

# CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 13 SEPTEMBER 2001

Meeting No 260

**MINUTES** of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 13 September 2001 commencing at 5.15pm.

## INDEX TO MINUTES

<b>Subject</b>	<b>Page No</b>
1. Confirmation of Minutes .....	696
2. Matters Arising from the Minutes.....	696
3. Stage 1 Development Application: Tower 101 - Known as the former Regent Theatre Site, 487-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street, Sydney. ....	696
4. Conservation Management Plans: 531-535 George Street and 1-7 Albion Place, Sydney.....	698
5. Presentations by Applicants and Preliminary Advice.....	698
6. New Development Application Lodgements and Delegated Items.....	698
7. General Business .....	699

## **PRESENT**

Councillor Lucy Turnbull  
(Chairperson)

Mr Neil Bird, Councillor Robert Ho, Mr Chris Johnson and Ms Antoinette le Marchant.

The Acting General Manager and Acting Director City Development were also present.

## **ELECTION OF CHAIRMAN**

An apology was received from the Lord Mayor, Councillor Frank Sartor, who was unable to attend the meeting as he was overseas. An election for the position of Chairperson was held in accordance with Clause 14(1) of Schedule 1 of the City of Sydney Act 1988. Nominations for the position of Chairperson were called. One nomination was received and accepted by the candidate, as follows:

Councillor Lucy Turnbull - nominated by Ms le Marchant, seconded by Mr Bird.

Councillor Turnbull was declared elected and took the chair at 5.16pm.

## **APOLOGIES**

An apology was received from the Lord Mayor who was unable to attend the meeting as he was overseas.

An apology was received from Ms Sue Holliday (Director-General, Department of Urban Affairs and Planning) who was unable to attend the meeting owing to a prior commitment.

An apology was received from Dr Deborah Dearing (alternate member for Ms Holliday) who was unable to attend the meeting owing to a prior commitment.

**Resolved** on the motion of Mr Johnson, seconded by Councillor Ho -

That the apologies from the Lord Mayor, Dr Dearing and Ms Holliday be received and leave of absence granted.

## **Expression of Sympathy**

The Chairperson, Councillor Turnbull, announced the death of Mr Paul Reid on 8 September 2001. Mr Reid had been an alternate member for the two appointed members of the Central Sydney Planning Committee since 15 October 1998. At the Chairperson's invitation, members of the CSPC and members of the public present stood in silence as a mark of respect for the late Paul Reid.

## **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:

3. Stage 1 Development Application: Tower 101 - known as the former Regent Theatre Site, 487-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street Sydney.
4. Conservation Management Plans: 531-535 George Street and 1-7 Albion Place, Sydney
1. Confirmation of Minutes
2. Matters Arising from the Minutes
5. Presentations by Applicants and Preliminary Advice
6. New Development Application Lodgements and Delegated Items
7. General Business

**ITEM 1. CONFIRMATION OF MINUTES (S010833)**

Note - It was noted that the minutes of the previous meeting of the Central Sydney Planning Committee held on 30 August 2001 had not been printed. It was further noted that the minutes of that meeting will be submitted for confirmation at the next meeting.

**ITEM 2. MATTERS ARISING FROM THE MINUTES (S010833)**

Note - As the minutes of the previous meeting had not been finalised, this agenda item was not discussed.

**ITEM 3. STAGE 1 DEVELOPMENT APPLICATION: TOWER 101 - KNOWN AS THE FORMER REGENT THEATRE SITE, 487-503 GEORGE STREET, 101-109 BATHURST STREET AND 486-494 KENT STREET, SYDNEY (D2001/00382)**

Correspondence from Mr P Weldon, Company Secretary, MBF dated 13 September 2001 was circulated to members prior to the meeting of the Central Sydney Planning Committee.

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

Mr Philip Weldon - MBF

Mr Philip Dowling - Grosvenor Freeholds Pty Ltd

Mr Nick Lucas - Grocon Pty Ltd

Mr Frank Tong - resident

Mr Peter Wager - Davenport Campbell & Partners (Australia) Pty Ltd

**Resolved** on the motion of Mr Johnson, seconded by Mr Bird -

That arising from consideration of a report by the Acting General Manager to the Central Sydney Planning Committee on 13 September 2001, in relation to Development Application D2001/00382 made by City Plan Services Pty Ltd for the former Regent Theatre site, being 487-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street, Sydney for a Stage 1 consent for a 33 storey commercial tower, it be resolved that:-

- (A) as the basis for a competitive process that facilitates design excellence in accordance with the provisions of Clause 28D of the Central Sydney Local Environmental Plan 1996 and Part 12 of Central Sydney Development Control Plan 1996, the Central Sydney Planning Committee support in principle the building envelope, but not the number of cinema parking spaces proposed, as identified in the drawings numbered DA1/02 to 24 prepared by Nation Fender Katsalidis Architects Pty Ltd received 5 September 2001;
- (B) with regard to the relationship of the proposed building envelope detailed in the submitted plans, and the adjoining MBF building, the consent authority notes that -

- (1) the building envelope is set back a minimum of 15m from the Bathurst Street alignment on levels 9 (ground floor) to 21 adjacent to the east elevation of the MBF building;
  - (2) the 15m setback has a minimum depth of 9m to level 22 (RL79.190) from the eastern boundary of the MBF building site;
  - (3) at level 22 (RL79.190), 23 and 24 of the tower, the building envelope includes a recessed void area which has a minimum depth of 6m from the eastern boundary of the MBF building site;
  - (4) the void area referred to above is nominated as a balcony/terrace area; and
  - (5) the building envelope to the south of the MBF building is restricted to a height of RL44;
- (C) the floor space ratio of the development shall not exceed 12.5:1 as measured using the provisions of Central Sydney Local Environmental Plan 1996;
- (D) the number of car parking spaces is not supported. In this regard -
- (1) The number of commercial tenant car parking spaces shall be a maximum of 85 spaces;
  - (2) Based on the proposed size of the cinema complex at 2,500 seats, the maximum cinema car parking shall be 160 spaces, subject to justification on environmental considerations and the heads of considerations for parking in Central Sydney Local Environmental Plan 1996. If the number of seats in the cinema complex is modified, the maximum number of car spaces is to be modified accordingly;
  - (3) In the event that subsequent to the construction of the development, the cinemas cease operation, the design of the basement shall be such that facilitates adaptive re-use of the cinemas and cinema car parking spaces to a non-floor space area use (as identified in Central Sydney Local Environmental Plan 1996 or the then current environmental planning instrument). In this regard -
    - (a) The minimum clear floor to ceiling height shall be no less than 3 metres; and
    - (b) Provision should be made for retrofitting of the basement for air conditioning and other services;
  - (4) A legal agreement between the City of Sydney and the owner of the site shall be executed to ensure that if the cinemas cease operation, the cinema car park use shall cease to operate and that the cinema car park together with the cinemas are converted to a non-floor space area use (as identified in Central Sydney local Environmental Plan 1996 or the then current environmental planning instrument);

- (5) No further excavation is permitted and the level of excavation on the site shall be restricted to the existing excavated hole, that being to RL -7.0 metres. This requirement does not apply to excavation for the purpose of structural supports, foundations and the like as considered necessary by the Director of City Development;
- (E) the Central Sydney Planning Committee requests the applicant to proceed with the preparation of a design competition brief explicitly incorporating the matters in clauses (A), (B), (C) and (D) above and also in terms of the CSPC's resolution of 30 August 2001; and
- (F) after the completion of the competitive process, the selected scheme shall form the basis of a revised stage 1 development application that will then be readvertised for public comment.

Carried unanimously.

**ITEM 4. CONSERVATION MANAGEMENT PLANS: 531-535 GEORGE STREET AND 1-7 ALBION PLACE, SYDNEY (D1998/00195)**

Ms Sylvia Hrovatin of Meriton Apartments Pty Ltd addressed the meeting of the Central Sydney Planning Committee on this matter.

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

That arising from consideration of a report by the Area Planning Manager to the Central Sydney Planning Committee on 13 September 2001, in relation to the Conservation Management Plans prepared by Noel Bell Ridley Smith for Taito House at 531-535 George Street, Sydney and 1-7 Albion Place, Sydney submitted by Meriton Apartments Pty Ltd in respect of compliance with Condition 19 of the Stage 1 Development Consent D98/00195 for the construction of a 48 level mixed use development, it be resolved that the Conservation Management Plans, as shown at Attachments C and D to the subject report, be approved subject to the amendments outlined in paragraph 14 of the subject report, to the satisfaction of the Director City Development.

Carried unanimously.

**ITEM 5. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S010833)**

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

**ITEM 6. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S010833)**

There were no new development application lodgements or delegated items at this meeting of the Central Sydney Planning Committee.

**ITEM 7. GENERAL BUSINESS**

There were no items of general business raised at the meeting of the Central Sydney Planning Committee on 13 September 2001.

The meeting concluded at 5.55 pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 27 September 2001.