

Resolution of Local Planning Panel

4 July 2018

Item 6

Development Application: 23-47 Flinders Street, Surry Hills

The Panel:

- (A) Pursuant to the provisions of Clause 4.6 of the Sydney Local Environmental Plan (LEP) 2012, supported the variation to Clause 4.3 Height of Buildings contained in the Sydney LEP 2012.
- (B) Pursuant to the provisions of Clause 4.6 of the Sydney Local Environmental Plan (LEP) 2012, supported the variation to Clause 4.4 Floor Space Ratio contained in the Sydney LEP 2012.
- (C) Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, granted a deferred commencement consent to Development Application No. D/2017/1131, subject to the conditions set out in [Attachment A](#) to the subject report.

Carried unanimously.

Reasons for Decision

The Panel approved the application as:

- (A) The proposed development is consistent with the objectives of the B2 - Local Centre zone for the reasons set out in the report to the Local Planning Panel.
- (B) The variation to Clause 4.3 of the Sydney Local Environmental Plan 2012 "Height of buildings" is consistent with the provisions of Clause 4.6 "Exceptions to development standards" and is in the public interest.
- (C) The variation to Clause 4.4 of the Sydney Local Environmental Plan 2012 "Floor space ratio" is consistent with the provisions of Clause 4.6 "Exceptions to development standards" and is in the public interest.

- (D) Minor non-compliance with the design criteria of objective 3D-1 (Communal and public open space) of the Apartment Design Guide is acceptable. The proposed development includes six private roof terraces which provide a high degree of amenity for apartments 5.3, 5.4, 5.5, 5.6, 5.7, and 5.8, and also serve to decrease demand on the communal roof terrace. The development achieves the broad objectives of the Apartment Design Guide 2015 and the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development.
- (E) The recommended design modifications will improve solar access to apartments on Level 5 and ensure adequate visual privacy to ground floor bedrooms, thereby ensuring an acceptable level of amenity.
- (F) The built form and design of the proposed development responds appropriately to the site and the scale of surrounding buildings, utilises high quality materials, and is compatible with the character and appearance of the Bourke Street North conservation area. The development is considered to achieve design excellence.
- (G) The proposal provides activation to Flinders Street at the ground floor.
- (H) As conditioned, it is generally consistent with the objectives of the relevant controls for the site and will not adversely impact the amenity of neighbouring properties.

D/2017/1131