

Resolution of Central Sydney Planning Committee

22 October 2020

Item 7

Development Application: 169-183 Liverpool Street, Sydney- D/2019/992

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

It is resolved that:

- (A) consent be granted to Development Application No. D/2019/992 subject to the conditions set out in Attachment A to the subject report, subject to the following amendment (addition shown in ***bold italics***):

(11) DETAILED DESIGN OF BUILDINGS

The competitive design process brief and subsequent detailed design development application must incorporate the following requirements:

- (a) The tower and podium forms must be designed to have a symmetrical appearance and have similar proportions, bulk and facade treatments when viewed from points within Hyde Park to the north, north-west and north-east, and in particular, when viewed looking south from Hyde Park's central avenue, as a backdrop to the ANZAC War Memorial.
- (b) The setback to the north-western corner of the western tower from Liverpool Street and Nithsdale Street must be designed as a recessive element.
- (c) The northern facades of the development must be designed to be shaded / recessive, in order to provide a calm and dignified setting as a muted, textured backdrop for the ANZAC War Memorial. Any external lighting of the development must be designed in accordance with this requirement.
- (d) Articulation of the northern facades and fenestration must be in similar proportions to, and in harmony with, the two adjacent buildings to the west of the site.
- (e) The colour scheme and materiality of the future detailed design of the development must give consideration to the heritage context of the site.

Consideration must be given to potential impacts of reflections on the ANZAC War Memorial and Pool of Reflection, and views from these significant State heritage items.

- (f) The corners of the tower forms must be designed to soften and mitigate any visual impacts arising from the asymmetry of the through site link alignment.
- (g) The facade articulation between the tower forms within and adjoining the site must be designed to mitigate wind effects and visual and acoustic privacy impacts.
- (h) Detailed visual analysis of the development from multiple street and park views, including views from points along Hyde Park's central avenue from Park Street to the Pool of Reflection, and from the oculus, water cascade feature, Hall of Service, and Hall of Memory within the ANZAC War Memorial, and from other key vantage points from within Hyde Park.
- (i) Detailed visual analysis of the relationship between the development and the existing and future built form of the adjoining developments to the east, west and south of the site.
- (j) The width of any through site link at its Liverpool Street frontage must reference and respond to the width and arrangement of the memorial cascade walkway to the south of the ANZAC memorial.
- (k) The level changes between the surrounding streets must be addressed within the development to improve access and increase opportunities for ground floor and lower ground floor activation.
- (l) The design of the interface with the surrounding public domain and footpaths must provide high levels of amenity for pedestrians and sufficient space for existing and future street tree canopies.
- (m) The width of the vehicle access points to Clarke Street and Nithsdale Street must be narrowed and minimised.
- (n) Massing and modulation of buildings in order to minimise overshadowing of the public domain, adjoining residential development and public open spaces adjacent to and in proximity to the site.
- (o) Plant and lift overruns must be incorporated into the roof form of buildings and either provided within architectural roof features, as defined in the Dictionary of the Sydney Local Environmental Plan 2012, or located and provided with parapet screening so that they are not visible from the public domain or adjoining tower developments.
- (p) No high level, large or highly lit corporate signage to the northern facades of the development.
- (q) No spires, towers or flag poles on the top of the development.
- (r) The use of stone in the facades of the development should be avoided.
- (s) ***No open balconies to the western face of Tower A.***

- (B) the 'Amended Design Excellence Strategy' for 175 Liverpool Street, Sydney, version E, prepared by Ethos Urban Pty Ltd and dated 21 August 2020, 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.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act, 1979, in that, subject to the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.
- (B) The proposal generally satisfies the objectives and provisions of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) The proposal is consistent with the objectives of the B8 Metropolitan Centre zone.
- (D) The building envelope complies with the maximum height of buildings development standard in Clause 4.3 of the Sydney Local Environmental Plan 2012, and provides capacity for an additional 10% height available under Clause 6.21(7) of the Sydney Local Environmental Plan 2012 for any subsequent detailed building design resulting from a design competition process, and demonstrating design excellence.
- (E) The indicative reference design accompanying the application demonstrates that the envelope can accommodate a building which complies with the maximum floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 2012.
- (F) The proposed development will conserve the heritage significance of the ANZAC War Memorial and Hyde Park in accordance with Clause 5.10 of the Sydney Local Environmental Plan 2012.
- (G) The proposed building envelope complies with the Harmony Park sun access plane under the Draft Central Sydney Planning Strategy.
- (H) Subject to compliance with the design excellence strategy, the undertaking of a competitive design process and the recommended conditions of consent, the proposed development will provide a building envelope capable of accommodating a future building which can exhibit design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (I) The indicative reference design accompanying the application demonstrates that the proposed development is generally consistent with the provisions of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (ADG).
- (J) The proposed development has a height and form suitable for the site and its context, and subject to conditions, satisfactorily addresses the heights and setbacks of neighbouring developments, is appropriate in the streetscape context and broader locality.
- (K) Subject to the recommended conditions of consent, the proposed development will provide a building envelope capable of accommodating a future building which can

achieve acceptable amenity for future residents for solar access, natural ventilation, private open space and privacy.

- (L) The proposed building envelope can accommodate the proposed uses and does not result in any significant adverse environmental or amenity impacts on surrounding properties, the public domain and the broader Sydney Central Business District, subject to conditions on a subsequent detailed design development application.
- (M) The public interest is served by the approval of the proposal, as amendments to the development application have addressed the matters raised by the City and the community, subject to recommended conditions imposed relating to heritage conservation, setbacks, views, privacy, transport, servicing and parking.
- (N) Condition 11 was amended to address privacy concerns.

Carried unanimously.

D/2019/992