

## Relevant Information for the Local Planning Panel

---

**FILE:** D/2017/1552 **DATE:** 3 July 2018

**TO:** Local Planning Panel

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

**SUBJECT:** Information Relevant To Item 5 – 26-30 City Road, Chippendale

---

### Alternative Recommendation

That the Local Planning Panel adopt the recommendation in the planning officer's report dated 4 July 2018, and make further and following amendments to the Conditions of Consent in Schedule 1 as outlined below. The proposed amendments to conditions are shown in ***bold italics*** and any deletion of text is shown in ~~strikethrough~~

(A) Amend Condition 1 to read as follows:

(1) **STAGED CONSTRUCTION AND OCCUPATION CERTIFICATES**

- (a) The works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a construction certificate and occupation certificate (as identified) for each stage as follows:

Stage	Works
1	<del>Demolition</del> <b><i>Subdivision</i></b>
2	<del>Subdivision</del> <b><i>Demolition</i></b>
3	Construction and occupation of the boarding house and associated public domain works
4	Construction and occupation of the terrace dwellings and associated public domain works

(B) Amend Condition 13 to read as follows:

**(13) LANDSCAPED (GREEN) ROOFS**

- (a) A detailed plan of the green roof, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate relevant to that stage of construction of the development under condition 1. The plan must include:
  - (i) ~~A statement that includes details of proposed use of the green roof, general accessibility, as well as noise and privacy treatments.~~
  - (ii) ~~Location of existing and proposed structures, services and hard landscaping on the rooftop, roof fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.~~
  - (iii) ~~Details of earthworks including mounding and retaining walls and planter boxes (if applicable).~~
  - (iv) ~~Details of the location, sizes and numbers of plants used with reference to NATSPEC (if applicable), with preference for drought resistant species.~~
  - (v) ~~Details of the soil media/substrate type and depth.~~
  - (vi) ~~Details of installation methodology e.g. safety considerations for working at height, location of maintenance hooks (if applicable) transport materials etc.~~
  - (vii) ~~Details of accessible and inaccessible areas on the Green Roof. Where proposed to be inaccessible, Green Roofs are required to remain such during occupation of the property.~~
  - (viii) ~~Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer (if applicable).~~
- (b) ~~Prior to the issue of a Construction Certificate relevant to that stage of development under condition 1, the following details are to be submitted to and approved by the Principal Certifier:~~
  - (i) ~~Evidence the green roof has been assessed as part of the structural certification provided for the development; and~~
  - (ii) ~~Evidence the green roof has been assessed as part of the waterproofing certification provided for the development.~~
- (c) ~~All landscaping in the approved plan is to be completed prior to the issue of any Occupation Certificate relevant to that stage of the development under condition 1.~~
- (d) ~~Prior to the issue of an Occupation Certificate relevant to that stage of development under condition 1, a maintenance plan is to be submitted and~~

~~approved by the Principal Certifier. A copy of the maintenance plan is to be kept on site at all times during construction and shall be produced to Council on request following completion. The Maintenance Manual shall include as a minimum:~~

- ~~(i) Frequency and methodology of different maintenance requirements including the removal of green waste.~~
  - ~~(ii) Details of safety procedures.~~
  - ~~(iii) Laminated copies of 'As Built' drawings.~~
  - ~~(iv) Manufacturer's contact details and copies of manufacturers' typical details and specification;~~
  - ~~(v) Copies of warranties and guarantees relating to all materials and plant used in construction; and~~
  - ~~(vi) Decommissioning procedures.~~
- (i) Location of existing and proposed structures, services and hard landscaping on the rooftop, roof fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components. Location of existing and proposed structures including, but not limited to, paved areas, planted areas on slab, in pots and planters, fixed furniture, privacy screens, shade structures, balustrades, lighting and other features;**
  - (ii) Details of earthworks and soil depths including mounding and retaining walls, planter boxes and pots. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers. Noting soil levels exclude drainage and mulch layers;**
  - (iii) Location, numbers, type and supply of plant species, with reference to Australian Standards, with preference for drought resistant species;**
  - (iv) Details of the soil media/substrate type and depth.**
  - (v) Details of installation methodology e.g. safety considerations for working at height, location of maintenance hooks (if applicable) transport materials etc.**
  - (vi) Clarify maintenance methodology for planters located outside the terrace balustrade.**
  - (vii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer (if applicable).**
- (b) All landscaping in the approved plan is to be completed prior to the issue of an Occupation Certificate relevant to that stage of the development under condition 1.**

(c) ***Prior to the issue of that Occupation Certificate under (b), a maintenance plan is to be submitted and approved by the Principal Certifier. A copy of the maintenance plan is to be kept on site at all times during construction and shall be produced to Council on request following completion. The Maintenance Manual shall include as a minimum:***

- (i) ***Frequency and methodology of different maintenance requirements including the removal of green waste.***
- (ii) ***Details of safety procedures.***

(C) Amend Condition 14 to read as follows:

**(14) LANDSCAPING OF THE SITE**

(a) Detailed landscape plans, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate relevant to that stage of construction of the development under condition 1. The plans must include:

- (i) ~~Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features~~ ***Location of existing and proposed structures, services and hard landscaping including, but not limited to, paved areas, planted areas in natural ground, planted areas on slab, in pots, seating walls, walls and ramps, potting area, fixed furniture, privacy screens, stepping stones, lighting and other features.***
- (ii) Details of earthworks and soil depths including mounding and retaining walls, planter boxes (if applicable) ***and pots***. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, ***noting soil levels exclude drainage and mulch layers.***
- (iii) Location, numbers, type and supply of plant species, with reference to NATSPEC ***Australian Standards.***
- (iv) Details of planting procedure and maintenance.
- (v) Details of drainage, waterproofing and watering systems.
- (vi) ***Detailed design and construction details for screens within the lower ground communal open space, areas of porous paving***
- (vii) ***Detailed grading plan and sections with resolved levels to ensure the design results in no impact on Trees A and B.***
- (viii) ***Location, numbers, type and supply of plant species, with reference to Australian Standards AS2303 'Tree stock for landscape use'.***

(ix) ***A minimum of two (2) of the site trees shall be species must that will attain a minimum mature height of eight (8) metres and minimum mature canopy spread of six (6) metres. Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.***

(x) ***New trees must be planted in natural ground (where possible) with adequate soil volumes to allow maturity to be achieved. Indicative soil volumes are detailed in Section D (Technical Guidelines) of the City's Street Tree Master Plan. Soil volumes shall be annotated on the plans and it should be noted that planter boxes on slab will not be accepted for tree planting unless there is no viable alternative.***

(xi) ***New trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction.***

(b) A maintenance plan is to be submitted to and approved by the Principal Certifier prior to the issue of any Construction Certificate relevant to that stage of construction of the development under condition 1. The maintenance plan is to be complied with during occupation of the property.

(c) All landscaping in the approved plan is to be completed prior to an Occupation Certificate being issued relevant to that stage of development under condition 1.

(D) Delete Condition 24. This condition has been combined with condition 14.

(E) Amend Condition 52 to read as follows:

**(52) BUILDING HEIGHT**

(a) The height of the building must not exceed RL 34.600 (AHD) to the top of the lift overrun and ~~RL 33.300 (AHD)~~ to the top of the parapet.

(b) Prior to any Occupation Certificate being issued for the boarding house, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

(F) Amend Condition 87 to read as follows:

**(87) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

(a) All loading and unloading associated with construction activity must be accommodated on site, ***where possible***.

(b) If ~~during excavation~~ it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- ~~(d) ——— In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.~~
- ~~(e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.~~
- (f) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.

## Background

The applicant has provided a written response to the officer's recommendation (see Attachment A) requesting the following modifications to the recommended conditions at Attachment A to the planner's report:

### **Condition 1 - Staged Construction**

**Response:** No objection is raised to the modification of the condition, such that it reads as follows:

#### **(1) STAGED CONSTRUCTION AND OCCUPATION CERTIFICATES**

- (a) The works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a construction certificate and occupation certificate (as identified) for each stage as follows:

Stage	Works
1	<del>Demolition</del> <b>Subdivision</b>
2	<del>Subdivision</del> <b>Demolition</b>
3	Construction and occupation of the boarding house and associated public domain works
4	Construction and occupation of the terrace dwellings and associated public domain works

### **Condition 3 - Design Modifications - Boarding House**

The applicant requests that Conditions 3(a), 3(b), 3(e) and 3(h) are deleted, and that Condition 3(d) is amended. Condition 3 reads as follows:

#### *Condition 3(a)*

**Response:** The revised solar access diagrams at Attachment B do not accurately represent the existing and proposed built form of the existing Rose Street terraces, particularly regarding the provision of fences. As shown in figure 1 below, the height of the fence on the north boundary of no. 35 Rose Street is not accurately represented. It is noted that the existing ground level at nos. 35 and 37 Rose Street is higher than that at the rear of the proposed terrace houses and as such the fence between the proposed terraces and no. 35 Rose Street is likely to be higher than that shown on the diagrams.

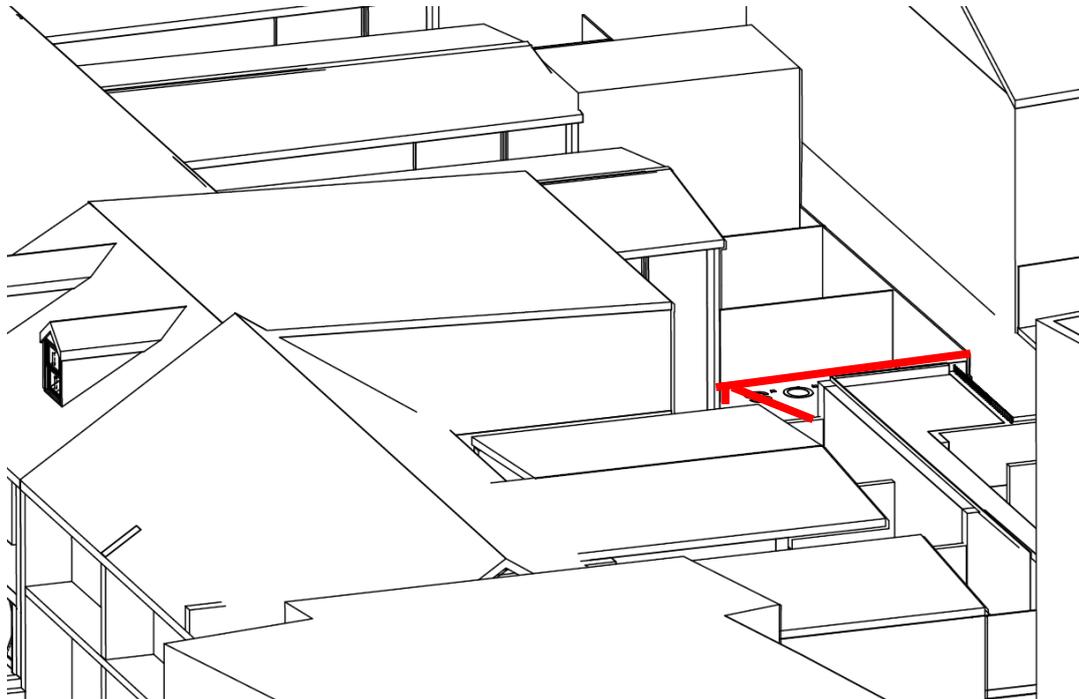


Figure 1: View from the sun at 9am. The red line shows the height of the fence, corresponding to that of the southern boundary and therefore restricting solar access.

At 10am, solar access to the rear of nos. 35 and 37 will be retained. At 11am solar access to the rear of the terraces will see a slight improvement. However officers are of the opinion that, contrary to the applicant's statement, the rear of the properties do not currently receive solar access at midday and will continue to be overshadowed due to the former Grace Bros. building.

Between 1pm and 3pm, the rear of no. 37 Rose Street currently receives some solar access, which will be lost without the reduction in the scale of the boarding house. This will have a lasting impact not only during midwinter but potentially for the days and weeks either side.

As such, and with regard to the matter of bulk and scale, Council officers reaffirm their assessment in the planner's report that, as the development exceeds the maximum 15 metre Sydney LEP 2012 height standard and 3 storey height control, the development should minimise impacts to the character and amenity of the surrounding area. Reducing the scale of the building will improve solar access to the private open spaces of nos. 35 and 37 Rose Street as well provide a transition in scale from City Road to Rose Street. While the modification will result in the loss of potentially 8 rooms, the development will still provide approximately 65 low rent boarding rooms. The deletion of the condition is not supported.

*Condition 3(b)*

**Response:** The applicant has not provided any evidence from Ausgrid to state that the screen cannot be relocated to align with the adjoining glass line, which in the opinion of Council's Heritage and Urban Design Specialists will have an improved urban design outcome. Furthermore the applicant has not provided any justification as to why public artwork cannot be provided on the realigned screen. As such the deletion of the condition is not supported.

*Condition 3(d)*

**Response:** The applicant has not provided any information to justify the addition of this wording to the condition. From officer's experiences with similar proposals, the location of the substation has not had a determinative factor on the depth of the awning. The condition is consistent with section 3.2.4 of the Sydney DCP 2012 and as such the amended wording to the condition is not supported.

*Condition 3(e)*

**Response:** The windows fronting City Road face west and will be unobstructed during midsummer afternoon sun. Section 4.2.3.4 of the Sydney DCP 2012 "Design features to manage solar access" states that high performance tinting and glazing as a midsummer sun control device is not appropriate. Officers are confident that external fixed sun shading devices using robust materials can provide greater sun shading during midwinter than solely high performance glazing that will not be adversely impacted by traffic exhaust. This will also minimise the need for air conditioning in affected rooms, reducing energy consumption.

*Condition 3(h)*

**Response:** The lift overrun and any ventilation exhausts to the roof will be visible from the opposite side of City Road and Victoria Park. Roof plant clutter and services to satisfy the National Construction Code are a common issue with bare roof construction. Providing a parapet to match the height of the lift overrun will conceal these structures, reducing clutter on the roof. A masonry finish will be consistent with the City Road facade and as such the deletion or modification of the condition is not supported. Lightweight fence-type structures are undesirable.

### **Condition 52 - Building Height**

The applicant has requested that the condition be amended with regard to the height of the parapet such that it is consistent with that under Condition 3(h).

**Response:** The modification to the condition is supported and is recommended to read as follows:

#### **(52) BUILDING HEIGHT**

- (b) The height of the building must not exceed RL 34.600 (AHD) to the top of the lift overrun and ~~RL 33.300 (AHD)~~ to the top of the parapet.
- (c) Prior to any Occupation Certificate being issued for the boarding house, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

### **Condition 87 - Loading and unloading during construction**

**Response:** In the time since the report was finalised, Council officers have updated the standard condition regarding loading and unloading during construction, which deletes parts (d) and (e). As such, Condition 87 is recommended to be replaced by the following wording:

#### **(87) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, **where possible**.
- (b) ~~If during excavation~~ it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) ~~—— In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.~~
- (e) ~~The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.~~
- (f) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.

### ***Floor space ratio***

The applicant is challenging Council's assessment with regard to the calculation of gross floor area for the boarding house. The applicant states refers to Clause 6.13 of the Sydney LEP 2012 which provides an additional 0.3:1 FSR for "end of trip facilities". As such, the applicant asserts that the development, specifically the gross floor area of the bike parking area for the Foyer51 boarding house, does not exceed the maximum FSR for the site.

**Response:** Clause 6.13 of the Sydney LEP 2012 relates to land "used only for the purposes of commercial premises". As the development is not for commercial premises, the clause does not apply and the development is not eligible for end of journey floor space up to 0.3:1.

### ***Landscape conditions***

Council's Landscape officer responded to the amended plans after the finalisation of the report and recommended the standard conditions for ground and roof level landscaping be amended.

Prepared by: David Zabell, Specialist Planner

### **Attachments**

**Attachment A.** The applicant's letter to the Local Planning Panel, prepared by Mecone dated 29 June 2018

**Attachment B.** The applicant's revised view from the sun diagrams

---

Approved



**GRAHAM JAHN AM, DIRECTOR CITY  
PLANNING DEVELOPMENT AND  
TRANSPORT**

# **Attachment A**

**Applicant's submission to the Local  
Planning Panel**



29 June 2018

Local Planning Panel Members  
c/o City of Sydney Council Secretariat

Director of Planning, Development and Transport  
Graham Jahn

By email:           secretariat@cityofsydney.nsw.gov.au  
                          gjahn@cityofsydney.nsw.gov.au  
Cc:                   dzabell1@cityofsydney.nsw.gov.au

**Re: Request for modified conditions relating to D/2017/1552 for 26-30 City Road, Chippendale**

This letter has been drafted on behalf of St George Community Housing (SGCH) in response to the Council officers' Planning Report and recommended draft Conditions of Consent related to D/2017/1552, which seeks approval for:

- 53 x new generation boarding house rooms with associated office and shared spaces for the purpose of providing an innovative supported housing model for young people at risk of homelessness; known as a Youth Foyer. The Youth Foyer will provide affordable accommodation for vulnerable young people between the ages of 18 to 24 years old for a period of up to 2 years and intensive case management and support to assist the young people to transition to independence. A key focus is supporting the young people to identify and meet education, training and employment goals. SGCH will manage the tenancies with the young people and provide property management services. Their partner, Uniting will be providing ongoing support to the young people and be on staff 24/7 to manage any day to day issues;
- 20 x new generation boarding house units to provide Affordable Housing for low to moderate income workers, including young people who are moving out of the Youth Foyer. SGCH will manage the tenancies and provide property management services. A SGCH Tenancy Manager will be on site during business hours to provide services to both tenants of the Youth Foyer and Affordable Housing; and
- Two terrace dwellings facing Rose Street on land to be retained in ownership by the NSW Land and Housing Corporation (LAHC). These dwellings will not be connected to the operations of the Youth Foyer and Affordable Housing units.

SGCH have been working with their partner organisations Uniting and Social Ventures Australia, supported by the NSW Department for Family and Community Services (FACS) and NSW Office of Social Impact Investment, to design and develop a viable service delivery and funding model for the Youth Foyer project for over three years. This will be the first purpose built Youth Foyer in NSW and the first in Australia funded by a Social Impact Bond.

The Youth Foyer and Affordable Housing units are being developed by SGCH and will contribute to meeting a contract commitment SGCH have with FACS to deliver a pipeline of



408 new Affordable Housing units by 2021. All the units will be rented at affordable rents and managed in accordance with the FACS Ministerial Guidelines for Affordable Housing.

The development application was lodged in November 2017 and SGCH has been working with Council officers since then to enable a built form outcome that contributes positively to the surrounding area and character; while also delivering a viable Youth Foyer model that meets the needs of vulnerable young people and provide more Affordable Housing for low to moderate income workers.

The proponent would like to thank Council officers for their assistance and careful consideration of this complex site and the associated development application. We very much appreciate the recommendation for approval and the responsive approach Council has taken with the assessment of the development application.

However, we would like to request that the Panel modify some of the proposed 'Conditions of Consent' outlined in Appendix A that, if imposed in their current form, would fundamentally affect the viability of this important project that will deliver significant benefit to the community. Please refer to the Table below for an outline of the changes requested and a justification for the proposed changes.

**Table 1. Conditions requested to be amended**

Condition requested to be changed	Proposed Change and Justification
Condition 1 – Staged Construction	<p><u>Proposed Change:</u></p> <p>We are requesting that the proposed staging occur with Stage 1 being 'Subdivision' and Stage 2 being 'Demolition', with no changes proposed to Stages 3 and 4.</p> <p><u>Justification:</u></p> <p>Due to the unique ownership and land-transfer requirements with the NSW Government, subdivision of the site needs to be finalised first as SGCH is contractually required to subdivide the two rear lots and deliver them to the current landowner, Land and Housing Corporation (LAHC) as a condition precedent to the settlement of the sales contract.</p> <p>As such, SGCH cannot purchase Lot 20 (the boarding house lot) from LAHC until the overall subdivision is registered, so that at settlement SGCH will only receive title to the 'youth foyer' lot. SGCH will then be entering into an access agreement with LAHC to use the two rear lots as part of the construction site until the 'youth foyer' development construction is completed, at which time the access agreement will be terminated.</p>
Condition 3 – Design Modifications – Boarding House  (a) Levels 2 and 3 of the boarding house building are to be setback from the rear	<p><u>Proposed Change:</u></p> <p>We request that this condition be deleted.</p> <p><u>Justification:</u></p> <p>As outlined in the officers' report, the key justification for this change is to reduce potential bulk, scale and transition from the Rose Street Conservation Area and to reduce potential additional solar impacts.</p>

**Table 1. Conditions requested to be amended**

Condition requested to be changed	Proposed Change and Justification
<p>building line by 6 metres.</p>	<p>With respect to solar impacts, the applicant provided overshadowing drawings to accompany the amended scheme in April, which included the impact of fences. These drawings showed that there is a net solar benefit to the Rose Street properties as a result of the current proposed scheme.</p> <p>It is acknowledged that an amended 'views from the sun' solar analysis was not provided at this time and is now attached in <b>Appendix 1</b>. This analysis also demonstrates that the proposed scheme results in a compliant solar outcome to the Rose Street terraces. In particular, the dwellings referenced in the officers' report receive solar access between 9am and 12.30pm in midwinter.</p> <p>With respect to the proposed bulk and scale of the rear addition from the Rose Street Conservation area:</p> <ul style="list-style-type: none"> <li>• There is no existing development pattern establishing a transition to Rose Street. The subject proposal matched the established setback with the Toby's Estate building to the south;</li> <li>• Level 2 of the development is within the maximum permissible height control;</li> <li>• The scale is significantly less than the adjoining former Grace Bros warehouse;</li> <li>• The bulk and visibility is softened by the existing large trees at the rear of the adjoining terraces; and</li> <li>• The built form will have limited visibility from Rose Street.</li> </ul> <p>SGCH request that this design amendment condition be removed due to its significant impact on the project's overall viability when considered against the minimal improvements the change would make to any perceived bulk or scale from the surrounding area.</p> <p>The impact of this amendment would result in the loss of up to 8 Affordable Housing units and would conflict with an existing fire stair provision. Given the limited visibility the rear of the boarding house will have to the Rose St Conservation Area, and the negligible solar impacts, we do not consider there to be appropriate planning merit to impose this condition.</p>
<p>Condition 3 – Design Modifications – Boarding House</p> <p>(b) The screen to the front of the substation is to be setback to align with the glass line of the Foyer51 entrance.</p>	<p><u>Proposed Change:</u></p> <p>We request that this condition be deleted.</p> <p><u>Justification:</u></p> <p>SGCH seeks to remove this condition on the basis that the current screen location is not the screening wall of the chamber substation but an architectural façade to reduce the aesthetic impact of the substation wall. The screen also represents an opportunity for a public art location, subject to co-ordination with the successful artist, who is currently being procured.</p> <p>Further, this amendment will require review and approval from Ausgrid, which</p>

**Table 1. Conditions requested to be amended**

Condition requested to be changed	Proposed Change and Justification
	cannot be guaranteed.
<p>Condition 3 – Design Modifications – Boarding House</p> <p>(d) The awning on City Road is to be setback from the kerb a minimum of 1 metre, with the minimum width of the awning being 2 metres.</p>	<p><u>Proposed Change:</u></p> <p>We request that this condition be modified to include the works 'subject to the review and approval of Ausgrid'.</p> <p><u>Justification:</u></p> <p>SGCH raises no objection to this Condition in principle, but it will require approval from Ausgrid, which cannot be guaranteed.</p>
<p>Condition 3 – Design Modifications – Boarding House</p> <p>(e) Fixed external shading devices are required to the west facing boarding room windows and expressed on the plan in typical construction details (1:10).</p>	<p><u>Proposed Change:</u></p> <p>We request that this condition be deleted.</p> <p><u>Justification:</u></p> <p>SGCH is seeking to remove this condition on the basis that fixed external shading in this location will be degraded due to traffic exhaust over a very short period. SGCH always seek to minimise ongoing maintenance requirements from their developments and would be open to reviewing the intent of this design amendment condition to achieve a similar outcome via alternate low maintenance methods.</p> <p>It is noted that the façade currently provides deep reveals which allow for significant overshadowing to these windows and are setback around 600mm creating solar protection. Provision of thermal performance glass in this location would be preferred to achieve the intent of this amendment in lieu of fixed screening</p>
<p>Condition 3 – Design Modifications – Boarding House</p> <p>(h) A continuous masonry parapet on the roof of the boarding house and integrated with the architecture of the building is required to conceal services and vents. The parapet is to be the</p>	<p><u>Proposed Change:</u></p> <p>We request that this condition be deleted.</p> <p><u>Justification:</u></p> <p>SGCH is seeking to remove this design amendment condition on the basis that the proposed parapet will increase the apparent bulk and scale of the building from all sides which is acknowledged as a consideration. Further there are limited services currently proposed for the rooftop location, and as such, the benefit of providing a parapet is not considered appropriate.</p> <p>If the Panel wishes to retain this condition, SGCH would prefer a lightweight cladding system in lieu of masonry to better align with the external materiality of the current design scheme which only uses masonry construction on the City</p>

**Table 1. Conditions requested to be amended**

Condition requested to be changed	Proposed Change and Justification
height of the lift overrun and be setback as follows...	Road façade. Further the finished height RL of this parapet (RL33.3m) noted in proposed condition 52 (a) conflicts with the request to align the parapet height with the lift overrun at RL 34.6m.
Condition 52 – Building Height (a) The height of the building must not exceed RL 34.600 (AHD) to the top of the lift overrun and RL 33.300 (AHD) to the top of the parapet.	<u>Proposed Change:</u> We request that this condition be amended to be consistent with Condition 3(h) <u>Justification:</u> Currently these two conditions appear to be inconsistent. SGCH request that the Conditions be reviewed to ensure their consistency, if the Panel chooses to retain the Conditions.
Condition 87 – Loading and Unloading During Construction (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.	<u>Proposed Change:</u> We request that this condition be deleted. <u>Justification:</u> SGCH wish to be able to load and unload materials from the construction zone on City Road at all times during construction due to the restricted space available on site and request that this condition is removed.

#### Floor Space Ratio Calculation

While it does not affect any of the proposed Conditions, we would also like to query the proposed FSR approach that Council has undertaken. Paragraph 79 of the officers' report states that the project's FSR is 2.02:1 for the boarding house site. This appears to have been considered through the inclusion of the lower-ground bicycle storage area in the FSR calculations.

While the inclusion of the bicycle storage area in GFA is not contested, Clause 6.13 of the SLEP2012 permits additional floor space for end of trip facilities including bicycle storage. This Clause essentially operates as a GFA 'offset' or credit, with space for 'end of trip facilities' within the development being permitted as additional floor space up to a FSR of 0.3:1.

As the bicycle storage facilities comprise approximately 0.02:1 of FSR and meet the definition of 'end of journey floor space', it is our view that they can benefit from the additional floor space granted under Clause 6.13 of the SLEP2012. As such, no request for variation to the FSR Control under Clause 4.6 is required irrespective of whether Condition 3(a) is retained or not.



### Conclusion

Mecone and the client team would like to thank the Council staff for their thorough assessment and recommendation of approval for the subject application. However, the modifications to the proposed Conditions that are requested in this letter are fundamental to ensuring that the project will be able to proceed.

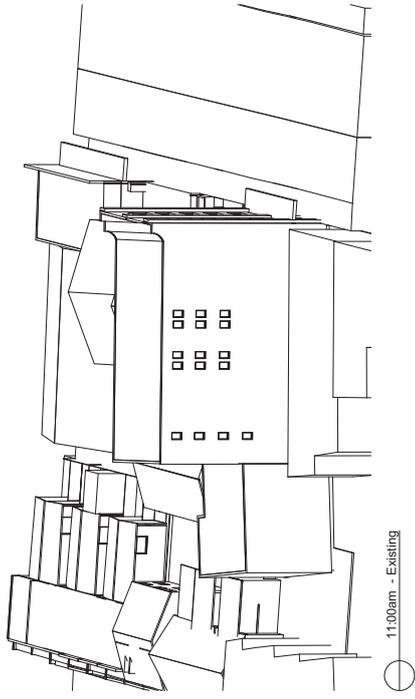
Please do not hesitate to contact me on 8667 8668 or [kbartlett@mecone.com.au](mailto:kbartlett@mecone.com.au) if further clarification or information is required prior to the Panel meeting.

Yours sincerely

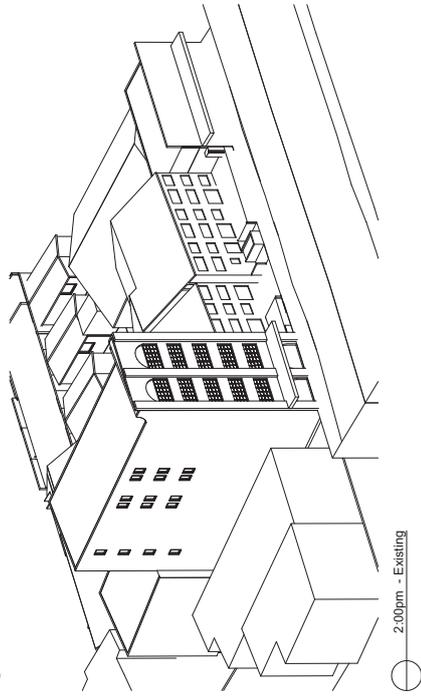
Kate Bartlett  
**Director**

# **Attachment B**

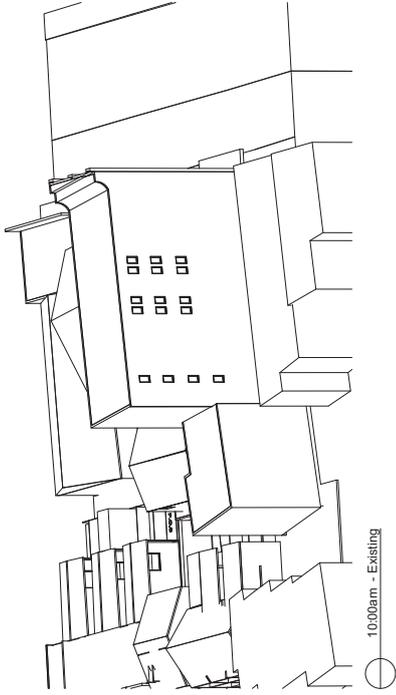
**Amended view from the sun diagrams**



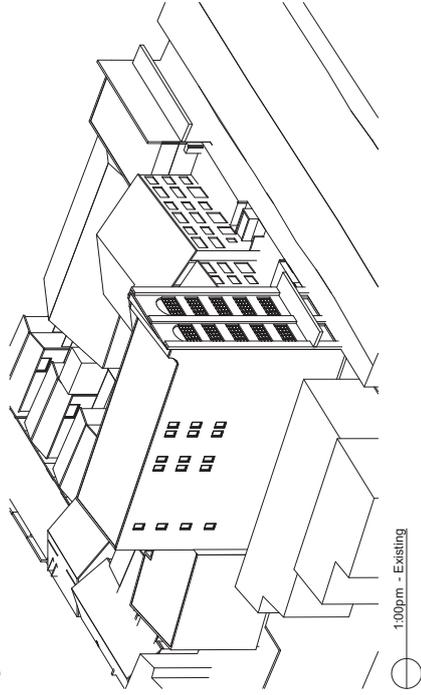
11:00am - Existing



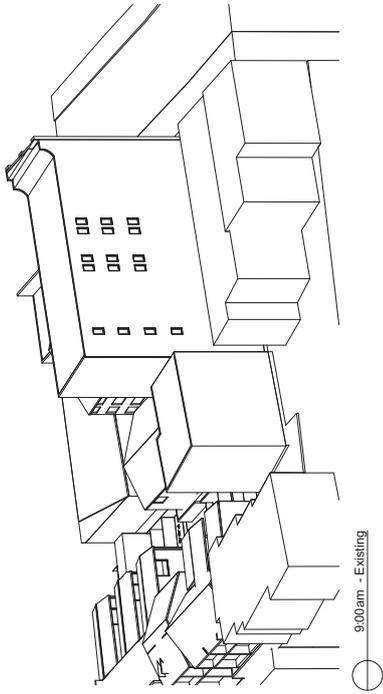
2:00pm - Existing



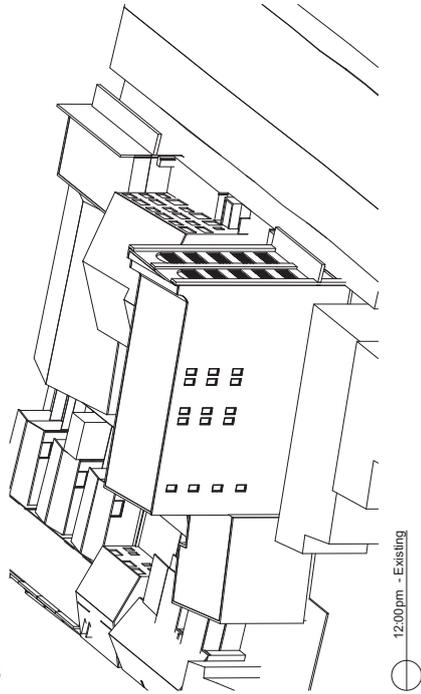
10:00am - Existing



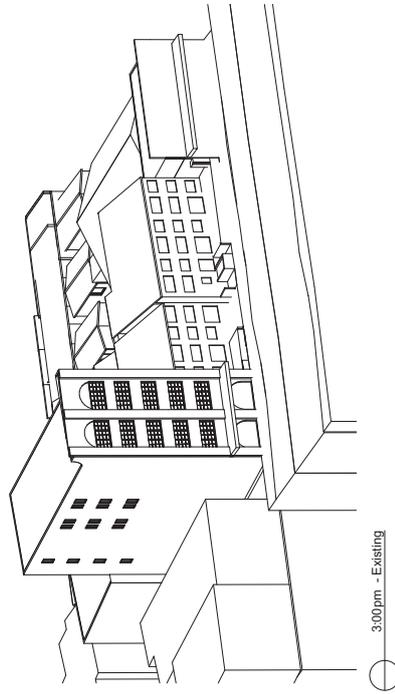
1:00pm - Existing



9:00am - Existing



12:00pm - Existing



3:00pm - Existing

### Solar Study June 21<sup>st</sup> Existing Site Conditions

#### Legend

P.O.S Private Outdoor Space

Rev.	Date	By	Chk	Description
A	20/06/2018	11/27	11/	Issue for Information

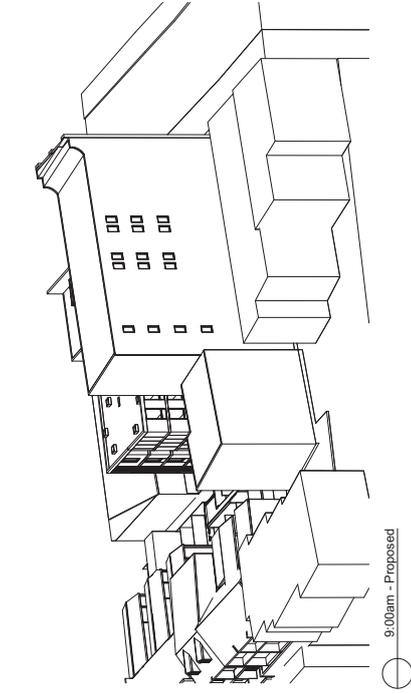
DKO Architecture (NSW) Pty Ltd  
 110 Redfern Street  
 Redfern NSW 1545  
 T +61 2 9241 6200  
 F +61 2 9241 6201  
 www.dko.com.au  
 ABN: 8396596690



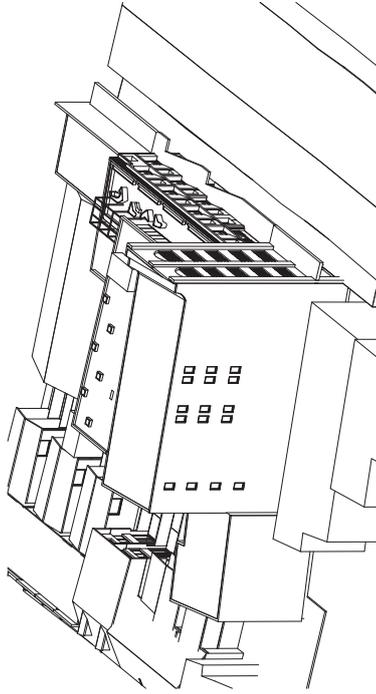
Client  
 8621 Perleke Limited

Project Name  
 Project Address  
 Project Number  
 Drawing Name  
 Scale  
 Title  
 North Point  
 200-31 City Road,  
 North Sydney, NSW  
 1585  
 Eye of the Sun - Existing  
 20/06/2018

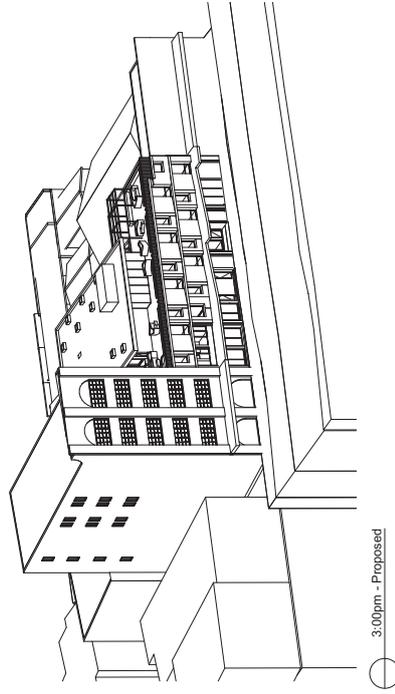
Drawing Number: DA4017  
 Revision: A



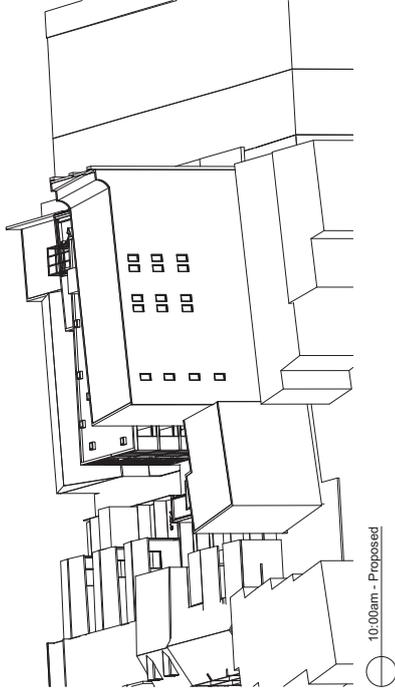
9:00am - Proposed



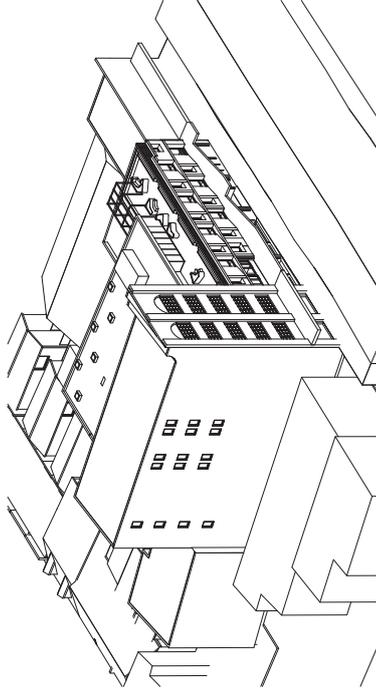
12:00pm - Proposed



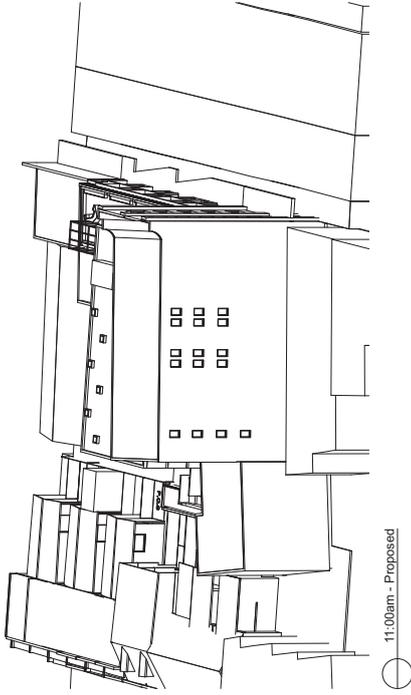
3:00pm - Proposed



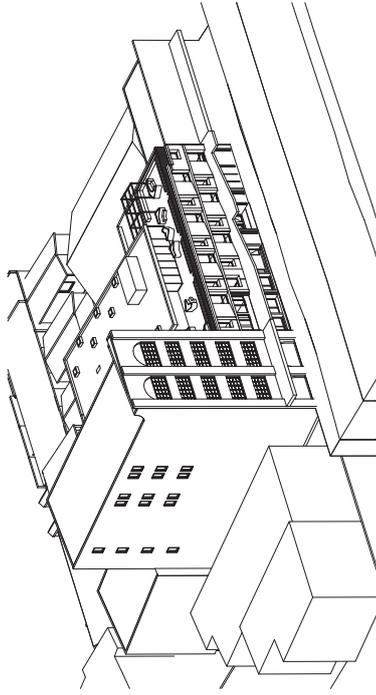
10:00am - Proposed



1:00pm - Proposed



11:00am - Proposed



2:00pm - Proposed

## Solar Study June 21<sup>st</sup> Proposed

### Legend

P.O.S Private Outdoor Space

Rev.	Date	By	Chk.	Description
A	20/06/2018	11/27	11/	Issue for Information

DKO Architects (NSW) Pty Ltd  
 110 Redfern Street  
 Redfern NSW 1545  
 T +61 2 9247 6200  
 F +61 2 9247 6201  
 www.dko.com.au  
 ABN: 8396596690  
 DKO Architects is a member of the  
 Institute of Architects of NSW  
 Institute of Architects of NSW  
 100 Victoria Road, Sydney NSW 2000  
 T +61 2 9247 6200  
 F +61 2 9247 6201  
 www.institute.com.au  
 ABN: 63 629 630 000



Client  
 8671 Perleke Limited  
 Project Name  
 Project Address  
 North West  
 200-31 City Road,  
 Sydney NSW  
 2000  
 Project Number  
 Drawing Name  
 Scale  
 Title

1:500  
 Eye of the Sun - Proposed  
 20/06/2018  
 Drawing Number - DA4018  
 Revision - A