

Resolution of Central Sydney Planning Committee

12 November 2020

Item 4

Development Application: 458-472 George Street and 49-51 Market Street, Sydney - D/2019/883

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

It is resolved that:

- (A) the requirement under Clause 6.21 of the Sydney Local Environmental Plan 2012 requiring a competitive design process is unreasonable and unnecessary in the circumstances of the site and the proposed development;
- (B) the requirement under Clause 7.20 of the Sydney Local Environmental Plan 2012 requiring the preparation of a development control plan is unreasonable and unnecessary in the circumstances of the site and the proposed development; and
- (C) consent be granted to Development Application Number D/2019/883 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act, 1979, in that, subject to the imposition of conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.
- (B) The proposal generally satisfies the objectives and provisions of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) The proposal is consistent with the objectives of the B8 Metropolitan Centre zone.
- (D) The proposal complies with the maximum height of buildings development standard in Clause 4.3 of the Sydney Local Environmental Plan 2012.

- (E) The proposal complies with the maximum floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 2012.
- (F) The proposal will conserve the heritage significance of the State Theatre and former Gowings building in accordance with Clause 5.10 of the Sydney Local Environmental Plan 2012
- (G) The proposal does not result in additional overshadowing of the Town Hall steps, the Sydney Square or the future Town Hall Square in accordance with Clause 6.19 of the Sydney Local Environmental Plan 2012.
- (H) The proposal exhibits design excellence in accordance with the relevant provisions and matters for consideration in Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (I) The proposed development has a height and form suitable for the site and its context, and subject to conditions, satisfactorily addresses the heights and setbacks of neighbouring developments, is appropriate in the streetscape context and broader locality.
- (J) Subject to the recommended conditions of consent, the proposed development achieves acceptable amenity for the existing and future occupants of the subject and adjoining sites.
- (K) The proposed land uses do not result in any significant adverse environmental or amenity impacts on the subject or surrounding properties, the public domain and the broader Sydney Central Business District, subject to the recommended conditions.
- (L) The requirement for the preparation of a site-specific development control plan and the undertaking of a competitive design process is unreasonable and unnecessary in the specific and particular circumstances of the site and proposed development, pursuant to Clauses 7.20(3) and 6.21(6) of the Sydney Local Environmental Plan 2012.
- (M) The proposal has been granted terms of approval by Heritage New South Wales, as delegate of the Heritage Council of New South Wales, under Section 4.47 of the Environmental Planning and Assessment Act, 1979.
- (N) The proposal has been granted concurrence by Sydney Trains and Transport for New South Wales under Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007, subject to conditions which have been adopted in the recommended conditions.
- (O) The public interest is served by the approval of the proposal, as amendments to the development application have addressed the matters raised by the City and the community, subject to recommended conditions imposed relating to heritage conservation, excavation, building expression, transport and servicing, flooding and stormwater, late night trading, waste, public art and construction management.

Carried unanimously.

D/2019/883