

## Resolution of Local Planning Panel

**9 May 2018**

### Item 5

#### Development Application: 137-153 Crown Street, Darlinghurst

The Panel:

- (A) Supported the variation sought to Clause 4.3 Height of Buildings in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012, in so far as the variation related to the common roof area of the west wing of the development, but not as it related to the proposed loft on the east wing of the development.
- (B) Granted consent to Development Application No. D/2017/17 subject to the conditions set out in [Attachment A](#) to the subject report, and subject to the following amendments (additions shown in **bold italics** and deleted text shown in ~~strike through~~):
  - (4) **Building Height**
    - (a). The height of the building must not exceed RL ~~35.424~~ **33.64** (AHD) to the top of the building and RL 33.64 (AHD) to the parapet of the building at the part northern and western elevations.
- (A) Supported an amendment to the Section 94 contribution required to reflect the deletion of the upper level mezzanine.

Carried unanimously.

#### Reasons for Decision

The Panel approved the application as:

- (A) The proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979 in that it satisfies the provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012 for the reasons outlined in the report to the Local Planning Panel.

- (B) Non-compliances in relation to the Sydney LEP 2012 height in metres standard and Sydney DCP height in storeys control are acceptable in this instance as the proposal is consistent with the objectives of the zone and the height controls and is in the public interest.
- (C) The built form and design of the building is considered appropriate in the context of the site and locality.
- (D) The proposal is consistent with the objectives of the R1 - General Residential Zone.
- (E) The proposal has been amended since lodgement to be more compatible to the locality and to transition to the adjoining properties and now reflects a supported built form and finish.
- (F) The deletion of the loft on the east wing of the development is supported in order to achieve optimal amenity of the development, communal courtyard and of the apartments on the lower levels.

D/2017/17