

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 14 FEBRUARY 2002

Meeting No 265

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 14 February 2002 commencing at 5.15pm.

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PRESENT

Ms Sue Holliday, Director-General, Department of Planning
(Chair)

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

The Director City Development was also present.

ELECTION OF CHAIR

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 Chair was held in accordance with Clause 14(1) of Schedule 1 of the City of Sydney Act 1988.

Nominations for the position of Chair were called. One nomination was received and accepted by the candidate, as follows:

Ms Sue Holliday - nominated by Councillor Turnbull, seconded by Ms le Marchant.

Ms Holliday was declared elected and took the chair at 5.16pm.

ORDER OF BUSINESS (S002287):

Resolved:

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

4. Section 96(2) Application: 144-150 Liverpool Street, East Sydney
1. Confirmation of Minutes
2. Matters Arising from the Minutes
3. Section 96(1A) Application: 259-295 Kent Street, 42-66 Erskine Street and 20-66 Sussex Street, Sydney (also has frontages to Napoleon Street and Sussex Lane) - KENS Site
7. Presentations by Applicants and Preliminary Advice
8. Progress Report on Development Applications and Annual Summary for 2001
9. New Development Application Lodgements and Delegated Items
6. Planning NSW Referral: Stage 1 Development Application - Wharves 9 and 10 Darling Harbour, Sites 1, 2 and 6 (Amended Plans)
5. Planning NSW Referral: Stage 2 Development Application, Sites 1 and 6, Wharves 9 and 10 Darling Harbour
10. General Business

ITEM 1. CONFIRMATION OF MINUTES (S010833)

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

That the Minutes of the meeting of the Central Sydney Planning Committee held on 13 December 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 meeting of the Central Sydney Planning Committee held on 13 December 2001.

ITEM 3. SECTION 96(1A) APPLICATION: 259-295 KENT STREET, 42-66 ERSKINE STREET AND 20-66 SUSSEX STREET, SYDNEY (ALSO HAS FRONTAGES TO NAPOLEON STREET AND SUSSEX LANE) - KENS SITE (D2001/00541A)

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 14 February 2002, in relation to the Section 96(1A) application D2001/00541A made by Leighton Properties Pty Ltd for the site at 259-295 Kent Street, 42-66 Erskine Street and 20-66 Sussex Street, Sydney known as the KENS site, proposing the relocation of the architectural roof feature zone to the south by 14.535 metres, it be resolved that:-

- (A) The application be approved; and
- (B) Condition 1 of Development Consent D2001/00541B be modified to reference the amended plans as detailed in *bold italics* below:

APPROVED DEVELOPMENT

- (1) Development must be in accordance with the following:
 - (a) Development Application No. D2001/00541 dated 22 August 2001;
 - (b) The Statement of Environmental Effects prepared by JBA Urban Planning Consultants, dated August 2001;
 - (c) Drawings numbered:-

DA1-01	00	28/08/01
DA1-02	00	20/08/01
DA1-03	00	20/08/01
DA1-04	01	19/11/01
DA1-05	01	19/11/01
DA1-06	01	19/11/01
DA1-07	01	19/11/01
DA1-08	01	19/11/01
DA1-09	00	20/08/01
DA1-10	00	20/08/01
DA1-11	00	20/08/01

DA1-12	00	20/08/01
DA1-13	00	20/08/01
DA1-14	00	20/08/01
DA1-15	00	20/08/01
DA1-16	01	19/11/01
DA1-17	01	19/11/01
DA1-18	01	19/11/01
DA1-19	01	19/11/01
DA1-20	01	19/11/01
SK 29	A	27/06/01
SK 27	00	27/06/01
SK 28	01	05/10/01
SK 36	00	27/06/01

as amended by:

SK2-106	001	10.01.02
DA1-17	002	20.12.01
DA1-18	002	20.12.01

- (d) The Report on Kitchen Exhaust Discharge Location prepared by George Floth Pty Ltd and dated 5 October 2001;
- (e) The Memorandum from Leighton Properties dated 5 October 2001 and the attached Drawings SK27 - SK28 and SK38 showing the relationship of the new commercial building and the Erskine Street Terraces;
- (f) The Memorandum from Leighton Properties dated 10 October 2001 regarding carpark entry dimensions; and
- (g) The Memorandum from Leighton Properties dated 16 November 2001 titled "Supplementary Information Package No.7 - Stage 1 DA Envelope".

and as amended by the following conditions.

ITEM 4. SECTION 96(2) APPLICATION: 144-150 LIVERPOOL STREET, EAST SYDNEY (D2000/00497)

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

Mr Ian Moore - architect representing the applicant
Mr Ash Samedi - the applicant

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 14 February 2002, in relation to the Section 96(2) Application made in respect to Development Application No. 2000/00497 by Engelen Moore Architects Pty Ltd for the site at 144-150 Liverpool Street, East Sydney for deletion of the dental laboratory, modification of the unit mix and elevations amongst other matters, it be resolved that:-

- (A) the subject application be deferred and the applicant be requested to withdraw the current application for the following reasons:-
- (1) The application is not “substantially the same development” as approved and the application can not be dealt with under Section 96 of the Environmental Planning and Assessment Act 1979, and
 - (2) The proposed modifications result in an unacceptable decline in the residential amenity of the development and non-compliance with the residential amenity provision of Part 6 of Central Sydney Development Control Plan 1996;
- (B) the applicant be advised to withdraw the current Section 96(2) application and to lodge the proposal as a new development application for consideration by the Central Sydney Planning Committee. The new development application should address the following matters:-
- (1) The internal replanning of the development should better address the Central Sydney Development Control Plan 1996 residential amenity controls, in particular the following provisions -
 - (a) Daylight (Cl 6.1.1)
 - (b) Sun access (Cl 6.1.4/5/6)
 - (c) Ventilation (Cl 6.1.7/8/9)
 - (d) Outlook (Cl 6.1.11/6.1.12)
 - (e) Floor to ceiling heights (Cl 6.1.20/21)
 - (f) Mix of units within a residential development (Cl 6.1.27/28/29)
 - (g) Internal unit design (Cl 6.1.38/39);

- (C) the Central Sydney Planning Committee does not support amendments to the subject Section 96(2) application as detailed in the applicant's correspondence of 1 February 2002; and
- (D) authority be delegated to the General Manager to determine the subject application in consultation with the Deputy Lord Mayor should the application not be withdrawn within 14 days of the Central Sydney Planning Committee's resolution on this matter.

ITEM 5. PLANNING NSW REFERRAL: STAGE 2 DEVELOPMENT APPLICATION - SITES 1 AND 6, WHARVES 9 AND 10 DARLING HARBOUR (O2001/00077)

Declaration of Interest

Ms Holliday declared an interest in this item as she will be providing advice to the Minister for Planning who is the consent authority. Ms Holliday took no part in discussion or voting on this item.

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 14 February 2002, in relation to the Planning NSW referral of a Stage 2 development application for the development of Sites 1 and 6, Wharves 9 and 10 Darling Harbour, it be resolved that:-

- (A) the subject report be received and noted; and
- (B) the submission at Attachment A to the subject report, as amended by the Director City Development in consultation with the Deputy Lord Mayor, to reflect the discussion by members at the meeting of the Central Sydney Planning Committee, be endorsed and forwarded to Planning NSW for consideration in the determination of the Stage 2 Development Application.

ITEM 6. PLANNING NSW REFERRAL: STAGE 1 DEVELOPMENT APPLICATION - WHARVES 9 AND 10 DARLING HARBOUR, SITES 1, 2 AND 6 (AMENDED PLANS) (O2001/00065)

Declaration of Interest

Ms Holliday declared an interest in this item as she will be providing advice to the Minister for Planning who is the consent authority. Ms Holliday took no part in discussion or voting on this item.

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

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 14 February 2002, in relation to the amended Stage 1 development application for Sites 1, 2 and 6, Wharves 9 and 10 Darling Harbour, it be resolved that:-

- (A) the subject report be received and noted;
- (B) a copy of the submission, shown at Attachment D to the subject report, as amended by the Director City Development in consultation with the Deputy Lord Mayor, to reflect the discussion by members at the meeting of the Central Sydney Planning Committee, be forwarded to Planning NSW for its consideration in the determination of the development application; and
- (C) a copy of the Central Sydney Planning Committee's initial submission, shown at Attachment C to the subject report, be forwarded to Planning NSW for reconsideration in the determination of the development application.

ITEM 7. PRESENTATIONS BY APPLICANTS AND PRELIMINARY ADVICE (S010833)

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

ITEM 8. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS AND ANNUAL SUMMARY FOR 2001 (A03-00138/1)

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

That arising from consideration of a report by the Manager Development to the Central Sydney Planning Committee on 14 February 2002, in regard to the progress report for the month of December 2001, and a summary of assessments in 2000 and 2001, it be resolved that the report be received and noted.

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

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

That arising from consideration of a report by the Manager Development to the Central Sydney Planning Committee on 14 February 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 10. GENERAL BUSINESS

10.1 Congratulations to the Lord Mayor, Councillor Frank Sartor AO

The Central Sydney Planning Committee conveyed congratulations to the Lord Mayor on his appointment as an Officer in the Order of Australia in the Australia Day Honours List, noting that this honour was well deserved.

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

That the Lord Mayor, Councillor Frank Sartor, be congratulated on his appointment as an Officer in the Order of Australia.

Carried unanimously.

10.2 CBD Transport Strategy

Mr Bird raised the matter of the Department of Transport's CBD Transport Strategy. The Central Sydney Planning Committee requested a briefing to be arranged to discuss the Strategy.

The meeting concluded at 5.50 pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 7 March 2002.