

Resolution of Local Planning Panel

6 November 2024

Item 3

Development Application: 1-5 Flinders Street, Surry Hills - D/2023/119

Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Panel granted a deferred commencement consent to Development Application Number D/2023/119, subject to the conditions set out in Attachment A to the subject report, subject to the following amendments:

General Conditions 3 (General Design Modifications) and 4 (Heritage Design Modifications) are to be moved to the Deferred Commencement Conditions section of the Notice of Determination.

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 the recommended conditions of consent, the proposal is generally consistent with the planning controls applicable to the site, and where variances are proposed these are acceptable for the reasons outlined in the report to the Local Planning Panel.
- (B) The proposal satisfies the objectives and provisions of State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Industry and Employment) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.
- (C) The proposal is consistent with the objectives of the E1 'Local Centre' zone.
- (D) Subject to the recommended conditions of consent, the proposal will contribute to the ongoing conservation of the heritage item on site "Former Commonwealth Bank including Interior" (I1541), and the conservation of the Oxford Street Heritage Conservation Area (C17) through conservation measures to the retained building.

- (E) The proposed development appropriately responds to the site and its context, with additions to the building that are compliant with the statutory height and floorspace controls, appropriate in terms of architectural expression and achieves design excellence.
- (F) The proposed land uses are permissible with consent in the zone and will support the vitality of the area. Subject to the recommended conditions of consent, land uses envisaged under the Oxford Street Cultural and Creative Precinct controls will be assured in perpetuity to ensure the character of the precinct is preserved.
- (G) The public interest is served by the approval of the development, as amendments to the design have generally addressed the concerns of Council staff, the Design Advisory Panel, and the community. The recommended conditions of consent will mitigate any environmental impacts that could potentially arise from the construction and operational phases of the proposed development.
- (H) General conditions 3 and 4 were changed to deferred commencement conditions to ensure there is one complete updated accurate set of plans for approval.

Carried on the following show of hands:

Ayes (3) Mr Brown, Ms Bayl-Smith and Ms MacGraw

Noes (1) Ms Tuor

Motion carried.

D/2023/119