

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 26 APRIL 2001

Meeting No 251

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 26 April 2001 commencing at 5.20pm.

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PRESENT

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

Mr Neil Bird, Councillor Dixie Coulton (Alternate Member for Councillor Lucy Turnbull), Councillor Robert Ho, Ms Sue Holliday (Director-General of Department of Urban Affairs and Planning), Mr Chris Johnson, Mr Paul Reid (Alternate Member for Ms Antoinette le Marchant).

The Acting Director City Development was also present.

Ms Holliday arrived at the meeting of the Central Sydney Planning Committee at 5.43pm during discussion on Item 5.

APOLOGIES

An apology was received from Ms Antoinette le Marchant who was unable to attend the meeting as she was overseas.

An apology was received from Councillor Lucy Turnbull who was unable to attend the meeting as she was overseas.

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

That the apologies from Ms le Marchant and Councillor Turnbull 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:

3. Development Application: 49-53 Regent Street, Chippendale
1. Confirmation of Minutes
2. Matters Arising from the Minutes
4. Central Sydney Development Control Plan 1996: Draft Amendment No. 16 - Visitor/Tourist Accommodation
5. Regent Street Urban Design Study: Amendment to Central Sydney LEP 1996 and DCP 1996
7. Central Sydney Local Environmental Plan 1996: Draft Amendment No. 12 - KENS Site
6. 2000 Development Monitoring Report
8. Presentations by Applicants and Preliminary Advice
9. New Development Application Lodgements and Delegated Items
10. Progress Report on Development Applications
11. General Business

ITEM 1. CONFIRMATION OF MINUTES (S010833)

Resolved on the motion of Mr Johnson, seconded by the Chairman (the Lord Mayor) -

That the Minutes of the Central Sydney Planning Committee of 22 March 2001 be taken as read and confirmed.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S010833)

There were no matters arising from the Minutes of the Central Sydney Planning Committee held on 22 March 2001.

**ITEM 3. DEVELOPMENT APPLICATION: 49-53 REGENT STREET
CHIPPENDALE (D/00/00974)**

Note - The following correspondence was circulated to members prior to the meeting of the Central Sydney Planning Committee:

Letter from Baker Kavanagh Architects dated 24 April 2001.

Letter from the Chippendale Residents Interest Group & the East Chippendale Community Group dated 26 April 2001.

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

Ms Jeanette Brokman - East Chippendale Community Group
Mr John Baker - the Applicant

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

That arising from consideration of a report by the Acting Director City Development to the Central Sydney Planning Committee on 26 April 2001, in relation to Development Application D/00/00974 made by Baker Kavanagh Architects for the site at 49-53 Regent Street, Chippendale for demolition of the two existing buildings and the construction of a new 8 level residential flat building with ground floor retail and associated basement car parking, it be resolved that:-

- (A) the Central Sydney Planning Committee notes that the applicant has submitted a letter requesting amendments to the application which would make it comply with the floor space ratio controls of the Central Sydney LEP 1996, thereby returning jurisdiction as consent authority to the City of Sydney. The CSPC requests Council to delegate authority back to the CSPC to continue with the processing of the application;
- (B) the CSPC defers consideration of the application to consider the proposed amendments, noting that some of the concerns were of a qualitative rather than a quantitative nature;
- (C) in order to facilitate the resolution of the application, the CSPC convene a sub-committee comprising:
 - Mr Chris Johnson
 - Councillor Lucy Turnbull
 - Director City Development

to meet with the applicant and residents to address the application in more detail;
and

- (D) subject to (A) above, the application be re-submitted to the CSPC for determination.

**ITEM 4. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996:
DRAFT AMENDMENT NO. 16 - VISITOR/TOURIST
ACCOMMODATION (Z96-00358)**

Resolved on the motion of Councillor Coulton, seconded by Mr Bird -

That arising from consideration of a report by the Specialist Building Surveyor and Acting Strategic Planning and Research Manager to the Central Sydney Planning Committee on 26 April 2001, regarding Draft Amendment No. 16 to Central Sydney Development Control Plan 1996 and Draft Policy for the Provision of Visitor/Tourist Accommodation, it be resolved that the Central Sydney Planning Committee:-

- (A) exhibit Draft Amendment No. 16 to Central Sydney Development Control Plan 1996 and the Draft Policy for the Provision of Visitor/Tourist Accommodation;
- (B) advise providers of backpacker and other visitor/tourist accommodation of the exhibition when it commences;
- (C) authorise the Lord Mayor to finalise any minor drafting required to the draft amendments for the purposes of a public exhibition in accordance with Section 72 (Development Control Plans) of the Environmental Planning and Assessment Act 1979, and Part 3 (Development Control Plans) of the Environmental Planning and Assessment Regulation 2000 following Council's consideration of a report on this matter;
- (D) adopt Draft Amendment No. 16 to Central Sydney Development Control Plan 1996 at Attachment A to the subject report, and the Draft Policy for the Provision of Visitor/Tourist Accommodation at Attachment B to the subject report, as an interim policy until the commencement of the draft amendments and draft policy; and
- (E) adopt Draft Amendment No. 16 to Central Sydney Development Control Plan 1996 at Attachment A to the subject report, and the Draft Policy for the Provision of Visitor/Tourist Accommodation at Attachment B to the subject report, as a policy for the entire City of Sydney area, and that the Central Sydney Planning Committee write to other consent authorities in the City of Sydney (ie. Sydney Harbour Foreshore Authority and Department of Urban Affairs and Planning) to request that they adopt the draft DCP amendments and supporting policy as a policy.

**ITEM 5. REGENT STREET URBAN DESIGN STUDY: AMENDMENT TO
CENTRAL SYDNEY LEP 1996 AND DCP 1996 (S016015)**

Mr Michael Irving of Chippendale Residents Interest Group addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion of Mr Reid, seconded by Mr Johnson -

That arising from consideration of a report by the Specialist Urban Design and Heritage to the Central Sydney Planning Committee on 26 April 2001, regarding the proposed Draft Amendments to Central Sydney Local Environmental Plan 1996 and Central Sydney Development Control Plan 1996 and the Urban Design Study for Regent Street (South), it be resolved that the Central Sydney Planning Committee:-

- (A) endorse the Urban Design Study - Regent Street (South), as shown at Attachment A to the subject report, as amended at the meeting of the Central Sydney Planning Committee, as the basis for an amendment to Central Sydney Local Environmental Plan 1996 and Central Sydney Development Control Plan 1996;
- (B) prepare, in accordance with Section 54 of the Environmental Planning And Assessment Act 1979, an amendment to Central Sydney Local Environmental Plan 1996 in relation to height and floor space ratio for the study area;
- (C) prepare, in accordance with Section 72 of the Environmental Planning and Assessment Act 1979, an amendment to Central Sydney Development Control Plan 1996 in relation to street frontage height for the study area;
- (D) notify the Department of Urban Affairs and Planning that the Central Sydney Planning Committee:
 - (1) has resolved to prepare an LEP amendment in accordance with Section 54 of the Environmental Planning and Assessment Act 1979,
 - (2) considers that an environmental study under Section 57 of the Environmental Planning and Assessment Act 1979 is not necessary,
 - (3) intends to exercise delegations under Section 65 and 69 of the Environmental Planning and Assessment Act 1979, and
 - (4) will consult under Section 62 of the Environmental Planning and Assessment Act 1979;
- (E) undertake further assessment of the heritage significance of the study area and recommend whether further items should be included in Central Sydney Heritage Local Environmental Plan 2000 when it is next reviewed;
- (F) adopt the development controls recommended in the Urban Design Study - Regent Street (South) as an interim policy until gazettal of amendments to Central Sydney Local Environmental Plan relevant to the study;
- (G) delegate authority to the Lord Mayor to place Draft Central Sydney Local Environmental Plan and Draft Central Sydney Development Control Plan on exhibition subsequent to notification to/consultation with the relevant parties identified in (D) of this recommendation;

- (H) undertake further assessment of the present building controls and heritage significance of the East Chippendale area, and recommend whether further amendment to Central Sydney Local Environmental Plan 1996 and Central Sydney Heritage Local Environmental Plan 2000 should be undertaken in the context of the review of the Central Sydney LEP 1996, which is to be undertaken towards the end of 2001; and
- (I) request Council staff to prepare block diagrams of the subject land for a further briefing of the Central Sydney Planning Committee in relation to street frontage heights and the overall maximum height limit, once the draft LEP has been exhibited.

ITEM 6. 2000 DEVELOPMENT MONITORING REPORT (S003607)

Resolved on the motion of Councillor Coulton, seconded by Councillor Ho -

That arising from consideration of a report by the Acting Specialist Research Planner, Planning Policy to the Central Sydney Planning Committee on 26 April 2001 in regard to the 2000 Development Monitoring Report, it be resolved that the report be received and noted.

ITEM 7. CENTRAL SYDNEY LOCAL ENVIRONMENTAL PLAN 1996: DRAFT AMENDMENT NO. 12 - KENS SITE (S015937)

Mr Mark Gray of Leighton Properties addressed the meeting of the Central Sydney Planning Committee on this matter.

Resolved on the motion of Mr Johnson, seconded by Mr Reid -

That arising from consideration of a report by the Acting Strategic Planning and Research Manager to the Meeting of the Central Sydney Planning Committee on 26 April 2001, regarding Central Sydney Local Environmental Plan 1996: Draft Amendment No. 12, it be resolved that the Central Sydney Planning Committee:-

- (A) note that the winning scheme from the architectural competition includes non-compliances with the provisions of Central Sydney Local Environmental Plan 1996, Central Sydney Development Control Plan 1996, the competition brief and the Ken Maher/Hassell Pty. Ltd. Study; however, these non-compliances are considered to be generally reasonable as they arise from an independent urban design study and an independent competitive process, with the outcome being the facilitation of a better design outcome for the KENS Site;
- (B) approve the exhibition of Draft Amendment No. 12 to Central Sydney Local Environmental Plan 1996 for a period of 28 days, subject to the amendment of the winning entry of the design competition to the satisfaction of the Lord Mayor, in consultation with Mr Chris Johnson (Government Architect) and Mr Neil Bird;

- (C) subject to satisfying (B) above, approve the exhibition of the entries to the design competition (including the winning scheme) concurrently with Draft Amendment No. 12 to Central Sydney Local Environmental Plan 1996;
- (D) approve of Council's use of its delegated powers under Section 65 (certificate of the Director) of the Environmental Planning and Assessment Act 1979, in accordance with the Best Practice Guidelines published by the Department of Urban Affairs and Planning in 1997 and entitled "LEPs and Council land - Guidelines for Councils using delegated powers to prepare LEPs involving land that is or was controlled by Council"; and
- (E) authorise the Lord Mayor to make any minor drafting changes necessary to finalise Draft Amendment No. 12 for the purposes of public exhibition (including any variation of the height and floor plate quantum arising from design refinements approved by the Lord Mayor) and also that may arise from consideration of the Draft Amendment by Council.

ITEM 8. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S010833)

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

ITEM 9. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S00-2287)

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

That arising from consideration of a report by the Acting Manager Development to the Central Sydney Planning Committee on 26 April 2001, in regard to the report on new development application lodgements and delegated items, it be resolved that the report be received and noted.

ITEM 10. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS (A03-00138/1)

Resolved on the motion of Councillor Coulton, seconded by Mr Bird -

That arising from consideration of a report by the Acting Manager Development, to the Central Sydney Planning Committee on 26 April 2001, in regard to the progress report for the month of March 2001, it be resolved that the report be received and noted.

ITEM 11. GENERAL BUSINESS

There were no items of general business raised at the meeting of the Central Sydney Planning Committee on 26 April 2001.

The meeting concluded at 6.10pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 17 May 2001.