



Residential Apartments
25 George St, North Strathfield
Revised Statement of Environmental Effects

Prepared on behalf of Piety THP

November 2021

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Electrolysis Testing Report	Corrosion Control Engineering
Waste Management Plan	Elephants Foot

COVER

CGI of proposed development viewed from George Street.

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of North Strathfield One Pty Ltd (Piety THP) to accompany a development application (DA) to Canada Bay Council for a residential apartment development at 25 George Street, North Strathfield.

The proposed development comprises 4, 5 and 6 storey residential flat buildings containing 11,974 m² of gross floor area utilised for:

- 145 one, two and three bedroom apartments
 - at a mix of 28%, 52% and 20% respectively with 15% adaptable, and
 - including 4 Affordable Units (122, 123, 125 and 226) for dedication to Council.
- A central courtyard communal open space; and ground floor terrace and balcony private open spaces; accessways and landscaping.
- Two levels of basement containing:
 - resident and visitor parking for 141 cars
 - resident storage and bicycle provision.
 - on-site loading dock, waste collection areas and OSD.

The development proposals are set out in the submitted architectural, landscaping and engineering plans that have been informed by technical studies as submitted, and supported by plans for stormwater, soil and waste collection.

The site has been occupied since the 1930s by industrial activity with the latest development known as Homebush Industrial Estate constructed sometime prior to 1986 and which is proposed to be demolished. It is located amongst a corridor of medium density residential development, being the one of only a few light industrial activities in this immediate vicinity.

1.1 PRE AND POST DA CONSULTATION

A preliminary scheme was submitted to Canada Bay Council and its Design Review Panel for pre-DA consultation and their written advice of 14 January 2019 was addressed in the preparation of the development application, which included: matters regarding:

- Building form and massing
- Streetscape and levels
- Treatment of rear building interface with rail corridor
- Internal design

- Stormwater management
- Civil works in road reserve
- Vehicular Access/Basement Parking
- Investigations for land contamination
- Acid Sulphate Soil Assessment

A Planning Agreement (PA) was executed with Council for the provision of Affordable Housing equivalent to 5% of the uplift of GFA over 1:1, or 2 three-bedroom units, whichever is greater, if Development Consent is granted. The location and size of the two Affordable Housing units 122, 123, 125 and 226 for dedication are shown on the submitted architectural plans as required by the VPA.

In addition, a Planning Agreement was pending final execution with the Minister of Planning at the time of this Statement, in order to satisfy the requirements for contributions to designated State Infrastructure under clause 6.9 of Canada Bay LEP 2013. It is anticipated that the Secretary of Planning's certification will be available in accordance with clause 6.9(2) to allow the consent authority to determine the application.

This Statement of Environmental Effects has been revised since lodgement of the development application in June 2020 as a consequence of changes to the proposal firstly, to respond to Councils and the Design Review Panel assessments and then secondly, to comply with a later amendment to the Canada Bay LEP that prescribed minimum 1 and 3 bedroom ratios to be included in the apartment mix.

During these reviews, design refinements were also incorporated to either enhance the future amenity of residents or in response to potential adverse effects. A summary of these changes is listed below.

DA assessment requirements and additional refinements (September 2020) as advised by the project architects Fuse:

- The submitted Building A and Building B building form split to create 3 separate building blocks across the site.
- Deletion of utility rooms that do not have a window from 1 bedroom apartments.
- Building B core relocated.
- Car parking layout adjusted based on relocation of Building B core.
- Change to nominated affordable apartments.
- Rooftop communal open space on Building B deleted.
- Additional bike parking provided on ground floor podium adjacent to building entry.
- Podium level landscape details and levels amended to accommodate the break in building form between Buildings A and B.
- Stormwater access pits added on ground floor.

- Car parking layout refinement to ensure compliance with relevant standards.
- Bulky goods storage area provided in basement 1.

LEP amendment requirements and additional refinements (November 2021) as advised by the project architects Fuse::

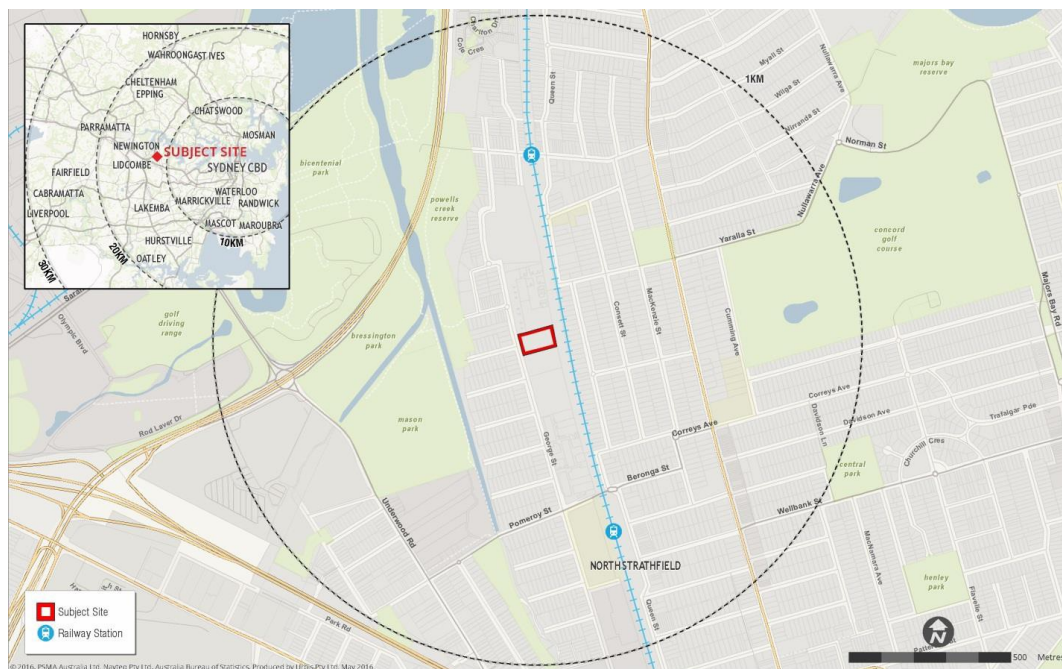
- Change to apartment mix to comply with revised LEP requirements. Floor plate amendments in select areas of building A, B and C
- Decrease in number of total apartment as a result of apartment mix amendments from 157 to 145
- Amendments to façade in select areas to reflect apartment mix floor plate amendments
- Amendment to basement footprint to align with building outline above where possible.
- Increase in deep soil planting area.
- Relocation of car park exhaust to ensure standards compliance.
- Addition of parcel pickup to basement.
- Change to nominated affordable apartments.
- Addition of communal PV cells to the roof of building A.
- The addition of AC condenser units to the roof of building C.
- Change to the courtyard of G01 to improve amenity of privacy of that apartment.
- Deletion of two sets of entry stairs of George Street to increase planting and improve streetscape.
- General landscape refinement to improve amenity.

2 Context

2.1 LOCATION AND PHYSICAL CONTEXT

The site is located within a mostly residential area in North Strathfield and is in close proximity to a range of public transport options including the Concord and North Strathfield Station, a future Metro Rail station, local bus stops and cycleways.

A range of local employment, shops, services, schools, open space, and health and community services are available in nearby accessible centres, in particular at North Strathfield towards Parramatta Road as shown in the map below.



Location Context (source Urbis)

The site is located within a corridor of medium density residential development abutting the Main Northern rail line. It represents one of a few remnant large non-residential occupations in the immediate vicinity, which is otherwise dominated by a range of detached dwellings and medium density apartment buildings.

Adjoining development comprises:

- North – A large mixed use development containing commercial uses and residential apartments with communal open space internal to the site.
- South – A large residential development with communal open space located along the southern boundary of the site.
- East – the Main Northern rail line and detached dwellings opposite.
- West – low density single detached dwellings.

2.1.1 Transport and Access

An overview of the Strategic Planning Context is provided in the accompanying Traffic Impact Assessment describing the available transport network as well as future travel demand and mode splits for workers and residents alike and a range of transport infrastructure projects either under construction or in planning.

The site has direct vehicular access from George Street and is situated adjacent to its intersection with Argonne Street, and which connects southerly to Parramatta Road and northerly to Victoria Avenue.

The site is close to public transport services, including two train stations: North Strathfield Station 900 metres to the south (11 minute walk) and Concord West Station 850 metres to the north (10 minute walk).

The two stations are serviced by T1 Northern Line with frequency at every eight minutes during the AM and PM peak hours, connecting CBD to Hornsby and Epping.

Future plans for Sydney Metro West include a North Strathfield Metro station, east of the existing North Strathfield station providing easy interchange with T9 Northern Line services.

The surrounding pedestrian and cycling infrastructure combine to provide adequate facilities to/from train stops and other local area facilities and destinations.

This includes an off-road cycling path along the Powells Creek as well as an on-road route along Victoria Avenue that connects to Sydney Olympic Park and Strathfield bike network to the west .

A potential on-road or separated cycle path is identified on the western side of George Street from Pomeroy Street to Liberty Grove within Council's DCP. Pomeroy Street and Queen Street also are identified for future cycling infrastructure in the Council's Interim Bike Network Map (2019).

2.2 SITE DESCRIPTION

The site is located at 25 George St, North Strathfield and is legally described as SP 22302. It is regular in shape and has an area of approximately 7,485m² as shown on the Land Survey accompanying this Statement.

The subject site has been occupied with industrial uses from the 1930s and currently consists of the Homebush Industrial Estate. The estate contains a number of smaller light industrial tenancies across two buildings built to the northern and southern boundaries, with at-grade car parking and landscaping located in between.



Subject site edged by red line (source Urbis)

The site is encumbered with two easements for railway sidings on land immediately adjoining the railway corridor and which are now abandoned. The land will undergo re-subdivision subsequent to development.

The property slopes generally 2 to 4 metres north-westerly towards George Street, with approximate levels of RL 11.6m (south-west corner) to RL 9.3m (north-west corner), from the rail corridor with a level averaging approximately RL 14m.

The site is not listed as a Heritage Item. There are nearby heritage items but no heritage conservation areas within its vicinity.

2.2.1 Vegetation

An Arboricultural Impact Assessment has identified trees planted with the existing light industrial buildings that will require removal to accommodate redevelopment.

The six trees within the nature strip of adjoining street are of medium-high significance and will require tree sensitive design and construction measures for sustainable retention.

The row of trees along the rail corridor boundary are recommended for retention and protection, including tree protection fencing to exclude works from their TPZ areas.

2.2.2 Physical Site Constraints

The site is generally free of constraints which would preclude development including contamination or natural hazards such as flooding.

A Phase 2 Detailed Site Investigation to meet the general requirements of *State Environmental Planning Policy No. 55* as recommended in the Preliminary Site investigation has concluded that:

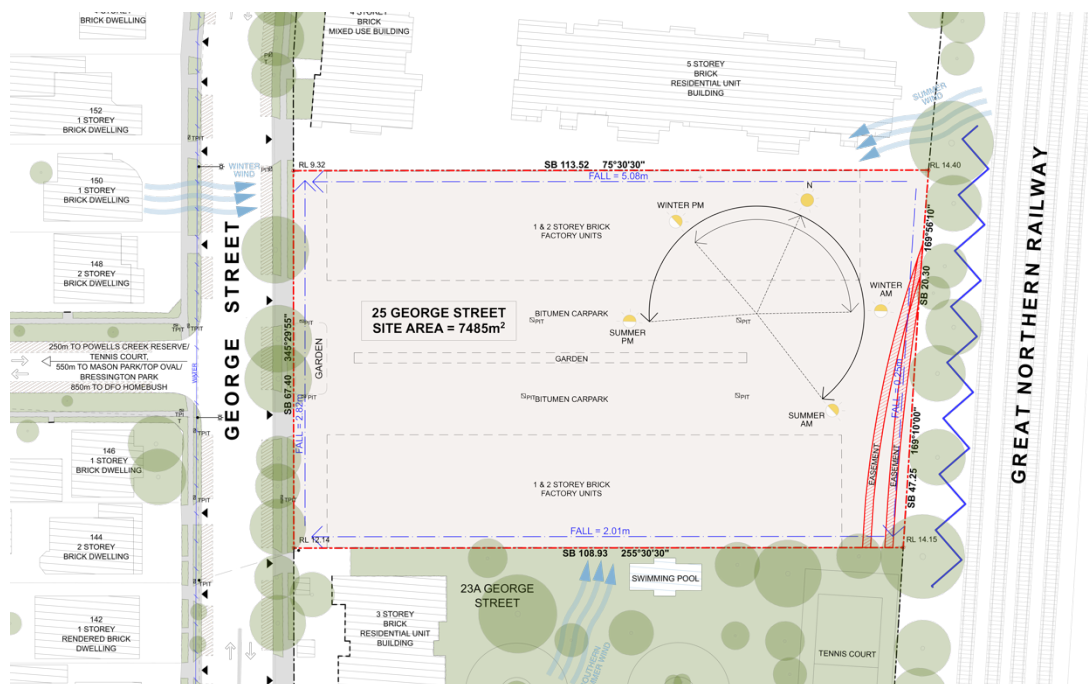
- *The site was occupied by at least four (4) buildings from at least 1930; minor developments took place until approximately 1986 when the site was developed into its current configuration.*
- *During this period (at least), the site was used for mixed commercial purposes, consistent with its zoning.*
- *Analytical results for the representative soil samples collected from 17 borehole locations across the site were all below the adopted investigation criteria.*
- *All analytical results in groundwater were below the adopted investigation levels, with the exception of zinc and TRH-F2 however were considered to present a low human health and environmental risk.*

The report considered that gross contamination was not present at the site and that the land was deemed suitable for the intended high density residential use, and provided recommendations which should be implemented during construction.

Electrolysis testing of the adjoining rail infrastructure has also been undertaken which made recommendations to be incorporated into the design and construction of the development to mitigate its effects on the proposed development.

2.3 SITE ANALYSIS

A site analysis plan is provided in the architectural plan set as well as a Streetscape Analysis and an analysis of the surrounding planning conditions (extract below).



Extract of site analysis plan (source Fuse)

2.4 SITE PHOTOS

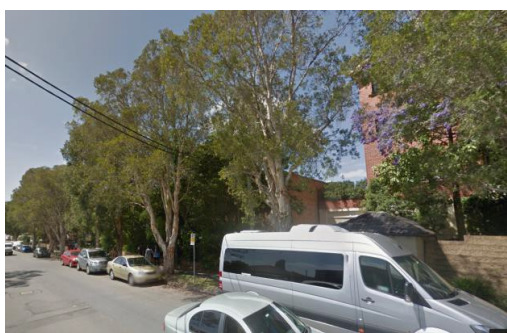
View from Argonne St looking East



View from George St looking South East



View from George St looking North East



View of the site from George St



2.5 PLANNING CONTEXT

The site is zoned R3 Medium Density Residential under *Canada Bay Local Environmental Plan 2013* (CBLEP) zone with a maximum permitted FSR of 1.6:1 and Height of Buildings of part 16m and 22m as shown in the LEP Map extract below.

The proposed development is for a “*residential flat building*” which is “*residential accommodation*” and thereby permitted under the R3 Medium Density Residential land use table.

The objectives of the R3 Zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Development is subject to the guidance and controls of the *Canada Bay Development Control Plan 2017* (DCP) as are compatible with prevailing controls of the Apartment Design Guide under *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*. Site specific controls are also provided in the Special Precincts DCP for the Concord West Precinct.

3 Description of Proposed Development

3.1 DEVELOPMENT DETAILS

The proposed development consists of the demolition of two light industrial buildings and associated facilities and the construction of two residential flat buildings of 4, 5 and 6 storeys in height.

The proposed development are detailed in the submitted plans and comprises 4, 5 and 6 storey residential flat buildings containing 11,974 m² of gross floor area utilised for:

- 145 one, two and three bedroom apartments
 - at a mix of 28%, 52% and 20% respectively with 15% adaptable, and
 - including 4 Affordable Units (122, 123, 125 and 226) for dedication to Council.
- A central courtyard communal open space; and ground floor terrace and balcony private open spaces; accessways and landscaping.
- Two levels of basement containing:
 - resident and visitor parking for 141 cars
 - resident storage and bicycle provision.
 - on-site loading dock, waste collection areas and OSD.

In accordance with the VPA for the site, four affordable housing units and their sizes have been identified on the architectural plans as units 122, 123, 125 and 226.

A summary of the main development parameters is outlined in the table below.

Site	Proposed
Site Area (total)	7,485m ²
Gross Floor Area	11,974 m ²
FSR	1.6:1
Communal open space	2,409 m ² (32% of site area)

Dwellings	Proposed
Apartments	145 dwellings
1 Bedroom	40 (28%)
2 Bedroom	76 (52%)
3 Bedroom	29 (20%)
Adaptable/Living	22/29 dwellings (inclusive) (15 & 20%)
Affordable units	4 dwellings (inclusive)

Parking	Proposed
Car parking	141
Residential	126 (including disabled)
Visitor	15
Bicycle storage	172 (includes 15 for visitors)

The proposed development is detailed in the architectural plans in the Appendices inclusive of Elevations, Sections, Materials, Shadow Diagrams, Explanatory and Compliance Diagrams. These are accompanied by photomontages, landscaping and engineering plans.

3.2 PARKING AND ACCESS

Parking is provided in the two basement levels directly accessed from George Street through the entrance located at its lowest level adjoining the northern boundary of the site.

A total of 141 car parking spaces distributed over the two basement levels have been provided comprising 126 residential car parking spaces (22 of which are disabled) and 15 spaces are for visitors.

In addition to car parking, the building will also contain 172 bicycle parking spaces for residents and visitors.

Access for truck deliveries and garbage collection is provided on-site within the basement and undertaken in a multi-use area with direct access to waste facilities at the lift core to apartments.

A Traffic Impact Assessment contains more details on the provision and overall parking requirements for the development as well as access arrangements.

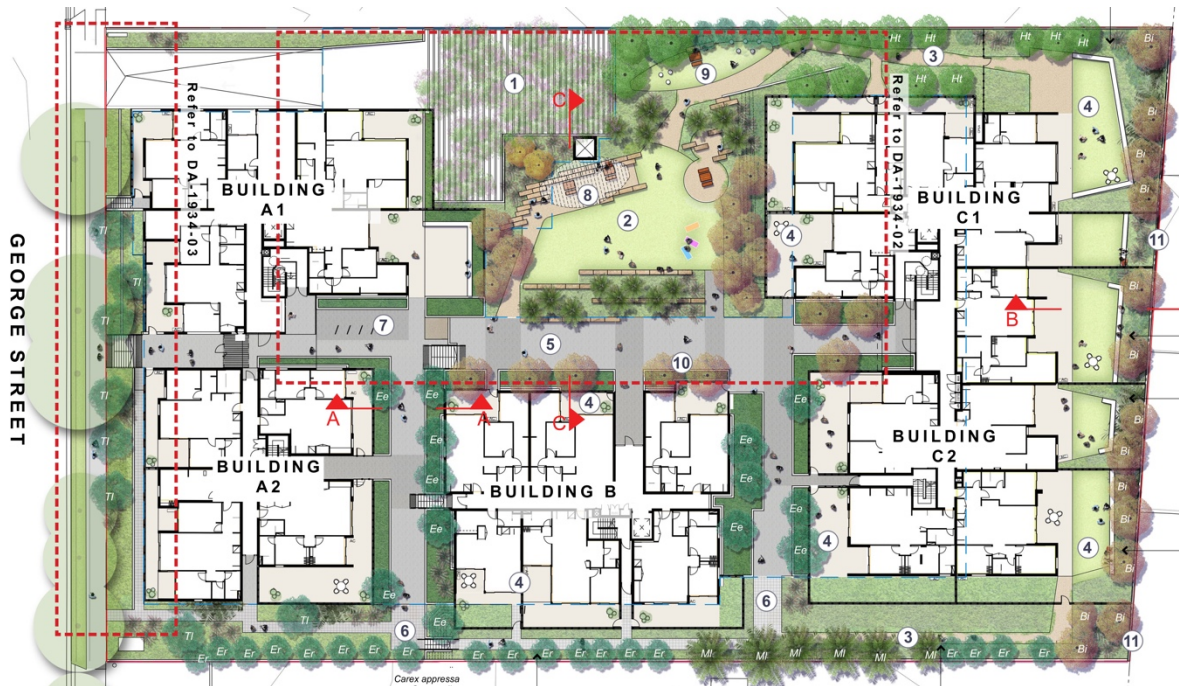
3.3 OPEN SPACE AND LANDSCAPING

Details of the proposed landscaping of private and communal areas are provided in the Landscape Plans and schedules in the Appendices with extracts shown below.

Features of the landscaping include:

- Buffer and accent planting to the George Street frontage with sandstone blocks to retain private terraces and low maintenance planting flush to path.
- Feature paving, graded gardens, outdoor exercise areas on soft fall adjacent to a central courtyard with lawn with picnic tables, communal barbeque with movable and sandstone block seating.
- Timber and metal pergola to provide shade over BBQ area and flowering vines on car park entrance structure.

- A chair hoist for inclusive access and informal permeable paths through planting provides access to private yards with planters and decomposed granite.



Extract showing site landscaping of private and communal areas with central courtyard (SN)



Extract of landscape plan detailing central courtyard (SN)

3.4 CIVIL WORKS, STORMWATER AND WASTE MANAGEMENT

A Soil and Water Management Report has been prepared for the proposed development that addresses soil and water management issues for the site including:

- Stormwater drainage, erosion and sediment controls during construction;
- Integrated water cycle management strategy;
- Water Sensitive Urban Design initiatives
- Site stormwater drainage.

Plans for proposed civil works, soil and erosion control, and stormwater drainage have been also been prepared and submitted with the development application.

A Waste Management Plan also accompanies this Statement based on estimates of waste generation calculated specifically for the proposed development in accordance with relevant guidelines.

4 Planning Considerations

The statutory planning framework that is relevant to the assessment of the development proposal is primarily as follows:

- Environmental Planning and Assessment Act and Regulation;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy No.65 - Design Quality of Residential Flat Buildings;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- Canada Bay Local Environmental Plan 2013; and
- Canada Bay Development Control Plan 2017

4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION

Clause 50 (1A) of the Regulation requires that a design verification statement must accompany a development application for a residential flat building from a qualified designer that the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (SEPP 65) are achieved for the residential flat development.

A Design Verification Statement prepared by Fuse is provided in the Appendices.

Clause 50 also requires matters set out in Schedule 1 of the Regulation to accompany a development application. Schedule 1 (5) provides that an application for residential flat development to which SEPP 65 applies, must also be accompanied by the following information:

SEPP 65 required information

An explanation of the design in terms of the design quality principles set out in Part 2 of SEPP 65	Refer to Design Principles Statement in Appendices
Drawings of the proposed development in the context of surrounding development, including the streetscape	Refer to drawings by Fuse in Appendices
Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations	Refer to drawings by Fuse in the Appendices and compliance tables
Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed	Refer to drawings by Sturt Noble in Appendices

building or buildings, and the surrounding development and its context	
If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts	Refer to Design Principles Statement
Photomontages of the proposed development in the context of surrounding development	Refer to photomontages in the Appendices
A sample board of the proposed materials and colours of the facade	Refer to Materials Sheet by Fuse in Appendices
Detailed sections of proposed facades	Refer to drawings by Fuse in Appendices
If appropriate, a model that includes the context	Model supplied

4.2 CANADA BAY LOCAL ENVIRONMENTAL PLAN 2013

4.2.1 Part 2 Permitted or prohibited development

The proposed development is for a “*residential flat building*” which is a permissible use for the site’s R3 Medium Density Residential zone under clause 2.3 *Canada Bay Local Environmental Plan 2013* (CBLEP).

The proposed development is also consistent with zone objectives:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

4.2.2 Part 4 Principal development standards

The submitted architectural plans show a GFA of 11,974 m² and represents an FSR of 1.6:1 which is compliant with Clause 4.4 *Floor space ratio* where the Floor Space Ratio Map indicates category S2 for the site (refer to plan DA 501).

The building heights are well within the maximum Height of Building above existing ground level standards of 16m and 22m under clause 4.3 *Height of buildings* where the Building Height Maps indicates category O2 (western) and R2 (eastern) for the land. (Refer to Elevation and Sections).

This site is also subject to clause 4.1A - *Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings* which requires land zoned R3 to be at 800 m² or greater in size for a residential flat building.

The proposed development complies with this provision as the lot size at 7,485 m² is greater than the minimum standard.

4.2.3 Part 5 Miscellaneous Provisions

In regard to Part 5 of CBLEP, the site is free of reservations under clause 5.1 while no architectural extrusions are proposed above the maximum building height and accordingly, Clause 5.6 *Architectural roof features* does not apply.

For the purposes of Clause 5.10 *Heritage conservation*, the site is not identified as containing a heritage or archaeological item. A heritage item 'House', no. i389 at 52 Queen Street, Concord West is adjacent to the site opposite the rail corridor. The development is likely to be visible from the heritage property as is the current adjoining residential flat buildings except that screening will be afforded by substantive trees at the rear yard of the heritage time.

4.2.4 Part 6 Additional Local Provisions

In regard to Part 6 of CBLEP, the specific provisions of Clause 6.2 *Earthworks* do not apply as excavation from the basement is ancillary to the proposed development.

The subject land however is identified under clause 6.1 as Class 5 on the Acid Sulphate Soils Map but is not included in subclause 6.1 (2) criteria of "*Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land*". Accordingly, an acid soils management plan has not been prepared as per subclause 6.1(3).

In terms of Clause 6.8 *Flood planning*, the site is not within a Flood Planning Area and is outside of a Foreshore Building Line for the purposes of clause 6.4 *Foreshore building line*.

The land is subject to Clause 6.9 *Arrangements for designated State public infrastructure* as it is identified on the LEP *Intensive Urban Development Area Map*. Accordingly, a Letter of Offer will be provided to the Minister for Planning and Public Space to enter into a State planning agreement for contributions to *designated State public infrastructure* in accordance with the protocols of the Department of Planning, Infrastructure and Environment.

The Department Secretary will advise the consent authority that Clause 6.9 has been satisfied by an executed planning agreement for the contributions prior to the determination of the development application.

In accordance with Clause 6.10, adequate public utility infrastructure is available for the supply of water and electricity as well as the disposal and management of sewage.

Clause 6.11 provides minimum standards for the mix of dwelling types requiring minimum of 20% for one and three bedroom apartments to which the proposal complies.

4.3 SEPP NO. 55 – REMEDIATION OF LAND

As the past and current use if the site includes light industrial activity, State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the proposal requiring consideration of whether the land is contaminated and, if it is contaminated, whether it can be made suitable for the proposed purpose.

A Detailed Site Investigation (Phase 2) Environmental Report has been undertaken and is provided in the Appendices. It's findings conclude that:

- *The site was occupied by at least four (4) buildings from at least 1930; minor developments took place until approximately 1986 when the site was developed into its current configuration.*
- *During this period (at least), the site was used for mixed commercial purposes, consistent with its zoning.*
- *Analytical results for the representative soil samples collected from 17 borehole locations across the site were all below the adopted investigation criteria.*

All analytical results in groundwater were below the adopted investigation levels, with the exception of zinc and TRH-F2 however were considered to present a low human health and environmental risk.

The Report made recommendations that should be implemented during construction:

- *A Hazardous Materials Survey should be completed by a suitably qualified and experienced consultant, before commencement of demolition works, to identify any hazardous materials present within the building structure. All identified hazardous materials must be appropriately managed to maintain worker health and safety during site construction works;*
 - *Following demolition, a Clearance Inspection and Certificate should be prepared by a suitably qualified and experienced consultant;*
- *Soil materials being removed from site (including virgin excavated natural materials or VENM) as part of any excavation works are to be classified for off-site disposal in accordance the EPA (2014) Waste Classification Guidelines;*
- *Any material being imported to the site (i.e. for landscaping purposes) should be assessed for potential contamination in accordance with NSW EPA guidelines as being suitable for the intended use or be classified as VENM; and*
- *Should unexpected contamination (i.e. hazardous materials including asbestos, UST, odorous and stained soils) be identified during redevelopment, all works*

should cease and a suitably qualified environmental consultant engaged to suitably address the issue.

4.4 SEPP (BUILDING SUSTAINABILITY INDEX: BASIX)

The aim of the BASIX SEPP and accompanying regulation is to 'encourage sustainable residential development' by specifying that a BASIX certificate must accompany an application for a BASIX affected building.

A revised BASIX certificate is provided with the architectural plans which has assessed the sustainability of the apartments to reduce the consumption of mains supplied water, to reduce greenhouse gas emissions and to perform in a thermally efficient manner.

4.5 SEPP (INFRASTRUCTURE) 2007

The proposal is considered to be immediately adjacent to a rail corridor and therefore is subject to *State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)* under Clause 87, *Impact of rail noise or vibration on non-rail development*.

For this application, sub-clause (2) and (3) requires the consent authority to

- *... take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*
- *... not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*
 - (a) *in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,*
 - (b) *anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

A Noise and Vibration Assessment is provided with this application which:

details the required acoustic constructions of the building's façade, including external windows, to ensure that the future internal noise levels comply with the relevant noise levels of the Australian Standard AS2107:2016 and the EPA's Development Near Rail Corridor and Busy Roads – Interim Guideline.

Providing the recommended constructions detailed are included in the construction of the project the required internal noise levels will be achieved. To achieve internal noise levels the windows facing towards the railway line are required to be closed. As a result an alternative means of mechanical ventilation is required to windows opening onto the railway line.

The vibration assessment has confirmed that vibration isolation is not required to ensure all vibration requirements of the Development Near Rail Corridor and Busy Roads – Interim Guideline are achieved.

External noise emissions from the site have been assessed and detailed in accordance with the NSW Environmental Protection Authorities Noise Policy for Industry (previously the Industrial Noise Policy). The future design and treatment of all building services associated with the project can be acoustically treated to ensure all noise emissions from the site comply with the EPA NPfl criteria. Details of the equipment and associated acoustic treatments will be provided as part of the CC submission of the project.

Accordingly, the amenity requirements of this clause may be satisfied by the mitigation measures proposed for the development.

4.6 SEPP NO. 65 DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

A principles statement and design verification by the project architects, Fuse, is provided in the Appendices that addresses the State Environmental Planning Policy No. 65 design quality principles for residential flat developments.

A SEPP 65 compliance statement has also been prepared by Fuse which assesses compliance with the objectives and design criteria and guidance of Parts 3 and 4 of the SEPP 65 Apartment Design Guide. An extract of key controls is provided in the following table.

ADG Key parameters

ADG Provision		Proposed / Comment
Part 3 Siting the development		
3D Communal and public open space		
Design criteria	Y	
1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)		31% of site area (2,409 m2) is classified as communal open space – refer to plan DA502.
2. > 50% direct sunlight to the principal usable part of the communal open space for a 2 hour min between 9 am and 3 pm mid winter		The principle usable component of the COS on the ground floor and the roof terrace receives a minimum of 2 hours of direct sunlight mid winter.
3E Deep soil zones		
Objective 3E-1		
Design criteria	Y	
1. Deep soil zones are to meet minimum requirements (7%)		Deep soil comprises aprox. 32% of the development site (or 2,409 m2) Refer to plan DA502.
3F Visual privacy		

ADG Provision		Proposed / Comment
Objective 3F-1		
Design criteria		
1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are provided.	Y	Complies - refer to compliance statement for details.
Part 4 Designing the building		
4A Solar and daylight access		
Objective 4A-1		
Design criteria		
1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas	Y	Minimum 70% of the apartments will achieve the ADG design criteria as indicated on Plan DA602
2. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	Y	12% of apartments may be considered as receiving no mid winter solar access as shown on Plan DA603.
4B Natural ventilation		
Objective 4B-3		
Design criteria		
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation ...	Y	64% of apartments are capable of natural ventilation as indicated on Plan DA601
4D Apartment size and layout		
Objective 4D-1		
Design criteria		
1. Apartments are required to have the following minimum internal areas... The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m2 each	Y	All apartments meet or exceed the minimum size requirements 1 Bedroom – 50-54 m2 2 Bedroom – 75-84 m2 3 Bedroom – 96-104 m2 A range of apartment typologies are provided including apartments with studies and street accessed apartments.
2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of		

ADG Provision		Proposed / Comment
the room. Daylight and air may not be borrowed from other rooms		All habitable rooms will include windows.
4E Private open space and balconies		
Objective 4E-1		
Design criteria		
1. All apartments are required to have primary balconies with minimum depth and widths as provided.	Y	All apartments meet or exceed the ADG requirements for balcony and terrace areas
2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m		All balconies meet or exceed recommended widths.
4F Common circulation and spaces		
Objective 4F-1		
Design criteria		
1. The maximum number of apartments off a circulation core on a single level is eight	Y	Building A and B each have 2 lift cores servicing a maximum 6 apartments per core. Building C has a single core servicing a maximum 8 apartments.
2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40		N/A
4G Storage		
Objective 4G-1		
Design criteria		
Adequate, well designed storage is provided in each apartment	Y	Storage areas to all apartments comply with minimum volumes. Additional storage within basements will be provided to allow for increased facility for future occupants.
4L Ground floor apartments		
Objective 4L-1&2		
Street frontage activity is maximised where ground floor apartments are located	Y	Street animated by legible ground floor building and separate apartment entrances direct from the street.
4Q Universal design		
Objective 4Q-1		
Universal design features are included in apartment design to promote flexible housing for all community members	Y	Liveable design requirements are able to be met refer in subsequent detailed design staged applications.

4.7 CANADA BAY DEVELOPMENT CONTROL PLAN 2017

Canada Bay Development Control Plan 2017 (the DCP) contains objectives and development controls for development within this area of the Canada Bay Local Government Area. An assessment of the proposed development against the provisions of the DCP is provided in the table below.

Compliance Table – Relevant parts of Canada Bay Development Control Plan 2017 Residential Development

DCP Reference & Requirement	Proposed / Comment
Residential Development	
E1 Design Quality	
E1.2 Design of residential flat buildings and multi dwelling housing: This DCP adopts design quality principles contained within the SEPP 65 and the Apartment Design Guide, Department of Planning, 2015	Y SEPP 65 and the Apartment Design Guide addressed.
E1.3 Materials, colour schemes and details	
Controls:	
The colour and surface finish of external building materials should minimise the overall visual impact of new development and be sympathetic to the surrounding locality as identified in the relevant Character statement and the Streetscape Character Analysis submitted with the application.	Y Refer to Streetscape Character Analysis prepared by Fuse and material details which demonstrates moderate visual impact.
Walls/ masonry	
C1. Use darker face brick in streetscapes which predominantly exhibit this external finish.	Y Refer to material details.
C2. Retain or incorporate existing sandstone fences, walls or wall bases into the design of the building.	NA Existing fence is of poor quality.
Roof finish	
C3. Terracotta coloured (orange/red) roof tiles should be utilised in streets where this is the predominant roof colour.	NA Incompatible with building typology and would not contribute to “positive qualities evident in the street and the adjoining locality” Objective O3.
Balconies	
C4. First floor balcony balustrades facing the street should use a different material to the main wall finish	Y Ground floor has recessive colouring and materials. Refer to material details.
Colour schemes	
C5. Subject to the Streetscape Character Analysis, no large expansive surface of predominantly white, light or primary colours	Y Suitable colour palette provided that will not dominate the streetscape. Refer to material details.

which would dominate the streetscape or other vista should be used.		
C6. New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.	Y	Refer to material details.
C7. Matching buildings in a row should be finished in the same colour, or have a tonal relationship.	NA	
General		
C8. All materials and finishes utilised should have low reflectivity.	Y	Refer to material details.
E2 Environmental criteria and residential amenity		
E2.1 Topography		
Controls:		
C1. Natural ground level should be maintained within 900mm of a side and rear boundary.	Y	Buildings have been stepped to reconcile with gentle slope of site and adjoining land.
C. Cut and fill should not alter natural or existing ground levels by more than 600mm.	Y	Cut and fill is modest and limited as much as site and development practicalities permit.
C3. Habitable rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.	Y	Complies
C4. Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.	-	Not relevant
C5. The outer edge of excavation, piling and all subsurface walls including driveway excavation to basement car parking for dwelling houses should not be less than 900mm from any boundary.	Y	All excavation is setback from boundaries.
C6. Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.	Y	Deep soil provided in setback areas and central courtyard capable of sustaining healthy trees and gardens
E2.3 Solar access		
Controls:		
C.1 New buildings and additions are sited and designed to maximise direct sunlight to north-facing living areas and all private open space areas.	Y	Refer to ADG compliance statement prepared by Fuse.
C2. Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.	Y	Refer to ADG compliance statement prepared by Fuse.

E2.4 Visual and acoustic privacy

Controls:

C1. Openable first floor windows should be located so as to face the front or rear of the building. Where it is impracticable to locate windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.	Y	Apartments have been designed to minimise potential for visual and acoustic impacts to apartments internally and external to the site.
C2. Balconies should be located so as to face the front or rear of the building. No balconies are permitted on side elevations.	N	Side elevation balconies provided as practical requirements but does not create unreasonable apartment privacy impacts on adjoining properties.
C3. Provide a minimum sill height of 1.5 metres from finished floor level to windows on a side elevation which serves habitable rooms and has a direct outlook to windows or principal private open space (not being front yard) of adjacent dwellings or alternatively use fixed obscure glass.	Y	Ground floor apartments will have limited opportunity to impact any apartment on adjoining properties given setback vegetation and fencing.
C4. Upper level balconies to the rear of a building should be set back a minimum of 2.0 metres from any side boundary and should have a maximum depth of 1.8m.	Y	6m setbacks provided
C5. Upper level balconies that face side or rear boundaries will not be permitted when the upper level setback is less than 6.0m.	Y	6m setbacks provided
C6. Provide suitable screen planting on a rear boundary that will achieve a minimum mature height of 6.0 metres where the rear upper floors are proposed to be less than 7.0 metres off a rear boundary.	Y	8m setback provided and adjoins rail corridor
C7. Ground floor decks, terraces or patios should not be greater than 500mm above natural ground level. If expansive terraces are sought on sloping ground, they should be designed to step down in relation to the topography of the site.	Y	Ground floor terraces generally near ground levels, but not elevated, so as to create potential overlooking for passive surveillance.
C8. Where the visual privacy of adjacent properties is likely to be significantly affected from windows, doors and balconies, or where external driveways and/or parking spaces are located close to bedrooms of adjoining buildings, one or more of the following alternatives are to be applied...	Y	No adjacent properties likely to be significantly affected by windows, doors and balconies etc as identified in site analysis.
C9. The introduction of acoustic measures to reduce traffic/aircraft noise should not detract from the streetscape value of individual buildings.	NA	There is no incompatibility between required noise treatments and streetscape.
C10. Habitable rooms for detached dual occupancy development are to have a minimum separation of nine (9) metres.	-	Not relevant

C11. Habitable rooms for multi-dwelling development are to have a minimum separation of nine (9) metres.	Y	Separations meet ADG requirements
Use of rooftops of buildings and garages: C13. Outdoor roof space may be considered for buildings on steeply sloping sites where this is the dominant characteristic in the immediate vicinity as demonstrated by the Streetscape Character Analysis and there are no noise, privacy or amenity issues.	Y	Roof top communal open not required.
E2.5 Access to views		
Controls:		
C1. Development should seek to protect water views, iconic views and whole views	-	Not relevant.
C2. Development should seek to protect views from the front and rear of buildings and where views are obtained from a standing position. The expectation to retain side views and sitting views is often unrealistic.	Y	Current views through the site terminate with trees within buffer to rail line.
C3. Development should seek to protect views from living areas and minimise the extent of impact. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes the Harbour Bridge. Council will attempt to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.	Y	The development proposal seeks a practical relationship with adjoining development and the limited amount of view sharing available. Favourable outlooks are generally to the east and west of the site and adjoining residential flat buildings Views from adjoining buildings across the site may be inevitably effected but is moderated by the lower building at the sites western frontage.
C4. Development in view affected areas should not only be designed to meet relevant development controls but also be designed to achieve view sharing. A development that complies with all planning controls is more reasonable than one that breaches them....	Y	Limited view sharing available or impacted and not created by non-compliance with development controls.
E2.6 Safety and security		
Controls:		
C1. Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries for multi unit development.	Y	A suitable lighting regime will be implemented for the development and may be made a condition of consent if required.
C2. High walls which obstruct surveillance are not permitted.	Y	Walls that impede casual surveillance generally avoided.
C3. (Does not apply)		

C4. Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.	Y	Terraces and habitable spaces address the adjoining street.
C5. A Council approved street number must be displayed at the front of new development or the front fence of such development.	Y	May be made a condition of consent if required.
C6. Roller shutters are not permitted on window and door openings that have frontage to the street or are adjacent to public open space.	Y	None proposed. Basement entrance submerged and setback from property boundary.
C7. Fences higher than 900mm should be of an open semi-transparent design.	Y	May be made a condition of consent if required.
C8. Balconies and windows should be positioned to allow observation of entrances.	Y	All building entrances area observable from multiple viewpoints.
C9. Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.	Y	Direct sight lines provided. Refer to Landscape Plans
C10. Blank walls facing a rear laneway should be avoided as they attract graffiti.	-	Not relevant
C11. Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.	Y	Refer to Landscape Plans
C12. If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.	Y	Refer to Landscape Plans
C13. Development on properties which adjoin a rear laneway....	-	Not relevant. Overlooking rail corridor at rear.

E3 General Controls

E3.2 Frontage

Controls:

C1. The following minimum frontage requirements should be achieved: Multi-Dwelling Housing & Residential Flat Buildings – Frontage 20.0m	Y	Frontage > 67m
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E3.3 Site coverage

Controls:

C1. Multi-Dwelling Housing & Residential Flat Buildings: Maximum site coverage: <ul style="list-style-type: none"> Precinct 1 – 40% Precinct 2 – 40% Precinct 3 – 30% 	NA	Site not identified in Precincts
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E3.4 Density

Controls:

C1. The following density provisions should not be exceeded: Multi-Dwelling Housing & Residential Flat Buildings:	NA	Site not identified in Precincts
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E3.5 Building setbacks

Controls:

Front setbacks:

C1. The front setback of all residential buildings is to be a minimum of 4.5 metres or no less than the Prevailing Street Setback, whichever is the greater. The "Prevailing Street Setback"	Y	Setback is 4m consistent with Special Precinct Primary Setbacks Plan Figure 72 as well as the setback to the adjoining 27 George Street.
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C2. No balconies, entry porches or verandahs are permitted to encroach within the front setback. The only encroachments permitted within the front setback are restricted to eaves and awnings for weather protection (but no supporting columns or posts).	Y	No encroachments into the setbacks are proposed.
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Side setback:

C1. – C2. (Does not apply)

C3. Any wall facing a boundary which contains a window should be set back a minimum of 900mm.	Y	6m side setback proposed
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C4. Detached Dual Occupancies, Multi-Dwelling Housing and Residential Flat Buildings are to comply with the following numerical requirements: Multi-Dwelling Housing & Residential Flat Buildings: All building walls are to be set back a minimum of 5.0 metres from side boundaries.	Y	6m side setback proposed
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Rear setbacks:

C8. New development is to have a minimum rear setback of 6.0 metres.	Y	8m rear setback proposed
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Basement setbacks:

C9. Basement excavation for all development is limited to the area of the building at ground level. The excavation setback includes the driveway access to the basement. Where it can be demonstrated the site is so constrained (for example by its width) that it is impossible to provide basements without extending beyond the permitted side and rear setbacks, excavation up to but no closer than 3.0 metres to a site boundary will be considered.	N	Basement excluded from setbacks and central deep soil other than entranceway positioned in accordance with Special Precincts provision Control C21.
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Internal setbacks:

C10. If two or more rows of dwellings are proposed in Multi-Dwelling Housing or	Y	Building separation proposed is 12m.
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Residential Flat Buildings, an internal setback of 12.0 metres is required between rows.

E3.6 Height of buildings

Not Relevant

E3.7 Private open space

Objectives

O1. To ensure private open space provides each dwelling with a space for outdoor activities and functions as an extension of the living area.

O2. To enhance the built environment by providing open space for landscaping.

Controls:

C1. The provision of private open space for residential development is to be in accordance with the following table:

Multi-Dwelling Housing & Residential Flat Buildings:

- 40m² per dwelling at ground level with a minimum dimension of 5m x 5m
- 10m² per dwelling above ground, with a minimum dimension of 1.5m provided as a balcony; and
- all balconies should be recessed unless special circumstances, as determined by Council, are considered to exist

Y Private open space is provided in accordance with the ADG but is generally compatible with size provisions.

Balconies are generally recessed.

C2. A development should locate the private open space behind the front building line.

Y Private open space is behind the building line.

C3. At least one portion of the private open space with a minimum area of 40m² should be adjacent to and visible from the main living and/or dining rooms and be accessible from those areas.

Y Private open space is generally adjacent to living / dining areas

C4. Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.

Y The share of available northern aspects have been optimised.

E3.8 Landscaping

Controls:

C1. Landscape areas need to be consistent with the definition in Part J of the DCP:

'Landscaped area - means a part of a residential site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.'

- No minimum area standard applied to proposal.

C3. Landscaped open space for multi-dwelling development and residential flat buildings may comprise both communal and private open space and is to be provided in accordance with the following tables.

Note: Synthetic turf, permeable paving and gravel do not form part of landscaped area calculation.

Y Refer to Landscape Plans

C4. The following minimum number of canopy trees capable of achieving a minimum mature height of 8.0 metres are to be accommodated on site for all new development: a. Sites less than 400m ² - 1 tree b. Sites between 400 – 800m ² - 2 trees c. Sites over 800m ² - 4 trees Trees should comprise native vegetation indigenous to Canada Bay and should be chosen from Council's list of suitable species (refer to Section C5.3).	-	Refer to Landscape Plans
C5. Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees should be provided.	Y	Refer to Arborist Report and Landscape Plans
C6. Minimum soil depth for balcony gardens is 800mm.	-	None proposed
C7. The majority of the front building setback and private courtyard areas of all development should comprise landscaping in accordance with the definition in this DCP.	Y	Refer to Landscape Plans
C8. A significant landscaped setting is to be established for pathways and paved areas.	Y	Refer to Landscape Plans
C9. Pathways and driveways are to be located a minimum of 1.0 metres from common boundaries.	Y	Complies. Refer to Landscape Plans
E3.9 Parking and access		
Controls:		
C1. Parking space should be a minimum of 5.4m x 2.4m, with an additional 300mm either side where enclosed (i.e 5.4m x 3.0m).	Y	Refer to Traffic Impact Assessment
C3.- C5 (Does not apply)		
C6. Where the frontage is more than 20.0 metres in width, the garages, parking structures and driveways should not exceed 30% of the frontage.	Y	Complies
C7. No outdoor spaces are permitted on garage roofs, such as terraces, patio, gardens and the like.	Y	Complies
Hardstand:		
C8. – C9. (Does not apply)		
Garages:		
C10. – C13. (Does not apply)		
Driveways:		
C15. All side driveways are to comprise a 0.5m wide landscape strip.	Y	Landscape strip provided
C16. The first 4.5 metres of any driveway should be at grade. This will improve both appearance and pedestrian safety.	Y	Refer to Plans

C17. Entries to underground car parking are to be set back behind the building line.	Y	Refer to plans.
C18. The alignment of driveways should, where possible, create visual interest and avoid the creation of a “gun barrel” effect.	Y	Limited options available but potential of “gun barrel” effect moderated.
C19. The number of vehicle crossings is limited to one (1) per site.	Y	Refer to plans.
C20. Vehicular entrances to parking areas should be visually inconspicuous, appropriately screened and ideally not be located along the front façade, but rather to the side or rear.	Y	Driveway to side of development.
C21. (Does not apply)		
C22. Development should have a maximum driveway crossover of: <ul style="list-style-type: none"> • 6m for residential flat buildings; and • 4m for other residential development where the lot width is 12m or greater and 3.5m where the lot width is less than 12m. 	Y	Refer to Plans / Traffic Impact Assessment
C23. All vehicle parking is to be behind the building line and be arranged so that all vehicles may be driven in a forward direction during both ingress and egress from the site.	Y	Refer to Plans / Traffic Impact Assessment
Access Aisles:		
C24. A 4.0 metre wide access handle is to be provided to detached dual occupancy development to enable access to the rear dwelling.	-	N/A
E4 Ancillary structures		
E4.1 Fencing		
Controls:		
Height of front fencing:		
C1. Front fencing and side fencing forward of the building line constructed of a solid material such as brick/masonry, lapped and capped, timber, brushwood and the like should not exceed 900mm (including piers) in height above the footpath level.	-	May be imposed as condition of consent.
C2. Front fencing and side fencing forward of the building line, constructed of visually transparent material such as timber picket/ metal grill, should not exceed 1.2m in height above the footpath level. Visually transparent components should be no less than 40% of the fence structure and should be distributed evenly along the entire length of the fence.	-	May be imposed as condition of consent.
C3. From the building line, side fences are to taper down to the height of the front fence line.	-	May be imposed as condition of consent.

C4. In the case of sloping streets, the height limitations may be averaged, with regular steps.	-	May be imposed as condition of consent.
C5. Solid fences greater than 1.2 m will only be considered in a streetscape which is shown in the Streetscape Character Analysis to exhibit in excess of 70% high solid fence forms. In such circumstance the appearance of the fence should be softened by.....	Y	Refer to Plans
Design of fences:		
C6. Avoid painting or rendering original masonry and sandstone fencing.	Y	No original masonry and sandstone fencing present
C7. New fencing should complement any original fencing found on adjoining properties and in the street in terms of style, height, materials, colour, texture, rhythm of bays and openings. <i>Note: Blank walls disrupt established fencing patterns and should be avoided.</i>	Y	Limited fencing on adjoining residential flat buildings
C8. Fencing and associated walls must be positioned so as not to interfere with any existing trees.	Y	May be imposed as condition of consent.
Materials:		
C9. Materials of construction will be considered on their merit, with regard being given to materials of construction of other contributory fences in the vicinity and/or that of the building on the allotment where such materials enhance the streetscape – with a general prohibition on the following materials	Y	Refer to Materials and Landscape Plans
C10. Gates and doors are to be of a type which do not encroach over the street alignment during operation.	Y	Refer to Plans
E4.2 Site facilities		
Controls:		
Air Conditioners:		
C1. Air conditioning units should be sited so that they are not visible from the street.	Y	May be imposed as condition of consent.
C2. Air conditioning units should not be installed on the front façade of a building.	Y	May be imposed as condition of consent.
C3. Air conditioning units should not be installed within window frames or otherwise obscure a window.	Y	May be imposed as condition of consent.
C4. Air conditioning units should not obscure architectural details visible from the street.	Y	Refer to plans.
C5. The noise level from air conditioning systems is not to exceed the L _{aeq} 15 minute by 5dBA measured at the property boundary.	Y	May be imposed as condition of consent.

Clothes drying facilities:		
C8. Adequate open air clothes drying facilities should be provided that are easily accessible to all residents and are visually screened from the street and adjoining premises.	N	Open air clothes drying facilities impractical for scale of development.
Numbering of buildings:		
C9. Street numbers are to be placed on the building in accordance with Council's street numbering system and be visible from the primary street frontage.	Y	May be imposed as condition of consent.
Public utilities:		
For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains...	Y	May be imposed as condition of consent.
Mail boxes:		
C11. All mail boxes associated with multi-dwelling housing and residential flat buildings should be designed in a manner that enhances the visual presentation of the building(s) they serve.	Y	Mailboxes incorporated into foyer
C12. Individual mail boxes should be located close to each ground floor dwelling entry. A mail box structure may be located close to the major pedestrian entry to the site. All mail boxes must comply with the requirements of Australia Post.	NA	Not relevant
C13. Mail box structures should not dominate the street elevation.	Y	Mailboxes incorporated into foyer
TV antennae and satellite dishes:		
C29. Satellite dishes, telecommunication antennae and ancillary facilities are to be: <ol style="list-style-type: none"> 1. Located away from the front and side boundaries; 2. Installed so that they do not encroach upon any easements, rights of ways, vehicular access or parking spaces required for the property, and 3. Painted in colours selected to match the colour scheme of the building. 	Y	May be imposed as condition of consent.
C30. (Does not apply)		
C31. Only one (1) telecommunications/TV antennae will be permitted for each residential flat building.	Y	May be imposed as condition of consent.

Special Precincts DCP – Concord West Precinct

The Site belongs to Sub-Precinct 7 of the Concord West Precinct under the Special Precincts DCP having been identified as one of a number of industrial sites within the precinct that are currently underutilised. The identified site is considered by the

DCP to be well suited for residential purposes, featuring good access to public transport and local amenities, and is subject to the following controls.

DCP Reference & Requirement	Proposed / Comment
2.15.3 Public Domain and Movement	
Pedestrian and Cycle Connections	
Controls:	
C1. Provide a new pedestrian connection between the western end of Station Avenue and the western end of Victoria Avenue within the area identified in Figure 71 Public Domain Plan.	- Not relevant
C2. Provide multiple mid-block pedestrian connections between George Street and the playing fields within the area identified in Figure 71 Public Domain Plan.	- Not relevant
C3. Provide a new mid-block pedestrian connection between Rothwell Avenue and Powells Creek Reserve within the area identified in Figure 71 Public Domain Plan.	- Not relevant
C4. To C6.	- Not relevant
C7. Implement kerb build outs at intersections and other key pedestrian crossings to narrow the width of the street.	- Subject to Council implementation
C8. Provide an on-road or separated cycle path along George Street and King Street from Pomeroy Street to Liberty Grove as identified in Figure 71 Public Domain Plan.	- Subject to Council implementation
C9. Provide for new footpaths as indicated in Figure 71 Public Domain Plan.	- Not relevant
New Shareways	Not relevant
Public Open Space	Not relevant
2.15.4 Built Form	
Building Setbacks	
Controls:	
C18. Development setbacks are to be in accordance with Figure 72 Primary Setbacks.	Y George St: 4m or consistent with 27 George St Sides - 6m Set back Railway (Back) - 8m Setback
C19. The upper most level of new development four storeys or higher is to provide a 2 metre setback in accordance with Figure 73 Secondary Setback. Refer to Figures 75-87 for built form examples.	N A 2 metre upper storey setback would be inconsistent with adjoining flat buildings and would be detrimental to the coherency of the streetscape.

		Importantly, given that the fourth level is generally within the height of the adjoining street trees to be retained, it will be screened from the public domain and opposing detached housing. Accordingly, this setback is not required in order to satisfy objective O10 <i>“To minimise the impact of new development on existing development.”</i>
C20. The area within the primary setback of the street frontage is to be a deep soil zone and is to have no structures below.	Y	Generally compliant with minor exception for the required location of on-site detention tank which partially intrudes into the front setback
C21. Access points to underground parking are encouraged to be located between existing and new development if that will provide for increased building separation.	y	Basement access is located on the northern boundary and provides greater building separation.
Building Height		
<p>Controls:</p> <p>C22. New buildings are to be consistent with Figure 74 Maximum Building Heights.</p> <p>Note: Maximum building heights are to be in accordance with the LEP. This control provides further, more detailed guidance, and is intended to articulate building height in storeys to better achieve the objective of this point, in particular minimising negative impacts on existing development.</p>	Y	<p>Interface Heights (2-4 Storeys) Transition Heights (5-6 Storeys)</p> <p>The massing departs from the example provided for the site at p82 in that 6 storeys is proposed as per the LEP height limit partly where 5 storeys is indicated.</p> <p>A total reduction to 5 storeys would require either greater site coverage or less building separation, and as shown in the example sections, is not inconsistent with development scale to the north and is not required to meet Objective O11 <i>To allow redevelopment while at the same time respecting the existing character of the neighbourhood.</i></p>
C23. Development at Sub-Precinct 3	-	Not relevant
Building Articulation		
<p>Controls:</p> <p>C24. Where a building is greater than 60 metres in length the facade is articulated through the use of:</p> <ul style="list-style-type: none"> • significant recesses or projections. • deep balconies. • elements of a finer scale than the main structural framing including the eaves and overhangs. • vertical elements such as blade walls or fins. 	Y	All facades are less than 60m.

Ground Floor Residential

Controls:

C25. Dwellings on the ground floor facing the street are to have individual entries from the street.	Y	Individual entrances provided
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C26. Ground floor private open space is to be designed as a private terrace. Note: The area and dimension of private open space is to be consistent with Part 6 (6.4.6) of the Canada Bay DCP.	Y	Designed as ground floor private terraces with most exceeding size requirement of E3.7 notwithstanding its inconsistency with the ADG.
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C27. Where fronting a pedestrian connection, ground floor dwellings are to be designed to maximise passive surveillance.	Y	Ground floor apartments provide adjoining public street casual surveillance.
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Ground Floor Mixed Use	Not Relevant
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2.15.5 General

Flooding

Controls:

C30. New development is to be consistent with the findings, conclusions and recommendations of the Concord West Precinct Master Plan Flood Study.	Y	Not flood effected
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Important Views

Controls:

C31. New development at terminating vista sites shown in Figure 71 Public Domain Plan are to include features or articulation to provide visual interest which may include: <ul style="list-style-type: none">• Expressive roof features.• Emphasised vertical elements.• Façade elements which vary in colour or in material type from those used at other parts of the building.	Y	Site not designated a 'terminating vista'
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Passive Surveillance

Controls:

C32. Where fronting Powell's Creek Reserve, the Canada Bay Primary School playing fields or Olympic Park, development is to engage and activate open space through layout and design measures	Y	Site not identified but CPTED principles employed in the design notwithstanding.
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Parking

Controls:

C33. Car and bicycle parking provision is to be in accordance with Section 3.8 Car Parking and Bicycle Parking under the Parramatta Road Urban Transformation Planning and Design Guidelines (see Table 1).	Y	Parking provision complies. Refer to Traffic Impact Assessment. In particular, it is considered that the Tables in the DCP are not incompatible in that Table 2 refers to resident parking (126) that excludes
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		<p>visitor parking while Table 1 prescribes rates for non-resident uses including visitor parking (16).</p> <p>This is consistent with the basis for Table 2 in limiting peak hour trip generation from residents to within intersection capacity but which excludes the trips that would be generated by visitors to the site. Refer to Traffic Impact Assessment.</p>
C34. Car parking provision must not exceed individual maximums provided per Sub-precinct in Table 2.	Y	<p>Parking provision complies. The revised apartment mix reduces the car parking required under clause C.33 to three below the maximum provision under C34 for the subject site 'Precinct 7' of 126. Since the Precinct 7 maximum has been adopted to align with traffic capacity established in transport studies undertaken by Council, it is considered that the proposed provision satisfies Objectives O23, O24 and O24 in providing parking that responds to the capacity of the neighbourhood, minimises traffic generation, and encourages public transport use though significantly restrained parking supply.</p> <p>Refer to Traffic Impact Assessment but noting a reduction in parking as a result of change to apartment mix.</p>

5 Environmental Evaluation

5.1 SECTION 4.15(1)(A) – PLANNING PROVISIONS

5.1.1 Environmental Planning Instruments

The development as proposed is permissible under *Canada Bay Local Environmental Plan 2013* (CBLEP) and satisfies its relevant provisions as discussed in Section 4.

The development proposal also meets the requirements of other environmental planning instruments that apply to the site including *SEPP No. 55 - Remediation of Land*, *SEPP No.65 - Design Quality of Residential Flat Buildings and the Apartment Design Guide*; SEPP (Building Sustainability Index: BASIX) and *SEPP (Infrastructure) 2007*.

5.1.2 Development Control Plans

As demonstrated by the summary compliance tables in Section 4 and that provided by the project architects Fuse, the proposed development is characterised by a high level of compliance with the *SEPP 65 Apartment Design Guide* as well as additional development controls and guidelines within *Canada Bay Development Control Plan 2017* that apply to the development whereby variances are generally minor and able to be justified on merit or the circumstances of the site.

5.1.3 Planning Agreements

A Planning Agreement applying to the site has been executed with Canada Bay Council for the dedication of two affordable housing units which have been identified on the architecture plans as GUnits 122, 123, 125, and 226 in accordance with 3.2 of the Agreement (Refer to appendices). Under 3.8 of the Agreement, the units are to be transferred to Council free of cost within 21 days after registration of the strata subdivision plan.

The land is also subject to Clause 6.9 *Arrangements for designated State public infrastructure* as it is identified on the CBLEP *Intensive Urban Development Area Map*.

Accordingly, a Letter of Offer will be provided to the An agreed Planning Agreement is awaiting Minister for Planning execution at the time of this Statement, for contributions to *designated State public infrastructure*. Consequently, the Department Secretary will have advised the consent authority that Clause 6.9 has been satisfied by an executed planning agreement for the contributions prior to the determination of the development application.

5.1.4 The EP&A Regulation

Matters and information prescribed in the Regulation for the purpose of Section 4.15 of the Act have been incorporated in to the development application and supporting material.

5.2 SECTION 4.15(1)(B) – THE LIKELY IMPACTS OF DEVELOPMENT

A detailed assessment of the proposed development against the applicable planning provisions has been provided in this Statement and accompanying reports and plans which conclude that the likely impacts from the development is limited and consistent with the intended planning outcomes for the site.

In general, the proposed development has been designed as a result of an analysis of the site and its context having regard to its street frontage and adjoining land uses, and is consistent with the desired future character of the local area.

The subject site is located within an area affected by rail noise and the building will be appropriately attenuated against noise impacts for future residents as confirmed by the Noise and Vibration Assessment.

The proposed development will achieve accessibility requirements as confirmed by the Access Report.

Acceptable levels of apartment amenity and energy and resource conservation are achieved by optimising solar access, orientation, natural ventilation and meeting BASIX requirements.

The development has been designed to optimise solar access for apartments and communal open spaces as well as reasonable levels of solar access being maintained to adjoining properties given the density of development within the precinct.

The configuration of the building and apartments has assisted in achieving a reasonable level of visual privacy and will not create adverse privacy impacts for adjoining properties.

The proposed development should not contribute to increased opportunities for criminal or anti-social behaviour by the adoption of appropriate measures which will assist casual surveillance of public and communal domains; avoidance of points of concealment and entrapment; the control of access points to the building and basement; and a clear delineation of the nature of spaces for territorial reinforcement.

Boundary trees on the site will be retained where possible and otherwise appropriately replaced and sited with deep soil. The street trees will be retained which will be enhanced by improvements to the interface to the public domain as

well as landscaping on site. Additional planting will be provided in the internal communal open space areas and a roof top garden.

The Traffic Impact Assessment Report has made the following conclusions

- *The site is identified as sub-precinct 7 in the City of Canada Bay Special Precinct DCP 2017 and permitted a maximum 126 resident parking spaces. The proposal is consistent with this requirement and includes 126 resident spaces plus 16 visitor spaces within a basement car park.*
- *The proposed site access driveway and parking layout is consistent with the dimensional requirements as set out in the Australian/New Zealand Standard for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009).*
- *The site access driveway is in the north-west corner of the site and adequately set back from the northern boundary and separated from the adjacent property driveway.*
- *Storage cages for each apartment are proposed in the basement car park. Each will have capacity to accommodate a bicycle if required, with such provision consistent with the DCP requirement. 16 bicycle racks for use by visitors will be provided in convenient locations close to the building entrances.*
- *An on-site dedicated loading area is proposed east of the car park secure access and aligned to provide forward in and forward out movements for all service vehicles, including garbage trucks. The layout and access arrangements are consistent with the requirements of AS2890.2:2018.*
- *The proposed site access driveway, loading area and basement car park are expected to operate satisfactorily and comply with the relevant Australian Standards.*
- *The site is expected to generate up to 39 vehicle trips in the AM and PM peak hours. This is consistent with that already accounted for as part of the future planned growth of the special precinct which included an allowance of 37 vehicle trips associated with the site.*
- *The George Street/ Pomeroy Street intersection is understood to soon be upgraded to allow for improved operation with the works understood to be consistent with those assessed as part of the Victoria Avenue Public School Development Application.*

The proposed development is not anticipated to result in any adverse social impacts on the locality but is considered to achieve social and economic benefits by implementing the planning framework on the site, and rejuvenating an underutilised site in close proximity to services, employment and transport.

The stormwater concept plans provide that the necessary stormwater works have regard to Council's technical specifications and requirements and notes that:

- *Soil erosion, sedimentation and dust controls will be implemented during construction in accordance with Council's guidelines and Landcom's "Managing Urban Stormwater - Soils and Construction"*
- *An OSD tank has been provided with sufficient storage capacity for the 1:100yr ARI storm event. Combined with discharge rates from previous development stages, the overall precinct is still within the maximum permissible discharge rates set by Council.*
- *Stormwater treatment measures have been incorporated into the drainage system and consist of trash baskets at inlet pits, a trash screen and silt and sediment sump within the OSD tank, and two tanks fitted with storm filters. These treatment measures are designed to trap gross pollutants, silts and sediments as well as heavy metals and nutrients attached to fine sediments.*
- *The overall stormwater drainage concept is a combination of piped drainage, Onsite Stormwater Detention and overland flow paths. It aims to reduce and control the site's runoff discharging into Council's stormwater drainage system in accordance with Council's requirements. It also aims to treat the site's runoff prior to discharging into the existing Council drainage system in George Street.*

WSUD initiatives being incorporated in the site's stormwater drainage system include:

- *Reduction to site runoff volume through rainwater harvesting and re-use for landscape irrigation;*
- *Reduction to peak runoff flows through the provision of OSD systems;*
- *Treatment of stormwater runoff prior to discharge into Council's stormwater drainage system.*

A Phase 2 Detailed Site Investigation to meet the general requirements of *State Environmental Planning Policy No. 55* as recommended in the Preliminary Site investigation considered that gross contamination was not present at the site and that the land was deemed suitable for the intended high density residential use, and provided recommendations which should be implemented during construction.

The submitted Waste Management Plans detail the waste minimisation and management measures that will be implemented during its on-going use.

Construction impacts are not anticipated to be excessive and can be suitably controlled by the imposition of conditions on any development consent granted for the proposed development.

5.3 SECTION 4.15(1)(C) – SITE SUITABILITY

The site is within the walking distance of mass public transport facilities, and a wide range of facilities, services and employment is available locally as well as within the district, making it well suited for redevelopment from redundant industrial activities that are incompatible with surrounding land uses in accordance with local planning provisions.

The site is also free from natural hazards which would preclude the proposed uses while mitigating measures are available to protect future uses from potential impacts from rail noise.

5.4 SECTION 4.15(1)(D) – SUBMISSIONS

Public submissions will be addressed by Council subsequent to any notification.

5.5 SECTION 4.15(1)(E) – THE PUBLIC INTEREST

The proposed development is considered to be in the public interest as it assists in the efficient implementation of the Concord West Special Precinct planning framework for an underutilised site without the potential for significant adverse environmental impacts.

Additional public benefits are provided through the dedication free-of-cost to Council of four affordable housing units as well as monetary contributions to local and State public infrastructure.

6 Conclusion

The proposal has taken account of relevant plans and policies that apply to the site and is characterised by a high level of compliance with planning controls and guidelines.

The scale, intended use and nature of the residential flat buildings is appropriate in its context having a high level of accessibility by public transport and being compatible with adjoining development.

Technical studies accompanying the development application conclude that the site is free from preclusive hazards; the development as proposed is considered to mitigate potential impacts from adjoining activities; and that it is not expected to have any significant adverse impacts when their recommendations are adopted.

The proposed use is suitable for the site and its location, and is considered to be in the public interest by implementing redevelopment of the underutilised site residential purposes in accordance with the planning framework for the Concord West Special Precinct at North Strathfield .

Additional public benefits are provided through the free dedication to Council of two affordable housing units as well as monetary contributions to State public infrastructure.

Accordingly, the development application is worthy of support on its merits and is recommended for the granting of consent with appropriate conditions.