

Resolution of Central Sydney Planning Committee

16 February 2023

Item 4

Development Application: 903-921 Bourke Street, Waterloo - D/2021/1415

Moved by the Chair (the Lord Mayor), seconded by Ms Galvin -

It is resolved that:

- (A) in relation to the Tower Building, the Young Street North Building and the Bourke Street Buildings, that the variations requested to the Height of Buildings development standard, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (B) in the circumstances it is unreasonable and unnecessary to require a site-specific Development Control Plan to be prepared for the site, with consideration that the built form controls contained in Sydney Local Environmental Plan 2012 as well as the specific area provisions for the Danks Street South Precinct in section 5.9 of Sydney Development Control Plan 2012 provide sufficient detail to guide the redevelopment of the site; and
- (C) 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/2021/1415 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 site is located in the Zone B4 Mixed Use. The proposed development comprises residential, retail and commercial uses and which are permitted with consent in the zone.

- (B) The consent authority is satisfied that:
- (i) the applicant's written requests have adequately addressed the matters required to be demonstrated by clause 4.6(3) of 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
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the Zone B4 Mixed Use and the Height of Buildings development standard.
- (C) The proposed development complies with the maximum floor space ratio development standard contained in clause 4.4 of the Sydney Local Environmental Plan 2012.
- (D) The proposed development is consistent with the Voluntary Planning Agreement between The Council of the City of Sydney and Dahua Group Waterloo Project Pty Ltd.
- (E) The proposed development provides a positive contribution that is suitable in terms of its context, scale and built form and which is consistent with the desired future character of the area. As such the proposed detailed building designs exhibit design excellence in accordance with the requirements of clause 6.21C of the Sydney Local Environmental Plan 2012.
- (F) The proposed development is consistent with the aims and objectives of the relevant planning controls including SEPP 65, the SLEP 2012 and the SDCP 2012. Where non-compliances exist, they are demonstrated to be acceptable in the circumstances or are addressed by the recommended conditions of consent.

Carried unanimously.

D/2021/1415