

Resolution of Local Planning Panel

29 April 2026

Item 4

Development Application: 431 Glebe Point Road, Glebe - D/2025/1006

The Panel:

- (A) upheld the variation requested to Clause 4.3 Height of buildings development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;
- (B) upheld the variation requested to Clause 4.4 Floor space ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (C) granted consent to Development Application Number D/2025/1006 subject to the reasons below and the conditions set out in Attachment A to the subject report and subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

(2) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of any Construction Certificate the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$127,925.46
Transport project component	-
Total housing and productivity contribution	\$127,925.46

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

~~The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.~~

Reason

To require contributions towards the provision of regional infrastructure.

(4) BUILDING HEIGHT

- (a) The height of the building must not exceed RL ~~48.26~~ **48.41** (AHD) to the top of the new building additions.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved height.

(5) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the ~~business~~ use must not exceed 2.46:1.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under Sydney Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(9) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 6.4m and a maximum height of ~~2.2m~~ **2.6m**.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(17) TREE(S) APPROVED FOR REMOVAL

- (a) The tree(s) detailed in Table below are approved for removal. Tree removal must not occur until the Construction Certificate has been issued.

Table 1 – Tree Removal:

Tree Number	Species:	Location
3	Elaeocarpus reticulatus (Blueberry Ash)	SW corner boundary
6	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St
7	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St
10	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
12	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
13	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
14	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
20	Banksia integrifolia (Coastal Banksia)	Southern boundary
20A	Acacia sp. (Wattle)	Southern boundary
24A	Jacaranda mimosifolia (Jacaranda) Lemon Scented Gum	Southern boundary
25	Corymbia cirtiodora (Lemon-scented Gum)	Southern boundary

- (b) Tree removal works must be carried out by a qualified Arborist (minimum AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry.

Reason

To identify the trees that can be removed.

(24) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Residential spaces	23
Residential small car spaces	9 6
Accessible residential spaces	5
Service vehicle spaces	1
Motorcycle parking	1

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(58) COMPLIANCE WITH ARBORIST'S REPORT

- (a) All recommendations, Tree Protection Specifications (TPS), Tree Protection Plan (TPP) and Methodology Statements contained in the approved Arboricultural Report prepared by Tree Wise Me, Dated ~~4 July 2025~~ **15 September 2025**, must be implemented during the demolition, construction and use of the development.

Reason

To ensure that works affecting trees are carried out in an appropriate manner and in accordance with the approved arborist's report.

(83) LOADING DOCK SCHEDULE/REGISTER

The on-site small rigid vehicle loading bay space is also to be available for all residents for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing residents when they can use the dock, or by a register managed on site to allow residents to reserve a time period for their deliveries.

The size of vehicles accessing this loading bay must be a maximum length of 6.4m and maximum height of ~~2.2m~~ **2.6m**.

This information is to be made available to all residents/tenants of the building.

Reason

To ensure that the loading bay space is appropriately managed.

Reasons for Decision

The application was approved for the following reasons:

- (A) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
 - (i) the applicant has demonstrated that compliance with the height of buildings development standard in Clause 4.3 of the Sydney Local Environmental Plan 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney Local Environmental Plan 2012.
 - (ii) the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney Local Environmental Plan 2012.
- (B) The proposal exhibits design excellence in accordance with the requirements contained in Clause 6.21C of Sydney Local Environmental Plan 2012.
- (C) The proposal retains the heritage significance of the site being a local heritage item.
- (D) The proposal retains the heritage significance of heritage items in proximity of the site and the Glebe Point Road Heritage conservation Area.
- (E) The proposal is generally consistent with the relevant objectives and provisions of Sydney Development Control Plan 2012.
- (F) Conditions have been amended in line with requests made by the applicant.

Carried unanimously.

D/2025/1006