

Resolution of Central Sydney Planning Committee

22 July 2021

Item 6

Development Application: 413-415 Sussex Street and 82-84 Dixon Street, Haymarket - D/2020/1386

Moved by the Chair (the Lord Mayor), seconded by Mr Persson -

It is resolved that:

- (A) the requirement of Section 51N of the City of Sydney Act 1988 to consult with the Central Sydney Traffic and Transport Committee not apply in this instance as the proposal does not require, nor might reasonably be expected to require, the carrying out of road works or traffic control works that are likely to have a significant impact on traffic and transport in the Sydney CBD;
- (B) the variation requested to the height of buildings standard and motorcycle parking standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (C) the requirement under Clause 6.21 of the Sydney Local Environmental Plan 2012 requiring a competitive design process is considered unreasonable or unnecessary in the circumstances;
- (D) the requirement under Clause 7.20 of the Sydney Local Environmental Plan 2012 requiring a preparation of a development control plan is considered unreasonable or unnecessary in the circumstances; and
- (E) 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/2020/1386 subject to the conditions set out in Attachment A to the subject report, subject to the following amendment (additions shown in ***bold italics***):

(21) LOADING DOCK MANAGEMENT PLAN

Prior to the issue of a construction certificate, a loading dock management plan is to be prepared, including consideration of the future adjoining development being served by the loading dock. The Loading Dock Management Plan is to be submitted to the Director City Planning, Development and Transport for approval.

(Remaining conditions to be renumbered accordingly)

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposal is consistent with the objectives of the B8 Metropolitan Zone.
- (B) The proposal generally satisfies the relevant controls relating to student accommodation and boarding house uses.
- (C) The development conserves two traditional shops and conserves in perpetuity an existing space and chattels of historic significance, with public access, held in high regard by the Chinese community.
- (D) The proposal, subject to conditions, satisfies the provisions of clause 6.21 of the Sydney LEP 2012.
- (E) 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 of buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012;
 - (ii) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 29 of the ARHSEPP, that compliance with motorcycle provision standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify no motorcycle provision: and
 - (iii) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 29 of the ARHSEPP, that floor space bonus applies to the site; and
 - (iv) the proposal is in the public interest because it is consistent with the objectives of the B8 Metropolitan zone.
- (F) Condition 21 was added to enable the consideration of access to another loading dock through the driveway.

Carried unanimously.

D/2020/1386