

## RELEVANT INFORMATION FOR THE CENTRAL SYDNEY PLANNING COMMITTEE

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**FILE:** D/2014/1837 **DATE:** 25 June 2015  
**TO:** Members of the Central Sydney Planning Committee  
**FROM:** Graham Jahn, Director City Planning, Development and Transport  
**SUBJECT:** Information Relevant To Item 7 - 18-20 O'Dea Avenue Waterloo - At  
CSPC - 25 June 2015

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### Alternative Recommendation

That the following conditions, as shown in the subject report, be amended with the additional words shown **bold** italics and deletions in ~~strike through~~.

### 7(a) Design Amendments

To ensure adequate amenity for the intended occupants, the following design amendment are to be made prior to the issue of a construction certificate for above ground works. The amendments are to be submitted to and approved by the Area Planning Manager.

(a) Windows that result in a conflict between light and air and visual and acoustic privacy are to be removed. Specifically, study windows in apartments C001, C002, C003, B004, D001, D004, D006, B102, B103, B109, B110, C104, C105, A202, B202, B203, B209, B210, C201, C202, C204, C205, D205, D204, B704, C702, C704, ~~C705~~ and any other apartment where a similar conflict arises. ~~and K~~ kitchen windows in apartments D006 and D208 **are to be fitted with translucent fixed glazing**.

### Background

Submission from Applicant (Crown)

After reviewing the planning report and recommended consent conditions. Crown wrote to Council requesting changes to conditions. These are discussed below:

#### Condition 7(a) Design amendments

Crown have raised issue with the removal of windows to specific study rooms and the removal of windows to specific kitchens. Crown have acknowledged that conflicts arise with some of the windows facing internal corridors but have also stated that other windows could remain as they have privacy screens. Crown have suggested that the affected kitchen windows could be fixed with **translucent** glazing. Crown request the inclusion of the following alternative condition:

## 7(a) Design Amendments

To ensure adequate amenity for the intended occupants, the following design amendment are to be made prior to the issue of a construction certificate for above ground works. The amendments are to be submitted to and approved by the Area Planning Manager.

~~(a) Windows that result in a conflict between light and air and visual and acoustic privacy are to be removed. Specifically, study windows in apartments C001, C002, C003, B004, D001, D004, D006, B102, B103, B109, B110, C104, C105, A202, B202, B203, B209, B210, C201, C202, C204, C205, D205, D204, B704, C702, C704, 705 and any other apartment where a similar conflict arises and kitchen windows in apartments D006 and D208.~~

**(a) Windows in the following apartments are to be amended as follows:**

**- Study windows are to be removed and replaced with solid elements in apartments A202 (secondary internal facing window of main bedroom), B004, C001, C002, C003, D004, D104, D105, D204, D205.**

**- Kitchen windows are to be fixed windows with translucent glass in apartments D001, D006, D103, D108, D203 and D208.**

**Comment:** The applicant submits that while some study windows face internal corridors others do not and visual privacy is protected by screens. The applicant states that providing fixed **translucent** kitchen windows will allow acoustic and visual privacy to be achieved in addition to natural light into the kitchens.

No objection is given to providing fixed **translucent** glazing to specified kitchens. The proposed study rooms are of a size and dimensions of being easily converted to bedrooms which would result in substandard accommodation. Several of the study windows are within 3m of a window of separate apartment. The proximity of the proposed windows to other openings would reduce the visual and acoustic privacy of the intended occupants. The applicant was advised as part of the assessment process that windows to these rooms would not be acceptable. Alternative examples of study layouts were provided to the applicant. The applicant has chosen not to amend the study layouts. It is recommended the condition be amended in the following manner:

(a) Windows that result in a conflict between light and air and visual and acoustic privacy are to be removed. Specifically, study windows in apartments C001, C002, C003, B004, D001, D004, D006, B102, B103, B109, B110, C104, C105, A202, B202, B203, B209, B210, C201, C202, C204, C205, D205, D204, B704, C702, C704, **C705** and any other apartment where a similar conflict arises. ~~and~~ **K**kitchen windows in apartments D006 and D208 **are to be fitted with translucent fixed glazing.**

### Condition 7(d) Design amendments

Crown submits that current design of the balconies and balustrading is a key and integral feature of the award winning building design. Crown therefore raise objection to the required design amendments and have requested the condition be deleted as follows:

## 7(d) Design Amendments

~~An alternative to clear glazing and clear glazed balustrading is to be provided to all apartments within the tower (Building C) from the ground floor to level 7 inclusive to provide visual privacy from the public domain and other buildings within the development site.~~

**Comment:** The proposed design of the balustrades and balconies at the lower levels of each building are to be clear glazing. The apartments include floor to ceiling glazing. Each frontage of the building has an existing or proposed interface with the public domain including the east face which will directly adjoin the final portion of the Rope Walk Park. The design amendment has been recommended to ensure the visual privacy of the intended occupants. It should be noted that the existing apartments building at Divercity at 1 Archibald Avenue Waterloo and Viking at 30-36 O’Dea Avenue have screening of balconies or at least section of solid balustrades to the public domain. The applicant requests the condition deleted:

#### Condition 7(e) Design Amendments

Crown have raised concern with the wording of the condition and requested that it be amended to apply to specific study rooms in the following manner:

#### 7(e) Design Amendments

***With the exception of those apartments identified in Condition 7(a) Fan light or highlight windows with a minimum sill height of 1,600mm*** are to be provided to ***the study rooms of all*** apartments within all buildings from the ground floor to level 7 inclusive to avoid a conflict between light and air and visual privacy and security.

**Comment.** The proposed design includes full height glazing with sliding doors rather than windows to balconies. The intention of the condition is allow the intended residents to receive light and air to the apartments without compromising privacy and security. No windows are supported to studies as acoustic and visual privacy would be compromised.

#### Condition 46 Affordable Housing

Crown have raised concern that the contribution for an affordable housing has been incorrectly calculated. The applicant request the condition be reviewed and amended:

#### Condition 46 Affordable Housing Contribution

In accordance with Clause 27P of *South Sydney Local Environmental Plan 1998 (as amended)* and prior to a Construction Certificate being issued, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid at the office of the Department of Planning and Environment or a bank guarantee in favour of The Department of Planning and Environment to the value of the required contribution has been lodged. The contribution is **\$4,437,995.4** ~~\$6,974,723.90~~ based on the in lieu monetary contribution rate for non-residential development at \$58.04 per square metre of total non-residential floor area 762sqm, and for residential development at \$174.19 per square metre of total residential floor area **25,224sqm** ~~39787sqm~~. Contributions will be indexed in accordance with the formula set out below.

**Comment:** The affordable house contribution has been calculated based on Total Floor Area figures and diagrams that have been provided by the applicant.

Prepared by: Jai Reid, Senior Planner

TRIM Document Number: 2015/309949

**Attachments Nil**

Approved

A handwritten signature in black ink, appearing to read 'GJahn', is positioned above the printed name.

**Graham Jahn, Director City Planning,  
Development and Transport**