Item 6
At Central Sydney
Planning Committee
12 May 2022

Relevant Information for Central Sydney Planning Committee

FILE:	**X025568**	**DATE:**	12 May 2022
TO:	The Central Sydney Planning Committee		
FROM:	Graham Jahn AM, Director City Planning, Development and Transport		
SUBJECT:	Information Relevant To Item 6 – Post Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment		

Alternative Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee note the requirements of the Gateway Determination issued by the Department of Planning and Environment to amend the contents of Planning Proposal: Enterprise Area Review, prior to public exhibition, as shown at Attachment C to the subject report;

(B) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of Planning Proposal: Enterprise Area Review and draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, as described in this report and shown at Attachment D to the subject report;

(C) the Central Sydney Planning Committee approve the Planning Proposal: Enterprise Area Review, with amendments in response to submissions, as shown at Attachment A to the subject report, to be sent to the Department of Planning and Environment to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979 ***subject to the following amendments****:*

(i) ***amendment of the 'Height of buildings map' in Part 6 of the Planning Proposal: Enterprise Area Review to show a height of building control of 22 metres at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria; and***

(ii) ***amendment of Figure 16: 'Proposed height of building controls' in the Planning Proposal: Enterprise Area Review to show a height of building control of 22 metres at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria;***

(D) the Central Sydney Planning Committee note the recommendation that Council approve Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, with amendments in response to submissions, as shown at Attachment B to the subject report, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 ***subject to the following amendments:***

(i) ***amendment of the 'Height in storeys map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show five storeys at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria and four storeys along the frontage of current and proposed streets for these sites;***

(ii) ***amendment of the 'Building setback and alignment map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show a three metre upper level setback, fronting the current and proposed streets at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria;***

(iii) ***amendment of the 'Building street frontage height in storeys map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show a four storey street wall height, fronting the current and proposed streets at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria; and***

(iv) ***amendment of figure 5.184: 'North Alexandria Public Domain Dedications and Easements' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to annotate the width of the Stokes Avenue extension as 20 metres measured from the western boundary of 12-18 Stokes Avenue;***

(E) authority be delegated to the Chief Executive Officer to make minor amendments to Planning Proposal: Enterprise Area Review and Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to correct any minor errors or omissions prior to finalisation; and

(F) the Central Sydney Planning Committee note the City of Sydney Employment Lands Strategy 2014-2019 will continue to guide development in the City's enterprise areas until an updated strategy is prepared, publicly exhibited and adopted.

Additions shown in ***bold italics***.

Background

At the meeting of Council's Transport, Heritage, Environment and Planning Committee on 9 May 2022 further information was sought on matters raised by the landowners of 112-122B McEvoy Street, Alexandria and 12-18 Stokes Avenue, Alexandria. These sites are shown as Site A and Site B respectively in Figure 1 below.

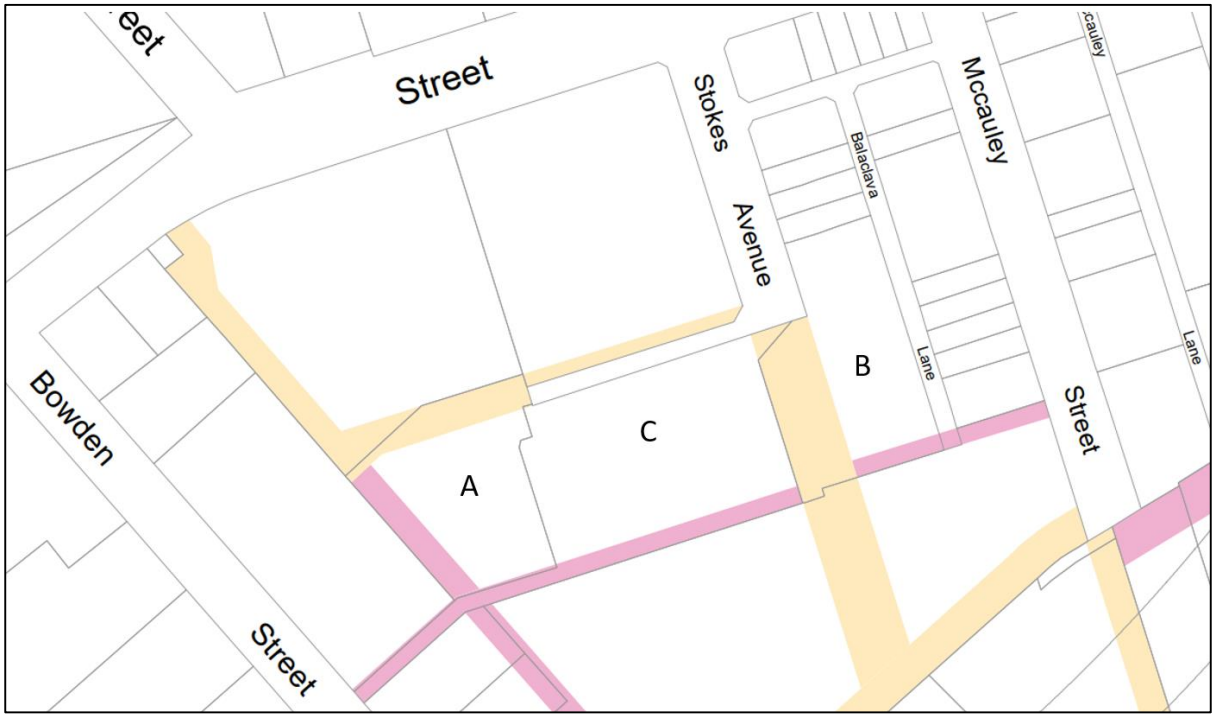

Figure 1 - Location of sites referred to in this memorandum, and dedication requirement for future street network (yellow) and laneway (pink)

112-122B McEvoy Street, Alexandria (Site A)

The exhibited Planning Proposal did not propose changes to floor space ratio (FSR) or height of building controls for 112-122B McEvoy Street, Alexandria (shown as site A on Figure 1). The draft DCP modifies the land dedication requirements for two lanes running within the northern and western portions of the site. These proposed lanes are currently mapped in Sydney DCP 2012, meaning under existing controls they are still required for dedication as part of redevelopment of the site. The draft DCP controls expand the intersection between these proposed lanes, which increases the proportion of the site to be dedicated.

The site currently has no frontage to any public street and is accessed via a narrow public laneway to the north-west of the site connected to Stokes Avenue (see Figure 1 above). It currently consists of a warehouse building.

The landowner seeks an increase to the height of building control on the site from 18 metres to 25 metres. They state that the land dedication requirement on their site would increase from about 26 per cent to about 31 per cent under the proposed amendments, and that as such the site becomes more constrained. They argue that while the permitted floor space ratio may be able to be achieved within the existing height control, it would result in deep floor plates and create difficulty providing deep soil. Increasing the height control would allow greater flexibility in designing the building to deliver better outcomes for the site.

Council officers reviewed the request for an increase in the height of building control from 18 to 25 metres. The review considered the capacity to develop the permitted floor space within the height, street wall height, height in storeys, upper level setback as well as the context of this site relative to the surroundings.

Following review, further changes to planning controls are now proposed for 112-122B McEvoy Street, Alexandria to increase the maximum building height to 22 metres. It is also proposed to increase the maximum building height to 22 metres on the adjoining site to the east at 20 Stokes Avenue, Alexandria (shown as Site C on Figure 1). This ensures a consistent planning approach across the future development block.

While testing shows the maximum floor space ratio control applying to the site can be accommodated within the existing 18 metre height limit, an increase to 22 meters will allow an additional storey and provide more flexibility for building layout. This can improve opportunities for deep-soil landscaping, greening, building articulation, voids and courtyards.

In addition to proposed increases in the height of building control in the Planning Proposal, the following changes to the draft DCP are recommended:

- an increase in the 'Height in storey map' from four storeys to five storeys for 112-122B McEvoy Street and 20 Stokes Avenue, Alexandria; and

- identify on the 'Building setback and alignment map' a four-storey street wall height, with the fifth storey set back 3-metres, fronting the current and proposed streets at 112-122B McEvoy Street and 20 Stokes Avenue, Alexandria.

On review, the full increase in height to 25 metres requested by the landowner is not supported. The 22 metre height control proposed in the alternate recommendation in this Relevant-to provides an appropriate balance between added flexibility and not creating an excessive impact on the narrow streets.

The landowner also raised concerns about the lack of clarity provided by the draft DCP in relation to the setback requirements.

There is a standard setback requirement in the southern enterprise area in the Sydney DCP 2012 which requires a six-metre setback, excepting where:

- the site is identified on the 'Building setback and alignment map' or the 'Active frontages map'; or

- it is an ‘office building type’ of over three storeys, where then no setback is required.

The landowner is concerned that if in future they propose a mixed-use development on the site, with perhaps warehousing at the ground floor and office above, that the provisions could be interpreted by an assessing planner as requiring the 6-metre setback.

However, as the site is proposed to be identified on the 'Building setback and alignment map', the six-metre setback requirement will not apply.

The proposed changes to controls in the Planning Proposal and draft DCP provide a balanced outcome across these two sites while minimising impacts on surrounding properties.

12-18 Stokes Avenue, Alexandria (Site B)

The exhibited Planning Proposal proposes an increase to the building height control from 18 metres to 22 metres for 12-18 Stokes Avenue, Alexandria (shown as Site B on Figure 1). The exhibited draft DCP proposes an increase to the height in storeys from 4-storeys to 5-storeys and introduces a requirement for a 2-storey street wall to Balaclava Lane on the eastern edge of the site.

The property is partly within and partly adjoins the North Alexandria Industrial Heritage Conservation Area (see Figure 2).

Figure 2 North Alexandria Industrial Heritage Conservation Area (site shown in yellow, conservation area in hatched red)

The landowners at 12-18 Stokes Avenue, Alexandria seek an increase in the street wall height on Balaclava Lane from two storeys to three storeys, arguing this will achieve a better built form outcome.

Following review of the request, the increase in the street wall height control is not supported. The proposed two-storey street wall in the exhibited draft DCP retains the existing low scale buildings interfacing with Balaclava Lane, that is primarily a one and two storeys street wall (see Figure 3) and within the conservation area. It is also consistent with the street wall height established on laneways in the wider area where they interface with the heritage conservation area (see Figure 4).

The 2-storey street wall protects the character of Balaclava Lane and also provides for better daylight to the lane and those properties on the other side of the lane.

Figure 3 Balaclava Lane, Alexandria (Source: Hector Abrahams Architects)

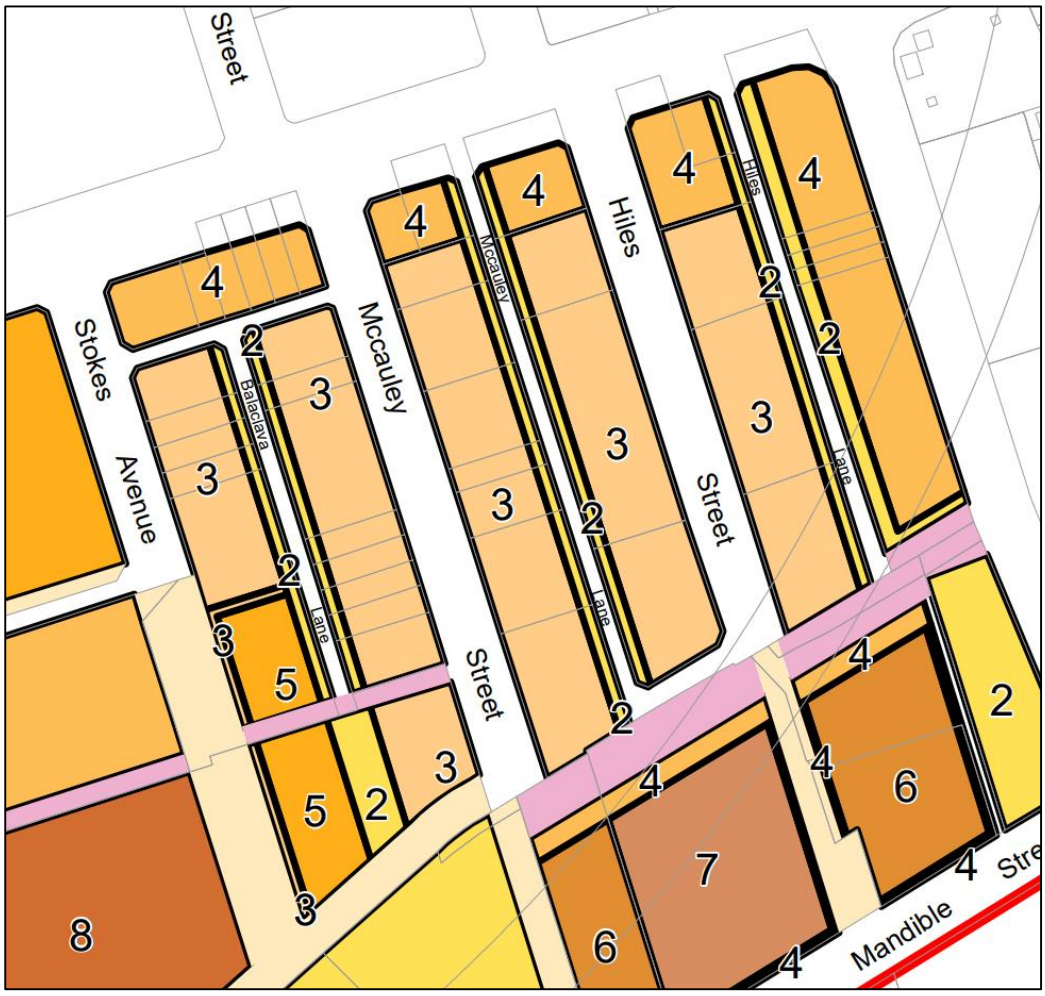

Figure 4 Extract from proposed height in storeys map showing street wall heights

The landowner also raised concerns about the alignment of the future Stokes Avenue extension and the impact this has on the overall loss of developable land on their site. The concern relates to the position of the future street extension and the risk that it will isolate a small section of their site, rendering it unusable. This is depicted in Figure 5, which is an extract from the landowners written submission.

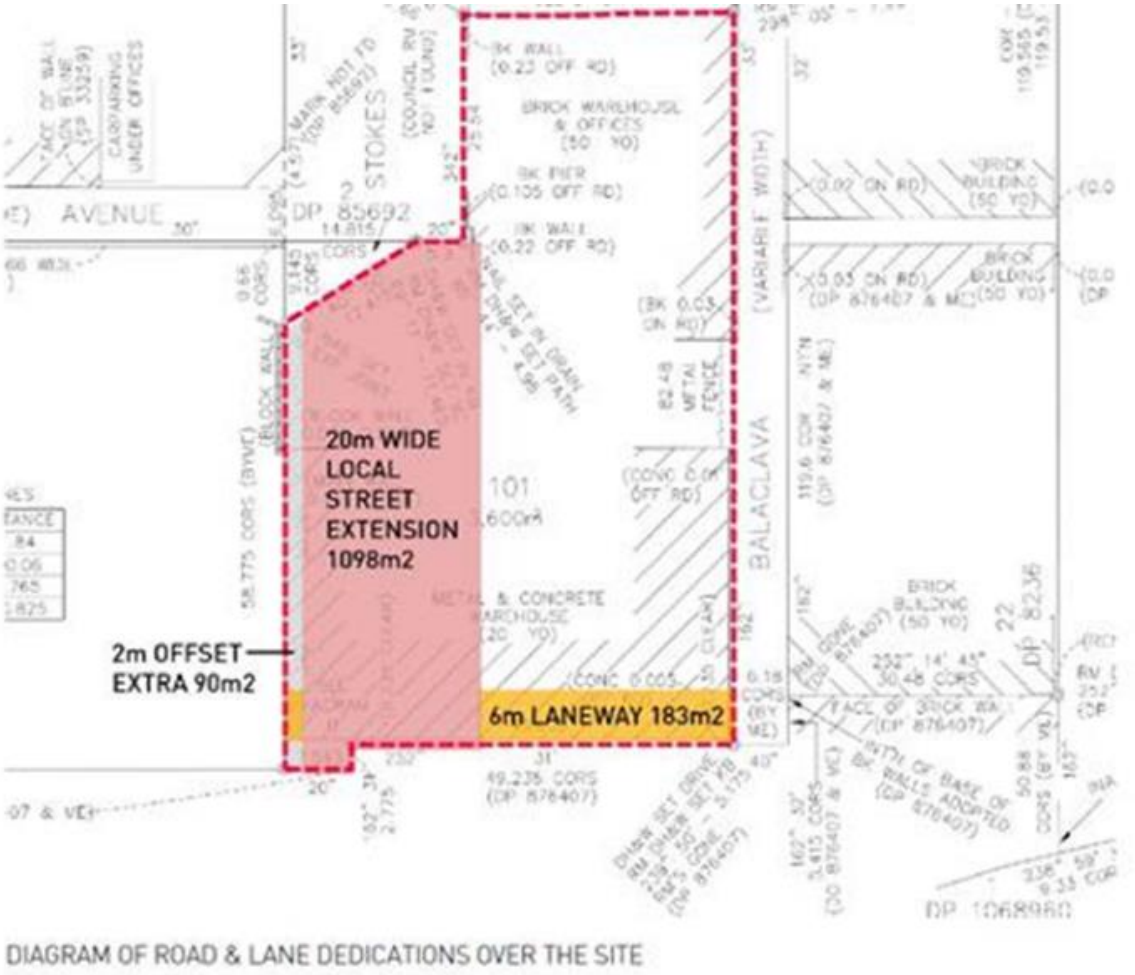

Figure 5 Submission extract indicating street dedication on 12-18 Stokes Avenue

To ensure no portion of the site is isolated the dedication and road alignment will set out from the subject site's western boundary and be identified in detail through a future development application for the development of the site.

It is proposed that Figure 5.184 of the draft DCP ‘North Alexandria Public Domain Dedications and Easements’ be amended to annotate the width of the Stokes Avenue extension as 20 metres and in doing so will make clear the future street is measured from the western boundary.

Memo from Graham Jahn AM, Director City Planning, Development and Transport

Prepared by: Gibran Khouri, Specialist Planner

Approved

GRAHAM JAHN AM

Director City Planning, Development and Transport