

## Resolution of Local Planning Panel

**19 May 2021**

### Item 4

#### **Development Application: 233 Riley Street, 8-10 Little Riley Street, 153-159 Campbell Street and 235 Riley Street, Surry Hills - D/2020/1394**

The Panel:

- (A) upheld the variation requested to heights of buildings standard and motorcycle provision standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, granted a deferred commencement consent to Development Application No. D/2020/1394 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***):

#### ***(15) COMMUNAL KITCHEN FACILITIES***

***The design of the first and second floor indoor communal space is to be revised to include full kitchen facilities, including an oven and stove top with extraction, and is to be submitted to and approved by Council's Area Planning Manager prior to the issue of the Construction Certificate.***

(Remaining conditions to be renumbered accordingly.)

#### **Reasons for Decision**

The application was approved for deferred commencement for the following reasons:

- (A) The proposal is consistent with the objectives of the B4 Mixed Use Zone.
- (B) The proposal generally satisfies the relevant controls relating to boarding house uses.
- (C) The proposal, subject to conditions, satisfies the provisions of clause 6.21 of the Sydney LEP 2012.

- (D) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
- (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height of buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012;
  - (ii) the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 29 of the Affordable Housing SEPP, that compliance with motorcycle provision standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify no motorcycle provision; and
  - (iii) the proposal is in the public interest because it is consistent with the objectives of the B4 Mixed Use zone and the height of building development standard.
- (E) Condition 15 was added to improve amenity for boarding house residents.

Carried unanimously.

D/2020/1394