

## Resolution of Local Planning Panel

**30 October 2019**

### Item 7

#### **Development Application: 901/ 13-15 Bayswater Road Potts Point - D/2019/646**

The Panel granted consent to Development Application No. D/2019/646 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) Subject to conditions, the proposed development will be consistent with the aims and objectives of the B2 - Local Centre zone.
- (B) The proposal will not impact on the character and heritage significance of the subject contributory building and the heritage conservation area.
- (C) The proposed development will not adversely impact neighbouring residential amenity and will improve the residential amenity of the subject unit.
- (D) The proposal is considered to be suitable for the site.
- (E) The proposal will have no detrimental effect on the public interest, subject to appropriate conditions.
- (F) Subject to conditions, the proposed development is considered to achieve design excellence in accordance with Clause 6.21 of the Sydney LEP 2012.
- (G) Subject to conditions, the proposal generally satisfies the relevant strategy, objectives and provisions of the Sydney LEP 2012 and the Sydney DCP 2012.

- (H) The requested variation to the Clause 4.3 Sydney LEP 2012 'Height of buildings' Standard is upheld. The consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6(3) of the Sydney LEP 2012, that compliance with the 27m height development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012. Based upon the material available, the consent authority is satisfied that the proposal is in the public interest because it is consistent with the objectives of the B2- Local Centre zone and the Height development standard.
  
- (I) The requested variation to the Clause 4.4 Sydney LEP 2012 'Floor space ratio' Standard is upheld. The consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6(3) of the Sydney LEP 2012, that compliance with the 5:1 floor space development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.4 of the Sydney LEP 2012. Based upon the material available, the consent authority is satisfied that the proposal is in the public interest because it is consistent with the objectives of the B2- Local Centre zone and the Floor Space Ratio development standard.

Carried unanimously.

D/2019/646