

Resolution of Local Planning Panel

11 October 2023

Item 3

Development Application: 898 Elizabeth Street, Zetland - D/2023/243

The Panel:

- (A) upheld the variation requested to the minimum site area non-discretionary development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application Number D/2023/243 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) 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 has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the 'minimum site area' non-discretionary development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening section 53(2)(a) of State Environmental Planning Policy (Housing) 2021; and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the R1 General Residential zone and the 'minimum site area' non-discretionary development standard.
- (B) The development exhibits design excellence under Clause 6.21C of Sydney Local Environmental Plan 2012.
- (C) The development responds appropriately to the scale of surrounding buildings, and is compatible with the character of the Mary O'Brien Park locality and the Zetland Estate heritage conservation area.
- (D) The development will not unreasonably compromise the amenity of neighbouring properties.

- (E) The development is generally consistent with the objectives of Chapter 3 Part 1 of State Environmental Planning Policy (Housing) 2021, Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

Carried unanimously.

D/2023/243