

Resolution of Local Planning Panel

22 May 2024

Item 4

Development Application: 20-26 Bourke Road, Alexandria - D/2023/691

The Panel:

- (A) delegated authority to the Chief Executive Officer to determine Development Application No. D/2023/691 (for non-residential uses only), following the conclusion of the public exhibition period of the draft Voluntary Planning Agreement and after considering any public submissions received; and
- (B) received and noted the recommendation in the subject report that:
 - (i) the Design Excellence Strategy for 20-26 Bourke Road, Alexandria prepared by Ethos Urban and dated 1 May 2024, as shown in Attachment D to the subject report, be endorsed pursuant to Section 3.3.1 of the Sydney Development Control Plan 2012 and Section 1.2 of the Competitive Design Policy; and
 - (ii) pursuant to Section 4.16(3) of the of the Environmental Planning and Assessment Act 1979, the application is recommended for deferred commencement approval subject to the conditions set out in Attachment A of the subject report, subject to the following amendment (deletion shown in ~~strikethrough~~):

PART A1 – GENERAL

CONDITIONS OF CONSENT

(3) MATTERS NOT APPROVED

The following items are not approved and do not form part of this concept development consent:

- (a) any demolition, tree removal, excavation, remediation and/or construction;
- (b) the height in storeys or street frontage height in storeys of the development;

- (c) the layout ~~and number~~ of residential ~~apartments~~ or non-residential tenancies;
- (d) the depth, extent, number, layout and design of basement levels and/or configuration of car parking;
- (e) the number of car parking spaces, bicycle spaces, car share or loading spaces/zones;
- (f) the precise quantum of floor space; and
- (g) up to 10% design excellence uplift in floor space.

Reasons for Decision

The application was recommended for deferred commencement approval for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act, 1979, in that subject to the imposition of the recommended conditions of consent, it is generally consistent with the planning controls applicable to the site, and where variances are proposed these are acceptable for the reasons outlined in the report to the Local Planning Panel.
- (B) The proposal satisfies the objectives and provisions of State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, the SLEP 2012, and the Sydney Development Control Plan 2012.
- (C) The proposal is consistent with the objectives of the E3 'Productivity Support' zone.
- (D) The building envelope complies with the maximum height of buildings development standard in clause 4.3 of the SLEP 2012 and provides capacity for an additional 10 per cent of additional floorspace available under clause 6.21D(3)(b) of the SLEP 2012 for any subsequent detailed design resulting from a design competition process and demonstrating design excellence.
- (E) The indicative reference design accompanying the application demonstrates that the envelope can accommodate a building which complies with the maximum floor space ratio development standard in clause 4.4 of the SLEP 2012.
- (F) Subject to compliance with the Design Excellence Strategy, the undertaking of a competitive design process and the recommended conditions of consent, the proposed development provides building envelopes capable of accommodating future buildings which can exhibit design excellence in accordance with clause 6.21C of the SLEP 2012.
- (G) Condition 3 was amended to clarify that the concept plan is for a non-residential envelope.

Carried unanimously.

D/2023/691