

# Response to Request for Information – DA-1049/2024

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Proposed Affordable Housing Residential  
Flat Building at 171 Weston & 2-6 Hinemoa  
Street, Panania

February 2025

*On February 1 2024, Homes NSW, a division of the Department of Communities and Justice (DCJ) was formed. It has brought together the housing and homelessness services of DCJ with the NSW Land and Housing Corporation (LAHC), Aboriginal Housing Office (AHO) and key worker functions from across government under one roof.*

Department of Communities & Justice

Homes NSW

Postal address: Locked Bag 5022, Parramatta NSW 2124

<http://www.nsw.gov.au/homes-nsw>

ABN 24 960 729 253

# 1 Discussion

In response to Council's correspondence dated 10 December 2024 in relation to the Development Application DA-1049/2024 for the demolition of existing structures and construction of a 4-5 storey affordable housing residential flat building comprising 42 apartments, over basement carparking, Homes NSW has amended the proposal to address the concerns raised in Council's letter. A discussion of the amendments is provided below at Table 1, and the amended proposal is accompanied by the following information:

1. Clause 4.6 Variation Request – Height of Buildings, prepared by Homes NSW
2. Architectural Plans, prepared by Morson Group
3. Stormwater Plans, prepared by Smart Structures Australia
4. Amended Swept Path Analysis, prepared by Stanbury Traffic Planning

Table 1: Response to Council's RFI Dated 10 December 2024

Council Comment	Homes NSW Response
1. Development fails to comply with the height limit of the site, which has been increased to 16.9m through affordable housing concessions. The parapet currently exceeds this limit by approximately 0.5m and is either required to be lowered in height to a maximum of 16.9m, or alternatively, a Clause 4.6 variation statement is required to be submitted to Council justifying the contravention from the development standard.	A Clause 4.6 Variation Request has been prepared and accompanies the resubmission package.
2. The development fails to comply with objective 3C-2 of Part 3 of Apartment Design Guide. Substations should be located out of view from the public domain. Screening or relocation is required.	<p>Advice obtained by Homes NSW during the design development process is that Ausgrid would not likely permit any structures in and around the substation that may inhibit egress in the event of an emergency, and that the substation must be directly accessed from the street for Ausgrid maintenance personnel.</p> <p>Notwithstanding, additional landscaping has been proposed to soften the visual impact of the substation when viewed from the public domain. In addition, the substation has been strategically located at the western side boundary of the site and behind the building line such that it is not a dominant element within the streetscape.</p>

	<p>It is further noted that the Canterbury-Bankstown Design Review Panel (CB DRP) supported the current substation arrangement in its design advice dated 11 July 2024, as it <i>“commends the proposal on providing a landscaped edge to the public domain, and minimising the impacts of site infrastructure through the set back of substation...”</i></p> <p>Accordingly, the current arrangement is considered acceptable.</p>
3. The development fails to comply with objective 3D-1 of Part 3 of Apartment Design Guide. 566sqm of communal open space is required to be provided to enhance residential amenity. Only 561sqm of communal open space has been provided.	The proposal has been amended to reduce the extent of the Unit 7 terrace on ground floor, such that the minor non-compliance with the Communal Open Space control has been rectified. Refer to Sheet DA01 of the amended Architectural Plans.
4. The development fails to comply with objective 3F-1 of Part 3 of Apartment Design Guide. The design criteria requires that separation between balconies and rear and side boundaries is provided to ensure visual privacy. The current proposal does not demonstrate adequate separation. A minimum separation of 6m from balcony to side boundary has not been demonstrated.	<p>It is noted than on levels 1 to 4, a 6m separation is provided from the building wall to the allotment boundary. However, a minor encroachment exists in relation to the balconies which encroach 300mm into the minimum separation distance, to a setback of 5.7m. The intent of the encroachment was to provide articulation across the floors of the development through horizontal bands that wrap the corners, thereby breaking up the consistent brickwork form and providing visual interest. The minor encroachment does not result in any additional unreasonable impacts to the visual privacy of the adjoining properties as:</p> <ul style="list-style-type: none"> <li>- Balconies are orientated toward the front and rear of the site, directing views away from the side neighbour,</li> <li>- Privacy screening is provided along the side elevations to assist in mitigating any additional privacy impacts associated with the numerical departure,</li> <li>- The CB DRP highlighted that the articulation of façade elements as a key component of the design language and <i>“will provide a good</i></li> </ul>

<p>Furthermore, internal separation distances between balconies on the same site should combine required building separations (i.e. 12m), an example of this contravention appears with the balconies of unit 9, and unit 18 which are only separated 9m.</p>	<p><i>precedent for future development within the Panania area."</i></p> <p>Accordingly, Homes NSW is not proposing to amend the current balcony design on the western elevation.</p> <p>It is noted that internal separation distances between the balconies do not meet the numerical requirements of 12m separation. The proposed development has been amended to manage visual privacy for the affected units such that suitable visual privacy can be maintained. The following measures have been implemented:</p> <ul style="list-style-type: none"> <li>- Privacy screening has been incorporated for the Unit 01 living room window,</li> <li>- Deep vertical blades have been added to the southern facing windows to limit sight lines between apartments. Refer to the Privacy Impact Study (Camera View) which has been provided to assist Council.</li> <li>- Obscure glazing to the bottom pane of windows facing the communal open space has been implemented to improve visual privacy of from the courtyard into the affected units.</li> </ul> <p>Note: Mullions have been provided to the south facing corridor windows to rationalise the fenestration arrangement, but do not relate to the visual privacy modifications.</p>
<p>5. The underground On-Site Detention (OSD) tank shall be designed with an internal overflow weir (wall) where the main design volume would be contained in the main holding chamber to discharge via the orifice and a weir into an overflow smaller chamber.</p> <p>6. The proposed new 900 X 900 pit located behind the kerb line on Weston Street for the new 225mm ø discharge pipe from the OSD tank will not be supported. This proposed</p>	<p>The Stormwater Drainage Plans have been amended in accordance with Council's requirements and these plans accompany the resubmission package.</p>

<p>connection into Council's 525mm ø and street, shall be designed in accordance with Council's Standards S-102E or S-102D which are available on Council's website under the heading Council Standard Drawings.</p>	
<p>7. Similarly, proposed connection of the diverted 150mm ø pipe within the easement into a 900 X 900 pit behind the kerb line on Weston Street will not be supported. This proposed connection shall be designed to connect into the kerb &amp; gutter (not Council 525mm ø as suggested) in accordance with Council' Standards S-107 where the discharge pipe across the nature strip be galvanised steel RHS.</p>	
<p>8. New pits (approx. 450 X 450) at both ends of the newly located 150mm ø pipe within the site at southern and northern boundary intersection points must be designed.</p>	
<p>9. In general, the geometrical and layout design of the proposed car park appears to be consistent with AS2890.1. However, the curved section of the ramp does not comply with Clause 2.5.2 (b). Our assessment of the outside radius (Ro) measures only a 5.0m radius, which is less than the minimum required 7.6m radius, as shown in Figure 2.9 of AS2890.1. Therefore, the design will not be supported.</p>	<p>The basement carpark ramp has been amended to increase the ramp radius and has been separately endorsed by Council. Refer to the amended Swept Path Analysis and Sheet DA11 of the Architectural Plans for the amended ramp design.</p>

Prepared by

*Karl Harb*

Date: 19 February 2025

Name: Karl Harb

Position: Senior Planner

Reviewed By

*C. Howell*

Date: 19 February 2025

Name: Carolyn Howell

Position: Manager – Planning and  
Assessment