

# Local Planning Panel

Meeting No 25

Wednesday 28 August 2019

Notice Date 21 August 2019

*minutes*

*city of villages*

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**Present**

Mr Steven Layman (Chair), Ms Helena Miller, Mr Peter Romey and Mr John McInerney.

At the commencement of business at 5.04pm, those present were:-

Mr Layman, Ms Miller, Mr Romey and Mr McInerney.

The Acting Director City Planning, Development and Transport was also present.

The Chair opened the meeting with introductory comments about the purpose and format of the meeting and an acknowledgement of country.

Mr McInerney left the meeting at 5.09pm, prior to discussion on Item 3, and returned to the meeting at 5.26pm, at the conclusion of discussion and voting on Item 3.

**Item 1      Disclosures of Interest**

In accordance with Clause 4.9 of the Code of Conduct for Local Planning Panel Members, all panel members have signed a declaration of interest in relation to each matter on the agenda.

Mr McInerney disclosed an interest in Item 3 - Section 8.2 Review of Determination: 21 O'Connor Street, Chippendale - RD/2018/1360/A as he sat on the Local Planning Panel on 18 September 2018 which determined the original development application D/2018/1360.

Mr McInerney is required to step out for deliberations and voting on Item 3 in accordance with Part 2, Clause 2.1 of Schedule 1 of the Section 9.1 Direction of the Minister which requires the determination of a review application from a panel decision to be determined by different members of the panel to those who made the original decision.

No members disclosed any other pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

**Item 2      Confirmation of Minutes**

The Panel noted the minutes of the Local Planning Panel of 7 August 2019, which have been endorsed by the Chair of that meeting.

**Item 3 Section 8.2 Review of Determination: 21 O'Connor Street, Chippendale - RD/2018/1360/A**

Mr McInerney left the meeting at 5.09pm, prior to discussion on Item 3, and returned to the meeting at 5.26pm, at the conclusion of discussion and voting on Item 3.

The Panel:

- (A) upheld the variation sought to the height of building development standard under Clause 4.3, in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 in this instance;
- (B) upheld the variation sought to the floor space ratio development standard under Clause 4.4, in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 in this instance; and
- (C) granted consent to Development Application No. RD/2018/1360/A 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 requested variation to the development standards prescribed under Clause 4.3 Height of Buildings and Clause 4.4 Floor Space Ratio of the Sydney Local Environmental Plan 2012 is upheld because the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by Clause 4.6 of the Sydney Local Environmental Plan 2012 and the proposed development would be in the public interest because it is consistent with the objectives of the Height of Buildings and Floor Space Ratio development standards and the B4 Mixed Use zone.
- (B) The amended proposal results in sympathetic alterations and additions to a contributory building within the Chippendale Heritage Conservation Area (C9) in accordance with the requirements of Clause 5.10 of the Sydney Local Environmental Plan 2012 and Section 3.9 of the Sydney Development Control Plan 2012.
- (C) The amended proposal demonstrates design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (D) The proposal will not have detrimental impacts on the amenity of neighbouring properties and as such is consistent with the provisions of Section 4.2.3 of the Sydney Development Control Plan 2012.
- (E) The proposal is in keeping with the desired future character of the area and is considered to be in the public interest.
- (F) The development, as modified, is considered to be substantially the same development as the development refused under D/2018/1360 in accordance with Clause 8.3 (3) of the Environmental Planning and Assessment Act 1979.

Carried unanimously.

**Speaker**

Mr Christian Grennan (Kreis Grennan Architects – on behalf of applicant).

RD/2018/1360/A

**Item 4      Development Application: 5040 Church Street, Newtown - D/2019/225**

The Panel granted consent to Development Application No. D/2019/225 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 development satisfies the relevant strategy, objectives and provisions of both the Sydney Local Environmental Plan 2012 and Sydney Development CP 2012.
- (B) The land is no longer required for road related purposes and the proposal creates an allotment that can be appropriately consolidated with the adjoining property at Nos. 180-182 Church Street, Newtown.
- (C) The proposal implements a Sydney City Council resolution dated 14 July 1986.

Carried unanimously.

**Speaker**

Mr Jeffery Hilton (Managing Director and controlling shareholder of Church Street Flats Pty Ltd).

D/2019/225

The meeting of the Local Planning Panel concluded at 5.34pm.

CHAIR