

Resolution of Local Planning Panel

20 July 2022

Item 6

Development Application: 3 Joynton Avenue, 14A Defries Avenue and 355 Botany Road, Zetland - D/2022/336

The Panel resolved that consent be granted to Development Application No. D/2022/336 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) The proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to conditions of consent, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Local Planning Panel.
- (B) The development is permissible with consent in the B4 Mixed Use zone under the Sydney Local Environmental Plan (Green Square Town Centre) 2013, the 5(a) Special Uses zone within the South Sydney Local Environmental Plan No. 114 (Southern Industrial and Rosebery/ Zetland Planning Districts) and the B4 Mixed Use zone under the Sydney Local Environmental Plan 2012.
- (C) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
 - (i) the applicant's written request relating to Site 1 (355 Botany Road, Zetland) has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney Local Environmental Plan (Green Square Town Centre) 2013, that compliance with the height of buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP (GSTC) 2013;
 - (ii) the applicant's written request relating to Site 4 (14A Defries Avenue, Zetland) has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height of buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012; and

- (iii) the proposal is in the public interest because it is consistent with the objectives of the B4 - Mixed Use zone of the LEP (GSTC) 2013 and the Sydney LEP 2012 and the height of buildings development standard.
- (D) The proposal demonstrates design excellence in accordance with the relevant provisions and matters for consideration in Clause 6.9 of the Sydney LEP (Green Square Town Centre) 2013 and Clause 6.21C of the Sydney LEP 2012.
- (E) The proposed development is appropriate to the setting of the Green Square Town Centre and will provide a positive contribution to the public domain.
- (F) The development, subject to conditions, will not result in unacceptable amenity impacts to surrounding properties and is considered to be in the public interest.

Carried unanimously.

D/2022/236