

**ITEM 15. DEVELOPMENT APPLICATION: 48-58 DRUITT STREET SYDNEY -  
FORMER CENTRAL AGENCY BUILDING**

**FILE NO:** D/2008/1479

**SUMMARY**

**Date of Submission:** 29 August 2008

**Applicant:** Henroth Pty Ltd

**Summary:** Conservation works to the north and south facades of the former Central Agency Building including repairs and/or replacement of parapet, window detailing, brickwork and entry canopy, and application for award of Heritage Floor Space

**Summary Recommendation:** The refurbishment is supported.

Council's Heritage Unit advises the conservation management plan, heritage interpretation plan and schedule of conservation works are satisfactory and can be endorsed by Council.

The heritage floor space can be granted subject to completion of the proposed conservation works and interpretation strategy plan.

No objections were received.

- Development Controls:**
- (i) Sydney Local Environmental Plan (LEP) 2005
  - (ii) Central Sydney Development Control Plan 1996
  - (iii) City of Sydney Heritage Development Control Plan 2006
  - (iv) City of Sydney Notification of Planning and Development Applications DCP 2005

**Development Contributions:**

- (v) Central Sydney Contributions (Amendment) Plan 2002, S61 City of Sydney Act, 1988 which applies to the Central Business District, in force from 16 June 2003.

**Attachments:** A - Selected Drawings

**RECOMMENDATION**

It is resolved that consent be granted subject to the following conditions:

**SCHEDULE 1A**

**APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION**

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

**(1) APPROVED DEVELOPMENT**

- (a) Development must be in accordance with Development Application No. D/2008/1479 dated 29 August 2008 and the Schedule of Conservation Works prepared by Noel Bell Ridley Smith & Partners Pty Ltd, dated 12 August 2008 and the following drawings prepared by Noel Bell Ridley Smith & Partners Pty Ltd:

<b>Drawing Number</b>	<b>Drawing Title</b>	<b>Date</b>
07297-SCW01-B	South Elevation	12/08/2008
07297-SCW02-A	North Elevation	30/07/2008

and the following drawings prepared by Hughes Trueman:

<b>Drawing Number</b>	<b>Drawing Title</b>	<b>Date</b>
08S115-01 (Rev.A)	Structural Notes	17/07/2008
08S115-S02 (Rev.A) Sheet 2 of 4	Elevations – Brick Repairs	17/07/2008
08S115-S03 (Rev.A) Sheet 3 of 4	Original c.1935 Facade Sections A-A, B-B, C-C and F-F	17/07/2008
08S115-S04 (Rev.A) Sheet 4 of 4	Section 1-1 Through South Parapet	17/07/2008

and as amended by the conditions of this consent:

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**(2) AWARD OF HERITAGE FLOOR SPACE**

The owner of the site may be awarded **3,220sqm** of heritage floor space under the *Sydney Local Environmental Plan 2005*, if the criteria set out in the sub clauses below are complied with.

- (a) The owner must complete the conservation work approved by this development consent and future Construction Certificates to the satisfaction of Council and in accordance with the "*Conservation Management Plan – Former 'Central Agency' (Australia) Limited, 48-58 Druitt Street Sydney NSW 2000*" prepared by Noel Bell Ridley Smith and Partners Pty Ltd dated February 2008, prior to the registration of such heritage floor space (HFS) in Council's Heritage Floor Space Register. In particular the following conservation works specified in "*Former 'Central Agency' Building 48-58 Druitt Street: Schedule of Conservation Works*" prepared by Noel Bell Ridley and Partners Pty Ltd dated 12 August 2008. must be undertaken including:
- (i) Druitt Street facade conservation
    - a. Downpipe check and blowing blockage
    - b. Repair and replacement of stonework
    - c. Repair to rendered detailing to windows
    - d. Patching cracked brickwork
    - e. Repair to the entrance canopy
    - f. Parapet repair and capping
  - (ii) Druitt Place elevation conservation
    - a. Repair and repaint render
    - b. Repair and repaint timber windows
    - c. Repair and repaint metal grills
    - d. Repair to steel framed windows
    - e. Repair to brickwork
  - (iii) Relevant cyclical maintenance works specified in 8.4.10 Maintenance Schedule of "*Conservation Management Plan – Former 'Central Agency' (Australia) Limited, 48-58 Druitt Street Sydney NSW 2000*" prepared by Noel Bell Ridley Smith and Partners Pty Ltd dated February 2008.
- (b) A Survey Certificate prepared by a Registered Surveyor must be submitted at the completion of the conservation work certifying the Floor Space Area of the conserved building (as defined in the Sydney *Local Environmental Plan 2005*);
- (c) The owner must enter into a deed with Council and register any required covenants on the title of the land on the completion of the conservation works to:
- (i) ensure the continued conservation and maintenance of the building; and

- (ii) limit any future development of the site to the total area of the conserved building, which has a FSA of approximately **3,220sqm**, to be confirmed by the survey specified in sub-clause (b),
- (d) All legal documentation must be prepared by Council's solicitor. The cost of preparation and registration of all documentation must be borne by the owner.
- (e) The owner will be registered as the owner of **3,220sqm** of heritage floor space only after the completion of paragraphs (a) to (d) of this condition, to the satisfaction of Council.
- (f) On the satisfactory completion of (a) to (d) above, and on application to Council, the owner will be issued with a letter of registration of HFS.

**(3) SECTION 61 CONTRIBUTIONS PAYABLE - COST SUMMARY REPORT – SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

**(4) REMOVAL OF UNAUTHORISED SIGNS**

All signs not approved by Council (except for any exempt or complying signs) must be removed prior to issue of a Construction Certificate.

**(5) SIGNAGE STRATEGY**

A signage strategy is to be submitted and approved by Council for the building facade prior to issue of a Construction Certificate.

The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building, with reference to the "*Conservation Management Plan – Former 'Central Agency' (Australia) Limited, 48-58 Druiitt Street Sydney NSW 2000*" prepared by Noel Bell Ridley Smith and Partners Pty Ltd dated February 2008 and "*Heritage Interpretation Strategy – Former Central Agency Building 48-58 Druiitt Street Sydney NSW 2000*" prepared by Noel Bell Ridley Smith and Partners Pty Ltd dated 9 April 2008.

**SCHEDULE 1B**

**PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING**

**Note:** Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

**(6) GENERAL HERITAGE**

**(7) USE OF CONSERVATION ARCHITECT**

**(8) HERITAGE INTERPRETATION STRATEGY**

Prior to registration of the heritage floor space the "*Heritage Interpretation Strategy – Former Central Agency Building 48-58 Druiitt Street Sydney NSW 2000*" prepared by Noel Bell Ridley Smith and Partners Pty Ltd dated 9 April 2008 must be implemented to the satisfaction of Council.

**(9) HISTORIC MARKER**

A brass plaque relating to the history of the site must be installed on the facade of the building prior to registration of heritage floor space. The design, location and wording must be submitted for the approval of Council.

**(10) EXTERNAL COLOUR SCHEME (OTHER BUILDINGS)**

The new external colour scheme is to be sympathetic to the architectural style and period of the building. A schedule of colours is to be submitted to and approved by Council prior to the issue of the Construction Certificate.

**(11) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MINOR WORKS)**

**(12) SCHEDULE OF CONSERVATION WORK**

The colour of the proposed colorbond capping fixed to the parapet sandstone must match the existing sandstone as close as possible and the flange depth of the cap should be minimised on the Druiitt Street elevation.

**(13) WASTE AND RECYCLING MANAGEMENT - MINOR**

**(14) FOOTPATH DAMAGE BANK GUARANTEE**

**(15) APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE**

**(16) BARRICADE PERMIT**

**(17) STRUCTURAL CERTIFICATION FOR DESIGN – BCA (ALL BUILDING CLASSES)**

**(18) GLAZING – COMPLIANCE WITH AUSTRALIAN STANDARD**

**(19) FLAME AND SMOKE CONTROL REQUIREMENTS – BUILDING MATERIALS**

**SCHEDULE 1C**

**DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION**

**(20) OCCUPATION CERTIFICATE TO BE SUBMITTED**

**(21) HOURS OF WORK AND NOISE – CBD**

**(22) HAZARDOUS AND INDUSTRIAL WASTE**

**(23) NO OBSTRUCTION OF PUBLIC WAY**

**SCHEDULE 2**

**PRESCRIBED CONDITIONS**

## BACKGROUND

### The Site and Surrounding Development

1. The site is located on the northern side of DrUITT Street between Sussex and Kent Streets (**Figure 1**). It is square shaped, with an area of approximately 805m<sup>2</sup>, a primary frontage of 30m to DrUITT Street and rear boundary to DrUITT Place.



**Figure 1: Site location**

2. A four storey building, known as the (former) Central Agency Building c.1936, is contained within the site and is currently used as a fitness centre. Photos of the site are shown in **Figures 2 to 5**.



**Figure 2: DrUITT Street facade**



Figure 3: Entry awning

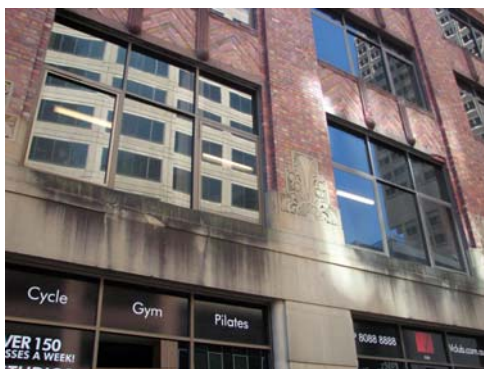


Figure 4: Detail of main facade



Figure 5: Rear (Druitt Place) facade

3. The site is a locally listed heritage item, but not listed in the State Heritage Register. It is located within a Heritage Streetscape (**Figure 6**) and at the southern edge of the York Street Special Area, adjoining the Sydney Square, Sydney Town Hall and St Andrews Cathedral Special Area.



Figure 6: Heritage-listed Druitt Street streetscape (looking west)

4. Surrounding land uses are commercial, retail, residential, government and educational. A 7-storey masonry office building adjoins the site to the east, and a residential tower adjoins the site to the west.

### **Site History**

5. The building was originally built to house the Sydney branch of an international textile business. It was substantially refitted for use as a Post Office sorting facility in 1984 when the interiors and some of the external fabric were irreversibly altered.
6. In 2007, approval was granted for the fitout and use of the building as a fitness centre under D/2006/2256. Condition 5 of the approval requires a separate development application for any signs other than exempt and complying signs. No such application has been received by Council and a number of unauthorised signs have been erected.

### **PROPOSAL**

7. The proposed works are summarised as follows:
  - (a) Druitt Street facade conservation:
    - (i) downpipe check and blowing blockage;
    - (ii) repair and replacement of stonework;
    - (iii) repair to rendered detailing to windows;
    - (iv) patching cracked brickwork;
    - (v) repair to the entrance canopy; and
    - (vi) parapet repair and capping;
  - (b) Druitt Place elevation conservation
    - (i) repair and repaint render;
    - (ii) repair and repaint timber windows;
    - (iii) repair and repaint metal grills;
    - (iv) repair to steel framed windows; and
    - (v) repair to brickwork.

8. An award of Heritage Floor Space (HFS) is sought for the proposed works.

### **IMPLICATIONS OF THE PROPOSAL**

#### **Section 79C Evaluation**

9. An assessment of the proposal under Section 79C of the Environmental Planning and Assessment Act 1979 has been made, including the following:

**Section 79C(1)(a) Environmental Planning Instruments, DCPs and Draft Instruments**

**STATE ENVIRONMENT PLANNING POLICIES (SEPPs)**

10. The following State Environmental Planning Policy/Policies are relevant to the proposed development:

**SEPP (Infrastructure) 2007**

11. DrUITT Street is an RTA classified road which is at the termination of the western distributor and proximate to the Cross City Tunnel. Clause 101 of the SEPP seeks to ensure any new development does not compromise the effective and ongoing operation and function of classified roads. The proposed facade upgrade works satisfy the clause.

**LEPs AND DCPs**

12. The following Local Environmental Plans and Development Control Plans are relevant to the proposal:

**Sydney LEP 2005**

13. Compliance of the proposal with the LEP controls is summarised below:

**COMPLIANCE WITH SYDNEY LEP 2005**

<b>Development Controls</b>	<b>Permissible under Sydney LEP 2005</b>	<b>Proposal as assessed under Sydney LEP 2005</b>
<b>Consistency with Development Plan</b>	Development Plan not required	Proposal is permissible and consistent with zone objectives.
<b>Zoning</b>	City Centre	
<b>Floor Space Ratio (Floor space area = 3,220m<sup>2</sup> and Site area = 805m<sup>2</sup>)</b>	8 : 1	There is no change to the existing FSR which is 4 : 1
<b>Floor space to be Awarded</b>	Subject to Section 7.1	Proposal is eligible for the award of HFS. Refer to ' <u>Award of Heritage Floor Space</u> ' in <b>issues</b> section.
<b>Special Areas</b>	Within York Street Special Area 2 and adjoins Sydney Town Hall Special Area 12	Proposal is consistent with objectives.

**COMPLIANCE WITH LEP Chapter 1 PART 5 Division 2 – DESIGN EXCELLENCE**

Matter to be Considered (clause 26)	Complies	Comment
High standard of architectural design, materials & detailing	✓	<b>Complies</b> The proposed materials and detailing are appropriate, and the works will improve the external appearance of the building.
Process established to ensure continuity and to ensure excellence is realised in completed building	✓	<b>Complies</b> The Conservation Management Plan provides for cyclical maintenance of the building.

**LEP PART 6 – HERITAGE PROVISIONS**

14. The site is a designated heritage item (No 4018) and is within a Heritage Streetscape, pursuant to Schedule 8. It is a significant example of an Inter-War Art Deco office building and is a strong physical reminder of the development of this area of Sydney as a commercial centre in the Inter-War period.
15. The site is within the York Street Special Area, which adjoins the Sydney Square, Sydney Town Hall and St Andrews Cathedral Special Area. The proposal satisfies the objectives for Special Areas, in particular Clause 77(c), to conserve and protect heritage items.
16. Council's Heritage section advises the conservation management plan, heritage interpretation strategy, and schedule of conservation works are satisfactory and can be endorsed by Council. The heritage floor space may be granted subject to completion of the proposed conservation works and interpretation strategy.

**Central Sydney DCP 1996**

**COMPLIANCE WITH THE CENTRAL SYDNEY DCP 1996**

Matter to be Considered	Complies	Comment
Building exteriors CI 2.7	✓	<b>Complies</b> The proposal adds richness of detail and reinforces architectural interest. However, existing signage detracts from the quality of the facade. Refer to 'Signage' in <b>issues</b> section of report.
Lanes CI 3.1	✓	<b>Complies</b> The proposal enhances facade details and visual interest at the Druitt Place elevation.
Awnings CI 3.5	✓	<b>Complies</b> Awning renewal will be in accordance with the Conservation Management Plan.

<b>Matter to be Considered</b>	<b>Complies</b>	<b>Comment</b>
Eligibility for award of HFS Cl. 7.1-7.3	✓	<b>Able to comply</b> Refer to 'Award of Heritage Floor Space' in <b>issues</b> section of report.

**City of Sydney Signage DCP 2005**

17. Compliance of the proposal with the LEP controls is summarised below:

**Issues**

18. The issues identified in the above instruments/policies as non-complying or requiring further discussion in the abovementioned tables are discussed in detail below:

**Heritage**

19. Council's Heritage Unit advises that:

- (a) the submitted *Conservation Management Plan, Heritage Interpretation Strategy* and *Schedule of Conservation Works* are satisfactory and can be endorsed by Council; and
- (b) the Heritage Floor Space may be granted subject to the completion of the proposed *Schedule of Conservation Works* and *Interpretation Strategy*.

20. Appropriate conditions are recommended.

**Award of Heritage Floor Space**

21. Council provides an incentive for the conservation of heritage buildings through the award and allocation of HFS. In order to be considered for the HFS award, a building must meet the criteria listed in Section 7.1.1 of the *Central Sydney DCP* 1996, as follows:-

<b>Section 7.1 CSDCP 1996</b>	<b>Complies</b>	<b>Comment</b>
<i>Section 7.1(i)</i> To be listed on Schedule 8 on the Sydney LEP 2005	✓	<b>Complies</b> The building is listed in the LEP.
<i>Section 7.1(ii)</i> To involve conservation of a heritage item	✓	<b>Complies</b> The conservation works are in accordance with the Conservation Management Plan.
<i>Section 7.1(iii)</i> To involve works which would not increase or result in only a minor increase in the external envelope and FSA	✓	<b>Complies</b> The proposed works do not involve an increase in the external envelope or floor space area of the building.

22. Section 7.2 of the *CSDCP* requires the applicant to complete required conservation works prior to registration of any HFS award. A condition is recommended to this effect.
23. The maximum amount of HFS that may be awarded to a site relies on the following formula provided in Section 7.3 of the *CSDCP*:

$$\mathbf{HFS_H = 0.5A_s \times FSR_H}$$

Where:

**HFS<sub>H</sub>** is the maximum amount of heritage floor space which may be awarded (in square metres)

**A<sub>s</sub>** is the site area (in square metres) occupied by the heritage building

**FSR<sub>H</sub>** is the FSR for the site of the heritage building shown on the LEP 2005 Floor Space Ratio Map

And as applied to the site:

$$\begin{aligned} \mathbf{HFS_H} &= 0.5 \times 805\text{m}^2 \times 8 \\ &= \mathbf{3,220\text{m}^2} \end{aligned}$$

24. Under Section 7.3.2 of the *CSDCP* the consent authority may reduce the maximum amount of HFS<sub>H</sub> for, among other things, any proposed addition which increases the floor space area of the building. The *Conservation Management Plan* notes that the building was designed to accommodate an additional two building levels. However, the development application does not include any increase in floor space, and is therefore not subject to any reduction in the award of HFS<sub>H</sub> at the current time.

### **Signage**

25. The building currently has a number of signs erected at the DrUITT Street facade associated with the use of the building as a fitness centre, including a hamper sign, non-projecting wall signs, vinyl decals, and a portable sign, as shown in **Figure 7**.



**Figure 7: Signage at DrUITT Street, associated with fitness centre**

26. The fitness centre fitout and use was approved on 28 March 2007 (D/2006/2256). No signs were proposed as part of that DA, and Condition 5 of the approval requires a separate development application for signs. No such application has been received by Council.
27. Having regard to the *City of Sydney Signage Development Control Plan 2005*, the existing signs are considered to be excessive, cause visual clutter, and detract from the quality of the facade and streetscape.
28. Given that the facade is to be completely restored and renewed as part of essential conservation works and claim for an award of heritage floor space, it is considered reasonable to require submission of a signage strategy that would be in keeping with the conservation works. In addition, all unauthorised signs must be removed as part of the works. Conditions are recommended accordingly.

#### **Section 79C(1)(b) Other Impacts of the Development**

29. The proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

#### **BCA Matters**

30. The BCA Classification of the building is Class 9b.
31. The development is capable of satisfying the requirements of the BCA without significant modification.

#### **Section 79C(1)(c) Suitability of the site for the development**

32. The proposal is of a nature in keeping with the heritage significance of the site.

#### **Section 79C(1)(e) Public Interest**

33. The proposed development is generally consistent with the relevant controls. In this regard it is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed on any consent.

#### **FINANCIAL IMPLICATIONS/SECTION 61 CONTRIBUTIONS**

34. The cost of the development is in excess of \$200,000 and is therefore subject to a development levy pursuant to the Central Sydney (Section 61) Contributions Plan 2003. An appropriate condition has been included in the recommendation of this report.

#### **PUBLIC CONSULTATION**

##### **Section 79C(1)(d)**

##### **Advertising and notification**

35. Adjoining and nearby owners and occupiers of residential buildings were notified of the proposal and invited to comment. In addition, notices were placed on the site and the proposal was advertised in the daily press in accordance with the provisions of the City of Sydney Notification of Planning and Development Applications DCP 2005. No submissions were received.

**EXTERNAL REFERRALS**

**Heritage Council**

36. The site is not listed in the Stage Heritage Register under the Heritage Act 1977.

**Integrated Development**

37. The proposal is not Integrated Development.

**INTERNAL REFERRALS**

38. The application was referred to Council's Specialist Surveyor, Specialist Health Surveyor, Heritage Architect, Urban Designer, Building Services Unit, Health Unit. No objection to the proposed development was raised, subject to the imposition of appropriate conditions.
39. Appropriate conditions have been included in the recommendation of this report to reflect these requirements.

**RELEVANT LEGISLATION**

40. *Environmental Planning and Assessment Act 1979*

**CONCLUSION**

41. The proposal complies with Council's zoning and heritage controls. The submitted *Conservation Management Plan, Heritage Interpretation Strategy and Schedule of Conservation Works* are satisfactory to Council's Heritage section. The award of heritage floor space is acceptable subject to completion of conservation works.
42. The development application is recommended for approval subject to conditions.

**GIOVANNI CIRILLO**

Director City Planning and Regulatory Services

(Susanna Cheng, Acting Senior Planner)