

# Resolution of Central Sydney Planning Committee

**11 May 2023**

## Item 4

### Modification Application: 525-529 George Street, Sydney - D/2019/758/A

Moved by the Chair (the Lord Mayor), seconded by Mr Persson –

It is resolved that consent be granted to Section 4.55 Application No. D/2019/758/A subject to the amendment of the following conditions (with additions shown in **bold italics** and deletions shown in ~~strike through~~):

#### (2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2019/758 dated 16 July 2019, as amended, and the following drawings prepared by Candalepas Associates:

Drawing Number	Issue	Drawing Name	Date
<del>1101</del> <b>S4.55-1 1101</b>	B	Building Envelope – Plan	<del>12.03.2020</del> <b>04.11.2022</b>
<del>1301</del> <b>S4.55-1 1301</b>	B	Building Envelope – East Elevation	<del>12.03.2020</del> <b>04.11.2022</b>
<del>1302</del> <b>S4.55-1 1302</b>	B	Building Envelope – West Elevation	<del>12.03.2020</del> <b>04.11.2022</b>
<del>1303</del> <b>S4.55-1 1303</b>	B	Building Envelope – North Elevation	<del>12.03.2020</del> <b>04.11.2022</b>
<del>1304</del> <b>S4.55-1 1304</b>	B	Building Envelope – South Elevation	<del>12.03.2020</del> <b>04.11.2022</b>
<del>1350</del> <b>S4.55-1 1350</b>	B	Building Envelope – Axonometrics	<del>12.03.2020</del> <b>04.11.2022</b>
2102	B	Indicative Scheme – Basement 1	12.03.2020
2103	B	Indicative Scheme Lower Ground Floor	12.03.2020

and as amended by the conditions of this consent.

- (b) Drawing numbers 2101 and 2103 referenced in (a) above are only approved in terms of the location of the driveway and breakthrough panel through to the basement of 505-523 George Street. No other details on these drawings are approved under this consent.
- (c) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

***(Condition amended – D/2019/758/A – 11 May 2023)***

#### **(4) ENVELOPE HEIGHT**

The height of the approved envelope must not exceed RL 469.42 **172.51** (AHD).

***(Condition amended – D/2019/758/A – 11 May 2023)***

#### **(6) FLOOR SPACE RATIO**

- (a) The Floor Space Ratio for all detailed development applications on the site must ~~not exceed the maximum permissible~~ **be** calculated in accordance with the relevant clauses of the Sydney Local Environmental Plan 2012.
- (b) Notwithstanding (a) above, the proposal may be eligible for up to 10% additional floor space pursuant to the provisions of Clause 6.21(7) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the resulting detailed design development application exhibits design excellence and is the result of a competitive design process.
- (c) Precise calculations and details of the distribution of floor space must be provided with any subsequent detailed design development application.
- (d) Any floor space ratio in excess of 8:1 shall be subject to a requirement to purchase heritage floor space (HFS) in accordance with the requirements of Clause 6.11 of the Sydney Local Environmental Plan 2012.

***(Condition amended – D/2019/758/A – 11 May 2023)***

### **SCHEDULE 1B - GOVERNMENT AGENCY CONDITIONS**

#### **(33) SYDNEY AIRPORT CORPORATION LIMITED / DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, CITIES AND REGIONAL DEVELOPMENT**

- (a) The building must not exceed a maximum height of ~~467.4 metres~~ **175.6 metres AHD**, this includes all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
- (b) Separate approval must be sought under the Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.

- (c) The Proponent must ~~advise~~ **advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YSSY-CA-216.
- (d) On completion of construction of the building, the Proponent must provide ~~the airfield design manager~~ **SACL** with a written report from certified surveyor on the finished height of the building.
- (e) ***A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.***
- (f) Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Act.

***(Condition amended – D/2019/758/A – 11 May 2023)***

### **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 proposed modifications are consistent with and are considered acceptable having regard to the reasons given for the original approval in accordance with Section 4.55(3) of the Environmental Planning and Assessment Act, 1979.
- (D) The proposal is consistent with the aims, objectives and relevant provisions of the Sydney Local Environmental Plan 2012 (SLEP 2012) and Sydney Development Control Plan 2012 (SDCP 2012) for the reasons set out in the report.
- (E) The modified building envelopes can accommodate a building design which is capable of exhibiting design excellence in accordance with Clause 6.21C of the SLEP 2012.
- (F) The increased height and bulk of the building envelopes 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/2022/481.
- (G) The changes to the approved building envelopes are appropriate and are not likely to significantly impact the overall use of the building or the amenity of surrounding sites or locality.
- (H) The development as modified is in the public interest.

Carried unanimously.

D/2019/758/A