

**ITEM 9. REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE - 9 AUGUST 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, at the commencement of the Major Development Assessment Sub-Committee, Councillor Angela Vithoukas disclosed a less than significant, non-pecuniary interest in Item 9.9 on the agenda in that she has met socially several times one of the owners of the site, the subject of the development. Councillor Vithoukas stated that she would not be present for discussion or voting on Item 9.9.

**(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**

**TRAFFIC TREATMENT – PERMANENT ROAD CLOSURE – SKITTLE LANE SYDNEY (S124016)**

It is resolved that Council approve the permanent road closure of Skittle Lane, Sydney, to vehicular traffic from a point 10.7 metres north of King Street.

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

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

**ITEM 9.3**

**POST EXHIBITION - AMENDMENT TO SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 - REZONING OF SITES IN PYRMONT (X000023)**

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of the Planning Proposal: Sydney Local Environmental Plan 2012 – Rezoning of Sites in Pyrmont, as detailed in the subject report;
- (B) Council approve the Planning Proposal: Sydney Local Environmental Plan 2012 – Rezoning of Sites in Pyrmont, 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; and
- (C) authority be delegated to the Chief Executive Officer to make any minor changes to the Planning Proposal: Sydney Local Environmental Plan 2012 - Rezoning of sites in Pyrmont to correct any 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 Kok, and carried.)

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

**ITEM 9.4**

**PUBLIC EXHIBITION - GAZCORP SITE – GREEN SQUARE - PLANNING PROPOSAL AND DRAFT AMENDMENT TO SYDNEY DEVELOPMENT CONTROL PLAN 2012 (S116061)**

It is resolved that:

- (A) Council approve Planning Proposal: Gazcorp Site (296-298 Botany Road and 284 Wyndham Street, Alexandria), 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: Gazcorp Site (296-298 Botany Road and 284 Wyndham Street, Alexandria) 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 – Gazcorp Site Amendment, shown at Attachment B to the subject report, for public exhibition in parallel with the Planning Proposal and in accordance with the Gateway Determination;
- (D) Council seek authority from the Greater Sydney Commission to exercise its delegation 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 changes and any changes required by the Greater Sydney Commission to Planning Proposal: Gazcorp Site (296-298 Botany Road and 284 Wyndham Street, Alexandria) and Draft Sydney Development Control Plan 2012 – Gazcorp Site Amendment prior to the public exhibition; and
- (F) Council note that, following consideration of any submissions, and any modifications as necessary, Planning Proposal: Gazcorp Site (296-298 Botany Road and 284 Wyndham Street, Alexandria) and Draft Sydney Development Control Plan 2012 – Gazcorp Site Amendment will be reported back to Council for final approval.

**Speakers**

Mr Ben Craig addressed the meeting of the Planning and Development Committee (Transport, Heritage and Planning Sub-Committee) on Item 9.4.

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

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

**ITEM 9.5**

**PUBLIC EXHIBITION - PLANNING PROPOSAL - HOUSEKEEPING AND MINOR POLICY AMENDMENTS TO SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 – AUGUST 2016 (X006012)**

It is resolved that:

- (A) Council approve the Planning Proposal - Housekeeping and Minor Policy Amendments to Sydney Local Environmental Plan 2012 – August 2016, 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 the Planning Proposal - Housekeeping and Minor Policy Amendments to Sydney Local Environmental Plan 2012 – August 2016 for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway determination;
- (C) Council seek confirmation from the Minister or the Greater Sydney Commission whether it has the delegation 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; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Housekeeping and Minor Policy Amendments to Sydney Local Environmental Plan 2012 – August 2016 following receipt of the Gateway Determination and prior to public exhibition.

(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 unanimously.)

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

**ITEM 9.6**

**FIRE SAFETY REPORTS (S105001)**

It is resolved that Council:

- (A) note the contents of the Fire Safety Report 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 D 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 414-418 Pitt Street, Haymarket, as detailed in Attachment B;
- (D) 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 252-254 Pitt Street, Sydney, as detailed in Attachment C; and
- (E) 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 112 Campbell Street, Surry Hills, as detailed in Attachment D.

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

**ITEM 9.7**

**DEVELOPMENT APPLICATION: 9 POWER AVENUE ALEXANDRIA (D/2016/631)**

It is resolved that Development Application No. D/2016/631 be refused for the following reasons:

**(1) State Environmental Planning Policy 65: Design Quality of Residential Flat Development**

- (a) Due to its unacceptable bulk and scale, the proposal does not perform acceptably in relation to the design quality principles provided at Clauses 9 (Context), 10 (Scale), 11 (Built Form), 12 (Density), and 18 (Aesthetics) of State Environmental Planning Policy 65: Design Quality of Residential Flat Development.
- (b) Due to adverse impacts on amenity, the proposal does not perform acceptably in relation to the design quality principle provided at Clause 15 (Amenity) of State Environmental Planning Policy 65: Design Quality of Residential Flat Development.

**(2) Contravention of Development Standard – FSR**

The proposed variation to the Development Standard for FSR sought in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 (SLEP 2012) is not supported. This is because compliance with the Standard is considered to be reasonable and necessary and the proposal will have unacceptable impacts on the amenity of the surrounding properties, the appearance of the streetscape, the proposal's relationship with the surrounding development, and the amenity of the dwellings within the development itself.

**(3) Contravention of Development Standard – Height**

The proposed variation to the Development Standard for height sought in accordance with Clause 4.6 of the SLEP 2012 is not supported. The proposed height non-compliance is a result of the excessive amount of floor space proposed. The applicant has failed to demonstrate that there are sufficient environmental planning grounds to justify the non-compliance and that the non-compliance results in a better streetscape outcome than a compliant proposal. Compliance with the standard is considered to be reasonable and necessary in this instance.

**(4) Amenity**

The proposal fails to provide at least 70% of apartments with the minimum requirement for solar access between 9am and 3pm in mid-winter, fails to provide at least 60% of apartments with natural cross ventilation, fails to provide the required amount of communal open space equating to 25% of the site area and fails to provide private open space of adequate size, and therefore does not comply with the requirements of Section 4.2.3 of Sydney Development Control Plan 2012 (Sydney DCP 2012) and the Apartment Design Guide.

**(5) Desired future character**

The Power Avenue boundary of the site is identified as requiring an active frontage by the Sydney DCP 2012. More than half of the proposed Power Avenue elevation is a blank facade for three of the proposed floors. This arrangement provides little to no activation of the public domain and is contrary to the provisions of section 3.2.3 of the Sydney DCP 2012.

**(6) Design Excellence**

Having regard to the above matters, the proposal fails to exhibit design excellence in accordance with Clause 6.21 of Sydney Local Environmental Plan 2012, as it does not achieve a high standard of architectural design, material and detailing appropriate to the site and surrounding context, and fails to address adverse impacts on amenity.

(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 9.8**

**DEVELOPMENT APPLICATION: 62 AND 64-66 GORDON STREET PADDINGTON (D/2016/412)**

It is resolved that:

- (A) pursuant to Clause 4.6 of Sydney Local Environmental Plan 2012, Council grant a variation to the Height development standard; and
- (B) consent be granted to Development Application No. D/2016/412, subject to the conditions as detailed in the subject report.

**Speakers**

Mr Luke Minion, Mr Gerhard Labuschagne and Mr Daniel Smith addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.8.

(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 9.9**

**DEVELOPMENT APPLICATION: 651 GEORGE STREET HAYMARKET (D/2015/1758)**

It is resolved that Development Application No. D/2015/1758 be refused for the following reasons:

- (1) The proposal does not adequately provide for future flexible commercial reuse or satisfactory residential amenity for the future occupants of the building in terms of building depth, floor to floor and ceiling heights, solar access, natural ventilation, apartment layout, circulation space and private open space. The proposal is therefore contrary to and fails to satisfy:
  - (a) The aims in Clause 2(3)(a), (d) and (e) of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development relating to sustainability and amenity.
  - (b) The design quality principles 3, 4, and 6 in Schedule 1 of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development relating to density, sustainability and amenity.
  - (c) The provisions and objectives of 2E, 4A, 4B, 4C, 4D and 4E of the Apartment Design Guide relating to building depth, solar access, ceiling heights, apartment layout and balconies.
  - (d) The aims in Clause 1.2(2)(c), (h) and (j) of the Sydney Local Environmental Plan 2012 relating to ecologically sustainable development, amenity and design excellence.
  - (e) The provisions of Clause 6.21(4)(d)(i) and (d)(vii) of the Sydney Local Environmental Plan 2012 relating to the suitability of the site for the development and environmental impacts.
  - (f) The provisions of Sections 4.2.1.2(1) and 4.2.3.3 of the Sydney Development Control Plan 2012 relating to basement floor to floor heights and internal common areas.
- (2) The proposal does not adequately respond to the context of the surrounding locality by providing clear detail on the resolution of the treatment of the street-front and exposed side building facades. The proposal is therefore contrary to and fails to satisfy:
  - (a) The aim in Clause 2(3)(b) of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development relating to built form and building aesthetics.
  - (b) The design quality principles 1, 2, and 9 in Schedule 1 of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development relating to context, built form and scale and aesthetics.
  - (c) The aim in Clause 1.2(2)(j) of the Sydney Local Environmental Plan 2012 relating to design excellence.

- (d) The provisions of Clause 6.21(4)(a), (d)(iii), (d)(v) and (d)(xi) of the Sydney Local Environmental Plan 2012 relating to high standards of architectural design, materials and detailing, streetscape constraints, modulation of buildings and impacts on the Haymarket/Chinatown Special Character Area.
  - (e) The provisions of Sections 2.1.3 and 5.1.6 of the Sydney Development Control Plan 2012 relating to the Haymarket/Chinatown Special Character Area and building exteriors.
- (3) The proposal is located adjacent to the Sydney Light Rail Corridor and above the Central Business District Rail Link Corridor and proposes residential uses, but provides insufficient detail on measures addressing rail noise impacts in accordance with the State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning 'Development near Rail Corridors and Busy Roads – Interim Guideline'. The proposal is therefore contrary to and fails to satisfy:
- (a) The aim in Clause 2(e) of the State Environmental Planning Policy (Infrastructure) 2007 relating to matters for consideration in development assessment.
  - (b) The provisions of Clause 87(2) and (3) of the State Environmental Planning Policy (Infrastructure) 2007 relating to consideration of the guidelines and acoustic mitigation measures.
  - (c) The provisions of 3.7.2, 3.8.2, 3.8.4, 3.8.6, 5.1.3 and 6.5.1 of the Development Near Rail Corridors and Busy Roads – Interim Guideline relating to acoustic assessment, building location, design orientation and room layout, podiums, balconies, building treatments, survey information and general assessment requirements.
  - (d) The provisions of Sections 4.2.5(1) and (7) of the Sydney Development Control Plan 2012 relating to acoustic assessment and requirements for development on active frontages.
- (4) The proposal provides poor internal amenity and does not minimise the potential for adverse impacts upon the streetscape and locality. The proposal is therefore contrary to and fails to satisfy:
- (a) The provisions of Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, relating to the likely impacts of the development, including environmental impacts on the built environment in the locality.
  - (b) The provisions of Section 79(1)(c) of the Environmental Planning and Assessment Act, 1979, relating to the suitability of the site for the development.

### Speakers

Mr Kirk Osborne and Mr Tone Wheeler addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.9.

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

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

**ITEM 9.10**

**DEVELOPMENT APPLICATION: 29-31 DUNNING AVENUE ROSEBERY (D/2016/77)**

It is resolved that:

- (A) the variation to Clause 4.3 Height of Buildings in accordance with Clause 4.6 of Sydney Local Environmental Plan 2012 be supported;
- (B) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application No. D/2016/77, following the end of the public exhibition of a planning agreement and consideration of any submissions;
- (C) if the CEO determines to approve the application, 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 conditions set out in Part A below; and
- (D) in determining the application, the CEO consider the draft conditions of consent, as shown in Part A and Part B below, and any other relevant conditions.

**SCHEDULE 1 - DEFERRED COMMENCEMENT CONDITIONS**

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

**PART A - DEFERRED COMMENCEMENT CONDITIONS**

The consent is not to operate until the following condition is satisfied, within **24 months** of the date of this determination:

**(1) VOLUNTARY PLANNING AGREEMENT**

- (a) The Voluntary Planning Agreement between the COUNCIL OF THE CITY OF SYDNEY and ANTEROS DEVELOPMENTS shall be executed and submitted to Council; and
  - (b) The guarantee must be provided to Council in accordance with the Voluntary Planning Agreement; and
  - (c) The Voluntary Planning Agreement, as executed, must be registered on the title of the land; and
  - (d) The payment of the monetary contribution must be provided to Council in accordance with the Voluntary Planning Agreement.
- 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 determination of this deferred commencement consent failing which, this deferred development 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 Green, and carried unanimously.)

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

**ITEM 9.11**

**DEVELOPMENT APPLICATION: 105-115 PORTMAN STREET ZETLAND (D/2015/688)**

It is resolved that:

- (A) Council support the variation sought to Clause 27KF 'Gross Floor Area and Land Use Mix' in Part 4 'Special Provisions', Division 2A 'Green Square Town Centre' of the South Sydney Local Environmental Plan 1998 in accordance with State Environmental Planning Policy No. 1 – Development Standards;
- (B) Council support the variation sought to Clause 27KG 'Maximum Height' in Part 4 'Special Provisions', Division 2A 'Green Square Town Centre' of the South Sydney Local Environmental Plan 1998 in accordance with State Environmental Planning Policy No. 1 – Development Standards; and
- (C) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2015/688, subject to the following conditions:

**PART A – DEFERRED COMMENCEMENT CONDITIONS**

**(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)**

The consent is not to operate until the following conditions are satisfied, within **24 months** of the date of this determination

**(1) DESIGN MODIFICATIONS**

The design must be amended as follows:

- (a) The southernmost apartment in the south-west pod, on Levels 2 to 13, is to be converted from a two-bedroom apartment to a one-bedroom apartment. The area fronting on to the lightwell is to be allocated as a non-habitable room, such as a bathroom, laundry, or storage room;
- (b) The residential Gross Floor Area provided on the site is to be reduced by at least 70.9m<sup>2</sup>; the reduction is to be taken from one or more apartments and not communal floor space;
- (c) Mailboxes are to be shown on the plans and located within a secure internal area to prevent mail box theft and fraud. Preference should be given to locating the mailboxes in the vicinity of the concierge desk;
- (d) All rooftop plant is to be appropriately screened and covered. Details of the screening to roof-top plant, including external colours and finishes, is to be provided;
- (e) The plans are to be updated to show the location and design of any proposed fire hydrants and booster valves;
- (f) A 700mm wide landscape strip is to be provided at the frontage of the ground floor commercial premises fronting Hinchcliffe Street;

- (g) The disabled access ramp is to be relocated so that it occupies the space between the two building columns located north of the residential lobby fronting Hinchcliffe Street, and is located behind the landscape strip required in Condition (1)(f) above (excluding entry to the ramp);
- (h) Habitable rooms on the ground floor are to have a sill height that is 850mm (minimum) above the finished floor level (FFL);
- (i) The proposed glass balustrades for the ground floor decks of the residential apartments are not approved, and are to be replaced with a predominantly open steel palisade balustrades; and
- (j) An open contemporary steel palisade fence up to a maximum of 1.35m high is to be located on the site boundary at the frontage of the ground floor residential dwellings on Hinchcliffe Street.

The modifications are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the issue of a Construction Certificate.

- (D) 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 development consent will lapse pursuant to Section 95(6) of the Environmental Planning and Assessment Act 1979;
- (E) 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
- (F) 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 the Chair (the Lord Mayor), seconded by Councillor Kok, and carried unanimously.)

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

**ITEM 9.12**

**DEVELOPMENT APPLICATION: 68 SURREY STREET DARLINGHURST (D/2016/426)**

It is resolved that:

- (A) pursuant to Clause 4.6 of Sydney Local Environmental Plan 2012, Council grant a variation to the Height development standard; and
- (B) consent be granted to Development Application No. D/2016/426, 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 Kok, seconded by Councillor Green, and carried unanimously.)



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

**ITEM 9.13**

**DEVELOPMENT APPLICATION: 79A WELLS STREET REDFERN (D/2015/1367)**

It is resolved that Development Application No. D/2015/1367 be refused for the following reasons:

**(1) Design Excellence**

The proposed development has insufficient regard to the surrounding streetscape and results in a height out of character with the locality. Additionally, the proposal results in an inappropriate interface, including a street facing garage, at the ground level between the building and the public domain. The proposal fails to exhibit design excellence in accordance with Clause 6.21 of Sydney Local Environmental Plan 2012.

**(2) Heritage**

The form of the proposed development proposal will detract from the significance of the Redfern Estate Conservation Area and is inconsistent with the objectives identified in Clause 5.10 of Sydney Local Environmental Plan 2012.

**(3) Amenity**

The proposal provides insufficient communal open space and deep soil planting. These deficiencies will detract from the amenity of the dwellings and are contrary to section 4.2.3 – Amenity of the Sydney Development Control Plan 2012.

**Speakers**

Mr Bill Millionis addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.13.

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

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

**ITEM 9.14**

**DEVELOPMENT APPLICATION: 71 VICTORIA STREET POTTS POINT (D/2016/399)**

It is resolved that:

- (A) the variation sought to Clause 4.3 building height in accordance with Clause 4.6 of the Sydney Local Environmental Plan 2012 be supported; and
- (B) consent be granted to Development Application No. D/2016/399, 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 unanimously – as part of an in globo motion.)

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

**ITEM 9.15**

**DEVELOPMENT APPLICATION: 186-188 VICTORIA STREET POTTS POINT (D/2016/746)**

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 the Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2016/746, 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 unanimously – as part of an in globo motion.)