

## Resolution of Central Sydney Planning Committee

**7 April 2022**

### **Item 4**

#### **Development Application: 189-197 Kent Street, Sydney - D/2021/696**

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

It is resolved that:

- (A) the variation requested to Clause 4.3 'Height of buildings' in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (B) consent be granted to Development Application Number D/2021/696 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 ensures that the detailed design of the development is consistent with the concept approval, in order to satisfy Section 4.24 of the Environmental Planning and Assessment Act, 1979.
- (C) The proposal satisfies the objectives of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012 for the reasons set out in the report.

- (D) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:
- (a) The applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Sydney Local Environmental Plan 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 Local Environmental Plan 2012; and
  - (b) The proposal is in the public interest because it is consistent with the objectives of the B8 Metropolitan Centre zone and the 'Height of buildings' development standard.
- (E) The concept building envelopes can accommodate a building design which is capable of exhibiting design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (F) The increased height and altered massing and bulk of the building envelopes are in keeping with the desired future character of the area. These variations are reasonable and justified with regard to the concurrent amendments to the detailed design of the development, which are proposed under the concurrent development application D/2021/690.
- (G) The proposed changes to the approved building envelopes are appropriate and are not likely to significantly impact the overall use of the building or the amenity of surrounding sites or locality.
- (H) The proposed amendments to the approved concept development is in the public interest.

Carried unanimously.

D/2021/696