

City of Sydney

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30 October 2012

Our Ref: 2012/328616
File No: S091122

Mr Sam Haddad
Director-General
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Mr Daniel Cutler

Dear Mr Haddad,

**Planning Proposal – 87 Bay Street Glebe.
Submission in accordance with Section 56 of the Environmental Planning and
Assessment Act 1979.**

The Council of the City of Sydney on 15 October 2012 and the Central Sydney Planning Committee on 11th October 2012, resolved to submit to the Department a Planning Proposal for the site known as 87 Bay Street Glebe, with a view to obtaining a Gateway Determination. Copies of the resolutions are included in this submission.

The attached Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act), and the Department's guides titled 'A guide to preparing local environmental plans' and 'A guide to preparing planning proposals'.

The City requests a Gateway Determination on the Planning Proposal in accordance with Section 56 of the Act.

Both the Council of the City of Sydney and the Central Sydney Planning Committee, in their respective resolutions, request that the Gateway Panel consider an extended exhibition period of at least 60 days.

The City looks forward to working with the Department to progress this planning Proposal. Should you wish to speak with a Council officer about any aspect of this Planning Proposal, please contact David Fitzpatrick, Specialist Planner on 9265 9333 or at dfitzpatrick@cityofsydney.nsw.gov.au.

Yours sincerely

Monica Barone
Chief Executive Officer

Encl.

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Resolution of Central Sydney Planning Committee

11 OCTOBER 2012

Moved by the Chair (the Lord Mayor), seconded by Mr Webster –

It is resolved that:

- (A) the Central Sydney Planning Committee approve the *Planning Proposal: 87 Bay Street Glebe*, shown at Attachment A to the subject report, for submission to the Minister for Planning and Infrastructure with a request for a Gateway determination subject to the following amendment:
 - (i) The non-residential component of the permissible FSR to be within the range 0.75:1 to 1.5:1;
- (B) the Central Sydney Planning Committee approve the *Planning Proposal: 87 Bay Street Glebe*, as amended in (A) (i), for public authority consultation and public exhibition;
- (C) the Central Sydney Planning Committee notes that, as this Planning Proposal is brought before it so soon after endorsing the Sydney Local Environmental Plan 2012, it is concerned that an extended public consultation period be provided, including a public meeting, to allow appropriate public input, and to aid their understanding of this Proposal. Therefore, the Central Sydney Planning Committee requests that the Gateway Panel consider an extended exhibition period of at least 60 days;
- (D) the Central Sydney Planning Committee note that Council will be considering a recommendation at its meeting on Monday 15 October to delegate authority to the Chief Executive Officer to make any minor variations to the Planning Proposal following receipt of the Gateway determination;
- (E) the Central Sydney Planning Committee note that Council will be considering a recommendation at its meeting on Monday 15 October to delegate authority to the Chief Executive Officer to prepare a voluntary Planning Agreement with the site owner, following receipt of the Gateway determination, in accordance with the *Environmental Planning and Assessment Act 1979*, to be exhibited concurrently with the Planning Proposal and Development Control Plan amendment for the site, to ensure that:
 - (i) 7.5 per cent of the FSR above 1.5:1, or of total approved residential FSR, whichever is the higher, and including any bonus floor space, be dedicated in perpetuity for affordable housing to be operated by an NSW-registered Community Housing Provider;

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- (ii) a 1.5 metre setback to Wentworth Park Road be dedicated to Council at no cost;
 - (iii) provision of a through-site link;
 - (iv) ESD measures to ensure that all BASIX-affected development exceeds water and energy targets by 25 per cent; and
- (F) the Central Sydney Planning Committee note the *Sydney Development Control Plan 2012 – 87 Bay Street, Glebe (Amendment No. 1)*, shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the draft Planning Proposal and draft Planning Agreement, and in accordance with the Gateway determination.

Carried unanimously.

Resolution of Council

15 OCTOBER 2012

ITEM 9.4

PLANNING PROPOSAL 87 BAY STREET GLEBE

(S091122)

The Transport, Heritage and Planning Sub-Committee decided that consideration of this matter be deferred to the meeting of Council on 15 October 2012.

At the meeting of Council, it was moved by Councillor Mant, seconded by Councillor Green -

It is resolved that:

- (A) Council approve the Planning Proposal: 87 Bay Street Glebe, shown at Attachment A to the subject report, for submission to the Minister for Planning and Infrastructure with a request for a Gateway determination subject to the following amendment:
 - (i) The non-residential component of the permissible FSR to be within the range 0.75:1 to 1.5:1;
- (B) Council approve the Planning Proposal: 87 Bay Street Glebe, as amended in clause (A)(i), for public authority consultation and public exhibition;
- (C) Council note that, as this Planning Proposal is brought to it so soon after endorsing the Sydney Local Environmental Plan 2012, it is concerned that an extended public consultation period be provided, including a public meeting, to allow appropriate public input and to aid their understanding of this Proposal, and so, therefore, Council request that the Gateway Panel consider an extended exhibition period of at least 60 days;
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal following receipt of the Gateway determination;

- (E) Council, following receipt of the Gateway determination, authorise the Chief Executive Officer to prepare a draft voluntary Planning Agreement with the site owner in accordance with the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal and Development Control Plan amendment for the site, to ensure that:
- (i) 7.5 per cent of the FSR above 1.5:1, or of total approved residential FSR, whichever is the higher, and including any bonus floor space, be dedicated in perpetuity for affordable housing to be operated by a NSW registered Community Housing Provider;
 - (ii) a 1.5 metre setback to Wentworth Park Road be dedicated to Council at no cost;
 - (iii) provision of a through-site link; and
 - (iv) ESD measures to ensure that all BASIX-affected development exceeds water and energy targets by 25 per cent; and
- (F) Council approve the Sydney Development Control Plan 2012 – 87 Bay Street, Glebe (Amendment No. 1), shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the draft Planning Proposal and draft Planning Agreement, and in accordance with the Gateway determination.

Carried unanimously.

