

Resolution of Local Planning Panel

29 April 2026

Item 5

Development Application: 183-187 Harris Street, Pyrmont - D/2025/1163

The Panel:

- (A) did not support the variation to Clause 4.3 'Height of Buildings' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012;
- (B) did not support the variation to Clause 4.4 'Floor Space Ratio' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012; and
- (C) refused consent to Development Application D/2025/1163 for the reasons outlined below.

Reasons for Decision

The application was refused for the following reasons:

- (A) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.3 Height of Building development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (B) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.4 Floor Space Ratio development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (C) The development breaches the bulk and massing controls including the Clause 4.3 height of buildings and Clause 4.4 floor space ratio development standards of the Sydney LEP 2012, the height in storeys controls under Section 4.2.1.1 of the Sydney DCP 2012. The additional bulk and mass from the new third storey will be visible from the side elevations from the public domain exceeding the current roofline and the noncompliances to achieve this additional storey are an indication of overdevelopment for the site.

- (D) The apartment design does not meet Section 147(1)(a) of the SEPP (Housing) 2021 as it does not meet Design Principles 2 (Built Form and Scale) or 5 (Landscape) under Schedule 9 of the SEPP.
- (E) The apartment design does not comply with the Building Separation at zone boundaries under Design Criteria 2F, Communal Open Space under Design Criteria 3D-1, Deep Soil Zones under Design Criteria 3E-1 and Ceiling Heights under 4C-1 of the Apartment Design Guide.
- (F) The development does not exhibit design excellence as per Section 6.21C of the Sydney LEP 2012.
- (G) There is insufficient information and detail to demonstrate compliance with technical requirements including accessibility, landscaping, waste, transport, environmental impacts, surveying, sustainability and public domain requirements.
- (H) The public interest is not achieved by this development for the reasons above.

Carried unanimously.

D/2025/1163