

Resolution of Local Planning Panel

18 May 2022

Item 3

Development Application: 58-78 and 82-106 Oxford Street, Darlinghurst - D/2020/1071

The Panel:

- (A) considered the amended plans and additional information, including the amended Clause 4.6 request, submitted since the meeting of the Local Planning Panel held on 22 September 2021;
- (B) considered the previous recommendation for deferred commencement approval, and the updated set of recommended conditions reflecting the amended plans which are set out in Attachment A to the subject report;
- (C) upheld the variation requested 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; and
- (D) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act, 1979, granted deferred commencement consent to Development Application Number D/2020/1071 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was granted deferred commencement approval for the following reasons:

- (A) The development, subject to conditions, is consistent with the objectives of the B2 Local Centre zone pursuant to the Sydney Local Environmental Plan 2012.
- (B) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
 - (i) the applicant's written request adequately addresses the matters required by Clause 4.6(3) of the Sydney Local Environmental Plan 2012, in that compliance with the height of building 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

- (ii) the proposal is in the public interest because it is consistent with the objectives of the B2 Local Centre zone and the 'Height of buildings' development standard.
- (C) The development conserves the heritage significance of the heritage items on site and satisfies Clause 5.10 of the Sydney Local Environmental Plan 2012.
- (D) The development exhibits design excellence to satisfy Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (E) The development is consistent with the character and principles identified in the locality statement for Oxford Street Darlinghurst under Section 2.4.10 of the Sydney Development Control Plan 2012.
- (F) The development will not result in unacceptable amenity impacts on surrounding properties and public domain and does not unreasonably impact upon any significant view corridors.

Carried unanimously.

D/2020/1071