

Local Planning Panel

22 November 2023

Application details

193 & 195 Harris Street, Pyrmont

D/2023/132 and D/2023/199

⁷² Applicant & owner: Ekos (Kingsford) Pty Ltd

Architect: Blu Print Designs Pty Ltd

Heritage & planning consultants: Weir Phillips Heritage & Planning

Proposal

both applications - D/2023/132 and D/2023/199

- alterations and additions to an existing boarding house
- boundary adjustment

73

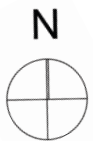
Recommendation

refusal

Notification

- exhibition period 4 April 2023 to 19 April 2023
- 193 Harris Street – 46 owners and occupiers notified
- 195 Harris Street – 41 owners and occupiers notified
- no submissions received

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Site



Harris Street



rear of site - Little Mount Street



ground floor rear wings with shared communal open space to rear



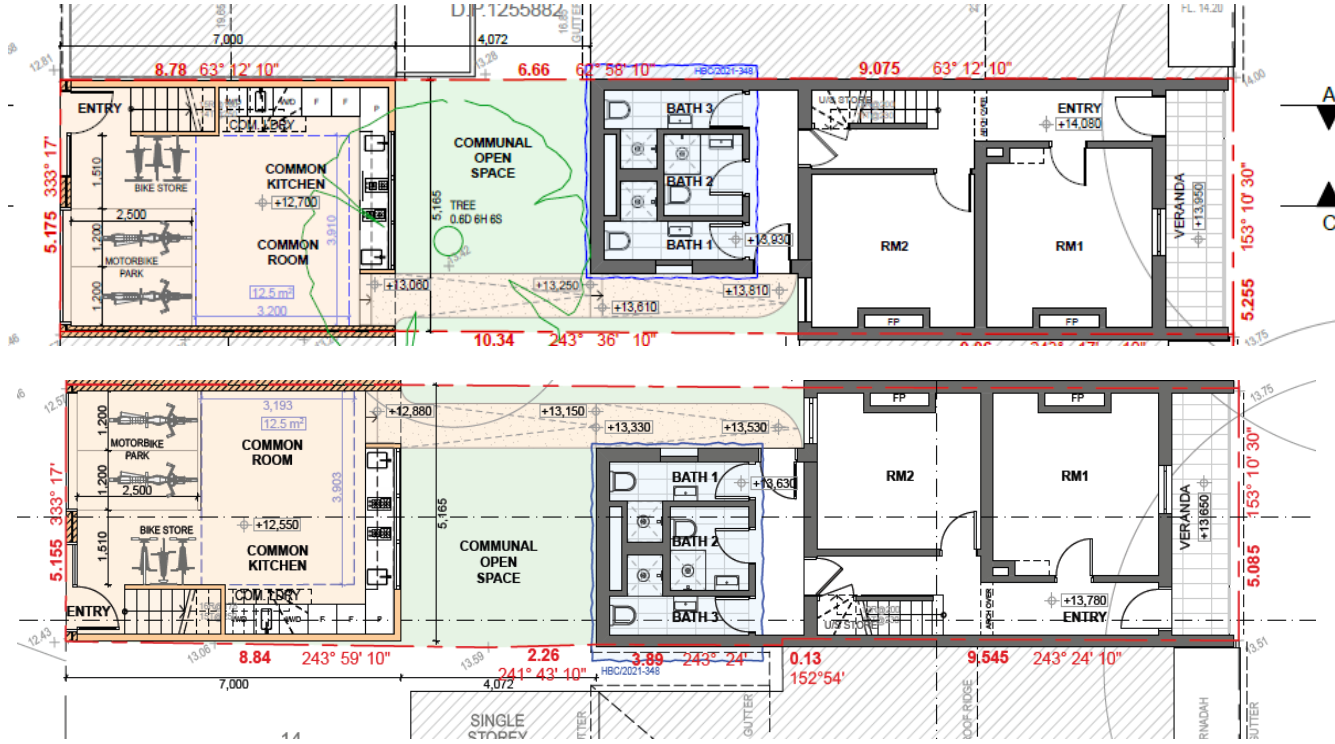
outbuilding to be demolished and boundary adjusted



development adjacent to north - fronting Little Mount Street at Nos. 191 & 189

Proposal

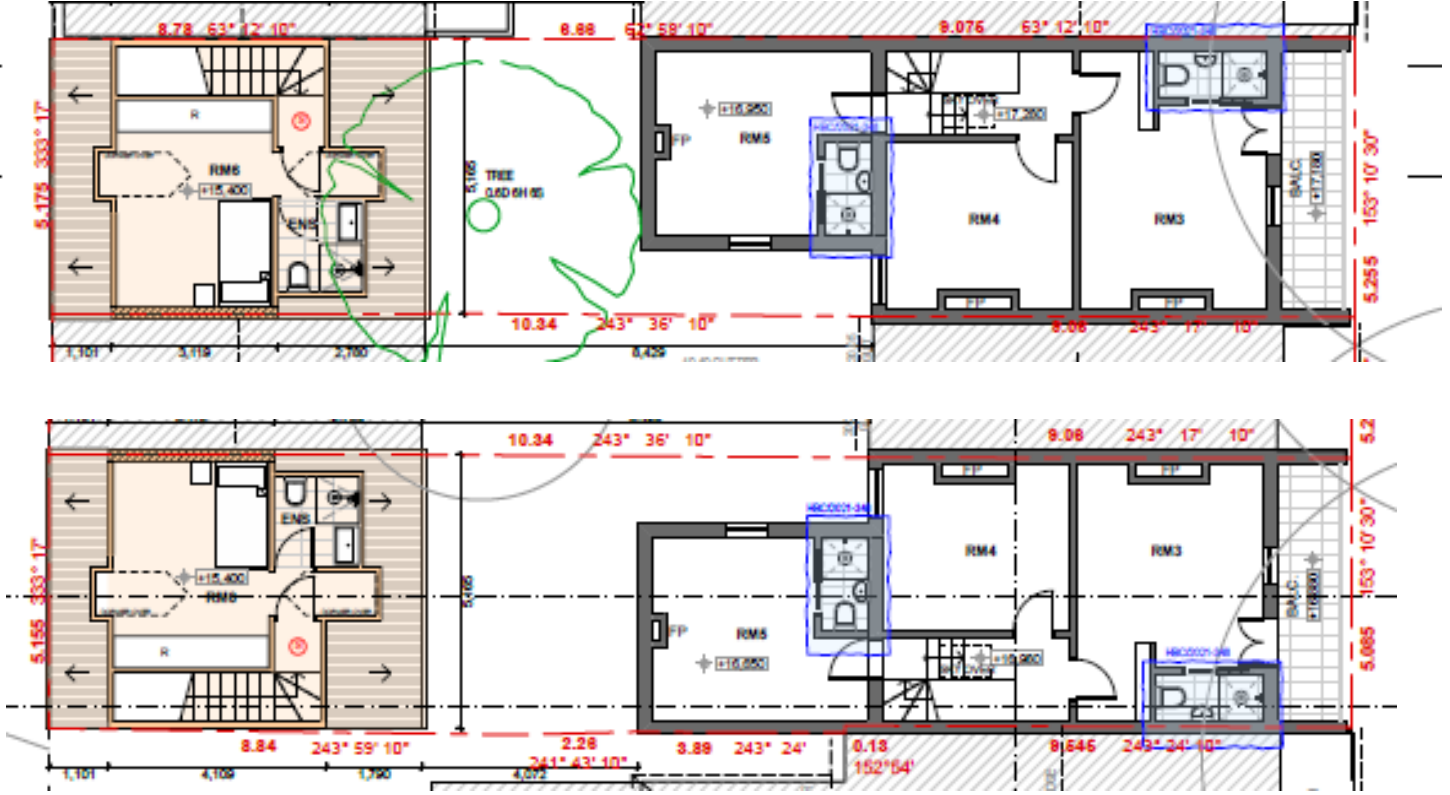
80

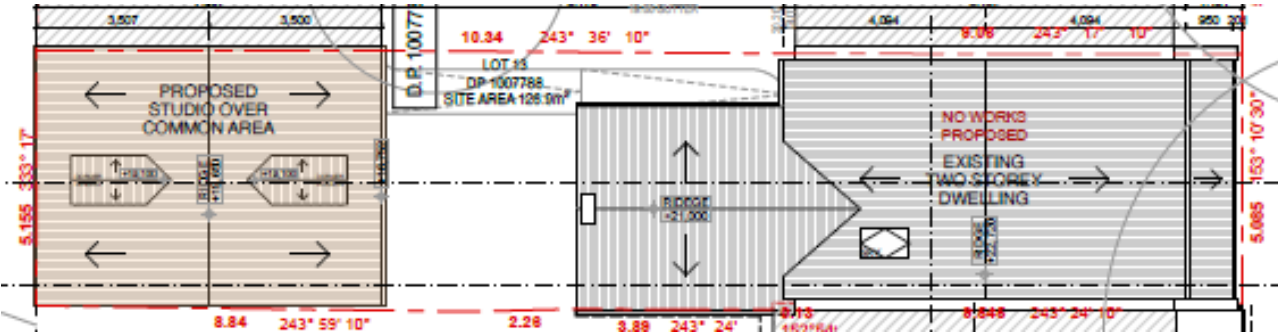
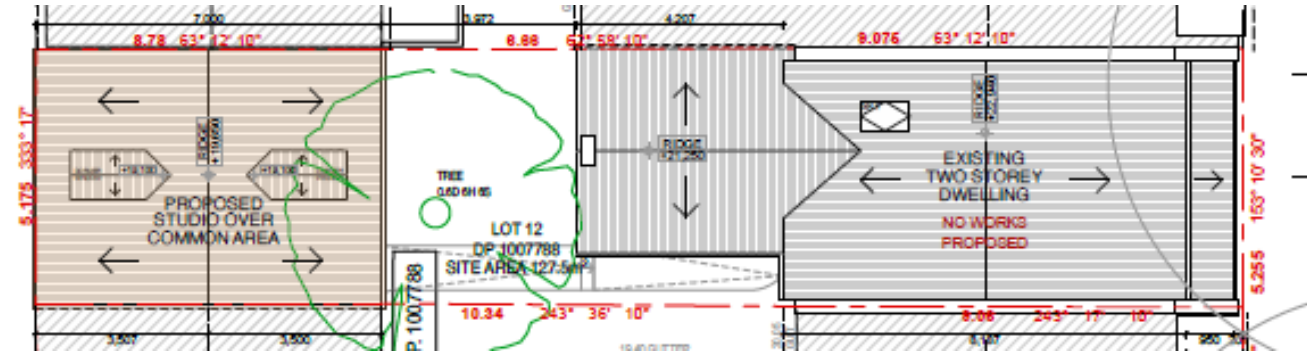


proposed ground floor plan

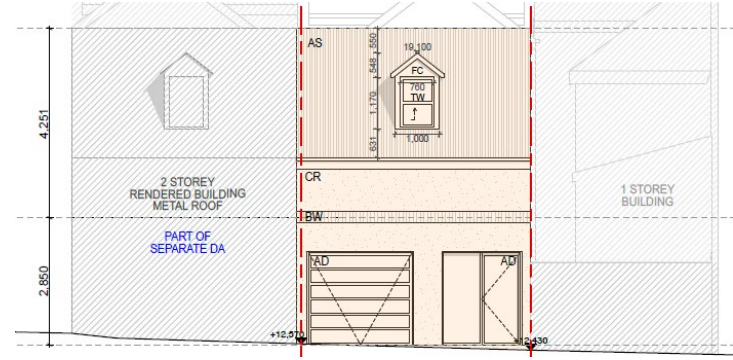
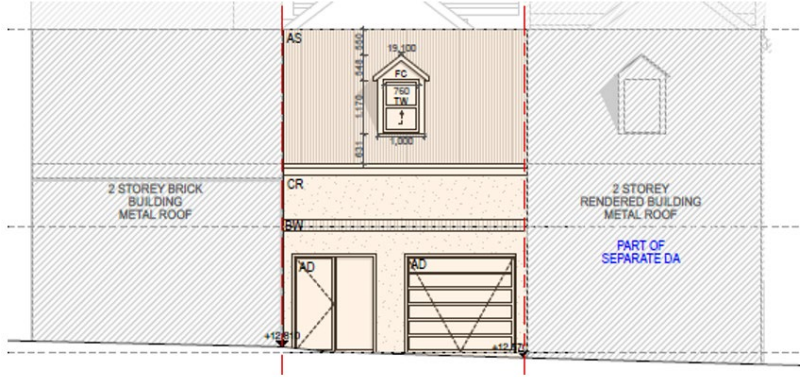


proposed first floor plan





proposed roof plan



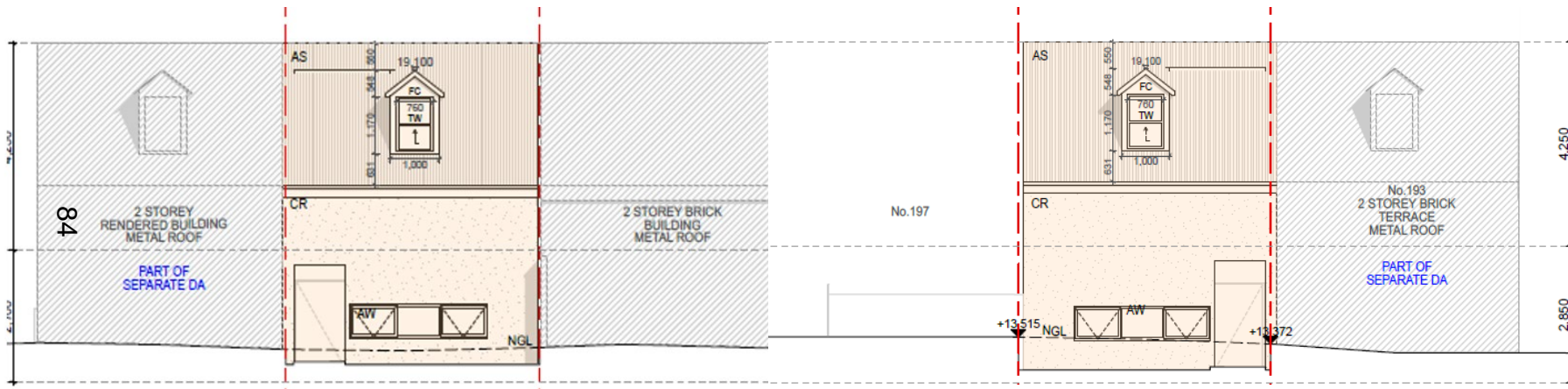
83



193 Harris Street



195 Harris Street
Little Mount Street elevation

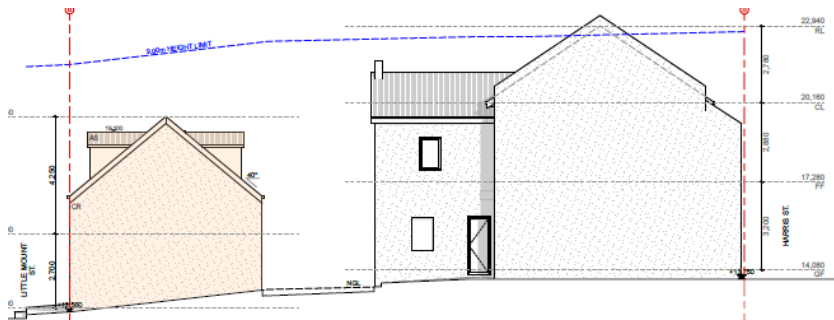


193 Harris Street

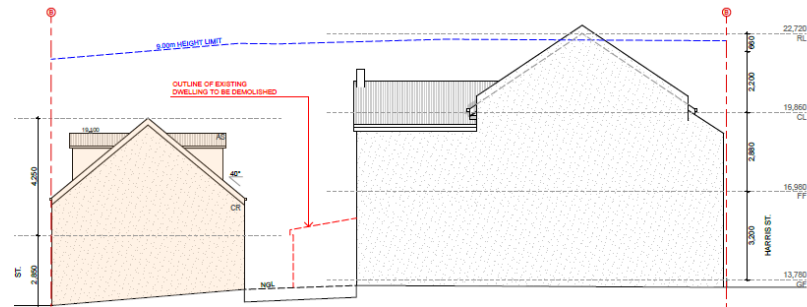
195 Harris Street

east (internal) elevation

85

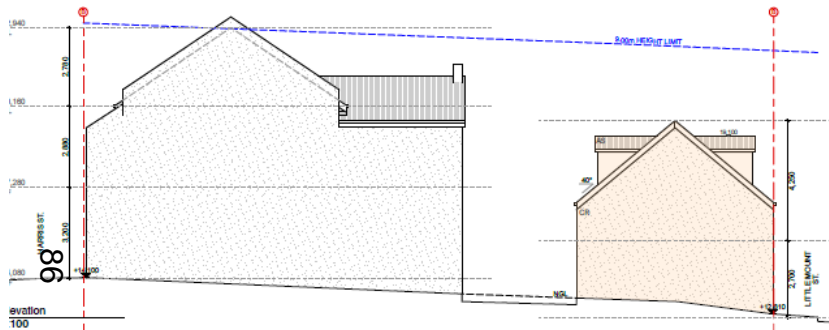


193 Harris Street

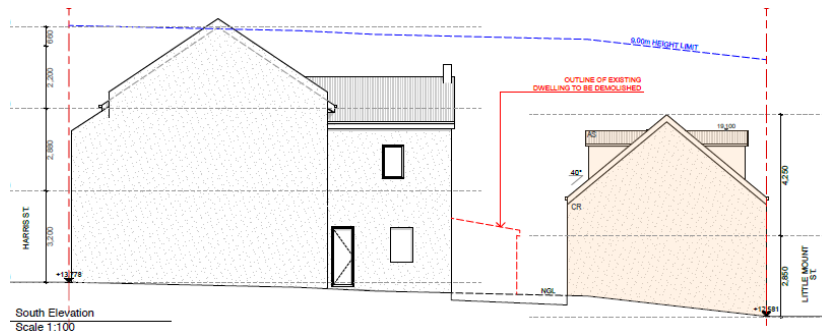


195 Harris Street

north elevation

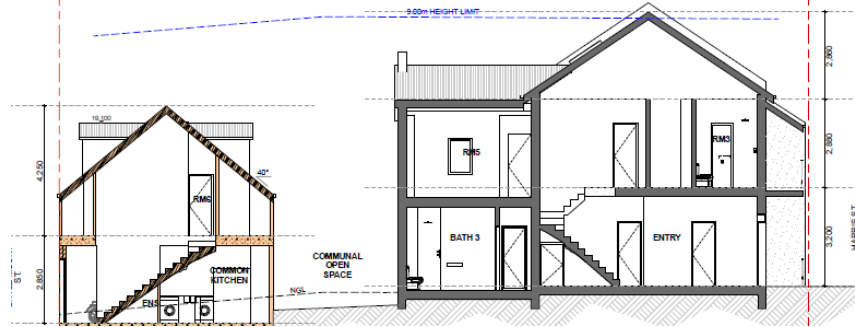
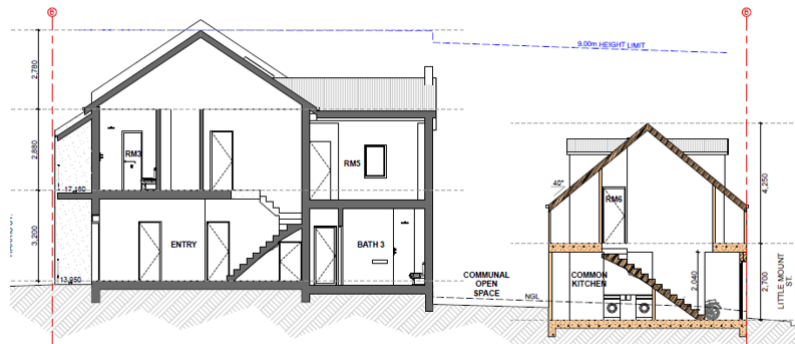


193 Harris Street

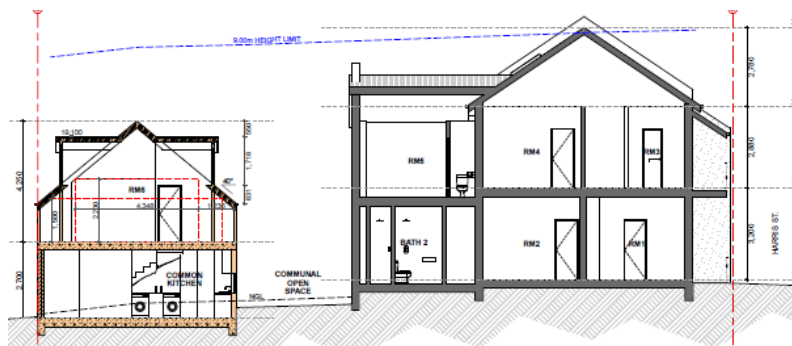


195 Harris Street

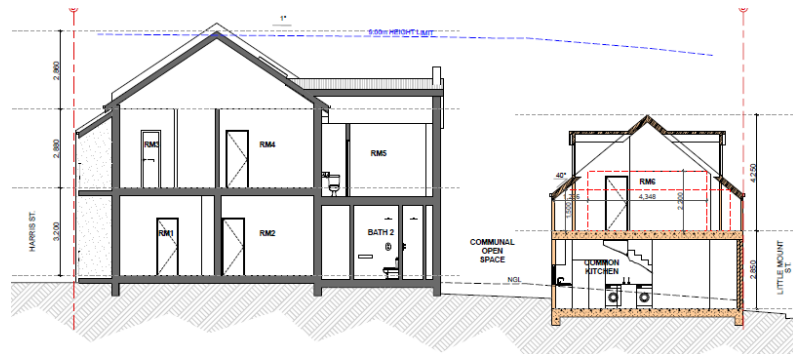
south elevation



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193 Harris Street



195 Harris Street

sections

Compliance action

- order issued on 4 March 2022 for both properties
- unauthorised works include:
 - construction of four ensuites within first floor bedrooms
 - ∞ – construction of a kitchen in the approved ground floor bathrooms; and
 - installation of hot water units on the rear first floor elevation of the building
- unauthorised works not supported on heritage grounds

Compliance with key LEP standards

	control	proposed	compliance
height	9m	6.5m (both DAs)	yes
⁶⁸ floor space ratio	1:1	1.14:1 (both DAs)	no

Note: Housing SEPP does not apply

Compliance with DCP controls

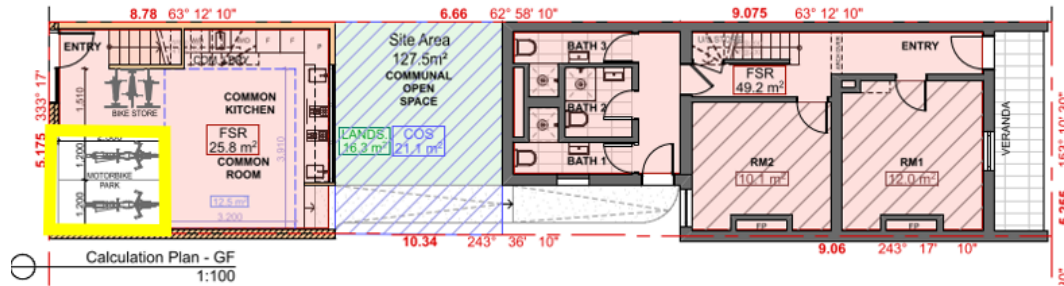
	control	proposed	compliance
bedrooms	14.1sqm	16.4sqm	yes
communal kitchen areas	7.2sqm	3.1sqm	no
communal living areas and open space	12.5sqm	12.5sqm	yes, but poor amenity
bathroom, laundry and drying facilities	two	two	yes

Issues

- FSR non-compliance
- design excellence
- inadequate information

FSR

- sites subject to a maximum FSR of 1:1 (195 Harris – 127sqm and 193 Harris 127.5sqm)
- applicant's clause 4.6 incorrectly assumes FSR breach is 1.08:1 (138.5sqm)
- applicant has excluded the motorcycle parking (outlined yellow below)



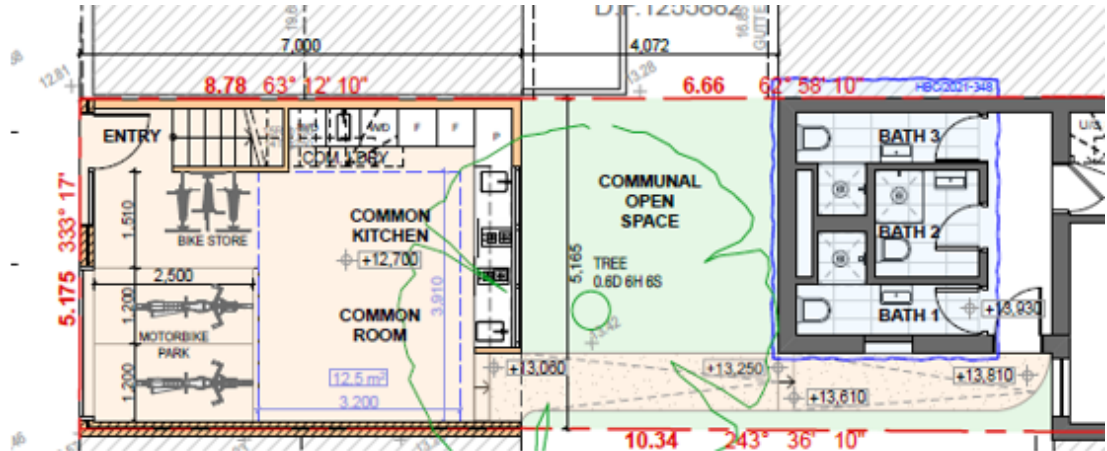
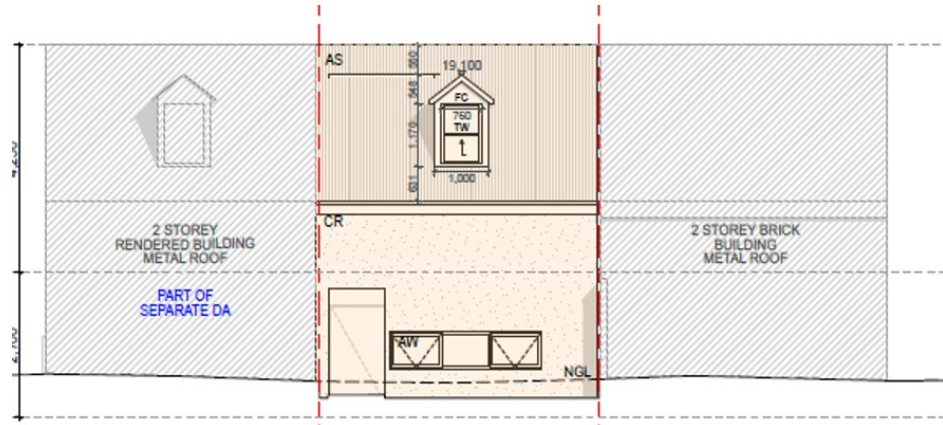
- clause 4.6 contains a number of factual errors including the wrong zone & incorrect objectives
- FSR is 1.14:1 not 1.08:1(193 Harris Street - 145.2sqm & 195 Harris Street – 145.3sqm)
- clause 4.6 does not meet the tests set out in clause 4.6(3)
- Clause 4.6 (4)
 - (4) Development consent must not be granted for development that contravenes a development standard unless—
 - (a) the consent authority is satisfied that—
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and

Design Excellence

- new building provides poor amenity
- kitchens are smaller than required
- communal areas:
 - have poor layout located adjacent to bicycle and motorcycle spaces with no physical separation
 - receive inadequate solar access
 - are poorly related to open space and are separated from the main terrace building
- communal open space receives inadequate solar access
- no tree planting proposed (193 Harris Street)

Design Excellence

- poor amenity to communal space



Inadequate Information

- Inadequate information provided, specifically:
 - no plan of management
 - waste management plans do not depict waste storage locations
 - no stormwater concept design
 - insufficient solar diagrams
 - inconsistent advice whether existing cabbage tree palm at 193 Harris Street can be retained

Recommendation

both applications are recommended for refusal