

## Resolution of Central Sydney Planning Committee

**9 May 2019**

### **Item 4**

#### **Development Application: 44-48 O'Dea Avenue Waterloo (Building C)**

Moved by the Chair (the Lord Mayor), seconded by Councillor Scully -

It is resolved that:

- (A) the written request seeking a variation to Clause 4.3 'height of buildings' development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be supported in this instance; and
- (B) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2018/802, 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 departure from the height of building standards in cl 4.3 of the Sydney Local Environmental Plan 2012 is supported by a statement in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012. The statement demonstrates that compliance with the standard is unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the extent of the variation proposed. The development is consistent with the objectives of Clause 4.3 - height of buildings development standard and the B4 - Mixed Use zone.
- (B) The development is consistent with the winning scheme of a competitive design process and achieves a high standard of architectural design, materials and detailing, with particular attention to the provision of green walls and landscaped terraces that will contribute positively to the public domain. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.

- (C) Subject to deferred commencement and design modification conditions, the development will provide a good standard of amenity and contribution to the public domain with regard to the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development and the Apartment Design Guide.
- (D) Subject to conditions, the development is in the public interest.

Carried unanimously.

D/2018/802