Alternative Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 7 - Public Exhibition - Planning Proposal: 72-84 Foveaux Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment, for submission to the relevant local-plan making authority with a request for Gateway Determination;

(B) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 7 Memorandum, for public consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) the Central Sydney Planning Committee seek authority from the local-plan making authority to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended;

(D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2019 that Council approve the draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment B to the Information Relevant to Item 7 Memorandum subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal; and
the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2019 that authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended and Sydney Development Control Plan 2012: 72-84 Foveaux Street, Surry Hills, as amended, to correct any drafting errors following the Gateway Determination.

Additions in **bold italics**, deletions in **strikethrough**.

**Purpose**

To amend the recommendation to correct a minor error relating to maximum building height contained in Planning Proposal: 72-84 Foveaux Street, Surry Hills (planning proposal) and Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills (draft DCP), provided at Attachment A and Attachment B to this memorandum.

The City was informed of this oversight after the publication of the Central Sydney Planning Committee report.

**Background**

On 13 June 2019, Ethos Urban, on behalf of the landowner, advised the City of a minor error with the maximum building height in the planning proposal and draft DCP and requested it be amended.

The planning proposal refers to a maximum building height of RL 55.00 metres, which did not include the lift overrun. The lift overrun has a maximum height of RL 55.60 metres, and is located in the south-east corner. The Planning Proposal: 72-84 Foveaux Street, Surry Hills as amended, provided at Attachment A, has been modified to reflect a maximum height of RL 55.60.

The north-east wing of the building, fronting Corben Street is detailed in the draft DCP as having a maximum height of RL 52.53 metres. The proposed development concept has located plant equipment and associated screening on the roof to a maximum height of RL 53.50 metres. The draft DCP has been amended to reflect a maximum height of RL 53.50 for this wing.

The Planning Proposal, at Attachment A, and draft DCP, Attachment B, have been updated to correct the minor height discrepancies detailed above. Deletions from the documents are shown struck-through and additions are shown in bold and italics.

Several diagrams contained in the draft DCP have been updated to reflect the correct maximum building height, inclusive of the lift overrun, and the plant equipment screen on the north-eastern wing. These are provided in Figures 1, 2 and 3.
Figure 1: Amended Foveaux Street elevation diagram as shown in the draft DCP with amendments circled.

Figure 2: Amended structure plan diagram as shown in the draft DCP with amendments circled.
Figure 3: Amended maximum building envelope diagram as shown in the draft DCP with amendments circled.
Prepared by: Daniel Thorpe, Planner, Strategic Planning and Urban Design

Attachments

Attachment A. Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended 14 June 2019

Attachment B. Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, as amended 14 June 2019

Approved

GRAHAM JAHN AM
Director City Planning, Development and Transport