

Item 4.**Development Application: 46-52 Mountain Street, Ultimo**

File No.: D/2018/1218

Summary**Date of Submission:** 12 October 2018**Applicant:** City of Sydney**Architect/Designer:** Prekaro Projects**Owner:** City of Sydney**Cost of Works:** \$135,000**Zoning:** Permissible in the B4 - Mixed Use zone**Proposal Summary:** The application seeks consent for minor internal alterations to Level 1 and Level 2 of the educational facility within the heritage-listed Wilcox Moffin Building. The alterations will not impact on any heritage fabric.

The application is referred to the Local Planning Panel for determination as the site is owned by the City of Sydney.

Summary Recommendation: The development application is recommended for approval, subject to conditions.**Development Controls:**

- (i) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)
- (ii) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (iii) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings

Recommendation

It is resolved that consent be granted to Development Application No. D/2018/1218 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposal is consistent with the objectives of the B4 Mixed Use zone.
- (B) The proposal is consistent with the relevant controls for the site.
- (C) The proposal will not impact on the original fabric of the building and will maintain its heritage significance.

Background

The Site and Surrounding Development

1. A site visit was carried out by staff on 16 October 2018.
2. The site is irregular in shape with a primary street frontage to Mountain Street and secondary frontages to Small Lane and Blackwattle Lane. The site contains a five storey former warehouse building known as the Wilcox Moffin Building and includes a portion of the plaza area that is part of the Quadrant development. The site is currently occupied by the educational establishment known as Torrens University.
3. The converted warehouse building is a heritage item of local significance (I2054) and is a contributing item located in the Mountain Street Conservation Area (C68).
4. Surrounding land uses comprise a mix of residential and commercial developments.
5. Photos of the site and surrounds are provided below:



Figure 1: Aerial image of subject site and surrounding area



Figure 2: Site viewed from the public open space of 52-64 Mountain Street



Figure 3: The site viewed from Mountain Street



Figure 4: The interior of Level 1

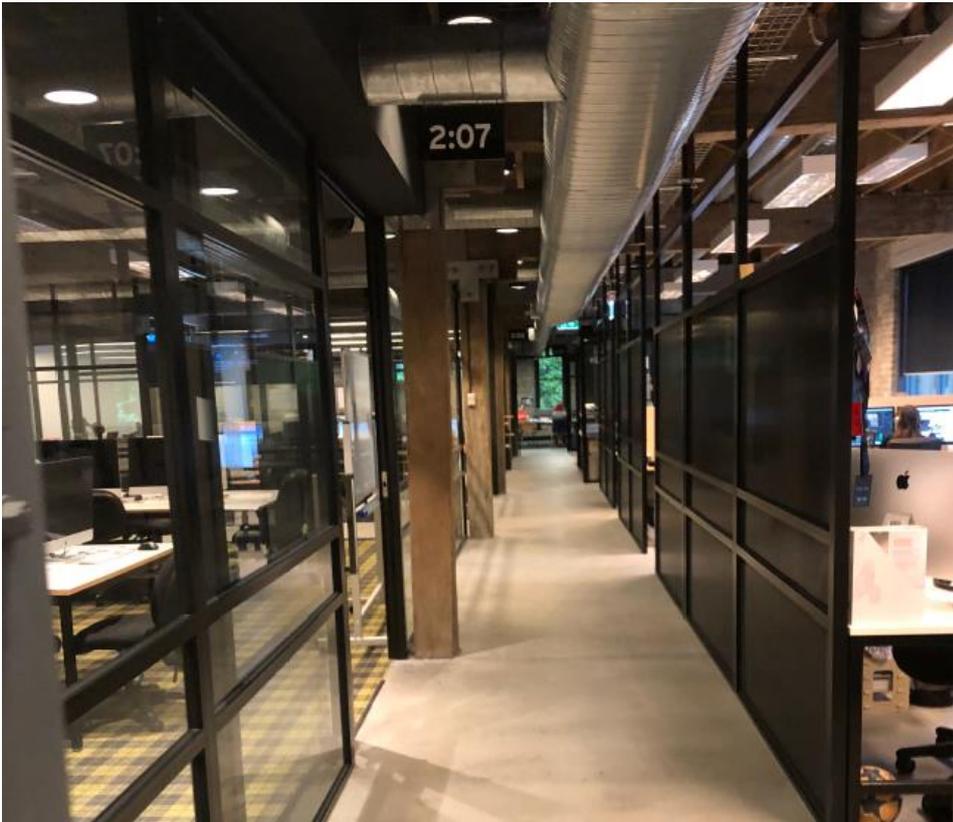


Figure 5: The interior of Level 2

Proposal

6. The application seeks consent for minor internal alterations to Levels 1 and 2 including:
 - (a) installation of acoustic panels between framing members of glazed partitioning;
 - (b) relocation of sliding doors;
 - (c) installation of a new glazed partition to match adjacent existing partitions;
 - (d) construction of a lightweight wall to separate spaces; and
 - (e) replacement of mesh metal framed partitioning with glazing.
7. Plans of the proposed development are provided below.

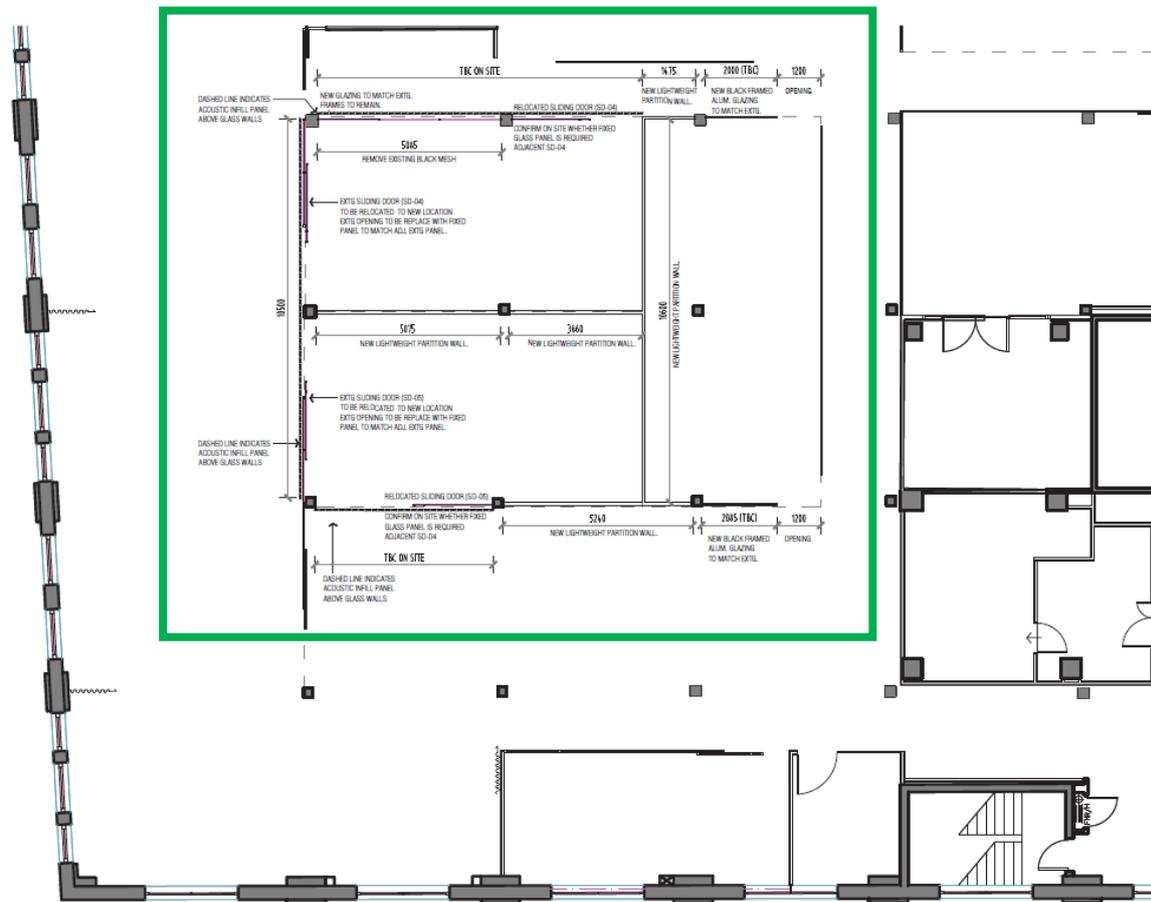


Figure 6: The proposed internal alterations to Level 1 (location of proposed works outlined in green)

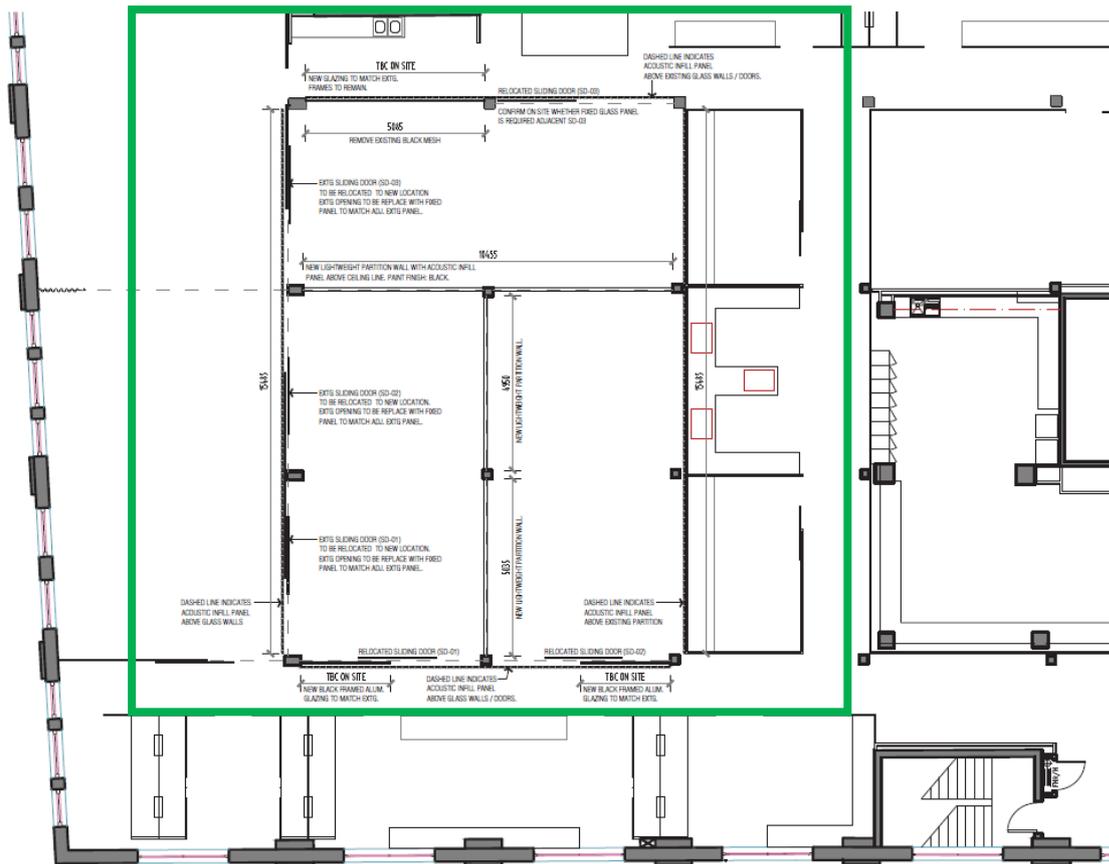


Figure 7: The proposed internal alterations to Level 2 (location of proposed works outlined in green)

History Relevant to the Development Application

8. On 22 October 2013, D/2013/1021 was approved for the fit out and use of part of the ground floor, Level 1 and Level 2 as an educational establishment. The consent was subsequently modified under D/2013/1021/A on 18 December 2013 and D/2013/1021/B on 4 November 2014. The modifications are not relevant to this application.
9. On 10 May 2017, D/2017/392 was approved for the installation of two sound booths on Level 2.

Economic/Social/Environmental Impacts

10. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
 - (a) Environmental Planning Instruments and DCPs.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

11. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.

12. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
- (a) protect and improve hydrological, ecological and geomorphologic processes;
 - (b) consider cumulative impacts of development within the catchment;
 - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
 - (d) protect and rehabilitate riparian corridors and remnant vegetation.
13. The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained with the deemed SEPP.

Sydney LEP 2012

14. The site is located within the B4 Mixed Use zone. The use is defined as an educational facility and is permissible.
15. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Compliance Tables

Development Control	Compliance	Comment
4.4 Floor Space Ratio	Yes	A maximum FSR of 2.1:1 is permitted. The proposal does not alter the building's floor space ratio.
5.10 Heritage conservation	Yes	The site is identified as a heritage item of local significance (I2054) and is a contributing item located in the Mountain Street Conservation Area (C68). The proposed works are limited to alterations to the contemporary internal partitions and will not impact on the original fabric of the building. The City's Heritage and Urban Design Specialists raised no objection to the proposal.

Sydney DCP 2012

16. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

2. Locality Statements – Mountain Street locality

The subject site is located in the Mountain Street locality. The proposed internal works are considered to be in keeping with the unique character of the area and design principles in that it supports the adaptive reuse of a heritage listed warehouse building and will not impact on the character of the area.

3. General Provisions	Compliance	Comment
3.9 Heritage	Yes	The site is identified as a heritage item of local significance (I2054) and is a contributing item located in the Mountain Street Conservation Area (C68). The proposal will not impact on any original fabric and will not detract from the heritage significance of the building.
3.10 Significant Architectural Building Types	Yes	The proposed works include alterations to the contemporary glazed partitioning and will not impact on any original fabric. The proposal supports the adaptive reuse of the building and maintains the legibility of the historic use.

Other Impacts of the Development

17. The proposed development is capable of complying with the BCA.
18. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

19. The proposal is of a nature in keeping with the overall function of the site. The premises are in a mixed use surrounding and is amongst similar uses to that proposed.

Internal Referrals

20. The conditions of other sections of Council have been included in the proposed conditions.
21. The application was discussed with the Heritage and Urban Design Specialists; who advised that the proposal is acceptable subject to the recommended conditions.

External Referrals

Notification, Advertising and Delegation

22. In accordance with Schedule 1, the proposed development is not required to be notified or advertised development under the Sydney DCP 2012. As such the application was not notified as it is by way of scale, character and operation is likely to have minimal or acceptable impacts.

Public Interest

23. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

S7.11 Contribution

24. The development is exempt from the provisions of the City of Sydney Development Contributions Plan 2015 as it will not result in an increase in the demand for the City's infrastructure.

Relevant Legislation

25. The Environmental Planning and Assessment Act 1979.

Conclusion

26. The application proposes minor internal alterations to the existing glazed partition walls on Level 1 and Level 2 of the Wilcox Moffin Building. The levels are currently occupied by an educational establishment known as Torrens University.
27. The site contains a locally listed heritage item, I2054, which is owned by the City of Sydney. The applicant has submitted a Heritage Impact Statement which adequately addresses the appropriateness of the development. The internal works will not detrimentally impact on the heritage fabric of the building.
28. The development is therefore in the public interest and is recommended for approval subject to conditions.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

Zeb McInnes, Planner