

Resolution of Local Planning Panel

9 May 2018

Item 4

Development Application: 34-36 Oxford Street, Darlinghurst

The Panel:

- (A) Supported the variation sought 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.
- (B) Supported the variation sought to Clause 4.4 Floor Space Ratio development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.
- (C) Granted consent to Development Application No. D/2017/1293 subject to the conditions set out in [Attachment A](#) to the subject report, and subject to the following amendments (additions shown in ***bold italics*** and deleted text shown in ~~strike through~~):

(12) Materials and Samples Board

A physical sample board detailing all proposed materials, finishes and colours must be submitted to and approved by Council's ~~Area Planning Manager~~ ***Director City Planning, Development and Transport*** prior to a Construction Certificate being issued.

Carried unanimously.

Reasons for Decision

The Panel approved the application as:

- (A) the proposal is generally consistent with the objectives, standards and guidelines of the relevant planning controls;
- (B) strict numerical compliance with the height and floor space ratio standards outlined in Sydney LEP 2012 is considered to be unreasonable and unnecessary in this instance and departure from these standards pursuant to Clause 4.6 of Sydney LEP 2012 is supported;
- (C) the proposal provides an appropriate built form given the site's context;
- (D) the proposal will not result in unacceptable amenity impacts on surrounding properties;
- (E) the proposal results in public benefit in the form of heritage conservation as it allows for the retention and preservation of internal and external original heritage fabric and restoration of the Oxford Street façade;
- (F) the amendment to Condition 12 is to ensure that appropriate colours are used where there is a contrast between the existing heritage fabric and new building.

D/2017/1293