

23 February 2022

At 5.00 pm

Local Planning Panel



Agenda

- 1. Confirmation of Minutes**
- 2. Disclosures of Interest**
- 3. Development Application: 49A-57 Pitt Street, Sydney and 5010 Dalley Street, Sydney - D/2021/1325**
- 4. Report to the Local Planning Panel - Status of Applications**



As part of our democratic process, the City invites members of the community to speak directly to Members of the Local Planning Panel (LPP) about items on a meeting agenda.

Webcast

In accordance with the *Environmental Planning and Assessment Act 1979* and the *City of Sydney Local Planning Panel Operational Procedures*, LPP meetings are audio visually recorded and webcast live on the City of Sydney website at www.cityofsydney.nsw.gov.au.

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the LPP report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the LPP may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

At the start of each LPP meeting, the Chair may re-order agenda items so that those items with speakers can be dealt with first.

LPP reports are on line at www.cityofsydney.nsw.gov.au .

Item 1.

Confirmation of Minutes

Minutes of the following meeting of the Local Planning Panel, which have been endorsed by the Chair of that meeting, are submitted for noting:

Meeting of 2 February 2022

Item 2.

Disclosures of Interest

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all Panel members are required to sign a declaration of interest in relation to each matter on the agenda.

Pursuant to the provisions of Clause 15 of Schedule 4B of the Environmental Planning and Assessment Act 1979, members of the Local Planning Panel are required to disclose pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

Panel members are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

In both cases, the nature of the interest must be disclosed.

Item 3.

Development Application: 49A-57 Pitt Street, Sydney and 5010 Dalley Street, Sydney - D/2021/1325

File No.: D/2021/1325

Summary

Date of Submission:	18 November 2021
Applicant:	Mirvac Commercial Sub PRV Pty Limited
Designer:	Traditional Hoardings and CJ Arms
Developer:	Mirvac
Owner:	Mirvac Commercial Sub PRV Pty Limited and City of Sydney Council
Planning Consultant:	Ethos Urban
Cost of Works:	\$467,304.20
Zoning:	The site is in the B8 metropolitan centre zone. The proposed temporary use of the public domain for a construction hoarding to facilitate the construction of a commercial development is permitted with consent.
Proposal Summary:	<p>The development application seeks consent for the temporary use of Dalley Street for the erection of protective hoarding and scaffolding for associated demolition and construction works for the approved and proposed development at 55 Pitt Street, Sydney.</p> <p>The proposed construction hoarding is classified as a Type B structure in accordance with the City of Sydney Guidelines for Hoardings and Scaffolding 2017 and is proposed to be located along approximately 35m of the eastern portion of Dalley Street. The hoarding will span over the roadway and footpaths on both sides of Dalley Street and is proposed to include site sheds above, maximising the usability of the hoarding given the constrained conditions of the 55 Pitt Street site.</p> <p>The protective hoarding will have a maximum clear head height of 5.3m when measured from the roadway.</p>

The application is referred to the Local Planning Panel in accordance with Schedule 3 of the Local Planning Panels Direction dated 30 June 2020 as Council is the landowner of Dalley Street, the public roadway where the development is proposed.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) Environmental Planning and Assessment Act 1979
- (ii) Environmental Planning and Assessment Regulation 2000
- (iii) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- (iv) Sydney Local Environmental Plan 2012
- (v) Sydney Development Control Plan 2012
- (vi) City of Sydney Development Contributions Plan 2012
- (vii) City of Sydney Hoardings and Scaffolding Policy 2017 and Guidelines

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings

Recommendation

It is resolved that consent be granted to Development Application No. D/2021/1325 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The development complies with the objectives of the B8 metropolitan centre zone pursuant to the Sydney Local Environmental Plan 2012.
- (B) The development is consistent with the objectives of the Sydney Development Control Plan 2012.
- (C) The proposed development will have an acceptable impact on the local road and pedestrian network within Central Sydney.
- (D) The temporary use is not considered to adversely impact on any adjoining land or the amenity of the neighbourhood, subject to conditions.
- (E) The development is capable of complying with the relevant provisions of the Hoardings and Scaffoldings Policy 2017 and Guidelines, subject to separate approval under the Local Government Act 1993 and Roads Act 1993.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 1 DP 513109 known at 49A-57 Pitt Street, Sydney and street section 5010 Dalley Street. The site at 49A-57 Pitt Street forms part of a larger redevelopment site including site at 37-49 Pitt Street, 6-8 Underwood Street, 6 Dalley Street and 8-14 Dalley Street and is informally known as 55 Pitt Street, Sydney and also known as block 5 in the APDG block.
2. The broader 55 Pitt Street development site is irregular in shape with area of approximately 2,439.7sqm. It has a primary street frontage of 67m to Pitt Street to the east, 56m to Underwood Street to the north and a secondary street frontage of 24m to Dalley Street to the south. The site is located close to the intersection of Pitt Street and Bridge Street.
3. In addition to 49A-57 Pitt Street the broader site contains three commercial buildings ranging in height between 10-13 storeys, two utility buildings and basement level parking (including a public car park). 6-8 Underwood Street is a 10-storey commercial office building, 37-49 Pitt Street is a 12-storey commercial office building and contains vehicle access to basement parking and 49A-57 Pitt Street is a 13-storey commercial office building. These buildings are approved for demolition. 6 Dalley Street is currently used by Telstra as a telecommunications facility and 8-14 Dalley Street is an Ausgrid substation. A public laneway known as Queens Court is also located to the west of 49A-57 Pitt Street and provides vehicle access to the commercial buildings and basement parking.
4. The surrounding area is characterised by a mixture of land uses, primarily being commercial office, retail, food and drink uses and tourist and visitor accommodation. Directly to the north of the site at 33-35 Pitt Street, a 55-storey commercial tower development is currently under construction. Further north of the site, a new hotel and residential development are currently construction. To the east of the site across Pitt Street is a mix of commercial and retail developments of various sizes. This includes the Marriot Hotel, which is adjoined to the south by a 16-storey commercial building on the corner of Pitt Street and Bridge Street and 'Gateway Sydney' to the north, on the corner of Pitt Street and Alfred Street.
5. To the south of the site, across Dalley Street is the Australian Stock Exchange (ASX), a mid-rise building of up to 13 storeys with frontages to both Dalley Street and Pitt Street.
6. To the immediate west is the Ausgrid and Telstra utility buildings contained within the broader 55 Pitt Street site. Further to the west across Underwood Street is 4 Dalley Street, a low scale functioning utility/infrastructure building associated with the commercial tower at 200 George Street. Further to the west is the EY Centre at 200 George Street and a new 110-metre commercial building at 210-220 George Street which is currently under construction.
7. The existing commercial buildings within the site are not identified as heritage items, however, 49A-57 Pitt Street is a building over 50 years old. The site is also located adjacent to the State Heritage listed Tank Stream, located beneath Pitt Street. and several heritage items located directly opposite the site to the east.

8. Photos of the site and surrounding development are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from the corner of Pitt Street and Dalley Street



Figure 3: Site viewed from Dalley Street

History Relevant to the Development Application

Development Applications

9. On 22 October 2021, amendments to Sydney LEP 2012 (Clause 6.25) and Sydney DCP 2012 (Section 6.1.4) under planning proposal PP_2020_SYDNEY_003 were gazetted to include amended provisions for the development site. The amended planning controls will facilitate the renewal of block 5 in the APDG block, consisting of the following key components:
 - (a) a 70,000 square metre commercial office tower up to 232m in height, with a 45m high podium;
 - (b) creation of a through-site link widening and connecting Queens Court to Underwood Street;
 - (c) a retail activated pedestrian colonnade along Underwood Street to improve pedestrian connections; and
 - (d) upgrades to facades and roof of the adjoining Ausgrid substation building and facade upgrade and new retail spaces to the Telstra exchange building.

10. The amendments to the development standards will facilitate the redevelopment of 55 Pitt Street (37-49 Pitt, 49A-57 Pitt Street, 6-8 Underwood Street, 6 Dalley Street and 8-14 Dalley Street), the remaining parcels of land in the APDG block, to allow for a new commercial office tower while retaining essential utility buildings and delivering public domain improvements such as connections to the wider pedestrian laneway network envisaged under the original APDG controls. Council and the Central Sydney Planning Committee approved the planning proposal for public exhibition and Gateway request in May 2020.
11. Accompanying the Planning Proposal was a draft Development Control Plan that provides further guidance for development of the site consistent with the approved amendments to the LEP. The DCP provisions include:
 - (a) building form and external appearance;
 - (b) tower location;
 - (c) setbacks;
 - (d) street frontage heights;
 - (e) environmental impacts;
 - (f) vehicular access;
 - (g) design excellence; and
 - (h) environmentally sustainable development targets.
12. A voluntary planning agreement was prepared and exhibited concurrently with the planning proposal and draft DCP. The public benefits that will be delivered are:
 - (a) monetary contribution to community infrastructure in Central Sydney;
 - (b) monetary contribution to affordable housing in the local government area;
 - (c) provision of public art on the site;
 - (d) dedication of land for footpath widening on Underwood Street;
 - (e) construction of the Underwood Street footpath widening; the through-site link incorporating Queens Court; improvements to the colonnade of the Telstra building and public art to the through-site link (if required);
 - (f) creation of public access easements for the Telstra colonnade and the through-site link; and
 - (g) ecologically sustainable development targets:
 - (i) minimum 6 star Office Green Star v1.3 Design and Construct rating;
 - (ii) minimum 5.5 star rating on operation under the NABERS energy scheme; and
 - (iii) minimum 4-star rating in operation under the NABERS water scheme.

13. In late 2020 and early 2021, the proponent invited six architectural firms to respond to a design brief as part of an International Architectural Design Excellence Competition. The purpose of this design competition was to select the scheme that exhibited the highest quality architectural, landscape and urban design solution of the site in response to the competition brief. On 16 February 2021, the Woods Bagot and SHoP Architects scheme was recommended by the Design Competition Jury as the winning scheme to develop the detailed proposal.
14. Following the competition, development applications D/2021/428 and D/2021/665 were lodged for the demolition of the existing commercial buildings and the construction of the new tower development. Development Application D/2021/428 was granted consent on 27 October 2021 for the demolition of the existing commercial office buildings and site establishment works.
15. Development application D/2021/665 is currently under assessment and proposes the following:
 - (a) excavation for new basement parking, loading and services;
 - (b) construction of new 55-storey commercial tower to RL 240.8 with podium at RL 46.1;
 - (c) extension of Queens Court to north Underwood Street and widening of through-site link and other public domain upgrades;
 - (d) improvements to Telstra and Ausgrid building facades; and
 - (e) provision of public art.

Proposed Development

16. The application seeks consent for a Type B temporary protective construction hoarding along Dalley Street to allow for continued pedestrian and vehicle safety during the demolition and construction phases of the 55 Pitt Street project.
17. The proposed hoarding will be located along approximately 35m of the eastern portion of Dalley Street. The hoarding will span over roadway and footpaths on both sides of Dalley Street and is proposed to include site sheds above, maximising the usability of the hoarding given the constrained conditions of the broader 55 Pitt Street site. The protective hoarding will have a maximum clear head height of 5300mm when measured from the roadway.
18. The proposed hoarding will be in place on Dalley Street for the duration of the demolition, excavation and construction works associated with the adjacent development at 55 Pitt Street.
19. To accommodate the hoarding the application also seeks the widening of the existing footpath on the southern side of Dalley Street to accommodate the hoarding posts while maintaining effective footpath width for pedestrian access. The footpath will be widened from 1.2m to 1.615m by extending the kerb into the roadway.

20. Plans and elevations of the proposed development are provided below.

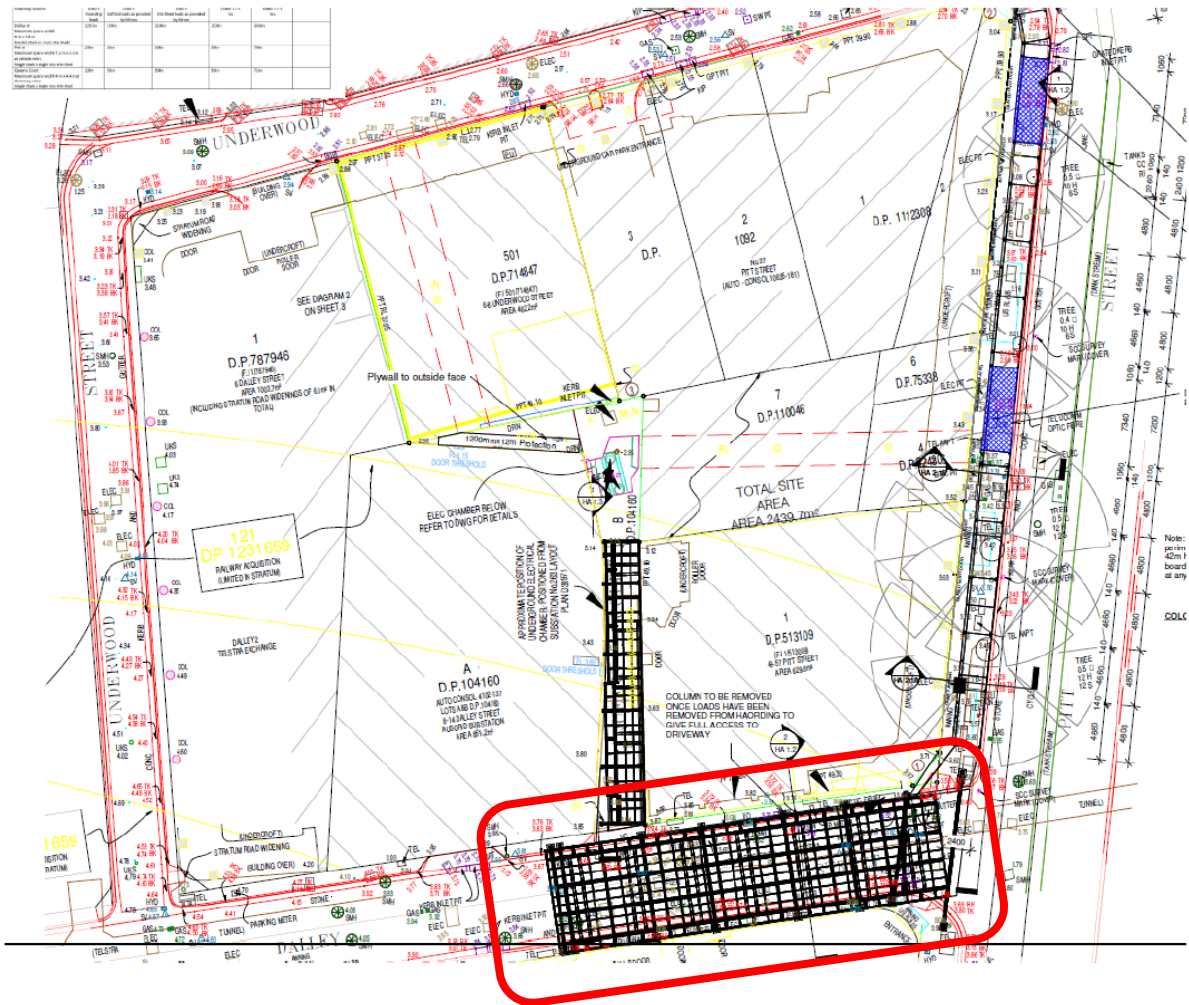


Figure 4: Proposed hoarding location plan. Hoarding located on Dalley Street circled in red.

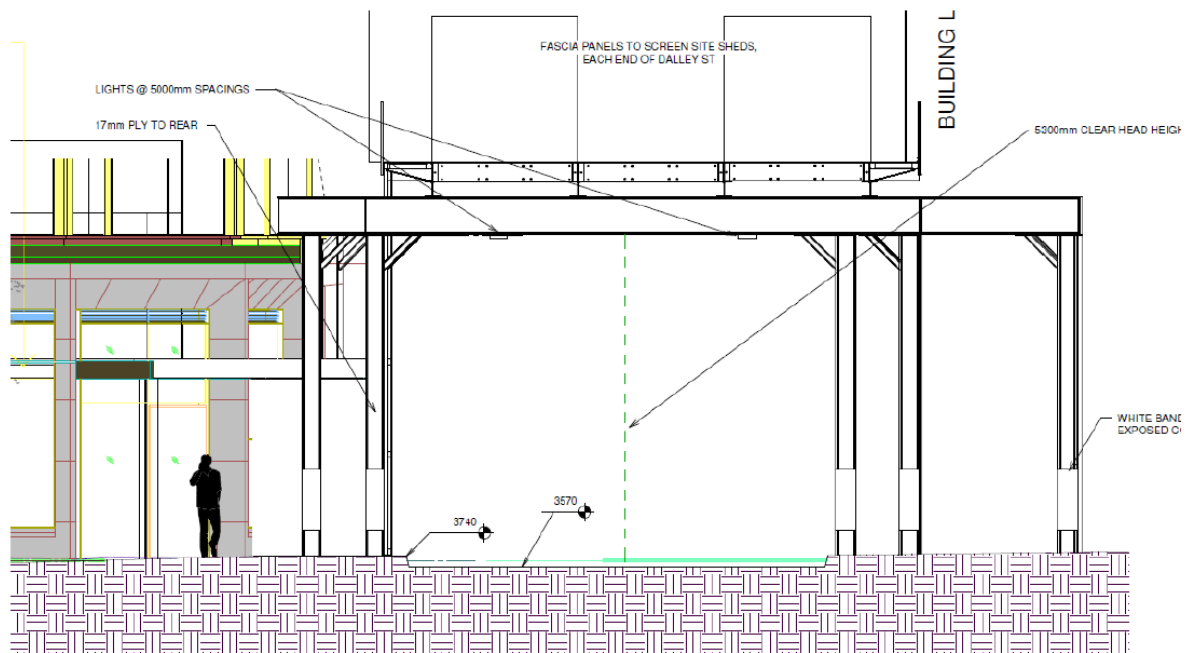


Figure 5: Proposed hoarding section

Assessment

21. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

22. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP. The SREP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.
23. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

Local Environmental Plans

Sydney Local Environmental Plan 2012

24. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the B8 Metropolitan Centre zone. The proposed development is defined as temporary use of the public domain for construction hoardings and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.
2.8 Temporary use of land	Yes	<p>The proposed development seeks consent for the temporary use of the public roadway for the purposes of a construction hoarding to facilitate the development within the adjacent site.</p> <p>Although the proposal seeks to use the public roadway for a period longer than 52 days, the development is permissible in the zone. Further, the temporary use is not considered to adversely impact on any adjoining land or the amenity of the neighbourhood, subject to conditions.</p>

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is within close proximity to several items of local and state significance. The proposed development will not adversely impact the heritage significance of surrounding heritage items.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	The proposal would facilitate a future development that has undergone a competitive design process in accordance with this clause.

Provision	Compliance	Comment
Division 5 Site specific provisions		
6.25 APDG block	Yes	<p>The proposal involves the occupation of part of the public domain for hoarding and scaffolding structures that are associated with demolition, site establishment and construction work for a future commercial development.</p> <p>The proposal is capable of complying with the prescribed site specific controls.</p>

Development Control Plans

Sydney Development Control Plan 2012

25. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Yes	<p>The proposed development seeks to temporarily occupy part of the roadway and pedestrian footpath for the purposes of a construction hoarding to facilitate the adjacent site works.</p> <p>The application has been accompanied by a Construction Pedestrian and Traffic Management Plan and is considered to have an acceptable impact on the local road network.</p>
3.9 Heritage	Yes	<p>The proposed development will not adversely impact the heritage significance of surrounding heritage items.</p>

Section 6 – Specific Sites

Provision	Compliance	Comment
6.1.4 The APDG site (bounded by Alfred, Pitt, Dalley and George Streets)	Yes	<p>The proposed development would facilitate the approved demolition works and proposed construction works for future the future commercial development.</p> <p>Consideration to the site specific provisions would be undertaken in the detailed development DA lodged separate to the subject application.</p>

Guidelines for Hoarding and Scaffolding

26. The application proposes the temporary use of the public domain for a Type B hoarding as defined in the City of Sydney Guidelines for Hoarding and Scaffolding (the Guidelines).
27. The purpose of the Guidelines is to prescribe minimum performance objectives and specific design criteria (deemed-to-comply provisions) to limit and control impacts on pedestrian and cycleway networks and neighbourhood amenity whilst allowing proponents of development, contractors and building owners to undertake required work and to meet their legislative work safety responsibilities and other requirements.
28. The application was referred to Council's Construction and Building Unit who considered the following key design issues against the Guidelines:
 - (a) The hoarding will require the closure of the northern footpath along Dalley Street.
 - (b) The widening of the Southern footpath will have impacts on the width of the Dalley Street traffic lanes.
 - (c) The proximity of the hoarding deck to the building opposite will restrict natural light into the ground floor tenancy.
 - (d) Site sheds located on the deck of B-Class hoardings like this are typically used for builders' amenities (e.g. lunchrooms, offices, toilet facilities etc.) meaning workers from the site will be regularly walking on the hoarding deck.
29. In consideration of the above matters, Council's Construction and Building Unit note the proposed design of the hoarding is capable of complying with the Guidelines.
30. In addition to development consent the formal approval of the detailed design of the structure itself must be submitted for consideration in a future hoarding application. The hoarding application will consider the relevant provisions of the Local Government Act 1993 and Roads Act 1993 and determine whether the specific design of the hoarding is appropriate. A condition of consent is recommended that will allow future design modifications resulting from the hoarding application assessment to be satisfied by the Council prior to the issue of a Construction Certificate to circumvent the need to lodge formal applications to modify the approval should it be granted.

31. The application was also referred to Council's Traffic Operations Unit who conducted a review of the submitted Construction Pedestrian and Traffic Management Plan. The Plan satisfactorily addresses the potential traffic impacts and recommends appropriate measures to protect and maintain the use of the roadway for public use.

Consultation

Internal Referrals

32. The application was discussed with Council's Public Domain Unit, Building Services Unit and Traffic Operations Unit who advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

Advertising and Notification

33. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 14 days between 19 November 2021 and 4 December 2021. A total of 226 properties were notified and no submissions were received.

Financial Contributions

Levy under Section 61 of the City of Sydney Act 1988

34. The cost of the development is in excess of \$200,000. The development is therefore subject to a levy under the Central Sydney Development Contributions Plan 2013.
35. A condition relating to this levy has been included in the recommended conditions of consent. The condition requires the contribution to be paid prior to the issue of a Construction Certificate.

Relevant Legislation

36. Environmental Planning and Assessment Act 1979.

Conclusion

37. The proposal seeks approval for the temporary use of the public domain along Dalley Street for a temporary protective construction hoarding to allow for continued pedestrian and vehicle safety during the demolition and construction phases of the 55 Pitt Street project.
38. Subject to the implementation of conditions as detailed in the report and Attachment A, it is considered that the proposed development is generally compliant with the relevant planning controls for the site. The development is considered to have acceptable impacts on surrounding transport and pedestrian movements and is recommended for approval.

ANDREW THOMAS

Executive Manager Planning and Development

Marie Burge, Senior Planner

Attachment A

Recommended Conditions of Consent
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CONDITIONS OF CONSENT

SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2021/1325 dated 18 November 2021 and the following drawings prepared by Traditional Hoardings & CJ Arms :

Drawing Number	Drawing Name	Date
HA 1.1A (Rev. A)	Plan View	3 November 2021
HA 1.2 (Rev. A)	Pitt St Elevation	3 November 2021
HA 1.3 (Rev. A)	Queens Court Elevation	3 November 2021
0200 (Rev. P1)	Temporary Civil Works – Dalley Street Footpath Widening	27 October 2021

and as amended by the conditions of this consent.

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

(2) SECTION 7.12 CONTRIBUTIONS PAYABLE – SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

A monetary contribution is payable to the City of Sydney pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Central Sydney Development Contributions Plan 2020*.

The Section 7.12 levy is determined by the development cost, as per the following table:

Development cost *	Levy
* Refer to Section 2.3 of the <i>Central Sydney Development Contributions Plan 2020</i> for information on determining the development cost.	
Up to and including \$250,000	NIL
More than \$250,000, up to and including \$500,000	1%
More than \$500,000, up to and including \$1,000,000	2%
More than \$1,000,000	2%

The Section 7.12 levy is payable to the City of Sydney in accordance with the following:

- (a) Prior to a Construction Certificate being issued, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and that the levy has been paid to the Council in accordance with this condition. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney. Direct debit, personal or company cheques will not be accepted.
- (b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, one of the following must be submitted:
 - (i) **For development between \$250,000 and \$3,000,000** – the City of Sydney *Cost Summary Report* must be completed by a suitably qualified person such as the Project Architect or Project Manager and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Cost Summary Report* is available from the City's website at www.cityofsydney.nsw.gov.au; or
 - (ii) **For development more than \$3,000,000** – The City of Sydney *Registered Quantity Surveyor's Detailed Cost Report* must be completed by a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Registered Quantity Surveyor's Detailed Cost Report* is available from the City's website at www.cityofsydney.nsw.gov.au.

- (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Accredited Certifier accordingly.
- (d) The development cost is to be determined in accordance with Section 2.3 of the Central Sydney Development Contributions Plan 2020, located in the version in force at the date of the grant of this consent.

Please contact Council's Planning Administration staff at Planningsystemsadmin@cityofsydney.nsw.gov.au to request a written Statement of Contributions Owing, prior to payment.

(3) SEPARATE TEMPORARY STRUCTURES APPLICATION (PERMIT) REQUIRED

- (a) A separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council prior to a Construction Certificate being issued.
- (b) The application form titled 'Application for Hoardings, Scaffolding and other Temporary Structures' is available on Council's website.

(4) DETAILED HOARDING DRAWINGS

Final detailed drawings of the temporary structures (including structural design details) must be submitted to and approved by Council as part of the separate Temporary Structures application.

(5) DESIGN MODIFICATIONS

Should any minor design changes be required as part of any ongoing further detailed design of the temporary structures, these changes must be submitted to and approved by Council prior to a Construction Certificate being issued. These changes will only be accepted in circumstances where the hoarding design will not cause any greater impact on the amenity and/or safety of adjoining building occupants and the public.

Note: the issuing of a separate temporary structure permit which approves the final design and ultimately permits the installation of a temporary structure on the road reserve can be taken as confirmation that the minor design changes have been considered and accepted by Council in respect to this condition.

(6) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

SCHEDULE 1B

PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING

(7) GENERAL REQUIREMENTS FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD

- (a) The temporary structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding*; and the conditions of any related hoarding approval (Permit) including:
 - (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
 - (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);
 - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);
 - (iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);
 - (v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);
 - (vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);
 - (vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);
 - (viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and
 - (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).
 - (x) the hoarding shall be provided with adequate passive and active protective measures to reduce the risk of fire spread between buildings on either side of the hoarding (Clause 2.13.1)

(8) CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN

- (a) All works conducted on site which form part of this development must be carried out in accordance with the approved Construction Pedestrian

and Traffic Management Plan (Rev. 4) prepared by PTC Consultants dated 19 January 2022 (Council Ref: 2022/022032).

- (b) The approved plan must be complied with during any demolition and/or construction work.

(9) ROAD OPENING APPLICATION

A separate road opening application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council prior to the commencement of any:

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

(10) DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition and preparatory works being granted or the issue of any Construction Certificate, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's *Public Domain Manual* is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>

The submission is to include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

(11) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

(12) PAVING MATERIALS

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

(13) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Dalley Street and Pitt Street frontages of the site are to be retained and properly protected during demolition, excavation and construction works.

- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.

- (c) Note the following:
 - (i) all costs associated with the works are to be borne by the developer.
 - (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
 - (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
 - (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
 - (v) Council approval is required before kerbs are removed.
 - (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
 - (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.

SCHEDULE 1C

DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION

(14) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

(15) HOURS OF WORK AND NOISE – CBD

The hours of construction and work on the development must be as follows:

- (a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Unit, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

SCHEDULE 2

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* apply:

- Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*
- Clause 98A Erection of signs
- Clause 98B Notification of *Home Building Act 1989* requirements
- Clause 98C Conditions relating to entertainment venues
- Clause 98D Conditions relating to maximum capacity signage
- Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the *Environmental Planning and Assessment Regulation 2000*. This can be accessed at: <http://www.legislation.nsw.gov.au>

Attachment B

Selected Drawings

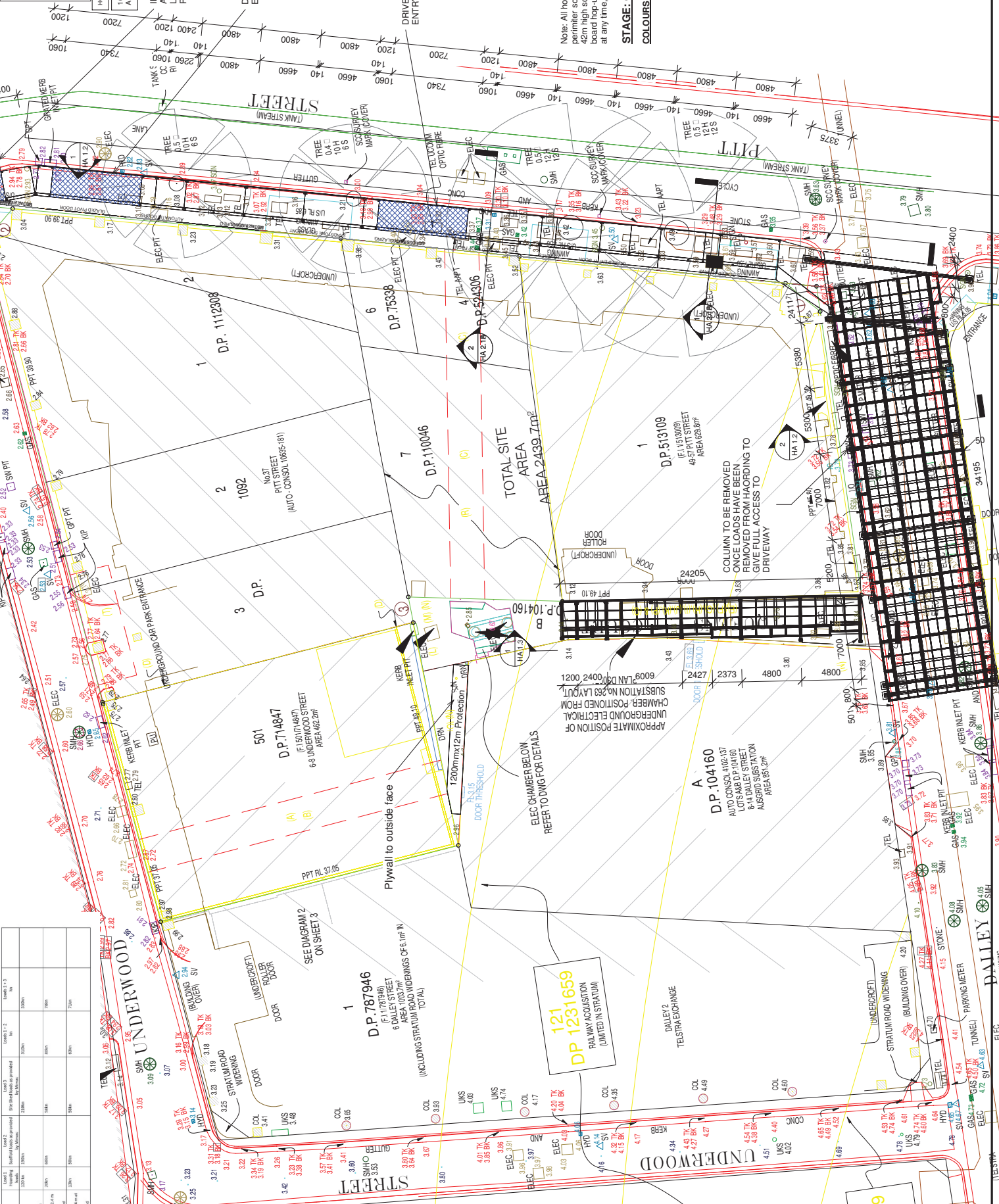
Hoarding Designed to take loads within its standards materials and all items placed on hoarding are not to exceed 40 percent of hoarding UoKa design live load capacity. Hoarding is to be erected on a suitable base made to Australian Standards to distribute loads over the full width of the hoarding. Scaffold and spreader beams by others.

HOARDING DECKS TO BE WATERPROOFED BY THE
100 (W) BULKHEAD LIGHT FITTINGS SPACED AT 5000 MAX SPACING

INFILL TO BE FABRICATED AS REQUIRED BETWEEN LEAN RELEASE GANTRY & PITT ON INSTALL

DRIVEWAY ENTRY

DRIVEWAY ENTRY



Note: All hoardings shall accommodate leg loads for full perimeter scaffold for demolition of existing buildings - 42m high scaffold with decks every 2m, 12 levels of 2 board hop-ups, maximum 2 decks rated as heavy duty at any time, full chain wire and shade cloth.

STAGE OCCUPIED
COLOURS:
-BLACK STRUCTURE
-WHITE ON DECK UNDERSIDE
-LIGHTS TO UNDERSIDE EVERY 5m
-ALL LOADS TO BE EVENLY DISTRIBUTED ACROSS DECK

REV	DESCRIPTION	BY	DATE
1	Project Status		

3D
www.3d.com.au
1300 300 000
3300 Oldfield Rd
Trentham VIC 3261
AUSTRALIA
ABN: 60 135 127 714

Traditional Hoardings

55 Pitt Street

PLAN VIEW

SCALE	DATE	PROJECT	NO
1:200	03.11.20	NUS	LM

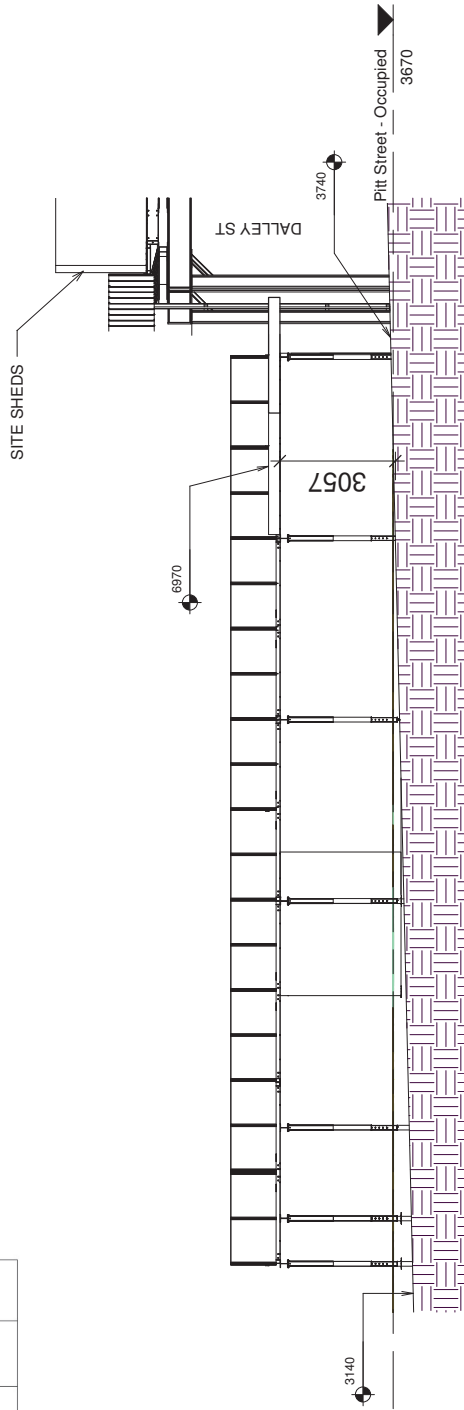
THC285 HA 1.1A A

HOARDING CATEGORY	LOAD 1	LOAD 2	LOAD 3	LOADS 1, 2 & 3	LOADS 1 & 2	LOADS 1 & 3	LOADS 2 & 3
Hoarding	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Surface	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Wind	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 7.2m or 3.5m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 3.5m or 2.0m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 2.0m or 1.5m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 1.5m or 1.0m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 1.0m or 0.5m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa
Maximum height 0.5m or 0.2m	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa	20kPa

HOARDING LOCATION	LOAD 1 Hoarding 120 kPa	LOAD 2 Surfactant loads as provided 150 kPa	LOAD 3 Site shed loads as provided 120 kPa	LOADS 1, 2 & 3 M	LOADS 1, 2 & 3 M
200kg/m ² in 10m x 10m panels in 10m x 10m panels	20kPa	150kPa	120kPa	320kPa	320kPa
Maximum span width 7.2m x 3.5m Maximum span length 12.0m x 3.5m	20kPa	150kPa	120kPa	320kPa	320kPa
Maximum span width 4m x 4m Maximum span length 12.0m x 3.5m	20kPa	150kPa	120kPa	320kPa	320kPa

Hoarding Designed to take loads within it's shed materials/scaffold and all items placed on hoarding are not to exceed 40 percent of hoarding 10kpa design live load capacity. All loads to be applied to the hoarding are made to suitable standards. Hoarding made to Australian Standards to distribute loads over the full width of the hoarding. Scaffold and spreader beams by others.

HOARDING DECKS TO BE WATERPROOFED BY THE
100 (W) BULKHEAD LIGHT FITTINGS SPACED AT 5000 MAX SPACING



Queens Court Elevation

1
1 : 100

Note: All hoardings shall accommodate leg loads for full perimeter scaffold for demolition of existing buildings - 42m high scaffold with decks every 2m, 12 levels of 2 board hop-ups, maximum 2 decks rated as heavy duty at any time, full chain wire and shade cloth.

COLOURS:

- BLACK STRUCTURE
- BLACK FASCIA
- WHITE ON DECK UNDERSIDE
- LIGHTS TO UNDERSIDE EVERY 5m
- ALL LOADS TO BE EVENLY DISTRIBUTED ACROSS DECK

REV	DESCRIPTION	BY	DATE
001	Project Status		

3D

3D Hoarding
15/11/2017
15/11/2017 Australia
www.3dhoarding.com.au
3D Hoarding
7/15/2017
ABN: 60 135 123 714

Traditional Hoardings

55 Pitt Street

Queens Court Elevation			
SCALE	DATE	DESIGNED	CHECKED
1 : 100	03.11.20	NUS	NUS
THC285	HA 1.3		A

Item 4.

Report to the Local Planning Panel - Status of Applications

File No: X019228

Summary

The purpose of this report is to inform members of the Local Planning Panel (LPP) of the current applications under assessment that are to be reported to the LPP, of applications that have been previously determined by the LPP and have been subject to modification applications, and appeals relating to LPP applications.

Attachment A contains a list of applications due to be determined by the LPP. This list includes the application reference number, address of the proposal, the description of the proposal, the target meeting date and the reason why the application is referred to the LPP for determination.

Attachment B contains a summary of Land and Environment Court appeal information relating to applications determined by the LPP or appeals relating to deemed refusals of applications that would have been determined by the LPP.

Attachment C contains a list of applications for modification lodged in the second quarter of 2021/22 on previous LPP approvals.

Recommendation

It is resolved that it is resolved that the subject report be received and noted.

Attachments

- Attachment A.** Applications to be Reported to the Local Planning Panel
- Attachment B.** Appeals Related to Local Planning Panel Applications
- Attachment C.** List of Modification Applications Lodged on Local Planning Panel Approvals

Background

1. There are currently 31 applications lodged with the City that are to be considered and determined by the LPP.
2. The list of development applications is provided in Attachment A. The application list is sorted by target meeting date.
3. Attachment B details Land and Environment Court appeals that relate to LPP decisions or applications that were due to be determined by LPP but were subject to a deemed refusal appeal. Four applications were deemed to have been refused during assessment and two are appeals of an LPP decision.
4. Attachment C lists modification applications relating to LPP approvals lodged in the second quarter of 2021/22. There were seven modifications lodged in the second quarter of 2021/22 and three applications remain under assessment.

Relevant Legislation

5. Environmental Planning and Assessment Act 1979

ANDREW THOMAS

Executive Manager Planning and Development

James Farrar, Information and Systems Officer

Attachment A

**Applications to be Reported to the Local
Planning Panel**

Applications to be reported to the Local Planning Panel

#	Application number	Address	Description	Meeting target	Reason for LPP determination
1	D/2021/1325	49A-57 Pitt Street SYDNEY NSW 2000	Temporary use of Dalley Street for the erection of protective hoarding and scaffolding for associated demolition and construction works	23/02/2022	Conflict of interest
2	D/2021/1336	38-46 Oxford Street DARLINGHURST NSW 2010	Alterations and additions to existing sex on premises venue to expand to the rear lower ground floor of Lot 4. Proposed trading hours are Monday 10.00am to 1.00am, Tuesday - Thursday 10.00am to 6.00am, Friday 10.00am to 12.00am, Saturday 24 hours and Sunday 12.00am to 6.00am.	16/03/2022	Sensitive development. Sex services premises
3	D/2020/993	422-424 Cleveland Street SURRY HILLS NSW 2010	Construction of mixed-use development comprising a 26-bedroom boarding house, cafe, and co-working space.	16/03/2022	Contentious development
4	D/2021/729	7 Franklyn Street GLEBE NSW 2037	Demolition of existing buildings and construction of a boarding house. The application has been renotified following the submission of amended plans.	16/03/2022	Departure from development standard
5	D/2021/1284	1 Alexandra Lane GLEBE NSW 2037	Alterations and additions to residential development including to existing outbuildings at rear of site and conversion into a new dwelling house. The proposal includes subdivision of the site into two lots.	6/04/2022	Departure from development standard

#	Application number	Address	Description	Meeting target	Reason for LPP determination
6	D/2021/1171	22 The Promenade SYDNEY NSW 2000	Change of use from a restaurant with ancillary microbrewery and outdoor seating, to a pub with ancillary microbrewery and outdoor seating. Proposed trading hours are: 24 hours per day, Monday - Sunday inclusive for the internal pub; 7.00am - 12.00 midnight, Monday - Sunday inclusive for the microbrewery; and base outdoor trading hours between 8.00am - 12.00 midnight Monday - Sunday inclusive with extended outdoor trading hours on a trial basis until 2.00am the following day, Monday - Sunday inclusive.	6/04/2022	Sensitive development. Licenced premises and contentious development
7	D/2021/1054	112 Victoria Street BEACONSFIELD NSW 2015	Demolition of three dwellings, construction of three new attached dwellings, and land subdivision into three lots.	06/04/2022	Sensitive development. VPA
8	D/2021/865	5 Victoria Road GLEBE NSW 2037	Alterations and additions to residential development and construction of a new dwelling resulting in multi-dwelling housing (3 self-contained dwellings).	06/04/2022	Departure from development standard
9	D/2021/1550	110-122 Oxford Street DARLINGHURST NSW 2010	Restoration and demolition works to existing heritage buildings, including facade paint stripping, hazardous material removal, demolition of non-heritage significant ceilings, internal walls, floor and wall linings, demolition, excavation and structural footing works to existing basements including underpinning works, lift base, OSD tank and fire stair base, removal of existing internal and external redundant services, associated structural works, removal of shopfronts and windows and erection of scaffolding around each building to allow cataloguing of all windows and inspections of existing bricks and sandstone.	6/04/2022	Conflict of interest

#	Application number	Address	Description	Meeting target	Reason for LPP determination
10	D/2021/1497	11 Harbour Street SYDNEY NSW 2000	Alterations to use premises (shops T24-27) as a pub. Proposed indoor trading hours are 5.00am – 3.00am the following day, Mondays to Sundays inclusive. Proposed outdoor trading hours are 9.00am – 1.00am the following day, Mondays to Sundays inclusive.	27/04/2022	Sensitive development. Licenced premises
11	D/2021/1261	17 Billyard Avenue ELIZABETH BAY NSW 2011	Alterations and additions to the existing building, construction of a 6-storey rear addition and use as a boarding house with 29 boarding rooms.	27/04/2022	Contentious development
12	D/2021/1088	Multiple locations. Circular Quay. Cook & Phillip Park, Railway Square and Oxford Street Paddington.	New public toilets in the Central Sydney area between Alfred Street in the north and Quay Street in the south, as well as in Paddington on Oxford Street at William Street.	27/04/2022	Conflict of interest
13	D/2017/582/A	357 Glebe Point Road GLEBE NSW 2037	Section 4.56 modification of Land and Environment Court concept approval to modify the building envelope to be consistent with the detailed development application D/2021/711 (refer below). The application has been renotified following the submission of amended plans.	27/04/2022	Contentious development

#	Application number	Address	Description	Meeting target	Reason for LPP determination
14	D/2021/1087	Multiple locations. Erskineville Square Newtown, Wentworth Park Glebe, Victoria Park Camperdown, Crew Place opposite Primrose Avenue in Rosebery and at the intersection of Brougham Street and Cowper Wharf Road in Potts Point.	Installation of 5 new public toilets (3 with green roof panels and 2 with digital advertising signage panels) in Erskineville Square Newtown, Wentworth Park Glebe, Victoria Park Camperdown, Crew Place opposite Primrose Avenue in Rosebery and at the intersection of Brougham Street and Cowper Wharf Road in Potts Point. The application is Integrated Development requiring the approval of Heritage Council of NSW under the Heritage Act 1977.	27/04/2022	Contentious development
15	D/2021/1253	13-17 Ithaca Road ELIZABETH BAY NSW 2011	Alterations and additions to the existing residential flat building, including rooftop level addition (D/2015/1200). Alterations involve reconfiguration of internal layout to provide 9 large apartments and redesign of external facades within approved building height and envelope.	27/04/2022	Sensitive development. SEPP65
16	D/2021/1478	29-33 Ithaca Road ELIZABETH BAY NSW 2011	Alterations and additions to an existing part-2 and part-3 storey residential flat building to create a part-3 and part-4 storey residential flat building	27/04/2022	Sensitive development. SEPP65
17	D/2021/689	101 Palmer Street WOOLLOOMOOLOO NSW 2011	Alterations and additions to residential development to construct a 6-level residential flat building (11 units) and roof top communal open space.	27/04/2022	Sensitive development. SEPP65

#	Application number	Address	Description	Meeting target	Reason for LPP determination
18	D/2021/711	357 Glebe Point Road GLEBE NSW 2037	<p>Detailed design for the demolition of the existing MRC building, remediation, construction of a 3 to 7 storey residential flat building containing 56 apartments, 7 x 2 storey terraces, shared basement over 3 levels with associated car parking, landscape works, tree removal, use of Bidura House Group as a single residence, conservation works with new garage and amendment to curtilage, and public domain improvements to Ferry Lane for footpath widening and land dedication.</p> <p>The application is Integrated Development, requiring approval from Heritage NSW under the Heritage Act 1977.</p> <p>The application is being assessed concurrently with concept modification D/2017/582/A (refer above).</p> <p>The application has been renotified following the submission of amended plans.</p>	27/04/2022	Sensitive development. SEPP65
19	D/2020/1071	56-78 Oxford Street DARLINGHURST NSW 2010	<p>Alterations and additions to 2 groups of existing buildings for mixed use development and associated signage strategy. The proposed uses include retail premises, food and drink premises, and tenancies for cultural and creative uses on the lower ground and ground levels, and commercial offices on the levels above.</p> <p>The proposed hours of operation of the tenancies on the lower ground and ground levels are 7.00am - 10.00pm, Mondays to Sundays inclusive.</p> <p>The sites also have a frontage to Foley Street, Crown Street, and Palmer Street.</p>	18/05/2022	Conflict of interest

#	Application number	Address	Description	Meeting target	Reason for LPP determination
20	D/2020/1072	110-122 Oxford Street DARLINGHURST NSW 2010	Use of the existing building as a mixed-use development and associated alterations and additions, and signage strategy. The proposed uses include a 75-room hotel, retail premises, food and drink premises, and tenancies for cultural and creative uses on the lower ground and ground levels. The proposed hours of operation for the tenancies on the lower ground and ground levels are 7.00am – 10.00pm, Mondays to Sundays inclusive. The site also has a frontage to Foley Street.	18/05/2022	Conflict of interest
21	D/2021/1110	304-310 Victoria Street DARLINGHURST NSW 2010	Change of use of existing 'Morgans Hotel' to mixed use development to include 10 x residential units and ground floor commercial premises with associated alterations and additions	27/04/2022	Departure from development standard
22	D/2020/1419	219-231 Botany Road WATERLOO NSW 2017	Demolition, excavation, remediation and construction of a mixed-use development comprising 3 buildings, 7-storeys in height, a retail tenancy at ground level fronting Botany Road and 132 residential apartments above 2 basement levels, landscaping, dedication of land and works for footpath widening along Botany Road. A S4.56(2) application (D/2015/1358/C) to modify the previously approved concept envelope to accommodate roof structures, balconies and an additional, second basement level is being assessed concurrently. Both are for Integrated Development that require approval under the Water Management Act 2000.	18/05/2022	Sensitive development. VPA

#	Application number	Address	Description	Meeting target	Reason for LPP determination
23	D/2015/1358/C	219-231 Botany Road WATERLOO NSW 2017	S4.56(2) application to modify approved concept envelope for a mixed-use development to accommodate roof structures, balconies and an additional, second basement level. Development application (D/2020/1419) for the detailed design of a mixed-use building up to 7-storeys in height is being assessed concurrently. Both are for Integrated Development that require approval under the Water Management Act 2000.	18/05/2022	Sensitive development. VPA
24	D/2021/1498	375 Glebe Point Road GLEBE NSW 2037	Alterations and additions to mixed use development, including an increase in patron capacity from 50 to 76 patrons. No change to existing approved trading hours, being between 10.00am and 9.00pm, Monday to Thursday, 10.00am and 10.00pm Friday and Saturday, and 10.00am and 8.00pm, Sunday, is proposed.	18/05/2022	Departure from development standards
25	D/2021/1528	6-8 Huntley Street ALEXANDRIA NSW 2015	Redevelopment of existing building and use as a public recreation facility. Proposed hours of operation are 5.00am-11.30pm Mondays to Fridays, and 5.30am-11.30pm Saturdays and Sundays.	18/05/2022	Conflict of interest
26	D/2021/1335	657-657A Botany Road ROSEBERY NSW 2018	Demolition of existing structure and construction of a new commercial building.	18/05/2022	Sensitive development. VPA

#	Application number	Address	Description	Meeting target	Reason for LPP determination
27	D/2021/893	28-30 Orwell Street POTTS POINT NSW 2011	Alterations and additions to the existing building including new basement levels, for a mixed-use development. The proposed uses include a hotel with 63 rooms; cafe with hours of operation between 7.00am – 12.00 midnight, Mondays to Sundays inclusive; entertainment facility, restaurant and bar with hours of operation between 7.00am – 1.00am the following day, Mondays to Sundays inclusive; entertainment facility and nightclub with hours of operation between 10.00am – 3.00am the following day, Mondays to Sundays inclusive; and small bar with hours of operation between 10.00am – 3.00am the following day, Mondays to Sundays inclusive. The application is Integrated Development requiring the approval of Heritage NSW under the Heritage Act 1977, and from Water NSW under the Water Management Act 2000.	08/06/2022	Departure from development standards
28	D/2020/1361	242 Cleveland Street SURRY HILLS NSW 2010	Restoration and redevelopment of the Cathedral of the Annunciation of Our Lady site. Includes conservation works to the Cathedral building and construction of a crypt; demolition of the existing theological college building; alterations and additions to the former St Paul's rectory; and the construction of two, three storey buildings. The former rectory and the new buildings are proposed to be connected and accommodate worship spaces; function rooms; museum; library; offices; theological college domiciles and shared facilities, guest domiciles, bookstore and the Dean's residence. A café kiosk is also proposed. The proposed operating hours for all publicly accessible spaces are 8am to 8pm Monday to Sunday. Cathedral and function spaces to operate until 3am on Christmas Day and Easter Sunday (Greek	08/06/2022	Departure from development standards

#	Application number	Address	Description	Meeting target	Reason for LPP determination
			Orthodox). The proposal is Integrated Development under the Heritage Act 1977.		
29	D/2021/1275	93 Crown Street DARLINGHURST NSW 2010	Partial demolition of two existing terraces and construction of a 7-storey residential flat building with 11 apartments.	08/06/2022	Sensitive development. SEPP65
30	D/2021/1512	807 South Dowling Street WATERLOO NSW 2017	Change of use of the existing buildings from serviced apartments to their original approved use as residential apartments	08/06/2022	Sensitive development. SEPP65

List is current as at 14/02/2022

Attachment B

Appeals Related to Local Planning Panel Applications

Appeals Related to the Local Planning Panel

New appeals filed				
Application number	Address	Description	Appeal date	Status
D/2020/20	503-505 Elizabeth Street SURRY HILLS	Demolition of existing buildings and construction of a new 7 storey mixed use development	8/12/2021 Appeal 357 days after determination	Listed conciliation Listed for a conciliation conference on 16 March 2022

Ongoing appeals				
D/2021/304	93-105 Quay Street HAYMARKET	Alterations and additions to existing building and change of use to a boarding house and retail premises.	8/07/2021 Appeal on day 100 of assessment	Hearing on 29/11-1/12/21. Judgment reserved.
D/2019/1135	13-15 Kellett Street POTTS POINT	Use of the ground level as a restricted premises (adult entertainment premises) in conjunction with the existing licensed bar and restaurant known as 'Dollhouse Nightspot', with hours of operation of 24 hours, 7 days per week. The application includes alterations to the external rear courtyard wall to provide emergency egress.	17/02/2020 Appeal 10 days after determination	17/12/21 - Appeal allowed. Consent granted on agreed Conditions.

Completed appeals				
Application number	Address	Description	Appeal date	Status
D/2020/1457	25-27 Lachlan Street WATERLOO	Demolition, remediation and construction of shop top housing. This is Integrated Development requiring approval of Water NSW under the Water Management Act 2000.	26/05/2021 Appeal on day 140 of assessment	Appeal upheld after s. 34 agreement on amended plans and conditions 11/11/21
D/2020/1462	22-26 Botany Road ALEXANDRIA	Demolition of buildings and construction of a mixed-use development including boarding house and retail premises.	07/05/2021 Appeal on day 122 of assessment	Appeal upheld after s. 34 agreement on amended plans and conditions 25/11/2021
D/2019/665	21C Billyard Avenue , ELIZABETH BAY	Alterations and additions to an existing residential flat building at 10 Onslow Avenue, comprising an additional level to create a new living space and outdoor terrace to apartment No. 11.	11/12/2020 Appeal 121 days after determination	Appeal dismissed 4/11/2021
D/2019/517	191-195 Botany Road WATERLOO	Demolition of existing two storey building and car park at 195 Botany Road, construction of a 6-storey commercial building with ground floor retail and basement car parking at 195 Botany Road and subdivision. This application is for Integrated Development requiring the approval of Water NSW under the Water Management Act 2000.	11/12/2019 Appeal on day 205 of assessment	17/12/21. Appeal against decision of Commissioner of LEC dismissed.

List current as at 31/01//2022

Attachment C

**List of Modification Applications Lodged on
Local Planning Panel Approvals**

List of Modification Applications Lodged on Local Planning Panel Approvals

Application number	Address	Description	Lodgement date	Status	Decision date
D/2019/684/B	634 Botany Road	Section 4.55(1A) modification of development consent for a concept building envelope. Proposed changes to permit lift overruns, fire stairs, plant, pergolas, architectural roof features and other similar rooftop structures.	10/09/2021	Approved	03/11/2021
D/2020/1343/A	25 Martin Place	S4.55(2) - Modification of consent to install a solid fuel cooking unit to the Botswana Butchery restaurant and pub. The modification will amend Condition 1 and Condition 36 Mechanical Ventilation.	11/10/2021	Approved	15/11/2021
D/2020/1090/A	180-182 Church Street	Section 4.55(1A) modification of consent for an approved boarding house for updated plans to reconfigure room layouts, and to address design modification and materials schedule requirements. An updated Plan of Management is also to be referenced.	21/10/2021	Under assessment	
D/2020/593/A	397-399 Harris Street	S4.55 (1A) Modification of consent to address design modification conditions and minor change to a common area WC on first floor.	29/11/2021	Approved	01/02/2022
D/2020/1059/A	15-17 William Street	S4.55(1) – Modification. Corrections to minor errors and miscalculations.	13/12/2021	Under assessment	
D/2020/529/A	74 Rosebery Avenue	S4.55 (1) Modification of consent. Deletion of condition 5 Section 7.11 Contributions which was imposed in error	16/12/2021	Under assessment	01/02/2022
D/2020/1409/A	634 Botany Road	S4.55(1A) - Modification of consent. Amend RL of the basement and ground floor levels and amend car parking layout	23/12/2021	Under assessment	