

## Resolution of Local Planning Panel

**27 April 2022**

### Item 7

#### **Development Application: Installation of Five New Automatic Public Toilets at Various Locations – D/2021/1088**

The Panel granted consent to Development Application No. D/2021/1088 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

#### **(1) APPROVED DEVELOPMENT**

- (a) Development must be in accordance with Development Application No. D/2021/1088 dated 11 October 2021 and the following drawings prepared by Grimshaw Architects:

Drawing Number	Drawing Name	Date
A1021	Location Plan – Existing	13/09/21
A1021	Location Plan – Proposed	25/2/22
A1023	Location Plan – Existing	13/09/21
A1023	Location Plan – Proposed	13/09/21
A1024	<del>Location Plan – Existing</del>	<del>13/09/21</del>
A1024	<del>Location Plan – Proposed</del>	<del>13/09/21</del>
A04 1002	APT – Setout	06/08/21
A04 1003	APT – Family Suite	06/08/21
A04 2001	APT Accessible – SF4-1 – AXO	06/08/21
A04 2002	APT Accessible – SF4-1 – Plan	06/08/21

Drawing Number	Drawing Name	Date
A04 2003	APT Accessible – SF4-1 – RCP / Roof	06/08/21
A04 2004	APT Accessible – SF4-1 – Elevations	06/08/21
A04 2005	APT Accessible – SF4-1 – Sections	06/08/21
A04 2006	APT Ambulant + Accessible – SF4-2 – AXO	06/08/21
A04 2007	APT Ambulant + Accessible – SF4-2 – Plan	06/08/21
A04 2008	APT Ambulant + Accessible – SF4-2 – RCP / Roof	06/08/21
A04 2009	APT Ambulant + Accessible – SF4-2 – Elevations	06/08/21
A04 2010	APT Ambulant + Accessible – SF4-2 – Sections	06/08/21
A04 1003	APT Family Suite	18/08/21
IN01	Internal Details Accessible Booth	10.09.21
IN02	Internal Details Accessible Booth	10.09.21
G1 Rev A	APT GREEN ROOF & WALL DETAILS	07/12/21
G1 Rev A	APT GREEN ROOF & WALL DETAILS	07/12/21
-	Fytogreen Top Hat Fixing Batten Typical Drawing	23/11/21

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

**(2) APTs NOT APPROVED**

- (a) The APT located on Bathurst Street (A1022) is not approved and is deleted.
- (b) The APT located on Alfred Street (A1026) is not approved and is deleted. Any consideration of a public toilet in this location would require further

consultation to be undertaken with TfNSW and the Light Rail Operator to ensure a clear line of sight, prior to any application being sought.

- (c) ***The APT located at Boomerang Place (A1024) is not approved and is deleted. Any consideration of a public toilet in this location would require an urban design analysis to ensure appropriate siting in the locality at the intersection, proximity to Cook and Philip Park, and location on the footpath, prior to any application for approval being sought.***

### **(3) GREEN ROOFS AND WALLS**

- (a) All APTs include 3 x green walls panels.
- (b) ~~A1024 includes a green roof.~~

### **(6) TREES THAT MUST BE PROTECTED**

~~The existing trees detailed in Table 1 below must be protected in accordance with the conditions of consent throughout the construction and development.~~

~~Table 1 — Trees to be protected:~~

<b>Botanical (Common Name)</b>	<b>Location</b>
<del>Brushbox (<i>Lophostemon confertus</i>)</del>	<del>A1024 (existing ID APT6A) Boomerang Place and William Street</del>

### **(7) STREET TREE PROTECTION**

~~All street trees directly outside the site must be retained and protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites. All street trees must be protected during the construction works as follows:~~

- (a) ~~Tree trunk and major limb protection must be undertaken prior to the commencement of any works. The protection must be installed and certified by a qualified Arborist (AQF level 3) and must include:~~
- ~~(i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, limbs and trunks at all times;~~
  - ~~(ii) Tree trunk/s and/or major branches, must be protected by wrapped hessian or similar material to limit damage;~~
  - ~~(iii) Timber planks (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion; and~~

- ~~(iv) Tree trunk and major branch protection is to remain in place for the duration of construction and development works, and must be removed at the completion of the project.~~
- ~~(b) All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree setts. Supporting columns must not be placed on any tree roots that are exposed.~~
- ~~(c) Young street trees shall be protection by installing three (3) wooden takes around the edge of the tree pit. Hessian shall be wrapped around the stakes. If existing stakes are already in place, these shall suffice as tree protection.~~
- ~~(d) Temporary signs, or any other items, shall not be fixed or attached to any street tree.~~
- ~~(e) Materials or goods, including site sheds, must not be stored or placed:
  - ~~(i) around or under the tree canopy; or~~
  - ~~(ii) within two (2) metres of tree trunks or branches of any street trees.~~~~
- ~~(f) Any excavation within in any area known to, or suspected of having street tree roots greater than 40mm diameter must be undertaken by hand.~~
- ~~(g) Any trenching works for services / hydraulics / drainage etc must not be undertaken within 5 metres of any street tree. Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed where large woody roots greater than 40mm diameter are encountered during the installation of any services.~~
- ~~(h) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the Council's Tree Management Officer.~~
- ~~(i) Any damage sustained to street tree/s as a result of construction activities (including demolition) must be immediately reported to the Council's Tree Management Officer on 9265 9333. Any damage to street trees as a result of construction activities may result in a prosecution under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.~~

## **(24) PLAN OF MANAGEMENT**

***The use must always be operated / managed in accordance with the Plan of Management, prepared by Mecone Ltd dated 11 October 2021, which has been approved by Council.***

### **Reasons for Decision**

The application was approved for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act, 1979, in that, subject to the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Local Planning Panel.

- (B) The development, subject to conditions, is consistent with the objectives of the B8 Metropolitan Centre zone and RE1 Recreation Centre zones.
- (C) The development is compatible with the character of the Circular Quay and Railway Square/Central Special Character Areas.
- (D) Appropriate conditions have been imposed to ensure the development does not adversely impact on the heritage significance of nearby sites.
- (E) The development, subject to conditions, will promote the orderly operation of the automated public toilets.
- (F) The development accords with objectives of relevant planning controls.
- (G) The public interest is served by the approval of the proposal, as additional information to the development application has addressed the matters raised by the City and the community, subject to recommended conditions.
- (H) Conditions 1, 2 and 3 were amended, and Conditions 6 and 7 deleted, to remove reference to the Boomerang Place automatic public toilet (A1024), which was not approved due to concerns regarding its location.
- (A) Condition 24 was added to ensure the ongoing upkeep of the approved automatic public toilets, in accordance with the approved Plan of Management.

Carried unanimously.

D/2021/1088