Item 5
At Central Sydney
Planning Committee
23 June 2022

Relevant Information for Central Sydney Planning Committee

FILE: **X031159** **DATE:** 23 June 2022

TO: The Central Sydney Planning Committee

FROM: Graham Jahn AM, Director City Planning, Development and Transport

SUBJECT: Information Relevant To Item 5 – Post Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Alternative Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of Planning Proposal: Botany Road Precinct and Draft Sydney Development Control Plan 2012 - Botany Road Precinct as shown in Attachment A to the subject report;

(B) the Central Sydney Planning Committee approve Planning Proposal: Botany Road Corridor, as shown at Attachment B to the subject report and amended in response to submissions, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;

(C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage, Environment and Planning Committee on 20 June 2022 that Council approve the Draft Sydney Development Control Plan 2012 - Botany Road Precinct, as shown in Attachment C to the subject report, as amended in response to submissions, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan ***subject to the following amendment***; ~~and~~

(i) amendment of the 'Height in storeys map' in the draft Sydney Development Control Plan 2012 Amendment - Botany Road Precinct to replace the 2 storey maximum height in storeys with a 13 storey maximum height in storeys at the rear of 74 and 84-88 Botany Road, Alexandria; and

(D) authority be delegated to the Chief Executive Officer to make minor variations to Planning Proposal: Botany Road Precinct and Draft Sydney Development Control Plan 2012 - Botany Road Precinct to correct any minor errors prior to finalisation.

Deletions shown in ~~strikethrough~~. Additions shown in ***bold italics***.

Background

At the meeting of Council's Transport, Heritage, Environment and Planning Committee (the Committee) on 20 June 2022 further information was sought on the matters raised by the following landowners only:

1. 74 and 84-88 Botany Road, Alexandria
2. 44-54 Botany Road and 36-50 Wyndham Street, Redfern
3. 158 Botany Road and 158 Wyndham Street, Alexandria

The matters raised by speakers have been considered and a response is provided below.

74 and 84-88 Botany Road, Alexandria

City West Housing

Issue: the DCP Clause 5.X.6.4.2 regarding built form should be deleted to remove the requirement for any commercial floor space on the first floor and allow for increased affordable housing yield on the site.

Response: Across the Precinct, all opportunity sites are required to provide at least two storeys of commercial development. We recognise the unique requirements of City West Housing to prioritise the delivery of affordable housing. City staff have responded to the submission from City West Housing by including an amendment to the planning proposal to reduce the quantity of commercial space required on the first floor to only a sleeve of commercial uses on the first floor facing Botany Road. This allows for residential at the rear of the site but retains non-residual uses fronting Botany Road to align with the commercial nature of the area and ensure sufficient separation between sensitive residential land uses and the noise of Botany Road.

Issue: the DCP Height in Storeys map requires the rear half of the site to be two storeys, the street wall to be 11 storeys and the remainder to be 13 storeys, as shown in Figure 1. The entirety of the site should be 13 stories in order to increase the affordable housing yield on the site.

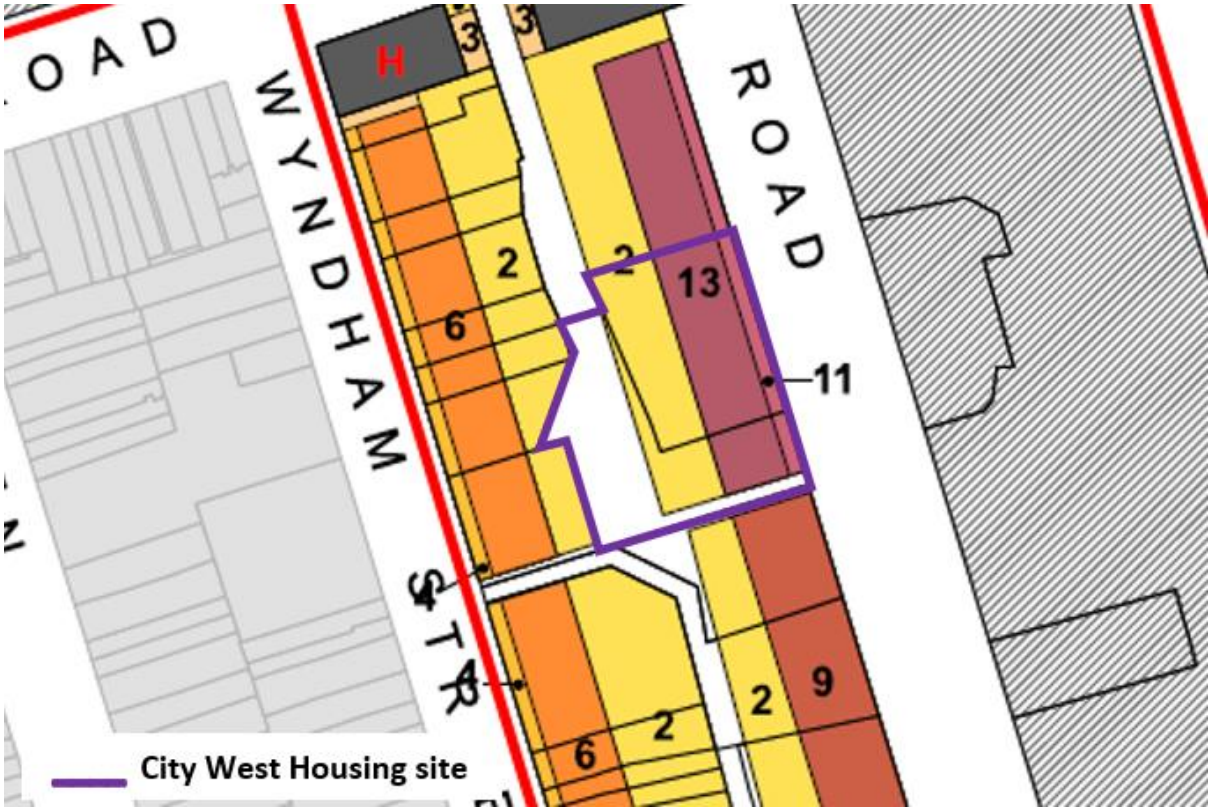

Figure 1: Extract from the draft DCP amendment - Figure 13 height in Storeys where incentive height are utilised – Residential (affordable housing)

Response: City staff have reviewed the submission from City West Housing and are supportive of a more flexible built form in order to increase the potential yield of affordable housing on the site. This Information Relevant To Memorandum therefore recommends the DCP Height in storeys map be amended to replace the 2-storey maximum building height at the rear of the site with a 13-storey maximum building height. The maximum floor space ratio and over shadowing provisions will ensure the bulk to the rear of the site is not excessive.

Issue: Without knowing what initiatives are needed to reach the stretch BASIX requirements, City West Housing are concerned they would not be able to meet the stretch requirement in the planning proposal. They are aware that the current BASIX model and targets are likely to change later this year, but they have not been exhibited, which introduces uncertainty regarding future requirements.

Response: The City takes a consistent approach to renewal areas and includes stretch targets to improve the environmental performance of buildings. Removing the requirement for stretch BASIX requirements for a specific site would be inconsistent with the City's commitment to promoting environmental sustainability of buildings. Stretch BASIX targets are applied to most residential sites that have been subject to a rezoning. The City may review the stretch targets wholistically once the effects of the NSW Government's changes to BASIX are known.

44-54 Botany Road and 36-50 Wyndham Street, Redfern

Ethos Urban and Kann Finch

The speakers asked that their site be considered as an opportunity site and be allocated additional height and FSR.

The matters raised by speakers have been addressed in the officer's report.

The site does not sit within an area that was identified in the planning proposal for any additional height or floor space ratio (FSR). The vision for this part of Botany Road is to continue the low rise and fine grain character of Regent Street. The increase to height and FSR proposed by the landowner is inconsistent with the future vision for that area.

158 Botany Road and 158 Wyndham Street, Alexandria

Ethos Urban and the site owner

The speakers asked for an additional storey within the exhibited height of building envelope and also requested additional FSR.

The matters raised by speakers have been addressed in the officer's report.

The site cannot accommodate an additional storey within the exhibited maximum building height. The proposed built form controls allow for a sufficient freeboard at ground level to respond to the flooding conditions adjacent to the site and provide plant and rooftop access within the 35m maximum building height.

The City has applied consistent assumptions regarding floor to floor levels, efficiencies and articulation requirements to determining the built form outcomes across all sites. Additional FSR on this site is not supported.

Prepared by: Rebecca Jacobs, Senior Specialist Planner

Approved

GRAHAM JAHN AM

Director City Planning, Development and Transport