

**ITEM                    REVISED PLANNING PROPOSAL - 63-69 VICTORIA ROAD, 45 DAY STREET, 53 VICTORIA ROAD & 46 THORNLEY STREET, DRUMMOYNE**

**Department        Planning and Environment**

**Author Initials: KL**

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**EXECUTIVE SUMMARY**

At the meeting of 21 June 2016 it was resolved that the Planning Proposal for 63 - 69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be deferred for negotiations with the applicant regarding the entire precinct.

The subject Planning Proposal seeks to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use, increase the maximum building height from 8.5m to between 14m and 20m, and increase the floor space ratio (FSR) across the entire site to 2:1. A bonus would apply to the eastern half of the site providing a maximum FSR of 2.5:1

Consultation has been undertaken with the applicant to establish appropriate planning controls for the site with respect to ensuring the proposed built form identified in the Planning Proposal can be achieved. Discussions have also taken place with the applicant and an offer to enter into a Voluntary Planning Agreement to provide a monetary contribution for improved facilities at Brett Park in Drummoyne, has been made.

The recommended planning controls will provide an appropriate built form outcome and the VPA offer by the applicant will contribute to enhancing facilities at the nearby Brett Park for new and existing residents.

It is recommended that the Planning Proposal be supported for submission to the Department of Planning & Environment for Gateway Determination.

**STRATEGIC CONNECTION**

This report supports FuturesPlan20 Outcome area:

- We will encourage and support the provision of a diverse range of housing stock which responds to changing needs
- We will support a range of location recreation facilities

This report also relates to the Canada Bay Local Planning Strategy 2010 – 2031 (LPS), Part 3 Housing

## **REPORT**

Council received a Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne. The Planning Proposal seeks to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use, increase the maximum building height from 8.5m to between 14m and 20m, and increase the floor space ratio (FSR) across the entire site to 2:1. A bonus would apply to the eastern half of the site providing a maximum FSR of 2.5:1

The Planning Proposal is intended to facilitate redevelopment of the site through the demolition of existing commercial and residential dwellings to provide for the construction of a mixed use development.

The submission to increase development controls on the subject site will provide an opportunity to transition the scale of the built form down to the adjacent low density to the rear (interfacing Formosa Street) and south-eastern frontages (interfacing Thornley Street).

### **Subject Site**

The subject site comprises eight allotments that are bound by Day Street to the north west (frontage 39.47m), Formosa Street to the south west (frontage 60.96m), Thornley Street to the south east (frontage 41.92m) as well as Victoria Road to the north east (frontage 58.52m). The allotments which make up the 'subject site are described below:

- 53 Victoria Road (Lots 6, 7 & 8 of DP 136422 and Lot 9, Section 6 of DP 862)
- 63-69 Victoria Road (Lot 10 DP 625084)
- 45 Day Street (Lots 1 and 2, Section 6 of DP 862); and
- 46 Thornley Street (Lot 10, Section 6 of DP 862)

The subject site is a rectangular parcel of land providing a total site area of 2,552m<sup>2</sup>.

The site is sloped to the south, with a fall on the Victoria Road frontage of approximately 1.97 metres (AHD 25.61 – AHD 23.64) and a fall on the Formosa Street frontage of approximately 5.41 metres (AHD 25.52 – AHD 20.11).



**Figure 1: Subject Site** (specifying Eastern and Western components)

The subject site currently accommodates various uses:

- 53 Victoria Road is currently occupied by Ambulance NSW, comprising a brick commercial building with a flat metal roof. A concrete driveway with an 8m crossing on Thornley Street leads to a garage area for ambulance vehicles. The building is constructed to the boundary on the southwest, northwest and northeast boundaries and houses the ambulance vehicles as well as associated administrative facilities. A number of trees are located abutting the frontage of the building to Victoria Road and within the Thornley Street setback however the site is predominately covered by structures or paving.
- 63-69 Victoria Road – former Limousine and car Hire Company, built form comprises a small rendered brick office building with metal roof and various shade structures with associated paved parking area. Vehicular access is available from Day Street via a 4.5m crossing.
- 45 Day Street comprises a two storey brick and weatherboard dwelling. Vehicular access is available from Formosa Street. The site has a swimming pool located near the corner of Formosa and Day Streets and includes lawn area and landscaping around the curtilage of the pool.
- 46 Thornley Street comprises a single storey brick house with tiled roof and detached brick garage with vehicular access on the corner of Thornley and Formosa Streets.

Adjacent development to the north and south of the site on Victoria Road also comprises commercial uses. Development on the opposing side of Formosa Street is zoned for low density residential development and is made up of single storey and two storey detached dwellings.

### **Description of the Planning Proposal**

The Planning Proposal seeks to amend the Canada Bay LEP 2013 by:

- rezoning the subject site from R2 Low Density Residential and B4 Mixed Use, to B4 Mixed Use across the entire site;
- increase the maximum building height from 8.5m to heights of 14m to the eastern half of the subject site, and 20m to the western half of the site,
- increase the floor space ratio (FSR) from 0.5:1 and 1:1 to 2:1 with an 'Area 3' bonus that would apply to the eastern component of the subject site, which would permit a total FSR bonus on this portion of the site to 2.5:1 where the land area is a minimum of 1,500m<sup>2</sup>.

A copy of the Planning Proposal is provided as Attachment 2.

### **Matters for Consideration**

#### *Location & fragmented land ownership*

The subject site is located on the southern end of the commercial precinct in Drummoyne and has a primary frontage to Victoria Road. The location of this site and its visibility from the Iron Cove Bridge is important, as it will be the first 'higher rise' development leading up the hill, providing a 'gateway' building to the entry of Drummoyne.

The Planning Proposal identifies 63-69 Victoria Road and 45 Day Street as being the 'western' side of the development. The Planning Proposal is seeking six (6) stories in height (20m) over the 'western' half of the block. The 'western' side of the development is under single ownership and it is possible that this site could be developed in isolation of the remainder of the block.

The Planning Proposal identifies 53 Victoria Road and 46 Formosa Street as the 'eastern' side of the block. This block is on the lower and southern part of the site. The Planning Proposal seeks 14m over these two properties.

Should the western portion of the site develop independently, the development controls sought by the Planning Proposal would result in a 20m building interfacing with the existing single storey Ambulance NSW building and a single storey dwelling on the neighbouring site.

#### *Maximum Height of Building (HOB)*

Given concerns in relation to the interface created through the possible fragmented development of the site, it is recommended that the maximum height of 20 metres (6 storeys) only be permitted where 63-69 Victoria Road and 45 Day Street are amalgamated with the adjoining properties. This approach will encourage amalgamation, facilitate a coordinated development outcome and reduce the likelihood of a poor bulk/scale interface to be created from future development.

The following maximum heights are recommended for the subject site:

Site Address	Height of Building	
	Proposed	Recommended
<b>63-69 Victoria Road</b>	20m	14m Plus a site specific clause that would permit the height to increase to 20 metres where a minimum site area of 2,500m <sup>2</sup> is achieved.
<b>45 Day Street</b>	20m	14m
<b>53 Victoria Road</b>	14m	14m
<b>46 Formosa Street</b>	14m	14m

#### *Floor Space Ratio (FSR)*

A similar approach is recommended in relation to floor space ratio. Land at 63-69 Victoria Road and 45 Day Street should only be permitted to obtain additional FSR where amalgamation with the adjoining properties occurs. This approach will ensure that the proposed Height of Building standards are consistent with the permitted FSR standards.

Further to the report to Council dated 21 June 2016, Council has undertaken discussions with the applicant to prepare planning controls required to achieve the proposed built form outcome. In this regard, it is recommended that the following floor space ratios apply to the site:

The following floor space ratios are proposed for the subject site:

Site Address	Floor Space Ratio		
	Proposed	Recommended (With no site amalgamation)	Recommended (With site amalgamation)
<b>63-69 Victoria Road</b>	2:1 plus "Area 3" bonus to 2.5:1	2.1:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>

<b>45 Day Street</b>	2:1 plus "Area 3" bonus to 2.5:1	1.7:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>
<b>53 Victoria Road</b> (Excluding Lot 9 Sec 6 DP 862)	2:1	2.1:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>
<b>46 Formosa Street &amp; 53 Victoria Road (Lot 9 Sec 6 DP 862)</b>	2:1	1.7:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>

*Development Control Plan*

The Canada Bay Development Control Plan 2013 (DCP) provides site specific planning controls for development situated on Victoria Road, Drummoyne.

The subject site is currently included within the DCP as Area "E" on Figure 2.1 on the Victoria Road Drummoyne – Location Plan, which provides for a maximum height of two (2) storeys.

It is proposed to apply similar development controls as those applied to Area "D" for 63-69 Victoria Road and 45 Formosa Street. The achievement of the 5<sup>th</sup> and 6<sup>th</sup> floors will only be possible where amalgamation occurs and a total site area of 2500m<sup>2</sup> is achieved.

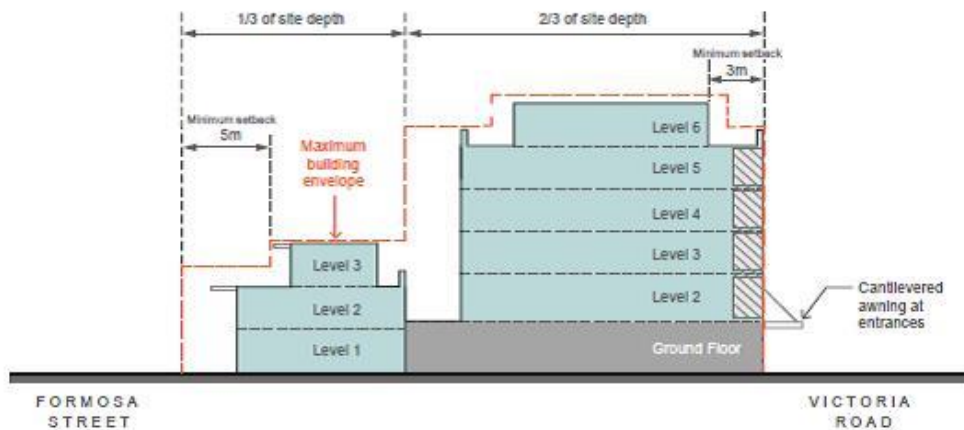


Figure F2.3 Victoria Road Drummoyne Area D- Maximum Building Envelope Section

New controls are proposed for 53 Victoria Road and 46 Formosa Street to facilitate a three (3) storey development to the edge of Victoria Road, including ground floor commercial with a cantilevered awning, and a three (3) storey development to the rear (similar to Area “D”), providing an upper level setback of five (5) metres from the Formosa Street boundary to the third storey.

It is recommended that the draft planning controls be prepared for the Canada Bay DCP and be exhibited concurrently with the Planning Proposal should the application receive a Gateway Determination.

### *Site Investigation*

A review of the preliminary contamination assessment submitted with the application recommends sampling and testing to be undertaken. Based on this information in the report, a detailed environmental investigation is required.

It is recommended a Detailed Environmental Site Investigation be carried out by a qualified environmental consultant and submitted to Council for further review in accordance with the *NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated Land Management Act 1997 and SEPP 55 Remediation of Land*, confirming that the site is suitable (or will be suitable, after remediation) for the proposed use.

This information should be provided prior to the submission of the Planning Proposal for a Gateway Determination.

### **Conclusion**

The Planning Proposal is seeking to amend the Canada Bay LEP 2013 to rezone certain land and increase the permitted height and floor space ratio.

Recommended changes to the Canada Bay LEP 2013 are provided in the table below (amendments to the Planning Proposal as lodged are highlighted):

Site Address	Land Use Zone		HOB	
	Proposed	Recommend	Proposed	Recommend
<b>63-69 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	20m	*14m
<b>45 Day Street</b>	B4 Mixed Use	B4 Mixed Use	20m	14m
<b>53 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	14m	14m
<b>46 Formosa Street</b>	B4 Mixed Use	B4 Mixed Use	14m	14m

*\*Note: Includes recommendation of additional site specific provision to provide for a bonus maximum building height to 20m where a total site area of 2,500m<sup>2</sup> is achieved.*

Site Address	FSR
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	<b>Proposed</b>	<b>Recommended (No site amalgamation)</b>	<b>Recommended (Site amalgamation)</b>
<b>63-69 Victoria Road</b>	2.0:1 plus "Area 3" to 2.5:1	2.1:1	*2.25:1
<b>45 Day Street</b>	2.0:1 plus "Area 3" to 2.5:1	1.7:1	*2.25:1
<b>53 Victoria Road</b>	2.0:1	2.1:1 (Excluding Lot 9 Sec 6 DP 862) 1.7:1 (to apply to Lot 9 Sec 6 DP 862)	*2.25:1
<b>46 Formosa Street</b>	2.0:1	1.7:1	*2.25:1

*\* Where the site is amalgamated and achieves a minimum site area of 2,500m<sup>2</sup>*

The recommended development controls aim to improve the visual impact of future development through providing a reduced height and FSR on the western component of the site should the land develop independently and an increased height and FSR should the site be developed as a whole.

Subject to the above amendments, the proposal is considered to have merit to proceed to a Gateway Determination.

## **FINANCIAL IMPACT**

An offer to enter into a Voluntary Planning Agreement has been received by the Council which seeks to provide:

- Reconstruction of toilet block, including demolition of existing structure and new access pathways;
- Improvements to BBQ area, including new covered facility and furniture;
- Improvements to training equipment, including basketball/netball rings, goals posts or similar for training and play;
- Multi-level playground, including accessible play equipment, lighting and access pathways;
- Retention of Ambulance Facility where supported by Ambulance NSW.

It is considered that this contribution will provide a positive enhancement to Brett Park, being within close walking distance to the proposed development and a highly utilised reserve for the local residents of Drummoyne. This will assist in providing better family and recreation facilities for both the existing and new population.

## **RECOMMENDATION**



1. THAT the Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne be amended prior to submission to the Department of Planning and Environment for a Gateway Determination to include the following changes:
  - (a) Floor Space Ratio (FSR) of 2.1:1 and Height of Building (HOB) of 14 metres be applied to 63-69 Victoria Road and 53 Victoria Road (excluding Lot 9 Sec 6 DP 862). Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites and a HOB increase to 20m be permitted to 63-69 Victoria Road only.
  - (b) Floor Space Ratio (FSR) of 1.7:1 and Height of Building (HOB) of 14 metres be applied to 53 Victoria Road (Lot 9 Sec 6 DP 862), 46 Thornley Street and 45 Day Street. Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites.
2. THAT the Voluntary Planning Agreement be drafted and exhibited concurrently with the Planning Proposal.
3. THAT an amendment to the Canada Bay Development Control Plan be prepared for the subject site and exhibited concurrently with the Planning Proposal to include the following outcomes:
  - (a) “Area D” envelope controls be applied to 63-69 Victoria Road and 45 Day Street, Drummoyne, with the 5<sup>th</sup> and 6<sup>th</sup> floor being possible where future development comprises a site area of 2,500m<sup>2</sup>.
  - (b) New envelope controls be prepared for 53 Victoria Road and 46 Thornley Street that facilitate a 3 storey street edge to Victoria Road and a 2 storey street edge to Formosa Street. An upper level setback of 5 metres be required above the second floor on the Formosa Street frontage.
4. THAT the Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne be submitted to the Department of Planning and Environment for Gateway Determination with an addendum including a detailed site investigation.
5. THAT Council request delegation from the Department of Planning and Environment to manage the plan making process.
6. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt of a Gateway Determination.
7. THAT Council note that should the Planning Proposal proceed to exhibition, that following consideration of any submissions, the Planning Proposal will be reported back to Council.

Attachments:

1. Site photos
2. Planning Proposal – As submitted by the Applicant (To be circulated under separate cover)
3. Review of Existing Planning Controls
4. Existing and Recommended - draft LEP Land Use Zone Map
5. Existing and Recommended - draft LEP Height of Building Map
6. Existing and Recommended – draft LEP Floor Space Ratio Map
7. Canada Bay LEP 2013 – Draft Clause 4.3 Height of Building and Draft Clause 4.4 Floor Space Ratio

*Note: Attachment 2 will be circulated separately from the Agenda. A copy of the attachment will be available for viewing on Council's website and at the Canada Bay Civic Centre, Drummoyne.*

[Attachment 1 - Site Photos .pdf](#)

[Attachment 3 - Review of existing planning controls.pdf](#)

[Attachment 4 - Victoria Road Planning Proposal Existing and Recommende...](#)

[Attachment 5 - Victoria Road Planning Proposal Existing and Recommende...](#)

[Attachment 6 - Victoria Road Planning Proposal Existing and Recommende...](#)

[Attachment 7 - Draft Canada Bay LEP 2013 - Draft Clause 4.3 & Draft Cl...](#)

**ITEM                    PLANNING PROPOSAL - 63-69 VICTORIA ROAD, 45  
DAY STREET, 53 VICTORIA ROAD & 46 THORNLEY  
STREET, DRUMMOYNE**

**Department        Planning and Environment**

**Author Initials: KL**

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**EXECUTIVE SUMMARY**

At the meeting of 6 September 2016 it was resolved that the Planning Proposal for 63 -69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be deferred to resolve matching property descriptions with proposed floor space ratio and proposed height controls.

The subject Planning Proposal seeks to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use, increase the maximum building height from 8.5m to between 14m and 20m, and increase the floor space ratio (FSR) across the entire site to 2:1. A bonus would apply to the eastern half of the site providing a maximum FSR of 2.5:1

Consultation has been undertaken with the applicant to establish appropriate planning controls for the site with respect to ensuring the proposed built form identified in the Planning Proposal can be achieved. Discussions have also taken place with the applicant and an offer to enter into a Voluntary Planning Agreement to provide a monetary contribution for improved facilities at Brett Park in Drummoyne, has been made.

The recommended planning controls will provide an appropriate built form outcome and the VPA offer by the applicant will contribute to enhancing facilities at the nearby Brett Park for new and existing residents.

It is recommended that the Planning Proposal with modifications as identified in this report be supported for submission to the Department of Planning & Environment for Gateway Determination.

**STRATEGIC CONNECTION**

This report supports FuturesPlan20 Outcome area:

- We will encourage and support the provision of a diverse range of housing stock which responds to changing needs
- We will support a range of location recreation facilities

This report also relates to the Canada Bay Local Planning Strategy 2010 – 2031 (LPS), Part 3 Housing

## REPORT

Council has received a Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne. The Planning Proposal seeks to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use, increase the maximum building height from 8.5m to between 14m and 20m, and increase the floor space ratio (FSR) across the entire site to 2:1. A bonus would apply to the eastern half of the site providing a maximum FSR of 2.5:1

The Planning Proposal is intended to facilitate redevelopment of the site through the demolition of existing commercial and residential dwellings to provide for the construction of a mixed use development.

The submission to increase development controls on the subject site will provide an opportunity to transition the scale of the built form down to the adjacent low density to the rear (interfacing Formosa Street) and south-eastern frontages (interfacing Thornley Street).

### Subject Site

The subject site comprises eight allotments that are bound by Day Street to the north west (frontage 39.47m), Formosa Street to the south west (frontage 60.96m), Thornley Street to the south east (frontage 41.92m) as well as Victoria Road to the north east (frontage 58.52m). The allotments which make up the 'subject site are described below:



- 53 Victoria Road (Lots 6, 7 & 8 of DP 136422 and Lot 9, Section 6 of DP 862)
- 63-69 Victoria Road (Lot 10 DP 625084)
- 45 Day Street (Lots 1 and 2, Section 6 of DP 862); and
- 46 Thornley Street (Lot 10, Section 6 of DP 862)

The subject site is a rectangular parcel of land providing a total site area of 2,552m<sup>2</sup>.

The site is sloped to the south, with a fall on the Victoria Road frontage of approximately 1.97 metres (AHD 25.61 – AHD 23.64) and a fall on the Formosa Street frontage of approximately 5.41 metres (AHD 25.52 – AHD 20.11).



**Figure 1: Subject Site** (specifying Eastern and Western components)

The subject site currently accommodates various uses:

- 53 Victoria Road is currently occupied by Ambulance NSW, comprising a brick commercial building with a flat metal roof. A concrete driveway with an 8m crossing on Thornley Street leads to a garage area for ambulance vehicles. The building is constructed to the boundary on the southwest, northwest and northeast boundaries and houses the ambulance vehicles as well as associated administrative facilities. A number of trees are located abutting the frontage of the building to Victoria Road and within the Thornley Street setback however the site is predominately covered by structures or paving.

- 63-69 Victoria Road – former Limousine and car Hire Company, built form comprises a small rendered brick office building with metal roof and various shade structures with associated paved parking area. Vehicular access is available from Day Street via a 4.5m crossing.
- 45 Day Street comprises a two storey brick and weatherboard dwelling. Vehicular access is available from Formosa Street. The site has a swimming pool located near the corner of Formosa and Day Streets and includes lawn area and landscaping around the curtilage of the pool.
- 46 Thornley Street comprises a single storey brick house with tiled roof and detached brick garage with vehicular access on the corner of Thornley and Formosa Streets.

Adjacent development to the north and south of the site on Victoria Road also comprises commercial uses. Development on the opposing side of Formosa Street is zoned for low density residential development and is made up of single storey and two storey detached dwellings.

### **Description of the Planning Proposal**

The Planning Proposal has been initiated by the applicant and seeks to amend the Canada Bay LEP 2013 by:

- rezoning the subject site from R2 Low Density Residential and B4 Mixed Use, to B4 Mixed Use across the entire site;
- increase the maximum building height from 8.5m to heights of 14m to the eastern half of the subject site, and 20m to the western half of the site,
- increase the floor space ratio (FSR) from 0.5:1 and 1:1 to 2:1 with an ‘Area 3’ bonus that would apply to the eastern component of the subject site, which would permit a total FSR bonus on this portion of the site to 2.5:1 where the land area is a minimum of 1,500m<sup>2</sup>.

It should be noted that the submitted Planning Proposal has been reviewed and recommendations are made that will deliver an alternative distribution of building height and floor space ratio. This matter is discussed further in the report below.

A copy of the Planning Proposal is provided under separate cover as Attachment 2.

### **Matters for Consideration**

#### *Location & fragmented land ownership*

The subject site is located on the southern end of the commercial precinct in Drummoyne and has a primary frontage to Victoria Road. The location of this site and it’s visibility from the Iron Cove Bridge is important, as it will be the first

‘higher rise’ development leading up the hill, providing a ‘gateway’ building to the entry of Drummoyne.

The Planning Proposal identifies 63-69 Victoria Road and 45 Day Street as being the ‘western’ side of the development. The Planning Proposal is seeking six (6) stories in height (20m) over the ‘western’ half of the block. The ‘western’ side of the development is under single ownership and it is possible that this site could be developed in isolation of the remainder of the block.

The Planning Proposal identifies 53 Victoria Road and 46 Formosa Street as the ‘eastern’ side of the block. This block is on the lower and southern part of the site. The Planning Proposal seeks 14m over these two properties.

Should the western portion of the site develop independently, the development controls sought by the Planning Proposal would result in a 20m building interfacing with the existing single storey Ambulance NSW building and a single storey dwelling on the neighbouring site.

*Maximum Height of Building (HOB)*

Given concerns in relation to the interface created through the possible fragmented development of the site, it is recommended that the maximum height of 20 metres (6 storeys) only be permitted where 63-69 Victoria Road and 45 Day Street are amalgamated with the adjoining properties (i.e the eastern side develops concurrently with the western side). This approach will encourage amalgamation, facilitate a coordinated development outcome and reduce the likelihood of a poor bulk/scale interface to be created from future development.

The following maximum heights are recommended for the subject site:

Site Address	Height of Building	
	Proposed	Recommended
<b>63-69 Victoria Road</b>	20m	14m Plus a site specific clause that would permit the height to increase to 20 metres where a minimum site area of 2,500m <sup>2</sup> is achieved.
<b>45 Day Street</b>	20m	14m
<b>53 Victoria Road</b>	14m	14m
<b>46 Formosa Street</b>	14m	14m

*Floor Space Ratio (FSR)*



A similar approach is recommended in relation to floor space ratio. Land at 63-69 Victoria Road and 45 Day Street (the western side) should only be permitted to obtain additional FSR where amalgamated with the adjoining properties occurs. This approach will ensure that the proposed Height of Building standards are consistent with the permitted FSR standards. For example, where the sites develop independently of one another, the western side will achieve a floor space ratio of 2.1:1 and the eastern side of a floor space ratio of 1.7:1. In circumstances where the eastern and western sites are amalgamation, a single floor space ratio of 2.25:1 will be permitted. This approach provides an incentive to amalgamate and reinforces council's objective of achieving a coordinated development outcome.

Further to the report to Council dated 21 June 2016, Council has undertaken discussions with the applicant to prepare planning controls required to achieve the proposed built form outcome.

The following floor space ratios are proposed for the subject site:

Site Address	Floor Space Ratio		
	Proposed	Recommended (With no site amalgamation)	Recommended (With site amalgamation)
<b>63-69 Victoria Road</b>	2:1 plus "Area 3" bonus to 2.5:1	2.1:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>
<b>45 Day Street</b>	2:1 plus "Area 3" bonus to 2.5:1	2.1:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>
<b>53 Victoria Road</b>	2:1	1.7:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>
<b>46 Formosa Street</b>	2:1	1.7:1	2.25:1 *Where the site is amalgamated and achieves a minimum site area of 2,500m <sup>2</sup>

#### *Development Control Plan*

The LEP Height of Building Map (attachment 5) illustrates the maximum height for the block bounded by Victoria Road, Day Street, Thornley Street and Formosa Street. The Development Control Plan provisions discussed below create "fine grain" controls to achieve an integrated streetscape outcome.

The Canada Bay Development Control Plan 2013 (DCP) provides site specific planning controls for development situated on Victoria Road, Drummoyne.

The subject site is currently included within the DCP as Area “E” on the Victoria Road Drummoyne – Location Plan, which currently provides for a maximum height of two (2) storeys.

Development Controls proposed for 63-69 Victoria Road and 45 Formosa Street will allow the achievement of the 5<sup>th</sup> and 6<sup>th</sup> floors only where amalgamation occurs and a total site area of 2500m<sup>2</sup> is achieved. Buildings fronting Formosa Street will be required to have a height of two to three storeys. An illustration of this building envelope is shown in the image below.

New controls within the DCP are proposed for 53 Victoria Road and 46 Thornley Street to facilitate a three (3) storey development to the edge of Victoria Road, including ground floor commercial with a cantilevered awning, and a three (3) storey development to the rear (similar to Area “D”), providing an upper level setback of five (5) metres from the Formosa Street boundary to the third storey. These controls will be reflected in a new image created for the draft DCP.

It is recommended that the draft planning controls be prepared for the Canada Bay DCP and be exhibited concurrently with the Planning Proposal should the application receive a Gateway Determination.

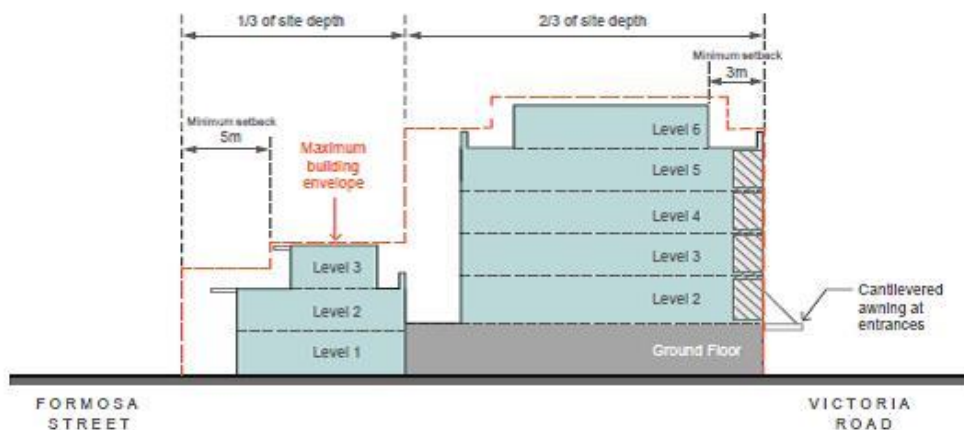


Figure F2.3 Victoria Road Drummoyne Area D- Maximum Building Envelope Section

### Site Investigation

A review of the preliminary contamination assessment submitted with the application recommends sampling and testing to be undertaken. Based on this information in the report, a detailed environmental investigation is required.

It is recommended a Detailed Environmental Site Investigation be carried out by a qualified environmental consultant and submitted to Council for further review in

accordance with the *NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated Land Management Act 1997 and SEPP 55 Remediation of Land*, confirming that the site is suitable (or will be suitable, after remediation) for the proposed use.

This information should be provided prior to the submission of the Planning Proposal for a Gateway Determination.

## Conclusion

The Planning Proposal is seeking to amend the Canada Bay LEP 2013 to rezone certain land and increase the permitted height and floor space ratio.

Recommended changes to the Canada Bay LEP 2013 are provided in the table below (amendments to the Planning Proposal as lodged are highlighted):

Site Address	Land Use Zone		HOB	
	Proposed	Recommend	Proposed	Recommend
<b>63-69 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	20m	*14m
<b>45 Day Street</b>	B4 Mixed Use	B4 Mixed Use	20m	14m
<b>53 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	14m	14m
<b>46 Formosa Street</b>	B4 Mixed Use	B4 Mixed Use	14m	14m

*\*Note: Includes recommendation of additional site specific provision to provide for a bonus maximum building height to 20m where a total site area of 2,500m<sup>2</sup> is achieved.*

Site Address	FSR		
	Proposed	Recommended (No site amalgamation)	Recommended (Site amalgamation)
<b>63-69 Victoria Road</b>	2.0:1 plus "Area 3" to 2.5:1	2.1:1	*2.25:1
<b>45 Day Street</b>	2.0:1 plus "Area 3" to 2.5:1	2.1:1	*2.25:1
<b>53 Victoria Road</b>	2.0:1	1.7:1	*2.25:1
<b>46 Formosa Street</b>	2.0:1	1.7:1	*2.25:1

*\* Where the site is amalgamated and achieves a minimum site area of 2,500m<sup>2</sup>*

The recommended development controls aim to improve the visual impact of future development through providing a reduced height and FSR on the western component of the site should the land develop independently and an increased height and FSR should the site be developed as a whole.

Subject to the above amendments, the proposal is considered to have merit to proceed to a Gateway Determination.

## **FINANCIAL IMPACT**

An offer to enter into a Voluntary Planning Agreement has been received by the Council which seeks to upgrade the facilities at Brett Park for unstructured recreational use, including:

- Reconstruction of toilet block, including demolition of existing structure and new access pathways;
- Improvements to BBQ area, including new covered facility and furniture;
- Improvements to training equipment, including netball rings, goals posts or similar for training and play;
- Multi-level playground, including accessible play equipment, lighting and access pathways;
- Retention of Ambulance Facility where supported by Ambulance NSW.

It is considered that this contribution will provide a positive enhancement to Brett Park, being within close walking distance to the proposed development and a highly utilised reserve for the local residents of Drummoyne. This will assist in providing better family and recreation facilities for both the existing and new population.

## **RECOMMENDATION**

1. THAT the Planning Proposal for 63-69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be amended prior to submission to the Department of Planning and Environment for a Gateway Determination to include the following changes:
  - (a) Floor Space Ratio (FSR) of 2.1:1 and Height of Building (HOB) of 14 metres be applied to 63-69 Victoria Road and 45 Day Street, Drummoyne. Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites and a HOB increase to 20m be permitted to 63-69 Victoria Road only.
  - (b) Floor Space Ratio (FSR) of 1.7:1 and Height of Building (HOB) of 14 metres be applied to 53 Victoria Road and 46 Thornley Street. Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites.
2. THAT the Voluntary Planning Agreement be drafted and exhibited concurrently with the Planning Proposal.
3. THAT an amendment to the Canada Bay Development Control Plan be prepared for the subject site and exhibited concurrently with the Planning Proposal to include the following outcomes:

- (a) “Area D” envelope controls be applied to 63-69 Victoria Road and 45 Day Street, Drummoyne, with the 5<sup>th</sup> and 6<sup>th</sup> floor being possible where future development comprises a site area of 2,500m<sup>2</sup>.
  - (b) New envelope controls be prepared for 53 Victoria Road and 46 Thornley Street that facilitate a 3 storey street edge to Victoria Road and a 2 storey street edge to Formosa Street. An upper level setback of 5 metres be required above the second floor on the Formosa Street frontage.
- 4. THAT the Planning Proposal for 63-69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be submitted to the Department of Planning and Environment for Gateway Determination with an addendum including a detailed site investigation.
  - 5. THAT Council request delegation from the Department of Planning and Environment to manage the plan making process.
  - 6. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt of a Gateway Determination.
  - 7. THAT Council note that should the Planning Proposal proceed to exhibition, that following consideration of any submissions, the Planning Proposal will be reported back to Council.

Attachments:

(to be circulated under separate cover)

- 1. Site Photos
- 2. Planning Proposal – As submitted by the Applicant
- 3. Existing and Recommended – draft LEP Land Use Zone Map
- 4. Existing and Recommended – draft Height of Building Map
- 5. Existing and Recommended – draft Floor Space Ratio Map
- 6. Canada Bay LEP 2013 – Draft Clause 4.3 Height of Building and Draft Clause 4.4 Floor Space Ratio
- 7. Preliminary letter outlining Voluntary Planning Agreement



**ITEM                    PLANNING PROPOSAL - 53-69 VICTORIA ROAD, 45  
DAY STREET & 46 THORNLEY STREET  
DRUMMOYNE**

**Department        Planning and Environment**

**Author Initials: KL**

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## **EXECUTIVE SUMMARY**

Council has received a Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne. The Planning Proposal seeks to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use, increase the maximum building height from 8.5m to between 14m and 20m, and increase the floor space ratio (FSR) across the entire site to 2:1. A bonus would apply to the eastern half of the site providing a maximum FSR of 2.5:1

The Planning Proposal is intended to facilitate redevelopment of the site through the demolition of existing commercial and residential dwellings to provide for the construction of a mixed use development.

The submission to increase development controls on the subject site will provide an opportunity to transition the scale of the built form down to the adjacent low density to the rear (interfacing Formosa Street) and south-eastern frontages (interfacing Thornley Street).

The Planning Proposal has merit to proceed to exhibition and it is recommended that the Planning Proposal be submitted to the Department of Planning and Environment seeking a Gateway Determination, subject to the amendments outlined in the report.

## **STRATEGIC CONNECTION**

This report supports FuturesPlan20 Outcome area:

- *We will enhance our local shopping centres, community spaces and residential streets and the infrastructure required to service them.*

This report also relates to the Canada Bay Local Planning Strategy 2010 – 2031 (LPS).

## **REPORT**

### **Subject Site**

The subject site is located on the western side of Victoria Road, Drummoyne.

The subject site comprises eight allotments that are bound by Day Street to the north west (frontage 39.47m), Formosa Street to the south west (frontage 60.96m), Thornley Street to the south east (frontage 41.92m) as well as Victoria Road to the north east (frontage 58.52m). The allotments which make up the 'subject site are described below:

- 53 Victoria Road (Lots 6, 7 & 8 of DP 136422 and Lot 9, Section 6 of DP 862)
- 63-69 Victoria Road (Lot 10 DP 625084)
- 45 Day Street (Lots 1 and 2, Section 6 of DP 862); and
- 46 Thornley Street (Lot 10, Section 6 of DP 862)

The subject site is a rectangular parcel of land providing a total site area of 2,552m<sup>2</sup>.

The site is sloped to the south, with a fall on the Victoria Road frontage of approximately 1.97 metres (AHD 25.61 – AHD 23.64) and a fall on the Formosa Street frontage of approximately 5.41 metres (AHD 25.52 – AHD 20.11).



**Figure 1: Subject Site** (specifying Eastern and Western components)

The subject site currently accommodates various uses:

- 53 Victoria Road is currently occupied by Ambulance NSW, comprising a brick commercial building with a flat metal roof. A concrete driveway with an 8m crossing on Thornley Street leads to a garage area for ambulance vehicles. The building is constructed to the boundary on the



southwest, northwest and northeast boundaries and houses the ambulance vehicles as well as associated administrative facilities. A number of trees are located abutting the frontage of the building to Victoria Road and within the Thornley Street setback however the site is predominately covered by structures or paving.

- 63-69 Victoria Road – former Limousine and car Hire Company, built form comprises a small rendered brick office building with metal roof and various shade structures with associated paved parking area. Vehicular access is available from Day Street via a 4.5m crossing.
- 45 Day Street comprises a two storey brick and weatherboard dwelling. Vehicular access is available from Formosa Street. The site has a swimming pool located near the corner of Formosa and Day Streets and includes lawn area and landscaping around the curtilage of the pool.
- 46 Thornley Street comprises a single storey brick house with tiled roof and detached brick garage with vehicular access on the corner of Thornley and Formosa Streets.

Adjacent development to the north and south of the site on Victoria Road also comprise commercial uses. Development on the opposing side of Formosa Street is zoned for low density residential development and is made up of single storey and two storey detached dwellings.

### **Description of the Planning Proposal**

The Planning Proposal seeks to amend the Canada Bay LEP 2013 by:

- rezoning the subject site from R2 Low Density Residential and B4 Mixed Use, to B4 Mixed Use across the entire site;
- increase the maximum building height from 8.5m to heights of 14m to the eastern half of the subject site, and 20m to the western half of the site,
- increase the floor space ratio (FSR) from 0.5:1 and 1:1 to 2:1 with an ‘Area 3’ bonus that would apply to the eastern component of the subject site, which would permit a total FSR bonus on this portion of the site to 2.5:1 where the land area is a minimum of 1,500m<sup>2</sup>.

A copy of the Planning Proposal is provided as Attachment 2.

### **Matters for Consideration**

#### *Location & fragmented land ownership*

The subject site is located on the southern end of the commercial precinct in Drummoyne and has a primary frontage to Victoria Road. The location of this site and it’s visibility from the Iron Cove Bridge is important, as it will be the first

‘higher rise’ development leading up the hill, providing a ‘gateway’ building to the entry of Drummoyne.

The Planning Proposal identifies 63-69 Victoria Road and 45 Day Street as being the ‘western’ side of the development. The Planning Proposal is seeking six (6) stories in height (20m) over the ‘western’ half of the block. The ‘western’ side of the development is under single ownership and it is possible that this site could be developed in isolation of the remainder of the block.

The Planning Proposal identifies 53 Victoria Road and 46 Formosa Street as the ‘eastern’ side of the block. This block is on the lower and southern part of the site. The Planning Proposal seeks 14m over these two properties.

Should the western portion of the site develop independently, the development controls sought by the Planning Proposal would result in a 20m building interfacing with the existing single storey Ambulance NSW building and a single storey dwelling on the neighbouring site.

*Maximum Height of Building (HOB)*

Given concerns in relation to the interface created through the possible fragmented development of the site, it is recommended that the maximum height of 20 metres (6 storeys) only be permitted where 63-69 Victoria Road and 45 Day Street are amalgamated with the adjoining properties. This approach will encourage amalgamation, facilitate a coordinated development outcome and reduce the likelihood of a poor bulk/scale interface to be created from future development.

The following maximum heights are recommended for the subject site:

Site Address	Height of Building	
	Proposed	Recommended
<b>63-69 Victoria Road</b>	20m	14m Plus a site specific clause that would permit the height to increase to 20 metres where a site area of 2,500m <sup>2</sup> is achieved.
<b>45 Day Street</b>	20m	14m
<b>53 Victoria Road</b>	14m	14m
<b>46 Formosa Street</b>	14m	14m

*Floor Space Ratio (FSR)*

A similar approach is recommended in relation to floor space ratio. Land at 63-69 Victoria Road and 45 Day Street should only be permitted to obtain additional FSR where amalgamation with the adjoining properties occurs. This approach will ensure that the proposed Height of Building standards are consistent with the permitted FSR standards.

The following floor space ratios are proposed for the subject site:

Site Address	Floor Space Ratio	
	Proposed	Recommended
<b>63-69 Victoria Road</b>	2:1 plus "Area 3" bonus to 2.5:1	2:1 *Where the site is amalgamated and achieves a site area of 2,500m <sup>2</sup> , an FSR of 2.0:1 would facilitate the intended development
<b>45 Day Street</b>	2:1 plus "Area 3" bonus to 2.5:1	2:1 *Where the site is amalgamated and achieves a site area of 2,500m <sup>2</sup> , an FSR of 2.0:1 would facilitate the intended development
<b>53 Victoria Road</b>	2:1	2:1
<b>46 Formosa Street</b>	2:1	2:1

#### *Development Control Plan*

The Canada Bay Development Control Plan 2013 (DCP) provides site specific planning controls for development situated on Victoria Road, Drummoyne.

The subject site is currently included within the DCP as Area "E" on Figure 2.1 on the Victoria Road Drummoyne – Location Plan, which provides for a maximum height of two (2) storeys.

It is proposed to apply similar development controls as those applied to Area "D" for 63-69 Victoria Road and 45 Formosa Street. The achievement of the 5<sup>th</sup> and 6<sup>th</sup> floors will only be possible where amalgamation occurs and a total site area of 2500m<sup>2</sup> is achieved.

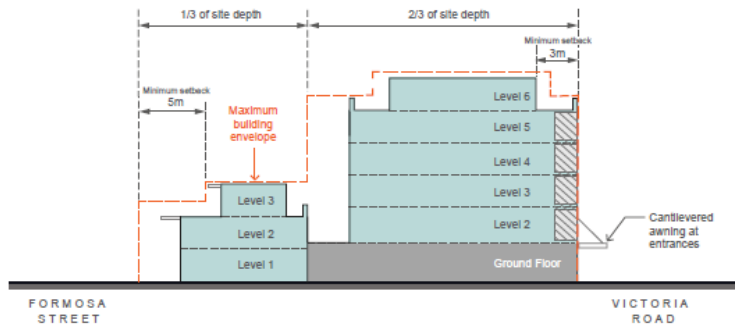


Figure F2.3 Victoria Road Drummoyne Area D- Maximum Building Envelope Section

New controls are proposed for 53 Victoria Road and 46 Formosa Street to facilitate a three (3) storey development to the edge of Victoria Road, including ground floor commercial with a cantilevered awning, and a three (3) storey development to the rear (similar to Area “D”), providing an upper level setback of five (5) metres from the Formosa Street boundary to the third storey.

It is recommended that the draft planning controls be prepared for the Canada Bay DCP and be exhibited concurrently with the Planning Proposal should the application receive a Gateway Determination.

#### Site Investigation

A review of the preliminary contamination assessment submitted with the application recommends sampling and testing to be undertaken. Based on this information in the report, a detailed environmental investigation is required.

It is recommended a Detailed Environmental Site Investigation be carried out by a qualified environmental consultant and submitted to Council for further review in accordance with the *NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated Land Management Act 1997 and SEPP 55 Remediation of Land*, confirming that the site is suitable (or will be suitable, after remediation) for the proposed use.

This information should be provided prior to the submission of the Planning Proposal for a Gateway Determination.

#### Conclusion

The Planning Proposal is seeking to amend the Canada Bay LEP 2013 to rezone certain land and increase the permitted height and floor space ratio.

Recommended changes to the Canada Bay LEP 2013 are provided in the table below (amendments to the Planning Proposal as lodged are highlighted):

Site	Land Use Zone	FSR	HOB
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Address	Proposed	Recommend	Proposed	Recommend	Proposed	Recommend
<b>63-69 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	2.0:1 plus "Area 3" to 2.5:1	2.0:1	20m	*14m
<b>45 Day Street</b>	B4 Mixed Use	B4 Mixed Use	2.0:1 plus "Area 3" to 2.5:1	2.0:1	20m	14m
<b>53 Victoria Road</b>	B4 Mixed Use	B4 Mixed Use	2.0:1	2.0:1	14m	14m
<b>46 Formosa Street</b>	B4 Mixed Use	B4 Mixed Use	2.0:1	2.0:1	14m	14m

*\*Note: Includes recommendation of additional site specific provision to provide for a bonus maximum building height to 20m where a total site area of 2,500m<sup>2</sup> is achieved.*

The recommended development controls aim to improve the visual impact of future development through providing a reduced height and FSR on the western component of the site should the land develop independently and an increased height and FSR should the site be developed as a whole.

Subject to the above amendments, the proposal is considered to have merit to proceed to a Gateway Determination.

## **RECOMMENDATION**

1. THAT the Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne be amended prior to submission to the Department of Planning and Environment for a Gateway Determination to include the following changes:
  - (a) Floor Space Ratio of 2.0:1 and Height of Building of 14 metres be applied to 63-69 Victoria Road. Where a site area of 2,500m<sup>2</sup> is achieved, the Height of Building be permitted to increase to 20 metres.
2. THAT an amendment to the Canada Bay Development Control Plan be prepared for the subject site and exhibited concurrently with the Planning Proposal to include the following outcomes:
  - (a) "Area D" envelope controls be applied to 63-69 Victoria Road and 45 Formosa Street, Drummoyne, with the 5<sup>th</sup> and 6<sup>th</sup> floor being possible where future development comprises a site area of 2,500m<sup>2</sup>.
  - (b) New envelope controls be prepared for 53 Victoria Road and 46 Formosa Street that facilitate a 3 storey street edge to Victoria Road and a 2 storey street edge to Formosa Street. An upper level setback of 5 metres be required above the second floor on the Formosa Street frontage.
3. THAT the Planning Proposal for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne be submitted to the Department of Planning and Environment for Gateway Determination.

4. THAT Council request delegation from the Department of Planning and Environment to manage the plan making process.
5. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt of a Gateway Determination.
6. THAT Council note that should the Planning Proposal proceed to exhibition, that following consideration of any submissions, the Planning Proposal will be reported back to Council.

Attachments:

1. Site photos (To be circulated under separate cover)
2. Planning Proposal – As submitted by the Applicant (To be circulated under separate cover)
3. Existing and Recommended - draft LEP Land Use Zone Map (To be circulated under separate cover)
4. Existing and Recommended - draft LEP Height of Building Map (To be circulated under separate cover)
5. Existing and Recommended – draft LEP Floor Space Ratio Map (To be circulated under separate cover)
6. Canada Bay LEP 2013 – Draft Clause 4.3 Height of Building (To be circulated under separate cover)



[Agenda Report](#)

**Meeting Date: Tuesday, 6 September 2016**

**ACTION**

**ITEM                    REVISED PLANNING PROPOSAL - 63-69 VICTORIA ROAD, 45 DAY STREET, 53 VICTORIA ROAD & 46 THORNLEY STREET, DRUMMOYNE**

Mr G Bonus, Bonus & Associates, representing the applicant, addressed Council.

**RESOLVED**

(Crs Parnaby/Megna)

THAT this matter be deferred due to an issue raised by the applicant in relation to matching property descriptions with proposed Floor Space Ratios and proposed height controls.

(FOR:                    Crs Ahmed, Cestar, Fasanella, Kenzler, McCaffrey, Megna, Parnaby and Tyrrell)

(AGAINST:            Nil)



## Agenda Report

**Meeting Date: Tuesday, 20 September 2016**

### **ACTION**

**ITEM                    PLANNING PROPOSAL - 63-69 VICTORIA ROAD, 45  
DAY STREET, 53 VICTORIA ROAD & 46 THORNLEY  
STREET, DRUMMOYNE**

### **RESOLVED**

(Crs Kenzler/Cestar)

1.     **THAT** the Planning Proposal for 63-69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be amended prior to submission to the Department of Planning and Environment for a Gateway Determination to include the following changes:
  - (a) Floor Space Ratio (FSR) of 2.1:1 and Height of Building (HOB) of 14 metres be applied to 63-69 Victoria Road and 45 Day Street, Drummoyne. Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites and a HOB increase to 20m be permitted to 63-69 Victoria Road only.
  - (b) Floor Space Ratio (FSR) of 1.7:1 and Height of Building (HOB) of 14 metres be applied to 53 Victoria Road and 46 Thornley Street. Where a site area of 2,500m<sup>2</sup> is achieved, the FSR of 2.25:1 apply to the abovementioned sites.
2.     **THAT** the Voluntary Planning Agreement be drafted and exhibited concurrently with the Planning Proposal.
3.     **THAT** an amendment to the Canada Bay Development Control Plan be prepared for the subject site and exhibited concurrently with the Planning Proposal to include the following outcomes:
  - (a) “Area D” envelope controls be applied to 63-69 Victoria Road and 45 Day Street, Drummoyne, with the 5<sup>th</sup> and 6<sup>th</sup> floor being possible where future development comprises a site area of 2,500m<sup>2</sup>.
  - (b) New envelope controls be prepared for 53 Victoria Road and 46 Thornley Street that facilitate a 3 storey street edge to Victoria Road and a 2 storey street edge to Formosa Street. An upper level setback of 5 metres be required above the second floor on the Formosa Street frontage.
4.     **THAT** the Planning Proposal for 63-69 Victoria Road, 45 Day Street, 53 Victoria Road and 46 Thornley Street, Drummoyne be submitted to the

Department of Planning and Environment for Gateway Determination with an addendum including a detailed site investigation.

5. THAT Council request delegation from the Department of Planning and Environment to manage the plan making process.
6. THAT authority be delegated to the General Manager to make any minor modifications to the Planning Proposal following receipt of a Gateway Determination.
7. THAT Council note that should the Planning Proposal proceed to exhibition, that following consideration of any submissions, the Planning Proposal will be reported back to Council.

(FOR: Crs Cestar, Fasanella, Kenzler, McCaffrey, Megna, and Tyrrell)  
(AGAINST: Nil)

**ITEM                    PLANNING PROPOSAL - 53-69 VICTORIA ROAD, 45  
DAY STREET & 46 THORNLEY STREET  
DRUMMOYNE**

**RESOLVED**

(Crs Kenzler/Cestar)

THAT the matter be deferred for negotiations with the applicant regarding the entire precinct.

(FOR:                    Crs Ahmed, Cestar, Fasanella, Kenzler, McCaffrey, Megna,  
O'Connell, and Tyrrell)

(AGAINST:            Nil)