

Item 9.**Development Application: 816 George Street, Chippendale****File No.:** D/2018/1619**Summary****Date of Submission:** 27 December 2018

Amended plans were submitted on 15 February 2019, 20 February 2019, 20 March 2019 and 9 April 2019.

Applicant: Hamec Design Studio**Architect/Designer:** Hamec Design Studio**Owner:** City of Sydney**Cost of Works:** \$165,858.00**Zoning:** The site is located in the B8 Metropolitan Centre zone. The proposed use is defined as a retail premises which is permissible with consent in the zone.**Proposal Summary:** Development application for the use of the existing vacant building (former food and drink premises) as a convenience store with an ancillary money exchange facility. The proposed works include the installation of window openings and doors, alterations to the façade, signage and internal fit out.

The application is referred to Local Planning Panel for determination as the land owner is the Council.

Following a preliminary assessment of the application by Council Officers, a request for further information and amendments was sent on 24 January 2019. Amendments to the form and design of the building were requested as well as amendments to the Plan of Management.

Amended plans were submitted on 15 February 2019 and 20 February 2019. The amended plans included a new small takeaway food premises within the building.

**Proposal Summary
(continued):**

On 6 March 2019, the applicant was asked to amend the design of the proposal to retain rather than demolish the building structure and carry out alterations to the building instead.

On 9 April 2019, amended plans were submitted which retained the structure of the building and included new windows and doors. A new finish was proposed which included the addition of yellow battens on the external facades. The takeaway food premises was removed from the proposal.

The application was notified for a period of 21 days from 11 January 2019 to 2 February 2019. No submissions were received.

Subject to design modifications to the amend the colour of the external battens and a condition restricting the hours of operation, the proposal is generally compliant with the relevant planning controls and is consistent with the desired future character of the area.

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)
- (iii) State Environmental Planning Policy No. 64 (Advertising and Signage)
- (iv) State Environmental Planning Policy (Infrastructure) 2007
- (v) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

Attachments:

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

Recommendation

It is resolved that consent be granted to Development Application No. D/2018/1619 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposal is consistent with the objectives of the B8 Metropolitan Centre zone for the reasons set out in the report.
- (B) The proposal is considered appropriate within its setting and, subject to conditions, is generally compliant with the relevant planning controls contained in the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012, including the requirement for design excellence in clause 6.21 of the Sydney Local Environmental Plan 2012.
- (C) The trial hours of operation are conditioned to be consistent with the requirements of clause 3.15 Late Night Trading Management of Sydney Development Control Plan 2012.
- (D) Appropriate conditions of consent have been imposed to ensure that the development will not result in detrimental environmental impacts.

Background

The Site and Surrounding Development

1. A site visit was carried out by staff on 10 January 2019.
2. The application relates to an existing single storey building located at 816 George Street, Chippendale which has a legal description of Lot 2 DP 819366. The site is commonly known as 'Railway Square' and is over 1344sqm in size. It is located close to the intersection with George Street, Lee Street, Quay Street and Pitt Street. The subject building is approximately 60sqm in area and is located in the central area of Railway Square, adjacent to Lee Street.
3. Railway Square is a large area of public domain and key transport interchange which was redeveloped in the late 1990s. It contains a number of bus stops and one of the main entrances to Central station.
4. Although currently vacant, the building has been in use as a food and drink premises (Michel's Patisserie) since its construction. The entrance to the existing building is from the north elevation facing Railway Square. There are three umbrellas adjacent to the building which appear to have been in situ since it was first constructed.
5. The surrounding land uses include retail, tourist accommodation, commercial office space and educational. A smaller building is also located in Railway Square adjacent to George Street. A development application is currently under assessment to change the use of the smaller building to a takeaway food and drink premises (D/2018/1418).
6. The site is not located in a Heritage Conservation Area. The subterranean State Heritage Item 'Railway Square Overbridge' (01232) is located below 816 George Street, approximately 6m away from the subject building. Local heritage items are located in the vicinity of the site, approximately 30m away.
7. Photos of the site and surrounds are provided below:

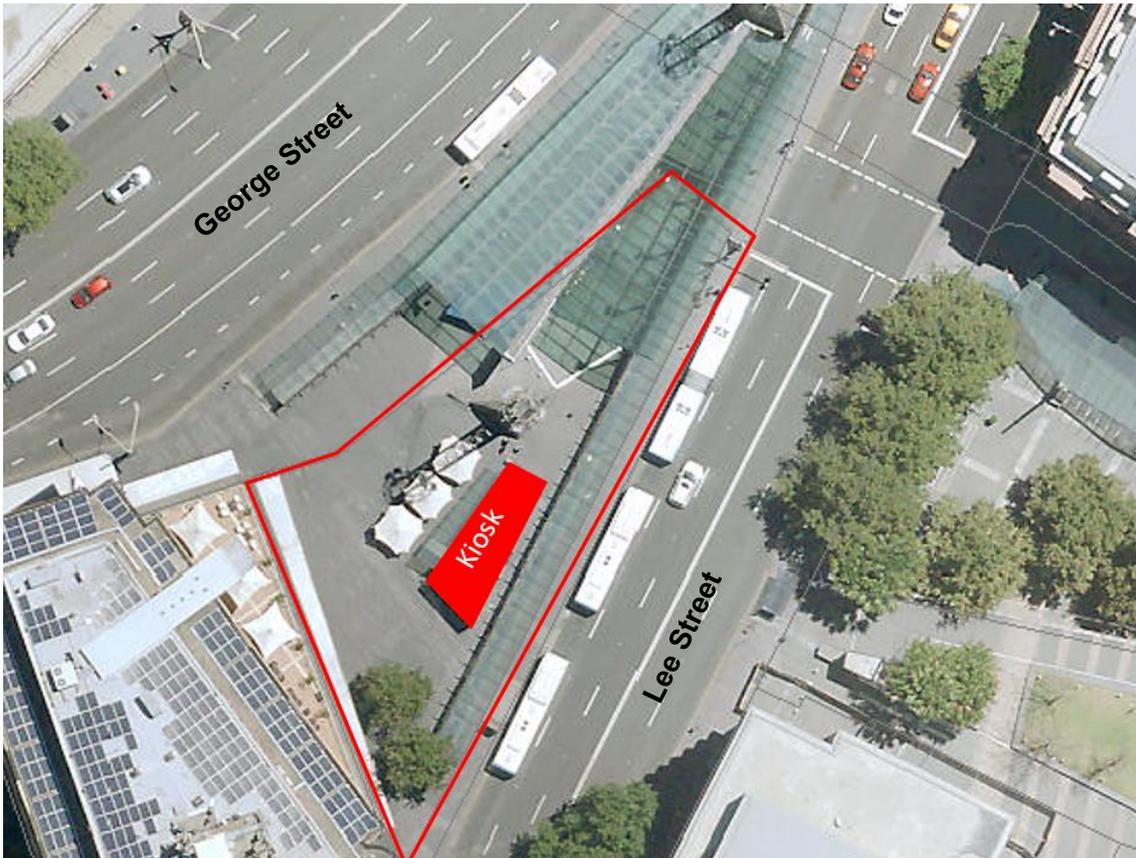


Figure 1: Aerial view of subject site and subject building (highlighted red), application site (highlighted red) and the surrounding area



Figure 2: Front elevation of subject building viewed from Railway Square looking south-east



Figure 3: Side elevation of subject building viewed from Railway Square looking east



Figure 4: Side elevation of subject building viewed from Railway Square looking south-west



Figure 5: Front elevation of subject building viewed from Railway Square looking east

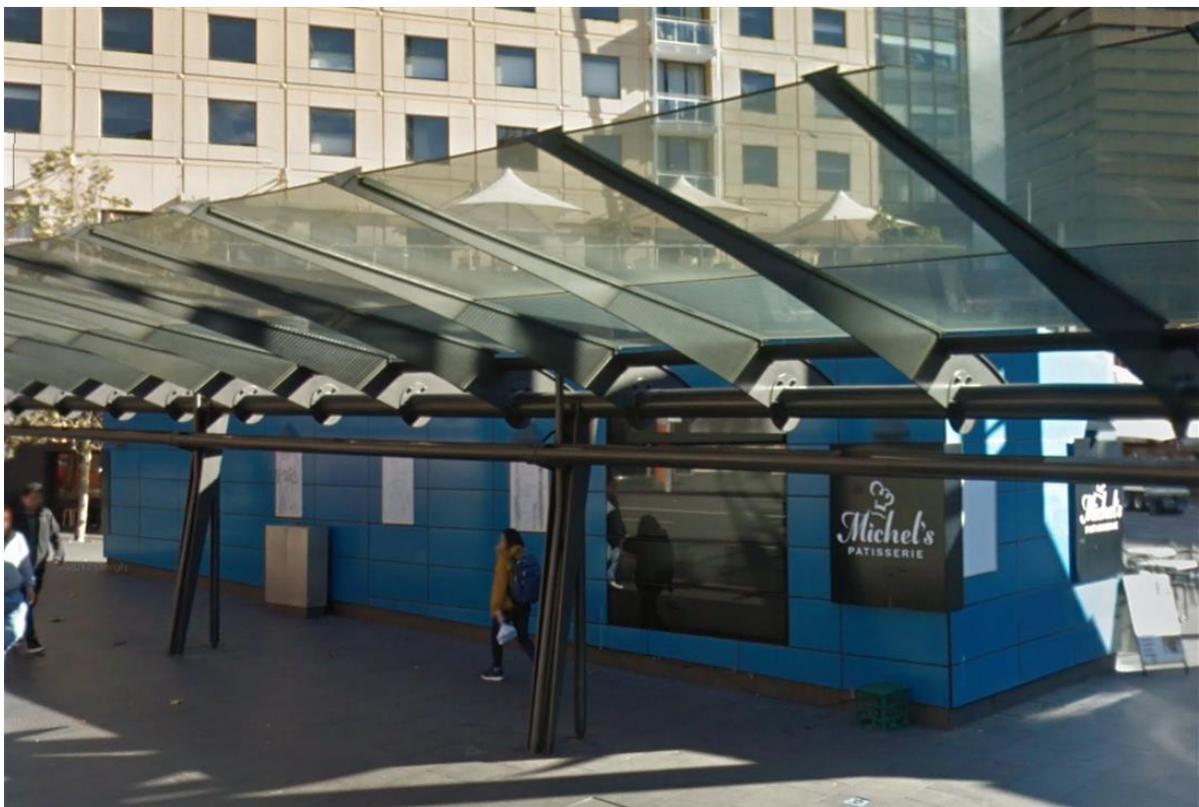


Figure 6: Rear elevation of subject building viewed from Lee Street looking south-east



Figure 7: Site viewed from Railway Square looking north-east

Proposal

8. The application seeks consent for the following:
 - change of use of the existing building from a food and drink premises to a convenience store with an ancillary money exchange facility;
 - alterations to façade including installation of new openings on all facades and a counter for the money exchange facility;
 - painting the existing façade and installation of yellow aluminium battens;
 - internal fitout; and
 - installation of two flat mounted illuminated business identification signs on the Lee Street (south-east) and George Street (north-west) elevations.
9. The proposed hours of operation are 24 hours, 7 days a week.
10. Plans and elevations of the proposed development are provided below.

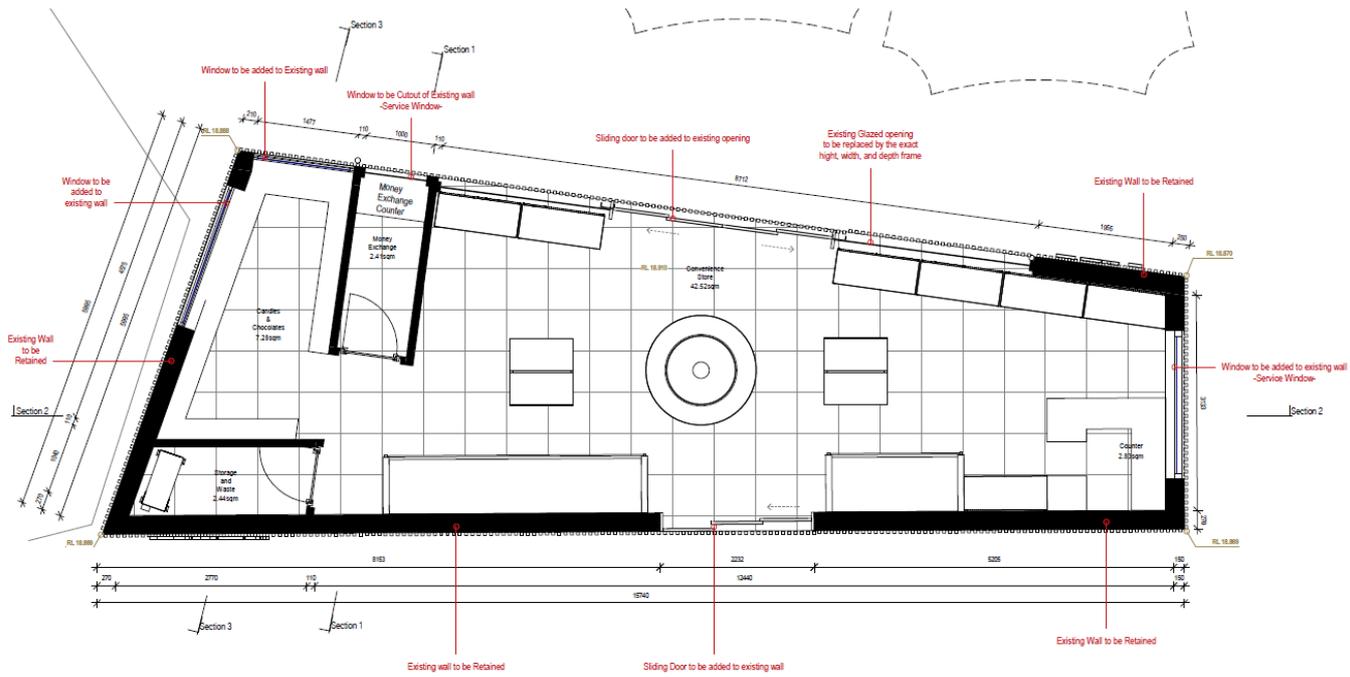


Figure 8: Proposed floor plan

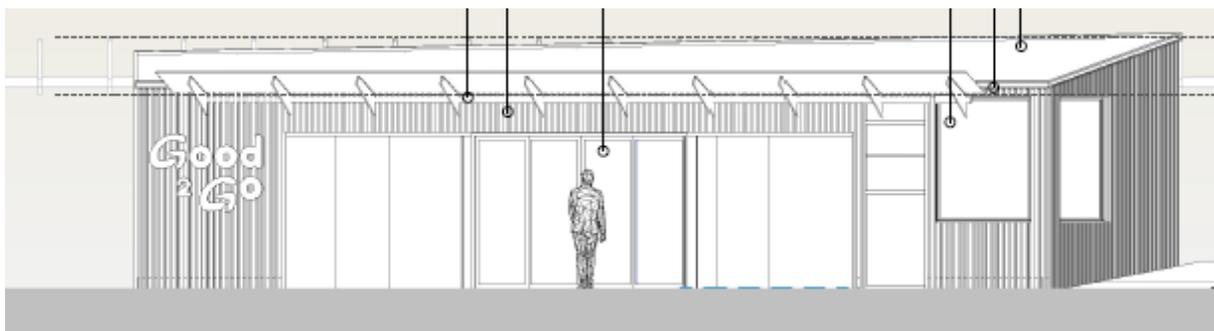


Figure 9: Proposed north-west elevation facing George Street



Figure 10: Proposed south-east elevation facing Lee Street

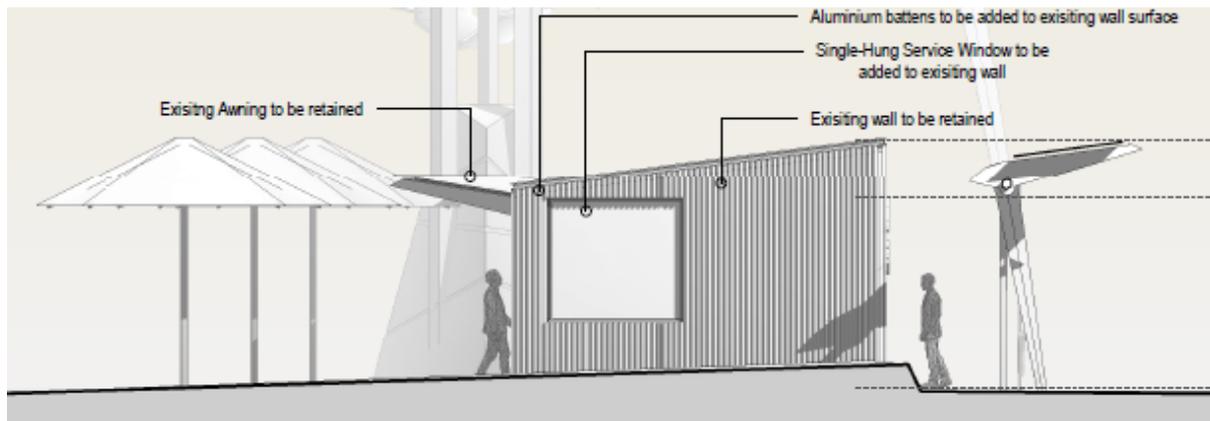


Figure 11: Proposed south elevation

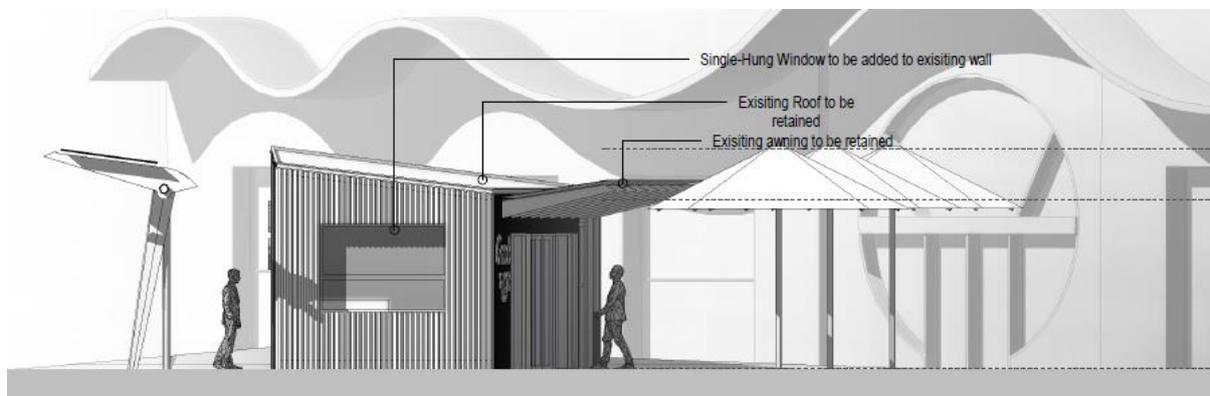


Figure 12: Proposed north elevation



Figure 13: Photomontage of proposal - view from Railway Square looking south



Figure 14: Photomontage of proposal - view from Lee Street looking north

History Relevant to the Development Application

- **C1999/00269** - On 28 July 1999, a construction certificate was issued for the fitout of shop 13 to be used as a patisserie.

Amendments

11. Following a preliminary assessment of the application by Council Officers, a request for further information and amendments was sent on 24 January 2019. The applicant was asked to amend the design of the roof to reduce the bulk and simplify the design; provide clarification on the extent of demolition proposed and submit details of the proposed materials and finishes. Amendments to the submitted plan of management were also requested.
12. Amended plans were submitted on 15 February 2019 and 20 February 2019. The amended plans introduced a small takeaway food premises within the building. However, the extent of the roof form was not reduced. The proposal was reviewed by Council's Heritage and Urban Design specialists who advised that the structure should be retained rather than demolished and re-built.
13. On 6 March 2019, the applicant was asked to amend the design of the proposal to retain rather than demolish the structure and carry out minor external and internal alterations instead. The applicant was also asked to clarify whether a pizza oven was proposed as shown in the revised plans.
14. On 9 April 2019, amended plans were submitted which retained the structure of the building and included alterations to the fenestration and external finish. The takeaway food element of the proposal was removed.

Economic/Social/Environmental Impacts

15. 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.

State Environmental Planning Policy No 64—Advertising and Signage

16. The application proposes the following signage:

- (a) Installation of two flat mounted 'Good 2 Go' illuminated business identification signs on the south-east (Lee Street) and north-west (George Street) elevations. Both signs are approximately 1.9sqm in size.

17. SEPP 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

18. Clause 8 of SEPP64 states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

Assessment Criteria

19. The following table outlines the manner in which the proposed signage addresses the assessment criteria of SEPP64.

1. Character of the area	Comment
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed illuminated business identification signs on the front and rear elevations are considered to be compatible with the character of the area, subject to conditions regarding illumination.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no theme for outdoor advertising in the area or locality.

2. Special areas	Comment
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage would not detract from the amenity or visual quality of the Railway Square public domain.

3. Views and vistas	Comment
Does the proposal obscure or compromise important views?	The signage would not obscure or compromise any important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage would not dominate the skyline and reduce the quality of the vistas.
Does the proposal respect the viewing rights of other advertisers?	The signage would not obscure any other signage located in Railway Square and the surrounding streetscape.

4. Streetscape, setting or landscape	Comment
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the business identification signs are considered to be appropriate to the streetscape and setting.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed illuminated business identification signs contribute to the visual interest of the streetscape.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The existing building has four signs on each elevation. The proposed signage reduces and simplifies the existing advertising.
Does the proposal screen unsightliness?	No.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not extend beyond the building line of the existing premises.
Does the proposal require ongoing vegetation management?	No vegetation management would be required.

5. Site and building	Comment
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The scale, proportion and form of the illuminated business identification signs are considered to be appropriate to the existing building and surrounding public domain.
Does the proposal respect important features of the site or building, or both?	The scale, proportion and form of the illuminated business identification signs respect the existing building and streetscape.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal shows innovation and imagination in its relationship to the building and site.

6. Associated devices & logos with advertisements & advertising structures	Comment
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No

7. Illumination	Comment
Would illumination result in unacceptable glare?	A condition of consent can be imposed to ensure the illumination would not result in unacceptable glare.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposal was referred to the NSW Roads and Maritime Service (RMS) as the signage is located within 250m of two classified roads (George Street and Lee Street). RMS advised that they had no objection to the proposal. A condition of consent is recommended which requires the signage not be animated, flashing or electronically changeable so that it does not have any impact on safety.

7. Illumination	Comment
Would illumination detract from the amenity of any residence or other form of accommodation?	The premises is located in a commercial area within a transport interchange hub. The nearest accommodation is the Mecure Hotel at 6-10 Little Regent Street. Due to the separation distance and location of the signage, the illumination would not detract from the amenity of the hotel accommodation.
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	A condition of consent is recommended which requires the signs to only be operative during trading hours.

8. Safety	Comment
<p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety for pedestrians or bicyclists?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>The proposal was referred to the NSW Roads and Maritime Service (RMS) as the signage is located within 250m of two classified roads (George Street and Lee Street). RMS advised that they had no objection to the proposal. A condition of consent is recommended which requires the signage not be animated, flashing or electronically changeable so that it does not have any impact on safety.</p>

20. The proposed signage is consistent with the aims and objectives of Clause 3 of SEPP64 and as such, is supported.

State Environmental Planning Policy (Infrastructure) 2007

21. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Clause 45 and Clause 85

22. The application is subject to Clause 45 and Clause 85 of the SEPP as the proposal comprises development within or adjacent to an easement for electricity purposes and is adjacent to a rail corridor. The building is immediately adjacent to a RailCorp easement for rail purposes and in close proximity to 11 and 33kv high voltage cables. As such, the application was referred to Sydney Trains who requested that conditions be imposed to ensure the development is carried out in a safe manner. Appropriate conditions of consent are recommended.

Clause 101

23. The application is subject to Clause 101 of the SEPP as the site has frontage to George Street and Lee Street which are both classified roads. The application is considered to satisfy Clause 101 of the Infrastructure SEPP subject to conditions of consent, as the development would not be accessed by vehicles, would not adversely affect the safety, efficiency and ongoing operation of the roads and is not a development type that is sensitive to noise or vehicle emissions

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

24. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
25. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
- (a) protect and improve hydrological, ecological and geomorphologic processes;
 - (b) consider cumulative impacts of development within the catchment;
 - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
 - (d) protect and rehabilitate riparian corridors and remnant vegetation.
26. The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained with the deemed SEPP.

Sydney LEP 2012

27. The site is located within the B8 Metropolitan Centre zone. The proposed use is defined as a retail premises and is permissible with consent in the zone.
28. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Compliance Tables

Development Control	Compliance	Comment
4.3 Height of Buildings	Yes	The proposal would not increase the height of the existing building.
4.4 Floor Space Ratio	Yes	The proposal would not alter the FSR of the existing building.
5.4 Controls relating to miscellaneous permissible uses	Yes	Clause 5.4(6) requires development for the purposes of a kiosk to not exceed 20sqm. The GFA of the building is approximately 60sqm. However, the proposed use is not considered to be a 'kiosk' as defined in the Standard Instrument. As such, this Clause is not applicable to this development application.

Development Control	Compliance	Comment
5.10 Heritage conservation	Yes	<p>The site is not located in a Heritage Conservation Area. The 'Railway Square Overbridge' which is a subterranean State Heritage Item (01232) is located below 816 George Street, approximately 5-7m away from the subject building. Local heritage items are located in the vicinity of the site, approximately 30m away.</p> <p>The application was referred to the NSW Heritage Office who advised that a Section 57(2) Exemption was not required as the development does not encroach onto the State Heritage Item.</p> <p>Due to the separation distances and minor nature of the proposal, the development is not considered to have a detrimental impact on the significance of the State or local heritage items.</p>

Part 6 Local Provisions	Compliance	Comment
Division 4 Design excellence	Yes	<p>The proposed yellow colour of the external battens is considered to be too vibrant in context with the streetscape, particularly given the neutral palette of the majority of existing structures within Railway Square which are dark coloured steel and glass. A condition of consent is recommended which requires the battens to be painted in a more neutral colour or finished in a neutral material such as natural timber.</p> <p>Aside from the colour of the battens, the proposed finish and external alterations are considered to improve the relationship between the existing building and the public domain and enhance the appearance of the building.</p> <p>Subject to conditions addressing the appropriate colour of the battens, the proposal exhibits design excellence.</p>

Sydney DCP 2012

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

2. Locality Statements – Railway Square/Central Station Special Character Area

The subject site is located in the Railway Square/Central Station Special Character Area.

The proposed use of the vacant building as a convenience store is considered to be consistent with the enhancement of the public domain of Railway Square. Subject to design modifications to amend the colour of the external battens, the proposed finish of the building and signage is considered to improve the relationship between the existing building and the public domain and enhance the pedestrian amenity of Railway Square and environs.

3. General Provisions	Compliance	Comment
3.2 Defining the Public Domain	Yes	<p>The proposed use of the vacant building as a convenience store will enhance Railway Square by providing an active frontage which will positively contribute to the public domain.</p> <p>Subject to design modifications to amend the colour of the external battens, the proposed external finish is considered to improve the relationship between the existing building and the public domain and enhance the pedestrian amenity of Railway Square.</p>
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and will not adversely impact on the local urban ecology.

3. General Provisions	Compliance	Comment
3.11 Transport and Parking	Yes	<p>The proposal was reviewed by the Council's Transport officers who advised that given the location and size of the building, the requirement for on-site bicycle parking can be waived. Existing bicycle parking stands are located within Railway Square approximately 45m from the building.</p> <p>The application was referred to TfNSW and RMS who advised that a work zone cannot be established on Lee Street or George Street. All construction work will need to take place on site and conditions of consent are recommended which require a construction and pedestrian management plan to be submitted and endorsed by TfNSW.</p>
3.12 Accessible Design	Yes	A condition has been recommended for the proposed development to provide appropriate access and facilities for persons with disabilities in accordance with the DCP and the BCA.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	<p>A 2.5sqm waste storage facility is shown on the proposed floor plan and the Plan of Management confirms that waste will be transferred to the main building facility located underneath the Henry Dean Plaza which is shared with other businesses on the site.</p> <p>A condition of consent has been recommended for the proposed development to comply with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.</p>

3. General Provisions	Compliance	Comment
3.15 Late Night Trading Management	No	<p>The proposed convenience store and ancillary money exchange facility is considered to be a category B premises as defined by the DCP. The premises is located in the City Living Area which has permitted base indoor trading hours from 7.00am to 1.00am and extended hours from 7.00am to 5.00am.</p> <p>The proposed hours of operation are 24/7, Monday to Sundays inclusive.</p> <p>See discussion under the heading 'Issues'.</p>
3.16 Signage and Advertising	Yes	<p>The proposed development includes the installation of two flat mounted 'Good 2 Go' illuminated business identification signs on the south-east (Lee Street) and north-west (George Street) elevations. Both signs are approximately 1.9sqm in size.</p> <p>The proposed signs are considered to meet the signage requirements of the Sydney DCP 2012 as they are compatible with the proposed finish of the building and surrounding streetscape. Conditions of consent are recommended to ensure that the proposed illumination complies with Australian Standards and is only illuminated whilst the premises is open.</p>
3.16.1 Signage Strategy	Yes	<p>The site does not require a signage strategy as it is not located within a heritage conservation area, does not involve a heritage item, is not strata titled and does not contain more than four business premises.</p>

4. Development Types 4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.3 Amenity	Yes	The proposal is unlikely to result in any adverse impacts on the amenity of the local area which is predominantly commercial in nature.
4.2.6 Waste minimisation	Yes	<p>A 2.5sqm waste storage facility is shown on the proposed floor plan and the Plan of Management confirms that waste will be transferred to the main building facility located underneath the Henry Dean Plaza which is shared with other businesses on the site.</p> <p>A condition of consent is recommended which requires the development to comply with the relevant provisions of the City of Sydney Code for Waste Minimisation in New Developments 2018.</p>

Issues

Late night trading

30. The proposed convenience store and ancillary money exchange facility is considered to be a category B premises as defined by the DCP.
31. The premises is located in the City Living Area which has permitted base indoor trading hours from 7.00am to 1.00am and permitted extended hours from 7.00am to 5.00am within the DCP.
32. The *Draft Sydney Development Control Plan: Late Night Trading 2018* was publically exhibited from 27 November 2018 to 8 February 2019 and is due to be considered at Committee on 6 May 2019. The proposed amendments to the Late Night Trading provisions of the DCP include the re-zoning of Railway Square to a Late Night Management Area which would have permitted base indoor trading hours from 6.00am to 2.00am and extended hours to 24 hours a day. The proposed amendments to the Late Night Trading DCP have been considered in the assessment of the subject application.
33. The proposed hours of operation are 24 hours a day, Monday to Sundays inclusive which is 2 hours beyond the current permitted extended hours of operation, 7.00am to 5.00am, in the DCP.

34. The application was referred to the Council's Late Night Trading unit who advised that a trial period for 24 hour trading would be supported in this location, despite the hours being outside of the current permitted extended hours in the DCP. The application was also referred to the Council's SafeCity unit who advised that the premises is located within the Sydney CBD Entertainment Precinct (Lockout Zone) where there has been a reduction in activation at street level from 1.30am to 5am. As such, during those times it is important for non-licenced premises such as the proposed convenience store to assist in activating the CBD and in turn, enhance the safety of an area.
35. The site is located in a commercial area, within the Railway Square transport interchange hub and would not serve any alcoholic beverages. There are a number of other late night premises within close proximity to the convenience store including restaurants, other convenience stores, pubs and clubs.
36. In light of the above, it is recommended that the hours of operation from 7.00am to 1.00am are approved on a permanent basis with a trial period for 1 year to operate for 24 hours a day, 7 days a week. The trial period will provide the Council with the flexibility to review and assess the ongoing management of the premises and any potential impact on neighbourhood amenity. A further application may be lodged to continue the trading before the end of the trial period for Council's consideration.
37. A plan of management has been submitted with the application which is considered to be satisfactory.

Access

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

Other Impacts of the Development

39. The proposed development is capable of complying with the BCA.
40. 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

41. The proposal is of a nature in keeping with the overall function of the site. The premises are in a commercial/residential surrounding and amongst similar uses to that proposed.

Internal Referrals

42. The conditions of other sections of Council have been included in the proposed conditions.
43. The application was discussed with Environmental Health; Licenced Premises; Safe City and Transport and Access who advised that the proposal is acceptable subject to the recommended conditions.

44. The application was also discussed with Urban Design Specialists who advised that the original proposal should be amended to retain the structure rather than demolish it. The amended proposal was reviewed by the Urban Design Specialist who advised that it was acceptable, subject to the colour of the battens being changed to a less vibrant colour.

External Referrals

Sydney Trains

45. The application was referred to Sydney Trains as required by Clause 45 and Clause 85 of the Infrastructure SEPP as the proposal comprises development within or adjacent to an easement for electricity purposes and is adjacent to a rail corridor. Sydney Trains requested conditions be imposed to ensure the development is carried out in a safe manner. Appropriate conditions of consent are recommended.

RMS

46. The application was referred to RMS as the site has a frontage to George Street and Lee Street which are both state classified roads. RMS raised no objection to the proposal.

Transport for NSW

47. The application was referred to TfNSW who recommended conditions of consent including the submission of a Loading and Servicing Management plan and a Construction Pedestrian and Traffic Management Plan. Conditions are recommended which require the plans to be submitted in consultation with TfNSW.

Sydney Metro

48. The application was referred to Sydney Metro who advised that the site is not located within the Sydney Metro City and Southwest corridor and that concurrence was therefore not required and no comments were submitted.

Notification, Advertising and Delegation

49. In accordance with Schedule 1 of the Sydney DCP 2012, the proposed development is required to be notified. As such the application was notified for a period of 21 days between 11 January 2019 and 2 February 2019, no submissions were received.

Public Interest

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

S61 Contribution

51. The cost of the development is under \$200,000. The development is therefore not subject to a levy under the Central Sydney Development Contributions Plan 2013.

Relevant Legislation

52. Environmental Planning and Assessment Act 1979.
53. Heritage Act 1977.

Conclusion

54. The proposal is consistent with the objectives of the B8 Metropolitan Centre zone for the reasons set out in the report and is recommended for approval subject to conditions.
55. The proposal is considered appropriate within its setting and, subject to conditions, is generally compliant with the relevant planning controls contained in the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012, including the requirement for design excellence in Clause 6.21 of the Sydney Local Environmental Plan 2012.
56. Subject to compliance with the recommended conditions of consent, the proposed development is considered capable of achieving design excellence in accordance with the requirements of Clause 6.21 of Sydney Local Environmental Plan 2012.
57. Appropriate conditions of consent have been imposed to ensure that the development will not result in detrimental environmental impacts.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

Sally Shepherd, Planner