

Resolution of Local Planning Panel

8 April 2026

Item 6

Development Application: 553 Crown Street, Surry Hills - D/2026/49

The Panel:

- (A) granted consent to Development Application Number D/2026/49 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) Windows WEX-1.02 and WEX-1.01 on the western elevation are to contain translucent glass treatments to improve visual privacy.
- (b) The proposed projecting wall sign is to have a minimum clearance ***for pedestrian safety and responds to the architectural detail of the façade*** ~~of 2.6m measured from the existing ground level of the footway immediately below the underside of the sign.~~
- (c) The balustrade to the first-floor balcony on the eastern elevation should be a separated handrail with a gap above the iron work.
- (d) The materials and samples schedule is to be amended to detail all rainwater services including downpipes, gutters, rainwater heads and spreaders visible from the public domain as metal.
- (e) The materials and samples schedule is to be amended to detail the floor treatment to the entryway.

The modifications are to be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(19) BOUNDARY WINDOWS COVENANT

All windows adjacent to the western **and northern** boundaries of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building abutting, adjoining or adjacent to such windows. A positive covenant is to be registered on the Titles of all units/tenancies facing the affected boundary and is to be created appurtenant to Council, containing terms reasonably required by Council and will be drafted by Council's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges. Evidence of the registration of the positive covenant is to be submitted to and acknowledged by Council prior to the issue of any Construction Certificate.

Reason

To ensure the constructed development does not inhibit the future redevelopment of adjoining sites.

- (B) upheld the variation requested to Clause 4.4 of the Sydney LEP 2012 in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is consistent with the objectives of the E1 Local Centre zone.
- (B) The proposed development satisfies the relevant objectives, provisions and aims of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the proposal exhibits design excellence.
- (D) Based upon the material available to the Panel when determining this application, the Panel is satisfied that the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney LEP 2012.
- (E) The proposal is in the public interest because it is consistent with the objectives of the E1 Local Centre zone and the floor space ratio development standard.
- (F) Condition 2(b) was amended to allow flexibility for a review of site constraints and existing conditions on site.
- (G) Condition 19 was amended to extend the condition to the northern boundary.

Carried unanimously.

D/2026/49