

Resolution of Local Planning Panel

5 June 2019

Item 4

Development Application: 5-7 Bourke Road, Alexandria - D/2018/1208

The Panel:

- (A) granted deferred commencement consent to Development Application D/2018/1208 pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, subject to the conditions set out in [Attachment A](#) to the subject report, subject to the following amendments (additions shown in *bold italics* and deleted text shown in ~~strikethrough~~); and
- (B) the Design Excellence Strategy for 5-7 Bourke Road, Alexandria, prepared by SJB Planning and dated April 2019, be endorsed in accordance with Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the City of Sydney Competitive Design Policy.

PART B – CONDITIONS OF CONSENT

SCHEDULE 1A

(4) DETAILED DESIGN OF BUILDING

- (a) The detailed design development application must address the following requirements:
 - (i) A deep soil zone with a minimum area of 69sqm and minimum dimension of 3m must be provided within the approved building envelope.
 - (ii) The amount of car parking located above ground shall be limited to a single level, with only 50% of the permitted car parking able to be accommodated as above ground car parking in accordance with the provisions of Section 5.2.12 of the Sydney Development Control Plan 2012.

- (iii) Any above ground car parking must be designed to be adaptable and must comply with the provisions contained in Sections 3.11.14 and 5.2.12 Sydney Development Control Plan 2012 (SDCP 2012). Any above ground car parking is required to be appropriately screened while still achieving a high quality facade which contributes to the streetscape and meets the provisions for design excellence contained in Clause 6.21 of Sydney Local Environment Plan 2012.
- (iv) The north facade, particularly at ground level, must be designed to provide visual interest and activation to the future Liveable Green Network.
- (v) The detailed design is to minimise and mitigate the potential for blank walls particularly where they adjoin the property boundary with 189 Wyndham Street and 9-13 Bourke Road, Alexandria.
- (vi) Any required substation is to be integrated into the fabric of the building and must not be a free standing kiosk substation. The substation should not compromise activation of the streetscape or public domain.
- (vii) Enclosures and screening of any plant and essential services are to be of high material quality equal in standard to the façade.
- (viii) The floor to ceiling heights and floor to floor heights must comply with the minimum heights specified in Section 4.2.1.1 of SDCP 2012.
- (ix) The provision of a green wall/s should be explored in accordance with the provisions of Section 5.8.7.4 of SDCP 2012.
- (x) *External sun shading to both glazed elevations.***

(b) The competitive design process brief shall incorporate the above design requirements.

Reasons for Decision

The application was approved for the following reasons:

- (A) The concept development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that subject to the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site and does not result in unreasonable environmental impacts for the reasons outlined in the report to the Planning Panel.
- (B) The proposal is consistent with the objectives of the Sydney Local Environmental Plan 2012 (SLEP 2012).
- (C) The concept development complies with the maximum permitted height under Clause 4.3 of SLEP 2012, and the subsequent detailed development application is capable of complying within the maximum permitted floor space ratio within the parameters of the building envelope, pursuant to Clauses, 4.4 and 6.14 of SLEP 2012. The detailed DA is also capable of achieving up to an additional 10% additional floor space within the parameters of the building envelope, pursuant to compliance with Clause 6.21 of SLEP 2012 and the recommended conditions of consent.

- (D) The proposal, subject to conditions, satisfies the relevant provisions contained in Clause 6.21(4) of SLEP 2012 as the proposed land use is suitable for the site, the proposal sets out ecological sustainable development key targets for the development, the building envelope does not detrimentally impact of view corridors or result in unacceptable overshadowing, and the massing and setbacks of the building envelope are compatible with the character of the area.
- (E) The proposal is generally consistent with the provisions of the Sydney Development Control Plan 2012 (SDCP 2012), particularly the Green Square and Southern Employment Lands specific provisions which apply to the site. Subject to the imposition of a condition reducing the extent of car parking, the proposal is capable of complying with the above ground car parking provisions of Section 5.2.12 of the SDCP 2012.
- (F) The Design Excellence Strategy complies with Section 3.3 of the SDCP 2012 and the City of Sydney Competitive Design Policy.
- (G) The proposal will improve the quality of the public domain through dedication of land towards the widening of the footpath along Bourke Road and through dedication of land for future public open space being the Liveable Green Network.
- (H) Deferred commencement approval enables the voluntary planning agreement to be executed and registered on title.
- (I) For the reasons above and as outlined in this report, the proposed development is in the public interest subject to conditions.
- (J) Condition 4 was amended to include a new clause (a)(x) to ensure the architecture is site and place specific and designed for Sydney's warm climate.

Carried unanimously.

D/2018/1208