

# Local Planning Panel

30 August 2023

# Application details

357 Glebe Point Road, Glebe

D/2017/582/A and D/2021/711

Applicant/Owner: Visionland Glebe Pty Ltd

Architects: DKO Architecture / Archer Office

Planner: The Planning Studio

Heritage Consultant: Paul Davies Pty Ltd

# proposal

- section 4.56 modification to concept approval for building envelopes to reflect detailed DA (changes to height, building form, increase from 6 storey to 7 storey residential flat building and reduction from 8 x 2 storey terraces to 7)
- detailed development application for part 3, part 7 storey residential flat building containing 56 apartments, 7x 2 storey terraces, 2 levels of basement, retention, adaptive reuse of State Heritage Listed Bidura House Group as a single residence with garage to Ferry Lane, tree removal and land dedication for footpath widening (via planning agreement)

zone: E1 Local Centre. The development is permissible with consent

# recommendations

- approval of Section 4.56 application subject to conditions
- approval of detailed design DA as a deferred commencement consent



# notification

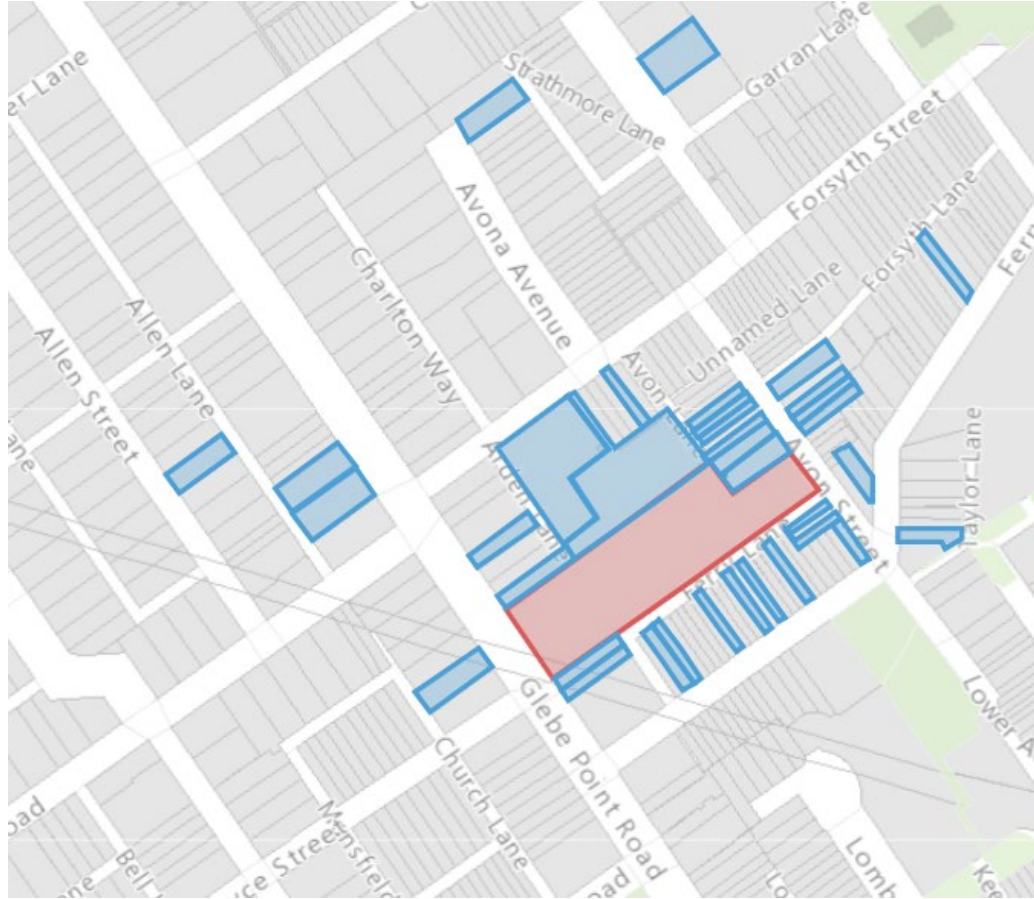
## section 4.56 modification



- exhibition period 8 July to 23 July 2021 and 18 January to 2 February 2022 with 84 submissions received in total

## detailed design DA:

- exhibition period 8 July to 6 August 2021 and 18 January to 16 February 2022 with 90 submissions received in total
- 223 owners and occupiers notified for both applications

# submissions



-  subject site
-  submitters

# submissions

- compliance with concept approval
- height, bulk and scale
- density
- impact on Bidura House, demolition of the Metropolitan Remand Centre
- amenity – overshadowing, privacy, noise
- traffic and parking
- trees
- construction impacts
- <sup>7</sup>submission of amended plans

site





site







Bidura House viewed from Glebe Point Road



Bidura House (centre) and ballroom (right)





rear of Bidura House (right) and existing relationship with the MRC building





<sup>13</sup> Glebe Point Road driveway to the MRC building, 2A Forsyth Street (left), Bidura (right)



MRC building (north elevation) viewed from 2A Forsyth Street



Ferry Lane elevation of MRC Building (south)





Ferry Lane looking west



Ferry Lane - MRC building (left) and rear of Ferry Road properties (right)





Site viewed from corner of Ferry Lane and Avon Street



Glebe Point Road - Bidura House is to the right





2 Forsyth  
Street

2A Forsyth  
Street

Neighbouring residential flat buildings viewed from MRC building







MRC building

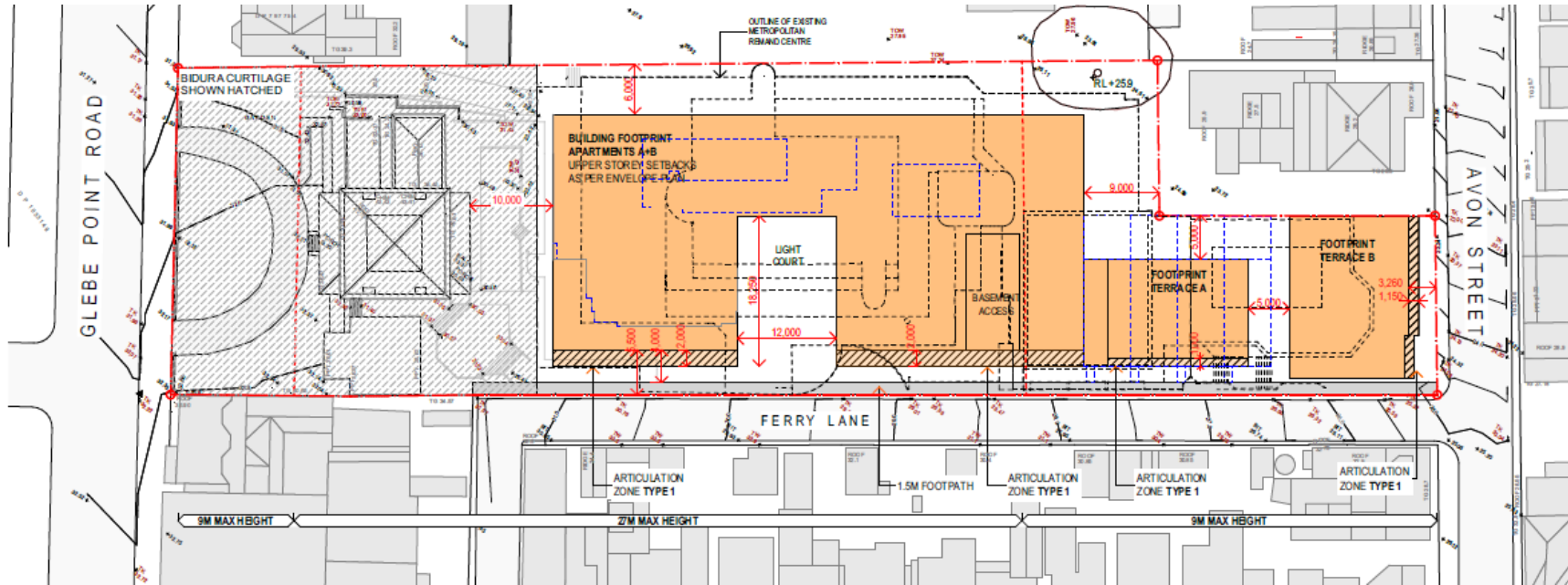
Ferry Road terraces, with the MRC building behind



Avon Street terraces adjacent to the subject site



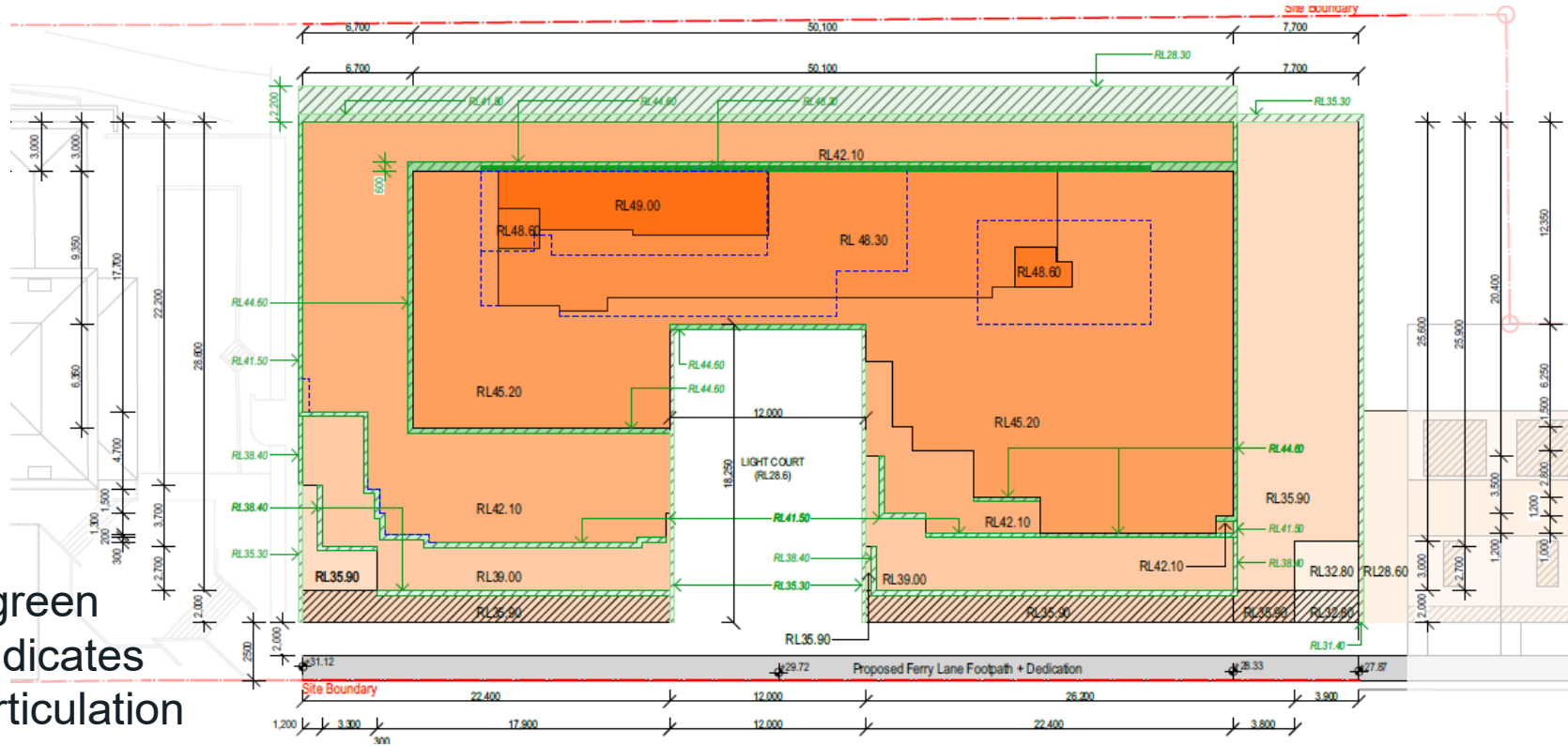
# proposal – concept mod



proposed envelope plan footprint

# proposal – concept mod

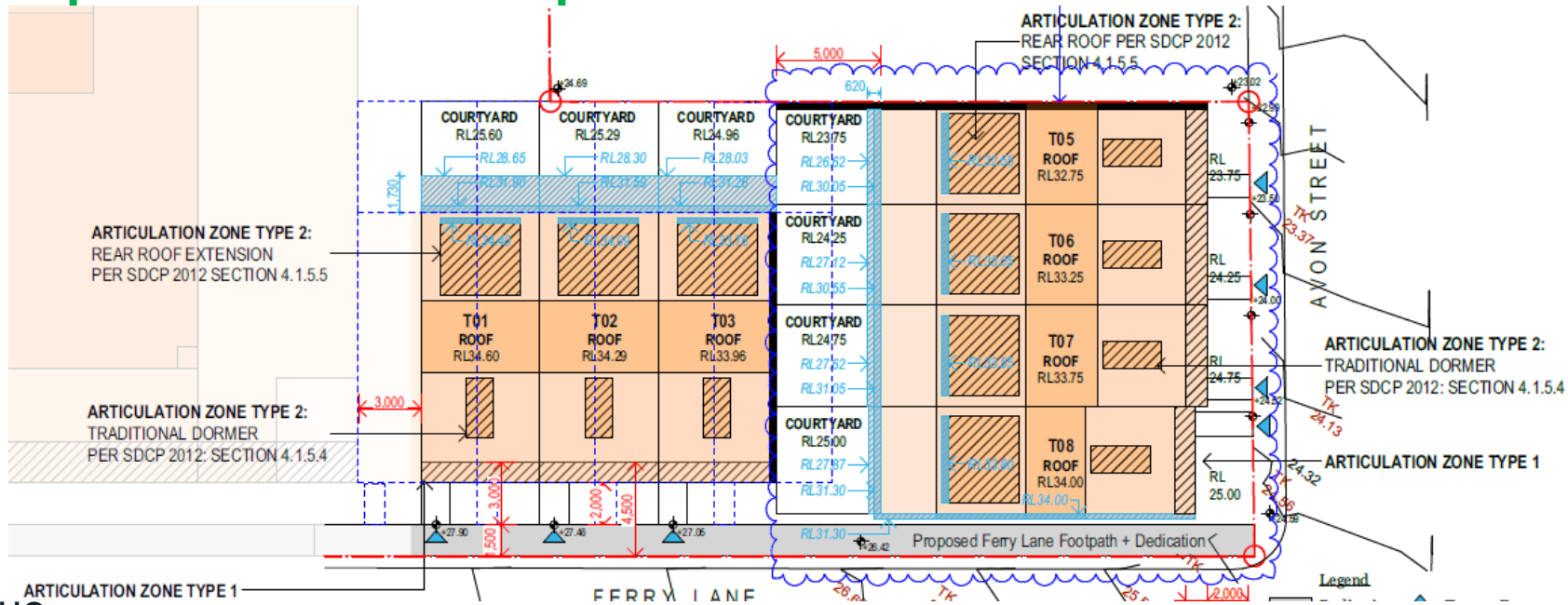
\*green indicates articulation zones



proposed envelope detail/setbacks – residential flat building

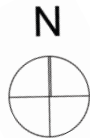


# proposal – concept mod

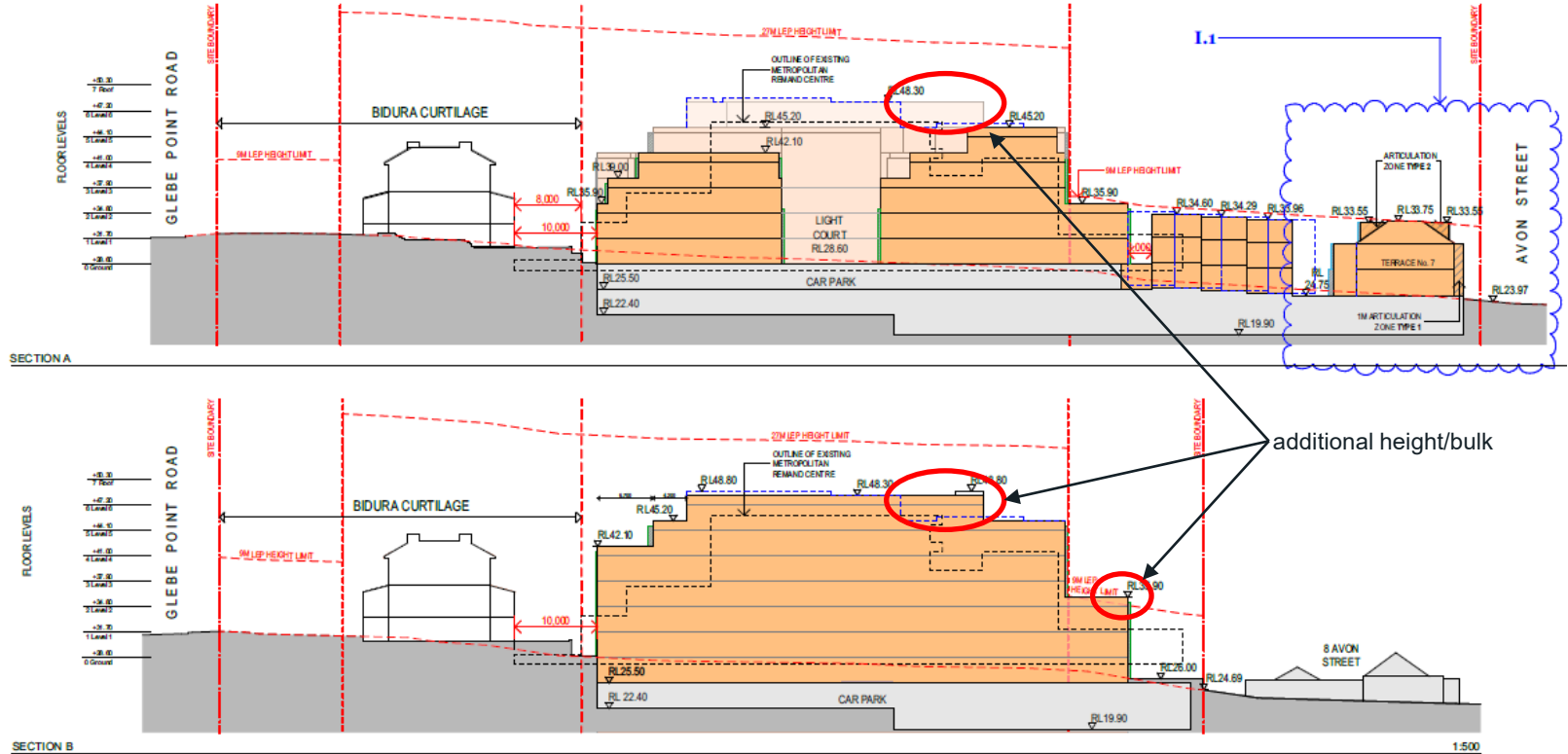


\*blue  
indicates  
articulation  
zones

proposed envelope detail/setbacks – terraces

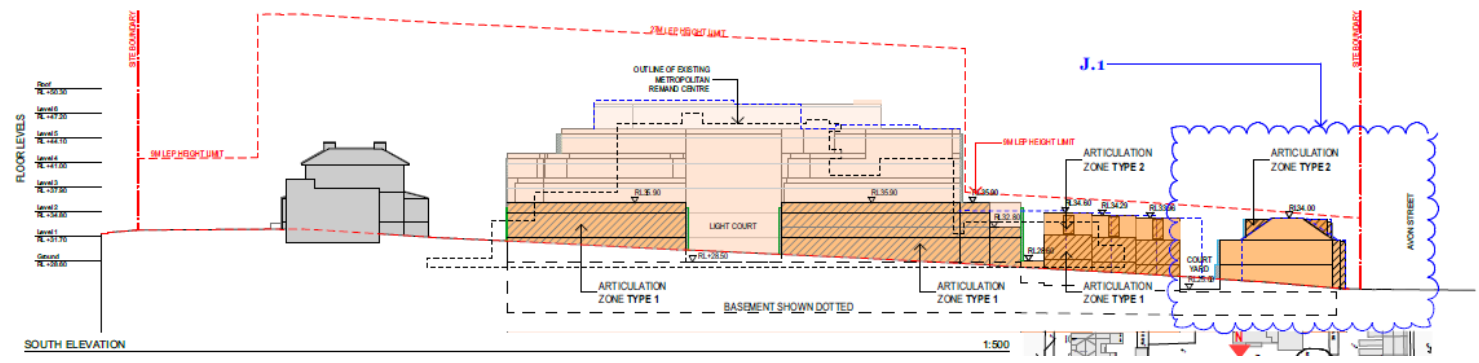
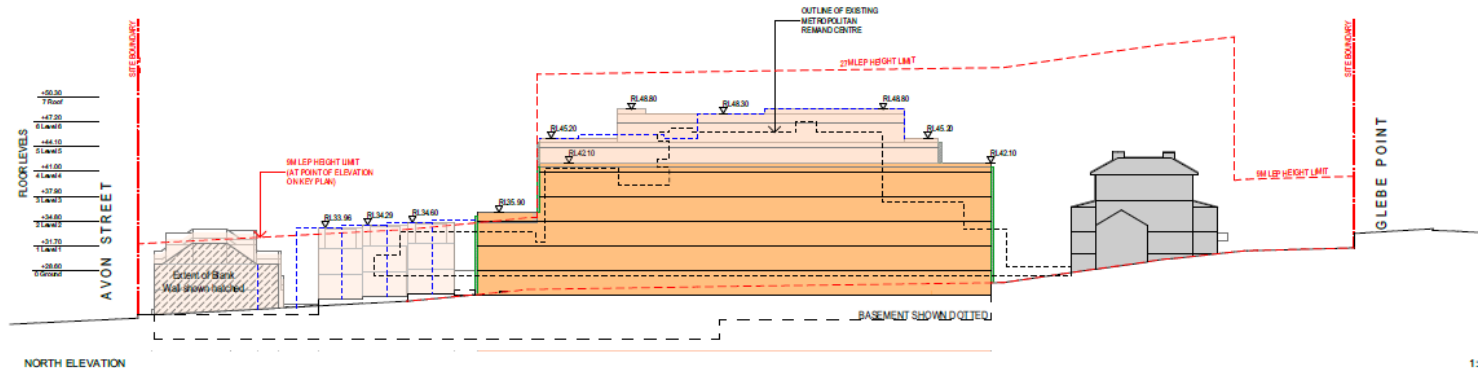


# proposal – concept mod



proposed envelope sections

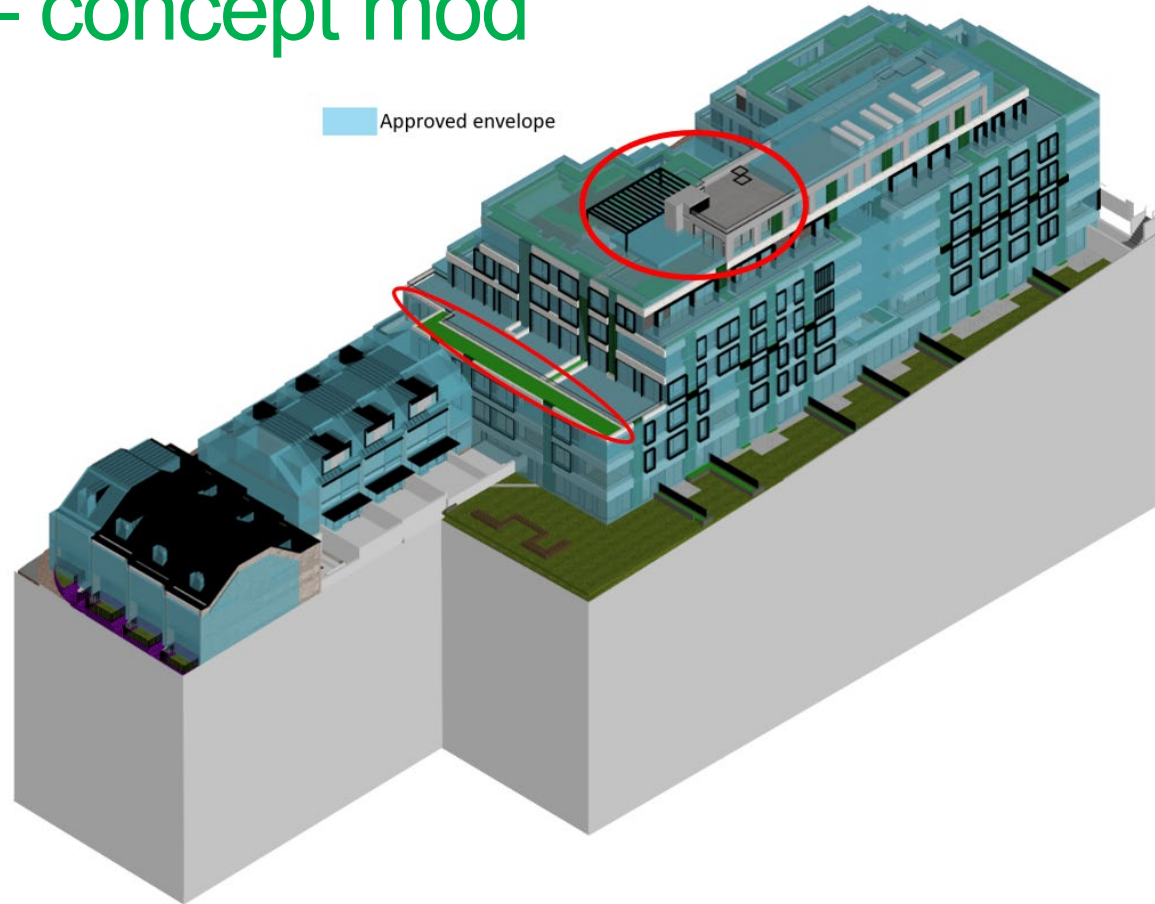
# proposal – concept mod



proposed envelope elevations: north (top) and south (bottom)

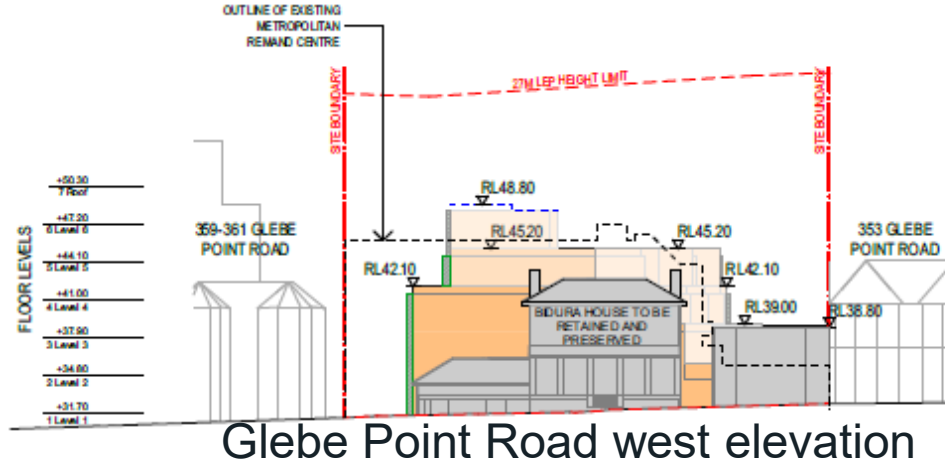


# proposal – concept mod

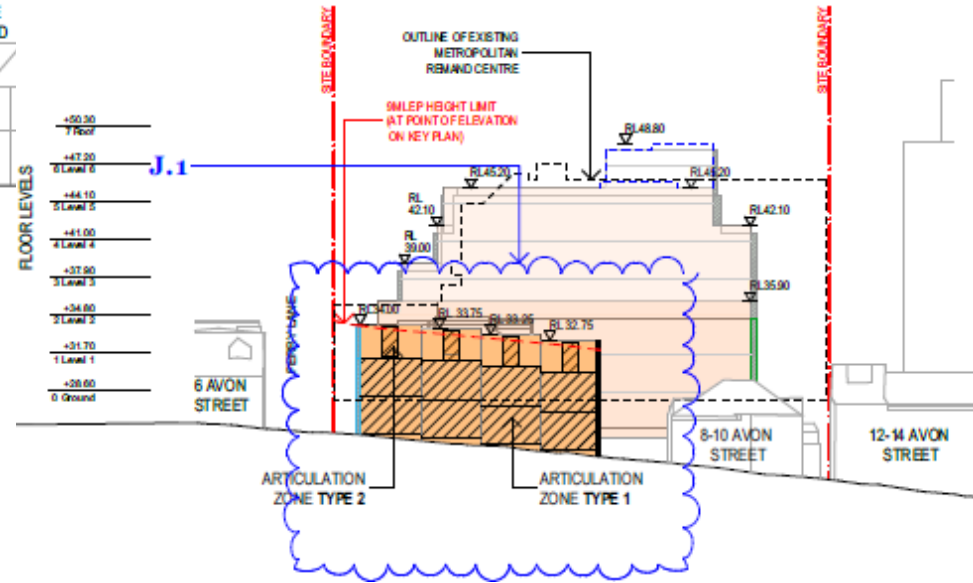


3D model depicting approved concept envelope (blue) and detailed design

# proposal – concept mod

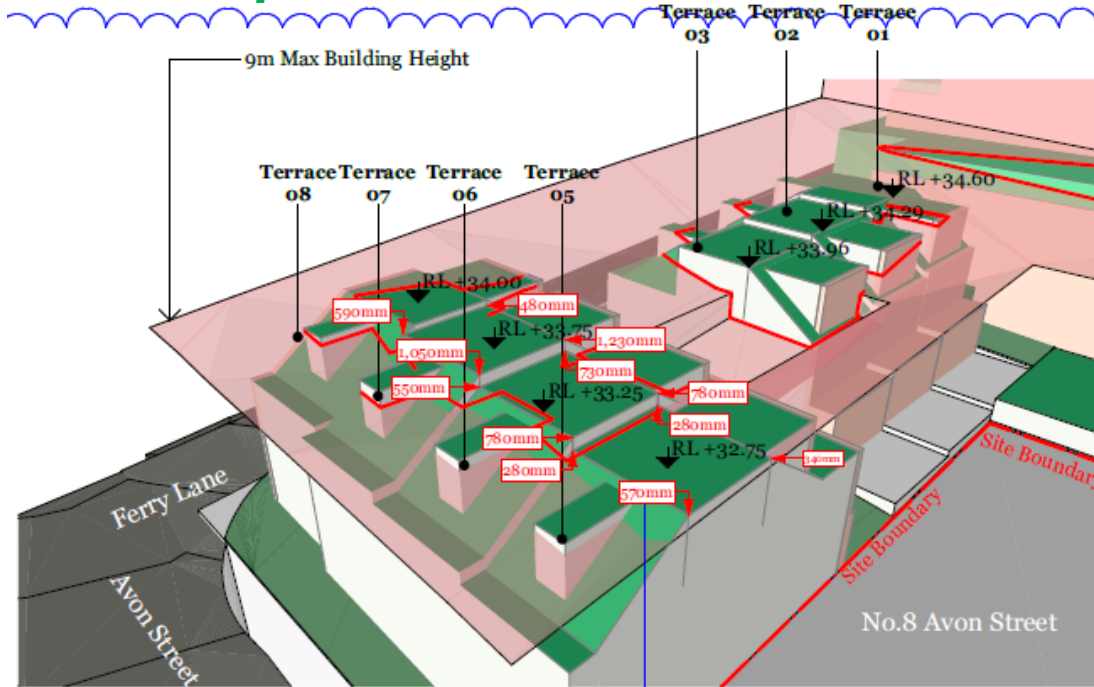


## Avon Street east elevation



proposed envelope elevations: west (left) and east (right)

# proposal – concept mod



\*green areas are beyond concept approval

Key:

HEIGHT ABOVE 9M PLANE (mm)

proposed terrace envelope non-compliances above 9m red height plane

# proposal – detailed design DA



photomontage – north elevation of residential flat building



# proposal – detailed design DA



photomontage – Ferry Lane elevation of residential flat building

# proposal – detailed design DA



photomontage – Ferry Lane elevation of residential flat building

# proposal – detailed design DA



photomontage – east elevation of residential flat building



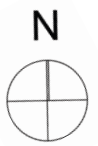
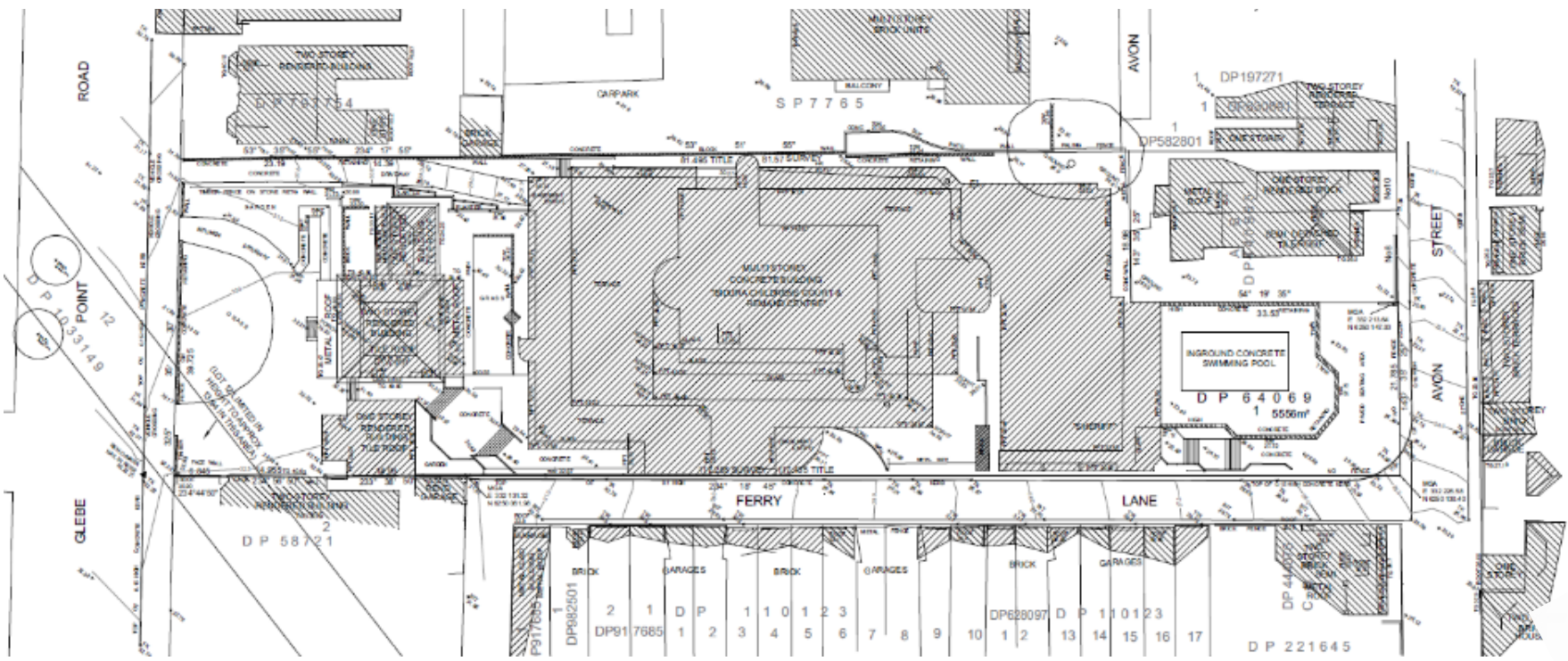
# proposal – detailed design DA



photomontage – Avon Street terraces

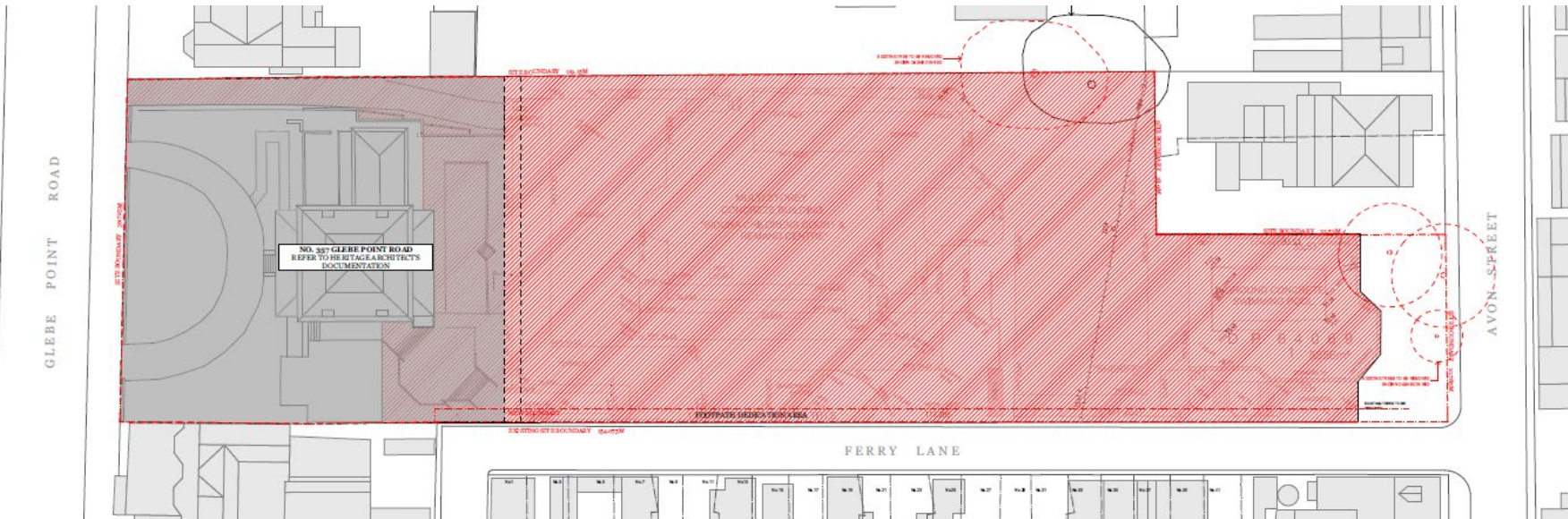


# proposal – detailed design DA



existing site plan

# proposal – detailed design DA



demolition plan

# proposal – detailed design DA



proposed site plan



# proposal – detailed design DA



proposed south elevation – Ferry Lane



# proposal – detailed design DA



proposed east elevation – Avon Street terraces

# proposal – detailed design DA



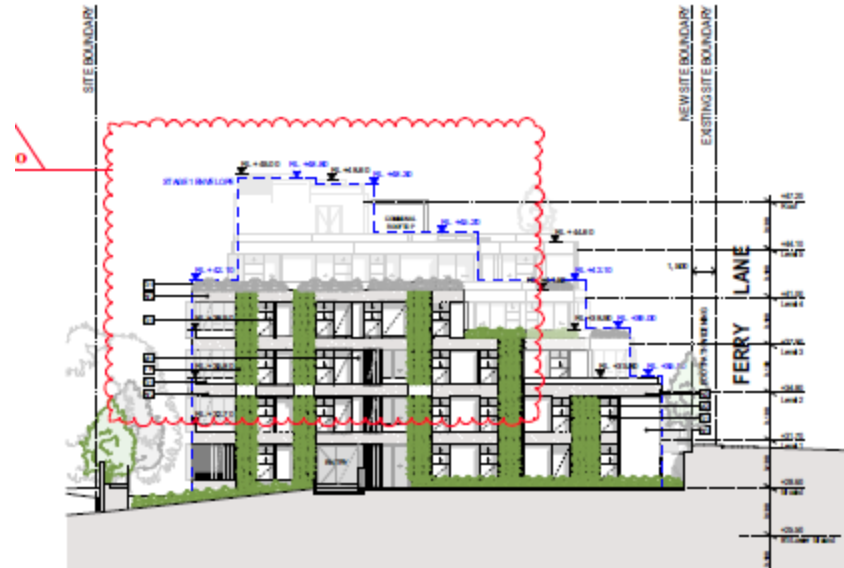
proposed east elevation – residential flat building

# proposal – detailed design DA



proposed north elevation

# proposal – detailed design DA



proposed west elevation – residential flat building



# proposal – detailed design DA



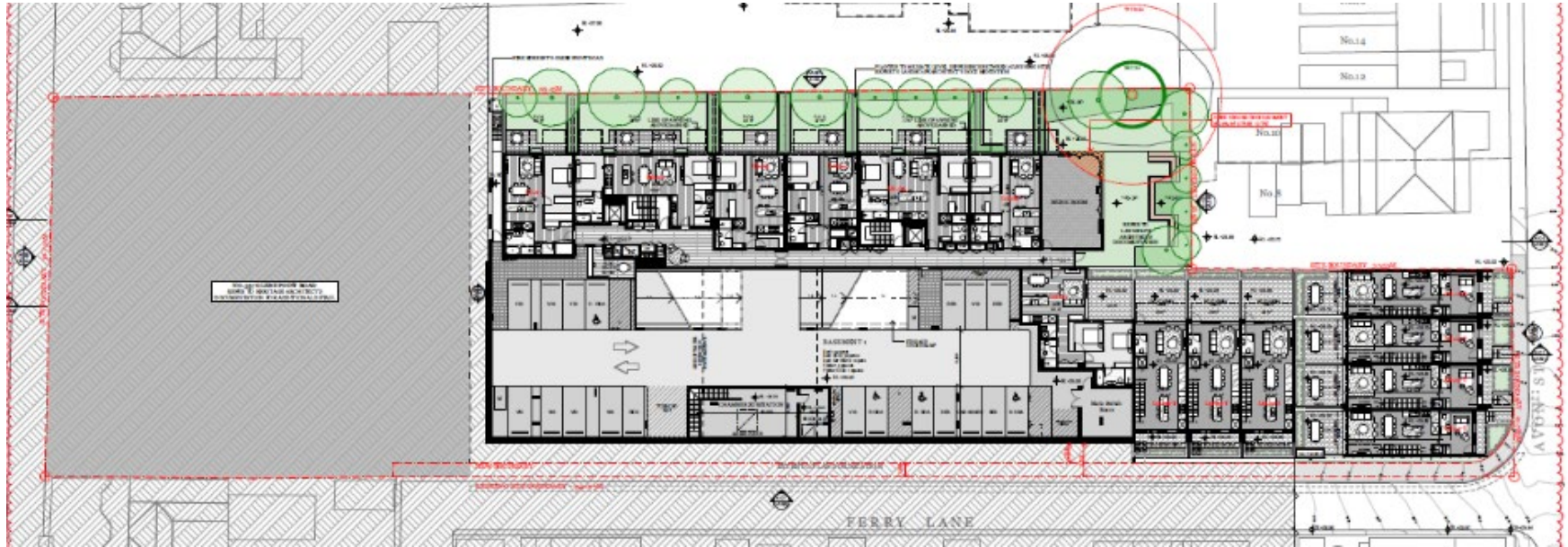
proposed west elevation – Bidura House

# proposal – detailed design DA

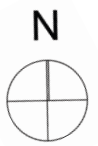
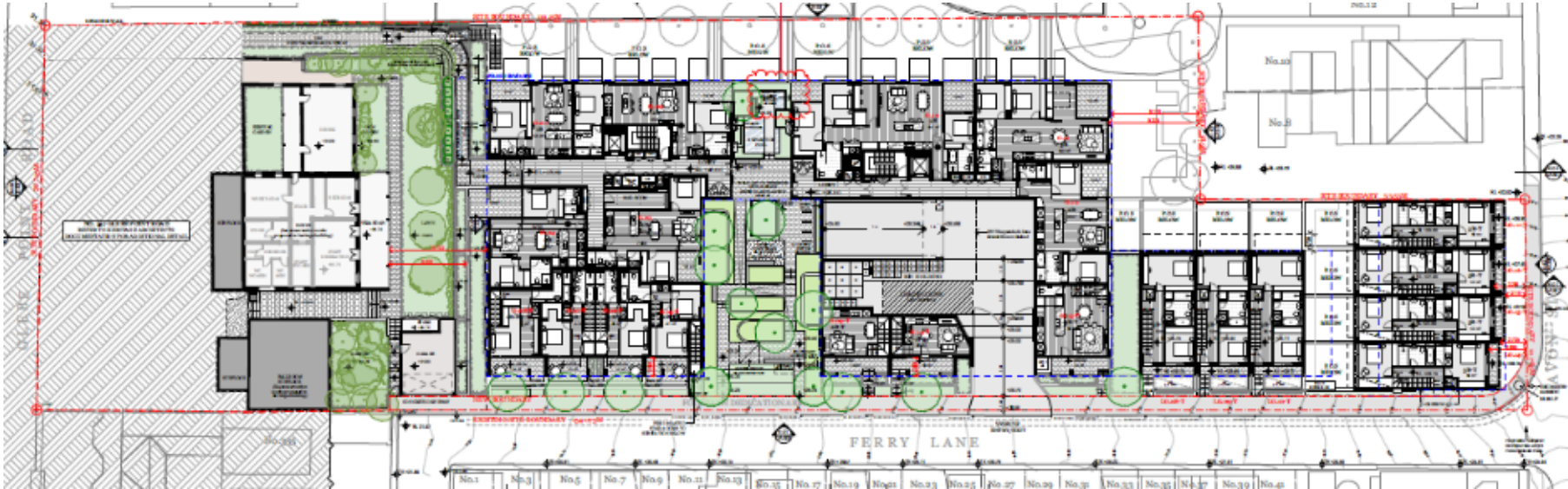


basement level 2 plan

# proposal – detailed design DA



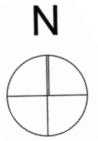
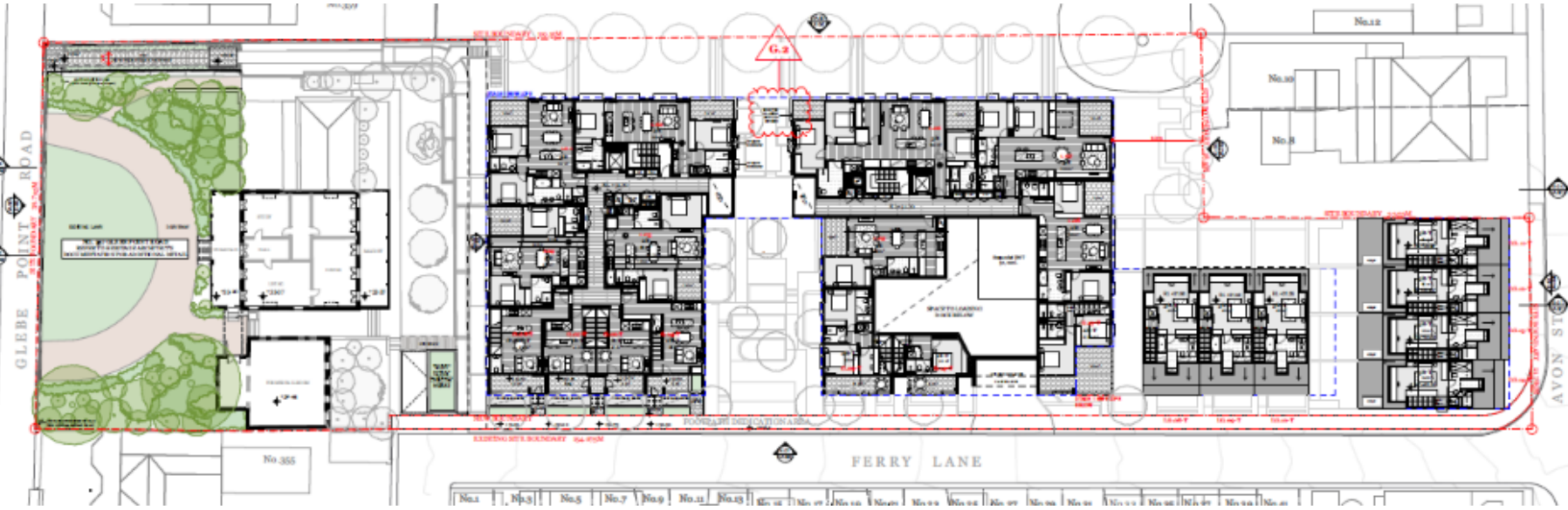
# proposal – detailed design DA



ground floor plan

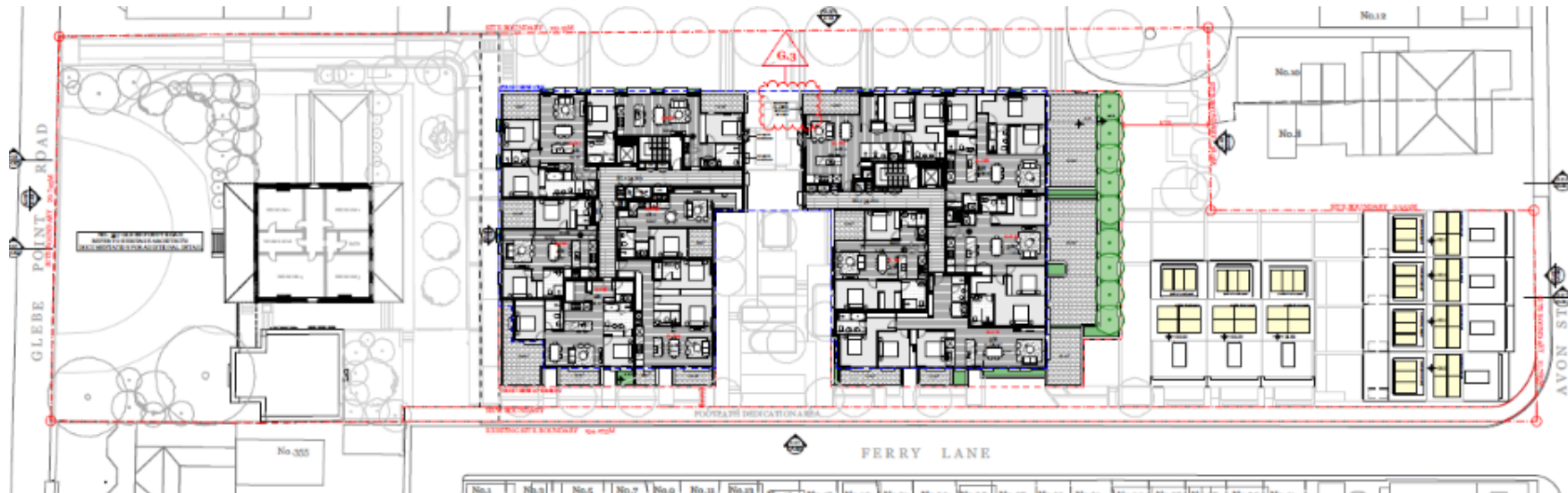


# proposal – detailed design DA



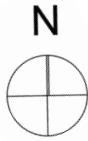
level 1 plan

# proposal – detailed design DA



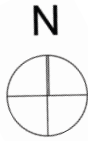
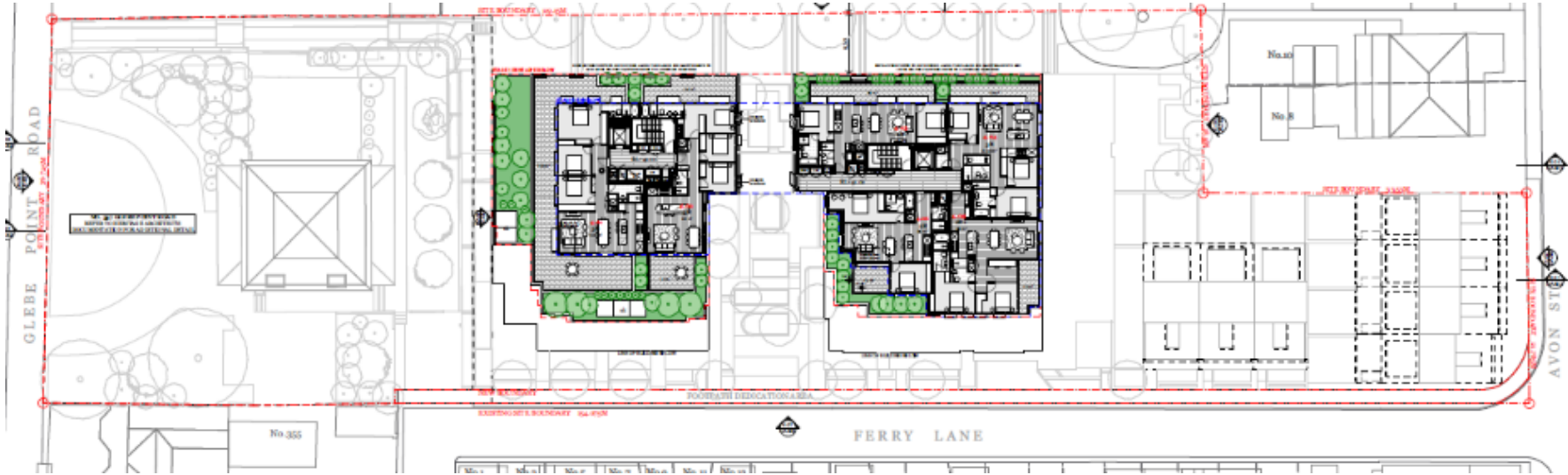
level 2 plan

# proposal – detailed design DA



level 3 plan

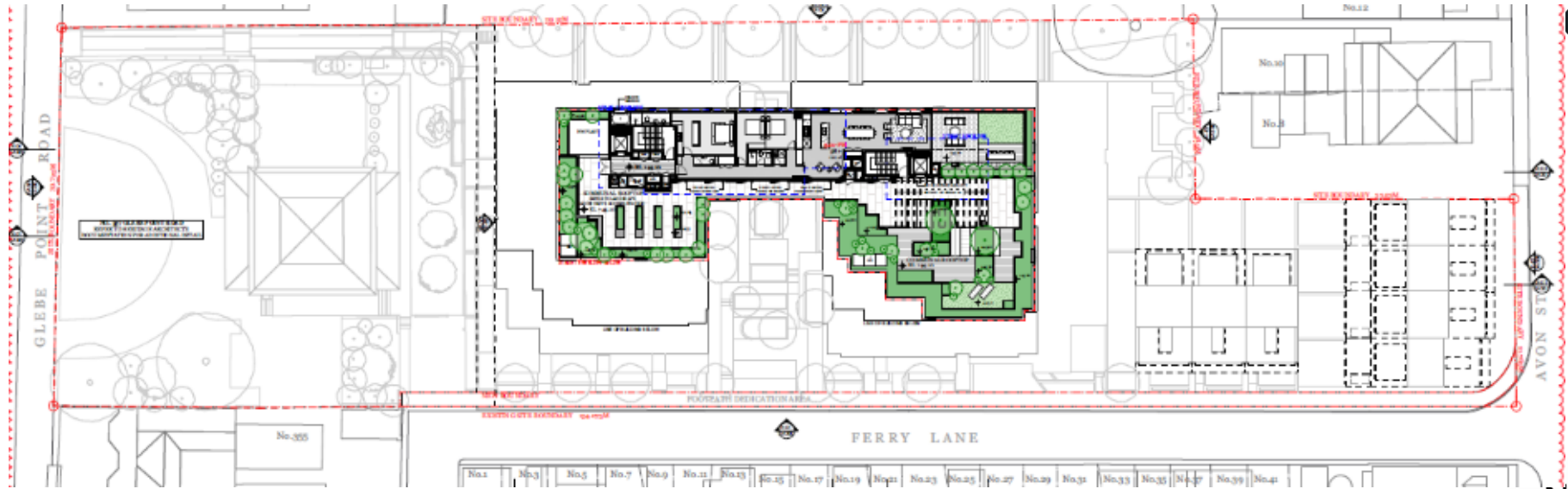
# proposal – detailed design DA



level 4 plan

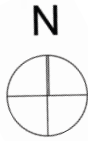
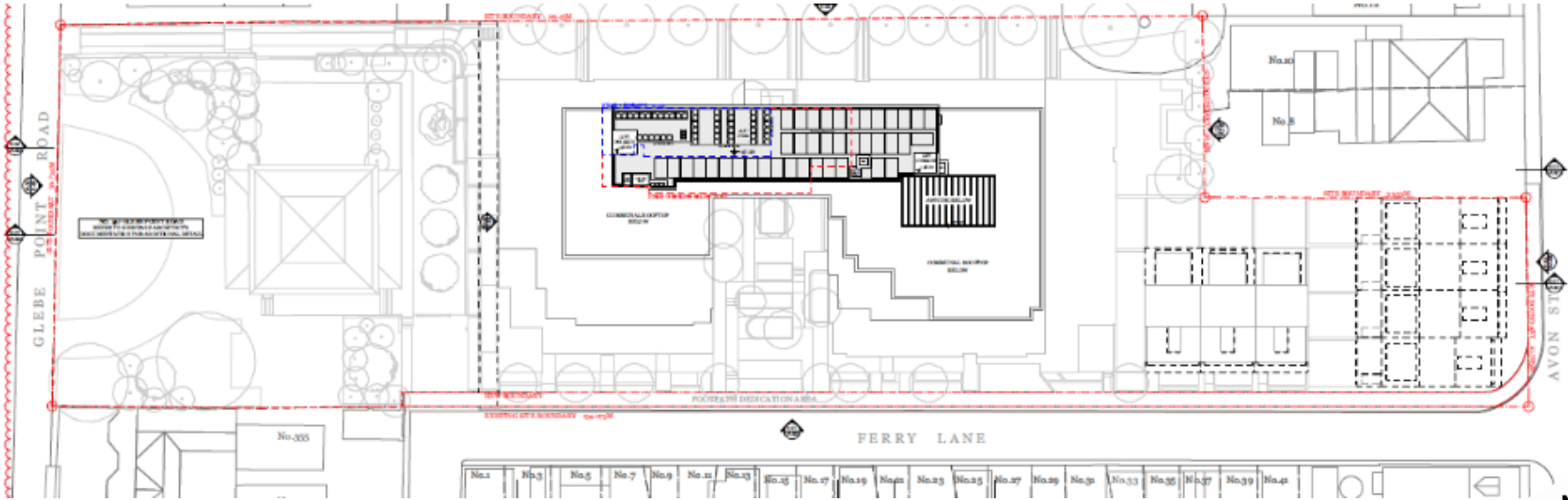


# proposal – detailed design DA



level 5 plan

# proposal – detailed design DA



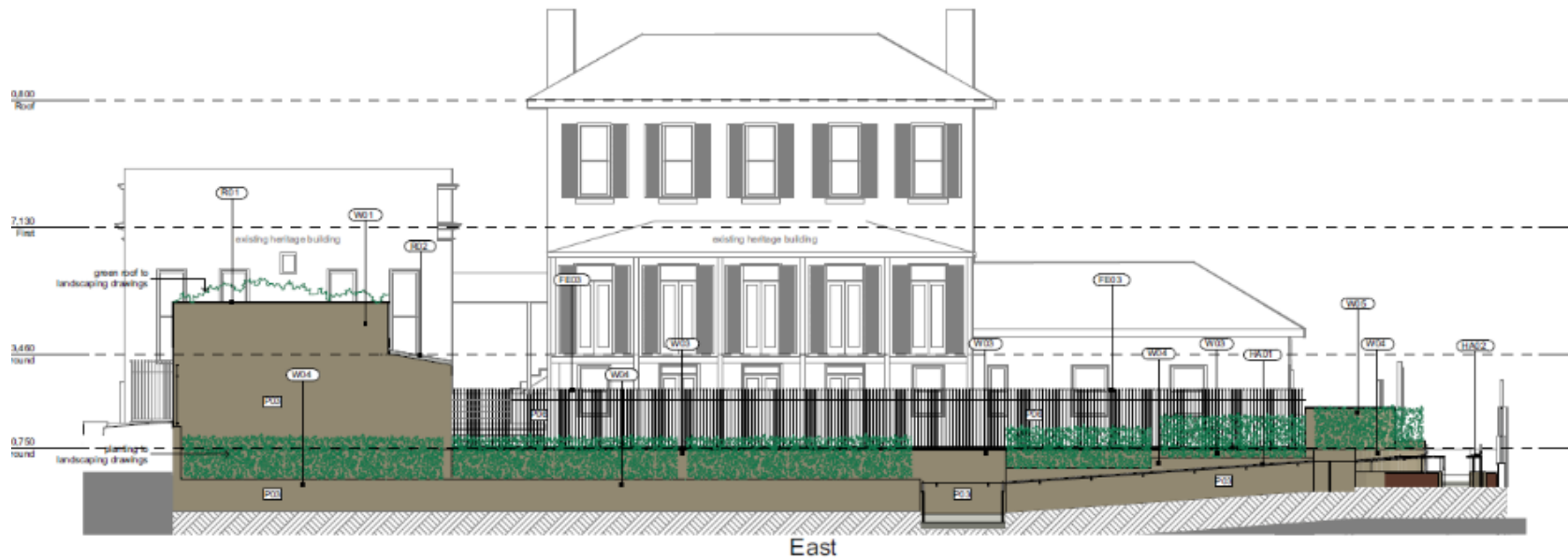
roof plan

# proposal – detailed design DA



proposed west (Glebe Point Road) elevation – Bidura House

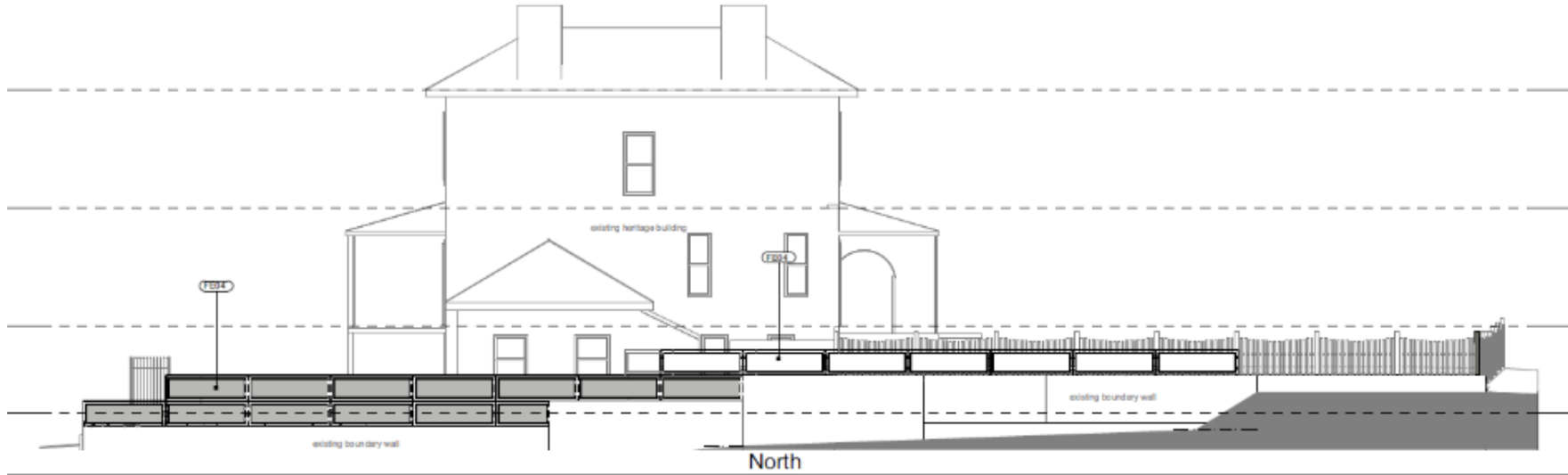
# proposal – detailed design DA



proposed east elevation – Bidura House

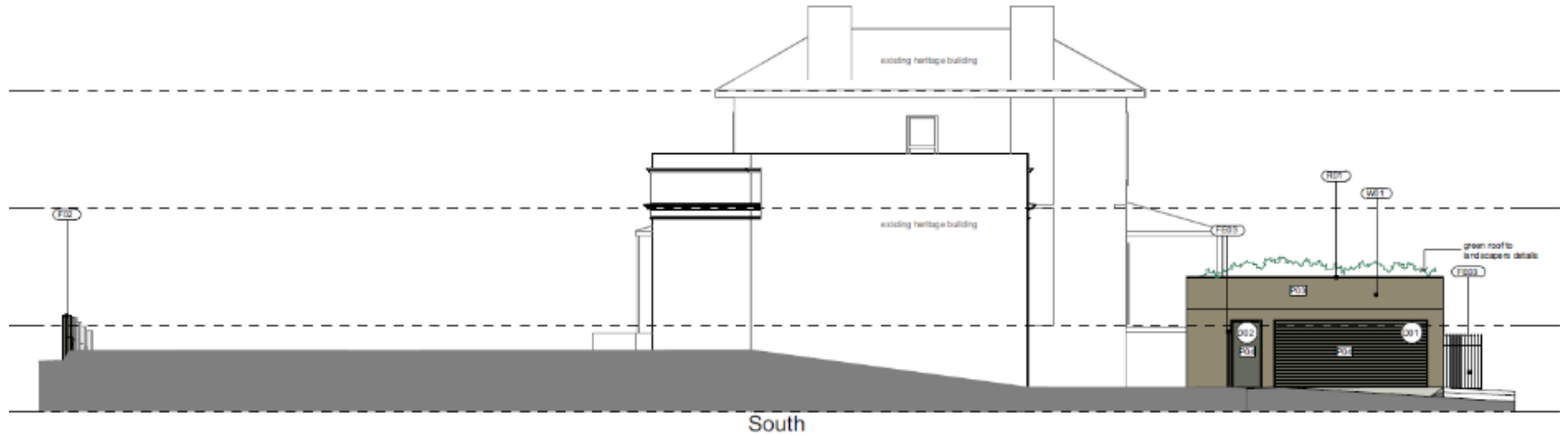


# proposal – detailed design DA



proposed north elevation – Bidura House

# proposal – detailed design DA



proposed south (Ferry Lane) elevation – Bidura House

# proposal – detailed design DA



Bidura House floor plans (first, ground and lower ground)

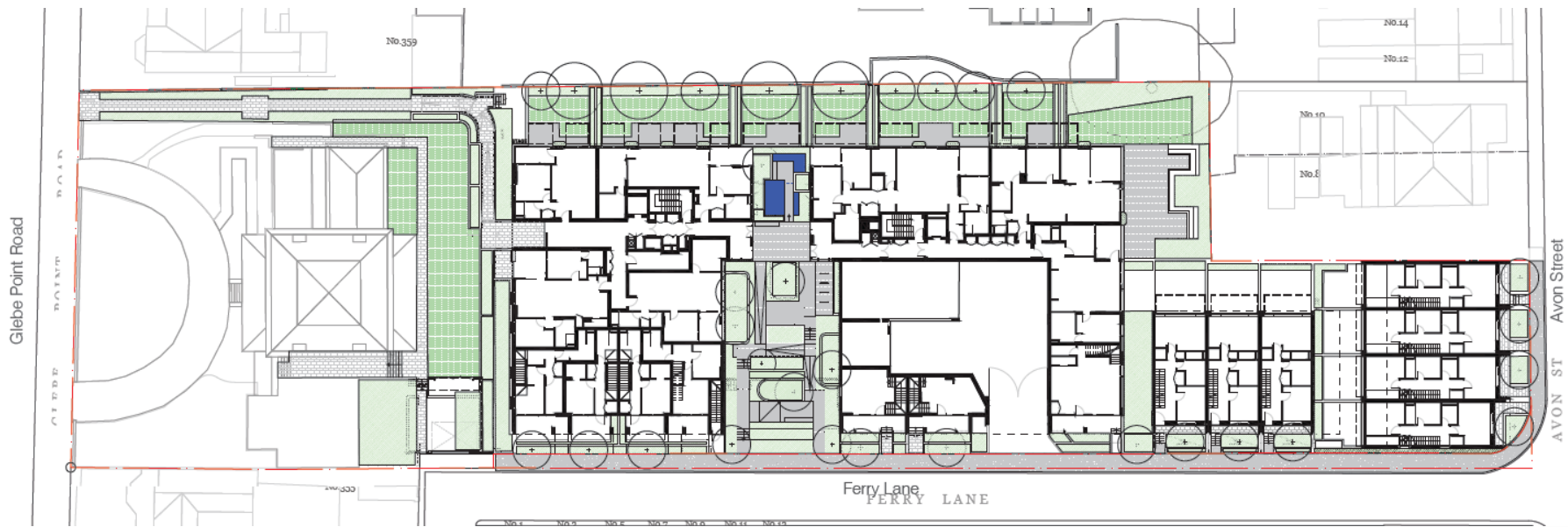
# proposal – detailed design DA



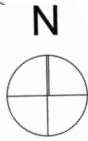
land to be dedicated to Council for footpath widening (Ferry Lane & Avon Street)



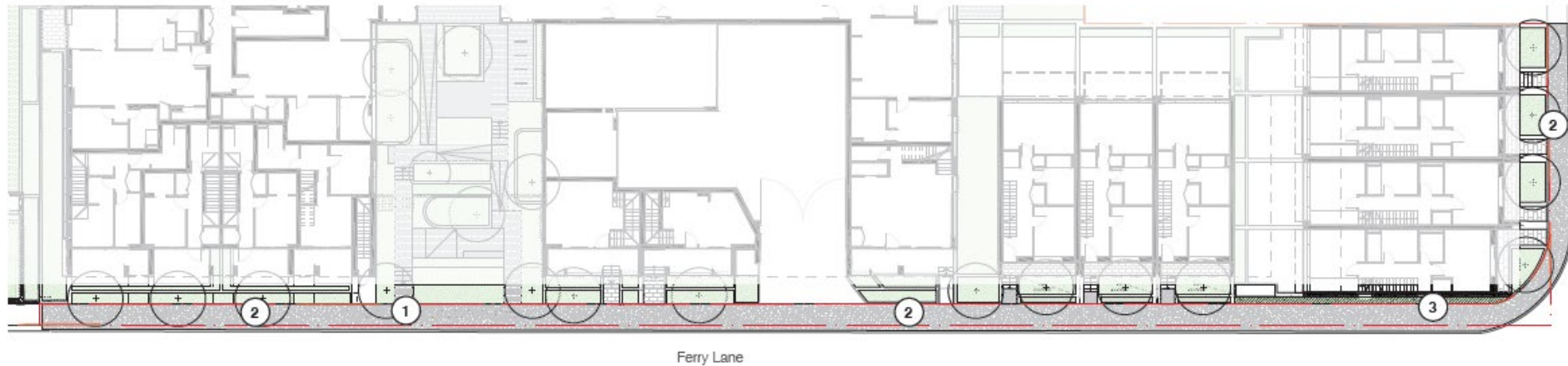
# proposal – detailed design DA



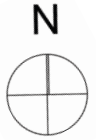
landscape masterplan – ground floor



# proposal – detailed design DA

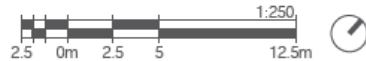
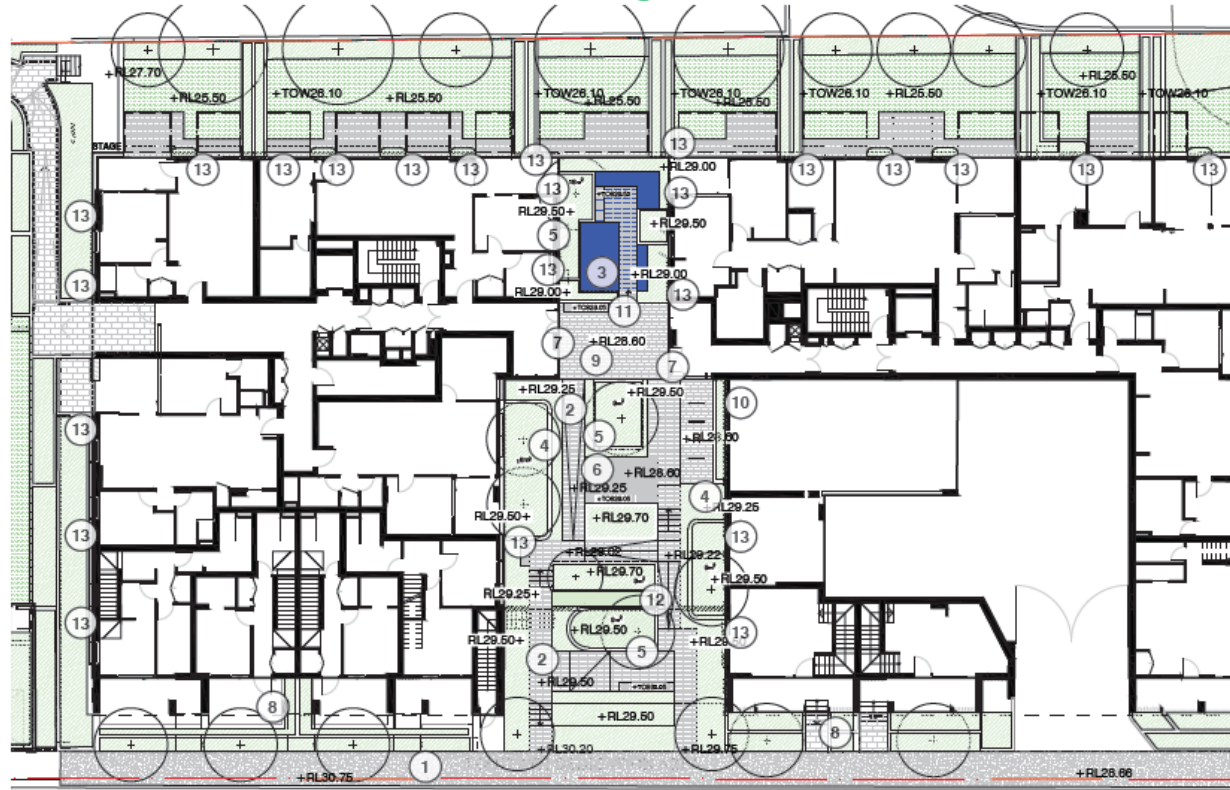


\*note: Ferry Lane street trees not depicted, and to be finalised with public domain plan / land dedication



landscape masterplan – Ferry Lane

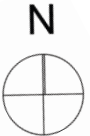
# proposal – detailed design DA



Ferry Lane

FERRY LANE

landscape masterplan – forecourt

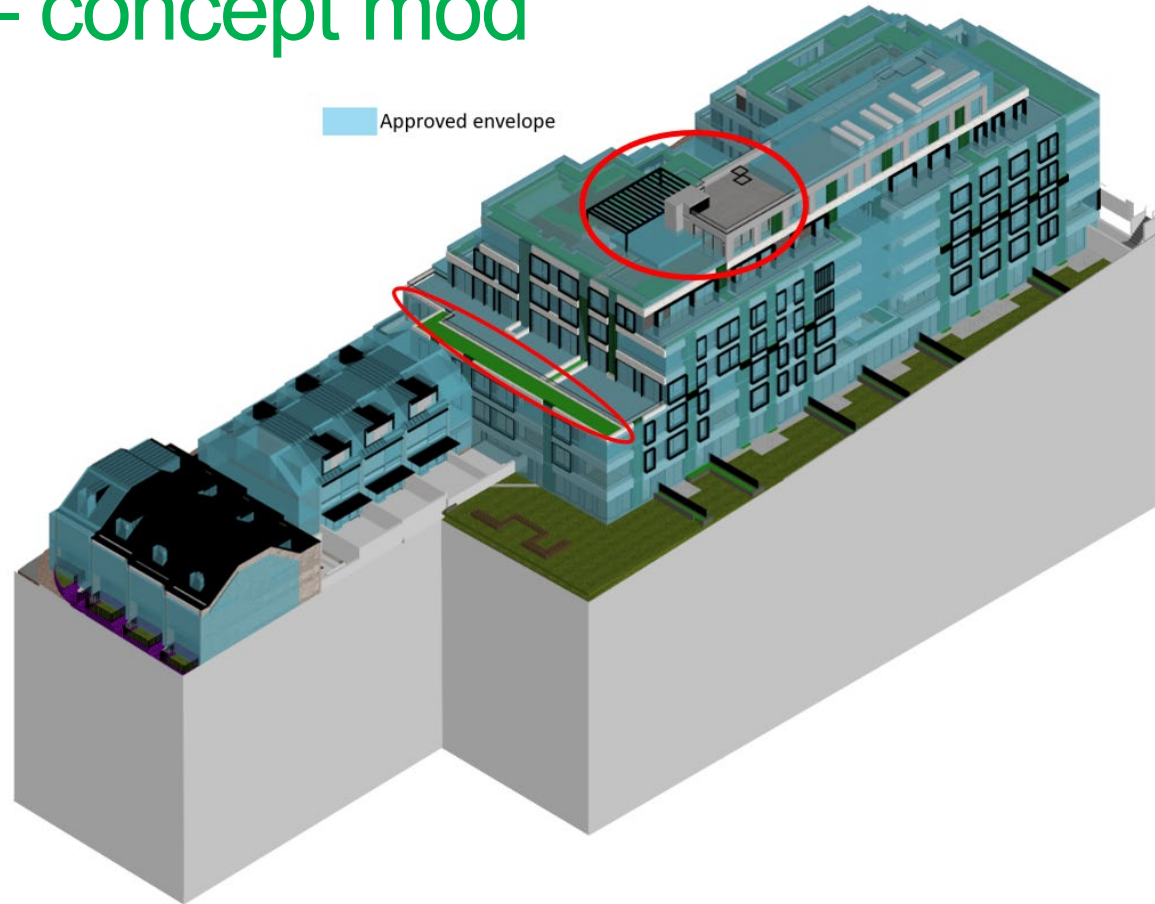


# compliance with key LEP development standards

	control	proposed	compliance
height	9m, 27m	21.46m where 27m control applies 10.56m where 9m control applies	yes  no – variation of 17%
floor space ratio	1.5:1 or 8,289sqm	1.36:1 or 7,546sqm	yes



# proposal – concept mod



3D model depicting approved concept envelope (blue) and detailed design

# compliance with key LEP development standards

	control	proposed	compliance
car parking	77	70	yes

# compliance with key DCP controls

	control	proposed	compliance
height in storeys	2 storeys to corner of Ferry Lane and Avon Street	2 storey terraces + attic	yes
	5 storeys where RFB is sited	7 storeys at its highest point	no, but acceptable
dwelling mix	1 bed – 10 - 40% 2 bed – 40 - 75% 3 bed – 10 – 100%	1 bed – 19% 2 bed – 46% 3 bed – 35%	yes

# compliance with ADG

	control	proposed	compliance
solar	70%	70%	yes
cross vent	60%	63%	yes
deep soil	7%	12% at north boundary	yes



# compliance with ADG

	control	proposed	compliance
building separation	6m (at 4 storeys) 9m (at 5-8 storeys)	6m min.  between 6m and 9m at north elevation	yes  no, but acceptable
communal open space	25%	25% at lower ground, ground floor and rooftop	yes

# compliance with ADG

	control	proposed	compliance
floor to ceiling heights	2.7m	2.7m	yes
apartment size	1 bed 50m <sup>2</sup> 2 bed 70m <sup>2</sup> 3 bed 90m <sup>2</sup>	1 bed 60sqm min 2 bed 70sqm min 3 bed 90sqm min	yes
private open space	1 bed 8m <sup>2</sup> 2 bed 10m <sup>2</sup> 3 bed 12m <sup>2</sup>	1 bed 8m <sup>2</sup> min 2 bed 10m <sup>2</sup> min 3 bed 12m <sup>2</sup> min	yes

# Design Advisory Panel

The Panel reviewed the applications on 16 September 2021, raising the following concerns:

- recommendations/issues raised by design competition jury not addressed
- there should be more consistency between the design competition winning scheme and the proposal
- scheme should comply with ADG requirements
- carport structure to Bidura House blocks long views down Ferry Lane

amendments have been made over the course of assessment to address DAP comments

# issues

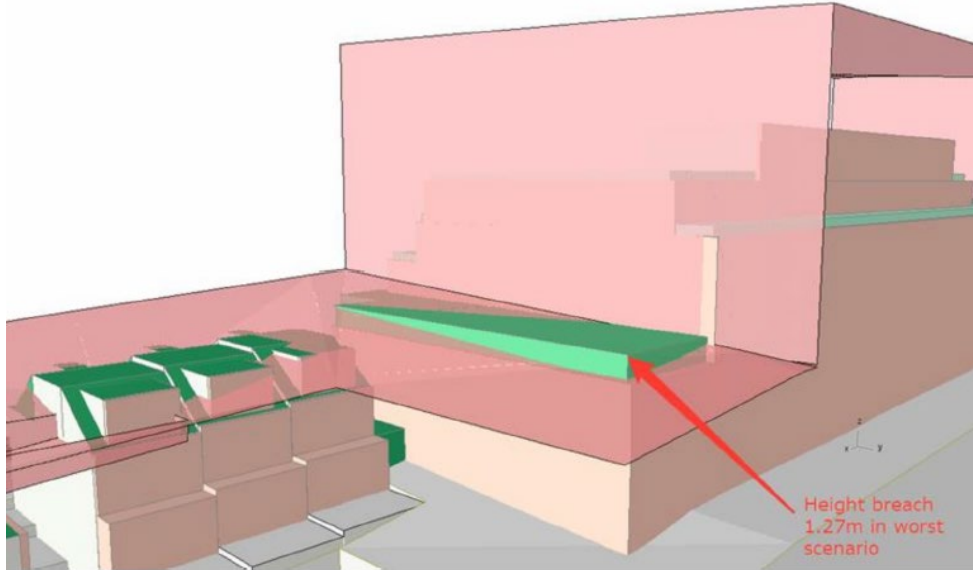
- height non-compliance
- height in storeys non-compliance
- increased building envelope at level 5
- overshadowing
- privacy
- building separation
- heritage
- trees
- land dedication



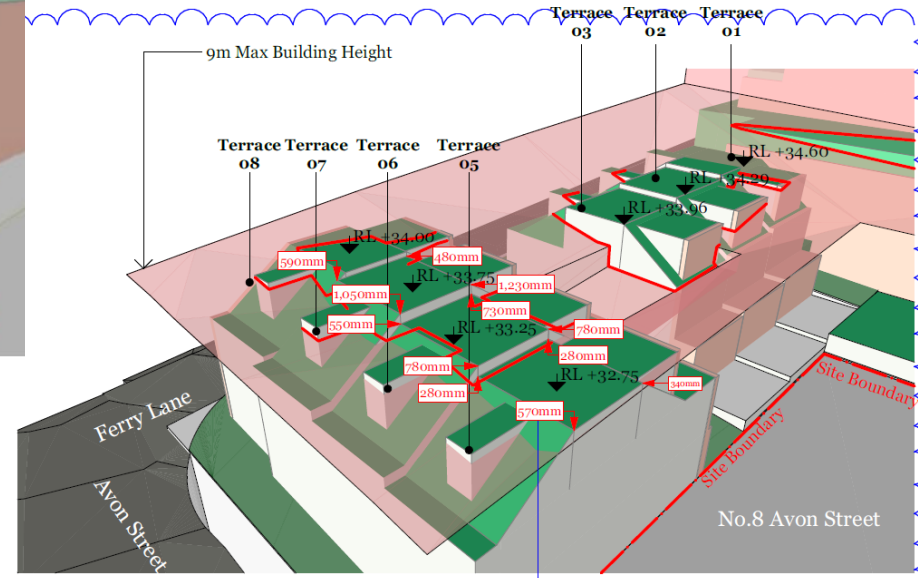
# height

- part of the residential flat building that falls within the 9m height limit, at level 2 is 10.27m (8% variation)
- the terraces that also fall within the 9m height limit, range between 8.38m to 10.56m (6.3% - 17% variation)
- a variation of up to 17% is proposed
- RFB non-compliance is occupied by in-built planters and green roof
- variation to terraces is both caused by existing ground level measured from survey boundaries instead of existing swimming pool in concept approval; and the need to raise floor levels to meet flood planning requirements

# height



## height variation to terraces



## height variation to RFB

\*height plane depicted in red, green areas exceed concept approval

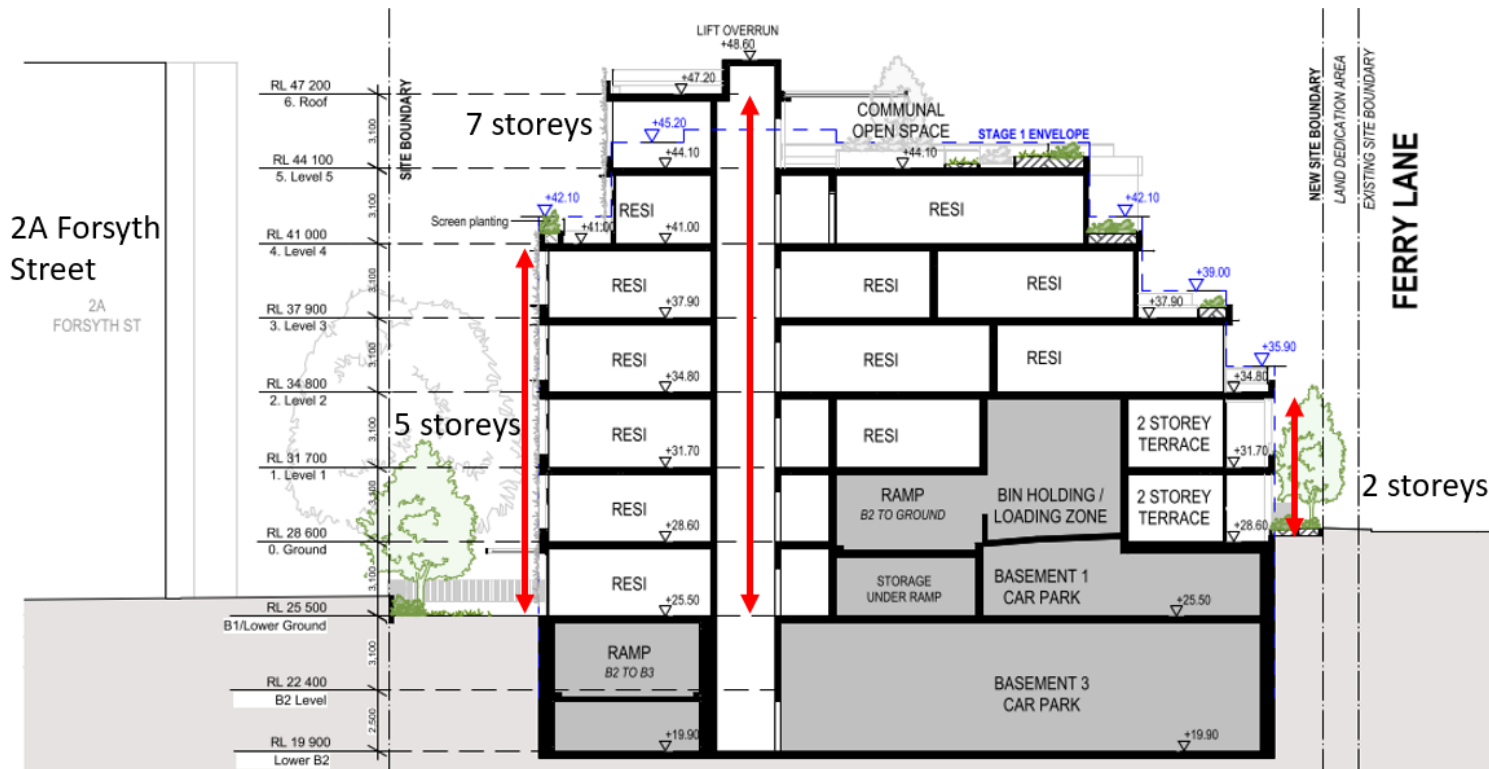
# height

- clause 4.6 variation request supported
- overall heights of terraces 1-3 to Ferry Lane have not increased compared to concept approval (due to measurement of existing ground level), this is where the greatest variation of 17% takes place
- height exceedance is minor and will not create unacceptable amenity impacts in terms of solar, views or visual privacy

# height in storeys

- 5 storey building height applies to section of site where residential flat building is located
- concept approval provided for a 6 storey building envelope
- detailed DA retains scale of building to Ferry Lane as approved and overall height of concept approval, but introduces an additional storey at lower ground

# height in storeys



section through RFB illustrating height in storeys non-compliance

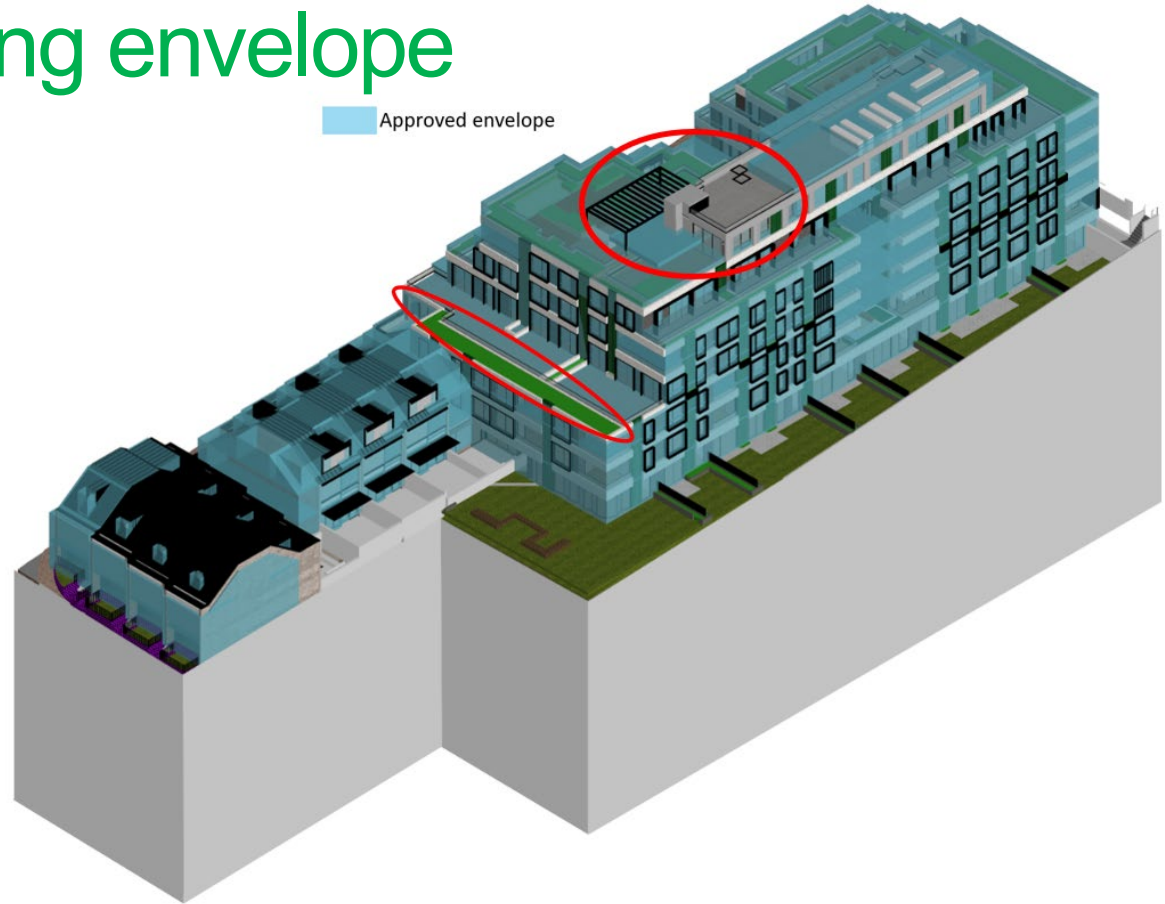


## height in storeys

- 2 storey street wall height to Ferry Lane maintained, with levels 4 and 5 setback by 9.6m and 17.3m from the laneway respectively
- overshadowing impacts to Ferry Road terraces minimised due to setbacks and retention of approved scale to south elevation
- proposal is well below the permitted LEP height control of 27m where the additional storey is located
- building separation to 2A Forsyth Street acceptable

# increased building envelope

- areas beyond the approved building envelope are proposed including attic roofs of terraces, level 2 planters, articulation zones, extension of lift to level 5 and pergolas to communal open space



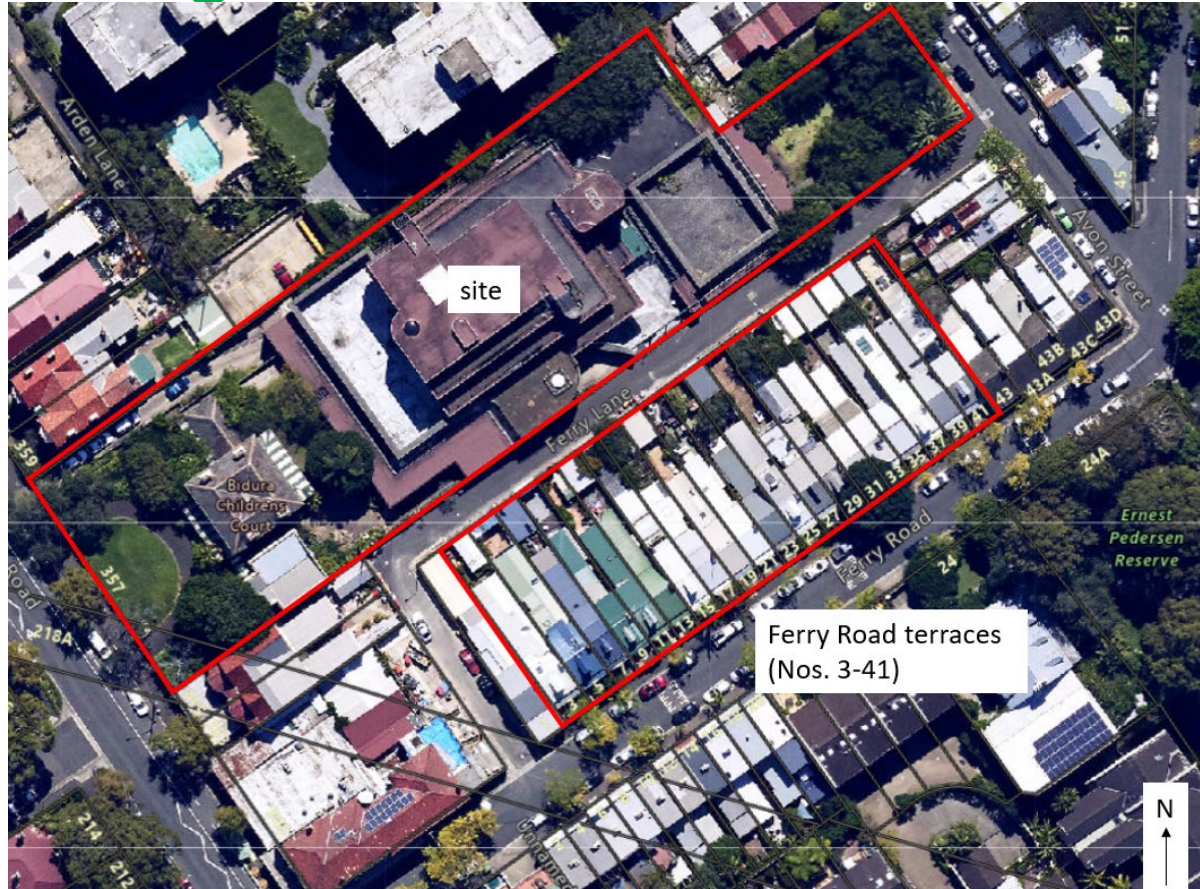
# increased building envelope

- changes to level 5 sit within 27m height control, setback 60m from Avon Street frontage
- view analysis demonstrates that top of lift core, and other lightweight roof elements (pergolas) are not readily visible in Avon Street





# overshadowing



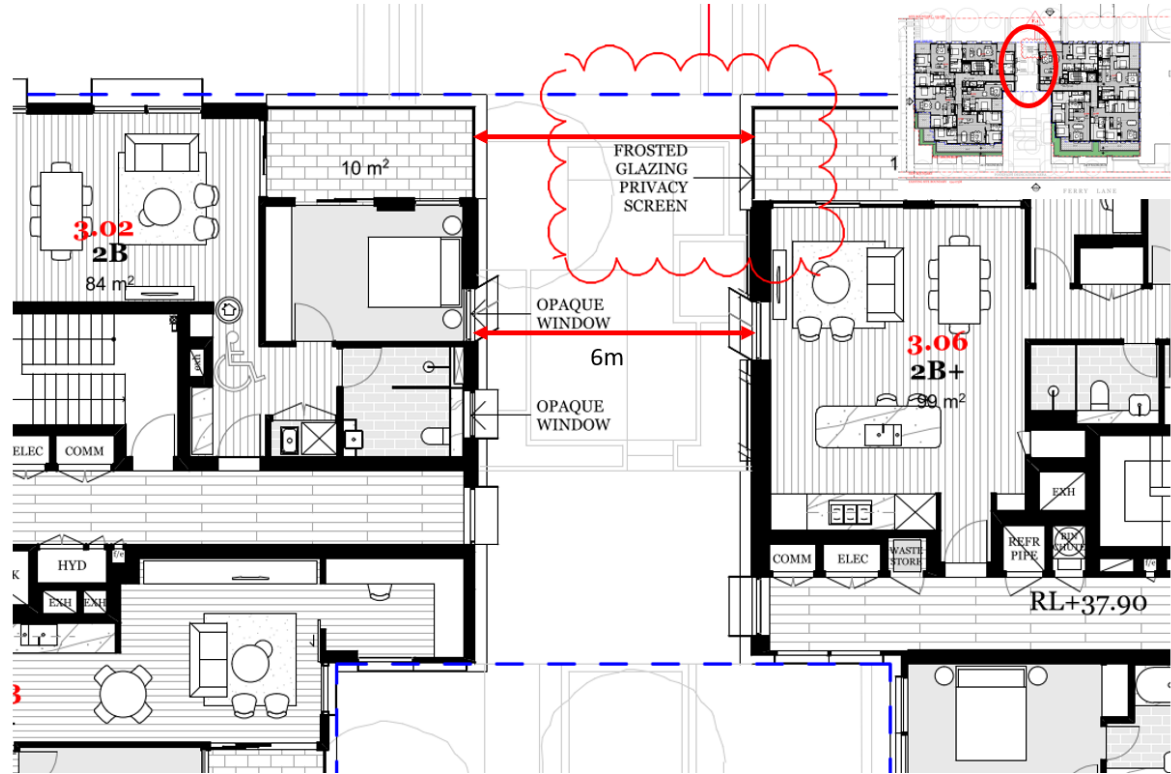
# overshadowing

- concept modification and detailed design accompanied by shadow analysis for rear of 3-41 Ferry Road
- analysis indicates that 7 properties will have a reduction in solar access to p.o.s (17, 21, 23, 25, 27, 29 and 39 Ferry Road), but will still receive 2 hours as per DCP
- changes to level 5 and rooftop of proposal do not reduce solar to properties that receive less than 2 hours (5, 13, 15, 33, 35 and 37 Ferry Road)



# privacy

- some internal corners between bays of the RFB have a separation of 6m at levels 3 and 4, when 9m required under ADG
- windows and balconies fitted with frosted/opaque glazing, angled hoods

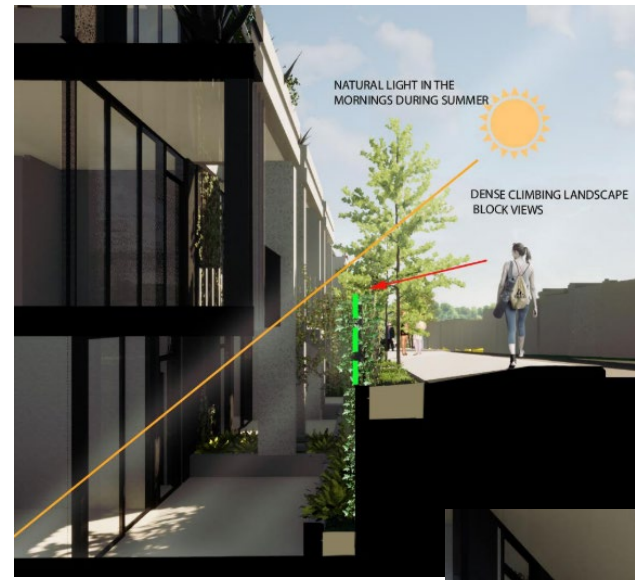
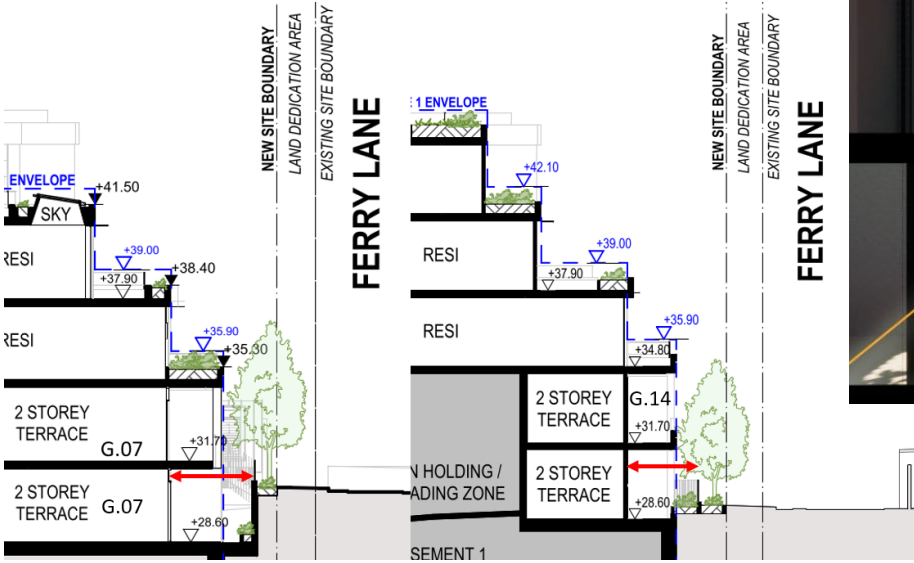


# privacy

- below ground apartments to Ferry Lane designed as maisonette apartments, with bedrooms approximately 2m below ground, and living rooms at 650mm below laneway
- glass line of rooms are setback a minimum of 4 metres from the property boundary / retaining wall in order to provide natural light and ventilation
- both bedrooms and living areas provided with climbing planters for outlook, without creating sense of enclosure

# privacy

apartment G.06



apartments G.07 and G.14

apartment G.09

# building separation – northern boundary

- min. 9m separation required at levels 3 and above to northern boundary
- 6m provided at level 3, balconies are setback 7.2m at level 4, maintaining approved setbacks of concept approval
- variation is due to introduction of an additional storey at lower ground level at northern boundary
- potential overlooking addressed via inclusion of frosted glass, angled hoods at level 3, and screen edge planting to balconies at level 4
- compliant 9m setback maintained at level 5

# building separation – northern boundary

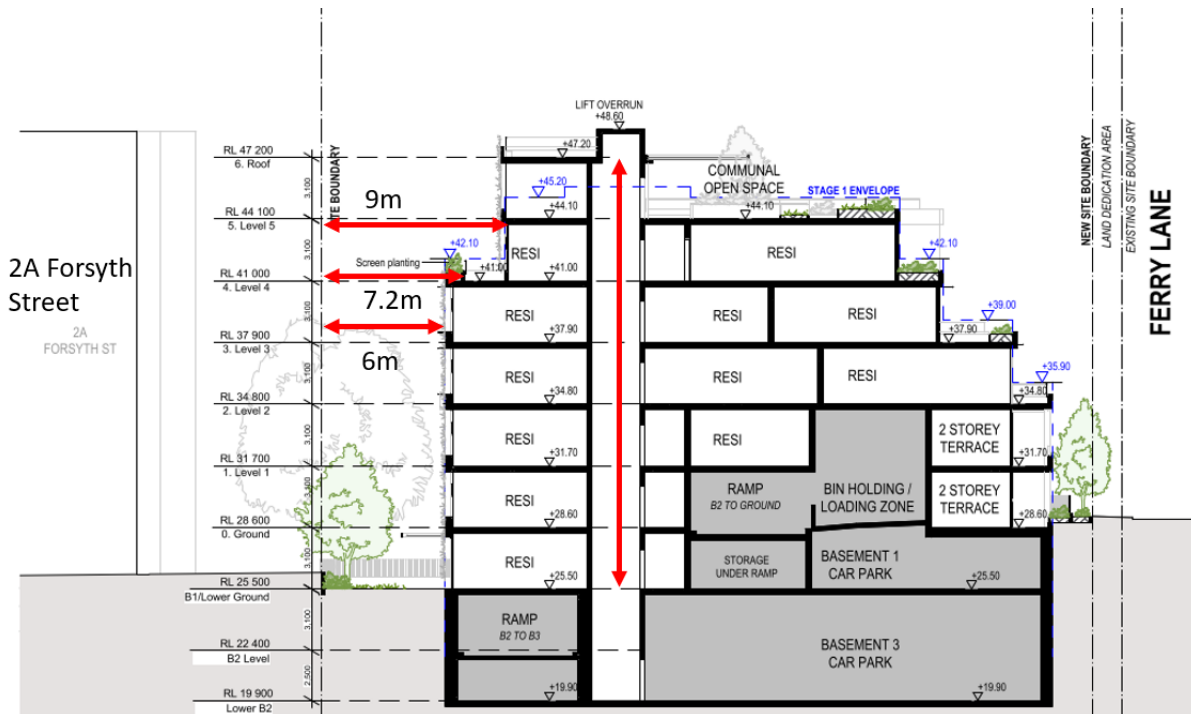
## Design criteria

- Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m
up to 25m (5-8 storeys)	9m	4.5m
over 25m (9+ storeys)	12m	6m

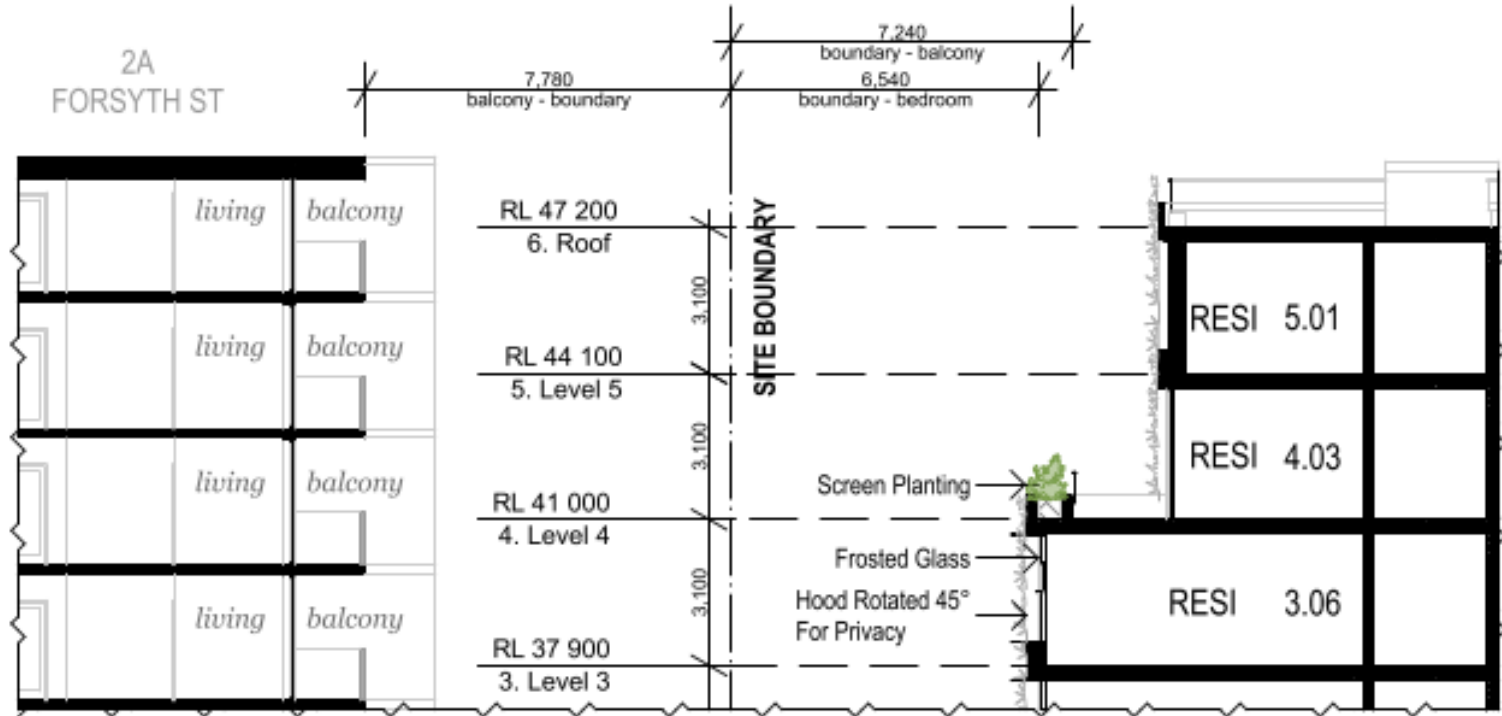
Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2)

Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties





# building separation – privacy measures

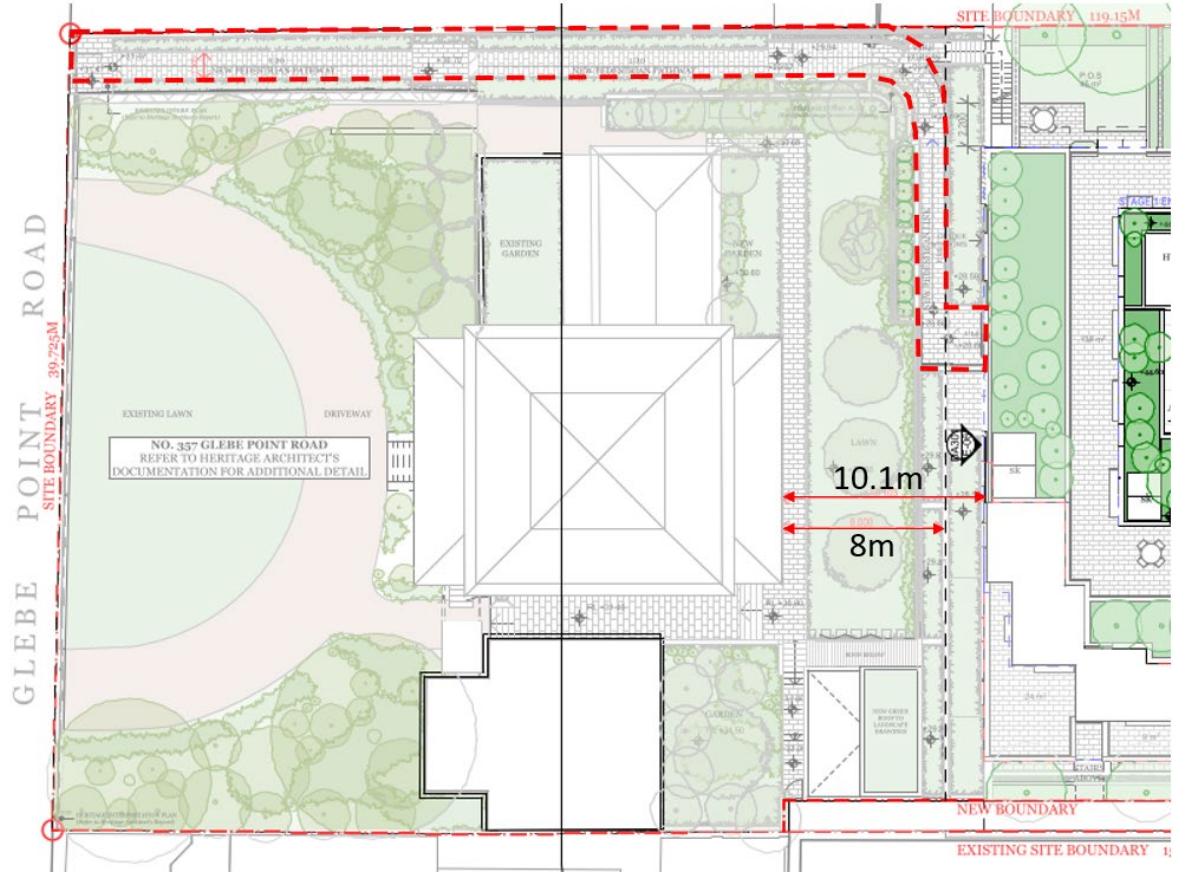


# heritage

- Bidura House Group (curtilage and garden) is State Heritage Listed (SHR: 01994)
- detailed design DA is Integrated Development under the Heritage Act 1977, requiring approval from Heritage Council of NSW
- works proposed include new retaining wall, landscape works, demolition of vehicle ramp to Glebe Point Road and new garage to Ferry Lane
- Bidura House to be used as a single residence
- General Terms of Approval provided on 13 April 2022

# heritage

- new pedestrian access proposed between RFB and Glebe Point Road
- setback of 10m maintained between Bidura House and new development, as per concept approval



# trees

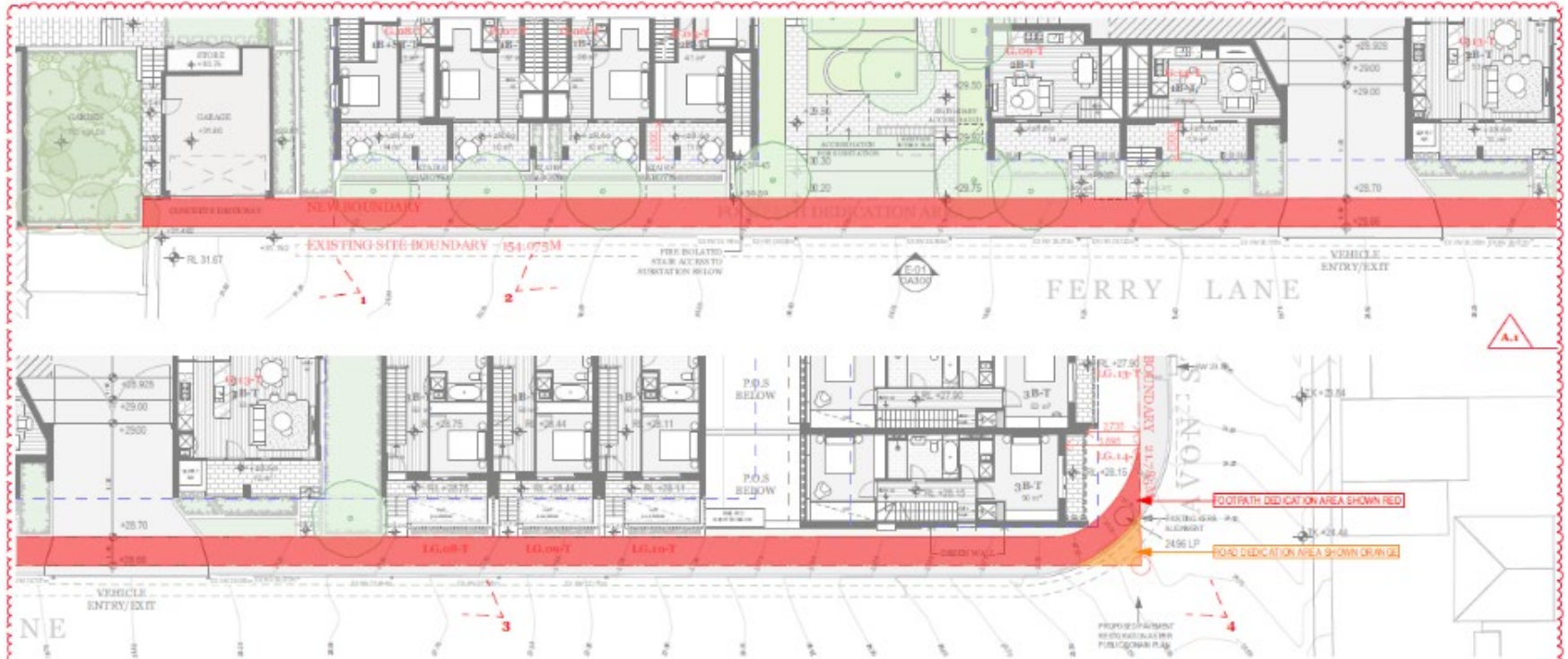
- condition 10 of D/2017/582 requires retention of Camphor Laurel/Tree 13 at northern boundary of site
- existing tree roots are using current concrete slab of MRC building at ground floor for structural support
- condition recommended for detailed design DA to ensure slab within structural root zone of tree remains in-situ

# land dedication

- planning agreement for dedication of land within subject site to create a 1.5m wide footpath along Ferry Lane and corner of Avon Street
- land to be remediated, pedestrian ramp installed, and street trees planted
- footpath will not impede City garbage truck access to and from Ferry Lane
- planning agreement exhibited from 3 February to 6 March 2023
- deferred commencement condition recommended for detailed design DA to ensure execution and registration of planning agreement on title



# land dedication



# recommendation

section 4.56 modification of concept approval:

- approval subject to conditions

detailed design DA:

- deferred commencement approval to register land dedication  
planning agreement on title