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Present

The Right Hon The Lord Mayor - Councillor Clover Moore (Chair), Councillor Jess Scully, Councillor Professor Philip Thalis, Ms Darlene van der Breggen (Alternate Member to 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 Scully, Councillor Thalis, Ms van der Breggen, Mr Webster and Mr White.

The Acting Executive Manager Development was also present.

Apologies

Mr Poulet 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 Scully -

That the apologies from Mr Poulet 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 Thalis -

That the minutes of the meeting of the Central Sydney Planning Committee of 9 May 2019, 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 9 May 2019.
Item 4  Development Application: 189-197 Kent Street, Sydney - D/2018/1014

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

It is resolved that:

(A) the requirement of Section 51N of the City of Sydney Act 1988 to consult with the Central Sydney Traffic and Transport Committee not apply in this instance as the proposal does not require, or that might reasonably be expected to require, the carrying out of road works or traffic control works that are likely to have a significant impact on traffic and transport in the Sydney CBD;

(B) consent be granted to Development Application No. D/2018/1014, subject to the conditions as detailed at Attachment A to the subject report to the Central Sydney Planning Committee on 7 March 2019, being amended as follows (additions shown in **bold italics**, deletions shown in strikethrough):

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2018/1014 dated 30 August 2018 and the following drawings prepared by FJMT Studio:

<table>
<thead>
<tr>
<th>Drawing Number</th>
<th>Drawing Name</th>
<th>Date</th>
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<tbody>
<tr>
<td>201 (Revision E)</td>
<td>Proposed Envelope Diagrams</td>
<td>8 April 2019</td>
</tr>
<tr>
<td>202 (Revision E)</td>
<td>Proposed Envelope Diagrams</td>
<td>8 April 2019</td>
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<tr>
<td>203 (Revision E)</td>
<td>Proposed Envelope Diagrams</td>
<td>8 April 2019</td>
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<tr>
<td>301 (Revision E)</td>
<td>Kent Street Envelope Elevation – Proposed Envelope</td>
<td>8 April 2019</td>
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<tr>
<td>302 (Revision E)</td>
<td>Jenkins Lane Envelope Elevation – Proposed Envelope</td>
<td>8 April 2019</td>
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<tr>
<td>404 (Revision E)</td>
<td>Indicative Typical Section</td>
<td>8 April 2019</td>
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<tr>
<td>304-C</td>
<td>Envelope Diagrams</td>
<td>2-May-2018</td>
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<tr>
<td>305-C</td>
<td>Envelope Diagrams</td>
<td>2-May-2018</td>
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<td>Drawing Number</td>
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<tr>
<td>503 C</td>
<td>Site Elevations — Complying Envelope — Kent Street</td>
<td>2-May-2018</td>
</tr>
<tr>
<td>504 C</td>
<td>Site Elevations — Complying Envelope — Jenkins Lane</td>
<td>2-May-2018</td>
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<tr>
<td>511 C</td>
<td>Section — towards Stamford on Kent North</td>
<td>2-May-2018</td>
</tr>
<tr>
<td>512 C</td>
<td>Section — towards Stamford on Kent South</td>
<td>2-May-2018</td>
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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; and

(C) the Design Excellence Strategy prepared by Ethos Urban dated 23 August 2018 be endorsed.

**Reasons for Recommendation**

The application is recommended for approval for the following reasons:

(A) The proposed building envelope complies with the maximum height and floor space ratio development standards pursuant to Clauses 4.3 and 4.4 of the Sydney Local Environmental Plan 2012.

(B) The indicative floor plans demonstrate that the building envelope is able to accommodate residential apartments in accordance with the provisions of the State Environmental Planning Policy No. 65 and the Apartment Design Guide.

(C) The proposed building envelope does not result in any adverse environmental or amenity impacts on surrounding properties.

(D) Subject to compliance with the design excellence strategy and undertaking a competitive design process, the development is able to achieve design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.

(E) Subject to conditions requiring additional information to accompany the detailed design application, the development can accommodate the proposed uses without any adverse impacts on traffic and parking, and residential amenity.

(F) For the reasons above, the development is in the public interest.

(G) Condition 2(a) was amended to include reference to new drawings which include a pedestrian through site link from Kent Street to Jenkins Street, as requested by the Committee on 7 March 2019.

Carried unanimously.

D/2018/1014
Item 5  Development Application: 960A Bourke Street, Zetland - D/2017/503

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

It is resolved that:

(A) the variation requested to the height of buildings development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 be upheld;

(B) the variation requested to the ceiling heights development standard of the Apartment Design Guide in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney LEP (Green Square Town Centre) 2013 be upheld; and

(C) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2017/503, subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposal is permissible with consent in the B4 Mixed Use Zone.

(B) The proposal complies with the FSR development standard prescribed by the Sydney Local Environmental Plan (Green Square Town Centre) 2013.

(C) The requested variation to the Height of Buildings development standard is upheld because the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by Clause 4.6 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 and the proposed development would be in the public interest because it is consistent with the objectives of Height of Buildings development standard and the B4 Mixed Use Zone.

(D) The requested variation to the Minimum Ceiling Height development standard is upheld because the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by Clause 4.6 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 and the proposed development would be in the public interest because it is consistent with the objectives of Minimum Ceiling Height development standard and the B4 Mixed Use Zone.

(E) The proposal is generally consistent with the relevant provisions of the Green Square Town Centre Development Control Plan 2012. Where variations to the DCP provisions are proposed, impacts to the locality are acceptable.

Carried unanimously.

D/2017/503
Item 6  Development Application: Sites 7 and 17, 960A Bourke Street, Zetland - D/2017/564

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

It is resolved that:

(A) the variation sought to the height of buildings standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 be supported in this instance;

(B) the variation sought to the ceiling heights standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 be partially supported in this instance; and

(C) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2017/564, subject to the conditions set out in Attachment A to the subject report, subject to the amendment of Condition (1) (a) of Part B - Conditions of Consent (Once the Consent is in Operation) - Schedule 1A, Approved Development/Design Modifications/Covenants and Contributions/Use and Operation showing the correct name of the Architect (with modifications shown in **bold italics** (additions) and deleted text shown in strike-through), as follows:

PART B - CONDITIONS OF CONSENT - SCHEDULE 1A

(1) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2017/564 dated 5 May 2017, and the following drawings prepared by Silvestre Fuller and Mirvac Design Tzannes.

Reasons for Recommendation

The application is recommended for Deferred Commencement approval for the following reasons:

(A) The requested variations to the maximum Building Height and Ceiling Height development standards are upheld because the consent authority is satisfied that the applicant’s written requests have adequately addressed the matters required to be addressed under Clause 4.6 of the SLEP (GSTC) 2013 and the proposed development would be in the public interest because it is consistent with the objectives of the respective development standards and the B4 - Mixed use zone.

(B) The proposal has been assessed against the aims and objectives of the relevant planning controls including the SLEP (GSTC) 2013, the GSTC DCP 2012 and SEPP 65. Where non-compliances exist they have been demonstrated in this report to be acceptable in the circumstances of the case, or can be resolved by the recommended conditions of consent.

(C) The proposed development is considered to be appropriate within its setting and will provide for residential, retail and commercial development within the Green Square Town Centre. In addition, it provides a cinema entertainment facility on a site which is highly accessible to existing and planned employment, services and community facilities.
(D) Subject to the recommendations within this report, and the imposition of the proposed conditions, the proposal demonstrates a design that responds to the constraints of the site and contributes to the existing and desired future character of the site.

(E) Part B - Schedule 1A - Condition 1(a) Approved Development was amended to show the correct name of the Architect.

Carried unanimously.

D/2017/564
Moved by the Chair (the Lord Mayor), seconded by Mr Webster -

It is resolved that:

(A) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 7 Memorandum dated 19 June 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting, for submission to the relevant local-plan making authority with a request for Gateway Determination;

(B) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 7 Memorandum dated 19 June 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting, for public consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) the Central Sydney Planning Committee seek authority from the local-plan making authority to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended;

(D) the Central Sydney Planning Committee note the recommendation to Council’s Transport, Heritage and Planning Committee on 17 June 2019 that Council approve the draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment B to the Information Relevant to Item 7 Memorandum, dated 19 June 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting, for public authority consultation and public exhibition concurrent with the Planning Proposal; and

(E) the Central Sydney Planning Committee note the recommendation to Council’s Transport, Heritage and Planning Committee on 17 June 2019 that authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, and Sydney Development Control Plan 2012: 72-84 Foveaux Street, Surry Hills, as amended, to correct any drafting errors following the Gateway Determination.

Carried unanimously.

X023555
At this stage of the meeting, it having been agreed that these matters be dealt with as part of an in globo motion, it was moved by Mr Webster, seconded by Councillor Scully -

That the Officers’ recommendations for Items 8 and 9, as follows, be adopted.

Carried unanimously.

**Item 8**  Determinations Delegated by the Central Sydney Planning Committee to the City of Sydney

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

Carried unanimously.

S040864

**Item 9**  Summary of Applications to be reported to the Central Sydney Planning Committee

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

Carried unanimously.

S042755

The meeting of the Central Sydney Planning Committee concluded at 5.23pm.