

Local Planning Panel

Meeting No 30

Wednesday 11 December 2019

Notice Date 4 December 2019

minutes

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Present

Mr Richard Pearson (Chair), Mr Shaun Carter, Professor Helen Lochhead and Associate Professor Amelia Thorpe

At the commencement of business at 5.00 pm, those present were:

Mr Pearson, Mr Carter, Prof. Lochhead and A/Prof. Thorpe

The Director City Planning, Development and Transport was also present.

The Chair opened the meeting with introductory comments about the purpose and format of the meeting and an acknowledgement of country.

Item 1 Disclosures of Interest

No members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all panel members have signed a declaration of interest in relation to each matter on the agenda.

Item 2 Confirmation of Minutes

The Panel noted the minutes of the Local Planning Panel of 20 November 2019, which have been endorsed by the Chair of that meeting.

Item 3 Development Application: 100 Joynton Avenue, Zetland - D/2019/875

The Panel granted consent to Development Application No. D/2019/875 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 proposed use is permissible under the provisions of *Sydney Local Environmental Plan 2012*;
- (B) The proposal is consistent with the relevant provisions of Sydney Development Control Plan 2012;
- (C) The proposed signage is considered to comply with the provisions of *State Environmental Planning Policy 64 - Advertising and Signage* and Part 3.16 - Signs and Advertising of Sydney DCP 2012;
- (D) The proposal is not considered to result in adverse impacts to the heritage value of the building in accordance with the objectives of Cl. 5.10 of Sydney LEP 2012 and 3.9 of Sydney DCP 2012; and
- (E) The proposal is not considered to result in adverse amenity impacts to the immediate area.

Carried unanimously.

D/2019/875

Item 4 Development Application: 382-388 Botany Road, Beaconsfield - D/2019/991

The Panel granted deferred commencement consent to Development Application No. D/2019/797 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 proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that it achieves the objectives of the planning controls for the site and does not result in adverse environmental impacts for the reasons outlined in this report.
- (B) The adult entertainment restricted retail premises is permissible and consistent with the objectives of the B4 - Mixed Use zone. The layout of the premises and use of a separated access point ensures it is compatible with the surrounding land uses in this location.
- (C) Subject to conditions, the proposal will meet Clause 6.21 Design Excellence provisions.
- (D) For the reasons above and as outlined in this report, the proposed development is in the public interest, subject to conditions.

Carried unanimously.

D/2019/797

Item 5 Development Application: 326-328 Botany Road, Alexandria - D/2019/657

The Panel:

- (A) approved the Design Excellence Strategy for 326-328 Botany Road, Alexandria prepared by Mecone and dated 30 October 2019 on behalf of Leading Group Development Pty Limited, as shown in Attachment D to the subject report, pursuant to Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the Competitive Design Policy; and
- (B) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, granted deferred commencement consent to Development Application No. D/2019/657 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 proposed kiosk, shop, office, and food and drink uses are consistent with the objectives of the B7 Business Park Zone as specified in the Sydney Local Environmental Plan 2012 (the LEP).
- (B) Subject to the recommended conditions the approved concept envelope will comply with the 40m maximum permitted height control pursuant to clause 4.3 of the LEP.
- (C) The proposed development will be the subject of a competitive design process in accordance with clause 6.21(5) of the LEP.
- (D) The approved Design Excellence Strategy includes ESD targets and benchmarks to be carried through the competitive design process and any subsequent development application for the detailed design of the building, to its completion. The approved Public Art Strategy sets out a process for the provision of public art. Conditions have been recommended for suitable design requirements pertaining to the landscape design, to be incorporated into the competitive design process brief. As such the approved concept demonstrates that a detailed building design is able to exhibit design excellence pursuant to clause 6.21 of the LEP and meets the relevant requirements of clause 7.20 of the LEP.
- (E) The approved concept includes the provision of community infrastructure in accordance with clause 6.14 of the LEP, through the Voluntary Planning Agreement (VPA). The VPA is required to be executed and registered on title prior to the consent becoming operative.

Carried unanimously.

D/2019/657

Speaker

Mr Mason Stankovic (Meccone – on behalf of the applicant).

Item 6 Development Application: 80 Broughton Street, Glebe - D/2019/1155

The Panel granted consent to Development Application No. D/2019/1155 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 proposed alterations and additions are considered acceptable as the works are permissible within the SP2 Infrastructure zone (Community facility) and will allow for the continuation of the community use.
- (B) The proposed development is suitable to its setting and satisfies the relevant provisions of the Sydney LEP 2012, the Sydney DCP 2012 and the relevant SEPPs.
- (C) Subject to the recommended conditions the proposed development will not detract from the amenity of nearby residences.

Carried unanimously.

D/2019/1155

**Item 7 Development Application: 107-125 Railway Parade, Erskineville -
D/2019/842**

The Panel granted consent to Development Application No. D/2019/842 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 proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that it achieves the objectives of the planning controls for the site and does not result in adverse environmental impacts for the reasons outlined in this report.
- (B) The proposal is consistent with the objectives of the R1 General residential zone, and will have an acceptable impact on neighbouring amenity.
- (C) The proposal complies with Sydney Local Environmental Plan 2012 Clause 4.3 Height of Buildings control.
- (D) The proposal complies with the provisions of State Environmental Planning Policy (Infrastructure) 2007.
- (E) The proposal respects the heritage significance of the conservation area and nearby heritage items.
- (F) For the reasons above and as outlined in this report, the proposed development is in the public interest.

Carried unanimously.

D/2019/842

Item 8 Development Application: 55 Pitt Street Redfern - D/2019/843

The Panel granted consent to Development Application No. D/2019/843 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 proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that it achieves the objectives of the planning controls for the site and does not result in adverse environmental impacts for the reasons outlined in this report.
- (B) The proposal is consistent with the objectives of SP2 Infrastructure zone, and will have an acceptable impact on neighbouring amenity.
- (C) The proposal complies with Sydney Local Environmental Plan 2012 Clause 4.3 Height of Buildings control.
- (D) The proposal complies with the provisions of the State Environmental Planning Policy (Infrastructure) 2007.
- (E) The proposal respects the heritage significance of the conservation area and nearby heritage items.
- (F) For the reasons above and as outlined in this report, the proposed development is in the public interest, subject to conditions.

Carried unanimously.

D/2019/843

Item 9 Report to the Local Planning Panel - Status of Applications

The Panel received and noted the subject report.

Carried unanimously.

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The meeting of the Local Planning Panel concluded at 5.12 pm.

CHAIR