

Resolution of Central Sydney Planning Committee

5 December 2019

Item 6

Development Application: 338 Botany Road - D/2019/87

Moved by the Chair (the Lord Mayor), seconded by Councillor Thalís -

It is resolved that:

- (A) the Design Excellence Strategy for 338 Botany Road, Alexandria, dated November 2019 prepared by BBC Consulting on behalf of St George Community Housing, as set out in Attachment E to the subject report, be approved pursuant to Section 3.3 of the Sydney Development Control Plan 2012 and Section 1.2 of the City of Sydney Competitive Design Policy; and
- (B) consent be granted to Development Application No D/2019/87, subject to the conditions detailed in Attachment B to the subject report to the Central Sydney Planning Committee on 5 December 2019, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) APPROVED DEVELOPMENT

Drawing Number	Drawing Name	Date
Stage 1 Envelope Envelope Plan	Project Number 11942 Page 37	16.10.2019
Stage 1 Envelope Envelope Plan	Project Number 11942 Page 38	16.10.2019

Drawing Number	Drawing Name	Date
Stage 1 Envelope Stage 1 Envelope Elevation	Project Number 11942 Page 39	16.10.2019
Stage 1 Envelope Stage 1 Envelope Elevation	Project Number 11942 Page 40	16.10.2019

as amended by plans ~~submitted in order to achieve compliance with deferred commencement condition (2) in Schedule 1 of this consent and the other conditions of this consent.~~ (b) In the event of any inconsistency between the approved plans ~~(including plans approved in accordance with deferred commencement condition (2) in Schedule 1)~~ and supplementary documentation, the plans will prevail.

(4) DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS

A competitive design process in accordance with the provisions of the Sydney Local Environmental Plan 2012 shall be:

- (a) Conducted in accordance with 'Design Excellence Strategy for 338 Botany Road, Alexandria, dated ~~May 2018~~ **November 2019**, prepared by BBC Consulting Planners on behalf of St George Community Housing.
- (b) Conducted prior to the lodgement of any subsequent detailed development application for the site.
- (c) Address in particular air quality, noise mitigation and ventilation requirements to maximise residential amenity for all apartments.

The detailed design of the building/s must exhibit design excellence, in accordance with Clause 6.21 of Sydney Local Environmental Plan 2012.

(7) GROUND FLOOR USE

The ground floor component of the development must not be used for retail premises ***except those retail uses permitted in accordance with the Sydney LEP 2012.*** ~~which are prohibited in the B7 Business Park zone.~~

(8) DETAILED DESIGN OF BUILDINGS

The competitive design process brief and subsequent detailed design development application must incorporate the following requirements:

- (a) Minimise overshadowing on adjoining properties in accordance with ADG objective 3B-2.
- (b) Ensure no overshadowing of approved residential apartments at 499 and 501 – 509 Botany Road, Alexandria
- (c) Provide a compliant amount of communal open space in accordance with the ADG that receives adequate solar in accordance with the ADG.
- (d) If roof top communal open space is proposed it must provide equitable access, be designed to prevent overlooking and noise impacts and all structures (including but not limited to plant and lift overruns) must be within the 33m height limit.
- (e) Acoustic and ventilation treatments to the east and northern frontages in accordance with the requirements of the Sydney DCP and ADG and the recommendations contained within the Acoustic Report prepared by Acoustic Logic dated 23 October 2019.
- (f) Waste management facilities in accordance with Section 4.2.6 of the Sydney DCP 2012.
- (g) An awning is to be provided over any building entries on Botany Road in accordance with Section 3.2.4 of the Sydney DCP 2012.

(12) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Details are to be provided with the subsequent development application for the detailed design of the buildings to confirm that the buildings have adopted the ESD targets specified in the Design Excellence Strategy prepared by BBC Consulting Planners dated ~~May 2019~~ **November 2019**. The ESD targets must be carried through the competitive process phase, design development, construction, and through to completion of the project.

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, subject to the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.
- (B) The proposed development complies with the permitted height for the site under the Sydney Local Environmental Plan 2012 and has a height and form which is considered to be generally suitable for the condition of the site and its context.
- (C) The proposed building envelope is capable of accommodating a future building which can exhibit design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012
- (D) The proposed envelope is capable of being consistent with the provisions of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide in that, subject to the recommended conditions it will provide a building envelope which is capable of accommodating a future building which can achieve high amenity for future residents with regard to communal open space, solar access, natural ventilation, private open space, building separation and privacy.
- (E) The public interest is served by the approval of the proposal, subject to recommended conditions imposed.
- (F) Conditions have been amended in line with requests made by the applicant, to refer to correct documentation and to clarify permitted uses under the Sydney Local Environmental Plan 2012.

Carried unanimously.

D/2019/87