

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 6 JULY 2000

Meeting No 238

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 6 July 2000 commencing at 5.26pm.

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PRESENT

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

Mr Neil Bird, Ms Sue Holliday (Director-General, Department of Urban Affairs and Planning), Mr Peter Mould (Alternate Member for Mr Chris Johnson), Mr Paul Reid (Alternate Member for Ms Antoinette le Marchant) and Councillor Lucy Turnbull.

The Director City Development was also present.

Attending for part of the time - Dr Deborah Dearing (Alternate Member for Ms Holliday).

Ms Holliday arrived at the meeting of the Central Sydney Planning Committee at 6.15pm during discussion on Item 7.

APOLOGIES

An apology was received from Councillor Robert Ho who was unable to attend the meeting as he was overseas.

An apology was received from Councillor Dixie Coulton (Alternate Member for Councillor Ho) who was unable to attend the meeting owing to a prior commitment.

An apology was received from Mr Chris Johnson who was unable to attend the meeting owing to a prior commitment.

An apology was received from Ms Antoinette le Marchant who was unable to attend the meeting as she was overseas.

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

That the apologies from Councillor Ho, Councillor Coulton, Mr Johnson and Ms le Marchant be received and leave of absence granted.

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: The Glasshouse, 135 King Street, Sydney
7. World Square Stage 5: Development Application for Residential Tower
8. BT Tower: 126 Phillip Street, Sydney - Stage 1 and Development Plan Application
1. Confirmation of Minutes
2. Matters Arising from the Minutes
4. Review of the Developer Contributions System: Submission to the Minister for Urban Affairs and Planning
5. Amendment of Central Sydney Section 61 Contributions Plan 1997
6. Exterior Lighting Strategy for the City of Sydney
9. New Development Application Lodgements and Delegated Items
10. General Business

ITEM 1. CONFIRMATION OF MINUTES (S010833)

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

That the Minutes of the meeting of the Central Sydney Planning Committee held on 15 June 2000 be taken as read and confirmed.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S010833)

There were no matters arising from the Minutes of the Central Sydney Planning Committee held on 15 June 2000.

ITEM 3. DEVELOPMENT APPLICATION: THE GLASSHOUSE, 135 KING STREET, SYDNEY (D2000/00229)

Note - Correspondence from Rice Daubney dated 6 July 2000 was circulated to members prior to the meeting of the Central Sydney Planning Committee.

The following persons addressed the meeting of the Central Sydney Planning Committee on this matter -

Mr David Kunde

Mrs Rhonda Ballas

Mr Benny Coa

Mr John Daubney - Rice Daubney

Resolved on the motion of Mr Bird, seconded by Dr Dearing -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 6 July 2000, in relation to Development Application 2000/00229 made by Rice Daubney for the site at 135 King Street, Sydney for refurbishment of the King Street retail arcade and use as a late opening licensed cafe and brasserie, it be resolved that:-

(A) Having regard to the proposed development exceeding the maximum permissible floor space ratio (with the allocation of heritage floor space) pursuant to the Central Sydney Local Environmental Plan 1996 and the extent of non-compliance proposed, the Central Sydney Planning Committee support the objection made under State Environmental Planning Policy No. 1 - Development Standards regarding the non-compliance as the development standard is considered unreasonable and unnecessary in this instance; and

(B) Development consent be granted subject to the following conditions:-

Schedule 1A

Approved Development, Contributions and Covenants

Note: Some conditions in Schedule A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

APPROVED DEVELOPMENT

- (1) Development must be in accordance with Development Application No. 2000/00229 dated 23 March 2000 and the Statement of Environmental Effects prepared by JBA Urban Planning Consultants Pty Ltd dated March 2000, as amended by the supplementary report prepared by JBA Urban Planning Consultants Pty Ltd dated April 2000, and drawings numbered A1201/B, A1201.1/B and A1501/B dated 22 June 2000 and drawing numbered A1502/C dated 27 June 2000, all prepared by Rice Daubney, 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.

FLOOR SPACE RATIO

- (3) The following applies to Floor Space Ratio:-
- (a) The Floor Space Ratio of the proposal must not exceed 12.631:1 calculated in accordance with the Central Sydney Local Environmental Plan 1996. For the purpose of the calculation of FSR, the Floor Space Area of the development is 34,559sqm.
 - (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, a Registered Surveyor shall provide certification of the total and component Floor Space Areas (by use) in the development, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).
 - (c) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, documentary evidence (ie. a Heritage Floor Space Allocation Certificate issued by Council) must be produced and acknowledged by Council that 13sqm of heritage floor space was allocated (purchased and transferred) to the development, being that floor space in excess of the existing Floor Space Ratio as specified in the Central Sydney Local Environmental Plan 1996.

SECTION 61 CONTRIBUTION

- (4) A contribution under Section 61 of the City of Sydney Act 1988 shall be paid in accordance with the following:
- (a) **Cash Contribution Required**

In accordance with the adopted "Central Sydney Contributions Plan 1997" a cash contribution must be paid to Council in accordance with this condition.

Payment shall be by bank cheque made payable to the City of Sydney.

(b) **Amount of Contribution**

The amount of the contribution will be equivalent to 1% of the development cost, at the Construction Certificate stage, as determined in accordance with the “Central Sydney Contributions Plan 1997”.

- (c) Certification of the calculation of the contribution in accordance with the “Central Sydney Contribution Plan 1997” 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 the issue of the Construction Certificate.

For developments over \$2 million in cost, the certification of the building costs must be prepared by a Registered Quantity Surveyor.

(d) **Timing of Payment**

The contribution must be paid prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

RESTRICTION ON TABLES AND CHAIRS

(5)

- (a) Tables and chairs for the cafe and brasserie use shall not be provided beyond the southern point of the stone dividing wall.
- (b) No tables and chairs shall be allowed to be located or protrude onto the 3.1m pedestrian walkway or any of the pedestrian thresholds at either end of the development.

INTERNAL PARTITIONS NOT TO ABUT WINDOW

- (6) Where internal partitions meet external walls they shall abut window mullions, columns or other such building elements and not glazing.

EXTERNAL LIGHTING

- (7) A separate development application is required to be lodged for any proposed external floodlighting or illumination of the building. Such application shall be submitted and approved by Council prior to the installation of any external lighting.

REMOVAL OF GRAFFITI

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

HOURS OF OPERATION

- (9) The hours of operation are regulated as follows:
- (a) The hours of operation of the premises shall be restricted to between 7.00am to 12.00 midnight on Mondays to Saturdays (inclusive) and between 7.00am to 10.00pm on Sundays;
 - (b) Notwithstanding (a) above, the premises may operate until 1.00am seven days a week, for a trial period of 12 months from the date of commencement of these extended hours. The licensee shall inform Council in writing of the date upon which these extended hours commenced.
 - (c) Upon expiration of the permitted hours outlined in (a) and/or (b) above, all restaurant service must immediately cease, no person must be permitted entry and all customers on the premises must be required to leave within the following hour.
 - (d) A further application may be lodged to continue the trading outlined in (b) above before the end of the trial period for Council's consideration. Such consideration will be based on, inter alia, on the performance of the operator in relation to compliance with development consent conditions, and any complaints received, commitment to any Accord in place and any views expressed by the Police. It should be noted that the trial period and the consent may be deemed not to have commenced unless the full range of hours approved has continually occurred during the trial period.

NO SPRUIKERS OR AMPLIFIED NOISE

- (10) No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's footpath adjoining the subject premise.

NOISE

- (11) 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.
- (f) 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

- (12) The Management/Licensee 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, loitering and litter generated by patrons of the premises and shall ensure that people leave the premises and area in an orderly manner. If so directed by the Council, the Management is to employ private security staff to ensure that this condition is complied with to the satisfaction of Council.

NO GAMING MACHINES, AMUSEMENT DEVICES OR THE LIKE PERMITTED

- (13) Gaming machines, amusement devices or the like are not to be installed on the premises.

GLASS SHOP FRONT TO BE UNOBSCURED

- (14) The glass shop front must not be tinted, screened by blinds, curtains or the like or obscured.

CARE OF BUILDING SURROUNDS

- (15) 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.

WINDOW CLEANING

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

SIGNS

- (17) Prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, the applicant shall provide precise architectural and artwork details of the proposed signs which are to be either externally fitted or applied for the approval of the Director City Development in consultation with the Lord Mayor. The proposed signs shall comply with the provisions of the Central Sydney DCP 1996 in regard to midblock connections (Part 3.2) and advertising and building identification signs (Part 8). The new signage is to be installed within two months of receipt of the Construction Certificate.
- (18) Portable signs or goods for sale or display must not be placed on the footway or other public areas.

NO FOOD RETAILING WITHOUT GARBAGE CONTRACT

- (19) No food is to be sold on weekends without prior approval of refuse storage facilities on site, or without having a current contract with Council or other licensed refuse service for the daily removal of putrescible wastes.

CITY OF SYDNEY ACCORD WITH LICENSED PREMISES

- (20) The Licensee is encouraged to become a member of the City of Sydney Accord with Licensed Premises (contact the City Service Development Unit 9265 9003 for information).

NO REMOVAL OF GLASSES, OPENED CANS, BOTTLES OR ALCOHOL FROM THE PREMISES

- (21) The Management/Licensee shall prevent patrons removing glasses, opened cans, bottles or alcohol from the premises. (Except from any approved Bottle Shop area).

REMOVAL OF RECYCLED BOTTLES AND GLASSES

- (22) The removal of recycled bottles and glasses shall only occur between 7.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

NO PUBLIC ENTERTAINMENT

- (23) No Public Entertainment, as defined under Local Government Act 1993, is to be provided within the premises unless approved by a separate application.

Schedule 1B

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

DESIGN MODIFICATIONS

- (24) The design of the proposal shall be modified as follows:
- (a) The proposed showcase on the western side of the King Street arcade entrance shall be modified such that a “splay” is provided. In this regard, the splay shall be on the same alignment as the existing shopfront alignment.
 - (b) The proposed blockwork wall on the eastern side of the cafe tenancy adjacent to the King Street alignment shall be deleted and replaced with glazing.

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.

- (25) Upon change of tenant or lessee of the premises south of gridline 4 on drawing numbered A1201/B dated 22 June 2000, the shopfront of this existing tenancy shall be realigned so as not to protrude beyond the western side of the rectangular and circular shaped columns along gridline C. This shopfront realignment shall physically commence upon expiration of the existing lease arrangements and is subject to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

ACCESS FOR PEOPLE WITH DISABILITIES

- (26) 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.

GLAZING

- (27) All external ground floor glazing in the development must be clear and untinted.
- (28) 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.

PAVING MATERIALS

- (29) The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 3661.1:1993 "Slip Resistance of Pedestrian Surfaces Part 1: Requirements", Appendices A and B.

VENTILATION/HEATING/COOLING SYSTEMS

- (30) The proposed kitchen must not be used for cooking or heating of food unless a system of mechanical ventilation is installed to the cooking or heating appliances. Certified Plans and specifications showing details of any proposed mechanical ventilation system must be submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

DESIGN FOR STORAGE AND HANDLING OF WASTE

- (31)
- (a) The design of the building and the methods of storage and handling of waste and recyclable material must comply with the Code for Waste Handling in Buildings adopted by Council 17 October 1994. The Code requires the submission of a Waste Management Plan, except for minor partition work (Annexure "A" of Code).

The project may require a garbage room, which must be large enough to store, and allow easy removal of the waste, which will be generated by the proposed use. Allowance must be made for the separation of putrescible waste from waste suitable for recycling.

- (b) The Waste Management Plan for the project must be submitted to and approved by the Certifying Authority prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. The Waste Management Plan must be submitted by the Architect or other appropriately qualified person experienced in Waste Handling Design and Environmental Management.

Note:

Special requirements exist in Council's Code for premises such as medical and dental surgeries, food premises, skin penetration premises, laboratories and the like.

The Code recognises the constraints imposed by existing buildings and design issues. In circumstances where full compliance is not possible, an "Alternative Solution" must be submitted to the Certifying Authority.

FOOD PREMISES TO COMPLY WITH CODE

- (32) Any room or area used for the preparation, storage, service, delivery and/or conveying of food and/or beverage for sale must comply with the requirements of the National Code for the Construction and Fitout of Food Premises and the NSW Food (General) Regulation 1992.
- (33) The construction and fitout of the kitchen must comply with the requirements of the National Code for the Construction and Fitout of Food Premises and the NSW Food (General) Regulation 1992.

LETTER TO VERIFY SUPPORT FOR NEW LOADS

- (34) For alterations and additions to an existing building, a letter from a qualified practising structural engineer (NPER) or a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Act Regulation 1994) shall be submitted to the attached to the Construction Certificate Application. The letter must state that the existing structure is adequate to support the new loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia (Specification A1.3).

Schedule 1C

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

DESIGN OF FOOD PREMISES

- (35)
 - (a) All parts of the premises to be used for or in connection with the delivery, storage, preparation or service of food or beverages must be designed, constructed and have facilities which comply with the National Code for the Construction and Fitout of Food Premises, the Food Act 1989, and the Food (General) Regulation 1997. The premises must be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code.
 - (b) Plans and specifications of the design together with Certification of Design, must be submitted to the satisfaction of either:

- (i) the Certifying Authority with the construction certificate application, ie.

*an Environmental Planning and Assessment Regulation 1994 Form 10 Compliance Certificate; or

*Certification in the form of Attachment F1 signed by an Architect or other persons appropriately qualified and experienced in the design, codes and legislative provisions for food premises, when the Certifying Authority is the Council,

OR

- (ii) the Principal Certifying Authority prior to the commencement of the work, ie.

*an Environmental Planning and Assessment Regulation 1994 Form 10 Compliance Certificate; or

*Certification in the form of Attachment F1 signed by an Architect or other persons appropriately qualified and experienced in the design, codes and legislative provisions for food premises, when the Principal Certifying Authority is the Council.

Note:

Separate Certification is required for all new or altered Mechanical Ventilation systems, compliance with Councils Code for Waste Handling in Buildings and for major food areas, hotels, food courts and similar establishments.

STRUCTURAL CERTIFICATION

- (36) 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; and
 - (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.
- (d) 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

- (37) 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.

CERTIFICATION OF MECHANICAL VENTILATION

- (38) 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.

Schedule 1D

Conditions to be complied with during construction

HOURS OF WORK AND NOISE

- (39) The hours of construction and work on the development shall be as follows:
- (a) All work, including demolition, excavation and building work in connection with the proposed development must only be carried out between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Fridays, inclusive, and 7.00 a.m. and 5.00 p.m. on Saturdays, and no work must be carried out on Sundays or public holidays.
 - (b) The applicant must provide to Council a 24 hour per day telephone contact number and must ensure such number is continually attended by a person with authority over the building work during the construction period.
 - (c) The approved hours of work and the 24 hour telephone number must be prominently displayed at all times on the building site and must be visible from a public street or a public place.
 - (d) All work, including demolition, excavation and building work must comply with "The City of Sydney Code of Practice for Construction Hours/Noise 1992" and Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
 - (e) Note: The "City of Sydney Code of Practice for Construction Hours/Noise 1992" allows extended working hours subject to the making of an application in accordance with the Code and under Section 96(2) of the Environmental Planning and Assessment Act 1979, and the granting of approval thereto.

CONSTRUCTION DURING THE OLYMPICS

- (40) 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.

LOADING AND UNLOADING DURING CONSTRUCTION

- (41) The following requirements apply:-

- (a) All loading and unloading associated with construction must be accommodated on site.
- (b) If it is not feasible for loading and unloading to take place on site, the provision of a construction zone may be considered by Council.
- (c) If a construction zone is warranted, such an application must be made to Council prior to commencement of work on the site. An approval for a construction zone may be given for a specific period and certain hours of the days to reflect the particular need of the site for such facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

NO OBSTRUCTION OF PUBLIC WAY

- (42) 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.

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

OCCUPATION CERTIFICATE TO BE SUBMITTED

- (43) 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.

UNOBSTRUCTED ACCESS TO BE MAINTAINED

- (44) Unobstructed access shall be provided and maintained to all exits at all times from tenancies and from public areas.

MECHANICAL VENTILATION COMPLETION AND PERFORMANCE CERTIFICATE TO BE SUBMITTED

- (45) 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.

GLAZING MATERIALS TO COMPLY WITH CODE

- (46) All glazing materials shall be selected and installed in accordance with the relevant provisions of AS 1288 S.A.A. "Glass Installation Code".

STRUCTURAL INSPECTION CERTIFICATE

- (47) Prior to issue of an Occupation Certificate or use of the premises, a Structural Inspection Certificate in the form of Attachment S1C OR a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998) must be submitted to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier) after:
- (a) The site has been periodically inspected and the structural certifier is satisfied that the Structural Works are deemed to comply with the final Design Drawings; and
 - (b) The drawing revisions listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.
 - (c) A copy of the Certificate with a microfilm set of the final drawings shall be submitted to Council if it was not the PCA.

Notes:

- (d) An appropriately qualified practising structural engineer certifying by completing Attachment S1C must have:-
 - (i) Appropriate tertiary qualifications in Civil or Structural 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.
- (e) 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.
- (f) Council reserves the right to randomly audit any structural documentation.

OPERATION OF MECHANICAL VENTILATION NOT TO BE IMPAIRED

- (48) The efficient operation and performance of any mechanical ventilation, air pressurisation or other smoke control system must not be impaired by the partitioning layout. Adequate relief/transfer air openings must be provided to ensure the performance of systems during fire and non-fire conditions is not impaired.

NUMBERING

- (49) Prior to issue of an Occupation Certificate street numbers shall be clearly displayed at either end of the ground level frontage in accordance with the "Policy on Numbering of Premises within the City of Sydney". If new street numbers or a change to street numbers are required, a separate application shall be made to Council.

ALARM TO BE FITTED WITH TIMING DEVICE

- (50) Any intruder alarm must be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems.

VENTILATION SYSTEMS TO COMPLY WITH PUBLIC HEALTH REQUIREMENTS

- (51) The premises must be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code.

CONTRACT REQUIRED FOR REMOVAL OF TRADE WASTE

- (52) Prior to issue of an Occupation Certificate and/or prior to commencement of the use, the building owner must ensure that there is a contract either with Council or a licensed contractor for the removal of trade waste. No garbage is to be placed on the public way eg. footpaths, roadways, plazas, and reserves at any time.

COMPLIANCE CERTIFICATE FOR FOOD PREMISES

- (53) Prior to the use of any part of the premises for or in connection with the delivery, storage, preparation or service of food or beverages, or prior to issue of an Occupation Certificate, a Certificate of Completion must be submitted to the satisfaction of the Principal Certifying Authority;

EITHER

- (a) an Environmental Planning and Assessment Regulation 1994 Form 10 Compliance Certificate;

OR

- (b) a Food Premises Certificate of Completion in the form of Attachment F2 signed by an Architect or other person appropriately qualified and experienced in construction, fitout, codes and legislative provisions for food premises, when the Principal Certifying Authority is the Council.

REGISTRATION OF FOOD PREMISES

- (54) Prior to issue of an Occupation Certificate, Council's City Care Unit (Health Section) shall be notified of the premises being used for the preparation, manufacture or storage of food for sale. The premises will be registered on Council's Food Premises Database.

Schedule 2

The prescribed conditions in accordance with Clause 78 of the Environmental Planning and Assessment Regulation 1998 apply to this development.

- (C) The Director City Development be asked to arrange an on-site meeting with City of Sydney staff, Mr John Daubney of Rice Daubney and appropriate Glasshouse tenants to resolve concerns raised regarding the function and visibility of the set of stairs connecting the King Street level of the complex with the food court below.

ITEM 4. REVIEW OF THE DEVELOPER CONTRIBUTIONS SYSTEM: SUBMISSION TO THE MINISTER FOR URBAN AFFAIRS AND PLANNING (S012139)

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

That arising from consideration of a report by the Acting Strategic Planning and Research Manager to the Central Sydney Planning Committee on 6 July 2000, regarding the Review of the Developer Contributions System: Submission to the Minister for Urban Affairs and Planning, it be resolved that the Central Sydney Planning Committee support the lodgement of the submission at Attachment A to the subject report with the Department of Urban Affairs and Planning in response to the review of developer contributions.

ITEM 5. AMENDMENT OF CENTRAL SYDNEY SECTION 61 CONTRIBUTIONS PLAN 1997 (S000247)

Resolved on the motion of the Chairman (the Lord Mayor), seconded by Councillor Turnbull -

That arising from consideration of a report by the Acting Strategic Planning and Research Manager to the Central Sydney Planning Committee on 6 July 2000, regarding the amendment of Central Sydney Contributions Plan 1997, it be resolved that the Central Sydney Planning Committee:-

- (A) approve the making of Draft Amendment No. 1 to the Central Sydney Contributions Plan 1997 as shown in Attachment A to the subject report; and
- (B) seek the concurrence of the Minister for Urban Affairs and Planning to the Draft Amendment, as required by Section 61 of the City of Sydney Act 1988.

ITEM 6. EXTERIOR LIGHTING STRATEGY FOR THE CITY OF SYDNEY (S009041)

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

That arising from consideration of a report by the Project Manager to the Central Sydney Planning Committee on 6 July 2000, on the draft City of Sydney Exterior Lighting Strategy, it be resolved that the Central Sydney Planning Committee:-

- (A) adopt the City of Sydney Exterior Lighting Strategy as shown in Attachment A to the subject report;
- (B) endorse the next two stages - Exterior Lighting Implementation Plan and the Exterior Lighting Inventory; and
- (C) give approval to those parts of the Strategy relevant to development control being included as an amendment to the Central Sydney Development Control Plan 1996.

ITEM 7. WORLD SQUARE STAGE 5: DEVELOPMENT APPLICATION FOR RESIDENTIAL TOWER (S010833)

Mr Robert Nation of Nation Fender Katsalidis, architects on behalf of the applicant, Meriton Apartments, provided a presentation to the Central Sydney Planning Committee on this matter.

ITEM 8. BT TOWER: 126 PHILLIP STREET, SYDNEY - STAGE 1 AND DEVELOPMENT PLAN APPLICATION (S010833)

Mr Ken Maher of Hassell Pty Ltd, architects on behalf of the applicant, BT Funds Management Limited, provided a presentation to the Central Sydney Planning Committee on this matter.

Mr Chris Waggett of BT Funds Management Limited further addressed the meeting of the Central Sydney Planning Committee on this matter.

ITEM 9. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S010833)

There were no new development application lodgements and delegated items at this meeting of the Central Sydney Planning Committee.

ITEM 10. GENERAL BUSINESS

There were no items of general business raised at the meeting of the Central Sydney Planning Committee on 6 July 2000.

The meeting concluded at 7.28pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 27 July 2000.