

# **One Carrington Street – Concept Plan Modification and State Significant Development**

**MP09\_0076 Mod 2 and SSD 5824**

Submission to NSW Department of Planning and Environment  
16 August 2014





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## Contents

<b>1.0</b>	<b>Executive summary .....</b>	<b>5</b>
<b>2.0</b>	<b>Overview .....</b>	<b>7</b>
2.1	Introduction .....	7
2.2	Summary of Concept Plan proposal.....	7
2.3	Summary of State Significant Development (SSD) proposal .....	8
<b>3.0</b>	<b>Issues related to both proposals.....</b>	<b>9</b>
3.1	Continued absence of any public benefit offer (VPA) .....	9
3.2	Concept Plan site area .....	10
<b>4.0</b>	<b>Issues relating to the Concept Plan modification.....</b>	<b>11</b>
4.1	Tenant car parking.....	11
4.2	Bicycle parking and end of trip facilities .....	11
4.3	Wynyard Lane.....	11
4.4	Incorporation of 285-287 George Street into development site.....	12
<b>5.0</b>	<b>Issues relating to the SSD proposal .....</b>	<b>13</b>
5.1	Heritage .....	13
5.2	Building articulation.....	14
5.3	Public domain .....	19
5.4	Activation of Wynyard Lane.....	19
5.5	Way finding signage strategy .....	20
5.6	Retail/commercial signage strategy .....	20
5.7	Solar access/overshadowing.....	21
5.8	Construction work impacts .....	21

## **Appendix A - Recommended Conditions**





**Figure 1. Illustrative view from Wynyard Park**  
Source: Make + Architectus

## 1.0 Executive summary

The current proposals seek to modify the approved Concept Plan for the site, the most significant change being the incorporation of the existing heritage building at 285-287 George Street. In addition, the SSD proposal seeks approval for the first stage of works, being the land between George Street and the eastern side of Carrington Street.

The proposals and supporting documentation have been reviewed by the City of Sydney (the City) having regard to the SSD DGR's, Concept Plan approval (as modified) and Statement of Commitments for the site.

The City is generally supportive of the current proposals particularly the modifications to facilitate the incorporation of 285-287 George Street into the development site provided the remaining issues raised are addressed, including design amendments. It is also considered necessary for the City, Transport for NSW, Department of Planning and Environment (DoPE) and the developer to further refine the proposal and commit to a public benefit offer and appropriate development contributions in order to secure the public success of the project. This is particularly relevant given the project's sheer scale.

It is also noted that the Proponent seeks to rely on the City's LEP planning controls such as concessional GFA treatment for end of trip facilities, but not in relation to other provisions. If the DoPE agrees that concessional GFA treatment for end of trip is applied then the remaining controls must also be applied. The City's submission sets out 15 detailed recommendations in the body of this submission document for consideration by the DoPE. The most critical of these are summarised below.

The key concerns discussed in the submission are as follows:

1. The continued absence of a firm public benefit offer is questioned. A draft VPA should be placed on public exhibition concurrently with the assessment of the Concept Plan modification and SSD proposal and should be executed and attached to the title prior to the activation of any consent for development to commence.
2. A development contribution of at least 1% CIV (equivalent to the s61 payment under the City of Sydney Act) should be conditioned and payable to the City of Sydney prior to the issue of any Construction Certificate. Failure to require this creates inequities with the Acts' requirements for all other developers.
3. The nominated Concept Plan 'site area' treatment extending under the adjoining street and park is wholly misleading and inconsistent with the site area adopted by the DoPE in its assessment of the original Concept Plan. DoPE must require this

treatment to be amended in the documentation with accurate calculations against the appropriate site area recorded in the report and consent. A site area of 9,224m<sup>2</sup> should be adopted (including the site area of 285-287 George Street) for the calculation of floor space and end of trip facility exclusions to be consistent with other projects under NSW law.

4. Additional heritage information is required to be submitted (prior to the determination of the current proposals) to demonstrate that all necessary conservation and restoration works have been considered and can be feasibly incorporated into the detailed design of the development.
5. The height of the proposed three-bay awning on along the George Street façade is unnecessarily high. The awning height should be at least reduced to match the string line of the neighbouring building in order to provide adequate weather protection for pedestrians along George Street.
6. Façade treatments for the street wall height fronting George Street and Carrington Street lack the masonry (sandstone) and glass elements that predominate in the surrounding streetscape and are the desired future character for the northern end of the CBD. It is intended that sandstone and glass tie buildings of all periods together at this end of the city over time. It is considered that the current proposal does not provide sufficient architectural differentiation to provide a masonry street wall façade and the vertical neo-modernist tower language above.
7. Opportunities to further increase activation along Wynyard Lane are strongly encouraged. The proponent should exhaust all reasonable options to reduce the area designated for utility services and/or their access points fronting Wynyard Lane in order to accommodate a greater proportion of small scale retail/commercial tenancies across that frontage.
8. 3D modelling should be submitted (in the appropriate format) to the City to verify the accuracy of the proponent's overshadowing assessment against the City's electronic model. The condition requiring no overshadowing of Martin Place should be carried forward into any detailed approval.
9. A Public Art strategy should be conditioned in any approval. The strategy should be required in accordance with the City's Public Art policy and guidelines.

Subject to the preceding concerns being addressed in any approval issued by the Minister or her delegate, the City raises no objection to this application. The submission is structured so that issues and recommendations relating to both applications are outlined in Section 3. Issues related only to the Concept Plan modification are contained in Section 4. Issues related to the SSD application are contained in Section 5. **The City requests a copy of any draft conditions be provided at the same time that they are provided to the Proponent prior to determination.** Recommended draft **Conditions of Consent** can be found in **Appendix A** of this report.

## 2.0 Overview

### 2.1 Introduction

The Concept Plan approval for the 'CityOne Project' comprised properties known as 301 George Street (Thakral House), 14-28 Carrington Street (Menziess Hotel) and 2-12 Carrington Street (Shell House). The scope of works approved under the Concept Plan by the Planning Assessment Commission on 3 April 2012 includes:

- Upgrade of the eastern access ways to Wynyard Station including retail area and concourse layout;
- Indicative building envelope to a maximum height to RL159.7 AHD on the land between Carrington Street and George Street;
- Site area 8,828m<sup>2</sup> and 79,370m<sup>2</sup> of gross floor space for development located east of Carrington Street;
- Use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities, and tenant car parking; and
- Development of former Shell House including refurbishments for the purpose of commercial and retail use.

The development site is now owned by Brookfield and is referred to by them as 'One Carrington Street'.

A modification (Mod 1) to the Concept Plan was approved on 24 March 2014, including amendments to the timing and provisions of a Voluntary Planning Agreement, work place travel plan and future approvals from Sydney Airport Corporation Ltd. Modifications were also sought to the timing for achieving public benefits, design and traffic matters and deletion of environmentally sustainable requirements in the Statement of Commitments.

### 2.2 Summary of Concept Plan proposal

The referral for the modification application to the Concept Plan (MP09\_0076 Mod 2) seeks comments and recommendations for the proposed increase in site area, expansion of building envelope, increase in tenant car parking and end of journey facilities as follows:

- Inclusion of 285-287 George Street and the area above Wynyard Lane as part of the amalgamated site area (an additional 420.1m<sup>2</sup>);

- Increase maximum GFA to include for the additional floor space attributable to the inclusion of 285-287 George Street and part of Wynyard Lane in the overall site area;
- Increase building envelope of tower element to accommodate a cantilevered element over the heritage building at 285-287 George Street;
- Provision of end of trip facilities and exclusion of such as floor space for the purposes of FSR calculations;
- Increase maximum tenant car parking spaces from 81 to 89; and
- Retention of Wynyard Lane for one way traffic.

### **2.3 Summary of State Significant Development (SSD) proposal**

The referral for SSD 5824 seeks comments and recommendations for the proposed development works to the area from the eastern boundary of Carrington Street through to George Street and includes the following:

- Upgrade of the eastern access ways to Wynyard Station including retail areas and concourse layout;
- Construction of a commercial building within the Concept Plan envelope on land between Carrington Street and George Street;
- Use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities, end of trip facilities, and tenant parking; and
- Development of former Shell House and 285-287 George Street (also known as Beneficial House) including refurbishment for the purposes of commercial and retail uses.



### 3.0 Issues related to both proposals

There are several procedural issues and matters of concern to the City that relate directly to both applications.

#### 3.1 Continued absence of any public benefit offer (VPA)

It remains unclear what the nature and quantum of any public benefit offer is given the significant increase in floor space over the maximum control in the LEP, or who the parties to the future voluntary Planning Agreement actually are. Furthermore, the proposal in its current form (without any firm public benefit offer) does not provide sufficient contributions or public benefits to justify the magnitude of statutory non-compliances being sought and the increased pressure the proposed development will place on existing services and public domain.

The applicant correctly notes that a VPA must be exhibited, executed and registered on title before this Concept Plan modification and SSD proposal are considered by the Minister/PAC.

Condition A6 of the Concept Plan approval reads as follows:

#### ***“A6. Voluntary Planning Agreement***

*Prior to the determination of any future Application, pursuant to this Concept Plan, the Proponent shall provide written evidence to the Director-General that it has executed a Voluntary Planning Agreement with Transport for NSW consistent with terms outlined in the PPR, Revised Statement of Commitments and subsequent Commercial Offer dated May 2011 and Supplementary Proposal dated August 2011. The Voluntary Planning Agreement shall include at a minimum the following principles:*

- *Brookfield is to provide a through-site pedestrian Transit Hall linking George Street to the Wynyard Station concourse in accordance with Item 2 of the Statement of Commitments.*
- *The resolution of the detailed design of the Transit Hall is to be undertaken in consultation with Transport for NSW in accordance with Items 2(c) and 2(d) of the Statement of Commitments.”*

It is considered necessary that the draft VPA is placed on public exhibition as soon as possible so that the benefits being offered can be clearly understood in the context of this redevelopment proposal. This VPA exhibition should have occurred concurrently with the Concept Plan modification and SSD application or have been in a committed form. In any event, it is understood that this process must now occur before the Department finalises its assessment of the Concept Plan modification and SSD proposal and prepares any recommendations to the Minister/PAC.

The draft VPA would be a core component of any Response to Submissions. The exhibition of the VPA should also occur whilst those RTS matters are being considered by the City, relevant State agencies and the Department.

The City would also reserve its right to make final judgement on the issue of public benefit once a draft VPA has been exhibited.

### **3.2 Concept Plan site area**

The method of calculation of site area suggested by the proponent is not acceptable. It is noted that a similar site area methodology was not accepted by the City or DoPE during the assessment of the original Concept Plan proposal. The final determination of the site area was published in DoPE's assessment report for the Concept Plan, which adopted a site area of 8,828m<sup>2</sup> for the purposes of the calculation of FSR. The City supports the Department's decision. This figure differed from the proponent's submission at the time which sought a figure of 11,124m<sup>2</sup> to be used and the City's suggestion that a figure of 4,032m<sup>2</sup> be adopted.

DoPE must once again utilise the site area for the scheme adopted for the Concept Plan assessment to ensure this issue is handled consistently as part of the modification process. The only change to the site area as a result of the proposed modification is the inclusion of 285-287 George Street.

The City acknowledges that it is acceptable under the City's LEP to permit 0.3 of the site area from the calculations to be allocated for the purposes of encouraging end of trip facilities. However, the correct site area must first be identified in accordance with the Sydney LEP 2012 definition and if this is relied upon by the Proponent, all of the other provisions of the LEP must be equally relevant (including s61 contributions). The Proponent should not be permitted to pick and choose LEP provisions that commercially suit.

The site area previously adopted (8,824m<sup>2</sup>) must be used, updated to reflect the inclusion of 285-287 George Street (420.1m<sup>2</sup>). Therefore a total site area of 9,224m<sup>2</sup> applies to the concept plan and accordingly end of trip facilities totalling 2,767m<sup>2</sup> (0.3:1 of the site area) may be excluded from the total GFA calculations.

#### **Recommendations**

1. A draft VPA identifying the public benefits in accordance with Condition A6 of the Concept Plan approval and Statement of Commitments must be prepared and placed on public exhibition prior to the completion of the assessment of the Concept Plan modification and SSD proposals.
2. The modification and SSD proposals must not be determined prior to execution and registration on title of the VPA.

3. That DoPE adopts a site area of 9,224m<sup>2</sup> for the purposes of calculating GFA and end of trip facility allowances. This is consistent with the approved Concept Plan site area and the modification to include 285-287 George Street. A maximum end of trip facilities floor space of 2,767m<sup>2</sup> can be excluded from total GFA calculations.
4. That s61 contribution (or its equivalent) be conditioned to be paid to the City of Sydney prior to the issuing of a Construction Certificate.

## **4.0 Issues relating to the Concept Plan modification**

### **4.1 Tenant car parking**

The proposed increase in tenant car parking spaces from 81 to 89 spaces is consistent with the maximum car parking calculations and is the result of the inclusion of 285-287 George Street to the overall site area. The City raises no objection to the proposed increase in maximum car parking spaces for the site as the proposal is consistent with the relevant planning controls.

### **4.2 Bicycle parking and end of trip facilities**

The proposal provides 447 bicycle parking spaces and end of trip facilities in the basement level of the commercial tower and ground level of Shell House. The significant increase in bicycle parking and the provision of end of trip facilities are positive changes and are both supported. The planning treatment however, as a GFA concession, is dependent on the LEP being applied and assessed consistently and not only in relation to this GFA concession alone.

Regardless of GFA treatment, end of trip elements will make a positive contribution to encouraging alternative transport options for future occupants of the building. The end of trip facilities are particularly important from the building's operational perspective and reflect current and predicted trends in relation to future work space demands of tenants.

The City recommends that DoPE ensures the design of access points for cyclists from Wynyard Lane to the basement levels have a minimum width of 1.8 metres.

### **4.3 Wynyard Lane**

The Concept Plan modification includes the removal of the commitment for the closure of Wynyard Lane. Instead, it is proposed that Wynyard Lane remains in one-way operation for vehicular thoroughfare. It is acknowledged that officers from the City participated in the working group established to review this commitment. The working group looked at all available options to close the central portion of Wynyard Lane and concluded that this option could not be pursued for a range of technical reasons and

the current one way function will need to remain (with appropriate upgrades undertaken).

The proposed increase in off street parking from 81 to 89 spaces is consistent with the relevant controls for the site and can be supported. This increase reflects the increased in site area resulting from the incorporation of 285-287 George Street into the project.

#### **4.4 Incorporation of 285-287 George Street into development site**



**Figure 2. Illustrative view looking west along Hunter Street**  
Source: Make + Architectus

In relation to the incorporation of 285-287 George Street, it is noted that this portion of the site is currently not owned by Brookfield. However it is acknowledged that owner's consent has been obtained for lodgement of the current applications. However it is not clear if Kapau Holdings Pty Ltd will be party to the future VPA or if the site is to be

acquired before the VPA is exhibited and executed. Given the importance of the terms of the VPA in delivering public benefits that offset the impact of the proposed development as approved under the Concept Plan, the City considers clarification of parties to the imminent VPA and the terms of the agreement for same are critical at this stage of the assessment.

The modification to the approved concept plan envelope includes the introduction of a cantilevered section extending to the north, over the existing building at 285-287 George Street. The City raises no objection with the principle of a cantilevered element from a heritage perspective subject to owner's consent being provided and commercial arrangements being entered into. However, more details are required as part of the SSD proposal. Please refer to more detailed heritage comments in Section 5.

#### **Recommendations**

5. The City supports the provision of end of trip facilities and additional bicycle parking in the basement levels of the proposed tower and ground level of Shell House. Reliance on GFA concessions available in the Sydney LEP requires a consistent approach to all LEP provisions including the requirement to make developer contribution in accordance with the City of Sydney Act.
6. That the Department ensures the design of bicycle access points from Wynyard Lane to the basement levels have a minimum width of 1.8 metres.

## **5.0 Issues relating to the SSD proposal**

### **5.1 Heritage**

The proposal to refurbish Shell House and Beneficial House for commercial and retail uses including conservation works is fundamental to the project and will enhance the heritage significance of the buildings fronting Carrington Street and George Street. The City is supportive of the principle of proposed building works to Shell House and Beneficial House. However, the submitted information addressing heritage matters is currently insufficient for the City to finalise its view in this regard. The City requests that additional information be submitted for review prior to the determination of the SSD proposal, including:

- Conservation Management Plans for Shell House and Beneficial House;
- Detailed condition assessments of Shell House and Beneficial House;
- Schedule of Conservation Works;



- Construction methodology for excavation works (including structural stability and vibration monitoring of heritage buildings during excavation);
- Interpretation Plan; and
- Structural assessment of heritage buildings

Failure to provide the above information may potentially put at risk the conservation of these buildings and is not regarded as good practice. Unforeseen or poorly understood conservation and/or structural requirements may require far greater financial commitment during the construction phase of the project. Furthermore, the proposed methods of construction of the new adjoining buildings may compromise the conservation of existing buildings to some extent.

The City also requests that the proponent demonstrate that sufficient funding has been allocated within the overall project budget to the carrying out of necessary conservation works. All proposed conservation and interpretation works for these heritage buildings should also be clearly identified on the relevant architectural drawings.

## **5.2 Building articulation**

It is noted that there are a series of built form and design excellence requirements in the DGRs and statement of commitments. They include the requirement to provide active frontages to George Street and Carrington Street, safe and enhanced pedestrian environments along all frontages and to achieve design excellence. The City raises concern particularly regarding the height of the street awning on George Street and the selection of materials on the lower facades (street wall) across the Carrington Street frontage.

### ***Proposed three-bay awning along George Street***

The proposed height of the George Street awning is inconsistent with the awning height controls under the Sydney DCP 2012. It is considered that the proposed awning does not relate well to the adjoining buildings. Critically, an awning of the height currently proposed will not function on a practical level as it would provide little or no protection from wind and rain in its present configuration.

The City has consistently maintained that awnings located between the ground and first floors must maximise weather protection. Any awning with a height greater than 4.2 metres above the footpath level or situated above the first floor is unlikely to provide an adequate level of weather protection to pedestrians on George Street.



**Figure 3. Illustrative view of awning looking south along George Street**  
Source: Make + Architectus

Given the high and ever increasing volumes of pedestrian flows in this part of the CBD, it is considered imperative to provide continuous weather protection on footpaths. The objective of the provisions contained in Sydney DCP 2012 is to '*Encourage footpath awnings to enhance pedestrian amenity and provide weather protection*'.

The specific DCP provisions are:

*Awnings where provided are to be located between the ground and first floors to maximise weather protection. The height of an awning may vary between 3.2m and 4.2m above the footpath. The height of the awning must ensure continuity in appearance with adjacent awnings and to relate to any distinctive features of the building. Awning width is to be between 2m and 3.6m with the final width being determined to:*

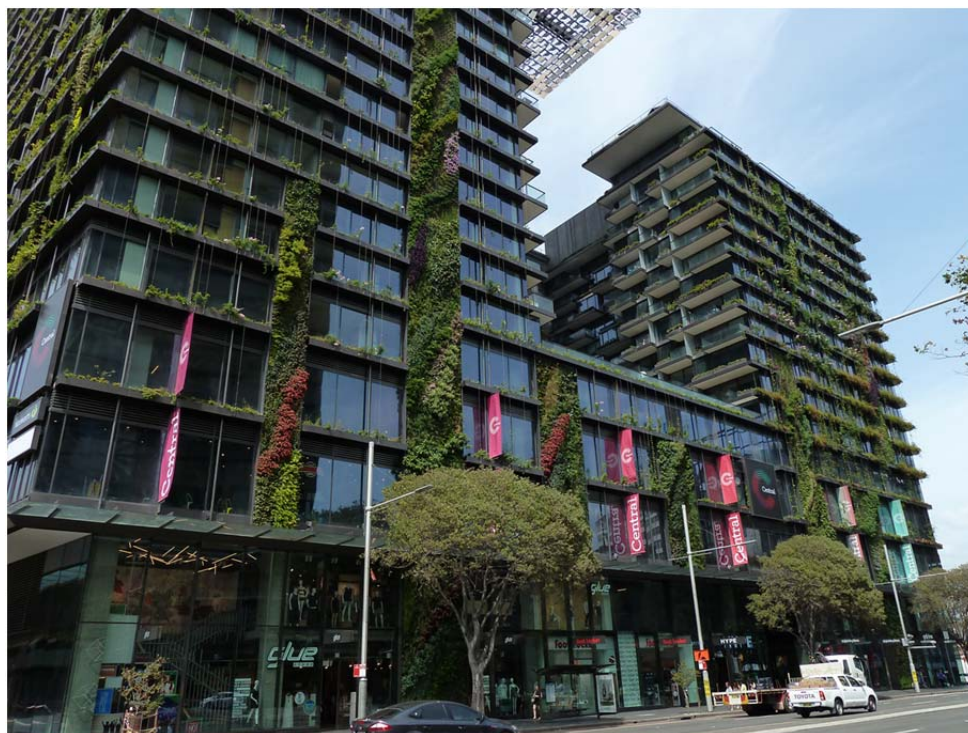
- (a) maximise weather protection;*
- (b) match adjoining awnings;*
- (c) give a minimum setback of:*
  - (i) 1m from the face of the kerb to accommodate smartpoles utility poles and vehicles in the kerbside lane; and*

*(ii) 1.5m from the face of the kerb to accommodate street trees.*

Examples of existing awnings that are similar in height to that proposed and provide limited weather protection at street level can be found at Westfield Shopping Centre along its Market Street, Pitt Street and Castlereagh frontages, and on Broadway at the Central Park development.

Recently, the developer of the adjoining redevelopment at 333 George Street has approached the City to discuss modification of their approved commercial development to relocate the proposed 6 metre high awning across the George Street elevation at a lower level. The modification is being sought on the basis that the awning originally approved will not provide a desirable level of weather protection at street level.

There is an absence of credible analysis submitted to support the excessive awning height currently proposed. The proponent's assertion that the proposed awning does provide adequate weather protection as well as identification of the Wynyard Station entry and maintaining sightlines through to Carrington Street is not supported. The proponent has not submitted sufficient information to demonstrate that a compliant awning in terms of height would adversely impact on sightlines from Carrington Street through to George Street, have any adverse impact on urban wayfinding or other undesirable architectural outcome.



**Figure 3. Weather awning along Broadway at Central Park development**

Therefore any variation to the City's existing awning height controls is not supported and the City strongly objects to the current over-scaled awning design. It is disappointing that although this matter was raised during pre-submission consultation, it appears to have been given only cursory acknowledgement in the submitted package of information.

Information has not been provided to allow a detailed and appropriate level of comparison in relation to this element of the proposal. There is no options analysis tabled between a compliant/City preferred awning height and the proponent's current non-compliant proposal. Such a view analysis would need to be realistically framed for a pedestrian standing on George Street, on Carrington Street and also within the station concourse (particularly views east from the Hunter Concourse towards George Street).

Given the multi-level void traversing the level change between the two street frontages (as depicted in the George Street perspective) and the comparative transparency of the proposed awning itself, it is considered that setting the street awning at a compliant level (ie. at 4.2 metres) would not actually impede through site visibility to any great extent in either direction.

The City would welcome the opportunity to work with the Department and the proponent to develop a more appropriately scaled and functional awning height and design prior to the finalisation of any response to submissions.

### ***External materials and finishes on street wall façade***

It is noted that the street wall façades on Carrington Street and George Street are comprised of a combination of curtain wall glazing screened by an array of vertical blades in anodised aluminium. It is further noted that these are predominantly the same materials and finishes found on the facades of the tower element above. The proposed finishes of the street wall façade do not incorporate any masonry finishes, which are considered a predominant characteristic of street walls facades in this precinct of the CBD and part of the desired future character around sandstone precinct of Bridge Street and George Street.

It is also noted that the uniform glazing of the lower portion of the proposed building is inconsistent with the window-to-wall proportion that is consistently exhibited by many existing commercial buildings adjacent to both the George Street frontage on the eastern side and fronting the Wynyard Park precinct on the western side of the proposal. Whilst it is acknowledged that the proposed building does demonstrate some marginal visual differentiation between the blade density and proportions in the street wall façade and the corresponding vertical elements of the tower above, the overall consistency of proposed external materials and detailing across the street wall and tower facades, the City is concerned that the proposal does not provide adequate

visual differentiation between these respective components of the built form and does not reinforce a masonry context at street level.

The *Sydney DCP 2012* controls for building facades in Central Sydney (Section 5.1.5) require infill development to present an appropriate contextual response to nearby buildings, complement the existing streetscape, provide richness in detail and contribute to a visually distinctive skyline. As a contextual response to nearby commercial buildings, the proposed building is considered to be deficient in terms of both referential materiality and the window-to-wall proportion displayed in the street facades situated on the George and Carrington Street site frontages.

It is noted that there is a predominance of stone and/or masonry elements found in the street wall and building podiums of existing buildings in the surrounding precinct. Similarly the more substantial material palette of these buildings is visually reinforced by a window-to-wall façade proportion where window apertures are inserted into a visually predominant wall plane of solid material (stone, masonry or terracotta tile on respective buildings). This is particularly evident between the subject site and the western end of Martin Place where the streetscape incorporates a cluster of large scale, State heritage listed commercial buildings such as the (former) Equitable Life Assurance Building (348-352 George Street), the (former) Bank of Australasia Building (356-360 George Street), the Westpac Bank Building (341 George Street) and the (former) CBC Bank Building (343 George Street).

The George Street streetscape also includes a number of more modest heritage buildings comprising brick, rather than stone, construction but nevertheless displaying a similar traditional window-to-wall proportion in their street facades. These buildings include the (former) Skinners Family Hotel (296 George Street), the (former) Gowings Shop (319-321 George Street) and the (former) Peapes Menswear building (285-287 George Street), which is actually now incorporated into the development site. It should be noted that the City and the Central Sydney Planning Committee have consistently sought to ensure the incorporation of masonry (particularly sandstone) for the street wall level and limit the materiality of the lower parts of buildings to only masonry and/or glass in all recent developments approved within the immediate precinct.

On the Carrington Street / Wynyard Park side of the proposal, an even greater consistency of solid building materiality and a visually subservient window-to-wall proportion is evident across the buildings facing the Park, regardless of their era of construction. It is acknowledged that there is a broader range of solid materiality on display across the buildings in this precinct including sandstone (Scots Presbyterian Church – 44 Margaret Street), marble cladding (50 & 60 Carrington Street), face brick (Lisgar House – 30 Carrington Street and AWA Building – 47 York Street), terracotta cladding (Transport House -19-31 York Street and (former) Shell House, which is included in the subject site) and precast concrete panelling, which is utilised as a



window framing enclosure for numerous 1970s commercial buildings situated along the Margaret and York Street frontages. However it is considered that it is the uniformity of window-to-wall facade proportion across the various eras of construction for these buildings that generates such a cohesive perimeter “squarescape” framing Wynyard Park.

In this regard, the City considers that the uniform, multi storey glazing and anodized aluminium blade screening of the proposal’s street façade across its Carrington Street frontage is not a well-mannered contextual response to a long established setting where a predominance of solid cladding materiality and a comparatively small window-to-wall façade proportion represent the prevailing architectural language.

In accordance with its DCP controls, the City maintains that for the extent of the street wall height across the George and Carrington Street frontages, the proposed building should integrate a predominantly masonry (sandstone) and glass façade treatment into the building’s street walls on both the George and Carrington Street frontages.

### **5.3 Public domain**

The City acknowledges the efforts made by the Wynyard Lane Working Group to resolve vehicular and pedestrian access to Wynyard Lane.

Given the identified constraints of Wynyard Lane and existing surrounding traffic conditions, the City supports the Working Group’s resolution to retain one-way vehicular traffic, with a shared zone accommodating pedestrian traffic, subject to approval by RMS. The City encourages the proponent to further explore opportunities to increase activation of the lane and encourage additional pedestrian traffic. Upon receiving approval from the RMS for the proposed shared zone design, the proponent is required to submit details to the City for endorsement and approvals by the Central Sydney Traffic and Transport Committee and the Local Pedestrian Cycling and Traffic Calming Committee.

### **5.4 Activation of Wynyard Lane**

It is acknowledged that the proponent only controls the land fronting Wynyard Lane that is the subject of the application. However, this project will effectively establish principles for any future re-development along the laneway and needs to optimise opportunities for pedestrian permeability and street activation. The initiative in the amended proposal to create a space at the rear of 285-287 George Street along with a pedestrian link through to the station concourse are both welcomed and supported by the City.

The City would request that further analysis also be undertaken of the spatial and access requirements for plant located within the lower ground of (former) Shell House.

It is unlikely that all the existing door openings and internal space will actually be required to accommodate the relevant substation requirements. Opportunities to consolidate the array of existing openings and related internal space, even slightly, may provide the opportunity for a small tenancy (“hole-in-the-wall” style space) along the Shell House frontage of the laneway closer to Margaret Street.

The City recommends inclusion of relevant public domain conditions in any subsequent determination to address alignment levels, footway paving, share zone finishes and street lighting. In this regard, a suite of standard City conditions have been provided in **Appendix A** of this submission.

### **5.5 Way finding signage strategy**

The DGRs require the proposal to provide a “*clear station address, identification and way finding to ensure legibility in the public domain*”. It is noted that the proponent claims that the DGR and statement of commitment for a signage strategy has been satisfied.

The City is of the opinion that the proponent has not submitted sufficient information to satisfy the signage strategy requirements. In particular, the information submitted does not include a comprehensive approach for way finding signage throughout the subject site.

The City requests that detailed drawings showing the proposed location, size and design of way finding signs, in accordance with Transport for NSW guidelines, must be prepared in consultation with the City and to the satisfaction of Transport for NSW. It is also recommended that this signage strategy be submitted for approval at the Project Application stage. However, should the Department consider it appropriate for a signage strategy to be prepared and submitted post determination, the City recommends a condition be imposed requiring the submission and approval of the signage strategy prior to the issue of any Occupation Certificate for the site.

### **5.6 Retail/commercial signage strategy**

The City supports the preparation and approval of a comprehensive signage strategy for retail / commercial signage on the site which should be submitted prior to determination of the Project Application. This requirement will ensure a consistent approach to signage that compliments the architectural design of the development. The retail / commercial signage strategy is required to be developed at this time to ensure there are appropriate signage zones that complement the architectural treatment and quality of the various buildings within the development site.

In addition to the building identification signs shown on the tower elevation drawings, further design details including the proposed location, dimension and style of signs to retail/commercial tenancies are to be incorporated in the signage strategy.

Should the Department consider it appropriate for a signage strategy to be prepared and submitted for approval post determination, it is recommended that a condition be imposed requiring the strategy to be submitted and approved by the Director Planning, Development and Transport prior to installation of any business identification or advertising signs.

## **5.7 Solar access/overshadowing**

It is imperative that this development does not result in any additional overshadowing impacts on the façade of the GPO or the steps of Martin Place and the achievement of this outcome is critical for the City to ensure consistency with the planning consideration applied to similar developments elsewhere in the CBD.

In accordance with the DGRs and Statement of Commitments, the proponent has submitted shadow diagrams suggesting the proposed building works will not result in any additional overshadowing impacts on the GPO façade or steps in Martin Place at the winter solstice. In this regard, the proposal appears to comply with the Concept Plan approval. The City is supportive of such a proposal as it does not generate any additional amenity impact on the public domain. However, in order to guarantee the accuracy of the information, the City requests that an electronic copy of the 3D modelling of shadows be submitted for review and verification against the City's electronic model prior to the determination of the Project Application.

The 3D modelling should be submitted (in the appropriate format) to the City as soon as possible. This material must be submitted and reviewed by the City prior to the determination of the application and ideally no later than with the proponent's response to submissions.

It is essential that a condition carries forward obligating the development to not overshadow Martin Place as per the concept plan approval.

## **5.8 Public Art Strategy**

Consistent with previous points, any major development that relies on Sydney LEP for GFA concessions must also comply with relevant provisions in the DCP applied to other developers and that are important for the City. A Public Art Strategy should be conditioned in the approval consistent with other office developments in the CBD. A condition is provided in Attachment A.

## 5.9 Construction work impacts

Wynyard Station is a major transport hub within the City servicing large and ever increasing volumes of commuters and visitors to the CBD. The City raises concern that the construction phases for the development, in addition to construction works for Wynyard Walk, Barangaroo, CBD Light Rail and other construction projects will have significant cumulative impacts on pedestrian and vehicular traffic immediately surrounding the site.

The City notes that a Construction Management Plan has been submitted with the Project Application identifying the proposed staging of construction works. The City recommends that in developing construction time frames and staging of works, the proponent has regard to other concurrent construction works in the surrounding precinct. All future Construction Management Plans or Construction Traffic Management Plans for the project need to be developed to take into account impacts on pedestrian and vehicular traffic flows to and from Wynyard Station, including impacts on surrounding street networks.

### Recommendations

7. Conservation Management Plans, detailed condition assessments, construction methodology for excavation, structural assessment, schedule of conservation works and interpretation plans for Shell House and Beneficial House must be submitted for review and endorsement by the City prior to determination of the SSD proposal.
8. Amended architectural plans should be submitted with specific details of conservation and interpretation works to Shell House and Beneficial House.
9. Demonstrate that sufficient funding has been allocated to the carrying out conservation works on Shell House and Beneficial House.
10. The three-bay street awning across the George Street façade is not supported. The proponent should be required to amend the current awning design in consultation with the City to achieve compliance with the relevant planning control.
11. Masonry materials and finishes should be incorporated into the street wall facades fronting George Street and Carrington Street. Façade treatments and materiality should visually differentiate the podium component of the building from the tower above.
12. Require the proponent to explore further opportunities to increase activation along Wynyard Lane by rationalising space and access requirements of utility services in order to accommodate further small scale retail/commercial tenancies.
13. A way finding signage strategy is to be prepared in consultation with the City and to the satisfaction of Transport NSW. The strategy is to be submitted as part of the proponent's response to submissions.
14. A retail/commercial signage strategy be prepared indicating the location, dimensions and style of signs for retail and commercial tenancies and submitted as part of the

proponent's response to submissions.

15. The 3D modelling should be submitted (in the appropriate format) to the City to allow an accurate assessment of overshadowing of nearby public spaces against the City's electronic model.
16. A Public Art Strategy must be prepared and submitted to the City of Sydney prior to the Construction Certificate being issued for the main tower.
17. Construction Management Plans and Construction Traffic Management Plans should be prepared in consultation with relevant authorities such as Transport for NSW and the City, as well as developers of surrounding sites to ensure that cumulative impacts and disruptions on pedestrian and vehicular traffic flows to and from Wynyard Station are minimised.





## **Appendix A**

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### **Recommended Conditions**

**(1) 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 "Development Specification for Civil Works Design and Construction".

**(2) VEHICLE FOOTWAY CROSSING**

- (a) The vehicle footway crossing in Margaret St is to be removed as part of these works. A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.
- (b) All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate.
- (c) Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

**(3) FOOTPATH DAMAGE BANK GUARANTEE**

- (a) A Footpath Damage Bank Guarantee for Carrington Street calculated on the basis of 100 lineal metres of the granite paving and stone kerb site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.
- (b) The guarantee must be lodged with Council prior to issue of a Construction Certificate.
- (c) The Bank Guarantee will be retained in full until the final Occupation Certificate has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. On satisfying the above requirements 90% of the total securities will be released, with the remaining 10% to be retained for the duration of the 12 months Defect Liability Period.

**(4) ALIGNMENT LEVELS**

- (a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.

- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.
- (c) If a Public Domain Plan condition applies to the development the Alignment Levels application must be made concurrently with the submission of a Public Domain Plan.

## **(5) PUBLIC DOMAIN PLAN**

The Public Domain Plan accompanying this Development Application has not been approved by this consent.

The Public Domain Plan is to address the following:

- (a) Include upgrading the footway on the southern side of Margaret Street between George Street and Wynyard Lane and pedestrian ramps on both sides of affected within the scope of works.
- (b) Design details for the shared zone in accordance with RMS requirements.
- (c) Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council's Public Domain Section and be approved by Council prior to a Construction Certificate being issued for any new building work (including internal refurbishments) excluding approved preparatory, demolition or shoring work.

The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual. If an Alignment Levels condition applies to the development, the Public Domain Plan submission must be made concurrently with the Alignment Levels application. The works to the public domain are to be completed in accordance with the approved plan and the Public Domain Manual before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

Note: A Public Domain Works Guarantee deposit will be required for the public domain works in Wynyard lane and Margaret Street, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for completion of the obligations under this consent.

Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with Council prior to a Road Opening Permit for works on the public way being issued.

The Bank Guarantee will be retained in full until all Public Domain works are completed and the required certifications, warranties and works-as-executed documentation are submitted and approved by Council in writing.

On satisfying the above requirements, 90% of the total securities will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

**(6) PUBLIC DOMAIN WORKS - HOLD POINTS AND HANDOVER**

- (a) Prior to a Construction Certificate being issued for a new building work, excluding approved preparatory, demolition and shoring work, a set of hold points for approved public domain and civil construction work is to be determined with and approved by the City's Public Domain section in accordance with the City's Public Domain Manual.
- (b) Completion and handover of the constructed public domain works is to be undertaken in accordance with the City's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period.

**(7) STREET LIGHTING**

Lighting designs certified by a practicing lighting engineer are to be submitted for Council approval prior to the issue of a Construction Certificate for public domain works.

- (a) Provide Smartpole lighting in Margaret Street to City of Sydney specifications complying with AS1158 Category V1 for roadway and Category P1 + 4 Lux vertical illumination for footpaths.
- (b) Provide City of Sydney standard wall mounted lighting in Wynyard Lane complying with AS1158 Category P1 + 4 lux vertical illumination.

**(8) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN**

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions.
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage.

- (c) Each image is to be numbered and cross referenced to a site location plan.
- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record.
- (e) 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.

#### **(9) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT**

On-site detention, treatment and re-use is encouraged.

- (a) Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.
- (e) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.

#### **(10) PRESERVATION OF SURVEY MARKS**

All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark

contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.

Prior to the issue of a Construction Certificate, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council.

At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Senior Surveyor to arrange for the recovery of the mark.

A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).

#### **(11) 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".

#### **(12) PROTECTION OF STONE KERBS**

- (a) The existing stone kerbs on the George Street, Margaret Street, Wynyard Lane and Carrington Street frontages of the site are to be retained and properly protected during excavation and construction works.
- (b) To avoid damage to stone kerbs during construction and / or excavation works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (ie. those that are in good condition as agreed by City officers) must be re-installed in accordance with the City's standard details and specifications after the construction and / or excavation works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath and road access until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of an Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council.
- (c) Damaged kerbs are to be replaced to match existing to the City's satisfaction or as otherwise advised by City officers.
- (d) Where new crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
- (e) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers. All unused stone kerbs are to be salvaged and returned to the City's store.

- (f) Council approval is required before kerbs are removed.

**(13) MAXIMUM TENANT CAR PARKING SPACES**

A maximum 89 tenant car parking spaces are permitted within the basement levels of the site.

**(14) BICYCLE PARKING AND END OF TRIP FACILITIES**

- (a) A minimum of 446 bicycle parking spaces and end of trip facilities comprising 46 showers and 446 lockers are to be provided on the site.

Notes:

- (i) If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.
- (ii) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Principle Certifying Authority confirming prior to the Construction Certificate being issued.

**(15) WIDTH OF BICYCLE ACCESS POINTS TO BASEMENT LEVEL**

Access points for bicycles from Wynyard Lane to the basement parking levels are to be a minimum width of 1.8 metres.

**(16) WAY FINDING SIGNAGE STRATEGY**

A way finding signage strategy is to be prepared in accordance with Transport NSW guidelines and in consultation with Transport NSW and submitted for approval prior to the issue of any Occupation Certificate for the site. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

**(17) RETAIL/COMMERCIAL SIGNAGE STRATEGY**

A signage strategy for retail/commercial tenancies within the site is to be prepared and submitted to the Director Planning, Development and Transport for approval prior to the installation of any business identification or advertising signs. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

**(18) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

- (a) The Construction Traffic Management Plan accompanying this Development Application has not been approved by this consent.



- (b) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

**(19) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT**

- (a) Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifying Authority:
  - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
  - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
  - (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
  - (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.
- (b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the *Work, Health and Safety Act 2011* and Regulation; Council's *Policy for Waste Minimisation in New Developments 2005*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations and must include provisions for:
  - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
  - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
  - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
  - (iv) The name and address of the transport contractor.
  - (v) The type and quantity of material to be removed from site.
  - (vi) Location and method of waste disposal and recycling.
  - (vii) Proposed truck routes, in accordance with this development consent.
  - (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding

roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).

- (ix) Measures to control noise emissions from the site.
  - (x) Measures to suppress odours.
  - (xi) Enclosing and making the site safe.
  - (xii) Induction training for on-site personnel.
  - (xiii) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
  - (xiv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
  - (xv) Disconnection of utilities.
  - (xvi) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
  - (xvii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
  - (xviii) Waterproofing of any exposed surfaces of adjoining buildings.
  - (xix) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
  - (xx) Working hours, in accordance with this development consent.
  - (xxi) Any Work Cover Authority requirements.
- (c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

**(20) SECTION 61 CONTRIBUTIONS PAYABLE - REGISTERED QUANTITY SURVEYOR'S DETAILED COST REPORT - SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

A cash contribution comprising 1% of the total cost of the development is payable to the City of Sydney pursuant to section 61 of the *City of Sydney Act 1988* and the *Central Sydney Contribution (Amendment) Plan 2002/ Central Sydney Development Contributions Plan 2013* 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 then 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, the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" indicating the itemised cost of the development must be completed and submitted to Council by the Certifying Authority (CA), together with copies of the plans the subject of the application for the Construction Certificate. A copy of the required format for the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" may be obtained from the City of Sydney One Stop Shop, any of the Neighbourhood Service Centres and the City of Sydney's website ([www.cityofsydney.nsw.gov.au](http://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 CA accordingly.
- (d) The items to be included in the calculation of the cost of development are demolition works, site remediation including decontamination, excavation and site preparation, construction costs, fit out, professional fees as part of the design (including design competitions) documentation and implementation process, fixed building machinery, equipment and appliances, kitchens and bar areas, car parking, air conditioning plant and equipment, services (fire, mechanical ventilation, electrical, hydraulic), ceilings, fire protection devices, installation of services (power, water, sewer, telephone), lifts and other essential machinery, floor coverings, *Building Code of Australia* compliance works, replacement of existing materials, fixtures and fittings, construction related insurance, assessment and construction related fees, charges and GST and any other matter not expressly excluded in (e) below.
- (e) The items to be excluded in the calculation of the cost of development are the cost of land, marketing expenses (excluding display suites etc), finance and interest, building insurance after practical completion, drapery, commercial stock inventory, loose furniture, loose equipment, loose electrical appliances, minor

maintenance of existing retained fixtures (patching, repainting) and stamp duty.

**(21) PUBLIC ART**

- (a) High quality art work must be provided within the development in publicly accessible locations, including near main entrances, in lobbies and on street frontages, in accordance with the *Sydney DCP 2012* and the *Public Art Policy*.
- (b) A public art strategy that nominates artists, artworks and potential locations must be submitted to and approved by the Director City Planning, Development and Transport prior to the Construction Certificate being issued. Installation of the art work must be completed to Council's satisfaction prior to the issue of an Occupation Certificate.

**(22) COSTED HERITAGE ASSET MAINTENANCE PLAN**

- (a) To ensure the continued protection of heritage significance of the heritage item and to guide the future maintenance on heritage fabric, a costed Heritage Asset Maintenance Plan is to be developed. The following is to apply:
  - (i) The Plan is to be based the NSW Heritage Division of the Department of Environment and Heritage publication: 'Preparing a maintenance plan', and is to be a guide for the effective, continuous, protective maintenance of all significant heritage fabric for a minimum period of 20 years.
  - (ii) The Plan is to include all fabric identified as being of heritage significance, specification notes and methodologies based on the Articles of the Australian ICOMOS Burra Charter 1999 and best conservation practise, and a list of appropriate consultants and suppliers together with the projected costing for each item of work.
  - (iii) The Plan is to be prepared by the Conservation Architect and is to be submitted to Council for approval prior to the issue of an Occupation Certificate.