

Local Planning Panel

Meeting No 122

Wednesday 3 September 2025

Notice Date 27 August 2025

minutes

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Present

Graham Brown (Chair), Elizabeth Kinkade, Louise Sureda and Jayden Bregu.

At the commencement of business at 5:08 pm, those present were:

Mr Brown, Ms Kinkade, Ms Sureda and Mr Bregu.

The Executive Manager Planning and Development was also present.

The Chair opened the meeting with introductory comments about the purpose and format of the meeting and an acknowledgement of country.

Order of Business

The Panel agreed that the order of business be altered, such that Item 4 be dealt with prior to Item 3, to consider the amended concept before the amended detailed development application.

Item 1 Disclosures of Interest

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all panel members have signed a declaration of interest in relation to each matter on the agenda.

Elizabeth Kinkade disclosed a reasonably perceived conflict of interest in Items 3 and 4 on the agenda, in that she knows a person who made a submission. Ms Kinkade stated that she did not discuss the applications with the submitter.

Following assessment of the above disclosures of interest under the Code of Conduct for Local Planning Panels and the City of Sydney Local Planning Panel Operational Procedures, Ms Kinkade is not required to step out during deliberations on Items 3 and 4.

No other members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

Item 2 Confirmation of Minutes

The Panel noted the minutes of the Local Planning Panel of 20 August 2025, which have been endorsed by the Chair of that meeting.

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>
A-DA-110-005 Rev 2 4	GA Plans Typical Levels 3-4	29.08.23 <i>11.07.25</i>
A-DA-110-006 Rev 2 4	GA Plans Typical Levels 5	29.08.23 <i>11.07.25</i>
A-DA-110-007 Rev 2 3	GA Plans Level 6	29.08.23 <i>11.04.25</i>
A-DA-110-008 Rev 2 4	GA Plans Typical Levels 7-29	29.08.23 <i>11.07.25</i>
A-DA-110-009 Rev 2 4	GA Plans Level 16	29.08.23 <i>11.07.25</i>

Drawing Number	Drawing Name	Date
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
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

Speakers

Sue Ostler.

Kate Bartlett (The Planning Studio) – on behalf of the applicant and Rino Criola (Tricon Group) – on behalf of the applicant.

Item 4 Section 4.56 Application: 410 Pitt Street, Haymarket - D/2015/661/D

The Panel granted consent to Section 4.56 Application Number D/2015/661/D subject to the amendment of the following conditions, with modifications shown in ***bold italics*** (additions) and ~~strikethrough~~ (deletions) as follows:

(2) APPROVED STAGE 1 DEVELOPMENT

- (a) Development consent is limited to a Stage 1 Concept Plan building envelope and land uses within this envelope, in accordance with Development Application No. D/2015/661, dated 19 May 2015 and the following drawings:

Drawing Number	Architect	Date
AD-DA100	Scott Carver	15 December 2015
AD-DA101	Scott Carver	15 December 2015
AD-DA110	Scott Carver	15 December 2015
AD-DA111	Scott Carver	15 December 2015
AD-DA112	Scott Carver	15 December 2015

and as amended by the following plans prepared by Durbach Block Jaggers:

Drawing Number	Title	Date
DA100 S455 100 Rev 3 4 5	Building Envelope – Lower Level	30.06.21 7.08.23 17.12.24
DA101 S455 101 Rev 3 5 6	Building Envelope – Upper Level	30.06.21 7.08.23 17.12.24
DA110 S455 110 Rev 3 5 6	Building Envelope – Pitt Street Elevation	30.06.21 7.08.23 17.12.24
DA111 S455 111 Rev 3 4 5	Building Envelope – Section East West	30.06.21 7.08.23 17.12.24

DA112 S455 112 Rev 3 4 5	<i>Building Envelope</i> <i>Section North South</i>	–	30.06.21 7.08.23 17.12.24
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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.

(6) BUILDING HEIGHT

The maximum height of any future building on the site must not exceed RL 115.460 (AHD) *with the lift overrun and motor room not to exceed RL ~~121.110 (AHD)~~ 123.100 (AHD).*

Reasons for Decision

The application was approved for the following reasons:

- (A) The site is located within a locality that provides a broad mix of commercial and residential land uses. The development is consistent with the objectives of the SP5 Metropolitan Centre Zone in that it provides for the pre-eminent role of business, office, retail, entertainment and tourist premises, promotes the efficient and orderly development of land in a compact urban centre.
- (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 proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 including Clause 6.21C Design excellence and Clause 6.17 Sun access planes.
- (D) The proposed amendments will not significantly increase environmental impacts resulting from the development for neighbouring residential properties.

Carried unanimously.

D/2015/661/D

Speakers

Sue Ostler.

Kate Bartlett (The Planning Studio) – on behalf of the applicant and Rino Criola (Tricon Group) – on behalf of the applicant.

Item 5 Development Application: 1 Shakespeare Place, Sydney - D/2024/868

The Panel granted consent to Development Application Number D/2024/868 subject to the conditions set out in Attachment A to the subject report.

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 Local Planning Panel.
- (B) The proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) The proposal is consistent with the objectives of the SP5 Metropolitan Centre, SP2 Infrastructure (Classified Road) and RE1 Public Recreation zones.
- (D) The proposed development has acceptable impacts on the heritage significance of heritage items within the development site. The development is in accordance with the aims and objectives for heritage conservation provided in Clause 5.10 of the Sydney Local Environmental Plan 2012.
- (E) The proposal maintains appropriate access and use of the road network and improves opportunities for walking and cycling around the site and is consistent with the aims of the Sydney Local Environmental Plan 2012 relating to maintaining the road network and improving the pedestrian and cyclist network.
- (F) The proposed development is unlikely to result in any significant adverse environmental or amenity impacts on surrounding properties, the public domain, and the broader Central Sydney locality, subject to conditions.
- (G) 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, acoustic amenity, road design and access and event management.

Carried unanimously.

D/2024/868

Speakers

Philip Thalís (Hill Thalís) – on behalf of the applicant and Nick Johnston (Department of Planning, Housing and Infrastructure) – on behalf of the applicant.

Item 6 Development Application: 136 Oxford Street, Darlinghurst - D/2025/386

The Panel granted consent to Development Application Number D/2025/386 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposal has been assessed against the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan 2012 (LEP), the Sydney Development Control Plan 2012 (DCP), and the applicable Environmental Planning Instruments, and complies.
- (B) The development is permissible with consent in the R1 General Residential Zone and SP2 Classified Zone. The proposal is consistent with previous uses of the site for markets, events and public exhibitions.
- (C) The proposal will not detrimentally impact on the heritage significance of the heritage items known as 'Former Electrical substation (No.6) including interior' (I400) and 'Underground lavatory including interior' (I401).
- (D) The development is considered consistent with the character of the Taylor Square and Darlinghurst Civic Precinct locality, and the East Sydney and Oxford Street heritage conservation areas.
- (E) Suitable conditions of consent are recommended to address any impacts.

Carried unanimously.

D/2025/386

Item 7 Development Application: 730-742 George Street, Haymarket - D/2025/399

The Panel granted consent to Development Application Number D/2025/399 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, subject to conditions, is consistent with the objectives of the SP5 Metropolitan Centre Zone.
- (B) The development is consistent with the objectives of the Sydney Local Environmental Plans 2012 and Sydney Development Control Plan 2012, in particular the Late Night Management area objectives.
- (C) Subject to conditions, the development will not unreasonably compromise the amenity of nearby properties.

Carried unanimously.

D/2025/399

Speaker

David Rippinggill (Design Collaborative) – on behalf of the applicant.

Item 8 Development Application: 343 George Street, Sydney - D/2025/342

The Panel granted consent to Development Application Number D/2025/342 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed alterations and additions and conservation works are consistent with the objective of the SP5 Metropolitan Centre zone as it conserves the heritage significance of a key commercial building within the CBD.
- (B) Having considered the matters in Clause 6.21C of the Sydney LEP 2012, the building displays design excellence.
- (C) The proposal is consistent with the sun access plane requirements under Clause 6.17 of Sydney LEP 2012.
- (D) The proposal satisfies the design principles and built form provisions for the Martin Place Special Character Area.
- (E) The heritage conservation works are consistent with the requirements under Subdivision 3 of Sydney LEP 2012.
- (F) Subject to the imposition of conditions, the potential impacts of the proposed alterations and additional are appropriately managed and the significant heritage elements are maintained for future longevity.

Carried unanimously.

D/2025/342

Speaker

Matteo Salval (JPW) – on behalf of the applicant.

The meeting of the Local Planning Panel concluded at 5:48 pm.

CHAIR