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13 April 2015

General Manager
Canterbury City Council
PO Box 77
CAMPSIE NSW 2194

Attention: Rita Nakhle

Property: 364 – 374 Canterbury Road, Canterbury
DA Number: DA – 505/2014
Re: Amended Plans

Dear Rita,

I refer to the abovementioned development application for a mixed use development at 364 – 374 Canterbury Road, Canterbury, Council's assessment letter dated 23 February 2015 and our meeting on 3 March 2015.

In accordance with the issues raised in Council's letter and discussed at our meeting the architectural plans have been amended to address the issues raised in Council's assessment.

Enclosed with this letter are the following plans:

- *Architectural plans numbered A-100 to A-105, A-200 to A-202, A-300 to A-302 and A-400 to A-403 Revision C and Shadow Diagrams numbered A-500 Revision B dated 16 March 2015 prepared by Mackenzie Architects International,*
- *Landscape plans numbered LPDA 15-93/1-4 dated April 2015 prepared by Conzept Landscape Architects,*
- *Revised Solar and Natural Ventilation Report dated 20 March 2015 prepared by Steve King – Consultant.*

The amended architectural plans are assessed in accordance with SEPP 65 – Residential Flat Design Code and the relevant standards and controls contained in the Canterbury LEP and DCP at attachments 1 and 2.

The issues raised in Council's assessment letter are addressed under the following headings.

- **Canterbury LEP 2012 – Building Height**

The amended plans have deleted the roof-top communal space and associated structures from the rear building noting this building is generally within the 18 height control, with a minor variation of approximately 1m shown on Section A (Plan No. A-200).

It is noted the communal space, structures and lift overrun on the front building are above the 18m height line. These structures will not be visually dominant from Canterbury Road, result in unreasonable amenity impacts and the roof –top communal space contributes to the residential amenity of the development providing accessible communal space with solar access.

A revised clause 4.6 variation is at Attachment 3.

- **Study Rooms**

The study rooms have been amended to be not more than 2.5m in width and these amendments are highlighted on the floor plans (A-103 to A-105).

- **Canterbury DCP 2012**

The issues raised in Council's assessment letter are addressed under the following sub-headings:

- **Residential Building Depth:** The residential plan depth is 14 -21m. The plan depth is acceptable noting the residential dwellings achieve good residential amenity, subject to the amendments 70% of units receive 2 hours of solar access at mid-winter and 64% of the units are cross-ventilated.
- **Commercial Depth:** The amended plans have amalgamated commercial space to Canterbury Road ensuring the depth is greater than 10m. The commercial units in the rear building are less than 10m in depth, however, the commercial units provide adequate area to accommodate a range of uses with units 5 – 6 contributing to the activation of Onslow Lane.
- **Setbacks – Canterbury Road:** The amended plans have deleted the residential unit at ground level – fronting Canterbury Road. Therefore, the 9m setback control contained in Part 3.1.8 of the DCP does not apply to the development proposal.

The fifth and sixth storeys are setback 8m from the front boundary – Canterbury Road meeting Part 3.1.8 of the DCP. It is noted that the amended plans have

reduced the balcony element at the sixth storey with Part 3.1.10 of the DCP allowing balcony encroachments into the setback.

The front elevation and perspective drawing shows the upper levels are recessed creating a 4 storey building form to Canterbury Road meeting the intent of the front setback controls contained in Part 3.1.8 of the DCP.

- **Building Height Plane – Rear**

Sections A and E (Plan No. A-200 and A202) show the building height plane measured from the residential boundary in Onslow Lane. The sections show a minor encroachment at the upper level in the building envelope. The variation is acceptable noting the proposed rear elevation creates a consistent building alignment in the absence of rear setback controls for properties adjoining a secondary street/lane and the show diagrams confirm the residential property on the opposite side of the land will retain 2 hours of solar access at mid-winter to the rear of the dwelling and open space.

The amended plans are supported by 3 section points at the rear of the building- Section A, B and E. (Plan No. A-200 and A202).

- **Building Separation:** The building meeting the separation controls of 12m and 9m (habitable to Non-Habitable) up to Level 4 of the building. The upper levels of the development 5th – 6th storeys have been designed with screening and highlight windows creating non-habitable conditions ensuring the 13m separation meets the design principle in SEPP 65 – RFDC. It is noted that the screening on the southern elevation of the balconies for units 72 and 73 is acceptable noting these balconies have a dual orientation.
- **Building Entry:** The building entries from Canterbury Road and Onslow Street have been amended with the entry to Canterbury Road having a width of 6m and entry element creating a clearly defined entry to the building.

The entry to Onslow Lane is a secondary entrance and has been amended increase the width to 3m.

The amended building entries are consistent with the design controls contained in Part 3.2 of the DCP.

- **Building Frontage/Awning:** The amended plans include an awning to Canterbury Road at 3.29m above the level at the front boundary meeting Part 3.2.7 of the DCP.
- **Communal Open Space:** The development proposal has 846m² of communal open space at ground level and at the roof-top level noting the roof-top communal

space will achieve solar access contributing the residential amenity of the building.

The communal open space meets Part 3.3.3 of the DCP.

- **Shadow Diagrams:** The amended plans include shadow diagrams numbered A-500 showing the rear of the dwellings and private open space at 1 and 2 Onslow Street will retain 3 hours of solar access at mid-winter meeting Part 6.2.6 of the DCP.
- **Solar Access:** The amended plans include modifications to ensure that 70% of the units will receive a minimum of 2 hours of solar access at mid-winter meeting SEPP 65 – RFDC and Part 6.2 of the DCP.

Further, the amended plans are supported by a Solar and Ventilation Report prepared by Steve King confirming the proposal meets the solar access controls.

- **Parking and Vehicle Access:** The amended plans have the following unit mix:
 - 46 x 1 bedroom units,
 - 44 x 2 bedroom units, and
 - 10 x 3 bedroom units.

The proposal 209 residential parking spaces including 21 visitor spaces. The parking requirement for the residential units is 139 parking spaces. Additionally, the plans nominate the residential visitor parking spaces and the commercial spaces, the bicycle storage areas and the residential storage areas.

▪ **SEPP 65 and Residential Design Flat Code**

The amended plans retain the form of the development proposal and the assessment undertaken in accordance with the Design Principles in SEPP 65 is at Part 4.3 of the Statement of Environmental Effects.

The amended plans are assessed in accordance with the RFDC at Attachment 2 of this letter.

▪ **Landscaping and Public Domain**

The amended plans are supported by revised landscape plans prepared by Concept Landscape Architects. The landscape plans shown the landscape works on the roof-top communal area and the area at the ground level. Further, the plans includes works to the public domain including tree planting within the 3m setback to Canterbury Road and planting in Onslow Lane.

▪ **Future Property Alignment along Onslow Street/Lane**

The plans including the basement levels are setback from the south-east corner of the site to Onslow Lane and do not restrict the future dedication. The future dedication would be subject to negotiations with the land owner, potentially a voluntary planning agreement in lieu of S.94 contributions.

▪ **Traffic and Access**

The basement plans and associated parking spaces have been amended addressing the additional aisle space adjoining space – 62, and with aisle space to spaces 41 and 58. The requirement for the bicycle storage area at Basement 3 to meet AS2890.3 and nomination the commercial bicycle parking space can be addressed by condition.

▪ **Waste Management**

The waste storage area has been amended to provide 53 waste, recycling and green waste bins for the residential units, a separate commercial bin storage area for 26 bins, and a bulk storage area.

The 53 bins for the residential units is acceptable noting based on a twice weekly collection (as recommended in Council's letter) the following is required:

- 25 x waste bins,
- 16 x recycling bins,
- 10 x green waste bins.

Further, 28 commercial bins are required for waste and recycling.

If you wish to discuss the issues addressed in this letter please contact Garry Chapman on 9560 7013.

Regards,



Garry Chapman
[Chapman Planning Pty Ltd](#)

Attached:

1. SEPP 65 – RFDC Table
2. Canterbury LEP and DCP Development Control Table
3. Revised clause 4.6 variation – Height of Buildings

Attachment 1 – RFDC Assessment Table

Residential Flat Design Code	Proposed	Rule of Thumb	Compliance
Primary Development Controls			
Building Depth (m) Plan Depth	14m – 21m	10-18m	Note: The building depth is acceptable with units achieving good residential amenity and meeting the solar access and cross ventilation rule of thumb.
Building Separation (m) 1 – 4 Storeys Habitable rooms/balconies Habitable- Non Habitable	12m – 13m 12m – 13m	12m 9m	Yes
5 th Storey Habitable rooms/balconies Habitable- Non Habitable	13m – 17m 13m – 17m	18m 13m	Note: Upper level 5 th designed with opaque glazing to bedrooms and privacy screens on opposite balconies to mitigate privacy impacts.
Site Design			
Open Space (% & m ²) Communal	Ground – 642m ² Rooftop - 204m ² Total: 846m ² and 27%	25% - 30% & 789m ² – 947m ²	Yes
Building Configuration			
Single Aspect Apartments	8m - 10.5m	8m	Note: Areas greater than 8m being bathroom and study area
Apartment Layout (m)	6m - 8m	8m	Yes

(max depth of kitchen from window)			
Standard Apartment Sizes (m ²)	1 bed: 52 – 61 2 bed: 64 – 92 3 bed: 89m ² – 94m ²	50m ² 70m ² 95m ²	Yes Note: The size of the 2 and 3 bedroom units is acceptable achieving solar access, private open space and natural light to bedrooms.
Balcony Depth (m)	2m – 3.5m	2m	Yes
Ceiling Height (m) Habitable rooms	2.7m – 3.2m	2.7m	Yes
Storage (m ³)	1 bed: > 6m ³ 2 bed: >8m ³ 3 bed: >10m ³	6m ³ 8m ³ 10m ³	Yes
Daylight Access	2 hours – solar access 70% - 70 Units	70% - 70 units	Yes
South Facing Units – Single Aspect	6 units – 6%	10 units - 10%	Yes
Natural Ventilation Cross Ventilation Natural Ventilation – Kitchens	64% - 64 units 20% - 20 units	60% - 60 units 25% - 25 units	Yes Note: The development has been designed with open plan living rooms with kitchens achieving natural light and ventilation.

Attachment 2 – Canterbury LEP and DCP Assessment Table

	Proposed	Standard	Compliance
Canterbury LEP 2012			
Building Height	18m – 20.5m	18m	Note: Application supported by clause 4.6 variation.
Canterbury DCP 2012 Part 3 – Business Zones			
Building Height	18m – 20.5m 6 Storeys	18m 6 Storeys	Yes
Building Depth Residential	14m – 21m	Min 10m, Max 18m for residential	Note: The residential building depth is acceptable with the units designed to achieve good residential amenity
Commercial	8m – 14m	10m – 24m	Note: The amended plans amalgamate commercial space to Canterbury Road to meet the 10m depth control. The space at the rear provides for flexibility and activation of Onslow lane.

	Proposed	Standard	Compliance
Building Setbacks - Front: Above 4th Storey - Side - Rear	3m Additional 5m – 8m Nil Nil – 3m	3m Additional 5m – 8m NA – Mixed use development Rear boundary Street and Lane	Yes Yes Yes NA
Building Separation (m) 1 – 4 storeys Habitable rooms/balconies Habitable – Non-Habitable 5 th Storey Habitable rooms/balconies Habitable- Non Habitable	12m – 13m 12m – 13m 13m – 17m 13m – 17m	12m 9m 18m 13m	Yes Note: Separation at 5 th storey address in SEPP 65 assessment
Private Open Space	1 bed: 8m ² – 25m ² 2 Bed: 12m ² – 70m ² 3 Bed: 12m ² – 18m ²	8m ² 12m ² 12m ²	Yes Yes
Common Open Space	Ground - 642m ² Rooftop - 204m ²	10%- 315.8m ²	Yes
Adaptable Units	12 Adaptable	10%- 10 units	Yes
Ground Floor Height	3.3m	3.3m	Yes

	Proposed	Standard	Compliance
Parking			
Residential	188 spaces	1 bed: 1 x 46 = 46 2 bed: 1.2 x 44 = 52.8 3 bed: 2 x 10 = 20 Total = (118.8) 119 spaces	Yes
Visitor	21 spaces	20 spaces	Yes
Total	209 spaces	139 spaces	Yes
Commercial Premises	Commercial 31 spaces 1 x Loading/ Courier Space	1 space/40m ² = 33.6 spaces	Yes
Bicycle	35 residential bicycle spaces 2 commercial bicycle spaces	1 space 1/5 units + 1/10 visitors = 30 1 space /200m ² = spaces	Yes Note: Commercial bike spaces can be addressed by condition

Attachment 3 – Revised Clause 4.6 Variation – Height of Buildings