



# CENTRAL SYDNEY PLANNING COMMITTEE

Meeting No 423  
Thursday 21 July 2016  
Notice Date 15 July 2016

*minutes*

*city of villages*

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**PRESENT**

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

Members - Mr Michael Harrison (Alternate Member to Ms Gabrielle Trainor)  
Councillor Robert Kok, Mr Peter Poulet, The Hon. Robert Webster and  
Mr Gary White.

At the commencement of business at 5.25pm, those present were -

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

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

**Apologies**

Councillor John Mant extended his apologies for his inability to attend the meeting of the Central Sydney Planning Committee.

Councillor Irene Doutney, Alternate Member to Councillor Mant, extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Ms Gabrielle Trainor extended her apologies for her 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 Councillor Mant, Councillor Doutney and Ms Trainor 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 Mr Webster -

That the minutes of the meeting of the Central Sydney Planning Committee of 23 June 2016, as circulated to Members, be confirmed.

Carried unanimously.

**ITEM 3 MATTERS ARISING FROM THE MINUTES**

There were no matters arising from the minutes of the Central Sydney Planning Committee of 23 June 2016.

**ITEM 4 DEVELOPMENT APPLICATION: 906 BOURKE STREET ZETLAND  
(D/2015/1791)**

Moved by the Chair (the Lord Mayor), seconded by Mr Webster -

It is resolved that:

- (A) the requirement under Clause 7.20 of Sydney Local Environmental Plan 2012 (Sydney LEP 2012), requiring the preparation of a development control plan in relation to development of a site with area greater than 5,000m<sup>2</sup> and resulting in a building greater than 25m in height, be waived;
- (B) the variation to Clause 4.3 Height of Buildings in accordance with Clause 4.6 of Sydney LEP 2012 be supported;
- (C) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2015/1791, subject to the public exhibition of a planning agreement and consideration of any submissions;
- (D) if the CEO determines to approve the application, then consideration be given to granting a deferred commencement consent pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, subject to the conditions set out in Part A below; and
- (E) in determining the application, the CEO consider the draft conditions of consent, as shown in Part A and Part B below, and any other relevant conditions.

**PART A - DEFERRED COMMENCEMENT CONDITIONS**

**(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)**

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

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

**(1) VOLUNTARY PLANNING AGREEMENT**

- (a) That a planning agreement in accordance with the public benefit offer made to the City by JQZ be executed and submitted to Council; and
- (b) Any guarantees required under the planning agreement at the time of execution must be provided to Council; and
- (c) The planning agreement, as executed, must be registered on the title of the land; and
- (d) The payment of the monetary contribution must be provided to Council in accordance with the planning agreement.

- 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 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;
- 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
- 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) of the subject report to the Central Sydney Planning Committee on 21 July 2016, and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions.

Carried unanimously.

**ITEM 5 THE CENTRAL SYDNEY PLANNING STRATEGY - PLANNING PROPOSAL TO AMEND SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 - AMENDMENTS TO SYDNEY DEVELOPMENT CONTROL PLAN 2012 (S064204)**

The following persons addressed the meeting of the Central Sydney Planning Committee on this matter - Mr Chris Johnson and Mr Steven De Pasquale.

Moved by the Chair (the Lord Mayor), seconded by Mr Webster -

It is resolved that the recommendation contained in the subject report be adopted, subject to the addition of the word "draft" before each reference to the Central Sydney Planning Strategy in the recommendation.

Carried unanimously.

The motion, as adopted by the Central Sydney Planning Committee, is as follows -

It is resolved that:

- (A) the Central Sydney Planning Committee endorse the draft Central Sydney Planning Strategy, shown at Attachment A to the subject report;
- (B) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to prepare a draft Guideline to Preparing Site-Specific Planning Proposal Requests in Central Sydney document in accordance with the following principles to:
  - (i) provide opportunities for strategic floor space on appropriate sites that serve the workforce, visitors and wider community;

- (ii) provide opportunities on Strategic Opportunity Sites for additional height where significant public benefit can be demonstrated;
  - (iii) ensure planning proposals align with the aims, objectives and actions of the draft Central Sydney Planning Strategy and have planning and architectural merit;
  - (iv) ensure that planning proposals commit to achieving sustainable development above minimum requirements;
  - (v) provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure, particularly public transport, open space and pedestrian infrastructure;
  - (vi) describe the City's priorities for public infrastructure needed to support growth;
  - (vii) provide a transparent and consistent approach to the evaluation of planning proposals in Central Sydney; and
  - (viii) describe the process for preparing site-specific planning proposals, including required supporting documentation, and the decision making process;
- (C) the Central Sydney Planning Committee endorse the nine aims in Section 1 of the draft Central Sydney Planning Strategy as matters to be addressed in any Planning Proposal for a site in Central Sydney which seeks to amend Sydney Local Environmental Plan 2012;
- (D) the Central Sydney Planning Committee approve the Planning Proposal: Central Sydney, shown at Attachment B to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway determination;
- (E) the Central Sydney Planning Committee approve the Planning Proposal: Central Sydney, shown at Attachment B, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway determination;
- (F) the Central Sydney Planning Committee note the recommendation to the Council's Planning and Development Committee on 19 July 2016 that Council seek authority from the Greater Sydney Commission to exercise 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: Central Sydney amendments to Sydney Local Environmental Plan 2012;
- (G) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that Council approve for public exhibition the amendments to Sydney Development Control Plan 2012, shown at Attachment C to the subject report, concurrently with the Planning Proposal: Central Sydney;
- (H) the Central Sydney Planning Committee note that the draft Central Sydney Planning Strategy, shown at Attachment A, will be made available for public comment concurrently with the public exhibition of Planning Proposal: Central Sydney and amendments to Sydney Development Control Plan 2012;

- (I) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to make any minor changes and any changes required by the Greater Sydney Commission to the Planning Proposal: Central Sydney, or Sydney Development Control Plan 2012 following receipt of the Gateway Determination prior to the exhibition;
- (J) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to exhibit a draft Guideline to Preparing Site-Specific Planning Proposal Requests in Central Sydney document at the same time as the Planning Proposal: Central Sydney;
- (K) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that Council approve the Draft Central Sydney Affordable Housing Program, shown at Attachment D to the subject report, for public exhibition with Planning Proposal: Central Sydney;
- (L) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to make minor changes to the Draft Central Sydney Affordable Housing Program, shown at Attachment D, prior to public exhibition; and
- (M) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to write to the Secretary of the Department of Planning and Environment requesting the Department of Planning and Environment and the City work together to:
  - (i) prepare a new section 117 Direction from the Minister for Planning limiting any new additional floor space in Central Sydney to employment generating floor space;
  - (ii) streamline the Gateway process for planning proposals consistent with the draft Central Sydney Planning Strategy and Guideline;
  - (iii) monitor the ongoing net growth of employment floor space in conjunction with the Central Sydney Planning Committee;
  - (iv) expand the application of the Central Sydney provisions of the Sydney Local Environmental Plan 2012 to The Rocks, Central Station, Darling Harbour and Central Park;
  - (v) revise State-Significant cost thresholds for the City of Sydney; and
  - (vi) investigate how changes in strata or ownership models can enable the renewal of buildings as they approach the end of their economic life.

**ITEM 6 POST EXHIBITION - 45 MURRAY STREET PYRMONT - PLANNING PROPOSAL AND SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT (X001126)**

Note - A memo dated 20 July 2016 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 the Chair (the Lord Mayor), seconded by Mr Webster -

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of the Planning Proposal: Sydney Local Environmental Plan 2012 - 45 Murray Street, Pyrmont, in the subject report;
- (B) the Central Sydney Planning Committee approve the Planning Proposal: Sydney Local Environmental Plan 2012 - 45 Murray Street, Pyrmont, shown at Attachment A 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 19 July 2016 that Council approve the Draft Sydney Development Control Plan 2012: 45 Murray Street, Pyrmont, shown at Attachment B to the subject report, specifying the date of publication of the subject local environmental plan as the date the approved development control plan comes into effect, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000; and
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to make any minor changes to Planning Proposal: Sydney Local Environmental Plan 2012 - 45 Murray Street, Pyrmont, and Draft Sydney Development Control Plan 2012: 45 Murray Street, Pyrmont Amendment to correct drafting errors prior to finalisation of the local environmental plan and draft development control plan amendment.

Carried unanimously.



**ITEM 7 POST EXHIBITION - REVISED PLANNING PROPOSAL, DEVELOPMENT CONTROL PLAN AND VOLUNTARY PLANNING AGREEMENT - LEND LEASE CIRCULAR QUAY SITE - ALFRED PITT DALLEY AND GEORGE STREET BLOCK (S108395)**

Moved by the Chair (the Lord Mayor), seconded by Mr Webster -

It is resolved that:

- (A) the Central Sydney Planning Committee note matters raised in response to the public exhibition of Planning Proposal - APDG Site Block 4 and the draft Sydney Development Control Plan 2012 - APDG Site Block 4, as shown at Attachment A to the subject report;
- (B) the Central Sydney Planning Committee approve the revised Planning Proposal - APDG Site Block 4, 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 19 July 2016 to approve the revised Draft Sydney Development Control Plan 2012 - APDG Site Block 4, as shown at Attachment C to the subject report, specifying the date of publication of the subject Local Environmental Plan as the date the approved Development Control Plan comes into effect, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - APDG Site Block 4 and Draft Sydney Development Control Plan 2012 - APDG Site Block 4 to correct drafting errors prior to finalisation of the local environmental plan;
- (E) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 that the Planning Agreement, as shown at Attachment D to the subject report, is to be executed on behalf of Council with Lend Lease in accordance with Environmental Planning and Assessment Act 1979;
- (F) the Central Sydney Planning Committee note that the local environmental plan will not be made until the Planning Agreement, as shown at Attachment D, has been entered into by the Council and the relevant proponents, and registered on title of the relevant properties; and
- (G) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 19 July 2016 to approve the transfer of the 'Mirvac Triangle' being Lots 2 and 3, DP 1213767 to Lend Lease in accordance with the Planning Agreement.

Carried unanimously.

**ITEM 8 PUBLIC EXHIBITION - PLANNING PROPOSAL - AMENDMENT TO SYDNEY LOCAL ENVIRONMENTAL PLAN 2013 - GREEN SQUARE TOWN CENTRE - MIRVAC GREEN SQUARE AND URBANGROWTH NSW (X005215)**

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

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal: Green Square Town Centre - Sites 355 Botany Road, 377-497 Botany Road and 956-960 Bourke Street, Zetland, 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: Green Square Town Centre - Sites 355 Botany Road, 377-497 Botany Road and 956-960 Bourke Street, Zetland 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 19 July 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: Green Square Town Centre - Sites 355 Botany Road, 377-497 Botany Road and 956-960 Bourke Street, Zetland; and
- (D) authority be delegated to the Chief Executive Officer to make any minor changes and any changes required by the Greater Sydney Commission to Planning Proposal: Green Square Town Centre - Sites 355 Botany Road, 377-497 Botany Road and 956-960 Bourke Street, Zetland following receipt of the Gateway Determination prior to the exhibition.

Carried unanimously.

The meeting of the Central Sydney Planning Committee concluded at 5.50pm.