5 which requires commercial uses at ground level on busy roads, a retail tenancy is provided at ground level to the Bridge Road frontage. The proposed residential apartments are able to achieve adequate internal noise levels by incorporating solid balcony balustrades, wintergardens at lower levels and acoustic attenuation measures as recommended in the submitted Acoustic Assessment Report.

Failure to achieve design excellence

10. Council raised concerns that the proposal was not consistent with the SEPP 65 design quality principles pertaining to context and neighbourhood character, built form and scale, amenity and aesthetics and that the proposal did not demonstrate design excellence as required by clause 6.21 of the Sydney Local Environmental Plan 2012 (the LEP).
11. As for the original scheme, the retention of the existing warehouse is in keeping with the area's recent industrial past. The proposal complies with height and floor space controls contained in the LEP. A 3 metre setback above the Bridge Road street frontage height is provided in accordance with DCP provision 4.2.2.2(2).
12. As for the original design scheme, the breach of the DCP's 4 storey height control is as a result of the need to accommodate the fall across the site while providing access from ground to the uppermost level. The uppermost level provides communal open space in accordance with ADG and DCP requirements and is important to providing adequate amenity for its future intended occupants. In this sense, it is considered that the height in storeys of the proposed development is appropriate to the condition of the site and a variation to the DCP height in storeys control is supported.
13. The final amended proposal provides greater building articulation and design details to improve the overall appearance of the building and to exhibit design excellence.
14. The SEPP 65 design quality principle pertaining to amenity is discussed below.

Building height

15. Council raised concerns that the mid-section of the proposed building comprised 5 storeys and exceeded the DCP 4 storey height control.
16. As noted at paragraph 12 above and as for the original design scheme, the height in storeys of the proposed development is considered to be appropriate to the condition of the site and a variation to the DCP height in storeys control is supported.
17. The proposed part 4, part 5 form is consistent with Council's recent decisions in regard to similar developments in the vicinity of the site, including the recently constructed building at 12 Bridge Road (D/2012/1399), and in its agreement to consent orders issued by the NSW Land and Environment Court for a development at 4-8 Bridge Road (D/2014/1315).

Inadequate provision of residential amenity

18. Council raised concerns that the proposal did not comply with ADG objectives 3D-1 and 4B-3 that pertain to provision of common open space and natural cross ventilation of apartments.
19. ADG objective 3D requires that a minimum area equivalent to 25% (88m<sup>2</sup>) of the site area is provided as communal open space.
20. The design scheme considered by Council at its meeting on 24 October 2016 provided a communal open space equivalent to 19% (66m<sup>2</sup>) of the site area.
21. The final amended proposal, shown at Attachment B, provides a communal open space equivalent to 14% (51m<sup>2</sup>) of the site area.

22. The decrease in communal open space is as a result of design changes made to address Council concerns, such as to provide greater articulation of the built form, which has been achieved by creating voids at the fourth floor level. Other improvements to the design, such as provision of a planter box at the northern edge of the common open space to protect the privacy of the balcony on the level below, have also reduced the area of the rooftop common open space.
23. The ADG (pg.55) states that, where proposals are unable to provide a common open space area equivalent to 25% of the site area, then they should provide larger balconies for apartments or demonstrate good proximity to public open space. The balconies in 9 of the 13 apartments are larger than the minimum area recommended by the ADG. The site is opposite the harbour foreshore walk and is one block from Wentworth Park. For these reasons, while the proposed area of common open space is not ideal, it is considered adequate in its context of being in close proximity to ample public open space.
24. ADG objective 4B requires that a minimum of 60% of apartments are naturally cross ventilated.
25. The design scheme considered by Council at its meeting on 24 October 2016, subject to recommended conditions, was considered able to achieve 54% (7 of 13) apartments being naturally cross ventilated.
26. The final amended proposal, shown at Attachment B, is considered to achieve 62% (8 of 13) apartments being naturally cross ventilated and complies with the stated ADG design criteria.

#### **New Conditions of Consent**

27. The Conditions of Consent at Attachment A are largely the same as the conditions recommended in the original planner's report to the Planning and Development Committee meeting on 10 October 2016. However, some conditions have been changed as a result of design modifications incorporated into the final amended proposal.
28. Conditions that have been changed and the nature of those changes are briefly described as follows:
  - (a) Condition (1) Approved Development – drawing numbers have been updated to refer to the final amended plans.
  - (b) Previously Condition (2) Design Modifications – the design modifications required by the condition have been incorporated into the final amended plans. The condition is considered to have been made redundant and is to be deleted.
  - (c) Condition (4) becomes Condition (3) Building Height – references to the maximum approved height of the building are to be updated to reflect the final amended plans. It is noted that the overall height of the building is reduced as a result of the final amendments.
  - (d) Condition (5) becomes Condition (4) Floor Space Ratio – All Other Areas – the condition is to be modified to reflect a 1sqm increase in gross floor area as a result of the final amendments. The size of the increase in gross floor area is small and, due to rounding, it does not result in an increase to the floor space ratio of the building.

- (e) Condition (6) becomes Condition (5) Section 94 Western Precinct City of Sydney Development Contributions Plan 2006 – Section 94 contributions have been updated to the most recent calculation of contributions based on the Consumer Price Index for the September quarter, 2016. This has been recalculated since the planner's report to the Planning and Development Committee meeting on 10 October 2016 was written.
- (f) Condition (30) becomes Condition (29) Adaptable Housing – the condition has been modified to refer to adaptable Apartment 8 to reflect changes made in the final amendments.

**CONCLUSION**

- 29. The final amendments are considered to address the concerns raised at the meeting of Council on 24 October 2016. The final amendments achieve compliance with the natural cross ventilation requirements of the ADG, and provide greater building articulation and design details to improve the overall appearance of the building.
- 30. For these reasons the final amended proposal is recommended for approval, subject to the conditions as detailed in Attachment A.

**GRAHAM JAHN, AM**

Director City Planning, Development and Transport

(Ben Chamie, Senior Planner)