

Resolution of Local Planning Panel

3 July 2024

Item 3

Development Application: 422-424 Cleveland Street, Surry Hills - D/2023/997

The Panel grants consent to Development Application Number D/2023/997 subject to the conditions set out in Attachment A of the assessment report.

Reasons for Decision

The application is approved for the following reasons:

- (A) The proposal is consistent with the objectives of the MU1 Mixed Use Zone.
- (B) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that 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 of the Sydney LEP 2012.
- (C) The proposed development represents sympathetic alterations and additions to a contributory building which will enhance the site's contribution to the heritage conservation area pursuant to Section 3.9.7 of the Sydney DCP.
- (D) The design of the proposed rear addition is sympathetic to the historic character and form of the existing church building, whilst being clearly distinguishable as a contemporary rear addition in accordance with the provisions of the Burra Charter.
- (E) The proposed design of development respects and integrates with the sites historic character whilst simultaneously mitigating environmental impacts of overshadowing and overlooking of neighbouring properties pursuant to the Design Excellence provisions of Clause 6.21C of the Sydney LEP.
- (F) The proposed development, subject to recommended conditions of consent, adequately addresses and safeguards the visual and acoustic privacy of neighbouring residential properties pursuant to Clause 6.21C(2)(d)(vii) of the Sydney LEP.
- (G) The proposed development, subject to recommended conditions of consent, exhibits excellence in landscape integration and will enhance the urban greening of the site pursuant to Clause 6.21C(2)(d)(xiii) of the Sydney LEP.

- (H) The proposed development is appropriate to its site and setting, by delivering a high quality design and suitable use to enhance the vitality of the locality and promote the orderly and economic use and development of the land pursuant to Object (c) of the Environmental Planning and Assessment Act 1979 (Clause 1.3(c)).

Carried unanimously.

D/2023/997