

CUB/KENT BREWERY SITE – REZONING CHRONOLOGY

July 2003

CUB and ALZ met with the Lord Mayor (Lucy Turnbull). The Lord Mayor advised that the City intended to develop new development controls for the site.

On 3 July 2003 Central Sydney Planning Committee (CSPC) resolved to prepare a Local Environmental Plan (LEP) for the Brewery Site,

September 2003

CUB contracted conditionally for sale of brewery site to ALZ. Lord Mayor, Stock Exchange and key stakeholders informed.

CUB and ALZ met with Chippendale resident group facilitated by Elton Consulting.

November 2003

CSPC considered draft Urban Design Guidelines (UDG) prepared for the Council by Hill Thalys to accompany Competition Brief. UDG based on informing designs by three firms funded by ALZ.

Draft UDG provided to ALZ with non negotiable FSR of 4.4:1.

December 2003

ALZ met with Lord Mayor and City officers to discuss Competition Brief and UDG.

Council officers advised ALZ that a new Conservation Management Plan (CMP) will be necessary at draft LEP stage.

18 December CSPC meeting for consideration of submissions and final draft brief, endorsement of brief for issue by Lord Mayor and endorsement of competition entrants. FSR fixed at maximum 4.4:1 and minimum 30% residential.

Lord Mayor wrote to ALZ advising that :

- CSPC will not consider FSR in excess of 4.4:1, will allow more flexibility in location zones for heights of 100m, is minded to allow entrants to submit a conforming design and a non conforming design that meets a number of mandatory requirements
- the decision to prepare a site specific LEP and allow significant departures from the height limit, is to determine the appropriate built form for the site
- FSR are maxima and not guaranteed.
- the Competition Brief and UDG had CSPC endorsement and are ready for the imminent commencement of the competition

February 2004

Design competition formally commenced.

CUB/ALZ met with Chippendale residents group facilitated by Elton.

March 2004

City advised it was moving towards engaging consultants to assist in preparation of new LEP.

CUB/ALZ met with Chippendale residents group facilitated by Elton.

Lord Mayor held Chippendale community forum.

Competition entries lodged on 29 March.

April 2004

Clover Moore elected as Lord Mayor.

Design competition entries placed on public exhibition for four weeks, later extended at request of Lord Mayor.

May 2004

Jury assessment of competition entries, including consideration of public submissions.

At Planning Development and Traffic Committee meeting of Council, LM informed gallery and meeting that the LEP process would begin again.

13 May meeting of CSPC resolved that:

- a draft LEP be prepared for CUB site and other private lands to the east of the site;
- the City investigate, with DIPNR, the potential to exercise functions under Sections 64 and 69 of EPA;
- Council staff report back to CSPC on design competition entries, noting shortcomings in allowing only 10 days for public comment on the Competition Brief;
- Council develop a comprehensive consultation strategy;

- the draft LEP be supported by technical studies covering traffic, heritage, open space, site contamination and community facilities; and
- as a guide, draft LEP include provisions relating to FSR and height, mix, traffic management, heritage, open space for future population and existing community, impact on public transport networks, leading sustainability practice, design of public domain, integration with neighborhood, protection against over development of individual sites.

17 May Council passed a resolution in similar terms to that endorsed by the CSPC on the 13 May 2004

Presentation of report of competition jury to CSPC on 27 May by jury Chairman, Graham Jahn.

The Jury did not announce a winner but ranked the entries with highest ranking going to CoxATA.

June 2004

CUB and ALZ met with Lord Mayor, Deputy Lord Mayor and Council officers. Key issues identified were density/height, land use, traffic sustainability, SEPP65, consultation and time frame.

Planning Development and Traffic received officers report on findings of competition jury.

24 June 2004 CSPC meeting resolves: to

- concur that the maximum development potential under the existing controls for the site cannot be reached;
- acknowledge that without pre-empting the future content of the draft LEP, Part B of the Jury report will need to be considered;
- inform the owner and prospective developer that a Stage 1 Development Application/Development Plan should not be made until after the draft LEP is in place (this request was never formally received).

July 2004

Lord Mayor's Chippendale Community Forum.

Policy Advisor to Lord Mayor advised ALZ that the proposition of collaborative appointment of designers by ALZ and City had support of Lord Mayor and Deputy Lord Mayor.

29 July Meeting of CSPC resolved to establish a new sub committee to be made up from Council and state CSPC members. Membership of the sub-committee was weighted in favour of Councilors.

August 2004

CUB and ALZ wrote to the Director General of DIPNR asking that DIPNR's powers under the EP&A Act not be delegated to the Council.

October 2004

14 October CSPC considers a report from Council Officers on the outcome of Specialist Consultant reports on Open Space and Community Facilities and Traffic and Transport. The officers report was received and noted

Council at its meeting on the 18 October 2004 passed a similar resolution

November 2004

Complete draft CMP delivered to the Council and to the NSW Heritage Office.

December 2004

Series of meetings commenced involving CUB, ALZ, the Council and a heritage consultant to the NSW Heritage Office aimed at resolving Councils issues with the CMP so that it can be finalized.

January 2005

The Council withdrew from discussions on CMP.

February 2005

ALZ met with Council officers and proposed a planning agreement as the best way of delivering the public benefits.

March 2005

10 March CSPC considered status report prepared by Council officers, noted the report and adopted the Guiding Principles to be used to guide development of the planning controls.

CUB and ALZ rescind the contract for the sale of the site as conditions relating to a planning outcome and timing cannot be met. CUB continued managing the rezoning using the same team of consultants.

May 2005

CUB met with Minister for Infrastructure & Planning.

Final CMP delivered to the Council and to the NSW Heritage Office.

June 2005

CUB present it's preferred design solutions for the site, at an FSR of 4:0.1, to a CSPC briefing and requested a collaborative approach to drafting of planning controls for the site.

July 2005

CMP endorsed by NSW Heritage Council.

August 2005

CUB wrote to the CEO of City of Sydney expressing concern at the planning process and requesting that draft planning controls not be made public until CUB and the CSPC had the opportunity to review them.

CUB wrote to the Minister for Planning expressing concern at the Council's management of the planning process.

18 August CSPC resolved to adopt the following principles for inclusion in planning controls:-

1 The north west quadrant of the site to be identified as a special area in the Central Sydney Plan development in the precinct to be considered against the CMP endorsed by the Heritage Council noting further studies on buildings 33 and 35C

2 A substantial piece of open space approximately 5000 sqm to be provided with deep soil planting, no parking below located within the southern boundary of the site towards the western boundary good visual and pedestrian access to Abercrombie St. with good solar access during mid winter.

3 SEPP 65- Residential Flat Design Code solar access amenity guideline that requires at least 2 hours of sunlight for 70% of apartments between 9.00 am and 3.00 pm be applied to each precinct and not aggregated across the entire site

4 Height controls in the north western quadrant be based on heights varying between 31m and 45m, based on heritage considerations, and the north eastern quadrant allow towers... lower buildings along the southern boundary and in the Kensington precinct

5 residential parking rates for the site be set at the current LEP rate noting that a review of these controls is underway and any changes resulting from the review be applied equitably to all new developments

6 Internal road layout is to respond to the existing heritage grid pattern with measures to reduce rat running and to respond to the outcome of discussions regarding the external road configurations outlined in part B of the recommendation

September 2005

The Council released its draft LEP and draft DCP publicly as part of the business papers for the 5 September Planning Development & Transport Committee meeting. This was the first opportunity CUB had to see the controls, which included a maximum FSR of 3.5:1.

Following a site visit and briefing the CSPC instructed the Council to take the draft controls off the agenda for their meeting. The CSPC formed a new sub-committee to oversee redrafting of the controls. Council deferred the matter at its Planning Development & Transport Committee meeting.