



Consultant Town Planners  
BASIX/Energy Assessors

16 December 2014

The General Manager  
Fairfield City Council  
PO Box 21  
FAIRFIELD NSW 1860

Attention: Sunnee Cullen

Dear Sunnee,

**RE: Development Application No. 15.1/2014 - Residential flat building  
184 – 192 Restwell Road, Prairiewood**

I refer to the above development application for the Calabria Club involving the construction of a residential flat building development at the above property.

An amended development application was submitted in August this year proposing a part six (6) and part eight (8) residential flat building including 107 residential units incorporating three (3) levels of basement car parking with associated landscaping, subdivision to create two (2) torrens title allotments and construction of new road.

Following the assessment undertaken by SJB Planning of the amended application, we note the comments raised in their letter dated 19 November 2014 and provide the following responses in no particular order.

### **1. Catchment management, flooding and drainage matters**

In terms of the issues identified with regard to catchment mapping, modelling and flood impacts, we are of the view that the development at 182 - 194 Restwell Road, Prairiewood will neither significantly increase the overall level of flood damage, community disruption and flood hazard, nor have any unacceptable impacts on flood levels and flows as referenced in the Flood Impact Report submitted under separate cover.

On this note, the proposed development is shown to comply with Fairfield City Wide Development Control Plan, Chapter 11 - Flood Risk Management, Amendment No. 7 and other relevant Codes/Guidelines.

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With respect to flooding impacts onto Council property and Restwell Road; Jacobs (formerly SKM) has provided the following comments:

*"these impacts cannot be resolved with assessment of the proposed development alone, and requires cooperative design coordination with input from Council and the developer as the flood impact issues need to be resolved at a precinct level. I note the suggestion of conveying overland flows through Council's site, however other inputs are required on how Council intends on developing their property. It is suggested that Council also engage Jacobs as a part of this assessment to resolve flooding issues on the Council property and in the precinct overall."*

On this basis, the Calabria Club is willing to cooperate with Council however until such flood modelling and impacts are available we can only provide limited information.

With regard to on-site detention, our Hydraulics Engineer has provided a stormwater concept plan in accordance with Council requirements. Reference is made to the documentation, which includes calculations and details of the proposed on site detention system prepared by Vladimir Stojnic submitted under separate cover to this letter.

## **2. RMS comments**

We note that the RMS has raised no objection to the proposed 'four way' intersection and temporary edge road along the eastern boundary. We acknowledge that the transitional access point from the temporary edge road along the eastern boundary shall be closed and removed after the construction of the north-south collector road. Such a requirement is able to be dealt with as a condition of development consent.

## **3. Traffic and parking**

In response to the issues raised, a new amended plan has been provided. These plans provide for a longitudinal section showing ramp lengths and gradients demonstrating compliance with AS/NZS 2890.1:2004.

We have also provided dimensioned drawings which include cross sections for all the proposed roads to demonstrate that there is adequate width available:

- ❑ For the eastern boundary edge road to accommodate two way traffic as well as the proposed parking bays; and
- ❑ For two way traffic as well as landscaping and pathways for the east-west service road.

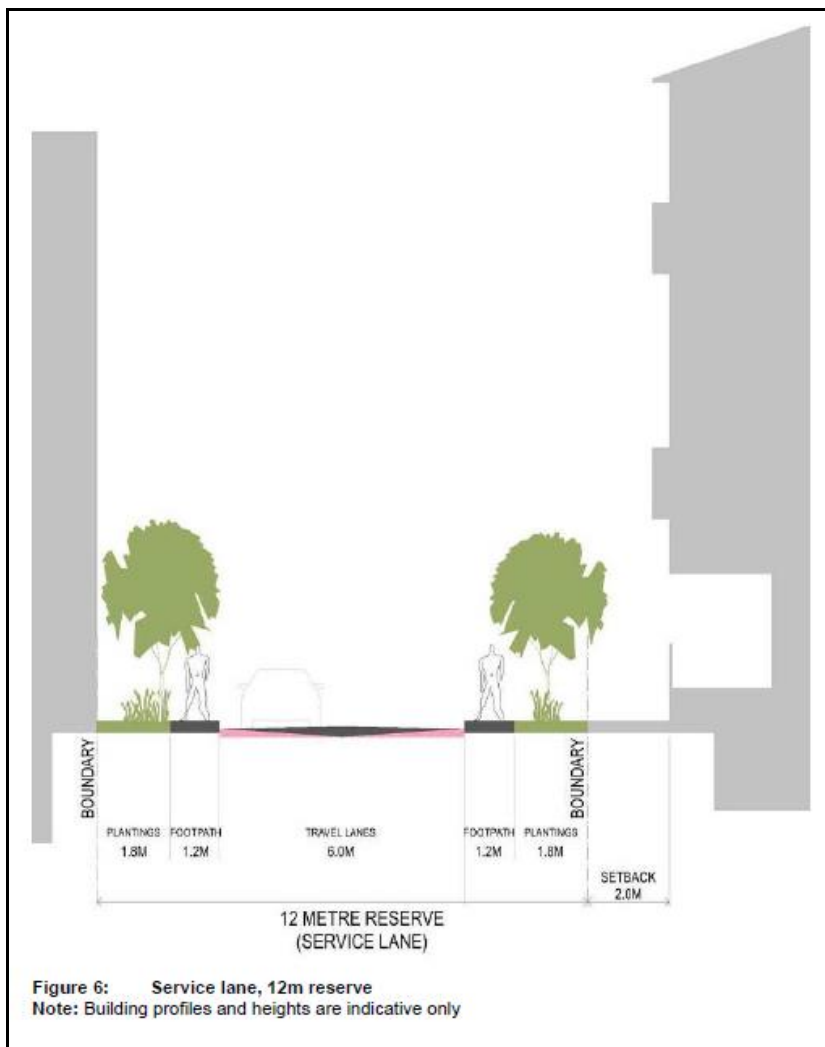
Referring to the submitted plans we note that the eastern boundary edge road provides for a sufficient width, being 15m. This width was agreed by Council in its letter dated 12 February 2013. It is important to note that although the DCP

stipulates a 5m two way travel lane road, the Council confirmed that a 7m wide two way travel road is preferred in lieu of the 5m.

It was generally agreed at the pre-DA meetings that the cycleway could be provided on the adjoining Council land as Council felt it was of more importance to obtain a road carriageway of 7m in width rather than 5m as stated by the Development Control Plan.

We have in our submission provided a width of 15m (Refer to Drawing S1-3 showing road sections), being a 7m two way travel lane road width as requested by Council.

In terms of the east-west service road, the SJB letter states that the road is to be at least 6.5m in width. We respectfully submit that SJB Planning has misunderstood the DCP as our width is compliant with that prescribed by the DCP. This is illustrated in Figure 6 on page 13 of the Prairiewood Town Centre Development Control Plan, whereby an extract is provided as Figure One on the following page.



**Figure One:** Prairiewood DCP Extract showing Service Lane

On this basis, we respectfully submit that our development is compliant with this aspect of the DCP.

With regard to the request for a cul-de-sac, the Prairiewood Town Centre Development Control Plan it does not show a cul-de-sac requirement. Notwithstanding the above, the amended plans do depict a cul-de-sac in this location, providing for a radius of 9m as requested by the Council. Refer to Sheet 02 for final stage road network, and Sheet 04 for Stage 1 Temporary Access.

We respectively submit that the provision of this cul-de-sac further reduces the sites developable area which in turn reduces the gross floor area able to be provided for the development. Again we stress that the provision of the cul-de-sac was never noted in the Prairiewood Town Centre Development Control Plan, nor was it mentioned in the Site Specific Development Control Plan for 178 and 184-192 Restwell Road, Prairiewood Traffic and Parking Assessment, prepared by John Coady Consulting Pty Ltd, dated 19 August 2009.

Be that as it may, the amended proposal makes provision for the cul-de-sac as requested by the Council.

With regard to adaptable parking spaces for the development, the amended plans prepared by Pagano Architects provided for a total of 13 accessible car parking spaces within the basement, being one for each adaptable unit (11 in total) and two (2) visitor spaces.

#### **4. Subdivision**

The amended plans submitted to Council now provide for a residue allotment, being Proposed Lot 2. Additionally, we have reviewed our road strategy so that roads around the super lots are able to be built and dedicated accordingly, whilst also providing appropriate traffic management for the development and future occupants of the residential dwellings.

Referring to the amended Stage 1 Street Network Plan, the application proposes the construction of roads in accordance with the Stage 1. The roads for the residue allotment will be built and dedicated at the time of the development of that site and will reflect the adopted Development Control Plan Masterplan.

For Stage 1, these roads include the eastern perimeter edge road which wraps around the development lot along the southern boundary, east-west service lane and the half road construction of north-south collector road along the western boundary of Lot 1.

The roads as shown in Stage 1 will be constructed and dedicated to Council as required, until the Council land immediately to the west is developed, we have proposed the following interim options in order to provide appropriate traffic management for the precinct. These three options are:

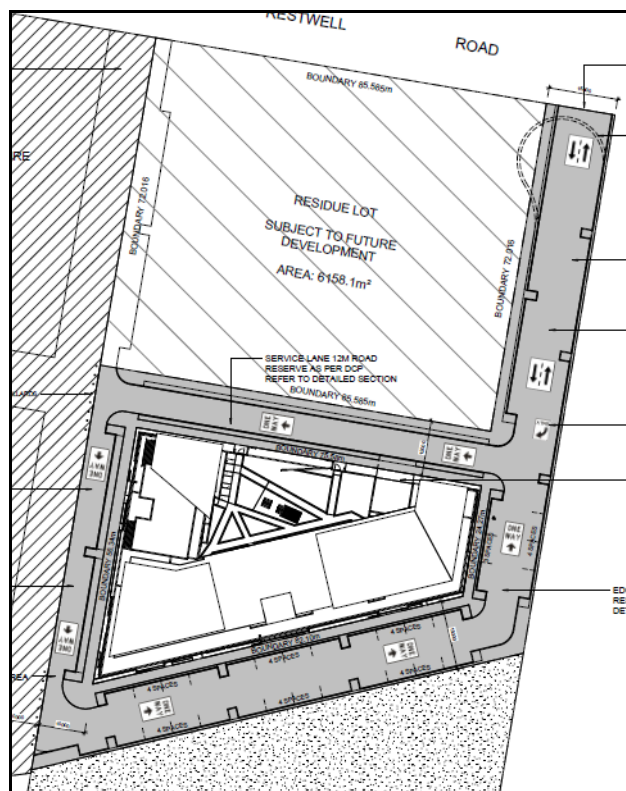
1. Provision of planter boxes to restrict vehicle movements along the north-south collector road. Referring to Sheet 04, we have shown indicatively where these planter boxes will be located to prevent vehicles utilising this road. The location

of the planter boxes will provide sufficient room for cars to turn into the road, then reverse back again, similar to a three point turn then.

It is anticipated these planters will remain in place until such time as the full road width (including Council's portion) is constructed and operational. These planter boxes being are large free standing elements so there will be no damage to the pavement.

2. In addition to the planter boxes, the installation of a temporary turning head on the residue allotment to the north. Again referring to Sheet 04, we have indicatively shown the location of this turning area which will allow vehicles heading in a westward direction along the east – west service lane to turn around. Noting that the remainder of the north – south collector road will be closed off.
3. One way traffic circulation (preferred option). Referring to sheet S04.1 and Figure Two on the following page, this option allows for the dedication of the roads with appropriate signposting directing and controlling traffic in and around the development as a one way anti-clockwise direction. This will allow vehicles to enter and leave the basement area in a 'left in' and 'left out' arrangement.

The benefit of this option is that the north – south collector road will not be closed off, therefore allowing the parking bays along this road to be accessed for persons visiting the precinct.



**Figure Two:** Plan showing one way traffic flow (anti-clockwise)

In terms of the land south of the development 'to be dedicated to Council', our office is of the understanding that the Calabria Club has fulfilled its obligations in accordance with the Voluntary Planning Agreement relating to the subject land. We suggest that Council makes internal enquiries as to what actions they may need to undertake. We note that that the area of dedicated open space is 6,199m<sup>2</sup>.

#### **4. Planning matters**

##### *Floor space ratio (FSR)*

As requested in the SJB letter, amended calculations including dimensioned and scaled drawings for the entire site are provided on Sheet S1-4 which demonstrate the following:

- ❑ The total area of the B4 Mixed Use zone land on our site is 14,031.85m<sup>2</sup>;
- ❑ The total area of all proposed roads within the B4 Mixed Use zone located on our site is 5,646.3 m<sup>2</sup>. Noting this represents a staggering 40% of the site's B4 Mixed Use zoned area.

By way of note, we have also undertaken a comparison of the B4 zoned Council owned land immediately west of our site to ascertain the percentage of road required by that development to learn that only 25% of the site is required to be constructed as roads.

- ❑ In addition, the location and the area of open space land to be dedicated to the Council, is 6,199m<sup>2</sup>; and
- ❑ The area of Proposed Lots 1 and 2, being 3,046.6m<sup>2</sup> and 5,339.3m<sup>2</sup> in area respectively.

In terms of the amount of gross floor area envisaged for Lot 1 we acknowledge that the development application seeks a variation to the maximum floor space ratio in the order of 14.1% for the proposed development. The reasons for this variation are clearly outlined in the Clause 4.6 Variation to the Fairfield Local Environmental Plan attached as Appendix 3 to the Statement of Environment Effects.

Although we recognise that for Lot 1, we are providing a smaller parcel of developable land which a small parcel of open space than that envisaged by the Prairiewood Town Centre Development Control Plan, resultant of shifting the east-west lane further south. This will be offset by increasing the amount of open space to the northern allotment being Lot 2.

The shifting the east-west link laneway further south results in a positive urban design outcome as discussed in the Statement of Environmental Effects.

The controls contained in the Development Control Plan, being for a perimeter block form, together with the requirement to comply with SEPP 65 principles restricts development of the northern parcel, ensuring that the common open space area is

centralised and will be preserve the amount of open space proposed under the Development Control Plan Master Plan.

Based on the above, in terms of communal open space area, the Calabria Club site still provides for the same amount, as such the status quo is maintained.

By way of note, we have also undertaken a comparison of open space requirements for our lot against the Council owned land immediately to the west of our site. Using the DCP master plan as a guide, we provide the following:

- ❑ Calabria Club site: 8,385.7m<sup>2</sup> of developable land, of which 2,698m<sup>2</sup> (i.e. 32%) shown as open space.
- ❑ Council site: 6,771m<sup>2</sup> of developable land, of which only 1,530m<sup>2</sup> (i.e. 22.5%) is shown as open space.

What the above comparisons and figures demonstrate is that again, the Council owned land has a significant lesser amount of open space allocated, noting that the Calabria Club has already dedicated a substantial portion of its site, being 31% of this site area as open space to Council as part of the Voluntary Planning Agreement applicable to the land.

If one were to add the open space dedicated to Council as part of the Voluntary Planning Agreement and the open space required as part of the developable B4 zoned land owned by the Club, this would represent a total of 44% of the original site area required to be set aside for open space and/or recreational purposes.

In light of the above, we bring to Council's attention that the open space provided by the development for Lot 1 complies with the dimensions prescribed by the DCP, being a consolidated area with a minimum dimension of 20m. The open space provided together with the landscaping strategy for the site and the developments compliance with the overall height limit in our view renders the justification sought to the floor space ratio control a reasonable request, which given the constraints of the site provides for the orderly and economic use of the land; whilst delivering a built form product consistent with the master plan for the site as prescribed by the DCP.

Furthermore, the conflict of Council's DCP in terms of car parking, notes that visitor car parking is to be provided at ground level and not as part of any basement. The Council in its assessment of the application has requested that all parking be provided within the basement. This has resulted in an additional level of basement parking to be provided at an additional cost to the Club.

In terms the proposed floor space ratio on Proposed Lot 1 and future development of Proposed Lot 2, we do not believe there is a need to place a restriction on the future development of Lot 2. The variation sought by this development proposal solely relates to Lot 1.

In light of the above, despite the 14.1% variation sought by this development application, the Site Specific Development Control Plan 178 and 184-192 Restwell Road, Prairiewood Traffic and Parking Assessment, prepared by John Coady

Consulting Pty Ltd, dated 19 August 2009 identified the following development potential for the entire Calabria Club site:

- ❑ 226 residential apartments on the Calabria Club site (of which the proposed 107 apartment development forms part);
- ❑ new club of 3,437m<sup>2</sup> on the Calabria Club site; and
- ❑ retail of 3,161m<sup>2</sup> on the Calabria Club site.

We respectfully submit that the northern residue parcel, based on the current floor space ratio control of 3:1, with an area of 5,339.1m<sup>2</sup> permits an overall gross floor area of some 16,000m<sup>2</sup>. Removing the retail and club floor areas foreseen, leaves some 9,419.3m<sup>2</sup> of future residential floor space. We are of the view that this residential space is able to accommodate the balance of the 119 residential units, providing for a mixture of unit sizes. The overall development to both Proposed Lots 1 and 2 reflect the intended Master Plan of the Development Control Plan.

We note that in the letter from SJB Planning it was noted that an 88B Instrument may be used to restrict the future gross floor area for Proposed Lot 2. We are of the strong view that this is not required for the subject site as any future development of Lot 2 can accommodate the development as identified in the John Coady report noted above. Furthermore, any development would be assessed on its merits and planning controls applicable at the time of DA lodgement with Council. However if the Council is of the view that such a restriction is necessary then this is a matter for Council to deliberate upon.

#### *Building height*

To address the concern of building height, we have submitted additional documentation which clearly shows that the breach to the height control is resultant from the roof features, which is allowable under Clause 5.6 – Architectural Roof Features.

This clause permits variations to the maximum building height standards where roof features contribute to the building design and overall skyline.

This breach to the height limit is considered acceptable as Clause 5.6 – Architectural Roof Features of the Fairfield LEP allows development that includes an architectural roof feature that exceeds, the height limits to be carried out, but only with development consent.

On this basis it is submitted that the roof form provides for an architectural roof feature which is a decorative element on the upmost portion of the building, commensurate with the proposed development. This decorative portion results in a maximum breach of 1.6m. It is also our submission that the roofs also need to be articulated. (Refer to Figure Three below)

To further highlight the extent of the non-compliance, Pagano Architects has prepared a separate image (See Figure 4) which shows the extent of the breach (by way of veil where the 26m height limit would be), clearly demonstrating that it is in fact a roof feature in three separate areas, as opposed to habitable floor space.



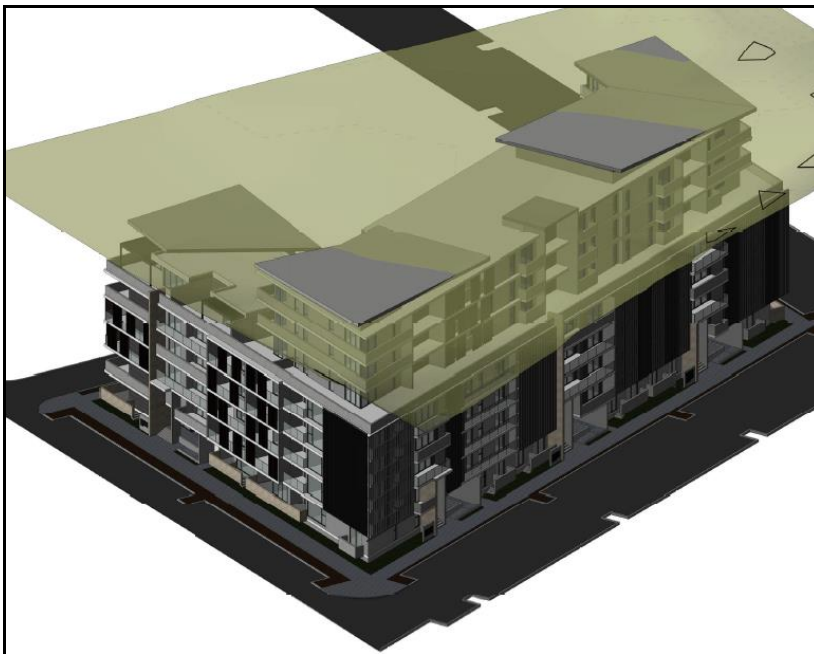
As a result, the proposal therefore exceeds the maximum height by some 6%, noting that the number of storeys is compliant with the development control plan as outlined in the Statement of Environmental Effects.

The area where the breach occurs does not provide for habitable space between the 26m height limit and the ceiling height of the roof.

Based on the above, we feel that the minor breach to the height limit forms part of an integral architectural roof feature to which Clause 5.6 allows the building height to be exceeded, subject to development consent from Council.



**Figure Three:** 3D image of proposed development



**Figure Four:** Plan showing roof elements (blue) which breach the height limit

### *Building setbacks*

With respect to building setbacks, the Prairiewood Town Centre Development Control Plan, stipulates that buildings are to be set back a maximum of 2m from the boundary. As this is a maximum setback control, the building can therefore be provided with a zero setback.

The plan then requires that above the fifth storey, buildings should be set back from the building envelope by an additional 4m.

Referring to the submitted plans, we note that for levels from the Ground Floor up to Level 5, varying setbacks are provided as follows:

- ❑ northern boundary: 2m;
- ❑ eastern boundary: 1m to 2.2m;
- ❑ southern boundary: ranging from 1m to 2.6m; and
- ❑ western boundary: ranging from 1.5m to 3m.

Where setbacks are provided greater than the maximum of 2m, we are of the view that increased setbacks provide for articulation and façade modulation, which is needed given the Development Control Plan encourages a perimeter block form. Furthermore, we submit that the screens provided to the building from Level 2 upwards provide for a clear edge to the respective boundaries which assists in defining the street, typical to perimeter block buildings.

The development as submitted satisfies these objectives.

Furthermore, where setbacks are increased, this allows for building articulation and residential courtyards or balconies which is allowable under the DCP.

With regard to Level 6 and upwards, we acknowledge that to northern boundary we maintain a 2m setback for Levels 6, 7 and 8. To the eastern and western boundaries, we have provided a 4m setback for the majority of the building, which has been increased to 6.5m in some parts.

In terms of the setbacks from the southern boundary, we are of the view we are compliant with the requirement prescribed by the DCP as an additional setback ranging between 3.95m to 5m is provided (note: 4m required) in addition to the screen edge at the levels below. On this basis, the intent of the Development Control Plan is therefore satisfied.

Notwithstanding, we strongly believe that the setbacks provided to the building provide for an appropriately modulated façade with good articulation which contribute in a positive manner to the streetscape and desired future character envisaged for this precinct. This aligns with the objectives of the DCP, which further note that setbacks are to provide for visual interest and variation to the building along the street facades.

To address building separation and privacy concerns, we have provided to the northern elevation from Level 6 and upwards, operable sliding screens which will

assist in mitigating overlooking from the balconies and living areas at these levels to any future development on the residue allotment (Proposed Lot 2).

The Residential Flat Design Code stipulates the following separation distances between five to eight storeys:

- ❑ 18m between habitable rooms and balconies;
- ❑ 13m between habitable rooms/balconies and non-habitable rooms; and
- ❑ 9m between non-habitable rooms.

Given the above, the development on the residue allotment (Proposed Lot 2) will be built in accordance with the DCP, being a perimeter block building with a central communal open space, and given that the interface with this development will be along Lot 2's southern boundary, it would be fair to say that non-habitable rooms will be orientated to this southern boundary as any design will have dwellings/units with an east – west orientation so as to maximise solar access.

Therefore, the 1m setback provided by our development to the northern boundary, plus the 12m laneway/road reservation is sufficient to comply with the 13m between habitable rooms/balconies and non-habitable rooms specified by the RFDC. In the event that habitable rooms or balconies are provided to the southern elevation, we are of the view that privacy screens provided by our development will be adequate to address privacy concerns. Noting that in turn, development on Lot 2 would also need to address privacy and overlooking as part of any future development.

#### *Dimensioned plans / Landscaping and open space details*

As requested, additional dimensions on both the architectural and landscape plans are provided as follows:

- ❑ Basement levels: aisle widths, ramp widths and details of storage rooms;
- ❑ Depths and widths of all private open space areas; and
- ❑ Width and depth of the communal open space area and landscaped areas as shown on landscape plan.

We note that a deep soil area is predominantly provided around the perimeter of the development where there is no excavation. The total deep soil area provided by the development is 12% and therefore compliant. Furthermore, the deep soil planting provided is in accordance with the Prairiewood Town Centre Development Control Plan, as follows: ***"Deep soil: Terra firma with no structure beneath; and landscaped roof areas with a minimum soil depth of 1500mm, and minimum width of 3m."***

The key word is 'and' therefore, where there is no structure beneath there is no minimum width requirement. However where landscaping is over a roof area, a minimum soil depth of 1500mm and minimum width of 3m is required.

Based on the above, the development provides for the following:

- Deep soil area of 12% and
- Landscaped area of 26.4%, of which 62.5% is on structure.

We are the view that although we provide more than half of the landscaping requirement above a roofed area or basement car park, the landscaping strategy provided for the site is acceptable, for the reasons noted below:

- The landscaping provided will enhance the development's natural environmental , whilst contributing to the positive image of the development through its presentation and contribution to the streetscape and the desired future character of the precinct;
- The design and layout of the each unit maximises the usability of both outdoor and indoor spaces, and together with a substantial communal open space area with a northerly orientation will enhance amenity and create a positive environment for future occupants of the development;
- The site provides adequate soil depths for opportunities to provide significant plantings which will enhance the appearance of the development, whilst also contributing to the tree canopy of the precinct.

This will ensure that a variety of plantings are provided, with regard to both species type and height range;

- The proposed landscaping of the site will assist in the management of the quality and quantity of urban runoff flows. This is achievable by minimising the impervious areas throughout the site;

In light of the above, the variation sought is 12.5%, being an additional 100m<sup>2</sup>. It is our strong view, that whether this 100m<sup>2</sup> is provided over a building or not, the landscaping strategy is appropriate for the site as it will contribute to the resident's quality of life within the development in the form of outlooks and views, whilst also providing habitat opportunities for plants and animals.

Furthermore, we respectfully submit that the Development Control Plan is provided as a guide and in referring to the Residential Flat Design Code, we are compliant with the soil depths noted in the 'rule of thumb' provisions relating to landscaping. These depths allows for a variety of landscaping to be provided, being turf, ground covers, shrubs and trees up to 8m canopy at maturity.

In addition, the development is compliant with communal open space requirements as noted in this submission.

- Details of the proposed pergola structure, including its height, width and construction of materials; together with the proposed sculptures will be provided at the construction certificate stage.

### *Storage*

In terms of storage, we have provided a Unit Summary Schedule which is submitted as part of the amended DA package to Council.

Referring to the Schedule, based on unit type, each unit is provided with ample storage in accordance with the 'rule of thumb' provisions, as prescribed by the Residential Flat Design Code. On this basis, minimum storage of 6m<sup>3</sup> is provided as cage storage in the basement, with each unit provided minimum storage as follows:

- ❑ 6m<sup>3</sup> for studio and one bedroom units comprising of caged basement storage areas in basement;
- ❑ 8m<sup>3</sup> for two bedroom units comprising of caged basement storage areas plus storage space within the unit, linen space, laundry space, joinery storage; and
- ❑ 10m<sup>3</sup> for three bedroom units or more, comprising of caged basement storage areas and storage space within the unit, linen space, laundry space, joinery storage

Based on the above the development is therefore compliant.

### *Shadow diagrams and solar access*

As part of the amended DA package we have provided solar studies at a scale of 1:200 for each level of the proposed residential development. These studies depict the amount of solar access to both the private open space and living areas of each unit, between 9am and 3pm at half hour intervals.

Referring to the submitted plans, the solar studies show the floor plans of each unit and the area which is receiving solar access. Referring to the amended Unit Summary Schedule we note that 77.5% of the units received at least 2 hours of solar access in mid-winter between 9am and 3pm.

### *Floor to ceiling heights*

As part of the amended plans to Council we have included an additional sheet being Sheet S1-6. This sheet provides a detailed section of a typical floor to ceiling height of 2.7m, which is compliant with the requirements of the Residential Flat Design Code.

### *Adaptable units*

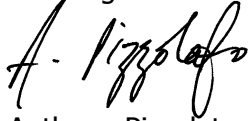
As part of the amended plans to Council we have included details of the adaptable units to confirm compliance with AS4299-1995 Adaptable Housing Class C. Reference is made to Sheets S1-7 and S1-8 submitted with this package.

## Conclusion

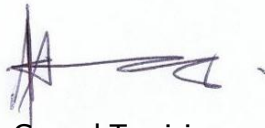
We trust that the information provided adequately addresses the issues raised in the SJB Planning letter dated 19 November 2014.

Should you have any further questions please do not hesitate to contact me.

Kind regards



Anthony Pizzolato  
**Senior Planner**  
GAT & Associates



Gerard Turrisi  
**Director**  
GAT & Associates

Plan 1910

Enc:

1. Amended Architectural Plans prepared by Pagano Architects
2. Hydraulic Engineer Plan prepared by Vladimir Stojnic
3. Flood Risk Management Report prepared by Vladimir Stojnic
4. Unit Summary Schedule prepared by Pagano Architects
5. Solar Studies prepared by Pagano Architects