

Resolution of Central Sydney Planning Committee

25 March 2021

Item 6

Development Application: 12-24 Rothschild Avenue, Rosebery - D/2020/549

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

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2020/549 after the Voluntary Planning Agreement, in accordance with the public benefit offer made by Deicorp Projects Rosebery Pty Ltd dated 9 March 2021, has been publicly exhibited and any submissions considered; and
- (B) if the Chief Executive Officer determines to approve the application, it is recommended that, pursuant to s4.16(3) of the Environmental Planning and Assessment Act 1979, Development Application No. D/2020/549 be granted a deferred commencement approval, subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for deferred commencement for the following reasons:

- (A) The development complies with the objectives of the B4 mixed use zone pursuant to the Sydney Local Environmental Plan 2012.
- (B) The development is consistent with the permitted floor space ratio pursuant to clauses 4.4, 6.14 and 6.21 of Sydney Local Environmental Plan 2012.
- (C) The submitted clause 4.6 variation request for the height development standard has adequately addressed the requirements of clause 4.6(3) of the Sydney Local Environmental Plan 2012. Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012; and

- (ii) the proposal is in the public interest because it is consistent with the objectives of the B4 mixed use zone and the objectives of the height development standard.
- (D) The development complies with the requirements of Clause 5.6 of Sydney Local Environmental Plan 2012. As such, a minor variation from the permitted height standard under clause 4.3 of Sydney Local Environmental Plan 2012, supported by the clause 4.6 variation is supported.
- (E) The development demonstrates design excellence pursuant to clause 6.21 of Sydney Local Environmental Plan 2012.
- (F) The development is generally consistent with the Design Quality Principles and the objectives of the Apartment Design Guide as per the State Environmental Planning Policy No 65 - Design Quality of Residential Apartments.
- (G) The development is consistent with the objectives of the Sydney Development Control Plan 2012.
- (H) The development facilitates the improvement of the public domain. It includes the delivery of public art, dedication and embellishment of land, the creation of two new through site links, and a monetary contribution to Green Square urban renewal area.

Carried unanimously.

D/2020/549