

**350 George Street, Sydney**

Application for Heritage Floor Space

**Planning Report**



Prepared for Strata Plan No. 86960

September 2020 • Issue A  
Project number 200023

**TABLE OF CONTENTS**

<b>TABLE OF CONTENTS</b>	<b>1</b>
<b>EXECUTIVE SUMMARY</b>	<b>1</b>
<b>1 INTRODUCTION</b>	<b>2</b>
1.1 Purpose of the report	2
1.2 Report Structure	3
1.3 Author identification	3
<b>2 SUBJECT SITE</b>	<b>4</b>
2.1 Site Location	4
2.2 Existing Building	5
2.3 Site ownership	6
2.4 Previous Development Consents	7
<b>3 CONSERVATION MANAGEMENT PLAN</b>	<b>12</b>
3.1 Overview and Structure	12
3.2 Statement of Significance	12
3.3 Conservation Works Completed	13
3.4 Ongoing Conservation and Maintenance	14
3.5 Heritage Interpretation	14
<b>4 STATUTORY PLANNING FRAMEWORK</b>	<b>16</b>
4.1 Sydney Local Environmental Plan 2012	16
4.2 Development Control Plan 2012	18
<b>5 HERITAGE FLOOR SPACE</b>	<b>22</b>
5.1 Overview	22
5.2 Calculation of Heritage Floor Space	22
5.3 Reductions to the Maximum Award of HFS	23
<b>6 ASSESSMENT</b>	<b>25</b>
6.1 Statutory Policy and Compliance	25
6.2 Likely Impacts of the Development	25
6.3 Suitability of the Site for Heritage Floor Space	25
6.4 The Public Interest	25
<b>7 CONCLUSION</b>	<b>26</b>
<b>APPENDIX A 350 GEORGE STREET CONSERVATION MANAGEMENT PLAN</b>	<b>A-1</b>
<b>APPENDIX B SURVEY PLAN AND CERTIFICATE OF TITLE</b>	<b>B-1</b>
<b>APPENDIX C CERTIFICATE OF CONSERVATION WORKS</b>	<b>C-1</b>
<b>APPENDIX D GROSS FLOOR AREA PLANS</b>	<b>D-1</b>
<b>APPENDIX E CERTIFICATE OF CURRENCY</b>	<b>E-1</b>
<b>APPENDIX F 350 GEORGE STREET SINKING FUND</b>	<b>F-1</b>
<b>APPENDIX G 1981 TRANSFER OF HERITAGE FLOOR SPACE</b>	<b>G-1</b>

---

**Document / Status Register**

---

<b>Issue</b>	<b>Date</b>	<b>Purpose</b>	<b>Written</b>	<b>Approved</b>
P1	19 June 2020	Draft for review	SJZ	CMJ
P2	22 June 2020	Draft for review	SJZ	CMJ
P3	24 August 2020	Final draft for review	SJZ	CMJ
P4	25 August 2020	For client review	SJZ	CMJ
A	25 September 2020	HFS Application	SJZ	CMJ

---

---

## EXECUTIVE SUMMARY

350 George Street, Sydney, is a six storey commercial office building, with two storeys below ground level, designed by the American architect Edward Raht and constructed between 1892 and 1894 for the Equitable Life Assurance Society of the United States. The building has been known by a number of names – Equitable Building, the National Mutual Building, Society General Building and Societe Generale House. Its exterior displays the characteristics of the Federation Romanesque style, including ‘rock-faced’ masonry, a large and strongly modelled semi-circular opening over the ground and first floor levels of the George Street façade, and squat masonry columns with Romanesque capitals at the first and top floor levels.

The building has been assessed in the CMP as of exceptional significance, and is heritage listed at both State and Local levels under the provisions of the *Heritage Act 1977* and Schedule 5 of the *Sydney Local Environmental Plan 2012* (SLEP 2012). The building has been subject to extensive conservation works in the 1980s and additional works during 2012 as part of the scheduled conservation works for the building.

A previous transfer of development rights for floor space on behalf of the National Mutual Building (previous owners of 350 George Street) was approved on 29 July 1981. In accordance with the relevant controls outlined in the SLEP 2012 and the *Sydney Development Control Plan 2012* (SDCP 2012), as the previous application for HFS was undertaken over 25 years ago, an application seeking the award of Heritage Floor Space (HFS) has been prepared for the building by Tanner Kibble Denton Architects (TKD Architects) on behalf of Strata Plan No. 86960, the owners of the building. This Planning Report supports this HFS Application, which seeks an HFS award of **3,400sqm** for the site at 350 George Street.

The application also details the total gross floor area (GFA) and height of the conserved heritage building on the site to enable the placing of a restrictive covenant on the Certificate of Title to limit future development in accordance with Council’s HFS planning controls. The GFA of the heritage building has been calculated in consultation with Council Staff.

The Heritage GFA of 350 George Street, as conserved is **3,498.75sqm**. The ridge height of 350 George Street, as conserved, is RL58.93, corresponding to existing ground levels.

Approval of this application and the award of HFS to 350 George Street will contribute to the supply of HFS needed by new development in Central Sydney. It will also provide Strata Plan No. 86960 with a new opportunity to access additional funding to continue its maintenance and conservation works on the building.

## 1 INTRODUCTION

### 1.1 Purpose of the report

This report has been prepared on behalf of Strata Plan No. 86960 to support an application seeking endorsement of the Conservation Management Plan (refer APPENDIX A) and the award of Heritage Floor Space (HFS) by the City of Sydney for the property at 350 George Street, Sydney. These documents support an application seeking the following:

- Approval of the CMP dated August 2020; and
- Award of HFS for 350 George Street on the basis of conservation works completed since the 1980s as outlined in the CMP.

In accordance with Clause 6.10(2) 'Creation of heritage floor space' of the *Sydney Local Environmental Plan 2012* (SLEP 2012), Council may award heritage floor space in respect of a person if the following provisions are met:

- a) *the person is the owner or the nominee of the owner of a building that is a heritage item shown marked '\*\*' in Schedule 5 (a heritage building), and*
- b) *the heritage building is on land in Zone B8 Metropolitan Centre, and*
- c) *conservation works have been carried out on the heritage building and have been completed in accordance with a heritage conservation management plan approved for the building by the consent authority, and*
- d) *a covenant is registered that prevents development that increases the total gross floor area of all buildings on the site on which the heritage building is located or that increases the height of the heritage building, and*
- e) *an amount of heritage floor space has not been recorded in the previous 25 years (under this clause or under a similar scheme in force before the commencement of this Plan) in respect of the heritage building, and*
- f) *no other building has utilised floor space that was available to it only because, at the time the floor space was utilised, the building was on a site that included the heritage building or that included part of the site occupied by the heritage building.*

350 George Street is listed as heritage item I1771\* (Former 'Equitable Life Assurance Building' including interiors) in Schedule 5 of the SLEP 2012 and is also located in the B8 Metropolitan Centre Zone. The relevant planning instruments and policies, including the SLEP 2012 are addressed in more detail in Section 4. Whilst a previous application for transferrable development rights for floor space approved on 29 July 1981 (refer APPENDIX G), as the application was more than 25 years prior to this current application, in light of the preceding information, 350 George Street satisfies the requirements and is eligible for the award of HFS.

## 1.2 Report Structure

The details of the application are set out in this report as follows:

**Section 1** sets out the purpose of the report.

**Section 2** provides an overview of the site, including its location, existing building, site ownership and overview of previous development consents.

**Section 3** summarises the conservation methodology at 350 George Street, including a summary of the CMP, conservation works which have been completed, and the ongoing conservation, maintenance and interpretation works.

**Section 4** summarises the statutory planning context applying to the application.

**Section 5** details the HSF award sought by this application.

**Section 6** includes an assessment of the application.

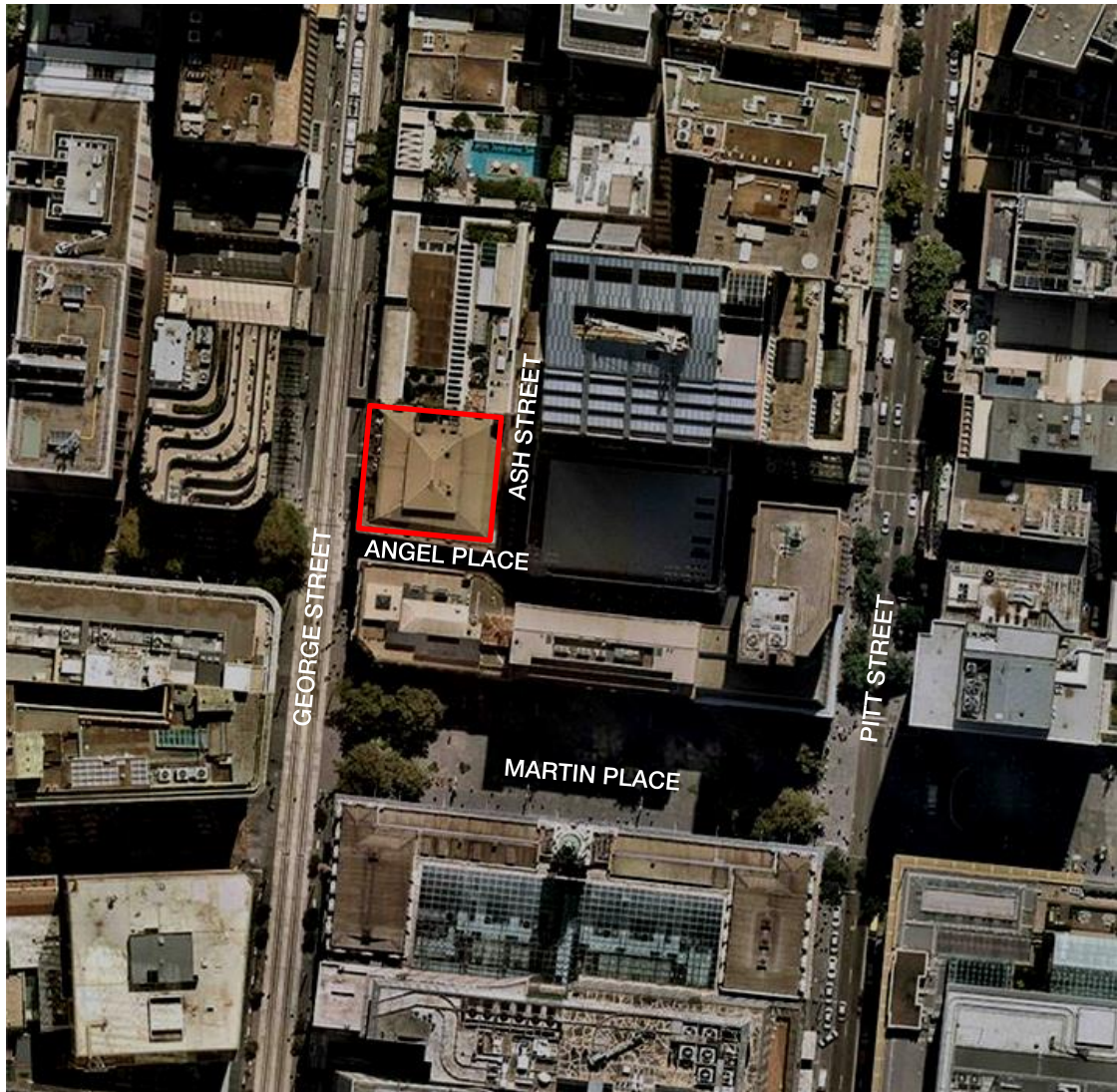
## 1.3 Author identification

This document was prepared by Sarah-Jane Zammit, Heritage Specialist, and reviewed by Megan Jones, Principal and Practice Director, both of Tanner Kibble Denton Architects.

## 2 SUBJECT SITE

### 2.1 Site Location

The subject site is located on the eastern side of George Street, in the Central Business District of Sydney near Martin Place and on the northern corner of Angel Place. The principal elevation of the building addresses George Street. The rear of the subject site has street access to Ash Street.



1 Aerial of 350 George Street in its immediate context. Building outlined in red. Source: Nearthmaps, with TKD Architects overlay, 2020.



## 2.2 Existing Building

350 George Street, Sydney is a six storey commercial office building, with two storeys below ground level, designed by the American Architect Edward Raht and constructed between 1892 and 1894. The building is designed in the Federation Romanesque style, has a facade of Bowral trachyte, mostly in the form of heavily rusticated rock-faced blocks. The central windows and entrance doors to George Street are in a secondary facade set back behind the giant arches and columns of the street facade, an effect unique to this building. The recessed facade has balconies on the second, third and fourth floors, positioned behind polished Romanesque columns. Three building entrances to the Ground Floor commercial lobby and the two separate tenancies, are situated under the central arch along with former entrances to the Lower Ground Floor to the north and south of the main entrances. The main George Street entrances are accessed via wide, trachyte steps. A hydraulically operated security door once rose from the Lower Ground Floor to secure the three entrances. The large bronze centrepiece statue known as 'Protection', is situated above the grand entrance arch, and was sculpted by Viktor Tilgner.

A simplified iteration of the principal elevation's rusticated carved stonework is found along the southern elevation on Angel Place. At street level, metal railings protect the Lower Ground Floor windows, and glass pavement lights provide natural light into the Lower Ground Floor. The Ash Street façade features unadorned, light coloured face brick masonry, with a trachyte base of the Lower Ground Floor level. Access to the Lower Ground Floor level and Basement is provided through two separate entries at the rear of the building. The 2012 conservation and adaptation works reinstated the fenestration details of this facade as well as establishing equitable access into the building.

Other works undertaken in 2012 included new escape doors incorporated into an existing window opening in the Lower Ground Floor section of the Angel Place façade, in conjunction with the reconfiguration of the existing internal fire escape stair. Glazed panels were added behind the wrought iron balustrades on the George Street facade to achieve BCA compliance.

The building has no setback, built to street alignment on all three elevations. There is no landscaping within the site, nor are there any street trees planted along the eastern footpath of George Street on which the building is sited.

The building makes a significant contribution to the City of Sydney's Martin Place Special Character Area, as a prominent example of the adjacent nineteenth and twentieth century group of buildings dedicated to banking and financial enterprise.





2 George Street (western) façade.  
Source: TKD Architects, 2020.



3 View north along George Street, building  
at centre left of photograph.  
Source: TKD Architects, 2020.



4 Building at the intersection of Ash Street  
and Angel Place.  
Source: TKD Architects, 2020.



5 Ash Street facade  
Source: TKD Architects, 2020.

### 2.3 Site ownership

In 2013, 350 George Street was converted from Torrens to Strata Title, and legally registered as SP 97685 on 18 March 2013. Individual strata owners are subject to the ownership requirements of Strata Plan No. 86960.

## 2.4 Previous Development Consents

A review of the City of Sydney's records has identified the following development consents and construction certificates as listed in the following table.

Of particular note are applications **44/80/0225** and **283/0413** in the 1980s for the restoration of the building, as well as application **D/2011/303** which includes the most recent conservation works to the building. The applications relating to the restoration and conservation of the building have been shaded in grey in the table below.

A previous application for transferrable development rights for floor space was submitted for the former owners National Mutual Building and was approved by the City of Sydney on 29 July 1981, it was the fourth building in the City to take advantage of the scheme. TKD Architects understands that the transferred development rights from 1981 have been sold in their entirety.

Application No.	Date	Description
Fol. 535	16 July 1910	
Fol. 367	1 May 1923	
1219/29/B1	30 October 1929	Alterations to shop
225/33/B1	11 April 1933	Alterations and additions to shop
30/37/B1	15 January 1937	Mezzanine floor
337/45/B1	19 July 1945	Reinstate basement for use as café and demolition of air raid shelter
724/49/B2	5 October 1949	Alterations to attic floor and 1 <sup>st</sup> , 2 <sup>nd</sup> , 5 <sup>th</sup> floors
1441/52/B2	16 November 1952	Changes to ground floor entrance vestibule
866/53	22 June 1953	Alterations and remodelling basement and ground floors
1189/53	17 August 1953	Alterations in basement
	19 August 1953	Development Application: Alterations to basement and use as a dancing school
	3 March 1954	Proposed alterations and additions to mezzanine and ground floor on western side
1725/53	12 November 1953	Alterations to sub-basement
157/54	7 February 1954	
697/54	25 May 1954	Alterations to mezzanine floor
38/56	10 January 1956	Restoration of building into office uses
767/56	1 May 1956	Alterations to entrance to balcony
2518/56	11 December 1956	Incorporate into office space 2 <sup>nd</sup> floor
1034/57	1 May 1957	Alts for office
1691/54	12 July 1957	Partitions 2 <sup>nd</sup> Floor
1628/57	2 August 1957	Alts for staff room etc
25558/57	4 November 1957	Partitions etc 5 <sup>th</sup> Floor
1973/58	22 September 1958	Partitions lower ground floor
2155/58	16 October 1958	New lifts and lift enclosures
2287/58	31 October 1958	Partitions 1 <sup>st</sup> Floor
685/59	24 June 1959	DA use premises for a coffee lounge and restaurant
2418/59	19 October 1959	Partitions 3 <sup>rd</sup> Floor
1064/60	4 May 1960	Partitions 1 <sup>st</sup> Floor
1611/60	8 July 1960	Sign

Application No.	Date	Description
1831/60	3 August 1960	Mezzanine Floor
1961/60	17 August 1960	Alterations 2 <sup>nd</sup> Floor
2617/60	1 November 1960	Alterations 6 <sup>th</sup> Floor
118/63	22 January 1963	Partitions 4 <sup>th</sup> floor
2283/63	10 October 1963	Locker room – Lower Ground Floor
1648/64	15 July 1964	Alterations
53/1/64	4 August 1964	National Mutual Life Association Use as refreshment room and for sale of ice cream
346/72	17 July 1972	Kann Finch & Partners Internal alterations basement, ground and first floor
1376/73	15 October 1973	Controlled air installations air conditioning
1622/73	11 December 1973	Neolite Neon Co Pty Ltd Structural support for vertical sign
1415/74	20 December 1974	WJ Arnold Pty Ltd Alterations, ground floor
490/D2/75	2 September 1975	NBA Properties Ltd DA Alterations on ground floor for use as a bank
145/76/C2	23 June 1976	New egress
35/D2/77	19 January 1977	Brian's Signs DA to erect an illuminated sign
61/77	19 January 1977	Sign
762/77	21 October 1977	DA New offices tenancies on ground and mezzanine floors
868/77	8 December 1977	DA Use ground and mezzanine level as retail store
1495/79	28 September 1979	
45/80/0040	14 January 1980	Siloeewood Beck Alterations, ground floor
44/80/0225	19 March 1980	Kann Finch & Partners DA Restoration/Renovation
44/81/0504	24 June 1981	Kann Finch & Partners DA Convert to Department Store & Retail Commercial
45/83/0440	8 April 1983	Cantanzarm & Kumarager Alterations to 2 <sup>nd</sup> floor
45/85/1201	28 June 1985	Frank Kocos & Partners Alteration to toilet
44/85/1436	12 December 1985	Dymocks P/L DA Use lower ground floor for retail and stationary.
44/85/1455	19 December 1985	Kann Finch & Partners DA Erect signs to George Street facade
283/0413		Kann Finch & Partners Refurbishment and Restoration
45/85/1329	18 July 1985	EGO Design Pty Ltd Erect partitions Levels 3, 4 & 5
45/85/2497	12 December 1985	Dymocks Book Arcade Ltd Create bookshop basement existing building
45/86/0537		EGO Design P/L Partitions Ground Floor

Application No.	Date	Description
45/86/1405	10 July 1986	B Frugniet Partitions and provide additional toilets 1 <sup>st</sup> floor
45/86/2358	4 November 1986	Robert Dixon & Associates Erect partitions Level 2
45/86/2392	7 November 1986	Larcombe Swalwell P/L Erect partitions 2 <sup>nd</sup> Floor
45/86/2696	15 December 1986	Larcombe Swalwell Erect partitions level 2
45/87/0087		Erect partitions Level 2
45/87/0222	10 February 1987	Erect partitions Level 2
45/87/1302	8 July 1987	Partitions Level 1
45/87/1991	30 September 1987	Erect partitions 6 floor
45/87/1995	1 October 1987	Erect partitions floor 1
45/87/2020	2 October 1987	G Amora Basement partitions, new spa, sauna, shower 2 <sup>nd</sup> floor
45/88/0061	13 January 1988	Alterations to partitions – Level 2
45/88/0783	30 April 1988	Erect awning over entry of basement book shops
45/88/2012	12 September 1988	Hoffman Consultants Stairs 1 <sup>st</sup> floor & WC Alterations
45/88/2064	19 September 1988	Hoffman Consultants Erect awning and top hamper sign
843/91	5 September 1991	GMPS Replace timber beams and columns with steel beams to support ground floor
142/93	23 February 1993	Fitout ground floor MBF Agency Office
593/90	17 October 1990	Use NW Ground Floor tenancy for medical/dental/allied professions
90/93	23 February 1993	Use Ground Floor as MBF Office
219/93	19 March 1993	Partitions level 6
238/93	5 May 1993	Dymocks Erect glazed awning over George Street entry, install non-slip pavement marker
D/1999/104	9 June 1999	Strata Subdivision Existing Building 17 Lots
J/1999/461	21 July 1999	Partitions Level 6
J/1999/470	22 July 1999	Partitions Level 2
J/1999/474	27 July 1999	Partitions Level 4 & 3
J/1999/533	12 August 1999	Partitions Level 2 & 4
J/1999/620	13 September 1999	Partitions Level 5
D/1999/689	23 September 1999	Use Shop 1 as retail music store
J/1999/822	17 November 1999	Partitions Level 3
J/2000/220	30 March 2000	Partitions Office Fitout Level 3
J/2000/402	3 June 2000	Refurbish existing shop fitout – Dymocks Booksellers
J/2000/409	7 June 2000	Partitions Office Fitout Level 5
J/2000/532	26 July 2000	Partitions Level 4
J/2000/880	7 December 2000	Level 3 Office Partitions
D/2001/205	7 May 2001	Panel on existing sign
J/2002/264	27 June 2002	Fire alarm Reconnection

Application No.	Date	Description
C/2002/283	15 November 2002	Replace Delaminated Glazing to Building Façade from Ground Level to Level 5
J/2004/26	28 January 2004	Level 6 Office Partitions
B/2006/553	30 May 2006	Level 4 Suite 4.02 Office Partitions
D/2007/2063	15 November 2007	Level 2 Office fit out including partitioning of two meeting rooms and server rooms. 14 lots of workstations and utilities area.
D/2009/611	7 July 2009	Fitout and use as a hair and beauty salon within Shop 2, including provisions of a staff room and office and associated signage.
D/2011/303	20 October 2011	Refurbishment of the former Societe Generale building including alterations and additions, internal and external signage, and staged strata subdivision of the site into a total of 120 lots and common property.
D/2011/303/A	14 June 2012	Section 96(2). Minor changes to approved signage strategy and associated plans. Delete condition 6 of schedule 1A as signage strategy has already been approved.
D/2012/839	30 August 2012	Integrated development application for the fitout and use of a lower ground floor tenancy as a licenced restaurant.
D/2011/303B	29 October 2012	S96 1(A) Retain the main Level 6 tenancy, approved as 601-604, combine tenancies 606 & 607, and make minor amendments to the strata subdivision.
D/2011/303C	27 February 2013	Section 96 (1a) Amend Condition 1 of Schedule 1A and Condition 1 of Schedule 3 to provide for amended plans.
D/2013/180	27 June 2013	Use Suite 606 for the purpose of a commercial office.
D/2013/845	31 October 2013	Fitout and use of lower ground floor and basement level as a licenced restaurant with associated back of house facilities and outdoor seating along Ash Street and Angel Place.
D/2013/1160	16 September 2013	Internal alterations to Level5 (Suites 507 and 508) including fitout and use of the former ballroom as commercial office and fitout of the adjoining ante-room.
D/2014/230	11 March 2014	Change of use of ground floor LOT 29 office to a retail shop.
D/2011/303/D	3 April 2014	S96(1A) Amend Condition 1 to refer to new plan for basement.
D/2014/857	16 July 2014	Interior fitout of shop 1 ground level as a hairdresser.
D/2014/900	18 August 2014	Construction of small lightweight mezzanine within existing office suite 605.
D/2014/1559	25 November 2014	Strata subdivision of Lot 54 and Common Property in Strata Plan 86960 (Suite 606) on level 6 of the building to include an existing mezzanine level into the new lot (no works proposed).

Application No.	Date	Description
D/2013/845/A	20 March 2015	Section 96 (1A) modification to amend conditions 2(b), 3(a), 3(b) and 4(a) to allow removal of two small brickwork remnants for a new restaurant fit out.
D/2014/1053	12 February 2015	Change of use of the lower ground floor units LG01 and LG02 to a licenced restaurant including associated alterations and signage.
D/2015/603	22 July 2015	Alterations to Shop Two on the ground floor of the 'National Mutual Building (former)' including internal fitout and signage associated with the 'High and Mighty – Big and Tall' retail tenancy.
D/2018/1620	19 February 2019	Fit out and use of Suite G.01 as an Invisalign commercial premises with associated signage.
D/2019/1054	3 October 2019	Internal alterations to the ground floor Suite G.03 of the former National Mutual building to construct a new mezzanine level and access staircase.
D/2020/340	22 July 2020	Alterations to Suite G.02, including new internal retail fit-out and signage.

### 3 CONSERVATION MANAGEMENT PLAN

#### 3.1 Overview and Structure

A CMP for 350 George Street has been prepared by Tanner Kibble Denton Architects and is provided at APPENDIX A. The purpose of the CMP is to guide the conservation and management of the significant elements of the site. It is also intended to assist the property owners to manage maintenance and any new works to the building. The CMP includes an analysis of the site in terms of its heritage significance and contents, and provides detailed conservation policies and guidelines to ensure the heritage significance of the site is maintained and conserved.

The CMP has been prepared with reference to the *NSW Heritage Manual 1996*, the *Australia ICOMOS Burra Charter 2013* and *The Conservation Plan* by James Semple Kerr.

The CMP has been submitted for approval by the City of Sydney Council as part of this application for the award of HFS.

#### 3.2 Statement of Significance

The following Statement of Significance is taken from the CMP prepared by Tanner Kibble Denton Architects in August 2020.

*350 George Street, Sydney has State significance as a fine seminal example of the Federation Romanesque style directly based on the precedent influenced by American Romanesque architecture. It is an important example of the work of American architect Edward Raht in Sydney and historically significant as an early major building erected in NSW by a prominent American insurance company, the Equitable Life Assurance Society of the United States during the 1890s. The Equitable Life Assurance Company was at the time of the building's construction the wealthiest life insurance company in the world.*

*Apart from its associations with architect Raht, 350 George Street is associated with the firm of Loveridge & Hudson, which provided the trachyte used externally and constructed the building. The sculptural emblem above the main George Street entrance is the work of prominent Austrian Sculptor Victor Tilgner. Space within the building was occupied for several years by the important educationalist and feminist Maybanke Anderson.*

*350 George Street has aesthetic and technical significance as a fine example of the Federation Romanesque style, the advanced American building technology that was employed for its construction and the high quality of original spaces and building fabric throughout the building. The atrium and stair around which the planning of the building is organised is rare and particularly noteworthy, and is one of the most significant interiors from the late nineteenth century in NSW. The building is generally considered to be the first in which trachyte was used extensively in the external structure. Because of the high quality of its design, construction and finishes, and its high level of integrity, it ranks as the finest office building to have been constructed during the 1890s in NSW.*

*The building is an important component of the streetscape in this section of Central Sydney and is complemented by the adjacent 2 Martin Place, which was also designed by Edward Raht and which also features load-bearing trachyte external walls.*

### 3.3 Conservation Works Completed

**Appendix A** of the CMP highlights the following conservation works undertaken at 350 George Street, which form the basis for the application and award of HFS.

On the recommendations of the 2010 CMP the following works were undertaken:

#### Removal of intrusive items

- Remove all non-significant and redundant services, cables and non-original fixings to external elevations, and internal spaces/offices including basement level. Patch repair fabric following the removal where necessary and as specified.
- Reconstruction of significant elements.
- Generally reconstruct/repair the internal missing elements such as skirtings, dado panels, and architraves where necessary matching the existing exactly in detail and materials.

#### Catch-up maintenance

- Check over roof metal deck, gutters and downpipes repair as necessary and as specified. Install covering to keep debris from gutters.
- Check over all timber window frames repair and repaint externally as necessary.
- Ensure existing hole at southern most corner of Level 5 balcony adjacent to Suite 5.02 is repaired.
- Remove all inadequate and broken bird proofing.
- Install new stainless steel bird spikes using as wide as available product.
- Check over all internal walls and ceilings on Level 3 in particular Suite 3.03 for broken ceiling panel, missing light fittings and cracks above lintels.
- Undertake stone façade inspection by a qualified stone mason for identification of any exfoliation and fretting as well as inadequate patch repair and missing sealer to sill joints for rectification, repair and halt any deterioration.
- Check over basement walls for water damage and rising damp issues particularly along George Street walls.

#### Other conservation works

Other conservation works have been undertaken since 2010, associated with the conversion of the property from Torrens to Strata Title and with works related to tenancy fitouts. External works include the following:

- Reinstating access to the lower basement level from the southern street level opening in George Street.
- Restoration of the existing windows and grilles on the ground floor level of the Angel Place façade.
- Refurbishment of the existing windows to the lower ground floor on the Angel Place façade.
- Restoration of the central entry steel bi-fold doors on the Ash Street façade.
- Retention/restoration of the pavement lights along Ash Street.



Internal works include:

- Reinstating early atrium door openings on the eastern and western sides of the first, second, third and fourth floors and on the western side of the fifth floor.
- Demolition of the existing fire stair in the south-east corner of the lower ground floor and reconstruction of concrete floor.
- Removal of non-original fabric in the south-east corner of the lower ground floor and repairs to significant building fabric.
- Removal of false ceilings throughout the tenancy area in the south-eastern section of the lower ground floor to reveal the original ground floor soffits.

A signage strategy and accessibility strategy have been prepared by Tanner Kibble Denton Architects in 2011. Accessibility has been provided through Ash Street that provides equitable access and has minimised impacts on the building. An interpretation strategy has also been prepared Tanner Kibble Denton Architects in 2011.

### 3.4 Ongoing Conservation and Maintenance

Although the building is generally in very good repair and is well maintained, regular maintenance and scheduled conservation works are required to be implemented to conserve its heritage significance and identified significant fabric. In addition to the conservation policies and guidelines provided at Section 7 of the CMP, the following have been provided in the CMP Appendices to ensure the ongoing conservation and maintenance of the building.

- Future conservation works outlined in **Appendix A**
- Conservation schedule for the pavement lights located at **Appendix B**
- Cyclical Maintenance plan provided at **Appendix C**
- Site specific policy exemptions at **Appendix D**
- Building and internal fitout guidelines at **Appendix E**

### 3.5 Heritage Interpretation

A Heritage Interpretation Strategy was prepared for the building 2011 and endorsed by the City of Sydney. It has been appended to the CMP at **Appendix I**.

The scope of the 2011 Interpretation Strategy was to:

- Identify the themes and messages considered significant to the building;
- Propose locations where interpretation will enhance the understanding of the history and heritage of the building; and
- Recommend methods and media appropriate to the interpretation of the history and heritage significance of the building.

As part of the implementation of this Interpretation Strategy, the following Heritage Interpretation has been implemented at 350 George Street:

- Conservation of significant spaces, elements and fabric in both the exterior and interior of the building
- Retention of the foundation stone in good condition and in its existing and original location.
- Retention of the existing wall mounted plaques and the black and white building photographs in the internal foyer and the ground floor lift lobby.

- Installation of a small brass plaque which refers to the construction date, architect and original owner of the building.
- Installation of two interpretive signs in the Entry Lobby which incorporate photographs, graphics and text to provide information on the historic, technological and social context of the place.
- Installation of an interpretive sign in the Third Floor Atrium to mark the historic location of the office of the journal 'The Women's Voice' and the role of the pioneer feminist Maybanke Wolstenhome,
- Interpretive text and media uploaded on the official 350 George Street website, which outlines the history and architectural significance of the building.
- Facilitate ongoing public access to the building, in particular the ground floor and atrium spaces.

4 STATUTORY PLANNING FRAMEWORK

4.1 Sydney Local Environmental Plan 2012

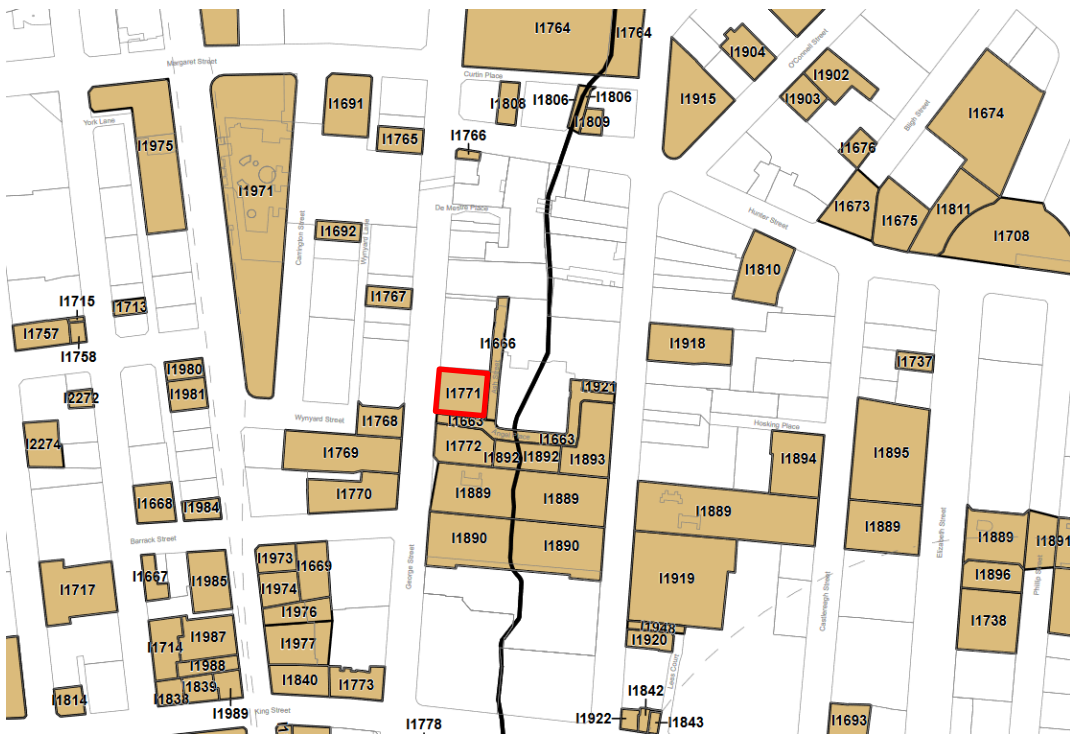
The Sydney Local Environmental Plan 2012 (SLEP 2012) is the principal environmental planning instrument applying to the site and provides the relevant controls for the award of HFS.

Clause 6.10(2) ‘Creation of heritage floor space’ in the SLEP 2012 outlines the provisions that must be met for Council to award heritage floor space in respect of a heritage item. A response to each of the provisions is provided below.

- (a) the person is the owner or the nominee of the owner of a building that is a heritage item shown marked ‘\*\*’ in Schedule 5 (a heritage building).

350 George Street, Sydney is listed as a heritage item in Schedule 5 of the SLEP 2012. It is also shown as a heritage item in SLEP 2012 Heritage Map 014. Clause 6.10(2)(a) requires that the heritage building that is the subject of the award is identified with an asterisk ‘\*\*’ in Schedule 5. The entry for 350 George Street in Schedule 5 of the SLEP 2012, and its nominated heritage area on the Heritage Map (Figure 6) is outlined below.

Locality	Item Name	Address	Property Description	Significance	Item No.
Sydney	Former ‘Equitable Life Assurance’ building including interiors	348-352 George Street	Lot 1, DP 115117	State	I1771*

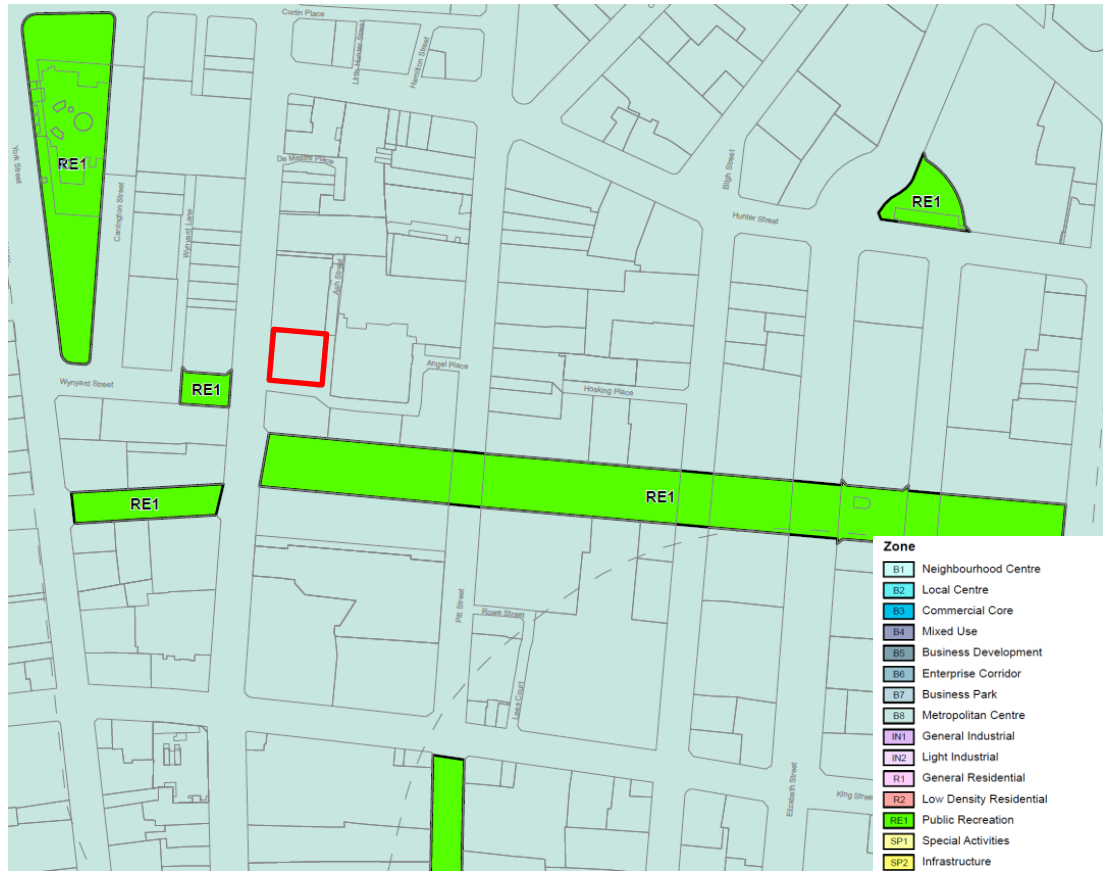


6 Extract from City of Sydney ELP 2012, Heritage Map (014). 350 George Street – Item I1771, is outlined in red. Source: City of Sydney LEP 2012, TKD Architects overlay.



(b) the heritage building is on land in Zone B8 Metropolitan Centre.

350 George Street is located in the B8 Metropolitan Centre Zone under the SLEP 2012, as illustrated in Figure 7.



7 Extract from City of Sydney ELP 2012, Zoning Map (014).  
350 George Street is outlined in red.  
Source: City of Sydney LEP 2012, TKD Architects overlay.



(c) conservation works have been carried out on the heritage building and have been completed in accordance with a heritage conservation management plan approved for the building by the consent authority.

A CMP has been submitted with this application for endorsement by City of Sydney Council (refer APPENDIX A). The CMP outlines the conservation works which have been completed at 350 George Street. These works have also been detailed in Section 3.3 of this application. Certification of the conservation works completed in accordance with the following development consents has been provided by Tanner Kibble Denton Architects (refer APPENDIX C).

### Conservation Works – Development Consents

The following conservation works have been undertaken at 350 George Street:

Application No.	Date	Description
44/80/0225	19 March 1980	Kann Finch & Partners DA Restoration/Renovation
283/0413		Kann Finch & Partners Refurbishment and Restoration
D/2011/303	20 October 2011	Refurbishment of the former Societe Generale building including alterations and additions, internal and external signage, and staged strata subdivision of the site into a total of 120 lots and common property.

- (d) a covenant is registered that prevents development that increases the total gross floor area of all buildings on the site on which the heritage building is located or that increases the height of the heritage building.**

A restrictive covenant will be registered on the title for the land that will limit any future redevelopment of 350 George Street to the total GFA and height of the conserved heritage building. It is anticipated that Council as the consent authority will place a condition on any approval requiring such a covenant to be in place prior to the registration of the award of HFS.

- (e) an amount of heritage floor space has not been recorded in the previous 25 years (under this clause or under a similar scheme in force before the commencement of this Plan) in respect of the heritage building.**

A previous application for the transfer of development rights for floor space ration was undertaken on behalf of the National Mutual Life Association of Australia and approved by the City of Sydney on 29 July 1981 (refer APPENDIX G).

- (f) no other building has utilised floor space that was available to it only because, at the time the floor space was utilised, the building was on a site that included the heritage building or that included part of the site occupied by the heritage building.**

Records indicate that the 10,000sqm of developable floor space was transferred from the building in 1981, all of which has since been sold.

#### 4.2 Development Control Plan 2012

Section 5.1.9 of the *Sydney Development Control Plan 2012* (SDCP 2012) provides provisions for the 'Award and allocation of heritage floor space'. The award and allocation procedures can include:

*"the ability for the owner of a heritage building, subject to meeting certain criteria, to be awarded development potential known as Heritage Floor Space after completing conservation works to that building."*

The award of HFS is limited to building which are listed in their entirety as heritage items in Schedule 5 of the SLEP 2012. 350 George Street as outlined in Section 4.1 meets this criteria.

350 George Street's compliance with the relevant provisions of Section 5.1.9 of the SDCP 2012 are outlined in the following table.

DCP Provision	Response	Compliance
<b>5.1.9.1 Eligibility</b>		
(1) To be eligible for an award of HFS, a heritage building is to be:		
(a) located in the Central Sydney area;	350 George Street is located in the Central Sydney area.	Yes
(b) subject to conservation works in accordance with an approved Conservation Management Plan; and	Concurrent endorsement of the CMP by the City of Sydney is sought as part of this application. The award of HFS is on the basis of the conservation works completed since 2010 as outlined in the CMP.	Yes
(c) not subject to works that would increase the external envelope and floor space of the building, other than a minor increase to facilitate the adaptive re-use of the heritage building.	350 George Street has not been subject to previous works which have increased the external envelope and floor space of the building.  Minor increase in the lettable floor space of the building was achieved by the adaptive reuse of the sixth floor within the existing envelope of the building.	Yes
<b>5.1.9.2 Pre-requisites</b>		
(1) Prior to registration of the HFS, the applicant must complete the conservation works in accordance with the Conservation Management Plan and enter into legal agreements and grant covenants on the land which:		
(a) limit any future redevelopment of the site to the total gross floor area and height of the conserved heritage building; and	A restrictive covenant will be registered on the title by way of a condition of consent.  The covenant will limit any future redevelopment of the site to the total GFA and height of the conserved heritage building.	Yes
(b) ensure the ongoing conservation of the building by regular maintenance, including the provision of adequate insurance and a maintenance fund.	The CMP outlines policies and guidelines around the conservation and record of maintenance and change in Section 7.3.5 and Section 7.6.2.  Appendix C of the CMP contains the cyclical maintenance schedule which outlines the regular maintenance required for the ongoing conservation of the building.  Refer to APPENDIX E and APPENDIX F for details relating to insurance and sinking fund for the ongoing maintenance of the property.	Yes

DCP Provision	Response	Compliance
(2) A Conservation Management Plan for the heritage item is to be approved by the consent authority and is to generally include:		
(a) works to conserve the existing significant fabric of the building;	The award of HFS is on the basis of the conservation works completed since 2010 as outlined in the CMP.	Yes
(b) removal of elements that detract from the significance of the building;	<p>The CMP outlines the policies and guidelines arising from heritage significance in Section 7.5. Policy 14 stipulates that previous inappropriate maintenance or repair works should be replaced when practicable. The guidelines to Section 7.5 includes a table which outlines the recommendations for management based on the level of significance of the fabric or space.</p> <p>Guidelines to Policy 21, Section 7.5.5 outline that items of little heritage may be retained and adapted or removed, though removal is preferred where it would enhance the significance of other items. Furthermore items which are intrusive should be removed when the opportunity arises, and provided the removal would not impact the building or structures of higher significance.</p> <p>Levels of significance for each elevation and floor are assessed in Section 5 of the CMP.</p>	Yes
(c) the schedule of maintenance works;	Appendix C of the CMP contains the cyclical maintenance schedule which outlines the regular maintenance required for the ongoing conservation of the building.	Yes
(d) reinstatement of original fabric based on documentary evidence where appropriate; and	<p>Policy 13, Section 7.5.1 stipulates that conservation work should adopt an evidence-based approach.</p> <p>Policy 28, Section 7.6.2 of the CMP stipulates that missing, damaged or deteriorated fabric should be reconstructed to match the original.</p>	Yes

DCP Provision	Response	Compliance
(e) other works compatible with significance of the building.	<p>Policy 16, Section 7.5.2 and Policy 21, Section 7.5.5 of the CMP stipulate that the conservation and adaptive reuse of the building and its structures is to be undertaken in a manner that is consistent with their assessed levels of heritage significance.</p> <p>Levels of significance for each elevation and floor are assessed in Section 5 of the CMP.</p>	Yes
<b>5.1.9.3 Calculating HFS to be awarded</b>		
(1) The maximum amount of HFS measured in sqm that may be awarded to a heritage building is to be calculated using Formula 1 – rateable buildings in private ownership and Government buildings.	Section 5 of this report includes the calculations of HDS to be awarded. The application seeks the award of HFS in the order of <b>3,400sqm</b> .	N/A
<b>5.1.9.7 HFS procedures and administration</b>		
(1) An application for an award of HFS is to include a Conservation Management Plan for conservation works and ongoing maintenance of the building.	<p>A CMP is submitted with this application for endorsement by the City of Sydney Council (refer APPENDIX A).</p> <p>Appendix C of the CMP contains the cyclical maintenance schedule which outlines the regular maintenance required for the ongoing conservation of the building.</p>	Yes
(4) HFS may only be allocated and used once in a development.	Noted.	N/A



## 5 HERITAGE FLOOR SPACE

### 5.1 Overview

The proposal is limited to a request for the award of HFS on the basis of conservation works completed at 350 George Street, Sydney since 2010 as outlined in the CMP.

As discussed in Section 4, 350 George Street satisfies the requirements of the relevant planning instruments and policies, and is therefore eligible to be awarded HFS.

Section 5.1.9.2 of the SDCP 2012 outlines the formula for calculating the amount of HFS that can be awarded to heritage buildings:

Formula 1 applies to	rateable buildings in private ownership and Government buildings.
The formula is	$HFSH = 0.5AS \times FSRH$
Where	HFSH is the maximum amount of Heritage Floor Space which may be awarded in sqm;
	AS is the site area in sqm occupied by the heritage building; and
	FSRH is the maximum FSR for the site of the heritage building as shown on the LEP FSR Map.

- 8 Calculating heritage floor space to be awarded.  
Source: Sydney Development Control Plan 2012, p.5.1-27.

### 5.2 Calculation of Heritage Floor Space

Clause 4.4(2) of the SLEP 2012 prescribes the maximum FSR for the subject land, which is 8:1.

Criteria	Proposed Grant of HFS (2019) A
Site area	850sqm
FSR (SLEP 2012)	FSR 8:1
Calculation of HFS	$0.5 \times 850 \times 8 = 3,400\text{sqm}$

The site area is defined in accordance with the following definition from the SLEP 2012:

***Site area** means the area of any land which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.*

In summary, the application seeks the award of **3,400sqm** of HFS for the site at 350 George Street, Sydney.

### 5.3 Reductions to the Maximum Award of HFS

Section 5.1.9.3(2) of the SDCP 2012 provides for the consent authority (City of Sydney) to reduce the maximum amount of HDS that may be awarded by an amount equivalent to:

*(a) any existing additions or alterations to the heritage building which the consent authority does not consider feasible to be demolished or altered even though those alterations and additions are:*

- (i) of little or no significance to the heritage significance of the building; or*
- (ii) intrusive to the building*

*(b) any proposed addition which increases the gross floor area of the existing heritage building; and*

*(c) any areas where elements of heritage significance are proposed to be demolished, in order to facilitate the adaptive re-use of the heritage building.*

In accordance with the SLEP 2012, GFA is defined as:

*Gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the buildings from any other building, measured at a height of 1.4 metres above the floor, and includes:*

- (a) the area of a mezzanine, and*
- (b) habitable rooms in a basement or an attic, and*
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,*

*but excludes:*

- (d) any area for common vertical circulation, such as lifts and stairs, and*
- (e) any basement:*
  - (i) storage, and*
  - (ii) vehicular access, loading areas, garbage and services, and*
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and*
- (g) car parking to meet any requirements of the consent authority (including access to that car parking),*
- (h) any space used for the loading or unloading of goods (including access to it), and*
- (i) terraces and balconies with outer walls less than 1.4 metres high, and*
- (j) voids above a floor at the level of a storey or storey above.*

The GFA of 350 George Street is detailed in the following table, and illustrated in the plans at APPENDIX D.

Level	GFA
Basement	9.75sqm
Lower Ground Floor	522sqm
Ground Floor	429sqm
First Floor	418sqm
Second Floor	454sqm
Third Floor	450sqm
Fourth Floor	463sqm
Fifth Floor	500sqm
Sixth Floor	253sqm
<b>Total</b>	<b>3,498.75sqm</b>

The maximum ridge height of 350 George Street is RL58.93 corresponding to the existing ground level.

The GFA and height outlined in this section will be reflected in the proposed covenant to be registered on the title by way of a condition of consent.

## **6 ASSESSMENT**

### **6.1 Statutory Policy and Compliance**

This report and assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

350 George Street has been assessed against the relevant provisions of the SLEP 2012, and is consistent with the requirements and provisions relating to the award of HFS. No draft environmental planning instruments have been identified in relation to the site.

350 George Street has been assessed against the relevant provisions of the SDCP 2012, and is consistent with the requirements and provisions relating to the award of HFS.

No planning agreements relevant to 350 George Street have been identified.

### **6.2 Likely Impacts of the Development**

This application is limited to the award of HFS. There are no proposed works to 350 George Street which will result in heritage or environmental impacts, nor social or economic impacts to the locality of the Sydney CBD.

### **6.3 Suitability of the Site for Heritage Floor Space**

As outlined in Section 4 of this report, 350 George Street satisfies the requirements relating to the award of HFS under the SLEP 2012 and SDCP 2012, and is therefore considered eligible for the award of HFS.

### **6.4 The Public Interest**

The award of HFS to 350 George Street will provide for the ongoing conservation of the building, a State significant property of exceptional significance, which makes a significant contribution to George Street and the Martin Place Special Character Area.

The award of HFS will contribute to the provision of 'HFS for allocation' to new development in Central Sydney, in accordance with Council's policy.

## 7 CONCLUSION

This report supports an application which seeks the award of HFS and the endorsement of the CMP by City of Sydney in relation to the site, 350 George Street, Sydney.

The application for HFS has been assessed against the requirements of the SLEP 2012 and SDCP 2012.

The assessment contained in this report has concluded that the application for HFS at 350 George Street, Sydney is:

- Eligible for an award of HFS.
- Satisfies the relevant requirements and provisions of the City of Sydney's planning instruments relating to the award of HFS.
- Suitable for the site, and is consistent with Council's HFS policies, and that no significant impacts have been assessed which could arise out of this application.
- In the public interest, providing funds for the continued conservation and maintenance of a building of exceptional state significance, which makes a significant contribution to the streetscape and Martin Place character area.

Approval of this application for the award of HFS to 350 George Street, Sydney will help to contribute to the supply of HDS needed by new developments in Central Sydney. It will also provide additional funding to the owners of the building to continue their conservation and ongoing maintenance of the building.

It is therefore the recommendation of this report that Council approve the application for the award of HFS to the amount of **3,400sqm** to 350 George Street.