



CENTRAL SYDNEY PLANNING COMMITTEE

Meeting No. 420
Thursday 17 March 2016
Notice Date 11 March 2016

minutes

city of villages

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PRESENT

The Right Hon The Lord Mayor Councillor Clover Moore (Chair)

Members - Councillor Robert Kok, Councillor John Mant AM, Mr Peter Poulet, the Hon. Robert Webster, and Mr Gary White (Chief Planner, NSW Department of Planning and Environment).

At the commencement of business at 5.10pm, those present were -

The Lord Mayor, Councillor Kok, Councillor Mant, Mr Poulet, Mr Webster and Mr White.

The Director City Planning, Development and Transport was also present.

Apologies

Ms Gabrielle Trainor extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Mr Michael Harrison (Alternate Member to Ms Trainor), extended his apologies for his inability to attend the meeting of the Central Sydney Planning Committee.

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok -

That the apologies from Ms Trainor and Mr Harrison be accepted and leave of absence from the meeting be granted.

Carried unanimously.

ITEM 1 DISCLOSURES OF INTEREST**(a) Section 451 of the Local Government Act 1993**

No Members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Central Sydney Planning Committee.

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Central Sydney Planning Committee.

ITEM 2 CONFIRMATION OF MINUTES

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok -

That the minutes of the meeting of the Central Sydney Planning Committee of 25 February 2016, as circulated to Members, be confirmed.

Carried.

ITEM 3 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes of the Central Sydney Planning Committee of 25 February 2016.

ITEM 4 DEVELOPMENT APPLICATION: 230 - 238 SUSSEX STREET SYDNEY (D/2015/1668)

Note - A memo dated 17 March 2016 (reference 2016/139720) from the Director City Planning, Development and Transport, relevant to Item 4 at the Central Sydney Planning Committee, was circulated to members prior to the meeting of the Committee.

Moved by Mr Webster, seconded by Councillor Mant -

It is resolved that:

- (A) pursuant to Section 40(2) of the City of Sydney Act 1988, the Chief Executive Officer be delegated the functions of the Central Sydney Planning Committee in relation to Development Application No. D/2015/1668;
- (B) the delegation in clause (A) be subject to the condition that determination of the application shall not occur until such time as the Sydney Local Environmental Plan 2012 is amended to reflect the amendments made by the Sydney Local Environmental Plan 2012 Amendment - (230-238 Sussex Street, Sydney) as endorsed by the Central Sydney Planning Committee at its meeting on 25 February 2016;
- (C) if the Chief Executive Officer determines to approve the application, then consideration be given to the draft conditions of consent, as detailed in Schedules 1A, 1B, 1C and Schedules 2 and 3 of the subject report to the Central Sydney Planning Committee on 17 March 2016, subject to -
 - (i) the amendment of Schedule 1A Condition Numbers (3), (16), (22), (27), and (28), such that they read as follows:

(3) MATTERS NOT APPROVED IN STAGE 1 DEVELOPMENT CONSENT

The following matters are not approved and do not form part of this Stage 1 development consent:

- (a) the quantum, ratio and distribution of hotel accommodation, residential accommodation, retail or commercial floor space;
- (b) the floor layout of the hotel and residential accommodation including the total number of hotel rooms and residential apartments;
- (c) the floor levels of each storey;
- (d) the number, configuration and layout of the basement level/s;
- (e) the vehicular access / crossover location on Druitt Place;
- (f) the number and configuration of car space, bicycle spaces and loading spaces / zones;
- (g) the precise quantum of total floor space; and
- (h) any uplift up to 10% of the gross floor area (GFA) of the building.

(16) SANDSTONE RECYCLING (FOR LARGE SCALE DEVELOPMENTS INVOLVING EXCAVATION TO A DEPTH OF AT LEAST ONE BASEMENT LEVEL)

- (a) A Geotechnical Report prepared by a suitably qualified geotechnical engineer is to be submitted as part of the documentation lodged with the Stage 2 development application. The report is to include an investigation of the nature of the existing subsurface profile using appropriate investigation methodology and borehole testing techniques.
- (b) The Geotechnical Report is to analyse the quality of the material, including contamination, and to assess the suitability of the rock for removal by cutting into quarry blocks for use as high quality building construction material, including for building conservation.
- (c) Subject to confirmation that the rock is of a suitable quality for reuse in other construction, the Geotechnical Report is to include an Excavation Work Method Statement with recommendations as to the depth of the most suitable profile, details excavation methodologies, cutting methods and procedures for the removal of all sandstone material in a useable form and size, noise and dust attenuation measures in addition to recommendations for monitoring, notifications and review.
- (d) In addition, details of any required storage of material off site must be submitted. If the quantity of sandstone material exceeds the needs of the site, or if the approved development does not provide for the use of any sandstone, or if the material is 'Yellow Block' sandstone required for conservation of buildings, the material must be stored in an appropriate location for later reuse. Storage may be able to be facilitated by the Council or the NSW Department of Commerce. Please contact the Manager Centenary Stonework Program at the NSW Department of Finance and Services on 9372 8526 for further enquiries with regard to storage.
- (e) The programming of the works is to take into account, the above process.

(22) ON SITE LOADING AREAS AND OPERATION

Details shall be submitted with the Stage 2 development application to illustrate that all loading and unloading operations associated with servicing the site can be carried out within the confines of the site, at all times, and must not obstruct other properties/units or the public way.

(27) VEHICLE ACCESS

The future Stage 2 development application detailed design must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

(28) CAR SHARE SPACES

- (a) The Stage 2 development application must incorporate car share parking spaces in accordance with the Sydney Development Control Plan 2012.

It is recommended that the Applicant discuss the proposed location of car share parking spaces with car share operators during the detailed design process to ensure that the needs of both the developer and the car share operator can be met. In this regard, the car share spaces are to be provided to meet the following conditions:

- (i) The spaces must be retained as common property of the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time.
 - (ii) The spaces must be made available to car share operators without a fee or charge.
 - (iii) The spaces must be sign posted for use only by car share vehicles and well lit.
 - (iv) The spaces must be accessible to members of the car share scheme at all times. This should be incorporated into the building design. It is noted that the provision of car share on street would not be supported in this situation.
 - (v) The car share spaces are to be available at the same time that the car park commences operation.
- (ii) the amendment of Schedule 1B Condition Numbers (45), (57), (58) and (61), such that they read as follows:

(45) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Sussex Street frontage of the site are to be retained and properly protected during demolition works.
- (b) To avoid damage to stone kerbs during demolition works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of an Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council.

- (c) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
- (d) Where new crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
- (e) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers. All unused stone kerbs are to be salvaged and returned to the City's store.
- (f) Council approval is required before kerbs are removed.
- (g) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.

(57) DEMOLITION MANAGEMENT

- (a) Prior to the commencement of demolition, the following details must be submitted to and be approved by the Principal Certifying Authority:
 - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
 - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the WorkCover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
 - (iii) A Waste Management Plan for the demolition and or excavation of the proposed development.
- (b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the Work, Health and Safety Act 2011 and Regulation; Council's Policy for Waste Minimisation in New Developments 2005, the Waste Avoidance and Resource Recovery Act 2001, and all other relevant acts and regulations and must include provisions for:
 - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the Waste Avoidance and Resource Recovery Act 2001.
 - (ii) The name and address of the company/contractor undertaking demolition works.
 - (iii) The name and address of the transport contractor.
 - (iv) The type and quantity of material to be removed from site.
 - (v) Location and method of waste disposal and recycling.

- (vi) Proposed truck routes, in accordance with this development consent.
- (vii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
- (viii) Measures to control noise emissions from the site.
- (ix) Measures to suppress odours.
- (x) Enclosing and making the site safe.
- (xi) Induction training for on-site personnel.
- (xii) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to WorkCover Authority.
- (xiii) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the WorkCover Authority.
- (xiv) Disconnection of utilities.
- (xv) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
- (xvi) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
- (xvii) Waterproofing of any exposed surfaces of adjoining buildings.
- (xviii) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the Protection of the Environmental Operations Act 1997).
- (xix) Working hours, in accordance with this development consent.
- (xx) Any WorkCover Authority requirements.

- (c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

(58) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of the adjoining buildings which have a common boundary with the subject development site are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Certifying Authority and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifying Authority and the Council prior to the issue of an Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

(61) DEMOLITION/SITE RECTIFICATION (if cost is over \$50m)

The following conditions apply to the development:

- (a) Prior to any demolition works commencing, documentary evidence must be provided to Council that the owner of the site has entered 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 Council reasonably requires to ensure the matters set out in this condition are adequately provided for.
- (b) Without limiting the generality of paragraph (a), the Deed must provide for:
 - (i) A bank guarantee to be provided in the sum of \$521,500 dollars as security for the costs of such works provided that:

- a. the maximum liability under the Deed must not exceed \$521,500 dollars; and
 - b. the Council may accept a lesser amount as security if substantiated by detailed design and Quantity Surveyor 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 erection of the structure has commenced;
 - (iii) 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:
 - a. make the building safe and of an appearance acceptable to Council at ground level;
 - b. allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - c. for the hole to be covered to allow it to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - d. 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;
- AND to call on such bank guarantee to cover the cost thereof.
- (c) 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 a building site which has an appearance not acceptable to Council, 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 (b) (iii) to take place on the site; and

- (ii) in the event of default, 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.
- (d) The Deed may, if the Director City Planning, Development and Transport is satisfied, provide for an adjustment of the guarantee amount during the course of construction to reflect that, as the development progresses, the likelihood and nature of the appropriate site rectification works may change. The stages of reduction will be:
 - (i) Stage 1 – Completion of the site excavation and all construction works necessary to complete all parts of the Development to street level, including sealing of the slab at that level.
 - (ii) Stage 2 – Completion of all construction works necessary to complete the structure of the Development to the roof level.
 - (iii) Stage 3 – Issue of the Final Occupation Certificate.
- (e) If a claim for an adjustment is made, the Deed must also provide that any such claim is to be supported by the following:
 - (i) Certification (from an accredited certifier) that the relevant stage is complete;
 - (ii) Detailed schedule of completed works carried out in the relevant stage;
- (f) Quantity Surveyors costing of the likely site rectification works required at each remaining stage; and
 - (iii) the deletion of Schedule 1B Condition Numbers (41), (52), (55) and (63).
- (D) the delegation in clause (A) be subject to the condition that in determining the application the Chief Executive Officer is to have regard to the matters raised in the subject report; and
- (E) the Design Excellence Strategy, prepared by Robinson Urban Planning, dated 2 December 2015, as shown at Attachment C to the subject report, be endorsed pursuant to Section 3.3.1 of Sydney Development Control Plan 2012.

Carried unanimously.

ITEM 5 SECTION 96(2) APPLICATION: 67-77 EPSOM ROAD ROSEBERY (D/2008/102/E)

Moved by Councillor Mant, seconded by Mr White -

It is resolved that consent be granted to Section 96(2) Application No. D/2008/102/E and that Development Consent No. D/2008/102 be modified as follows with modification shown in ***bold italics*** (additions) and ***bold italics strikethrough*** (deletions), as follows:

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2008/102 dated 24 January 2008 and the Statement of Environmental Effects – Revised Scheme prepared by Urbis dated October 2008, and the following drawings:

| Drawing Number | Architect | Date |
|---|-------------------------------|------------------------------|
| DA-A07 Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A08 Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A08A Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A08B Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A08C Rev H | Joshua Farkash and Associates | 14 April 2009 |
| DA-A08D Rev H | Joshua Farkash and Associates | 27 August 2009 |
| DA-A08E Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A09 Rev H | Joshua Farkash and Associates | 27 July 2009 |
| DA-A10 Rev H | Joshua Farkash and Associates | 18 May 2010 |
| DA-A11 Rev H | Joshua Farkash and Associates | 18 May 2010 |
| DA-A12 Rev G | Joshua Farkash and Associates | 14 April 2009 |
| 01 Rev A: Basement and Deep Soil Plan and Principles | McGregor Coxall | Submitted 25 January 2012 |

and as amended by the following drawing:

| Drawing Number | Architect | Date |
|----------------|----------------|------------|
| DA-1100 | PTW Architects | 23/02/2015 |

and as amended by the following drawing:

| <i>Drawing Number</i> | <i>Architect</i> | <i>Date</i> |
|------------------------------|-------------------------|------------------------|
| <i>AR-SK-003</i> | <i>BVN</i> | <i>13/08/15</i> |

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

- (c) Notwithstanding (a) above, the front setback along the Dalmeny Avenue frontage of the site may be reduced to 4 metres in accordance with the South Sydney DCP 1997.
- (d) The existing commercial building referred to as Building A6 is to be demolished.

(Amended via Section 96 (1A) application dated 2 February 2012)

(Amended via Section 96 (1A) application dated 17 October 2014)

(As modified by D/2008/102/C, dated 6 August 2015)

(As modified by D/2008/102/E, dated 17 March 2016)

(8) HEIGHT OF BUILDINGS

- (a) The maximum building envelope shall not exceed:

| Building (<i>Stage 2 DA Building No.</i>) | RL |
|---|---|
| Building A1 (A9) | RL 50.87 56.39 |
| Building A2 (A10) | RL 53.87 56.39 |
| Building A3 (A1) | RL 65.87 72.15 |
| Building A4 (A2) | RL 50.87 65.87 |
| Building A5 (A3) | RL 44.87 53.70 |
| Building A6 (A4) | RL 35.87 53.70 |
| Building A7 (A5) | RL 27.87 53.70 |
| Building A8 (A6, A7, A8) | RL 42.87 44.00 to RL 56.39 |
| Building B | RL 47.75 RL 51.85 to RL 52.05 |
| Building C | RL 37.95 RL 39.65 (4 storey section) RL 34.95 RL 36.65 (3 storey section) |
| Building D | RL 48.64 RL 48.70 (8 storey section) RL 42.64 RL 42.70 (6 storey section) RL 39.64 RL 39.70 (5 storey section) |
| Building E/F | RL 48.8 (7 storey section) RL 42.87 RL 43.2 (6 storey section) RL 39.66 RL 41.1 (5 storey section) |
| Building G | RL 43 (6 storey section) RL 40 (5 storey section) |
| Building H | RL 43 (6 storey section) RL 40 (5 storey section) |

- (b) The building envelopes are approved on the basis that the ultimate building design, ~~including~~ excluding services and lift over-runs, parapets or articulation elements or courtyards elevated above ground, will be entirely within the approved envelopes and provide an appropriate relationship with neighbouring and approved buildings.

(Amended via Section 96 (1A) application dated 2 February 2012)

(As modified by D/2008/102/C, dated 6 August 2015)

(As modified by D/2008/102/E, dated 17 March 2016)

(10) FLOOR SPACE RATIO

- (a) The Floor Space Ratio of the proposed development must not exceed 2:1 calculated in accordance with the ~~South Sydney Local Environmental Plan 1998~~ Sydney Local Environmental Plan 2012. For the purpose of the calculation the floor space area is 66,800sqm (~~55,444sqm~~ **58,030sqm 60,944sqm** residential, ~~7,585sqm~~ **4,999sqm 3,715sqm** commercial and ~~3,771sqm~~ **2,141sqm** retail **(including 170sqm of ground floor garbage and loading dock to Building A)**).
- (b) Precise details of the distribution of floor space shall be provided with future development applications.
- (c) The proposed development may exceed the maximum permitted floor space under section (a) above but only when calculated in accordance with Clauses 4.4, 6.13 and 6.21 under the Sydney LEP 2012 to the maximum floor space permitted in accordance with these clauses, when those clauses apply.

(Amended via Section 96 (1A) application dated 17 October 2014)

(As modified by D/2008/102/E, dated 17 March 2016)

Carried unanimously.

ITEM 6 DEVELOPMENT APPLICATION: 67-77 EPSOM ROAD ROSEBERY (D/2015/624)

Note - A memo dated 15 March 2016 (reference 2016/129811) from the Director City Planning, Development and Transport, relevant to Item 6 at the Central Sydney Planning Committee, was circulated to members prior to the meeting of the Committee.

Moved by Mr Webster, seconded by Mr White -

It is resolved that:

- (A) the variation sought to Clause 4.3 building height in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 be supported; and
- (B) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2015/624, subject to the following conditions:

PART A - DEFERRED COMMENCEMENT CONDITIONS

(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

- The consent is not to operate until the following conditions are satisfied, within 24 months of the date of this determination:

(1) PUBLIC BENEFIT OFFER AND PLANNING AGREEMENT

- (a) The current Voluntary Planning Agreement titled Planning Agreement (67-77 Epsom Road and 95 Dalmeny Avenue Rosebery, executed on 28 September 2010 and entered into by Overland Consolidated Pty Limited (ACN 059 642 867) and signed by Nora Goodridge and Robert Magid) must be amended in accordance with the revised public benefit offer made on 17 February 2016 and signed by Mark Fitzpatrick of Toplace Pty Ltd, and must be exhibited, executed and submitted to Council;
 - (b) The payment of moneys and guarantees must be provided to Council in accordance with the Planning Agreement at the time of execution; and
 - (c) The Planning Agreement, as executed, must be registered on the Title of the land in accordance with the Planning Agreement.
- (C) evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council by within 24 months of the date of this determination of this deferred commencement consent, failing which this deferred development consent will lapse pursuant to section 95(6) of the Environmental Planning and Assessment Act 1979;
- (D) the consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions as indicated above, have been satisfied; and
- (E) upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent as detailed in Part B - Conditions of Consent (Once the Consent is in Operation), as follows:

PART B - CONDITIONS OF CONSENT

(ONCE THE CONSENT IS IN OPERATION)

Upon written confirmation from Council that the deferred commencement conditions contained in Part A above have been satisfied, the consent will become operative from the date of that written confirmation, subject to the conditions of consent as shown in Schedules 1A, 1B, 1C and Schedules 2 and 3 of the subject report to the Central Sydney Planning Committee on 17 March 2016, subject to the addition of the following new condition as Condition (2) under Part B Schedule 1A, and the subsequent renumbering of existing Condition (2) and all following conditions, and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions.

PART B

SCHEDULE 1A

“(2) DESIGN REFINEMENTS

The design of the building must be modified and details provided as follows:

- (a) A continuous and integrated awning design must be incorporated at ground floor level on all street frontages to provide shade and weather protection to the lobbies and retail tenancies. The awnings must be coordinated with the public domain plan to provide maximum protection and clearance for all proposed street trees.
- (b) The final selection of bricks for all walls and roofs are to be high quality with a mottled effect. Brickwork details including brick selection and substrate details for walls, window reveals and all roofs are to be provided.

The modifications and details are to be submitted to and approved by Council’s Director City Planning, Development and Transport prior to the issue of a Construction Certificate.”

Carried unanimously.

Secretary’s Note

The subject report, as submitted, contained a typographical error in the title of the report. “Development Application: 66-77 Epsom Road Rosebery” on page 1 is incorrect and should read “Development Application: 67-77 Epsom Road Rosebery”.

At this stage of the meeting, it having been agreed that these matters be dealt with together, it was moved by the Chair (the Lord Mayor), seconded by Mr Poulet -

That the officers’ recommendations for Items 7, 8, 9 and 10, as follows, be adopted.

Carried unanimously.

ITEM 7 REPORT SUMMARISING DETERMINATIONS DELEGATED BY THE CENTRAL SYDNEY PLANNING COMMITTEE TO THE CITY OF SYDNEY (S040864)

It is resolved that the subject report be received and noted.

Carried unanimously.

ITEM 8 SUMMARY OF OUTSTANDING APPLICATIONS TO BE REPORTED TO THE CENTRAL SYDNEY PLANNING COMMITTEE (S042755)

It is resolved that the subject report be received and noted.

Carried unanimously.

ITEM 9 MILLERS POINT CONSERVATION AREA - AMENDMENT TO PLANNING CONTROLS - REVISION OF PLANNING PROPOSAL (S122551)

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal: Sydney Local Environmental Plan 2012 – Millers Point, shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve Planning Proposal: Sydney Local Environmental Plan 2012 – Millers Point for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 15 March 2016 that Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission of all the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: Sydney Local Environmental Plan 2012 – Millers Point; and
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 15 March 2016 that authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: Sydney Local Environmental Plan 2012 – Millers Point following receipt of the Gateway Determination.

Carried unanimously.

ITEM 10 POST EXHIBITION - HERITAGE FLOOR SPACE AMENDMENTS TO SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 (X001004)

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of Planning Proposal: Heritage Floor Space amendments to Sydney Local Environmental Plan 2012 and the Draft Alternative Heritage Floor Space Allocation Scheme, as shown at Attachment A to the subject report;
- (B) the Central Sydney Planning Committee approve the Planning Proposal: Heritage Floor Space amendments to Sydney Local Environmental Plan 2012, as shown at Attachment B to the subject report, to be made as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979;

- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 15 March 2016 that Council adopt the Alternative Heritage Floor Space Allocation Scheme, as shown at Attachment C to the subject report, to guide the preparation of planning agreements in respect of heritage floor space allocation; and
- (D) authority be delegated to the Chief Executive Officer to make any minor changes to Planning Proposal: Heritage Floor Space amendments to Sydney Local Environmental Plan 2012 to correct drafting errors prior to finalisation of the local environmental plan.

Carried unanimously.

The meeting of the Central Sydney Planning Committee concluded at 5.24pm.

CHAIR