

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 3 JUNE 2004

Meeting No 296

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 3 June 2004 commencing at 5.23pm.

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PRESENT

The Right Hon The Lord Mayor Clover Moore MP
(Chair)

Mr Neil Bird, Councillor Chris Harris, Mr Chris Johnson, Ms Antoinette le Marchant, Councillor John McInerney, Ms Jennifer Westacott (Director-General Department of Infrastructure, Planning and Natural Resources).

The Director City Planning (Northern Zone) and Director City Planning (Southern Zone) were also present.

ITEM 1. CONFIRMATION OF MINUTES (5030492)

Resolved on the motion of Councillor McInerney, seconded by Ms Westacott -

That the Minutes of the meeting of the Central Sydney Planning Committee of 13 May 2004, be taken as read and confirmed, subject to the following correction:

On page 166, clause 11.1 Master Plans, the last paragraph should have read "Ms Westacott advised the Committee that the NSW Government was undertaking a review of the role of Master Plans".

Carried.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S030492)

There were no matters arising from the Minutes of the meeting of the Central Sydney Planning Committee of 13 May 2004.

ITEM 3. DEVELOPMENT APPLICATION: 341 GEORGE STREET AND 4 YORK STREET, SYDNEY

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

Mr Terry Byrnes - Byrnes & Associates

Mr Howard Tanner - Howard Tanner & Associates Pty Ltd

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

That arising from consideration of a report by the Area Planning Manager to the Central Sydney Planning Committee on 3 June 2004, in relation to Development Application D2003/01157 made by NGI Investments Pty Ltd for the site at 341 George Street and 4 York Street, Sydney, for a Stage 1 building envelope comprising commercial office and retail land uses, adaptive reuse and conservation works to the historic bank building, a new York Street building extension and a loading dock with no on-site carparking, it be resolved that:-

- (A) the applicant should note that the approval of the Stage 1 development application does not imply that a Stage 2 development application lodged in accordance with the Stage 1 development application will necessarily be acceptable as a full and thorough assessment under the provisions of Section 79A of the Environmental Planning and Assessment Act 1979 will be required at the time;
- (B) the consent authority acknowledges the heritage significance of the building and the important relationship of this building to other landmark buildings in the City and anticipates that the further design resolution of the building will be needed to ensure that its significance including its importance as the termination of the Martin Place and Wynyard Park Vistas is not compromised;

- (C) the consent authority advises that favourable consideration of any future Stage 2 development application will only be subject to an excellent interpretative and architectural response in which positive benefits to the buildings' conservation and adaptive re-use can be demonstrated, and the extension appropriately designed;
- (D) the objection made under State Environmental Planning Policy No. 1- Development Standards, in respect of the development's non-compliance with Clause 32 concerning the maximum height limit for the site of 55 metres under the provisions of the Central Sydney Local Environmental Plan 1996, is not considered to be well founded. Additionally, the proposal does not meet the requirements of Clause 10 in draft Central Sydney Local Environmental Plan 2002 which relates to variation of development standards. Strict compliance with the development standard is necessary and reasonable in the circumstances of the case as the additional building height proposed will result in an unacceptable building massing and urban design response in the context of the historic bank building, neighbouring buildings and the Special Area. Furthermore, the proposal fails to satisfy the objectives underlying the height control, and a complying development would better satisfy such objectives;
- (E) consent be granted subject to the following conditions:-

Schedule 1

Approved Development, Contributions and Covenants

APPROVED DEVELOPMENT

- (1) Development must be in accordance with the following:
- (a) Development Application No. 2003/001157 dated 30 October 2003;
 - (b) The Heritage Impact Statement prepared by Tanner Architects dated May 2003 and the following drawings prepared by Tanner Architects Drawings AR.DA.00 to AR.DA.07 dated October 2003; SK2702/2 dated February 2004; AR.DA.09 (Alternative 1 one level of rooftop office only) and AR.DA.10 dated February 2004;
 - (c) Addendum letter prepared by Byrnes & Associates Pty Ltd and dated 1 March 2004; and
 - (d) Statement to Accompany Stage 1 Development Application for Proposed Commercial Development at 341 George Street and 4 York Street (Volumes I and II) prepared by Byrnes and Associates Pty Ltd and dated October 2003

and as amended by the following conditions:

APPROVED DESIGN AND HERITAGE REQUIREMENTS

- (2) The approved Stage 1 Building Envelope (including an element or detail of that design) must not be changed so as to affect the internal layout or external

appearance of the building, without the approval of Council and the NSW Heritage Office.

- (3) This approval, as a Stage 1 Integrated Development Application, comprises the amended maximum building envelope and schematic internal plan layout only. The detailed works for internal fitout, the roof top addition and the new building extension shall be submitted as part of each competition scheme and the Stage 2 Application. The detailed design shall be sympathetic to the existing building in its form, massing, detailing, materials and colouring.
- (4) A maximum of one (1) floor, as a replacement for the existing 1 storey roof structure is approved. The height of the replacement floor shall not exceed the existing building envelope and parapet line as seen from Castlereagh Street in Martin Place and Margaret Street in Wynyard Park. In order to determine the height of the replacement floor, detailed visual studies including computer rendered perspectives/photomontages taken from strategic positions such as Martin Place, Castlereagh Street and the Northern end of Wynyard Park shall be submitted as part of each competition scheme and the Stage 2 Application. Drawing AR.DA.09 prepared by Tanner Architects and dated February 2004 shall be amended to show the above modifications.
- (5) A detailed fire engineering solution shall be prepared to investigate alternative solutions to retain the existing stair behind the central lift core. Such solution shall be prepared by a qualified fire engineer who has demonstrated experience in heritage buildings and shall be submitted as part of each competition scheme and the Stage 2 Application.
- (6) The proposed stair between the ground and mezzanine floors that is located on the north-east corner of the Banking Chamber is not part of this approval. Following the preparation of the fire engineering solution as requested in Condition 4, this stair will be further assessed in the Stage 2 development application process.
- (7) The design and details of the proposed additional lifts and stair on either side of the central lift core shall be submitted as part of each competition scheme and the Stage 2 Application.
- (8) The existing central lift core and stair structure and finishes shall be retained on all floors. Drawings AR.DA.02 to AR.DA.07 prepared by Tanner Architects dated October 2003 and SK2702/1 and SK2702/2 prepared by Tanner Architects dated February 2004 shall be amended to show the above and any other modifications identified within the conditions of this consent.
- (9) The internal fitout of the Banking Chamber shall be submitted as part of each competition scheme and the Stage 2 Application. The existing marble counters, octagonal writing desk and its chairs and some parts of the bronze teller cages shall be retained in situ in their existing location and configuration.

- (10) The original corridor partition walls and finishes on levels 6 and 7, as identified in the Draft Conservation Management Plan prepared by Tanner Architects and dated August 2003, shall be retained in situ.
- (11) The original corridor partitions, the Mangers' dining room and recreation room on level 9 shall be retained.
- (12) The portion of the proposed new office tower above the parapet line of the heritage building shall be set back from the Wynyard Street elevation. The setback shall be consistent (or same) as the setback of the replacement floor above the existing building as identified in Condition (4). In this regard Drawing AR.DA10 prepared by Tanner Architects and dated February 2004 shall be amended to show the setback above the existing parapet line, the architectural details of the new building and its relationship with the existing building façade and such drawing shall be submitted as part of each competition scheme and the Stage 2 Application. The development shall comply with Policies, 21.1 to 21.4 in the Draft Conservation Management Plan.
- (13) The proposed new lift towers above the central and western lift cores are not part of this approval. All existing lift towers of the building shall be retained. Further resolution of the new lift towers' height, location and relationship with the existing lift towers shall be submitted as part of each competition scheme and the Stage 2 Application.
- (14) A detailed program for conservation works for the Old Westpac Building including the building facades and internal features shall be prepared and submitted as part of each competition scheme and the Stage 2 Application.

FLOOR SPACE RATIO

- (15) The following applies to Floor Space Ratio:-
 - (a) The Floor Space Ratio of the proposal must not exceed 11.16:1 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 25,192.5 sqm.

Note:

The final FSR calculation will be determined with the Stage 2 DA and shall not exceed the maximum stated above. The final FSR will be subject to an acceptable Stage 2 design and demonstrated compliance with Conditions 3-14 above.

- (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).

BUILDING HEIGHT

- (16) The height of the new York Street building extension (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 73.55 or 53.29 metres and shall be determined with the Stage 2 development application in conjunction with the requirements of Conditions 3-14 above.
- (17) The streetwall height of the new York Street building is to align with the established parapet height of the bank building (ie approximately RL 62.97).

It is noted that the parapet/cornice line of the bank building ranges between RL 61.970 and RL 64.97. The final height for the streetwall of the new building will be determined with the Stage 2 application having regard to Conditions 3-14 above.

DESIGN CONDITIONS

- (18) The following details shall be submitted with the Stage 2 application:-
- (a) Fully detailed drawings confirming the architectural treatment and materials application for all building elevations including relevant selected part sections/details at a scale of 1:50.
 - (b) Details at a scale of 1:50 illustrating the design integration between the existing heritage building fabric and the new York Street building extension.
 - (c) The retention and meaningful integration of the relief sign stating “Bank of New South Wales” at level eight of the building into the internal design and interconnection of the historic bank building with the new York Street building extension.
 - (d) The design of the York Street building is to ensure that the landmark qualities of the historic bank building (its scale, form and visual dominance) is respected and enhanced. The proposed extension and design detailing must seek to maintain the integrity of the historic Bank building including addressing the following:
 - (i) The design of the new building should appropriately respond to the strong masonry composition of the adjoining heritage item. The established parapet, cornice and string course lines of the adjoining building should be recognised in the façade composition.
 - (ii) Materials should be used which are compatible with the granite, sandstone and bronze palette of 341 George Street, but should not necessarily duplicate them.
 - (iii) The detailed design of the ground floor level of the York Street and Wynyard Street extension as detailed in the Stage 1 application is not approved. Particular attention should be given to

rationalising/reducing the predominance of the fire hydrant sprinkler booster valve doors to activate the York Street frontage.

- (iv) Appropriate architectural devices are to be incorporated into the building design to minimise the potential for overlooking and loss of amenity within the development and to surrounding buildings (particularly, 343 George Street and 8-12 York Street).
- (e) Photomontages of the development detailing all façades of the building when viewed from surrounding streets, Wynyard Park and Martin Place in particular, to demonstrate the recessive nature of the rooftop addition.
- (f) Full details of the mechanical services and plant required to service the entire building. Details of the efficiency and adequacy of the plant/services to service the building is to be provided by a suitably qualified engineer.
- (g) The Stage 2 building is to have the capacity to accommodate all the mechanical design requirements for all retail tenancies within the Stage 1 building envelope. Details of all exhaust systems and external ducts are to be provided with the Stage 2 application and their efficiency and adequacy verified by a suitably qualified engineer.
- (h) Detailed sections and a design statement for the construction methodology for the integration of the new building structure (walls, floors and ceilings) within the Heritage building.

The above details shall be submitted for the approval of Council with the Stage 2 development application.

- (19) The following information shall be submitted with the Stage 2 development application to the satisfaction of Council's Heritage Specialist:-
 - (a) Details for the retention of significant furnishings and fixtures in the ground floor space and retention of significant interiors including tiles, scagliola and terrazzo in the stair, corridor and lift lobbies. Any changes are to be minimized and interpreted.
 - (b) A strategy for dealing with the retention, storage or disposal of significant furniture on other levels of the building.
 - (c) A comprehensive and detailed specification and schedule of conservation works.

MATERIALS AND SAMPLE BOARD

- (20) A complete materials board including all external finishes, colours and specifications including all glazing must be submitted with the Stage 2 development application for the approval of the Council. Quality materials, finishes and detailing are required to ensure that design excellence is realised in the completed building.

The selection of materials must be sympathetic to the character of the building fabric in the area to enhance the integration of the building to the surrounding streetscape.

Note:

Any variation to these approved materials and finishes will require the submission of an application under the S96(2) Environmental Planning and Assessment Act 1979 to modify consent and approval thereto.

PHOTOGRAPHIC ARCHIVAL DOCUMENTATION

- (21) Archival recording for deposit in the City of Sydney Archives must be carried out prior to the removal of any significant building fabric or furnishings from the site or demolition, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project.
- (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 archival record of significant building fabric or furnishings from the site that is exposed during demolition or construction and after work has been completed on site is required to be submitted to Council prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979.
 - (c) 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:
 - a. 35mm colour slides, numbered and referenced to the site and building plans, and presented in archival quality storage sheets;
 - b. 35mm or 120mm black and white film, numbered and referenced to the site and building plans, with negatives developed to archival standards, and one copy of a contact sheet printed on fibre-based paper to archival standards;
 - c. 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;

- (ii) 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 & white prints and slides) taken.

Written confirmation that the Council reserves the right to use the photographs for its own purposes and for genuine research purposes.

CONSISTENCY OF DRAWINGS

- (22) In the event that the approved plans incorporate inconsistencies of detail between the relevant plans and elevations, the details shown in the elevations shall take precedence.
- (23) The heritage architect of the project should not be changed without prior notice to Council.

CONSERVATION MANAGEMENT PLAN

- (24) A final Conservation Management Plan is to be submitted for the approval of Council prior to the commencement of the Design Competition. The Conservation Management Plan title “341 George Street, Sydney dated August 2003” and prepared by Tanner Architects is to be amended to address the following:-
 - (a) Include a cyclical maintenance schedule for the heritage fabric.
 - (b) To remove/address any inconsistencies in policies ie 22.1 is inconsistent with 6.1 and 6.2.
 - (c) The Policies should be amended so as to not countenance an unacceptable degree of intervention into fabric of exceptional significance ie. 10.1 applies to all levels of the Central Lift Lobbies when Levels G, 1 and 5 are rated exceptional.
 - (d) The factual errors on pages 33 and 76 where the grey granite external base course is referred to as trachyte are to be amended.
- (25) Policies within the approved Conservation Management Plan shall be used in guiding the design competition and Stage 2 application, except where amended by this consent.

DEMOLITION PLANS

- (26) Detailed plans showing the full extent of building demolition are to be submitted with the Stage 2 application. Demolition within the historic bank building should be justified by reference to the approved Conservation Management Plan.

PUBLIC ART

- (27) High quality art work shall be provided within the development in publicly accessible locations eg. near main entrances, lobbies and street frontages, in accordance with the Central Sydney DCP 1996 and the 'Public Art Policy'. Details of the art work must be submitted for the approval of Council with the Stage 2 development application.

EXISTING BUILDING - RECORDING OF BUILDING

- (28) An accurate, archival measured drawing of the existing building is to be submitted for Council approval prior to the issue any Stage 2 Occupation Certificate.

GLAZING

- (29) 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.
- (30) The glass shop front must not be tinted, screened by blinds, curtains or the like or obscured.

ACCESS FOR PERSONS WITH A DISABILITY

- (31) Access to the development shall be in accordance with the requirements of "The City of Sydney Access Policy December 1992".
- (32) Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia and Council's Access Policy. Details for mobility impaired access shall be submitted for the approval of Council with the Stage 2 development application.

RAIL ESTATE

- (33) The Applicant shall liaise with Rail Estate and RIC, as appropriate, to ensure that the following requirements can be addressed in the Stage 2 building design:-
- (a) The applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of the RIC's representative.

- (b) The applicant shall request service searches from Rail, to establish the existence and location of any Rail services and structures. Where Rail Services are identified, the applicant must discuss and agree with State Rail how these services are to be accommodated in the development.
- (c) Prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RIC and the applicant. These dilapidation surveys will establish the extent of any existing damage and surveys is to be agreed with Rail. The submission of detailed dilapidation reports may be required as a result.
- (d) The applicant shall liaise with Rail requiring the building design requirements of building design for effective sound insulation against noise and vibration.

A report prepared by a qualified Acoustic Consultant detailing compliance with Rail requirements shall be submitted, as practicable, with the Stage 2 application.

- (e) A Geotechnical Report is needed to evaluate the impact of the development on the rail tunnel below the subject site. The applicant shall submit a Geotechnical Report for review by RIC to ensure that the proposed development is structurally sound and will not jeopardise the structural integrity of the existing rail tunnel.
- (f) A Risk Management/Management Plan and detailed Work Method Statement (WMS) for the proposed works are to be submitted to RIC for review and comment prior to the works commencing on site. It should be noted that RIC's representative may impose conditions on the methods to be used and require the provision of on-site Safe Work supervision for certain aspects of the works.
- (g) Should, according to RIC's Representative any unforeseen risks to rail infrastructure become apparent (eg falling material) the applicant/contractor will be required to submit information relating to the attenuation of that risk for approval by RIC's representative.
- (h) No excavation or boring is permitted within 2.0 metres (measured horizontally) of high voltage underground cable and 1.0 metre (measured horizontally) for low voltage cables.
- (i) The use of any crane, plant or machinery shall comply with the RIC Electrical Safety Manual and all relevant RIC Standards and Guidelines. Construction equipment such as scaffolding shall not impinge over the rail corridor.
- (j) The applicant is advised that the proposed development of the site is likely to be affected by the proposed MetroWest project with regard, but not limited, to rail noise and vibration and visual impacts. The applicant

is encouraged to contact StateRail for further information regarding this proposal.

A letter is to be furnished with the Stage 2 development application from Rail Estate/RIC advising that their requirements are satisfied or can be satisfied by condition in the design development of the Stage 2 application.

SIGNAGE STRATEGY

- (34) A Signage Strategy which identifies the number, type, size and location of signs (and their illumination as appropriate) to ensure adequate way finding, naming of buildings and tenancies within the development shall be submitted for the approval with the Stage 2 development application.

LIGHTING STRATEGY

- (35) A detailed Lighting Strategy which identifies the number, type, size, design luminosity and location of lighting in relation to the exterior of the building and public spaces including individual tenancy lighting is to be submitted for approval with the Stage 2 development application.

BCA CONDITION

- (36) A Services Capability Report is to be submitted with the Stage 2 development application.
- (37) A detailed BCA Report and Services Capability Report is to be submitted with the Stage 2 development application. This report is to be prepared by an appropriately qualified building surveyor and is to address relevant BCA legislation and is to verify the following:-
- (a) All materials used in the building shall comply with specification C1.10 of the Building Code of Australia.
 - (b) The premises must be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code.
 - (c) Sanitary and other facilities must be provided in accordance with the Building Code of Australia, Part F2.
 - (d) For areas not complying with the deemed to satisfy provisions of the BCA an alternate solution will be required to demonstrate compliance with the performance requirements stipulated in the BCA. Any alternative solution must be submitted and approved by the Certifying Authority prior to the issue of the construction certificate. The following information must be provided:
 - (i) Details of the performance requirements that the proposed alternative solution is intended to meet; and
 - (ii) Details of the assessment methods used to establish compliance with those performance requirements.

- (38) Access for persons with disabilities must be provided to the main entrance off Regimental Square. An access report must be submitted to Council with the stage 2 development application.
- (39) A fire control centre must be provided in accordance with Specification E1.8 of the Building Code of Australia. The proposed fire control centre must be relocated to comply with Specification E1.8 of the Building Code of Australia, or an exemption must be obtained from the New South Wales Fire Brigades pursuant to Clause 188 of the Environmental Planning and Assessment Regulation 2000. Details of the proposed fire control room, including any Clause 188 exemption, must be submitted to Council with the Stage 2 development application.

DEVELOPMENT COST - STAGE 2

- (40) A detailed Quantity Surveyor's Report costing and itemising all included and excluded elements in the Stage 2 development shall be submitted with the lodgement of the Stage 2 development application. This Report shall be consistent with administrative guidelines for defining development cost.

SECTION 61 CONTRIBUTION

- (41) A contribution under Section 61 of the City of Sydney Act 1988 shall be paid prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. The amount of the contribution will be equivalent to 1% of the development cost at the Construction Certificate Stage (Stage 2) as determined in accordance with the "Central Sydney Contributions Plan 1997."

DEMOLITION/SITE RECTIFICATION

- (42) No excavation, demolition or construction shall commence in relation to this Stage 1 development until a Stage 2 development application is approved and a Construction Certificate for the substantive building has been issued.
- (43) 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 \$150,000 dollars as security for the costs of such works provided that:-
 - a. the maximum liability under the Deed shall not exceed \$150,000 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.

HERITAGE CONDITIONS

- (44) The proposed works are to be carried out in a manner that minimises demolition, alterations, new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.

ARCHAEOLOGICAL INVESTIGATION

- (45) The applicant is to commission an experienced conservation architect, to work with the consultant team throughout the design development of the Stage 2 development application, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The conservation architect is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.
- (46) The applicant is to commission experienced tradepersons (as appropriate) that are skilled in traditional building and engineering trades to carry out the proposed scope of works.

INTERPRETATION STRATEGY

- (47) An interpretation strategy for the site must be prepared and submitted with the Stage 2 application to assist public understanding of the history and significance of the site. This strategy should include recommendations regarding appropriate signage and exhibition of selected artefacts and/or other material to assist the public to understand the history and significance of the site. In this particular case, the Strategy should make provision for relevant site evidence, pertinent to in-situ interpretation which emerges during the course of demolition/construction.

LOADING SPACES/PARKING

- (48) No car parking spaces are to be provided in the Stage 2 development application.
- (49) The loading dock are to designed to cater for all vehicles that are likely to service the proposed development, so that on-street servicing will be avoided. If this 7 service vehicle spaces can not be provided on site, the provision of on-site loading facilities on the site is to be maximised. Alternatives are to be considered at the design competition stage and the Stage 2 DA is to demonstrate that opportunities to maximise on-street loading facilities have been maximised.

- (50) The Stage 2 Development Application is to be supported by a Traffic Report which addresses the servicing needs of the building and details appropriate management measures to be employed to minimise impacts on the surrounding street network including Barrack Lane. Suitable provision is to be made for construction vehicles to alleviate any need to park either on George or York Streets during construction.
- (51) All works associated with the proposed development shall be at no cost to the RTA.
- (52) The loading dock must be maintained for use in connection with the proposed development.
- (53) Construction, containerisation and handling of waste arising from the commercial development shall be in accordance with Council's Code for Waste Handling in Buildings.
- (54) The waste/recycling storage facility for commercial use shall be located within the site in a position that can be accessed by a commercial contractor.

TRAFFIC CONDITIONS

- (55) The Stage 2 development application shall comply with the following requirements:-
 - (a) Service vehicle provision shall satisfy Council's LEP and DCP 1996.
 - (b) The layout of the service vehicle parking area shall comply with Australian Standards AS 2890.2-2002.
 - (c) All vehicles from the loading dock shall enter and leave the site in a forward direction.
 - (d) A "Stop" sign shall be installed at the exit point to require exiting vehicles to stop at the building line.
- (56) All loading, unloading and other construction activities shall be accommodated on-site except that:-
 - (a) The structural design of the building shall be such as to permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.
 - (b) If, during excavation, it is not feasible for loading and unloading to take place on site, the provision of a construction or work zone may be considered by Council. The applicant shall submit a proposal to the Sydney Traffic Committee stating justification for not complying.
 - (c) In addition to any approved Work Zone, provision must be made for loading and unloading to be accommodated on the site once the development has reached ground level.

- (d) If a Work Zone is warranted, such an application must be made to Council prior to the commencement of work on the site. An approval for a Work Zone may be given for a specified 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 construction activities.
- (57) All costs of traffic management measures associated with the development shall be borne by the developer.

NAMING RIGHTS FOR NEW BUILDING, PARK OR PLACE

- (58) Any proposed naming of the development which intends to incorporate the name of a city street, park or place, is subject to the separate approval of Council.

SEPARATE APPROVALS FOR FITOUT

- (59) A separate development application must be submitted at the appropriate time for the specific use and fitout of the commercial and retail tenancies within the podium of the building once the Stage 2 consent has been issued. No approval for the specific use or hours have been included in this approval. Such applications must be accompanied by a Heritage Impact Statement.

PAVING MATERIALS

- (60) 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.

PUBLIC DOMAIN PLAN

- (61) The following requirements apply:-
 - (a) Three copies of a detailed Public Domain Plan shall be prepared by an architect, urban designer or landscape architect and must be submitted for the approval of Council with the Stage 2 development application.
 - (b) The Public Domain Plan shall be as follows:
 - (i) Drawn at 1:100 scale.
 - (ii) Show the entire layout of flagstone paving where this paving is required.
 - (iii) Nominate the location, type and material of all existing and proposed public pavement elements including trees, paving, kerbs and gutters, pedestrian ramps, vehicle crossings, street furniture, utility poles, parking meters, pedestrian and traffic signals, service pits and stormwater pits.

- (iv) Include a longitudinal section of the pavement showing existing and proposed levels at 10 metre intervals at the building alignment, the kerb and the gutter on a common datum line. This longitudinal section is to be drawn at 1:100 horizontal scale and 1:10 (exaggerated) vertical scale. This section is to ensure that any significant longitudinal gradient change, such as flattening for vehicle entries, occurs within the building line and not at the public pavement.
- (v) Include 1:50 scale cross sections through pedestrian ramps and vehicle crossings.
- (vi) Include specifications of the proposed works.
- (c) The Public Domain Plan shall comply with the specifications and details of the Central Sydney Paving Design Policy 1996 and Council's Specifications and the Central Sydney Street Tree Policy 1994.
- (d) The Public Domain Plan shall incorporate the standard specifications and detail of the Central Sydney Paving Design Policy 1996 and Council's Specifications adapted to suit the specific site requirements as advised by the Public Domain Officer and may include:-
 - (i) Adjustment to paving grades to provide a maximum crossfall of 2.5% from building line to top of kerb.
 - (ii) Repaving in accordance with Central Sydney Paving Design Policy 1996 and Council's Specifications. All granite paving (where applicable) is to be sealed in accordance with Council's specifications.
 - (iii) The relocation or provision of new vehicle crossovers and pedestrian ramps including the consequent relocation of existing service pits, traffic signals, kerb corner radii, signs, street furniture and street trees.
 - (iv) The retention of existing street trees and the provision of new street trees to comply with the Central Sydney Street Tree Policy 1994.
 - (v) The repair and where required the resetting of all stone kerbing to 150mm above the gutter height and the replacement of concrete kerbing with stone kerbing. Where adjustments require substantial kerb and gutter demolition, the carriageway shall be reconstructed to the centre line of the carriageway.
 - (vi) The retention and repair of any existing pavement lights.
 - (vii) The retention and repair of any existing serviceable stone gutters.

- (viii) The realignment and level adjustment of service pit lids to correspond to new kerb ramps and paving. New service pit lids in flagstone paving to be infill type, with stone infill to match stone paving surrounds. New service pit lids in asphalt paving to be infill type, with cement mortar infill coloured to match adjoining asphalt.

ELECTRICITY SUBSTATION

- (62) The applicant must liaise with Energy Australia regarding their requirements for connection to the nearest electrical substations to the site. Details shall be included in the Stage 2 development application to the satisfaction of Energy Australia.

PUBLIC TELEPHONES

- (63) The Stage 2 development application must provide:-
 - (a) Details that two public telephones will be provided in the development free of cost, (similar to the Telstra Blue Phone), in consultation with the applicant's preferred provider.
 - (i) The telephones should be located at footpath level and two square metres should be allowed for each telephone.
 - (ii) At least one telephone should be accessible for use by persons with a disability, to be designed and installed in accordance with the requirements of AS 1428.2.
 - (b) The telephones must be available for public use during the normal opening hours of the building.

TOILETS AVAILABLE FOR USE BY PUBLIC

- (64) Provision shall be made for the inclusion of toilet facilities at ground floor level of the building. Such facilities shall be located adjacent to the entrance foyer or lift lobby and shall remain available for public use during the normal opening hours of the building. The facilities shall be signposted. Details of the location shall be provided with the Stage 2 development application.

RECEPTACLES FOR CIGARETTE BUTTS

- (65) Provision must be made on the site, adjacent to the entrance/s to the building, for an adequate number of receptacles for the disposal of cigarette butts. The following details shall be provided with the Stage 2 development application. The receptacle/s must:-
 - (a) be located entirely on private property and must not be located on or over Council's footpath;
 - (b) not obstruct any required means of egress or path of travel from the building required by the Building Code of Australia;

- (c) not obstruct any required access/egress path for people with disabilities;
- (d) be appropriately secured to the building;
- (e) the emptying and maintenance of the receptacle/s is the responsibility of the building owner/manager and will not be undertaken by Council; and
- (f) emptying of receptacle/s must be carried out on a daily basis.

SYDNEY WATER CERTIFICATE (NEW DEVELOPMENT)

(66)

- (a) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, written confirmation that you have obtained a Notice of Requirements under Part 6, Division 9 of the Sydney Water Act 1994 must be submitted to the Certifying Authority (Council or a private accredited certifier).
- (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, a (Developer) Compliance Certificate under section 73 of the Sydney Water Act 1994 must be submitted to the Principal Certifying Authority (Council or a private accredited certifier).
- (c) Note:
 - (i) Sydney Water may require you to construct works and/or pay developer charges, details of which will be provided in the Notice of Requirements. Early advice from Sydney Water will avoid problems in providing water and sewer services to your development and adverse impacts on building design and site layout.
 - (ii) The approved plans will also need to be submitted to Sydney Water to determine whether the development will affect sewer and water mains, stormwater drains and/or easements. If the development complies with the requirements, the approved plans will be appropriately stamped by Sydney Water.
 - (iii) Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site www.sydneywater.com.au or telephone 132092.

TELECOMMUNICATIONS PROVISIONS

(67) The following requirements apply to telecommunication facilities in the building:-

- (a) Appropriate access and space within the plant area of the building shall be provided for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery.

- (b) Appropriate ducting shall be provided for a minimum of three telecommunication carriers or other providers for telecommunication access and broad-band cabling to each apartment of the building.

The details of (a) and (b) above shall be submitted for the approval of Council with the Stage 2 application.

STORMWATER AND DRAINAGE

(68) The following stormwater details shall be submitted:-

- (a) Details of the proposed stormwater disposal and drainage of the development are to be submitted for approval by Council prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to Council's underground drainage system will require the owner to enter into a deed of Agreement with Council and obtain registration on Title of a Positive Covenant prior to the commencement of any work within the public way, at no cost to Council.
- (c) The requirements of Sydney Water (currently the Urban Development Central East Group, Rockdale Regional Office) with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

UTILITY SERVICES

(69) To ensure that utility authorities are advised of the development:-

- (a) A survey is to be carried out of all utility services within the site including relevant information from utility authorities and excavation, if necessary, to determine the position and level of services.
- (b) Prior to commencement of work the applicant is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

ALIGNMENT LEVELS

(70) The following shall be submitted to Council with the Stage 2 development application:-

- (a) A separate application including footpath alignment levels must be submitted for approval for the design of the building.

- (b) Such application must be accompanied by a plan prepared by a Registered Surveyor showing the existing location, size and levels (AHD) of all service covers, trees, poles and street furniture, kerb, gutter and alignment levels at 10m cross/sections, alignment levels at proposed and existing vehicular and/or pedestrian entrances within the footway adjacent to and extending 20 metres past either side of the site.
- (c) These levels as approved by Council are then to be incorporated into the plans submitted with the Application for a Construction Certificate.

CONSTRUCTION MANAGEMENT REPORT

- (71) A detailed Construction Management Plan is to be submitted with the Stage 2 application. The Plan must address the following matters:-
- (a) The construction phasing of the development to minimise the impact of the surrounding pedestrian and traffic flows;
 - (b) To define the route for construction vehicular to and from the site, including the likely number of movements during the construction period;
 - (c) To indicate how construction vehicles will be managed to ensure that the impact on traffic flows along George Street and surrounding streets during the peak traffic times are minimized; and
 - (d) To provide details for pedestrian management in George Street and York Street during the construction period including measures to ensure access to the adjoining buildings is not adversely affected.
 - (e) To assess the combined impacts of construction activities in the area and present recommendations to ameliorate the combined impacts.

The applicant should liaise with Mr L K Ho (ph.9265 9150) of Council's Transport and Access Unit in the preparation of this Report.

ARCHAEOLOGICAL MONITORING DURING EXCAVATION

- (72) Excavation of the site requires the works to be monitored by an archaeologist and any remains are to be suitably recorded. To this effect, the applicant must make application to the Heritage Office for an archaeological monitoring permit under Section 140 of the Heritage Act 1977.

SHADOW DIAGRAMS

- (73) Detailed shadow diagrams are to be submitted with the Stage 2 development application to confirm compliance with the provisions of Part 4 of the Central Sydney LEP 1996.

ENVIRONMENTAL MANAGEMENT PLAN

(74) An Environmental Management Plan (EMP) shall be developed and submitted with the Stage 2 application. The EMP shall provide a comprehensive and complete action and implementation plan to ensure that the anthropological and natural environment is not unacceptably impacted by the proposal. The EMP shall include but not necessarily be limited to the following measures:-

- (a) Measures to control noise emissions from the site.
- (b) Measures to suppress dust emissions from the site.
- (c) Soil and sediment control measures.
- (d) Measures to identify hazardous and industrial wastes and the procedures for removal and disposal including asbestos.
- (e) Community consultation.

DESIGN OF ROOFTOP AREAS

(75) A high standard of finish and design should be achieved for all rooftop areas and the use of rooftop gardens and terraces is encouraged. Visual and acoustic privacy, security, safety and wind effects are to be considered in the design resolution of roof top areas.

The above details shall be submitted for the approval of Council with the Stage 2 development application.

(76) The Stage 2 building is to have the capacity to accommodate all the mechanical design requirements for all retail tenancies within the approved Stage 1 building envelope. Details of all exhaust systems and external ducts are to be provided with the Stage 2 application and their efficiency and adequacy verified by a suitably qualified engineer.

The above details shall be submitted for the approval of Council with the Stage 2 development application.

EXCAVATION WORK METHOD STATEMENT

(77) An Excavation Work Method Statement prepared by an appropriately qualified person must be submitted with the Stage 2 development application. The Statement must include:-

- (a) The name and address of the company/contractor undertaking excavation works;
- (b) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials (if applicable);

- (c) The name and address of the transport contractor, and location of the disposal site;
- (d) Type and quantity of material to be removed from site;
- (e) A Materials Handling Statement for the removal of refuse from the demolition site, in accordance with the provisions of the Waste Minimisation and Management Act 1995;
- (f) A Dust Control Method Statement for excavated sandstone or other excavation materials;
- (g) Procedures to be adopted for the prevention, of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment, and the proposed method of cleaning surrounding roadways from such deposits;
- (h) Measures to enclose the excavation site, including safety barriers, particularly if the excavation is greater than 1.5 metres deep. Plastic jersey kerb barriers are not permitted;
- (i) Any WorkCover Authority requirements.

Note:

- (i) A copy of all Reports/Statements referenced in the Work Method Statement must be appended to the Statement.
- (ii) The Principal Certifying Authority is to be notified of any proposed alteration of the above information during the course of demolition.
- (iii) On completion of removal of contaminated materials, a certificate shall be submitted to the PCA, and a copy provided to the Council (if it is not the PCA) testifying to the safe and proper disposal, and amount of all such material.

REFLECTIVITY ANALYSIS

- (78) A detailed Reflectivity Analysis shall be provided the Stage 2 development application. 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.

WIND ASSESSMENT

- (79) The Stage 2 development application is to provide a full wind assessment report based on wind tunnel tests. The design of the building is to fully address all wind amelioration issues arising out to the wind report having regard to issues of urban design and heritage.

INSTALLATION OF DUAL-FLUSH TOILETS

- (80) All toilets installed within the dwelling shall be of water efficient dual-flush capacity with a minimum “AAA” rating. Details to satisfy this condition are to be submitted with the Stage 2 application.

INSTALLATION OF WATER-EFFICIENT TAPS

- (81) All taps installed shall be water efficient with a minimum “AAA” rating. Details to satisfy this condition are to be submitted with the Stage 2 application.

PLANTATION OR RECYCLED TIMBERS

- (82) To minimise the damage to the environment, no rainforest timbers or timbers cut from old growth forests are to be used in the construction of buildings. Details to satisfy this condition are to be submitted with the Stage 2 application.

GREY WATER

- (83) The applicant is to investigate the installation of appropriate technologies within the development to enable to the collection and re-use of the rainwater. A Report addressing this matter is to be submitted with the Stage 2 application.

PHYSICAL MODELS

- (84) An accurate 1:500 scale model of the proposed development must be submitted to Council for the City Model in Town Hall House with the Stage 2 DA.

LOT CONSOLIDATION

- (85) All land titles within the site must be consolidated into one lot. A plan of consolidation in a form capable of registration shall be lodged with the Land Titles Office prior to issue of a Occupation Certificate under the Environmental Planning and Assessment Act 1979.

Schedule 2

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

Schedule 3

Terms of Approval

The Terms of Approval for Integrated Development as advised by the NSW Heritage Office are as follows:-

1. All work shall be in accordance with the recommendations contained within the following:-
 - (a) The Heritage Impact Statement prepared by Tanner Architects dated May 2003 and the following drawings prepared by Tanner Architects Drawings AR.DA.00 to AR.DA.07 dated October 2003; SK2702/2 dated February 2004; AR.DA.09 (Alternative 1 one level of rooftop office only) and AR.DA.10 dated February 2004;
 - (b) Addendum letter prepared by Byrnes & Associates Pty Ltd and dated 1 March 2004; and
 - (c) Statement to Accompany Stage 1 Development Application for Proposed Commercial Development at 341 George Street and 4 York Street (Volumes I and II) prepared by Byrnes and Associates Pty Ltd and dated October 2003.

Except AS AMENDED by the conditions of this consent.

2. This approval, as a Stage 1 Integrated Development Application, comprises the amended maximum building envelope and schematic internal plan layout only. The detailed works for internal fitout and the roof top addition and the new building shall be submitted as part of the Stage 2 Application. The detailed design shall be sympathetic to the existing building in its form, massing, detailing, materials and colouring and shall be submitted as part of the Stage 2 Application.
3. A maximum of one (1) floor, as a replacement for the existing 1 storey roof structure is approved. The height of the replacement floor shall not exceed the existing building envelope and parapet line as seen from Castlereagh Street in Martin Place and Margaret Street in Wynyard Park. In order to determine the height of the replacement floor detailed visual studies including computer rendered perspectives/photomontages taken from strategic positions such as Martin Place, Castlereagh Street and the Northern end of Wynyard Park shall be submitted as part of Stage 2 Application. Drawing AR.DA.09 prepared by Tanner Architects and dated February 2004 shall be amended to show the above modifications. Additionally other elevations shall also be amended to show the amended building envelope in accordance with the conditions of this consent.
4. A detailed fire engineering solution shall be prepared to investigate alternative solutions to retain the existing stair behind the central lift core. Such solution shall be prepared by a qualified fire engineer who has

demonstrated experience in heritage buildings and shall be submitted as part of the Stage 2 Application.

5. The proposed stair between the ground and mezzanine floors that is located on the north-east corner of the Banking Chamber is not part of this approval. Following the preparation of the fire engineering solution as requested in Condition 4, this stair will be further assessed in the Stage 2 development application process.
6. The design and details of the proposed additional lifts and stair on either side of the central lift core shall be submitted as part of the Stag 2 application.
7. The existing central lift core and stair structure and finishes shall be retained on all floors. Drawings AR.DA.02 to AR.DA.07 prepared by Tanner Architects dated October 2003 and SK2702/1 and SK2702/2 prepared by Tanner Architects dated February 2004 shall be amended to show above and any other modifications identified within the conditions of this consent.
8. The internal fitout of the Banking Chamber shall be submitted as part of the Stage 2 application. The existing marble counters, octagonal writing desk and its chairs and some parts of the bronze teller cages shall be retained in situ in their existing location and configuration.
9. The original corridor partition walls and finishes on levels 6 and 7, as identified in the Draft Conservation Management Plan prepared by Tanner Architects and dated August 2003, shall be retained in situ.
10. The original corridor partitions, the Mangers' dining room and recreation room on level 9 shall be retained.
11. The portion of the proposed new office tower above the parapet line of the heritage building shall be set back from the Wynyard Street elevation. The setback shall be consistent (or same) as the setback of the replacement floor above the existing building as identified in condition 3. In this regard Drawing AR.DA10 prepared by Tanner Architects and dated February 2004 shall be amended to show the setback above the existing parapet line, the architectural details of the new building and its relationship with the existing building façade and such drawing shall be submitted as part of the Stage 2 application. The development shall comply with Policies, 21.1 to 21.4 in the Draft Conservation Management Plan.
12. The proposed new lift towers above the central and western lift cores are not part of this approval. All existing lift towers of the building shall be retained. Further resolution of the new lift towers' height, location and relationship with the existing lift towers shall be submitted as part of the Stage 2 application.
13. A detailed program for conservation works for the Old Westpac Building including the building facades and internal features shall be prepared and submitted as part of the Stage 2 application.

14. Should any archaeological relics be uncovered, excavation shall be stopped and the NSW Heritage Office shall be informed immediately.
 15. A detailed interpretation strategy and plan shall be prepared and submitted as part of the Stage 2 application.
 16. After the draft CMP is approved by the Heritage Council, policies within the Conservation Management Plan shall be used in guiding the Stage 2 application, except as amended by this consent.
 17. All drawings shall eliminate discrepancies between the plans and elevations.
 18. An application under section 60 of the NSW Heritage Act must be submitted and approved by the NSW Heritage Council prior to work commencing.
- (F) All other matter including architectural Design and detailing are to be determined as part of the Stage 2 development application

Carried.

ITEM 4. MASTERPLAN APPLICATION: 9-15 BOWDEN STREET AND 132-138 MCEVOY STREET, ALEXANDRIA

Mr Frank Stanasic, architect for the owner of the subject site, Newtown Developments Pty Ltd, addressed the meeting of the Central Sydney Planning Committee on this matter.

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

That arising from consideration of a report by the Senior Town Planner to the Central Sydney Planning Committee on 3 June 2004, in relation to a Masterplan made by JBA Urban Planning Consultants for the site at 9-15 Bowden Street and 132-138 McEvoy Street, Alexandria, for a Mixed Use Development, it be resolved that the Committee not endorse the Masterplan for the following reasons:-

- (A) the proposal is not consistent with the objectives of the 10(e) - Mixed Uses "E" Zone under South Sydney Local Environmental Plan 1998. Objective (a) of the Zone is "to establish a predominantly employment based zone while allowing residential use on appropriate development sites";
- (B) the Masterplan submission and in particular Option D does not satisfy objectives (b) to allow business activities which contribute to economic growth and employment opportunities provided they are compatible with residential development, and (d) to minimise adverse impact on residential amenity through controls within a development control plan of the Mixed Uses "E" Zone under South Sydney Local Environmental Plan 1998;
- (C) the Masterplan does not satisfy the Strategy for a Sustainable City of South Sydney as required by the principal objectives contained in Clause 7 and must be taken into consideration when assessing a proposed development under Clause 8 of South Sydney Local Environmental Plan 1998;

- (D) the scale of the proposed options in the Masterplan are contrary to and will have a detrimental effect on the heritage of the locality, having regard to Clause 22(e) of South Sydney Local Environmental Plan 1998;
- (E) the Masterplan submission does not satisfy the Vision for Green Square with respect to the key concepts and the planning principles of Schedule 4, having regard to Clauses 27A and 27B of South Sydney Local Environmental Plan 1998;
- (F) the Masterplan submission does not adequately address the design principles of Clause 28 of South Sydney Local Environmental Plan 1998;
- (G) the assessment of the proposed public domain works does not adequately justify a floor space ratio bonus beyond the base ratio identified in the South Sydney Development Control Plan 1997: Urban Design - Green Square Amendments;
- (H) the preferred Masterplan option exceeds both the stated predominant height controls and the built form height controls of South Sydney Development Control Plan 1997: Urban Design - Green Square Amendments and can not be supported due to the impact onto neighbouring properties and the internal amenity of the development;
- (I) the Masterplan submission does not re-establish Shea's Creek Channel and integrate the public space with the Channel having regard to the Urban Strategy under South Sydney Development Control Plan 1997: Urban Design - Green Square Amendments (DCP - Green Square);
- (J) the scale of the development adjacent to Shea's Creek is excessive and dominates the Channel with a 10m setback of buildings from the centre line of Shea's Creek required to satisfy the provisions of section 3.1.4 of South Sydney Development Control Plan 1997: Urban Design - Green Square;
- (K) the proposed open space does not satisfy the performance criteria or controls of section 3.1.5 of South Sydney Development Control Plan 1997: Urban Design - Green Square;
- (L) the Masterplan submission does not satisfy a key objective of the Green Square Strategy (Section 3.2.6) to achieve a mixed-use permeable urban environment with a cohesive framework of public open spaces and streets including through site links to promote community interaction, integrating active and passive social and recreational activities, public art and water features;
- (M) the main internal communal/private open space and the expected outdoor space of the site to the southwest will be either significantly overshadowed or receive minimal winter sunlight contrary to the sunlight provisions in Part E of South Sydney Development Control Plan 1997: Urban Design;
- (N) the Masterplan submission does not satisfy the objectives of Part D of South Sydney Development Control Plan 1997: Urban Design, with regard to providing a range of housing options/unit mix within the development;

- (O) the Masterplan submission does not address the facilities arising from the Social Impact Assessment submitted in support of the Masterplan;
- (P) the Masterplan submission does not satisfy the objectives of public open space, private open space or landscaping as defined in Part E of South Sydney Development Control Plan 1997: Urban Design; and
- (Q) the Masterplan submission does not provide the required setback from McEvoy Street as referred to in section 2.4 of Part E of South Sydney Development Control Plan 1997: Urban Design.

Carried.

ITEM 5. CITY OF SYDNEY DRAFT CONTAMINATED LAND DEVELOPMENT CONTROL PLAN 2004 - REPORT ON SUBMISSIONS (S027676)

Resolved on the motion of Ms Westacott, seconded by Councillor McInerney -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 3 June 2004, in relation to the City of Sydney Draft Contaminated Land Development Control Plan 2004, it be resolved that the Central Sydney Planning Committee:-

- (A) approve the development control plan, shown at Attachment A to the subject report, pursuant to Clause 21(1)(b) of the Environmental Planning and Assessment Regulation 2000 as the City of Sydney Contaminated Land Development Control Plan 2004 with its operation to commence from the date of publication of its Notice of Approval;
- (B) repeal the following development control plans under the provisions of Clause 22 of the Environmental Planning and Assessment Regulation 2000 from the date which the City of Sydney Contaminated Land Development Control Plan 2004 takes effect:
 - (1) Development Control Plan No. 42 - Contaminated Land Management (prepared by Leichhardt Council) - June 2000 (amended January 2001),
 - (2) Contaminated Land Development Control Plan (prepared by the former South Sydney City Council),
 - (3) South Sydney Development Control Plan 1997 - Part E - Section 1.8 Site Contamination (prepared by the former South Sydney City Council),
- (C) delegate authority to the General Manager to make any minor drafting changes that may be required as a result of Council's consideration of the City of Sydney Draft Access Development Control Plan 2004; and

- (D) advise submitters of the outcome of the Central Sydney Planning Committee's decision.

Carried.

ITEM 6. CITY OF SYDNEY DRAFT ACCESS DEVELOPMENT CONTROL PLAN 2004 - REPORT ON SUBMISSIONS (S010063)

Note - A report prepared by City officers dated 2 June 2004 was circulated to members prior to the meeting of the Central Sydney Planning Committee.

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 3 June 2004, in relation to the City of Sydney Draft Access Development Control Plan 2004, it be resolved that the Central Sydney Planning Committee:-

- (A) approve the development control plan, as shown at Attachment A to the subject report, pursuant to Clause 21(1)(b) of the Environmental Planning and Assessment Regulation 2000 as the City of Sydney Draft Access Development Control Plan 2004 with its operation to commence from the date of publication of its Notice of Approval, subject to the following amendments:
- (1) replacement of the diagrams in Appendix Two of the Draft DCP with those provided to CSPC members prior to the meeting;
 - (2) amend clause 4.2.4 so that it reads:

“Walkways shall be provided with landings or rest areas -

 - (i) every 25 metres for gradients 1:33
 - (ii) every ~~14~~ 15 metres for gradients 1:20”
 - (3) amend clause 4.2.5 so that it reads:

“Intent:

 - To ensure that ramps and step ramps are designed correctly to provide ~~smooth~~ sharp transitions between sections of different gradients to allow for access to public places for both ambulant and non-ambulant people.”
 - (4) amend point 3 of Section 3.2 so that it reads:

“3. Alternative solutions may include a temporary ramp, access through a side entrance or the like. However, applicants should note that these solutions will only be acceptable as a ‘last resort’, every effort should be made to ensure that equitable access is provided through the principle entrance of the building.”

- (5) delete the following text from Section 1.10 Exemptions:

“Further exemptions may also apply, refer to Section 3.1 - Variation to Access.”

- (B) repeal of the following development control plans and policies under the provisions of Clause 22 of the Environmental Planning and Assessment Regulation 2000 from the date which the City of Sydney Access Development Control Plan 2004 takes effect:
- (1) South Sydney Equitable Access Design Policy,
 - (2) Leichhardt Development Control Plan No. 32 Design for Equity of Access,
 - (3) Objective 1 of the City of Sydney Access Policy, and
 - (4) South Sydney Development Control Plan 1997 - Part E. Section 4.4 and 4.5.
- (C) delegate authority to the General Manager to make any minor drafting changes that may be required as a result of Council’s consideration of the City of Sydney Draft Access Development Control Plan 2004; and
- (D) advise submitters of the outcome of the Central Sydney Planning Committee’s decision.

Carried.

ITEM 7. GENERAL BUSINESS

7.1 The Centrepont Tower site - 184-190 Pitt Street, Sydney

The Central Sydney Planning Committee agreed to convene a sub-committee comprising:

- Councillor John McInerney
- Ms Jennifer Westacott
- Mr Chris Johnson

to have discussions with the proponents of the Centrepont Tower site, and relevant City officers, to review and negotiate any proposed revisions to the development proposal for this site. However, the full Central Sydney Planning Committee will determine any revised development application. It was noted that the determination of the original development application for the Centrepont Tower site is currently the subject of an appeal to the Land and Environment Court.

The meeting concluded at 6.14pm.

CHAIR

The next meeting of the Central Sydney Planning Committee is scheduled for 24 June 2004.