

**Item 8.****State Significant Development Application: 372-382A Pitt Street, Sydney - D/2024/446****File Number:** D/2024/446 (SSD-65204458)**Summary**

<b>Date of Submission:</b>	11 June 2024  Amended plans and information submitted on 22 November 2024 and 31 January 2025
<b>Applicant:</b>	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
<b>Architect/Designer:</b>	Kerry Hill Architects (KHA)
<b>Owner:</b>	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
<b>Planning Consultant:</b>	URBIS
<b>Heritage Consultant:</b>	URBIS
<b>DAP:</b>	12 September 2024
<b>Cost of Works:</b>	\$186,906,094
<b>Zoning:</b>	The site is zoned SP5 - Metropolitan Centre under the Sydney Local Environmental Plan (SLEP) 2012. The proposed hotel accommodation and ancillary retail premises are permissible with consent in this zone.
<b>Proposal Summary:</b>	<p>The application seeks consent for the construction of a 60-storey mixed-use 509-room hotel and ancillary retail at ground floor with one level of basement accessed from Carruthers Lane and business identification signage zones.</p> <p>This application is referred to the Central Sydney Planning Committee (CSPC) as the cost of works exceeds \$50 million and constitutes a "major development" for the purposes of the City of Sydney Act 1988.</p>

The Capital Investment Value of the hotel is more than \$100 million and, in accordance with Section 13 of Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 at the time and is therefore State Significant Development.

On 2 May 2024, Secretary of the Department of Planning, Housing and Infrastructure delegated responsibility for the assessment of the application (and related functions) to the City of Sydney. On 5 May 2024, the Minister for Planning and Public Spaces delegated consent authority functions to the City of Sydney in respect of the application.

It is noted that the subject application was lodged prior to 13 December 2024, when subsection 13(3) of the Planning Systems SEPP was changed enabling hotel accommodation of any value to be determined by the City.

The assessment, notification and report processes are in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and as recommended by the Department of Planning, Housing and Infrastructure.

The Environmental Impact Statement and Response to Submissions adequately address the Secretary's Environmental Assessment Requirements. The proposed development generally complies with the planning controls that apply to the site. In particular, the development complies with the maximum height, floor space ratio and car parking development standards of the Sydney Local Environmental Plan 2012 (SLEP).

The applicant has undertaken a competitive design process in accordance with the City's requirements. The scheme prepared by Kerry Hill Architects (KHA) + Crone was identified as the preferred scheme and most likely to achieve design excellence. The detailed design State Significant Development Application is substantially the same as the winning scheme and adequately addresses the recommendations of the competition jury.

The development achieves a high standard of architectural design with appropriate materials and detailing for the CBD environment. Sufficient building separation is provided to neighbouring heritage and mixed-use sites.

The tower results in acceptable environmental impacts as discussed within the report and achieves a sufficient standard of sustainable design. The development provides sufficient landscaping on podium which will contribute to local biodiversity and visual amenity. The development therefore achieves design excellence in accordance with Clause 6.21(4) of the SLEP.

The proposal was notified and advertised between 24 June and 22 July 2024 by the City and the Department. In total 6 submissions were received. Five of the submissions were lodged with the City, and 1 submission was received by the Department. The submissions raised concerns about construction impacts, the use of Carruthers Place, loss of light to the public domain (relating to the proposed landscape vessel being introduced), pedestrian safety and overshadowing to neighbouring apartment buildings.

In response to the issues raised in submissions, the applicant submitted a Response to Submissions (RtS) report on 22 November 2024 which provided additional information, revised architectural plans and justification for the proposal. Additional information relating to contamination was submitted on 31 January 2025. The amended plans and information received in November 2024 and January 2025 were not re-notified as the proposed changes resulted in less impact compared to the original application.

The site is located over existing and future Sydney Metro tunnels and as such, was referred to Sydney Metro and Sydney Trains for comment and recommended conditions. Concurrence was received by Sydney Trains on 2 April 2025. Sydney Metro advised on 29 April 2025 that concurrence is forthcoming, however, has not been received at the conclusion of this assessment.

It is therefore recommended that, if the Committee of a mind to support the application, the Committee delegate determination to the Chief Executive Officer pending the receipt of concurrence from Sydney Metro.

An amending Development Application (D/2024/36) to the approved concept building envelope D/2021/1504 is being assessed concurrently, proposing the removal of the in-principle residential land use, and retention of the hotel and retail land uses only, with changes to the building envelope to allow for a landscape vessel structure at level 4. The modifications align with the winning design competition scheme, and this detailed design State Significant Development Application. Both applications are being presented to the Central Sydney Planning Committee (CSPC) for approval.

**Summary Recommendation:** That the Central Sydney Planning Committee delegate determination to the Chief Executive Officer pursuant to Section 40 of the City of Sydney Act 1988 pending concurrence from Sydney Metro and demonstrating that the decision will not have a significant adverse financial impact on Council.

**Development Controls:**

- (i) Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2021
- (ii) City of Sydney Act 1988 and City of Sydney Regulation 2016
- (iii) Sydney Water Act 1994 and Sydney Water Regulation 2017
- (iv) Airports Act 1996 (Commonwealth) and Civil Aviation (Building Control) Regulation) 1988
- (v) SEPP (Resilience and Hazards) 2021
- (vi) SEPP (Transport and Infrastructure) 2021
- (vii) SEPP (Biodiversity and Conservation) 2021
- (viii) SEPP (Planning Systems) 2021
- (ix) SEPP (Sustainable Buildings) 2022
- (x) Sydney Local Environmental Plan 2012
- (xi) Sydney Development Control Plan 2012

**Attachments:**

- A. Assessment Report
- B. Recommended Conditions of Consent
- C. Selected Drawings
- D. Competition Design Report
- E. Submissions

## Recommendation

It is resolved that pursuant to Section 40 of the City of Sydney Act 1988, authority be delegated to the Chief Executive Officer to determine State Significant Development Application D/2024/446 (SSD 65204458) pending concurrence of Sydney Metro and subject to the Chief Executive Officer determining that the decision will not have a significant adverse financial impact on the Council.

## Reasons for Recommendation

The application is recommended for delegation to the Chief Executive Officer for determination for the following reasons:

- (A) The proposal is consistent with the strategic planning framework by providing a high-quality mixed-use development in the City including new hotel accommodation and commercial floor space.
- (B) The applicant has undertaken a competitive design process in accordance with the City's policy, to which the proposed development is generally consistent. The applicant has adequately responded to the recommendations of the competition jury.
- (C) The development complies with the maximum height, floor space ratio and car parking controls contained in the Sydney Local Environmental Plan 2012.
- (D) The application demonstrates design excellence in accordance with the provisions of Clause 6.21C of the Sydney Local Environmental Plan 2012. The slim tower design, materiality and siting contribute to the skyline and relate positively to the surrounding context. Sufficient separation is provided to maintain a good standard of amenity for adjoining properties and the public domain. The tower results in acceptable environmental impacts and achieves a good standard of environmental performance. The development provides landscaping on podiums which will contribute to local biodiversity and visual amenity. The development provides adequate bike parking for employees to the site and is suitably located close to good public transport.
- (E) The proposed construction methodology and design responds appropriately to the surrounding heritage context and does not adversely affect adjoining heritage items.
- (F) The development is anticipated to create 570 construction and 400 ongoing operational jobs.
- (G) The development has provided sufficient information to address the Secretary's Environmental Assessment Requirements.
- (H) All other issues have been appropriately addressed by recommended conditions of consent.

## GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Jessica Symons, Senior Planner