

Resolution of Council

21 November 2022

Item 10.6

Public Exhibition - Planning Proposal - 923-935 Bourke Street, Waterloo - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - 923-935 Bourke Street, Waterloo, as shown at Attachment A to the subject report, for submission to the Department of Planning and Environment with a request for Gateway Determination, subject to the following amendment (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):
 - (i) Drafting instruction on page 42: notwithstanding Clause 7.23 – Large retail development outside of Green Square Town Centre and other planned centres, allow development consent to be granted to development for the purposes of ***a*** shops with a gross floor area not greater than 3,200 square metres;
- (B) Council approve Planning Proposal - 923-935 Bourke Street, Waterloo, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination, subject to the following amendment (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):
 - (i) Drafting instruction on page 42: notwithstanding Clause 7.23 – Large retail development outside of Green Square Town Centre and other planned centres, allow development consent to be granted to development for the purposes of ***a*** shops with a gross floor area not greater than 3,200 square metres;
- (C) Council seek authority from the Department of Planning and Environment to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 923-935 Bourke Street, Waterloo;
- (D) Council approve draft Development Control Plan - 923-935 Bourke Street, Waterloo Amendment, shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal, subject to the

following amendment (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

- (i) On page 10: (2) Any dedication of land to Council is required to secure an appropriate remediation outcome that is endorsed by Council to confirm the land is fit for purpose ~~and is not constrained by a long term Environmental Management Plan~~; ***Management Plan***;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - 923-935 Bourke Street, Waterloo and Draft Sydney Development Control Plan 2012 - 923-935 Bourke Street, Waterloo Amendment to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to prepare and exhibit a draft planning agreement in accordance with the letter of offer dated 11 November 2022 as shown at Attachment A to the subject Information Relevant to Memorandum – Item 6 – Transport, Heritage, Environment and Planning Committee meeting on 14 November 2022 and the requirements of the Environmental Planning and Assessment Act 1979.

Carried unanimously.

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