

**ITEM 9. REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE -
23 FEBRUARY 2016**

ITEM 9.1

DISCLOSURES OF INTEREST

(a) Section 451 of the Local Government Act 1993

No Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Planning and Development Committee.

At a later stage of the meeting, during discussion on Item 9.13 on the agenda, Councillor Christine Forster disclosed a less than significant, non-pecuniary interest in Item 9.13 in that one of the speakers on that item, Mr Giovanni Cirillo, is a friend of hers.

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Planning and Development Committee.

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.2

PUBLIC EXHIBITION - PLANNING PROPOSAL: SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 – REZONING OF SITES IN PYRMONT (X000023)

It is resolved that:

- (A) Council approve Planning Proposal: Sydney Local Environmental Plan 2012 - Rezoning of Sites in Pyrmont, shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway Determination;
- (B) Council approve Planning Proposal: Sydney Local Environmental Plan 2012 - Rezoning of Sites in Pyrmont for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (C) Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission of all the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan;
- (D) authority be delegated to the Chief Executive Officer to make minor changes to the Planning Proposal: Sydney Local Environmental Plan 2012 - Rezoning of Sites in Pyrmont following receipt of the Gateway Determination, to prepare for public exhibition; and
- (E) Council not proceed with the preparation of a planning proposal to rezone 2-8 Point Street, 45 Bowman Street, 3 Harris Street, and 2-4 and 6-8 Mount Street Walk, Pyrmont.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Forster, and carried.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.3

PUBLIC EXHIBITION – 45 MURRAY STREET PYRMONT – PLANNING PROPOSAL AND SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT (X001126)

It is resolved that:

- (A) Council approve Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont, shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway Determination;
- (B) Council approve Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve Draft Sydney Development Control Plan 2012 – 45 Murray Street, Pyrmont Amendment, shown at Attachment B to the subject report, for public authority consultation and public exhibition with the Planning Proposal;
- (D) Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission of all the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont and Draft Sydney Development Control Plan 2012: 45 Murray Street, Pyrmont Amendment following receipt of the Gateway Determination; and
- (F) Council note that, following consideration of any submissions, and modifications as necessary, Planning Proposal: Sydney Local Environmental Plan 2012 – 45 Murray Street, Pyrmont and Draft Sydney Development Control Plan 2012 – 45 Murray Street, Pyrmont Amendment will be reported back to Council for final approval.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by the Chair (the Lord Mayor), and carried.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.4

POST EXHIBITION - SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 – 51-55 MISSENDEN ROAD CAMPERDOWN – PLANNING PROPOSAL – DRAFT DEVELOPMENT CONTROL PLAN – VOLUNTARY PLANNING AGREEMENT (X000797)

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal: Sydney Local Environmental Plan 2012 – 51-55 Missenden Road, Camperdown and the draft Sydney Development Control Plan – 51-55 Missenden Road, Camperdown, as shown at Attachments A and B to the subject report;
- (B) Council approve the Planning Proposal: Sydney Local Environmental Plan 2012 – 51-55 Missenden Road, Camperdown, shown at Attachment A to the subject report, to be made as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve Sydney Development Control Plan 2012: 51-55 Missenden Road, Camperdown, shown at Attachment B to the subject report, specifying the date of publication of the subject local environmental plan as the date the approved development control plan comes into effect, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000;
- (D) authority be delegated to the Chief Executive Officer to make any minor changes to Planning Proposal: Sydney Local Environmental Plan 2012 – 51-55 Missenden Road, Camperdown, and the draft Sydney Development Control Plan 2012 – 51-55 Missenden Road, Camperdown to correct drafting errors prior to finalisation of the local environmental plan;
- (E) authority be delegated to the Chief Executive Officer to give public notice of the amended Planning Agreement, shown at Attachment C to the subject report, and make it available for inspection by the public and, following this, enter into the Agreement on behalf of Council with the relevant proponent(s) in accordance with the Environmental Planning and Assessment Act 1979;
- (F) Council note that the local environmental plan will not be made until the Planning Agreement, shown at Attachment C, has been entered into by the Council and the relevant proponents, and registered on title of the relevant properties; and
- (G) Council require a covenant on title with any development application consistent with this proposal to prohibit residential use on the site for a minimum of ten years.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Forster, and carried.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.5

POST EXHIBITION - PLANNING PROPOSAL: SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 - HERITAGE LISTING OF ALEXANDRIA HOTEL - 35 HENDERSON ROAD EVELEIGH (X001925)

It is resolved that:

- (A) Council note the submissions received to the public exhibition of the planning proposal, shown at Attachment B to the subject report;
- (B) Council approve the planning proposal, shown at Attachment A to the subject report, for finalisation and making as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the planning proposal, to correct any minor drafting errors prior to finalisation and making of the local environmental plan.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Scott, and carried.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.6

REVISED PLANNING PROPOSAL, DEVELOPMENT CONTROL PLAN AND PLANNING AGREEMENT - LEND LEASE CIRCULAR QUAY SITE - ALFRED PITT DALLEY AND GEORGE STREET BLOCK (S108395)

It is resolved that:

- (A) Council approve the revised Planning Proposal - APDG Site Block 4, shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for an altered Gateway Determination;
- (B) Council approve the revised Planning Proposal - APDG Site Block 4 for public authority consultation and public exhibition in accordance with any conditions imposed under the altered Gateway Determination;
- (C) Council seek confirmation from the Minister or the Greater Sydney Commission whether it has the authority to exercise the plan making functions of the Greater Sydney Commission under section 59 of the Environmental Planning and Assessment Act 1979 to make the amending local environmental plan;
- (D) Council approve the revised Draft Sydney Development Control Plan 2012 - APDG Site Block 4, shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the draft Planning Proposal and draft Planning Agreement, and in accordance with an altered Gateway determination;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - APDG Site Block 4 and Draft Sydney Development Control Plan 2012 - APDG Site Block 4 following receipt of the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to prepare a draft voluntary Planning Agreement in accordance with the terms of the letter of offer at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal and Development Control Plan amendment for the site.

Speakers

Mr Warwick Bowyer addressed the meeting of the Planning and Development Committee (Transport, Heritage and Planning Sub-Committee) on Item 9.6.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Scott, and carried unanimously.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.7

POST EXHIBITION - SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 – 230-238 SUSSEX STREET SYDNEY - PLANNING PROPOSAL – DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENTS (S124316)

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of Planning Proposal – Sydney Local Environmental Plan 2012 – and the draft Sydney Development Control Plan 2012 – 230-238 Sussex Street, Sydney, as shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal: 230-238 Sussex Street, Sydney, as shown at Attachment B to the subject report, to be made as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the Sydney Development Control Plan 2012 – 230-238 Sussex Street, Sydney, as shown at Attachment C to the subject report, specifying the date of publication of the subject local environmental plan as the date the approved development control plan comes into effect, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000; and
- (D) authority be delegated to the Chief Executive Officer to make any minor changes to Planning Proposal – Sydney Local Environmental Plan 2012 – 230-238 Sussex Street, Sydney and the draft Sydney Development Control Plan 2012 – 230-238 Sussex Street, Sydney to correct drafting errors prior to finalisation of the local environmental plan.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Forster, and carried unanimously.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.8

**PUBLIC EXHIBITION – 12-40 ROSEBERY AVENUE AND 108 DALMENY AVENUE
ROSEBERY – PLANNING PROPOSAL AND DRAFT AMENDMENT TO SYDNEY
DEVELOPMENT CONTROL PLAN 2012 (S114564)**

It is resolved that:

- (A) Council approve Planning Proposal: 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery, shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway Determination;
- (B) Council approve Planning Proposal: 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve draft Sydney Development Control Plan 2012 – 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery Amendment, shown at Attachment B to the subject report, for public authority consultation and public exhibition in parallel with the Planning Proposal;
- (D) Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission of all the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the amending local environmental plan;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery and draft Sydney Development Control Plan 2012 – 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery Amendment following receipt of the Gateway Determination; and
- (F) Council note that, following consideration of any submissions, and modifications as necessary, Planning Proposal: 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery and draft Sydney Development Control Plan 2012 – 12-40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery Amendment will be reported back to Council for final approval.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by the Chair (the Lord Mayor), and carried.)

The Transport, Heritage and Planning Sub-Committee recommends the following:-

ITEM 9.9

FIRE SAFETY REPORTS (S105001)

It is resolved that Council:

- (A) note the contents of the Fire Safety Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to J to the subject report;
- (C) not exercise its power to issue an Order 6 at this time, but note the compliance action taken and as recommended by Council's Building Officer in 20-26 Bayswater Road, Potts Point, as detailed in Attachment B;
- (D) exercise its power to issue an Order 6 as recommended by Council's Building Officer to address the identified fire safety deficiencies in 17-27 Wheat Road, Sydney, as detailed in Attachment C;
- (E) exercise its power to issue an Order 6 as recommended by Council's Building Officer to address the identified fire safety deficiencies in 17-27 Wheat Road, Sydney, as detailed in Attachment D;
- (F) not exercise its power to issue an Order 6 at this time, but note the compliance action taken and as recommended by Council's Building Officer in 47 Cooper Street, Surry Hills, as detailed in Attachment E;
- (G) exercise its power to issue an Order 6 as recommended by Council's Building Officer to address the identified fire safety deficiencies in 464-480 Kent Street, Sydney, as detailed in Attachment F;
- (H) not exercise its power to issue an Order 6 at this time, but note the compliance action taken and as recommended by Council's Building Officer in 88-108 William Street, Woolloomooloo, as detailed in Attachment G;
- (I) not exercise its power to issue an Order 6 at this time, but note the compliance action taken and as recommended by Council's Building Officer in 324 King Street, Newtown, as detailed in Attachment H;
- (J) exercise its power to issue an Order 6 as recommended by Council's Building Officer to address the identified fire safety deficiencies in 750-750A George Street, Haymarket, as detailed in Attachment I; and
- (K) not exercise its power to issue an Order 6 at this time, but note the compliance action taken and as recommended by Council's Building Officer in 131 Abercrombie Street, Chippendale, as detailed in Attachment J.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Doutney, and carried.)

The Major Development Assessment Sub-Committee recommends the following:-

ITEM 9.10

DEVELOPMENT APPLICATION: 33 HENDERSON ROAD ALEXANDRIA (D/2015/529)

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2015/529 once concurrence from Sydney Trains, made under Clause 86 of SEPP (Infrastructure) 2008, is received by Council, with delegation to the CEO being subject to the condition(s) provided by Sydney Trains; and
- (B) if the CEO determines to approve Development Application No. D/2015/529, then consideration be given to granting a deferred commencement consent pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, subject to the draft conditions set out in Part A below and Part B - Conditions of Consent (Once the Consent is in Operation) - of the subject report:

PART A – DEFERRED COMMENCEMENT CONDITIONS

(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

(1) ADDITIONAL REPORTING REQUIRED – BASELINE ENVIRONMENTAL NOISE LEVELS

A suitably qualified acoustic consultant* is to be engaged to undertake and provide an amended written report to Council on the following scope of work:

- (A) Long term rating background noise levels are to be established at the north and east of the subject site in accordance with the NSW EPA *Industrial Noise Policy* for assessment of future impact against the City's Standard Conditions of consent. The consultant is to review the remainder of the surrounding land uses and ensure that there is unattended monitoring data to describe the existing low level noise environment against the City's Noise General and Entertainment conditions. In particular the monitoring and amended report must include the following
 - (a) A minimum of seven days long-term unattended noise monitoring is to be conducted in complete accordance with the NSW EPA *Industrial Noise Policy (INP)*, being unaffected by extraneous noise and weather data to within the limits described by the Industrial Noise Policy. The following additional requirements are to be adhered to:
 - (i) The location of the noise monitor is to be photographed and documented for the record.
 - (ii) A suite of baseline environmental noise statistics are to be reported, inclusive RBL_{A90} (both broadband and equivalent 1/1 octave band spectra), Period LAeq and repeatable highest L_{Aeq 1 hr} levels.

- (iii) The 1/1 octave band spectra, suitably describing and equivalent to the Rating Background Levels (RBL) for each of the Day, Evening and Night period is to be provided in writing as a table within the report.
 - a. The monitoring location is to be representative of the quieter areas of the proposal, and encapsulate the shielding at ground levels from road traffic noise naturally afforded by the built environment of the area. Monitoring data is not to be affected by any construction noise.
 - (iv) The consultant is to undertake a series of attended measurements at varying elevations to account for the general elevated levels of road traffic noise and commercial noise in the area from medium distance sources. The consultant is to report on whether the unattended data is adequate to represent this impact with justification or undertake and report on further unattended monitoring as they see fit.
- (b) A minimum of seven days unattended noise monitoring is to be conducted in proximity to the front boundary to encapsulate road traffic noise emissions as they will be incident on the future building site. The data will be analysed and reported on and must comply with the requirements of (i), (iii), (iv) above in addition to the following:
- (i) The following noise metrics will be reported on in accordance with the NSW Road Noise Policy and AS1055:
 - a. The repeatable maximum LAeq (1 hour), traffic, and correlating
 - i. LAeq repeatable 1hr L_{AMax} day 15 hour and L_{Amax} Night 9 hour,
 - ii. L_{Aeq} day 15 hour and L_{Aeq} Night 9 hour,
 - iii. A suite of noise statistics.
 - iv. The consultant will provide distance corrections of the noise impact to the relevant levels of the building façade accounting for distance attenuation and façade exposure.

***Note:** "Suitably qualified acoustic consultant" means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

(2) **ADDITIONAL REPORTING REQUIRED – ROAD & ENVIRONMENTAL NOISE, BUILDING FACADE IMPACT ASSESSMENT**

A suitably qualified acoustic consultant* is to be engaged to undertake and provide a written report to Council on the following scope of work:

- (a) The worst case repeatable LAeq 1 hour noise levels and L_{AMax} / L_{A1} sleep disturbance levels and any other environmental noise impact as associated with the use and the surrounding environment are to be reviewed to the satisfaction of the consultant. Following this, the consultant is to document relevant noise impacts to adequately describe the noise impact across the facades of the building for noise performance planning purposes and for review in the written report.
- (b) The relevant design criteria in accordance with the use of the internal spaces will be reviewed and documented with regard the building façade, level, and space. The criteria will be determined in accordance with Section 4.3.2.11 *Acoustic Privacy* of the *Sydney Development Control Plan 2012* and *CIs 101-102 of the State Environmental Planning Policy (Infrastructure) 2007*.
- (c) Noise performance reduction requirements of the composite façade construction are to be reviewed and determined from the levels outlined as per (a) and (b) above. This is to be documented in the written report.

***Note:** “Suitably qualified acoustic consultant” means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

- evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of this determination of this deferred commencement consent, failing which this deferred commencement consent **will lapse** pursuant to Section 95(6) of the Environmental Planning and Assessment Act 1979;
- the consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied; and
- upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent as detailed in Part B – Conditions of Consent (Once the Consent is in Operation) of the subject report, and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Mant, and carried unanimously.)

The Major Development Assessment Sub-Committee recommends the following:-

ITEM 9.11

DEVELOPMENT APPLICATION: 169 BOTANY ROAD WATERLOO (D/2015/991)

It is resolved that

- (A) Council support the variation sought to Clause 4.3 'Height of buildings' in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2015/991, subject to the conditions as detailed in the subject report.

Speakers

Ms Edwina Mathews and Mr Tone Wheeler addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.11.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

The Major Development Assessment Sub-Committee recommends the following:-

ITEM 9.12

DEVELOPMENT APPLICATION: 206A-208 CLARENCE STREET SYDNEY (D/2015/1100)

It is resolved that consent be granted to Development Application No. D/2015/1100, subject to the conditions as detailed in the subject report.

Speakers

Mr Richard Mark and Mr Stuart McDonald addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.12.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Mant, and carried unanimously.)

ITEM 9.13**DEVELOPMENT APPLICATION: 180 AND 182 ST JOHN'S ROAD GLEBE - ROXBURY HOTEL AND ADJACENT TERRACE (D/2015/1241)**

The Development Assessment Sub-Committee decided that consideration of this matter be deferred to the meeting of Council on 29 February 2016.

Officer's Recommendation

The officer's recommendation to the Planning and Development Committee (Development Assessment Sub-Committee) was as follows –

It is resolved that:

- (A) Council support the request to vary the motorcycle parking standard of the SEPP (Affordable Rental Housing) 2009 under Clause 4.6 of the Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2015/1241, subject to the conditions as detailed in the subject report.

Officer's Report

The officer's report on this matter can be found at Item 13 of the agenda paper for the meeting of the Planning and Development Committee on 23 February 2016 - Volume 7.

Speakers

Ms Lindy Walker, Ms Tess Lloyd, Ms Ro Murray, Mr Giovanni Cirillo and Mr Peter Hurley addressed the meeting of the Planning and Development Committee (Development Assessment Sub-Committee) on Item 9.13.

The Development Assessment Sub-Committee recommends the following:-

ITEM 9.14

DEVELOPMENT APPLICATION: 5 LEICHHARDT STREET GLEBE (D/2015/1345)

It is resolved that:

- (A) the variation sought to Clause 4.3 (Building Height) of the Sydney Local Environmental Plan 2012 be supported in this instance; and
- (B) consent be granted to Development Application No. D/2015/1345, subject to the conditions as detailed in the subject report.

Speakers

Mr John Bowers addressed the meeting of the Planning and Development Committee (Development Assessment Sub-Committee) on Item 9.14.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Kok, and carried.)

The Development Assessment Sub-Committee recommends the following:-

ITEM 9.15

DEVELOPMENT APPLICATION: 7A IVY STREET DARLINGTON (D/2015/1445)

It is resolved that:

- (A) pursuant to the provisions of Clause 4.6 of Sydney Local Environmental Plan 2012, the variation sought to Clause 4.3 Height of Buildings and Clause 4.4 Floor space ratio of the Sydney Local Environmental Plan 2012 be supported; and
- (B) consent be granted to Development Application No. D/2015/1445, subject to the conditions as detailed in the subject report.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Scott, and carried.)

The Development Assessment Sub-Committee recommends the following:-

ITEM 9.16

DEVELOPMENT APPLICATION: 100 BAYSWATER ROAD RUSHCUTTERS BAY - VIBE HOTEL (D/2015/1665)

It is resolved that:

- (A) Council support the variation sought to Clause 4.4 "Floor Space Ratio" in accordance with Clause 4.6 "Exceptions to development standards" in Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2015/1665, subject to the conditions as detailed in the subject report.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Forster, and carried.)

The Development Assessment Sub-Committee recommends the following:-

ITEM 9.17

**DEVELOPMENT APPLICATION: 163 VICTORIA STREET BEACONSFIELD
(D/2015/1250)**

It is resolved that:

- (A) Council support the variation sought to Clause 4.4 Floor Space Ratio in accordance with Clause 4.6 of Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2015/1250, subject to the conditions as detailed in the subject report.

(Note – At the meeting of the Planning and Development Committee, this recommendation was moved by Councillor Mant, seconded by Councillor Scott, and carried.)