

# CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 30 AUGUST 2001

Meeting No 259

**MINUTES** of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 30 August 2001, commencing at 5.28pm.

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## PRESENT

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

Mr Neil Bird, Dr Deborah Dearing (alternate member for Ms Sue Holliday, Director-General, Department of Urban Affairs and Planning); Councillor Robert Ho, Mr Peter Mould (alternate member for Mr Chris Johnson) and Councillor Lucy Turnbull.

The Acting Director City Development was also present.

## **APOLOGIES**

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.

An apology was received from Ms Antoinette le Marchant who was unable to attend the meeting owing to a prior commitment.

An apology was received from Mr Paul Reid (alternate member for Ms le Marchant) who was unable to attend the meeting due to illness.

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

That the apologies from Ms Holliday, Mr Johnson, Ms le Marchant and Mr Reid 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. Tower 101 Status Report: Stage 1 Development Application for the Former Regent Theatre Site, 487-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street Sydney
5. Central Sydney Development Control Plan 1996: Draft Amendment No. 17 - Tourist and Visitor Accommodation, Draft Policy for the Provision of Tourist and Visitor Accommodation in Central Sydney, and Draft Policy for the Provision of Tourist and Visitor Accommodation
1. Confirmation of Minutes
2. Matters Arising from the Minutes
4. Review of Central Sydney Local Environmental Plan 1996
6. Review of the City of Sydney Outdoor Cafe Policy
7. Small Permits Appeals Panel: Review of Terms of Reference
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**ITEM 1. CONFIRMATION OF MINUTES (S010833)**

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

That the Minutes of the meeting of the Central Sydney Planning Committee held on 23 August 2001 be taken as read and confirmed.

**ITEM 2. MATTERS ARISING FROM THE MINUTES**

There were no matters arising from the Minutes of the meeting of the Central Sydney Planning Committee held on 23 August 2001.

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

**Declaration of Interest**

The Chairman (the Lord Mayor) declared an interest in this matter in that he has purchased property from a development company which has, as a director and shareholder (amongst others), Nonda Katsalidis. Mr Katsalidis is also a partner in Nation Fender Katsalidis, architects for the applicant.

In seeking advice on this matter previously from the Director of Corporate and Legal Services, he was advised that he does not have a Pecuniary Interest in this matter.

The Chairman (the Lord Mayor) took part in discussion on this matter.

Note - Correspondence from Mr Peter Wager of Davenport Campbell & Partners (Australia) Pty Ltd dated 30 August 2001 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 Peter Wager - Davenport Campbell & Partners (Australia) Pty Ltd, on behalf of MBF  
Mr John McInerney - City Plan Services, the applicant

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

That arising from consideration of a report by the Acting Area Planning Manager to the Central Sydney Planning Committee on 30 August 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 Stage 1 consent for a 33 storey commercial tower, it be resolved that the Central Sydney Planning Committee note the following:-

- (A) the setback of the proposed recessed portion of the tower facade adjacent to the MBF building should be increased to 15 metres;
- (B) a State Environmental Planning Policy No. 1 objection to clause 36 of Central Sydney Local Environmental Plan 1996 in respect to the site's floor space control is not supported;
- (C) a restrictive approach be adopted to the provision of car parking on the site and the current excavation is to be regarded as the maximum volume and no further excavation should take place. The Director City Development is to prepare a report, in consultation with the applicant, as to the utilisation of the current excavation for all possible uses, including a car park; and
- (D) the State Environmental Planning Policy No. 63 advice from the Roads and Traffic Authority is still outstanding in relation to the Cross City Tunnel, one section of which is proposed to be located under Bathurst Street.

**ITEM 4. REVIEW OF CENTRAL SYDNEY LOCAL ENVIRONMENTAL PLAN 1996**

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

That arising from consideration of a report by the Manager Strategic Planning and Research to the Central Sydney Planning Committee on 30 August 2001, in relation to the Review of Central Sydney Local Environmental Plan 1996, it be resolved that the Central Sydney Planning Committee endorse the review process identified in this Report.

**ITEM 5. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996: DRAFT AMENDMENT NO. 17 - TOURIST AND VISITOR ACCOMMODATION, DRAFT POLICY FOR THE PROVISION OF TOURIST AND VISITOR ACCOMMODATION IN CENTRAL SYDNEY, AND DRAFT POLICY FOR THE PROVISION OF TOURIST AND VISITOR ACCOMMODATION (S011164)**

Ms Silvija Smits of S A Smits & Associates addressed the meeting of the Central Sydney Planning Committee on this matter.

**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 30 August 2001, regarding Draft Amendment No. 17 to the Central Sydney DCP 1996, the Draft Policy for the Provision of Tourist and Visitor Accommodation in Central Sydney, and the Draft Policy for the Provision of Tourist and Visitor Accommodation, it be resolved that the Central Sydney Planning Committee defer consideration of this matter and delegate authority to the Deputy Lord Mayor and the Director-General, Department of Urban Affairs and Planning (or her nominee) to approve any amendments that are considered necessary to clarify the Policies.

**ITEM 6. REVIEW OF THE CITY OF SYDNEY OUTDOOR CAFE POLICY (D02-01138)**

**Resolved** on the motion of Councillor Turnbull, seconded by Mr Mould -

That arising from consideration of a report by the Planner to the Central Sydney Planning Committee on 30 August 2001, on the Review of the City of Sydney Outdoor Café Policy, it be resolved that:-

- (A) the draft amended City of Sydney Outdoor Café Policy, as circulated to Central Sydney Planning Committee members prior to the meeting, be exhibited for public comment; and
- (B) authority be delegated to the Lord Mayor to make any minor drafting changes to the Policy prior to public exhibition.

**ITEM 7. SMALL PERMITS APPEALS PANEL - REVIEW OF TERMS OF REFERENCE (S010284)**

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

That arising from consideration of a report by the Area Planning Manager to the Central Sydney Planning Committee on 30 August 2001, in relation to the operation of the Small Permits Appeals Panel, it be resolved that the amended Terms of Reference for the Small Permits Appeals Panel, as contained in Attachment B to the subject report, be received and noted.

**ITEM 8. POLICY AND APPROACH TO MANAGEMENT OF SENSITIVE LAND USES (S015674)**

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

That arising from consideration of a report by the Specialist Planner (City Development) and Senior Project Manager (City Service Development) to the Central Sydney Planning Committee on 30 August 2001, in relation to the management of sensitive land uses, it be resolved that the Central Sydney Planning Committee:-

- (A) adopt the policy for the determination of all consents for late trading/24 hour operation for pubs and like uses, as detailed in Attachment B to the subject report;
- (B) note that Council is forwarding the policy to the Sydney Harbour Foreshore Authority and Department of Urban Affairs and Planning requesting these organisations to adopt the policy for the assessment and determination of applications for late trading applications;

- (C) request that amendments be prepared to the Central Sydney Local Environmental Plan (LEP 1996) relating to gaming areas within pubs, clubs and hotels and supporting controls for regulation of hours of operation for pubs and like uses in Central Sydney Development Control Plan (DCP 1996), and that in the course of preparation of amendments to the LEP 1996 City of Sydney staff consult with the Department of Urban Affairs and Planning; and
- (D) support Council's initiatives as outlined in parts (C) to (F) of Council's resolution of 27 August 2001.

**ITEM 9. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S010833)**

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

**ITEM 10. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S010833)**

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

**ITEM 11. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS**

There was no progress report on development applications for this meeting of the Central Sydney Planning Committee.

**ITEM 12. GENERAL BUSINESS**

**1. Leave of Absence - the Lord Mayor**

The Central Sydney Planning Committee noted the Lord Mayor's apology for his proposed absence from the meetings to be held on 13 September 2001 and 27 September 2001.

**2. Schedule of Meetings**

It was noted that the next meeting, scheduled for 6 September 2001, be deferred to 13 September 2001.

The meeting on 27 September 2001 will proceed, as scheduled.

The meeting concluded at 6.15pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 13 September 2001.