

**Contact:** Brodee Gregory

**Reference:** MP 10\_0057 MOD 4/  
20 October 2011

Mark Brown  
Mark.Brown@planning.nsw.gov.au

**Council comments in relation to modification of approved building RLs and rooftops at 132-138 Killeaton Street, St Ives (MP 10\_0057 MOD 4)**

Dear Mr Brown,

In response to the notification of modification to approved building RLs and rooftops at 132-138 Killeaton Street, St Ives (MP 10\_0057 MOD 4), the following comments are made:

**Building height**

The approved development was assessed against Ku-ring-gai LEP (Town Centres) and Ku-ring-gai DCP (Town Centres) 2011. The LEP allowed for a maximum building height of 17.5m. The approved development has a height in excess of 17.5m.

The Ku-ring-gai LEP (Town Centres) was found invalid by the Court and the proposed amendments must therefore be assessed against the KPSO and Development Control Plan No.55 - Multi-Unit Housing. Clause 25(1)5 of the KPSO states that a residential flat building on a site in excess of 2,400m<sup>2</sup> should have a maximum of five storeys. It is noted that the definition of 'storey' in the KPSO excludes storeys that are used solely for carparking or plant if they have a height of less than 1.2m above ground level.

The proposed amendments result in a further increase in the height of all the buildings. The proposed boiler rooms are in excess of 1.2m in height and are classified as storeys pursuant to the KPSO. As a result of the proposed amendments, buildings A, B, D and E are in excess of five storeys in height. Including the proposed boiler rooms, building A is six storeys in height whilst buildings B, D and E are seven storeys.

The site is flat and is not topographically constrained. No justification for the proposed changes to RLs for building B or amendment/addition of boiler rooms has been provided by the applicant.

Furthermore, a SEPP No. 1 objection to clause 25 of the KPSO is required but has not been sited by Council.

**Solar access**

Section 4.5.1 of DCP No. 55 requires three hours of solar access to living room windows or adjacent balconies. The proposed pergolas may reduce sunlight to balconies and living areas. No amended solar access diagrams have been sited by Council.

## **BASIX**

No amended BASIX certificate has been sited by Council. The proposed changes to the roof (such as the deletion of skylights and provision of additional pergolas) may alter the buildings' energy consumption.

## **Urban design**

It is proposed to delete numerous raised skylights to Blocks A, B, C and D and to amend the design of those that are to be retained. The approved skylights are skillion-style and add some visual interest to the buildings. The proposed skylights have flat roofs and change the appearance of the buildings.

No details of the proposed screens to the boiler rooms have been provided.

It is recommended that the proposed amendments be referred to an urban designer for consideration.

## **Errors on architectural plans**

The following minor errors have been identified on the architectural plans:

- The screens to the boiler room and lifts are not shown on the eastern elevation of Block D (architectural plan DA-43).
- The overhead of the pergolas for Block A is not shown on the roof plan (architectural plan DA-32).

Should you wish to discuss any of the above comments please contact me on 9424 0780, Tuesday or Thursday.

Yours sincerely,

Brodee Gregory  
**Senior Development Assessment Officer**