

Resolution of Local Planning Panel

28 April 2021

Item 3

Development Application: 262 Liverpool Street, Darlinghurst - D/2020/1397

The Panel granted consent to Development Application No. D/2020/1397 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) DESIGN MODIFICATIONS

The following design modifications are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate ***for these works*** being issued:

- (a) The whole of the proposed lift assembly including the lift shaft, doors, connecting bridges, and handrails, proposed to the interior to the auditorium in the current form is not approved. The design of the lift structure is to be amended to ensure the lift assembly, car and bridges are as transparent as possible so as to minimise its impact on the significance of the interior space. In this regard and minimal including as follows:
 - (i) Within the auditorium space, the revised design for the lift assembly and connecting bridges is to be as transparent as possible, utilising clear glazing for the shaft, the lift car and lift doors, and the balustrades. Glazing should be frameless with the supporting structure, handrails and handrail supports located internal to the glazing.
 - (ii) The width of the bridges should be as minimal as feasible. The bridge floors should be glazed, with non-slip and obscure glazing as required. The suspended ceilings under the bridges are to be deleted. The main structural members could be inset so that the edges of the bridges are able to be as fine as possible. Consideration is to be given to glass beams.
 - (iii) The design of the structural members supporting the shaft and the bridges is to ensure the members are of a minimal cross-sectional size and that the profile of the members should be open rather than

rectangular hollow sections. The glazing should be external to all structure and be frameless.

- (iv) The handrails are to be designed to be as minimal as feasible and set behind frameless glazing, whilst complying with BCA and the Australian Standards. The material of the handrails is to be patinated bronze or an approved alternative.
- (b) ***The applicant is to explore a design to conceal the kitchen exhaust riser through the use of materials more sympathetic to the building.***

(3) DESIGN DETAILS

The following design details are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate **for these works** being issued: the proposed wall panel installation in the auditorium;

- (ii) the proposed operable curtain system dividing the entry hall;
- (iii) the three pairs of double doors located within existing openings on the western side of the entry hall providing access to the auditorium and the northern stair lobby; and
- (iv) the commercial office partitions ~~within the main auditorium which are to be as transparent as feasible~~ ***in the upper mezzanine which are limited to a maximum height of 1.5 metres from the finished floor level.***

(4) USE OF ENTRY HALL

- (a) The Entry Hall (also known as the Great Hall) shall only be used as an *information and education facility* as defined by the *Sydney Local Environmental Plan 2012* in association with the charitable foundation use of the site.
- (b) The entry hall must not be operated as a function space for third party users that are not tenants of the site.
- (c) ***Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.***

(5) USE OF ENTRY HALL KITCHEN

The commercial kitchen located in the north-eastern corner of the site adjacent to the Entry Hall shall only be used in association with the operation of the site and must not be utilised to produce food for home delivery services.

Remaining conditions to be renumbered accordingly.

(29) TOILETS FOR FOOD HANDLERS

- (a) Adequate toilet facilities must be available for food handlers working for the food business. Toilets and associated facilities must be provided in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code, 3.2.3 - Food Premises and Equipment.
- (b) Details of the location of toilets which are provided **exclusively** for the use of food handlers and staff working at the business must be submitted for the approval of the Accredited Certifier prior to the issue of a Construction Certificate.
- (c) The toilet(s) must be provided with a hand wash basin, with hot and cold running water mixed through a common spout, hand wash soap, hygienic hand drying facilities and hands-free taps.

Reasons for Decision

The application was approved for the following reasons:

- (A) The Panel is satisfied that the provisions of clause 5.10(10) of Sydney Local Environmental Plan 2012 have been met by the proposal.
- (B) While office premises are not permitted within the R1 - General Residential zoning that applies to the site, the application is recommended for approval under clause 5.10.10 of the Sydney LEP 2012 as a positive heritage outcome is achieved.
- (C) The proposed works are generally compatible with the heritage significance of the site, the exception being the proposed lift installation which is recommended to be addressed by conditions of consent.
- (D) The proposed uses are capable of being carried out on the site without resulting in significant adverse impacts on the surrounding properties.
- (E) With the exception of the kitchen exhaust all of the proposed works are internal to the existing building meaning that there are no additional bulk, overshadowing or streetscape impacts. Having regard to the matters listed in 6.21(4) of the LEP it is considered that the development (subject to conditions) exhibits design excellence.
- (F) Approval of the application is in the public interest.
- (G) Conditions 2 and 3 were amended to allow the fit out works already well advanced to continue.
- (H) Condition 2(b) was added to mitigate the appearance of the kitchen exhaust riser, to be more sympathetic to the building.
- (I) Condition 3(iv) was amended to maximise awareness of ceiling space.
- (J) Condition 4(c) was added to preserve amenity for local residents.
- (K) Condition 5 was added to prevent vehicles associated with food delivery services crowding adjacent roadways and footpaths.
- (L) Condition 29 was amended to minimise any potential for unnecessary heritage impacts.

Carried unanimously.

D/2020/1397