

Statement of Environmental Effects

DEMOLITION OF EXISTING STRUCTURES, LOT CONSOLIDATION AND CONSTRUCTION OF AN EIGHT (8) STOREY RESIDENTIAL FLAT BUILDING TO INCLUDE 62 RESIDENTIAL UNITS WITH 76 BASEMENT CAR PARKING SPACES AT 2-8 WAYMAN PLACE, MERRYLANDS



Prepared by: **Think Planners Pty Ltd**
Document Date: 25 September 2014
Consent Authority: Holroyd City Council



RFB Wayman Place, Merrylands

QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects – 8 Storey Residential Flat Building
ADDRESS: Lots 2, 3, 4 & 5 DP 29830: 2-8 Wayman Place, MERRYLANDS
COUNCIL: Holroyd City Council
AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
17 September 2014	Draft Issue for Comment	Draft	PMcM/JW	AB
25 September 2014	DA Lodgement Issue	Final	JW/AB	AB

<i>Integrated Development (under S91 of the EP&A Act). Does the development require approvals under any of the following legislation?</i>	
<i>Fisheries Management Act 1994</i>	<i>No</i>
<i>Heritage Act 1977</i>	<i>No</i>
<i>Mine Subsidence Act 1992</i>	<i>No</i>
<i>Mining Act 1992</i>	<i>No</i>
<i>National Parks and Wildlife Act 1974</i>	<i>No</i>
<i>Petroleum (Onshore) Act 1991</i>	<i>No</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>No</i>
<i>Roads Act 1993</i>	<i>No</i>
<i>Rural Fires Act 1997</i>	<i>No</i>
<i>Water Management Act 2000</i>	<i>No</i>
<i>Concurrence</i>	
<i>SEPP 1- Development Standards</i>	<i>No</i>
<i>SEPP 64- Advertising and Signage</i>	<i>No</i>
<i>SEPP 71 – Coastal Protection</i>	<i>No</i>
<i>SEPP (Infrastructure) 2007</i>	<i>No</i>
<i>SEPP (Major Development) 2005</i>	<i>No</i>
<i>SREP (Sydney Harbour Catchment) 2005</i>	<i>No</i>



Contents

Executive summary.....	4
1. Site & Locality Description	5
2. Description of Proposal	14
3. Deferral Letter Comments.....	21
4. Controls	24
Statutory Controls	24
Policy Controls	24
5. Consideration	24
State Environmental Planning Policy BASIX.....	24
State Environmental Planning Policy No. 55 – Contaminated Land	24
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development	24
State Environmental Planning Policy (Affordable Rental Housing) 2009	29
Holroyd Local Environmental Plan 2013.....	35
Holroyd Development Control Plan 2013 – Part A General Controls	40
Holroyd Development Control Plan 2013 – Part B Residential.....	47
Site Coverage	60
Holroyd Development Control Plan 2013 – Site/ Area Specific Controls – Parts J - Q.....	60
6. Conclusion	61
Annexure 1: Clause 4.6 Variation: FSR.....	62
Annexure 2: Response to Submission Concerns.....	66

Executive summary

This revised Statement of Environmental Effects has been prepared in support of DA/2014/186/1 for the demolition of existing structures, lot consolidation and the construction of an eight (8) storey 'Residential Flat Building' at 2-8 Wayman Place, Merrylands. The proposal comprises a total of 62 units with two (2) levels of basement parking providing 76 vehicle parking spaces. The proposal incorporates the following dwelling mix:

- 7 x 1 bedroom units;
- 47 x 2 bedroom units; and
- 8 x 3 bedroom units.

The development site is an irregular shaped land parcel located at the northern side of Wayman Place towards the end of the cul-de-sac bulb, approximately 54m-90m east from the intersection of Wayman Place and Addlestone Road. The development site contains 4 separate allotments and once consolidated will have a 56.12m primary frontage to Wayman Place including the cul-de-sac bulb arc and a total site area of 2,244.7m².

The subject site is zoned R4 High Density Residential under the Holroyd Local Environmental Plan 2013 and is located within an R4 zoned block that adjoins the Merrylands Town Centre to the north. 'Residential Flat Buildings' are permissible with consent within the R4 zone and the proposal complies with the maximum building height and presents a minor variation to the maximum permitted FSR (2.22:1 compared to 2.2106:1 or 23m²).

The proposed development has been redesigned to align with and address the comments received from Council during the formal assessment process and this statement will provide detailed justification and context with respect to any outstanding items.

Ultimately, the proposed development seeks to utilise the strategically located land in accordance with the R4 zoning and take advantage of its proximity to the Merrylands town centre, public transport and essential services. The development will present a strong and attractive interface that addresses the site's primary frontage whilst also setting the tone and scale for future comparable developments within the subject area. The amalgamation of the existing land parcels will permit an orderly development of the site to provide a higher density development that will increase the housing stock and housing choice within Merrylands to cater for affordability and diversity. The design concept embodies the desired future character of the area noting the support role that the R4 zones will provide for the growth of the Merrylands Town Centre.

Having regard to the benefits of the modified proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal now represents an appropriate use of well located land, this SEE and amended plans are submitted to Council to progress the formal assessment of the DA/2014/186/1.

1. Site & Locality Description

The subject site is legally known as Lots 2, 3, 4 & 5 DP 29830 but is more commonly known as 2-8 Wayman Place, Merrylands. The development site is an irregular shaped land parcel located at the northern side of Wayman Place towards the end of the cul-de-sac bulb, approximately 54m-90m east from the intersection of Wayman Place and Addlestone Road.

The development site is comprised of 4 separate allotments each containing a single storey dwelling house with ancillary elements and once consolidated will have a 56.12m primary frontage to Wayman Place including the cul-de-sac bulb arc and a total site area of 2,244.7m². The dwellings are of a reasonable condition, however, they represent a significant under utilisation of the site's development potential, taking into account the location of the site in close proximity to the Merrylands Town Centre and within an R4 High Density Residential zoned block that permits higher density residential developments such as residential flat buildings.

The aerial photograph below illustrates the site, and its relationship to adjoining properties.



Image 1: Aerial Map of Subject Site (Source: Google Map)

As outlined above, the development site is zoned R4 High Density Residential under the provisions of the Holroyd Local Environmental Plan 2013 and is attributed with a maximum permitted FSR of 2.2:1 (noting the bonus allowance associated with the ARH SEPP) and a maximum building height limit of 26m.

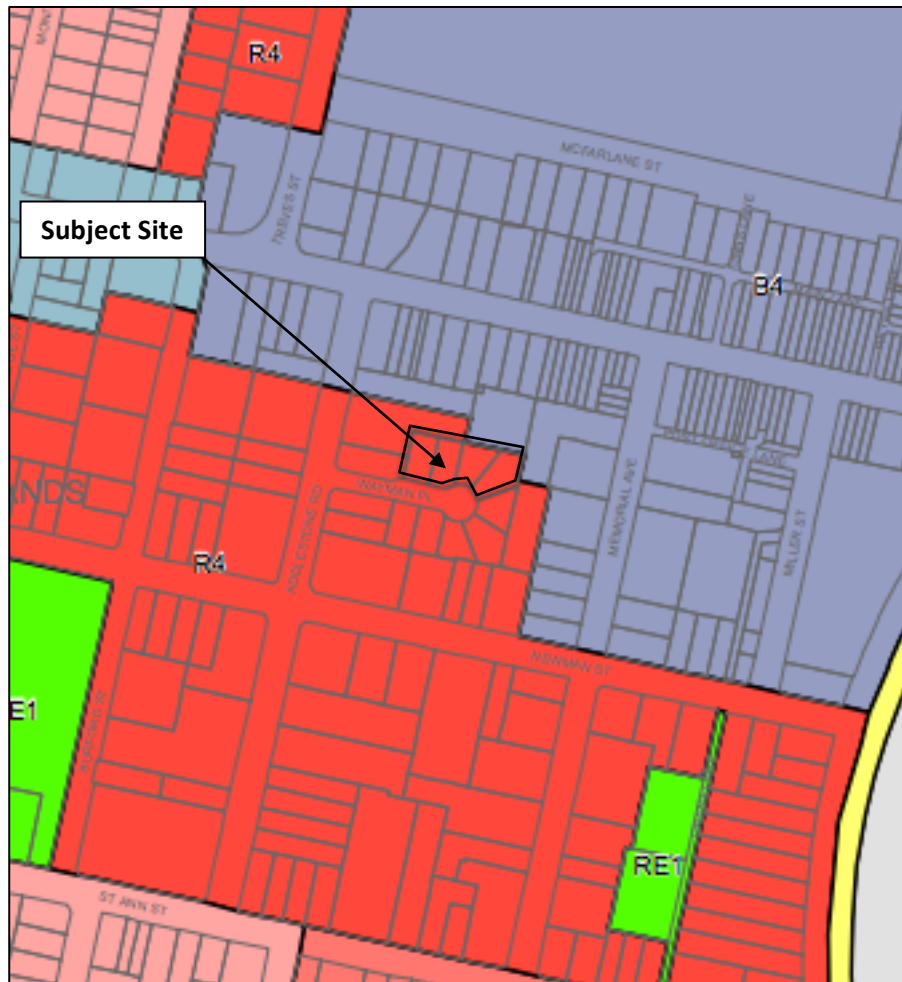


Image 2: HLEP 2013 Land Zoning Map Extract

As evident in the extract above, the subject site is located within a large residential block that has been zoned for higher density residential development. The residential block is bound by the B4 – Mixed Use and B6 – Enterprise Corridor zoned land to the north, St Ann Street to the south, the railway line and B4 – Mixed Use land to the east and Chetwynd Road to the west. It is further noted that the residential block adjoins the Merrylands Town Centre to the north as evident in the extract overleaf.

The zoning of lands adjoining and surrounding the Merrylands Town Centre to permit higher density residential developments aligns with current housing models that aim to provide higher density housing in planned precincts rather than dispersed throughout urban areas. As such, the higher density residential zoned block will help to support the growth of the town centre in line with the principles of urban consolidation to ensure the efficient use of community infrastructure by providing higher density residential development at strategic

locations, noting that the Merrylands Train Station and Bus Interchange services the area and the M4 Western Motorway is in close proximity to Merrylands.



Image 3: HDCP 2013 – Extract from Part M Figure 1 Merrylands Centre

The immediate context of the subject site within the cul-de-sac is predominantly defined by single storey dwelling houses, however a three storey medium density development is located at and along the entrance to Wayman Place to the north, it adjoins the site's common western boundary and serves as a reflection of the current transformation of the area towards higher density developments due to the area's strategic location adjacent the town centre. The character of the broader area with an eclectic mix of residential developments ranging from low to medium to high density developments of vary building heights, age and architectural styles further strengthens the recent impetus and demand for higher density development within the area (as evident in the photographs below).

It is also worth noting that the subject area has been earmarked for a comprehensive change of character as evident in the permitted maximum building heights map for the area. The proposed development is the first of many associated with the locality noting that upon future redevelopment the development will serve as part of the transition to the lower heights to the south of the allotment. This is reflected in the building height map extract provided over the page.

Please note the letters on the HoB extract below represent the following building heights: O = 15m, Q = 20m, T1(subject site) = 26m, T2 = 29m, W = 41m, Y = 53m and AA = 65m.

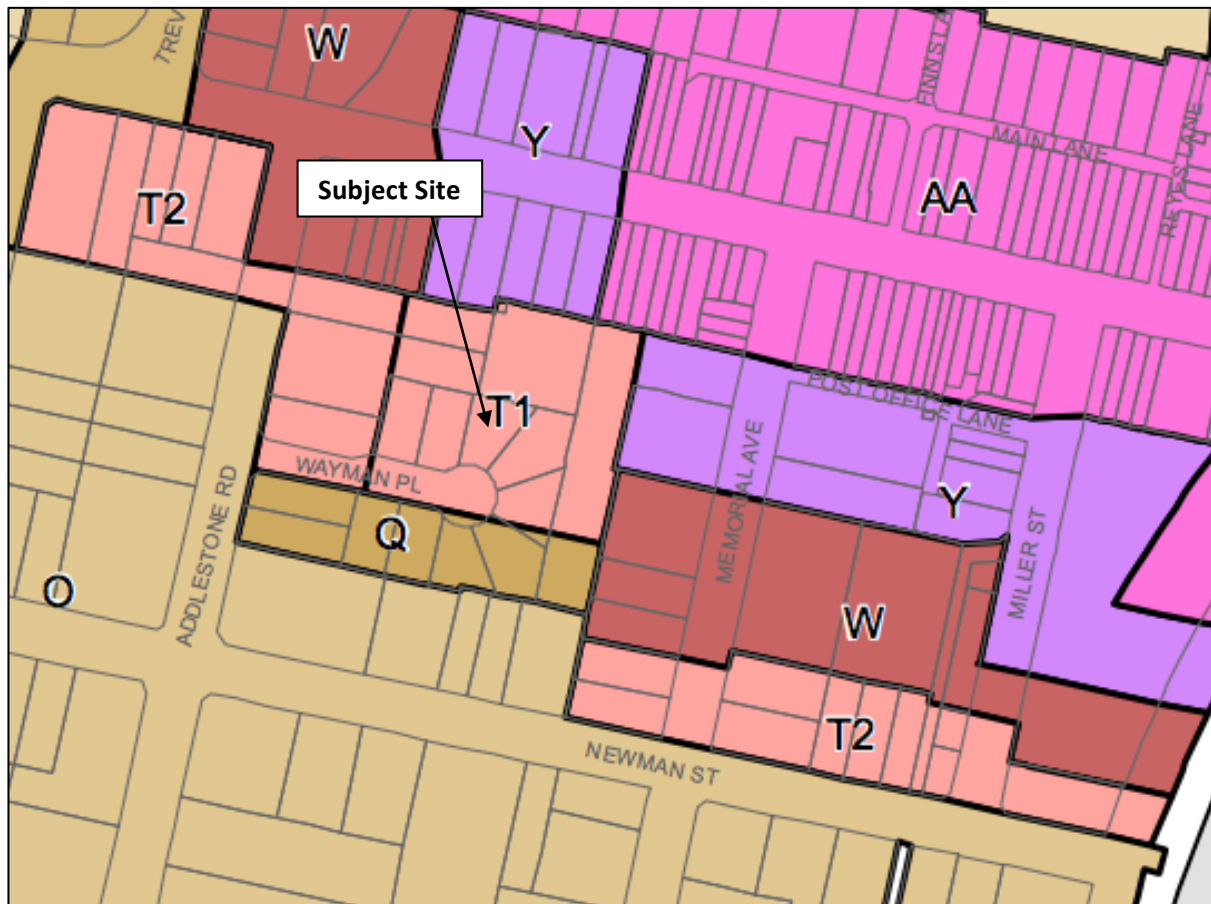


Image 4: HLEP 2013 Height of Buildings (HoB) Map Extract

It is evident from the height of buildings map extract above that the future building heights will step down in height the further south the site is located from the Merrylands Town Centre to ensure that the higher density developments are located in close proximity to the Merrylands Town Centre, public transport and essential services.

It is noted that the Sydney Metropolitan Strategy also supports higher residential development in strategic locations to accommodate future population growth. In cognisance of the site's strategic location adjacent the Merrylands Town Centre, the site is ideal for urban intensification which is reinforced by the proximity of the Merrylands Train Station and Bus Interchange, the local bus stops with regular bus services to Parramatta, Liverpool and Guildford and key arterial roads including the M4 Western Motorway, Woodville Road, Merrylands Road, Cumberland Highway and the Great Western Highway.

Therefore, it is expected that with the current demand for housing along Sydney's rail corridor and key arterial road networks, the existing low scale R4 zoned land parcels within the area will undergo a transformation from their existing built forms to higher density developments of comparable scale to the proposed development over the next 5-10 years.

The aerial extract of the locality is provided below to give context to the development site.



Image 5: Broader Locality Map (Source: Google Map)

Photographs are provided below that give context to the locality and also the relationship of the development site with adjoining developments.

Photograph 1: Showing the No 6 & 8 Wayman Place.



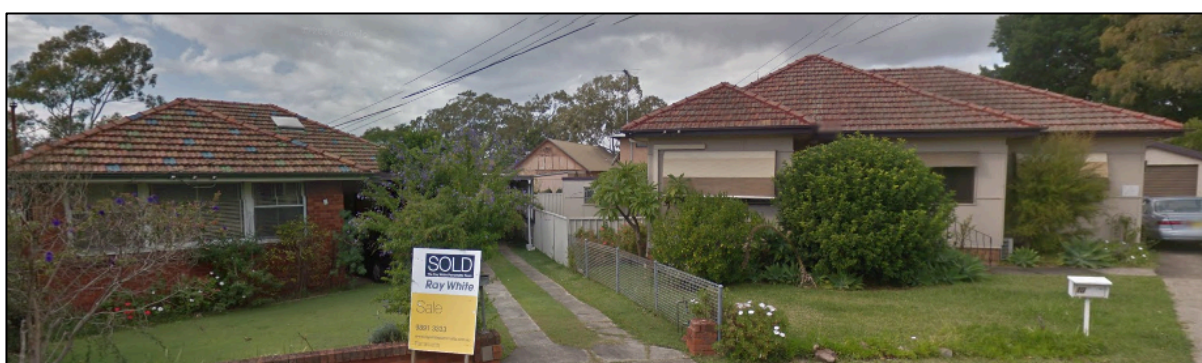
Photograph 2: Showing the No 2 & 4 Wayman Place.



Photograph 3: Showing the adjoining medium density development to the west of the subject site.



Photograph 4: Showing the adjoining property to the south east of the subject site and the existing driveway located adjacent the common boundary.



Photograph 5: Showing the existing streetscape along Wayman Place looking east as viewed from Addlestone Road.



Photograph 6: Showing the future streetscape along Wayman Place looking east as viewed from Addlestone Road.



Photograph 7: Showing the existing streetscape along Wayman Place looking west as viewed from the cul-de-sac turning bulb.



Photograph 8, 9, 10 & 11: Showing existing walk-up residential flat buildings in the area.



Heritage

The site is not located within a Heritage Conservation Area nor does not contain any heritage-listed items. However, the site is located within the vicinity of a heritage-listed item being I67, the Merrylands Uniting Church, as illustrated by the heritage extract map below.

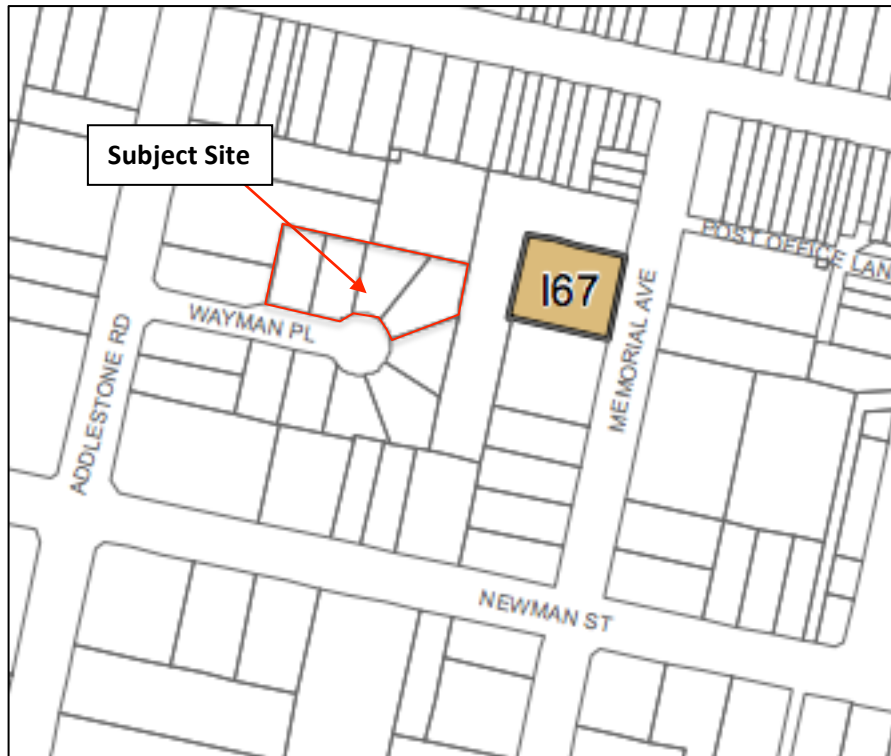


Image 6: HLEP 2013 Heritage Map Extract

In cognizance of the adjoining heritage item, a Statement of Heritage Impact was undertaken and is submitted in support of the amended development proposal. Please refer to the Statement of Heritage Impact for further details with respect to the impact of the development on the item.

2. Description of Proposal

The Development Application proposes the demolition of existing structures and lot consolidation in order to construct an eight (8) storey 'Residential Flat Building' at 2-8 Wayman Place, Merrylands. The proposal comprises a total of 62 units with two (2) levels of basement parking providing 76 vehicle parking spaces. The proposal incorporates the following dwelling mix:

- 7 x 1 bedroom units;
- 47 x 2 bedroom units; and
- 8 x 3 bedroom units.

The proposed development will incorporate a total of 14 affordable residential units with a gross floor area of 1,050m².

Parking

The development proposal includes a double width vehicle cross-over, driveway and graded access ramp located at the south-eastern corner of the site via Wayman Place and provides vehicular access to the two levels of basement car park. The basement will contain double width circulation areas and an additional double width internal graded access ramp to service the lower basement level B2 from the upper level B1. The vehicular access arrangements will provide safe and efficient access and manoeuvrability for future residents and visitors and a bin collection/ambulance bay will be provided at ground level adjacent the driveway to enable direct access to the communal bin storage area.

A total of 76 parking spaces will be contained within the basement level and the parking breakdown is as follows:

- 72 residential spaces, including 9 accessible parking spaces;
- 4 visitor spaces including 1 accessible parking space;
- 1 dedicated car wash bay.

The proposal will also provide 38 bicycle parking spaces and 4 motorcycle parking space to meet Councils DCP requirements.

Unit Configuration

A summary of the unit configuration is provided over the page.

Floor	Unit	Bedrooms	Floor Area	POS	Solar	Cross
Ground	Unit 1	2	72m ²	33m ²	Yes	Yes
	Unit 2 Adaptable	3	97.2m ²	21m ²	No	Yes
	Unit 3	2	70.4m ²	28m ²	No	Yes
	Unit 4	2	70.4m ²	46m ²	Yes	Yes
	Unit 5	2	72m ²	35m ²	Yes	No
	Unit 6	2	72m ²	35m ²	Yes	Yes
First	Unit 7	2	72m ²	10.7m ²	Yes	Yes
	Unit 8	2	72m ²	11m ²	Yes	Yes
	Unit 9 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 10 Adaptable & Affordable	3	97.2m ²	12m ²	No	Yes
	Unit 11 Affordable	2	70.4m ²	10.7m ²	No	Yes
	Unit 12 Affordable	2	70.4m ²	10.7m ²	Yes	Yes
	Unit 13 Affordable	2	72m ²	10.7m ²	Yes	No
	Unit 14 Affordable	2	72m ²	10.3m ²	Yes	Yes
Second	Unit 15	2	72m ²	10.7m ²	Yes	Yes
	Unit 16	2	72m ²	11m ²	Yes	Yes
	Unit 17 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 18 Affordable	3	97.2m ²	12m ²	No	Yes
	Unit 19 Affordable	2	70.4m ²	10.7m ²	No	Yes
	Unit 20 Affordable	2	70.4m ²	10.3m ²	Yes	Yes
	Unit 21 Affordable	2	72m ²	10.3m ²	Yes	No
	Unit 22 Affordable	2	72m ²	10.3m ²	Yes	Yes
Third	Unit 23	2	72m ²	10.7m ²	Yes	Yes
	Unit 24	2	72m ²	11m ²	Yes	Yes
	Unit 25 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 26	3	97.2m ²	12m ²	No	Yes
	Unit 27 Affordable	2	70.4m ²	10.7m ²	No	Yes

	Unit 28 Affordable	2	70.4m ²	10.3m ²	Yes	Yes
	Unit 29 Affordable	2	72m ²	10.3m ²	Yes	No
	Unit 30 Affordable	2	72m ²	10.3m ²	Yes	Yes
Fourth	Unit 31	2	72m ²	10.7m ²	Yes	Yes
	Unit 32	2	72m ²	11m ²	Yes	Yes
	Unit 33 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 34	3	97.2m ²	12m ²	No	Yes
	Unit 35	2	70.4m ²	10.7m ²	No	Yes
	Unit 36	2	70.4m ²	10.3m ²	Yes	Yes
	Unit 37	2	72m ²	10.3m ²	Yes	No
	Unit 38	2	72m ²	10.3m ²	Yes	Yes
Fifth	Unit 39	2	72m ²	10.7m ²	Yes	Yes
	Unit 40	2	72m ²	11m ²	Yes	Yes
	Unit 41 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 42	3	97.2m ²	12m ²	No	Yes
	Unit 43	2	70.4m ²	10.7m ²	No	Yes
	Unit 44	2	70.4m ²	10.3m ²	Yes	Yes
	Unit 45	2	72m ²	10.3m ²	Yes	No
	Unit 46	2	72m ²	10.3m ²	Yes	Yes
Sixth	Unit 47	2	72m ²	10.7m ²	Yes	Yes
	Unit 48	2	72m ²	11m ²	Yes	Yes
	Unit 49 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 50	3	97.2m ²	12m ²	No	Yes
	Unit 51	2	70.4m ²	10.7m ²	No	Yes
	Unit 52	2	70.4m ²	10.3m ²	Yes	Yes
	Unit 53	2	72m ²	10.3m ²	Yes	No
	Unit 54	2	72m ²	10.3m ²	Yes	Yes
Seventh	Unit 55	2	72m ²	10.7m ²	Yes	Yes
	Unit 56	2	72m ²	11m ²	Yes	Yes
	Unit 57 Adaptable	1	56m ²	10m ²	No	Yes
	Unit 58	3	97.2m ²	12m ²	No	Yes
	Unit 59	2	70.4m ²	10.7m ²	No	Yes
	Unit 60	2	70.4m ²	10.7m ²	Yes	Yes
	Unit 61	2	72m ²	10.3m ²	Yes	No
	Unit 62	2	72m ²	10.3m ²	Yes	Yes

3hrs= 62.9%/87.1 %

2hrs= 100%

A brief description of the various aspects of the development is provided below.

Level	Inclusions
Basement – B2	Vehicular access to B2 is via a double width graded access ramp from B1 above.
	Double width circulation areas will be provided within B2.
	40 x resident car parking spaces including 6 accessible car parking spaces.
	2 x motorcycle spaces
	8 x bicycle parking spaces.
	42 x resident storage units.
	1 x plant room.
	Lobby area with 1 x lift core
	2 x stair wells including fire escape stairs.
Basement – B1	Vehicular access to B1 is via a double width vehicle cross-over, driveway and graded access ramp from the ground level above.
	Double width circulation areas will also be provided within B2.
	32 x resident car parking spaces including 3 accessible car parking spaces.
	4 x visitor car parking spaces including 1 accessible car parking spaces
	1 x car wash bay.
	2 x motorcycle space
	8 x bicycle parking spaces.
	20 x resident storage areas to incorporate a mixture of cages and above parking storage areas.
	1 x fan room.
	1 x plant room.
	1 x meter room.
	Lobby area with 1 x lift core.
	2 x stair wells including fire escape stairs.
Ground Floor: Units 1 - 6	Vehicular access to the site is via a double width vehicle cross-over and roofed driveway located at the south-eastern corner of the site from Wayman Place.
	The ground floor accommodates a primary central pedestrian access to the site via Wayman Place to a foyer and lobby area providing direct access to a lift core, the ground floor residential units and the communal open space areas. The centralised entry point incorporates a letter box wall and an awning overhead to ensure the entry is clearly identifiable to

	both residents and visitors. Secondary pedestrian access is provided via Wayman Lane at the southern western section of the site boundary of the site and connects into the primary access path to also provide direct access to the lift core, stair well and the ground floor residential units. Each unit is provided with a kitchen, laundry, living area, dining area, storage space and private courtyard area that is generally accessed from living areas. 5 x 2 bedroom residential units with a courtyard POS area. 1 x 3 bedroom adaptable residential unit with a courtyard POS area. 16 x resident bicycle parking spaces and 6 visitor bicycle parking spaces. 1 x 5000ltr slimline water tank. 1 x easement for the padmount sub-station location along the southern (front) boundary. 1 x cleaner and store room. 674m² (30%) of deep soil zones. 873.3m² of a total 912.2m² (40%) of landscaped area is contained at the ground floor level. The remaining 38.9m² is contained within at the upper floors. The ground floor landscaping incorporates feature gardens, screen and canopy planting and strategically placed raised planter boxes to establish and maintain privacy levels for both future residents and adjoining properties and to soften the visual impact of the proposal whilst reducing the bulk and built form of the proposal to integrate the development into the context of the site and surrounding area. 694m² (30%) of communal open space that includes a BBQ area, seating/dining areas, a W/C and a ramp to the rear deep soil planting area. An enclosed communal garbage storage area located adjacent the driveway that has been redesigned to comply with Council's comments outlined in the Deferral Letter. A dedicated bin collection/ambulance bay between the communal bin storage area and the driveway to enable garbage collection within the site. 2 x stairwells including fire escape stairs to/from the basement.
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1st Floor: Units 7 - 14	Noting the irregular shape of the cul-da-sac bulb turning area, the upper floors incorporate a void over the ground floor entry garden to provide an appropriate front boundary setback. The proposed void will enhance the articulation of the built form and streetscape presentation of the proposal and will also help to reduce the visual bulk and mass of the proposed building.
	Each unit is provided with a kitchen, laundry, living area, dining area, storage space and private balcony area that is generally accessed from living areas.
	1 x 1 bedroom adaptable residential unit with a balcony POS area.
	6 x 2 bedroom residential units with a balcony POS area.
	1 x 3 bedroom adaptable residential unit with a balcony POS area.
	Lobby area with an open foyer and a lift core.
	2 x stairwells including fire escape stairs.
2 nd Floor – 6 th Floor: Units 15 - 54	Each unit is provided with a kitchen, laundry, living area, dining area, storage space and generous private balcony area that is generally accessed from living areas.
	5 x 1 bedroom adaptable residential units with a balcony POS area.
	30 x 2 bedroom residential units with a balcony POS area.
	5 x 3 bedroom residential units with a balcony POS area.
	Lobby area with an open foyer, soft landscaping and a lift core.
	2 x stairwells including fire escape stairs.
7 th Floor: Units 55-62	Each unit is provided with a kitchen, laundry, living area, dining area, storage space and private balcony area that is generally accessed from living areas.
	1 x 1 bedroom adaptable residential unit with a balcony POS area.
	6 x 2 bedroom residential units with a balcony POS area.
	1 x 3 bedroom residential unit with a balcony POS area.
	Lobby area with an open foyer and a lift core.
	2 x stairwells including fire escape stairs.

The proposed development has been redesigned to align with Council's recommendations and now appropriately addresses the site's context to present a favourable and positive development outcome for the subject site. The proposal will positively increase the existing levels of residential stock within Merrylands to provide a diverse mix of residential opportunities including affordable options that will help to support the growth of the Merrylands Town Centre in line with the principles of urban consolidation that seek to ensure the efficient use of community infrastructure by providing higher density residential developments at strategic locations.

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works, articulation of the built form, design measures to safeguard and establish privacy and relevant drainage elements as shown on the submitted plans. The relevant architectural plans for the proposal have been prepared by Architex, while supporting reports have been prepared by relevant sub consultants.

Overall, the proposed development incorporates contemporary architectural aesthetics that are consistent with residential flat buildings within Holroyd and relate to future anticipated developments in proximity to the subject site. Furthermore, the proposed development aims to not only provide a strong interface to the street frontage but to also set the tone and scale for future developments. Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties. The proposal complies with key planning requirements as discussed further and addressed in this report.

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works and relevant drainage elements as shown on the submitted plans. The proposal complies with key planning requirements as discussed further and addressed in this statement.

3. Deferral Letter Comments

This Statement of Environmental Effects is submitted in response to the Deferral Letter and attached comments issued by Council on the 02 September 2014 and addresses the key matters as identified by Council's Development Assessment Officer to permit the progression of the formal assessment of DA/2014/186/1. The key matters raised are as follows:

Matter Raised by Council	Response
Building Separation	The proposal has been redesigned to comply with Council's comments and will result in a reduction from 70 units to 62 units. As such, the proposal will now incorporate improved separation distances as requested in the Deferral Letter and as evident in the submitted plans.
Rear Setback	The proposed rear setback has been redesigned to predominantly comply with the required 9m setback noting that balconies and the lift core will encroach to within 7.255m. However, the proposal will incorporate appropriate privacy measures as evident in the amended plans.
Disabled Access	A 1:14 access ramp is now incorporated into the proposed development to provide access to the deep soil common open space at the rear.
SEE	This SEE has been formulated to address the initial deficiencies and appropriately addresses all issues raised by Council and provides justification where required.
Upper Storey Setback	Please see the discussion in the DCP compliance table below at Section 6.3 of Part B.
Site Coverage	The proposed site cover has been amended to reduce the extent of the building footprint. There is a minor variation to the control (.7%) and this is addressed further in this statement.
Building Line	The proposed development has been redesigned with the removal of seven units from that originally proposed to provide enhanced setbacks and separation distances as requested in the Deferral Letter. As such, the proposal will now provide predominantly complying front, rear and side boundary setbacks as evident in the amended plans.

	Noting the irregular shape of the subject site and the cul-de-sac turning head, the proposed front setback will still incorporate a minor encroachment into the 6m setback arc. However, the proposed development will now provide an enhanced setback area at the bulb turning head to ensure that the building won't be overbearing and to provide a clearly identifiable building entry for enhanced legibility. The redesigned proposal now also incorporates improved articulation of the built form to provide an attractive building façade to the streetscape and the new street setbacks will ensure that the proposal will be well integrated to make a positive contribution to the streetscape as evident in the submitted photomontage and noting the future scale of development that is anticipated to occur in the area. It is further noted that encroachment will have little adverse effect on properties to the south due to the separation distances achieved and having regard to the dimensions of the access road within Wayman Place.
Solar Access	The proposal has been accordingly amended. Whilst only 62.9% receive 3 hours solar access, all units (100%) receive at least 2 hours solar access. Given the site is in a dense urban area the 2 hour control contained in the RFDC is considered to be most appropriate. Given that 100% of units receive 2 hours of solar access this is considered acceptable.
Single Aspect Units	The proposal has been amended in line with the recommendations and will no longer incorporate any single aspect units. Please refer to amended plans for details.
FSR	The proposal has been redesigned to incorporate a 2.22:1 maximum FSR that marginally exceeds the permitted 2.2106:1 FSR by 23m². This is discussed in detail in the accompanying Clause 4.6 variation.
Building Height	The proposal has been redesigned to comply with the 26m building height as evident in the amended plans.
Character	A detailed character analysis is provided within this SEE under the appropriate Clause of the SEPP Affordable Rental Housing 2009.
Clothes Drying	Each unit will be provided with a mechanical clothes dryer within the laundry area and residents may utilise free standing drying frames within balconies.

Submissions	An Annexure is inserted at the end of the SEE to appropriately address the concerns raised by the submissions received by Council.
Waste Matters	The communal waste area and bin sizes have been redesigned to align with the recommendations and requests – please refer to amended plans for details. It is further noted that a bin collection bay is now incorporated adjacent the driveway area to enable direct collection of waste. The shallow allotment depth and difficulty with basement layouts means a basement garbage area is not practical on the site and a kerbside area is more appropriate given the site context.
Traffic & Parking	• A car wash bay is now provided at B1 of the basement. • A long section of the ramp @ 1:50 is submitted with the amended details. • The proposal will now provide 38 bicycle parking spaces to comply with the DCP bicycle parking rate noting the decrease in units.
Additional Info/Details	• Please see amended plans for fencing details. • The ground floor plan has been amended to show the location of the 5000 litre water tank. • Bollards have now been denoted on the plans for the shared zones between disabled parking spaces.
Development Engineer	• Please see the discussion within the HDCP compliance table below at section 3.5 of Part A. • The proposed development and architectural plans have been amended to incorporate the requested changes and details with regards to the basement pump system, stormwater design, OSD and overland flow.
SIA	An appropriately updated SIA is now submitted in support of the proposed development.
Copies	6 copies of all amended details have been lodged as requested.

The proposed development has been amended in line with Council's comments to satisfactorily address all the key issues raised and this Statement of Environmental Effects provides detailed justification and context with respect to any outstanding items. Please refer to the relevant compliance tables below for further discussion. It is also noted that all relevant specialist reports and amended materials as requested by Council are appended to the Development Application and submitted in support of the proposed development.

4. Controls

Statutory Controls

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy BASIX
- State Environmental Planning Policy No. 55 – Contaminated Land;
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development;
- Holroyd Local Environmental Plan 2013

Policy Controls

The applicable policy control documents are: -

- Holroyd Development Control Plan 2013

5. Consideration

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

State Environmental Planning Policy BASIX

The application has been assessed and is accompanied by a complying BASIX certificate. See attached BASIX Certificate for detail.

State Environmental Planning Policy No. 55 – Contaminated Land

Given the historical use of the site for residential purposes, land contamination is not likely. Further investigation and reporting under SEPP 55 is not considered necessary.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

The development application is accompanied by a design verification statement prepared by Architex, verifying that he has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat development.

A description of compliance with the applicable development controls such as setbacks, building depth, separation, height, etc is provided in the local planning controls discussion and tables below.

The table below provides a detailed discussion against the relevant provisions of the Residential Flat Design Code, noting that a number of these provisions are embodied within the Holroyd Local Environmental Plan 2013 and supporting Holroyd Development Control Plan 2013.

	Design principles	Comments	Complies
Building height	Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.	The overall density of the development is appropriate in context and the design response ensures amenity impacts to adjoining properties are minimised. In addition, the proposal has now been redesigned to comply with the 26m building height as evident in the amended plans.	YES
Building Depth	In general, an apartment building depth of 10-18 meters is appropriate.	The proposed building comprises a building depth that ranges from 7.2m-17.7m and as such will comply with the recommended building depth requirement.	YES
Building separation	Test building separation controls for daylight access to buildings and open spaces. Buildings up to 4-storeys:(12m) Non-habitable to non-habitable 3m Habitable to non-habitable 9m Habitable to habitable 12m Buildings from 5-8 storeys (up to 25m) Non-habitable to non-habitable 9m Habitable to non-habitable 13m Habitable to habitable 18m	The development has been redesigned in accordance with Council's Deferral Letter comments and is now generally compliant with the principles of building separation as evident in the submitted plans. However, in circumstances where the numerical distances are not achieved the proposal will incorporate design measures to mitigate any negative overlooking or amenity impacts such as boundary canopy and screen plantings, strategically placed planter beds, privacy walls and screens, louvres, highlight windows, offset living areas and balconies and smart apartment orientation and layouts. Given the R4 zoning of the adjoining sites to the north, west, east and south, future developments will also have to achieve the prescribed setback distances, which will benefit the subject development and help to provide appropriate separation	Minor Variation

		for high quality amenity and visual privacy. Please refer to amended plans for details. It is also noted that the proposal complies with the minimum DCP side boundary setback control of 3m for residential flat buildings.	
Street Setbacks	To establish the desired spatial proportions of the street and define the street edge. To relate setbacks to the area's street hierarchy.	The proposal is predominantly consistent with the street setback provisions under the Holroyd DCP 2013 as discussed further in the relevant section of the report below.	YES
Side and Rear Setbacks	To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.	The proposal is consistent with the side setback provisions under the Holroyd DCP 2013 as discussed further in the relevant section of the report below.	YES
Floor space ratio	Test the desired built form outcome against proposed floor space ratio to ensure consistency with: - building height - building footprint - the three dimensional building envelope - open space requirements.	The proposed development has been redesigned to reduce the extent of floor space with a minor variation of 23m² now provided. See further discussion. Please see the separate FSR calculation area plan submitted for detail.	YES
Deep Soil Zones	A minimum of 25% of the open space area of a site should be a deep soil zone, more is desirable.	The proposal will provide a complying 674.2m ² of the site as deep soil zones that equate to 30% of the total site area and complies with the RFDC.	YES
Open space	The area of communal open space required should generally be at least between 25–30% of the site area.	The proposal will provide a complying 694m² or 30.9% of the site as communal open space, exceeding the 25-30% requirement. The plans demonstrate that a 50m² active open space area will also be provided. It is further noted that the units are also provided with ample private open space areas.	Yes
Safety	CPTED principles, orient to street.	It is considered that there are a number of opportunities for surveillance by the future residents of the proposed RFB. In	Yes

		particular, the design of the development provides for passive surveillance of the street frontage and the communal areas of the proposal. Access to the basement and residential areas will be security controlled.	
Apartment layout	Single-aspect apartments and the back of kitchens should be limited in depth to 8 meters from a window. Minimum apartment sizes: 1 bed- 50m² 2 bed- 70m² 3 bed- 95m²	The use of the corner apartment design and clever articulation elements such as window placement, window dimensions, recessions and protrusions enables the proposal to deliver appropriate levels of solar access and natural cross ventilation of apartments. In addition, no single aspect apartments are included within the proposal. Notwithstanding this, the kitchens of units are either located within 8m from a window or are provided with a window on the adjoining wall. Complies Complies Complies	Yes Yes
Apartment mix	Provide a diversity of apartment types to cater for different household requirements.	A diversity of apartments is proposed as follows: • 7 x 1 bedroom units; • 47 x 2 bedroom units; and • 8 x 3 bedroom units. The proposed unit mix will offer a variety of housing choice. The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.	Yes

Balconies	Provide primary balconies with a minimum depth of 2m	The proposed primary balconies comply with the minimum 2m depth, and provide at least a 10.3m ² area of POS which complies with the minimum requirement for POS as prescribed by the HDCP.	YES
Internal circulation	In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to 8.	The proposed development will comply as a maximum of 8 units will be accessible via the lift core per plate level.	Yes
Storage	Minimum 1 bed- 6m3. 2 bed- 8m3. 3 bed- 10m3.	The proposal will incorporate storage areas in both the apartments and within the basement for each unit to provide appropriate storage for future residents.	Yes
Daylight Access	Living rooms and private open spaces for at least 70% of apartments should receive at least 3 hours direct sunlight between 9am and 3pm in mid winter.	62.9% of units within the proposed development will receive 3+ hours of direct sunlight at mid winter, which is below the 70% requirement. However, it is noted that all remaining residential units (100%) will receive 2+ hours of sunlight and as such the proposal is considered worthy of support noting that the reduced level of sunlight will provide different pricing points and as such will increase affordability options. Further the RFDC enables the 2 hour rule to be used in dense urban areas- which is the case with the current site being on the fringe of the Merrylands Town Centre.	YES
	Limit single aspect apartments with a southerly aspect to a maximum of 10%.	The proposal does not incorporate any single aspect apartments due to the corner apartment design layouts.	YES
Natural ventilation	Building depths, which support natural ventilation typically range from 10 to 18 meters.	As outlined above, the proposal will achieve the recommended building depth as it will incorporate a building depth that ranges from 7.2m-17.6m.	YES
	60% of residential units should be naturally cross-ventilated.	87.1% of units will be naturally cross ventilated	YES
	25% of kitchens should be naturally ventilated.	38.88% of kitchens are naturally ventilated.	YES

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 was introduced in July 2009 as a response to the ongoing issue of housing affordability within NSW. This section of the Statement addresses the relevant provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009.

Part 2 New Affordable Rental Housing: Division 1 In-Fill Affordable Housing

Clause 10- Development to which Division Applies

The SEPP applies as residential flat buildings are permitted with consent under the Holroyd Local Environmental Plan 2013, with a train station located within 750m of the subject site and bus stops with regular services to Guildford, Parramatta, Liverpool and Sydney located in close proximity to the site to meet the SEPP requirements. Furthermore, the subject site is located adjacent the Merrylands Town Centre.

Clause 13- Floor Space Ratios (FSR)

The percentage of gross floor area associated with the affordable dwellings will be required to be at least 20%. The proposed development will provide 14 affordable units with a gross floor area of 1,050m², which equates to 21.06% of the total gross floor area of the proposal. As such, the SEPP will afford an FSR bonus of 0.2106:1 for the proposed development thus bringing the permitted FSR to 2.2106:1. This is derived through adding the bonus to the 2.0:1 HLEP 2013 FSR control that applies to the site. The FSR of the proposed development is 2.22:1 and presents a minor variation of 23m² and a clause 4.6 variation request is submitted in this regard.

Clause 14- Standards that cannot be used to refuse consent

The SEPP prescribed a number of standards that cannot be used to refuse consent. They are summarised within the table below:

Control	Numerical Requirement	Proposed Development	Complies
Site Area	450m ²	2,244.7m ²	Yes
Landscaped Area	30% of site area	40.0%	Yes
Deep Soil Zones	15% of site area	30.0% with the deep soil areas evenly distributed throughout the site to ensure the proposal	Yes

		predominantly complies with the prescribed setbacks.	
Solar Access	3 hours to 70% of dwellings between 9am and 3pm at mid-winter	54 units = 62.9%	No- However 100% receive 2 hours which meets RFDC for apartment buildings in dense urban areas as per previous discussion.
Parking	1 Bed: 0.5 spaces (3.5) 2 Bed: 1 spaces (47) 3 Bed: 1.5 spaces (12) 62.5 required in total.	76 spaces provided	Yes
Dwelling Size	1 Bed: 50m ² 2 Bed: 70m ² 3 Bed: 95m ²	1 Bed: >50m ² 2 Bed: >70m ² 3 Bed: >95m ²	Yes

Clause 15- Design Requirements & Clause 16- Continued Application of SEPP 65

The proposal involves a residential flat building and therefore the reference to the Seniors Living Policy: Urban Design Guidelines for Infill Development is not relevant to the current proposal. As noted by Clause 16 the provisions of SEPP 65 continue to apply to the development and the provisions of SEPP 65 are addressed previously in this statement and the accompanying Design Verification Statement prepared by Architex.

Clause 16A- Character of Local Area

The design ensures compatibility with the local area as outlined in the planning principle established in *Project Venture Developments Pty Ltd V Pittwater Council*. Of particular relevance to the current proposal is the recent decision in *Moscaritolo v Ryde City Council* where Senior Commissioner Brown outlined, in relation to a proposal under the ARH SEPP, at [18] that:

I accept that any assessment of the proposed development against the character of the local area should include an assessment of existing building forms and also the character envisaged by the forms of development contemplated.

Future character is a consideration, however the existing patterns of development are equally important given that redevelopment of the adjoining site to the west containing a three (3) storey townhouse walk up development is unlikely to occur in the short to medium term. A detailed discussion against the planning principle is provided below.

In accordance with the Planning Principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191* the following tests apply in determining whether development is compatible with surrounding development:

24 Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

These questions will be dealt with in turn however it is important to note that as set out in the planning principle *'Compatibility is... different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve'*. Therefore it can be seen that it is not necessary that the development adopt the same built form, scale, and appearance as surrounding developments.

In terms of the physical impacts of development the following points are made:

- The sites location at the northern side of Wayman Place means that the extent of overshadowing is to fall on the street as opposed to impacting on the same property through out the entire day at mid-winter.
- Privacy impacts are mitigated through the provision of appropriate separation, smart internal apartment layouts, highlight windows, window placement (offset windows), landscape embellishments works, screen plantings, strategically placed raised planter beds, recessed private open space courtyards and balconies and privacy screens. The majority of living areas of the proposed units are oriented towards the street frontage and rear common open space area to mitigate privacy impacts to adjoining properties as far as practicable.
- Noise impacts arising from the proposal are limited to traffic movements. Given the location and design of the basement entry it is not anticipated that the level of noise generated will substantially impact on adjoining properties;

- The development proposal does not result in the constrained development potential of the adjoining properties or impact on any existing view corridors, noting that the subject site has been designed to present a suitable form of development in the locality.

Therefore it can be seen that the physical impacts of the proposal are acceptable.

The planning principle establishes that the three (3) key elements that define urban character are building height, setbacks, and landscaping. In this regard the following comments are made:

Height

- The proposal has now been redesigned to comply with the 26m building height as evident in the amended plans.
- It is also worth noting that the subject area has been earmarked for a comprehensive change of character as evident in the permitted maximum building heights map for the area. Please note the letters on the HoB extract below represent the following building height: O = 15m, Q = 20m, T1 (subject site) = 26m, T2 = 29m, W = 41m, Y = 53m and AA = 65m.

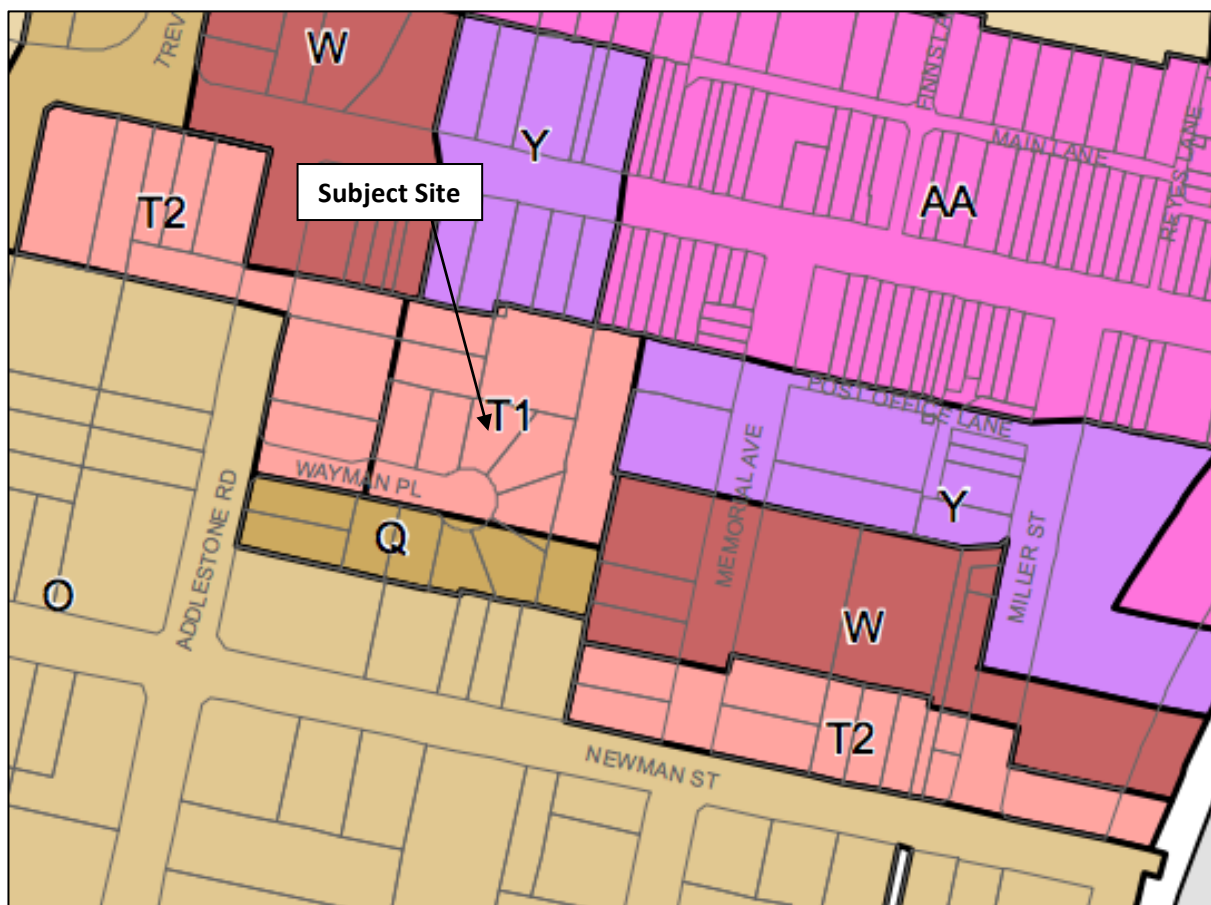


Image 7: HLEP 2013 Height of Buildings (HoB) Map Extract

- It is evident from the height of buildings map extract above that the future buildings will step up in height on approach to the Merrylands Town Centre. As such, once the surrounding sites are redeveloped in line with the R4 zoning and permitted building heights and FSR, the proposed 8 storey building will not be visually dominant in the area and it will be well integrated with the future desired backdrop of building heights. The stepping of building heights towards the Merrylands Town Centre will improve legibility for the town centre and ensure that a strong building line, streetscape and urban built form is achieved. In addition, the higher density developments located in close proximity to the Merrylands Town Centre, public transport and essential services will comply with the principles of urban consolidation.

Setbacks

- The proposed setbacks have been redesigned to align with Council's comments as much as practicable noting that the irregular shape of the subject site, the irregular shape of the cul-de-sac bulb turning area and the use of high quality perpendicular wall layouts to provide useable and functional units and internal living areas will create minor encroachments. Please refer to the relevant setback section discussion within the DCP compliance table below for further detail.
- Irrespective of the minor encroachments, the proposed building will sit comfortably in the streetscape. It is expected that with the current demand for housing along Sydney's rail corridor and key arterial road networks, the existing low scale R4 zoned land parcels within the area will undergo a transformation from their existing built forms to higher density developments of comparable scale to the current proposal over the next 5-10 years. As such, the spatial sequencing of the proposed built form will be complimentary to the future built forms in the area noting the provisions available to surrounding sites under the HLEP 2013. Therefore, any negative impacts associated with the proposed development are of a transient nature and will be erased over time. The proposal will also be consistent with the future streetscape rhythm but in cognisance of the site's existing context, appropriate setbacks and separation distances are proposed to ensure the proposal will not create any adverse amenity, visual or privacy impacts on adjoining properties.

Landscaping

- The landscape concept provides for substantial deep soil, landscape embellishment works, screen plantings and strategically placed raised planter beds along the site's boundaries to incorporate a garden setting and to both maintain and enhance the levels of privacy and amenity enjoyed by existing residents of the area and for future residents of the proposal. The proposed landscaping and the upper level landscaped lobby will help to soften the built form of the proposed development and reduce the visual bulk and mass of the building and this will help the proposal to integrate with the site's context.
- A variety of plant species are proposed including small sized canopy trees, shrubs and hedge plantings, and groundcovers.

The 3D photomontage is provided below that demonstrates the compatibility of the building with the character of the locality and adjoining development with the proposal presenting a high quality urban design outcome on the site:



Based on the foregoing discussion it is considered that the development will exist in harmony with future development in the vicinity of the site and as such is worthy of support by Council as the development is compatible with the desired character of the locality.

Clause 17- Must be used for Affordable Housing for 10 Years

It is anticipated that conditions of consent will reinforce that the proportion of floor area to be used as affordable dwellings are to be used for a period of no less than 10 years as affordable dwellings.

Holroyd Local Environmental Plan 2013

The development site is zoned R4 High Density Residential under the provisions of the HELP 2013 and as evident in the zoning map extract below.

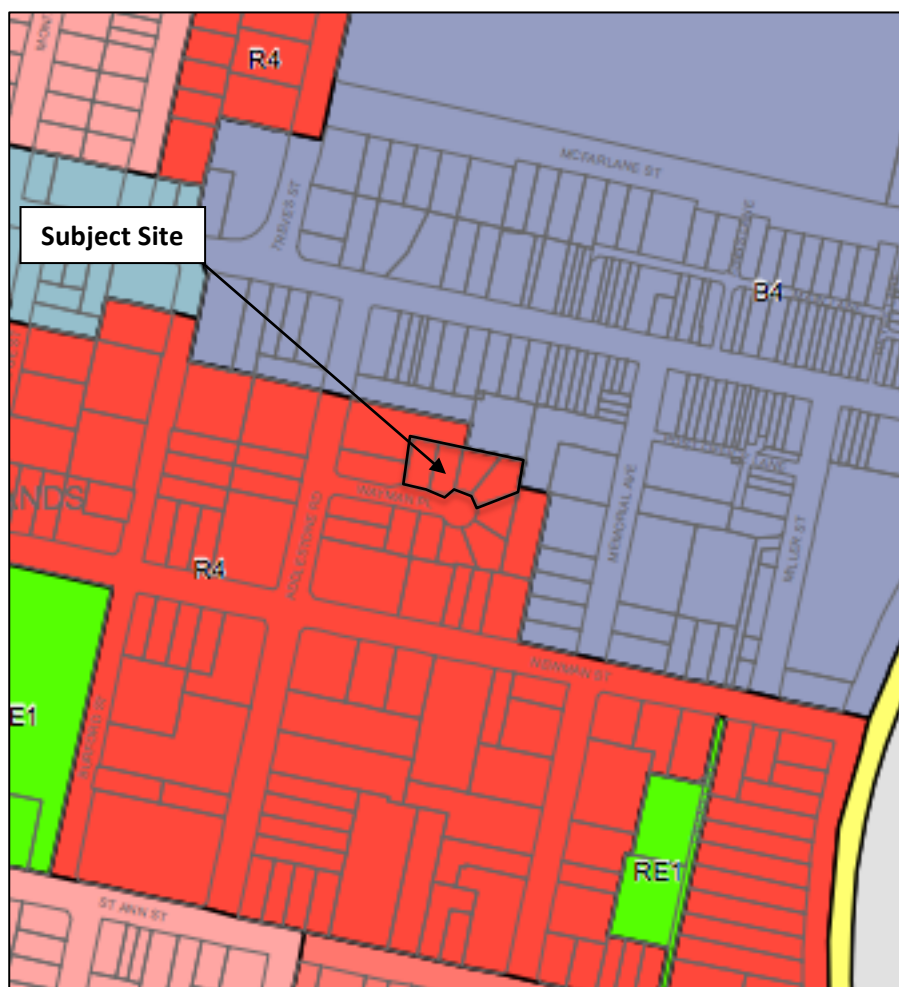


Image 8: HLEP 2013 Zoning Map Extract

Residential Flat Buildings are permissible with consent within the subject site and the proposal is consistent with the definition contained within the LEP:

Residential Flat Building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The proposal is also consistent with the prescribed zone objectives that are:

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

The proposed development provides a residential flat building that will not only make available a variety of housing types but also contribute towards increasing the housing and affordable housing stock within Merrylands to maintain and support the growth of the Merrylands Town Centre. The site is well located within proximity to essential services, public transportation and recreation opportunities.

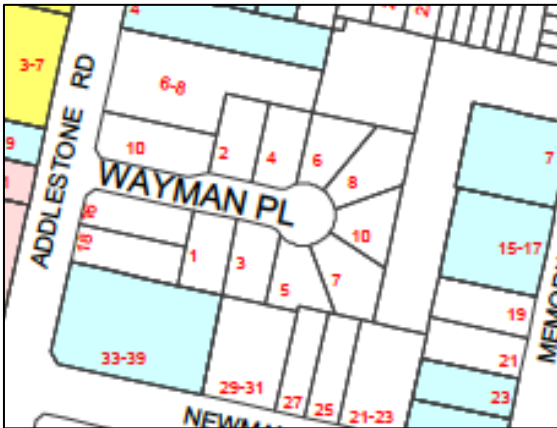
The residential flat building incorporates a contemporary design that achieves good presentation to the site's frontage. The subject area is expected to intensify over the next 5 to 10 years given the R4 zoning for the subject site and adjoining properties to the north and south of the site, as such the proposed development aims to be consistent with the desired future character of the locality and to set the tone and scale for future comparable developments.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Holroyd Local Environmental Plan 2013 – Compliance Table			
Clause	Controls	Comment	Complies
Zoning	R4 – Residential Flat Building	A residential flat development is permissible with Council consent in the R4 – High Density Residential zone.	YES
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R4 – High Density zone and will provide additional housing in the catchment of public transport and services whilst contributing a range of housing types to suit the needs of residents within a high density context. The site as it currently exists is underutilised in terms of its development potential. The proposal will not only permit the site to be developed to its full zoning potential but also aims to be sympathetic to the established tone and scale of existing low density residential developments within proximity to the site by providing appropriate separation distances, setbacks and design measures to reduce any amenity or privacy impacts As the strategically located area is expected to undergo a transition towards higher density developments over the next 5-10 years comparable to the proposed development, the associated impacts of the proposal are regarded as being transient and will be further reduced once adjoining properties are redeveloped.	YES

		Notwithstanding, the proposal has been redesigned to comply with the prescribed controls and Council's comments to ensure that the proposal will not detrimentally affect existing residents and properties. The proposal also aims to set the tone and scale for future high density development within the subject area.	
Part 4 Principal Development Standards			
4.3	Height of Buildings: 26m	The proposal will comply with the minimum floor to ceiling height requirements. A maximum building height of 26m is identified for the site under Holroyd Local Environmental Plan 2013 Height of Buildings Map Sheet HOB_009. The proposal has been redesigned to comply with the 26m building height as evident in the amended plans. Furthermore, the overall density of the development is appropriate in context and the design response ensures amenity impacts to adjoining properties are minimised.	YES
4.4	Floor Space Ratio: 2.2:1	A maximum floor space ratio of 2.2106:1 is identified for the site under the Holroyd Local Environmental Plan 2013 Floor Space Ratio Map Sheet FSR_009 and noting the bonus provisions afforded by Clause 13 of the SEPP ARH 2009. It is noted that the development proposes an FSR of 2.22:1 and as such presents a departure of 23m ² or 0.46% of the maximum permitted FSR. See Clause 4.6 variation for further detail.	Minor Variation- See Clause 4.6 variation
4.6	Exceptions to Development Standards	Not applicable to the redesigned proposal.	N/A
Part 5 Miscellaneous Provisions			
5.9	Preservation of Trees or Vegetation	The subject site is within a well established residential area, having historically been used for residential purposes it represents a predominantly cleared site with respect to trees and vegetation. However, this application seeks Council consent for the removal of 1 tree on site as identified in the attached plans.	YES

		It is noted that the proposal will retain the remaining existing trees on site and will complement the existing vegetation within the site with landscape embellishment works, screen and canopy plantings and strategically placed planter boxes/beds as illustrated on the landscape plan. The proposed landscape embellishment works will improve and enhance the subject site and help provide a garden setting that will help to reduce the visual bulk of the RFB and integrate the proposal within the context of the site and its surrounds. All landscaping works are to be undertaken in accordance with the attached Landscape Plan and Arborist report.	
5.10	Heritage Conservation	Please refer to the Heritage discussion contained at the end of Section 2 of the SEE above.	YES
Part 6 Additional Local provisions			
6.1	Acid Sulfate Soils	The subject site is not identified as being affected by Acid Sulfate Soils. Not applicable.	N/A
6.2	Earthworks	This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area. Please refer to the specialist engineer details submitted in support of the proposal. The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	YES

6.3	Essential Services	The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site.	YES
6.4	Flood Planning	The subject site is not identified as being located on flood prone land as per Map 1 – Flood Control Lot Map available on Council’s website.  Notwithstanding the above, the hydraulic details with respect to the overland flow have been prepared by a Civil Engineer as requested.	YES
6.5	Terrestrial Biodiversity	The subject site is not identified as containing Biodiversity Land under Holroyd Local Environmental Plan 2013. Not applicable.	N/A
6.6	Riparian Land and Watercourses	The subject site is not identified as containing Riparian Land and Waterways under Holroyd Local Environmental Plan 2013. Not applicable.	N/A
6.7	Stormwater Management	A Stormwater Management Plan has been prepared and was attached as part of the initial DA submission. The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. Please see Stormwater Management Plan for details.	YES

6.8	Salinity	The subject site has been identified as being affected by Moderate Salinity potential and measures will be detailed at the CC stage.	YES
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Holroyd Development Control Plan 2013 – Part A General Controls

The table below provides detail on the development standards relevant to the current proposal.

Holroyd Development Control Plan 2013 – Part A General Controls Compliance Table			
Clause	Controls	Comment	Complies
3. Car Parking			
3.	Minimum Parking Spaces: <u>Car Parking Rates</u> 1 bed unit: 0.8 minimum 2 bed unit: 1 minimum 3 bed unit: 1.2 minimum Visitor/dwelling: 0.2/dwelling (minimum)	The development proposes the construction of an eight (8) storey residential flat building with the following mix: ➤ 7 x 1 bedroom units (5.6); ➤ 47 x 2 bedroom units (47); and ➤ 8 x 3 bedroom units (9.6). As per the DCP, this would equate to: 62.2 resident spaces 12.4 visitor spaces Total of 74.6 (75) spaces. The development proposes the provision of a complying 76 basement car parking spaces, including 72 resident parking spaces with 9 accessible spaces for each adaptable unit, 4 visitor parking spaces with 1 accessible space and a dedicated car wash bay. As such, the proposal is consistent with Council's car parking controls. It is further noted that 4 x motorcycle parking space is provided in the basement area. The variation to the visitor parking spaces is considered acceptable noting the location of the public car park in close proximity to the site, the proximity of the site to the train station and bus stops and that the proposal complies with the overall 75 space requirement and that the proposal meets the Affordable Housing SEPP provisions. Access to the basement and double width graded ramp is via Wayman Place. See plans for detail.	YES Minor Variation

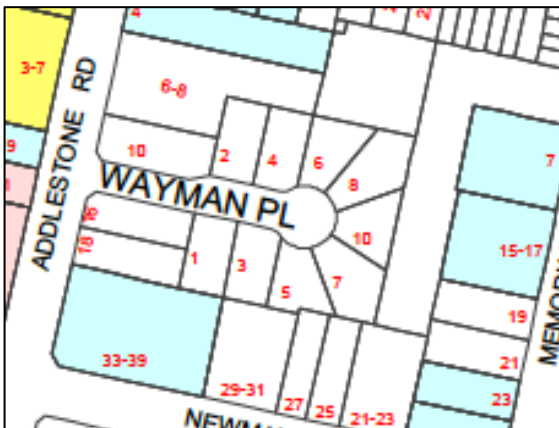
	<u>Bicycle Parking Rates</u> 0.5 bicycle parking spaces per unit for residents = 31 0.1 bicycle parking space per unit for visitors = 6.2 Total = 37 bicycle parking spaces	It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site. The proposed parking area and ancillary driveway will not contribute to the creation of traffic hazards. Please refer to the Traffic report submitted in support of the proposal. The control requires 0.5 of a bicycle parking space per unit for residents and 0.1 of a bicycle parking space per unit for visitors. As such, the proposal is required to provide a total of 37 bicycle parking spaces. The proposal will provide 38 bicycle parking spaces which exceeds the minimum requirement The proposal will also provide 4 motorcycle parking spaces. The proposed car parking area is considered appropriate and will satisfactorily service the traffic and parking needs of the proposal.	YES
3.2	Parking Design Guidelines	<u>External Appearance:</u> The proposed vehicular access arrangements have been designed to incorporate landscaping works and design elements such as a roofed entry to reduce any negative visual impacts and to appropriately integrate the arrangements with the overall design of the development. Please also refer to Section 3.5 below with respect to justification on the encroachment into the setback between the boundary line and the driveway/graded access ramp.	YES
3.3	Dimensions and Guidelines	Proposed dimensions for car parking spaces are consistent with Council controls. Please see amended architectural plans for details.	YES
3.4	Site Works	<u>Drainage, Light & Ventilation:</u> Excavation work required for the proposed basement parking for the residential flat building have made adequate provision for the drainage of runoff and seepage.	YES

		A Stormwater Management Plan has been prepared and was submitted with the initial DA documents. Please also see the attached amended stormwater details as requested. All car parking areas within the site will have adequate lighting with mechanical ventilation system installed within the basement in accordance with relevant BCA and AS 1668 requirements. <u>Landscaping of Open Car Parks</u> The proposed car parking is to be contained within the basement and will not be viewable from street level.	N/A
3.5	Access, Manoeuvring and Layout	<u>General Layout:</u> The proposed car parking layout incorporates a logical and simple design that aims to expedite vehicle circulation, minimise congestion points and be appropriately dimensioned. In addition, vehicles can enter and leave the site in a forward direction. <u>Minimum Setbacks from Side Property Boundaries to Driveways</u> The control requiring the 1.5m setback for the driveway and graded access ramp is problematic having regard to the irregular elongated configuration of the subject site and its modest depth which varies from 32m down to 20m. The proposed access arrangements have been logically located to ensure efficient and safe access and turning areas for the basement levels below noting that the other option would be to locate the driveway at the western section of the site. However, as a result of the narrow depth of the site along the western boundary the proposed access point represents the most practical or feasible option. To achieve the 1.5m setback requirement the proposed rear setback would be reduced by 1.5m which would create a negative	YES Minor Variation

		development outcome for the site as the deep soil common open space area would be highly diminished thus decreasing its usability and the reduced rear boundary setback would directly create privacy and amenity impacts on the adjoining properties to the north support. Therefore, it is considered that the proposed driveway encroachment will achieve an optimal development outcome noting that the proposal has been carefully designed to reduce the impact of the driveway by incorporating a landscaped area along the eastern boundary that will align with the rear private open space of No. 10 Wayman Place to safeguard the amenity enjoyed by the existing residents. It is also noted that the proposed location of the vehicle crossover is already established on site noting the existing vehicle crossover that serves No. 8 Wayman Place. Furthermore, it is anticipated that the subject area will undergo a transformation of building forms towards higher density residential developments noting the R4 zoning and strategic location of the cul-de-sac properties. In this regard, the impact of the proposed driveway would be regarded as being transient in nature as a future redevelopment of the adjoining property with a comparable development will be required to provide relevant setbacks and landscaping that will remove any concerns or impacts associated with the proposed driveway and graded access ramp. Having regard to the above, the proposed variation is considered worthy of support. <u>Clearances</u> The basement parking levels have minimum ceiling heights of 2.5m. Complies. <u>Pedestrian Circulation</u> The proposed basement car parking arrangement is to be appropriately integrated into the proposal and is consistent with comparable developments within the Holroyd Local Government Area. It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the	YES YES
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		safe and efficient movement of vehicular and pedestrian traffic.	
3.6.	Parking for the Disabled	The proposal provides 7 accessible car parking spaces and complies with Council's car parking dimensions for car parking spaces for the disabled. Complies.	YES
4. Tree and Landscape Works			
4.1	Preservation of Trees	The subject site is within a well established residential area, having historically been used for residential purposes it represents a predominantly cleared site with respect to trees and vegetation. However, this application seeks Council consent for the removal of 1 tree on site as identified in the attached plans. It is noted that the proposal will retain the remaining existing trees on site and will complement the existing vegetation within the site with landscape embellishment works, screen and canopy plantings and strategically placed planter boxes/beds as illustrated on the landscape plan. The proposed landscape embellishment works will improve and enhance the subject site and help provide a garden setting that will help to reduce the visual bulk of the RFB and integrate the proposal within the context of the site and its surrounds. All landscaping works are to be undertaken in accordance with the attached Landscape Plan	YES
5. Biodiversity			
		The proposed development will not impact on any significant flora and fauna.	YES
6. Soil Management			
6.1	Cut & Fill and Retaining Walls	The proposal has been designed to minimise the amount of cut and fill required, whilst also providing a built form that is appropriate considering the context of the site and the surrounding area. It is considered that the proposal results in an appropriate outcome on site that will not adversely affect the environment or the existing residential amenity of adjoining properties.	YES

6.2	Site Contamination and Land Filling	Given the historical use of the site for residential purposes, land contamination is not likely. Therefore, Council can be satisfied that the provisions of Clause 7 of the SEPP are satisfied.	YES
6.3	Erosion and Sediment Control	Appropriate measures will be undertaken during the construction and construction phase of the development application to ensure that all soil materials will be contained on the site. Appropriate erosion and sediment control measures such as the use of sediment fencing will be undertaken to minimise erosion during the demolition and construction phase of the proposal.	YES
6.4	Erosion and Sediment Control Plan	An Erosion and Sediment Control Plan has been submitted with the initial DA lodgement.	YES
6.5	Salinity Management	The subject site has been identified by Council's Salinity Map - Sheet SAL 006 to have moderate salinity potential and this will be addressed at the CC stage.	YES
7. Stormwater Management			
		A Stormwater Management Plan has been prepared and was attached as part of the initial DA submission. The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. Please see Stormwater Management Plan for details. In addition, the proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.	YES

8. Flood Prone Land			
		The subject site is not identified as being located on flood prone land as per Map 1 – Flood Control Lot Map available on Council’s website.  Notwithstanding the above, the hydraulic details with respect to the overland flow have been prepared by a Civil Engineer as requested and are submitted in support of the amended proposal	YES
9. Managing External Road Noise and Vibration			
	Managing External Road Noise and Vibration	An Acoustic report was submitted with the initial DA lodgement in support of the proposed development outlining that with mitigation measures the proposal will provide the required amenity levels for future residents.	YES
10. Safety and Security			
		The proposed development incorporates an active façade that will permit casual surveillance of Wayman Place, the common open space areas and the driveway area. The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area. The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders. The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are	YES

		proposed, that are easily read by resident, visitor and passer by alike. It is considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development. All materials and finishes are appropriate. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.	
11. Waste Management			
		See previous discussion regarding waste bins against deferral comments. It is further noted that a bin collection bay has now incorporated adjacent the driveway area to enable direct collection of waste within the property. A Waste Management Plan was submitted with the initial lodgement materials and is still applicable to the redesigned proposal.	YES
12. Services			
		The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site.	YES

Holroyd Development Control Plan 2013 – Part B Residential

The table below provides detail on the development standards relevant to the current proposal.

Holroyd Development Control Plan 2013 – Part B Residential Controls Compliance Table			
Clause	Controls	Comment	Complies
1. General Residential Controls			
1.1	Building Materials	The proposal incorporates physical articulation of the built form and a mixed palette of building materials and finishes. Materials and finishes used are consistent with that existing in the area whilst also being contemporary in character, the range of materials significantly contributes to the articulation of the building and helps to reduce the overall bulk and mass of the	YES

		building.	
1.2	Fences	Proposed fencing is to be consistent with that existing within Holroyd Local Government Area for comparable residential flat buildings. The proposed fencing is compliant with Council controls. Please see attached fencing plans as requested.	YES
1.3	Views	The proposed development will not impact on significant views due to the nature of the proposal as well as its location. It is noted that the proposal is to be of a size and scale that is predominantly consistent with Council controls and will sit well within the anticipated future skyline noting the HLEP 2013 permits higher building heights for properties surrounding the subject site. Furthermore, the proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the future streetscape. The proposal fulfils the subject site's zoning potential and will not impact on views to and from significant sites or on existing significant view corridors.	YES
1.4	Privacy	<u>Visual Privacy</u> The proposal provides for appropriate levels of visual privacy through a combination of elements including building separation and setbacks, offset windows, highlight windows, smart internal apartment and balcony orientation and layouts, privacy walls and screens, louvres, landscape embellishment works, screen/canopy plantings and strategically placed planter boxes. Please refer to the amended plans for details <u>Acoustic Privacy</u> The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy. See the submitted Acoustic report for detail.	YES YES

1.5	Landscaping and Open Space 30% of the total site to be provided as landscape area.	<u>Landscaped Area</u> A compliant 40% of the total site is to be provided as landscaped areas with 873.3m² provided on the ground floor and 38.9m² provided at the upper levels. In addition, the proposed landscape embellishing work will improve and enhance the subject site whilst helping to soften the built form thus reducing the visual bulk and mass of the proposal. Works include landscape strips, deep soil areas capable of canopy and screen plantings and strategically placed planter boxes/beds. See landscape plans for detail. <u>Private Open Space</u> The proposal incorporates appropriate private open spaces for each dwelling with direct access from a main living area of the dwelling. The majority of balconies will have good solar access. It is noted that at least 10m² of private open space is provided for each dwelling. Private balcony areas are sufficiently separated from adjoining properties to mitigate privacy impacts and appropriate measures such as smart balcony orientation, privacy screens, privacy walls and louvres are incorporated to minimise overlooking opportunities.	YES YES
1.6.	Safety and Security	The proposed development incorporates an active façade that will permit casual surveillance of Wayman Place, the communal open space areas and the driveway area. The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area. The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders. The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by resident, visitor and passer by alike. It is	YES

		considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development. All materials and finishes are appropriate. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.	
1.7	Building and Site Sustainability	The proposal is accompanied by an updated and complying BASIX Certificate, which demonstrates a commitment to energy efficiency and water conservation. The dwellings adopt passive solar design principles through the orientation of the majority of living and private open space areas in a northerly direction as well as ensuring that natural ventilation will be provided.	YES
1.8	Sunlight Access Living rooms and private open space for at least 70% of dwelling shall receive a minimum of 3 hours of direct sunlight. A minimum of 50% of the required private open space areas and any adjacent dwellings shall have access to 3 hours of direct sunlight.	The proposal has been designed to reduce the potential for overshadowing of neighbouring properties. It is considered that appropriate solar access is to be provided on site and for neighbouring properties and this is supported by the attached shadow plans. The proposal incorporates appropriate design features including window sizes and location that will permit adequate solar penetration as well as cross ventilation of the proposed dwellings. The proposal satisfies the provisions of SEPP 65 – Design Quality of Residential Flat Development in that 87.1% of units are cross-ventilated. It is noted that only 62.9% of units within the proposed development will receive 3+ hours of direct sunlight, which is below the 70% requirement. However, it is noted that all remaining residential units will receive 2+ hours of sunlight and as such the proposal is considered worthy of support noting that the reduced level of sunlight will provide different pricing points and as such will increase affordability options.	YES

		The shadow diagrams demonstrate that adjoining allotments retain reasonable solar access, noting that a comparable future redevelopment of the adjoining property to the south east will provide increased building separation in line with Council's setback controls and the RFDC's recommended building separation distances to improve the level of solar access achieved and therefore the transient impact on the adjoining property is considered acceptable. The proposal does not prejudice future redevelopment of surrounding properties from achieving appropriate solar access.	
1.9	Cut and Fill	The proposal has been designed to minimise the amount of cut and fill required, whilst also providing a built form that is appropriate considering the context of the site and the surrounding area. It is considered that the proposal results in an appropriate outcome on site that will not adversely affect the environment or the existing residential amenity of adjoining properties.	YES
1.10	Demolition	Council consent is sought for the demolition of existing structures on site.	YES
1.11	Car Parking and Roads	See previous discussion in Part A above.	YES
1.12	Universal Housing and Accessibility 15% of dwelling units shall comply with AS4299 - 1995 - Adaptable Housing Class B	The proposal is to provide a lift from the basement levels to all areas of the building to ensure equitable access for all. The proposal has been modified to provide a 1:14 graded pathway from the side communal open space area to the rear deep soil common open space area as requested in the Deferral Letter. The proposal will also provide 9 adaptable units, which equate to 15% of the total number of units and as such complies with the 15% requirement.	YES
6. Residential Flat Buildings			
6.1	Lot Size and Frontage: Minimum lot Frontage - 28m	The subject site has a 56.12m primary frontage to Wayman Place including the cul-de-sac bulb arc and as such exceeds the 28m minimum requirement.	YES

		The proposal will not result in the detrimental isolation of neighbouring parcels noting the site to the west represents a 3-storey walk-up townhouse development and the site to the south east can be amalgamated with the adjoining sites to its southern boundary.	
6.2	Site Coverage: Maximum site coverage - 30% of site area.	See discussion at end of this table noting site coverage of 30.4%	Minor Variation.
6.3	Setbacks and Separation Front Setback – 6m Rear Setback – 9.38m Side setback - 3m	<u>Setbacks</u> The proposed development has been redesigned with the removal of seven units from that originally proposed to provide enhanced setbacks and separation distances as requested in the Deferral Letter. As such, the proposal will now provide predominantly complying front, rear and side boundary setbacks as evident in the amended plans. Noting the irregular shape of the subject site and the cul-de-sac turning head, the proposed front setback will still incorporate a minor encroachment into the 6m setback arc. However, the proposed development will now provide an enhanced setback area at the bulb turning head to ensure that the building won't be overbearing and to provide a clearly identifiable building entry for enhanced legibility. The redesigned proposal now also incorporates improved articulation of the built form to provide to an attractive building façade to the streetscape and the new street setbacks will ensure that the proposal will be well integrated to make a positive contribution to the streetscape as evident in the submitted photomontage and noting the future scale of development that is anticipated to occur in the area. It is further noted that encroachment will have little adverse effect on properties to the south due to the separation distances achieved and having regard to the dimensions of the access road within Wayman Place. The rear and side setbacks have also been improved and Council has advised that they are now considered acceptable noting the	Minor Variation

		incorporation of design measures to maintain and establish high quality amenity and privacy for existing and future residents as evident on the submitted plans. Having regard to the above, the redesigned proposal and the orientation of the site, the proposal will not create any detrimental overshadowing or amenity impacts and the proposed setbacks are now considered acceptable as they align with the underlying intentions of the setback controls. <u>Separation</u> The proposed development has been redesigned to address Council's concerns with respect to separation distances. As such, the amended proposal is now generally compliant with the principles of building separation as evident in the amended plans. However, in circumstances where the numerical distances are not achieved the proposal will incorporate design measures to mitigate any negative overlooking or amenity impacts such as boundary canopy and screen plantings, strategically placed planter beds, privacy walls and screens, louvres, highlight windows, offset living areas and balconies and smart apartment orientation and layouts. Given the R4 zoning of the adjoining sites to the north, west, east and south, future developments will also have to achieve the prescribed setback distances, which will benefit the subject development and help to provide increased separation distances for enhanced amenity and visual privacy. Please refer to amended plans for details. It is also noted that the proposal complies with the minimum DCP side boundary setback control of 3m for residential flat buildings. <u>Use of Setbacks</u> The proposal will incorporate appropriately landscaped front and rear setbacks. See landscaping plans for detail.	YES
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		The proposal will not comply with the 1m setback from the side boundary as the driveway will be built to the boundary alignment. Please refer to the discussion under Part A Section 3.5 above for further details. The proposed basement will predominantly comply with the prescribed 3m side and rear boundary setback. It is noted however that a section of the basement located adjacent the western boundary will encroach to 2m from the boundary. This section of the basement is required to permit appropriate manoeuvrability for cars entering and exiting the adjoining car parking spaces and to provide motorcycle parking bays. However, the minor 1m encroachment will only occur for a 10m section of B1 and B2 and will provide a generous 3.2m setback for the remaining sections of the basement along the western boundary. The proposed encroachment will be appropriately retained during construction and will not serve to create any adverse amenity impacts on adjoining properties. In this regard, the minor variation is considered acceptable. The 1.5m wide secondary access pathway with a 700mm high planter box wall along the southern boundary and existing fencing will provide an adequate buffer and screening between the driveway ramp with adjoining property to the south. <u>Upper Storey Setback</u> The control requiring the 3m setback of the building façade at the fourth level and above is problematic having regard to the configuration of the site, and strict compliance would lead to a poor built form outcome. It is noted that the subject site is elongated and its depth varies from a modest 32m down to 20m. When locating the building envelopes within the site configuration the built form is rectangular and elongated. The façade design has taken into consideration this and introduced both horizontal and vertical elements to break up the perceived length of the building. The building is also articulated by a series of openings (such as balconies) and	Minor Variation
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		recessed elements to the façade. It is noted that any recess of levels four and above would lead to an incongruent step in the building when viewed from the west while travelling along Waymon Place, while also leading to a significant reduction in yield. Having regard to the amended proposal that enhances the front setbacks, the positive design of the proposal as it presents to Waymon Place, the articulated southern façade and the inability to provide a logical and aesthetically sensible step in the narrow building, the proposed variation is worthy of support.	
6.4	Height	The proposal will comply with the minimum floor to ceiling height requirements. A maximum building height of 26m is identified for the site under Holroyd Local Environmental Plan 2013 Height of Buildings Map Sheet HOB_009. The proposal has been redesigned to comply with the 26m building height as evident in the amended plans. Furthermore, the overall density of the development is appropriate in context and the design response ensures amenity impacts to adjoining properties are minimised.	YES
6.5	Building Depth: Maximum internal plan depth of a residential flat building: 18m	The proposed residential flat building's internal plan has a maximum depth of 17.6m and as such complies with the prescriptive control. The proposal has been redesigned to provide all units with a dual aspect and the majority of units will be oriented to the north so that 87.1% of units will be cross ventilated. It is noted however, that only 62.9% of units within the proposed development will receive 3+ hours of direct sunlight at mid winter, which is below the 70% requirement. However, it is noted that all remaining residential units will receive 2+ hours of sunlight and as such the proposal is considered worthy of support noting that the reduced level of sunlight will provide different pricing points and as such will increase affordability options.	YES

6.6	Open Space	<u>Communal Open Space and Landscaping</u> Proposed development provides 694m² communal open space to the eastern section of the site, which is 30% of the site area and as such complies with communal open space provisions under the DCP. It is noted that a BBQ area, seating/dining area, a storage room and a W/C are to be provided within the communal open space to enhance usability for future residents. The communal open space has adequate solar access and is directly accessible by the main lobby area on the ground floor. Communal open space is to be adequately landscaped with a proportion of the open space having northern aspect. See site plans for detail. <u>Private Open Space and Balconies</u> The proposal incorporates appropriate private open spaces for each dwelling and future residents of the residential flat building. It is noted that at least 10m² is provided for each dwelling as private open space in accordance with Council controls. Private open space areas are of suitable size, compliant with Council controls and are to be easily accessible. Please see attached plans for details. <u>Planting on Structures</u> The proposal provides landscaping embellishing work such as tree planting and planter boxes that will improve and enhance the subject site. Please see landscaping plans for detail.	YES YES YES
6.7	Building Appearance	<u>Facades</u> The development proposes a modern residential flat building that will address its primary street frontage with facades that are well articulated and contain a mixture of vertical and horizontal features including windows, steel framed sunhoods, projecting and receding walls and balconies, louvres, contemporary flat roof design and planter boxes. Balconies represent an extension of	YES

		internal living areas and the development provides an interface with the public domain in a visually prominent location. Materials and finishes used are consistent with that existing in the area while being contemporary in character. The range of materials significantly contributes to the articulation of the building and helps to reduce the overall bulk and mass of the building. Please see amended plans for detail <u>Roof Design</u> The proposal incorporates a contemporary, predominantly flat roof design that does not dominate the streetscape.	YES
6.8	Building Entry and Pedestrian Access	Direct and unimpeded access is provided to the main entrance of the proposed residential flat building. The building entries are clearly defined and identifiable to ensure visitors/future residents easily gain access to the subject site. Sufficient separation is provided between vehicle and pedestrian access into the subject site. Appropriate lighting will be provided to the commercial corridor and residential lobby areas and access to the residential component of the development will be security controlled.	YES
6.9	Parking and Vehicular Access	Parking for the proposal is provided within the basement level. The proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site. Vehicle and pedestrian routes are clearly indicated and accessible. The proposed basement car parking arrangement is to be appropriately integrated into the proposal and is consistent with similar type developments within the Holroyd LGA. It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic.	YES

		It is noted that access from the basement to the lobby area is provided via a lift core and that the basement level is to be secured via an intercom system. The proposal will provide nine (9) accessible resident car parking spaces and one (1) accessible visitor parking space within the basement level, one space per each adaptable unit. Proposal provides one car wash bay within the basement level.	
6.10	Dwelling Layout and Mix	<u>Dwelling Layout</u> The proposal will comply with minimum internal floor areas with 1 bedroom units having a total area greater than 50m², two bedroom units having a total area greater than 70m² and three bedroom units having a total area greater than 95m² The proposal does not incorporate any single aspect apartments. <u>Dwelling Mix</u> The development proposes a mix of one, two and three bedroom apartments. The location of the site is such that public transport, recreational facilities and other amenities are in close proximity. The units are suitable for both investors and owner occupiers, with the three bedroom units meeting the needs of shared accommodation and families with children who cannot afford detached dwellings, and the one & two bedroom units catering for first home buyers, young couples and single occupants. The proposal will contribute towards alleviating current shortage in housing by increasing the housing stock within the locality by an additional 62 residential units. The mix of one, two and three bedroom residential dwellings will cater for a variety of socio-economic groups which is further enhanced by the provision of 14 affordable rental housing units. This will ensure that Merrylands will maintain its existing social diversity and increase housing choice and social mix. The development will be supported by the provision of high quality	YES YES

		social infrastructure and facilities, including public transport. The proposal will provide 7 (or 11%) one bedroom units and as such does not exceed the 20% prescriptive control.	YES
6.11	Internal Circulation	The lift core will service a maximum of 8 units per plate level.	YES
6.12	Facilities and Amenities	All appropriate facilities such as waste bins, a meter room, fencing and mail boxes are to be provided and comply with Council's controls. It is note that each unit will be provided with a mechanical clothes drying device within the laundry areas and as such complies with the intention of the control. It is further noted that residents may utilise free standing drying frames within the balconies. <u>Storage</u> The proposal will provide appropriate storage for each unit within both the basement and the units themselves. Please see plans for details.	YES
6.13	Natural Ventilation	The proposal adopts a corner apartment design that supports natural ventilation, noting 87.1% of units will be naturally cross ventilated.	YES
6.14	Maintenance	Complies.	YES
6.15	Waste Management	The proposed waste facilities have been redesigned to comply with Council's comments as outlined in the Deferral Letter. See previous discussion against deferral comments for detail regarding waste bins. It is further noted that a bin collection bay has now incorporated adjacent the driveway area to enable direct collection of waste within the property. A Waste Management Plan was submitted with the initial lodgement materials and is still applicable to the redesigned proposal.	YES

Site Coverage

The underlying intent of the site coverage control is stipulated as:

- *To provide for a variety of building forms to achieve a balance of building size and open space appropriate to the locality;*
- *To ensure that any area affected by road widening is included in the calculation of site coverage;*
- *To ensure that new development results in site coverage which allows adequate provisions to be made for deep soil planting, landscaping, communal open space and on-site detention.*

In the current circumstances it is considered that compliance with the control is unreasonable as the underlying intent of the control is achieved. This is based on the following assessment:

- The proposal complies with the maximum height and FSR controls applying to the site;
- The proposal complies with the minimum landscaped area control contained within the DCP, and the deep soil requirements contained within the RFDC;
- The proposal complies with the minimum common open space requirements; and
- The proposal provides sufficient area for on-site detention and natural infiltration of water, noting compliance with the deep soil requirements contained in the RFDC;
- The proposal complies with the majority of the setback controls applying to the site;
- The variation is minor and equates to only 0.4% of the control which will not be perceptible (as compared to a fully compliant form) when the development is viewed from the street or adjoining properties;

Given consistency with the other relevant planning controls it is contended that the proposal presents an appropriate balance between building size and open space, and provides sufficient areas for deep soil plantings, landscaping, communal open space and OSD. Therefore the variation to the control is considered acceptable.

Holroyd Development Control Plan 2013 – Site/ Area Specific Controls – Parts J - Q

The subject site is located adjacent but outside the Merrylands Town Centre area and is not identified as being within any key precincts, as such the HDCP 2013 does not prescribe any site or area specific controls for the subject site under Parts J – Q.

6. Conclusion

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the adjoining properties can be redeveloped in line with the HLEP 2013, HDCP 2013 and the RFDC and that the proposal represents an appropriate use of well located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Annexure 1: Clause 4.6 Variation: FSR

Relative to the current controls the proposal incorporates 32m² of gross floor area beyond that permitted by the HLEP and the Affordable Housing SEPP. This equates to a 0.46% variation to the control. Accordingly a variation pursuant to Clause 4.6 of the Holroyd LEP 2013 is requested given that the Draft LEP permits much higher density on the site and in the locality.

Clause 4.6 of the Holroyd Local Environmental Plan 2013 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:*
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) the concurrence of the Director-General has been obtained.*
- (5) In deciding whether to grant concurrence, the Director-General must consider:*
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) the public benefit of maintaining the development standard, and*
 - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.*

Each of these provisions are addressed in turn.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the FSR development standard are stated as:

(1) The objectives of this clause are as follows:

- (a) to support the viability of commercial centres and provide opportunities for economic development within those centres,*
- (b) to facilitate the development of a variety of housing types,*
- (c) to ensure that development is compatible with the existing and desired future built form and character of the locality,*
- (d) to provide a high level of amenity for residential areas and ensure adequate provision for vehicle and pedestrian access, private open space and landscaping.*

The current development proposal is for the construction of a dual occupancy, and in terms of each of the objectives the following comment is provided:

- The development proposal incorporates a residential flat building in proximity to the Merrylands Town Centre which will support the viability of commercial centres;
- The proposal provides for an increased variety of housing types in the locality through delivery of 62 dwellings with a variety of 1,2 and 3 bedroom dwellings;
- The proposal is consistent with the desired future character of the locality noting the controls contained within the HLEP 2013 and associated HDCCP 2013;
- The additional floor space equates to 23m² and will not be perceptible in the streetscape.
- The development proposal presents a suitable density on the site noting compliance with the landscaped area, open space, deep soil, setbacks (majority), building height, and car parking requirements. This indicates that the density of the proposal is appropriate for the development site;
- The minor non-compliance does not result in additional amenity impacts to adjoining properties in terms of overshadowing or privacy impacts. This is a function of the lot orientation and setbacks provided as part of the development;
- The minor non-compliance does not fundamentally change the presentation of the development to the street, with the amendments continuing to present a quality built form on the site that is compatible with the character of the locality;

- The additional floor area does not reduce available deep soil plantings, communal open space, or result in additional variations to planning controls in terms of setbacks, open space requirements, parking requirements, and any other matters; and
- The proposed development is designed to provide for a continuous built form up the façade and the reduction of floor space would affect this.

As outlined above the proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the FSR control and in addition the proposal is consistent with the objectives of the R4 zone.

The proposal continues to provide for a high quality built form on the site that provides for the housing needs of the community in a high density residential environmental and also contributes to a diversity of housing types within the locality.

It is understood that the concurrence of the Director-General can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Director-General may be assumed in this circumstance, however the following points are made in relation to this clause:

- a) The contravention of the FSR control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal and minor nature of the variation;
- b) There is no public benefit in maintaining the development standard as it relates to the current proposal as the proposal is consistent with the underlying objectives of the control and the fact that the minor non-compliance does not lead to excessive bulk and scale and it will not set an undesirable precedent for future development within the locality given the provisions of the Draft LEP.

Strict compliance with the prescriptive requirement of Clause 4.4 is unreasonable and unnecessary in the context of the proposal and its particular circumstances. The proposed



RFB Wayman Place, Merrylands

development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The proposal will not have any adverse effect on the surrounding locality, which will be characterised by residential development of comparable height and character. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.

Annexure 2: Response to Submission Concerns

Submission Concern	Response
Shadow Impact	The submitted shadow diagrams show that the proposal will not create any adverse overshadowing impacts. It is also noted that with the area expected to experience a transformation in building form towards higher density developments noting the current demand in the area and the provisions of the HLEP 2013, any overshadowing impacts will be transient in nature and will be reduced with comparable setbacks and redevelopment as the subject proposal.
Insufficient Solar access	The proposal has been redesigned to enable 100% of units will achieve 2 hours of solar access and 63% will achieve 3 hours.
Bulk and Scale	The proposal has been designed to predominantly comply with Council's HLEP and HDCP standards and controls with appropriate justification provided in circumstances where the guideline numerical elements were not fully achieved. Please note the details provided within the Clause 4.6 variations above. The proposal will incorporate a highly articulated built form with landscaping embellishment works to soften the and reduce the bulk and scale of the proposal. It is noted that the eight storey development may appear to present a larger bulk and scale than what exists in the area, but as the area undergoes a transformation towards higher density developments in line with the principles of urban consolidation, the proposed development with a maximum building height of 26m will be much less than future developments noting that some properties surrounding the subject site are permitted a maximum building height of up to 65m.
Density	The proposal has been redesigned to reduce the scale of development.
Inadequate Car and Bicycle Parking	Parking will be compliant with both the SEPP Affordable Rental Housing) 2009 and the HDCP's rates. 38 bicycle parking spaces will be provided and will exceed the required 37 spaces as per the DCP.

Cul-de-sac location	The cul-de-sac location whilst representing a challenge in terms of design with respect to the bulb turning area does not represent any other issues. The fact that Council have zoned this land as R4 with a height limit of 26m shows that the site is capable of accommodating a residential flat building. The body of the SEE also outlines that the proposed development will deliver a high quality residential development that will not only provide positive amenity for future residents but will also maintain the amenity enjoyed by surrounding properties noting the transient nature of impacts and the anticipated transformation of the surrounding built form. The subject site is strategically located adjacent to the Merrylands Town Centre and in close proximity to the Merrylands Train Station and Bus Interchange, local bus stops and key arterial roads. As such, the current use of the site is a major underutilisation of prime located land and redevelopment of the site to provide higher density development is a logical and suitable decision that will benefit the growth of Merrylands by providing additional housing options and increased patronage for the local businesses.
Visual Impact	Please refer to Bulk and Scale justification above.
Acoustic Privacy	Please refer to the Acoustic report submitted with the DA.
Lack of Rainwater Tanks	Please refer to the BASIX Certificate submitted with the DA.
Driveway Encroachment	Please refer to relevant discussion within the DCP compliance table above at Section 3.5 of Part A.
Excessive FSR	The proposal has been reduced in scale.
Insufficient setbacks and landscaping	The proposal has been redesigned to reduce the number of proposed units from 70 to 62 and as a result will now provide increased setbacks to predominantly comply with the setback controls. The proposal will also incorporate generous landscape embellishment works including screen/canopy plantings and strategically placed planter boxes.
Insufficient Driveway	The proposed vehicular access and parking arrangements have been appropriately dimensioned to comply with the DCP and relevant BCA and Australian Standards. Please refer to the Traffic report for further details.

Basement Setbacks	Please refer to the basement setback discussion in the compliance table above for the DCP, being Part B – Section 6.3.
Site Coverage	The proposal has been redesigned to now comply with the prescribed 30% site coverage requirement.
Substation Concerns	The provision of electrical supply is a necessary component to the redevelopment of land that has been upzoned by Council for high density housing.
RFDC and Ventilation	The proposal has been redesigned to predominantly comply with the requirements of the RFDC, please see the SEPP 65 and RFDC compliance table for detailed discussion on compliance.
Lack of Adaptable Units	The initial proposal proposed 7 units = 10% of 70. Amended plans now propose 9 adaptable units or 15% of the total number of units and as such comply with the requirements for adaptable units.
Waste Storage and Collection	The proposal has been appropriately amended to incorporate a redesigned ground floor waste storage area with an dedicated collection/ambulance bay located between the waste storage area and the driveway. The proposal now complies with Council's requirements.
Height	The proposed height has been amended to comply with the permitted 26m maximum building height limits.
Communal Open Space	The proposed communal open space complies with Council's HDCP requirements, please see amended plans for details. Playground equipment not proposed – an objector has picked up on this – what should we say here? The site is located in close proximity to King Park and a 10 minute walk to Merrylands Park, Holroyd Gardens Park and Granville Park. It is further noted that each unit will be provided with ample private open space.
Double Loaded Corridor Design?	The amended proposal will provide access to a maximum of 8 units per plate level and as such complies with SEPP 65 and the RFDC. The key measures of cross ventilation and solar access are complied with, ensuring that adequate amenity is provided to apartments, irrespective of any double loaded corridors incorporated into the design.
Lack of Clothes Drying Facilities	Each unit will be provided with a mechanical clothes dryer within the laundry area and residents may utilise free standing drying frames within balconies.

Devaluing Adjoining Properties	This matter is not relevant to the determination of the application and no evidence provided to justify this matter (valuations etc.)
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The submissions concerns that have been highlighted by Council's Deferral Letter have informed the redesign of the proposal and each element has been taken into account where practicable. The amended proposal aims to satisfactorily address all of Council's comments and the concerns raised by surrounding property owners so that a positive development outcome can be achieved for the strategically located land that will benefit and help to sustain the growth of the Merrylands Town Centre.