

## Relevant Information for Local Planning Panel

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**FILE:** D/2019/1249 **DATE:** 23 September 2020  
**TO:** Local Planning Panel Members  
**FROM:** Graham Jahn AM, Director City Planning, Development and Transport  
**SUBJECT:** Information Relevant to Item 3 – Development Application: 59-99 Belmont Street, Alexandria – D/2019/1249

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### Alternative Recommendation

It is resolved that pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2019/1249 subject to the conditions set out in Attachment A of the subject report to the Local Planning Panel on 23 September 2020, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

#### (9) BUILDING HEIGHT

- (a) The height of the building must not exceed RL 28.***11*** (AHD) to the top of the building.
- (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.

#### (19) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for stage 2.

Car Parking Type	Number
Residential spaces	<del>24</del> <b><i>20</i></b>
Accessible residential spaces	<del>2</del> <b><i>3</i></b>

Car Parking Type	Number
Residential visitor spaces	4
Subtotal	27
Motorcycle parking [A]	3
Total	

Notes:

- a. Number of motorcycle spaces refers to dimensions of 1.2m x 2.5m per Australian Standards. Alternatively the proponent may provide standard car spaces marked as motorcycle spaces (dimensions of 2.4m x 5.4m per Australian Standards). In this case 1 space would be required.

**(63) PASSIVE LONG TERM ENVIRONMENTAL MANAGEMENT PLAN**

- (a) Any long-term environmental management plan (LTEMP) must be passive and must not include any requirement for ongoing management or reporting. ~~This LEMPT must be approved and added to the consent via a section 4.55(2) modification~~ **The LTEMP must be approved by Council's Area Planning Manager** prior to construction certificate associated with the built form of the development (excluding building work directly related to remediation) **being issued**.

**Background**

On 22 September 2020, the applicant raised issues with conditions 9, 19 and 63.

Condition 9 relating to the height of the building said the maximum height of the building should not exceed RL 28. This is an error as the maximum height of the building to the top of the lift overrun is RL 28.11 (AHD), as per the architectural drawings.

Condition 19, relating to car park numbers, said that there is to be a maximum of 21 residential spaces and two (2) accessible residential spaces. As there are three (3) accessible apartments, there should be three (3) accessible spaces. The condition is recommended to be changed to reduce the number of residential spaces by one (1) and increase the number of accessible residential spaces by one (1). This does not change the quantum of parking for this development.

Condition 63, relating to a passive long term environmental management plan(LTEMP), required the LTEMP to be approved by a section 4.55(2) modification. The applicant has raised an issue with the condition requiring lodgement and approval of a further application. To address this, the condition is recommended to be updated to require any LTEMP to be approved by Council's Area Planning Manager.

Paragraphs 30 and 72(c) of the Report to the Local Planning Panel discuss the need for a section 4.55(2) modification application. Submission to and approval by Council's Area Planning Manager will still require Council's review and approval of the LTEMP prior to a construction certificate associated with the built form being issued. If the LTEMP is not passive or requires any form of ongoing monitoring and reporting, then a section 4.55(2) modification will be required.

Prepared by: Erin Faulkner, Senior Planner

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Approved



**GRAHAM JAHN AM**

Director City Planning, Development and  
Transport