
PLANNING REPORT

File No.:	S01/01063
Applicant:	<i>Walsh Bay Finance Pty Ltd., Level 6, 40 Miller Street, North Sydney, NSW - 2060.</i>
Subject Proposal:	<i>Road Works, footpaths, landscaping, lighting, street furniture, signage associated with Hickson Road and Towns Place.</i>
Location of Proposed Development:	<i>Hickson Road and Towns Place.</i>
Subject Land:	<i>The Walsh Bay Masterplan Area.</i>

1.0 INTRODUCTION

The Department of Infrastructure, Planning and Natural Resources received on 2nd June 2001 a development application **DA No. 149-06-01** for the road works, footpaths, landscaping, lighting, street furniture, signage associated with Hickson Road and Towns Place, Walsh Bay SREP 16 precinct.

This proposal is integrated development under the provisions of s91 of the *Environmental Planning and Assessment Act 1979*. Approval is required by the NSW Heritage Office under Section 58 of the *Heritage Act 1977* and from Sydney City Council under Section 138 of the *Roads Act 1993*.

The DA seeks to approve works for the re-development of certain areas of the public domain of Walsh Bay. While the public domain for this application is defined as “all areas to which the general public has access which are owned and maintained either by the NSW Government or the City of Sydney”, it is limited to the area adjacent to Hickson Rd, Towns Place and includes roads, public open space and pedestrian walkways. The proposed development has been amended to reflect the on going development in Walsh Bay, subsequently the proposed development no longer includes Windmill or Downshire St.

The application has been referred to all relevant stakeholders and statutory authorities for comment. The application has been amended to address the issues raised. Further draft conditions have been referred to the applicant for comment and all issues have been satisfactorily addressed.

It is recommended that consent be granted to **DA No. 149-06-01** subject to the proposed conditions in the Notice of Determination Tagged ‘A’.

2.0 CONSENT AUTHORITY & STATUTORY PROVISION

The Minister is the consent authority under the *Walsh Bay Development (Special Provisions) Act, 1999*, and State Environmental Planning Policy (SEPP) No. 56 - Sydney Harbour Foreshores and Tributaries.

2.1 Walsh Bay (Special Provisions) Act 1999

The Minister is the consent authority under the *Walsh Bay Development (Special Provisions) Act 1999* and State Environmental Planning Policy (SEPP) No. 56 - Sydney Harbour Foreshores and Tributaries.

The application follows approval of a Masterplan (DA 60/97) by the Director-General of Department of Infrastructure, Planning and Natural Resources on the 20th August 1998.

2.2 State Environmental Planning Policy No. 56 – Sydney Harbour Foreshores and Tributaries

SEPP 56 applies to the Walsh Bay redevelopment area and makes the Minister as the consent authority. Walsh Bay is in the Inner Harbour area identified by the SEPP 56 as a Schedule 1 State significant development site. The Guiding Principles and the requirement for master plans under SEPP 56 apply to the entire Walsh Bay redevelopment area. The Minister has not directed that a Master Plan under SEPP 56 be prepared for the Walsh Bay development area. (The proposed development is assessed against the guiding principles and objectives of SEPP 56 in report 'tagged D').

2.3 Sydney Regional Environmental Plan No. 16 – Walsh Bay

Under SREP 16, Hickson Road and Towns Place are within Zone 1 – Walsh Bay Conservation Zone. As such the proposed development constitutes development that is permissible with consent in this zone.

Overall, the consent authority considers that the proposal is in accordance with the guiding principles of SREP 16. (The proposed development is assessed against the guiding principles and objectives of SREP 16 in report 'Tagged E').

2.4 State Heritage Register

Walsh Bay is listed on the State Heritage Register under the *Heritage Act 1977*. The approval of the Heritage Council under section 58 of the *Heritage Act 1977* is required to carry out development affecting items listed on the Register.

2.5 Section 79C Evaluation

The DA has been evaluated in accordance with the matters for consideration listed under Section 79C of the EP&A Act ('Tagged F'). Based on this evaluation, it is considered that the proposal warrants approval subject to conditions set out in Schedule 2 ('Tagged C').

3.0 MASTERPLAN APPROVAL

The Masterplan development application (60/97) approval and consent outlined principals for Public Domain Area at Walsh Bay. In particular, the Masterplan consent required the preparation of a Public Domain Management and Action Plan (PDMAP) for approval. The PDMAP for Walsh Bay was approved by the Department of Infrastructure, Planning and Natural Resources on the 8th May 2000 and consists of 3 volumes:

- Public Domain Strategy;
- Technical Manual; and
- Management & Ownership Plan.

The Walsh Bay Public Domain Strategy¹ sets out the strategy for the public domain area including Hickson Road and Towns Place to which this development application relates. Walsh Bay Finance has stated in the Statement of Environmental Effects that *"these proposals have been further developed and*

¹ Walsh Bay - Stage 2 Development Application for Public Domain 'Statement of Environmental Effects', prepared by APT Peddle Thorp, and dated 28th May 2001.

as a result some changes have been made to them". The proposed changes have not been articulated in the application.

4.0 PREVIOUS PUBLIC DOMAIN PLANNING APPLICATIONS

Previous approvals that involve the public domain and have been obtained by Walsh Bay Finance for:

- **DA61/97 & DA61/92 Pier 6/7 and Shore Apartments 6/7 Approved by the Minister 4th August 1999**;

The development proposed the demolition of the existing structures and the construction of replacement structures up to the level of the pier 6/7 apron and the construction of new buildings above the level of the pier apron for residential apartments (Pier 6/7 apartments and Shore Apartments 8/9, 6/7)

The approval required the applicant to prepare a detailed Public Domain Plan. The design is to be consistent with the PDMAP for the Masterplan area and shall include:

- a) details of paving and promenade surfaces;
- b) the layout of paving and decking;
- c) the location, type and materials of any furniture;
- d) details of the materials, finishes and colours in through building links;
- e) street and public domain illumination;
- f) signage;
- g) planting;
- h) site interpretation consistent with the Interpretation Plan required in the approval.

The Plan was endorsed by the Director General's delegate on the 8th May 2000 subject to conditions.

- **DA 58-06-99 Pottinger Street and Bonds 5-7 (Approved 20th Dec 1999)**;

The DA provided for the development and use of:

- 17 terraces and 34 associated car parks on Pottinger St;
- 2 open space areas;
- 61 car parking spaces and retail and commercial floor space in Bonds 5-7;
- reconstruction of part of Ferry Lane; Pottinger St, Pottinger St and Hickson Rd steps and retaining wall;
- construction of two electrical substations; and
- land and stratum subdivision of the Pottinger St precinct.

A Public Domain Plan was required to be prepared by the applicant to address the detailed design of the public domain. The design is to be consistent with the PDMAP. The Public Domain Plan includes details of:

- Landscape plans;
- Layout and materials for pedestrian services;
- The location, type and material of any furniture;
- Public domain lighting;
- Signage; and
- Heritage interpretations.

The public domain plan was conditionally endorsed by the Director-General's delegate on the 21st March 2001.

- **DA 96-06-99 Pier 8/9 (Approved by the Minister 3rd September 1999)**.

The consent provided for the substructure repairs and superstructure commercial use and associated building works respectively of Pier 8/9, Walsh Bay.

A public domain plan was required to be provided to be prepared by the applicant to address the detailed of the public domain. The design is to be consistent with the PDMAP. The Public Domain Plan includes details of:

- (a) Layout and materials for promenade surfaces;
- (b) The location, type and materials of any furniture;
- (c) Public domain lighting;
- (d) Signage;
- (e) Heritage interpretation.

No approval has been granted on the public domain plan; notwithstanding, works have been completed and are consistent with the other public domain details in Walsh Bay.

- Cliff Top Walk (refer DA 150-06-01 approved 13th March 2002) which addresses the public domain area for Parbury Lane, Parbury Park, Cliff Top Walk and the two adjoining lanes from Lower Fort Street.

This proposal is for the resurfacing of pedestrian pathways, landscaping to Parbury Park, together with associated lighting, signage and repair of palisade fence at Parbury Lane, Parbury Park, Clifftop Walk and the two associated lanes from Lower Fort Street.

5.0 DEVELOPMENT LOCATION

Walsh Bay forms part of the northern boundaries of the City of Sydney. It is located on Sydney Harbour Foreshore between the inlets of Sydney Cove and Darling Harbour, defined by the headlands of Millers Point and Dawes Point. Immediately to the south of the site are the residential areas of Millers Point. To the northeast is the tourist area of The Rocks. Walsh Bay has played an important maritime function in the evolution of the city of Sydney. The area was controlled by the government since 1900 and operated as commercial wharfage up to the 1970's.

Plate 1: Development Location - Walsh Bay Redevelopment Area.



6.0 DEVELOPMENT PROPOSAL

6.1 The development application was originally for the public domain area at Towns Place, Hickson Road, Downshire Street and Windmill Street. The development proposes road works, footpaths, landscaping, lighting, street furniture and associated signage for Hickson Road and Towns Place. The Public Domain Area is defined as "all areas to which the general public has access which

are owned and maintained either by the NSW Government or The City of Sydney"². The following objectives are adopted for the design and development of the public domain areas:

- To integrate all aspects of the public domain into a cohesive whole;
- To ensure that all elements of the public domain complement the heritage significance of the area;
- To maintain the grand design and significant relationship between the built form and the public domain at Walsh Bay;
- To ensure that the area is easily interpreted in terms of way finding and access;
- To allow the buildings and uses in the area to be identified;
- To provide opportunities for recreation in the area and around the waterfront;
- To enable easy pedestrian access through the area and around the waterfront;
- To ensure the area is accessible, where possible, for people with disabilities;
- To allow traffic access, control and parking with the public domain areas;

6.2 The range of development works proposed by the applicant, Walsh Bay Finance has been set out in Table 1 below;

Table 1
Development Works within Public Domain DA 149-06-01

•	Road works including stormwater and drainage design.
•	Road pavement.
•	Road layout.
•	Traffic devices (lights, bus stops, taxi stands, roundabouts, loading zones, no standing areas, cycle ways).
•	Location of car parking.
•	Lighting to roads, pedestrian ways and open space areas.
•	Signage (area identification, directional, building, identification, tenant identification, identification of parks, shop and bridges).
•	Interpretative signs.
•	Statutory transport signs.
•	Street furniture (bins, seats, bollards, planter bins, parking meters, bicycle racks).
•	Landscaping (planting, paving).
•	Park landscape and furniture.

It should be noted that application has changed in detail and the extent reduced as a consequence of negotiation with stakeholders and the ongoing development of Walsh Bay. Changes and amendments are detailed in section 11 'Consideration of Issues'. Notwithstanding, the particulars of the original proposed development for each element of the public domain areas are described below:

6.2.1 Towns Place:

Towns Place is to be treated as a pedestrian priority zone with the vehicular carriageway substantially reduced and the car-parking area completely removed. Walsh Bay Finance proposes to visually demarcate the carriageway with contrasting asphalt in order to create the feeling of a pedestrian friendly foreshore plaza. There is one pedestrian designated crossing proposed. The proposed cycle lane will also be accommodated along Towns Place and will link with Hickson Road. The applicant maintains in

². Walsh Bay Public Domain Strategy, Volume 1, prepared by Walsh Bay Finance, dated November 1999.

Section 3.7.2 of the 'Statement of Environmental Effects'¹ that as a result of the proposed works *"it will have a more informal character to Hickson Road through the inclusion of Cabbage Tree Palms and a turfed seating area. Seating will be provided to the footpath and wharf area"*.

6.2.2 Hickson Road:

Hickson Road becomes the main 'Boulevard' of the Walsh Bay precinct. It currently reads as a wide, sweeping advance of bitumen, punctuated by bridges and lined with strong building facades that strongly echo the industrial and maritime character of Walsh Bay. It acts as the main link in Walsh Bay to surrounding areas. At present, the parking and narrow footpaths are uncontrolled. In addition the lighting and street furniture is insufficient and uncoordinated. It is proposed to revise this layout and for consistency to match new materials with the existing where appropriate. New materials will be chosen to respond to as well as respect the textures and colours of the built and natural forms of Walsh Bay. The revised layout will maintain the spirit of the streetscape as well as improving the safety and amenity of the street for the new residential, cultural and amenity uses.

It is proposed to separate Hickson Rd into two one-way carriageways with four areas of kerb-side parallel parking together with a large central median strip. Roundabouts are proposed for the intersection at Pottinger St and Towns Place whilst the bridges will be re-established to act as gateways. It is proposed to provide several 'crossing points', three of which will be designated pedestrian crossings. Which are placed to relate to the breezeways. The footpaths will be surfaced with bitumen with stone kerbs to reinforce the industrial character and to match with the surrounding City of Sydney's standard pavement design. According to Section 3.7.2 of the 'Statement of Environmental Effects' *"the regular rhythm of the bridges along Hickson Road will be enhanced through the coordinated layout of street trees and lighting to the footpaths and central median"*.

The retention of existing plane trees on the southern footpath and the planting of semi-advanced trees of the same species at around 20-25 metre centres will enhance the existing amenity and character by creating a filtered green edge. In addition the existing of Hills Figs median planting will be either relocated or replaced to new locations within the revised median at 12 meter intervals to correspond with the Plane tree planting. In general the planting when completed should ideally provide historical continuity, improved environmental amenity and solar access in winter.

6.2.3 Windmill Street:

According to the plans, documentation and particulars received, the footway on the northern side is non-existent. Therefore a new footway will be created with the use of bollards to separate pedestrian movement from traffic flow. It is proposed to retain existing Magnolia street trees to the southern side of Windmill Street in addition to reflecting these trees in the new street tree planting to the north. In this regard, the trees will be planted in 1200mm wide islands between the on street parking, with decomposed gravel surrounds.

6.2.4 Pottinger Street:

At present is in extremely poor condition. Therefore, the applicant Walsh Bay Finance proposes to narrow the road into a one-way street. The road materials at present have been stripped back to the deck and are ready for a new flexible pavement to be constructed. The footway at the junction with Windmill Street will be extended to allow for a ramp to view archaeological remains uncovered during early works at the Bond 4 East redevelopment site. It is proposed to put footways on both sides of Pottinger Street. The remaining areas that are not subject to geometric changes will be resurfaced and *'tidied'*.

6.2.5 Downshire Street:

This area will be 'tidied' in conjunction with a landscaping scheme. According to the 'Statement of Environmental Effects'¹ the existing road levels will remain and road area will be resurfaced.

6.3.0 ASSOCIATED WORKS

In addition to the above works this development application proposes to adopt a unified approach through out the Walsh Bay precinct for lighting, street furniture, on-street parking, public transport provision, pedestrian and bicycle provision, traffic control, landscape and signage which are summarised as follows;

6.3.1 Lighting:

The lighting designers are proposing, '*a night time identity that reflects the dynamic, high quality, international status of the project.*'³ The purpose is more decorative than to provide for amenity. Walsh Bay Finance have selected a variety of areas that are to be feature lit to highlight their distinctive heritage, architectural character and so forth, including selected trees, buildings and cliff faces. Under Section 3.4 of the 'Statement of Environmental Effects'¹ Walsh Bay Finance states inter alia that "*the lighting will comply with the requirements of AS4282-199*"⁴. In addition, the applicant Walsh Bay Finance emphasises that the lighting design proposed makes full use of controlled optics through out the precinct so as to avoid any direct light ingress through windows of surrounding properties.

6.3.2 Street Furniture:

All street furniture proposed will be to the standard set down and agreed with the City of Sydney standard. In terms of seating location it is proposed to place seating at vantage points, public parks and spaces. The proposal provides for decorative and utility bollards, rubbish bins and cycle racks that will be placed at key points in the precinct.

6.3.3 On-Street Car Parking:

At present there are 361 on-street spaces available. The proposed development reduces the available on-street parking to 238. Reduction in spaces is the result of eliminating of all parking from Towns Place and the conversion of angle parking in Hickson Road to parallel parking. This will facilitate the provision of a cycle lane, drop-off lane, footpath widening and other improvements to the street environment and public amenity in the area. A total number of 35 spaces have been converted to loading zones, taxi ranks and bus zones. Therefore the net reduction is 88 spaces.

The 'Statement of Environmental Effects'¹ states, parking controls for the subject area will be agreed with the Council and relevant authorities.

Walsh Bay Finance propose to the replace all long-stay parking (over 4 hours) with short stay parking (four hours or less) and provide a number of special purpose zones for loading, bus and taxis. This will eliminate coach parking in the lower section of Pottinger Street. This is a matter for Council to address as the local roads authority.

6.3.4 Provision of Public Transport:

The roundabouts at the intersection of Towns Place and Hickson Road as well as the island intersection of Pottinger Street and Hickson Road have both been designed to allow bus turnabout movements. As

³ Appendix 4 in 'Stage 2 Development Application Public Domain Statement of Environmental Effects May 2001'

⁴ AS4282-199: Control of the Obtrusive Effects of Outdoor Lighting.

part of this development application it is proposed to provide two pairs of bus stops one pair will be adjacent to the entry point of the existing Wharf Theatre. The second pair will be located just to the east of Towns Place. These bus zones are located within a reasonable distance of the pedestrian crossings. With the zone on the southern kerb of Pottinger Street, being some 36 meters long to allow layover for 2 buses.

6.3.5 Pedestrian & Bicycle Provision:

Precinct footpaths have been widened for the expected growth in pedestrian/cycle activity. In addition to the improvements connections are also provided to the wharves in compliance with the Masterplan to ensure public access to the 0.5 km of foreshore by improving pedestrian links and amenity within the Walsh Bay precinct.

Cycle lanes as already mentioned in Section 6.3.1 and 6.3.2 are provided in both directions along Hickson Road and Towns Place. In this regard, the low speed design of the road network is central to providing a satisfactory environment for cyclists. In addition the applicant proposes to provide a number of cycle stands near key public facilities as well as providing cycle parking within residential and commercial developments. It should be noted that 3 cycle racks are proposed within the public domain area and that cycle racks will also be provided within breezeways.

6.3.6 Traffic Control

The applicant states, *"...existing and forecast traffic flows within the redevelopment area are modest. It is not, therefore, necessary to provide traffic controls, such as signals, to maintain the capacity of the road network"*¹. Conversely, the applicant points out that traffic control, where provided, control vehicle speeds, improve safety and to impose the necessary levels of discipline on traffic movements.

The principal form of traffic control is the road network. The design for Walsh Bay is a low speed environment catering for B-double vehicles at roundabouts. However, the applicant does propose to prohibit vehicles longer than 11 meters in length at the Pottinger Street and Hickson Road roundabout by means of signage. The only other form of controls other than the normal statutory and advisory signage will be line markings.

6.3.7 Landscape:

The approach taken by the applicant, *"strongly respects the industrial and maritime heritage of the site and works to upgrade and redefine the public domain image to meet both the current expectation and the anticipated change in use and resident activity"*¹.

In this regard, the design aims to be consistent with the character of the precinct as well as a series of broad public domain objectives, which include heritage, environmental context and pedestrian amenity.

In order for the design to adapt to the changing use of the precinct the visual reiteration of both built and natural elements relating to the scale, texture and form are picked out and utilised within the overall design scheme. The trees and plants used have been chosen for their tolerance to pollution, the planting conditions of the site and their ability to perform a number of intended functions. Trees and plants will play an important function in providing shade, spatial definition and will help to frame views.

6.3.8 Signage

The Walsh Bay Public Domain Strategy is based on the principles set out in the *'Walsh Bay Public Domain Strategy Vol 1'*, as well as a response to a review of the existing signage, urban character and access. The applicant has also taken into account the City of Sydney pedestrian Signage Guidelines, the Central Sydney Development Control Plan 1996 and the Sydney Harbour Foreshore Authority's Interim Tenancy Signage Policy for 'The Rocks'.

The purpose of the signage strategy is to improve the access to the precinct and its history by providing identifying, directional, interpretative and statutory information. In addition, by applying for retail signage at this stage for all premises that need commercial signage it is hoped that a controlled response will be achieved to avoid visual clutter. Walsh Bay Finance proposes seven different types of signage for the precinct with a consistent approach in the use, location and design of signage. Furthermore, it should be noted there is also a consistency in terms of design and materials used within the signage strategy for Walsh Bay.

7.0 STATE ELECTORATE & MEMBER

The site is located within the electorate of Port Jackson. It should be noted that no representation has been received to date from the local member Sandri Nori and subsequently her views on this development application are unknown.

8.0 ABORIGINAL ISSUES

Nil.

9.0 PUBLIC CONSULTATION

The development application was advertised in accordance with Section 79A of the Act and clause 14 of SREP 16. The proposal was publicly notified in the Sydney Morning Herald on 29th June 2001 and relevant public authorities and nearby landowners and occupants notified by mail.

The development application was placed on public exhibition at three venues from 29th June 2001 to 30th July 2001. Submissions were received from the Environmental Protection Agency, Sydney Ports Corporation, Sydney Water, Sydney Outdoor Lighting Improvement Society, State Transit and the Powerhouse Museum. The contents of these submissions are summarised in Section 10 below.

10.0 SUMMARY OF ISSUES RAISED IN SUBMISSIONS

10.1 Eight submissions were received from stakeholders. In general the major issues raised in the proposed application can be broadly identified as:

- **Carriageway Design:** particularly in the vicinity of Towns Place/Hickson Rd intersection and Pottinger St/Hickson Rd intersections. Proposed designs would not allow large semi trailers to access Wharf 3 from Hickson Rd or allow buses to turn at the Pottinger St/Hickson Rd intersection.
- **Car Parking:** concerns with the reduction of on-street car parking spaces from the original amount of parking provided;
- **Lighting:** Proposed up lighting of trees and cliffs have the potential to increase the amount of light spilling into the surrounding environment. This has the potential to adversely affect the nearby observatory. Further Council have pointed out that some of the lighting proposed does not meet with Council specifications;
- **Gateway Park:** Council will not accept the handover of the Gateway Park unless the existing substation is removed. Walsh Bay Finance is reluctant to remove the substation as it does not form part of the application and it is owned by another entity. Its removal from the site will impact on the nearby Pier One Hotel.

- **Signage:** Concerns have been raised regarding the appropriateness and the extent of the signage proposed;
- **Provision of Information to support the application:** Stakeholders have indicated that information provided to support the application is insufficient to allow an adequate assessment of the proposed development.

Notwithstanding, the negotiation process, issues were resolved as a consequence of the application being amended by the proponent and through conditions. The resolution of issues is detailed below.

A detailed summary of submissions is provided in appendix B.

11.0 Consideration of Issues

11.1 Towns Place:

The carriageway in the vicinity of Towns Place will not allow a greater enough turning allowance to allow large transport vehicles to access the Sydney Ports Wharf 3. Further by proposing a pedestrian friendly environment, there is a risk of conflict between pedestrians and trucks arriving and departing Wharf 3.

This issue has been resolved through the redesign of the road layout. The footpath adjacent to the northern boundary to Towns Place has been considerably reduced to provide for large vehicles to access and egress Towns Place from Hickson Rd. Other design amendments provide for the reinstated of parking in Towns Place.

Conditions of approval seek to address the final design of the pedestrian crossing to ensure that the design is consistent with Councils standards.

11.2 Hickson Road:

The Hickson Rd layout reduces the amount of on-street parking available. Further pursuant to negotiations with Council the roundabout at Hickson Rd and Pottinger St was removed, thus preventing buses from being able to turn to commence their run.

Parking

Council strongly objected to the reduced numbers of on-street parking proposed by Walsh Bay. That is reducing on-street car parking from 361 to 238, a reduction of 123 spaces. The loss of space resulted from the elimination of parking from Towns Place, and the conversion of angle parking to parallel parking in Hickson Rd. Since the original proposal, Walsh Bay Finance has agreed to provide 323 on-site car parks to address Council's concerns. Parking has been reinstated in Towns Place and the carriageway amended to ensure that Council are satisfied with the number of car parks proposed. The overall number of parking spaces is subject to the design of the Hickson Rd/Pottinger St intersection. This is discussed below.

Hickson Rd/Pottinger St Intersection

Council requested that the proposed roundabout located at the intersection of Hickson Rd and Pottinger St be removed. It was Council's view that a roundabout posed a danger to pedestrian safety and resulted in poor urban design for the intersection. Further the roundabouts removal provided for the maximum number of on-street metered parking spaces along Hickson Rd.

The removal of the roundabout has generated a number of concerns particularly from the STA. The removal of the roundabout hinders the operations of STA buses in Walsh Bay and does not allow semi-trailers to do u-turns. The roundabout provides an opportunity for STA buses to turn around in Hickson Rd in close proximity to prescribed stops. Without this the STA are of the view that their ability to provide an efficient and effective public transport service to Walsh Bay is constrained. STA buses will

have to travel to areas outside of the development area in order to turn, decreasing the efficiency of public transport operations in Walsh Bay. Further a roundabout that allows semi-trailers to u-turn is important to allow access to the theatres. The roundabout will cater for vehicles greater than 11m in length.

The Department of Infrastructure, Planning and Natural Resources sought independent advice to determine if Council's concerns could be addressed. Pursuant to this advice, it is considered a roundabout provides a design option that responds to the needs of the STA and semi-trailers and results in better traffic circulation in Walsh Bay. Pedestrian safety issues raised by the Council are better resolved through providing a roundabout as opposed to the amended intersection proposed.

Notwithstanding this, Council are still firmly of the view that any turning facility in this intersection is unsafe for pedestrians and traffic. Therefore the approval includes a condition (condition 3) that requires the resolution of the design of the intersection to the Deputy Director General's satisfaction. The resolution of design of the intersection will need to occur between, the applicant, Council, Department of Commerce and the STA.

The number of on-street metered parking to be provided is subsequent to the resolution of this intersection.

11.3 Windmill Street:

Further to a facsimile dated 31st July 2001 to Council from Walsh Bay Finance, Windmill St no longer forms part of the Public domain application. The upgrade of Windmill St has been addressed as part of the Bonds 2 and 3 developments.

11.4 Pottinger Street:

Public Domain elements of Pottinger St were addressed as part of DA 58-06-99; it no longer forms part of the application.

11.5 Downshire Street:

Public domain for Downshire St was addressed as part of DA 150-06-01.

11.6 Lighting:

Concerns were raised in regard to the amount of up lighting proposed for trees and cliffs in Walsh Bay. Light spill has the potential to impact on the nearby observatory. Notwithstanding, the up lighting of trees has not been endorsed by Council and is no longer part of the application. Further requirements to meet Council standards for lighting for street lights have been imposed in order to minimise light spill into the surrounding area.

11.7 Street Furniture:

All street furniture proposed will be to the standard set down and agreed with the City of Sydney standard. Conditions of consent require the applicant prepare a Public Domain Plan to provide to Council for each stage of the development. The Public Domain Plan will include details of finishes for street furniture in the public domain.

11.8 On-Street Car Parking:

Issue has been addressed refer section 11.1 and 11.2

11.9 Landscape:

Council suggested that Walsh Bay Finance propose a more cohesive landscaping element for Hickson Rd. The applicant has agreed. The consent includes conditions that require further details to be

provided to meet Council's satisfaction prior to receiving a construction certificate. Notwithstanding, the proposed landscaping is within the scope of the Public Domain Management Action Plan.

11.10 Signage

Council have requested that the precise details of the signage dimensions, materials, detailed set-out/installation be provided by the applicant, prior to the issue of a construction certificate. Further signs on the Bridge 2/3 and Towns Place have been deleted at Council's request as well as the retail signs. Future retail signs will be made subject to future applications.

11.11 Gateway Park

Negotiations between Council, Walsh Bay Finance and the Department, resulted in a stand off over the future use of the park. It was suggested that in order to progress the application Gateway Park be removed from the application. Council and the applicant have agreed on this and know Gateway Park is no longer part of the development application. The long term use of the Gateway Park is being resolved through negotiations between the Department of Commerce and Walsh Bay Finance. Any future work on the Park will be subject to a separate development application.

12.0 Conclusion

The development application DA No. 149-06-01 is for the road works, footpaths, landscaping, lighting, street furniture, signage associated with Hickson Road and Towns Place, Walsh Bay. The DA has been advertised and referred to local and state government agencies for comment. Submissions received have raised a number of issues; however, no submissions indicated or stated that the application should not be approved. The issues raised and summarised above have been satisfactorily resolved through either negotiation, removal of the contentious point from the application or through condition of the approval. The application responds to the aims, objectives and intentions of the various planning instruments relevant to the site those being the, State Environmental Planning Policy No. 56 – Sydney Harbour Foreshores and Tributaries, Sydney Regional Environmental Plan No. 16 – Walsh Bay and the Walsh Bay Masterplan DA 60/97.

13.0 Recommendation

It is recommended that the Minister:

(i) Under section 80 (1)(a) and 92(6) of the *Environmental Planning and Assessment Act 1979* and in accordance with, Section 9 of the *Walsh Bay Development (Special Provisions) Act 1999*, clause 10 of State Environmental Planning Policy No 56. – 'Sydney Harbour Foreshore and Tributaries' grant consent to the proposal subject to conditions by signing the Notice of Determination of Development Application, tagged "A"

(ii) Authorise the Director Urban Assessments to inform the Applicant, City of Sydney Council and the Heritage Office of the determination and all persons who provided submissions on the proposed development.

Endorsed:

Daniel Keary
Team Leader
Urban Assessments

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