

Resolution of Central Sydney Planning Committee

9 May 2024

Item 7

Development Application: 8-24 Kippax St, Surry Hills - D/2023/1162

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

It is resolved that:

- (A) the variation 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) the variation requested to the floor space ratio standard, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (C) consent be granted to Development Application Number D/2023/1162 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 the imposition of conditions as recommended, 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 request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 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 the Sydney LEP 2012;

- (ii) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the floor space ratio development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.4 of the Sydney LEP 2012; and
 - (iii) the proposal is in the public interest because it is consistent with the objectives of the MU1 Mixed Use zone and with the objectives of both the height of buildings and the floor space ratio development standards.
- (C) The proposal, subject to recommended conditions, generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012, including the Design Excellence Provisions, and the provisions of the Sydney Development Control Plan 2012.
- (D) The proposed development has a height, scale and form suitable for the site and its context and is appropriate in the streetscape context of the Surry Hills Central locality.
- (E) The amended development application has addressed matters raised by the City's planners. Subject to the recommended condition of consent, the proposed development achieves good amenity for the existing and future occupants of the subject and adjoining sites.
- (F) For the reasons above and as detailed in the following assessment report to the Central Sydney Planning Committee, the proposed development is in the public interest.

Carried unanimously.

D/2023/1162