

Resolution of Central Sydney Planning Committee

11 May 2023

Item 5

Development Application: 525-529 George Street, Sydney - D/2022/481

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

It is resolved that:

- (A) the variation requested to the Height of Buildings development standard, in accordance with clause 4.6 exceptions to development standards of the Sydney Local Environmental Plan 2012 (SLEP 2012) be upheld;
- (B) the variation requested to the Floor Space Ratio development standard, in accordance with clause 4.6 exceptions to development standards of the SLEP 2012 be upheld; and
- (C) consent be granted to Development Application No D/2022/481, subject to the conditions detailed in Attachment A to the subject report to the Central Sydney Planning Committee on 11 May 2023, subject to the following amendments (additions shown in *bold italics*, deletions shown in ~~strike through~~):

(53) OPERATIONAL USE DETAILS AND FIT OUT - SEPARATE DA REQUIRED

No consent is granted or implied for the fit out ~~or specific use~~ *and operational details* of:

- (a) the restaurant and bar located at lower ground floor level;
- (b) the hotel café located at lower ground floor level;
- (c) the retail tenancies (Retail 01, 02 and 03) located at upper ground floor level;
- (d) the cinema; and
- (e) the function centre located on level four.

A development application/s is required to be obtained for the fit out and operational use **details** of the above uses prior to that fit out or use commencing.

Reason

To require separate consent to be obtained for a use **the fit out and operational details**.

(62) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Accredited Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Residential spaces	44 63
Accessible residential spaces	44 18
Valet/hotel parking	34 29
Accessible valet/hotel parking	4 2
Subtotal	87 112
Motorcycle parking	6 9
Service vehicle spaces (SRV Size)	2
Medium rigid vehicle loading dock(s) (able to accommodate 1X 9.25m Council Garbage Collection vehicle or 2x 8.8m MRV or a combination of 4x SRV/B99 van size vehicle in Tandem as shown in TRAFFIX Traffic Report ref 18.362r09v02 Date 3 Feb 2023.)	1
Hotel drop off and pick up	1
Accessible Hotel drop off and pick up	1
Total	98 126

Reason

To ensure the allocation of parking is in accordance with the Council's Development Control Plan.

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 conditions as recommended, it achieves the objectives of the site's planning controls for the reasons outlined in the report to the Central Sydney Planning Committee.
- (B) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the SLEP 2012, that compliance with the Height of Buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the SLEP 2012; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the SP5 Metropolitan Centre zone and the Height of Buildings development standard.
- (C) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the SLEP 2012, that compliance with the Floor Space Ratio (FSR) development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.4 of the SLEP 2012; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the SP5 Metropolitan Centre zone and the FSR development standard.
- (D) The proposal is consistent with the objectives of the SP5 Metropolitan Zone of SLEP 2012.
- (E) The development, subject to conditions, is generally consistent with the applicable State Environmental Planning Policies, the Apartment Design Guide (ADG), the SLEP 2012 and the Sydney Development Control Plan 2012 (SDCP 2012).
- (F) The built form is of a high quality and consistent with the future desired character of the area. Subject to conditions, the proposed development is considered to exhibit design excellence and will make a positive contribution to the public domain and the Sydney skyline and streetscape.
- (G) The proposed development is consistent with the design intent of the winning scheme of a competitive design process, held in accordance with the City of Sydney Competitive Design Policy.

- (H) The proposed development is consistent with the amended concept approval for the site, being D/2019/758/A, in accordance with Section 4.24 of the Environmental Planning and Assessment Act, 1979.
- (I) The proposed development has a height, scale 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 setting of the broader locality.
- (J) Subject to the recommended conditions of consent, the proposed development achieves acceptable amenity for the existing and future occupants of the subject and adjoining sites.
- (K) The proposed mix of compatible land uses will support the vitality of the area and do not result in any significant adverse environmental or amenity impacts on the subject or surrounding properties, the public domain and the broader Sydney Central Business District, subject to the recommended conditions.
- (L) 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 the appropriate management of potential environmental impacts associated with the development.
- (M) For the reasons above and as detailed in the assessment report to the Central Sydney Planning Committee, the proposed development is in the public interest subject to conditions.
- (N) Condition 53 was amended to clarify that a development application/s is required for the fit out and operational details of the uses located within the podium.
- (O) Condition 62 was amended to reflect the correct car parking and motorcycle parking allocation as shown in the assessment report and accompanying architectural plans.

Carried unanimously.

D/2022/481