

## Relevant Information for the Transport, Heritage and Planning Committee

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**FILE:** X023555 **DATE:** 17 June 2019

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn, Director of City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 2 - Public Exhibition - Planning Proposal: 72-84 Foveaux Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment.

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### Alternative Recommendation

It is resolved that:

- (A) Council approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, **as amended**, shown at Attachment A **to the Information Relevant to Item 2 Memorandum to the subject report**, for submission to the relevant local-plan making authority with a request for Gateway Determination;
- (B) Council approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, **as amended**, shown at Attachment A **to the Information Relevant to Item 2 Memorandum** for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council 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) 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 2 Memorandum to the subject report** for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 72-84 Foveaux Street, Surry Hills, **as amended**, following receipt of the Gateway Determination; and

- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, **as amended**, to correct any drafting errors and/or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

Additions in ***bold italics***, deletions in ~~striketrough~~.

## 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 Committee report.

## Background

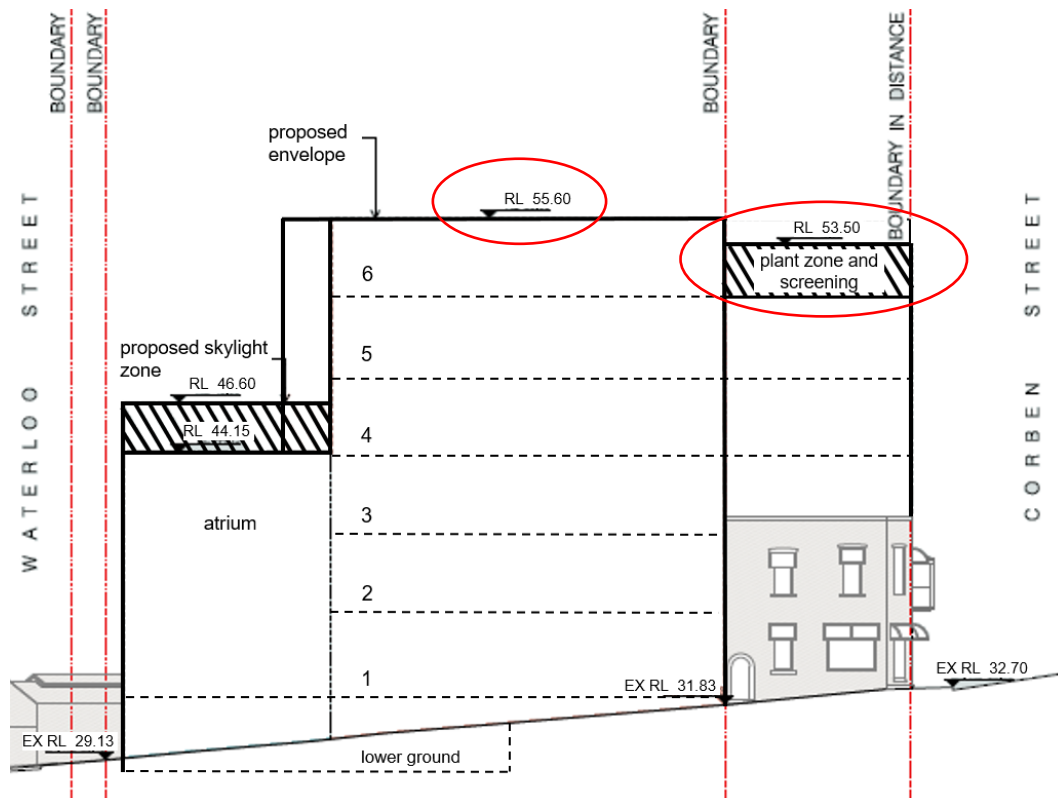
On 13 June 2019, Ethos Urban, on behalf of the landowner, advised the City of a minor error with the maximum building height in the planning proposal and draft DCP and requested it be amended.

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.

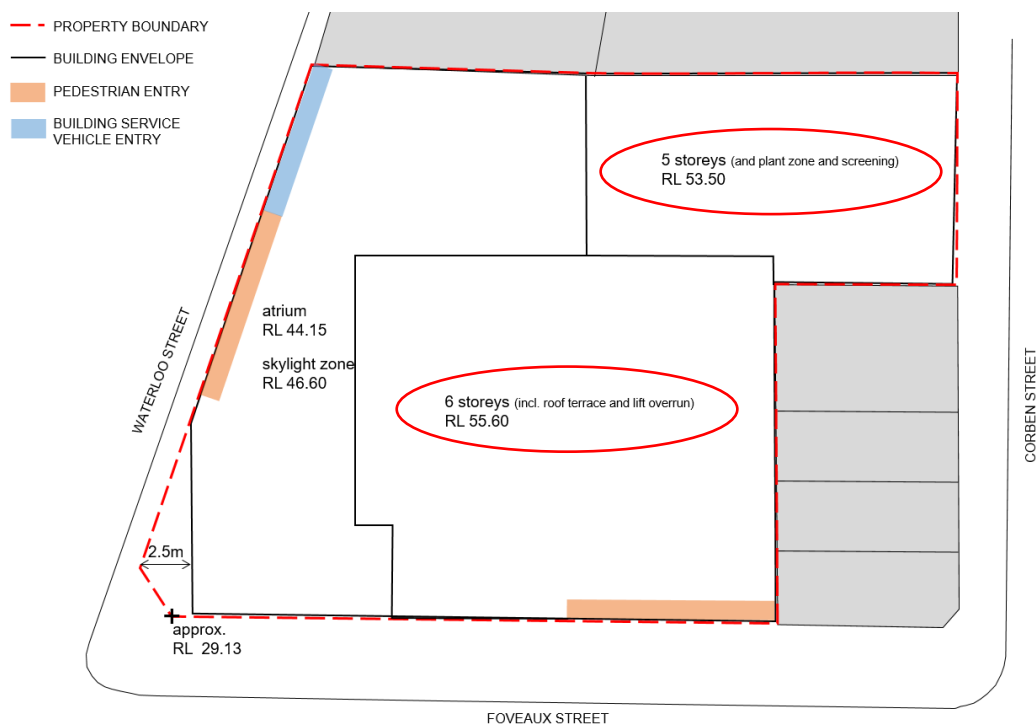
The north-east wing of the building, fronting Corben Street is detailed in the draft DCP as having a maximum height of RL 52.53 metres. The proposed development concept has located plant equipment and associated screening on the roof to a maximum height of RL 53.50 metres. The draft DCP has been amended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

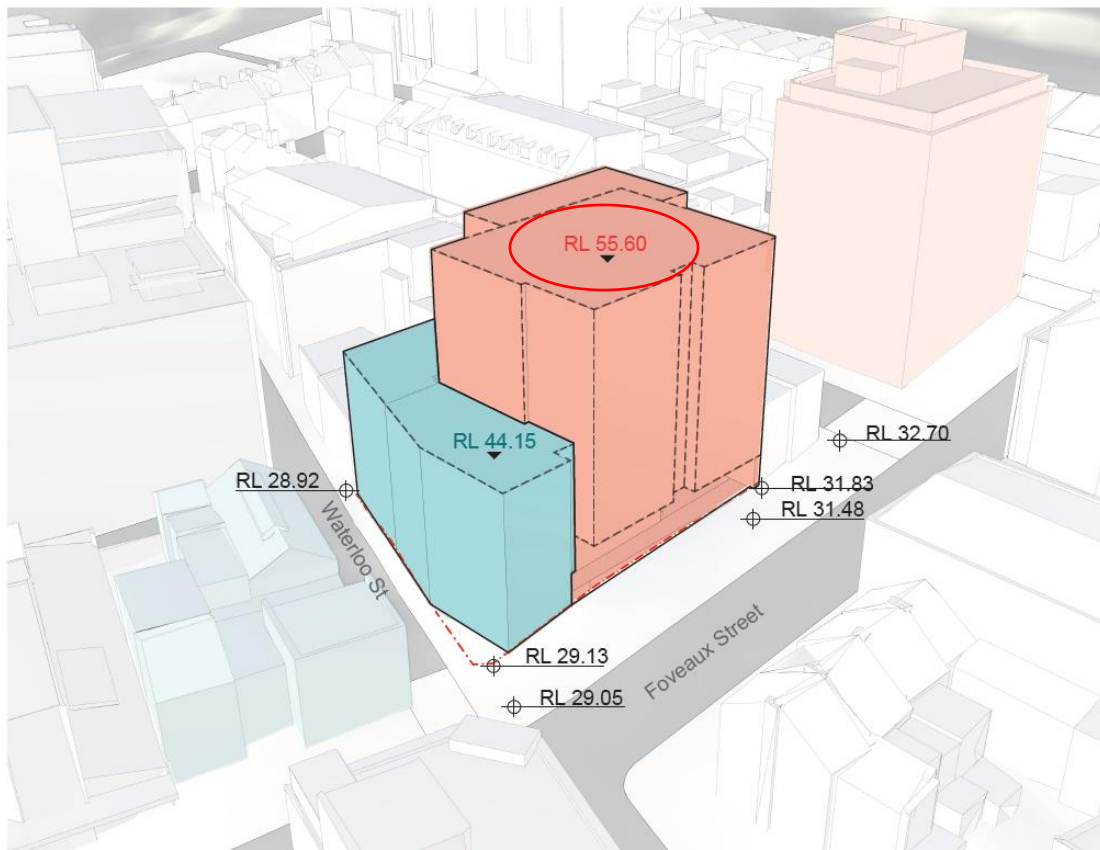
Several diagrams contained in the draft DCP have been updated to reflect the correct maximum building height, inclusive of the lift overrun, and the plant equipment screen on the north-eastern wing. These are provided in Figures 1, 2 and 3.



**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

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Approved

A handwritten signature in black ink, appearing to read 'GJahn', is positioned to the right of the 'Approved' text.

**GRAHAM JAHN, AM**

Director City Planning, Development and  
Transport