

DEVELOPMENT RESOLUTION COMMITTEE

THURSDAY 29 MAY 2003

Meeting No. 2/03



MINUTES of a Meeting of the Development Resolution Committee held in the Reception Room and the Finance Room, Sydney Town Hall, on Thursday 29 May 2003, commencing at 2.20 pm.

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PRESENT

The Lord Mayor of Sydney, Councillor Lucy Turnbull
(Chair)

Mr Brad Harris, Director City Development and Projects -
Nominee of the General Manager, City of Sydney

Mr John Kass - External Adviser

Mr Neil Bird - External Adviser

Order of Business

The Development Resolution Committee agreed that the order of business be altered, such that the agenda items be dealt with in the following order:

5. Development Application: 1-9 West Avenue, Darlinghurst
2. Development Application: 117A Macleay Street, Sydney
3. Development Application: 57 Macleay Street, Potts Point
4. Development Application: 77/19-35 Bayswater Road, Kings Cross
1. Applications Transferred from Leichhardt and South Sydney Councils (“The Backlog”) - Status and Way Forward

The meeting of the Development Resolution Committee concluded at 3.30 pm.

The Development Resolution Committee **resolved** as follows -

ITEM 1. APPLICATIONS TRANSFERRED FROM LEICHHARDT AND SOUTH SYDNEY COUNCILS (“THE BACKLOG”) - STATUS AND WAY FORWARD (S024047)

Resolved -

That arising from consideration of a report by the Manager Development to the Development Resolution Committee on 29 May 2003, on Applications Transferred from Leichhardt and South Sydney Councils (“The Backlog”) - Status and Way Forward, it be resolved that -

- (A) the status report as to development applications received from Leichhardt Municipal Council and South Sydney City Council be received and noted; and
- (B) consideration of the staff delegations issue be deferred.

Carried.

Note - Mr Andrew Woodhouse and Ms Amanda Lennon addressed the meeting of the Development Resolution Committee on Item 1.

ITEM 2. DEVELOPMENT APPLICATION: 117A MACLEAY STREET, SYDNEY (U03-00248)

Resolved -

That arising from consideration of a report by the Specialist Planner to the Development Resolution Committee on 29 May 2003 in relation to Development Application U03/00248 made by Seoul Gifts Ltd for the site at 117A Macleay Street, Sydney, for installation of roller shutter, it be resolved that -

- (A) the application be refused for the reasons contained in Attachment D to the subject report; and
- (B) the applicant be requested to remove the roller shutter within 28 days and Council’s Compliance Unit ensure a Notice of Intention to Issue an order is given and, if the provision of a security shutter or the like is still required, submit a new development application for an open grille type shutter consistent with the provisions of the South Sydney Development Control Plan 1997.

Carried.

Note - Prior to consideration of Item 2, the Development Resolution Committee noted correspondence from the applicant advising that he will be submitting a new development application for a security shutter on the subject premises that will comply with the provisions of the South Sydney Development Control Plan 1997.

Note - Mr Andrew Woodhouse addressed the meeting of the Development Resolution Committee on Item 2.

ITEM 3. DEVELOPMENT APPLICATION: 57 MACLEAY STREET, POTTS POINTS (S/SP/03/00249)

Resolved -

That arising from consideration of a report by the Specialist Planner to the Development Resolution Committee on 29 May 2003 in relation to Development Application U03/00249 made by Peter Reed & Associates for the site at 57-59 Macleay Street, Potts Point, for the fitout and change of use of the ground floor to a café and offices, it be resolved that consent be granted subject to the conditions as detailed in Attachment A to the subject report, as amended at the meeting of the Development Resolution Committee as follows -

- the deletion in Schedule 1A of Condition (4) and the substitution of the following new Condition (4) -

APPROVAL OF MATERIALS

- (4) Details of the positioning, colour, finishes and samples of the materials for the awning shall be submitted for the approval of Council prior to the issue of a Construction Certificate. The details shall clearly indicate the method by which the awning shall be attached to the building and the positioning of the awning in relation to the corbel.
- the addition in Schedule 1B of the following new Conditions (20)(a) and (20)(b) -
 - (20)(a) Details of compliance with conditions 5, 6 and 7 of the consent for Development Application U01-00675 shall be submitted for the approval of Council prior to the issue of a Construction Certificate.
 - (20)(b) Permanent art work and appropriate interpretive articles shall be displayed in the retail areas of the site, details of which shall be submitted for the approval of Council, and shall be related to the historical interpretation of the site and appropriate to the education of the public in the history and significance of the site.
- the deletion in Schedule 1F of Conditions (34)(a) and (34)(b) and the substitution of the following new Conditions (34)(a) and (34)(b) -

(34) The hours of operation are regulated as follows:

- (a) The hours of operation of the café, kitchen and offices shall be restricted to between 7.00 am and 11.00 pm Mondays to Saturdays, inclusive, and between 7.00 am and 1.00 pm on Sundays and public holidays;
- (b) Notwithstanding (a) above, the café, kitchen and office use may operate between 11.00 pm and 12.00 midnight Mondays to Saturdays, inclusive, and between 1.00 pm and midnight on Sundays and public holidays, and the kitchen use (for food preparation for the subject property only) may operate between 3.00 am and 7.00 am Mondays to Saturdays, inclusive, for a trial period of one year from the date of commencement of these extended hours. The operator shall inform Council in writing of the date upon which these extended hours commenced.

- the inclusion of an additional Condition as follows -

(39) Deliveries are only to be made to the premises between the hours of 7.00 am and 4.00 pm Mondays to Fridays, inclusive, and between 8.00 am and 4.00 pm on Saturdays, with no deliveries to be made on Sundays or public holidays.

Carried.

Note - Mr Andrew Woodhouse, Ms Amanda Lennon and Mr Phillip Bartlett addressed the meeting of the Development Resolution Committee on Item 3.

ITEM 4. DEVELOPMENT APPLICATION: 77/19-35 BAYSWATER ROAD, KINGS CROSS (DA1375/2002)

Resolved -

That arising from consideration of a report by the Specialist Planner to the Development Resolution Committee on 29 May, 2003 in relation to Development Application DA1375/2002 made by Mr Ashraf for the site at 19-35 Bayswater Road, (Unit 77) Kings Cross, for fit-out and use of the premises as a 24 hour convenience store, including the erection of associated signage, it be resolved that consideration of this matter be deferred.

Carried.

Note - Mr David Corsi, Ms Amanda Lennon, Mr Joe Bevacqua and Mr David Evans addressed the meeting of the Development Resolution Committee on Item 4.

**ITEM 5. DEVELOPMENT APPLICATION: 1-9 WEST AVENUE,
DARLINGHURST (D03/00184)**

Resolved -

That arising from consideration of a report by the Specialist Planner to the Development Resolution Committee on 29 May 2003 in relation to Development Application U03-00184 made by The Sisters of Charity for the site at 1-9 West Avenue, Darlinghurst, for general alterations to internal layout, new lift and air-conditioning, it be resolved that consent be granted subject to the conditions as detailed in Attachment A to the subject report, subject to the inclusion of the following new condition (2)(a) -

COURTYARD DETAIL

- (2)(a) Further details are to be provided on the proposed ground covering of court 4 to show that it will not give rise to increased runoff to the existing drainage system. The details shall be submitted to and approved by the Director City Development and Projects prior to the issue of a Construction Certificate.

Carried.