

ATTACHMENT C

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TABLE OF SUBMISSIONS

Amendment Number	Issue	Submitter	Points of submission	Formal Response
Wind affected balconies (Amendment 2 and DCP)	Balcony floor levels	JBA (Mirvac)	Objection to the requirement for balcony floors not to be at the same level as internal areas. A seamless transition from inside to outside will not be achieved and will reduce the quality of apartments.	Agreed; the intent of the DCP provisions is to make sure balconies remain external spaces while allowing for wind protection. This can be achieved through appropriate screen openings, materials and drainage. It is recommended Clause 4.2.3.13(7) is deleted, which required that balcony floors not to be at the same level as the internal areas. This would allow for a floating floor over a set-down drained balcony. Figure X of Clause 4.2.3.13 has been updated to reflect this recommendation.
Wind affected balconies (Amendment 2 and DCP)	Average depth of balcony's	JBA (Mirvac)	Objection to the requirement that average depth of the balcony be less than the width. Apartments can be designed where a balcony depth is greater than its width yet is still compliant with Residential Flat Design Code and provides high levels of amenity. Recommend this proposed requirement be deleted or at least allow some flexibility.	The intention behind limiting the depth of balconies is to maximise daylight access to living areas. Balconies that are too deep reduce daylight access to main living areas of apartments, the balcony it is attached to and also impact on daylight access to apartments below. The clause also manages the overall building bulk increase as deeper balconies will have a more significant and detrimental increase to the building bulk. No change is recommended.
Wind affected balconies (Amendment 2 and DCP)	Balcony's on podiums	JBA (Mirvac)	Objection to wind affected balconies not allowed on podiums as there are numerous examples of podiums which are 45m high (or higher). These podiums exceed the 30m height requirement. Recommend that there should not be complete a ban on the use of wind affected balconies within a podium.	Higher podiums will generally only be developed in Central Sydney where podiums are allowed to be between 20 metres and 45 metres high. The built form of Central Sydney is relatively consistent with street walls, podiums and set back towers. This consistency of form means that the lower building levels and the street level are generally protected from the more

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Community facilities and child care centres (Amendment 3)	Support	AMP Capital	Supports changes proposed in Amendment 3.	
Community facilities and child care centres (Amendment 3)	Expanding bonus floor space provisions	Wesley Mission Stockland AMP Capital JBA (City Tattersall's Club)	Requests expanding the application of the 'bonus' floor space ratios available to a broader range of non- residential/ accommodation uses, including function centres, entertainment facilities (theatres, cinemas, concert halls etc.), registered clubs, and the like. This will realign the Sydney LEP 2012 with previous LEPs and will remove the disincentive to provide important cultural facilities that was	<p>The Minor Policy and Housekeeping Amendment focuses on small amendments to the LEP for which the City has a clear policy position or where changes are needed to improve the operation of clauses. Council's desire to encourage community facilities and child care is clearer in Sustainable Sydney 2030 and its 2013 Child Care Needs Analysis. It is acknowledged that a broader range of non-</p>

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Lanes development floor space (Amendment 4)	Support	Infin Architects (Memocorp Australia Pty Ltd) Resident 4 Crown Hotel Sydney DJ Wear & Associates Pty Ltd Baycall Pty Limited DEXUS Property Group AMP Capital	introduced by Sydney LEP 2012, which limits the FSR for these uses to 8:1. Supports changes proposed in Amendment 4.	residential uses that have strategic importance or a public interest outcome could potentially be subject to the accommodation floor bonus. The City is currently undertaking the Central Sydney Planning Review looking at all controls for central Sydney, including floor space ratios and in centres. Supporting statement is noted.
Lanes development floor space (Amendment 4)	Vehicle access to laneways	Infin Architects (Memocorp Australia Pty Ltd)	Recommend that outdoor seating be encouraged and partial sterilization of the vehicular traffic access be reviewed and encouraged. Recommend the incentive be provided for Wymess Lane, Surry Hills.	The City has a program of laneway upgrades, which includes an outcome was create shared zones in suitable lanes. The laneways revitalisation program began in 2008 and has resulted in 9 laneway upgrades. The City is currently reviewing the outdoor

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Lanes development floor space (Amendment 4)	Objection to laneway development reducing vehicular traffic access to substation in Cunningham and Eager Streets.	Ausgrid	Objection to laneway development that will reduce vehicular traffic access.	<p>dining policy which will encourage outdoor dining in laneways.</p> <p>The current provision only applies to laneways in the Central Sydney area. As Wymess Lane is outside the Central Sydney area, it falls outside the scope of the amendment. No changes are recommended.</p> <p>Cunningham Street is 6m and Eager Street is 5m. Therefore, both laneways were already subject to incentives under the existing clause. A variety of uses adjoin this laneway including commercial tenancies, restaurants, pubs and residential apartments. The change to the planning controls will not result in any physical changes to the laneway, it only affects the buildings that adjoin the laneway. It is recommended the incentive continues to apply to these lanes as they will benefit from further activation, contribute to a more lively and engaging City and offer additional commercial opportunities. No changes are recommended.</p>
Lanes development floor space (Amendment 4)	Objection to Mullins Lane	DJ Wear & Associates Pty Ltd	Objection to any sort of activity other than as existing in the northern section of Market Row from Mullins Lane. This Laneway services the submitter's clients' property and 24 x 7 access is required to the dock for deliveries and refuse activities.	<p>Mullins Street is 6m wide and Market Row is 3m wide. Therefore, both laneways are subject to incentives under the existing clause. A variety of uses currently adjoin these 2 laneways including a book store, games store, a bank, various other commercial tenancies and the QVB building</p>

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Lanes development floor space (Amendment 4)	Objection to Gas Lane	Resident 1 Resident 3 Resident 6	Objection to the activation of Gas Lane as it is a busy thoroughfare for both vehicular and pedestrian traffic. The fall of the land in Gas Lane would also further justify that this laneway should be prohibited from any activation.	<p>opposite Mullins Street. The change to the planning controls will not result in any physical changes to the laneway, it only affects the buildings that adjoin the laneway. It is recommended the incentive continues to apply as they will benefit from further activation, contribute to a more lively and engaging City and offer additional commercial opportunities. No changes are recommended.</p> <p>Gas Lane is 8m wide and as such, adjoining buildings weren't subject to the incentive under the existing clause. The current uses adjoining the lane consist of a restaurant, café, residential apartments and commercial tenancies.</p> <p>The intent of amendment is to promote the activation of laneways with fine-grain development (i.e. small shops, coffee shops, bars etc.). The amendment encourages existing buildings to introduce such uses on their ground level (limited to 100m²) through floor space incentives. There are no new works proposed under this amendment nor will it allow new fine-grain developments to operate on the roadway of a laneway. New uses will only be allowed within existing buildings facing the laneways. New uses on any laneway will be subject to appropriate application. No changes are recommended.</p>

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Lanes development floor space (Amendment 4)	Objection to Albert Steps Laneway	Resident 5	Objection to the commercial area (north of the Albert Steps) being extended as the number of tourists walking to and from the Opera House area is very large and just about at capacity for the amount of pedestrian space presently available.	The laneway features Moore Steps and is 7m wide and as such, adjoining buildings weren't subject to the incentive under the existing clause. The current uses adjoining the lane consist of a real estate office, residential apartments and shops and cafes at the lower level. This laneway provides a suitable opportunity to further enhance the inner-city with high pedestrian traffic flows. No changes are recommended.
Lanes development floor space (Amendment 4)	Objection to Sand Street Laneway	Baycall Pty Limited	Objection to encourage development along the laneways next to Sand Street laneway as it would cause noise and disturbances to residents including accessing car parks.	Sand Street is 6m wide and therefore already subject to incentives under the existing clause. A variety of uses adjoin the laneway including residential apartments, commercial tenancies, an electronics store and a hotel. Sand Street represents a prime opportunity to further enhance inner-city lanes that are currently being underutilised. It is recommended the incentive continues to applies to these lanes as they would benefit from further activating the laneways, contribute to a more lively and engaging City and offer additional commercial opportunities for businesses with regular pedestrian traffic. Uses that could cause noise and disturbances are permitted under the current zoning. Any potential impacts would be assessed and managed through the development application process. No changes are recommended.
Floor to floor heights	Objection to the	JBA (Mirvac)	Objection to nominating the minimum	The floor to floor heights provided in the

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(DCP)	floor to floor heights for residential		floor to floor heights that are required to meet the minimum 2.7m RFDC requirement for apartment floor to ceiling heights at 3.1m. The residential flat design code sets universally accepted requirements to achieve 2.7m floor to ceiling heights in residential apartments.	draft DCP are as a note for information only. The 0.4m differation between the ceiling and the floor above consists of thermal and acoustic insulation, battens, mechanical ventilation and the like with little physical ability to reduce the height. No changes are recommended.
Correct description of Schedule 5 Heritage Item – 22-24 York Street, Sydney (heritage item I1976) (Amendment 13)	Support	NSW Office of Environment & Heritage Resident 7	Supports changes proposed in Amendment 13.	Supporting statement is noted.
Correct description of Schedule 5 Heritage Item – 22-24 York Street, Sydney (heritage item I1976) (Amendment 13)	Support	Milestone Planning	Supports changes proposed in Amendment 13.	Supporting statement is noted.
Correct description of Schedule 5 Heritage Item – 69-77 King Street, Newtown, Trocadero Hall (heritage item I988) (Amendment 16)	Support	NSW Office of Environment & Heritage	Supports changes proposed in Amendment 16.	Supporting statement is noted.
97-99 Victoria Street, Potts Point (heritage item I1172) (Amendment 18)	Objection to heritage listing	Resident 2	Object to the change in the citation relating only to 97 Victoria St, Potts Point as it is not listed as a heritage item on the State Heritage Register nor does it have any internal or external heritage value.	97 and 99 Victoria Street were included as local heritage items in the Sydney LEP 2012 on 14 December 2012. The purpose of Amendment 18 is to correct the description in the Heritage schedule.

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1-3 Rosebery Avenue, Rosebery (heritage item 11379) (Amendment 19)	Objection to heritage listing	Ford Land Company Pty Ltd (Pantiki Pty Ltd)	Objection to the name change proposed in Amendment 19 as it has already been changed as shown on Schedule 5 of Sydney LEP 2012. Submitter also requires clarification that the property description of Lot 1 on DP19528 is an error and that it will not be included in the schedule.	<p>Both are currently listed as one heritage item under Schedule 5 and Heritage map HER_021 of the Sydney LEP 2012.</p> <p>There are two types of heritage registers being the State Heritage Register and a local council heritage register. Places and objects of particular importance may be included on one or both registers. There is no requirement for a heritage item to be on both registers.</p> <p>A Heritage Impact Statement was submitted with development application D/2014/1633 for 97 Victoria Street, which determined that the site satisfied the historic, social and representative criterion for local heritage significance. It is recommended the heritage item listing is retained.</p>
Apartments with setback bedrooms (DCP)	Setback bedroom requirements	JBA (Mirvac)	Objection to Clause 4.2.3.14 as it is overly prescriptive, does not provide sufficient flexibility and penalises a development which proposes to include setback bedroom apartments. Recommend the	<p>An amendment to this listing was resolved through Amendment number 7 of 2014 to the Sydney LEP 2012. That amendment was finalised during preparation of this planning proposal. It therefore does not need to progress as part of this planning proposal and is recommended to be deleted.</p> <p>The NSW Government's Apartment Design Guideline (ADG) has recently come into force addresses some of the issues with setback bedrooms. A review of the SEPP 65 and the ADG controls related to setback</p>

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			<p>controls be either deleted or a series of general amenity considerations be adopted.</p>	<p>bedrooms has been undertaken. Changes have been proposed to the exhibited setback bedroom controls to ensure consistency with the ADG. These primarily relate to controls requiring that a window should be visible from any point in a habitable room, maximum habitable room depths, minimum dimensions for bedrooms, open plan layout and other requirements related to the amenity of setback bedrooms. The supporting figure has also been updated to reflect the new controls.</p>