

Relevant Information for Local Planning Panel

FILE: D/2019/60 **DATE:** 5 June 2019

TO: Local Planning Panel Members

FROM: Graham Jahn AM, Director City Planning, Development and Transport

SUBJECT: Information Relevant To Item 7 – Development Application: 55-67 Clarence Street, Sydney - D/2019/60

Alternative Recommendation

It is resolved that consent be granted to Development Application No D/2019/60, subject to the conditions detailed in Attachment A to the subject report to the Local Planning Panel on 5 June 2019, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

Amend Condition 13

(13) FUTURE FOOD USE - MECHANICAL VENTILATION PROVISION

Prior to the issue of a Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air ***above street height front on Kent Street utilising AOM's Electro Static Precipitators, ozone injections and activated carbon filters to accommodate the future food premises.*** ~~above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future.~~ Systems must be designed in accordance with AS1668.2 – *The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings*, and AS1668.1 – *The Use of Mechanical Ventilation and Air-Conditioning in Buildings – Fire and Smoke Control in Multi-compartment Buildings*.

Delete Condition 32

(32) ~~CLARENCE STREET LIGHTING SPECIFICATION~~

- (a) ~~***Lighting compliance of AS1158.1.1 Category V1 on the roadway and AS1158.3.1 Category P1 + 4lux min vertical illuminance on the footpaths (both sides) must be achieved.***~~

- (b) ~~**Provide Smartpoles Type S1B 9.6m complete with GE R250 Eco 200w LED luminaires off 3.0 light outreach arms and standard banner arm.**~~
- (c) ~~**Relocate existing traffic signals onto Smartpoles at NW Cnr of Margaret / Clarence St intersection. RMS approval must be obtained by submission of a TCS plan prepared by a traffic engineering consultant.**~~
- (d) ~~**Remove existing Ausgrid poles via ASP3 design approval process.**~~

Background

A report has been prepared recommending approval of the subject application on 5 June 2019. Following the public release of the report prior to the LPP meeting the applicant raised issue with some of the recommended conditions and requested that some conditions either be amended or deleted, these conditions are discussed below.

Condition 13 – Mechanical Ventilation Provision

Condition 13 seeks to ensure adequate provision for mechanical ventilation can be provided to the retail tenancies on the site. The applicant submits that Condition 13 should not refer to a roof level mechanical exhaust discharge as information submitted with the application demonstrates that the proposed horizontal exhaust is capable of complying with the relevant Australia Standards.

The information submitted with the application was reviewed by the City's Health officers and the proposed horizontal system was supported in principle, Condition 13 is recommended to be amended to reflect this position.

It should be noted that Condition 3 of the recommended conditions requires the submission of separate development applications for the fitout and use of the ground floor food and drink tenancies, these application would need to address mechanical ventilation in detail (if relevant).

Condition 32 – Lighting Specification

The applicant submits that the requirement for the installation of three new smart poles and the removal of existing traffic signals is onerous given the scope of the proposed works.

It is agreed that the requirement is onerous and disproportionate to the cost and scope of proposed works. It is recommended that the condition not be included in any consent for the subject application.

Prepared by: Patrick Quinn, Senior Planner

Approved

A handwritten signature in black ink, appearing to read 'GJahn', positioned to the right of the 'Approved' text.

GRAHAM JAHN AM

Director City Planning, Development and
Transport