

Resolution of Local Planning Panel

29 August 2018

Item 4

Development Application: 1-17 Euston Road, Alexandria

The Panel:

- (A) Supported the variation to Clause 4.3 'Height of buildings' in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.
- (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/2017/1297, subject to the conditions set out in [Attachment A](#) to the subject report, subject to the following amendments (additions shown in **bold italics** and deleted text shown in ~~strikethrough~~):.

(82) LANDSCAPING OF THE SITE

- (a) The landscape plans prepared by Taylor Brammer dated 4 May 2018 are not approved by this development consent.
- (b) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate for above ground building works. The plan must include:
 - (i) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features.
 - (ii) Detailed plans for the landscape treatment on the Euston Road frontage within 6 metre setback area to be dedicated to the RMS, noting no trees are supported in this setback.

- (iii) Detailed plans with levels and construction details to demonstrate the design of raised planters with trees, fences and boundary treatments at the ground floor level on the Euston Lane frontage.
- (iv) Structures and footings within the raised planter areas on ground floor level of the Euston Lane frontage must be minimised and the proportion of available deep soil area must be maximised.
- (v) A minimum of two (2) **deciduous** trees shall be provided in each terrace area in the deep soil area along Euston Lane. The tree species must be a minimum mature height of eight (8) metres and one of 15 metres. The mature heights shall be consistent with the expected growth within the Sydney area. Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable species.

That Condition 52 be added and the remaining conditions renumbered accordingly.

(52) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) ***Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.***
- (b) ***Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the National Parks and Wildlife Act 1974***
- (c) ***Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the Occupational Certificate.***
- (d) ***If the discovery is on Council's land, Council must be informed.***

Carried unanimously.

D/2017/1297

Reasons for Decision

The Panel approved the application as:

- (A) The proposed development is consistent with Section 4.15 of the Environmental Planning and Assessment Act 1979, in that, subject to the design amendments and the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the assessment report to the Local Planning Panel.
- (B) The proposed development has a height, built form and design which is suitable for the condition of the site and its context. The proposal satisfactorily addresses the heights and setbacks of neighbouring developments and is appropriate within the streetscape and broader locality. Subject to the recommended conditions, the proposal will ensure that design excellence is met in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012, and that good quality materials and facade detailing is achieved.
- (C) The proposed development is generally consistent with the provisions of the Apartment Design Guide (ADG) in that, subject to the recommended design modification and ventilation chimney conditions, it will achieve high amenity for the future residents of the building with regard to communal open space, landscape treatment, solar access, natural ventilation, private open space and privacy.
- (D) The public interest is served by the deferred commencement approval of the proposal, as amendments to the development application have addressed the matters raised by the community, subject to compliance with the conditions imposed relating to excavation, acoustic and visual privacy, transport and parking and development contributions.
- (E) Condition 82 was amended to provide for additional solar access in winter, while still providing mature trees.
- (F) Condition 52 was added to ensure that the applicant is aware of their obligations should any relics be discovered on site during excavation.