

RELEVANT INFORMATION FOR THE CENTRAL SYDNEY PLANNING COMMITTEE

FILE: S121969 **DATE:** 30 October 2014
TO: Central Sydney Planning Committee Members
FROM: Graham Jahn, Director City Planning, Development and Transport
SUBJECT: Information Relevant To Item 12 - Minor Policy and Housekeeping
Amendments to Sydney Local Environmental Plan 2012 and Sydney
Development Control Plan 2012 - At CSPC - 30 October 2014

Alternative Recommendation

That the recommendation in the subject report be amended, incorporating the following changes, with deleted text shown as ~~striketrough~~ and inserted text as ***bold italics***, to read as follows:

It is resolved that:

- (A) the Central Sydney Planning Committee approve the Planning Proposal: Sydney LEP 2012 – Minor Policy and Housekeeping Amendments 2014, shown at Attachment A to the subject report, for submission to the Minister for Planning under Section 57 (2) of the Environmental Planning and Assessment Act 1979 with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve the Planning Proposal: Sydney LEP 2012 – Minor Policy and Housekeeping Amendments 2014, for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 28 October 2014 that Council seek authority from the Secretary of the Department of Planning and Environment to exercise the delegation of the Minister for Planning of all her functions under section 59 of the *Environmental Planning and Assessment Act 1979* to make the local environmental plan;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 28 October 2014 that Council approve the Draft Sydney Development Control Plan – Minor Policy and Housekeeping Amendments 2014, shown at Attachment B to the subject report, ***and amended as shown in Attachment 1 of the Information Relevant To Item 12 at CSPC for 30 October 2014***, for public authority consultation and public exhibition in parallel with the public exhibition of the Planning Proposal: Sydney LEP 2012 – Minor Policy and Housekeeping Amendments 2014;
- (E) the Central Sydney Planning Committee delegate authority to the Chief Executive Officer to make minor changes to the Planning Proposal: Sydney LEP 2012 – Minor

Policy and Housekeeping Amendments 2014, following receipt of the Gateway determination to prepare for public exhibition;

- (F) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 28 October 2014 that Council authorise the Chief Executive to make any minor variations to the Draft Sydney Development Control Plan – Minor Policy and Housekeeping Amendments 2014, following receipt of the Gateway determination to prepare for public exhibition.

Background

The officer's recommendation to Council for the minor policy and housekeeping amendments was supported by the Planning and Development Committee at their meeting on 28 October 2014.

At the meeting, the Director City Planning, Development and Transport noted a Relevant To Memo would be prepared recommending improved wording to the clauses relating to wind affected balconies in the planning proposal and draft development control plan (Draft DCP) following internal review.

The proposed changes were able to be incorporated into the Planning Proposal currently before the CSPC but not to the version of the draft DCP. The purpose of this memo is to put forward an alternative recommendation to incorporate the changes to the Draft DCP. A relevant to memo incorporating changes to the planning proposal and draft DCP will be prepared for Council's consideration at its meeting on 3 November 2014.

Proposed changes

Attachment 1 shows the proposed changes, with new text shown as underlined and text to be deleted as ~~striketrough~~. Only section 4.2.3.13 Wind affected balconies of the Draft DCP is affected. There is no change the intent of the clause. The changes will improve the preciseness of the clause by clarifying terms and replacing the example diagram. The changes will support the changes to the Planning Proposal for wind affected balconies and improve planning outcomes.

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TRIM Document Number: 2014/487723

Attachments

Attachment 1 – Proposed changes to Draft Sydney Development Control Plan 2012

Approved



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

ATTACHMENT 1: PROPOSED CHANGES TO DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 – MINOR POLICY AND HOUSEKEEPING AMENDMENTS 2014

Amend clause 4.2.3.13 *Wind affected balconies* by inserting new text shown as underlined and text to be deleted as ~~strikethrough~~ and replace the example diagram:

4.2.3.13 Wind affected balconies

- (1) A wind screen protected ~~wind affected balcony enclosure~~ proposed in accordance with clause XX of the *Sydney LEP 2012* is to be designed and constructed as an private external balcony with drainage, natural ventilation and finishes acceptable for an outdoor space.
- (2) Where a building elevation has a podium, wind screen protected balconies ~~the wind affected balcony enclosures~~ will only be permitted above the podium.
- (3) ~~Enclosures~~ Wind screens are to be well designed and contribute to the high quality of the building façade.
- (4) The wind screen design must ~~enclosure is to~~ have openings that are at least 25 per cent of the external face of the balcony including an opening at the top of the enclosure which:
 - (a) is permanently open;
 - (b) is the length of the balcony; and
 - (c) has a minimum height that is the greater of 300mm or 10 per cent of the distance between the balcony floor and the finished balcony ceiling.
- (5) Wind screens are to adopt transparent materials that maximise daylight access and views. Any non-transparent materials must not exceed a height of 1.4m above the floor level of the balcony.
- (6) The average depth of the balcony must be less than the width.
- (7) The balcony floor is not to be at the same level as the internal areas.
- (8) Wind screens fitted to balconies on ~~Balcony enclosures to~~ existing buildings are to be implemented consistently across the whole building with a single system agreed to by the Owners Corporation and that complements the design quality of the façade.
- (9) ~~Enclosures~~ Wind screens will not be allowed on original balconies of heritage items or contributory buildings in heritage conservation areas.

Note: Replace existing diagram (directly below) with new diagram (further below):

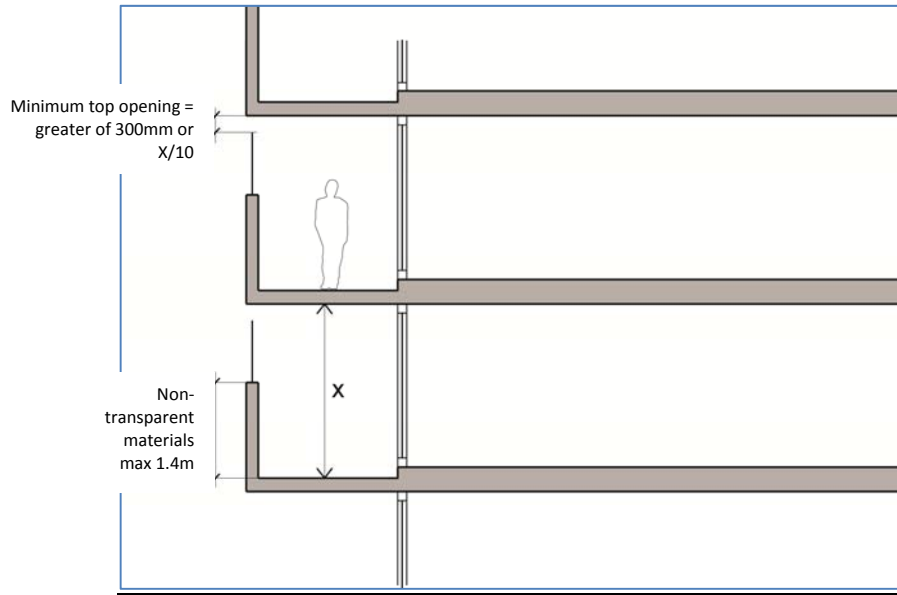


Figure X: Wind affected balconies

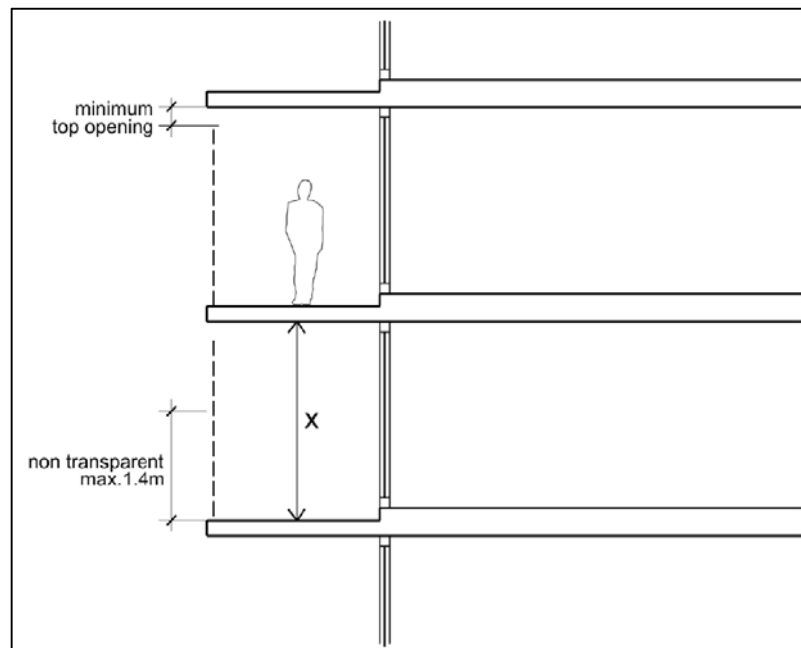


Figure X: Wind affected balconies