

## Resolution of Local Planning Panel

**4 July 2018**

### Item 3

#### Development Application: 49-51 Shepherd Street, Chippendale

The Panel:

- (A) Supported the variations to Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.
- (B) Granted consent to Development Application No. D/2018/195 subject to the conditions set out in [Attachment A](#) to the subject report, subject to the following amendments (additions shown in **bold italics** and deleted text shown in ~~strikethrough~~):

#### **(2) DESIGN MODIFICATIONS**

The design of the building must be modified as follows:

- (a) The lower roof terrace over the secondary dwelling is to be ~~converted to a non-trafficable green roof. The balustrades, stairs and privacy screens are to be removed~~ **redesigned to decrease the impact on surrounding properties to the satisfaction of the Director City Planning, Development and Transport.**

Carried.

For: Mr Pearson, Mr McInerney

Against: Prof Lochhead

## Reasons for Decision

The Panel approved the application as:

- (A) The development being the subject of this application is consistent with the objectives of the R1 - General Residential zone for the reasons set out in the report to the Local Planning Panel.
- (B) Subject to conditions requiring the stairs to be unenclosed and the balustrades on the upper roof terrace to be setback, the variations to Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio of the Sydney Local Environmental Plan 2012 are consistent with the provisions of Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 and are in the public interest.
- (C) The development is consistent with the height in storeys control and, as amended and subject to conditions, will not adversely impact the character and appearance of the building and its contribution to the Chippendale conservation area (C9).
- (D) The secondary dwelling to the rear is consistent with the provisions of Clause 5.4(9) of the Sydney Local Environmental Plan 2012 and will provide sufficient amenity for occupants. The roof terrace over the secondary dwelling is to be redesigned to decrease the impact on surrounding properties.
- (E) As conditioned, it is generally consistent with the objectives of the relevant controls for the site and will not adversely impact the amenity of neighbouring properties.
- (F) The Panel amended the condition relating to the secondary dwelling roof terrace as it was the majority view that it was possible to amend the design to manage impacts on the surrounding properties rather than requiring its deletion.

D/2018/195