

## Resolution of Local Planning Panel

**29 June 2022**

### Item 4

#### Development Application: 5 Victoria Road, Glebe - D/2021/865

The Panel:

- (A) determined that the applicant's written request dated 16 June 2022 to contravene the height of buildings development standard of the Sydney Local Environmental Plan 2012 has adequately addressed the matters required to be demonstrated by subclause 4.6(3) of the Sydney Local Environmental Plan 2012 and the proposed development will be in the public interest; and
- (B) granted deferred commencement consent pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979 to Development Application No. D/2021/865, 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 proposal is generally consistent with the relevant objectives and controls of Sydney Local Environmental Plan 2012 (LEP) and Sydney Development Control Plan 2012 (DCP).
- (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 Height of Buildings 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 proposal exhibits a suitable built form, design and materiality in the context of the heritage conservation area and is appropriate within the streetscape and when viewed from the public domain of Jubilee Park. Through restoration works and alterations to the ground lower and ground floors, the proposal improves the presentation of the facade and side and rear elevations of the contributory freestanding Federation dwelling on site.
- (D) The new dwelling has been appropriately sited and is adequately separated from the existing contributory building on site. The new dwelling's predominantly single-storey form is consistent with surrounding low-scale, free-standing buildings in the locality. The roof design, while resulting in a height breach, is suitable within the area's context, and the materials palette selected is complementary to the surrounding heritage conservation area.
- (E) The application has demonstrated the proposal will not result in unacceptable amenity impacts on surrounding properties.
- (F) The proposed use of the site as residential is consistent with the objectives of the R1 – General Residential zone.
- (G) The proposal provides for a use that is compatible with the surrounding area. The proposal is in keeping with the future desired character of the area and is considered to be in the public interest.

Carried unanimously.

D/2021/865