

Resolution of Local Planning Panel

20 March 2024

Item 3

Section 4.55(2) Application: 64-68 Macleay Street, Elizabeth Bay - D/2010/763/G

The Panel granted consent to Section 4.55 Application Number D/2010/763/G subject to the conditions in Attachment A to the subject report, with modifications shown in ***bold italics*** (additions) and ~~strikethrough~~ (deletions), and with the further addition of condition of 8A(b), as follows:

(8A) TRAFFIC MANAGEMENT PLAN

- (a) ***The use must always operate in accordance with the Traffic Management Plan, dated 12 February 2024 in addition to compliance with all other operational conditions of this consent.***
- (b) **All access points and accessible ramps to Fitzroy Gardens are not to be inhibited by bump in and bump out operations and are to be kept clear at all times.**

(Condition inserted 20 March 2024)

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, as modified, is substantially the same development as that originally approved and is consistent with Section 4.55(2)(a) of the Environmental Planning and Assessment Act, 1979.
- (B) The proposal is consistent with the aims, objectives and relevant provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012 for the reasons set out in the report.
- (C) The modified development is consistent with the objectives of the RE1 Public Recreation zone.
- (D) The development, as modified, is consistent with the reasons given for the development as originally approved in accordance with Section 4.55(3) of the Environmental Planning and Assessment Act, 1979.

- (E) The development, as modified, is in the public interest as it is consistent with the objectives of the RE1 Public Recreation zone to provide a range of recreational settings, activities and compatible land uses.
- (F) Condition 8A(b) was added to ensure access points and accessible ramps remain clear.

Carried unanimously.

D/2010/763/G