

In This Issue

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Welcome to the December 2009 edition of the JBA Alert!

Over the past month we have been listening intensely to debate over the Commonwealth's Carbon Pollution Reduction Scheme and now we consider the outcomes of the climate change talks in Copenhagen.

Closer to home, JBA is learning more about the NSW Government's Policy Statement on Sea Level Rise and how it will affect new developments and planning policy.

We have also seen a shake up in the NSW Government, with Planning Minister Kristina Keneally now NSW's first female premier and Tony Kelly has been appointed as Minister for Planning, Minister for Infrastructure and Minister for Lands.

In this month's JBA profile, we talk to JBA's Business Support Manager **Beth McGuinness**. We also welcome new Urban Planner **Lindsey Gray** and Administrative Support Coordinator **Annabelle Bieske**.

And finally, all of us here at JBA would like to wish you a very happy and safe Christmas and New Year, and we look forward to continuing to work with you in 2010!

Kathryn Werner (editor)

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Moore Theological College Concept Plan



JBA prepared a Part 3A Concept Plan and Project Application for the redevelopment of Moore Theological College, Newtown. The Concept Plan seeks approval for up to 31,000m² of GFA for educational, residential and retail uses, including development up to 9 storeys in height and 340 car spaces. The concurrent Project Application for the first stage of the redevelopment includes the 7 storey \$53 million Resource and Research Centre at the corner of King Street and Carillon Avenue, Newtown. Visit the Department of Planning [website](#) for more details. Source: Allen Jack + Cottier

Marsden Park draft Precinct Plan and SEPP Amendment on exhibition

The Department of Planning's Strategies and Land Release division (formerly the Growth Centres Commission) has released for public comment a draft Precinct Plan and amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 for the Marsden Park Industrial Precinct in the North West Growth Centre.

The Marsden Park Industrial Precinct includes a 67 hectare business park, 36 hectares of bulky goods retailing and 200 hectares of light industrial land, as well as a residential area to accommodate up to 3,200 people and up to 92 hectares of conservation land and open space. Marsden Park is the first precinct to be released using the Precinct Acceleration Protocol, which allows planning and development to proceed ahead of the Government's program, providing the developer agrees to fund and undertake certain infrastructure works on behalf of the Government.

JBA worked with Blacktown City Council and LFA Architects to develop site-specific controls for Marsden Park and other Growth Centre Precincts, which will be released for public comment in the coming years. Other precincts in the North West Growth Centre include Alex Avenue, Riverstone and "Area 20".

JBA also worked with the Strategies and Land Release division to prepare an amendment to the Sydney Region Growth Centres SEPP. The SEPP amendment comprises development controls for the Precinct including building heights, floor space ratios and lot sizes. It also identifies areas of native vegetation earmarked for long term protection.

The [draft Marsden Park Precinct Plan and SEPP amendment](#) are on exhibition until Monday 1 February 2010. Contact JBA Partners **Bernard Gallagher** for more information on the draft DCP, or **Lesley Bull** for more information on the draft SEPP Amendment.

Draft Local Development Contributions Guidelines released

Long awaited guidelines to assist applicants and councils to better understand the new development contributions framework were released for comment in early December at a Department of Planning briefing attended by JBA Associates Vivienne Goldschmidt and Andrew Duggan. The new framework was established as part of amendments to the *Environmental Planning and Assessment Amendment Act 2008*, which was assented to on 25 June 2008. The timetable for the commencement of the new framework has not been determined by the NSW Government. The new framework involves the introduction of a new Part 5B – Provision of Public Infrastructure to the *Environmental Planning and Assessment Act 1979* (EP&A Act), which will replace the current Division 6 – Development Contributions. Under Part 5B:

- Contributions are made toward “key” or “additional” community infrastructure (both defined);
- Sections 94 and 94A are repealed – contributions are “direct” (nexus-based) or “indirect” (percentage-based);
- VPAs are only for “additional” community infrastructure;
- Contributions will generally be limited to \$20,000 per residential lot (unless specific approval from the Minister for Planning has been obtained);
- Contributions plans are to be based on business plans with improved accounting and reporting mechanisms; and
- Ministerial approval is needed to levy for “additional” community infrastructure and to levy for indirect contributions over 1% of the cost of development.

At the briefing, the following additional information was provided:

- Contributions under existing plans may be taken, indexed and expended until the plans are repealed;
- Existing contributions plans will be repealed 18 months from the commencement of Part 5B of the EP&A Act;
- All existing conditions (from contributions plans) or obligations (from VPAs) requiring some form of development contribution will apply for the life of the relevant development consent if the consent was granted prior to the commencement of Part 5B;
- Existing VPAs will continue to have effect for the term of the agreement;
- Indirect levies will be based on development costs; and
- Part 5B of the EP&A Act and the new development contributions framework is expected to commence some time in 2010.

When finalised the new draft Local Development Contributions Guidelines will replace the existing Development Contributions Practice Notes (which were issued in 2005) and are designed to assist councils and industry to understand the new development contributions system. The draft Guidelines are on exhibition until Friday 26 February 2010.

More information on the changes to the development contributions system is available on the Department of Planning [website](#).

Implications of Sea Level Rise on New Development

Under the NSW Government’s [Policy Statement on Sea Level Rise](#), intensifying land use in coastal risk areas will be limited wherever feasible. The Government has projected sea levels will rise by 40cm above 1990 levels by 2050 and 90cm above 1990 levels by 2100.

To assist councils and applicants understand the implications of sea level rise on the land use planning and development assessment processes, the Department of Planning has prepared the [Draft NSW coastal planning guideline: adapting to sea level rise](#). The Guidelines are in draft form and were recently placed on public exhibition. When finalised, the Guidelines will apply to all “coastal areas” of NSW, including the NSW Coastal Zone, Sydney Harbour and Botany Bay. The term “coastal areas” includes the coastline, beaches, coastal lakes, estuaries, as well as the tidal reaches of coastal rivers. It also includes other low-lying land surrounding these areas that may be subject to coastal processes as a consequence of projected sea level rise.

The draft Policy proposes the following principles for land use planning in the coastal zone. It is expected these principles will be incorporated by local and state government into new SEPPs, LEPs, DCPs and conditions of development consent.

- Assess and evaluate coastal risks taking into account the NSW sea level rise benchmarks;
- Advise the public of coastal risks to inform land use planning and development decisions;
- Avoid intensifying land use in coastal risk areas;
- Consider options to reduce land use intensity in coastal risk areas;
- Minimise the exposure to coastal risks from proposed development in coastal areas; and
- Implement appropriate management responses and adaptation strategies to sea level rise.

NSW Cabinet Announced

New NSW Premier Kristina Keneally announced her cabinet on 8 December. Ms Keneally has stressed her new cabinet is committed to delivering the NSW Government’s \$62.9 billion infrastructure plan and improving NSW’s transport, education and health systems. A full list of ministers is available on the Premier’s [website](#). Key members of the new cabinet include:

- The Hon Kristina Keneally MP – Premier and Minister for Redfern Waterloo;
- The Hon Carmel Tebbutt MP – Deputy Premier and Minister for Health;
- The Hon John Hatzistergos MLC – Attorney General, Minister for Citizenship, Minister for Regulatory Reform and Vice President of the Executive Council;
- The Hon Eric Roozendaal MLC – Treasurer and Special Minister of State;
- The Hon David Campbell MP – Minister for Transport and Roads;
- The Hon Verity Firth MP – Minister for Education and Training;
- The Hon Tony Kelly MLC – Minister for Planning, Minister for Infrastructure and Minister for Lands;
- The Hon Frank Sartor MP – Minister for Climate Change and the Environment and Minister Assisting the Minister for Health (Cancer);
- The Hon David Borger MP – Minister for Housing, Minister for Western Sydney and Minister Assisting the Minister for Transport and Roads; and
- The Hon Barbara Perry MP – Minister for Local Government, Minister Assisting the Minister for Planning and Minister Assisting the Minister for Health (Mental Health).

EPs Gazetted

[Bankstown Local Environmental Plan 2001 \(Amendment No 35\)](#) – this Plan rezones and reclassifies certain land in the Yagoona Town Centre.

[North Sydney Local Environmental Plan 2001 \(Amendment No 33\)](#) – this Plan permits development for the purposes of commercial premises at 111–115 Chandos Street, Crows Nest.

[State Environmental Planning Policy \(Major Development\) Amendment \(Sandon Point\) 2009](#) – this Policy inserts the “Sandon Point site” into Schedule 3 State significant sites of the Major Development SEPP.

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JBA Projects

Knauf Insulation Facility – The Part 3A Project Application for the construction of a [glass wool manufacturing plant](#) at the Steel River Estate, Newcastle was approved by the Planning Assessment Commission in October 2009. Once operational, the 22,000m² plant will provide 135 new jobs and produce up to 200 tonnes of insulation per day.



Source: Morris Bray Architects

466-472 Oxford Street – Waverley Council has approved a new 3-6 storey mixed retail / commercial building at the corner of Oxford and Grosvenor Streets, Bondi Junction for Telado Pty Ltd. The new development includes 5,105m² of retail and commercial floor space and has targeted a 4 Star rating in accordance with the Green Building Council of Australia's Office Design V3 Design Rating Assessment tool.



Source: Telado Pty Ltd

Pacific Bay – JBA prepared a Statement of Environmental Effects on behalf of Thakral Holdings for the "Golf Course Precinct" at the Pacific Bay Resort, Coffs Harbour. The development includes residential subdivision and associated landscaping and road works situated around an existing resort golf course.



Source: Jackie Amos Landscape Architect

10-20 Bond Street Sydney – JBA prepared two DAs on behalf of Mirvac for a \$50 million internal and external upgrade to the former Macquarie Bank building at 10-20 Bond Street. JBA assisted Mirvac to obtain delegated approvals for both projects within 2 months of lodging the DAs to the City of Sydney. The internal upgrade has already commenced and will revitalise the existing commercial tower and deliver improved office space. The external works will provide a "glass box" lobby, upgraded retail and public open space.



Source: Mirvac Design

Did you know?

JBA has been appointed to the following panels and as pre-qualification consultant schemes:

NSW Government's Performance and Management Services Prequalification Scheme for planning and development projects:

- policy, strategy and legislative reviews;
- strategy and planning, risk and major project procurement and delivery; and
- environmental impact assessment.

Resitech Panel of Planning Consultants – JBA is approved to undertake work in the statutory planning and strategic planning specialist areas; and

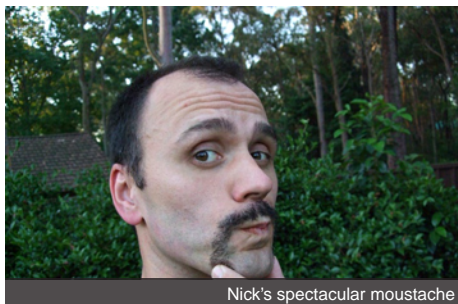
Land Development Agency (ACT Government) – JBA is a preferred tenderer for planning and urban design services.

Contact JBA Chief Operating Officer **Ian Robertson** for more information.

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Nick does his bit for Men's Health

JBA Urban Planner **Nick Roberts** grew a spectacular Tom Selleck-inspired moustache as part of [Movember](#). Movember's mission is to deliver an exciting and creative campaign that will change the way men think about, discuss and treat their own health issues. Now in its sixth year, Movember has raised millions of dollars for beyondblue: the national depression initiative and the Prostate Cancer Foundation of Australia. Nick raised nearly \$500 for Movember – well done!



Nick's spectacular moustache

JBA Profile

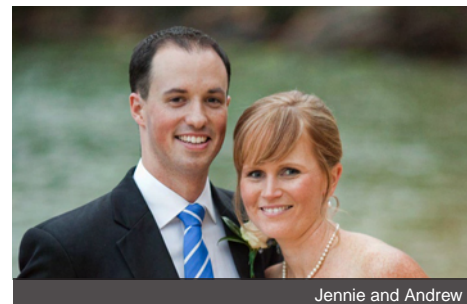
Beth McGuinness is JBA's Business Support Manager and joined the firm in 2007. Beth is responsible for ensuring that the Planners are effectively supported by the Business Support team. Beth's expertise lies in business and office management. Beth recently launched JBA's Environmental Sustainability Policy and is committed to ensuring that JBA achieves its target of becoming a carbon neutral workplace by 2012.

Prior to joining JBA, Beth was living abroad for 8 years where she studied Popular Music at the University of Liverpool (UK) where she immersed herself within the local music scene. Beth is passionate about music and loves to be involved in making sure a strong live music culture flourishes in Sydney.



Beth (with partner Dave) at the Metro Theatre

JBA congratulates Principal Planner **Jennie Masson** on her recent marriage to Andrew Buchanan. Jennie is now back at work after enjoying a relaxing honeymoon in Asia.



Jennie and Andrew

Lindsey Gray joined JBA as an Urban Planner in November 2009. Lindsey holds a Bachelor of Planning (Hons) from the University of NSW and is a member of the PIA NSW Young Planners committee. Prior to joining JBA, Lindsey worked at the Department of Planning where she was involved in the review and assessment of comprehensive LEPs for Lane Cove, North Sydney and Willoughby.

Annabelle Bieske is JBA's new Administrative Support Coordinator. Annabelle has a background in retail, most recently at David Jones' Bondi Junction store.

