

Resolution of Local Planning Panel

29 April 2020

Item 3

Development Application: 634 Botany Road and 45-47 Ralph Street, Alexandria - D/2019/684

The Panel:

- (A) approved the Design Excellence Strategy for 634 Botany Road and 45-47 Ralph Street, Alexandria prepared by Sutherland & Associates Planning on behalf of Lateral Estate, as shown in Attachment E to the subject report, pursuant to Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the Competitive Design Policy; and
- (B) pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, granted a deferred commencement consent to Development Application No. D/2019/684, subject to the conditions set out in Attachment A to the subject report, and subject to the following amendment (***additions*** shown in bold italics):

(5) DESIGN MODIFICATIONS – ENVELOPE DRAWINGS

The design of the concept envelope must be modified as follows:

- a. envelope drawings are to accurately indicate the street tree canopy spreads as shown at Appendix H of the Arboricultural Impact Assessment Report (the AIA report) prepared by Urban Tree Management (UTM) dated 17 March 2020;
- b. upper levels of the envelope fronting Ralph Street are to be set back a minimum of 3m from the boundary with Ralph Street and a minimum of 1.5m from the canopies of street trees in Ralph Street as shown at Appendix H of the Arboricultural Impact Assessment Report (the AIA report), as annotated in red on the stamped approved plans. Certification is to be provided by an AQF5 consulting arborist to confirm that the upper levels of the envelope have been set back by at least 1.5m from street tree canopies in accordance with this condition;

- c. the basement envelope plan is to be setback 1.4m from the boundary with Botany Road, as annotated in red on the stamped approved plans;
- d. the approved vehicle access location via the existing south-western crossover to Ralph Street is to be indicated on the envelope plan DA-U-101, as annotated in red on the stamped approved plans.
- e. ***the basement excavation is to be set back a minimum of one metre from the foundations of the retained building, which may be varied subject to the applicant demonstrating that there is a sufficient setback for full retention of the structure and the structural integrity of the building.***

Reasons for Decision

The application was granted deferred commencement approval as:

- (A) The concept proposal is for shop-top housing comprising apartment dwellings above ground floor commercial and retail premises. The site is located within the area subject to clause 1AA of Schedule 1 of the Sydney Local Environmental Plan 2012 (the LEP), which specifies development for the purposes of shop-top housing as being permitted with consent.
- (B) The proposed concept building envelope complies with the 22m height of buildings control pursuant to clause 4.3 of the LEP and is capable of accommodating development that complies with the floor space ratio controls pursuant to clauses 4.4 and 6.21 of the LEP. The concept proposal is capable of satisfying the relevant objectives of Sydney Development Control Plan 2012 (the DCP).
- (C) The concept proposal and Design Excellence Strategy establish a loose fit envelope and suitable parameters for a competitive design process. Subject to the recommended conditions, the proposed envelope is able to accommodate a detailed building design of an appropriate bulk and scale, that responds to the character of the area and which is capable of achieving design excellence.
- (D) Condition 5 was amended to ensure sufficient setback for the basement excavation to enable the full retention and structural integrity of the retained building

Carried unanimously

D/2019/684