

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 19 AUGUST 2004

Meeting No 298

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 19 August 2004 commencing at 5.47 pm.

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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 was also present.

ITEM 1. DISCLOSURES OF INTEREST (S030492)

Ms Westacott declared an interest in Item 10. as she will be providing advice to the Minister for Infrastructure and Planning. Ms Westacott took no part in discussion or voting on this item.

No other interests were declared.

ITEM 2. CONFIRMATION OF MINUTES (S030492)

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

That the Minutes of the meeting of the Central Sydney Planning Committee of 29 July 2004 be taken as read and confirmed.

ITEM 3. MATTERS ARISING FROM THE MINUTES (S030492)

3.1 ACI site: 782 Bourke Street, Waterloo

Ms Westacott requested a meeting of the sub-committee to progress the deferred commencement consent.

ITEM 4. DEFERRED COMMENCEMENT APPROVAL: "SITE C", WORLD SQUARE (CNR PITT AND GOULBURN STREETS, SYDNEY) (D2003/00469)

Mr Dennis O'Regan of Multiplex Constructions Pty Ltd addressed the meeting of the Central Sydney Planning Committee on this matter.

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 19 August 2004, in relation to the Deferred Commencement Approval for the site known as Site C, World Square, Sydney, it be resolved that:-

- (A) additional and modified conditions B(4), B(6), C(1d) and C(9) be included in this consent as a result of the lodgement of amended plans; and
- (B) a final consent with the above modified and additional conditions be issued as follows:

**Conditions of Consent
(once the consent is in operation)**

“(B) Consent be granted under the provisions of Section 80(4)(A) of the Environmental Planning and Assessment Act 1979 for the following:

- (1) A building envelope for extension of the existing two level podium and a tower element above;
- (2) Land uses comprising commercial offices and residential in the podium and residential in the tower, with vehicular access to the building off Goulburn Street;
- (3) A total gross floor area of 24,888sqm, on 'Site C';
- (4) A maximum building/envelope height of RL113 including plant, but excluding any roof feature or minor structure/plant that has minimal impact on views up to RL 117;
- (5) No increase in parking, with all parking provided from spaces already existing on the site; and
- (6) A one level separation between the podium and tower buildings along Goulburn Street for a minimum depth of 4 metres."

Conditions of Consent (once the consent is in operation)

“(C) Schedule 1 - Approved Development, Contributions and Covenants:

APPROVED DEVELOPMENT

- (1) Development must be in accordance with the following:
 - (a) Development Application No. D2003/00469 dated 11 June 2003 and as modified by the plans submitted 29 January 2004 and the requirements of the deferred commencement consent;
 - (b) The Statement of Environmental Effects titled “Amendment Stage 1 Development Application - Latitude at World Square, site C’ prepared by JBA dated January 2004;
 - (c) Letter from Mel Consultants Pty Ltd, dated 22 January 2004; and
 - (d) Drawings numbered 7219 identified as ‘Precinct Plan’, ‘Envelope - Pitt Street (east)’, ‘Envelope - Goulburn Street (south)’, ‘Precinct Plan - Tower Envelope’, ‘Precinct Plan - Podium Envelope’, ‘Elevation - Pitt Street (east)’, ‘Elevation - Goulburn Street (south)’, dated January 2004 prepared by Denton Corker Marshall, except where amended by the requirements of the deferred commencement consent and plans received by Council on 22 July 2004 numbered 1-0/A, 1-L12-15, 1-L16-18, 1-L19-40 , ‘ENVELOPE - GOUBURN STREET (SOUTH)’ and ‘ENVELOPE - PITT STREET (EAST).

and as amended by the following conditions:

APPROVED DESIGN

- (2) The approved Stage 1 building envelope must not be changed without the approval of Council.

COMPETITIVE PROCESS

- (3) A competitive process with three architects being undertaken prior to the lodgement of a Stage 2 Development Application, and that the competitors seek solutions which may improve the view corridors from Hordern Towers.

THE STAGE 1 BUILDING ENVELOPE CONTROLS

- (4) The Stage 2 development is to fit wholly within the building envelope indicated on the drawings submitted as part of the deferred commencement condition and height referenced in Condition 6(a) of this consent. In this regard, the Stage 2 development application should demonstrate a consistency with the objectives and provisions of the Central Sydney Local Environmental Plan 1996 and Development Control Plan 1996 and the Central Sydney Heritage Local Environmental Plan 2000.

PODIUM ROOF

- (5) The roof of the podium to the west of the tower is to be treated so that it is able to support an urban roof garden. Details of the garden form are to be submitted with the Stage 2 development application.

PODIUM DESIGN TO PITT AND GOULBURN STREETS

- (6) The design of the Pitt and Goulburn Streets Podium shall match to the podium height of the adjacent Latitude commercial/retail and Hordern Towers/Avillion Hotel with an appropriate transition in between to provide a complete and coherent edge to the World Square precinct.

Final design details for the Pitt and Goulburn Streets podium, including part sections at a scale of 1:50 at the boundaries, are to be submitted with the Stage 2 application.

MATERIALS AND SAMPLES BOARD

- (7) 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 is 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 with the neighbouring buildings.

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.

FLOOR SPACE AREA

- (8) The following applies to Floor Space Area:-
- (a) The Floor Space Area of all buildings on the land (Site C) must not exceed 24,888sqm or 6.6:1, in accordance with Clauses 35 and 36 of the Central Sydney Local Environmental Plan 1996. The GFA is to be detailed by schedule and floor plans (surveyed by a registered surveyor) at the stage 2 development application.
 - (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979 of the development, a Registered Surveyor shall provide certification of the total and component Gross Floor Area (by use) in the development, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).

BUILDING HEIGHT

- (9)
- (a) The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 113, including plant, but excluding any roof feature or minor structure/plant that has minimal impacts on views up to RL117.

Note:

The building must comply with the Belmore Park Sun Access Plane.

- (b) A restrictive covenant is to be created pursuant to Section 88E of the Conveyancing Act, 1919, restricting the site to a maximum developable height of RL 113 (excluding roof features only). The covenant is to be executed prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979 to the satisfaction of the certifying authority (Council or a private accredited certifier). All costs of the preparation and registration of all associated documentation is to be borne by the applicant.
- (c) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, a Registered Surveyor shall provide certification of the height of the building, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).

CONSISTENCY OF DRAWINGS

- (10) 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.

INTERNAL AMENITY

- (11) The design resolution of this building should ensure that appropriate architectural devices are incorporated into the design to minimise the potential for overlooking and loss of amenity within the development and to surrounding buildings. The use of devices including sun-shading device, louvres screens etc. should be detailed in the Stage 2 development application.

SOLAR ACCESS REPORT

- (12) A Solar Access Report is to be submitted with the Stage 2 application to demonstrate that acceptable solar access is provided to the proposed dwelling units in accordance with Clauses 6.1.4 and 6.1.6 of the Central Sydney DCP 1996.

RESIDENTIAL UNIT DESIGN

- (13) The Stage 2 application is to be designed to ensure compliance with the Part 6-Residential Buildings and Serviced Apartments of the Central Sydney Local Environmental Plan 1996 including the following:-
- (a) The mix of units within the development is to comply with Clause 6.1.27;
 - (b) The unit sizes are to comply with Clause 6.1.34;
 - (c) Storage as required by Clauses 6.1.22 and 23;
 - (d) Minimum 2.7metres floor to ceiling height; and
 - (e) Lift shafts from street and car park levels directly to the residential tower.

Details demonstrating compliance are to be submitted with the Stage 2 application.

PLANTATION OR RECYCLED TIMBERS

- (14) 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. The Construction Certificate is to specify the timbers used. These are to be limited to plantation timbers grown on Australian farms, or State Forest Plantations, or recycled timbers.

GREY WATER

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

ESD

- (16) The Stage 2 development application shall be in accordance with the recommendations of the ESD Report for Stage 1 prepared by Norman Disney & Young dated 6/6/03. Further investigations are to be made into the recycling/reuse of grey water on site, solar energy collection and use, rain water collection and storage on site for grey water usage.

Where the Norman Disney & Young report makes recommendations regarding modifications to the development, details regarding compliance with the recommendations of the reports are to be submitted and fully documented with the Stage 2 development application. The report is to be complemented with the investigations into achieving a 4.5 NAtHERs star rating; minimise energy use; improve energy efficiency and the recycling/reuse of grey water on site; solar energy collection and use, rain water collection and storage on site for grey water usage.

PLANT ROOMS AND ROOF TOP DESIGN DETAILS

- (17) 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.

The design detail for all external plant rooms including materials and finishes are to be submitted with the Stage 2 application. The plant is not to exceed the maximum height limit for the site as defined by the Central Sydney Local Environmental Plan 1996 and all roof-top plant and associated equipment (including roof top plant rooms, parapets and screening devices) shall be located within the approved Stage 1 building envelope and fully integrated into the building design.

Note:

In satisfying the Building Code of Australia provisions relating to such services, should the plant exceed the approved building envelope, then further approval is required from the consent authority.

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

- (18) Design details for all roof top areas are to have a high standard of finish and design. Rooftop gardens/terraces are encouraged and visual/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.

CONSTRUCTION MANAGEMENT REPORT

- (19) A detailed Construction Management Plan is to be submitted with the Stage 2 application. The Plan must addressing 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 Pitt and Goulburn Streets and surrounding streets during the peak traffic times are minimized; and
 - (d) To provide details for pedestrian management in Pitt Street and Goulburn 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.

TRAFFIC AND PARKING PLAN

- (20) A Traffic & Parking Plan shall be submitted, including reconciling the number and location of car parking within the development for the subject site and relationship with other developments and the public car park.

GLAZING

- (21) 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.

SHADOW DIAGRAMS

- (22) 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.

ACCESS FOR PERSONS WITH A DISABILITY

- (23) Access to the development shall be in accordance with the requirements of "The City of Sydney Access Policy December 1992".

- (24) 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.

BCA MATTERS

- (25) A detailed BCA 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.

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. The following information must be provided:-

- (a) Details of the performance requirements that the proposed alternative solution is intended to meet; and
- (b) Details of the assessment methods used to establish compliance with those performance requirements.

SIGNAGE STRATEGY

- (26) A Preliminary Signage Strategy which identifies the number, type, size and location of any 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.

DEMOLITION/SITE RECTIFICATION

- (27) No demolition or construction shall commence in relation to this Stage 1 development until a Stage 2 development application is approved and an associated Construction Certificate.

- (28) 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 \$500,000 as security for the costs of such works provided that:
 - a. the maximum liability under the Deed shall not exceed \$500,000; 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 tenatable 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.

DEVELOPMENT COST - STAGE 2

- (29) A detailed Quantity Surveyors' 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 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, is payable to the City of Sydney 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.

WIND ASSESSMENT

- (31) A full wind assessment report based on wind tunnel tests is to be completed prior to holding of the design competition and the results are to be included in the design brief. The design of the building lodged with the Stage 2 development application is to fully address all wind amelioration issues arising out to the wind report.

NOISE REDUCTION

- (32) An acoustic assessment report must be submitted with the Stage 2 application to address the requirements of the Central Sydney DCP 1996 Amendment No.5 Internal Residential Amenity. The drawings and specifications for construction are to be in accordance with the following:-
- (a) The report shall indicate measures to preserve the amenity for residents/apartment users such that the repeatable L_{Aeq} (1 hour) level will not exceed the following levels:
- (i) In a naturally ventilated - windows closed condition:
- | | |
|--|------|
| a. Sleeping areas (night time only: 2200-0700) | 35dB |
| b. Living areas (24 hours) | 45dB |
- (ii) In a naturally ventilated - windows open condition, (ie windows open up to 5% of the floor area, or attenuated natural ventilation open to 5% of the floor area):
- | | |
|--|------|
| a. Sleeping areas (night time only: 2200-0700) | 45dB |
| b. Living areas (24 hours) | 55dB |

- (iii) Where a naturally ventilated - windows open conditions cannot be achieved, it is necessary to incorporate mechanical ventilation or air conditioning.
- (iv) The following repeatable maximum L_{Aeq} (1 hour) levels shall not be exceeded when doors and windows are shut and mechanical ventilation or air conditioning is operating. These levels correspond to the combined measured level of external sources and the ventilation system operating normally:-
 - a. Sleeping areas (night time only: 2200-0700) 38dB
 - b. Living areas (24 hours) 46dB
- (b) In the preparation of the report:
 - (i) The environmental noise monitoring at the site of the proposed development shall be undertaken for not less than 3 week days, or not less than 2 weeks where the site is affected by noise from part-time operations;
 - (ii) The repeatable maximum L_{Aeq} (1 hour) for the daytime period (0700-2200 hours) and for the night time period (2200-0700 hours) is to be identified; and
 - (iii) The L_{Aeq} (1 hour) noise levels within living rooms and bedrooms with windows and doors both open and closed shall be shown.
- (c) The completed work must comply with the above conditions prior to issuing an Occupation Certificate

PUBLIC DOMAIN PLAN

- (33) 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

- (34) The applicant must liaise with Energy Australia regarding their requirements for any electrical substations on the site. (Details of the size, design and location of any substation/s shall be included in the Stage 2 development application to the satisfaction of Energy Australia and shall be incorporated within the building envelope.)

SYDNEY WATER CERTIFICATE (NEW DEVELOPMENT)

- (35)
 - (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

(36) 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.

UTILITY SERVICES

(37) 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.

STORAGE AND HANDLING OF WASTE

(38) The Stage 2 development must be designed to meet the following requirements for storage and waste handling:-

- (a) The design of the building and the methods of storage and handling of waste and recyclable material must comply with Council's Code for Waste Handling in Buildings (adopted 17 October 1994). The Code requires the submission of a Waste Management Plan, except for minor partition work (Annexure "A" of the Code). A Preliminary Waste Management Plan shall be submitted with the Stage 2 application and must address compliance with the Waste Code including details of the following, where applicable:
 - (i) The location, design and construction of the garbage room, recycling rooms, bin washing areas and collection areas.
 - (ii) The natural or mechanical ventilation, in accordance with the Building Code of Australia and Australian Standard 1668.

- (iii) The location and design of any garbage chutes or compaction units required by Council's Code.
- (iv) The proximity of waste handling facilities to commercial food areas or loading docks, with a view to avoiding cross contamination.

Note:

Certification will also be required on completion of the building, prior to issue of a Certificate.

(39) The following provisions apply to recycling areas:-

- (a) The building design must incorporate separate garbage rooms constructed in accordance with Council's Code, for the separation of commercial waste from residential waste, including recyclable materials.
- (b) The building must incorporate design features which will allow waste to be minimised and managed within each individual unit or office, on each floor of the building, and within the garbage/recycling storage and collection area.
- (c) The building design must allow easy access to the garbage and recycling areas by residents and tenants, but prevent their use by non-residents/tenants.

SUBDIVISION APPROVAL

- (40) A separate development application for any subdivision must be made to Council.

PHYSICAL MODELS

- (41) Prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, an accurate 1:500 scale model of the approved development must be submitted to Council for the City Model in Town Hall House.
- (42) Prior to the issue of the Occupation Certificate under the Environmental Planning and Assessment Act 1979, an accurate 1:500 scale mode of the development as constructed must also be submitted to Council for placement in the City Model at the City Exhibition Space.

Note:

- (a) The models shall be constructed in accordance with the Model Specifications, available from the One Stop Shop. Council's model maker should be consulted prior to construction of the model for Town Hall House. The Manager City Exhibition Space should be consulted prior to the construction of the model for City Exhibition Space.

- (b) The models are to comply with all of the conditions of the Development Consent.
- (c) The models must be amended to reflect any further approvals under S.96(2) of the Environmental Planning and Assessment Act 1979, that affect the external appearance of the building.”

Schedule 2

Prescribed Conditions

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply where there is building work:

1.
 - (a) The work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate is made).
 - (a) This condition does not apply:
 - (i) to the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the Environmental Planning and Assessment Regulation 2000; or
 - (i) to the erection of a temporary building.
2. In the case of residential building work for which the Home Building Act 1989 requires that there be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force.

Carried.

ITEM 5. SUBMISSION ON DRAFT SYDNEY REGIONAL ENVIRONMENTAL PLAN 2004 - SYDNEY HARBOUR CATCHMENT (S013219)

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

That arising from consideration of a report by the Senior Planner to the Central Sydney Planning Committee on 19 August 2004, in relation to a draft submission on Draft Sydney Regional Environmental Plan 2004 - Sydney Harbour Catchment, it be resolved that the Central Sydney Planning Committee note the subject report and await the final submission from the City.

Carried.

ITEM 6. DRAFT CITY OF SYDNEY SIGNAGE AND ADVERTISING STRUCTURES DEVELOPMENT CONTROL PLAN 2004 (S031850)

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

That arising from consideration of a report by the Acting Assistant Specialist Planner to the Central Sydney Planning Committee on 19 August 2004, in relation to the Draft City of Sydney Signage and Advertising Structures Development Control Plan 2004, it be resolved that the Central Sydney Planning Committee:-

- (A) defer consideration of this matter until it has been reviewed by the Planning Development and Transport Committee of Council; and
- (B) note that CSPC members will be invited to a combined briefing with Councillors on this matter.

Carried.

ITEM 7. REVIEW OF PUBLIC NOTIFICATION AND CONSULTATION DEVELOPMENT CONTROL PLANS (S023739)

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 19 August 2004, in relation to a Review of Public Notification and Consultation Development Control Plans, it be resolved that the report be received and noted.

Carried.

ITEM 8. DRAFT SOUTH SYDNEY LOCAL ENVIRONMENTAL PLAN 1998 - AMENDMENT NO. 9 ("HOUSEKEEPING" LOCAL ENVIRONMENTAL PLAN NO. 2): REPORT ON SUBMISSIONS (2027244)

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

That arising from consideration of a report by the Strategic Planner to the Central Sydney Planning Committee on 19 August 2004, in relation to the exhibition of Draft South Sydney Local Environmental Plan 1998 - Amendment No. 9, it be resolved that consideration of this matter be deferred pending confirmation from Council staff that properties affected by the proposed changes within the draft Plan (heritage listings, rezonings, etc.) were notified of the changes during the exhibition of the draft Local Environmental Plan.

Carried.

ITEM 9. REVIEW OF PARKING CONTROLS FOR NEW DEVELOPMENT (S031099)

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

That arising from consideration of a report by the Transport Planner to the Central Sydney Planning Committee on 19 August 2004, on Review of Parking Controls for New Development, it be resolved that:-

- (A) as an interim measure, the City of Sydney employ the adopted controls that apply throughout the various areas now forming the City of Sydney;
- (B) the amalgamated City of Sydney pursue a single, consolidated planning control (or set of controls i.e. local environmental plan and development control plan) to cover the entire merged areas of the previous City of Sydney, South Sydney and Leichhardt. This should be based on retaining the following elements of the draft Land Use and Transport Development Control Plan:
 - (1) expand the 'accessibility' approach and define areas as 'high', 'medium' or 'low' based on the level of public transport servicing and proximity to core neighbourhood centres for the entire local government area, including the former City of Sydney local government area and former Leichhardt local government area,
 - (2) the land use transport integration index (LUTI) be applied to dwelling houses and residential buildings to define the accessibility of both public transport and neighbourhood centre services as high, medium or low, and
 - (3) the public transport accessibility index (PTAI) be applied to commercial and related uses (possibly retail) only to define the accessibility of public transport services as high, medium or low;
- (C) elements within the draft Land Use and Transport Development Control Plan which should be removed or revised include:
 - (1) review the parking rates to consider appropriate rates across the expanded local government area,
 - (2) a review of car parking rates to consolidate the list of land uses,
 - (3) consideration to linking parking rates to site area for commercial uses (as opposed to gross floor area) in congested areas,
 - (4) the proposed 'Transport Environmental Offset System' is not recommended to be pursued, but rather the various contributions plans active within the City of Sydney be reviewed with a view to consolidation into a single plan. This should occur in tandem with a Section 94 review being undertaken by the Department of Infrastructure Planning and Natural Resources.
 - (5) only two maps are proposed for inclusion in the new local environmental plan (i.e. a land use transport integration index (LUTI) map for dwelling houses

and residential buildings and a public transport accessibility index (PTAI) map for commercial uses) as opposed to the original four maps, and

- (6) minimum parking rates no longer being provided (to allow no car parking in certain instances);
- (D) the new consolidated planning controls contain:
- (1) a new 'City of Sydney' local environmental plan for parking rates to cover the expanded local government area, and
 - (2) a new 'City of Sydney' development control plan to cover all elements of land use and transport integration for the new local government area;
- (E) the car parking rates applying to the City Centre (currently contained in the City of Sydney Local Environmental Plan 1996) be reviewed to consider accessibility criteria together with traffic capacity analysis. It is noted that the current City Centre rates are likely to become more restrictive than current controls;
- (F) The City of Sydney support the use of some discretion in applying visitor car parking rates to new developments for areas currently covered by Development Control Plan No. 11, only insofar as it will allow:
- (1) a decrease in visitor parking for larger developments using the following formula:
 - (a) 1 space per 6 units (up to 30 units),
 - (b) 1 space per 10 units (between 31 and 70 units), and
 - (c) 1 space per 20 units thereafter (amended as per report's recommendation);
 - (2) the number of 'retail/commercial visitor parking' spaces required on site can be reduced in mixed use developments where it can be established to the satisfaction of the Council that:
 - (a) proposed uses are complementary in terms of parking demand, and
 - (b) at least 1 space per tenancy for business owners is provided;
- (G) a new series of 'Standard Conditions of Consent' be developed in conjunction with the new planning controls, such that the intent of the new controls will be reflected in development consents. In the interim, the following Standard Conditions of Consent based on the Central Sydney Planning Committee report on 5 February 2004 apply:
- (1) all residential development providing visitor parking:
 - “All visitor parking spaces shall be grouped together, and located at the most convenient location to the car parking entrance. All spaces shall be clearly marked visitor prior to the issue of an occupation certificate.”

- (2) that the City apply the following standard condition to all residential development providing accessible parking:

“All disabled car spaces shall be located to be proximate to lifts, as well as meeting the Australian Standards for accessible parking.”

- (3) that the City apply the following standard condition to all development containing residential parking:

“The provision of separate strata lots for car parking spaces under Strata Schemes (Freehold Development) 1973 is not favoured, and can lead to inappropriate allocation and abuse. Any proposal for separate parking lots will only be considered by the City in exceptional circumstances, as part lots properly allocated to units should result in the rational and orderly allocation of parking spaces.”

Carried.

ITEM 10. REPEAL OF LEICHHARDT DEVELOPMENT CONTROL PLAN NO. 49 AND PRINCIPLES TO GUIDE DEVELOPMENT AT 156 - 160 BRIDGE ROAD, GLEBE (S027609)

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

That arising from consideration of a report by the Strategic Planning Manager and Development Assessment Manager (North) to the Central Sydney Planning Committee on 19 August 2004, in relation to the repeal of Leichhardt Development Control Plan No. 49 and Principles to Guide Development at 156-160 Bridge Road, Glebe, it be resolved:-

- (A) to commence and comply with the procedures outlined in the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 in regard to the repeal of a Development Control Plan, specifically by giving public notice in a local newspaper of an intention to repeal Leichhardt Development Control Plan 49;
- (B) in addition to the procedures outline in (A) above, the following additional steps be undertaken:
- (1) the public notice shall invite comments from the owner/applicant, relevant stakeholders and general public on the intention to repeal the Leichhardt Development Control Plan No. 49, for a period of 14 days;
 - (2) any submissions received be reported to both the Council and Central Sydney Planning Committee for their respective consideration;
 - (3) the Council and the Central Sydney Planning Committee consider any submissions made in response to the intended repeal prior to deciding whether to repeal Leichhardt Development Control Plan No. 49.

(C) the reasons to be given for the intention to repeal Leichhardt Development Control Plan No. 49 are as follows:

- (1) the objectives and provisions of Leichhardt Development Control Plan No. 49 are not considered to provide appropriate development guidelines for the site, particularly noting its heritage significance, at both the local and the State level;
- (2) there are conflicting objectives and provisions within Leichhardt Development Control Plan No. 49;
- (3) Leichhardt Development Control Plan No. 49 is inconsistent with the provisions of Leichhardt Local Environmental Plan 2000. In particular it is noted that the Development Control Plan's height and envelope provisions allow for a development with a floor space ratio that exceeds the maximum permissible floor space ratio in Leichhardt Local Environmental Plan 2000; and
- (4) there are adequate other assessment criteria under Section 79C of the Environmental Planning and Assessment Act 1979 and the Heritage Act 1977 to more appropriately guide future development of the site.

(D) that Council adopt the following principles to guide any future development at 156-160 Bridge Road, Glebe:

- (1) future development should not exceed the statutory maximum floor space ratio of 0.7:1 under Leichhardt Local Environmental Plan 2000, and this floor space ratio should not be viewed as a guaranteed minimum;
- (2) future development should contemplate either the retention of all sufficiently intact elements of Hamilton as an item of local heritage significance, or failing that only a replacement building which corresponds to its important cartilage, setbacks, scale, size and context. Hence, should Hamilton be demolished, it should be replaced with open space, or by a single dwelling with a similar footprint to the existing footprint of Hamilton;
- (3) any replacement building or elements must have regard to accepted heritage practice under the Burra Charter and applicable environmental planning instruments, to be interpreted as new work and clearly discernable as a contemporary addition;
- (4) future residential infill development should be strictly limited to low scale residential development along the Reuss Street boundary at the rear of the site (maximum two storeys with possible dormer windows linked to the dwelling below), in scale and in sympathy with the location, bulk and scale of the surrounding area, allowing the retention of the front portion of the site as a landscaped garden setting for the Abbey, Reussdale and Hamilton (or a low scale replacement building which corresponds to the existing and important cartilage, setback, size scale and context of Hamilton); and

- (5) the Abbey should be restored with a publicly accessible use.

Carried.

ITEM 11. GENERAL BUSINESS

11.1 Council and CSPC sub-committee to guide the Redevelopment of the Carlton and United Breweries site

The Lord Mayor invited members of the Central Sydney Planning Committee to join representatives of the Council of the City of Sydney in the establishment of a sub-committee to guide the redevelopment of the Carlton and United Breweries site.

It was agreed that Mr Johnson and Ms Westacott (or her nominee from the Department of Infrastructure Planning and Natural Resources) be the CSPC representatives for the Carlton and United Breweries sub-committee.

11.2 Sustainability Development Control Plan

Councillor McInerney raised the matter of the City preparing a Sustainability Development Control Plan. City staff advised that such a DCP is being drafted.

The meeting concluded at 6.00pm.

CHAIR

The next meeting of the Central Sydney Planning Committee is scheduled for 9 September 2004.