

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 10 FEBRUARY 2000

Meeting No 231

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 10 February 2000 commencing at 5.22pm.

INDEX TO MINUTES

Subject	Page No
1. Confirmation of Minutes.....	190
2. Matters Arising from the Minutes	190
3. Pre Development Application Advice: 'KENS' Site 259-293 Kent Street, 20-66 Sussex Street and 42-46 Erskine Street, Sydney.....	190
4. Section 96(2) Application: Front of House and Concourse Modifications - Woolloomooloo Finger Wharf (Wharves 6, 7, 8, 9) and Wharves 10 and 11, Including Foreshore Land and Bay Area Between the Finger Wharf and Wharf 11: Cowper Wharf Roadway and Lincoln Crescent Woolloomooloo	192
5. Section 96(2) Application: Various Modifications - Woolloomooloo Finger Wharf (Wharves 6, 7, 8 and 9) and Wharves 10 and 11, Including Foreshore Land and Bay Area Between the Finger Wharf and Wharf 11: Cowper Wharf Roadway and Lincoln Crescent, Woolloomooloo.....	192
6. Policy Matters and Referrals.....	194
7. Presentations by Applicants and Preliminary Advice	194
8. New Development Application Lodgements and Delegated Items	195
9. Progress Report on Development Applications and Annual Summary for 1999	195
10. General Business.....	195

PRESENT

The Right Hon the Lord Mayor Councillor Frank Sartor
(Chairman)

Mr Neil Bird, Councillor Robert Ho, Mr Peter Mould (Alternate Member for Mr Chris Johnson), Ms Antoinette le Marchant and Councillor Lucy Turnbull.

The Director City Development was also present.

APOLOGIES (S006712)

An apology was received from Ms Sue Holliday who was unable to attend the meeting owing to a prior commitment.

An apology was received from Mr Chris Johnson who was unable to attend the meeting owing to a prior commitment.

Resolved on the motion of Ms le Marchant, seconded by Mr Bird -

That the apologies from Ms Holliday and Mr Johnson be received and leave of absence granted.

ORDER OF BUSINESS (S002287):**Resolved:**

That in accordance with Clause 12(2) of the Local Government (Meetings) Regulation 1999, the order of business be altered for the convenience of the public present, such that the agenda items be dealt with in the following order:

4. Section 96(2) Application: Front of House and Concourse Modifications - Woolloomooloo Finger Wharf (Wharves 6, 7, 8, 9) and Wharves 10 and 11, Including Foreshore Land and Bay Area Between the Finger Wharf and Wharf 11: Cowper Wharf Roadway and Lincoln Crescent Woolloomooloo
5. Section 96(2) Application: Various Modifications - Woolloomooloo Finger Wharf (Wharves 6, 7, 8 and 9) and Wharves 10 and 11, Including Foreshore Land and Bay Area Between the Finger Wharf and Wharf 11: Cowper Wharf Roadway and Lincoln Crescent, Woolloomooloo
3. Pre Development Application Advice: 'KENS' Site 259-293 Kent Street, 20-66 Sussex Street and 42-46 Erskine Street, Sydney
9. Progress Report on Development Applications and Annual Summary for 1999
1. Confirmation of Minutes
2. Matters Arising from the Minutes
6. Policy Matters and Referrals
7. Presentations by Applicants and Preliminary Advice
8. New Development Application Lodgements and Delegated Items
10. General Business

ITEM 1. CONFIRMATION OF MINUTES (S006712)

Resolved on the motion of Ms le Marchant, seconded by Mr Bird -

That the Minutes of the Central Sydney Planning Committee held on 16 December 1999 be taken as read and confirmed.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S006712)

There were no matters arising from the Minutes of the Central Sydney Planning Committee held on 16 December 1999.

ITEM 3. PRE DEVELOPMENT APPLICATION ADVICE: 'KENS' SITE 259-293 KENT STREET, 20-66 SUSSEX STREET AND 42-46 ERSKINE STREET, SYDNEY (S010559)

Note - Correspondence from Sunlord Holding Pty. Limited dated 10 February 2000 was circulated to members at the meeting of the Central Sydney Planning Committee.

The following persons addressed the meeting of the Central Sydney Planning Committee on this matter -

Mr Neil Ingham - Ingham Planning

Mr John Li - Multistar Pty Ltd

Resolved on the motion of Mr Mould, seconded by Ms le Marchant -

That arising from consideration of a report by the Executive Manager to the Central Sydney Planning Committee on 10 February 2000, in relation to Pre-Development Application S010559 made by Multistar Pty Ltd for the site at 259-293 Kent Street, 20-66 Sussex Street and 42-46 Erskine Street, Sydney for demolition of the existing buildings, (with exception of identified heritage items) and construction of two towers, one proposed for residential use and one for commercial use, club and retail and public car parking at podium level and tenant parking at basement levels, it be resolved that:-

- (A) the applicant be advised that this advice is non-binding and does not fetter the discretion of the consent authority;
- (B) the consent authority incurs no liability for any expense borne by the applicant as a result of their reliance upon this pre-development application advice;
- (C) the applicant be advised that this pre-development application advice remains valid for a period of 6 months from the date of this resolution;

- (D) the applicant be advised that the subject pre-development application has not been advertised or notified to adjoining owners by the City and that when a formal application is notified and advertised, submissions may be lodged with City which, when considered by the Committee, may cause it to determine the application in a manner which may be inconsistent with the advice provided in this report;
- (E) the applicant be advised that the Committee is unlikely to approve the application as currently proposed for the following reasons:-
 - (1) the proposed scheme exceeds the maximum height permitted under Central Sydney Local Environmental Plan 1996 and Draft Amendment No 8 to Central Sydney Local Environmental Plan 1996;
 - (2) the inclusion of a long stay public car park is prohibited by Amendment No 9 to Central Sydney Local Environmental Plan 1996 and is contrary to Council's objective of minimising commuter traffic and encouraging the greater use of public transport; and
 - (3) the car park in its current configuration located above ground level in Kent Street, is also inconsistent with Central Sydney Development Control 1996;
- (F) there are a number of urban design and amenity concerns associated with the scheme. These concerns include the following -
 - (1) inadequate setbacks above street wall height from Kent, Sussex and Napoleon Streets, and new Sussex Lane;
 - (2) the scale of the residential tower created by the relationship of the proposed height compounded by the lack of setback proposed from Sussex Lane and lack of setback from Sussex Lane and the negative effect this has on the Erskine Street group of terraces;
 - (3) the external design of the towers requires further work to introduce detail, material and finishes and to introduce sun control on the western elevation;
 - (4) the lack of street definition by a continuous street wall and the height of the podium is generally considered to be unsatisfactory;
 - (5) the applicant has not demonstrated a willingness to comply with the design competition process as envisaged in Amendment No 8 to the Central Sydney Local Environmental Plan 1996; and
- (G) any Development Application submitted for the site should have regard to Draft Amendment No 8 to Central Sydney Local Environmental Plan 1996, in particular Clause 28D (1) and (2) relating to Design Excellence and a competitive design process.

ITEM 4. SECTION 96(2) APPLICATION: FRONT OF HOUSE AND CONCOURSE MODIFICATIONS - WOOLLOOMOOLOO FINGER WHARF (WHARVES 6, 7, 8, 9) AND WHARVES 10 AND 11, INCLUDING FORESHORE LAND AND BAY AREA BETWEEN THE FINGER WHARF AND WHARF 11: COWPER WHARF ROADWAY AND LINCOLN CRESCENT WOOLLOOMOOLOO (Z96-00591/15)

Resolved on the motion of Ms le Marchant, seconded by Councillor Ho -

That arising from consideration of a report by the Area Planning Manager to the Central Sydney planning Committee on 10 February 2000, in relation to a Section 96(2) application seeking to modify the approved development D96-00591 relating to Woolloomooloo Finger Wharf (Wharves 6, 7, 8, 9) and Wharves 10 and 11, including foreshore land and bay area between the finger wharf and wharf 11: Cowper Wharf Roadway and Lincoln Crescent, Woolloomooloo, it be resolved that:-

(A) authority be delegated to the Lord Mayor to determine the application in consultation with a sub-committee of the Central Sydney Planning Committee comprising -

- Mr Chris Johnson
- Councillor Turnbull

and the Director City Development; and

(B) the applicant be asked to submit comprehensive engineering drawings containing a revised design which removes the raised timber deck and associated seating and bar from the centre of the concourse area to a position substantially eastward.

ITEM 5. SECTION 96(2) APPLICATION: VARIOUS MODIFICATIONS - WOOLLOOMOOLOO FINGER WHARF (WHARVES 6, 7, 8 AND 9) AND WHARVES 10 AND 11, INCLUDING FORESHORE LAND AND BAY AREA BETWEEN THE FINGER WHARF AND WHARF 11: COWPER WHARF ROADWAY AND LINCOLN CRESENT, WOOLLOOMOOLOO (Z96-00591/17)

Resolved on the motion of Mr Mould, seconded by Mr Bird -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 10 February 2000, in relation to a Section 96(2) application seeking to modify the approved development D96-00591 relating to Woolloomooloo Finger Wharf (Wharves 6, 7, 8, 9) and Wharves 10 and 11, including foreshore land and bay area between the finger wharf and wharf 11: Cowper Wharf Roadway and Lincoln Cresent, Woolloomooloo, it be resolved that:-

- (A) the clause describing the development be replaced with the following clause:

“Refurbishment of the Finger Wharf for residential use between grids 13 and 117 (300 apartments), hotel/suite hotel use between grids 1 and 13 (approximately 109 rooms) and car parking (200 spaces); new residential development in a new building to be located at the northern end of the Finger Wharf (10 apartments); new residential development (34 apartments) and car parking (260 spaces) to Wharf 11, foreshore bay area works and the construction of a 65 berth mooring facility”;

- (B) Condition No.1 be amended to insert the following plan numbers:

Plan No (Issue)	Date	Prepared By
AP021(V)*	10/12/99	The Buchan Group
AP027(J)*	14/09/99	The Buchan Group
AP031(X)*	28/09/99	The Buchan Group
AP032(P)*	13/08/99	The Buchan Group
AP035(M)*	14/12/99	The Buchan Group
AP036(K)*	14/12/99	The Buchan Group
AP041(S) *	14/12/99	The Buchan Group
AP042(L) *	14/12/99	The Buchan Group
AP043(N) *	14/12/99	The Buchan Group
AP044(N) *	14/12/99	The Buchan Group
AP045(N) *	14/12/99	The Buchan Group
AP046(K) *	14/12/99	The Buchan Group
AP051(S) *	13/12/99	The Buchan Group
AP052(M) *	14/12/99	The Buchan Group
AP053(N) *	14/12/99	The Buchan Group
AP054(N) *	14/12/99	The Buchan Group
AP055(N) *	14/12/99	The Buchan Group
AP056(K) *	14/12/99	The Buchan Group
AP062(13) *	08/06/99	The Buchan Group
AP063(7) *	06/04/99	The Buchan Group
AE201(L) *	14/09/99	The Buchan Group
AE202(K) *	14/09/99	The Buchan Group
AE203(J) *	26/08/99	The Buchan Group
SK85	May 1999	Clive Lucas, Stapleton
SK86	May 1999	Clive Lucas, Stapleton
SKA	25/08/99	Multiplex
SKB	05/10/99	Clive Lucas, Stapleton
90050/SK102C	July 1999	Clive Lucas, Stapleton
90050/SK101C	July 1999	Clive Lucas, Stapleton

* Approval relates to the area highlighted only.

- (C) the acoustic glazed screen at grid 27 is not approved and forms no part of this consent;

(D) the following conditions be added under the heading “Miscellaneous Amendments”:

(1) Condition 232

Piles along the perimeter of the wharf apron must be positioned at 3 metre centres to ensure the appropriate spacing of piles under the wharf.

(2) Condition 233

The positioning of the light poles along the wharf 6 must be in accordance with drawing numbered SK86 prepared by Clive Lucas, Stapleton & Partners Pty Ltd dated May 99.

(3) Condition 234

The outdoor seating area of the retail tenancies must not extend beyond the designated fire egress path at grid 25-26.

(4) Condition 235

The arrangements of the gantry rail termination at grids 13, 23, 24, 30 and 34 must be in accordance with drawing numbered SKA prepared by Clive Lucas, Stapleton & Partners Pty Ltd dated 25/08/99.

(5) Condition 236

The configuration of main fence entry gates and gate posts along Cowper Wharf Roadway must be in accordance with drawings numbered 90050/SK101C and 90050/SK102C prepared by Clive Lucas, Stapleton & Partners Pty Ltd dated July 1999; and

(E) a Notice of Intention to serve an Order be issued to rectify works carried out on site to date, and to ensure such works are in accordance with the approved development application as modified.

ITEM 6. POLICY MATTERS AND REFERRALS

There were no policy matters or referrals at this meeting of the Central Sydney Planning Committee.

ITEM 7. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S002287)

There were no presentations at this meeting of the Central Sydney Planning Committee.

ITEM 8. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S002287)

No new development application lodgements or delegated items were received.

ITEM 9. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS AND ANNUAL SUMMARY FOR 1999 (S002287)

Resolved on the motion of the Chairman (the Lord Mayor), seconded by Ms le Marchant:

That arising from consideration of a report by the Manager Development, to the Central Sydney Planning Committee on 10 February 2000, in regard to the report on summary of Development Assessment for 1999, it be resolved that the report be received and noted.

ITEM 10. GENERAL BUSINESS

1. Small Permits Appeals Panel

The Lord Mayor informed the Central Sydney Planning Committee that a Small Permits Appeals Panel had been formed by Council. Members will be circulated with the Terms of Reference.

Business of which due notice had not been given

Pursuant to Clause 14(3) of the Local Government (Meetings) Regulation 1999, the Central Sydney Planning Committee resolved that the following business of which due notice had not been given be transacted at this meeting, namely, Section 96(2) Application: 572-598 George Street, Sydney (former Coopers and Lybrand building) (D1999/00341).

2. Section 96(2) Application: 572-598 George Street, Sydney (former Coopers and Lybrand building) (D1999/00341)

Resolved on the motion of the Chairman (the Lord Mayor), seconded by Councillor Turnbull -

That in relation to an application by Lend Lease Property Services Pty Ltd for the extension of approved working hours to allow for 24 hour construction seven days a week, it be resolved that authority be delegated to a sub-committee of the Central Sydney Planning Committee comprising -

- Councillor Ho
- Ms le Marchant

and the Director City Development

to determine this application for extended working hours.

3. Parking Levy Act 1992

Ms le Marchant raised a matter relating to the Parking Levy Act 1992. The Director City Development is to circulate a memo on this matter to Central Sydney Planning Committee members.

The meeting concluded at 6.00pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 2 March 2000.