

# CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 12 DECEMBER 2002

Meeting No 277

**MINUTES** of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 12 December 2002, commencing at 5.20 pm.

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## **PRESENT**

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

Mr Neil Bird, Councillor Robert Ho, Ms Sue Holliday (Director-General, Department of Planning), Mr Chris Johnson, Ms Antoinette le Marchant and Councillor Lucy Turnbull. Attending for part of the time - Ms Gabrielle Morrish (Alternate Member for Ms Holliday).

The Director City Development and Projects, the Manager Development, and Manager Building Services and Planning Policy were also present.

Note - Ms Holliday left the meeting of the Central Sydney Planning Committee at 7.12pm at the end of discussion on Item 6, and did not return. Ms Holliday's alternate, Ms Morrish, attended for the remainder of the meeting.

### **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:

11. Five Year Review of Central Sydney Local Environmental Plan 1996
6. Status Report - Stage 1 Development Application: 197-211 Pitt Street and 416-420 George Street, Sydney
4. Stage 1 Development Application: 232-248 Pitt Street, 163-167 Castlereagh Street and 147-153 Castlereagh Street, Sydney
5. Status Report - Stage 1 Development Application: Underwood House, 37-49 Pitt Street, 49A-57 Pitt Street, 6-8 Underwood Street and 8-14 Dalley Street, Sydney
1. Confirmation of Minutes
2. Matters Arising from the Minutes
3. Section 96(2) Application: Former Regent Theatre Site, 485-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street, Sydney ("Genting Site")
7. Amendment to Central Sydney Section 61 Contributions Plan: Works Program Update and Procedural Amendments
8. Presentations by Applicants and Preliminary Advice
9. Progress Report on Development Applications
10. New Development Application Lodgements and Delegated Items
12. General Business

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

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

That the Minutes of the meeting of the Central Sydney Planning Committee held on 21 November 2002 be taken as read and confirmed.

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

There were no matters arising from the Minutes of the meeting of the Central Sydney Planning Committee held on 21 November 2002.

**ITEM 3. SECTION 96(2) APPLICATION: FORMER REGENT THEATRE SITE, 485-503 GEORGE STREET, 101-109 BATHURST STREET AND 486-494 KENT STREET SYDNEY (“GENTING SITE”) (D1998/00406)**

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

That arising from consideration of a report by the Manager Development to the Central Sydney Planning Committee on 12 December 2002, in relation to an application made by Greencliff (CPL) Development Pty Ltd relating to development approval D1998-00406, the former Regent Theatre site, that being 485-503 George Street, 101-109 Bathurst Street and 486-494 Kent Street, Sydney, to modify the consent under Section 96(2) of the Environmental Planning and Assessment Act 1979 to a Stage 1 consent under Section 80 (4) of the Environmental Planning and Assessment Act 1979, in order to facilitate a competitive process for refinement of the approved development, it be resolved that consent be granted and the Notice of Determination be modified as follows:-

(A) the description of the approved development be amended to read:

***“Stage 1 development for construction of a residential development containing residential apartments (Tower A), serviced apartments (Tower B), a podium containing retail, recreational areas and 7 cinemas, with a pedestrian tunnel to Town Hall Railway Station under Bathurst Street as described in Schedule 1”;***

(B) amendment of Schedule 1 (Details of Approved Development) to retain details relating to building height, site area, component Floor Space Area, total Floor Space Area and Floor Space Ratio and excluded floor space area; but deleting details relating to the numbers and mix of residential units, serviced apartments and car/service vehicle spaces; and

(C) amend the conditions of consent as follows (modifications shown in ***bold italics***):-

## **Conditions of Consent**

### **APPROVED DEVELOPMENT**

***1(A) Stage 1 development consent is granted for:-***

- (a) the building envelope, including street wall heights and set backs;***
- (b) a maximum height of Tower A of RL 172m (150m);***
- (c) a maximum height of Tower B of RL 123m;***
- (d) the mix of land uses within the development being basement level parking (including servicing, resident and tenant parking), provision for a retail link to Town Hall Station, podium level retail, cinemas, plant and recreation uses, residential apartments in Tower A and serviced apartments in Tower B;***

***as detailed in the Section 96(2) application dated 4 October 2002 prepared by JBA Urban Planning Consultants, and drawings numbered:***

*DA-01*

*DA-02*

*DA-03*

*DA-04*

*DA-05*

*DA-06*

*DA-07*

*DA-08*

*DA-09*

*DA-10*

*DA-11*

*DA-12*

*DA-13*

*prepared by Peddle Thorp and Walker Architects dated October 2002 and as amended by the following conditions:*

**COMPETITIVE DESIGN PROCESS**

*1(B) Prior to the submission of the Stage 2 development application, the applicant shall conduct a competitive process that facilitates design excellence in accordance with the provisions of Clause 28D of the Central Sydney Local Environmental Plan 1996. The competitive process shall seek to refine and improve the building's architectural contribution to the area.*

**MATTERS TO BE ADDRESSED IN THE STAGE 2 APPLICATION**

*1(C) The following matters shall be provided for in the design of the Stage 2 application of the subject building to the satisfaction of the Council:-*

- (a) Active uses to the site's frontages in accordance with clause 2.5 of Central Sydney Development Control Plan 1996.*
- (b) Awnings to be provided to the development as required by clause 3.5 of Central Sydney Development Control Plan 1996.*
- (c) The provision of loading facilities provided in accordance with clause 5.4 of Central Sydney Development Control Plan 1996.*

- (d) Car, bicycle and motor cycle parking in accordance with clauses 5.5 and 5.6 of Central Sydney Development Control Plan 1996.*
- (e) Details of the passive and active measures proposed in the building to address Council's energy efficiency requirements in accordance with clause 4.3 of Central Sydney Development Control Plan 1996.*
- (f) Compliance with the City's residential amenity objectives and controls (see Part 6 CSDCP 1996).*

**1(D) The Stage 2 development application shall be generally in accordance with approved plans and conditions of consent.**

*(Additional conditions 12/12/02).*

- 1. (Deleted 12/12/2002)**

**SURRENDER OF CONSENT**

- 2. The applicant shall surrender the existing consents given in Notice of Determination No. Z95-00244 dated 29 September 1995 and Notice of Determination No. Z97-00166 dated 8 August 1997 to the City of Sydney, in accordance with clause 97 of the Environmental Planning and Assessment Regulation 2000, upon commencement of the development or by 12 November 2002, whichever is sooner.

**DEMOLITION/SITE RECTIFICATION**

- 3. The following conditions apply to the development:-
  - (a) Demolition or excavation must not commence until:
    - (i) A bona-fide building application which is complete in all respects and in accordance with the Local Government Act 1993, and relevant Regulations, for the construction of the development has been lodged with Council; and
    - (ii) Building Approval has been granted under S.68 of the Local Government Act 1993 for demolition and, if required, excavation.
  - (b) Prior to release of the Building Approval, the owner of the site must enter into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the General Manager of the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.
  - (c) Without limiting the generality of paragraph (b), the Deed must provide for:
    - (i) a bank guarantee to be provided in the sum of \$1.1 million as security for the costs of such works provided that:

- a. the maximum liability under the Deed shall not exceed \$1.1 million; and
  - b. the Council may accept a lesser amount as security if substantiated by detailed design and costing for works which meet the objectives of the condition.
- (ii) Council to be given sufficient contractual rights to be able to ensure that in any of the following events, namely:
- a. demolition of the existing building has commenced but not been completed;
  - b. the existing building has been demolished; or
  - c. the site has been excavated; or
  - d. the structure has commenced to be erected;
  - e. that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the consent authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:
    - i. make the building safe and attractive at ground level;
    - ii. allow the ground level to be landscaped and made attractive from any public vantage point; or
    - iii. for the hole to be covered to allow it to be landscaped and made attractive from any public vantage point; or
    - iv. in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenatable stage;
    - v. AND to call on such bank guarantee to cover the cost thereof.
- (d) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in an unattractive building site appearance, then the Council will have the readily enforceable rights to:
- (i) require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (ii)e. - h. to take place on the site; and

- (ii) in the event of default, shall have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.

#### **COVENANT FOR KFC BUILDING/LIGHT AND VENTILATION**

4. The applicant shall place a covenant on Lot 1 DP812324, George Street, Sydney (KFC Building). Such covenant shall restrict the height and floor area of any development on the site to that of the existing building on the site. Additionally, the applicant shall create an easement for light and ventilation over this site to benefit those windows located on the north-eastern elevation of Tower A. Evidence of the creation of the covenant and easement is to be submitted to Council prior to the release of the building approval under Section 68 of the Local Government Act, 1993 for the construction of the development.
5. Compliance with the requirements of the NSW Heritage Council and any conditions of the Section 60 approval relating to the development is required.

#### **SEPARATE DEVELOPMENT APPLICATIONS**

6. *(Deleted 12/12/02)*
7. *(Deleted 12/12/02)*
8. *(Deleted 12/12/02).*
9. *(Deleted 12/12/02)*
10. *(Deleted 12/12/02).*
11. *(Deleted 12/12/02)*

#### **DESIGN MODIFICATIONS**

12. *(Deleted 12/12/02)*

#### **DESIGN DETAILS**

13. Final design details of the proposed building facade including schedules and samples of all external finishes and colours, including glazing and an A4 size colour photograph of the sample board, must be submitted *with the Stage 2 development application*.

*(Amended 12/12/02)*

14. The visible light reflectivity from building materials used on the facade of the building should not exceed 20% and must be otherwise designed so as not to result in glare that causes discomfort or threatens safety of pedestrians or drivers.

15. *(Deleted 12/12/02)*

## FLOOR SPACE RATIO

16. The following applies for Floor Space Ratio:-
- (a) The Floor Space Ratio of the proposal must not exceed 16.2:1 calculated in accordance with the Central Sydney Local Environmental Plan 1996. For the purpose of the calculation of FSR, the Floor Space Area of the development is 68,477 sqm.
  - (b) Prior to issue of Certificate of Classification of the development, a Registered Surveyor shall provide certification of the total and component Floor Space Areas (by use) of the development.

## BUILDING HEIGHT

17. The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 172 (AHD).

## RESIDENTIAL DEVELOPMENT

18. *(Deleted 12/12/02)*

## BOUNDARY WINDOWS

19. *(Deleted 12/12/02)*

## RESTRICTION ON GROCERY AND CONVENIENCE STORE

20. The following condition applies to the development:-
- (a) ***Any part of the building approved*** as basement grocery or convenience retailing ***that is*** excluded from floor space for the purposes of calculating floor space ratio, must be maintained as grocery or convenience retailing as defined in Central Sydney LEP 1996;
  - (b) Prior to the approval of the Construction Certificate for works above the basement level 8 slab, a documentary restrictive covenant to the effect of (a) above, is to be registered on the title of the development site pursuant to Section 88E of the Conveyancing Act 1919. The covenant is to be created appurtenant to Council and at no cost to Council.

### Note:

The covenant will be noted on the database for Section 149 Certificates issued under the Environmental Planning and Assessment Act 1979.

*(Amended 12/12/02)*

## FLOOR TO CEILING HEIGHTS

21. ***Floor to ceiling heights within the residential and serviced apartment components of the development shall be a minimum 2.7m in accordance***



*with the residential amenity provisions of the Central Sydney Development Control Plan 1996.*

*(Amended 12/12/02)*

## CINEMA USE

22. The following applies to the development:-

- (a) Arising from the fact that the CSPC had particular regard to the inclusion of a cinema component within the development and supported an objection pursuant to SEPP No 1 for the floor space area associated with the cinema use, the owner of the land must register with the Land Titles Office, prior to the approval of the Construction Certificate for works above the basement level 8 slab, a documentary restrictive covenant on terms satisfactory to Council to the effect that the area used as the cinemas (*eg* representing 4018 sqm), must not be used for any purpose other than the cinemas.
- (b) The restrictive covenant is to be registered on the title of the development site pursuant to Section 88E of the Conveyancing Act 1919. The covenant is to be created appurtenant to Council and at no cost to Council. Council shall be the authority to release, vary or modify the terms of the covenant. Should the covenant be modified the owner shall be required to purchase 4018 sqm of Heritage Floor Space.

### **Note:**

The covenant will be noted on the database for Section 149 certificates issued under the Environmental Planning and Assessment Act 1979.

23. *(Deleted 12/12/02)*

24. *(Deleted 12/12/02)*

25. *(Deleted 12/12/02)*

26. *(Deleted 12/12/02)*

27. *The following requirements for footpath lighting apply:-*

- (a) *Footpath lighting shall be provided along George, Bathurst and Kent Streets for the full frontage of the site.*
- (b) *Details of the footpath lighting shall be submitted with the Stage 2 development application.*

*(Amended 12/12/02)*

28. *(Deleted 12/12/02)*

## CONSTRUCTION COMPLIANCE CERTIFICATION

29. *(Deleted 12/12/02)*

## CONSISTENCY OF DRAWINGS

30. *(Deleted 12/12/02)*

## SECTION 61 CONTRIBUTION

31. A contribution under Section 61 of the City of Sydney Act 1988 shall be paid in accordance with the following:-

(a) **Cash Contribution Required**

(i) In accordance with the adopted "Central Sydney Contributions Plan 1997" a cash contribution must be paid to Council in accordance with this condition.

(b) Payment shall be by bank cheque made payable to the City of Sydney.

(c) **Amount of Contribution**

(i) The amount of the contribution will be equivalent to 1% of the additional development cost, (levied on the increased construction costs resulting from the proposed development D98-00406 compared to the previous approved development Z95-00244 or Z97-00166) at the building application stage, as determined in accordance with the "Central Sydney Contributions Plan 1997".

(d) **Timing of Payment**

(i) The contribution must be paid prior to the release of the building approval under section 68 of the Local Government Act 1993 for the construction of the development.

(e) At the time of the application under section 68 of the Local Government Act 1993 for construction of the development, certification of the building costs must be submitted by a Registered Quantity Surveyor.

## BREAKTHROUGH

32.

(a) The applicant shall make provision for the future connection of basement level 1 with development on the adjoining southern site (Hoyts Cinema Complex). The dimensions of the breakthrough panel shall be 5m wide x 3.6m high (clear dimensions) In this regard, the applicant shall create an easement (5m x 3.6m) which provides for vehicular access from the adjoining southern site at the basement level within the subject development and also provides for the joint use of the Kent Street entry/exit driveway.

- (b) The applicant shall enter into a Deed of Agreement with Council to create the necessary opening at the basement level at such time as directed in writing by Council.
- (c) The full cost of the preparation of the deed and the creation of the basement level opening shall be borne by the applicant. Evidence of the creation of the required easements shall be submitted to the Director City Development and Projects prior to the release of the Construction Certificate for works above the basement level 8 slab.
- (d) ***Details of the breakthrough shall be submitted with the Stage 2 application.***

***(Amended 12/12/02)***

### **LOT CONSOLIDATION**

- 33. All land titles within the site, with the exception of Lot 1 DP 812324, must be consolidated into one lot. A plan of consolidation in a form capable of registration shall be lodged with the Land Titles Office prior to issue of a Building Certificate, Certificate of Occupation, or Certificate of Compliance, as applicable.

### **STRATA PLAN**

- 34. A separate application must be made to Council to approve the Strata Plan in accordance with Section 37 of the Strata Titles (Freehold Development) Act, 1973.

### **LANDSCAPING OF THE SITE**

- 35. ***Terrace areas within the development must be landscaped and maintained to the satisfaction of the Council. In this regard a concept landscape plan shall be submitted with the Stage 2 development application.***

***(Amended 12/12/02)***

### **PUBLIC DOMAIN PLAN**

- 36. The following requirements apply:-
  - (a) Three copies of a detailed Public Domain Plan shall be prepared by an architect, urban designer or landscape architect and shall be approved by Council lodged with the Public Domain Officer at City Projects prior to approval of the Construction Certificate ***for the Stage 2 development. A draft public domain plan shall be submitted for consideration with the Stage 2 development application.***

***(Amended 12/12/02)***

**FOOTPATH DAMAGE DEED**

37. *(Deleted 12/02/02)*

**UNDERPASS AND LINK TO TOWN HALL RAILWAY STATION**

38. The applicant shall enter into an appropriate lease agreement with the State Rail Authority (SRA) for the opening into Town Hall Railway Station Concourse required as a result of the construction of the pedestrian connection. Evidence from the State Rail Authority that such an agreement has been made shall be submitted prior to the release of a Construction Certificate for works above the basement level 8 slab.

39. The applicant shall consult with the State Rail Authority in regard to the future provision of railway exhaust vents within the development. Evidence of such consultation shall be submitted prior to the release of the Construction Certificate for works above the basement level 8 slab.

40. *The applicant shall conform with requirements of the Rail Services Australia (RSA) relating to encroachment, support, excavation, easements, geotechnical requirements, rock strengthening and construction activity, as contained in conditions 40-61 of the original Notice of Determination for D98-00406.*

*(Amended 12/12/02)*

41. *(Deleted 12/02/02 - see above)*

42. *(Deleted 12/02/02)*

43. *(Deleted 12/02/02)*

44. *(Deleted 12/02/02)*

45. *(Deleted 12/02/02)*

46. *(Deleted 12/02/02)*

47. *(Deleted 12/02/02)*

48. *(Deleted 12/02/02)*

49. *(Deleted 12/02/02)*

50. *(Deleted 12/02/02)*

51. *(Deleted 12/02/02)*

52. *(Deleted 12/02/02)*

53. *(Deleted 12/02/02)*

54. *(Deleted 12/02/02)*

55. *(Deleted 12/02/02)*

56. *(Deleted 12/02/02)*

57. *(Deleted 12/02/02)*

58. *(Deleted 12/02/02)*

59. *(Deleted 12/02/02)*

60. *(Deleted 12/02/02)*

61. *(Deleted 12/02/02)*

#### **LEASE**

62. The owners are to make a separate application to Council to enter into a Lease under Section 149 of the Roads Act 1993, before construction commences of the pedestrian tunnel, for a period of not more than 40 years in respect of the stratum through which the pedestrian tunnel will pass below Bathurst Street. Such lease is subject to the payment of rent to be determined by Council after consultation with its valuers plus the payment of rates, taxes and the valuation fee, and are to include all conditions considered necessary to protect Council's interests. Such conditions may include the granting to Council of easements for support and access over part of the adjoining property.

#### **COMMUNITY ROOM**

63. *(Deleted 12/12/02)*

#### **PUBLIC ART**

64. *High quality art work shall be provided within the development in publicly accessible locations eg. near main entrances, lobbies and street frontages, in accordance with the Central Sydney DCP 1996 and the 'Public Art Policy'. Concept details shall be submitted with the Stage 2 development application.*

*(Amended 12/12/02)*

#### **CLEANING WINDOWS**

65. *(Deleted 12/12/02)*

#### **REMOVAL OF GRAFFITI**

66. *(Deleted 12/02/02)*

#### **VEHICULAR SPACES**

67. *Car parking shall be provided in accordance with the provisions of the Central Sydney Local Environmental Plan 1996 and the Central Sydney*

***Development Control Plan 1996. Details shall be submitted with the Stage 2 development application.***

***(Amended 12/12/02)***

68. Parking space(s) designed for persons with a disability must be available for use in conjunction with the unit(s) designated for persons with a disability. Such unit(s) shall be linked in any future strata subdivision of the building.

#### **CAR PARK AND SERVICE VEHICLE LAYOUT**

69.

- (a) The layout plan of the carpark is to be in accordance with Australian Standard AS 2890.1 - 1993 "Parking Facilities Part 1: Off Street Car Parking". All parking spaces are to be linemarked.
- (b) The layout of the service vehicle areas is to comply with Australian Standard AS 2890.2 - 1989 "Off Street Parking Part 2 - Commercial Vehicles Facilities".

70. ***(Deleted 12/12/02)***

71. ***(Deleted 12/12/02)***

72. ***(Deleted 12/12/02)***

73. All loading and unloading operations must be carried out on site via the Kent Street entrance at all times.

74. The following conditions apply to car parking:-

- (a) The on-site car parking spaces, exclusive of service and visitor car spaces, are not to be used by those other than an occupant, tenant or resident of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant, lessee or resident of a unit in the building.
- (b) Prior to issue of a Construction Certificate for the Stage 2 development under the Environmental Planning and Assessment Act 1979, a documentary Restrictive Covenant is to be registered on the Title of the development site pursuant to Section 88E of the Conveyancing Act 1919, to the effect of (a) above. The Covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.
- (c) Any future strata subdivision of the site is to include a Restriction on User pursuant to Section 39 of the Strata Titles (Freehold Development) Act, 1973, as amended, burdening all utility car parking allotments in the Strata Plan and/or an appropriate Restrictive Covenant pursuant to

Section 88B of the Conveyancing Act 1919 burdening all car parking part - lots in the strata scheme.

**NOISE**

75. *(Deleted 12/12/02)*

76. *(Deleted 12/12/02)*

77. *(Deleted 12/12/02)*

**PROVISION OF SMART POLES**

78. *The applicant shall provide and install smart poles in the public way adjacent to the development, to the requirements of Council. The details of the location of the smart poles must be submitted for the approval of Council, prior to approval of the Construction Certificate for the Stage 2 development. Alternatively, the applicant may pay for Council to purchase and install the smart poles.*

*(Amended 12/12/02)*

**AWNINGS**

79. *(Deleted 12/12/02)*

80. *(Deleted 12/12/02)*

**CAR PARK ENTRY FINISH**

81. *(Deleted 12/12/02)*

82. *(Deleted 12/12/02)*

**PAVING MATERIALS**

83. *(Deleted 12/12/02)*

84. *(Deleted 12/12/02)*

85. *(Deleted 12/12/02)*

**ELECTRICITY SUBSTATION**

86. *(Deleted 12/12/02)*

**HISTORIC MARKER**

87. *(Deleted 12/12/02)*

**COMMEMORATIVE PLAQUE**

88. *(Deleted 12/12/02)*

**MODEL**

89. *(Deleted 12/12/02)*

90. *(Deleted 12/12/02)*

**NUMBERING**

91. *(Deleted 12/12/02)*

92. *(Deleted 12/12/02)*

**STREET NAME PLATE**

93. *(Deleted 12/12/02)*

94. *(Deleted 12/12/02)*

**NOISE IMPACT ASSESSMENT REPORT**

95. *(Deleted 12/12/02)*

96. *(Deleted 12/12/02)*

97. *(Deleted 12/12/02)*

**ENERGY EFFICIENCY REPORT**

98.

*(a) An energy efficiency report prepared by a suitably qualified consultant shall be submitted with the Stage 2 development application.*

*(b) The report must indicate the range of measures which have been taken to address the principles of energy efficiency and how these measures have assisted in reducing energy needs. Reference should be made to the "Environment Design Guide" (Royal Australian Institute of Architects), the "Building Energy Manual" (NSW Public Works 1993), and the Explanatory Note 1 (page 6) of the Central Sydney DCP 1996.*

*(c) All measures recommended in the report are to be implemented in the design and construction of the development.*

*(Modified 12/12/02)*

**GARBAGE AND WASTE MANAGEMENT**

99. In order that garbage compactor vehicles can service the premises, entrances, exits, driveways, vehicle ramps, loading dockway and garages, shall be designed with the following minimum dimensions:-



- (a) 3700mm width, 3600mm height;
- (b) 10500mm radius turning circle;
- (c) ramp gradients should be 1 in 15m for the first 4 metres from street or colonnade alignment then in 8 or 1 in 6 with a transition of 1 in 12 for 4 metres at the lower end.

**Note:**

Clearance must take account of roller shutters, service ducts, pipe work etc.

100. The storage and handling of garbage must comply with the requirements of the "Code for Waste Handling in Buildings, adopted 17 October 1994".

*101. (Deleted 12/12/02)*

*102. (Deleted 12/12/02)*

**OFF SITE WORK REQUIRED**

*103. (Deleted 12/12/02)*

**STORMWATER AND DRAINAGE**

*104. (Deleted 12/12/02)*

*105. (Deleted 12/12/02)*

**ALIGNMENT LEVELS**

*106. (Deleted 12/12/02)*

**VENTILATION/HEATING/COOLING SYSTEMS**

*107. (Deleted 12/12/02)*

**PUBLIC UTILITY SERVICES**

*108. (Deleted 12/12/02)*

*109. (Deleted 12/12/02)*

**HOURS OF WORK AND NOISE**

*110. (Deleted 12/12/02)*

*111. (Deleted 12/12/02)*

*112. (Deleted 12/12/02)*

**USE OF MOBILE CRANES**

*113. (Deleted 12/12/02)*

**PEDESTRIAN AND TRAFFIC MANAGEMENT DURING CONSTRUCTION**

*114. (Deleted 12/12/02)*

**LOADING AND UNLOADING DURING CONSTRUCTION**

*115. (Deleted 12/12/02)*

**ENVIRONMENTAL PROTECTION DURING CONSTRUCTION**

*116. (Deleted 12/12/02)*

*117. (Deleted 12/12/02)*

*118. (Deleted 12/12/02)*

*119. (Deleted 12/12/02)*

**HOARDINGS**

*120. (Deleted 12/12/02)*

**SHORING**

*121. (Deleted 12/12/02)*

**BCA ISSUES**

*122. (Deleted 12/12/02)*

*123. (Deleted 12/12/02)*

*124. (Deleted 12/12/02)*

*125. (Deleted 12/12/02)*

*126. (Deleted 12/12/02)*

**ITEM 4. STAGE 1 DEVELOPMENT APPLICATION: 232-248 PITT STREET, 163-167 CASTLEREAGH STREET AND 147-153 CASTLEREAGH STREET, SYDNEY**

Mr Ross Bonthorne of Bovis Lend Lease addressed the meeting of the Central Sydney Planning Committee on this matter.

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 12 December 2002, in relation to Development Application D2002/00748 made by Pitt & Castlereagh Pty Ltd for the site at 232-248 Pitt Street, 163-167 Castlereagh Street and 147-153 Castlereagh Street, Sydney, for a stage 1 development application under Section 80(4) of the Environmental Planning and Assessment Act 1979 for the erection of a commercial tower, it be resolved that consent be granted subject to the following conditions:-

#### **APPROVED DEVELOPMENT**

- (1) The stage 2 development application must be in accordance with Development Application No. D2002/00748, dated 25 October 2002, and the Statement of Environmental Effects prepared by JBA Urban Planning Consultants titled "Proposed CBD Office Development" dated October 2002, and drawings numbered DA01 to DA54 prepared by Bovis Lend Lease - Lend Lease Design, dated September 2002 for Boyd Properties and as amended by the following conditions.
- (2) This approval will be valid for a period of two years from the date of the approval.
- (3) No construction shall commence in relation to this stage 1 development application until a stage 2 development application is approved, and a construction certificate issued in respect of the substantive building.

#### **COMPETITIVE DESIGN PROCESS**

- (4) The competitive process undertaken and endorsed by the Central Sydney Planning Committee by its resolution of 16 May 2002 shall be appropriately developed and reflected in the stage 2 development application for the site in accordance with the provisions of Clause 28D of the Central Sydney Local Environmental Plan 1996. The jury members shall reconvene to consider the revised stage 2 development application and shall report on the proposal's consistency with the design intent of the competition winning entry.

#### **MATERIALS AND FINISHES**

- (5) The design details of the proposed building's facade treatments including all external finishes and colours, including glazing, must be submitted with the stage 2 development application.

#### **DESIGN DEVELOPMENT**

- (6) The following matters shall be addressed in the design development of the proposal:-
  - (a) The facade proportions and masonry character of adjoining heritage buildings shall be reflected in the external architecture of the proposed Pitt Street street wall (podium) buildings.
  - (b) The street wall height adjacent to Banking House shall be decreased to approximately 25 metres to reflect the lower cornice line of this

building's last floor (the horizontal expression of this height shall reflect the proportions of the street wall proposed).

- (c) Notwithstanding the above matter, the exact street frontage heights for the development shall be determined in the Stage 2 development application taking into consideration the above and the detailed treatment of the junction of the building with adjoining heritage items on both Pitt Street and Castlereagh Street.
- (d) The foyer of the tower shall be designed to specifically address Pitt Street, directly or indirectly (e.g. from the internal link).

#### **HERITAGE - CONSERVATION MANAGEMENT PLAN REQUIRED**

- (7) Prior to the submission of the stage 2 application, the applicant shall commission an experienced conservation architect to prepare a Conservation Management Plan for Legion House at 161-163 Castlereagh Street. The Conservation Management Plan shall be prepared in accordance with the guidelines of the NSW Heritage Manual prepared by the NSW Heritage Office. The Plan shall provide for specific uses, works and strategies for the conservation of Legion House.

#### **SITE AMALGAMATION - GRAND UNITED BUILDING**

- (8) The stage 2 development application shall provide for the following works to the Grand United Building (147-153 Castlereagh Street), if this site is included in the development site:-
  - (a) The Castlereagh Street façade of the building shall be repaired and cleaned, in particular providing for removal of all window mounted air conditioning units and their replacement with more compatible systems and the repair of all original fabric, such as the glazed terracotta tiles.
  - (b) The existing street awning and shopfronts to Castlereagh Street shall be replaced and refurbished, respectively, in a fashion that respects the architectural heritage of the existing building and creates an attractive pedestrian environment at street level.
  - (c) The above works to the building shall be designed and developed by a Heritage Architect with suitable experience with the preservation of early 20<sup>th</sup> century buildings.
- (9) The floor space of the Grand United Building (as proposed to be refurbished at stage 2) shall be surveyed by a qualified surveyor for the purpose of placing a covenant on the title of the building as a stage 2 development application condition of consent as required pursuant to clause 43A of Central Sydney Local Environmental Plan 1996.
- (10) Loading facilities in accordance with Central Sydney Development Control Plan 1996 shall be provided within the development for the benefit of the Grand United Building, and appropriate recognition in the land title(s) of the site.

- (11) Publicly accessible pedestrian access shall be provided through the Grand United Building from Castlereagh Street to the central mid-block space.

### **MIDBLOCK LINK**

- (12) The proposed midblock link and open space area shall be developed prior to the submission of the stage 2 application to provide for:-
- (a) Retention of the existing midblock link to the Citisite Building at 155 Castlereagh Street. In this regard, the level of accessibility to this link shall not be diminished.
  - (b) The landscape treatment of the mid-block open space shall be evocative of a high-quality, public space.
  - (c) The midblock connection shall comply with the provision of part 3.2 of Central Sydney Development Control Plan 1996.
  - (d) The materials to be used in and the design of the midblock connection and open space from Castlereagh Street to Pitt Street shall reflect and be sympathetic to the Pitt Street and Castlereagh Street paving materials to create a continuous sense of the public domain.
  - (e) Retail uses around the mid-block open space area shall be confined to café or restaurant uses. General retailing is not favoured in this space.

### **CAR PARKING**

- (13) The number of tenant car parking spaces is not to exceed 116 spaces. Within the stage 2 application the following supporting information shall be provided to justify the level of car parking provision and traffic arrangements for the development, to the satisfaction of Council:-
- (a) A Traffic Report and Study to address the concerns raised by the Sydney Regional Development Advisory Committee in respect to the development as stated in its correspondence dated 5 December 2002, and an assessment of the capacity of the adjoining road system and intersections to accommodate traffic generated by the development;
  - (b) The capacity of the adjoining road system and intersections in respect to proposed traffic developments in the locality such as the construction of the Cross City Tunnel and redevelopment of the Hilton Hotel's Pitt Street vehicular arrangements; and
  - (c) Details of traffic and management measures to reduce conflicts between vehicles and pedestrians in respect to the driveway crossing onto Pitt Street.

### **FLOOR SPACE RATIO**

- (14) The following applies to Floor Space Ratio:-

- (a) The Floor Space Ratio of the proposal must not exceed 12.5:1 calculated in accordance with the Central Sydney Local Environmental Plan 1996. For the purpose of the calculation of FSR, the Floor Space Area of the development is 72,687.5 sqm.
- (b) An allocation of heritage floor space will apply to the development (the exact quantum to be determined prior to determination of the stage 2 development application).
- (c) Concessions and exemptions sought at this stage in respect to floor space and floor space allocation are not approved and shall be confirmed within the stage 2 development application.

### **BUILDING HEIGHT**

- (15) The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 190.1 (AHD).

### **BUILDING ENVELOPE**

- (16) The building envelope is only approved on the basis that the ultimate building design will be wholly contained within the envelope and provide an appropriate relationship with neighbouring buildings. In this regard the stage 2 development application should demonstrate a consistency with the objectives and provisions of the Central Sydney LEP and DCP 1996 (including any architectural roof feature).

### **MATTERS TO BE ADDRESSED IN THE STAGE 2 APPLICATION**

- (17) The following matters shall be provided for in the design of the stage 2 application of the subject building to the satisfaction of the Council:-
  - (a) Active uses to the site's Pitt Street and Castlereagh Street frontage in accordance with clause 2.5 of Central Sydney Development Control Plan 1996.
  - (b) Awnings to be provided to the development as required by clause 3.5 of Central Sydney Development Control Plan 1996.
  - (c) The provision of loading facilities provided in accordance with clause 5.4 of Central Sydney Development Control Plan 1996.
  - (d) Bicycle and motor cycle parking in accordance with clauses 5.5 and 5.6 of Central Sydney Development Control Plan 1996.
  - (e) Details of the passive and active measures proposed in the building to address Council's energy efficiency requirements in accordance with clause 4.3 of Central Sydney Development Control Plan 1996. In particular, a SEDA star rating of 4.5 for the building.

## **PUBLIC DOMAIN PLAN**

(18) The following requirements apply:-

- (a) Three copies of a detailed Public Domain Plan shall be prepared by an architect, urban designer or landscape architect and shall be approved by Council with the stage 2 development application.
- (b) The Public Domain Plan shall be as follows:-
  - (i) Drawn at 1:100 scale.
  - (ii) Show the entire layout of flagstone paving where this paving is required.
  - (iii) Nominate the location, type and material of all existing and proposed public pavement elements including trees, paving, kerbs and gutters, pedestrian ramps, vehicle crossings, street furniture, utility poles, parking meters, pedestrian and traffic signals, service pits and stormwater pits.
  - (iv) Include a longitudinal section of the pavement showing existing and proposed levels at 10 metre intervals at the building alignment, the kerb and the gutter on a common datum line. This longitudinal section is to be drawn at 1:100 horizontal scale and 1:10 (exaggerated) vertical scale. This section is to ensure that any significant longitudinal gradient change, such as flattening for vehicle entries, occurs within the building line and not at the public pavement.
  - (v) Include 1:50 scale cross sections through pedestrian ramps and vehicle crossings.
  - (vi) Include specifications of the proposed works.
- (c) The Public Domain Plan shall comply with the specifications and details of the Central Sydney Paving Design Policy 1996 and Council's Specifications and the Central Sydney Street Tree Policy 1994.

The Public Domain Plan shall provide details of:-

- (d) The Public Domain Plan shall incorporate the standard specifications and detail of the Central Sydney Paving Design Policy 1996 and Council's specifications adapted to suit the specific site requirements as advised by the Public Domain Officer and may include:
  - (i) Adjustment to paving grades to provide a maximum crossfall of 2.5% from building line to top of kerb.

- (ii) Repaving in accordance with Central Sydney Paving Design Policy 1996 and Council's Specifications. All granite paving (where applicable) is to be sealed in accordance with Council's specifications.
- (iii) The relocation or provision of new vehicle crossovers and pedestrian ramps including the consequent relocation of existing service pits, traffic signals, kerb corner radii, signs, street furniture and street trees.
- (iv) The retention of existing street trees and the provision of new street trees to comply with the Central Sydney Street Tree Policy 1994.
- (v) The repair and where required the resetting of all stone kerbing to 150mm above the gutter height and the replacement of concrete kerbing with stone kerbing. Where adjustments require substantial kerb and gutter demolition, the carriageway shall be reconstructed to the centre line of the carriageway.
- (vi) The retention and repair of any existing pavement lights.
- (vii) The retention and repair of any existing serviceable stone gutters.
- (viii) The realignment and level adjustment of service pit lids to correspond to new kerb ramps and paving. New service pit lids in flagstone paving to be infill type, with stone infill to match stone paving surrounds. New service pit lids in asphalt paving to be infill type, with cement mortar infill coloured to match adjoining asphalt.

#### **ELECTRICITY SUBSTATION**

- (19) An electricity substation is required within the development. The owner must liaise with Energy Australia and the size, design and location of the substation shall be included in the stage 2 development application to the satisfaction of Energy Australia.

#### **WIND ASSESSMENT**

- (20) The stage 2 development application is to provide a full wind assessment report based on wind tunnel tests. The design of the building is to fully address all wind amelioration issues arising out of the wind report having regard to issues of urban design and heritage.

#### **DETAILS OF ACCESS FOR PEOPLE WITH DISABILITIES**

- (21) The stage 2 development application must demonstrate access and facilities for people with disabilities in accordance with Part D3 of the Building Code of Australia and Council's Access Policy.



### **SIGNAGE STRATEGY**

- (22) A signage strategy shall be provided with the stage 2 development application that identifies the number, type, size and locations of signs required to ensure appropriate wayfinding and naming of buildings and tenancies within the development.

### **EXTERNAL LIGHTING**

- (23) Details shall be provided with the stage 2 development application which identifies the number, type, size, design luminosity and location of lighting in relation to the exterior of the building and public spaces.

### **TRAFFIC AND ACCESS REQUIREMENTS**

- (24) The stage 2 development application shall provide easy access including adequate turning areas for the largest vehicle (such as garbage trucks and delivery trucks) likely to enter the site.
- (25) The stage 2 development application shall ensure that all vehicles using the site must be able to enter and leave the site in a forward direction.
- (26) The stage 2 development application must demonstrate that the layout of the car park and service vehicle parking area conform with AS 2890.1-1993 and AS 2890.2-1989.
- (27) The stage 2 development application shall ensure that the design of the building and the method of storage and handling of waste and recyclable material comply with Council's Code for Waste Handling in Buildings (adopted 17 October 1994). The Code requires the submission of a Waste Management Plan.
- (28) All costs of traffic management measures associated with the development shall be borne by the developer.

### **SECTION 61 CONTRIBUTION AND ITEMISED QUANTITY SURVEYOR'S REPORT**

- (29) Prior to the release of the construction certificate, evidence must be provided that a levy has been paid to the Council pursuant to section 61 of the City of Sydney Act and in accordance with the adopted "Central Sydney Contributions Plan 1997".
- (a) Payment shall be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney.
- (b) The levy must be 1% of the cost of the proposed development calculated in accordance with the methods and procedures set out below.
- (c) The proposed development, the cost of which is subject to the levy, shall ONLY exclude cost of land, marketing expenses (excluding

display suites etc), finance and interest, building insurance after practical completion, drapery, commercial stock inventory, loose furniture, loose equipment and loose electrical appliances, minor maintenance of existing retained fixtures (eg. patching, repainting) and stamp duty.

- (d) The person seeking to make payment pursuant to this condition must submit to the Council:
  - (i) a certificate from a registered quantity surveyor which:
    - a. states that the quantity surveyor has inspected:
      - i) the plans the subject of the application for construction certificate;
      - ii) all bills of quantities;
      - iii) lists all the matters listed in subclause (c) above and all itemised estimates in relation to these matters;
    - b. certifies in an itemised report, the estimated costs of the development of all matters as set out in subclause (c) above;
  - (ii) copies of all the things referred to in the certificate, including the things the quantity surveyor has inspected.
- (e) The Council will consider the documentation submitted under subclause (c) and (d) and determine the cost of the proposed development having regard to the matters submitted and to such other matters as it considers appropriate and will notify the person accordingly.
- (f) The amount notified by the Council pursuant to subclause (e) is the amount used to determine the contribution payable under this condition prior to the release of the Construction Certificate.

**COST SUMMARY REPORT CONCURRENT WITH ISSUE OF CONSTRUCTION CERTIFICATE - SECTION 61 LIABILITY**

- (30) Prior to the release of the Construction Certificate, a report shall be submitted to Council by the PCA indicating the total cost of the development, total site area (m<sup>2</sup>), total gross floor area (m<sup>2</sup>) and fitout area (m<sup>2</sup>), and the following costs ratios for the development:-
  - (a) Professional fees as a % of construction cost and total cost;
  - (b) Demolition and site preparation per m<sup>2</sup> of site area and total cost;
  - (c) Excavation per m<sup>2</sup> of site area and total cost;
  - (d) Construction per m<sup>2</sup> of commercial and residential gross floor area and total cost; and

- (e) Car parking per space and total cost.
- (31) Should the total cost of the development exceed \$200,000, a contribution comprising 1% of the total cost of the proposed development under Section 61 of the City of Sydney Act 1988 and the City of Sydney Contributions Plan must be paid prior to the release of the construction certificate by the PCA. Payment if applicable shall be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney.

## Schedule 2

**The prescribed conditions in accordance with Clause 78 of the Environmental Planning and Assessment Regulation 1998 apply to the development.**

**ITEM 5. STATUS REPORT - STAGE 1 DEVELOPMENT APPLICATION: UNDERWOOD HOUSE, 37-49 PITT STREET, 49A-57 PITT STREET, 6-8 UNDERWOOD STREET AND 8-14 DALLEY STREET, SYDNEY (D2002/00280)**

Ms Marisa Turner of Stockland (Constructors) Pty Limited addressed the meeting of the Central Sydney Planning Committee on this matter.

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

That arising from consideration of a Status Report by the Specialist Planner to the Central Sydney Planning Committee on 12 December 2002, in relation to Development Application D2002/00280 made by the Stockland Trust Group for the sites at 37-49 Pitt Street, 49A-57 Pitt Street, 6-8 Underwood Street and 8-14 Dalley Street, Sydney, it be resolved that as the Committee expressed its concern about amalgamating the EnergyAustralia site (8-14 Dalley Street) into the development proposed, the matter be deferred until further matters raised at the meeting of the Committee are addressed, including a briefing by the Urban Design Advisory Service regarding options for the site and precinct.

**ITEM 6. STATUS REPORT - STAGE 1 DEVELOPMENT APPLICATION: 197-211 PITT STREET AND 416-420 GEORGE STREET, SYDNEY (D2002/00783)**

Note - Correspondence from Mr Paul Parker, General Manager - Property, Dymocks Booksellers, dated 12 December 2002, 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 Robert Forster - Executive Committee, the Tower Apartments  
Mr Ron Simpson - resident, the Tower Apartments

Mr Stephen Hills - representing the architects for Dymocks Booksellers  
 Mr Bill Moss - resident, the Tower Apartments  
 Mr George Noland - resident, the Tower Apartments  
 Mr Bob Taylor - Managing Director, Dymocks Booksellers  
 Mr Bill Tsakalos - Project Architect, architects for the applicant  
 Mr David Burger - City Freeholds Pty Ltd, the applicant  
 Mr Richard West - Transport and Traffic Planning

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

That arising from consideration of a status report by the Specialist Planner to the Central Sydney Planning Committee on 12 December 2002, in relation to Stage 1 Development Application D2002/00783 for the construction of a new commercial office tower and alterations and additions to the existing building podium for the site at 197-211 Pitt Street, 416 George Street and 420 George Street, Sydney, (known as Mid City Centre), made by City Freeholds (Construction) Pty Ltd, it be resolved that:-

- (A) the applicant be invited to submit additional information regarding the following matters:
- (1) the modification of the building envelope to remove overshadowing cast on the Pitt Street Mall by the north-east corner of the building at 1.30pm on April 14 to ensure compliance with the provisions of Clause 31 of Central Sydney Local Environmental Plan 1996;
  - (2) the modification of the building envelope to incorporate a defined zone for an architectural roof feature;
  - (3) deleting the building cantilever to George Street, with a resulting reduction in floor space ratio; and
  - (4) deleting the building cantilever to the southern elevation (above Dymocks Booksellers), with a resulting reduction in floor space ratio;
- (B) subject to clause (D), authority be delegated to the Lord Mayor to determine the application, if the application is able to be determined prior to the next meeting of the CSPC;
- (C) should the application be favourably determined, consideration be given to issues raised in the subject report, including matters to be satisfied in the Stage 2 development application, summarised as:
- (1) The podium design to Pitt Street Mall;
  - (2) Location of the plant area defined in the building podium;
  - (3) The podium design to George Street;
  - (4) Materials and Finishes;
  - (5) Overall Building Design;

- (6) Design resolution of the northern building elevation;
  - (7) Design resolution of the southern and south-eastern building elevations;
  - (8) Design resolution of the midblock connection;
  - (9) Service Access Arrangements; and
  - (10) Solar Access Report;
- (D) should the application be favourably determined, the car parking quantum shall not be approved as part of the Stage 1 Development Application, and be more fully considered with the Stage 2 Development Application, including any measures which may be incorporated to mitigate pedestrian and vehicular conflicts, and issues raised by the Sydney Regional Development Advisory Committee;
- (E) the applicant be requested to meet with the owners of the adjoining property (Dymocks Booksellers) to discuss possible collaboration on the development and to pursue possible shared access; and
- (F) the objectors be notified of the final determination of the application.

**ITEM 7. AMENDMENT TO CENTRAL SYDNEY SECTION 61 CONTRIBUTIONS PLAN: WORKS PROGRAM UPDATE AND PROCEDURAL AMENDMENTS (S000247)**

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

That arising from consideration of a report by the Manager Building Services and Planning Policy to the Central Sydney Planning Committee on 12 December 2002, concerning the Draft Central Sydney Contributions (Amendment) Plan 2002, it be resolved that:-

- (A) the Central Sydney Planning Committee endorse the Draft Plan as endorsed by the Council of the City of Sydney and as circulated to members of the CSPC prior to the meeting, and refer it to the Minister for Planning for his concurrence, as a requirement under Section 61(5) of the City of Sydney Act; and
- (B) authority be delegated to the Lord Mayor, under clause 31(1) of the Environmental Planning and Assessment Regulation 2000, after the granting of concurrence by the Minister for Planning.

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

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

**ITEM 9. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS (A03-00138/1)**

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

That arising from consideration of a report by the Manager Development, to the Central Sydney Planning Committee on 12 December 2002, in regard to the progress report for the month of November 2002, it be resolved that the report be received and noted.

**ITEM 10. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S00-2287)**

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

That arising from consideration of a report by the Manager Development to the Central Sydney Planning Committee on 12 December 2002, in regard to the report on new development application lodgements and delegated items, it be resolved that the report be received and noted.

**ITEM 11. FIVE YEAR REVIEW OF CENTRAL SYDNEY LOCAL ENVIRONMENTAL PLAN 1996 (SO16796)**

Note - Correspondence from Mr Phil Vannan, General Manager, The Spanish Club Ltd, dated 12 December 2002 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 Phil Vannan - General Manager, The Spanish Club Ltd  
Mr Keith Cottier - Allen Jack & Cottier, Architects

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

That arising from consideration of a report by the Manager Strategic Planning to the Central Sydney Planning Committee on 12 December 2002, on the Five Year Review of the Central Sydney Local Environmental Plan 1996, it be resolved that the Central Sydney Planning Committee:-

- (A) approve the amendments proposed to the Draft City of Sydney Local Environmental Plan 2002, as shown in the subject report, excluding the clauses relating to the following matters -
- (1) the calculation of site area,
  - (2) incentives for historic clubs,
  - (3) tower development on small sites less than 800 sq.m., and

- (4) the referral of Schedule 1 heritage items (which are not on the State Heritage Register) to the Heritage Council,

which will be placed on public exhibition for a period of 28 days;

- (B) delegate authority to the Lord Mayor to make drafting changes to the Draft City of Sydney Local Environmental Plan 2002 in order to address the issues raised in paragraphs 14 (Wording and Terminology Refinement), 39 (Site Area and Calculation of Floor Space Area), 42 and 43 (Special Areas), and 46 (merge of Sydney Regional Environmental Plan 26 provisions) of the subject report, and to those clauses referred to in (A) above that are to be further exhibited for a period of 28 days;
- (C) give further consideration to amendment of the height map relating to 200 Goulburn Street; and
- (D) defer further consideration of the new draft LEP to another meeting of the Central Sydney Planning Committee to be held after the period of public exhibition.

## **ITEM 12. GENERAL BUSINESS**

There were no items of general business raised at the meeting of the Central Sydney Planning Committee on 12 December 2002.

The meeting concluded at 7.50 pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 6 February 2003.