

## Resolution of Local Planning Panel

**4 November 2020**

### Item 3

#### **Development Application: 11-13 Greenknowe Avenue, Elizabeth Bay - D/2020/377**

The Panel:

- (A) upheld the variation requested to Clause 4.3 'Height of Buildings' development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application No. D/2020/377 subject to the conditions set out in Attachment A to the subject report, subject to the following amendment (addition shown in ***bold italics***):

#### **(3) DESIGN MODIFICATIONS**

The design of the building must be modified as follows:

- (a) The proposed Standing Seam Metal Cladding (EF03) – Dulux Monument (C29) is to be replaced with a matt finished brown/dark brown colour cladding of equal or better quality.
- (b) The existing retaining wall located along the western boundary must be retained in situ to ensure the stability of the trees located on the adjoining 9 Greenknowe Avenue.
- (c) Amended stormwater management plan must be submitted to relocate the extent of drainage, including the SHEL GPT and basin system out of the deep soil zone.
- (d) Relocate the active amenity uses, including BBQ, fixed outdoor dining area and 2 benches, from the ground floor communal open space to the Level 5 communal open space in an area that is set back at least 9m when measured perpendicularly from the site's western boundary.

- (e) Amended drawings to reflect the landscape design required by Condition 4 below, and as follows:
  - (i) Amend planter design to south of Apartment G01 to include a privacy screen the full length of the windows and amend the planter design to minimum 600mm wide and 1m soil depth, planted with a hedge species that can reach 2m pruned height.
  - (ii) Amend ground floor planter design on the northern boundary to ensure minimum 1m soil depth for hedge planting.
- (f) ***Plans must be submitted amending the design and extent of the roof top acoustic screen and solar panels to minimise physical and view loss impacts to adjoining neighbours.***

The modifications are to be submitted to and approved by Council's Director, City Planning, Transport and Development prior to the issue of any Construction Certificate.

### **Reasons for Decision**

The application was approved for the following reasons:

- (A) The development complies with the objectives of the R1 General Residential zone pursuant to Sydney Local Environmental Plan 2012.
- (B) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
  - (i) the applicant's written request adequately addresses the matters required by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height of building 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 R1 General Residential zone and the height of building development standard.
- (C) The proposal will not result in unacceptable amenity impacts on surrounding properties and does not detrimentally impact upon view corridors from private domain.
- (D) The development exhibits design excellence under clause 6.21 of Sydney Local Environmental Plan 2012.
- (E) The development meets the objectives of the Apartment Design Guide and is consistent with the design quality principles under State Environmental Planning Policy No 65 - Design Quality of Residential Apartments.
- (F) The development is generally consistent with the objectives of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

(G) Condition 3 was amended to minimise physical and view loss impacts to adjoining residents.

Carried unanimously.

D/2020/377