

Joint Regional Planning Panel

(Sydney East Region)

Meeting Date: 20 June 2012

JRPP Number:	2011SYE127
DA Number:	DA-2012/180
Local Government Area:	ROCKDALE
Proposed Development:	Integrated Development - Demolition of existing structures and construction of a residential flat development comprising one-hundred and fifty (150) residential units and two (2) basement levels with capacity for 192 vehicles
Street Address:	52 Arncliffe Street, WOLLI CREEK NSW 2205
Applicant/Owner:	Urban Link Pty Ltd / Top Apartments Pty Ltd
Number of Submissions:	One (1)
Recommendation:	Deferred commencement consent
Report by:	Marta Sadek – Senior Development Assessment Planner

Precis

The proposal is for the demolition of the existing buildings and the construction of a residential flat building containing 150 apartments and two basement levels with capacity for 192 carparking spaces.

Prior to lodgement of the application, Council provided advice to the applicant as part of the PreDA process. The advice raised issues in regards to the interface of the building with the public domain (existing and future), size of units, number of lifts and the quality of the architectural expression. The proposal has been amended to address the issues raised at PreDA lodgement and further issues raised during the assessment of the development application.

The land is zoned B4 – Mixed Use under Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal is defined as a residential flat building and is permissible with development consent. The land is affected by road reservations along Arncliffe Street and the Bonnie Doon Channel. The north-eastern boundary of the site is adjacent to a proposed new road, being the extension of Gertrude Street. As such the site contains three (3) street frontages, two of which have not been constructed.

The proposal complies with all requirements in Rockdale Local Environmental Plan 2011 (RLEP 2011). Some non compliances against DCP 2011 have been identified. In most instances those issues have been resolved by conditions of consent or have otherwise been adequately justified and thus supported.

The existing context of the site imposes a major challenge for the design of the development, particularly on the north-eastern boundary where the existing brick wall on the adjacent site (approximately 6.2m high) will have a short term (depending on the future re-development of this site) impact on the amenity of the proposed apartments with a future frontage to the Gertrude Street extension. This issue has been extensively discussed in the body of this report.

One of the issues raised at PreDA was the dedication of land along the Bonnie Doon Channel. A detailed survey was requested demonstrating that the 10.5m land dedication required under Council's policies was provided accurately. This information has not been provided to Council and it is critical to demonstrate that the footprint of the building does not encroach into the road reservation. As such it is necessary that a deferred commencement condition is imposed to ensure that this issue is addressed to the satisfaction of Council.

Similarly, in an attempt to address the non compliance of the development with the unit mix recommended in DCP 2011, the applicant modified the layout of the apartments on the seventh level at the rear to include three bedroom apartments. As a result some of these apartments do not meet the minimum size recommended in the residential flat design code under SEPP 65. A deferred commencement condition is proposed requiring amendments to the plans to show compliance with this DCP 2011 requirement.

The proposal has a Capital Investment Value greater than \$20 million (i.e. 32 million) and as such the development application is referred to the Joint Regional Planning Panel (JRPP) for determination. The recommendation is for approval as a deferred commencement consent.

Officer Recommendation

1. That development application DA-2012/180 for the demolition of existing structures and the construction of a residential flat development comprising one-hundred and fifty (150) residential units and two (2) basement levels with capacity for 192 vehicles be APPROVED as a deferred commencement consent subject to the following:

The consent shall not operate until you satisfy Council about the following matters:

- i. A survey plan is to be provided to Council of the Bonnie Doon Channel along the southern side of the site. The survey shall be provided at an interval of 2m along the channel if the channel is irregular and at an interval of 5m along the channel if the channel is regular. The bank of the channel shall be shown on the survey. The dedication of 10.5m of land shall be measured from the west bank of the channel.
- ii. The architectural plans shall be amended to show that apartments 7.09, 7.10, 7.11 and 7.12 achieve the minimum unit size specified in the DCP 2011.

Pursuant to Clause 95(3) of the Environmental Planning and Assessment Regulation 2000, the period of the deferred commencement shall be six (6) months.

2. That the objector be notified of the Joint Regional Planning Panel's decision.

Report Background

PROPOSAL

The proposal is for the demolition of existing structures and the construction of a residential flat building containing 150 apartments, including fifteen (15) adaptable apartments. The building is a maximum of eight (8) levels. The building is in the form of a perimeter building, subject to the construction of new roads. The higher levels are located along Arncliffe Street and Bonnie Doon Channel. The building fronting the future Gertrude Street extension is a maximum of four (4) levels. Vehicular access to the site is via Arncliffe Street. Carparking is provided within two (2) basement levels containing 192 parking spaces, including visitor spaces. In addition, the basement levels contain fifteen(15) bicycle and ten (10) motor cycle spaces. A waste room (also in the Arncliffe Street frontage) is provided with vehicular access and a vehicle turning table for manoeuvring in and out. This area is also to be accessed by removalists.

Whilst the proposal has been designed to take into account the future roads and possible pedestrian access from these roads, most pedestrian access to the site is via Arncliffe Street, except for some on the apartments located on the ground floor fronting the future Gertrude Street extension. A communal area of approximately 700 sq.m. is provided in the centre of the site at ground level. An additional communal area is provided on the roof top of the four level building. The proposal provides the following range of apartment types:

Studio –	4
One bedroom –	46
Two bedrooms -	88
Three bedrooms -	12

The apartment size varies from 46sq.m. to 130 sq.m. The typology of apartments also provides a mixture of corner, single aspect and cross through apartments.

EXISTING AND SURROUNDING DEVELOPMENT

The site is described as Lot 4 in DP 538220 and is known as 52 Arncliffe Street, Wolli Creek. The total site area is 4730 sq.m. The site is located on the southern side of Arncliffe Street, opposite the intersection with Guess Avenue.



The site

The site is a regular shape having a frontage to Arncliffe Street of 65.53m and approximately 72m side boundaries. The topography of the site is almost flat. There are no trees of significance on the site. Most of the site area is covered by an existing industrial building.

The site is affected by a road dedication in Arncliffe Street and along the south-eastern boundary parallel to the Bonnie Doon Channel. Adjacent to the site on the north-eastern boundary is the proposed Gertrude Street extension, a future road, which will extend from the Princes Highway to Arncliffe Street. As such, the proposal will have frontages to three streets, two of which have not been constructed.

Surrounding development is of an industrial/commercial nature. Adjacent to the site at 40-50 Arncliffe Street is an indoor recreational facility (Go Kart and Laser Skirmish). Adjacent to the site on the north-eastern and south-eastern boundaries are car sales/maintenance related businesses with frontage to Princes Highway. At present there is a 6.2m high wall along the north-eastern boundary, setback approximately 700mm with no openings, situated within the Suttons Motors site at 55-93 Princes Highway.

The land surrounding the site, including the opposite side of Arncliffe Street has been recently zoned B4 – Mixed Use under RLEP 2011, except for the land on the northern corner of Arncliffe Street and Guess Avenue, which is zoned RE1 – Public Recreation.

PLANNING CONSIDERATION

The proposed development has been assessed under the provisions of the Environmental and Planning Assessment Act, 1979. The matters below are those requiring the consideration of the Joint Regional Planning Panel.

Section 91A – Development that is Integrated Development

The proposed development constitutes Integrated Development and requires approval by the NSW Office of Water under the Water Act 1912. The proposal has been referred to the Office of Water and general terms of approval (GTA) have been granted. The conditions of the GTA have been incorporated in the draft Notice of Determination.

Section 79C (1) Matters for Consideration - General

Provisions of Environmental Planning Instruments (S.79C(1)(a)(i))

State Environmental Planning Policy Building Sustainability Index (BASIX)

The applicant has submitted a BASIX Certificate for the proposed development. The Certificate number is 397909M.

The commitments made result in the reduction in energy and water consumption shown below. A condition is proposed on the consent to ensure that the BASIX requirements are adhered to.

Reduction in Energy Consumption	27% (target 20%)
Reduction in Water Consumption	40% (target 40%)
Thermal Comfort	Pass (target pass)

State Environmental Planning Policy No.55 - Contaminated Land (SEPP 55)

The property is identified in Council's records as being potentially contaminated as a result of landfill. A preliminary environmental site assessment report has been submitted. The

report recommended that a Phase 2 Environmental site assessment be undertaken to determine the level of contamination on the site (if any) to address environmental concerns identified. Based on these recommendations, the applicant submitted a Phase 2 Environmental site assessment report and Remediation Action Plan. The report concluded that the site is suitable for the proposed land use subject to some recommendations. Conditions of consent are proposed in line with these recommendations. Therefore the proposal meets the requirements of SEPP 55.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Arncliffe Street contains exposed overhead electricity powerlines and the proposal is also required to place power lines underground. Clause 45 of the ISEPP requires consultation with electricity supply authorities. Energy Australia was notified of the proposed development and no response has been received. Nevertheless, conditions of consent are proposed to ensure that the applicant consults with utility providers to determine any additional requirements.

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65)

In accordance with clause 30 of this policy, the consent authority must take into consideration the following:

a. The advice of the Design Review Panel (DRP)

The proposal has been referred to the Design Review Panel on two occasions. The Panel has recognised the challenge of the development being the first development in the mixed use zone in Arncliffe Street and surrounded by future roads. The Panel raised concerns regarding the amenity of the units in proximity to the high wall on the north-eastern boundary and recommends that the number of units be reduced and that the building be setback from this boundary and/or be provided with a split to allow solar access through the courtyard. The Panel supports the proposal in regards to density, scale and aesthetics. However has requested that the issues identified be addressed to the satisfaction of Council. A summary of the issues is provided below.

- Changes to the built form to allow good amenity (to address the proximity to the wall on the adjacent boundary).
- Noise from the vehicle entry ramp will be intrusive. The ramp should be covered with a stepped 'lid' and landscaping above.
- Provide cross over at roof level to allow alternative access to residents in case of lift down-time.
- Enhance the usability of the balconies by reducing the extent of the clear-glazed balustrades and provision of adjustable screens, particularly the corner balconies.
- Provide daylight shafts in the courtyard, integrated into the landscaping to allow natural light to basement levels.
- Reconfigure the 'deeply recessed entry area' to the eastern lobby in Arncliffe St to improve security.
- Security management issues until the roads are available as the only entrance for residents in the eastern and southern blocks is via Arncliffe Street.
- The communal open space area proposed on the eastern block presents access issues as all residents will have to go to the courtyard level and then take the lift to this area. It is suggested that each lift core is provided with a small communal area at roof top level.

Comment: The above issues raised by the DRP have been generally addressed by the applicant by amending the plans. In regard to the issue of the lack of amenity to the apartments on the north-eastern boundary, the applicant states that 'the residents of those apartments enjoy a satisfactory level of aspect and outlook during the transitional phase' and that modifications of the design would be 'to aberrate the urban design outcomes contemplated for the character and streetscape of development fronting Gertrude Street, when it is constructed through this area.'

As further stated in this report, the proposed design is in response to the future character envisaged for the area and is satisfactory.

b. The design quality of the residential flat building when evaluated in accordance with the ten design quality principles

The 10 design quality principles have been considered in the assessment of the proposal and are found to be satisfactory as indicated below.

Principle 1 - Context

The proposal is the first development in Arncliffe Street of this type within the B4 mixed use zone. The area is undergoing transition. Despite the constraints of the site and the uncertainty on the timing of the construction of the future adjacent roads, the proposed development presents an appropriate response to the context as envisaged in RLEP 2011 and DCP 2011.

Principle 2 - Scale

The scale of the development is compliant with RLEP2011 and is appropriate to the scale of development along Arncliffe Street and adjacent sites as envisaged in Council's policies.

Principle 3 - Built Form

The proposed built form allows a perimeter development on the three sides that will be exposed to public roads. However, it is not until those roads are built that the intent of the proposal to address these road is materialised. Whilst in the short term, the proposed built form does not respond effectively to the adjacent development, particularly in the north-eastern side, the proposal is satisfactory in the long term and consistent with the vision for this area as reflected in Council's policies.

Principle 4 - Density

The proposal is consistent with the density controls under RLEP 2011.

Principle 5 - Resource, Energy and Water Efficiency

The BASIX Certificate demonstrates that the proposal meets the targets of the SEPP.

Principle 6 - Landscape

The proposed landscaping is satisfactory in principle. However, a final landscape plan, which includes the recommendations of the DRP would be required. This requirement has been included as a condition of consent.

Principle 7 - Amenity

Most apartments will enjoy reasonable amenity. Up to 70% of the apartments achieve the required solar access and most apartments are cross ventilated. The apartments fronting the existing wall on the adjacent property on the north-eastern boundary (which will be demolished once the Gertrude Street extension is constructed) will be affected in the short term as sun light access will be very limited. Once the adjacent wall is demolished (to allow the Gertrude Street extension), the percentage of apartments receiving adequate solar access will increase to 72.5%. All other amenity issues identified by the DRP and in the assessment of the application have been addressed by conditions of consent or amended plans.

Principle 8 - Safety and Security

The proposal achieves a good level of safety and security. Additional conditions of consent are recommended in line with safer by design principles and to ensure that until the Gertrude Street extension is built access control measures are in place to prevent intruders accessing the site via the north-eastern boundary passageway.

Principle 9 - Social Dimensions

Communal areas are provided to encourage social interaction of residents. The proposed unit mix is satisfactory. As such the proposal is supported in regards to social dimensions.

Principle 10 - Aesthetics

The proposal incorporates contemporary architectural elements in the facade, which provide a satisfactory architectural expression.

c. The Residential Flat Building Code.

The Residential Flat Design Code is a publication by the State Government which further expands on the 10 design quality principles by providing some detailed practical guidance for the design of residential flat buildings. The proposal has been assessed against the Residential Flat Building Code.

The proposed development is considered to have performed adequately in respect to the issues contained within the Code, such as cross flow ventilation, building separation, solar access and overall energy efficiency.

Rockdale Local Environmental Plan 2011 (RLEP 2011)

The site is zoned B4 Mixed Use under the provisions of RLEP 2011. Development for the purpose of a residential flat building is permissible with consent. The proposal is consistent with the objectives of the zone. The relevant clauses that apply to the proposal are below.

Clause 4.3 - Height of buildings

The maximum permitted height under this clause is 28 metres. The proposal is a maximum of 27.566 metres and as such complies with this clause.

Clause 4.4 – Floor Space Ratio (FSR)

A maximum FSR of 2.85:1 is permitted on the site. The total gross floor area is 13065.7sq.m. The proposed FSR is 2.76:1, which complies with clause 4.4.

Clause 5.1A – Development on land intended to be acquired for public purposes

Clause 5.1A requires consideration of restrictions applying to the land identified in the Land Reservation Acquisition map. The site is subject to land dedications along Arncliffe Street and the Bonnie Doon Channel. The proposal has been designed to ensure that the proposed dedications can take place. Additional conditions of consent are proposed such as a separate application for a subdivision certificate to allow the transfer of the land to Council.



Clause 6.1 – Acid Sulfate Soils

The site is within an area classified as Class 3 and Class 5 in the acid sulfate soils map. The applicant has submitted an Acid Sulfate Soils Management Plan. The recommendations of the Management Strategy have been included in the draft notice of determination. The proposal is consistent with the objectives and requirements of clause 6.1.

Clause 6.2 – Earthworks

The proposal involves extensive excavation within the site to accommodate the basement levels. Given the proximity of the excavation to the ground water table the proposal requires a permit under the Water Act 1912 from the NSW Office of Water. The Permit will ensure adequate provisions during excavation to minimise adverse impacts. The proposed stormwater system has been approved by Council's engineers. Further, conditions of consent are proposed to ameliorate impacts. Subject to compliance with the conditions of consent, the proposal is considered to be consistent with the objectives and requirements of this clause.

Clause 6.3 – Development in areas affected by aircraft noise

The site is near the 20 ANEF contour for 2023/24. An Acoustic Report has been submitted. The report recommends acoustic measures to comply with the relevant standards as

required by clause 6.3. A condition of consent is proposed to ensure that the recommendations of the report are carried out.

Clause 6.4 – Airspace operations

The site is affected by the 15.24m building height Civil Aviation regulation. The proposal was referred to Sydney Airports for comment. Sydney Airports approved the proposed height subject to conditions. The recommended conditions have been included in the draft Notice of Determination.

Clause 6.6 – Flood Planning

The site is affected by flooding and as such a minimum floor level of 3.21m is required. The proposal complies with this level. Additional conditions of consent are proposed in line with the requirements of this clause. Subject to compliance with these conditions, the proposal is satisfactory in regards to flooding.

Clause 6.7 – Stormwater

The proposed stormwater system has been approved by Council's development engineers and is consistent with this clause.

Clause 6.12 – Essential Services

Services are generally available on the site. Additional conditions of consent are proposed requiring consultation with relevant utility providers to ensure appropriate provision of services on the site.

Provisions of any Draft Environmental Planning Instruments (S.79C(1)(a)(ii))

There are no Draft Environmental Planning Instruments applying to this proposal.

Provisions of Development Control Plans (S.79C(1)(a)(iii))

Development Control Plan 2011(DCP 2011)

The proposal has been assessed against the objectives and controls under DCP 2011 and associated documents being the Wolli Creek Public Domain Plan and Manual (PDP), Technical Specifications for Parking, Technical Specifications for Stormwater, Waste Minimisation and Management and Landscaping. The following issues are relevant to determine compliance of the proposal with the objectives of DCP 2011.

Setback along the Bonnie Doon Channel

Clause 7.1.8 of DCP 2011 requires a minimum 3m front setback along the future new road parallel to the Bonnie Doon Channel. This side of the site is subject to a road dedication of 10.5m from the edge of the channel. This results in a land dedication with an approximate width of 13.2m. The proposed building is setback 1.5m from the new boundary at ground floor level. The top levels have nil setbacks at some points.

The PDP indicates two roads running parallel on both sides of the Bonnie Doon Channel. However, the design of the roads has not been determined by Council at this stage. Given the uncertainty in regards to the timing of construction of this road and the Gertrude Street

extension, and the extent of the dedication requested (approximately 865 sq.m.), the proposed setback is supported.

Landscaped area

Clause 4.3.1(8) requires a minimum 15% of the site to be provided as landscaped area. The applicant states that at least 15.1% (715sq.m.) of the site is able to accommodate deep soil planting. However, most of the deep soil planting area is located above the basement parking levels, which is excluded from the landscaped area calculations. The proposal involves the dedication of at least 1192 sq.m. of land for road purposes. Taking this into account and the high density residential context, the proposed landscaped area is considered satisfactory.

Sustainable building design

Some of the units have common walls between living areas and bedrooms, which creates conflict in room use and potential for amenity impacts. The acoustic report submitted with the application has addressed the issue of acoustic insulation between walls to achieve the relevant standards in line with Council's policies. A condition of consent is proposed to ensure that the recommendations of the report are implemented during construction.

Housing diversity, choice and minimum apartment size

The original proposal did not provide a housing mix in accordance with the recommendations of clause 4.5 of DCP 2011. The range of 3 bedroom apartments should be between 10 and 20% and the proposal only provided 5%. In an attempt to address this issue, the applicant amended the plans and the number of three bedroom apartments has now been increased to 8%. The amendments are proposed at the seventh level (southern tower) and as a result, the new three bedroom apartments do not meet the minimum 124sq.m. requirement of clause 5.2 of DCP 2011 and the residential flat design code. Apartments 7.09, 7.10, 7.11 and 7.12 have an area between 98.5sq.m. and 114sq.m. Furthermore they are single aspect apartments and as such their amenity is further compromised. To ensure compliance with the apartment size requirement, a deferred commencement condition is proposed requiring modification to the seventh floor southern tower to ensure that the apartments achieve the minimum size specified in the DCP.

Subject to compliance with this requirement, the provision of 8% three bedroom apartments is supported.

Site facilities

At least 26% of the apartments (39 apartments) do not have storage areas in accordance with clause 4.7(18) in DCP 2011, which requires 10m³ of storage area per apartment. A condition of consent is proposed to ensure that these apartments are provided with storage areas in accordance with the DCP and the Residential Flat Design Code.

Site Coverage

Clause 5.2 requires a maximum site coverage of 35%. The proposed building footprint is approximately 3187sq.m. (67% of the site) and does not comply with this requirement. Exceptions are permitted in flood prone areas where it is necessary to have a podium level. The subject site is affected by flooding. Furthermore the proposed design is consistent with contemporary developments in Arncliffe Street such as 'Proximity' where the site coverage is at a maximum given the podium levels. As such a variation to this requirement is warranted in this instance.

Lift size and access

Clause 5.2.31 requires the provision of two lifts for levels above the 6th level. The number of apartments in level 7 (the only level above the 6th level) accessed by a lift is a maximum of 4. In all other levels of the building, each lift core is accessed by a maximum of 5 apartments. This is consistent with this clause of the DCP and the residential flat design code, which recommends a maximum of 8 apartments per lift core.

The DRP suggested that a link between the lift cores should be provided at roof top level to allow an alternative lift access in case of lift malfunctioning.

In addressing this issue the applicant argues that the provision of two lifts for the apartments at the top level only would be onerous and would also impact on affordability. Furthermore, the provision of a link as suggested by the DRP would create a height beyond Council's controls. The applicant has also investigated an option where the two lifts are connected at level 7 via an internal corridor. This was considered not feasible as it would create more single aspect apartments and less opportunity for three bedroom apartments.

Based on the above, and the fact that the proposed development provides five (5) lifts throughout the site, the proposed variation to clause 5.2.31 in regard to number of lifts is supported.

Any Planning Agreement that has been entered into under section 93F, or any draft planning agreement that the developer has offered to enter into under section 93F (S.79C(1)(a)(iia))

The proposal is not subject to a Voluntary Planning Agreement (VPA).

Provisions of Regulations (S.79C(1)(a)(iv))

Clauses 92-94 of the Regulations outline the matters to be considered in the assessment of a development application. Clause 92 requires the consent authority to consider the provisions of AS 2601:1991 - Demolition of Structures when demolition of a building is involved. In this regard a condition of consent is proposed to ensure compliance with the standard.

The Regulations requires notification to relevant authorities that may have an interest in the application. The proposal has been notified to Sydney Water, Energy Australia, Sydney Airports, NSW Police and the Roads and Maritime Services (RMS). The recommendations provided are included in the draft Notice of Determination.

All relevant provisions of the Regulations have been considered in the assessment of this proposal.

Impact of the Development (S.79C(1)(b))

Character / Streetscape / Density / Bulk / Scale

The proposal is the first development within the B4 mixed use zone in Arncliffe Street and as such is currently surrounded by industrial/commercial uses. The design of the building and its relationship with the site and the character envisaged for Arncliffe Street and future roads is considered satisfactory. The proposal complies with the density and height controls

requirements under RLEP 2011 and is supported by SEPP 65. As such the proposed development is supported in regards to character and streetscape.

Visual Privacy

The proposal does not impact on the privacy of adjacent development. However there is an opportunity for visual impacts from some balconies within the development, which are located in proximity to windows of adjacent apartments such as the balconies in apartments G.12, G15, 1.15, 2.15 and 3.15. A condition of consent is proposed to ensure that a privacy screen is installed on the side of these balconies to minimise privacy impacts.

Overshadowing

As the proposal is surrounded by industrial/commercial buildings, the strict application of the DCP controls in regards to overshadowing impacts is not relevant. It is therefore noted that the proposal complies with the height and setback requirements, particularly to the southern boundary. Furthermore the built form has been articulated along this boundary, which will assist in allowing sun light access to the future building on this site.

Safety and Security

The proposal has been referred to the NSW Police. The NSW Police has rated the proposed development as 'moderate crime risk'. Conditions of consent have been recommended in line with the safer by design principles. The recommendations of the NSW Police have been included in the draft Notice of Determination. Additional conditions have been included to prevent access along the north-eastern boundary until such time the Gertrude St extension is built to restrict access to the site by intruders and enhance security.

Subject to compliance with these conditions, the proposal is satisfactory having regard to safety and security.

Traffic/Parking

The application has been accompanied by a Traffic Report. The traffic report concludes that the proposal is satisfactory in regards to traffic generation, driveway location, sight distance, car space dimensions, on site manoeuvring, loading area and carparking provision. In response to Council engineer's comments in regards to impacts of the proposal on the performance of the intersections at Guess Avenue and Arncliffe Street, the applicant has submitted a supplementary traffic statement, which concludes that after applying the SIDRA modelling, the analysis revealed that the intersections will operate at a 'good level of service with minimal delays'.

The proposal complies with the carparking requirement of DCP 2011 as it provides 192 spaces for the residential units, including 30 visitor spaces. Furthermore, the proposal provides parking for bicycles and motorbikes in accordance with the rates in the DCP. A loading bay for garbage collection and removalists is also provided on site.

The proposal was also considered by the Rockdale Traffic Development Advisory Committee, who made the following recommendations:

- 1 *That the developer comply with the existing Wolli Creek Public Domain Plan in terms of on street parking.*
- 2 *That the developers be requested to look in to providing a storage area to prevent the queuing of traffic on Arncliffe Street prior to secured entry to the property.*

3 *That the garbage collection activity shall be conducted on site.*

The above issues have been addressed by development consent conditions. Further, as the basement layout has been modified, a condition is proposed requiring validation from a traffic consultant in regards to compliance with the relevant standards.

A condition of consent is proposed to ensure that construction traffic is managed appropriately to minimise traffic impacts during construction.

As such the proposal is satisfactory in regard to traffic and parking.

Noise

The noise issues associated with this development relate to the proximity of the site to Sydney Airports and the need to insulate walls and floors to achieve better amenity within the apartments. An acoustic report has been submitted and the recommendations of the report have been included as conditions of consent. The proposal is satisfactory in regard to noise.

Views and Vistas

Given the location and nature of development in the immediate vicinity, the proposal does not affect views and vistas of adjacent properties.

Management of Waste

The applicant has been in consultation with Council officers in regards to the provision of on site garbage collection facilities. The proposal complies with Council's requirements and is therefore satisfactory in regards to waste management.

Wind Impacts

A wind assessment report submitted with the application concludes that the proposed development will have a minor influence in the local wind environment. The wind conditions for pedestrians around the development and the users of the communal areas are acceptable.

Suitability of the Site (S.79C(1)(c))

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

Public Submissions (S.79C(1)(d))

The development application has been notified in accordance with Council's Development Control Plan 2011 and one (1) letter of objection has been received. The issues raised are addressed below.

Issue: Traffic Impacts

Comment: The traffic impacts of the proposed development have been addressed previously in this report.

Issue: How garbage removal and removalists will operate without impacting on the traffic flow.

Comment: A dedicated bay is provided on site for garbage collection and removalists. The proposal is satisfactory in this regard.

Issue: 'Lack of Council follow up on the development of roads, parks etc in the Area.'

Comment: This issue is not directly related to this development application.

Public Interest (S.79C(1)(e))

The proposal has been assessed against the relevant planning policies applying to the site having regard to the objectives of the controls. As demonstrated in the assessment of the development application, the proposal will allow the development of the site in accordance with its environmental capacity and future vision for the area. The proposed building is supported by SEPP 65 and will add value to the existing streetscape. Furthermore, the proposal does not create unreasonable impacts on surrounding properties. As such it is considered that the development application is in the public interest.

CONCLUSION

The proposed development has been considered under S79C(1) of the Environmental Planning and Assessment Act, 1979. The application involves the demolition of existing structures and the construction of a residential flat building containing 150 apartments and 192 parking spaces within two basement levels. The proposal is the first development in the B4 mixed use zone in Arncliffe Street and has been designed taking into account the future character of the area as envisaged in Council's policies. Impacts on adjoining properties and the area are not unreasonable. The proposal is consistent with the objectives of the controls under RLEP 2000, DCP 2011 and relevant state policies. As such, the application DA-2012/180 is recommended for approval.