

# Local Planning Panel

4 September 2024

# Application details

375-387 Cleveland Street, Redfern

D/2023/682

Applicant: Sutherland Planning

Owner: Stasia Pty Ltd

Architect: Conrad Gargett

# Proposal

- demolish existing buildings and structures
- excavation to accommodate a single basement level
- construction of a 3-storey commercial building including:
  - retail uses on ground
  - a neighbourhood supermarket on Level 1
  - office premises on Level 2

# Recommendation

Approve subject to conditions

# Proposal



photomontage – corner of Cleveland Street and Marriott Street

# Reason reported to LPP

The application is reported to the LPP for determination due a non-compliance with the Height of Buildings control:

- proposed height of 14.3m
- non-compliance of 2.3m (19.1%) with the 12m height control
- no unreasonable overshadowing or overlooking impacts to neighbours
- height is contextually appropriate
- Cl.4.6 variation request is supported

# Notification


- exhibition period - 16 August to 7 September 2023
- re-notified between 12 September to 4 October 2023 as the site notice was incorrectly erected on the site
- 116 owners and occupiers notified
- 16 submissions received during both notification periods (10 submissions in the first notification period and 6 in the second period)


# Submissions

- overshadowing impacts to the James Street Reserve Community Garden
- social impacts and loss of amenity due to the proposed overshadowing
- building height inconsistent with adjoining neighbouring terraces
- no green space on site
- building design and location of services on the western boundary – noise, vibrations, and odour impacts
- neighbourhood supermarket use not required
- noise, dust, pollution and traffic impacts

# Submissions



 subject site

 submitters within immediate vicinity

submissions received from:

- Walker Street
- Boronia Street
- Young Street and
- Members of the James Street Community Garden



# Site





Cleveland Street frontage



Marriott Street frontage



adjoining development on Cleveland Street



Surry Hills Village development to east of site



frontage to Marriott Street



existing southern boundary wall of the site



site viewed from James Street/Young Lane

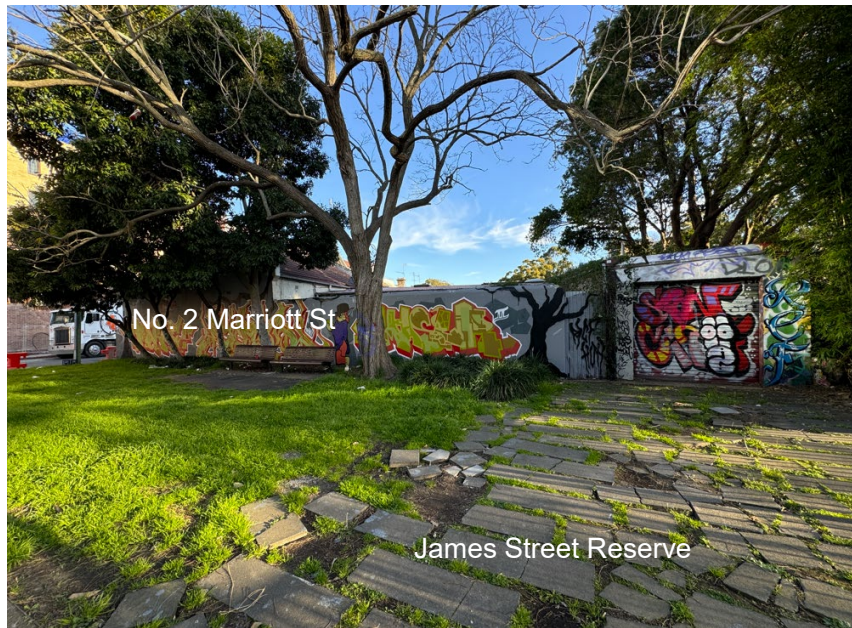


looking north towards the site



looking west to Young Lane

## James Street Reserve Community Garden

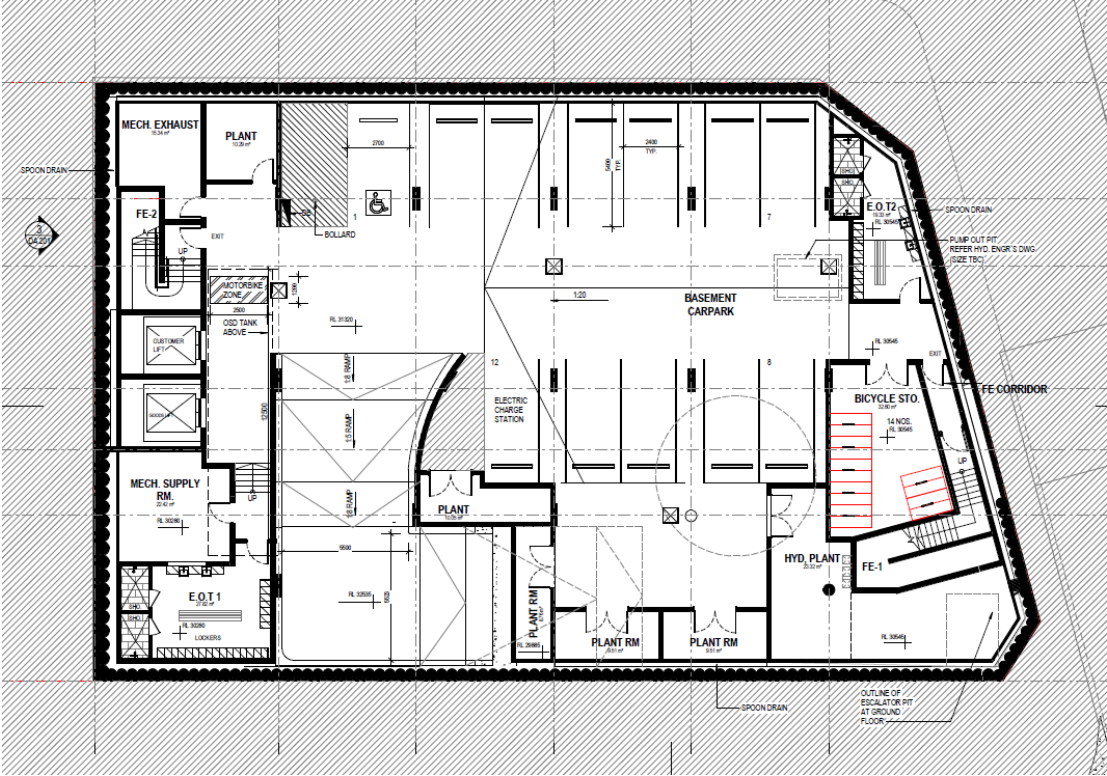


James Street Reserve and No. 2 Marriott Street to the south of the site



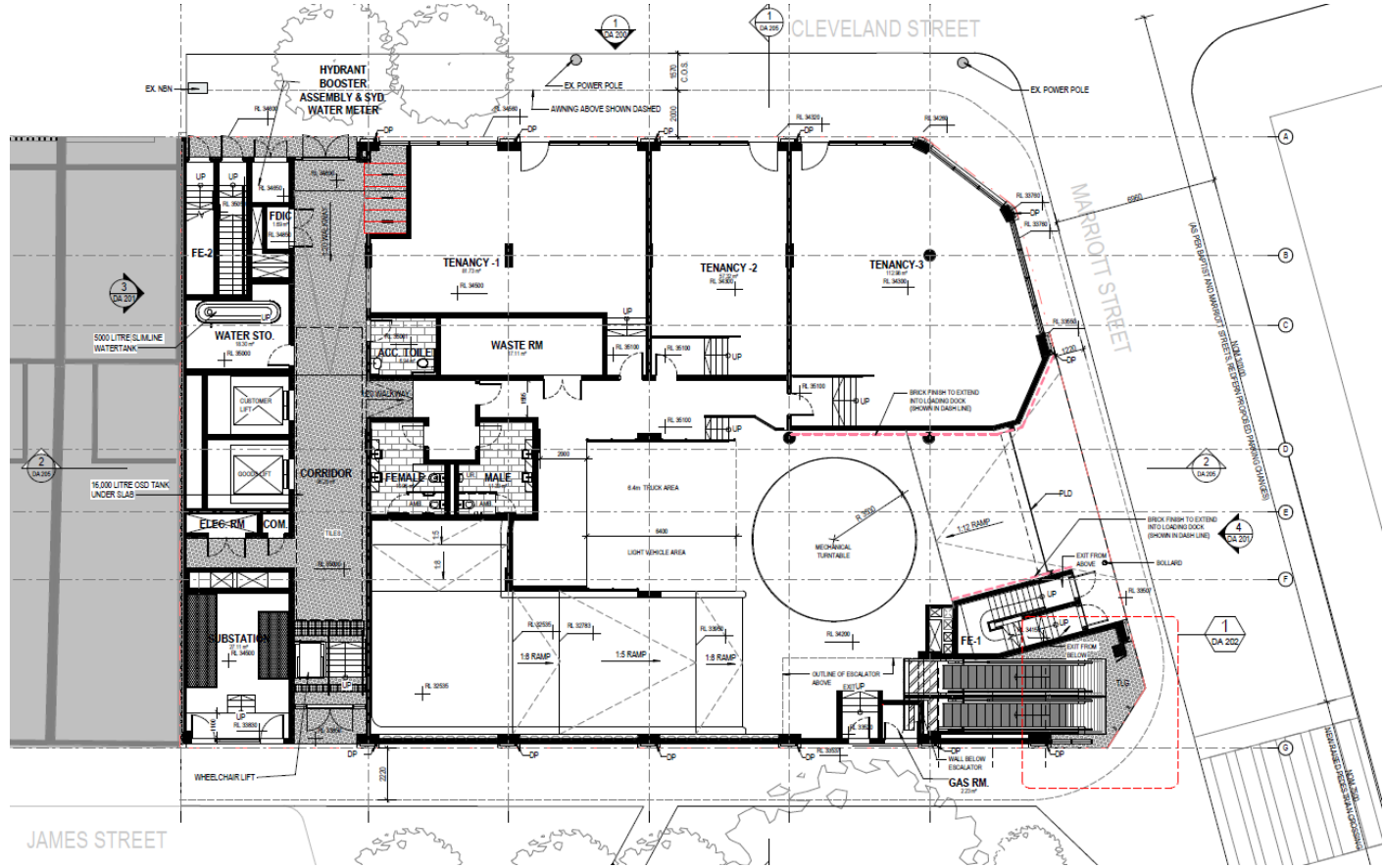
looking east along James Street

# Proposal

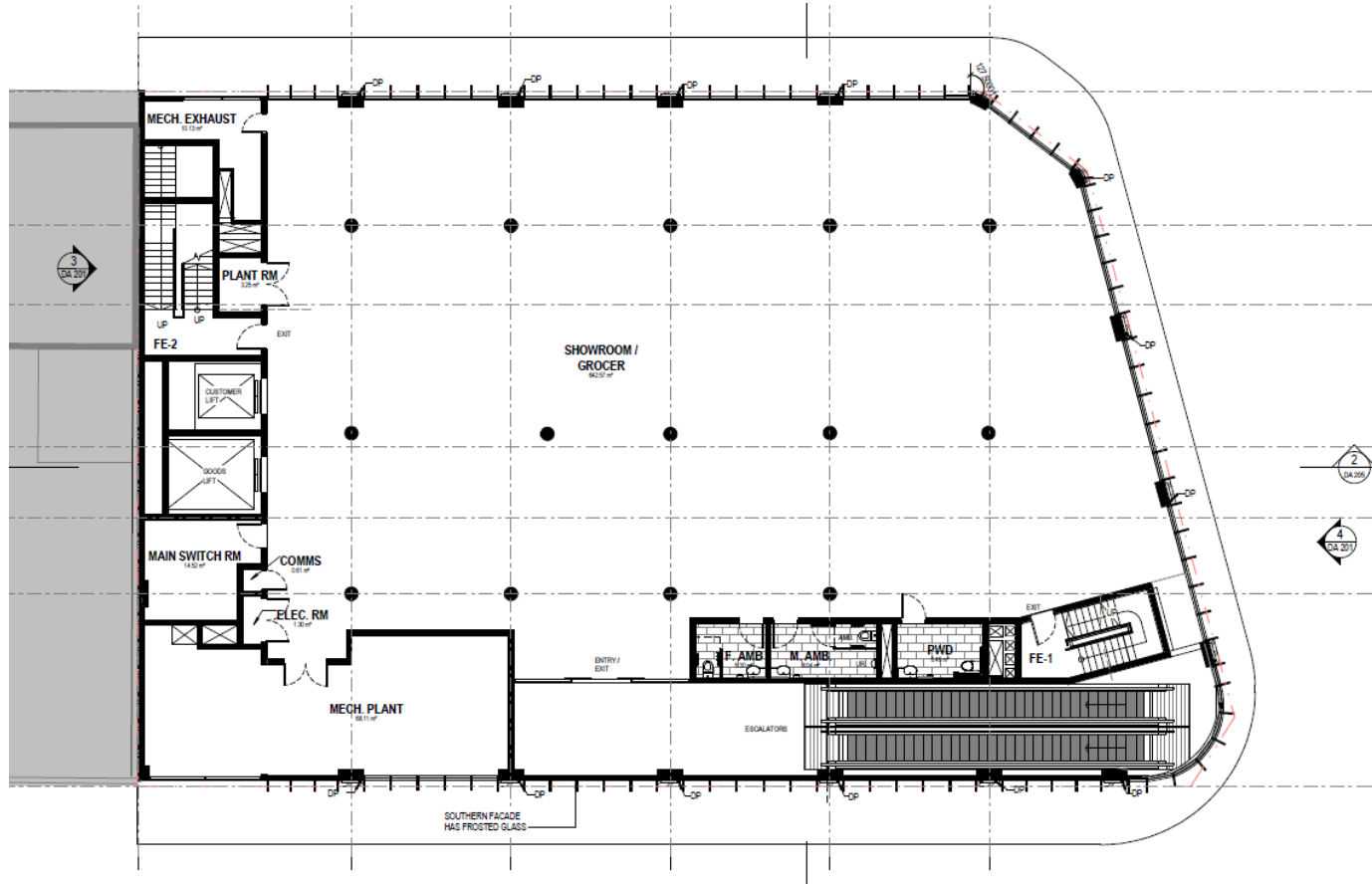


Basement Plan

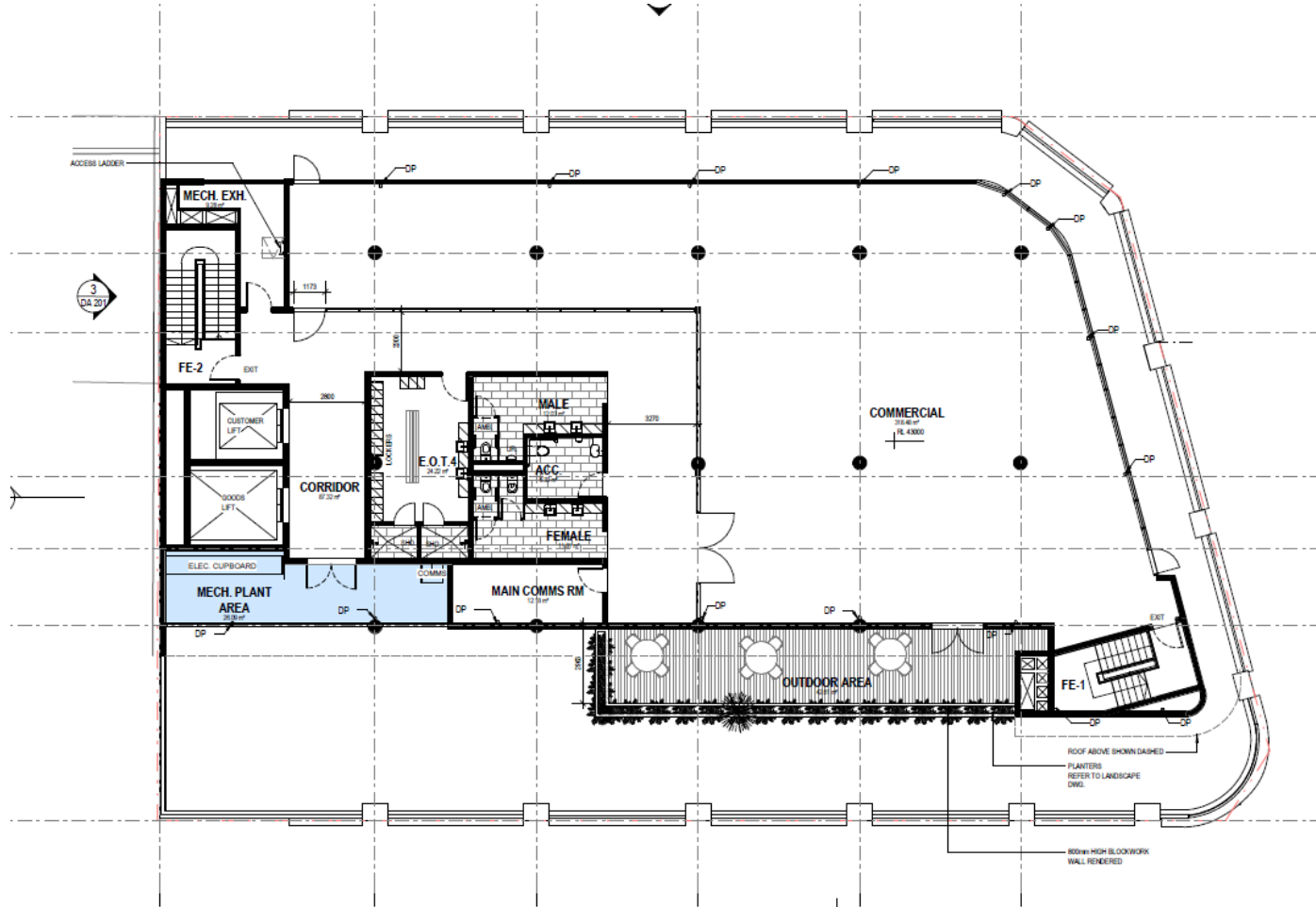




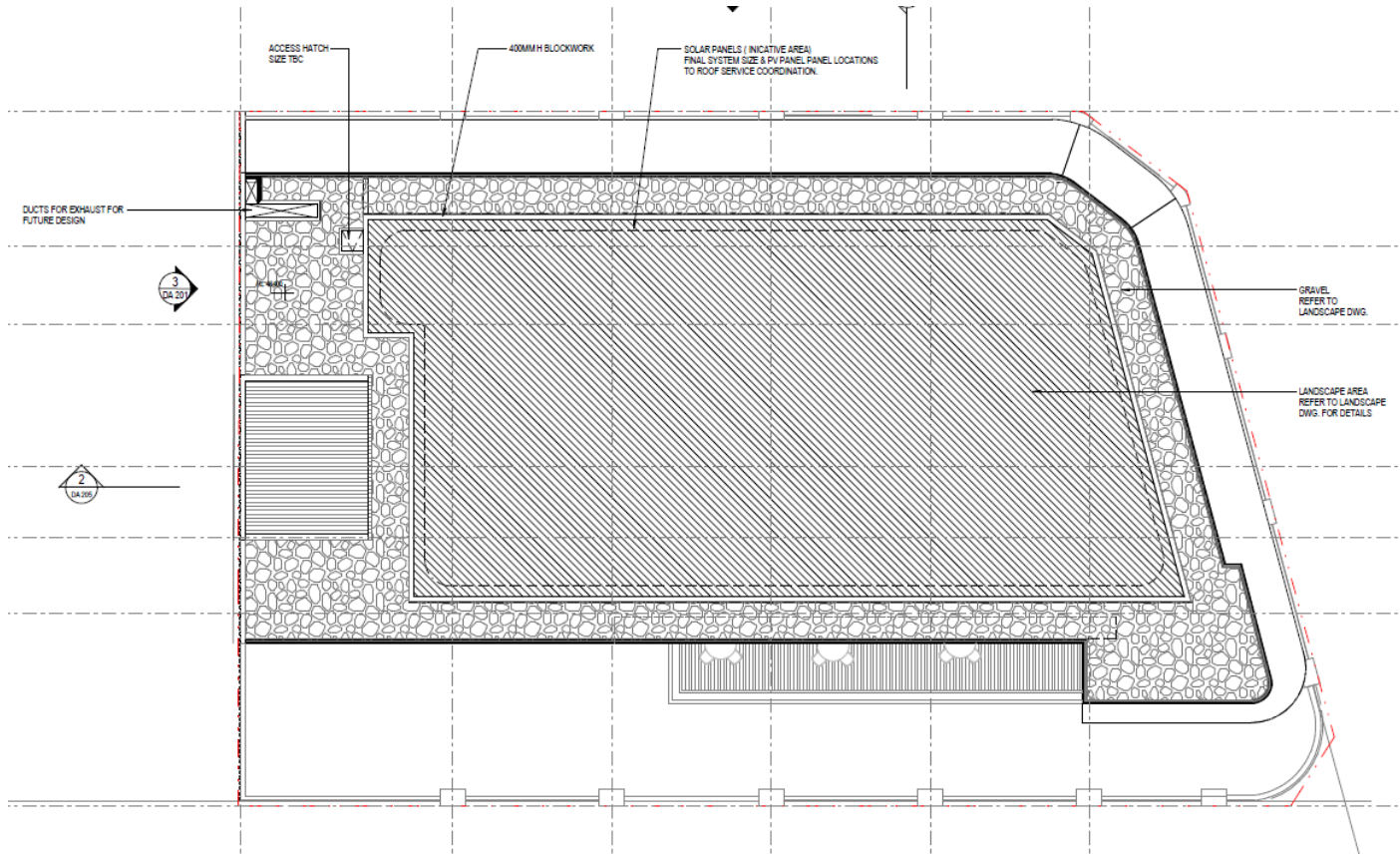
Ground Floor Plan



Level 1 Plan



Level 2 Plan



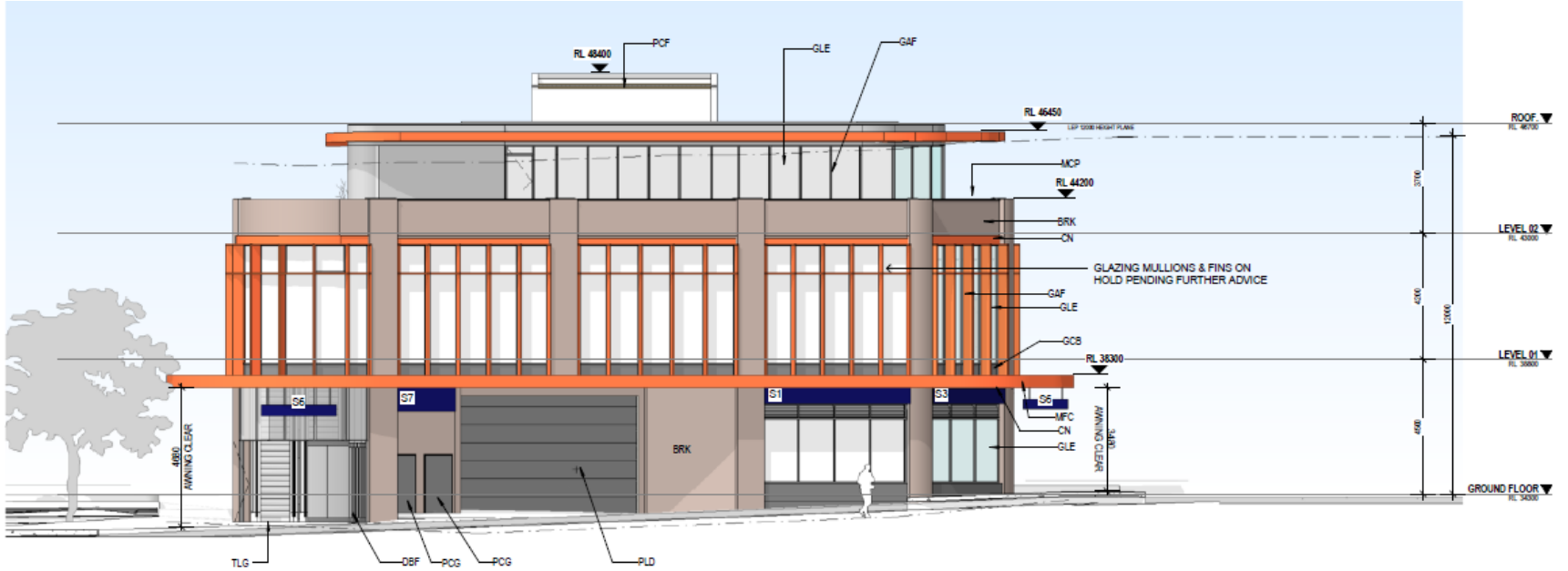
Roof Plan



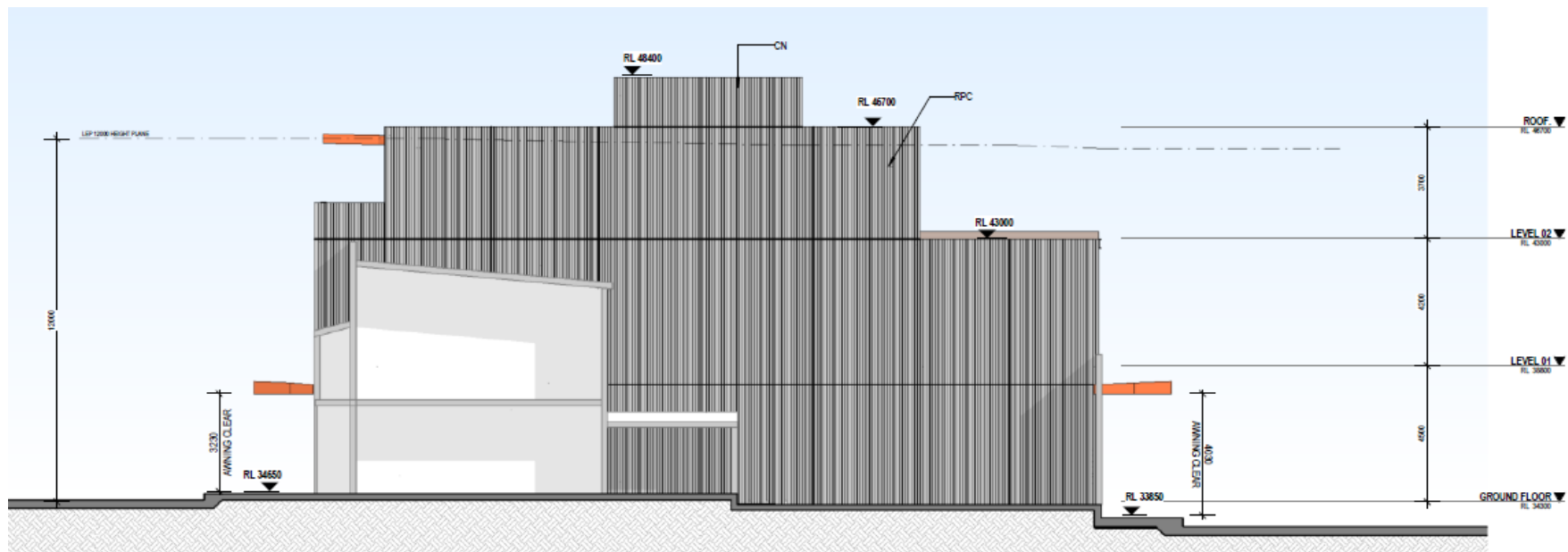
Cleveland Street – north elevation



James Street Reserve – south elevation

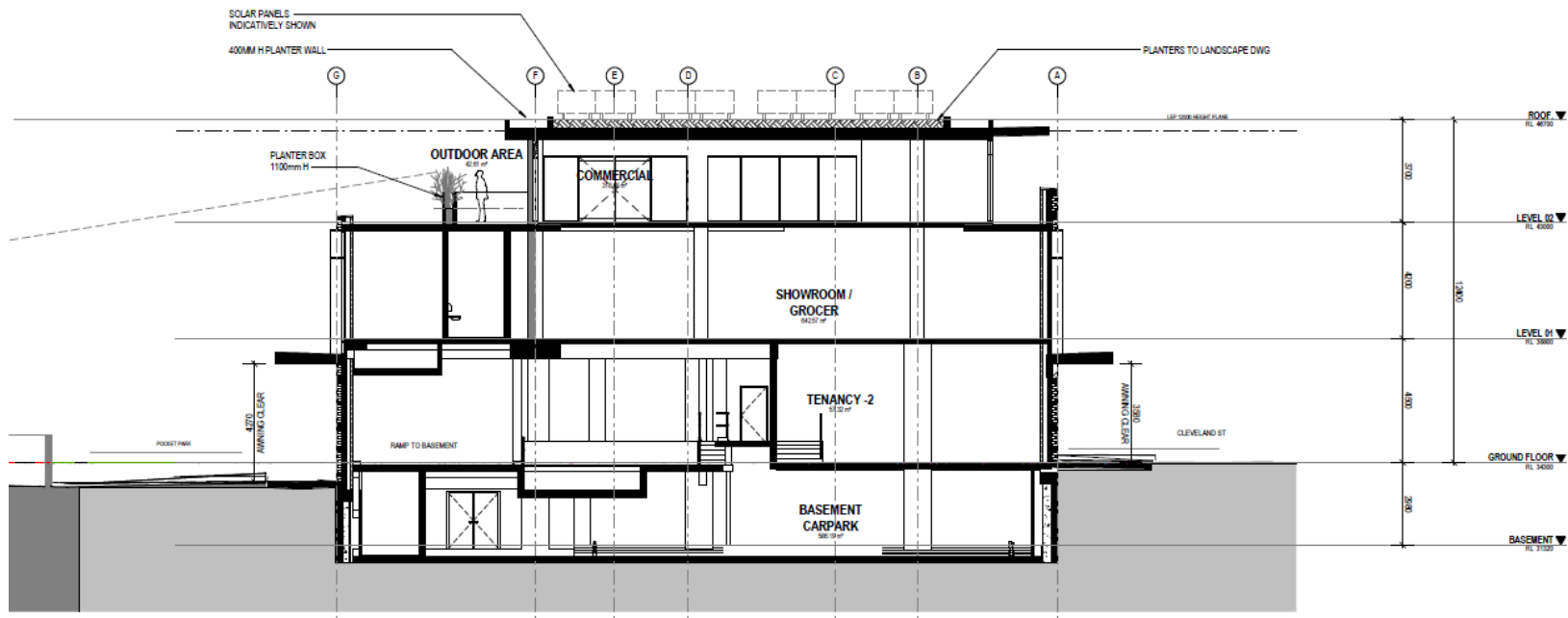


Marriott Street – east elevation

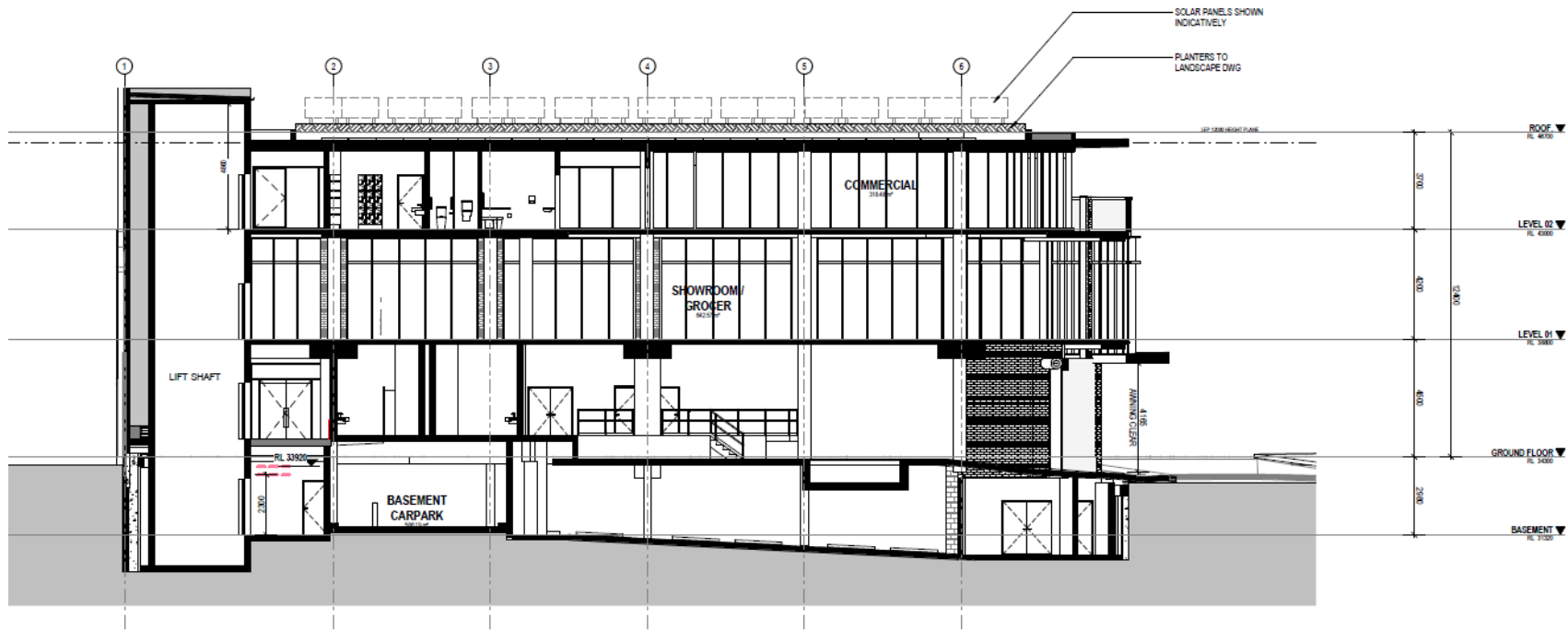


West elevation





north-south section



east-west section



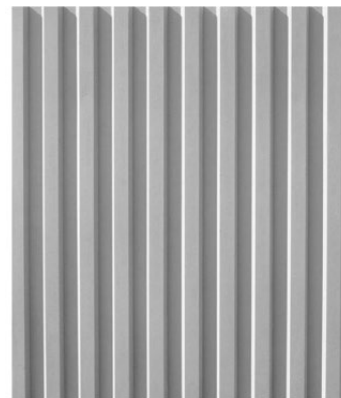
Photomontage – corner of Cleveland Street and Marriot Street



Photomontage – corner of Marriott Street and James Street Reserve



James Street Reserve



RBC



DBF

**FINISHES LEGEND**

ABBREV.	DESCRIPTION
BRK	ASSORTED RED BRICK
CFP	CEMENT FINISH PANELLING
GAF	GLAZING ALUMINIUM FRAME
GLE	EXTERNAL GLAZING
MFC	METAL FINISH CLADDING
TLG	TILING
RPC	RIBBED PRECAST CONCRETE PANEL
DBF	HAWA VARIOTEG GLAZED BI-FOLD DOORS OR EQUIVALENT

**Material Finishes**

# Compliance with key LEP standards

	control	proposed	compliance
height (clause 4.3)	12m	14.3m	no clause 4.6 variation supported
floor space ratio (clause 4.4)  end of journey floor space (clause 6.13)	1.5:1 + up to 0.3:1 for end of journey floor space	1.58:1  (includes end of journey floor space FSR of 0.1:1 (103.97sqm)	yes

# Compliance with key DCP controls

	control	proposed	compliance
sunlight to publicly accessible spaces (section 3.2.1.1)	minimise overshadowing to publicly accessible spaces between 9am to 3pm at mid-winter	3.5 hours maintained to half the area of Community Garden between 11.30am to 3pm at mid-winter	yes
height in storeys (section 4.2.1)	3 storeys	3 storeys	yes
floor to ceiling heights (section 4.2.1.1)	min. 4.5m at ground min. 3.6m above	ground – 4.5m level 1 – 4.2m level 2 – 3.7m	yes



# Compliance with key DCP controls

	control	proposed	compliance
amenity - solar access (section 4.2.3.1)	min. 2 hours of direct sunlight between 9am to 3pm to at least 1 sqm of living room windows and 8 sqm of private open space	no additional overshadowing to adjoining dwellings Nos. 371-373 Cleveland Street and 4-6 Marriott Street	yes
deep soil (section 4.2.3.6)	min. 10% of site area (96sqm)	no deep soil bio solar roof proposed	no – but assessed as acceptable

# Issues

- overshadowing impacts to James Street Reserve Community Garden
- height non-compliance

# Overshadowing

- Section 3.2.1 of Sydney DCP requires new developments to minimise overshadowing to publicly accessible open space
- Top floor set back from south boundary to minimise overshadowing impacts

# Overshadowing

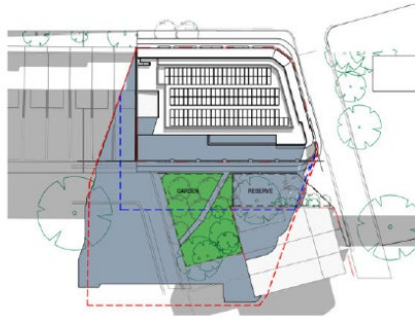
- community garden is split into two sections
- existing overshadowing at mid winter to the northern garden:
  - 1/2 of the garden for 1 hour (9.00 to 10.00am)
  - 1/3 of the garden for 2 hours (10.00 to 12.00pm)
- southern garden overshadowed by existing vegetation



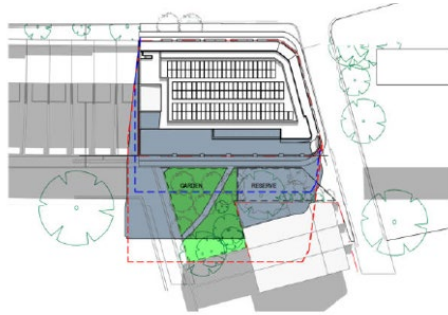
# Overshadowing

- amended proposal maintains 3.5 hours solar access to the northern garden between 11.30am to 3.00pm at mid-winter:
  - 1/4 of the northern garden for half an hour (11.30am to 12.00pm)
  - 1/2 of the northern garden for 1 hour (12.00pm to 1.00pm)
  - majority of northern garden for 2 hours (1.00pm to 3.00pm)

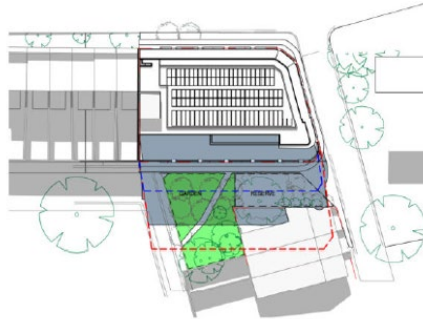
# Overshadowing



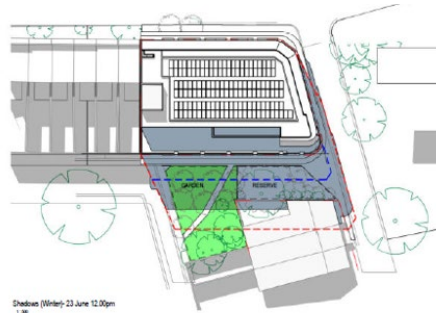
Shadows (Winter)- 23 June 9:00am  
1:50



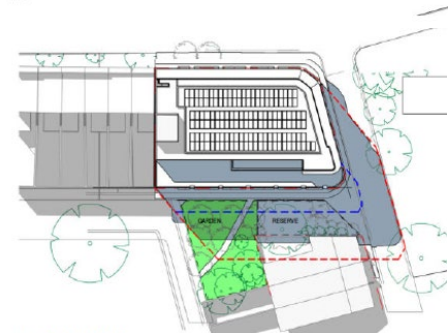
Shadows (Winter)- 23 June 10:00am  
1:50



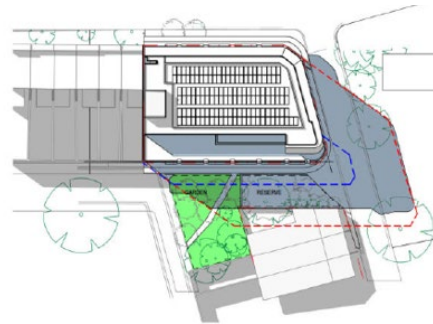
Shadows (Winter)- 23 June 11:00am  
1:50



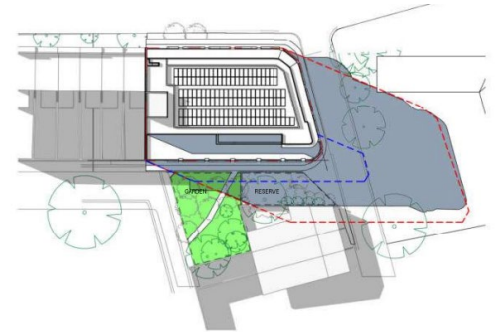
Shadows (Winter)- 23 June 12:00pm  
1:50



Shadows (Winter)- 23 June 13:00pm  
1:50



Shadows (Winter)- 23 June 14:00 pm  
1:50



Shadows (Winter)- 23 June 15:00pm  
1:50

shadow diagrams

# Overshadowing

- amended proposal:
  - provides an improved outcome when compared to a building envelope of 12m to all boundaries
  - minimises overshadowing to publicly accessible open space and meets objectives of Section 3.2.1 of Sydney DCP 2012.
- overshadowing impacts assessed as acceptable

# Height

- height limit 12m
- proposed 2.3m exceedance in building height (14.3m proposed)
- area of non-compliance confined to the roof, lift overrun, fire stair, mechanical plant/solar panels
- height is contextually appropriate (new 6 storey development to east), top floor is setback on all sides, complies with 3 storey control
- no unacceptable overshadowing, privacy, views or other environmental impacts arising from non-compliance
- Cl. 4.6 variation request supported





12.9m (14.3m to lift overrun)



proposed photomontage



adjoining terraces to the west

approx. 9.9m



Surry Hills Village – Cleveland Street



Surry Hills Village – stamped approved Cleveland Street elevation



Surry Hills Village – Marriott Street



proposed photomontage (Marriott Street)



Surry Hills Village – stamped approved Marriott Street elevation

# Recommendation

Approval subject to conditions