

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 11 MARCH 2004

Meeting No 293

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 11 March 2004, commencing at 5.22pm.

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PRESENT

Ms Antoinette le Marchant
(Chair)

Mr David Brown (Alternate Member for Mr Neil Bird), Mr Peter Mould (Alternate Member for Mr Chris Johnson), and Ms Jennifer Westacott, Director-General, Department of Infrastructure Planning and Natural Resources.

The Director for City Planning Northern Zone, the Director for City Planning Southern Zone and Acting Manager Development were also present.

ELECTION OF CHAIR

Note. The Lord Mayor and the Councillors of the City of Sydney had been removed by Government Proclamation on 6 February 2004. There being no chairperson, an election for the position of Chair was held in accordance with Clause 14(1) of Schedule 1 of the City of Sydney Act 1988.

Nominations for the position of Chair were called. One nomination was received and accepted by the candidate, as follows:

Ms Antoinette le Marchant - nominated by Mr Mould, seconded by Mr Brown.

Ms le Marchant was declared elected and took the chair at 5.21pm.

APOLOGIES

An apology was received from Mr Neil Bird who was unable to attend the meeting as he was overseas on business.

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

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

That the apologies from Mr Bird and Mr Johnson 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. Design Competition Report: 416-418 George Street, 420 George Street and 197-211 Pitt Street, Sydney (Mid City Centre)
4. Development Application: 232-248 Pitt Street and 161-167 Castlereagh Street, Sydney (comprising the Greater Union Pitt Centre, Pitt Street Plaza, Brashs, Legion House and Angus & Son Building)
5. Draft South Sydney Local Environmental Plan: Exhibition of Additional Heritage Items
6. Central Sydney Development Control Plan 1996: Heritage Floor Space - Draft Amendment No. 18
7. City of Sydney Draft Access Development Control Plan 2004
1. Confirmation of Minutes
2. Matters Arising from the Minutes
8. Presentations by Applicants and Preliminary Advice
9. General Business

ITEM 1. CONFIRMATION OF MINUTES (S030492)

Resolved on the motion of Mr Mould, seconded by Mr Westacott -

That the Minutes of the meeting of the Central Sydney Planning Committee held on 5 February 2004 be taken as read and confirmed.

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 held on 5 February 2004.

ITEM 3. DESIGN COMPETITION REPORT: 416-418 GEORGE STREET, 420 GEORGE STREET AND 197-211 PITT STREET, SYDNEY (MID CITY CENTRE) (D/2002/00783)

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

That arising from consideration of a report by the Area Planning Manager to the Central Sydney Planning Committee on 11 March 2004, in relation to the Design Competition for the site known as 416-418 George Street, 420 George Street and 197-211 Pitt Street, Sydney (Mid City Centre), Sydney, it be resolved that:-

- (A) the subject report be received and noted;
- (B) the Central Sydney Planning Committee notes the Competition conducted in accordance with Section 12: Design Excellence and Competitive Processes of the Central Sydney Development Control Plan 1996 and notes the selection of the Bates Smart submission to form the basis of a future Stage 2 development application. However, this does not imply approval of such a future application;
- (C) the Central Sydney Planning Committee supports the findings and concerns of the Competition Jury with regard to the detailed resolution of the following aspects of the Bates Smart submission:
 - (1) Advance the use of passive solar control in the design of the facades in order to achieve a 4.5 star AGBR (retention of chilled beam technology is supported).
 - (2) Develop the differentiation between the northern 'solid' and the 'glass' office tenancy elements.
 - (3) Develop the northern service block to have greater functionality - express vertical circulation, garden/break-out spaces.
 - (4) Develop a more individual response to the two street facades at podium level.
 - (5) Develop the integration/penetration of the tower elements into the podium below on George Street.

- (6) Develop the atrium space along the Dymocks' boundary to ensure the highest level of amenity for both commercial tenants and adjacent occupants.
 - (7) Advance the atrium design above the Pitt Street podium to maximise amenity whilst maintaining tenancy integration;
- (D) The applicant be informed that:-
- (1) The Central Sydney Planning Committee concurs with the findings and shares the concerns of the Competition Jury with regard to those matters listed in Part C above.
 - (2) Areas of non-compliance with the Central Sydney Local Environmental Plan 1996 (CSLEP 1996), Central Sydney Development Control Plan 1996 (CSDCP 1996) and the approved Stage 1 consent (D2002/00783) in the subject report are to be fully considered in the design development of the scheme to a Stage 2 development application; and if still proposed shall be thoroughly addressed and justified as part of the Stage 2 development application submission. In particular, the Central Sydney Planning Committee strongly recommends that further design consideration be given to the following elements of the proposal:
 - (a) The design resolution of the northern building elevation to ensure that the intent of Condition 17 is achieved. The use of building materials and their composition is not considered sufficient to break down the massing of this façade. The incorporation of some building setbacks (ie. 3.0 metre setbacks in accordance with Clause 2.3.7 of CSDCP 1996) is encouraged to ensure that the building alignment is articulated and provides an appropriate response to the Strand Arcade.
 - (b) The design resolution of the southern building elevation to ensure that the façade adequately responds to the articulation and amenity issues espoused in Condition 19, including ensuring the following:
 - (i) That a high degree of articulation /modulation is incorporated into the design to assist in breaking down the building mass and horizontal dimension of the elevation; and
 - (ii) The use of appropriate architectural devices to minimise the potential for overlooking and loss of amenity to surrounding building and consideration to the splayed modelling of the south-east corner of the development.
 - (c) The setback proposed to George Street be further considered and informed by an assessment of the impacts of the non-compliance with the Stage 1 building envelope on the outlook from neighbouring properties, namely the Tower Apartments (ie. as required by Condition 25).
 - (d) That opportunities to further development sound ESD principles and practices be investigated, ie. the retention of chilled beamed technology,

water conservation and grey water re-use, and other environmentally responsive measures based on a 'whole building approach'. The re-use of rainwater collected from the roof and elevations of the building is encouraged.

- (3) Particular attention to the through site links is needed and a commercial desire to retain tenancies will not suffice if this stifles a positive design outcome.
- (4) Any reduction in the Heritage Floor Space Allocation to the development be considered with the Stage 2 Development Application, and the achievement of desired outcome for the Stage 1 consent, the jury report and this resolution. Similarly, the achievement of the floor space ratio maximum is not guaranteed.
- (5) The number of car parking spaces to be incorporated into the development is to be resolved as part of the Stage 2 Development Application, as provided for in the Stage 1 Development Application.
- (6) A detailed assessment of the Bates Smart winning scheme against the requirements of the CSLEP 1996, CSDCP 1996, the Central Sydney Heritage Local Environmental Plan 2002, the Building Code of Australia and the associated Australian Standards, has not been conducted, nor has it been possible based on the submitted schematic plans. In this regard, the Central Sydney Planning Committee advise that:
 - (a) the advice is non-binding and does not fetter the discretion of the consent authority;
 - (b) the consent authority must conduct a thorough and objective assessment of the Stage 2 development application as required by the Environmental Planning and Assessment Act 1979, including an assessment of any public submissions received as a result of the advertising and notification of the application; and
 - (c) the consent authority incurs no liability for any expense borne by the owner/applicant as a result of reliance upon this pre-development application advice.

ITEM 4. DEVELOPMENT APPLICATION: 232-248 PITT STREET AND 161-167 CASTLEREAGH STREET, SYDNEY (COMPRISING THE GREATER UNION PITT CENTRE, PITT STREET PLAZA, BRASHS, LEGION HOUSE AND ANGUS & SON BUILDING)

Mr Richard Francis-Jones of FJMT Architects addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion of Mr Mould, seconded by Mr Brown -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 11 March 2004, in relation to Development Application D/2003/01111 made by Pitt & Castlereagh Pty Ltd for a Stage 1 building envelope for a residential/serviced apartment tower and podium with a maximum height of 168.1m (RL 190.1m), and Floor Space Ratio of 15.16:1 (68,106sqm), at 232-248 Pitt Street and 161-167 Castlereagh Street, Sydney, it be resolved that:-

- (A) the requirement to carry out a design competition may not be required in this instance, providing the Stage 2 development application exhibits a comparable level of design excellence to the winning scheme approved by D/02/00842, the same project architect is retained (Francis-Jones Morehen Thorp), and is commissioned to supervise the full construction phase of the development;
- (B) the State Environmental Planning Policy No. 1 objection to vary the Central Sydney Local Environmental Plan 1996 development standard for floor space ratio (FSR increasing from 13.95:1 to 15.16:1 including the wintergarden areas) is not supported, noting the non-compliance of the wintergardens with the 6m side setbacks, the 40m horizontal dimension parallel to the Pitt Street frontage, and compliance would reduce building bulk;
- (C) with the benefit of more detailed design, consideration may be given to the addition of wintergardens to the approved building envelope at Stage 2, providing the wintergardens comply with the objectives of the Central Sydney Local Environmental Plan 1996 and the Central Sydney Development Control Plan 1996 in respect of floor space ratio, side setbacks and building bulk, and the wintergardens satisfy the following criteria:
 - (1) exhibit design excellence.
 - (2) result in a superior outcome to that achieved by the provision of open balconies.
 - (3) do not exceed the permissible Floor Space Ratio for the development by greater than 5%.
 - (4) enhance the amenity of the residential apartments (a wind study shall be required to demonstrate that enclosed balconies are necessary to provide an appropriate level of amenity to outdoor spaces and that open balconies would be unusable due to adverse wind impacts at rates greater than 16 metres/s).
 - (5) have all weather floors/different flooring or materials between internal and wintergarden spaces.
 - (6) have a maximum area of 12sqm.
 - (7) have openable windows and natural climate control (for example moveable louvres).
 - (8) retain a sense of openness and interaction with the natural environment, including permanent openings.

- (9) heritage floor space is allocated at 100% of the total area of the wintergardens, with no deductions;
- (D) in considering the above, and any possible precedent, it is highlighted that the current development is both a significant improvement upon a previously approved scheme, and the development site it occupied by buildings which detract from the local streetscape;
- (E) consent is not granted for the depth of basement excavation and the quantum of car spaces. These matters will be considered further with the Stage 2 development application, and shall be established by a traffic study submitted with the Stage 2 development application which demonstrates that the operational performance of the intersection of Market Street with George Street does not exceed a Level of Service of "D" with average delays of no more than 56 seconds per vehicle. The study shall be based on estimated traffic flows in the year 2006 following the opening of the Cross City Tunnel, and completed to the satisfaction of Council and the RTA. The result may require a significant reduction in car spaces which would otherwise be permitted in accordance with the Central Sydney Local Environmental Plan 1996; and
- (F) consent be granted subject to the following conditions:

APPROVED DEVELOPMENT

- (1) The Stage 2 development application must be in accordance with Development Application No. D2003/01111 dated 20 October 2003 and the Statement of Environmental Effects prepared by JBA Urban Planning Consultants entitled "Residential and Serviced Apartment Tower Development" dated October 2003, and generally in accordance with drawings numbered DA01 to DA66 dated October 2003, P_01 to P_13 dated November 2003, and P_01, DA02, and DA03 dated December 2003 prepared by Francis-Jones Morehen Thorp, with the exception of apartment layout, quantum of car spaces and associated extent of basement excavation which shall be detailed in Stage 2,

and as amended by the following conditions:

- (2) This approval will be valid for a period of two years from the date of the approval.
- (3) No construction shall commence in relation to this Stage 1 development application until a Stage 2 development application is approved and a construction certificate issued in respect of the substantive building.

MATERIALS AND FINISHES

- (4) The design details of the proposed building's facade treatments including all external finishes and colours, including glazing, must be submitted with the Stage 2 development application.

CAR PARKING

- (5) The car parking component for the residential tower is required to be less than the maximum permissible under the Central Sydney LEP 1996. The quantum of car spaces shall be established by a traffic study submitted with the Stage 2 development application to ensure that the operational performance of the intersection of Market Street with George Street does not exceed a Level of Service of "D" with average delays of no more than 56 seconds per vehicle. The study shall be based on estimated traffic flows in the year 2006 following the opening of the Cross City Tunnel, and completed to the satisfaction of Council and the RTA. The result may require a significant reduction in car spaces.

HERITAGE - LEGION HOUSE

- (6) Prior to the submission of the Stage 2 application the applicant shall commission an experienced conservation architect to prepare a statement to amend the Conservation Management Plan for Legion House, as required, to reflect the approved development proposal, in accordance with the guidelines of the NSW Heritage Manual prepared by the NSW Heritage Office. The Plan shall provide for specific uses, works and strategies for the conservation of Legion House.
- (7) In addition, the conservation architect shall prepare a full scope of works for Legion House, and a Heritage Impact Statement and Heritage Interpretation Strategy in accordance with the Conservation Management Plan.

MIDBLOCK LINK

- (8) The proposed midblock connection and open space area shall be developed to provide for:-
- (a) retention of the existing midblock connection to Citisite Building at 155 Castlereagh Street. In this regard, the level of accessibility to this link shall not be diminished.
 - (b) access for people with disabilities shall be in accordance with 'The City of Sydney Access Policy' and via 'public areas' of the development, not private lobbies.
 - (c) the landscape treatment of the mid-block open space shall be evocative of a high-quality, public space.
 - (d) the midblock connection shall comply with the provisions of part 3.2 of Central Sydney Development Control Plan 1996.
 - (e) the materials to be used in and the design of the midblock connection and open space from Castlereagh Street to Pitt Street shall reflect and be sympathetic to the Pitt Street and Castlereagh Street paving materials to create a continuous sense of the public domain.

FLOOR SPACE RATIO

- (9) The following applies to Floor Space Ratio:-
- (a) The Floor Space Ratio of the proposal must not exceed 13.95:1 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 62,618 sqm.
 - (b) An allocation of heritage floor space will apply to the development (the exact quantum to be determined prior to determination of the Stage 2 development application).

BUILDING HEIGHT

- (10) The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 190.1 (AHD).

BUILDING ENVELOPE

- (11) The Stage 1 building envelope is only approved on the basis that it be amended to comply with the Central Sydney Development Control Plan 1996 in respect of Clauses 2.3 and 2.6 (building setbacks and building bulk - horizontal width, respectively) and that the ultimate building design will be wholly contained within the envelope and provide an appropriate relationship with neighbouring buildings. In this regard a variation to the clauses 2.3 and 2.6 may be considered as part of a Stage 2 Development Application as long as the Stage 2 Development Application demonstrates consistency with the objectives of Central Sydney Local Environmental Plan 1996 and Central Sydney Development Control Plan 1996.

MATTERS TO BE ADDRESSED IN THE STAGE 2 APPLICATION

- (12) The following matters shall be provided for in the design of the Stage 2 application of the subject building to the satisfaction of the Council:-
- (a) active uses to the site's Pitt Street and Castlereagh Street frontage in accordance with Clause 2.5 of Central Sydney Development Control Plan 1996. Detailed drawings at a scale of 1:50 are to be provided which demonstrate the design detail of the shopfronts.
 - (b) the foyer of the tower which adjoins Pitt Street shall be designed to specifically address Pitt Street.
 - (c) residential units and serviced apartments shall be separated from one another within the building, and not have shared facilities. Separate lift foyers, storage space and building facilities (such as swimming pools) shall be provided within the development.
 - (d) the residential units and serviced apartments shall comply with the provisions of Clause 6.1 of the Central Sydney Development Control Plan 1996, specifically in respect of amenity and unit mix.

- (e) 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 Development Control Plan 1996 and the 'Public Art Policy'.
- (f) any wintergardens shall be the subject of detailed design, and careful consideration to ensure that the amenity of adjoining properties is not compromised.
- (g) awnings to be provided to the development as required by Clause 3.5 of the Central Sydney Development Control Plan 1996.
- (h) the provision of loading facilities provided in accordance with Clause 5.4 of Central Sydney Development Control Plan 1996.
- (i) bicycle and motor cycle parking in accordance with Clauses 5.5 and 5.6 of Central Sydney Development Control Plan 1996.
- (j) details of the passive and active measures proposed in the building to address Council's energy efficiency requirements in accordance with Clause 4.3 of Central Sydney Development Control Plan 1996.
- (k) provision of a detailed statement which demonstrates compliance with the aims and objectives of SEPP 65 - Design Quality of Residential Flat Development.
- (l) details of the architectural roof feature, and demonstrated compliance with Clause 32A of CSLEP 1996.
- (m) compliance with the State Government's BASIX - Building Sustainability Index.

WASTE MANAGEMENT

- (13) The Stage 2 Development Application's waste management, storage and collection facilities are to comply with Council's requirements and the provisions of the Code for Waste Handling in Buildings 1994, and are to include:-
 - (a) access to the Loading Dock and garbage rooms by Council's 9.7metre domestic waste collection vehicles, requiring a minimum of 3.6m. height clearance over all areas traversed by such vehicles, a maximum ramp grade of 1 in 8 or 1 in 6 with appropriate transitions and a minimum external turning radius of 11 metres.
 - (b) two separate garbage rooms to accommodate the residential component of the development and all other uses including serviced apartments, located adjacent to the collection vehicle standing area within the loading dock.

- (c) the residential garbage room is to be large enough to accommodate and facilitate the recycling of waste and is to include an approved garbage compaction system for putrescible waste.
- (d) the inclusion of an approved garbage chute with access provided for all residential apartments of the building via transfer rooms on each residential floor of the building incorporating chute hopper access and recycling receptacles.

ELECTRICITY SUBSTATION

- (14) An electricity substation is required within the basement of the development. The owner must liaise with Energy Australia and the size, design and location of the substation shall be included in the Stage 2 development application to the satisfaction of Energy Australia. The location and design of the substation must not compromise the active uses at street level.

PUBLIC DOMAIN PLAN

- (15) 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 shall be approved by 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.

(16) The Public Domain Plan shall provide details of:-

- (a) 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.

TRAFFIC AND ACCESS REQUIREMENTS

- (17) Vehicle access to the Stage 2 development application shall be provided from Pitt Street, generally in accordance with the approved plans, notwithstanding the RTA comments, and noting the level differences across the site, the likely resulting impact on the Castlereagh Street frontage, and diminution of the

through site link and pedestrian plaza if vehicle access to the site were to be provided from Castlereagh Street.

- (18) The Stage 2 development application shall provide easy access including adequate turning areas for the largest vehicle (such as garbage trucks and delivery trucks) likely to enter the site.
- (19) Details of traffic and management measures to reduce conflicts between vehicles and pedestrians in respect to the driveway crossing onto Pitt Street shall be lodged with Council as part of the Stage 2 Development Application.
- (20) The Stage 2 development application shall ensure that all vehicles using the site must be able to enter and leave the site in a forward direction.
- (21) The Stage 2 development application must demonstrate that the layout of the car park and service vehicle parking area conform with AS 2890.1-1993 and AS 2890.2-1989.
- (22) The Stage 2 development application shall ensure that the design of the building and the method of storage and handling of waste and recyclable material comply with Council's Code for Waste Handling in Buildings (adopted 17 October 1994). The Code requires the submission of a Waste Management Plan.
- (23) All costs of traffic management measures associated with the development shall be borne by the developer.

COVENANTS

- (24) Restrictive covenants shall be required to be created, to restrict any change of use of the residential apartments to hotel, motel, serviced apartments, private hotel, boarding house, tourist accommodation or the like, and any change of use of the serviced apartments to permanent residential apartments.

RIGHT OF PUBLIC ACCESS

- (25) The public mid block link will include, via an appropriate condition of consent for the Stage 2 Development Application, a requirement to create a documentary Right of Public Access, in stratum, limited by the building structure, appurtenant to Council and in terms granting unrestricted public pedestrian access from Pitt Street to Castlereagh Street.

WIND ASSESSMENT

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

DETAILS OF ACCESS FOR PEOPLE WITH DISABILITIES

- (27) The Stage 2 development application must demonstrate access and facilities for people with disabilities in accordance with Part D3 of the Building Code of Australia and Council's Access Policy.

SIGNAGE STRATEGY

- (28) A signage strategy shall be provided with the Stage 2 development application that identifies the number, type, size and locations of signs required to ensure appropriate wayfinding and naming of buildings and tenancies within the development.

EXTERNAL LIGHTING

- (29) Details shall be provided with the Stage 2 development application which identifies the number, type, size, design luminosity and location of lighting in relation to the exterior of the building and public spaces.

SECTION 61 CONTRIBUTIONS PAYABLE - REGISTERED QUANTITY SURVEYOR'S DETAILED COST REPORT - SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (30) A cash contribution comprising 1% of the total cost of the development, shall be payable to the City of Sydney by way of condition for the Stage 2 Development Application, pursuant to section 61 of the City of Sydney Act and the "City of Sydney Section 61 Contributions Plan 1997" in accordance with the following:-
- (a) Prior to the release of the construction certificate, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and then that the levy has been paid to the Council in accordance with this condition. Payment shall be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney.
 - (b) The contribution shall not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" indicating the itemised cost of the development shall be completed and submitted to Council by the CERTIFYING AUTHORITY, together with copies of the plans the subject of the application for the construction certificate. A copy of the required format for the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" may be obtained from the City of Sydney One Stop Shop and the City of Sydney's website (www.cityofsydney.nsw.gov.au).
 - (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers

appropriate and will notify the CERTIFYING AUTHORITY accordingly.

- (d) The items to be included in the calculation of the cost of development are demolition works, site remediation including decontamination, excavation and site preparation, construction costs, fit out, professional fees as part of the design (including design competitions) documentation and implementation process, fixed building machinery, equipment and appliances, kitchens and bar areas, car parking, air conditioning plant and equipment, services (fire, mechanical ventilation, electrical, hydraulic), ceilings, fire protection devices, installation of services (power, water, sewer, telephone), lifts and other essential machinery, floor coverings, Building Code of Australia compliance works, replacement of existing materials, fixtures and fittings, construction related insurance, assessment and construction related fees, charges and GST and any other matter not expressly excluded in (e) below.
- (e) The items to be excluded in the calculation of the cost of development are the cost of land, marketing expenses (excluding display suites etc), finance and interest, building insurance after practical completion, drapery, commercial stock inventory, loose furniture, loose equipment, loose electrical appliances, minor maintenance of existing retained fixtures (patching, repainting) and stamp duty.

Schedule 2

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

ITEM 5. DRAFT SOUTH SYDNEY LOCAL ENVIRONMENTAL PLAN - EXHIBITION OF ADDITIONAL HERITAGE ITEMS

Resolved on the motion of Mr Mould, seconded by Mr Brown -

That arising from consideration of a report by the Director City Planning Southern Zone to the Central Sydney Planning Committee on 11 March 2004, in relation to the Draft South Sydney Local Environmental Plan - Exhibition of Additional Heritage Items, it be resolved that consideration of this matter be deferred to the next meeting.

ITEM 6. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996: HERITAGE FLOOR SPACE - DRAFT AMENDMENT NO. 18 (S027677)

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

That arising from consideration of a report by the Acting Assistant Planner to the Central Sydney Planning Committee on 11 March 2004, in relation to the Central Sydney Development Control Plan 1996: Heritage Floor Space - Draft Amendment No. 18, it be resolved that the Central Sydney Planning Committee approve the draft development control plan amendment, as shown at Attachment A to the subject report, pursuant to Clause 21(1)(a) of the "Environmental Planning and Assessment Regulation 2000" as "Central Sydney Development Control Plan 1996 - Amendment No. 18", and its operation to commence from the date of publication of its Notice of approval.

ITEM 7. CITY OF SYDNEY DRAFT ACCESS DEVELOPMENT CONTROL PLAN 2004

Mr Peter Phillips of Orwell & Peter Phillips Architects addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion Mr Brown, seconded by Mr Mould -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 11 March 2004, in relation to the "City of Sydney Draft Access Development Control Plan 2004", it be resolved that:-

- (A) the Central Sydney Planning Committee endorse the public exhibition of the "City of Sydney Draft Access Development Control Plan 2004" (to effectively allow exhibition in the former South Sydney City Council area), as shown at Attachment A to the subject report, in accordance with the requirements of clause 18(2) of the "Environmental Planning and Assessment Regulation, 2000"; and
- (B) the Central Sydney Planning Committee endorse the operation of the "City of Sydney Draft Access Development Control Plan 2004" as an Interim Policy (for the former City of Sydney area), effective from the date that public exhibition of the Draft Development Control Plan commences.

ITEM 8. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S030492)

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

ITEM 9. GENERAL BUSINESS

9.1 Meeting of the Central Sydney Planning Committee

It was agreed that another meeting of the Central Sydney Planning Committee should be held before the forthcoming Local Government Elections to discuss the following matters:-

- Draft South Sydney Local Environmental Plan - Exhibition of Additional Heritage Items.

- Draft City of Sydney Local Environmental Plan 2002: Report on Submissions.
- Draft City of Sydney Regulation of Sex Services Development Control Plan 2003: Report on Submissions.

The meeting concluded at 5.50pm.

CHAIR

The next meeting of the Central Sydney Planning Committee is scheduled for 22 April 2004.