

## **Award of Heritage Floor Space - Capitol Theatre, Haymarket**

**File No: X025504**

### **Summary**

The City of Sydney is seeking approval for an award of heritage floor space for conservation works undertaken for the Capitol Theatre, at 3-21 Campbell Street, Haymarket. Heritage floor space may be awarded every 25 years for its ongoing conservation and maintenance. The application is for a City-owned building and is on the basis of previously completed conservation works. No works, other than conservation maintenance works, are proposed as part of this application.

This will be the second award of heritage floor space sought for this building. The first award was registered in March 1992 following the completion of major restoration works to the theatre.

The application has been independently assessed, consistent with Council's Practice Note, where the landowner is the City of Sydney. The independent assessment by TKD Architects is provided at Attachment A and recommends the approval of the award. The recommendations of this report have been prepared by TKD Architects, following their independent assessment, included at Attachment A.

The independent consultant's report recommends Council approve an estimated award of 10,871.25 square metres of heritage floor space, based on the conservation management plan prepared for the application, and subject to covenants for maintenance and development limits, as required under Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

The application was notified for a period of 28 days from 2 October 2019 to 30 October 2019. In response to the notification period four submissions supportive of the proposal were received.

This award will recognise the successful conservation of one of the City's own buildings and provide for its ongoing maintenance and conservation.

## Recommendation

It is resolved that:

- (A) Council approve the Capitol Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment E to the subject report;
- (B) Council approve the award of 10,871.25 square metres of heritage floor space, subject to:
  - (i) covenants on title, as required by the Sydney Local Environmental Plan 2012, to ensure that no development can occur on the site that either:
    - (a) increases the gross floor area of the heritage building; or
    - (b) increases the height of the heritage building;
  - (ii) covenants on title that ensure the continued maintenance and conservation of the building in line with the Capital Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020. This covenant must include a requirement for ongoing provision of adequate insurance and a maintenance fund, as required by the Sydney Development Control Plan 2012; and
- (C) authority be delegated to the Chief Executive Officer to confirm the calculation of the final award and finalise the deed and required covenants in accordance with (B) above.

**Attachments**

- Attachment A.** Independent Assessment Report by the External Heritage Consultant (TKD Architects)
- Attachment B.** TKD Architects review of the Capitol Theatre CMP (Conservation Management Plan Assessment Checklist) dated 5 February 2020
- Attachment C.** Capitol Theatre survey plan prepared by Craig and Rhodes dated 22 February 2019
- Attachment D.** Planning Report Capitol Theatre 3-21 Campbell Street Haymarket - Urbis Pty Ltd, dated 23 July 2019
- Attachment E.** Capitol Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020
- Attachment F.** Capitol Theatre Condition Assessment, prepared by Mott McDonald Australia Pty Ltd, dated 11 March 2019

**GRAHAM JAHN, AM**

Director City Planning, Transport and Heritage

Daniel Thorpe, Planner