

Local Planning Panel

30 October 2019

161 Castlereagh Street, Sydney

D/2019/88

Applicant: Simon Tilley

Owner: GPT Funds Management Ltd and The Trust Company (RE Services)
Ltd

Architects/Designers: FJMT and Paul Kelly Design

proposal

extension of use of tenancies 6, 7, 8 and 9 for Liberty Place Bar including:

- the construction of awnings throughout the existing open space
- construction of a new enclosed bar area for tenancy 10 located beneath the tower under-croft area
- bar fitout works

proposed patron capacity is 680 persons (390 internal and 290 external)

recommendation

refusal

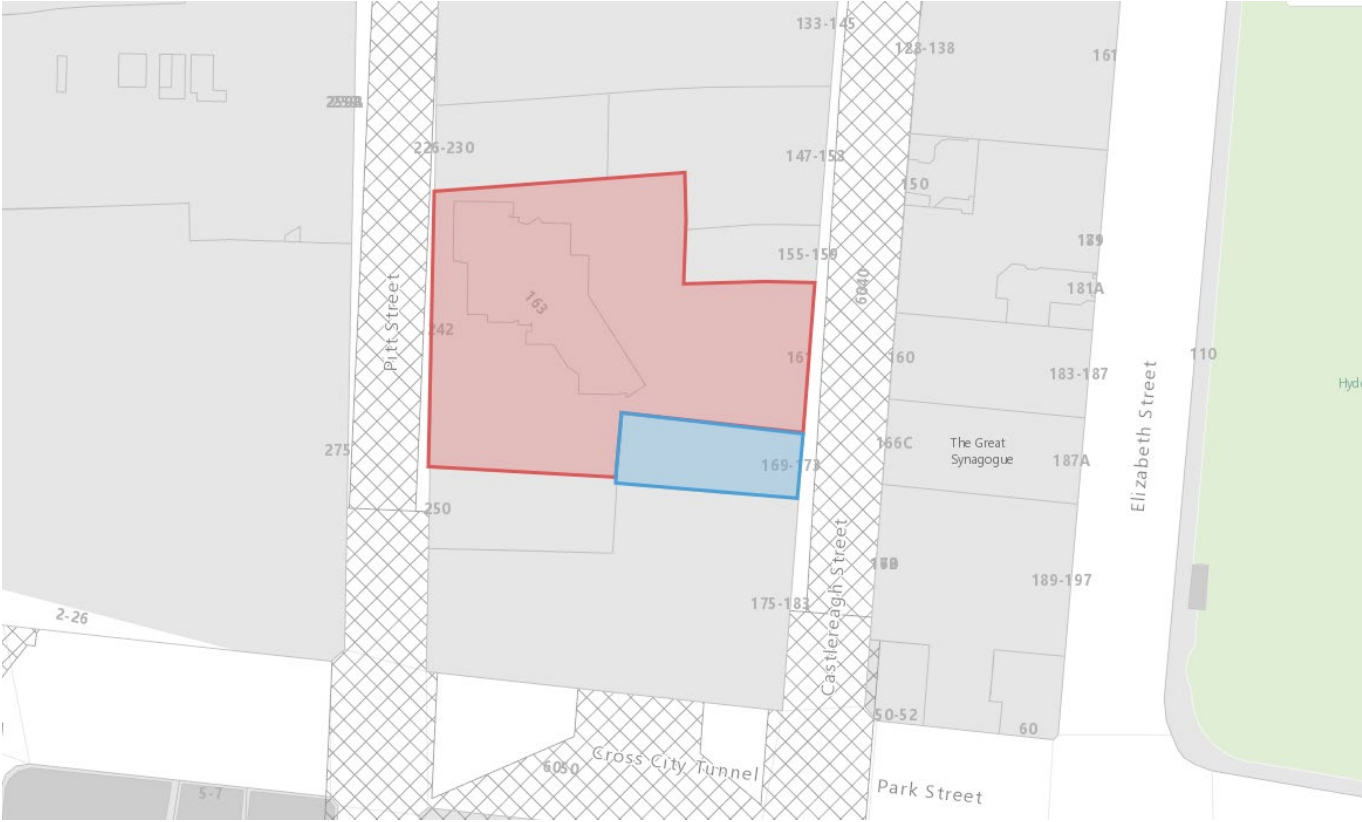
notification information

- exhibition period 21 February to 6 March 2019
- 205 owners and occupiers notified
- 2 submissions received

submissions

- exceeds the FSR development standard
- contravenes existing restrictive covenant for right of public access
- patrons result in a breach of Liquor Act
- loss of mid-block open space and public amenity
- unacceptable noise impacts on surrounding uses

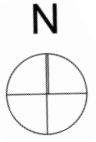
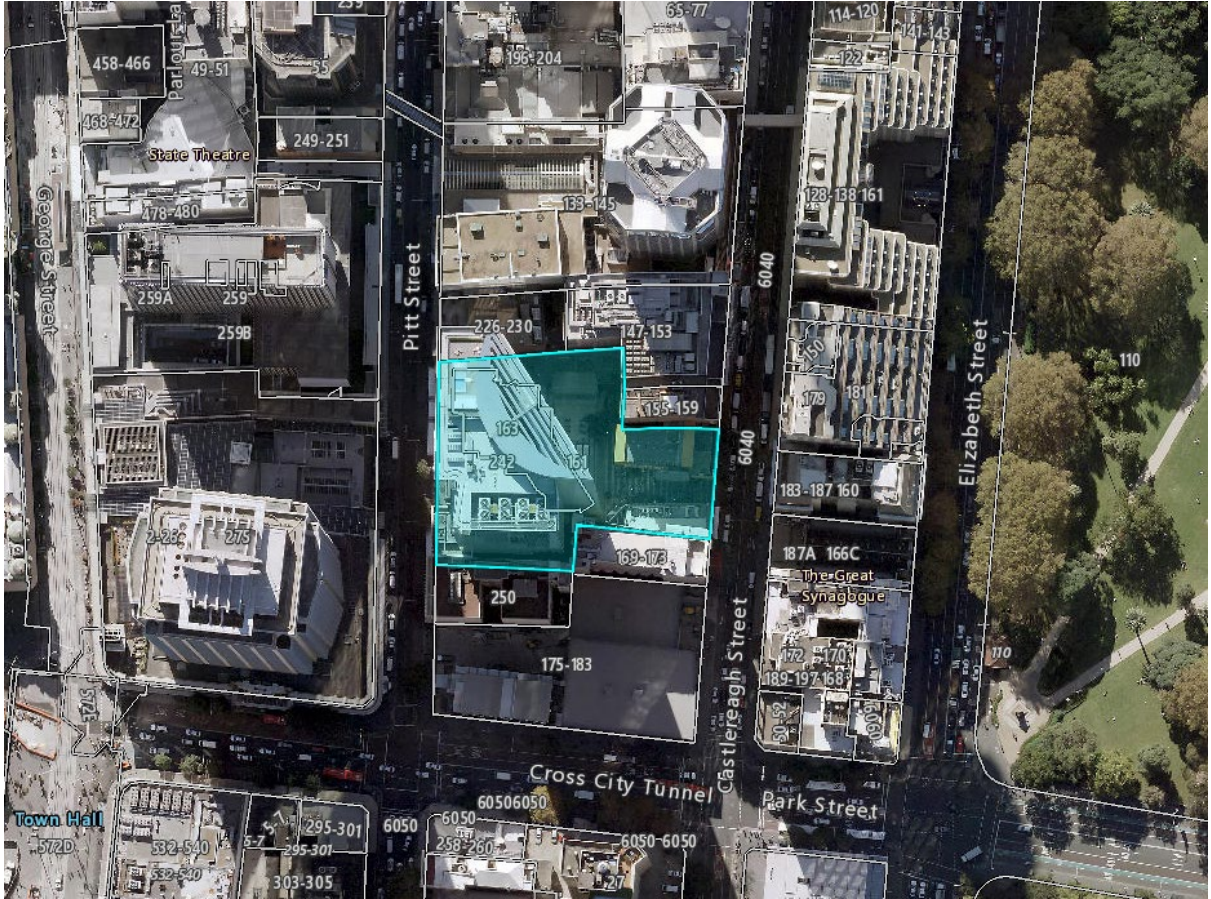
submissions



subject site

submitters

site





Liberty Place entrance via Castlereagh Street



looking towards the art installation above tenancy 10



existing public open space with tenancies 6-8 beyond



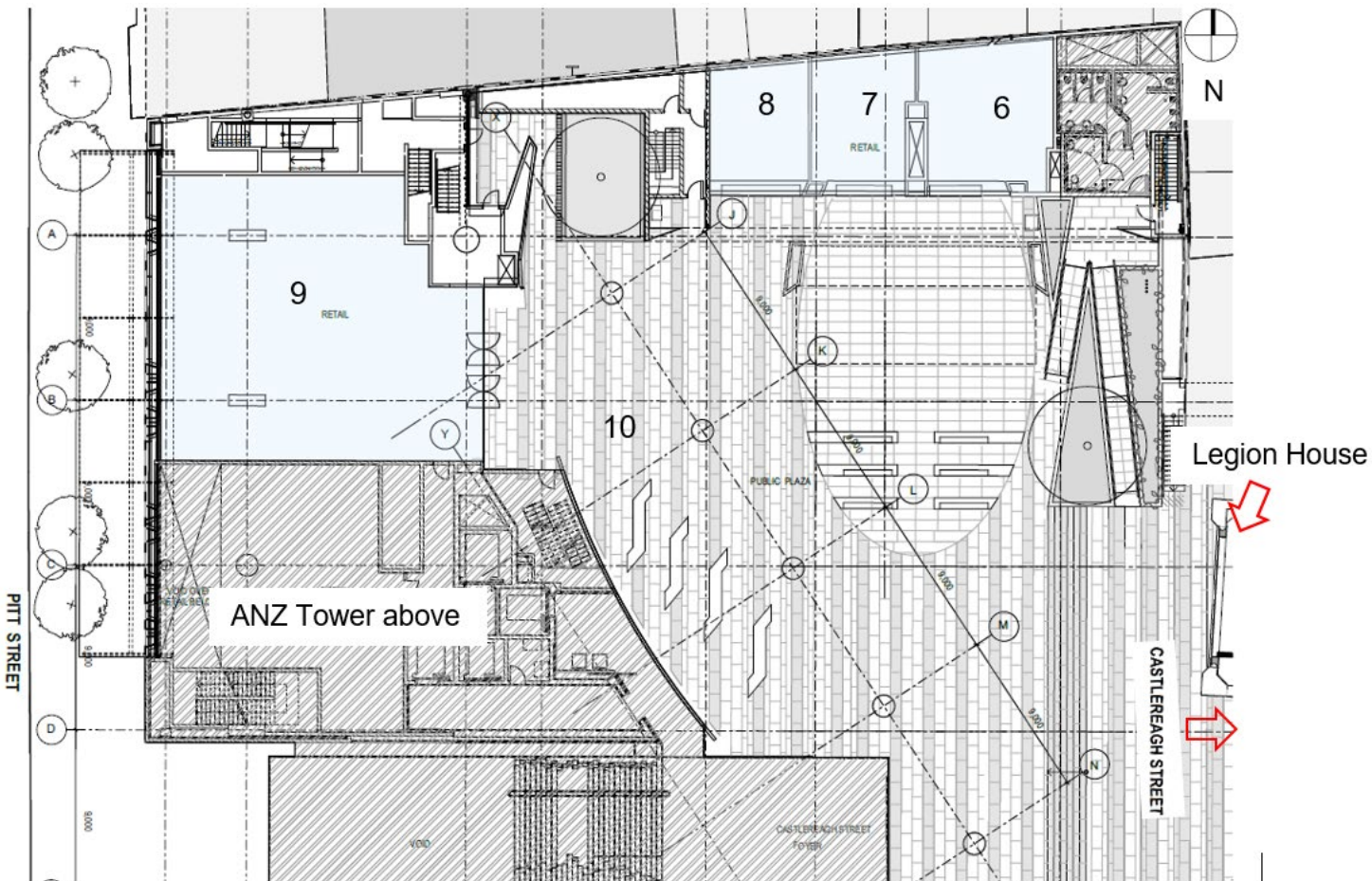
existing tenancy 9 entry doors



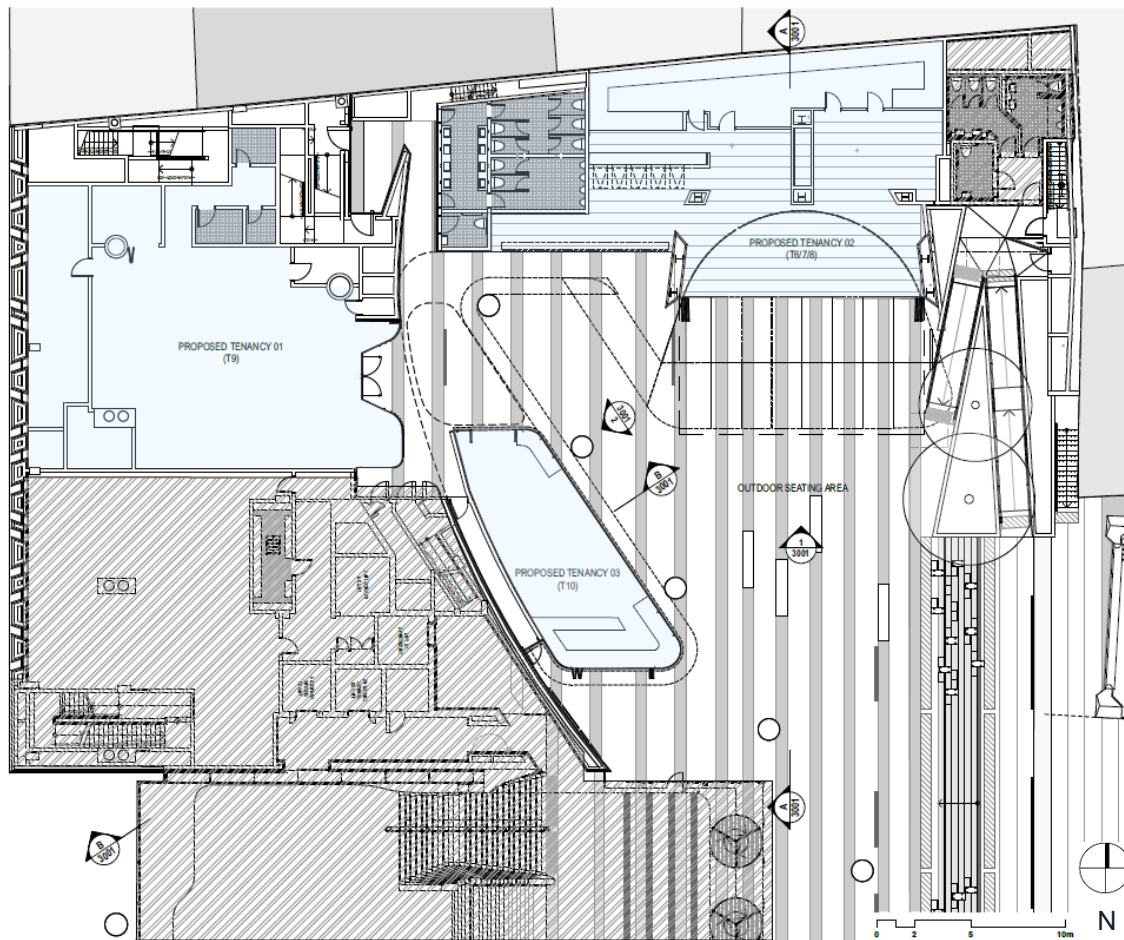
existing open plaza looking south from the tenancy 9 entry doors



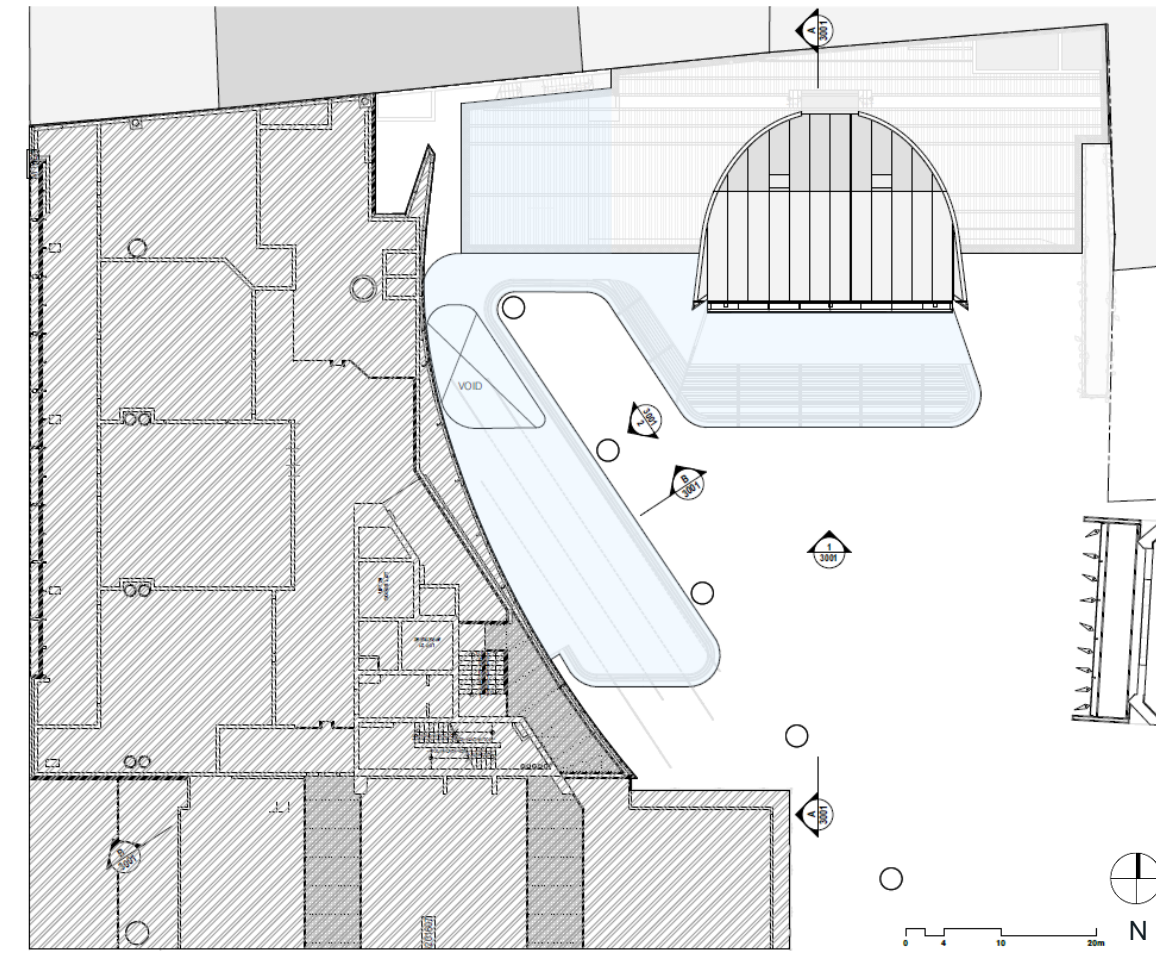
adjacent Castlereagh Boutique Hotel to the south of the site



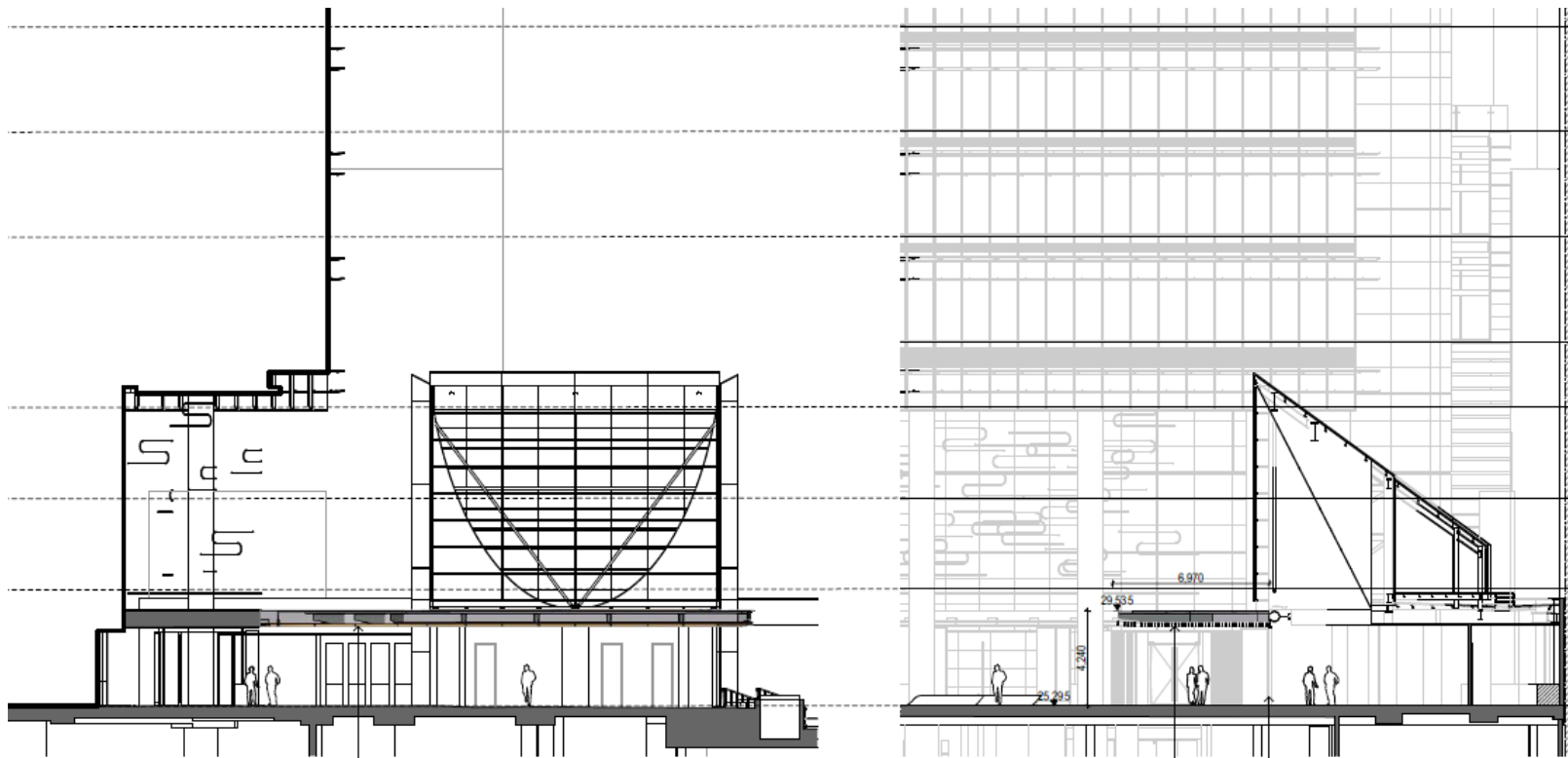
existing ground floor plan



proposed ground floor plan



proposed roof (awning) plan



proposed pavilion section

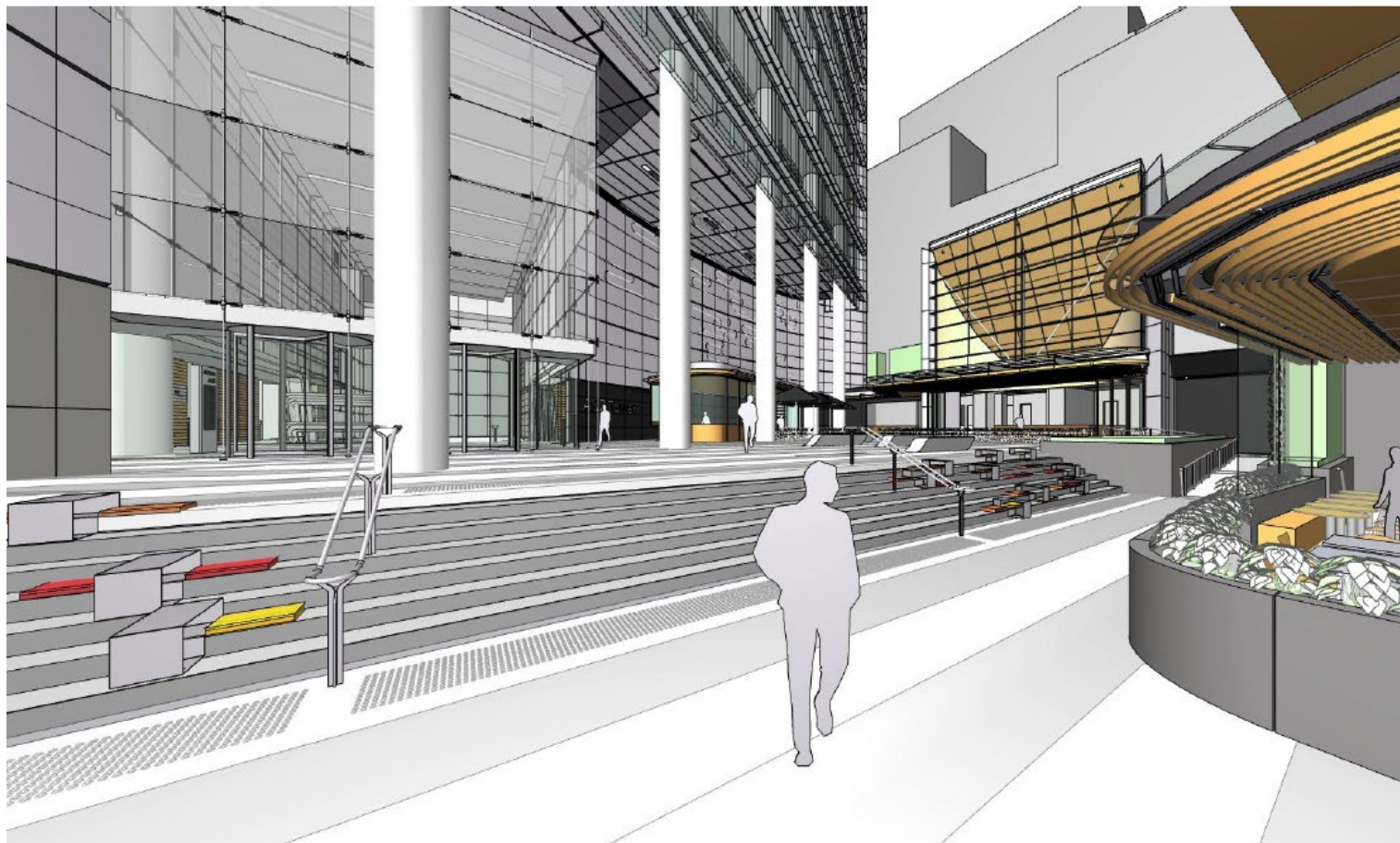
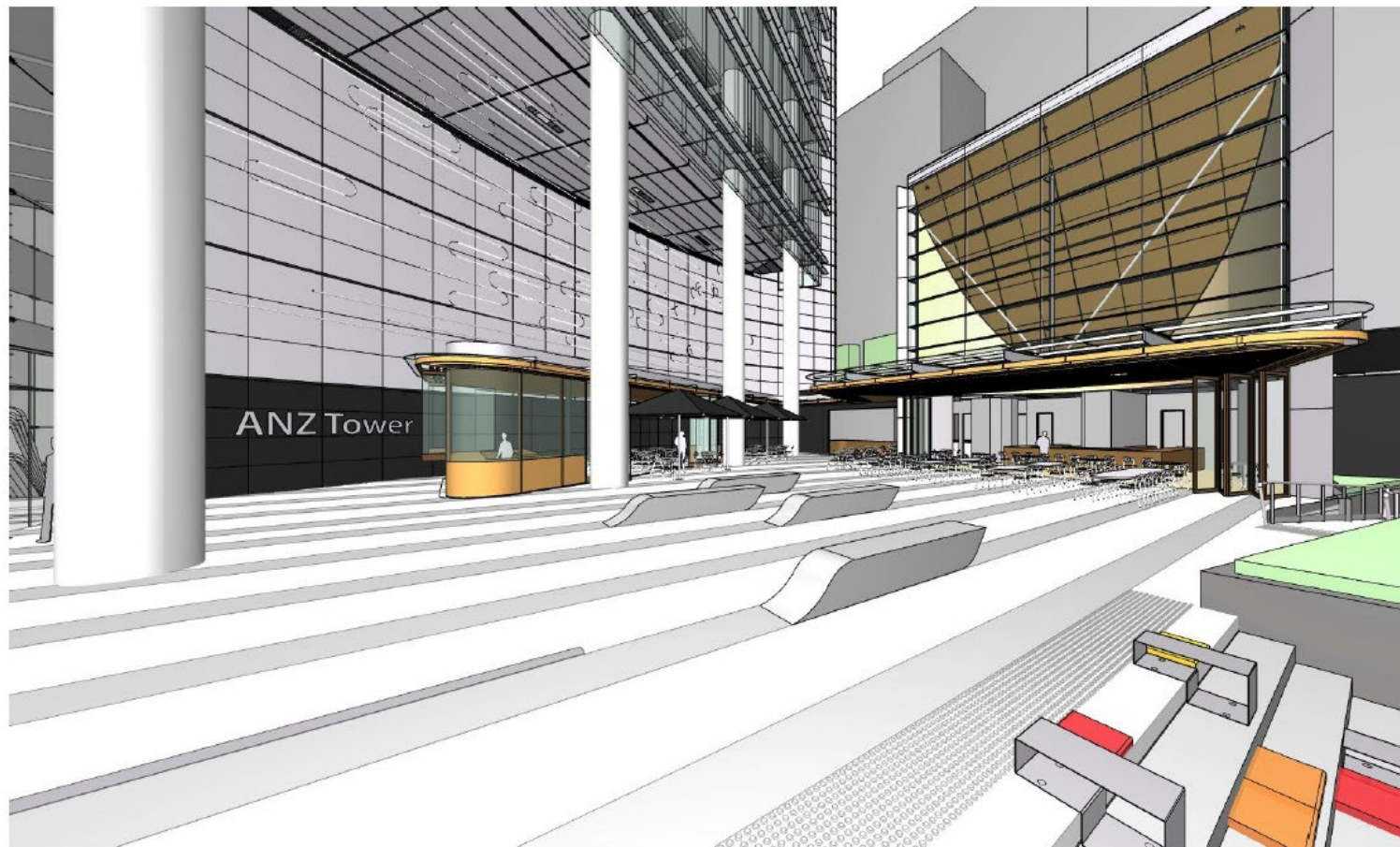


illustration of proposed works



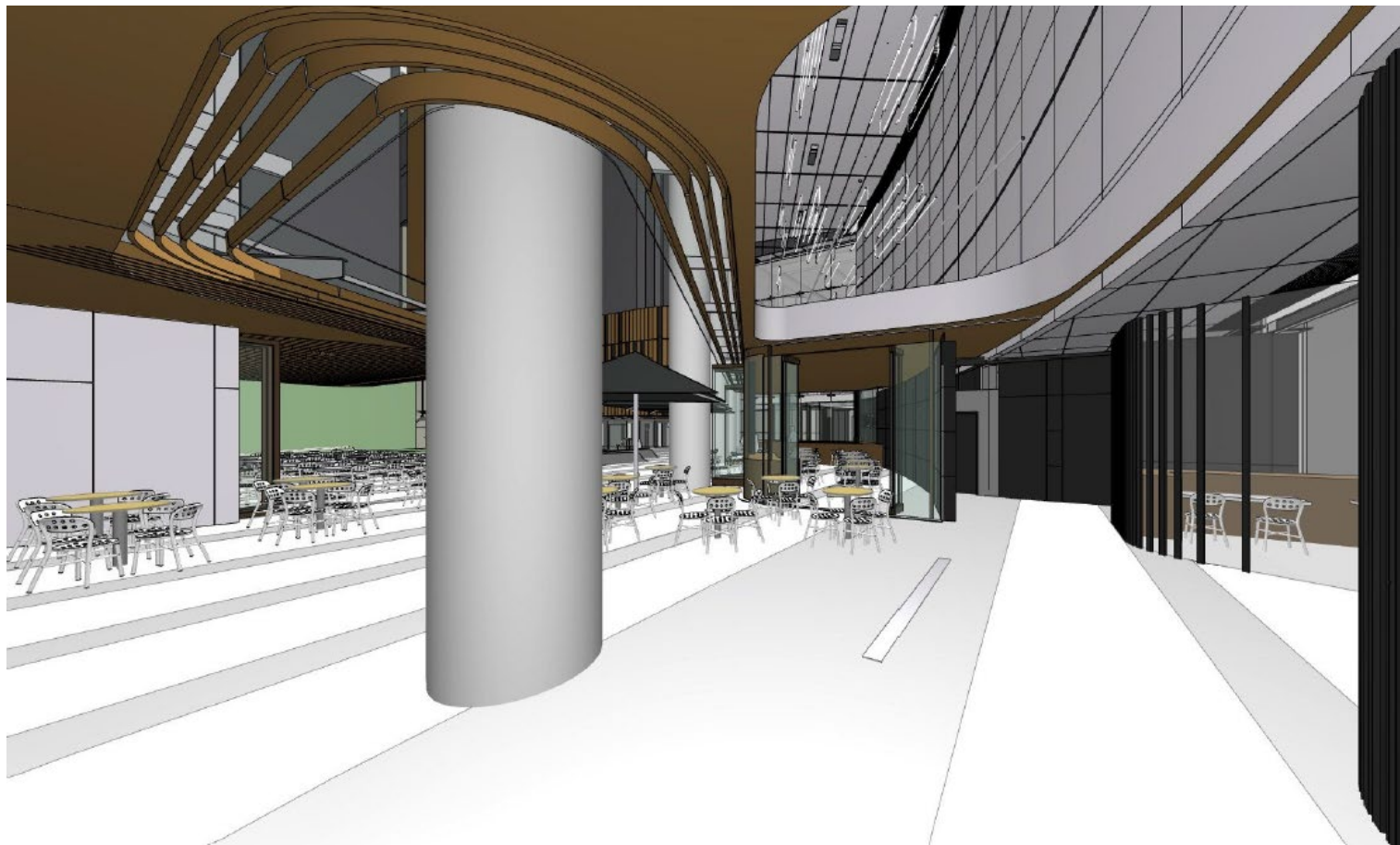
new awning, pavilion and enclosed tenancy 10 works



new enclosed tenancy 10



aerial view



view from tenancy 9 facing south



view from entry to tenancy 10



view from extended pavilion (tenancies 6-8)



enclosed tenancy 10 with views towards Legion House and Castlereagh Street

compliance - key LEP development standards

	control	proposed	compliance
floor space ratio	12.52:1	14.86:1	no – clause 4.6 provided but not supported

issues

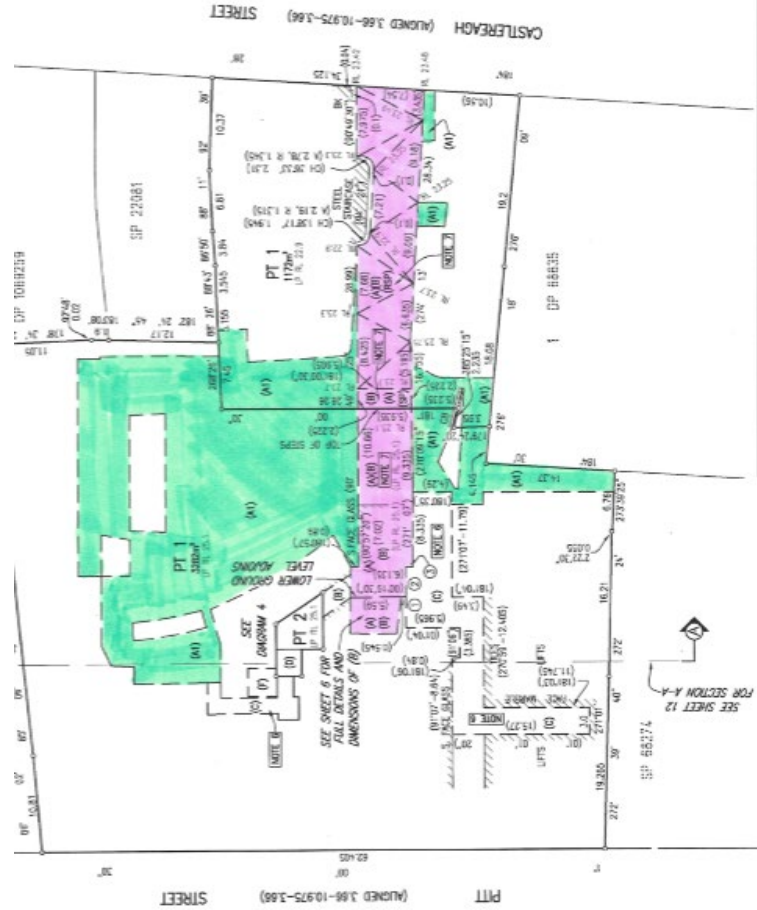
- floor space
- impacts on public plaza
 - public artwork
 - tree removal
 - design excellence
 - general amenity
- acoustic compliance

floor space ratio

- additional 181sqm of floor space results in a total FSR 14.86:1 (19% over LEP maximum)
- floor space calculations provided are based on old LEP definitions and are based on desktop calculations
- submitted Clause 4.6 variation request is not satisfactory
- negative amenity impact on public plaza and surrounding uses is not supported

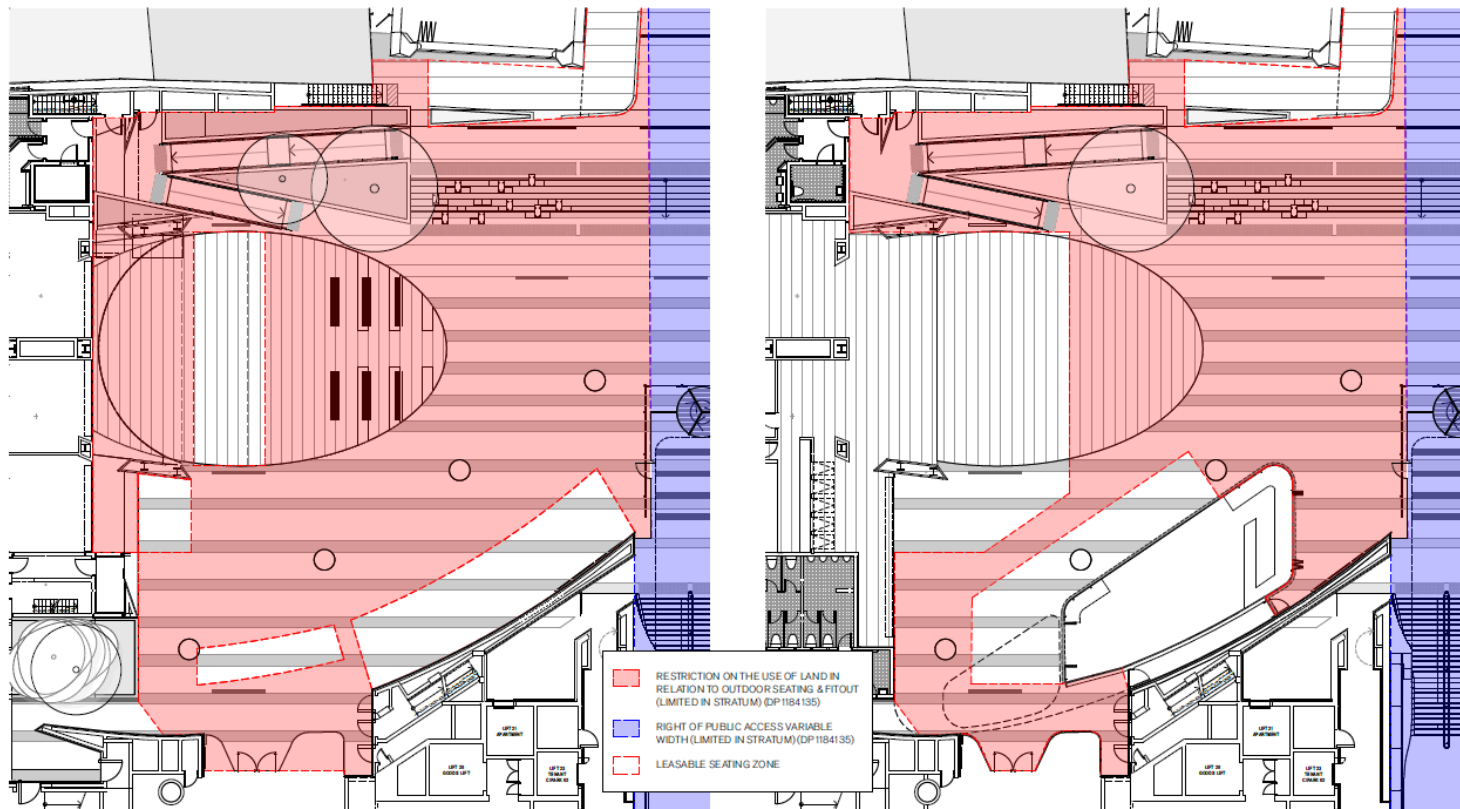
impact on public plaza

- proposal reduces the amount and quality of the useable open space available to the public
- results in a large portion of the plaza being privatised - contrary to the base consent which permitted additional floor space exceeding the LEP maximum based on public benefits including the plaza
- proposal contrary to the restrictive covenant which demarcates "public" and "private/leasable space"



approved leasable seating zones





approved and proposed restriction on land uses plan

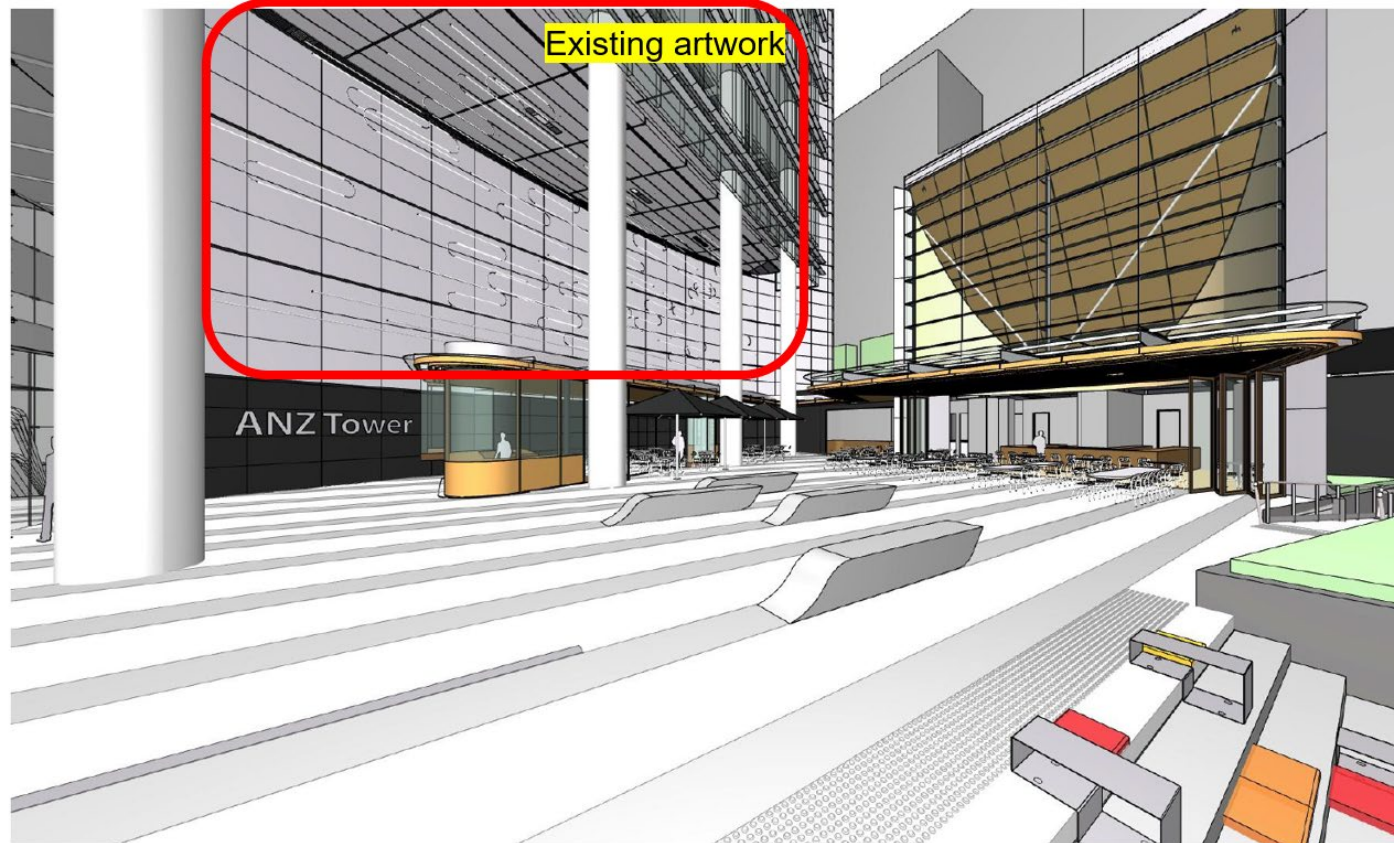
public art



- location of the enclosed bar and awning under artwork will negatively impact on views/public enjoyment of artwork and public space around it

“Light Event” Cerith Wyn Evans

public art



trees

- removal of one tree and impact of new awning on two large existing trees will have a negative amenity impact on the public plaza



existing public plaza with trees on either side of the existing pavilion

acoustics

- submitted acoustic report and plan of management contain a number of inconsistencies and technical errors that are not supported
- some aspects of reports claim acoustic measures will reduce noise impacts - Council believes will exacerbate issues
- acoustic report assumes the Castlereagh Boutique Hotel has completed acoustic upgrades on north-facing windows

recommendation

refusal