

## Relevant Information for Local Planning Panel

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**FILE:** D/2017/225 **DATE:** 11 April 2018

**TO:** Local Planning Panel Members

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

**SUBJECT:** Information Relevant To Item 4 – Development Application: 98-100 Kippax Street, Surry Hills - At Local Planning Panel - 11 April 2018

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### Alternative Recommendation

It is resolved that consent be granted for Development Application No. D/2017/225, subject to the conditions as detailed in Attachment A to the subject report to the Local Planning Panel on 11 April 2018, and subject to the following amendments (additions shown in ***bold italics*** and deleted text shown in ~~strikethrough~~):-

### (2) Design Modifications to Development

The drawings must be revised to reflect the following design modifications, to the satisfaction of Council's Area Planning Manager, prior to the issue of any Construction Certificate:

- (a) balustrades identified as being constructed using 'Balustrade Type 2' shall consist of ***solid metal panels with a vertical profile to match cladding type CL2*** ~~fixed metal louvres that are angled to prevent direct overlooking between the site and the adjoining residential building at 81 Foveaux Street. Detailed balustrade drawings shall be submitted to a scale of 1:20;~~
- (b) all natural ventilation chimneys shall be constructed using metallic materials painted a matt colour to match 'Charcoal';
- (c) the ground level awning along Kippax Street shall be re-designed to provide adequate clearance from existing street trees to allow for future growth. A minimum clearance of 1 metre must be provided between the awning and existing street tree trunks;

- (d) the internal layout of the retail tenancy at the south-western corner of the site facing Kippax Street must be amended to provide W.C. facilities;
- (e) to provide convenient access and symmetry of openings within the access corridors, apartments numbered 101, 201, 301, 401 and 501 are to be provided with double doors at the western end of their respective access corridors. The doors must be constructed as follows:
  - (i) using active and inactive leaves that may be opened to full width to permit the passage of large objects; and
- (f) to allow for the changes specified in condition 2(e) above, the bathrooms and the adjoining bedrooms numbered 'bed 2' must be relocated by approximately 900mm towards the southern boundary. Bedrooms numbered 'bed 1' and their respective balconies must not be altered.

### **(8) Compliance with Submitted Materials and Samples Board**

The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by MHNDUNION, dated **7 March 2018 (Trim: 2018/155996)** 2 February 2018.

### **(39) Compliance with the Acoustic Report Prior to Construction and or Occupation Certificates**

- (a) All performance parameters, requirements, engineering assumptions and recommendations contained in the acoustic report prepared by Renzo Tonin and Associates (NSW) Pty Ltd, dated 12 May 2017, ref TJ229-01F02 Acoustic Report for DA (r2), titled 98-106 Kippax Street, Surry Hills Acoustic Assessment For Development Application, Council Ref 2017/284317-01 must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the premises in accordance with the requirements of (b) and (c) below and to the satisfaction of the certifying authority.
- (b) Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant\* (see definition below) to be in accordance with the requirements of the DA acoustic report prepared by Renzo Tonin and Associates (NSW) Pty Ltd, dated **12 May 2017** 4/11/2016, ref TJ229-01F02 Acoustic Report for DA (r2), titled 98-106 Kippax Street, Surry Hills Acoustic Assessment For Development Application, Council Ref 2017/284317-01.

- (c) Prior to the issue of an Occupation Certificate, a suitable qualified acoustic consultant is to provide a written Acoustic Verification Report to the satisfaction of the Principle Certifying Authority that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member

## **Background**

### **Condition 2(a) – Design Modification Condition:**

The submitted materials and samples board does not specify materials for 'Type 2' balustrades that are used on the Waterloo and Sophia Street elevations.

Condition 2(a) specifies that drawings must be amended prior to the issue of a construction certificate to show 'Type 2' balustrades being constructed using fixed metal louvres that are angled to prevent direct overlooking between the site and the adjoining residential building at 81 Foveaux Street (to the north of the site at Sophia Street).

The applicant requests that Condition 2(a) be amended such that 'Type 2' balustrades consist of solid metal panels with a vertical profile (matching cladding type CL2), rather than fixed metal louvres.

It is recommended Condition 2(a) be amended for the following reasons:

- the solid metal panels will be more synonymous with the overall design as compared to angled metal louvres that are required by the current condition;
- at the Waterloo Street elevation, the panels are located below windows rather than at the edges of balconies where 'Type 1' metal balustrades will be used. Vertically profiled panels are a more appropriate material below windows as compared to angled metal louvres; and
- solid metal profile panels are considered superior to angled metal louvres in relation to mitigating mutual overlooking between the development and apartments to the north of the site.

### **Condition 8 - Materials and Samples Board**

Condition 8 specifies that all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by MHNDUNION, dated 2 February 2018.

It is recommended Condition 8 be amended to refer to a revised external finishes schedule dated 7 March 2018. The revised schedule is superior to the 2 February 2018 version in that it specifies white glazed tiles below awning level where the previous version specified 'white glazed brick or tile'.

**Condition 39(b) – Acoustic Report**

Condition 39(b) refers to an acoustic report dated 4 November 2017 where the relevant acoustic report for the proposal is dated 12 May 2017.

It is recommended Condition 39(b) be amended so that it is consistent with Condition 39(a) that refers to the correct report.

Prepared by: Adrian McKeown, Specialist Planner

**Attachments**

Nil

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Approved

A handwritten signature in black ink, appearing to be 'GJahn', written over a horizontal line.

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