

Resolution of Central Sydney Planning Committee

11 November 2021

Item 4

Section 4.55 Application: 194 and 196-204 Pitt Street, Sydney - D/2018/1246/A

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

It is resolved that consent be granted to Section 4.55 Application Number D/2018/1246/A, subject to the amendment of the following conditions (additions shown in **bold italics**, deletions shown in ~~strike through~~):

(2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2018/1246 dated 17 October 2018, **as modified by Section 4.55 Modification Application D/2018/1246/A dated 11 March 2021** and the following drawings prepared by ~~Francis Jones Morehen Thorp Pty Ltd~~ **FJMT Studio**:

Drawing Name	Date
Proposed Envelope – Basement 5 Envelope Drawings Proposed Envelope - Level B5 Revision 02	14 June 2019 9 April 2021
Proposed Envelope – Basement 4 Envelope Drawings Proposed Envelope - Level B4 Revision 02	14 June 2019 9 April 2021

Drawing Name	Date
Proposed Envelope - Basement 3 Envelope Drawings Proposed Envelope - Level B3 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Basement 2 Envelope Drawings Proposed Envelope - Level B2 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Basement 1 Envelope Drawings Proposed Envelope - Level B1 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Ground Floor Envelope Drawings Proposed Envelope - Ground Level Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Ground Floor Mezzanine Envelope Drawings Proposed Envelope - Ground Mezzanine Level Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 1 Envelope Drawings Proposed Envelope - Level 01 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 1 Mezzanine Envelope Drawings Proposed Envelope - Level 01 Mezzanine Revision 02	14 June 2019 9 April 2021

Drawing Name	Date
Proposed Envelope - Level 2 Envelope Drawings Proposed Envelope - Level 02 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 3 Envelope Drawings Proposed Envelope - Level 03 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 4 Envelope Drawings Proposed Envelope - Level 04 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 5 Envelope Drawings Proposed Envelope - Level 05 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 6 Envelope Drawings Proposed Envelope - Level 06 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 7 Envelope Drawings Proposed Envelope - Level 07 Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Level 14 Podium Roof Envelope Drawings Proposed Envelope - Level 14 - Podium Revision 02	14 June 2019 9 April 2021

Drawing Name	Date
Proposed Envelope - Tower Roof Envelope Drawings Proposed Envelope - Tower Roof Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Pitt Street Elevation Envelope Drawings Proposed Envelope - Pitt Street Elevation Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Market Street Elevation Envelope Drawings Proposed Envelope - Market Street Elevation Revision 02	14 June 2019 9 April 2021
Proposed Envelope - Castreleagh Street Elevation Envelope Drawings Proposed Envelope - Castreleagh Street Elevation Revision 02	14 June 2019 9 April 2021
Proposed Envelope - West-East Section Through Lantern Envelope Drawings Proposed Envelope - West-East Section Through Lantern Revision 02	14 June 2019 9 April 2021

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.

(Condition amended 11 November 2021)

(7) DETAILED DESIGN TO BE CONTAINED WITHIN APPROVED ENVELOPE

Subject to the other conditions of this consent, the building envelope is only approved on the basis that the ultimate detailed design development application for the buildings on the site, including articulation, balconies, terraces, services, privacy treatments and other projections **(with the exception of balustrade and landscape structures at level 6 and level 14)** will be entirely contained within the approved building footprint and envelope, and comply with the relevant planning controls.

(Condition amended 11 November 2021)

(9) DETAILED DESIGN OF BUILDINGS

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

- (a) The hotel podium must be designed to be visually recessive and complementary to the retained heritage fabric.
- (b) The tower cantilever over 202-204 Pitt Street must be visually recessive, articulated and finished to minimise any visually overbearing impacts to the heritage items below.
- (c) Communal open space or communal spaces must be provided within the development in accordance with Part 3D of the Apartment Design Guide for the exclusive use of apartment residents, and which is not to be co-located or co-mingled with other uses.
- (d) Habitable rooms of any residential apartments are to be excluded from the northern edge of Level 14 and Level 15 and apartments in these locations are to address the eastern or western boundaries of the site, as appropriate. Alternate uses, ancillary to residential apartments, such as plant areas and storage are to be provided to these areas.
- (e) 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.
- (f) ***Any new structure within the increased building envelope volume at level 7 above the heritage item at 194 Pitt Street must not impact the retention and maintenance of the existing parapets of the building. Any new structure must demonstrate high quality design and be constructed of high quality materials.***
- (g) ***Any new structure or building elements within the increased building envelope volume at level 6 above the new infill building at 196 Pitt Street and the heritage items at 198-200 and 202-204 Pitt Street must demonstrate high quality design and achieve a high degree of architectural integration with the mid podium, and minimising any increase to the visual bulk and massing of the mid podium.***

(Condition amended 11 November 2021)

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, as modified, is substantially the same development as that originally approved and is consistent with Section 4.55(2)(a) of the Environmental Planning and Assessment Act, 1979.
- (B) The proposed modifications ensure that the detailed design development application is consistent with the concept approval, in order to satisfy Section 4.24 of the Environmental Planning and Assessment Act, 1979.
- (C) The proposal is consistent with the aims, objectives and relevant provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 for the reasons set out in the report.
- (D) The modified building envelope can accommodate a building design which is capable of exhibiting design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (E) The changes to the approved building envelope are in keeping with the desired future character of the area. These variations are reasonable and justified with regard to the concurrent detailed design development application D/2021/203.
- (F) The changes to the approved building envelope are appropriate and are not likely to significantly impact the overall use of the building or the amenity of surrounding sites or locality.
- (G) The development, as modified, is in the public interest.

Carried unanimously.

D/2018/1246/A