

Resolution of Local Planning Panel

3 September 2025

Item 3

Section 4.55(2) Application: 410 Pitt Street, Haymarket - D/2020/1387/C

The Panel granted consent to Section 4.55(2) Application Number D/2020/1387/C subject to the amendment of the following conditions, with modifications shown in ***bold italics*** (additions) and ~~strikethrough~~ (deletions) as follows:

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. ~~D/2020/993~~ ***D/2020/1387*** dated 21 December 2020 and the following drawings prepared by Durbach Block Jaggers:

Drawing Number	Drawing Name	Date
A-DA-110-001 Rev 1 2	GA Plans Basement 1	24.04.23 <i>8.04.25</i>
A-DA-110-002 Rev 1 2	GA Plans Ground Level	24.04.23 <i>8.04.25</i>
A-DA-110-003 Rev 1 3	GA Plans Level 1	24.04.23 <i>8.04.25</i>
A-DA-110-004 Rev 1 2	GA Plans Level 2	24.04.23 <i>8.04.25</i>

Drawing Number	Drawing Name	Date
A-DA-110-005 Rev 2 4	GA Plans Typical Levels 3-4	29.08.23 11.07.25
A-DA-110-006 Rev 2 4	GA Plans Typical Levels 5	29.08.23 11.07.25
A-DA-110-007 Rev 2 3	GA Plans Level 6	29.08.23 11.04.25
A-DA-110-008 Rev 2 4	GA Plans Typical Levels 7-29	29.08.23 11.07.25
A-DA-110-009 Rev 2 4	GA Plans Level 16	29.08.23 11.07.25
A-DA-110-010 Rev 2 4	GA Plans Level 30	29.08.23 11.07.25
A-DA-110-011 Rev 2 3	GA Plans Level 31	29.08.23 8.04.25
A-DA-110-012 Rev 2 3	GA Plans 32	29.08.23 8.04.25
A-DA-110-013 Rev 2 4	GA Plans Roof Plan	29.08.23 11.07.25
A-DA-210-001 Rev 3 5	GA Elevation North Elevation	29.08.23 11.07.25
A-DA-210-002 Rev 1 2	GA Elevation East Elevation	24.04.23 8.04.25

Drawing Number	Drawing Name	Date
A-DA-210-003 Rev 2 4	GA Elevation South Elevation	29.08.23 11.07.25
A-DA-210-004 Rev 1 3	GA Elevation West Elevation	24.04.23 11.07.25
A-DA-310- 003 002 Rev 1 3	GA Sections Section CC	24.04.23 11.07.25
A-DA-310-004 Rev 1 3	GA Sections Section DD	24.04.23 11.07.25
A-DA-730-001 Rev 1 2	Diagrams Materials & Finishes Schedule	24.04.23 8.04.25
A-DA-730-002 Rev 1	Detail Section Suite Glazing	11.07.25

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

(3A) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) ***The note describing 'acoustic wall' on the north elevation numbered A-SA-210-001 must be deleted noting there is no approval for any acoustic walling.***
- (b) ***All exhaust louvres added to the northern side boundary wall marked as change "30" on the north elevation numbered A-DA-210-001 must be deleted.***
- (c) ***Operable windows are to be provided to the east elevation consistent with the previously approved plans for D/2020/1387/A. These are to be noted on amended plan and elevation drawings.***
- (d) ***Details of privacy treatments to the east facing rooms are to be provided. These are to be noted on amended plan and elevation drawings.***
- (e) ***Material RFS:01 Concrete roof with waterproof membrane is not approved on the Materials & Finishes Schedule A-DA-730-001. RFS:01 is to be***

amended to be a Zinc Roof consistent with the previously approved Materials and Finishes Schedule for D/2020/1387/A. This amendment is to be captured in an amended Materials & Finishes Schedule, in plan and elevations.

- (f) ***Material GL:02 Obscure Glass is to be provided to all corridor windows facing north and level 31 T-05 Duplex north facing window. These are to be noted in both plan and elevation.***

Amended architectural drawings must be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate for above ground works.

(5) BUILDING HEIGHT

- (a) The height of the building must not exceed RL ~~121.110~~ **123.100** (AHD) to the top of the building lift overrun and RL 115.46 (AHD) to the parapet of the building.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

(6) FLOOR SPACE RATIO - CENTRAL SYDNEY

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed ~~12.73:1~~ **12.5:1** calculated in accordance with the Sydney Local Environmental Sydney Local Environmental Plan 2012. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is ~~4,392~~ **4,313** sqm.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under *Sydney Local Environmental Plan 2012* applicable at the time of development consent, to the satisfaction of the Principal Certifier.
- (c) Prior to a Construction Certificate being issued, Council's written verification must be obtained, confirming that 403sqm of heritage floor space was allocated (purchased and transferred) to the development.
- (d) The developer may enter into a planning agreement with Council to purchase heritage floor space in accordance with Council's 'Alternative Heritage Floor Space Allocation Scheme' policy in the event that the requirement in (c) is not able to be satisfied.

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 conditions of consent, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Local Planning Panel.

- (B) The development to which the proposed modification relates is substantially the same as that originally granted, and as amended with consent by subsequent modification applications.
- (C) The development, as proposed to be amended, satisfies the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.
- (D) The development, as proposed to be amended, exhibits design excellence in accordance with the relevant provisions and matters for consideration in Clause 6.21C of the Sydney Local Environmental Plan 2012.
- (E) The proposed development has a bulk, form and massing that is suitable for the site and its context within Central Sydney. The intended future use of the site for tourist and visitor accommodation is consistent with the objectives of the SP5 - Metropolitan Centre zone.
- (F) The amended modification application has addressed matters raised by Council staff. Subject to the recommended conditions of consent, the proposed development achieves good amenity for the existing and future occupants of the subject and adjoining sites.
- (G) For the reasons above the proposed development is in the public interest.

Carried unanimously.

D/2020/1387/C