

Resolution of Local Planning Panel

15 May 2019

Item 3

Development Application: 262 Liverpool Street, Darlinghurst

The Panel granted consent to Development Application No. D/2018/1526 subject to the conditions set out in [Attachment A](#) to the subject report, subject to the following amendments (additions shown in ***bold italics*** and deleted text shown in ~~strikethrough~~):

(2) DESIGN AND USE MODIFICATIONS

- (a) The glazed addition as shown in revised drawing DA-0204/05 by SJB Architects dated 9 April 2019 is to be set back a further 1m from the Liverpool Street frontage.
- (b) The removal and reconstruction of the parapet of the entry portico on Liverpool Street is not supported and must be deleted from the submitted documentation and plans.
- (c) The substation must be located as per Option 2 of the drawing Substation Potential Locations by SJB Architects dated 10 April 2019, which retains the eastern most pavement lightwell. Option 3 location for substation is not supported and the proposal must be revised accordingly to remove it.
- (d) The fence line around the proposed excavation must return at the western edge of the retained eastern lightwell. This location provides the right height levels for the fence to connect with the plinth of the heritage building.
- (e) The development application plans listed under Condition 1 must be updated to align with the submitted structural drawings to ensure that there is no impact on significant fabric of the building.
- (f) ***An Organ Management Plan, including a commitment to hold a number of public events to witness the use of the organ, is to be submitted following consultation with the Organ Historical Trust of Australia.***

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

(20) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MINOR WORKS)

Prior to a Construction Certificate being issued, an archival photographic recording of the subject heritage item is to be prepared to the satisfaction of Council's Director City Planning; **and prior to any interim or final occupation certificate, archival photographic recording of any heritage fabric uncovered during demolition or construction is to be prepared to the satisfaction of Council's Director City Planning., Development and Transport.** The recording is to be in digital form, or a combination of both, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
- (c) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (d) The report is to be submitted on a USB, CD or DVD, in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each: DOS title, image subject/description and date photograph was taken.
- (e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

Reasons for Decision

The application was approved for the following reasons:

- (A) Notwithstanding the General Residential zoning, the proposal is permitted under the provisions of 5.10 – Heritage Conservation in Sydney Local Environmental Plan 2012 and is considered to result in positive heritage conservation outcomes for the heritage listed site.
- (B) The proposal is consistent with the Sydney Development Control Plan 2012.
- (C) The proposal is not considered to result in unacceptable amenity impacts.

- (D) The proposal, subject to conditions, is considered to display Design Excellence as required by Clause 6.21 of Sydney Local Environmental Plan 2012.
- (E) The proposal is considered to be in the public interest.
- (F) Condition 2 was amended in response to concerns raised about access, maintenance and future use of the organ. Condition 2(f) ensures the organ is appropriately managed including provision for use at public events.
- (G) Condition 20 was amended to ensure that the heritage fabric of the existing building is documented and appropriately recorded during demolition and construction.

Carried.

For: Ms Abigail Goldberg and Mr Shaun Carter

Against: Mr McInerney

Note – during discussion of Item 3, Mr McInerney proposed an amendment to Condition 2 (a) as follows:

(2) DESIGN AND USE MODIFICATIONS

- (a) The glazed addition as shown in revised drawing DA-0204/05 by SJB Architects dated 9 April 2019 is to be set back a further 3m from the Liverpool Street frontage.

The amendment was not supported by the majority of the Panel.

D/2018/1526