

## Resolution of Local Planning Panel

**28 August 2019**

### Item 3

#### **Section 8.2 Review of Determination: 21 O'Connor Street, Chippendale - RD/2018/1360/A**

The Panel:

- (A) upheld the variation sought to the height of building development standard under Clause 4.3, in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 in this instance;
- (B) upheld the variation sought to the floor space ratio development standard under Clause 4.4, in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 in this instance; and
- (C) granted consent to Development Application No. RD/2018/1360/A 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 requested variation to the development standards prescribed under Clause 4.3 Height of Buildings and Clause 4.4 Floor Space Ratio of the Sydney Local Environmental Plan 2012 is upheld because the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by Clause 4.6 of the Sydney Local Environmental Plan 2012 and the proposed development would be in the public interest because it is consistent with the objectives of the Height of Buildings and Floor Space Ratio development standards and the B4 Mixed Use zone.
- (B) The amended proposal results in sympathetic alterations and additions to a contributory building within the Chippendale Heritage Conservation Area (C9) in accordance with the requirements of Clause 5.10 of the Sydney Local Environmental Plan 2012 and Section 3.9 of the Sydney Development Control Plan 2012.
- (C) The amended proposal demonstrates design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.

- (D) The proposal will have not have detrimental impacts on the amenity of neighbouring properties and as such is consistent with the provisions of Section 4.2.3 of the Sydney Development Control Plan 2012.
- (E) The proposal is in keeping with the desired future character of the area and is considered to be in the public interest.
- (F) The development, as modified, is considered to be substantially the same development as the development refused under D/2018/1360 in accordance with Clause 8.3 (3) of the Environmental Planning and Assessment Act 1979.

Carried unanimously.

RD/2018/1360/A