

Resolution of Local Planning Panel

5 February 2020

Item 4

Development Application: 45 Amy Street, Erskineville - D/2019/189

The Panel granted consent to Development Application No. D/2019/189 subject to the conditions set out in [Attachment A](#) to the subject report, subject to the following amendments (additions shown in ***bold italics*** and deletions shown in ~~strikethrough~~):

(4) WINDOWS

The design of the windows must be modified as follows:

- (a) All windows within masonry walls are to be designed with projecting masonry sill details to improve sill drainage, weatherproofing and the visual appearance. Details are to be provided on a 1:20 plan.
- (b) ~~All second floor western elevation windows to room 201 shall be fitted with opaque glazing.~~
- (c) ~~(b)~~ ***(b)*** No consent is given to the installation of hopper style windows to the ~~two first floor~~ western elevation windows to rooms 103, ~~and 104~~ ***and 201***. These windows shall be amended to be vertically proportioned sash window containing two panes of glass, with the lower pane to be fixed and fitted with opaque glazing to a minimum height of 1.4 metres above finished floor level. The upper window pane shall be fitted with a transparent glazing and shall be the only openable pane.

The modifications are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

(9) RESTRICTION ON BOARDING HOUSE

The following restriction applies to the parts of the building approved for boarding house use:

- (a) The building must be used as a boarding house only.
- (c) The minimum length of stay for lodgers is 3 months
- (d) There shall be ~~no 8 residents~~ **no more than 8 residents** residing in the premises at any given time.

~~(18) CHANGES TO KERB SIDE PARKING RESTRICTIONS~~

~~A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.~~

~~The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.~~

~~All costs associated with the parking proposal will be borne by the developer.~~

~~Note: As parking in the LGA is at a premium, it is recommended that the applicant should approach the Area Traffic Engineer to discuss the proposal before making a submission.~~

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed boarding house is a permissible within the R1 General Residential zone and is consistent with the objectives of this zone.
- (B) The proposal is generally consistent with the relevant objectives and controls within the State Environmental Planning Policy (Affordable Rental Housing) 2009, State Environmental Planning Policy (Vegetation of Non-Rural Areas) 2017, Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) The proposal respects the heritage significance of the conservation area known as Former Macdonaldtown Estate Conservation Area (C23).
- (D) The proposal is considered to be consistent with the built form, design and context of the neighbouring buildings in the streetscape and locality.
- (E) Subject to compliance with the recommended conditions, the new boarding house will provide an acceptable level of amenity for the subject site and neighbouring properties.
- (F) For the reasons above and as outlined in this report, the proposed development is in the public interest.
- (G) Condition 4 was amended to provide for additional amenity in proposed room 201.
- (H) Condition 9 was amended to correct a typographical error.
- (I) Condition 18 was deleted as it was considered to be unnecessary as no changes to kerb side parking arrangements are proposed or supported.

Carried unanimously.

D/2019/189