

Resolution of Central Sydney Planning Committee

19 June 2025

Item 10

Development Application: 757-759 and 761-763 George Street, Haymarket - D/2024/890

Moved by the Chair (the Lord Mayor), seconded by Councillor Miller –

It is resolved that:

- (A) the variation requested to the below ground floor space ratio development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (B) consent be granted to Development Application Number D/2024/890 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

(49) PREPARATION OF MECHANICAL VENTILATION PLANS

- (a) Prior to the issue of the relevant Construction Certificate, detailed plans of the mechanical exhaust ventilation system must be prepared by a suitably qualified person and submitted to and approved by Council. The plans must be in accordance with the following:
 - (i) Australian Standard 1668: - The use of ventilation and air conditioning in buildings; and
 - (ii) ensure all generate heated air, smoke, fumes, steam or grease vapours do not:
 - a. cause a nuisance to persons within or nearby to the premises,
 - b. or cause air pollution as defined under the NSW Protection of the Environment Operations Act 1997.

Reason

To ensure that detailed professional plans of the approved mechanical ventilation system are submitted prior to the issue of a **the relevant** Construction Certificate.

(122) HOURS OF OPERATION – EXTERNAL TERRACE LEVEL 2

The permitted hours of operation for the external terrace located on level 2 are restricted to between 7.00am and 12.00pm **midnight** Monday to Sunday.

Reason

To ensure the premises trades within the approved hours of operation.

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 recommended 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 request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the Clause 6.60F(6) development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 6.60F(6) of the Sydney LEP 2012; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the SP5 zone and the Clause 6.60F(6) development standard.
- (C) The proposed development is consistent with the objectives of the SP5 Metropolitan Centre zone.
- (D) The proposal demonstrates design excellence in accordance with the relevant provisions and matters for consideration in clause 6.21C of the Sydney Local Environmental Plan 2012.
- (E) The proposed development is consistent with the design intent of the winning schemes of the competitive design alternatives processes for the site, held in accordance with the City of Sydney Competitive Design Policy.
- (F) The proposal has been assessed against the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan 2012, and the Sydney Development Control Plan 2012. 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.
- (G) The proposal provides for uses that are compatible with the surrounding area. The proposal is in keeping with the future desired character of the area and is considered to be in the public interest.

(H) Conditions 49 and 122 were amended at the request of the applicant, to correct administrative errors.

Carried unanimously.

D/2024/890