

# Local Planning Panel

Meeting No 43

Wednesday 23 September 2020

Notice Date 16 September 2020

*minutes*

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**Present**

Mr Richard Pearson (Chair), Mr Peter Romey, Ms Darlene van der Breggen and Associate Professor Amelia Thorpe.

At the commencement of business at 5.00pm, those present were:

Mr Pearson, Mr Romey, Ms van der Breggen and A/Prof Thorpe.

The Director City Planning Development and Transport was also present.

The Chair opened the meeting with introductory comments about the purpose and format of the meeting and an acknowledgement of country.

**Remote Meeting**

The Chair advised that the meeting was being held via audio visual links, with Panel members, relevant staff and those addressing the Panel attending the meeting remotely.

## **Item 1      Disclosures of Interest**

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all panel members have signed a declaration of interest in relation to each matter on the agenda.

Mr Romey disclosed a reasonably perceived conflict of interest in relation to Item 3 – Development Application: 59-99 Belmont Street, Alexandria - D/2019/1249, in that his firm Romey Knaggs Heritage (RKH) has in the past provided peer review advice to GML Heritage for a project being developed by Aqualand. Aqualand is the client of GML Heritage, and GML Heritage is the client of RKH. The last activity was in November 2019.

Following assessment of the above disclosure of interest under the Code of Conduct for Local Planning Panels and the City of Sydney Local Planning Panel Operational Procedures, Mr Romey is not required to step out for deliberation on Item 3.

Mr Romey disclosed a reasonably perceived conflict of interest in relation to Item 4 – Development Application: 8-10 Tweed Place, 301 Botany Road and 303 Botany Road, Zetland – D/2020/513, in that his firm Romey Knaggs Heritage has provided advice to a director of Ethos Urban (Planning Consultant) regarding his private residence. The last activity was April 2017.

Following assessment of the above disclosure of interest under the Code of Conduct for Local Planning Panels and the City of Sydney Local Planning Panel Operational Procedures, Mr Romey is not required to step out for deliberation on Item 4.

No other members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

## **Item 2      Confirmation of Minutes**

The Panel noted the minutes of the Local Planning Panel of 2 September 2020, which have been endorsed by the Chair of that meeting.

**Item 3 Development Application: 59-99 Belmont Street, Alexandria - D/2019/1249**

Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Panel granted deferred commencement consent to Development Application No. D/2019/1249 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~).

**(6) LANDSCAPING OF THE SITE**

- (a) The Landscape Plan prepared by Site Image dated 22 May 2020 is not approved. 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 stage 2. 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) Details of earthworks and soil depths including mounding and retaining walls and planter boxes. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers;
  - (iii) Location, numbers, type and supply of plant species, with reference to the relevant Australian Standard;
  - (iv) Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements;
  - (v) The design must provide a minimum 15% canopy cover across the site. This must be provided by 75% of the species having a mature height of 6-8 metres and 25% mature heights of 10 metres;
  - (vi) Where possible, new trees must be planted in natural ground with adequate soil volumes to allow maturity to be achieved;
  - (vii) New trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction;
  - (viii) Details of planting procedure and maintenance;
  - (ix) Details of drainage, waterproofing and watering systems; **and**
  - (x) ***Screen planting with a minimum mature height of 8m is to be included along the full length of the northern boundary that adjoins 100-102 Buckland Street and 96-98 Buckland Street.***

**(9) BUILDING HEIGHT**

- (a) The height of the building must not exceed RL 28.11 (AHD) to the top of the building.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

**(19) ALLOCATION OF PARKING**

The number of car parking spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for stage 2.

Car Parking Type	Number
Residential spaces	24 <b>20</b>
Accessible residential spaces	2 <b>3</b>
Residential visitor spaces	4
Subtotal	27
Motorcycle parking [A]	3
Total	<b>30</b>

Notes:

- a. Number of motorcycle spaces refers to dimensions of 1.2m x 2.5m per Australian Standards. Alternatively the proponent may provide standard car spaces marked as motorcycle spaces (dimensions of 2.4m x 5.4m per Australian Standards). In this case 1 space would be required.

**(59) GEOTECHNICAL CONSIDERATIONS**

***The development must be undertaken in accordance with the recommendations of the Geotechnical Investigation, 59-99 Belmont Street, Alexandria, prepared by El Australia Pty Ltd, dated 15 October 2019.***

(Subsequent conditions are to be renumbered accordingly)

**(63) PASSIVE LONG TERM ENVIRONMENTAL MANAGEMENT PLAN**

- (a) Any long-term environmental management plan (LTEMP) must be passive and must not include any requirement for ongoing management or reporting. ~~This LEMPT must be approved and added to the consent via a section 4.55(2) modification~~ ***The LTEMP must be approved by Council's Area Planning Manager*** prior to construction certificate associated with the built form of the development (excluding building work directly related to remediation) ***being issued.***

### **Reasons for Decision**

The application was approved for the following reasons:

- (A) The development complies with the objectives of the B4 mixed use zone pursuant to Sydney Local Environmental Plan 2012.
- (B) The development is consistent with the permitted height and floor space ratio pursuant to clauses 4.3, 4.4 and 6.21 of Sydney Local Environmental Plan 2012.
- (C) The development demonstrates design excellence as per clause 6.21 of Sydney Local Environmental Plan 2012.
- (D) The development meets the objectives of the Apartment Design Guide and is consistent with the design quality principles as per the State Environmental Planning Policy No 65 - Design Quality of Residential Apartments.
- (E) The development is consistent with the objectives of the Sydney Development Control Plan 2012.
- (F) The development facilitates the improvement of the public domain. It includes the dedication and embellishment of land along the eastern side of the site to widen the existing through site link. The development also retains all street trees.
- (G) Condition 6 (a) (x) was added to provide greater privacy for adjacent residents.
- (H) Condition 9 was amended to align with the maximum height of the building to the top of the lift overrun as specified in the architectural drawings.
- (I) Condition 19 was amended to provide enough accessible residential car parking spaces for the number of accessible apartments whilst maintaining the quantum of parking for the development.
- (J) Condition 59 was added to ensure damage to adjoining assets is avoided during construction.
- (K) Condition 63 was amended to remove the requirement to lodge a further application related to the LTEMP, whilst retaining the requirement for Council review and approval.

Carried unanimously.

D/2019/1249

### **Speakers**

Mr Glenn Apps (Cohesive Planning) – on behalf of the residents at The Buckland (92 Buckland Street, Alexandria) and Buckland Green (100-102 Buckland Street, Alexandria), and Mr Aaron Sutherland (Sutherland Planning).

**Item 4      Development Application: 8-10 Tweed Place, 301 Botany Road and 303 Botany Road, Zetland - D/2020/513**

Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Panel granted deferred commencement consent to Development Application No. D/2020/513 subject to the conditions set out in Attachment A to the subject report.

**Reasons for Decision**

The application was approved 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 appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Local Planning Panel.
- (B) The proposed development is generally consistent with the provisions of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide.
- (C) The proposal generally satisfied the objectives and provisions of the Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013 and the Green Square Town Centre Development Control Plan 2012.
- (D) The proposal is consistent with the objectives of the B4 - Mixed Use zone.
- (E) The proposal complies with the maximum floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013.
- (F) Subject to conditions, the proposal will not result in unacceptable amenity impacts on surrounding properties. For this reason and as outlined in this report, the proposed development is in the public interest.

Carried unanimously.

D/2020/513

**Item 5 Report to the Local Planning Panel - Status of Applications**

It was resolved that the subject report be received and noted.

Carried unanimously.

X019228

The meeting of the Local Planning Panel concluded at 5.25 pm.

CHAIR