

## Resolution of Local Planning Panel

**22 May 2024**

### Item 6

#### Development Application 486-490 Elizabeth Street, Surry Hills - D/2023/852

The Panel:

- (A) upheld the variations requested to clause 4.3 Height of Buildings and clause 4.4 Floor Space Ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application Number D/2023/852 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 proposed development is consistent with the objectives of the MU1 Mixed Use zone.
- (B) The proposed development satisfies the relevant objectives and provisions of the Sydney Development Control Plan 2012.
- (C) Based upon the material available to the Panel at the time of determining this application, the Panel 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 and floor space ratio development standards are unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 and clause 4.4 of the Sydney LEP 2012; 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 floor space ratio development standards.

Carried unanimously.

D/2023/852

