

Resolution of Central Sydney Planning Committee

19 June 2025

Item 9

Development Application: 93-97 Macquarie Street, Sydney - D/2024/324

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

It is resolved that consent be granted to Development Application Number D/2024/324 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 satisfies the objectives of the Environmental Planning and Assessment Act 1979, in that, subject to the imposition of conditions as recommended, 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 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 building 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 is consistent with the amended concept approval for the site, being D/2017/1609/A, in accordance with Section 4.24 of the Environmental Planning and Assessment Act 1979.
- (D) The proposed development is consistent with the design intent of the winning scheme of a competitive design process, held in accordance with the City of Sydney Competitive Design Policy.
- (E) The proposed development generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.

- (F) The proposal complies with the maximum floor space ratio development standard in Clauses 4.4 and 6.4 of the Sydney Local Environmental Plan 2012.
- (G) The proposed development complies with the Sun Access Plane requirements for the Royal Botanic Gardens in accordance with Clause 6.17 of the Sydney Local Environmental Plan 2012.
- (H) The proposed development will conserve the heritage significance of the "Former Department of Health building including interiors" in accordance with Clause 5.10 of the Sydney Local Environmental Plan 2012.
- (I) The articulation, materiality and architectural contribution of the proposal combine to exhibit design excellence in accordance with the relevant provisions and matters for consideration in Clause 6.21C of the Sydney Local Environmental Plan 2012.
- (J) The proposed development has a height, scale and form suitable for the site and its context, and subject to conditions, satisfactorily respond to the heights and setbacks of neighbouring developments, is appropriate in the streetscape context and setting of the broader locality.
- (K) Subject to the recommended conditions of consent, the proposed development achieves acceptable amenity for the existing and future occupants of the subject and adjoining sites.
- (L) The proposed mix of compatible land uses will support the vitality of the area and, subject to the recommended conditions, not result in any significant adverse environmental or amenity impacts on neighboring properties, the public domain, and the broader Sydney Central Business District.
- (M) The public interest is served by the approval of the proposal, as amendments to the development application have addressed the matters raised by the City and the community, subject to recommended conditions imposed relating to the appropriate management of associated potential environmental impacts.

Carried unanimously.

D/2024/324