

Resolution of Central Sydney Planning Committee

13 February 2020

Item 6

Development Application: Building A - 57 Ashmore Street Erskineville - D/2019/393

It is resolved that:

- (A) the Central Sydney Planning Committee support the variation sought to the development standard under Clause 4.3 Height of Buildings in accordance with Clause 4.6 'Exceptions to development standards' in Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2019/393 subject to the conditions detailed at Attachment A to the subject report, subject to the following amendment (additions shown in ***bold italics***):

(3) DESIGN MODIFICATIONS - COMMUNAL OPEN SPACE AND ADJOINING APARTMENTS

The design of the communal open space and apartments A3.19 and A3.20 must be modified as follows:

- (a) The western external wall of unit A3.20 and private open space, and the external door accessing the rooftop communal open space is to be relocated east to align with the external wall of unit A3.19, and the internal layout is to be reconfigured as a two bedroom unit. The west facing glazing of unit A3.20 is to be high level and provided with a privacy screen.
- (b) The private open space of unit A3.19 is to be relocated to the south of the unit. Glazing in the western external wall is to be fitted with an operable privacy screen. Details of the design of the privacy screen are to be provided at 1:20.
- (c) A minimum 1m wide landscaped planter is to be provided along the eastern edge of the rooftop common open space to provide privacy for apartments A3.19 and A3.20.

The modifications are to be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager prior to the issue of any Stage 2 Construction Certificate.

Two areas of deep soil, each with a minimum volume of 35m³, are to be provided within the central courtyard to accommodate trees with a minimum mature tree canopy width of 8m. The deep soil areas and tree pits are to be unencumbered by services, structure, and the like. This will result in the reduction of carparking spaces below, but will not adversely affect the carparking circulation, provision of waste facilities, and bike storage. The carpark, tree pits, soil profile, drainage and species are to be designed in conjunction with the amended landscape plans required under Condition 20 and the allocation of carparking required under Condition 30, to the satisfaction of Council's Director City Planning, Development and Transport, prior to the issue of any Stage 2 Construction Certificate.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development is permissible in the B2 – Local Centre zone and consistent with the zone objectives.
- (B) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height of buildings development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney LEP 2012, and
 - (ii) the proposal is in the public interest because it is consistent with the objectives of the B2 - Local Centre zone and the height of buildings development standard.
- (C) The development achieves a high standard of architectural design, materials and detailing, with particular attention to the materials and provision of landscaping that will contribute positively to the public domain. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore exhibits design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012 and consent may be granted.
- (D) The development is consistent with the concept approval granted under D/2015/966/C and the VPA for public domain works.
- (E) Subject to conditions, construction impacts can be managed to mitigate impacts on the amenity of neighbouring properties.
- (F) For the reasons above, the development is in the public interest.
- (G) Condition 3 was amended to ensure the provision of deep soil areas within the central courtyard.