

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 2 MARCH 2000

Meeting No 232

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 2 March 2000 commencing at 5.22pm.

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PRESENT

The Right Hon the Lord Mayor Councillor Frank Sartor
(Chairman)

Mr Neil Bird, Councillor Robert Ho, Ms Sue Holliday (Director-General, Department of Urban Affairs and Planning), Mr Chris Johnson, Ms Antoinette le Marchant, and Councillor Lucy Turnbull.

The Director City Development was also present.

Ms Holliday arrived at the meeting of the Central Sydney Planning Committee at 5.46pm at the commencement of discussion on Item 9.

ORDER OF BUSINESS (S002287):

Resolved:

That in accordance with Clause 12(2) of the Local Government (Meetings) Regulation 1999, the order of business be altered for the convenience of the public present, such that the agenda items be dealt with in the following order:

3. Development Application: 1 Margaret Street, Sydney
4. Development Application: 212 Harris Street, Sydney
5. Report on Potential Changes to the Heritage Floor Space System
6. Sydney Harbour and Tributaries - Discussion Paper: Towards a Vision and Strategic Program
7. Central Sydney Development Control Plan 1996 - Approval of Draft Amendment No. 14: Advertising and Notification
8. Status Report: Proposed Draft Delegations to CSPC/Council from the Heritage Council of NSW and Associated Legislative Issues
9. Central Sydney Development Control Plan 1996 - Draft Amendment: Design Excellence and Competitive Processes
10. Design Excellence Guide
11. City of Sydney Awnings Policy 2000
12. Presentations by Applicants and Preliminary Advice
13. New Development Application Lodgements and Delegated Items
14. General Business
1. Confirmation of Minutes
2. Matters Arising from the Minutes

ITEM 1. CONFIRMATION OF MINUTES (S006712)

Resolved on the motion of the Chairman (the Lord Mayor), seconded by Ms le Marchant:

That the Minutes of the Central Sydney Planning Committee held on 10 February 2000 be taken as read and confirmed.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S006712)

There were no matters arising from the Minutes of the Central Sydney Planning Committee meeting held on 10 February 2000.

**ITEM 3. DEVELOPMENT APPLICATION: 1 MARGARET STREET, SYDNEY
(FILE NO: D/99/00971)**

Note - Correspondence from Bovis McLachlan Pty Limited dated 2 March 2000 was circulated to members prior to the meeting of the Central Sydney Planning Committee.

Mr Chris Forbes of Bovis McLachlan Pty Limited addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion of Ms le Marchant, seconded by Councillor Turnbull -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 2 March 2000, in relation to Development Application D/99/00971 made by Bovis Australia for the site at 1 Margaret Street, Sydney for the refurbishment of the existing building to provide a new exterior and new retail units on the Clarence and Kent Street elevations, it be resolved that consideration of this matter be deferred to the next meeting of the Central Sydney Planning Committee.

**ITEM 4. DEVELOPMENT APPLICATION: 212 HARRIS STREET, SYDNEY
(D/99/01029)**

Mr Stanley Ouzas, the Applicant, addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion of Councillor Turnbull, seconded by Mr Bird -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 2 March 2000, in relation to Development Application D/99/01029 made by Stanley Ouzas for the site at 212 Harris Street for demolition of the existing building and construction of a new three storey building, comprising a retail unit at ground level and 2 upper storeys of hotel accommodation with 7 rooms, it be resolved that:-

- (A) the Central Sydney Planning Committee support the SEPP 1 objection to the non-compliance with the 9m height limit standard, as the extent of non-compliance is limited and strict compliance with the standard is unnecessary and unreasonable given the circumstances of the case; and
- (B) consent be granted subject to the following conditions:-

Schedule 1A

Approved Development, Contributions and Covenants

APPROVED DEVELOPMENT

- (1) Development must be in accordance with Development Application No. D/99/01029 dated 24 December 1999 and Statement of Environmental Effects prepared by S Ouzas, dated 21 December 1999, and drawings numbered 2-12 of 12 prepared by S Ouzas and as amended by the following conditions:

APPROVED DESIGN

- (2) The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.

MATERIALS

- (3) Final details of the external finishing materials, and colours, to be used in the construction of the development shall be submitted and approved by the Director City Development prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

FLOOR SPACE RATIO

- (4) The following applies to Floor Space Ratio:-
 - (a) The Floor Space Ratio for both the Business uses must not exceed 1.78:1; calculated in accordance with Sydney Regional Environmental Plan No. 26 - City West. For the purposes of the calculation of FSR, the Gross Floor Area of the Business Component is 354 sq m.
 - (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979 of the development, a Registered Surveyor shall provide certification of the total and component Gross Floor Area (by use) in the development, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).

BUILDING HEIGHT

(5)

- (a) The height of the building, as defined in Sydney Regional Environmental Plan No. 26 - City West, must not exceed 9.4 metres. The height of the top of the roof including any structures erected or placed thereon (exclusive of flagpoles) must not exceed RL 22.15 (AHD).
- (b) Prior to issue of an Occupation Certificate under Environmental Planning and Assessment Act 1979, a Registered Surveyor shall provide certification of the height of the building, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).

DESIGN MODIFICATIONS

(6) The design of the building shall be modified as follows:

- (a) The southern elevation shall be redesigned to provide a vertically proportioned fenestration pattern.
- (b) The alignment of the shop frontage shall be brought forward to the street alignment.
- (c) The location of the roof top equipment shall not be readily viewed from Harris Street or Paternoster Row.

The amendments shall be submitted for the approval of Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

SECTION 94 CONTRIBUTION

(7) A contribution under section 94 of the Act shall be paid in accordance with the following:

(a) Cash Contribution Required

- (i) In accordance with the adopted "Ultimo Pymont Contributions Plan 1994" a cash contribution shall be paid to Council in accordance with this condition.

(b) Amount of Contribution

- (i) The amount of the contribution shall be \$36,472.

Note: The contribution will be indexed annually, see paragraph (f) below.

(c) Purposes for which Contribution Required

- (i) The contribution is required, and shall be held and applied in accordance with the Act and the "Ultimo Pymont Contributions Plan 1994" for the purposes, and in the proportions, set out as follows:-
- (ii) Open Space - 64%
- (iii) Community Facilities - 9.5%
- (iv) Roads and Associated Infrastructure - 26.2%
- (v) Administration - 0.3%

(d) Certification of Contribution

- (i) Certification of the Section 94 Contribution calculation, including verification of gross floor area and resident/worker population as applicable, and indexation of the contribution in accordance with the "Ultimo-Pymont Contributions Plan 1994" (if applicable) shall be submitted for the approval of Council, prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

If the Construction Certificate is to be issued by a private accredited certifier, they must seek Council's endorsement of the calculation prior to its issue.

(e) Timing of Payment

- (i) The contribution shall be paid prior to the issue of a Construction Certificate under Environmental Planning and Assessment Act 1979. Payment shall be made payable to the City of Sydney by bank cheque. (Personal or company cheques will not be accepted).

(f) Indexing

- (i) The contribution rate in "Ultimo Pymont Section 94 Contributions Plan 1994" will be adjusted in accordance with clause 19 of the Plan being not less than annually.
- (ii) If the contribution rate is adjusted between the date on which this consent is granted and payment of the contribution, then the figure in paragraph (b) to this condition will be indexed and calculated according to the then current contribution rate.

AFFORDABLE HOUSING CONTRIBUTION

(8) The Affordable Housing Contribution is as follows :

- (a) In accordance with clause 59 of Sydney Regional Environmental Plan No. 26 - City West and the Affordable Housing Program, and before issue of a Construction Certificate under Environmental Planning and Assessment Act 1979, the applicant must provide evidence to Council that a monetary contribution towards the provision of affordable housing has been paid at the Department of Urban Affairs and Planning (City West Office, Level 2, 137 Pyrmont Street, Pyrmont), or a bank guarantee in favour of the Department of Urban Affairs and Planning to the value of the required contribution has been lodged. The contribution shall be \$8,375.
- (b) Certification of the Affordable Housing Contribution calculations including verification of total floor area, prepared by a Quality Surveyor, and indexation of the contribution in accordance with the Affordable Housing Program, shall be submitted for the approval of Council, prior to issue of a Construction Certificate under Environmental Planning and Assessment Act 1979.

If the construction certificate is to be issued by a private accredited certifier, they must seek Council's endorsement of the calculation prior to issue of the Construction Certificate.

- (c) Before the issue of a Occupation Certificate under Environmental Planning and Assessment Act 1979, the applicant must provide evidence to Council that the bank guarantee referred to in (a) above has been redeemed as payment of this contribution. If the contribution is paid after 30 June of the year in which this consent is granted, the amount of the contribution must be indexed in accordance with paragraph 3.4 of the adopted Affordable Housing Program.

DEMOLITION/SITE RECTIFICATION

(9) The following conditions apply to the development:-

- (a) Demolition or excavation must not commence until a Construction Certificate has been issued under the Environmental Planning and Assessment Act 1979 for construction of the substantive building.
- (b) Prior to issue of the Construction Certificate, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the General Manager of the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.

(c) Without limiting the generality of paragraph (b), the Deed must provide for:-

(i) a bank guarantee to be provided in the sum of \$49,750 dollars as security for the costs of such works provided that:-

- a. the maximum liability under the Deed shall not exceed \$49,750 dollars; and
- b. the Council may accept a lesser amount as security if substantiated by detailed design and costing for works which meet the objectives of the condition.

(ii) Council to be given sufficient contractual rights to be able to ensure that in any of the following events namely:

- a. demolition of the existing building has commenced but not been completed;
- b. the existing building has been demolished; or
- c. the site has been excavated; or
- d. the structure has commenced to be erected;

that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the consent authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:

- e. make the building safe and attractive at ground level;
- f. allow the ground level to be landscaped and made attractive from any public vantage point; or
- g. for the hole to be covered to allow it to be landscaped and made attractive from any public vantage point; or
- h. in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenable stage;

AND to call on such bank guarantee to cover the cost thereof.

(d) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in an unattractive building site appearance, then the Council will have the readily enforceable rights to:

- (i) require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (ii)e. - h. to take place on the site; and
- (ii) in the event of default, shall have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.

SIGNS

- (10) A separate development application for any proposed signs, which are either externally fitted or applied, must be submitted for the approval of Council prior to the erection or display of any such signs.

BOUNDARY WINDOWS COVENANT

- (11) All windows and openings adjacent to the southern boundary of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building abutting, adjoining or adjacent to such windows. A covenant to the approval of Council is to be placed on the title of all units facing the affected boundary to this effect. Evidence of the creation of the covenant is to be submitted prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

Note: The covenant will be noted on the Section 149 Certificates for all the units/building so burdened by this condition.

SEPARATE APPLICATION REQUIRED FOR CHANGE OF USE

- (12) The approved building shall be used for hotel accommodation and retail uses only and shall not be used for any other purpose without consent from Council.

HERITAGE

- (13) Archival recording for deposit in the City of Sydney Archives must be carried out prior to the demolition of the building.
 - (a) The archival record of significant building fabric or furnishings from the site must be submitted to Council prior to the commencement of any demolition work and prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.
 - (b) The form of recording is to be as follows:-
 - (i) Photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s), photographed where appropriate, using a camera/lens capable of 'perspective correction', comprising:-
 - (ii) 35mm colour slides, numbered and referenced to the site and building plans, and presented in archival quality storage sheets;

- (iii) 35mm or 120mm black and white film, numbered and referenced to the site and building plans, with negatives developed to archival standards, and two copies of contact sheets printed on fibre-based paper to archival standards;
- (iv) Selective black and white enlargements to be advised by Council, printed on fibre-based paper to archival standards to a minimum size of 20cm x 25cm, illustrating the location and context of the site/building, the relationship of adjacent buildings, building elevations, and important interior and exterior architectural spaces and features of the building/site;
- (v) A summary report of the photographic documentation, detailing;
 - a. the project description, method of documentation, and any limitations of the photographic record; and
 - b. Photographic catalogue sheets, which are referenced to a site plan and floor plans no larger than A3, and indicating the location and direction of all photos (black and white prints and slides) taken.
- (vi) Written confirmation that the Council reserves the right to use the photographs for its own purposes and for genuine research purposes.

ARCHAEOLOGY

- (14) The applicant must apply to the Heritage Office for an excavation permit under Section 140 of the Heritage Act 1977.
 - (a) Should any potential archaeological deposit likely to contain Aboriginal artefacts be identified during the planning or historical assessment stage, application be made by a suitably qualified archaeologist to the National Parks and Wildlife Service (NPWS) for an excavation permit for Aboriginal relics.
 - (b) The applicant shall comply with the conditions and requirements of any excavation permit required, and are to ensure that allowance for compliance with these conditions and requirements into the development program.
 - (c) General bulk excavation of the site is not to commence prior to compliance with the conditions and requirements of any excavation permit required.
 - (d) Should any historical relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.

- (e) Should any Aboriginal relics be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance of the area is to stop immediately and the (NPWS) is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

Note: In some circumstances, conditions imposed by the Heritage Office or NPWS could delay and/or affect how the DA is to proceed.

HOURS OF OPERATION

- (15) The hours of operation for the shop use must be restricted to between 7 am and 9 pm daily, unless otherwise approved by Council.

NOISE

- (16) The use of the premises must not give rise to any one or more of the following:
 - (a) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.
 - (b) An indoor sound pressure level in any place of different occupancy (and/or public place) greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 8.00 a.m. to 10.00 p.m. daily and 0dB above the L90 background between 10.00 p.m. and 8.00 a.m. the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this sub-clause does not apply to any such frequencies.
 - (c) A sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055. "Acoustics - Description and Measurement of Environmental Noise".
 - (d) An "offensive noise" as defined in the Protection of the Environment (Operations) Act 1997.
 - (e) The emission into the surrounding environment of gases, vapours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health.

The method of measurement of vibration in (a) and sound levels in (b), (c) and (d) must be carried out in accordance with AS 2973 for vibration measurements. AS 1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

PATRON BEHAVIOUR

- (17) The Management shall ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by patrons of the premises and shall ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the Management is to employ private security staff to ensure that this condition is complied with.

REMOVAL OF GRAFFITI

- (18) The owner/manager of the site shall be responsible for the removal of all graffiti from the building within 48 hours of its application.

ROLLER SHUTTERS

- (19) Any roller shutter proposed for the retail or public areas must be of an anodised or powder coated finish with polycarbonate infills allowing penetration of at least 50% of available light.

WINDOW CLEANING

- (20) The owner/manager of the building shall ensure that all windows on the façade of the building are cleaned regularly and, in any event, not less than annually.

CARE OF BUILDING SURROUNDS

- (21) In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building shall ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.

Schedule 1B

Conditions to be complied with prior to issue of Construction Certificate to the satisfaction of the Certifying Authority

ACCESS FOR PEOPLE WITH DISABILITIES

- (22) Access for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia and Council's Access Policy. Prior to issue of a Construction Certificate under Environmental Planning and Assessment Act 1979, a certificate certifying compliance with this condition OR a Compliance Certificate (Form 10 Environmental Planning and Assessment Act Regulation 1998) must be provided, and copy submitted to Council.

GEOTECHNICAL REPORT

- (23) Prior to commencement of work for foundation, shoring or underpinning works, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy of same submitted to Council:
- (a) A geotechnical report which shall include the following information as appropriate:-
 - (i) Borehole/test pit logs or inspection records;
 - (ii) Field/laboratory test results;
 - (iii) General geotechnical description of site;
 - (iv) Recommended safe bearing values and likely settlements of foundation material;
 - (v) Recommendations for stability and protection of excavations;
 - (vi) Opinion on the effect of the new works on existing buildings and recommendations for any underpinning or other measures required to maintain stability;
 - (vii) Method of proving and assessing foundations underpinning and/or excavation stability in accordance with design.
 - (b) An Inspection and Test Plan (ITP) that reflects the requirements of the geotechnical report, project drawings and specifications;
 - (c) The completed Geotechnical Certificate for the Report and ITP, submitted in the form of Attachment G1 completed by the Project/Principal Geotechnical Engineer OR, a compliance certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998) after satisfying (a) and (b);
 - (d) A Dilapidation Report of adjoining building/s that may be affected by the proposed excavation/construction work;

Notes:

- (e) An appropriately qualified practising geotechnical engineer certifying by completing Attachment G1 must have:-
 - (i) Appropriate tertiary qualifications in Civil or Geotechnical Engineering, AND;
 - (ii) Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - (iii) Evidence of relevant experience in the form of a CV/Resume;

- (iv) Appropriate current professional indemnity insurance.
- (f) An appropriately qualified practising geotechnical engineer certifying by issuing a Form 10 Compliance Certificate must have accreditation as a certifier for Geotechnical Engineering issued by the Institution of Engineers Australia in accordance with the Environmental Planning and Assessment Act 1979.
- (g) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.
- (h) Council reserves the right to randomly audit any geotechnical documentation.

REFLECTIVITY INDEX OF EXTERNAL GLASS

- (24) The visible light reflectivity from building materials used on the facade of the building should not exceed 20% and must be otherwise designed so as not to result in glare that causes discomfort or threatens safety of pedestrians or drivers.

SANITARY FACILITIES

- (25) Sanitary and other facilities must be provided in accordance with the Building Code of Australia, Part F2.

Schedule 1C

Conditions to be complied with prior to commencement of construction or demolition or work to the satisfaction of the Principal Certifying Authority

CERTIFICATION OF MECHANICAL VENTILATION

- (26) The details of any mechanical ventilation or air conditioning must be certified by a competent person to comply with Council's Ventilation Code, the Building Code of Australia and relevant Australian Standards, to the satisfaction of the Principal Certifying Authority prior to commencement of any mechanical services work.
 - (a) To enable certification, the mechanical ventilation documentation prescribed below shall be submitted to the Principal Certifying Authority:
 - (b) Certified plans (in duplicate), coloured so as to adequately distinguish the proposed alterations;

- (c) A general description of the project plus mechanical ventilation drawings and documentation in duplicate, coloured to show ductwork and equipment as set out below. (Where appropriate a schematic drawing should also be submitted).
 - (i) Supply Air Ducts, Shafts and Fans - Blue
 - (ii) Return Air Ducts, Shafts and Fans - Pink
 - (iii) Outside Air Ducts, Shafts, Intakes and Stair Pressurisation - Green
 - (iv) Exhaust Air Ducts, Shafts, Fans, Discharges and Smoke Spill - Orange
 - (v) Mixing Boxes and Conditions - Yellow
 - (vi) Fire Dampers and Electric Heaters - Red
- (d) Drawings which show where applicable the existing and proposed air intakes, air discharges and cooling towers and their relative position to each other, the boundaries of the site, openable windows, and adjoining buildings;
- (e) A Mechanical Ventilation Design Certificate pursuant to Section 93 of the Local Government Act 1993 in the form of Attachment M1, together with the Curriculum Vitae of the Design Engineer or other appropriate Certifier must be submitted to Principal Certifying Authority (PCA). A copy of the Certificate and a microfilm set of the certified drawings must be submitted to Council by the PCA;
- (f) Documentary evidence in support of requests for departure from the prescribed or deemed provisions of the Building Code of Australia or any other requirements.

STRUCTURAL CERTIFICATION

- (27) Prior to the commencement of work, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy of same submitted to Council:
 - (a) Structural Drawings prepared by an appropriately qualified practising Structural Engineer, corresponding with and attached to a Structural Certificate (see (b));
 - (b) Structural Certificate/s for Design, submitted in the form of Attachment S1A completed by the Project/Principal Engineer and S1B completed usually by the Architect, OR a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998), after the structural drawings have been checked and comply with:
 - (i) The relevant clauses of the Building Code of Australia (BCA);
 - (ii) The relevant conditions of Development Consent;
 - (iii) The Architectural Plans incorporated with the Construction Certificate;

- (iv) The relevant Australian Standards listed in the BCA (Specifications A1.3);
 - (v) Any other relevant report/s or documents. Specify on form S1A.
- (c) Repeat (a) and (b) for any revision, or staged submission of structural drawings.

Notes:

- (i) An appropriately qualified practising structural engineer certifying by completing Attachment S1A must have:-
 - a. Appropriate tertiary qualifications in Civil or Structural Engineering; AND
 - b. Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - c. Evidence of relevant experience in the form of a CV/Resume;
 - d. Appropriate current professional indemnity insurance.
- (ii) An appropriately qualified practising structural engineer certifying by issuing a Form 10 Compliance Certificate must have accreditation as a certifier for Structural Engineering issued by the Institution of Engineers Australia in accordance with the Environmental Planning and Assessment Act 1979.
- (iii) An appropriately qualified person certifying by completing Attachment S1B must have a good working knowledge of the Building Code of Australia and Structural and Architectural drawing co-ordination.
- (iv) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.
- (v) Council reserves the right to randomly audit any structural documentation.

APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (28) A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect a hoarding or scaffolding in a public place and such application is to include:-

- (a) Architectural, construction and structural details of the design in accordance with the Policy for the Design and Construction of Hoarding (September 1997) and the Interim Policy for Temporary Protective Structures.
- (b) Structural certification prepared and signed by an appropriately qualified practising structural Engineer.
- (c) Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.

PEDESTRIAN AND TRAFFIC MANAGEMENT DURING CONSTRUCTION

- (29) A Pedestrian and Traffic Management Plan must be submitted to and approved by Council prior to commencement of demolition/excavation or construction on the site and must include details of:-
 - (a) Proposed protection of pedestrians adjacent to the site;
 - (b) Proposed pedestrian management whilst vehicles are entering and leaving the site;
 - (c) Proposed route of construction vehicles to and from the site;
 - (d) The Pedestrian and Traffic Management Plan shall be implemented during the construction period.

ENVIRONMENTAL PROTECTION DURING CONSTRUCTION

- (30) The following environmental protection measures are required:
 - (a) Prior to the commencement of work, a Water and Sediment Control Statement must be submitted and approved by the Principal Certifying Authority.
 - (b) Such statement must include:
 - (i) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
 - (ii) The proposed method of discharge;
 - (iii) The procedures to be adopted for the prevention of run-off from the site onto the public way;
 - (iv) The procedures to be adopted for the prevention of loose material and litter from being blown onto the public way;

- (v) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's "Erosion and Sediment Control Manual".
- (c) The Water and Sediment Control Statement shall be implemented during the construction period.
- (d) Any seepage or rainwater collected on site during construction must not be pumped to the street stormwater system unless separate prior approval is given in writing by Council. The applicant must comply with the protection of the Environment Operations Act (NSW) 1997, whereby it is an offence to pollute classified waters such as Sydney Harbour to which much of the City's street drainage is directly connected.

BARRICADE PERMIT REQUIRED

- (31) Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work, are required to be submitted to the satisfaction of Council.

Schedule 1D

Conditions to be complied with during construction

HOURS OF WORK AND NOISE

- (32) The hours of construction and work on the development shall be:
 - (a) All work, including building/demolition and excavation work in connection with the proposed development must only be carried out between the hours of 7.30 a.m. and 5.00 p.m. on Mondays to Fridays, inclusive, and 7.30 a.m. and 3.00 p.m. on Saturdays, with safety inspections being permitted at 7.00 a.m. on work days and no work must be carried out on Sundays or public holidays.
 - (b) All work, including demolition, excavation and building work must comply with "The City of Sydney Building Sites Noise Code" and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

- (33) A site notice(s) is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:-
- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
 - (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
 - (d) The approved hours of work, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint are to be displayed on the site notice;
 - (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is to state that unauthorised entry to the site is not permitted.

CONSTRUCTION DURING THE OLYMPICS

- (34) Should construction be required to take place during the period 1 September 2000 to 1 October 2000, it may only be carried out in accordance with a Traffic and Pedestrian Management Plan and a Construction Program submitted and approved by Council. After consultation with the relevant Olympic authorities, such submission to be made at least three months prior to September 2000.

UNDERGROUND UTILITY SERVICES CHECK

- (35) Prior to the commencement of excavation, the applicant should contact the "Dial Before You Dig" service on telephone (02) 1100, fax number 1300-652-077 or email mocsinfo@mocs.com.au to ascertain the presence and type of underground utility services in the vicinity of the development.

CONTROL OF VERMIN

- (36) Measures for the eradication of vermin from the site during construction work shall be implemented prior to the commencement of any work to the satisfaction of the Principal Certifying Authority. All service ducts and cable entries to existing premises should be sealed prior to any demolition being carried out.

USE OF MOBILE CRANES

(37) Permits required for use of mobile cranes:-

- (a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council, will create minimal traffic disruptions and four weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (b) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes shall not be delivered to the site prior to 7.30am without the prior approval of Council.

NO OBSTRUCTION OF PUBLIC WAY

(38) The public way must not be obstructed by any materials, vehicles refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of Notice by Council to stop all work on site.

CONSTRUCTION ROUTE

(39) All construction traffic shall use the Ultimo-Pyrmont Construction Traffic Route.

Schedule 1E

Conditions to be complied with prior to issue of Occupation Certificate and prior to commencement of use, to the satisfaction of the Principal Certifying Authority

REFUSE COLLECTION ARRANGEMENTS

(40) The loading operation, including the movement of garbage receptacles, must take place within the building alignment on a level surface away from gradients and vehicle ramps. No waste is to be placed on the public way (eg. footpaths, roadways, plazas, reserves or building colonnade areas) at any time.

OCCUPATION CERTIFICATE

- (41) An Occupation Certificate (form 12 under the Environmental Planning and Amendment Regulation 1998) must be obtained from the Principal Certifying Authority (PCA) (Council or a private accredited certifier) and a copy furnished to Council in accordance with Section 79L of the Environmental Planning and Assessment Amendment Regulation 1998 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building. A copy of the certificate shall be submitted to Council if it was not the PCA.

ALL MATERIALS TO COMPLY WITH BCA

- (42) All materials used in the building shall comply with specification C1.10 of the Building Code of Australia.

MECHANICAL VENTILATION

- (43) Prior to issue of an Occupation Certificate under Environmental Planning and Assessment Act 1979 and following the completion, installation, and testing of all the mechanical ventilation systems covered by the approval, a Mechanical Ventilation Certificate of Completion and Performance in the form of Attachment M2 must be submitted to the Principal Certifying Authority (PCA) (Council or a private accredited certifier). A copy of the Certificate and a microfilm set of the certified drawings must be submitted to Council if it was not the PCA.

Note: Council reserves the right to randomly audit any mechanical ventilation documentation.

FOOD MANAGEMENT PLAN REQUIRED

- (44) A Food Management Plan is required for the total site complex detailing the methods proposed to protect food from contamination or spoilage and must address the following points:-
- (a) The methods and handling of food products at delivery dock areas including the need for separation, storage and refrigeration.
 - (b) The system of transportation and protection of food until delivered to the various outlets.
 - (c) The need for specific food modules, dumb waiters and dedicated lifts designed for the carriage of food.
 - (d) The method of separation of the food transference process from the waste transfer process.

ITEM 5. REPORT ON POTENTIAL CHANGES TO THE HERITAGE FLOOR SPACE SYSTEM (S00 8770/S00 8288/S00 6740)

Resolved on the motion of Mr Bird, seconded by Ms le Marchant -

That arising from consideration of a report by the Specialist Planner - Strategic/Section 94 to the Central Sydney Planning Committee on 2 March 2000, in relation to a range of issues relating to the Heritage Floor Space system, it be resolved that:-

- (A) the report be received and noted;
- (B) the request to award the Parcels Post Office Heritage Floor Space be declined and the applicant advised of the Central Sydney Planning Committee's decision; and
- (C) no further zones or building types are to be included within the Heritage Floor Space system.

ITEM 6. SYDNEY HARBOUR AND TRIBUTARIES - DISCUSSION PAPER: TOWARDS A VISION AND STRATEGIC PROGRAM (S010894)

Resolved on the motion of Councillor Turnbull, seconded by Councillor Ho -

That arising from consideration of a report by the Specialist Planner - Strategic/Section 94 to the Central Sydney Planning Committee on 2 March, 2000, regarding Sydney Harbour and Tributaries: Discussion Paper - Towards a Vision and Strategic Program, it be resolved that the Central Sydney Planning Committee:-

- (A) receive and note the report; and
- (B) endorse the lodgement of the proposed submission at Attachment A to the subject report with the Department of Urban Affairs and Planning as a response to their call for submissions in reply to the Discussion Paper.

ITEM 7. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996 - APPROVAL OF DRAFT AMENDMENT NO. 14: ADVERTISING AND NOTIFICATION (S008772)

Resolved on the motion of Ms le Marchant, seconded by Mr Johnson -

That arising from consideration of a report by the Specialist Planner - Strategic/Section 94 to the Central Sydney Planning Committee on 2 March 2000, in relation to Draft Amendment No. 14 to Central Sydney Development Control Plan 1996, it be resolved that the Central Sydney Planning Committee:-

- (A) approve Draft Amendment No. 14 to Central Sydney Development Control Plan 1996, generally in accordance with the proposed draft that is Column 2 in Attachment A to the subject report, subject to clause 11.7.3 being amended to place the onus on the submitter to find out the date that an application is to be considered by the committee. The final wording of the clause is to be approved by the Deputy Lord Mayor;
- (B) authorise the Lord Mayor to approve any minor drafting changes necessary for the approval of Draft Amendment No. 14 to Central Sydney Development Control Plan 1996 and arising from Council's consideration of this matter.

ITEM 8. STATUS REPORT: PROPOSED DRAFT DELEGATIONS TO CSPC/COUNCIL FROM THE HERITAGE COUNCIL OF NSW AND ASSOCIATED LEGISLATIVE ISSUES (D021307)

Resolved on the motion of Councillor Ho, seconded by Councillor Turnbull -

That arising from consideration of a report by the Area Planning Manager to the Central Sydney Planning Committee on 2 March 2000, in relation to the Status Report: Proposed Draft Delegations to the Central Sydney Planning Committee/Council from The Heritage Council of NSW and Associated Legislative Issues, it be resolved that:-

- (A) the report be received and noted;
- (B) the submission in Attachment E to the subject report be forwarded to the Heritage Council of NSW for consideration in the preparation of delegations of powers under the Heritage Act 1977 to the City of Sydney;
- (C) a further report be submitted to Council and the Central Sydney Planning Committee once formal delegations from the Heritage Council have been received for comment; and
- (D) the submission in Attachment F to the subject report requesting review of the Environmental Planning and Assessment Act 1979 and the Heritage Act 1977, with a view to streamlining the assessment process for heritage items under both Acts, be forwarded to the Director-General of the Department of Urban Affairs and Planning for consideration.

ITEM 9. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996 - DRAFT AMENDMENT: DESIGN EXCELLENCE AND COMPETITIVE PROCESSES (S006408)

Resolved on the motion of Ms le Marchant, seconded by Mr Johnson -

That arising from consideration of a report by the Strategic Planning and Research Manager to the Central Sydney Planning Committee on 2 March 2000, on a Draft Amendment to Central Sydney Development Control Plan 1996 on Design Excellence and Competitive Processes, it be resolved that the Central Sydney Planning Committee:-

- (A) exhibit a Draft Amendment to Central Sydney Development Control Plan 1996 on 'Design Excellence and Competitive Design Processes', in accordance with the document in Attachment A to the subject report;
- (B) authorise the Lord Mayor to finalise drafting relating to Draft Amendment to Central Sydney Development Control Plan on Design Excellence and Competitive Processes, for the purposes of a public exhibition in accordance with S.72 (Development control plans) of the Environmental Planning and Assessment Act 1979, and Part 3 (Development control plans) of the Environmental Planning and Assessment Regulation, 1994; and
- (C) adopt the Draft Amendment to Central Sydney Development Control Plan 1996 on 'Design Excellence and Competitive Design Processes' in Attachment A to the subject report, as an interim policy until the commencement of the Development Control Plan.

ITEM 10. DESIGN EXCELLENCE GUIDE (S001217)

Note - The City of Sydney Design Excellence Guide Prospectus was circulated to members at the meeting of the Central Sydney Planning Committee.

Resolved on the motion of Ms Holliday, seconded by Mr Johnson -

That arising from consideration of a report by the Specialist - Urban Design and Architecture to the Central Sydney Planning Committee on 2 March 2000, in relation to a proposal to prepare a Design Excellence Guide, it be resolved that:-

- (A) the Central Sydney Planning Committee endorse the preparation of the Design Excellence Guide, including the process of calling for submissions from interested architects and designers by means of a general advertisement in the Royal Australian Institute of Architects bulletin and on the Council's Internet site, together with a targeted mailout of particular members of the architectural profession; and
- (B) a further report be submitted to the Central Sydney Planning Committee when a first draft of the Design Excellence Guide is available.

ITEM 11. CITY OF SYDNEY AWNINGS POLICY 2000 (S011044)

Resolved on the motion of Councillor Turnbull, seconded by Mr Bird -

That arising from consideration of a report by the Specialist - Urban Design and Architecture to the Central Sydney Planning Committee on 2 March 2000, in relation to a proposal to revise the Awnings Policy, it be resolved that:-

- (A) the Central Sydney Planning Committee endorse the Draft City of Sydney Awnings Policy 2000 for the purposes of public exhibition for a period of 28 days; and
- (B) following the public exhibition period, a further report be submitted to the Central Sydney Planning Committee for the adoption of the Awnings Policy 2000 incorporating submissions and any consequential amendments, if necessary.

ITEM 12. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE

There were no presentations at this meeting of the Central Sydney Planning Committee.

ITEM 13. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S002287)

Resolved on the motion of Councillor Turnbull, seconded by Mr Johnson -

That arising from consideration of a report by the Manager Development to the Central Sydney Planning Committee on 2 March 2000, in regard to the report on new development application lodgements and delegated items, it be resolved that the report be received and noted.

ITEM 14. GENERAL BUSINESS

1. Small Permits Appeals Panel

The Lord Mayor informed the Central Sydney Planning Committee that a Small Permits Appeals Panel is being established and the Department of Urban Affairs and Planning will be invited to nominate a representative to serve as an external member.

The Director City Development is to prepare appropriate mail-outs advising of the Small Permits Appeals Panel membership.

The meeting concluded at 6.00pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 30 March 2000.

