

Resolution of Central Sydney Planning Committee

9 May 2024

Item 4

Development Application: 960A Bourke Street, Zetland - D/2023/849

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

It is resolved that:

- (A) the request to vary the height of buildings development standard in accordance with Clause 4.6 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 be upheld;
- (B) the request to vary the ceiling height development standard in accordance with Clause 4.6 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 be upheld;
- (C) the requirement under Clause 6.9 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 requiring a competitive design process for Sites 7 and 17 is unreasonable or unnecessary in the specific circumstances due to the site history, applications consolidation, and substantial input received from the Design Advisory Panel including forming a subcommittee; and
- (D) consent be granted to Development Application Number D/2023/849 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 conditions of consent, 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) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:

- (i) the applicant's written requests relating to the maximum height of buildings and ceiling height development standards adequately addressed the matters required to be addressed under Clause 4.6 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013, that compliance with the respective development standards is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening the development standards; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the MU1 - Mixed Use zone and the height of buildings and ceiling height development standards.
- (C) The proposal has been assessed against the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan (Green Square Town Centre) 2013, the Green Square Town Centre Development Control Plan 2012 and the State Environmental Planning Policy (Housing) 2021. Where non-compliances exist, they have been demonstrated in this report to be acceptable in the circumstances of the case or can be resolved by the recommended conditions of consent.
- (D) The proposal demonstrates design excellence in accordance with the relevant provisions and matters for consideration in Clause 6.9 of the Sydney Local Environmental Plan (Green Square Town Centre) 2013.
- (E) The proposed development for Site 18 is consistent with the design intent of the winning scheme of a competitive design alternatives process, held in accordance with the City of Sydney Competitive Design Policy.
- (F) The proposed development has a bulk, form and massing that is suitable for the site and its context within the Green Square Town Centre and the proposed mix of residential, retail and commercial uses are consistent with the objectives of the MU1 - Mixed Use zone.
- (G) The proposal is consistent with the terms of the executed Planning Agreement that has been registered on the title of the land and will facilitate the improvement of the public domain through the dedication of land for the new roads, being Barker Street and Fellmonger Place.

Carried unanimously.

D/2023/849