

APPENDIX G

COMPLIANCE TABLE: SYDNEY REGIONAL ENVIRONMENTAL PLAN No 26 – CITY WEST

	REQUIREMENTS	Yes	No	Not Applicable	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
	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.	✓			Ensure the ongoing viability of waterfront employment and use by the public of the foreshore area due to the public eateries and function facilities and public access
	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 both entertainment and service to the superyacht marina provides variety of employment, and improves recreational activity facilities in the area

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	<p>Mixed living and working environment</p> <p>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.</p> <p>Development in City West is to promote and retain close to the city centre a socially diverse residential population representative of all income groups.</p> <p>Development in City West is to provide different kinds of housing, including affordable housing, to ensure that low to moderate income households may continue to be able to live in City West.</p> <p>Development in City West is to provide opportunities for people to live and work at places in close proximity</p>	✓			Employment for both the entertainment/function areas and the servicing of the superyachts ensures variety of types of employment for City West residents. Housing is not a permitted use under the Master Plan
	<p>Leisure and recreation</p> <p>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.</p>			✓	
	<p>Leisure and Recreation</p> <p>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.</p> <p>Public access to the entire foreshore in City West is to</p>	✓			<p>The expanded marina service facilities enhance the existing marina, aiding greater use of the waterfront for leisure and recreational activities, including entertainment and tourism.</p> <p>Public access is provided by the promenade.</p>

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	be provided. Opportunities for waterfront and water-based recreation and tourism activities, compatible with adjoining land uses, are to be provided.				
	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.			✓	The proposal does not impact upon commercial shipping
	Social Issues The needs of existing and future communities, including needs for social facilities and services are to be accommodated.	✓			Social facilities are provided in the entertainment facilities. See section 4.10
	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: <ul style="list-style-type: none"> incorporate measures to minimise waste, including (where practicable) utilising recycled materials and 	✓			The proposal has a high design quality with incorporation of ESD principles which will be implemented by a project specific environmental management plan (EMP) in accordance with s4 of the NSW Environmental Management System guidelines 1998. This is more comprehensively discussed in s 4.13. It is anticipated: <u>Waste/Materials</u> <ul style="list-style-type: none"> 80% by mass of all demolition and construction waste will be reused or recycled. Waste to be managed and reported on quarterly under a Waste Management Plan (WMP) Dedicated recycling collection and storage area Materials being used include 30% of concrete being a Portland cement

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	<p>renewable building resources, recycling building and demolition wastes, and providing facilities for recycling and composting, and</p> <ul style="list-style-type: none"> • 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. 				<p>substitute, 60% of steel has a recycled content of > 50%</p> <ul style="list-style-type: none"> • 95% by cost of timber products used will be sourced from either reused timber, post-consumer recycled timber or Forest Stewardship Council certified timber • 50% of structural framing, roofing and façade cladding systems are designed for disassembly. <p><u>Water cycle Management</u></p> <ul style="list-style-type: none"> • 5* WELS rated fittings, rainwater collection systems for flushing and irrigation • Water metres for each tenancy • Potable water for landscape irrigation reduced by 90% • Sufficient temporary storage of water for 80% of routine fire protection system test water and maintenance drain downs, for re-use of site <p><u>Energy conservation</u></p> <ul style="list-style-type: none"> • 30% of lettable area will have a daylight factor of at least 2.5% measured at floor level under a uniform design sky • Sub-metering for substantive energy users on site (> 100kVA), including monitoring • Photovoltaic cells on the roof • Car park is naturally ventilated <p><u>Biological Diversity</u></p> <ul style="list-style-type: none"> • Use of native flora used. See landscape plan in Appendix B <p><u>Integrated transport</u></p> <ul style="list-style-type: none"> • Significantly less than maximum local planning allowances for car parking

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					<ul style="list-style-type: none"> • 55 bike racks • Easy accessibility to public transport – see section 4.1
	<p>Urban design and the public domain</p> <p>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.</p> <p>Development in City West is to contribute to a high level of residential amenity and convenience.</p>	✓			<p>Flexible use is incorporated in the design of buildings, generous balconies capitalise waterfront ambience, the curved built form of building allows extensive views with the articulated form moderating the appearance from the water. The industrial modular concept fits the maritime precinct. The promenade enhances access, enjoyment and recreational opportunities for residents and workers.</p>
	<p>Movement and Parking</p> <p>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.</p> <p>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.</p> <p>Development in City West is to facilitate the provision and operation of a comprehensive regional public transport network.</p> <p>Development, particularly that which is employment related, is to be within the capacities of existing and proposed public transport and arterial road systems.</p> <p>The provision for vehicular movement is to be consistent with the development of a high-quality</p>	✓			<p>See section 4.1</p> <ul style="list-style-type: none"> • access by public transport, including light rail and buses, walking and cycling by the public promenade and local cycling routes • facilitates provision of regional public transport (there is a nearby metro light rail station at Rozelle Bay) • employment related development is within the capacity of current transport systems (see Traffic Report of Transport and Traffic Planning Associates Appendix J) • vehicular movement on site consistent with high quality pedestrian environment will be maintained. Pedestrian crossings and footpaths on site, the use of bollards or gates to restrict vehicular movement on the promenade other than during early morning loading periods (See Traffic Report Appendix J) • Parking controls support public

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	pedestrian environment within the street system. Parking controls are to support public transport strategies of the Government and to reflect road network capacities.				transport strategies. 100 car spaces will be provided on grade with a further 90 spaces in the upper levels of the car park, plus 4 loading zones and 4 drop off spaces (see Appendix J)
	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.	✓			Continued use of the area for maritime activities. No residential accommodation other than dormitory style accommodation for temporary use by marina berth or service providers.
	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.	✓			Marina servicing, and restaurant/ function areas retains the mixed use and existing diversity and the maritime character. No residential component included.

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	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 proposal takes advantage of the current road system, water access and the metro light rail. The use of the area for restaurant/function activities utilises the waterfront vista and ambiance for other employment generating activity.
	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.	✓			Improvements will assist in the renewal of Rozelle Bay as a waterfront area and the proposal incorporates ESD principles as detailed in section 4.13 and earlier in this table under clause 11. Port traffic is envisaged only to be via the water due to the size of the superyachts.
	Development is to make efficient use of surplus government owned land.	✓			It is debateable if it is surplus government owned land, but if so, an effective and efficient use of the space is provided by the design and proposed mixed uses.
	Development is to encourage the conservation of and adaptation for re-use of existing heritage items and structures for uses compatible with new development.			✓	No heritage items are on site.
	Development is to contribute to improved water quality in Rozelle Bay and Blackwattle Bay.	✓			See section 4.4
	Development on the waterfront and on land adjoining Rozelle Bay and Blackwattle Bay is to enhance the environmental quality of those areas for all users.	✓			The proposal will upgrade the current facilities with ESD principles applying to the development (see section 4.13). The visual assessment in section 4.10 indicates an enhanced visual quality for 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.	✓			See comments in relation to the Master Plan section 3.3.3, in Appendix H and in relation to the DCP in section 3.3.4 and Appendix I. The buildings are designed in an industrial modular

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					concept fitting the working industrial nature of the area but or a pleasant visual quality when viewed from neighbouring residential area. See section 4.11 and section 2
	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 elevated Victoria Road skyline when viewed from the viewpoints and corridors. This development alone will not have an adverse impact upon the adjoining street systems of James Craig Road. Should the White Bay passenger terminal proposal be approved involving rerouting of its traffic along James Craig Road that proposal's impact will need to be adjudged separately. See the traffic report in Appendix J and section 4.1.
	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 section 4.11. Impacts on views are minimal but the industrial modular concept complements the maritime precinct.
	Public Domain				
	Public recreation areas are to provide for a range of recreational opportunities for those working in and visiting the Precinct.	✓			Public accessibility of the area is to be improved by the proposed promenade improvements. Restaurants/cafes and functions areas and pedestrian access improve the range of recreational opportunities.
	The siting and form of development must consider creating, retaining and enhancing views and vistas from the water and public domain.	✓			See section 4.11. Impacts on views are minimal but the industrial modular concept complements the maritime precinct.

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	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.	✓			There is no disruption to the existing links with the promenade being easily able to link with any future pedestrian linkage around the whole of the Bay. Linkages are currently constrained by NSW Maritime to the east and the current and approved uses to the west of the site. The cycle way will remain along James Craig Road but the provision of 55 bike racks on site will encourage cycle use and access to the site along existing links. Provision for further through cycleway links along the foreshore in future is a possibility.
	Links through the Precinct, including public access to the foreshores, should recognise the safety and security issues associated with commercial port and maritime activities.	✓			Asset security will occur at the marina gangways and building facades. Access to the waterways for large vehicles will be via the two restricted accessways (See Traffic Report J). The foreshore and space around the buildings will be publicly accessible pedestrian space.
	Development should help to create a high quality public domain in the Precinct.	✓			Landscaping and urban design principles (see section 2) will improve the public domain to the Master Plan requirements (see Appendix 2 for plans and section 4.11 for photomontages)
	Master plans for all areas should identify opportunities for public recreation, public access through sites and links to adjoining pedestrian and cyclist networks.	✓			An improved quality of public linkages as set out in the Master plan will result
Division 4 Zoning					
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	✓			Servicing, mooring and development of these

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	and recreational activities, including facilities for the servicing, mooring, launching and storage of boats				activities is achieved.
	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	✓			The boating industry facilities waterfront service operations, waterfront commercial and tourism facilities will all take advantage of the location, improving the services available to the boats moored in the marina.
	To provide public access within and across the zone and to facilitate the extension of the Ultimo-Pymont foreshore promenade from Blackwattle Bay to Rozelle Bay and link with public access networks surrounding the precinct	✓			Public access is achieved by the proposed public promenade with capacity to link to any future improved access linkages along the Rozelle Bay frontage. Café and restaurant and function areas also improve public access.
	To create, retain and enhance views and links between Wentworth Park and the foreshores of Blackwattle Bay			✓	
	Uses such as hotels, hotel apartments and tourist resort development will not be permitted.	✓			None are provided
Division 5 Building height and floor space controls	The height of any building must not exceed the maximum building height shown on Map 3. However, any building on land zoned Public Recreation must not exceed 7 metres in height.			✓	Map 3 does not reference the Bays Precinct.
23 Maximum Building Heights	Before granting consent for any building that will attain the maximum building height, the consent authority must be satisfied that the building will not only meet such of the urban design requirements made by clauses 24, 25, 26 and 26A as are relevant, but will also meet any relevant design requirements made by a Master Plan or urban development plan.			✓	Clause probably is not applicable as it relates to Map 3 sites which do not include the Bays Precinct. In relation to heights for the site see compliance table for the Master Plan in Appendix H

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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
25 Landmark locations	Sheet 1 of Map 3 shows specific height limits for development in locations referred to on the map as "landmark locations". The location to which such a limit relates may, with the agreement of the Minister in an adopted master plan, be altered if the consent authority is satisfied that the height of the development in the new location is consistent with the relevant urban design principles.			✓	Sheet 1 Map 3 does not include the Bays Precinct
26 Graduated building heights adjacent to heritage items and conservation areas	The height of any building adjacent to a heritage item or conservation area must be such as to provide an appropriate transition in height between the building and either the heritage item or the buildings within the conservation area			✓	The site is not adjacent to a heritage item or conservation area
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 requirements of the Rozelle and Blackwattle Bay Master Plan as the majority of the buildings are at RL11.9 not the required RL11. However the design, scale and alignment of the buildings follow the foreshore line, leaving a prominent foreshore promenade and taking advantage of the waterfront vistas. The buildings are generally lower by 0.60m than the adjacent NSW Maritime with the highest portion on the west of the western building being RL12.9 – 0.30m lower than the approved boat storage building next

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					door. Together with their modular industrial urban design and low and horizontal appearance, the graduated height levels along the foreshore places the buildings suitably in context with the surrounding area. There are no adjoining heritage items. The design minimises the buildings' impact by their articulated form. This requirement is therefore met.
27, 27A, 27B, 27C Floor Space Ratios	Clauses relate to Ultimo-Pyrmont and Eveleigh Precincts. Clause 27C relates to design and height controls for non-Master Plan Areas			✓	The site is required to have a Master Plan under Map 5 sheet 3, hence none of these clauses apply
Division 6 Heritage conservation 28-32 Heritage Conservation				✓	The site is not a heritage item or in a conservation area. It is unlikely that the site could be described as being in the vicinity of a heritage item, but if they were, the height of the buildings will not interrupt the view of the Glebe Island silos from any viewpoints nor is the development close enough to have any impact on monuments on Glebe Island
Division 7 Urban development plans 34-39 Use of Urban development Plans	Before granting consent to development to which an urban development plan applies, the consent authority must take the plan into consideration			✓	There is no urban development plan relating to the site
Divisions 8 Master Plans 40 Requirement for and use of Master Plans	Development consent must not be granted for development that relates to land indicated on Map 5 as requiring a Master Plan unless: <ul style="list-style-type: none"> there is a Master Plan for the land, and the consent authority has taken the Master Plan into consideration. 	✓			Noted. See compliance table for the Master Plan for the Rozelle and Blackwattle Bays Maritime Precincts Appendix H

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	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.				
41-47 Master Plans	Clauses concerning the drafting of Master Plans			✓	
48 Flexible uses of land requiring a Master Plan	<p>The Minister may consent to the use of part of any land that is subject to a Master Plan for a purpose that is not permitted by the zoning of that part if it will be used for a purpose that another part of the land that is subject to the Master Plan within a different zone may be used.</p> <p>Before granting such a consent, the Minister must be satisfied that:</p> <ul style="list-style-type: none"> • a better distribution of land uses will result, and • the total of the business floor space of all buildings within the Master Plan area will not be increased as a result of granting the consent, and • the total of the land available for public recreation areas within the Master Plan area will not be reduced as a result of granting the consent, and • public access to the entire foreshore in City West will not be reduced as a result of granting the consent. 			✓	The land is subject to a Master Plan and is within the waterfront use zone of the SREP. To be permitted, the use must be consistent with the zone objectives outlined in clause 20B of this SREP. The discussion above re clause 20B indicates that the proposed uses are consistent with the objectives of the zone, hence this clause does not apply.
48A Flexible building heights on land requiring a Master Plan	<p>For land that is subject to a Master Plan, the Minister may adopt a Master Plan that identifies maximum building heights that exceed the maximum building height limits shown on Map 3.</p> <p>The Minister may grant consent to the erection of buildings that exceed the maximum building heights</p>			✓	Map 3 does not have heights shown relating to the Bays Precinct

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	<p>shown on Map 3 but do not exceed the maximum identified on the adopted Master Plan. Before granting such a consent the Minister must be satisfied that the relevant adopted Master Plan has demonstrated that:</p> <ul style="list-style-type: none"> • a better pattern of building heights will result, and • there are reductions in building heights on other sites in the Master Plan, and • the urban design principles for City West and the Precinct set out in clauses 11 and 15 are achieved, and • the higher heights do not adversely affect the quality of the adjoining public domain. 				
48B Pawnbrokers shops in the Ultimo-Pyrmont Precinct				✓	
49 Land de-contamination	<p>The consent authority must not consent to development unless:</p> <ul style="list-style-type: none"> • 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. See section 4.2 and the report of Douglas Partners in Appendix K
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

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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. Final arrangements will be made in the environmental management plan and during construction certificate stage.
51 Advertising of certain development applications	<p>Development that is proposed by a development application made after the commencement of <i>Sydney Regional Environmental Plan No 26—City West (Amendment No 9)</i> is advertised development for the purposes of the Act if, in the opinion of the consent authority, the development:</p> <ul style="list-style-type: none"> • would cause irreversible harm to a heritage item, or • does not conform to a Master Plan, or • would have significant environmental effects. <p>This clause ceases to have effect when a development control plan that provides for notice to be given of the proposed development to which this clause applies is approved by the Director-General.</p>			✓	The proposal will be advertised in accordance with Part 3A of <i>EP&A Act</i>
52 Views of other bodies about development in Precincts	<p>....Ultimo-Pymont PrecinctEveleigh Precinct</p> <p>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.</p>	✓			Noted

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	The consent authority must consider any views of a body received within 21 days of giving notice of the application to the body.				
53 Views of other bodies about development within Waterways Zone	<p>Before granting consent to a development application relating to land within the Waterways Zone, the consent authority must seek the views of the Maritime Services Board regarding the effect of development on the navigational safety and operations of the Port of Sydney.</p> <p>The consent authority must consider any views of the Board received within 21 days of giving notice of the application to the Board.</p>			✓	The land is in the Waterfront use zone
54 Acquisition of land	<p>The owner of the land within the Public Recreation Zone may, by notice in writing, require the City West Development Corporation to acquire the land. This clause does not apply to land owned by a public authority and held by the public authority for public recreation purposes.</p> <p>On receipt of the notice, the City West Development Corporation is to acquire the land.</p> <p>The City West Development Corporation does not, however, have to acquire the land if it might reasonably be required to be dedicated as a condition of development consent.</p>			✓	
Part 4 55-62	Repealed			✓	