

Item 9.**Development Application: 429-481 George Street, Sydney (Shop 59)****File No.: D/2018/325****Summary****Date of Submission:** 4 April 2018**Applicant:** Mr Grant Shu**Owner:** City of Sydney**Cost of Works:** \$127,952**Proposal Summary:** Internal alterations to Shop 59 on the Lower Ground Floor Level of the Queen Victoria Building.

This application is referred to the Local Planning Panel for determination as the City of Sydney is the landowner and the site is a heritage item.

Summary Recommendation: The development application is recommended for approval, subject to conditions.**Development Controls:**

- (i) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (ii) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings

Recommendation

It is resolved that consent be granted to Development Application No. D/2018/325 subject to the conditions set out in Attachment A to this report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) It is consistent with the objectives of the B8 - Metropolitan Centre Zone.
- (B) It is consistent with the relevant planning controls for the site.
- (C) The proposed works comply with the site-specific exemptions that apply to the Queen Victoria Building under Section 57(2) of the Heritage Act 1977.
- (D) The works are minor and will, subject to conditions, result in no adverse environmental or heritage impacts.

Background

The Site and Surrounding Development

1. A site visit was carried out by staff on 20 April 2018.
2. The site is an existing retail tenancy (Shop 59-61) located at the southern end of the Lower Ground Floor level of the Queen Victoria Building (QVB). It adjoins other retail stores along the pedestrian arcade through the building.
3. The QVB site has an area of approximately 11,400sqm and is bounded by Market Street to the north, George Street to the east, Druitt Street to the south, and York Street to the west. Surrounding land uses are predominantly retail and commercial.
4. The QVB is listed as a State heritage item under Schedule 5 'Environmental Heritage' of the Sydney LEP (item no. I1783) and is listed on the State Heritage Register (item no. 01814) under the Heritage Act 1977.

5. Photos of the site and surrounds are provided below:

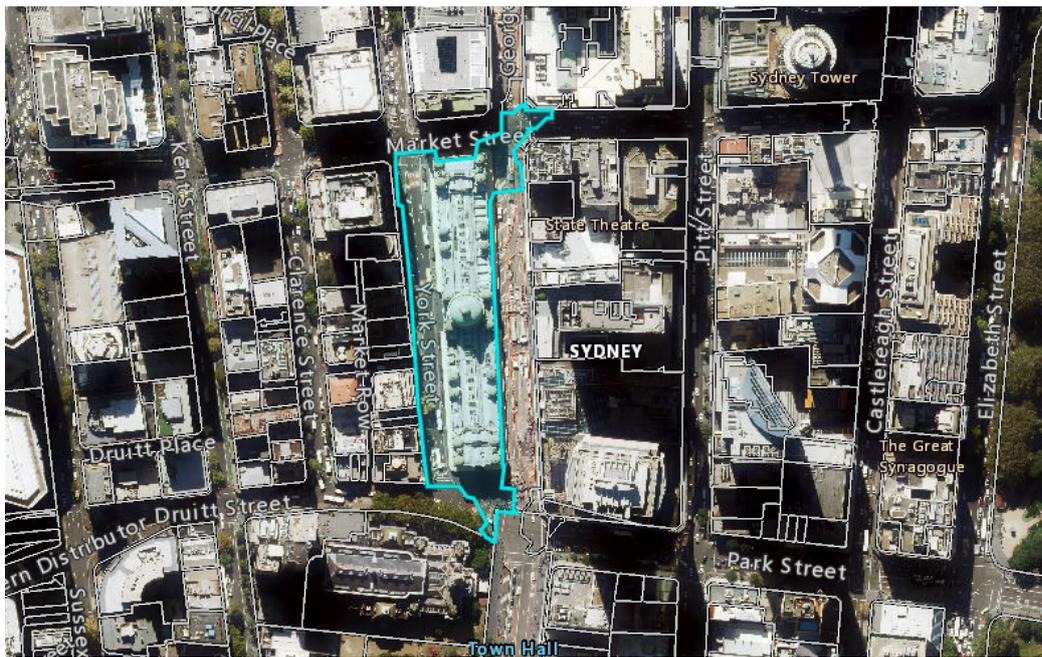


Figure 1: Aerial image of subject site (in blue) and surrounding area



Figure 2: QVB viewed from Druitt Street, facing north



Figure 3: Subject site 'Onitsuka Tiger' store viewed from the internal arcade



Figure 4: Subject site 'Onitsuka Tiger' store viewed from the internal arcade



Figure 5: Subject site 'Onitsuka Tiger' store viewed from the internal arcade

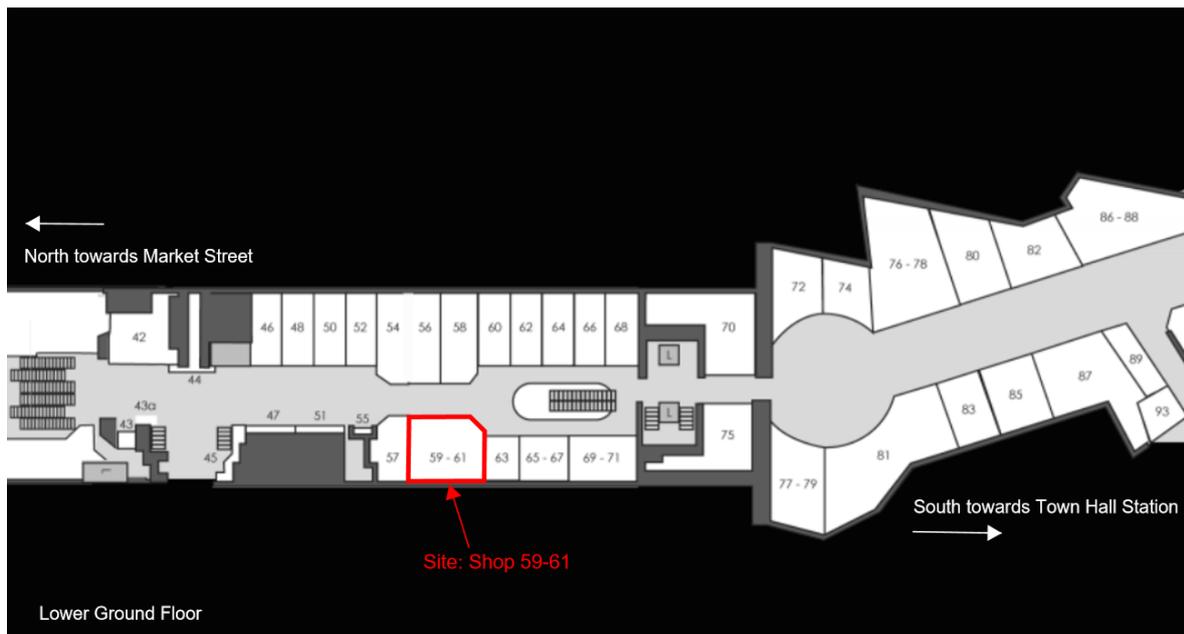


Figure 6: Location of Shop 59-61 in QVB's Lower Ground Floor level

Proposal

- The proposal seeks consent for the removal of existing retail fitout to amalgamated Shop 59 and 61 on the Lower Ground Floor level of the QVB, and new fitout of Shop 59 for the 'Onitsuka Tiger' shoe store. The works include:

Generally

- removal of existing retail fitout in Shop 59 and 61

- installation of a new partition wall dividing Shop 59 and 61 into two separate tenancy areas, the resulting Shop 59 having a tenancy area of 45.8sqm
- a new mullion to the shopfront glazing

Shop 61

- making good works, including removal of floor finish and install level finishing screed, skim and paint finish to neighbouring side of partition wall

Shop 59

- installation of new joinery elements, including display cases, internally illuminated shelving and stools
- installation of partition walls and door, to create a Back of House (BOH) area
- signage:
 - Three LED screens measuring 460mm x 760mm each, recessed into a display case, facing the arcade and 440mm from the shopfront glazing. These screens are 'stacked' vertically, and are proposed to display video content.
 - Three LED screens measuring 1070mm x 620mm each, recessed into a display case and facing internally into the shop on the southern elevation. These screens are 1,440mm into the shop, and are proposed to display video content.
 - One LED 'graphic panel' to northern elevation, measuring 850mm x 350mm in size.
 - The existing arcade signage will be retained.

7. Plans of the proposed development are provided in Attachment B.

History Relevant to the Development Application

8. On 1 February 2013, D/2013/40 granted consent for the internal fitout of retail Shop 59-61 for an 'Onitsuka Tiger' store.

Heritage Act 1977

9. The QVB is listed in the State Heritage Register under the Heritage Act 1977 (SHR item number 01814). The proposal complies with the site-specific exemptions issued under Section 57(2) of the Heritage Act and is not Integrated Development.

10. The site-specific Section 57(2) exemption applies to:
 - (a) All tenancy fitout works and changes to use that comply with the current version of the Queen Victoria Building Design and Fitout Guide approved by the City of Sydney.
 - (b) Non-structural works to the Queen Victoria Building's two basement levels and connecting arcades provided they have no effect on the floor voids, fabric and configuration of the original stairs, or original tiling.
 - (c) Subterranean alterations to existing retail, road and rail tunnels and arcades, including alterations below the southern forecourt pavement on Druitt Street, which do not require excavation.
11. The proposed fitout of Shop 59 complies with the Queen Victoria Building Design and Fitout Guide, and will meet the site-specific exemptions under Section 57(2) of the Heritage Act 1977.

Economic/Social/Environmental Impacts

12. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
 - (a) Environmental Planning Instruments and DCPs.

Sydney LEP 2012

13. The site is located within the B8 - Metropolitan Centre zone. The proposed use is defined as retail and is permissible in the zone.
14. The proposed development does not seek to alter the height or floor space for the site and is therefore compliant with these controls.
15. The primary matters to be considered under the Sydney Local Environmental Plan 2012 for the proposed development relate to the potential impact of the development on the heritage significance of the QVB. Refer to Issues section for details.

Sydney DCP 2012

16. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

2. Locality Statements – York Street Special Character Area
<p>The subject site is located in the York Street Special Character Area including Clarence Street and Kent Street. The proposed retail fitout is located wholly within the Lower Ground Floor level of the QVB and will not have any adverse impact on the York Street Special Character Area.</p>

3. General Provisions	Compliance	Comment
3.9 Heritage	Yes	The subject site is a State listed heritage item. The proposed development will have no adverse impact on heritage fabric, subject to conditions. See discussion under the Issues section.

Issues

Heritage

17. The site is a State listed heritage item under the Sydney Local Environmental Plan 2012. The proposed works are located wholly within the Lower Ground Floor level of the QVB.
18. The proposal includes the installation of new partitions, including a new central wall dividing the existing retail area into two separate tenancy areas. The proposal also includes a new mullion, at the location of the junction of the proposed dividing wall and the shopfront glazing.
19. The application was referred to Council's Heritage Specialist who supports the proposal, subject to conditions to ensure the development meets objectives under Section 3.9 'Heritage' of the Sydney DCP 2012. These conditions relate to the design of the mullion, and include:
 - the construction detail of the new mullion must match the existing mullions in the QVB arcade in material, size and finish;
 - the partition wall behind the new mullion is not to be wider than the new mullion; and
 - a vertical shadow line should be created between the mullion and the partition wall at the junction.

These conditions have been imposed on the draft Conditions of Consent.

20. In addition, three LED TV screens displaying video content are proposed to face the internal arcade.
21. To ensure compliance with the QVB Design and Fitout Guide, a condition has been imposed on the consent to ensure the content of the three LED signs is static. Animated and flashing images are not permitted by the Guide.
22. Subject to conditions, the works are generally consistent with the QVB Design and Fitout Guide and meet the site-specific exemptions under Section 57(2) of the Heritage Act 1977.

Access

23. Access for disabled persons can be provided to the premises.

Other Impacts of the Development

24. The proposed development is capable of complying with the BCA.
25. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

26. The proposal is of a nature in keeping with the overall retail function of the site.

Internal Referrals

27. The application was discussed with the Heritage and Urban Design Specialists and Building Services Unit who advised that the proposal is acceptable subject to the recommended conditions.

External Referrals**Notification, Advertising and Delegation (No Notification)**

28. In accordance with Schedule 1, the proposed development is not required to be notified or advertised development under the Sydney DCP 2012. As such the application was not notified as it is by way of scale, character and operation is likely to have minimal or acceptable impacts.

Public Interest

29. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

S61 Contribution

30. The cost of the development is under \$200,000 and the development is not subject to a levy pursuant to the Central Sydney (Section 61) Contributions Plan 2003.

Relevant Legislation

31. The Environmental Planning and Assessment Act 1979.
32. The Heritage Act 1977.

Conclusion

33. The proposal for internal alterations to the existing retail store is consistent with the objectives and provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012, and will have minimal impact environmental and heritage impacts.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

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