

**Item 4.****Development Application: 10-16 Bay Street, Ultimo****File No.:** D/2018/1140**Summary****Date of Submission:** 21 September 2018**Applicant:** City of Sydney**Architect/Designer:** Nordon Jago**Owner:** City of Sydney**Cost of Works:** \$1,707,110**Zoning:** Permissible in the B4 - Mixed Use zone

**Proposal Summary:** The application seeks consent for the demolition of the garages building (building 15) and retain its existing footprint area for truck parking. The proposal also includes the addition of a steel portal frame structure to support the Bay Street wall that is to be retained.

The Bay Street depot is a City of Sydney owned and operated Council Depot. Some of the depot buildings are heritage listed. With the exception of the street wall the garage building does not carry any heritage significance.

The application is referred to the Local Planning Panel for determination as the land is owned by the City of Sydney.

**Summary Recommendation:** The development application is recommended for approval, subject to conditions.

**Development Controls:**

- (i) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)
- (ii) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (iii) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)

**Attachments:**

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Heritage Inventory Sheet

**Recommendation**

It is resolved that consent be granted to Development Application No. D/2018/1140 subject to the conditions set out in Attachment A to the subject report.

**Reasons for Recommendation**

The application is recommended for approval for the following reasons:

- (A) The proposal is consistent with the B4 Mixed Use zone.
- (B) The proposal is consistent with the relevant controls for the site.
- (C) The proposal will not detrimentally impact on surrounding heritage items.
- (D) The proposal will not have an adverse impact on neighbourhood amenity.
- (E) The proposal is in the public interest.

## Background

### The Site and Surrounding Development

1. A site visit was carried out by staff on 16 October 2018.
2. The site is irregular in shape, with an area of 19,982sqm. It has frontages to William Henry Street to the north, Wattle Street to the east, Macarthur Street to the south and Bay Street to the west.
3. The site has been used as a Council depot by the City of Sydney since the early 1900s. The site was initially used as a base for garbage and night soil carts and has since expanded to include maintenance works, administration areas and storage for Council vehicles. The buildings within the site reflect both the continued expansion of the property and range of uses.
4. Surrounding land uses are commercial and residential in nature. This part of Ultimo is currently undergoing transition and a number of properties adjoining the site are under construction. The site is within close proximity to the Glebe Affordable Housing Project, UTS, Central Park and Broadway Shopping Centre. The proposed works are located to the left of the vehicular entry from Bay Street behind the boundary wall. The Stables Building, a garage, and boundary wall to Bay Street are identified as a heritage item (I2277) under Schedule 5 of the Sydney Local Environmental Plan 2012. The site is not located within a heritage conservation area.
5. Photos of the site and surrounds are provided below:



**Figure 1:** Aerial image of subject site and surrounding area



**Figure 2:** Site viewed from Bay Street with the garages building located within the site, and visible to the left of the opening



**Figure 3:** The garages building from within the Bay Street entry



**Figure 4:** The interior of the garages building with the rear of the Bay Street wall to the left

## Proposal

6. The application seeks consent for the following alterations to Council's Bay Street Depot:
  - (a) Demolition of the garages building and retain its footprint area to use for truck parking; and
  - (b) Addition of a steel frame support structure for the Bay Street wall
7. Plans of the proposed development are provided below.

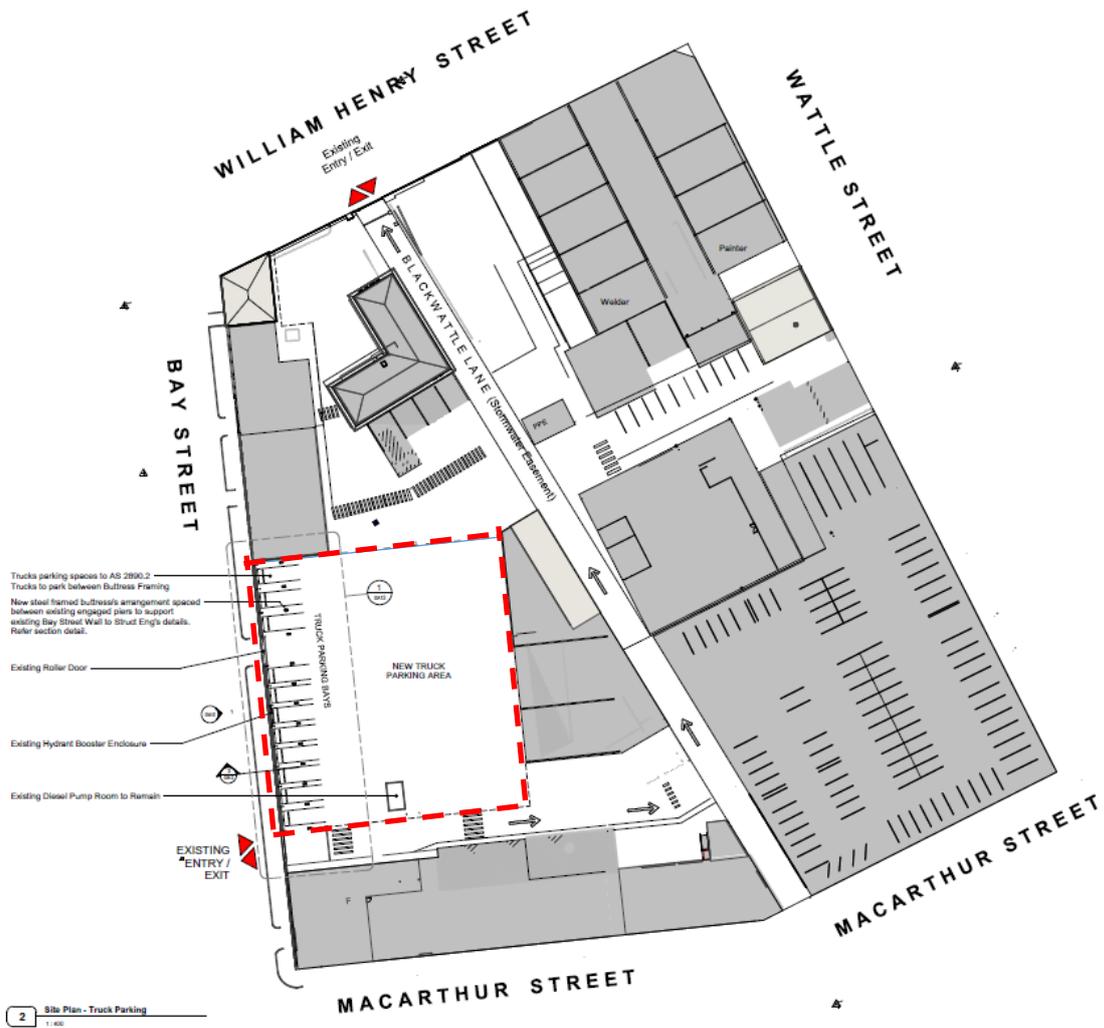


Figure 5: The proposed site plan with the truck parking area indicated by the red hatch

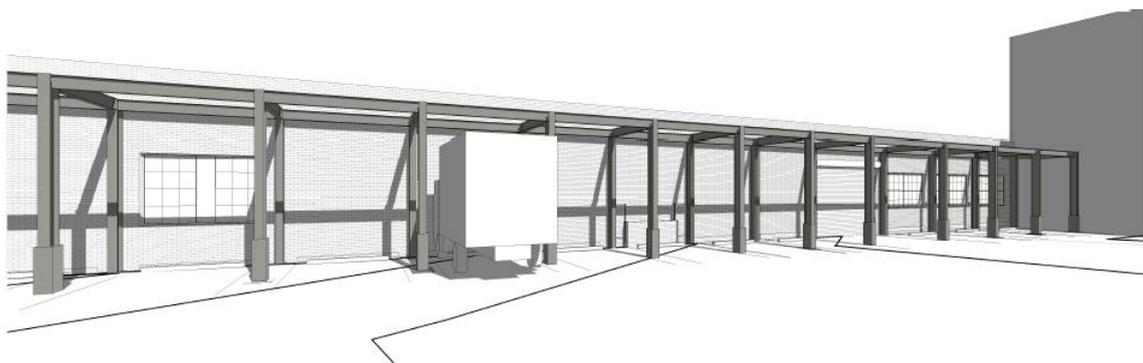


Figure 6: 3D perspective of the proposed steel frame support structure



13. On 14 September 2018, D/2018/886 was approved for alterations to the Bay Street Depot including structural reinforcement works to existing parapet wall on Building F. The application was determined under delegation as the proposal involved the maintenance and restoration of a heritage item.
14. On 10 October 2018, D/2018/740 was approved for the installation of a rapid roller shutter for the Bay Street Depot vehicular entrance. The application was determined by the Local Planning Panel.

### **Economic/Social/Environmental Impacts**

15. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
  - (a) Environmental Planning Instruments and DCPs.

### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)**

16. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
17. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
  - (a) protect and improve hydrological, ecological and geomorphologic processes;
  - (b) consider cumulative impacts of development within the catchment;
  - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
  - (d) protect and rehabilitate riparian corridors and remnant vegetation.
18. The development is consistent with the controls contained with the deemed SEPP.

### **Sydney LEP 2012**

19. The site is located within the B4 - Mixed Use zone. The use is defined as a depot and is permissible.
20. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

## Compliance Tables

Development Control	Compliance	Comment
5.10 Heritage conservation	Yes	<p>The site contains a heritage item, I2277, known as "Bay Street Depot former stables and factory buildings, including interiors and Bay Street garages street wall."</p> <p>See discussion under the heading Issues.</p>
Part 7 Local provisions - general		
Division 1 Car parking ancillary to other development	Yes	<p>Clause 7.2 of the LEP defines car parking spaces as being a space intended to be used for the parking of cars. There are no specific provisions for truck parking.</p> <p>As illustrated in Figure 4, the existing truck parking area is used by various types of Council service vehicles including trucks, utes and vans. The proposal will maintain this arrangement. The truck parking area will not be used for staff or visitor parking. Staff parking is provided on the Wattle Street side of the depot.</p> <p>The site is classified as Category B on the Land Use and Transport Integration map and Category F on the Public Transport Accessibility Level map. These provisions do not stipulate a maximum number of car parking spaces for the purposes of a depot.</p> <p>The existing truck parking area contains 17 marked out car and truck parking spaces. The proposal will reduce the marked out parking spaces from 17 to 12 due to the installation of the steel portal frame. Notwithstanding this the truck parking area can accommodate more than 12 vehicles.</p>

**Sydney DCP 2012**

21. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

3. General Provisions	Compliance	Comment
3.9 Heritage	Yes	<p>The site contains a heritage item, I2277, known as "Bay Street Depot former stables and factory buildings, including interiors and Bay Street garages street wall."</p> <p>See discussion under the heading Issues.</p>

**Issues****Heritage**

22. The site contains a local heritage item, I2277, known as "Bay Street Depot former stables and factory buildings, including interiors and Bay Street garages street wall", under Schedule 5 of the Sydney LEP 2012.
23. The heritage impact statement prepared by Heritage 21 and submitted in support of the application identifies the garages building (excluding the street wall facade) as being of little heritage significance. It also states that the new steel portal frame is required to ensure structural stability of the street wall after the removal of the garages building.
24. The heritage inventory listing for the site recommends the retention and conservation of the former stables and factory buildings, including interiors, and Bay Street garages street wall. The remainder of the buildings on the site, including the garages building, have been investigated and have been found to contain little heritage significance. A copy of the heritage inventory listing for the site is provided in Attachment C.
25. A Conservation Management Plan was prepared for the site in June 2016 to provide conservation policies in anticipation for future modifications which would be necessary for its continuing use as a Council depot. The plan provides an assessment of the condition and significance of the buildings on the site. The statement of significance for the garages building states "the building is of little significance, demonstrating the shift from horsepower to motorised transport at the depot." All building elements, including the roof, walls, fenestration, finishes and fittings, were identified as having little significance.
26. The City's Heritage Specialist is satisfied that whilst the garages building dates back to the 1920s, it does not have any architectural or heritage significance and its demolition is acceptable. The addition of the steel portal frame to support the street wall is also supported.

27. Appropriate conditions of consent are recommended for a photographic record of the existing building and a schedule of conservation works to the street wall to be provided prior to the issue of a construction certificate. A further condition is recommended, requiring traditional materials to be salvaged for re-use on-site or recycled off-site.

#### **Other Impacts of the Development**

28. The proposed development is capable of complying with the BCA.
29. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

#### **Suitability of the site for the Development**

30. The proposal is of a nature in keeping with the overall function of the site. The premises are in a commercial/industrial/residential surrounding and amongst similar uses to that proposed.

#### **Internal Referrals**

31. The application was discussed with the Heritage and Urban Design Specialists, Building Services Unit and Environmental Health Unit, who advised that the proposal is acceptable subject to the recommended conditions.

#### **External Referrals**

##### **Notification, Advertising and Delegation**

32. In accordance with Schedule 1 the Sydney DCP 2012, the proposed development is required to be notified. As such the application was notified for a period of 14 days between 26 September 2018 and 11 October 2018. As a result of this notification one submission was received.
  - (a) The issue raised in the submission relates to the potential for increased noise upon completion.

**Response** - The proposal will not intensify the current use of the truck parking area. The parking area is used by a modern fleet of small Council trucks, vans and utes, which omit a comparable level of noise to a car. The issue was discussed with the City's Environmental Health Unit, who advised that given the low vehicle activity and openness of the existing garages building, the noise impacts from its demolition will be negligible.

#### **Public Interest**

33. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

**S7.11 Contribution**

34. The development is exempt from the provisions of the City of Sydney Development Contributions Plan 2015 as it will not increase the need for additional services.

**Relevant Legislation**

35. The Environmental Planning and Assessment Act 1979.

**Conclusion**

36. The application proposes the demolition of the garages building and addition of a steel frame structure to support the Bay Street wall. The area of the building will be retained as a truck parking area.
37. The site contains a locally listed heritage item, I2277, which includes the former stables and factory buildings, interiors, and Bay Street garages and street wall. The applicant has submitted a heritage impact statement which adequately addresses the appropriateness of the development. The garages building, with the exception of the street wall, is not of heritage significance. The steel frame structure is required to ensure structural stability of the boundary wall after the removal of the garages building.
38. The proposal is in the public interest and is recommended for approval subject to conditions.

**GRAHAM JAHN, AM**

Director City Planning, Development and Transport

Zeb McInnes, Planner