

Resolution of Local Planning Panel

5 December 2018

Item 6

Development Application: 54-56 Riley Street, Darlinghurst

The Panel:

- (A) Upheld the variation sought to Clause 4.3 Height of Buildings contained in the Sydney LEP 2012, pursuant to the provisions of Clause 4.6 of the Sydney Local Environmental Plan (LEP) 2012 in this instance; and
- (B) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, granted deferred commencement consent to Development Application No. D/2018/355, subject to the conditions set out in [Attachment A](#) to the subject report.

Reasons for Recommendation

The Panel approved the application for the following reasons:

- (A) The proposed development is consistent with the objectives of the B4 - Mixed Use zone for the reasons set out in the report to the Local Planning Panel.
- (B) The requested variation to Clause 4.3 of the Sydney Local Environmental Plan 2012 "Height of Buildings" is consistent with the provisions of Clause 4.6 "Exceptions to development standards" is supported and is in the public interest.
- (C) Minor non-compliance with the design criteria of objective 3F-1 (Visual privacy) of the Apartment Design Guide 2015 (ADG) is acceptable. The development achieves the broad objectives of the ADG and the design quality principles of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development. Suitable measures have been provided to ensure adequate visual privacy, and through the provision of the large communal rooftop open space, residents will be ensured of an acceptable level of amenity.
- (D) The built form and design of the proposed development responds appropriately to the site and the scale of surrounding buildings, utilises high quality materials, and is compatible with the character and appearance of the East Sydney heritage conservation area. The development is considered to achieve design excellence under clause 6.21 of the Sydney LEP 2012.
- (E) The proposal provides appropriate level of activation to Riley Street at the ground floor.

(F) As conditioned, the proposal is generally consistent with the objectives of the relevant controls for the site and will not adversely impact the amenity of neighbouring properties.

Carried unanimously.

D/2018/355