

Resolution of Local Planning Panel

22 February 2023

Item 6

Development Application: 16-18 Meagher Street, Chippendale - D/2022/274

The Panel:

- (A) upheld the variation requested to Clause 4.3 Height of Buildings in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application No. D/2022/274 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 ~~strikethrough~~):

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) The configuration of the central arched brickwork opening on the ground floor of the Meagher Street (southern) façade should be amended to match the original arch configuration and width which remains evident from within the interior of the building.
- (b) The original incised linework (imitating ashlar stonework) is to be reinstated within the external render of the building. The reinstatement is to include the arched voussoirs above each arched opening in addition to the horizontal courses.
- (c) The proposed internal walls adjacent to the original external walls are to provide a minimum 50mm cavity between the proposed and original walls, to maintain air movement adjacent to the original brickwork and reduce rising damp.
- (d) All transparent glazing is to be clear to achieve a high level of transparency to provide visual depth and have a neutrality of colour. A consistency in appearance and colour characteristics between all facades is to be achieved.

- (e) ***The proposed screen planting to the terrace level is to be increased, having regard to view lines of a standing observer.***

The modifications are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is consistent with the objectives of the B4 Mixed Use zone.
- (B) The proposed development satisfies the relevant objectives and provisions of the Sydney Development Control Plan 2012.
- (C) 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 Local Environmental Plan 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 B4 Mixed Use zone and the height of buildings development standard.
- (D) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the building displays design excellence because:
- (i) The alterations and additions to the existing building are sympathetic and respond to the heritage fabric and features of the existing building.
 - (ii) The proposed level 2 additions are of a high architectural quality.
 - (iii) The proposal does not result in unreasonable amenity impacts to neighbouring properties.
- (E) The proposal provides for uses that are 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.
- (F) Condition 2(e) was added to address potential privacy issues.

Carried unanimously.

D/2022/274