

RELEVANT INFORMATION FOR CENTRAL SYDNEY PLANNING COMMITTEE

FILE: D/2013/554 **DATE:** 22 August 2013
TO: Central Sydney Planning Committee Members
FROM: Graham Jahn, Director City Planning, Development and Transport
SUBJECT: Information Relevant To Item 5 - Development Application: 115-119
Bathurst Street, Sydney - At Central Sydney Planning Committee 22
August 2013

Recommendation

That authority be delegated to the Chief Executive Officer to determine Development Application No. D/2013/554 having regard to the contents and recommended conditions contained in the subject report to the Central Sydney Planning Committee on 22 August 2013 but subject to the following (additions shown in **bold italics** and deletions shown in ~~strikethrough~~):

(2) RETENTION OF 1965 BUILDING

The approval is only for the current proposal to retain and redevelop the 1965 building. Any alternative proposal to redevelop the site – for the same or a different building envelope - by demolishing the superstructure of the 1965 building ~~in part~~ **to an extent more substantial than that shown on the submitted plans** or in its entirety shall be the subject of a new separate development application.

(7) CONSERVATION AND RESTORATION OF THE 1939 BUILDING AT 339 PITT STREET, SYDNEY

- (b) A Conservation Management Plan (CMP), including a detailed Schedule of Conservation Works, pertaining to the conservation of the heritage listed 1939 building at 339 Pitt Street, shall be **prepared for the 1939 building in consultation with the NSW Heritage Division and the City of Sydney** ~~endorsed by Council's own Heritage specialist, prior to the commencement of any future design competition.~~ **The conservation approach for the interface between the 1939 and the 1965 building shall be submitted for the approval of the Director City Planning, Development and Transport prior to the commencement of any future design competition.** The ~~endorsed~~ CMP and detailed Schedule of Conservation Works shall be submitted and approved by the Director City Planning, Development and Transport prior to any Stage 2 consent. Such a conservation management plan and conservation schedule is to have regard to the conditions of consent imposed upon D/2008/979/A.

(13) STAGE 2 DA/COMPETITIVE DESIGN PROCESS

- (d) The competitive design process must include the 1939 building both in terms of its interface with the 1965 building, ~~its~~ **that portion of the sites'** adaptive re-use as a hotel and in respect of the overall floorspace for the development.

Note: It is not a requirement that the competition designer is involved in the design of the interior of the 1939 building.

Background

The applicant has suggested a number of minor amendments to the conditions recommended within the report. Following consultation with Council's Heritage Specialist, changes to these conditions are supported but by using an alternative form of wording to that suggested by the applicant.

Prepared by: Philip Jamieson, Senior Planner

TRIM Document Number: 2013/315196

Approved



**Graham Jahn, Director City Planning,
Development and Transport**



13021
20 August 2013

Mr Graham Jahn AM
Director City Planning Development and Transport
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

Dear Graham,

**115 BATHURST AND 339 PITT STREETS, SYDNEY
CSPC CONDITIONS OF CONSENT**

We have had the opportunity to review the CSPC for this Thursday night for the abovementioned matter. First and foremost we commend Council officers for the positive recommendation. We also thank Council for the collaborative nature by which Greenland's first DA in Sydney has been assessed and the timely manner in which it has been brought before the CSPC.

This correspondence seeks your support to amend the wording of three (3) conditions in order to provide improved certainty for Greenland moving forward. We understand that subject to your agreement, any amendments to the condition may be made by supplementary memo to the CSPC in advance of Thursday's meeting. This would be an ideal outcome to allow all matters relating to conditions to be resolved prior to the actual CSPC meeting.

JBA provide comments and rationale for the following requested conditions changes:

Condition 7b

*(7) CONSERVATION AND RESTORATION OF THE 1939 BUILDING AT 339
PITT STREET, SYDNEY*

*(a) The Stage 2 development application submitted for the proposed refurbishment of the 1939 building at 339 Pitt Street shall be for use as a hotel, and for its restoration and conservation.
(b) A Conservation Management Plan (CMP), including a detailed Schedule of Conservation Works, pertaining to the conservation of the heritage listed 1939 building at 339 Pitt Street, **shall be prepared for the 1939 building in consultation with the NSW Heritage Division** endorsed by the Director City Planning, Development and Transport prior to the commencement of any future design competition. The endorsed CMP and detailed Schedule of Conservation Works shall be submitted and approved by the Director City Planning, Development and Transport prior to any Stage 2 consent. Such a conservation management plan and conservation schedule is to have regard to the conditions of consent imposed upon D/2008/979/A.*

This condition requires an endorsement of a CMP for the 1939 building prior to the commencement of any future design competition. We understand from discussions with Council that there is the general acceptance that a far superior outcome for the 1939 heritage building will be achieved if the substantive design of the hotel fit-out is excluded from the bounds of competitive design process and a team of experts (heritage and architects) are appointed to develop the hotel design. Nonetheless, in consultation with Council Greenland have included the

requirement that the competitive design process address as a minimum the interface and inter-relationship between the heritage building and tower development.

It is our view that the contents of the CMP will need to substantively address the adaptive re-use of the hotel including interiors and need to be carefully worked up with due time and care to arrive at an optimum design outside of the competitive process consistent with our previous discussions.

It is Greenland's intention to provide an early commencement of the heritage design (as soon as Stage 1 consent is granted), working up the CMP jointly and collaboratively with Graham Brooks and Associates (GBA), the NSW Heritage Division, Council, and Woods Bagot. As this process is occurring, the competitive design process for the tower is targeted to occur, which will allow the lodgement of the detailed Stage 2 DA for tower and heritage building in a timely and co-ordinated manner. It is considered that this process ensures an optimum outcome in that the heritage building design is ready to be lodged in a timely manner with the tower design (once a winner is appointed) and does not cause an undue delay to the desired delivery of hotel rooms in the City. Conversely the condition as proposed could conservatively delay the undertaking of a competitive design process and lodgement of the hotel design by at least 6 months, while the CMP is being prepared and the competitive design process is delayed.

Notwithstanding our requested condition change, Council can be assured that the design of the hotel and the CMP is developed comprehensively and rigorously as:

- It is appropriate to de-couple the CMP from the competitive process as Council has agreed in principle that the hotel fit-out design does not have to form part of the competitive process. If the CMP is de-coupled there is time to prepare the CMP methodically and in consultation with relevant authorities.
- Graham Brooks and Associates (GBA) have prepared Heritage Design Guidelines for the interface between the two buildings to appropriately guide competitors in the competitive process.
- GBA have been retained on the project, recent award winners of the 2013 Australian Institute of Architect's Francis Greenway Restoration Award (Conservation and Creative Adaptive Reuse of the State Theatre and Gowings Buildings). GBA in conjunction with Woods Bagot's extensive portfolio of hotel design and adaptive re-use of heritage items is the best 'recipe' for a successful CMP and heritage outcome for the 1939 building.

It is therefore requested that the Condition be changed to reflect that the CMP is submitted and endorsed with the Stage 2 DA. This approach is consistent with recent examples such as the QT Hotel where the CMP was submitted with the Stage 2 DA.

We also note Council's report at Paragraph 55 appears to contemplate similar stating:
Works to this building will need to be in compliance with a CMP for the site and a condition requiring lodgement of a CMP at Stage 2 is recommended.

Condition 2

(2) RETENTION OF 1965 BUILDING

*The approval is only for the current proposal to retain and redevelop the 1965 building. Any alternative proposal to redevelop the site – for the same or a different building envelope - by demolishing the superstructure of the 1965 building ~~in-part~~ **substantively** or in its entirety shall be the subject of a new separate development application.*

Based on a number of meetings with you, it is clear and unambiguous as to the substantive intent of this condition. Greenland therefore understands the condition and Council's advice that a deviation from the key principles of this consent with respect to retention of the existing building structure would trigger a new Stage 1 DA. However, as part of the re-use of the 1965 building we note that there are relevant parts of the existing building that will require some form of demolition

(e.g. internal spaces, facades, core, some cross bracing etc.). Concern is raised that a strict reading of this condition could preclude key 'part' demolition items included in the current DA. It is therefore requested that the wording *in part* is deleted and *substantively* is added as noted above.

Condition 13(d)

(13) STAGE 2 DA/COMPETITIVE DESIGN PROCESS

*(d) The competitive design process must include the 1939 building both in terms of its interface with the 1965 building, (**that portion of the sites its** adaptive re-use as a hotel) and in respect of the overall floorspace for the development.*

We consider that the above condition can be interpreted in two different ways. It could read that the actual fit-out and adaptive re-use is required to be part of the competitive process, which does not accord with our previous discussions. It could also be interpreted to mean that only the interface with the 1965 building (and that aspect of the developments adaptive re-use as a hotel) is to be included in the competitive design process, which would be consistent with our previous discussions. As such it is requested, if possible, that some further clarity is provided with this condition to confirm that the actual hotel fit-out design is not required to be part of the competitive process, and that the interface of the two buildings is the key matter for consideration in the competitive process.

We thank you for your time and assistance in the project to date and we look forward to hearing from you or discussing these items with you. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962; 0409 811 433 or cswan@jbaplanning.com.au.

Yours faithfully



Clare Swan
Associate