

Resolution of Central Sydney Planning Committee

10 December 2020

Item 8

Section 4.56 Application: 163-173 McEvoy Street, Alexandria - D/2017/238/A

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

It is resolved that consent be granted to Section 4.56 Application No. D/2017/238/A subject to the conditions detailed in Attachment A to the subject report to the Central Sydney Planning Committee on 10 December 2020, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2017/238 dated 15 November 2019 and the following drawings prepared by BKA ***Andrew Burns*** Architecture:

Drawing Number	Drawing Name	Date
DA070 Revision G	Floor Plan Envelope Ground Floor (Scheme 05 – Compliant)	19 June 2018
DA071 Revision G	Floor Plan Envelope Level 01-02 (Scheme 05 – Compliant)	18 June 2018
DA072 Revision G	Floor Plan Envelope Level 03 (Scheme 05 – Compliant)	19 June 2018
DA073 Revision G	Floor Plan Envelope Level 04 (Scheme 05 – Compliant)	18 June 2018

Drawing Number	Drawing Name	Date
DAO74 Revision E	Floor Plan Envelope Level 05 (Scheme 05 – Compliant)	29 June 2018
DAO75 Revision H	Elevation Envelope (Scheme 05 – Compliant)	18 June 2018
DAO76 Revision F	Section Envelope (Scheme 05 – Compliant)	18 June 2018
100-E Revision E	Floor Plan Envelope Ground Floor	28.08.20
101-E Revision E	Floor Plan Envelope Level 1 – Level 2	28.08.20
102-E Revision E	Floor Plan Envelope Level 3	28.08.20
103-E Revision E	Floor Plan Envelope Level 4	28.08.20
104-D Revision D	Floor Plan Envelope Level 5	28.08.20
105-D Revision D	Floor Plan Envelope Level 6	28.08.20
106-D Revision D	Floor Plan Envelope Level 7	28.08.20
107-D Revision D	Elevation Envelope	28.08.20
108-D Revision D	Section Envelope	28.08.20

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

(5) DETAILED DESIGN OF BUILDINGS

The drawings lodged for the competitive design process brief and detailed design development application must incorporate the following requirements:

- (a) Buildings to McEvoy Street should be designed with at least two distinct building components, each with its own architectural character, having regard to 4.2.4 of the Sydney Development Control Plan 2012.
- (b) A five storey street wall is to be provided to buildings fronting to McEvoy Street, with any levels above provided with a setback from street.
- (c) Any exposed blank walls is to be provided with a visually interesting treatment of high quality design.
- (d) Floor level entries, including any opening to basement, lift wells and lobbies, must comply with the City's Interim Floodplain Management Policy for setting floor levels.
- (e) Any basement levels are to be designed to accommodate onsite residential waste collection by Council's waste collection vehicles.
- (f) The buildings fronting to McEvoy Street are to be provided with active commercial uses at the ground floor level.
- (g) Any required substation is to be integrated into the development within the site boundaries.
- (h) The future detailed design of the building and residential apartments fronting to Lawrence Street are to reflect the fine grain and subdivision pattern and respect the context and scale of the adjoining Cooper Estate heritage conservation area.
- (i) No more than 15% of apartments are to receive no direct sunlight between 9am to 3pm at the mid-winter solstice. North-facing apartments are to be maximised and single-oriented south-facing apartments are to be minimised.
- (j) At least 60% of apartments in the development are to be naturally cross ventilated.
- (k) No below ground habitable rooms are to be provided to any residential apartments.
- (l) Any void areas at ground level below the Lawrence Street building should be provided as non-habitable basement storage.
- (m) All buildings must have a clear street address, with all entry lobbies having a direct spatial and visual connection from the street to communal open space areas.
- (n) Communal open space areas are to be provided with direct and legible pedestrian connectivity through the site.
- (o) ~~All articulation zones in any future detailed design of Building A are to be for balconies and architectural features only, with no gross floor area.~~

(6) BUILDING HEIGHT

The maximum heights of the building envelopes, as defined in the Sydney Local Environmental Plan 2012, are:

- (a) Building A: RL 30.9 **34.1** AHD, as identified in the approved plans.
- (b) Building B: RL 23.12 **24.4** AHD for parapet **roof** as identified in the approved plans.
- (c) ~~Notwithstanding (a) above, the development may be eligible for up to 10% design excellence uplift in building height to Building A, subject to compliance with the provisions of Clause 6.21 (7) of Sydney Local Environmental Plan 2012.~~
- (d) ~~No further exceedance of the Height of Buildings standard is to be included in any subsequent detailed design development applications.~~

(6A) ARCHITECTURAL ROOF FEATURES, ROOFTOP LIFT OVERRUNS, SKYLIGHT AND PLANT

- (a) Notwithstanding condition 6(b) of this development consent, **architectural roof features, roof parapet**, lift over runs, skylights, solar panels and plant may be permitted to the rooftop of Building B to a maximum height of RL 24.420 **25.8** AHD, provided these elements are:
 - (i) ~~setback behind any sight lines as viewed from Lawrence Street; and~~
 - (ii) ~~located to ensure no overshadowing to any adjoining properties;~~
 - (iii) screened on all sides, architecturally detailed and integrated into the building design; and
 - (iv) not to include any gross floor area.

The requirements of this clause are to be incorporated into the competitive design process brief and detailed design development application.

- (b) No items other than those listed in clause 6A (a) are permitted on the rooftop of Building B.

(12) LANDSCAPING OF THE SITE

- (a) The detailed design development application must include a Landscape Concept Plan and Landscape Design Statement prepared by a qualified landscape architect or landscape designer.
- (b) The Plan and Statement should:
 - (i) Clarify the vision and design principles for all landscaping to achieve design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012 and the integration of landscape design.

- (ii) Identify any site, landscape, streetscape, heritage view and/or planning constraints, including (but not limited to), microclimate, ground contamination, existing levels, services and easements, existing trees, landscape features, landscape setbacks and screening/buffer requirements.
 - (iii) Integrate the design and treatment of the driveway with the landscape design strategy for the site.
 - (iv) Integrate the substation and services within the building, outside of deep soil areas and the public domain.
 - (v) Identify the location of deep soil areas, tree planting, communal open spaces, green roofs and walls, sustainable design measures including water sensitive urban design treatments, sustainability targets and direct sunlight to communal and private open spaces.
 - (vi) Quantify and illustrate landscape design compliance with the relevant codes including Parts 3 and 4 of the Apartment Design Guide, Section 4.2.3 of the Sydney Development Control Plan 2012 and Sydney Landscape Code Volume 2.
 - (vii) Provide deep soil zones, in accordance with Part 3E of the Apartment Design Guide, with a minimum of 10.5% of the total site area ~~and minimum dimension of 6 metres~~. In addition, a minimum 3-metre wide deep soil zone to the full Lawrence Street frontage must be provided, noting deep soil zones must be unencumbered by structures either above or below ground.
- (c) The Plan and Statement should consider the quality of the landscape street setbacks, the interface spaces between buildings facing and the public domain achieving balance between privacy and passive surveillance to apartments adjacent to communal open spaces, the public domain and include the provision of large tree species.
 - (d) The Plan and Statement should establish a clear commitment to designing landscape sustainably and in an integrated manner, and demonstrate that the function and aesthetic of both the landscape and the building have been considered concurrently in relation to each other.
 - (e) The requirements noted above in (a) through (d) inclusive must be included in the competition brief for the competitive design process.

(26) VEHICLE ACCESS

- (a) A consolidated driveway entry must be provided for use by both standard vehicles and service vehicles to access the site in any future detailed design development application, ~~from Lawrence Street only~~.
- (b) The width of the driveway crossover is to be minimised as far as practical while still enabling access for Council's standard waste vehicle, or the largest vehicle entering the site, should it be larger than Council's standard waste vehicle.

- (c) A splay on the south west corner of the vehicle access point may need to be incorporated into the design of the car park access to open up sightlines for vehicles exiting the site. This can be in the form of painting or landscaping works.
- (d) The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development as modified is substantially the same as was originally approved and is consistent with the requirements of Section 4.56(2) of the Environmental Planning and Assessment Act 1979.
- (B) The proposed modifications ensure that the detailed design development application is consistent with the concept approval to satisfy Section 4.24 of the Environmental Planning and Assessment Act 1979.
- (C) The increased height and bulk of the building envelopes are in keeping with the desired future character of the area and will not adversely impact the amenity of the surrounding area. These variations are reasonable and justified with regard to the detailed design development application.
- (D) The proposed building envelopes are capable of accommodating a future building design which is capable of exhibiting design excellence in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
- (E) Condition 26 was amended to provide consistency between staged development applications, as required under Section 4.24 of the Environmental Planning and Assessment Act, 1979.

Carried unanimously.

D/2017/238/A