

Central Sydney Planning Committee

Meeting No 452

Thursday 14 November 2019

Notice Date 8 November 2019

minutes

city of villages

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Present

The Right Hon The Lord Mayor - Councillor Clover Moore (Chair), Councillor Professor Philip Thalys, Councillor Linda Scott (alternate Member to Councillor Jess Scully), Mr Dick Persson AM, Mr Richard Horne and Mr Brett Whitworth (alternate Member to Ms Alex O'Mara).

At the commencement of business at 5.14 pm, those present were:

The Lord Mayor, Councillor Thalys, Councillor Scott, Mr Persson, Mr Horne and Mr Whitworth.

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

Apologies

Councillor Scully extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Ms Alex O'Mara extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Ms Abbie Galvin 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 Thalys –

That the apologies from Councillor Scully, Ms O'Mara and Ms Galvin be accepted and leave of absence from the meeting be granted.

Carried unanimously.

Item 1 Disclosures of Interest

The Chair (the Lord Mayor) disclosed a less than significant, non-pecuniary interest in Item 5 on the agenda, in that she is a member of the City Tattersalls Club. The Lord Mayor stated that she has not discussed the application with anyone from City Tattersalls Club.

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

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 Thalís –

That the minutes of the meeting of the Central Sydney Planning Committee of 24 October 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 24 October 2019.

Item 4 Development Application: 2-38 Baptist Street and 397-399 Cleveland Street, Redfern - D/2018/1128

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

It is resolved that:

- (A) the variation requested to 'Height of Buildings' in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (B) the variation requested to 'Floor Space Ratio' in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (C) consent be granted to Development Application No. D/2018/1128 subject to the conditions set out in Attachment A to the subject report, and subject to the following amendment (with additional text shown in ***bold italics*** and deleted text shown in ~~strikethrough~~):

(23) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD

The design details of the proposed building facade including all external finishes, colours and glazing ~~must be in accordance with the materials schedule and sample board, and specifications 'AR-DA-4501 Rev. 33, prepared by SJB Architects (not dated, TRIM ref: 2019/486483)~~ ***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.

Speakers

Mr Brendan Dwyer, Ms Rosemary Vickers, Mr Simon Grilhotra, Mr Paul Nederlof, Mr Fabrizio Perilli (on behalf of the applicant) and Mr Steve Wellman (on behalf of the applicant) addressed the meeting of the Central Sydney Planning Committee on Item 4.

D/2018/1128

Item 5 Development Application: 194 & 196-204 Pitt Street, Sydney – D/2018/1246

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

It is resolved that:

- (A) consent be granted to Development Application No. D/2018/1246 subject to the conditions set out in Attachment A to the subject report; and
- (B) the 'Concept Development Application Design Excellence Strategy' for 194-204 Pitt Street, Sydney, prepared by Ethos Urban Pty Ltd and dated September 2019, as shown in Attachment E to the subject report, be approved pursuant to Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the Competitive Design Policy.

Carried unanimously.

Speaker

Mr Matthew Khoo (on behalf of the applicant) addressed the meeting of the Central Sydney Planning Committee on Item 5.

D/2018/1246

Item 6 Development Application: 420 & 422-424 Kent Street and 275 & 277 Clarence Street, Sydney - D/2018/1577

Moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

In noting the Information Relevant to Item 6 - Development Application: 420 & 422-424 Kent Street and 275 & 277 Clarence Street, Sydney - D/2018/1577 – contained within the memorandum dated 8 November 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting of the Central Sydney Planning Committee, 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) the requirement under Clause 6.21 of the Sydney Local Environmental Plan 2012 requiring a competitive design process is unreasonable or unnecessary in the circumstances;
- (C) the requirement under Clause 7.20 of the Sydney Local Environmental Plan 2012 requiring the preparation of a development control plan is unreasonable or unnecessary in the circumstances; and
- (D) consent be granted to Development Application No. D/2018/1577 subject to the conditions set out in Attachment A to the subject report to the Central Sydney Planning Committee on 24 October 2019, and subject to the following amendment (with additional text shown in **bold italics** and deleted text shown in ~~strikethrough~~):

(9) USE – SEPARATE DA REQUIRED GENESIAN THEATRE

- ~~(a) No consent is granted or implied for the fit out or specific use of each of the individual retail tenancies of the development.~~
- ~~(b) No consent is granted or implied for the specific use of the Genesian Theatre as an adaptive performance space and food service venue.~~
- ~~(c) A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fit out and use of each retail tenancy, including use of the Genesian Theatre building, prior to that fit out or use commencing.~~
- (a) The area of the existing Church as shown on drawing number DA 2002, Revision 13 – General Arrangement Plan – Lower Ground – Kent Street is to be used for the purpose nominated on the plan, being an Adaptable Performance Space and Food Service Venue run by the New Hotel Proprietor, and for no other use without further development consent.**
- (b) Notwithstanding (a) above, a separate application must be obtained for the fit out and use of the retail tenancy, including use of the Genesian Theatre Space as an Adaptable Performance Space and Food Service Venue.**

Carried unanimously.

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The meeting of the Central Sydney Planning Committee concluded at 6.21 pm.

CHAIR