

INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES

URBAN ASSESSMENTS

Action required: for determination: Development Application

File No:	S02/02563 Pt 1
Application Number:	DA 353 – 10 – 2002
Date of lodgement:	25 th October 2002
On land comprising:	Lot 44/DP 1014625, Lot 13/16/20/DP 237811, Lot4/DP711467 King Street Wharf, Darling Harbour
Application made by:	Wharves 9 and 10 Stage 4 Pty Ltd 7 – 11 Sussex Street, Sydney 2000
Application made to:	Minister for Infrastructure, Planning & Natural Resources
Proposal:	Revised Signage and street furniture.
Local government area:	City of Sydney
Notification:	Advertised in Sydney Morning Herald on 2 nd December 2003.
Public Exhibition	Start: 2 nd December 2002. End: 6 th January 2003.
For the carrying out of:	Development detailed in Section 3 of the Planning Report
Type of development:	State Significant Advertised Development,
Was a public inquiry held?	An inquiry under s.119 of the Act was not held.
Integrated approval bodies:	Not Integrated
Main Issues:	Refer to attached page.
Compliance with the Act	The application has been considered with regard to the matters raised in section 79C of the Act. The application was notified in accordance with the Regulations and all submissions received in the period have been considered. On balance, it is considered that the proposed development is acceptable and that development consent be granted.
Applicant views on draft conditions:	Applicant expressed general support for proposed draft conditions.

Recommendation

It is recommended that the Minister for Infrastructure, Planning and Natural Resources pursuant to section 80 (1) and 80A of the *Environmental Planning and Assessment Act, 1979* (as amended) and clause 10 of State Environmental Planning Policy No 56:

- (A) grant **consent** to the application subject to conditions (Tagged "A"), and
- (B) authorise the Department to carry out post-determination notification.

Prepared:

Approved:

Environmental Planner
Urban Assessments

Team Leader
Urban Assessments

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Planning Assessment Report Development Application

DA 353 – 10 – 2002

1 SUMMARY

This report is an assessment of the proposed development the subject of Development Application 353 – 10 -2002.

The application seeks consent for revised signage and street furniture.

The Minister for Infrastructure Planning and Natural Resources is consent authority.

It is recommended that the development application be granted **consent**.

2 BACKGROUND

2.1 Site Context

The site is located at Sites 2, 3,4,5,7,8 and 9 King Street Wharf, Darling Harbour. Lot 44/DP 1014625, Lot 13/16/20/DP 237811 and Lot4/DP711467 King Street Wharf, Darling Harbour in the City of Sydney Local Government area.

The development application was lodged with the Department on 25th October 2002 in accordance with the *Environmental Planning and Assessment Act, 1979* (the Act).

This proposal encompasses the complete waterfront promenade, waterfront building (sites 4,5,8,and 9) buildings fronting Lime and Shelley Street (Sites 3 and 7) northern end of Lime Street and the southern end of King Street footbridge. A waterfront pedestrian promenade has been constructed along the frontage of the site, to the west, which includes landscaping and links with the existing pedestrian network to the south of the site. Berthing pontoons for the purposes of the docking boats.

3 THE PROPOSED DEVELOPMENT

The proposed development seeks consent for:

Revised signage to sites 2,3,4,5,7,8, and 9 at King Street Wharf and revised detailing for street furniture, including additional seating and umbrellas, beverage carts and removable licence barriers. This application intends to update the original King Street Wharf policy. There has been extensive correspondence between DUAP and applicants regarding general development and more specifically signage issues, with particular emphasis given to minimising visual impact and maintaining good sight lines.

4 STATUTORY FRAMEWORK

4.1 Statement of permissibility

This application is permissible under the provisions of the EP&A Act 1979.

4.2 Instrument of consent and other relevant planning instruments

The following planning instruments are relevant to this application, EPA&A 1979, S79 (c), SEPP No.56, Sydney Harbour Foreshore and Tributaries, SEPP 64, Advertising and Signage, Central Sydney LEP 1996 and Central Sydney Development Control Plan, Section 8: Signs.

5 CONSULTATION

5.1 Public consultation

The application was notified, in accordance with the Regulations and City of Sydney Notification Policy including:

Notifications – landowners/occupiers	Notified to relevant authorities, City of Sydney Council, SHFA and Waterways Authority.
Newspaper advertisements	Advertised in the Sydney Morning Herald on 2 nd December 2002.
Site notices	2 nd December 2002
Exhibition dates	Start: 2 nd December 2002. End: 6 th January 2003.
Exhibition venues	▪ Planning Information Centre, 20 Lee Street Sydney

Four submissions were received regarding the Application. Issues are considered in Section 6.2 of this report (Tagged “B”).

5.2 Referrals

The application was referred to City of Sydney Council, Sydney Harbour Foreshore Authority and the Waterways Authority.

5.1.2 Integrated Approval Bodies

The application was not integrated.

5.2.2 Council

The application was referred to City of Sydney Council. Issues raised by Council are discussed in detail in Section 6.2 of this report.

6 CONSIDERATION

6.1 The Environmental Planning & Assessment Act, 1979

6.1.1 Section 79C

The application and the likely impacts of the proposed development have been considered in accordance with s.79C of the Act. Tag C.

Significant issues are discussed below in Section 6.2

The subject site is considered suitable for the proposed development. Submissions have been considered and issues raised in submissions are discussed in Section 6.2. On balance, the proposed development is considered to be in the public interest.

6.2 Issues

This proposal is for revised signage and detailing for street furniture to the existing King Street Wharf Manual, including additional seating and umbrellas, beverage carts and removable licence barriers. Given the location and situation of KSW, the primary aim is to attract visitors into the area, which can be difficult given the orientation of Darling Harbour within the city centre and the surrounding traffic dominated street system. This application intends to supersede the original King Street Wharf policy (dated 12th July 2000) and consolidate it. There has been extensive correspondence (Appendices A - G) between DIPNR and the applicant regarding signage issues, with emphasis given to minimising visual impact, an important consideration at this site which is separated from main thoroughfares and is dependent to some extent on signage/advertising to attract the public. The main points from previous discussions/conditions of consent, is that signage should be minimal, and not detract from the public domain by either cluttering, illumination or disparate design. Specific details are provided below of the latest proposals;

Sign Type 1-Revised waterfront markers.	Amended to include a vertical panel with charter boat information.
Sign Type 2-Directory Pillars	Two varieties, threshold and directory. The former are for the gateways into the area (King Street/Lime Street, Lime Street/Cuthbert Street intersections) while the latter are for direction to services. A standardisation of size comparable with similar pillars is appropriate.
Sign Type 3-Banners/Flagpoles	Similar to those at Cockle Bay and will extend to the Aquarium, will improve visual connection. Banners on every second pile with KSW logo. Advised previously that every 4 th pile and limited use of KSW logo was preferred. Banners situated between buildings would be excessive and serve no practical purpose.
Sign Type 4 – Wayfinding extension	Finger signs for the Aquarium and Pyrmont Bridge.
Sign Type 5 – Pyrmont Bridge sign	Finger sign for the start of the footbridge and cycle path to King Street.
Sign Type 6 – King Street footbridge sign	Footbridge Signage was approved under DA 94-4-2002
Sign Type 7 – Wall mounted wayfinding	Approved from previous KSW policy.
Sign Type 8 – Menu boards	It is proposed that the boards be moved further out to the promenade area adjacent to the planting and seating. However any relocation would only inhibit movement along the promenade. I
Sign Type 9/10/11– under awning	Signage for premises along KSW and

signage	Lime Street. Proliferation of signage can diminish the thoroughfare and careful consideration has to be given to the material and illumination. Central Sydney DCP 1996 stipulates that signage and illumination should be controlled. (S8, illumination is to be concealed or integral with the sign. The ability to adjust the intensity of the illumination and/or impose a curfew is to be considered if there is a possibility of adverse environmental impact upon adjoining residential areas.
Sign Type 12/13 – Pontoon signage.	Indicate charter availability and KSW.
Sign Type 14 – Statutory signage, Waterways	This signage will be for the purposes of direction and information.
Sign Type 15 - Tenant branding to awning	It is proposed to incorporate 'discrete' awning branding/signage to level one balconies. Given the accumulation of branding/signage for various functions at the Wharf, additional branding would be superfluous and constitute visual clutter. In the Central Sydney DCP 1996, consideration has to be given to the number of existing signs and cumulative impact. Overall tenant branding would have a negative cumulative impact on the area.
Sign Type 16 – street signage	Previously approved KSW signage.
Mobile beverage carts	To remain within the tenancy areas and be free of any signage/advertising.
Temporary lease area barricades	These are temporarily removable barriers, (stacked when not in use) required by the licensing regulations to surround the lease areas occupied by the Cargo Bar. DUAP advised that it would only consider barricades (high quality) to the Cargo Bar at peak hours. Any permanent lease area structures or their temporary storage within the public domain would not be acceptable. Therefore a condition limiting the usage of barriers to peak times and their storage will be included.
ATM & telephone	Prior condition (22-09-98), public telephones proposed for the south west corner of site 1 for users on

	Lime Street and at promenade level (ATM here as well via a S96).
Additional seating and umbrellas	Extra seating/umbrellas are proposed for along the Lime Street frontage.

The primary aim is to increase legibility within Darling Harbour and the immediate vicinity. Signage proposals include various threshold/precinct markers will be situated at entry points and nodes (King Street, Aquarium, Cuthbert Street/Lime Street intersection and Phoenix Street) to provide directional information and guidance, particularly important since the area has weak linkages to the central area. An important factor is to have adequate signage for visitors without creating visual clutter in the process, particularly in relation to banners, projecting signs and illumination. Along the jetty, flagpoles and statutory signage will be erected. The number of banners shown in the proposal (Sign Type 3) exceeds that recommended in previous DUAP advice (Appendix A) and thus will be amended as will the proposal regarding building banners and logos. The waterfront markers are to be amended by the insertion of vertical panels adjoining the existing glass, depicting the pontoon number to provide information on the various charter services. On the Lime Street, it is proposed to provide additional street furniture/umbrella shades as a means of attracting further pedestrian activity into the area to enhance its role as a vibrant public realm. There will also be the installation of internally illuminated under awning signs (large, small and projecting) to the premises here. Overall the proposal is acceptable with modifications.

7 CONCLUSION

The Minister for Infrastructure Planning and Natural Resources is the consent authority.

The application has been considered with regard to the matters raised in s79C of the Act. The application has been notified in accordance with the Regulations. All submissions received in the period prescribed by the Regulations have been considered.

On balance, it is considered that the proposed development is acceptable and should be approved.

8 CONSULTATION WITH APPLICANT – DRAFT CONDITIONS

The applicant was asked to comment on the draft conditions of consent on 27th October 2003 and the applicant's response was received on 10th November 2003. The applicant requested revision of approximately five of the conditions of consent, relating to permissible signage. The conditions were reviewed and maintained or revised in accordance with relevant planning instruments and to ensure consistency visual amenity in the King Street wharf area.

9 DELEGATION

Under the instrument of delegation dated 8 August 2002, the Minister has delegated to Team Leaders and officers holding a higher position his functions under s.80(A) of the Act relating to determining development consents, except where they relate to designated development or development that is declared to be State Significant development (other than under SEPP56).

10 RECOMMENDATION

It is recommended that the Minister for Infrastructure, Planning and Natural Resources pursuant to section 80 (1) and 80A of the Environmental Planning and Assessment Act, 1979 (*as amended*) and clause 10 of State Environmental Planning Policy No 56:

grant consent to the application subject to conditions (Tagged “A”), and

(A) authorise **the** Department to carry out post-determination notification.

Prepared by

Endorsed:

**Planner,
Urban Assessments**

**Senior Planner,
Urban Assessments**