

APPENDIX D

COMPLIANCE TABLE: SYDNEY REGIONAL ENVIRONMENTAL PLAN No 26 – CITY WEST Modification Application related clauses

	REQUIREMENTS	Yes	No/NA	COMMENTS
Part 2 City West 11 Planning principles of regional significance for City West	Before granting consent to a development application relating to land within City West (whether or not within a Precinct), the consent authority must take into consideration the aim of this plan that development within City West should be consistent with the planning principles for City West set out in the Table to this clause.	✓		Noted
Table	Regional role Development in City West is to promote urban consolidation in the Sydney Region and consequently contribute to Sydney's status as a financial, commercial, residential and tourist city of world standing. Development in City West is to provide benefits to the people of the Sydney Region and New South Wales. The types and intensities of development in City West are to reflect its central location and accessibility to public transport and are to support and to complement development in the city centre.	✓		Improved car parking facilities and the provision of amenable outdoor seating areas promote these aims
	Land use activities Development in City West is to contribute to an integrated mixed-use development pattern containing a wide range of housing and employment opportunities, and educational, recreation and cultural activities.	✓		The expansion of facilities for the ancillary uses meet this planning principle
	Mixed living and working environment Development in City West is to house an increased population and to provide an increased quantity and range of employment opportunities which are compatible with the achievement of a high-quality mixed living and working environment. Development in City West is to promote and retain close to the city centre a socially diverse residential population representative of all income groups. Development in City West is to provide different kinds of housing, including affordable housing, to ensure that low to moderate income households may	✓		Improved amenity for the ancillary uses and car parking promotes greater employment in the area. Housing is not a permitted use under the Master Plan

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	continue to be able to live in City West. Development in City West is to provide opportunities for people to live and work at places in close proximity			
	Education Development relating to educational establishments should be based on strategies for their growth and response to technological and other changes, and their integration with surrounding development.		NA	
	Leisure and Recreation Full advantage is to be taken of the leisure and recreation facilities and the public open space in the city centre and in surrounding areas (particularly in City West) and the use of Sydney Harbour for leisure and recreation. Public access to the entire foreshore in City West is to be provided. Opportunities for waterfront and water-based recreation and tourism activities, compatible with adjoining land uses, are to be provided.	✓		The expanded outdoor seating aids greater use of the waterfront for leisure and recreational activities, including entertainment and tourism. Public access is already approved and to be retained
	Port Functions The operation, concentration and rationalisation of commercial shipping facilities is to be supported to meet the changing needs of Sydney Harbour as a commercial port.		NA	The proposal does not involve commercial shipping
	Social Issues The needs of existing and future communities, including needs for social facilities and services are to be accommodated.	✓		Not affected by the modification
	Environmental Issues Development in City West is to ensure a high level of environmental quality by addressing issues of air quality, noise levels, wind conditions, access to light and sunshine, privacy, soil conditions and water quality. Development in City West is to have regard to the principles of ecologically sustainable development (namely, the precautionary principle, inter-generational equity, conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms). Development in City West is to: incorporate measures to minimise waste, including (where practicable) utilising recycled materials and renewable building resources, recycling	✓		The proposed modifications do not affect the meeting of these provisions already approved.

	REQUIREMENTS	Yes	No/NA	COMMENTS
	building and demolition wastes, and providing facilities for recycling and composting, and • implement total water cycle management, including (where practicable) reducing consumption of potable water, treating and recycling waste water for re-use, minimising site run-off and stormwater generation, and reusing stormwater, and • incorporate measures to conserve energy, including (where practicable) reducing energy consumption, and increasing inherent energy efficiency through design and materials selection, and • promote biological diversity by measures that include (where practicable) increasing habitat through appropriate retention, planting and maintenance of native flora considered representative of the locality, and • complement and reinforce the development and use of the existing and planned integrated public transport, pedestrian and cycling networks in City West.			
	Urban design and the public domain Development in City West is to enhance, complement and contribute to the development of the public domain in order to create a high-quality physical environment for access, enjoyment and recreation for residents and workers. Development in City West is to contribute to a high level of residential amenity and convenience.	✓		The public domain spaces will be made more useable by the public by the provision of outdoor seating. Access will not be impacted over the set areas.
	Movement and Parking A range of housing and work, leisure and service facilities is to be provided in City West so that the need for travel is minimised. A high degree of accessibility is to be provided to places in and outside City West for both able and disabled persons. Walking, cycling and use of public transport are to be encouraged as the means of movement. Development in City West is to facilitate the provision and operation of a comprehensive regional public transport network. Development, particularly that which is employment related, is to be within the capacities of existing and proposed public transport and arterial road systems. The provision for vehicular movement is to be consistent with the development of	✓		Increased car parking and the deletion of use of car park lifts for cars will improve vehicular movement on site, improving pedestrian safety and movement. The pedestrian lift in the car park improves use of the area for less mobile visitors.

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	a high-quality pedestrian environment within the street system. Parking controls are to support public transport strategies of the Government and to reflect road network capacities.			
	Implementation and Phasing Development is to contribute towards the efficient use of City West's existing infrastructure and towards the provision of physical and social infrastructure as part of the development process, in accordance with the provisions of the Act.	✓		The existing road network and public transport (eg the Metro Light Rail) will be utilised. The existing marina will be enhanced by additional servicing opportunities
Part 3 Precincts Division 3 15 Planning Principles for Bays Precinct	Role and land use activities Development should reinforce and complement the role of the Precinct as a major inner-harbour port and maritime location. Development should recognise that the port operates for 24 hours of the day and that the generation of noise, lighting and traffic movement is necessarily associated with its operation.	✓		Linkage between the land and water approvals reflects the role of the area as a maritime environment.
	Development in the Precinct is to provide for a mixture of commercial port, port-related, employment, waterfront and recreational uses, but is not to include residential development. The existing diversity and maritime character of the Precinct, particularly the mixed use of waterfront areas, should be retained.	✓		Very similar mix of these uses is proposed to that approved, given that the water approval is not within the SREP26 area.
	Development is to take full advantage of the Precinct's location and its infrastructure, particularly rail or light rail facilities, for the port and other employment generating activities.	✓		The modification does not amend this
	Development is to encourage the environmental rejuvenation of the Precinct. Where possible, future development is to encourage the segregation of port traffic from residential and recreational areas.	✓		The modification does not amend this.
	Development is to make efficient use of surplus government owned land.		NA	
	Development is to encourage the conservation of and adaptation for re-use of existing heritage items and structures for uses compatible with new development.		NA	
	Development is to contribute to improved water quality in Rozelle Bay and Blackwattle Bay.	✓		The modification does not amend this
	Development on the waterfront and on land adjoining Rozelle Bay and Blackwattle	✓		The modification does not amend this.

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	Bay is to enhance the environmental quality of those areas for all users.			
	Urban Design			
	Design principles to be developed in detailed planning should recognise the working industrial nature of the Precinct in close proximity to residential areas.	✓		The modification does not amend this
	Development along the Precinct boundary should relate to and not adversely affect the adjoining street systems and built forms.	✓		It is on the boundary and the design relates to adjoining built forms such as the NSW Maritime building, being of similar height. The buildings are below the Victoria Road skyline when viewed from the viewpoints. Traffic is considered in the traffic report
	The siting and form of development in all areas must consider impacts on views from within the Precinct and to and across the Precinct from surrounding areas.	✓		See visual analysis.
	Public Domain			
	Public recreation areas are to provide for a range of recreational opportunities for those working in and visiting the Precinct.	✓		The modification does not amend this.
	The siting and form of development must consider creating, retaining and enhancing views and vistas from the water and public domain.	✓		See visual analysis
	Links for pedestrians, cyclists, and persons with disabilities are to be provided through the Precinct and to link and integrate the Precinct with adjoining areas.	✓		The modification does not amend this
	Links through the Precinct, including public access to the foreshores, should recognise the safety and security issues associated with commercial port and maritime activities.	✓		Noted. Public access is not altered by this modification.
	Development should help to create a high quality public domain in the Precinct.	✓		The outdoor seating will add vibrancy to the public domain
	Master plans for all areas should identify opportunities for public recreation, public access through sites and links to adjoining pedestrian and cyclist networks.		NA	
Division 4 Zoning				

	REQUIREMENTS	Yes	No/NA	COMMENTS
20B Waterfront Use Zone	Objectives Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible within this zone. The objectives of this zone are:	✓		Noted
	To provide for development of water-based commercial and recreational activities, including facilities for the servicing, mooring, launching and storage of boats	✓		The storage of tender boats on land, improved berthing and tender provision is achieved by the modification
	To allow a range of commercial maritime facilities (such as boating industry facilities, marinas, waterfront service operations, waterfront commercial and tourism facilities and uses associated with the servicing, temporary mooring, launching and storage of boats and uses ancillary to these), which will take advantage of the harbour location	✓		Combining the land and water areas into the same consent allows for convenient interplay between the two.
	To provide public access within and across the zone and to facilitate the extension of the Ultimo-Pyrmont foreshore promenade from Blackwattle Bay to Rozelle Bay and link with public access networks surrounding the precinct	✓		Public access is approved and will be retained
	To create, retain and enhance views and links between Wentworth Park and the foreshores of Blackwattle Bay		NA	
	Uses such as hotels, hotel apartments and tourist resort development will not be permitted.	✓		None are provided
24 Application of urban design planning principles	Before granting consent to the erection of a building, the consent authority must be satisfied that the building will be consistent with the urban design planning principles for the Precinct in which it will be situated set out in the Table to clause 15.	✓		Noted. See comments re clause 15 above
26A Scale and alignment of building facades	Before granting consent to the erection of a building, the consent authority must be satisfied that the scale and alignment of the building facades on the street boundary or boundaries respects the width of the street, adjoining heritage items or other contextual elements, as may be defined in an urban development plan prepared and adopted under Division 7 of this plan, or defined in a Master Plan prepared and adopted under Division 8 of this plan.	✓		The building heights do not comply with the Master Plan requirements but the modification set the upper level back from the water front, and the increased car park building is largely invisible from the waterway
Divisions 8 Master Plans 40 Requirement for and use	Development consent must not be granted for development that relates to land indicated on Map 5 as requiring a Master Plan unless: - there is a Master Plan for the land, and - the consent authority has taken the Master Plan into consideration.	✓		Noted.

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of Master Plans	The Minister may waive compliance with this requirement because of the nature of the development concerned, the adequacy of other guidelines that apply to the proposed development or for such other reason as the Minister considers sufficient.			
49 Land de-contamination	The consent authority must not consent to development unless: - it has taken into consideration whether there is any risk to public health or safety from contamination of the site or part by past industrial use, and - where such a risk exists on the site or part, it is satisfied that appropriate remediation measures will be undertaken to remove such a risk before development commences on that site or part	✓		Noted. Contamination was considered in the original application. Contamination in the water part of the site is not included under SREP 26
49A Removal of Sandstone	Removal of sandstone for the provision of car parking or plant or storage associated with future residential or business development is taken to be an ancillary use and not to be extractive industry no matter whether the extracted material is reused or resold.	✓		Noted
50 Services	Development must not be carried out on any land until arrangements have been made for the supply of water, sewerage and drainage which are satisfactory to the Water Board	✓		Noted. The modification makes no alteration to this
52 Views of other bodies about development in Precincts	Before granting consent to a development application relating to land in the Bays Precinct, the consent authority must, where it considers it appropriate, seek the views of the Leichhardt Council, the City West Development Corporation, the Sydney Ports Corporation, the Office of Marine Administration, the Maritime Authority of NSW, the Rail Access Corporation, the State Rail Authority, the Freight Rail Corporation and the Director-General of the Department of Transport. The consent authority must consider any views of a body received within 21 days of giving notice of the application to the body.	✓		Noted