

# Local Planning Panel

28 June 2023

# Application details

38-44 Mountain Street, Ultimo

D/2020/1288/A

Applicant: Brendon Clendenning

Owner: Stangcorp Pty Ltd

Architect: SJB

# Proposal

S4.55(2) modification for alterations and additions to existing warehouse building including:

- additional lift overrun height (which will exceed DA approved height)
- a cooling tower (which will exceed DA approved height)
- internal layout changes and rooftop terrace/landscape changes
- facade changes
- resolution of conditions of consent relating to design changes

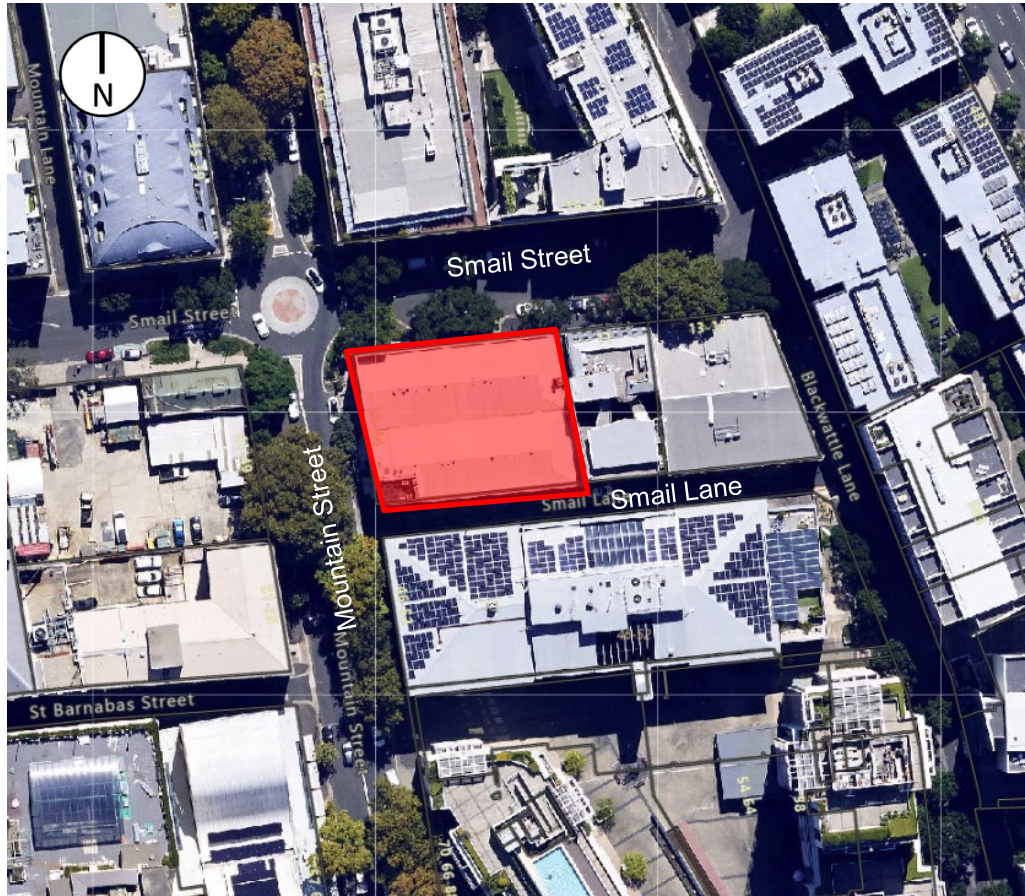
# Recommendation

Approval

# Notification

- exhibition period between 19 January 2023 to 3 February 2023
- 236 owners and occupiers notified
- no submissions received

# Site



 subject site



Subject site viewed from across intersection of Mountain Street and Small Street, facing southeast



Subject site viewed from across Small Street, facing southwest



Neighbouring residential flat building (11 Smail Street, Ultimo)





Smal Lane, rear of the subject site (left, red), viewed facing east



Neighbouring site across Small Street (22-36 Mountain Street, Ultimo)

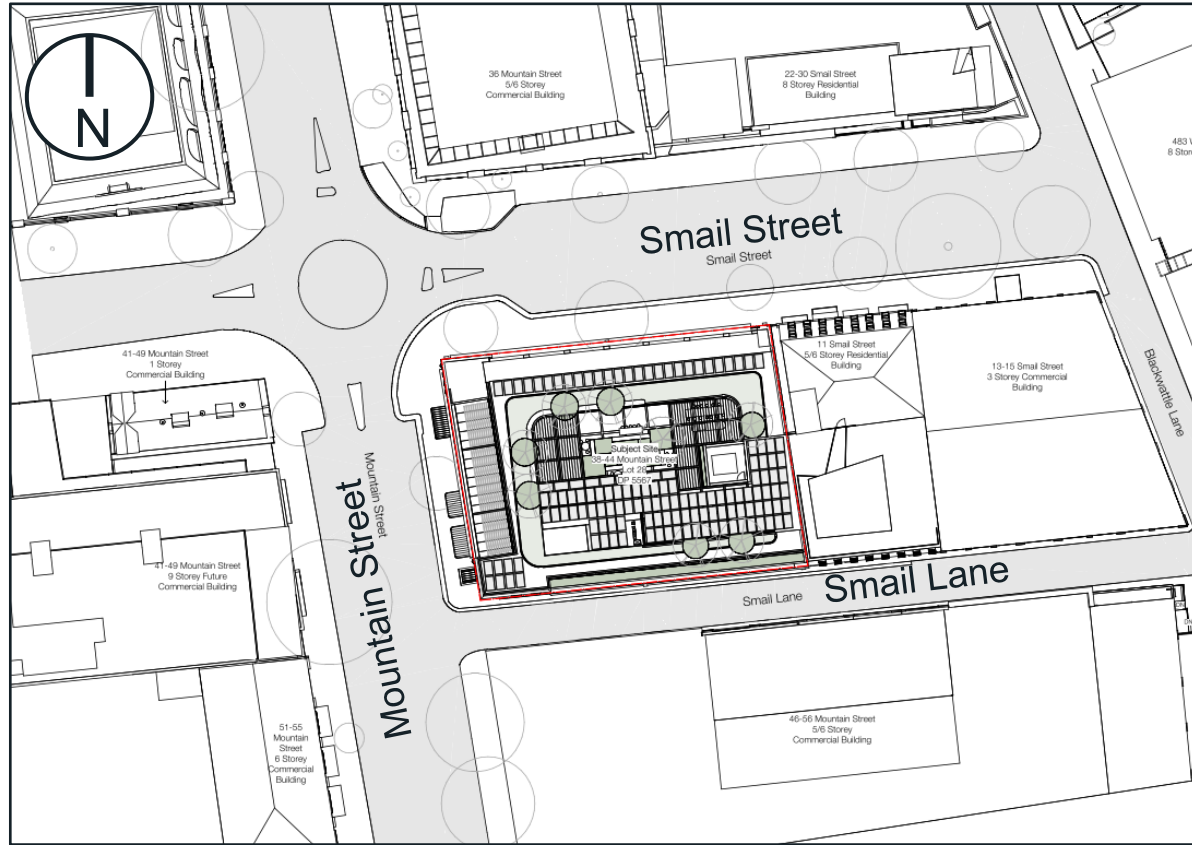


Neighbouring site across Mountain Street (41-49 Mountain Street, Ultimo)

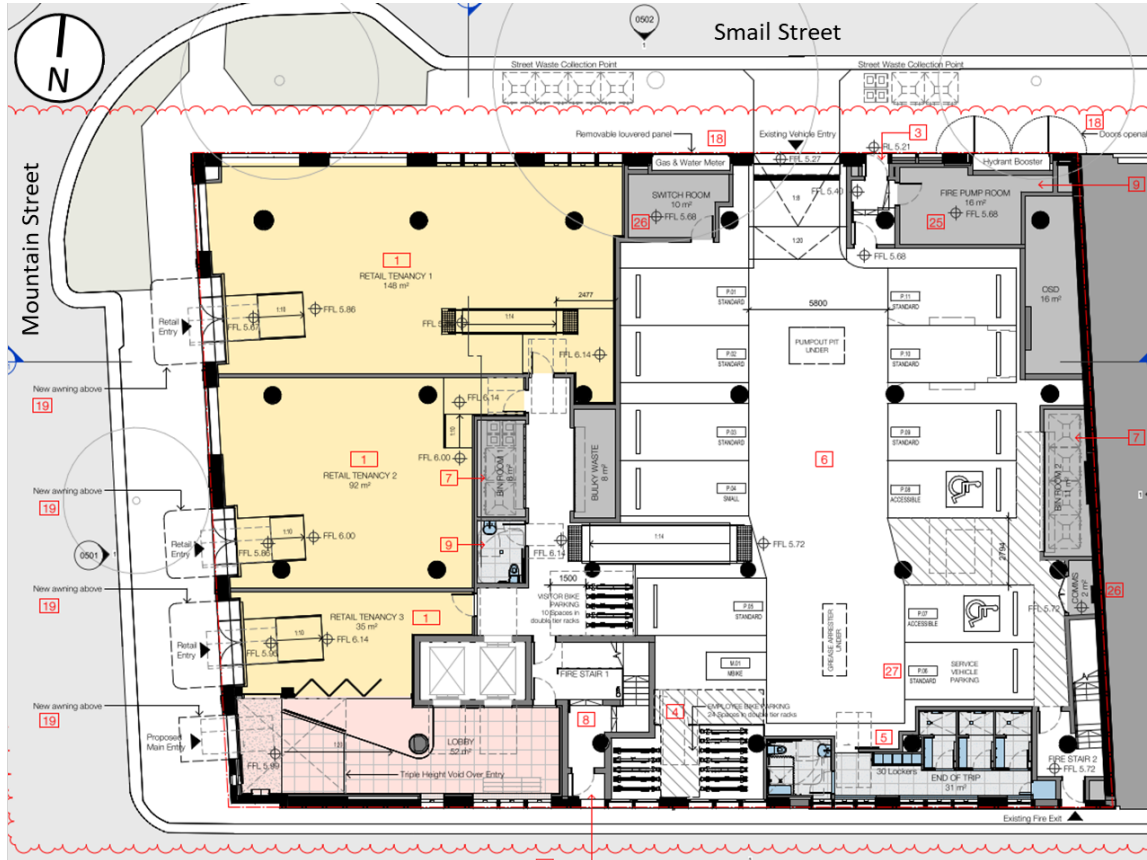


Neighbouring site to the rear of Smail Lane  
(46-52 Mountain Street, Ultimo)

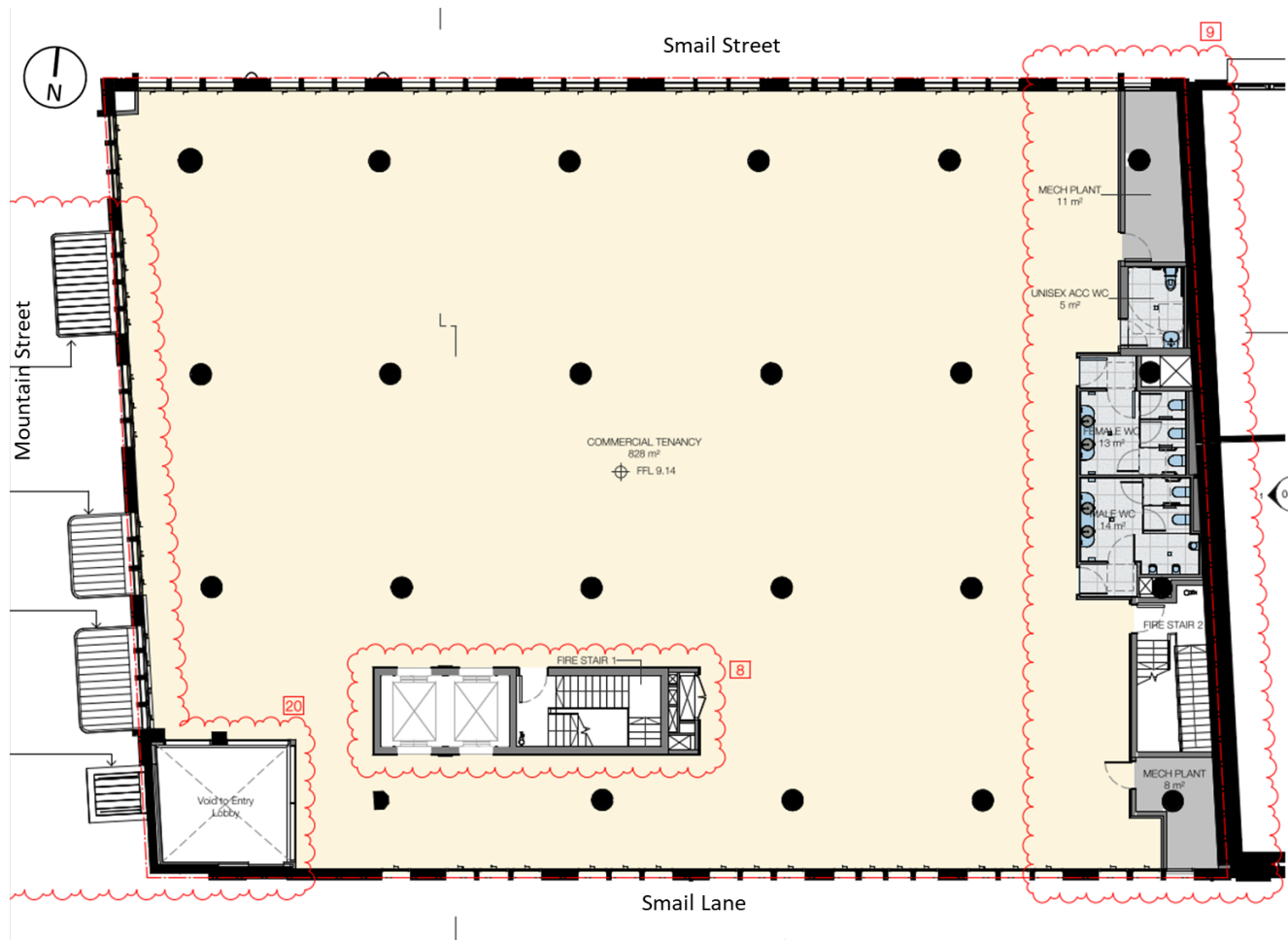
# proposal



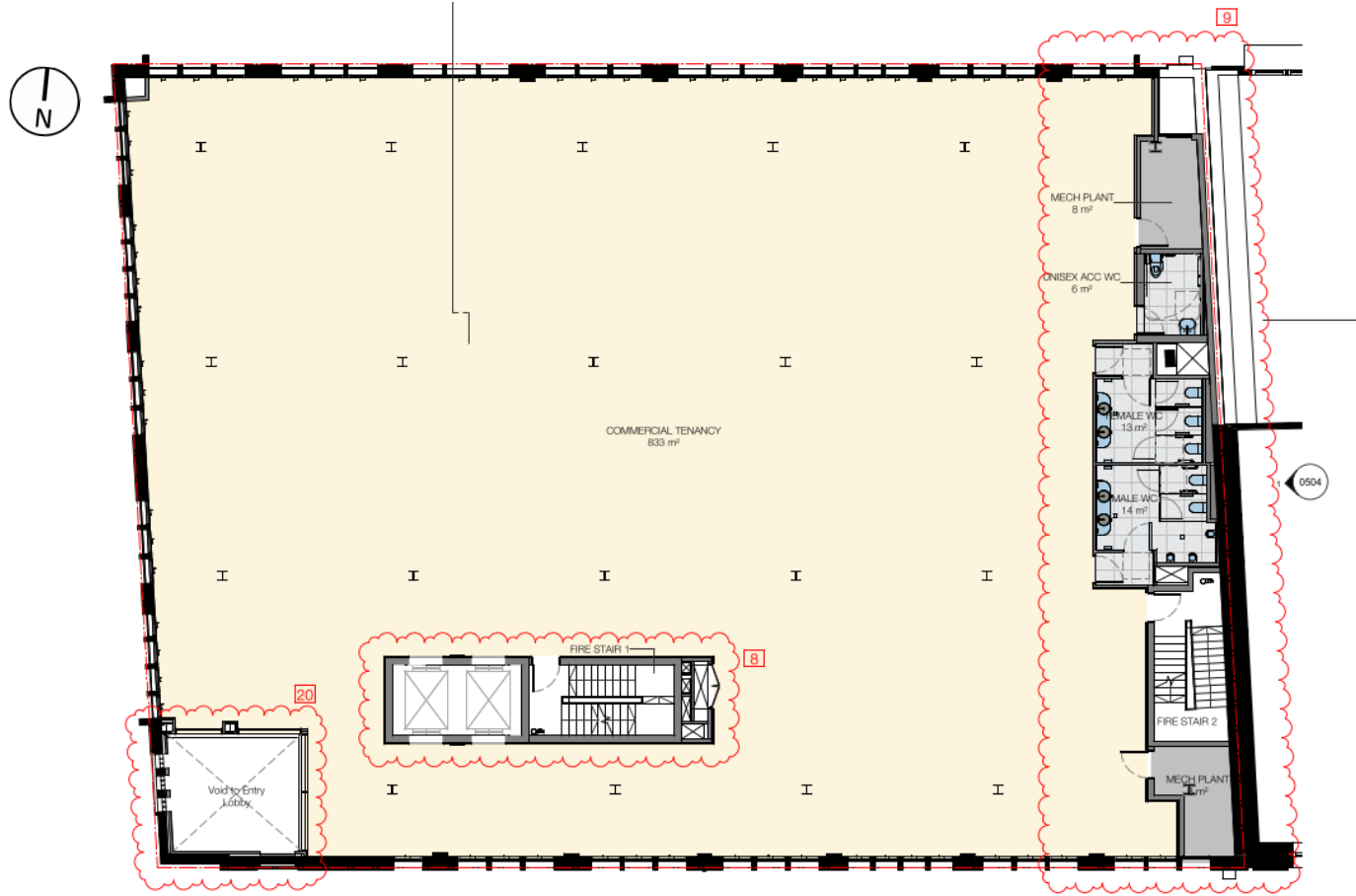
site plan



Proposed ground floor plan

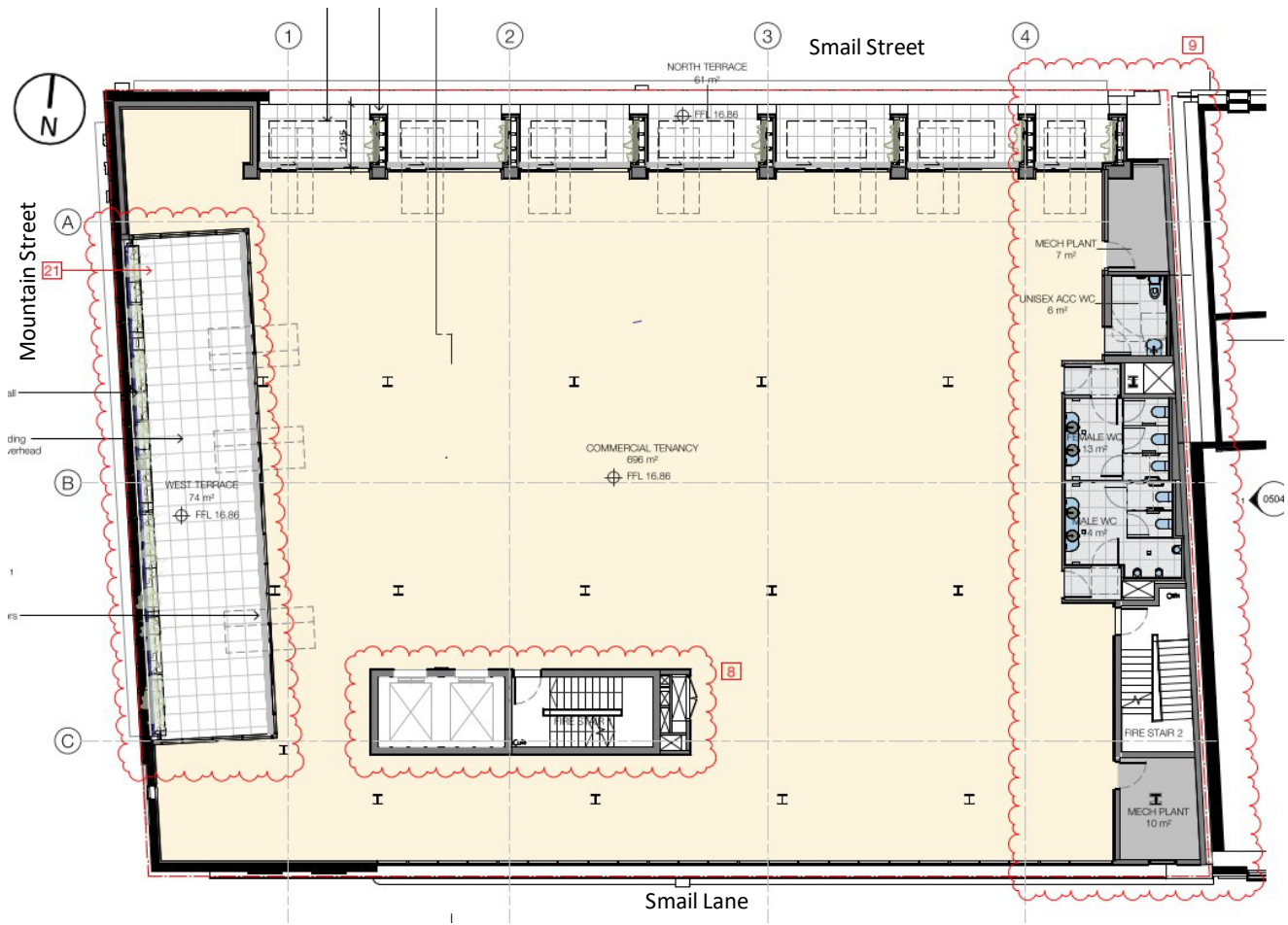


Proposed first floor plan

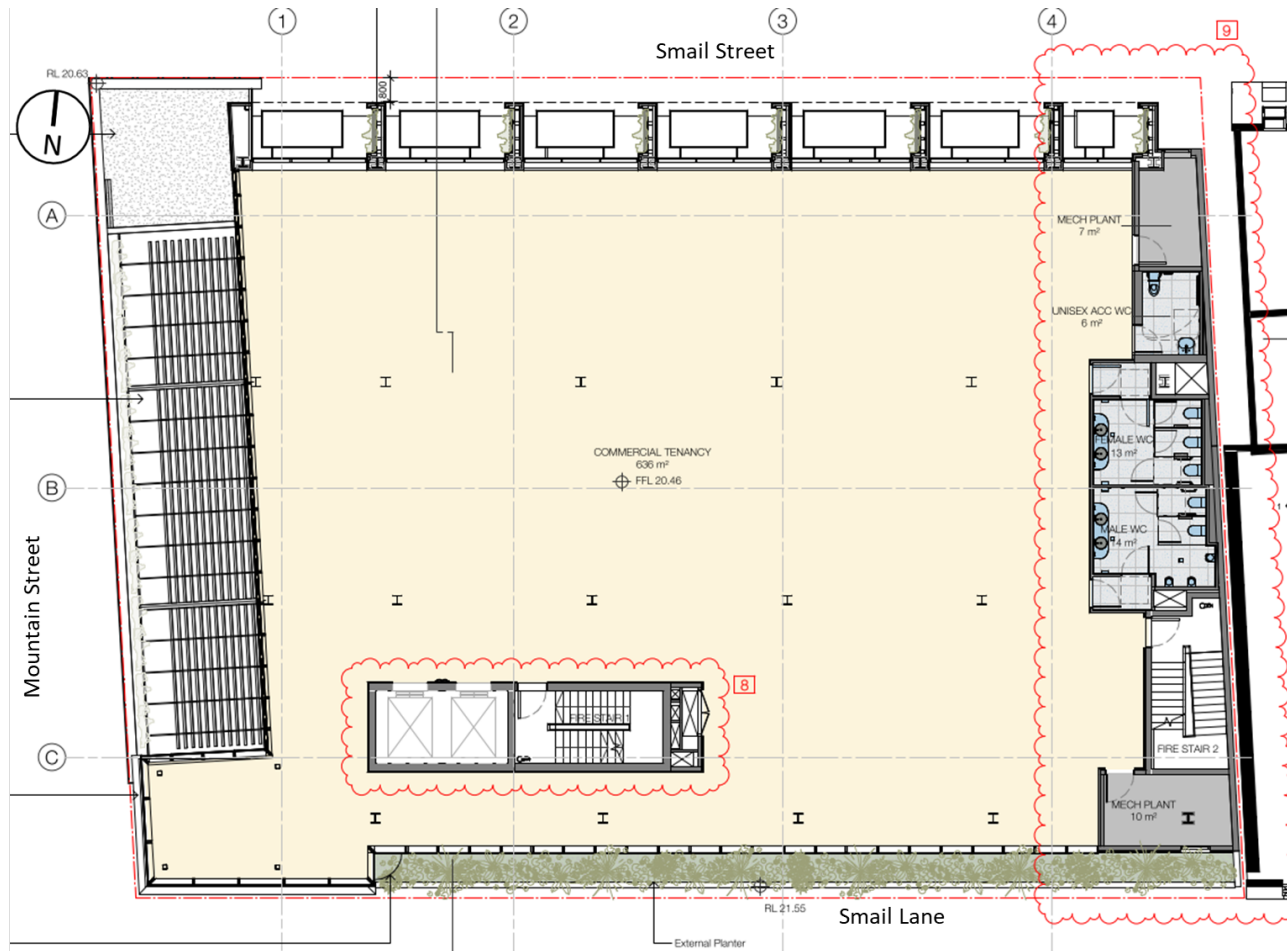


Proposed second floor plan

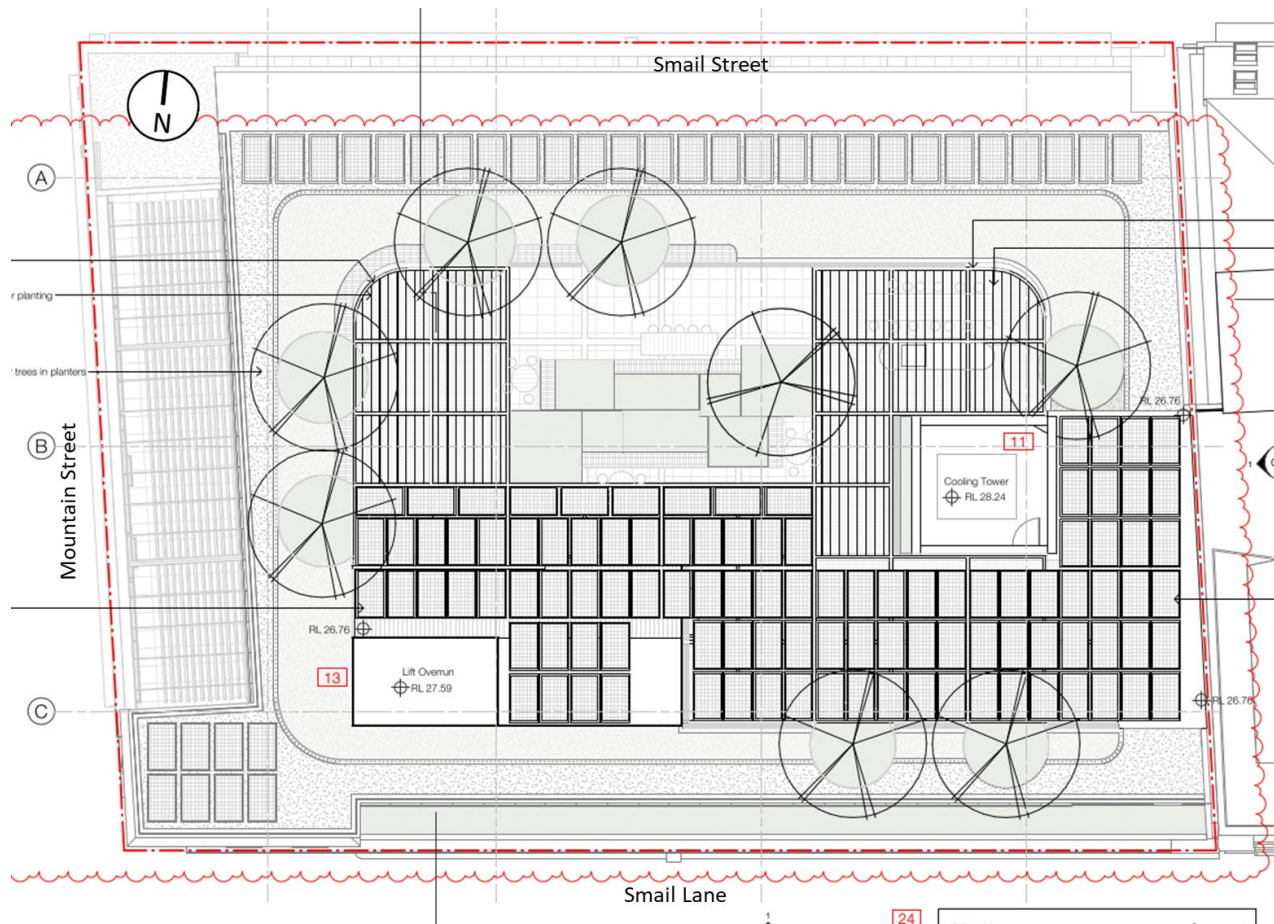




Proposed third floor plan



Proposed fourth floor plan

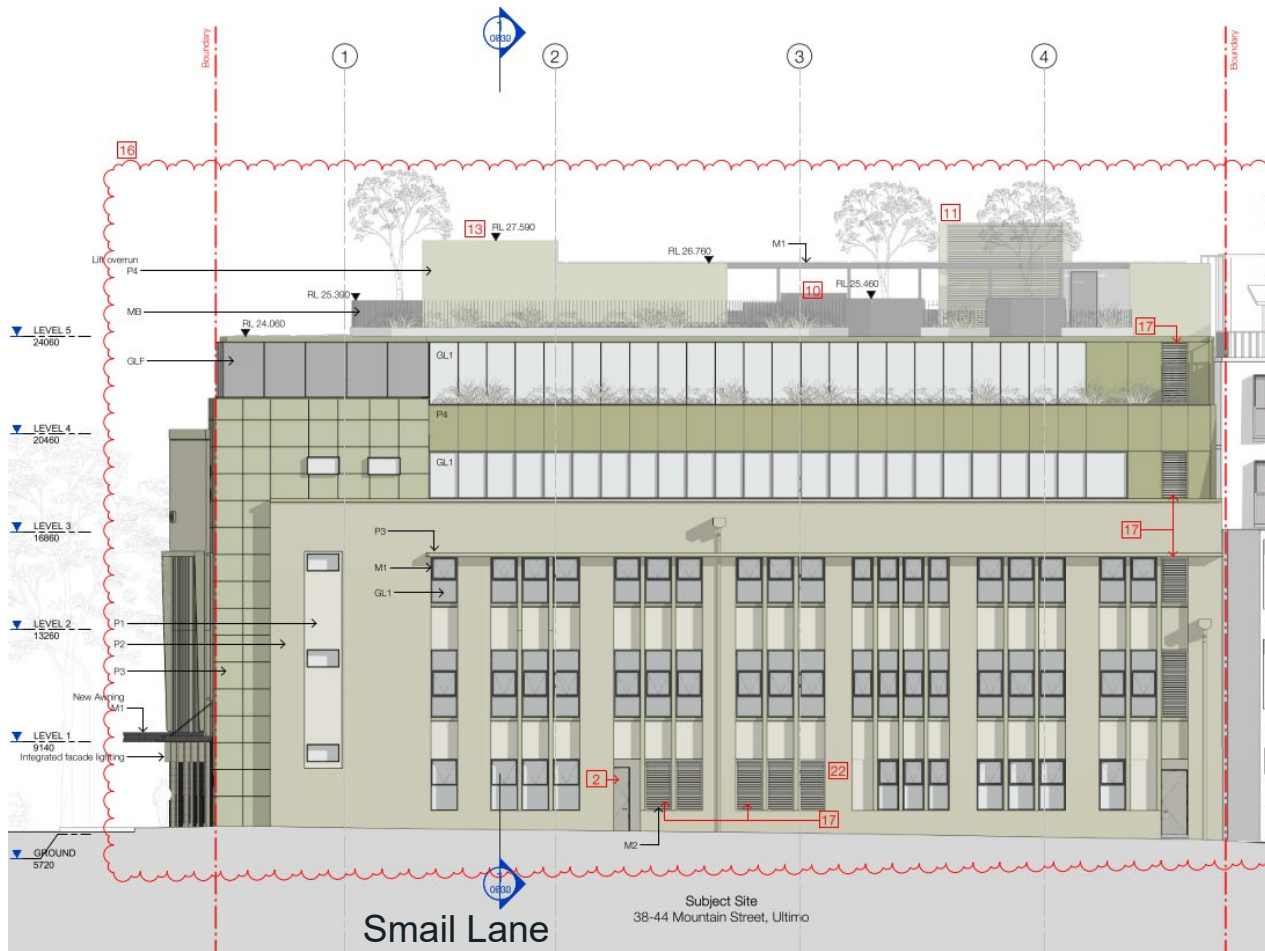


Proposed rooftop terrace plan

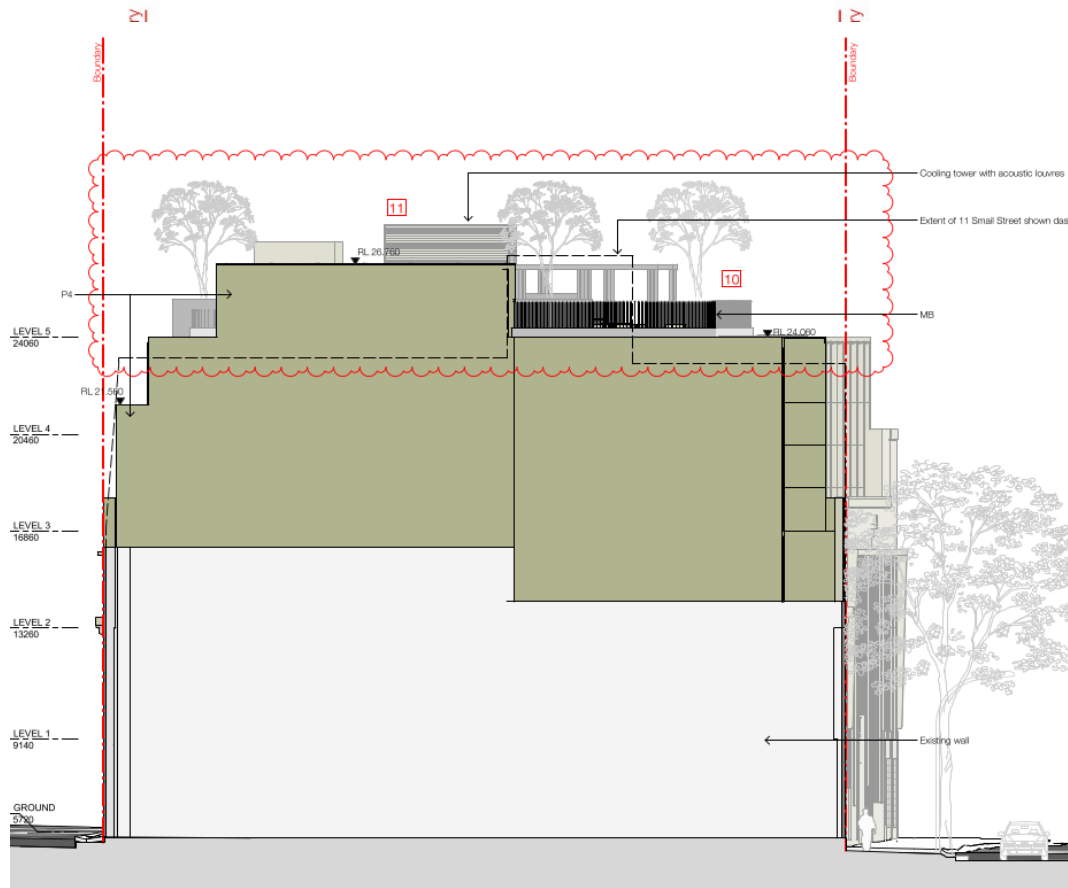




Proposed west (Mountain St) elevation



Proposed south (Smal Lane) elevation



Proposed east elevation

# Compliance with key LEP standards

	control	proposed	compliance
height	18m	22.52m (25.1% variation, & an increase of 6.8% of the approved height)	No, but supported
floor space ratio	2.06:1	3.51:1 (70.39% variation, & a reduction of 7.59% from the approved GFA)	No, but supported
car parking	22	11	Yes



# Compliance with DCP controls

	control	approval	proposed	compliance
height in storeys	5	5	5	Yes
bicycle and motorcycle spaces	36 bicycle spaces 0 motorcycle spaces	38 0	34 1	No, but supported Yes

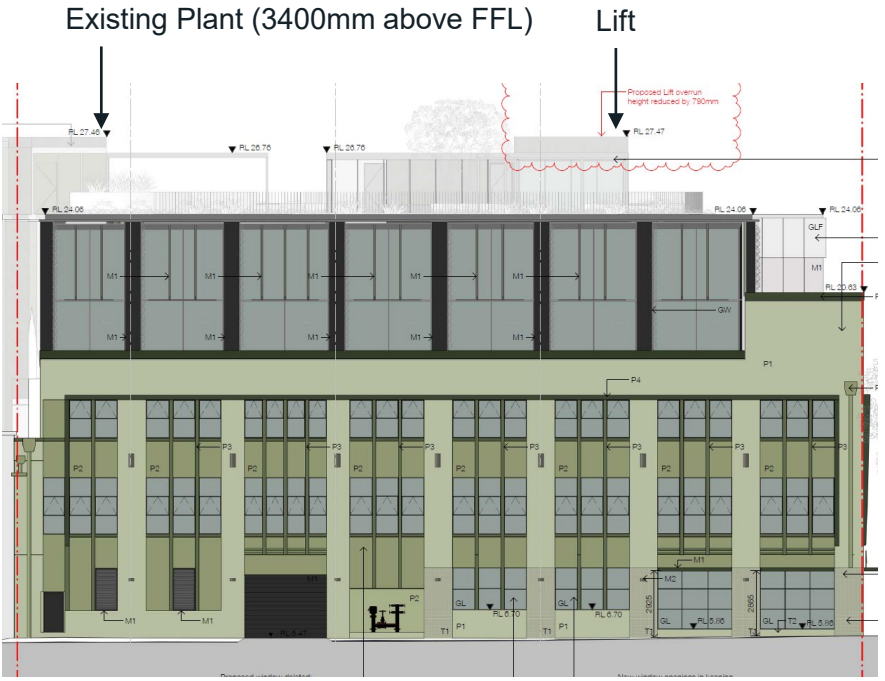
# Compliance with DCP controls

	control	proposed	compliance
solar access	2 hours direct sunlight between 9am and 3pm (mid-winter) onto at least 1sqm of living room windows and a minimum 50% of the required minimum area of private open space area	adjoining apartment dwellings retain two hours of sunlight	Yes

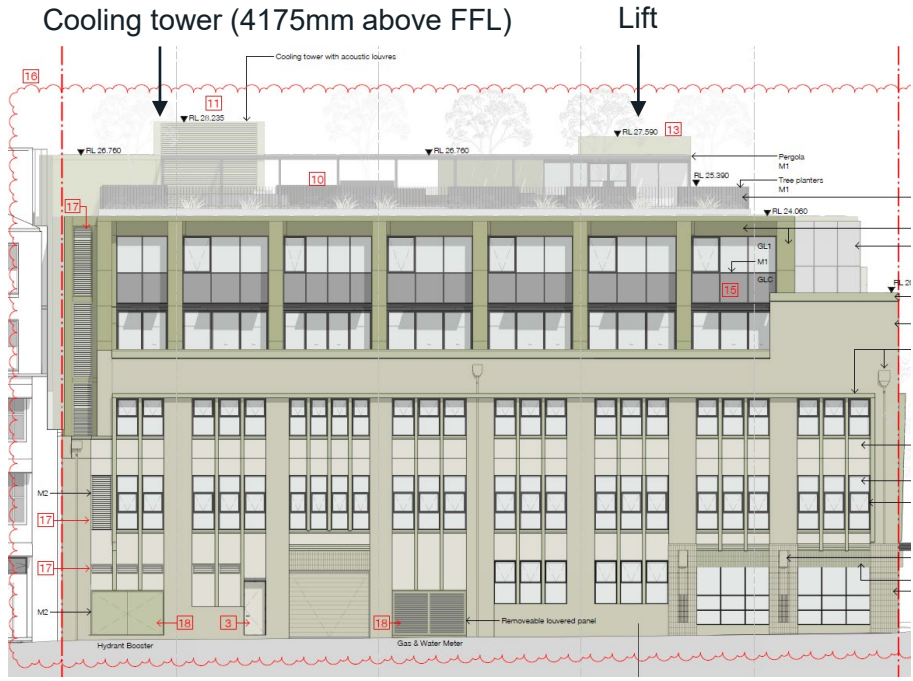
# Issue - Height

- cooling tower creates a total height exceedance of 25.1% against height standard (6.8% increase upon approved height)
- lift overrun proposed to be increased by 120mm for lift mechanism
- the cooling tower will enable compliance with a condition of consent regarding NABERs rating, and the height exceedances are not likely to generate any environmental impacts

# Issue - Height



Approved Height



Proposed Height

# Issue - Conditions

- various existing conditions proposed to be satisfied and deleted as part of application
- subject conditions are Condition 2 (Design Modifications), Condition 3 (Materials and Samples Board), Condition 22 (Landscaping Green Walls) & Condition 23 (Landscaping Green Roof)
- insufficient information provided to satisfy the conditions
- conditions, with minor amendments, to be retained and satisfied separately post determination

# Issue – Acoustic Amenity

additional conditions required to mitigate potential acoustic amenity impacts resulting from plant:

- compliance with submitted Acoustic Report
- testing of noise levels prior to occupation
- structure-borne noise limitations
- zero perceptible vibration threshold

# Recommendation

- Approval subject to conditions