

Resolution of Local Planning Panel

24 November 2021

Item 3

Development Application: 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe - D/2021/493

The Panel:

- (A) upheld the variation requested to the 'height of buildings' development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012); and
- (B) granted consent to Development Application No. D/2021/493 for affordable housing subject to the conditions set out in Attachment A to the subject report subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

(26) TREES THAT MUST BE TRANSPLANTED

- (a) The existing trees detailed in the table below must be retained, protected and transplanted in accordance with the conditions of consent throughout the construction and development. ***Transplantation of the trees would be undertaken following demolition, during the construction stage in accordance with Condition 35.***

Condition (35) TRANSPLANTING TREE/S ON SITE to be moved from Schedule 1B: Prior to Demolition and/or Construction Commencing to Schedule 1C: During Construction/Prior to Occupation/Completion.

Remaining conditions to be renumbered accordingly.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development complies with the objectives of the R1 General Residential zone pursuant to the Sydney LEP 2012.
- (B) 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; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the R1 General Residential zone and the 'height of buildings' development standard.
- (C) The development exhibits design excellence under Clause 6.21 of Sydney LEP 2012.
- (D) The development meets the objectives of the Apartment Design Guide and is consistent with the design quality principles under State Environmental Planning Policy No 65 - Design Quality of Residential Apartments.
- (E) The development is generally consistent with the objectives of Sydney LEP 2012 and Sydney Development Control Plan 2012.
- (F) Condition 26 was modified in line with a request made by the applicant, to protect trees during above-ground demolition.
- (G) Condition 35 was moved to Schedule 1C to provide consistency with the change to Condition 26.

Carried unanimously.

D/2021/493