



REVISED STATEMENT OF ENVIRONMENTAL EFFECTS

FOUR LOT SUBDIVISION, CONSTRUCTION OF THREE (3) RESIDENTIAL FLAT BUILDINGS OVER BASEMENT PARKING, ROAD CONSTRUCTION AND DEDICATION

5 RYNAN AVENUE | EDMONDSON PARK

CLIENT: JOSHUA FARKASH & ASSOCIATES PTY LTD

PROJECT REF: 0211/12

DATE: 11 MAY, 2015

PLANNING
I N G E N U I T Y

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1 INTRODUCTION

This revised Statement of Environmental Effects has been prepared for the applicant for the proposed development. The Statement accompanies revised plans submitted as part of Development Application DA898/2014 lodged with Liverpool City Council seeking consent for demolition of existing dwellings and outbuildings, removal of trees, four lot Torrens title subdivision and construction of three residential flat buildings, road widening of Rynan Avenue and construction of a road to be dedicated to Council.

Building A will occupy the corner of Camden Valley Way and Rynan Avenue and is located over a single basement level. Buildings B and C contain a common basement car park and are located at the southern portion of the site.

Collectively the proposal will provide 4 x 1 bedroom apartments, 78 x 2 bedroom apartments and 4 x 3 bedroom apartments, 125 parking spaces for residents and 19 parking spaces for visitors.

Vehicular access to the site and to each building will be provided via a proposed road which extends from Rynan Avenue and progresses to the rear of the residential portion of the site and to the south of the site in anticipation of redevelopment of the property to the south. The roadway will be dedicated to Council as a public road.

The subject site to the south (No. 15 Rynan Avenue) is under a legally binding agreement dated 20 June 2014 which supports this development. The design of the proposal anticipates redevelopment of No.15 Rynan Avenue as shown on an indicative lot layout and access road plan provided with this application. However, development consent is not sought for building footprints on No. 15 at this stage.

The proposed development has been designed by Joshua Farkash and Associates Pty Ltd Architects. The total construction cost of the proposal is more than \$20 million and the application will therefore be determined by the Sydney West region Joint Regional Planning Panel (JRPP).

In addition to this revised Statement of Environmental Effects, the subject application includes the following technical reports:

1. Architectural Plans and associated documents;
2. SEPP No. 65 Design Verification Statement;
3. Photomontages (revised);
4. Landscape Plans;
5. BASIX Certificate;
6. Draft Subdivision Plan;
7. Civil Works Plans;
8. Access Report;
9. Acoustic Report;
10. AHIMS Due Diligence Assessment;
11. BCA Report;

12. Flood Report;
13. Bushfire Report;
14. Salinity Assessment;
15. Stage 1 Environmental Site Investigation;
16. Traffic Impact Report; and
17. Waste Management Plan.

The purpose of this revised Statement is to address the planning issues associated with the development proposal (as revised from its original content at lodgement) and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S.79C of the EP&A Act, 1979.

This Statement is divided into five sections, including a locality and site analysis; a description of the proposal; an environmental planning assessment; and a conclusion.

2 SITE ANALYSIS AND CONTEXT

2.1 Site Description

The subject site is known as No.5 Rynan Avenue, Edmondson Park, and has a legal description of Lot 1 in Deposited Plan 774700. The site is located on the southern side of Camden Valley Way which is an RMS classified road. The site has a primary street frontage to Rynan Avenue (eastern boundary) and adjoins Sunday Circuit at the rear property boundary (western boundary). The location of the site is identified at Figure 1.

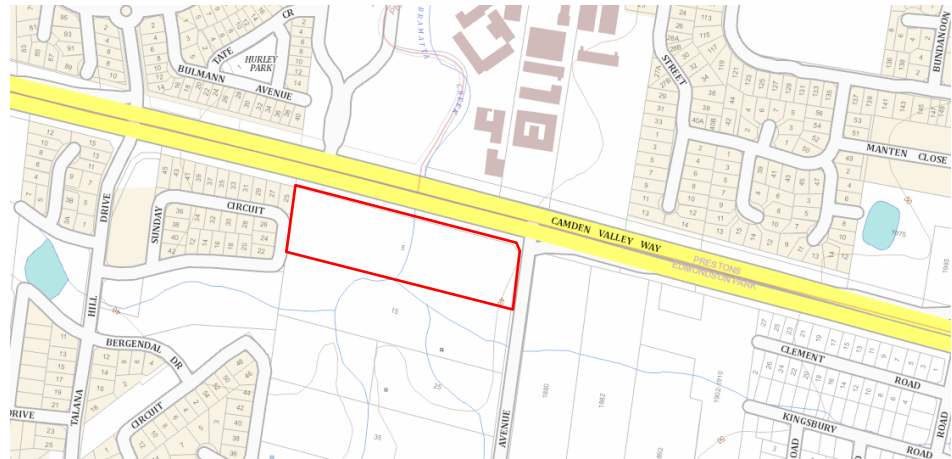


Figure 1: Site Location

The site is generally rectangular in shape and contains a street frontage of 69m, with a 9.12m splay at the north-eastern corner of the site. The site has an overall length of approximately 272m from east to west. The total site area is 2.03Ha.

The site slopes gently from the east and western boundaries to the centre where Cabramatta Creek flows from south to north. The location of the Cabramatta Creekline corresponds with the band of vegetation in the centre of the site as indicated in the aerial photograph of the site at Figure 2.



Figure 2: Aerial photograph of the subject site

The portion of the site to the west of Cabramatta Creek, which falls outside of the area of the proposed works, comprises a maintained grass paddock.

The eastern portion of the site is occupied by two separate dwelling houses, each fronting Rynan Avenue with associated ancillary structures (Figure 3). An open hardstand area and shed is located to the west of the dwellings and is used for the storage of construction equipment as indicated at Figure 4.



Figure 3: Existing dwellings fronting Rynan Avenue



Figure 4: Subject site viewed from Camden Valley Way

2.2 Surrounding Development

The site is located in an area undergoing transition from rural residential character to a variety of low, medium and high density residential land.

Adjoining the site to the south is a rural residential property of similar size to the subject site identified as No. 15 Rynan Avenue. The adjoining property contains a single dwelling that is set back from the Rynan Avenue frontage. No. 15 Rynan

Avenue is currently under a legally binding agreement dated 20 June 2014 which supports the redevelopment of No.5 Rynan Avenue.

The design of the proposal, including the road layout and location of the proposed buildings forms part of a masterplan that includes No.15 Rynan Avenue as shown in the indicative building and road layout that is submitted with the application. The existing dwelling viewed from Rynan Avenue is depicted at Figure 5.



Figure 5: Dwelling at No. 15 Rynan Avenue viewed from the street frontage

To the west of the development site is Sunday Circuit which is a subdivision that was recently created for low density residential dwellings. A photograph of Sunday Circuit looking west from the subject site is included in Figure 7.



Figure 6: Dwellings within Sunday Circuit (looking north)

To the east of the site are rural residential properties that are earmarked for future residential development. It is likely that these properties will be developed in the near future.

3 THE PROPOSAL

3.1 Background

A Pre-Lodgement meeting was held with Council on 30 April 2014 regarding the redevelopment of the subject site. The proposal discussed at this meeting involved the potential rezoning of the land to the west of Cabramatta Creek and the construction of a single residential flat building on the portion of the land identified as Zone RE1 east of the creek.

In some respects the proposed development is different to that discussed at the pre-lodgement meeting in that it does not include rezoning and proposes two additional residential flat buildings. However, the matters listed in Council's letter of reply (Ref. PL-26/2014) relevant to this proposal are included in Table 1 along with comments as to how each matter is addressed by this application.

TABLE 1: MATTERS FROM PRE-LODGEEMENT MEETING	
PRE-LODGEEMENT MATTER	DEVELOPMENT APPLICATION RESPONSE
Address how the proposal is consistent with the objectives of the Zone	See Annexure B.
Address all relevant clauses of LLEP 2008 and demonstrate full compliance	See Annexure B. Compliance with all clauses is achieved with the exception of Clause 4.3 Height of Buildings. A request for a variation to the control in accordance with Clause 4.6 is included in this Statement accordingly.
Review any relevant State Environmental Planning Policies and address all relevant provisions.	See Section 4.2.
Identify all electrical infrastructure in accordance with the SEPP (Infrastructure) 2007 and determine whether the DA needs to be referred to Transgrid/Endeavour Energy	The documentation submitted with the development application indicates the extent of the electrical easement within the western portion of the site. No works are proposed within the vicinity of the easement and the development application does not require referral to Transgrid/Endeavour Energy.
Acoustic assessment is required in accordance with SEPP (Infrastructure) 2007.	An Acoustic Report has been submitted with the development application and indicates that the development can comply with the requirements of the SEPP (Infrastructure) 2007.
SEPP 65 and the Residential Flat Design Code apply.	A Residential Flat Design Code Compliance Table is provided at Annexure A and a Design Verification Statement has been provided with the application.
The Greater Metropolitan Regional Environmental Plan (GMREP) No.2 – Georges River Catchment is now a deemed SEPP and must be addressed.	Noted. See Section 4.2.5 of this Statement.
Review the Liverpool Development Control Plan (LDCP) 2008 and the DA must demonstrate compliance with the relevant parts of the DCP.	Refer to the compliance table provided at Annexure C of this Statement.
Any variations to LDCP must have written justification within the Statement of Environmental Effects (SEE).	Departures from the LDCP have been identified and justified in this Statement.
Whilst the development is not located within the Edmondson Park Town Centre, the	Noted. These provisions have been addressed in Annexure C.

TABLE 1: MATTERS FROM PRE-LODGEMENT MEETING	
PRE-LODGEMENT MATTER	DEVELOPMENT APPLICATION RESPONSE
building and appearance controls within the 38 dwellings/hectare would be applicable to the proposal.	
DCP Road Layout Variation. It is possible to vary the layout of local roads within the site provided it is demonstrated that the variation will not impact on the ability for neighbouring properties to achieve a subdivision with sufficient access and servicing.	<p>The public road layout of the proposal has been varied from that depicted in the DCP. The Site Plans submitted with the application demonstrate that the proposed road layout provides a buffer between the developable land within the site, Cabramatta Creek and the neighbouring property.</p> <p>The road layout does not impact on the capacity for connection to utility services and vehicle access for No.15 Rynan Avenue. Submitted in support of this application is a plan indicating indicative road layout and building locations on the adjoining site, demonstrating that the alternative road layout will facilitate the orderly redevelopment of the adjoining site.</p>
Consider the function of proposed new roads changes. The DCP road layout suggests the intention was for lots or buildings which front Camden Valley Way, Rynan Avenue and the local street along the edge of the reserve. The DCP road layout facilitates this through the two laneways on the site.	The development proposes buildings which address Camden Valley Way, Rynan Ave, the new public road and the potential public open space to be created along Cabramatta Creek. Therefore the proposed new road layout in combination with the design and layout of the residential flat buildings achieves the intention of the DCP.
The development application will need to demonstrate that the width and layout of the new public road is sufficient for the amount of traffic it will carry and the function it will be performing including sufficient footpath space for pedestrians in addition to vehicle movements and volumes.	A Traffic and Parking Report addressing these matters has been submitted with the application.
Building Height The building height is an absolute maximum. A variation to the development standard is to be justified.	Refer to the Clause 4.6 variation provided at Section 4.2.6 of this Statement.
Voluntary Planning Agreement A VPA involving land dedication and contributions could be pursued but it could be a complex and lengthy process for a smaller scale development and would be dependent upon negotiations.	A Voluntary Planning Agreement is not proposed.
Environmental Issues and Site Constraints	
Engineering	
Stormwater To be in accordance with Council's DCP Stormwater concept plan supported by a report and calculations is to be submitted with the application A Water Quality Treatment Device shall be provided in accordance with the DCP	Refer to the Stormwater Concept Plan and calculations submitted with the Development Application.
Traffic and Access The application shall be supported by a Traffic Report demonstrating: - Access, car parking and	Refer to the Traffic and Parking Assessment submitted with this development application.

TABLE 1: MATTERS FROM PRE-LODGEMENT MEETING	
PRE-LODGEMENT MATTER	DEVELOPMENT APPLICATION RESPONSE
<p>manoeuvring comply with AS2890 Parts 1, 2 and 6 and Council's DCP</p> <ul style="list-style-type: none"> - Servicing by removalist vehicles - Turning paths in accordance with AS28890 demonstrating satisfactory manoeuvring and forward entry and exit to and from the public road. 	
<p>Roadworks</p> <p>All roads are to be in accordance with the Edmondson Park DCP</p>	Road works comply with the relevant DCP.
<p>Earthworks</p> <p>No retaining walls or filling which will impede, divert or concentrate stormwater runoff through the site.</p> <p>Earthworks and retaining walls to comply with the DCP</p> <p>The application is to be supported by a Geotechnical Report</p> <p>Proposed fill material must comply with the DCP</p>	<p>All changes in levels and surface runoff have been addressed in the Stormwater Concept Plan and the Flood Assessment submitted with the development application.</p> <p>A Geotechnical Report has been submitted with the application.</p>
<p>Subdivision Works</p> <p>The application is to be accompanied by a subdivision concept plan. Any request for works in kind shall form part of the development application. The subdivision will require the following key infrastructure works:</p> <ul style="list-style-type: none"> - Half construction of Rynan Ave which has been identified in Council's Section 94 Plan 	<p>A subdivision concept plan has been submitted with the development application.</p> <p>Concept details of the proposed new public road have been indicated on the plans submitted.</p> <p>Land is to be dedicated to widening the road reserve of Rynan Avenue.</p> <p>Council may impose conditions of consent regarding the half construction of Rynan Avenue.</p>
<p>Flooding</p> <p>The site is affected by flooding.</p> <p>High flood risk areas shall be free from any development.</p> <p>The riparian corridor for Cabramatta Creek shall be preserved.</p> <p>The proposed residential flat building on the eastern side of the property can be achieved.</p> <p>There shall be no net loss of floodplain storage volume below the 1% AEP flood.</p> <p>The lowest habitable floor level shall be no less than the 1% AEP flood plus half a metre freeboard (ie. 411.5m AHD).</p> <p>The structure shall be constructed of flood compatible building components below 41.5m AHD.</p> <p>The basement shall be protected from inundation of floodwaters for flood up to 1% AEP plus 0.1m freeboard.</p> <p>Suitable warning systems signage and exits for safe evacuation of persons from the basement to the lowest habitable floor level during times of flood.</p> <p>A flood impact assessment report to be submitted to demonstrate no adverse flood impact in the vicinity.</p>	<p>Refer to the Flood Assessment prepared by Neilly Davis and Partners submitted with the development application.</p>
<p>Environmental Health</p> <p>A Stage 1 Contamination Assessment shall be</p>	A Stage 1 Environmental Site Investigation has

TABLE 1: MATTERS FROM PRE-LODGEMENT MEETING	
PRE-LODGEMENT MATTER	DEVELOPMENT APPLICATION RESPONSE
undertaken by a suitably qualified consultant in accordance with the NSW EPA guidelines.	been submitted with the development application.
<p>Traffic and Transport</p> <p>The road network and dimensions should be in accordance with the Edmondson Park DCP.</p> <p>Required intersection treatments, signposting and linemarking to be advised on a Traffic Impact Assessment Report.</p> <p>Car parking spaces and access to be in accordance with the DCP and Australian Standards.</p> <p>LED street lighting should be used in the subdivision.</p>	<p>For all proposed works in the public road (and future public road) reserves see the Traffic Assessment submitted with this development application and the revised Site Plan which indicates road widening, footpath construction, kerb-side parking and a temporary turning facility.</p> <p>Council may impose conditions with regard to LED street lighting.</p>
<p>Relevant Issues</p> <p>A Quantity Surveyors report is to be submitted to accurately identify the capital investment value of the development and the estimated cost of construction works.</p>	A Quantity Surveyors Report has been submitted verifying the cost of works.
<p>External Referrals likely are:</p> <ul style="list-style-type: none"> - NSW Office of Water (Water Management Act 2000) - NSW Rural Fire Service (Rural Fires Act 1997) - Design Review Panel 	Noted.
Information to be submitted with the development application (listed).	<p>All information listed in Council's letter that is relevant to the development proposal has been submitted with the application.</p> <p>Some information listed is relevant to an application for a Planning Proposal for rezoning of the land to the west of the creek and this information is not required for the development application.</p>

In summary the development application has addressed all relevant matters listed in Council's response to the Pre-Lodgement Meeting.

3.2 The Proposal

The proposed development involves subdivision of the existing site into four lots, the construction of three separate residential flat buildings, construction of a road to be dedicated to Council as well as half construction of Rynan Avenue. The proposal is well described in the submitted plans and supporting documentation provided with this application and is detailed as follows:

3.2.1 Subdivision

The proposal involves subdivision of the subject site into four separate lots as indicated in Figure 7 below. Proposed Lot 1 will comprise an area of 1.36Ha and will remain unaltered as part of the proposed works.

Lots 2 and 3 will be occupied by the proposed residential flat buildings and will be 3,381m² and 2,077m² respectively. Lot 4 will be created to enable the construction of a road to be dedicated to Council free of costs.

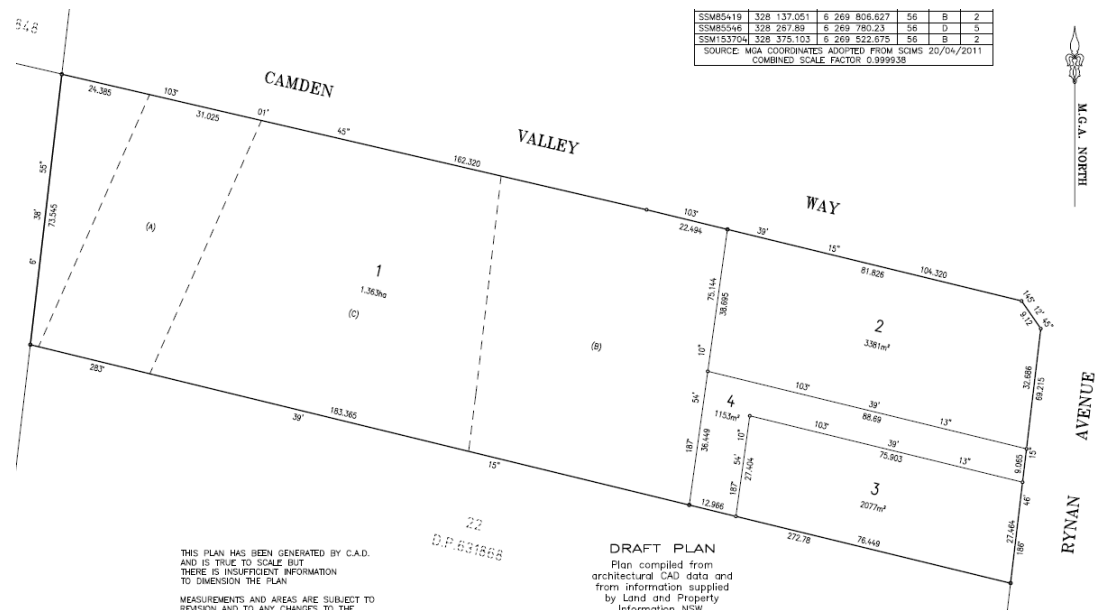


Figure 7: Proposed subdivision plans

3.2.2 Residential Flat Buildings

The proposal involves the construction of 3 x residential flat buildings (Buildings A, B and C) on proposed Lots 2 and 3 as detailed below.

Building A

Building A will be 5 storeys in height and is to contain 50 x 2 bedroom residential apartments. Five of the apartments have been designed as adaptable dwellings, being one adaptable unit on each of the five residential levels.

The basement car park has capacity for 79 vehicles. Fifty-two (52) spaces are stacked parking spaces (2 x 26 spaces) and these will be allocated to residential use. Three (3) visitor car parking spaces are proposed within the basement and eight (8) visitor spaces are proposed at-grade. Storage cages are located around the perimeter of the basement adjacent to each parking bay.

The vehicle access/egress ramp for the basement is via the proposed road to be constructed.

Eight (8) visitor car parking spaces are provided as two areas each with four (4) spaces within the setback to the southern boundary. These parking areas have separate vehicle crossing to the basement car park to Building A.

A shared waste storage area is located at basement level adjacent to the vehicle access ramp. The bin storage area has sufficient capacity for storage of recycling and garbage bins for Building A.

There are four points of pedestrian access to the building, one at each façade. All access points are to be linked by a paved pathway surrounding the site and

linking with the public footpath area in Rynan Avenue and along the new public road. The entries in the north, east and south facades are accessible.

An area of common open space is proposed within the western setback adjoining Cabramatta Creek and the future public reserve. An area of common open space is also proposed within the southern setback in the centre of the site to create a large landscaped courtyard incorporating the main pedestrian entry.

Buildings B and C

Buildings B and C will share a common two-level basement that will be accessed via a vehicle crossing on the northern boundary via the new road. Building B is located on the eastern portion of proposed Lot 3 and is to be five storeys in height. Building B will contain 23 x 2-bedroom apartments. Pedestrian access to Building B is via the eastern façade to Rynan Avenue and from the basement.

Building C is to be located at the western part of proposed Lot 3 and is four storeys in height. Each level of Building C will contain 1 x 1 bedroom apartment, 2 x 2 bedroom apartments and 1 x 3 bedroom apartment. wPedestrian access to the building being via the northern, western and eastern facades.

The basement that is common with Buildings B and C will contain:

- a shared waste collection room adjacent to the basement access ramp;
- eight (8) visitor parking spaces (including two spaces suitable for use by a person with a disability);
- forty-nine (49) resident parking spaces (including five spaces suitable for use by people with a disability);
- four (4) areas containing secured storage cages throughout the basement; and
- separate lift access and central stairwell for each residential building above.

Buildings B and C share a common open space area between the buildings. Common open space areas exclusive to each Building B and C is to be located within the southern setback.

Road Construction and Dedication

The proposal involves construction of a road extending from Rynan Avenue to the internal portions of the site. The road will facilitate access for each of the proposed residential flat buildings and has been designed to enable the extension of the road to the south to comply with the strategic road layout identified for the site and immediate area. The road will be dedicated to Council. A temporary turning head will be constructed near the south west corner of Lot 3 to accommodate for vehicle movements until the road reserve is extended further south.

4 ENVIRONMENTAL PLANNING ASSESSMENT

4.1 Preamble

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 79C of the EP&A Act, 1979.

4.2 Statutory and Policy Compliance

The relevant matters for consideration under Section 79C(1)(a) of the EP&A Act, 1979, are identified in the following Table:

TABLE 2: SECTION 79C MATTERS FOR CONSIDERATION				
EP&A Act, 1979.	Matters for Consideration	OK	See Comment s	N/A
S.79C(1)(a)(i)	SEPP No.55 – Remediation of Land	✓	✓	
"	SEPP No.65 – Design Quality of Residential Flat Development	✓	✓	
"	SEPP (BASIX) 2004	✓	✓	
"	SEPP (Infrastructure) 2007	✓	✓	
"	GMREP No.2	✓	✓	
	Liverpool LEP 2008	✓	✓	
S.79C(1)(a)(ii)	SEPP No. 65 Draft Amendment	✓	✓	
S.79C(1)(a)(iii)	Liverpool DCP 2008	✓	✓	
S.79C(1)(a)(iv)	Any other prescribed matter:- <ul style="list-style-type: none">AS 2601-1991: Demolition of structures.	✓		

The primary statutory documents that relate to the subject site and the proposed development is *Liverpool LEP 2008* and *SEPP No.65 – Design Quality of Residential Flat Development*.

The primary non-statutory document relating to the subject site and proposed development is *Liverpool DCP 2008* and also the *Residential Flat Design Code* (under SEPP No. 65). The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with them assessed.

4.2.1 SEPP No.55 – Remediation of Land

This State Environmental Planning Policy (SEPP) was gazetted on 28 August 1989 and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

The applicant has obtained a Phase 1 Environmental Site Investigation prepared by *Environmental Investigation Services* which concludes as follows:

“ EIS consider the site can be made suitable for the residential development provided the following additional work is undertaken to better assess the risks:

- Undertake a Stage 2 ESA to meet the sampling density outlined in the NSW EPA
- Contaminated Sites Sampling Design Guidelines (19952); an
- Undertake a waste classification assessment for the off-site disposal of material excavated for the proposed development”

Therefore, subject to Council incorporating the recommendations of the Phase 1 Site Investigation as conditions of consent, the proposal satisfies the requirements of SEPP No. 55.

4.2.2 SEPP 65 – Design Quality of Residential Flat Buildings

Part 2 of the Policy sets out ‘Design Quality Principles’ and Clause 30(2) requires the consent authority, in determining a development application to take into consideration the design quality of the residential flat development when evaluated in accordance with these design quality principles.

A *Design Verification* has been submitted with the application and therefore the development application meets the requirements of Clause 50 of the EP&A Act.

An assessment of the proposal’s compliance with the SEPP No. 65 Design Principles is provided separately by the project architect. Attached at Annexure A is an RFDC Compliance Table addressing the ‘rules of thumb’ guidelines. The SEPP No. 65 Assessment and RFDC Compliance Table indicates that the proposal is compliant or acceptable on merit in relation to each of the relevant ‘rules of thumb’.

4.2.3 SEPP (BASIX) 2004

SEPP (BASIX) 2004 commenced on 1 July 2004 and applies to the proposed development. In accordance with the provisions of the SEPP, a revised BASIX Certificate is submitted with the revised plans and confirms that the proposed building (once operational) will comply with the water, thermal comfort and energy efficiency requirements of the policy.

4.2.4 SEPP (Infrastructure) 2007

Clause 101 of the SEPP (Infrastructure) 2007 (ISEPP 2007) relates to development with frontage to a classified road. Clause 101 states that a consent authority must not grant consent to development on land that has frontage to a classified road unless it is satisfied that:

- a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - i. *the design of the vehicular access to the land, or*

- ii. the emission of smoke or dust from the development, or*
- iii. the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- iv. the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposed development will be accessed via the new public road which intersects with Rynan Avenue and no access is proposed via Camden Valley Way. In addition, the development will not impact on the safety, efficiency and ongoing operation of Camden Valley Way as discussed in the submitted Traffic Report.

Clause 102 of the ISEPP relates to development that may be affected by noise or vibration from a busy road. Clause 102 states that, if the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- a. in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,*
- b. anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

Acoustic assessment has been undertaken by Acoustic Logic (Project No.20140687.1 dated 1 July 2014) in relation to this project. The report prescribes construction techniques and materials in order to achieve adequate acoustic attenuation for internal amenity in response to the measured and predicted noise levels. Subject to compliance with the recommendations of the Acoustic Report the proposal will satisfy the requirements of Clause 102 of SEPP (Infrastructure) 2007.

4.2.5 Greater Metropolitan REP No.2 – Georges River Catchment

The aims of the Greater Metropolitan Regional Environmental Plan No.2 – Georges River that are relevant to this application are listed in Table 3 along with comments as to how the proposal is consistent with those aims.

TABLE 3: COMPLIANCE WITH AIMS OF GMREP NO.2	
AIM	COMMENT
<i>(a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment</i>	Demolition and construction works will ensure protection of water quality and quantity runoff in accordance with a Soil and Water Management Plan / Erosion and Sedimentation Control Plan.
<i>(b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner</i>	Land within the site which has been identified as Environmentally Significant in LLEP 2008 will not be disturbed by proposed works.
<i>(f) to provide a mechanism that assists in</i>	See the Stormwater Management Plans

TABLE 3: COMPLIANCE WITH AIMS OF GMREP NO.2	
AIM	COMMENT
<i>achieving the water quality objectives and river flow objectives agreed under the Water Reform Package</i>	submitted with this development application.

Part 2 to GMREP No.2 contains general and specific planning principles to be taken into consideration with development proposals. Clause 8 lists matters for consideration in assessment of all development applications. Those matters are contained in Table 4 along with comments as to how those matters relate to the proposal.

TABLE 4: MATTERS FOR CONSIDERATION IN ASSESSMENT OF DEVELOPMENT APPLICATIONS	
MATTER FOR CONSIDERATION	COMMENT
<i>(a) the aims, objectives and planning principles of this plan</i>	See Table 3.
<i>(b) the likely effect of the proposed plan, development or activity on adjacent or downstream local government areas</i>	Appropriate measures are to be implemented to protect and improve downstream water quality and quantity
<i>(c) the cumulative impact of the proposed development or activity on the Georges River or its tributaries</i>	The proposal will not contribute a detrimental cumulative impact based on the proposed controls to maintain and improve water quality and ensure post-development flows are equivalent to pre-development flows.
<i>(d) any relevant plans of management including any River and Water Management Plans approved by the Minister for Environment and the Minister for Land and Water Conservation and best practice guidelines approved by the Department of Urban Affairs and Planning (all of which are available from the respective offices of those Departments)</i>	Stormwater management is to be consistent with Council's requirements and any General Terms of Approval to be issued by the NSW Office of Water.
<i>(e) the Georges River Catchment Regional Planning Strategy (prepared by, and available from the offices of, the Department of Urban Affairs and Planning)</i>	The proposal is consistent with the requirements for urban development as identified in the Strategy.
<i>(f) all relevant State Government policies, manuals and guidelines of which the council, consent authority, public authority or person has notice</i>	Treatment of the riparian area and the buffer between the development site and the western boundary of Lot 1 will be consistent with the NSW Office of Water Guidelines for riparian corridors on waterfront land (July 2012) and Guidelines for vegetation management plans on waterfront land.
<i>(g) whether there are any feasible alternatives to the development or other proposal concerned.</i>	Alternative development scenarios are not required to be considered as the proposal is consistent with the desired future character facilitated by LLEP 2008 and LDCP 2008.

Part 2 to GMREP No.2 contains general and specific planning principles to be taken into consideration with development proposals. Clause 9 lists specific planning principles for consideration in assessment of development proposals. Those planning principles are contained in Table 5 along with comments as to how those principles relate to the proposal.

TABLE 5: PLANNING PRINCIPLES IN ASSESSMENT OF DEVELOPMENT APPLICATIONS	
PLANNING PRINCIPLE	COMMENT
<p>(1) Acid sulfate soils</p> <p><i>Disturbance of acid sulfate soil areas is to be avoided or minimised and those areas are to be protected in accordance with the requirements set out in the Acid Sulfate Soils Assessment and Management Guidelines prepared by the Acid Sulfate Soils Management Advisory Committee</i></p>	<p>The site is not mapped in LLEP 2008 as being within an area of Acid Sulfate Soil classification 1 to 5. Therefore the proposal is unlikely to disturb Acid Sulfate Soils.</p>
<p>(2) Bank disturbance</p> <p><i>Disturbance of the bank or foreshore along the Georges River and its tributaries is to be avoided and those areas and any adjoining open space or vegetated buffer area must be protected from degradation</i></p>	<p>No works are proposed which would disturb the banks of the watercourse within the site. A vegetated buffer compliant with the requirements of LDCP 2008 is to be provided.</p>
<p>(3) Flooding</p> <p><i>The following are to be recognised:</i></p> <p><i>(a) the benefits of periodic flooding to wetland and other riverine ecosystems,</i></p> <p><i>(b) the pollution hazard posed by development on flood liable land in the event of a flood,</i></p> <p><i>(c) the cumulative environmental effect of development on the behaviour of flood water and the importance of not filling flood prone land.</i></p>	<p>See the Flood Assessment Report submitted with this development application.</p>
<p>(5) Land degradation</p> <p><i>Land degradation processes, such as:</i></p> <p><i>(a) erosion,</i></p> <p><i>(b) sedimentation,</i></p> <p><i>(c) deterioration of soil structure,</i></p> <p><i>(d) significant loss of native vegetation,</i></p> <p><i>(e) pollution of ground or surface water,</i></p> <p><i>(f) soil salinity and acidity, and</i></p> <p><i>(g) adverse effects on habitats and sensitive natural environments (aquatic and terrestrial) within the Catchment,</i></p> <p><i>must be avoided where possible, and minimised where avoidance is not possible.</i></p>	<p>Demolition and construction works will ensure protection of water quality and quantity runoff in accordance with a Soil and Water Management Plan / Erosion and Sedimentation Control Plan.</p>
<p>(9) Urban/stormwater runoff</p> <p><i>The impacts of stormwater runoff, including sewage contaminated runoff into or near streams within the Catchment, is to be minimised and mitigation measures that address urban stormwater runoff are to be implemented in accordance with the local council requirements and the Managing Urban Stormwater series of documents. Development is also to be in accordance with the NSW State Rivers and Estuaries Policy available from offices of the Department of Urban Affairs and Planning. Stormwater management must be integrated so that quality, quantity and land use aspects are all encompassed</i></p>	<p>Refer to the Stormwater Management Plan submitted with the development application and the Soil and Water Management Plan / Erosion and Sedimentation Control Plan to be submitted with an application for a Construction Certificate.</p>
<p>(10) Urban development areas</p>	

TABLE 5: PLANNING PRINCIPLES IN ASSESSMENT OF DEVELOPMENT APPLICATIONS	
PLANNING PRINCIPLE	COMMENT
<i>The environment within the Catchment is to be protected by ensuring that new or expanding urban development areas are developed in accordance with the Urban Development Program and the Metropolitan Strategy and that the requirements of the NSW Floodplain Development Policy and Manual (prepared by and available from the Department of Land and Water Conservation) are also satisfied. It is important to ensure that the level of nutrients entering the waterways and creeks is not increased by the development</i>	Refer to the Stormwater Management Plan and the Flood Assessment Report submitted with the development application.
(11) Vegetated buffer areas <i>Appropriate buffer widths (as identified in item 21 relating to Development in Vegetated Buffer Areas in the Planning Control Table in Part 3) must be retained as a means of improving surface runoff entering into the Georges River or its tributaries.</i>	A vegetated buffer is to be established adjacent to the western boundary of proposed Lot 1. The minimum vegetated buffer distance created for the watercourse within the site is 20m wide and is consistent with the requirements of LDCP 2008.
(12) Water quality and river flows <i>Water quality and river flows within the Catchment are to be improved through the implementation of environmental objectives for water quality and river flows agreed between the Minister for Environment and the Minister for Land and Water Conservation and by the application of consistent decisions affecting the use and management of land.</i>	Refer to the Stormwater Management Plan and the Flood Assessment Report submitted with the development application.

Part 3 to GMREP No.2 contains a planning control table which lists specific matters for consideration based on the type of development proposed. In this case the proposal is within the "Housing Development" category. The matters for consideration relating to Housing Development are listed in Table 6 along with comments addressing the specific features of this proposal.

TABLE 6: PLANNING CONTROLS IN ASSESSMENT OF HOUSING DEVELOPMENT	
PLANNING CONTROL	COMMENT
<i>For land included in the Urban Development Program: Development consent required for land identified in the Urban Development Program unless the land is not connected to a reticulated sewerage system or is flood liable, in which case it is prohibited.</i>	The portion of the site which is to contain the proposed residential flat buildings and new public road is not affected by flooding in accordance with the Flood Assessment Report submitted with the development application. The residential flat buildings can be connected to a reticulated sewerage system. Development consent is sought.
<i>For land within the Urban Development Program: Whether the proposal for development accords with the Metropolitan Strategy and satisfies the strategy's goals and key principles.</i>	The site is part of an Urban Release Area and is identified in the Urban Development Program.

TABLE 6: PLANNING CONTROLS IN ASSESSMENT OF HOUSING DEVELOPMENT	
PLANNING CONTROL	COMMENT
<p><i>Whether the land is adequately serviced.</i></p> <p><i>Whether adequate provision has been made to meet the requirements of any council stormwater management plans and erosion and sediment control plans or policies.</i></p> <p><i>Whether provision has been made for sediment and/or erosion control during construction in accordance with best practice.</i></p> <p><i>Whether adequate provision has been made to prevent untreated urban runoff including nutrients, oils and greases, animal wastes, detergents and other pollutants from car washing and general litter entering into the Georges River or its tributaries.</i></p>	<p>The land can be serviced by all essential utilities.</p> <p>See Stormwater Management Plan submitted with the development application. A Soil and Water Management Plan / Erosion and Sedimentation Control Plan is to be submitted with an application for a Construction Certificate</p> <p>See Stormwater Management Plan submitted with the development application.</p>
<p><i>Any treatment measures will need to be in accordance with the NSW State Rivers and Estuaries Policy and have the necessary approval of the Department of Land and Water Conservation.</i></p>	<p>Requirements are expected to be specified through General Terms of Approval issued by the NSW Office of Water.</p>
<p><i>The provision of planted areas and the minimisation of hard surface areas mitigates against increased urban runoff from built up areas and must be encouraged. Reuse of treated waste water and the utilisation of appropriate water conservation practices must also be encouraged</i></p>	<p>See the Landscape Plan submitted with the development application.</p> <p>Water re-use is proposed to be incorporated with rainwater storage tanks indicated on the plans submitted with the development application.</p>
<p><i>Whether adequate provision has been made to incorporate vegetated buffer areas to watercourses, foreshores or other environmentally sensitive areas</i></p>	<p>A vegetated buffer is to be established along the western edge of Lot 1 to provide a buffer to the watercourse. All land within the site which is identified in the maps to LLEP 2008 as being environmentally significant will not be disturbed as part of this development proposal.</p>
<p><i>The potential cumulative environmental impact of urban runoff on the Georges River or its tributaries</i></p>	<p>The proposed Stormwater Management measures are expected to contribute positive cumulative impacts to the catchment.</p>

In summary, the proposal is consistent with all relevant aims, matters for consideration and principles contained in GMREP No.2.

4.2.6 Liverpool Local Environmental Plan 2008

The *Liverpool LEP 2008* came into force on 29 August 2008 and applies to the subject site. Under the LEP the subject site is identified within three separate zones as indicated at Figure 8.

The north-west corner of the site and the eastern portion of the site are within Zone R1 General Residential. The area of the site which includes the tributaries of Cabramatta Creek is within Zone RE1 Public Recreation. The remainder of the site is in Zone E3 Environmental Management.

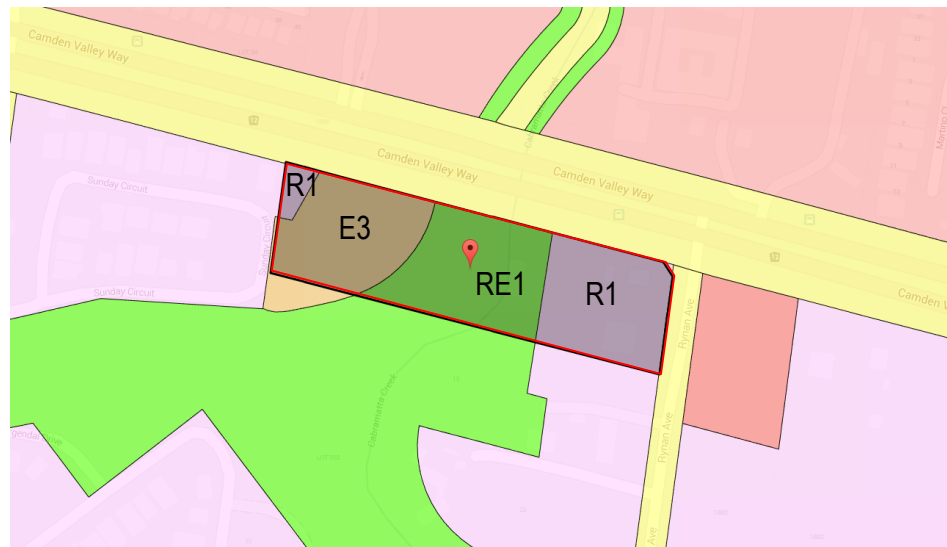


Figure 8: Liverpool LEP 2008 Zone Maps (subject site outlined in red)

The subdivision of the site to create Lot 1 applies to land in all three zones and no works are proposed on this Lot. The proposed eastern lots (Lots 2, 3 and 4) are all located within the R1 - General Residential zone. The LEP defines residential flat buildings as:

“ A building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.”

The proposed buildings are best described as *residential flat buildings* and are permissible with development consent in Zone R1. The construction and dedication of a public road is also permitted with development consent in Zone R1.

A detailed assessment of the requirements of LEP 2008 as they apply to the proposal is provided at Annexure B. The proposed development is consistent with all relevant LEP provisions with the exception of building height. A request for variation to the building height control in accordance with Clause 4.6 to LEP 2008 is provided below.

Height of Buildings

Clause 4.3 (2) of LEP 2008 relates to the maximum height requirements and refers to the *Height of Buildings Map*. A maximum building height of 15m applies to the site. Building height is defined as:

“ **building height** (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.”

As indicated in the extracts of the building section diagrams in Figures 9, 10 and 11, Building A exceeds the maximum building height to a minor degree along the roof line. The lift overrun of Buildings A and B exceed the building height control. An orange line in the Figures below indicates a level 15m above existing ground level. At the greatest extent the breach is approximately 800mm for the roof of

Building A and 1m for the lift overruns of Buildings A and B. These variations are equivalent to a maximum of 5% for the western section of the roof of Building A and 6% for the lift overruns.

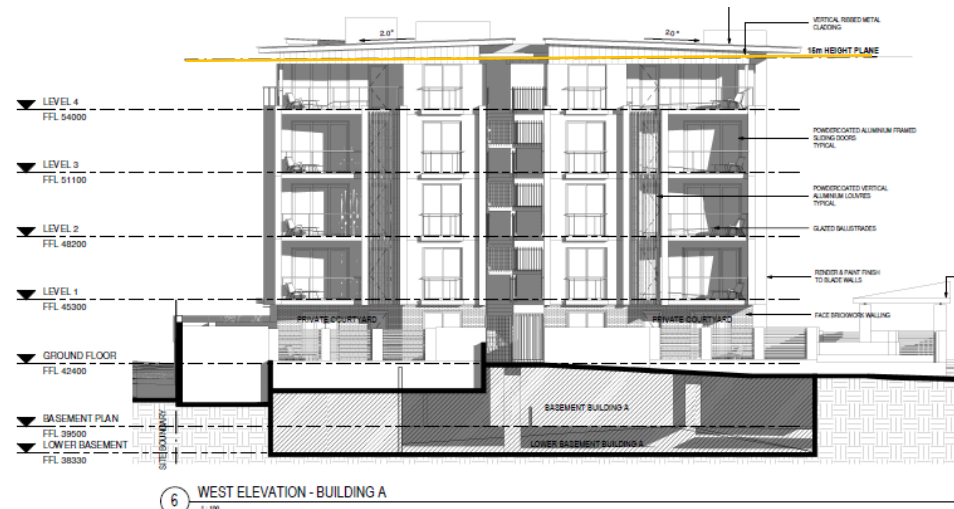


Figure 9: West Elevation Building A



Figure 10: North elevation Building A



Figure 11: South Elevation Building A

Clause 4.6(3) of the LEP contains inbuilt flexibility for varying the height standard and provides the following:

- “ (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:
- that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - that there are sufficient environmental planning grounds to justify contravening the development standard.”

With regard to point (a) above, in *Wehbe V Pittwater Council (2007) NSW LEC 827* Preston CJ sets out ways of establishing that compliance with a development standard is unreasonable or unnecessary. It states, inter alia:

“ An objection under SEPP 1 may be well founded and be consistent with the aims set out in clause 3 of the Policy in a variety of ways. The most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.”

The judgement goes on to state that:

“ The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objective is able to be achieved. However, if the proposed development proffers an alternative means of achieving the objective strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served).”

Preston CJ in the judgement then expressed the view that there are 5 different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy, as follows:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard;
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard that would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

This request relies on demonstrating that the objectives for the building height standard and for development in Zone R1 are achieved despite numeric non-compliance (as underlined above).

The relevant objectives of the maximum building height standard are stated in Clause 4.3 (1) of LLEP 2008 below:

- “(1) The objectives of this clause are as follows:*
- (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
 - (b) to permit building heights that encourage high quality urban form,*
 - (c) to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,*
 - (d) to nominate heights that will provide an appropriate transition in built form and land use intensity.”*

The proposed height variation is considered to be consistent with the objectives as follows:

Objective (a):

The permissible floor space is achieved by the proposal with the distribution of floor space between three residential buildings. This breaks up the overall built form and reduces the bulk of the proposal.

Objective (b):

The proposal displays high quality urban form. The height and floor plate size and layout of each building is distinctly different and this adds variety and interest to the streetscape. The buildings enhance the aesthetic quality, utility and amenity of the locality and are of a form that is anticipated by the applicable planning controls.

The separation between the buildings exceeds the requirements of the RFDC. In conjunction with three separate building forms this allows for a large proportion of dual aspect apartments. All apartments have primary orientation to a public road and/or large areas of open space which enhances the privacy and amenity of apartments.

The degree to which Building A exceeds the maximum height limit does not substantially change the overall appearance of the buildings and would not be readily apparent to the casual observer at street level. The site is a prominent corner and a 'gateway' point to Edmondson Park. Tall buildings distinguish this entry point and are exemplary of the desired character for this location as described in LDCP 2008.

The lift overruns are recessed from the perimeter of both buildings and will not be readily apparent to the casual observer from adjoining streets. The lift overruns are the minimum required to accommodate essential mechanical equipment and will not detract from the aesthetic and architectural quality of the buildings.

Objective (c):

The proposed building height does not result in detrimental amenity impacts due to shadow in comparison to a compliant building height. The non-compliant section of the roof of Building A is at a maximum 800mm above the 15m height limit and does not significantly add to the overall shadow cast by the building onto neighbouring properties between 9am and 3pm in midwinter.

The lift overruns are located in the centre of Buildings A and B and do not contribute to shadowing.

Objective (d):

The proposed buildings heights are consistent with the desired future character and intensity of development for the site as described in Liverpool DCP 2008 (see Section 4.2.7 and Annexure C).

In conclusion the proposed development is therefore consistent with the objectives for building height despite the numeric non-compliance.

With regards to Clause 4.6(3)(b), there are sufficient environmental planning grounds to justify contravening the maximum height standard of the LEP for the roof of Building A and the lift overruns of Buildings A and B.

The proposed height encroachment will enable the orderly and economic redevelopment of the subject site in accordance with the intentions of the *Environmental Planning and Assessment Act, 1979* and in a manner consistent with the intentions of the DCP for the Edmondson Park Urban Release Area.

As outlined in Annexure B, the proposal is consistent with the objectives for development in Zone R1, which are:

- “• To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.
- To facilitate development of social and community infrastructure to meet the needs of future residents.”

The proposal requests variation to the height controls that will enable delivery of a well designed medium density housing development. In the absence of any significant amenity impacts the minor breach for the western portion of Building A and for the lift overruns of Buildings A and B are far more desirable than lower bulkier buildings, increased site coverage and reduced building separation that may result from the redistribution of floor space horizontally.

There is no planning purpose to be served by limiting the height strictly to the 15m allowable given the achievement of high quality design and absence of amenity related impacts and the minor nature of the non-compliance. The proposed height will not offend the objectives of the LEP height control, as previously demonstrated.

In light of the above reasons demonstrating compliance with the relevant objectives it would be unreasonable and unnecessary to insist on strict compliance with the 15m height standard. Furthermore, to insist on strict compliance would frustrate the orderly and economic development of the site thereby hindering the attainment of the objectives of the Environmental Planning and Assessment Act, 1979. In this case the variation to the maximum building height standard is considered reasonable and consistent with the requirements of Clause 4.6(3) of the LEP.

4.2.7 Liverpool DCP 2008

This DCP was adopted by Council on 28 July 2008 and came into force on 29 August. The Plan applies to all land within the Liverpool local government area. Part 2.11 of the DCP relates specifically to land subdivision and development in Edmondson Park and was effective from 19 February 2014. The relevant provisions of the DCP are detailed at Annexure C.

It is noted that the site is within the minimum 17 dwelling per hectare area as mapped in LLEP 2008 Dwelling density map DWD 009. However, Council's written response to the Pre-DA Lodgment meeting dated 30 April 2014 states:

“ Whilst the development is not located within the Edmondson Park Town Centre, the building and appearance controls within the 38 dwellings/hectare would be applicable to the proposal”.

The compliance table identifies the relevant provisions that relate to the proposal and demonstrates that the development is compliant with those provisions. Where departures to the controls exist, a justification is provided in Annexure C.

4.3 Impacts on Natural & Built Environment

4.3.1 Topography & Scenic Impacts

The proposed development has been designed to relate to the site and topography. Some excavation is required to provide the basements for each building, however, the buildings will be positioned above the excavated areas and there will be no visible external change to the site topography evident from excavation of the basements.

In addition, the proposal has been designed with regard to the applicable density and height controls and represents a form of development that is reasonably anticipated at the subject site. As such, despite the changing nature of development in the area there will be no adverse scenic impacts associated with the proposal.

4.3.2 Flora and Fauna Impacts

The proposal involves removal of all existing vegetation from the area of the site within Zone R1. It is noted that no works are proposed within the proposed Lot 1 that will result in adverse impacts on the existing environmental qualities of the site.

Whilst the density of the site will increase and all existing vegetation will be removed, this is consistent with the anticipated future character of the site as part of the Edmondson Park Urban Release Area. The Urban Release Area was established to provide additional housing in conjunction with new high quality landscaping and a future network of vegetated public open space and riparian areas.

The Landscape Plan submitted with the application indicates all replacement trees to be planted in common areas around the site. New planting will both soften the built form, offset the loss of the existing trees and contribute to improving the local biodiversity.

4.3.3 Micro-climate Impacts

The proposed development will have no significant impact on the micro-climate of the locality.

4.3.4 Water & Air Quality Impacts

The proposed development will have no significant impact on air or water quality in the locality. Details of the works proposed, to reduce silt laden stormwater runoff from the site during and after construction is contained in the Stormwater Plan and Environmental Site Management Plan which is submitted separately with the application.

The completed project will incorporate on-site stormwater detention and re-use in accordance with Council's requirements and stormwater retention in accordance with the submitted BASIX Certificate.

The proposed development will be connected to the sewer and is not likely to generate any unusual liquid waste, odour or fumes. It is therefore unlikely to have any adverse impact in terms of air or water quality.

4.3.5 External Appearance & Design

The proposal presents a 5 storey appearance to the corner of Camden Valley Way and Rynan Avenue and is representative of the desired scale and form of development in the area that is undergoing significant change. Buildings B and C provide a transition in form from the larger Building A which will be a landmark building at the main road access point to the urban release area. Photomontages of the proposal are included in Figure 12.



Figure 12: Photomontages from Camden Valley Way, Rynan Ave and the new road

The distribution of density at the site as three separate buildings provides appropriate levels of building separation internally. Three separate buildings enables solar penetration to the ground floor common areas and to all private living spaces throughout the site. The relationship of the buildings internally to the

site promotes a well balanced urban environment and neighbourhood setting as indicated in the photomontage provided at Figure 12.

The proposal has been designed in anticipation of future redevelopment of the adjoining site to the south which is under the control of the applicant for the proposed development.

The proposed development provides variation in the layout and orientation of apartments at the site to cater for a range of lifestyle choices despite most apartments being 2 bedroom dwellings. The size and orientation of each dwelling has been designed in accordance with the intent of the Residential Flat Design Code which seeks to provide high levels of privacy, solar access and natural ventilation. Every apartment is provided with either a single or double (stacked) parking space.

Each building will appear contemporary and unique at the site and will set a high standard for development in the area. Materials will consist of contemporary face brick as well as select render and cladding elements. The façade detail incorporates a number of textures and colour tones appropriate for contemporary development and decorative façade elements to add interest and distinction to each building. Material and colour details have been provided separately as part of this revised application.

Whilst the density of the site will increase in accordance with the desired future character under the LEP and DCP, the distribution of building mass in conjunction with the material details is considered to be well balanced and is consistent with the desired future character statements in the DCP.

4.3.6 Relationship to Neighbouring Properties

It is demonstrated below that the proposed development will not have any unreasonable impacts on the amenity enjoyed by the surrounding properties, which confirms that development of the site in the form and density proposed is appropriate to the locality.

Solar Access

Shadow diagrams of the proposed development have been submitted with the development application and indicate the shadows cast at 9am, 12 noon, and 3pm during mid-winter.

The proposed development has been designed and oriented to ensure excellent levels of solar access to the proposed dwellings. As indicated at Annexure A, the proposal provides solar access to well in excess of the minimum number of apartments under the Residential Flat Design Code.

The shadow diagrams indicate that the proposal will result in an increase in overshadowing to the adjoining property to the south. However, given the orientation of the site (having a long east to west axis) a degree of overshadowing to the adjoining southern property should therefore be reasonably anticipated.

As discussed, the applicant for the subject application has a legal agreement with the owners of No.15 Rynan Avenue with regard to the redevelopment of the subject site and the proposal has been designed in anticipation of redevelopment of the adjoining southern property. It is considered that the impacts on the existing dwelling to the south of the site are minor and acceptable given compliance with the applicable DCP controls relating to overshadowing. In addition, the proposal does not compromise the ability for future redevelopment of the adjoining southern site to achieve appropriate levels of solar access.

The road reserve of Rynan Avenue will provide appropriate separation to any future development on the eastern side of Rynan Avenue to ensure adequate solar access to this nearby land.

Views

The proposal involves the construction of three buildings ranging in height from 4 to 5 storeys. There are no significant views gained over the subject site and the built form is representative of the applicable planning controls. As such, view loss is within what should be reasonably anticipated as a result of the development of the site and is considered to be acceptable.

Aural & Visual Privacy

The proposed development has been designed to minimise as far as practicable the likelihood of any adverse overlooking or invasion of aural privacy on internally adjacent dwellings and likely future neighbouring properties. This has been achieved by carefully considering building location and massing across the site and through the use of a number of design and landscape elements.

Each building at the site has been designed to comply with the relevant building separation requirements and has been oriented to face the front, side or rear boundaries. The proposal therefore promotes excellent levels of visual privacy and separation between internally adjacent dwellings and adjoining properties.

The design of basement parking will minimise future noise impacts on the site associated with parking and access and the Acoustic Report submitted with the application assesses the amenity of the future building occupants given the proximity of the site to Camden Valley Way. The report makes recommendations that will ensure that acceptable levels of amenity will be achieved within each dwelling, consistent with the requirements of SEPP (Infrastructure) 2007.

As such, the proposal will not result in adverse aural and privacy impacts on the internally adjacent dwellings and likely future development to the south of the site.

4.3.7 Traffic Generation and Car Parking

An assessment of the likely traffic generation and car parking impacts created by the proposed development is provided in the Traffic and Parking Assessment submitted in support of this application. The report confirms that the proposal will generate additional traffic levels. However, additional traffic will not affect the level of service, capacity and safe function of nearby intersections, including the Camden Valley Way. As previously indicated, in accordance with the provisions of the Infrastructure SEPP, the proposed development is required to be referred to the Roads & Maritime Services for consideration.

4.4 Economic & Social Impacts

The proposal is a well-designed contemporary residential apartment development, as envisaged by Council's planning controls and the intentions for the Edmondson Park Urban Release Area. The subject site enjoys good access to expanding public bus services as well as the new commercial town centre and services in the vicinity of the site. The development will utilise existing infrastructure including electricity, sewer, water and telecommunication services.

Undertaking the demolition and construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects.

Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality.

4.5 The Suitability of the Site

Access to Services

The subject site is well served by public transport and services are likely to increase as development in the area continues to progress. Liverpool City Centre provides a wide variety of retail, commercial and community services and facilities. As the site is within an Urban Release Area appropriate arrangements have been made for all essential services and infrastructure.

Hazards and Risks

The subject site is identified as bush fire prone land and is affected by flooding. A bushfire assessment report and flood report have been submitted with the application demonstrating that the proposed development will not increase risk to life or property subject to complies with the recommendations of each report.

4.6 The Public Interest

The proposed development has been designed to sympathetically relate to the size, shape and topography of the site and has been designed with consideration to the applicable planning controls.

The proposal seeks to provide apartment accommodation within a prime new urban growth location where sufficient demand exists. In addition and as demonstrated throughout this report, the proposal will not have any unreasonable amenity impacts on surrounding properties. Accordingly, the proposed development is considered to be in the public interest.

5 CONCLUSION

The proposed development has been assessed in light of Section 79C of the Environmental Planning & Assessment Act, 1979 and Council's planning instruments.

The proposed subdivision is permissible in the relevant zones. The residential flat buildings and road are permissible with Council's consent in *Zone R1 – General Residential*. The proposal complies with the relevant objectives and development standards contained within the *Liverpool LEP 2008*, however, seeks a departure from the maximum height standard pursuant to Clause 4.6 of the LEP as discussed in this Statement.

Additionally, the proposal complies with all of the objectives contained within the Liverpool DCP 2008 and any proposed variations have been addressed in the accompanying DCP compliance table, and found to be acceptable on merit.

The siting, design and external appearance of the proposal is considered to be appropriate and in character with development in the locality. The completed development will have no significant impact on the topography, micro-climate, air or water quality of the locality and is also considered to comply with the objectives and provisions of Council's planning controls in relation to aural and visual privacy.

Undertaking the construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects. The proposal will not generate any significant additional traffic levels and will not affect the level of service, capacity and function of nearby intersections.

Accordingly, in the circumstances of the case, the proposal is considered to be in the public interest and worthy of Council's and the Joint Regional Planning Panel's support.



ANNEXURE A

RESIDENTIAL FLAT DESIGN CODE – COMPLIANCE TABLE

RESIDENTIAL FLAT DESIGN CODE – COMPLIANCE TABLE				
Control	Numerical requirement	RFDC Qualifications / Comments	Proposal Performance	Complies?
Building Depth	<ul style="list-style-type: none"> Max 18m (glass line to glass line) 	<ul style="list-style-type: none"> For wider buildings, must demonstrate how satisfactory daylight and natural ventilation are achieved 	<p>Building A has a depth of up to 21.6m, however, the building been designed so that a significant portion of the development is less than 18m in depth. Despite exceeding the 18m maximum at certain parts of the building, the proposal has been designed to ensure that each dwelling has access to excellent levels of light and ventilation through punctuating the façade, the northern orientation of many units and providing 100% cross ventilated dwellings.</p> <p>Building B has a depth of between 22m and 18m north-south axis. Despite exceeding the maximum depth requirements, all apartments are dual aspect dwellings that receive excellent access to light and ventilation.</p> <p>Building C has a maximum building depth of 24m, however, similar to Building B, all apartments are dual aspect dwellings that receive excellent access to light and ventilation.</p>	Acceptable on Merit
Building Separation/ Visual Privacy	<ul style="list-style-type: none"> Up to 4 storeys / 12m <ul style="list-style-type: none"> 12m, habitable rooms / balconies to habitable rooms / balconies 9m, habitable rooms / balconies to non-habitable rooms 5 to 8 storeys / 12m to 25m <ul style="list-style-type: none"> 18m, habitable rooms / balconies to habitable rooms / balconies 13m, habitable rooms / balconies to non-habitable rooms 	<ul style="list-style-type: none"> May be varied in response to site and context constraints For lesser distances, must demonstrate that daylight access, urban form and visual and acoustic privacy is satisfactorily achieved 	<p>The proposal provides the following separation:</p> <p>Between Building A and B (5 storeys) - 21.5m Between Building A and C (4 storeys) - 21.5m Between Building B and C (4 storeys) – 12m. Between internally adjacent dwellings in Building A (5 storeys) – 23m</p> <p>It is noted that Buildings B and C are setback from the southern boundary by 5.096m respectively. However, as indicated on the indicative building layout plan for the adjoining property (which is under the control of the</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

RESIDENTIAL FLAT DESIGN CODE – COMPLIANCE TABLE				
Control	Numerical requirement	RFDC Qualifications / Comments	Proposal Performance	Complies?
			proponent of this application), redevelopment of the adjoining site will ensure appropriate building separation.	
Deep Soil	<ul style="list-style-type: none"> Min 25% of open space area of site <p>Total open space (excluding the building footprint and driveway)</p>	<ul style="list-style-type: none"> May be exceptions in urban areas where sites are built out and no capacity for water infiltration, but then integrated stormwater treatment measures required 	<p>16.5% (1086.5m²) of the open space area is deep soil.</p> <p>The site is anticipated to be a high density neighbourhood centre and stormwater treatment measures are compatible with the potential flooding impacts and management of runoff into Cabramatta Creek. The amount of impervious surface is therefore appropriate for the site and stormwater will be adequately managed.</p>	On merit
Communal Open Space	<ul style="list-style-type: none"> Min 25% of site area <p>Site area = 6,610.72m² (post subdivision) 25% of site area = 1,652.68m²</p>	<ul style="list-style-type: none"> Where not achievable, such as in dense urban areas, must provide increased private open space and/or contribution to public open space 	26.5% (1,754.8m ²) of the site is dedicated to communal open space including dedicated active communal open space areas, deep soil zones and portions of the site that will be in communal ownership (external to the building footprint, driveway and pedestrian access points).	Yes
Private Open Space at Ground Level or on podium/car park	<ul style="list-style-type: none"> Min area 25m² per apartment 		Twelve of the proposed 19 ground floor apartments have private open space areas which exceed 25m ² . The small portion of ground floor dwellings that do not have 25m ² of open space have immediate access the common open space areas within the curtilage of each building.	Acceptable on Merit.
Pedestrian Access	<ul style="list-style-type: none"> Barrier-free access to min 20% of units 		100% barrier-free access.	Yes
Vehicle Access	<ul style="list-style-type: none"> Max driveway width 6m 		All driveways are 6m wide.	Yes
Apartment Layout	<ul style="list-style-type: none"> Max depth from window of single aspect apartments 8.0m 	<ul style="list-style-type: none"> If standards not met, must show how satisfactory daylight and natural ventilation are achieved 	All single aspect apartments in Building A are cross ventilated due to the location of the windows and their stepped facades.	Yes
	<ul style="list-style-type: none"> Max distance from window to back of kitchen 8.0m If cross-over/through units more than 		Cross over apartments are greater than 4m in width	Yes

RESIDENTIAL FLAT DESIGN CODE – COMPLIANCE TABLE				
Control	Numerical requirement	RFDC Qualifications / Comments	Proposal Performance	Complies?
	15.0m deep, min width 4.0m • Minimum apartment sizes as follows: – 2 bedroom unit – 70m ²		All apartments exceed 70m ² in area.	Yes
Balconies	• Each apartment must have a “primary balcony”, defined as “located adjacent to the main living areas, such as living room, dining room or kitchen” • Min primary balcony depth for each apartment 2.0m		• 100% of apartments have a primary balcony • 100% of units have a primary balcony depth of 2m or more.	Yes Yes
Ceiling Heights (finished floor level to finished ceiling level)	• Residential building/floors – Habitable rooms, min 2.7m – Non-habitable rooms, min 2.25m	• If lesser heights, must show that apartments receive satisfactory daylight	Residential floors min 2.7m	Yes
Internal Circulation	• For double-loaded corridor, max 8 units accessed from single core/corridor	• Exceptions may be – Adaptive reuse – Achievement of desired streetscape character and entry response – Achievement of high level of amenity for common lobbies, corridors and units (cross over, dual aspect apartments)	Building A contains 10 apartments per level, however, the lift is located centrally so that each level effectively has an eastern and a western corridor, each containing 5 dwellings. In any event, the proposal only contains 8 units per level that are double loaded as two units per level are located on a single loaded corridor with access to light and ventilation. Building B – maximum 4 apartments per corridor Building C – maximum 4 apartments per corridor	Yes Yes Yes
Storage	• Excluding kitchen cupboards and bedroom wardrobes – Studio apartment, min 6m ³ – 1 bedroom apartment, min 6m ³ – 2 bedroom apartment, min 8m ³		Each apartment has access to the required amount of storage within the unit and within the basement level.	Yes

RESIDENTIAL FLAT DESIGN CODE – COMPLIANCE TABLE				
Control	Numerical requirement	RFDC Qualifications / Comments	Proposal Performance	Complies?
	– 3 bedroom apartment, min 10m ³			
Daylight Access	<ul style="list-style-type: none"> For min 70% of apartments, living rooms and private open spaces receive min 3 hours direct sunlight in mid-winter between 9.00am and 3.00pm 	<ul style="list-style-type: none"> In dense urban areas, min 2 hours may be acceptable 	More than 80% of apartments have living rooms and private open spaces which receive a minimum 2 hours direct sunlight in mid-winter between 9.00am and 3.00pm.	Yes
	<ul style="list-style-type: none"> Max 10% of units to have single southerly aspect (SW-SE) 	<ul style="list-style-type: none"> If more, show how <ul style="list-style-type: none"> – site constraints and orientation prohibit achievement of standards – energy efficiency is addressed 	No apartments have single southerly aspects.	Yes
Natural Ventilation	<ul style="list-style-type: none"> Min 60% of apartments naturally cross ventilated 	<ul style="list-style-type: none"> If less, show how natural ventilation is satisfactorily achieved 	All of apartments are naturally cross-ventilated.	Yes
	<ul style="list-style-type: none"> Min 25% of kitchens to have access to natural ventilation 		100% of kitchens have access to natural ventilation as they are part of an open plan living area which is ventilated by windows and/or glass sliding doors.	Yes



ANNEXURE B

LIVERPOOL LEP 2008– COMPLIANCE TABLE

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
	Land Use Table	<p>Zone R1 General Residential</p> <p>Zone Objectives:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities. • To facilitate development of social and community infrastructure to meet the needs of future residents. <p>Residential flat buildings and Roads are permitted with development consent.</p>	<p>The proposal is consistent with the objectives in the following ways:</p> <ul style="list-style-type: none"> - It provides housing compatible with the needs of the community; - It adds to the variety of housing types by proposing residential apartments in a locality currently dominated by detached dwellings; - It is compatible with the provision of other land uses supporting the daily needs of local residents in that it adds to the local population which will use other services and facilities to be established in the Edmondson Park Town Centre; - The density of housing is compatible with the future provision of public transport to the Edmondson Park Urban Release Area; - It will not hinder the development of social and community infrastructure and is compatible with the future creation of public open space along the Cabramatta Creek riparian area. <p>The subdivision of the site which creates a new lot containing the north-west portion of the site zoned R1 into a separate lot does not impact on the potential for this land to be developed in the future in a manner consistent with the zone objectives as independent access can be gained from Sunday Circuit.</p>	Yes
	Land Use Table	<p>Zone RE1 Public Recreation</p> <p>Zone Objectives:</p> <ul style="list-style-type: none"> • To enable land to be used for public open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. 	<p>The subdivision of land in Zone RE1 (to contain all land in Lot 1 zoned RE1 and E3 plus the north-west corner of land in Zone R1) is consistent with the objectives in the following ways;</p> <ul style="list-style-type: none"> - It establishes an allotment boundary which matches the zoning boundary between Zone R1 General Residential and Zone RE1 Public Recreation to create a future eastern boundary to the area to become public open space along Cabramatta Creek; - It provides a public road at the eastern edge of the 	Yes

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
		<ul style="list-style-type: none"> To provide sufficient and equitable distribution of public open space to meet the needs of residents. To ensure the suitable preservation and maintenance of environmentally significant or environmentally sensitive land. 	<p>potential new public open space area which enhances safety, security, passive surveillance and access opportunities; and</p> <ul style="list-style-type: none"> The boundary is compatible with the potential future use of the land as public open space and is sensitive to the environmental qualities of the creek by establishing a riparian area of dimensions as prescribed by the DCP; The land has been identified as necessary for future public open space by the current LEP and DCP. 	
	Land Use Table	<p>Zone E3 Environmental Management</p> <p>Zone Objectives:</p> <ul style="list-style-type: none"> To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values. To provide for a limited range of development that does not have an adverse effect on those values. To enable the recreational enjoyment or scientific study of the natural environment. 	The subdivision of land in Zone E3 (to contain all land in Lot 1 zoned RE1 and E3 plus the north-west corner of land in Zone R1) is consistent with the objectives because it retains the area of land in Zone E3 in a single consolidated parcel which facilitates consistent management of the ecological values of the land.	Yes
4.1	Minimum subdivision lot size	<p>The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land</p> <p>Minimum lot size for land in Zone R1 on the eastern portion of the site is 300m² (for the new lots with access to the proposed public road).</p> <p>There is no minimum lot size applicable to the land in Zone RE1 and Zone E3.</p>	<p>Lot sizes for land in the R1 zone exceed 300m².</p> <p>Noted.</p>	<p>Yes</p> <p>-</p>
4.3	Maximum Height	Maximum height of 15m	<p>Maximum height of Building A = 15.8m</p> <p>Maximum height of Building B = 15m</p> <p>Maximum height of Building C = 14.5m</p>	Refer to Section 4.2.6 for justification

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
4.4	Floor Space Ratio	Maximum FSR 1:1	Total area of the site identified as R1 Zone is 6,610.72m ² and the proposal results in an FSR of 0.99:1.	Yes
4.6	Exceptions to development standards	<p>(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:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(4) Development consent must not be granted for development that contravenes a development standard unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(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</p> <p>(b) the concurrence of the Director-General has been obtained.</p>	A written request for a variation to the development standard for height of buildings has been included in Section 4.2.5.1 to the Statement of Environmental Effects. The request demonstrates that compliance with the 15m height standard is unreasonable or unnecessary and provides environmental planning grounds in support of the variation.	See Section 4.2.5.1 of the Statement
5.1	Relevant acquisition authority	<p>The relevant authority to acquire land under the owner-initiated acquisition provisions is:</p> <ul style="list-style-type: none"> • Council for land in Zone RE1 Public Recreation and marked "Local open space"; and • Council for land in Zone SP2 Infrastructure and marked "Local Road" <p>The land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).</p>	<p>Land within the site which is in Zone RE1 Public recreation has been identified on the Land Reservation Acquisition Map LRA 008 and 009 for acquisition by Council.</p> <p>The land within the Rynan Avenue road reserve adjacent to the subject site is also identified for acquisition as a Local Road.</p> <p>The land is subject to owner-initiated acquisition provisions. This development application does not include a proposal to initiate acquisition of the land.</p>	Noted.

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
5.1A	Development on land intended to be acquired for a public purpose	Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified being for land in Zone RE1 Public Recreation and marked “Local open space” development consent is limited to <i>earthworks</i> and <i>recreation areas</i> .	No works are proposed within the area of the site in Zone RE1 Public Recreation and marked “Local open space”.	Yes
5.9	Tree Removal	Any trees to be removed are to be properly identified and assessed.	Trees proposed for removal are indicated on the Site Survey/Demolition Plan Drawing No.A-1102D and are also discussed in Section 4.3 of the Statement of Environmental Effects.	✓
URBAN RELEASE AREAS				
6.1	Aims of this Part	<p>The aims of urban release areas identified in the LEP are:</p> <p><i>(a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land in urban release areas, and</i></p> <p><i>(b) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of such land to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and</i></p> <p><i>(c) to ensure that development on such land occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan including specific controls has been prepared for the land.</i></p>	<p>The site is within the Edmondson Park Urban Release Area.</p> <p>The proposal is consistent with the aims of Clause 6.1 as follows:</p> <ul style="list-style-type: none"> - The proposal includes urban development in the form of three residential flat buildings and also protects and conserves riparian land and land within Zone E3; - Arrangements have been made for State public infrastructure compatible with the demands generated by the intense urban development proposed for the north east portion of the site (see Annexure C for more details on infrastructure provision); - The manner in which the development responds to the adopted DCP is discussed in Annexure C and Section 4.2.7 to the Statement of Environmental Effects. 	
6.4	Arrangements for designated State public infrastructure	(1) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent	<p>The Director-General has provided certification of arrangements for designated State public infrastructure for Edmondson Park. Details of the infrastructure arrangements have been adopted in Liverpool Contributions Plan 2008.</p> <p>Council may impose relevant conditions for the payment of</p>	Yes

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
		authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.	Section 94 contributions.	
6.5	Public utility infrastructure	<i>Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required</i>	All essential utility services are available for connection to the proposed residential flat buildings via existing services in Camden Valley Way and Rynan Avenue.	Yes
			Utility services can be connected to the western lot via existing services in Sunday Circuit.	Yes
6.6	Development control plan	Development consent must not be granted for development unless there is a development control plan in place which addresses the specific matters listed in this clause.	Liverpool Development Control Plan 2008 including Part 2.11 Land Subdivision and Development in Edmondson Park applies to the subject land.	Yes
7.6	Environmentally significant land	<i>Before determining an application to carry out development on environmentally significant land, the consent authority must consider such of the following as are relevant: (a) the condition and significance of the vegetation on the land and whether it should be substantially retained in that location, (b) the importance of the vegetation in that particular location to native fauna, (c) the sensitivity of the land and the effect of clearing vegetation, (d) the relative stability of the bed and banks of any waterbody that may be affected by the development, whether on the site, upstream or downstream, (e) the effect of the development on water quality, stream flow and the functions of aquatic ecosystems (such as habitat and connectivity), (f) the effect of the development on public access to, and use of, any waterbody and its foreshores.</i>	Part of the site has been identified as environmentally significant land in the LEP Maps ESL 008 and 009. The proposal is consistent with the matters for consideration in Clause 7.6 in the following ways: <ul style="list-style-type: none"> - The condition of vegetation within the ESL land will not change as no works are proposed within this land; - The vegetation is significant for water quality and as a riparian corridor; - No vegetation is proposed to be cleared within the area of land identified as being environmentally significant; - Bank and bed stability will not be affected as a riparian buffer is to be maintained in accordance with the DCP requirements (See Annexure C); - Riparian vegetation will be retained and protected; - Public access is not proposed to the riparian area with this development application. 	Yes
7.7	Acid Sulfate Soils	Clause 7.7 specifies circumstances where a development consent is required and where an Acid Sulfate Soils Management Plan is required.	The land is not mapped as being affected by Acid Sulfate Soils.	N/A

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
7.8	Flood Planning	2A. Development consent must not be granted to development in a flood planning area for the purposes of residential accommodation unless the consent authority is satisfied that the development satisfactorily addresses the matters listed in the clause.	Part of the site proposed for residential development is within a flood planning area and the majority of the site is flood prone land as shown in the Flood Planning Area Maps 008 and 009 to LLEP 2008.	Yes
		3. Development consent must not be granted to development on flood prone land (other than development for the purposes of residential accommodation) unless the consent authority is satisfied that the development satisfactorily addresses the matters listed in the clause.	A Flood Assessment Report prepared by Neilly Davies and Partners Pty Limited dated 15 August 2014 has been submitted with the development application and addresses all relevant matters listed in clause 7.8.	Yes
7.11	Minimum dwelling density	Development consent must not be granted for the subdivision of land shown on the Dwelling Density Map unless the consent authority is satisfied that the dwelling density likely to be achieved by the subdivision is not less than the dwelling density shown for the land on that Map being a minimum of 17 dwellings per hectare.	The proposal exceeds 17 dwellings per hectare for the eastern allotments.	Yes
7.13	Minimum lot width in Zone R1, R2, R3 and R4	The width of any lot, resulting from a subdivision of land to which this clause applies, that is capable of accommodating residential development but is not the subject of a development application for that purpose, must not be less than 10 metres except as provided by subclause (4).	This clause does not apply as the development application also includes residential development	N/A
7.31	Earthworks	<p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p>	<p>(a) The earthworks associated with the proposed residential flat buildings and the new public road will change the drainage pattern but will direct stormwater to controlled systems which shall be suitably integrated with the natural system.</p> <p>(b) The earthworks are compatible with the future use of part of the site for residential accommodation and for use as public roads and footpath areas.</p> <p>(c) Soil to be excavated has been investigated by a geotechnical engineer and a report has been submitted with the development application.</p>	Yes

LIVERPOOL LEP 2008 – COMPLIANCE TABLE				
LEP Clause	Standard	Requirement	Proposal	Complies?
		<p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>(d) Amenity of adjoining properties is discussed in Section 4.3 to the Statement of Environmental Effects.</p> <p>(e) All excavated material is to be managed in accordance with a Waste Minimisation and Management plan submitted with the development application. Fill material will comply with council's requirements. Council may wish to impose conditions in this regard.</p> <p>(f) relics are unlikely to be disturbed. However, appropriate protective legislation exists for the treatment of relics if discovered during site works. Council may wish to impose conditions in this regard.</p> <p>(g) A Construction Site Management Plan has been submitted with the development application to demonstrate appropriate measures for the protection of the watercourses and environmentally sensitive land within the site.</p>	
Schedule 1	Additional Permitted Uses	<p>5 Use of certain land at Edmondson Park in Zones R1, R3 and B2</p> <p>(1) This clause applies to land in Zones R1 General Residential, R3 Medium Density Residential and B2 Local Centre at Edmondson Park.</p> <p>(2) In Zone R1 General Residential, development for the purpose of residential accommodation (other than dual occupancy) is permitted with consent.</p>	<p>This development proposal involves land in Zone R1 General Residential and seeks development consent for residential accommodation in the form of residential flat buildings.</p>	Yes



ANNEXURE C

LIVERPOOL DCP 2008 – COMPLIANCE TABLE

LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
Part 1.1- Controls for all Development			
Part 1.1 Controls for All Development			
2. Tree Preservation	All tree removal or pruning requires separate approval of development consent	Existing trees to be removed are indicated on the Site Survey/Demolition Plan Drawing No.A-1102.	Yes
		Tree removal is limited to those trees within 3m of all proposed construction works.	Yes
		New landscaping for the site includes planting of new canopy trees, shrubs and ground covers. The number of canopy trees within the completed development exceeds the number proposed to be removed.	Yes
		No trees of habitat value are to be removed.	Yes
		No trees or vegetation is to be disturbed outside the proposed work area.	Yes
3. Landscaping and incorporation of existing trees	3.1 Existing trees to be retained are to be identified on plans submitted with an application. Existing trees within setback areas are to be retained where possible.	Two clusters of existing trees in the north east and south east corners of existing Lot 1 (No.15 Rynan Avenue) are to be retained and coordinated with new landscaping of the site.	Yes
	3.2 Existing street trees to be retained and protected where possible.	There are no existing street trees to be retained and protected. Street tree planting is to be provided in accordance with Council's requirements and subject to details of road reserve and footpath finished levels to be determined by Council. Council may impose conditions for the provision of street trees compatible with public works within the existing public road reserve and the new public road reserve to be created within the site.	Yes
	3.3 Protection of existing trees during construction	All trees to be retained will be suitably protected. Details are to be indicated on the plans submitted with a Construction Certificate.	Yes
	3.4 Landscaping specifications <i>1. Landscape planting should be principally comprised of native</i>	See the Landscape Concept Plan submitted with the development	Yes

LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	<p><i>species provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous to the locality. However, Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access. Environmental and noxious weeds in Liverpool shall not be used in the landscape design</i></p>	application.	
	<p><i>2. The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (0.6 – 1.8m) especially along paths and close to windows and doors.</i></p>	A variety of plant forms are provided compatible with the layout and design of the development and the intended function of spaces.	Yes
	<p><i>3. Landscaping in the vicinity of a driveway entrance must not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.</i></p>	Landscaping adjacent to driveways is appropriate.	Yes
	<p><i>4. Trees, which are planted around high use facilities such as car parking areas, children's, play areas and walkways should have clean trunks to a height of 1.8m.</i></p>	Plants have been suitably selected. See Landscape Plan submitted with the development application.	Yes
	<p><i>5. All topsoil used shall be sourced from a recognized commercial topsoil supplier. Site topsoil will only be considered suitable where the material has a high organic content. The consultant shall inspect and approve all top soiling prior to commencement of planting and application of mulch. An imported light and free draining topsoil mix is to be used in all planters.</i></p>	Can comply.	Can comply.

LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
4. Bushland and Fauna Habitat Preservation	1. Bushland, particularly that identified as a threatened community or habitat for a threatened species shall be substantially retained and incorporated within a development. Clearing of bushland in association with any development shall be limited to the extent necessary to facilitate the safe and orderly use of the land.	1. All vegetation and habitat within the land identified by LLEP 2008 as environmentally significant land will remain intact and not be affected by the works proposed with this development application.	Yes
	2. Where impacts on threatened biodiversity are unavoidable, offsetting utilising the NSW Government BioBanking Scheme will be required where practicable.	2. No impacts require offsets or Biobanking.	Yes
	3. Where bushfire management measures are required that involve clearance or alteration to bushland, details of proposed measures shall be submitted. Clearing for the purposes of bushfire management involving a substantial loss of bushland shall not be permitted.	3. No additional clearing is required to establish a 10m wide asset protection zone along the western edge of the eastern lot CHECK to be created.	Yes
	4. Prior to the commencement of the design of a development, existing bushland and fauna habitat should be identified. The design of the development should consider retention of this bushland and fauna habitat.	4. The development layout is compatible with retention of riparian vegetation and environmentally significant land.	Yes
	5. Development shall not adversely impact on the long term viability of bushland. Existing connectivity and contiguity of bushland stands and fauna corridors shall be retained.	5. Connectivity and riparian corridors are maintained.	Yes
	6. Where a proposal is likely to adversely impact on bushland, a Vegetation Management Plan (VMP) for the conservation of the bushland shall be submitted. The VMP shall be undertaken in accordance with pertinent NSW Office of Water Guidelines.	6. No adverse impacts to bushland are anticipated.	Yes
	7. Any imported soils and/or mulches used shall be purchased from an appropriate supplier and be free of contaminants, seeds, propagules of weeds and undesirable species. Mulch shall not be used on flood liable land and/or areas where it is likely to be washed away.	7. Noted. Council may impose conditions in this regard.	Yes
	8. Any proposed re-vegetation shall: - Augment remaining bushland. - Consist predominately of species which occur naturally on the site or are of local provenance.	8. Species nominated in the Landscape Plan are compatible with the riparian vegetation.	Yes


LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	<p>- Reflect the structure of natural bushland.</p> <p>- Be undertaken in accordance with a vegetation management plan which forms part of the consent.</p> <p>9. Any proposed re-vegetation, seed collection and weed removal to be undertaken as part of the implementation of the approved vegetation management plan shall be undertaken by an appropriately qualified and licensed bushland restoration contractor.</p> <p>10. Council may require measures to restrict access to bushland areas where it considers necessary, to ensure the conservation of bushland.</p> <p>11. A flora and fauna assessment is required where a site is identified as containing native vegetation or habitat for threatened flora or fauna. The flora and fauna assessment shall consider all impacts associated with the development on the habitat, including the impacts of APZ"s and water management practices. Flora and Fauna Assessments should be prepared in accordance with pertinent NSW Office of Environment and Heritage survey and assessment guidelines. The assessment must be prepared by a suitably qualified person.</p>	<p>9. Vegetation Management Plan is not proposed as there are no works proposed for the environmentally significant land.</p> <p>10. The riparian bushland area is proposed to become public open space. Details of public access are yet to be determined but do not form part of this proposal as the land has not yet been acquired for public open space.</p> <p>11. No vegetation or habitat within the environmentally significant land is to be disturbed and therefore there are to be no detrimental impacts.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
5. Bush Fire Risk	2. All development shall comply with provisions of the Rural Fires and Assessment Act 2002 and Planning for Bushfire Protection 2006.	Refer to the Bushfire Assessment Report submitted with the application.	Yes
6 - Water Cycle Management	Stormwater runoff shall be connected to Council's drainage system by gravity means. Mechanical means (i.e. pump) for disposal of stormwater runoff will not be permitted except for basement car parks. Charged systems will not be permitted.	See Stormwater Drainage Plans for compliance.	Yes
	<p><u>Visual impact</u></p> <p>All drainage structures and storage areas are to be designed to be visually unobtrusive and sympathetic with the environment. This requirement is necessary to help ensure that future occupants do not adjust or remove facilities for aesthetic reasons without</p>	All drainage structures are appropriate in location and design. See Stormwater Drainage Plans for details.	Yes


LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	<i>understanding the functional impact of such actions.</i>		
	<u>Surface flow Paths</u> 1. Surface flow paths, including the provision of an emergency overflow to cater for blockage of the system or flows in excess of the 100-year ARI storm flow must be provided. 2. The flow route must be capable of carrying the flows generated by a 100-year ARI storm with a freeboard of 300mm to the adjacent habitable floor levels of the development site and adjoining properties. 3. Development must not cause any adverse impact on adjoining or any other properties. This includes maintaining surface flow paths and not increasing water levels in these flow paths. Diverting flows from one catchment to another will not be permitted.	See Stormwater Drainage Plans for details. See Stormwater Drainage Plans for details. See Stormwater Drainage Plans for details.	Yes Yes Yes
	<u>Floor and Ground Levels</u> All habitable floor levels are to be a minimum of 300mm and garage/non habitable floor levels to be a minimum of 150mm above the maximum design storage water surface level and flow path levels.	See Stormwater Drainage Plans and Flood Assessment Report for details.	Yes
	<u>Gravity Drainage to a Creek System</u> All buildings shall be setback a minimum of 40m from the top of the bank of a creek or river, subject limitations imposed by flooding	All proposed buildings are set back more than 40m from the top of bank of the watercourses within the site. The buildings are compatible with the impacts and management of floodwaters within the site and on adjoining land as demonstrated in the Flood Assessment Report submitted with the development application.	Yes
	Environmental Controls Various control relating to gross pollutant traps, stormwater runoff and flows	See Stormwater Drainage Plans for details of compliance.	Yes
7. Development near a watercourse	1. If any works are proposed near a water course, the Water Management Act 2000 may apply, and you may be required to seek controlled activity approval from the NSW Office of Water. Please consult with the NSW Office of Water regarding your	Works are proposed within 40m of the top of the bank of a watercourse. The development application is Integrated Development for that reason and requires the concurrence and	Yes

LIVERPOOL DCP 2008 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	<i>proposal. Section 4 Bushland and Fauna Habitat Preservation of this DCP should also be addressed when pertinent.</i>	General Terms of Approval from the NSW Office of Water.	
8 - Erosion and Sediment Control	<i>A Soil and Water Management Plan is required for development on sites greater than 2,500m²</i>	See Soil and Water Management Plan submitted separately with this application.	Yes
9. Flooding Risk	<i>Identify flood risk and appropriately address flood impacts and management</i>	See Flood Assessment Report submitted separately with this development application.	Yes
10. Contaminated land risk	<i>Controls require a preliminary contamination assessment where land has a history of potentially contaminating use.</i>	A Stage 1 Environmental Site Assessment has been submitted with the application.	Yes
11 Salinity Risk	1. Multi Lot Development? Yes 2. Identify Salinity Potential- Moderate salinity potential 3. Level 3 salinity - management response is required.	Refer to the Salinity Assessment submitted separately with this application.	Yes
12. Acid Sulfate Soils Risk	<i>Address requirements for managing Acid Sulfate Soils</i>	The site is not identified in LLEP 2008 Maps as being within an area affected by Acid Sulfate Soils and therefore an Acid Sulfate Soils Management Plan is not required.	N/A
14. Demolition of existing developments	Demolition 1. All demolition work must comply with the Australian Standard AS2601 - 1991, The Demolition of Structures. Various additional controls relating to demolition process.	The proposal will comply with the requirements relating to demolition by virtue of complying with AS2601-1991 and Council's standard conditions of consent.	Yes Yes
20. Car Parking and Access	On-site parking requirements for residential flat buildings in residential zones 1 space per small dwelling (< 65sqm) or 1 bedroom-NA 1.5 spaces per medium dwelling (65 - 110sqm) or 2 bedrooms – 86 dwellings – required 129 residential parking spaces. 2 spaces per large dwelling (> 110sqm) or 3 or more bedrooms-NA 1 visitor car space for every 4 dwellings or part thereof Plus service bay for each building - 20 visitor spaces required.	A total of 125 Residential parking spaces are proposed. See Traffic and Parking Impact Assessment. A total of 19 visitor parking spaces are proposed. See Traffic and Parking Impact Assessment.	On merit. On merit.

21. Subdivision of land and buildings	21.1 Specifications <i>Subdivision works shall be carried out in accordance the Council Subdivision Specification. Splay corners - Minimum 6 x 6m splays for all subdivisions involving creation of a road junction.</i>	Can comply.	Yes
		Appropriate splays will be provided at the intersection of the proposed road and Rynan Avenue.	Yes
	21.4 Subdivision in residential zones <i>Minimum lot size – 300m²</i>	Each proposed lot exceeds 300m ² .	Yes
	<i>Minimum lot width 9m</i>	Each proposed Lot exceeds 9m.	Yes
	Road widths <i>All new streets shall be a minimum 18m wide, unless specified elsewhere in Part 2 of this DCP.</i>	The proposed road widths comply with the requirements of the DCP.	Yes
	Water and Sewerage <i>New development will be required to extend augment and meet the full cost of water and sewerage reticulations, as arranged with Sydney Water within developments / subdivisions plus the cost of connecting to existing services.</i>	Noted. Can comply. Council may wish to impose conditions accordingly.	Yes
	Electricity <i>1. Electricity services are to be extended to the development / subdivision and in accordance with the requirements of Integral Energy and at full cost to the development. 2. Underground electricity services will be required except where it can be shown that it is not appropriate.</i>	Noted. Can comply. Council may wish to impose conditions accordingly. Underground electricity services are proposed.	Yes Yes
	Street lighting <i>Street lighting shall be designed by the applicant to AS1158 and the development will be required to meet the full cost of street lighting installation.</i>	Noted. Can comply. Council may wish to impose conditions accordingly.	Yes

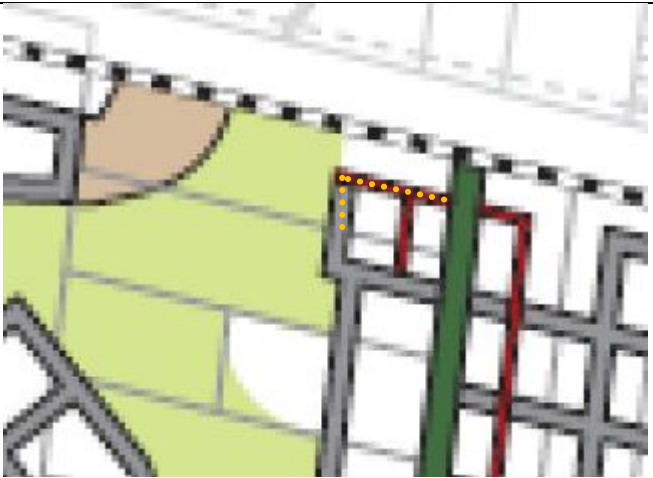
	<p>Telephone <i>The development will be required to provide for telephone facilities within the design. Where underground electricity is used, underground telephone facilities are also to be provided by the development.</i></p> <p>Stormwater Runoff <i>Urban stormwater runoff will need to be assessed in terms of satisfactory performance both within the development and external to the development to a legal point of discharge.</i></p> <p>Street Tree Planting <i>1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street. 2. One street tree shall be planted for each allotment created. 3. The street trees shall be planted prior to the release of the subdivision certificate. 4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street.</i></p> <p>Street signage <i>1. Street name and information signs shall be provided to facilitate accessibility and mobility. 2. Approval for the naming of all new streets shall be obtained from Council prior to the erection of any new street signage.</i></p>	<p>Noted. Can comply. Council may wish to impose conditions accordingly.</p> <p>See Stormwater Management Plan submitted with this development application.</p> <p>Street trees are to be provided to all public footpath reserves in accordance with Council's requirements. Council may wish to impose conditions accordingly.</p> <p>Street signs are to be provided to all public footpath reserves in accordance with Council's requirements. Council may wish to impose conditions accordingly.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
22. Water Conservation	<i>New dwellings, including a residential component within a mixed-use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX).</i>	All apartments comply with the requirements of BASIX. See the BASIX certification submitted with the development application.	Yes
23. Energy Conservation	<i>Dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy – Building Sustainability Index (BASIX). A complying BASIX report is to be submitted with all development applications containing residential activities.</i>	All apartments comply with the requirements of BASIX. See the BASIX certification submitted with the development application.	Yes


Part 2.11 Edmondson Park			
1.1 Indicative Layout	<p>1. All development is to be undertaken generally in accordance with the Indicative Layout Plan at Figure 2 subject to compliance with the objectives and development controls set out in this Part;</p> <p>2. Where variation from the ILP is proposed, the applicant is to demonstrate that the proposed development is consistent with the Vision and Development Objectives for the precinct set out within this Part.</p> 	<p>The development proposal includes a variation to the indicative layout by excluding the small laneway highlighted in yellow on the extract from the Layout Plan. The omission of the laneway will not be detrimental to the movement and integration of pedestrian, cyclist and vehicle traffic within and adjacent to the site as examined in the Traffic Impact Assessment report submitted with the development application.</p> <p>The omission of the laneway enables the orderly and efficient development of the site without adversely impacting on the efficiency of pedestrian and vehicular movement. The proposed roadway configuration is therefore consistent with the vision and objectives of the precinct.</p> <p>This matter was raised with Council as part of the pre-DA meeting and Council was generally accepting of the principle of the development proposed.</p>	Acceptable on Merit
1.2 Development within sub-precincts	<p>An applicant may depart from the subdivision layout within a sub-precinct provided that it is demonstrated that:</p> <ol style="list-style-type: none"> 1. The block layout and subdivision objectives and controls outlined in Figure 3 are met. 2. The level of access to fixed roads is retained. 3. The provision of drainage and service infrastructure is retained. 4. There is no adverse impact on adjoining sub-precincts. <p>Figure 3 also shows an indicative staging of development based on the location of existing infrastructure. Development can proceed outside of this indicative staging should access to services, drainage & roads is resolved to the satisfaction of Council.</p>	<p>As stated above, the proposal departs from the sub-precinct subdivision layout by excluding the small laneway shown highlighted yellow on the extracted map.</p> <p>The proposed block layout meets the relevant objectives and controls as it does not change the level of access to Ryman Avenue (a fixed road), it provides appropriate drainage and services and there are no adverse impacts to adjoining sub-precincts as new roads can be simply extended into adjoining property.</p> <p>The subdivision is consistent with the nominated Stage 2 as infrastructure is easily and readily extended to the site from Ryman</p>	Acceptable on merit.

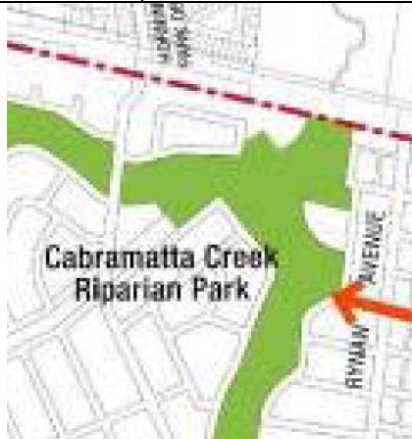
		Avenue and Camden Valley Way and Sunday Circuit (for the new western lot).	
1.3 Hierarchy of Centres	 <p>Village Centres 1. The Village Centres will form a node within a walkable and cycling catchment of the majority of new and existing residents. The centres will provide for daily conveniences within a pedestrian friendly setting and have a maximum of 1,000sqm of retail/commercial space. The centres are located at the confluence of community facilities to enhance the village experience and life of the centre.</p> <p>The Village Centre will contain shops and other small businesses at ground level that encourage a mix of small scale convenience commercial/retail uses with small scale offices and shop-top housing above. Medium density attached housing and apartments surrounding the village centres will reinforce the urban character.</p> <p>2. The urban form of the villages will be compact with narrow shopfronts. Architecturally, the buildings will be urban in character reflecting the character of traditional village centres. Convenience retail and commercial uses are to front directly onto the footpath. It is envisaged that there will be a number of small shops of less than 80sqm gross floor area each. Total retail/commercial gross floor space will be 1,000sqm max. per village centre.</p>	<p>That part of the development site proposed to contain three residential flat buildings has been identified in the DCP as part of a Village Centre.</p> <p>The centre, including a number of other sites is to have a maximum of 1,000m² of retail/commercial floor space. The proposal does not provide any retail or commercial floor space and it is likely that redevelopment of other sites within the precinct will provide commercial and retail floor area within the overall maximum. No retail floor space is provided within the subject development. Retail floor space can be accommodated within a future mixed use development within the precinct.</p>	<p>Yes</p> <p>Yes</p> <p>On Merit.</p>

	<p>3. The Rynan Avenue, Ash Road and Bardia Avenue village centres are characterised by 2 - 3 storey attached buildings. The centre at the intersection of Camden Valley Way and Croatia Avenue is characterised by 3 - 4 storey attached buildings, while the centre to the East of Croatia Avenue is characterised by 4 - 6 storey attached buildings with a large component of shoptop housing.</p> <p>4. The public domain of the centres is to be characterised by formal and well framed streetscapes containing formally and regularly spaced, 6 – 8m apart, large deciduous trees in hard verges and tree wells, street furniture and wide paved footpaths capable of holding outdoor café seating. Ease of pedestrian and cyclist movement and access is to be prioritised over vehicle movement, and the streetscape is to be designed to incorporate subtle urban design led traffic calming elements.</p>	<p>The built form and character of the proposed residential flat buildings is consistent with the applicable LEP height and density requirements.</p> <p>Street design, footpath design and street tree planting within the Rynan Avenue frontage and along the proposed new public road can be consistent with the themes sought for the Village Centre.</p>	<p>Yes</p> <p>Yes</p>
2. Controls for the public domain	<p>Local Street Network</p> <p>1. With applicable Development Applications, a subdivision plan is to be submitted highlighting the street network. All plans must indicate street types and intersection treatments.</p> <p>2. Subdivision plans are required to comply with the fixed roads identified in Figure 8.</p> <p>3. The proposed local street networks detailed within Figure 8 are to provide a clear hierarchy for roads in the form of a modified grid road pattern.</p> <p>4. Retain and incorporate existing streets into the road network where possible and practical.</p> <p>5. Provide a grid-like street network pattern to facilitate walking and cycling and enable direct local vehicle trips within the neighbourhood. Cul-de-sacs will not be supported other than where alternative street patterns are not achievable.</p> <p>6. Design safe pedestrian crossing points to the satisfaction of Council.</p> <p>7. All intersections are to be designed in accordance with the RTA Austroads standards.</p> <p>8. Street sections are to comply with Chapters 2.2 and 2.3 of this Part.</p>	<p>The Civil Works plans submitted with the development application indicate the proposed new public roads.</p> <p>Refer to plans for compliance.</p> <p>Refer to plans for compliance.</p> <p>Street trees are to be provided in accordance with Council's requirements.</p> <p>Proposed public streets and footpaths will form a grid pattern.</p> <p>Refer to the Traffic Impact Assessment submitted with the development application.</p> <p>Can comply. Council may wish to impose conditions accordingly.</p> <p>Detailed engineering plans are to be submitted with the application for a Construction Certificate. Refer to the Traffic Impact Assessment submitted with the development application.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	9. Streets planned to accommodate bus routes are to have a minimum carriageway width of 7m.	A bus route is proposed along Rynan Avenue and the existing road reserve is of suitable width.	Yes
Street types	4. Edmondson Park must provide: - A secondary system of north-south streets, linking Camden Valley Way with the villages and the town centre, - A secondary system of east-west streets, and - An asset protection road following the northern boundary of the conservation area. (Refer to Figure 9). 8. The street network is to retain a predominantly grid-like form, facilitating walking and cycling and enabling direct local vehicle trips within the neighbourhood. 9. All streets are to be legibly signposted with streets names and property numbers. 10. All intersections are to be designed in accordance with the RTA Austroads Road Design Guide.	The proposal provides a grid pattern with a new secondary street which also performs as an asset protection road from the bushfire hazard source being the riparian area. The street pattern forms a grid for vehicle, cyclist and pedestrian movement. Street signposting and numbering details are to be submitted with the application for a Construction Certificate. Council may impose conditions of consent. Intersection design can comply. Details are to be submitted with the application for a Construction Certificate. Council may impose conditions of consent.	Yes Yes Yes Yes
	11. There is to be no vehicular access to properties directly from Camden Valley Way or Campbelltown Road. Access to these lots will be from a service road or alternative road. 12. Footpaths are to be provided on both sides of all streets.	There is no direct vehicle access to Camden Valley Way. Footpaths are to be provided on the Rynan Avenue verge fronting the site and on both sides of the proposed new public road. Council may wish to impose a suitable consent condition.	Yes Yes Yes
	13. All Development Applications for subdivision are to detail the proposed kerb type. 14. Barrier kerbs are to be used: Residential. - Along Croatia Avenue, Rynan Avenue, and the Park Avenues. - In all areas with a density of 28 dw / ha or higher. - On any street frontage to open space. - On any street that is a bus route. - At all intersections (between the potential driveway location on one frontage to the potential driveway location on the alternative street frontage). Driveways are not to be located within 6m of the tangent point of any intersection.	Council may wish to impose a suitable consent condition.	Yes

<p>Street hierarchy</p>	 <p>Red = Laneway 7m wide Grey = Local Access Street 15.2m wide Green = Fixed Road (Rynan Avenue) 23.6m wide</p> <p>Local Streets: These streets are designed for slow residential traffic. The road reserve is 15.2m wide. Refer to Figure 19.</p> <p>Asset Protection Road: This road is situated between the proposed urban areas and adjoining conservation areas that may be prone to bush fires. Pedestrian and cycle paths will encourage recreational use in what will be a scenic environment. Asset protection roads will have a road reserve of 30 m, 25m of which is taken by the carriageway, road verges and a dedicated cycleway. The remaining 10m is proposed to be grassland and scattered trees and may serve a passive recreation purpose. Refer to Figure 22.</p>	<p>The proposed new public road is shown dotted orange in the extract from the DCP.</p> <p>It is a hybrid between the red coloured 7m wide laneway and the grey coloured local access street requirements described in the DCP.</p> <p>The proposed new public road is:</p> <ul style="list-style-type: none"> - 9m wide in the east-west section - 12.9m wide in the north-south section - Designed for two way slow residential traffic - Designed to accommodate asset protection in the north-south section - Provide footpaths in excess of council's minimum requirements to both verges - Can accommodate splays in accordance with requirements to be specified by Council. <p>These hybrid dimensions and functional capacity of the new public road have been examined in the Traffic impact Assessment Report submitted with the development application and determined to be compatible with the proposed development and the future development anticipated throughout the sub-precinct.</p> <p>Asset protection zones are provided as per the recommendations of the Bushfire Report.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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<p>2.2 Pedestrian and Cycleway network</p>	 <p>Orange line = Off-street shared pedestrian/bike path Green line = On-street dedicated bicycle lane</p> <p>Location 1. The pedestrian and cycle way circulation system must provide linkages between major activity areas and streets within as well as outside the release area, such as schools, the town centre, and the open space network.</p>	<p>Location A shared pedestrian cycle path along Cabramatta creek is a matter for further investigation at a time when Council acquires the land for public open space</p>	<p>To be subject to future detail.</p>
<p>2.3 Streetscape and Street Trees</p>	<p>1. Street furniture is to be incorporated into the design of all public spaces and should be consistent in design and style. 2. Street furniture is to be located so as not to impede mobility, generally in accordance with AS 1428:1 - 4. 3. The location and detailing of all proposed street furniture is to be indicated on the Landscape Plan, to be submitted with the DA.</p> <p>Street Tree Planting 1. Street trees shall be required to be planted in conjunction with the creation of a new street or the extension of an existing street.</p>	<p>Specifications for street furniture within the new public road reserve may be subject to specific conditions.</p> <p>Street trees are to be provided along Rynan Avenue and the new public road in accordance with Council's requirements.</p>	<p>Yes</p> <p>Yes</p>

	<p>2. A minimum of two trees is to be provided for every 6m of street frontage. These are to reach at least 4m at mature height.</p> <p>3. The street trees shall be planted prior to the release of the subdivision certificate.</p> <p>4. The trees shall be provided with protection to ensure their survival during the construction of buildings in the street. Refer to Figure 27 for details.</p> <p>5. Trees and shrubs on individual streets must be of a uniform species. On streets adjacent to bushland, species indigenous to the area must be planted.</p>		
<p>2.4 Open Space</p>	 <p>1. The open space network for Edmondson Park must be provided in accordance with Figure 28.</p> <p>2. Link the open spaces using streets, riparian corridors, pedestrian paths and cycle ways.</p> <p>6. Ensure that development which surrounds open space is orientated towards the park to offer casual surveillance.</p> <p>7. Perimeter streets should be provided to all parks on at least three sides of the park. Where a street frontage is not provided the development must front the park to provide surveillance.</p>	<p>1. The proposal does not compromise the potential provision of public open space within the riparian areas of the site.</p> <p>2. The proposed new public road will provide future opportunities for pedestrian and cyclist links to the riparian area which will become future public open space.</p> <p>6. Apartments in the western façade of Buildings A and C are oriented to the area within the site which has been identified for public open space in the future.</p> <p>7. The proposed new public road provides a perimeter street to the area identified for future open space. However the open space is linear and cannot be provided with public streets on any more than two sides.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

2.6 Water Cycle Management	Controls <i>Various controls relating to watercycle management.</i>	Refer to the Stormwater Management Plan submitted with this development application.	Yes
3. Controls for Residential Development in the 38 Dwellings/Hectare area and the Edmondson Park Town Centre	NOTE: The site is within the minimum 17 dwelling per hectare area as mapped in LLEP 2008 Dwelling density map DWD 009. However, Council's written response to the Pre-DA Lodgment meeting dated 30 April 2014 states: "Whilst the development is not located within the Edmondson Park Town Centre, the building and appearance controls within the 38 dwellings/hectare would be applicable to the proposal".		
Subdivision Frontage and Lot Size	Maximum block dimensions are not to exceed 85 x 175m in residential areas and 85 x 120m in the village centres.	Residential Lots 2 is 81m x 38m and Lot 3 is 75m x 27m	Yes
Site Planning	1. The dwelling layout must be designed around the site attributes such as slope, existing vegetation, land capability and/or solar access	The proposed buildings have been designed to optimize site attributes in terms of sunlight and outlook.	Yes
	2. Basement car parking (if applicable) should be unobtrusive and blend into the general façade of the building.	Basement parking is located below ground level within the building footprint.	Yes
	3. There must be a direct link from at least one living area to the principal private open space, which for residential flat buildings is the balcony or terrace.	All dwellings contain internal living areas that extent to balconies or terraces.	Yes
	4. The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties.	The proposed building minimises overlooking in relation to the internally adjacent dwellings and likely future redevelopment of the adjoining properties.	Yes
	5. Stormwater from the site must be able to be drained satisfactorily.	Refer to the submitted stormwater plans.	Yes
Setbacks	1. Buildings are not required to be setback from the front or secondary setback.	Noted.	-
	2. Bay windows and balconies on residential flat buildings above 1 storey and 3.7m on may encroach on the front and secondary setback by up to 0.5m.	Noted.	-
Side and Rear Setbacks	Side and rear setbacks for buildings up to 12m is between – 6m (habitable) and 3m (non-habitable). Side and rear setbacks for between 12m and 25m is between – 6m (habitable) and 3m (non-habitable)	Building A does not adjoin any residential properties and setback controls of the DCP which have been predicated on achieving shared separation between residential flat buildings do not strictly apply. Building B contains a rear boundary to the proposed road and provides a setback of 4.5m as is appropriate between habitable and non-habitable.	Acceptable on Merit.

		<p>The side boundary setbacks for both Buildings B and C are 5.095m respectively. We note that the proposed buildings provide a setback that is less than the minimum shared requirements at the side boundary, however, as indicated in the indicative future layout of the adjoining site, there is sufficient opportunity to achieve the required building separation between the proposed buildings and the likely future development on the adjoining lot.</p> <p>We note that the adjoining property is controlled by the proponent of the subject application and the proposal forms part of a masterplan for both sites. As such, despite providing less than the minimum setback requirement to the southern boundary in relation to Buildings B and C, the proposal achieves the intention of the control in that sufficient separation will be achieved as part of redevelopment of the subject site and the adjoining property to the south.</p>	
Landscaped area and private open space	<p>1. A minimum of 25% of the site area shall be landscaped area.</p> <p>2. A minimum of 50% of the front setback area shall be landscaped area.</p> <p>3. Optimise the provision of consolidated landscaped area within a site by:</p> <ul style="list-style-type: none"> - The design of basement and sub-basement car parking, so as not to fully cover the site. - The use of front and side setbacks. - Optimise the extent of landscaped area beyond the site boundaries by locating them contiguous with the landscaped area of adjacent properties. 	<p>2263m² or 34% of Landscaped area provided.</p> <p>More than 50% of the front setbacks throughout the site are landscaped.</p> <p>The basements do not cover each site.</p> <p>Appropriate setbacks have been provided which contributes to deep soil planting.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Common Open Space	<p>1. Provide communal open space, which is appropriate and relevant to the context and the building's setting.</p> <p>2. Where communal open space is provided, facilitate its use for the desired range of activities by:</p> <ul style="list-style-type: none"> - Locating it in relation to buildings to optimise solar access to dwellings. - Consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape. - Designing its size and dimensions to allow for the range of uses it 	<p>Appropriate common open space is provided to each building.</p> <p>Common open space for each building receives good levels of solar access.</p> <p>Consolidated areas of open space are provided at the site.</p> <p>Common open space has been designed to encourage a range of</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	will contain. 3. Locate open space to increase the potential for residential amenity	passive and active recreation. Open space has been provided across the development site to increase residential amenity.	Yes
Private Open Space	Each dwelling is to have private open space of at least 2.4m in depth and 14m ² in area.	Each dwelling has access to the required private open space areas in the form of balconies extending from internal living areas.	Yes
	2. Private open space may be provided as a courtyard for ground floor dwellings or as balconies for dwellings above the ground floor.	Private open space is provided in the form of courtyards and balconies.	Yes
	3. Private open space areas should be an extension of indoor living areas and be functional in size to accommodate seating and the like.	Private open space areas are designed to extend from indoor living areas.	Yes
	4. Private open space should be clearly defined for private use.	Refer to the plans for compliance.	Yes
Drying Areas	Clothes drying facilities must be provided at a rate of 5 lineal metre of line per unit. Clothes drying areas should not be visible from a public place and should have solar access.	Drying areas are provided to each balcony area.	Yes
Building Depth	For apartment development, see Residential Flat Design Code for building depth guidance.	Refer to Annexure A for details of compliance with the RFDC.	Yes
Building Appearance and Streetscape	1. Residential Flat Buildings shall comply with <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i> , and should consider the Residential Flat Design Code.	Refer to Annexure A for details of compliance with the RFDC.	Yes
	2. Building facades shall be articulated and roof form is to be varied to provide visual variety.	The proposed development provides three contemporary and attractive buildings that include variation in roof form and façade treatments.	Yes
	3. The pedestrian entrance to the building shall be emphasised.	Each building contains a legible pedestrian entrance.	Yes
	4. A sidewall must be articulated if the wall has a continuous length of over 14m.	Each building is appropriately articulated.	Yes
	5. Where possible vehicular entrances to the basement car parking shall be from the side of the building. As an alternative a curved driveway to an entrance at the front of the building may be considered if the entrance is not readily visible from the street.	Vehicular entrances to each basement are appropriately located to ensure that they do not dominate the appearance of each building.	Yes
	6. Driveway walls adjacent to the entrance of a basement car park are to be treated so that their appearance is consistent with the basement or podium walls.	Driveway walls will be treated as appropriate.	Yes

	14. Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character.	Each façade is well balanced in material treatment and massing.	Yes
Roof Design	1. Relate roof design to the desired built form. This may include: - Articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms. - Roof top structures, such as air conditioning, lift motor rooms and the like are to be incorporated into the architectural design of the building and to be screened from public view.	The roof design to each building is contemporary and consistent with the desired future form of development in the area.	Yes
		Mechanical plant will be incorporated into the roof design without being a significant visual element.	Yes
Building Entry	1. Improve the presentation of the development to the street by: - Locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network. - Designing the entry as a clearly identifiable element of the building in the street. 2. Provide as direct a physical and visual connection as possible between the street and the entry.	Each building contains legible pedestrian entrances from the proposed road internally to the site.	Yes
		Various pedestrian entrances are clearly identifiable and accessible from the street frontage of the proposed road.	Yes
		Pedestrian entrances are provided in a way that allows visual connection from public areas and the street.	Yes
Balconies	1. Balconies may project up to 1m from the façade of a building. 2. Balustrades must be compatible with the façade of the building. 3. Ensure balconies are not so deep that they prevent sunlight entering the dwelling below. 4. Design balustrades to allow views and casual surveillance of the street. 5. Balustrades on balconies at lower levels shall be of solid construction. 7. Solid or semi solid louvres are permitted. 8. Noise attenuation measures on balconies facing a Classified Road should be considered. 9. Balconies should be located on the street frontage, boundaries with views and onto a substantial communal open space.	Noted. Balustrades are compatible with the external material scheme of the building. Balcony design balances privacy and solar access to dwellings.	Yes
		Balconies are provided towards each street frontage which assists with passive surveillance to public areas.	Yes
		Solid balustrades are proposed where appropriate.	Yes
		Noted. The design will incorporate noise attenuation measures as suggested by the submitted Acoustic Report.	-
		Balconies are oriented towards the street frontages and open space areas.	Yes
			Yes
Daylight Access	1. Plan the site so that new residential flat development is oriented to optimise northern aspect.	The site design enables solar access to well in excess of the minimum requirement under the RFDC as discussed at Annexure A of this Statement.	Yes
	2. Ensure direct daylight access to communal open space between	As provided in the submitted shadow diagrams, solar access is	Yes

	March and September and provide appropriate shading in summer.	readily available to common open space areas between the equinox and summer.	
Security	<p>Optimise the visibility, functionality and safety of building entrances by:</p> <ul style="list-style-type: none"> - Orienting entrances towards the public street. - Providing clear lines of sight between entrances, foyers and the street. - Direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances. <p>7. Improve the opportunities for casual surveillance by:</p> <ul style="list-style-type: none"> - Orienting living areas with views over public or communal open spaces, where possible. - Using bay windows and balconies, which protrude beyond the main façade and enable a wider angle of vision to the street. <p>8. Minimise opportunities for concealment by:</p> <ul style="list-style-type: none"> - Avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parks, along corridors and walkways. - Providing well-lit routes throughout the development. - Providing appropriate levels of illumination for all common areas. - Providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard. 	<p>Pedestrian entrances to each building are oriented towards each street frontage. Refer to plans for compliance.</p> <p>Direct access from parking areas to dwellings is provided.</p> <p>Living areas are designed to provide passive surveillance to the street and to common open space areas at the site. Balconies protrude beyond the façade at portions of each building which provide improved passive surveillance.</p> <p>No concealment opportunities exist near lifts and stairwells.</p> <p>Appropriate lighting to be provided. Appropriate lighting to be provided. Basement areas and car parks are to be illuminated.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Car Parking and Access	<p>1. Visitor car parking shall be clearly identified and may not be stacked car parking.</p> <p>2. Visitor car parking shall be located between any roller shutter door and the front boundary.</p> <p>3. Pedestrian and driveways shall be separated.</p> <p>4. Driveways shall be designed to accommodate removalist vehicles.</p>	<p>Visitor parking is separate from residential parking and will be clearly identifiable. Visitor parking is not restricted by security access.</p> <p>Pedestrian and vehicular access at each building is distinctly separate. Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>-</p>
Pedestrian Access	<p>Utilise the site and its planning to optimise accessibility to the development.</p> <p>2. Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal streets.</p>	<p>Accessible routes are provided throughout the development from parking areas to each dwellings.</p>	<p>Yes</p>

	3. Promote equity by: - Ensuring the main building entrance is accessible for all from the street and from car parking areas	Main entrances are accessible from parking areas and the street.	Yes
Overshadowing	Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least: - One living, rumpus room or the like; and - 50% of the private open space.	As indicated in the submitted shadow diagrams, the proposal does not impact on overshadowing of living rooms and private open space areas of adjoining properties on June 21.	Yes
Privacy	1. Building siting, window location, balconies and fencing should take account of the importance of the privacy of on site and adjoining buildings and outdoor spaces. 2. Windows to habitable rooms should be located so they do not overlook such windows in adjoining properties, other dwellings within the development or areas of private open space. 3. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.	The design of the proposal ensures that visual privacy of internally adjacent dwellings will be appropriate and the proposal will not impact on the privacy of future dwellings on the adjoining southern site.	Yes
		Landscaping at the site will assist with privacy between the proposal and likely future development to the south.	Yes
Acoustic Privacy	1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings. 2. Buildings having frontage to a Classified Road or a railway and impacted upon by rail or traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.	The building will be designed to comply with the BCA which contains standards relating to the construction of party walls.	Yes
		The proposal will be constructed with regard to the recommendations of the submitted Acoustic Report.	Yes
10. Controls for Certain Sites			
10.2 Lots backing onto Camden Valley Way and the Rail Corridor	Controls 1. Lots are to have a minimum depth of 30m. 2. An 8m minimum setback is required from the back of the lot to the rear, or side, façade of the dwelling.	Proposed Lot 2 exceeds 30m in depth. The proposed lot 2 will back onto Camden Valley Way, and a setback of 4m has been provided to the northern façade of each dwelling within Building A. Despite resulting in a shortfall in the required setback the proposal is considered to be acceptable on merit for the following reasons: <ul style="list-style-type: none">A primary intention of the subject control is to minimise noise impacts of the classified road to the residential properties. The proposal will be constructed in accordance with the recommendations of the Acoustic Report which	Yes Acceptable on Merit.

		<p>has been submitted separately with the application. The acoustic report identifies measures to provide compliant internal noise levels and achieves standards that are applied NSW wide;</p> <ul style="list-style-type: none"> • The proposal provides a 4m landscaped setback and a 2m precast concrete acoustic barrier that will provide some sound attenuation to future occupants. To insist that the building is setback a further 4m will have no significant amenity benefit for future occupants; • The proposal is a stand along site in that it adjoins Rynan Avenue to the east and the public open space to the west. As such, the proposed setback will not result in discontinuity in the streetscape for future built form. Rather it will provide a strong presentation to the street at the corner site and will significantly improve the streetscape appearance of the site when viewed from Camden Valley Way. <p>As the proposal is consistent with the objectives of the control despite the departure from the setback to the classified road, the development is considered to be good planning practice and flexibility should therefore be applied to the subject control.</p>	
	<p>3. Architecturally the rear façade of the building (and side façade if visible from the public domain) are to be articulated and modulated to reduce the bulk of the dwelling and to add visual interest.</p> <p>4. Internal dwelling layouts should be designed to minimise noise in living and sleeping areas.</p> <p>5. Double glazed windows are to be used on the rear façade of the dwelling to minimise noise impacts.</p>	<p>The proposal results in a contemporary and visually interesting building when viewed from Camden Valley Way.</p>	Yes
		<p>Internal configurations have been configured where necessary to ensure acceptable amenity and internal noise levels for bedrooms. Construction will be consistent with the Acoustic Report submitted with the application.</p>	Yes
	<p>Lots backing onto Camden Valley Way only</p> <p>1. All allotments with a boundary to Camden Valley Way are to provide a wall to limit noise along that boundary. Walls are to be 2m high, of solid masonry construction, and provided along the length of all lots backing or siding onto Camden Valley Way.</p>	<p>A 2m acoustic wall is proposed along the northern boundary of proposed Lot 2.</p>	Yes

	<p>2. Rear walls are to be vertically modulated at least every 5m on the side facing Camden Valley Way.</p> <p>3. A coping is to be provided along the rear wall with a drip edge on the Camden Valley Way side (10 degree slope to coping).</p> <p>4. The walls and footings are to be constructed on the boundary or entirely within the lot boundary.</p>	<p>Refer to the submitted elevations for good levels of modulation to the northern façade of Building A.</p> <p>Council can condition.</p> <p>Council can condition.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Residential Choice and Mix for Apartment Buildings	<p>1. Provide a variety of residential unit mix, sizes, and layouts within each residential development, particularly in larger buildings. It is recognised that the dwelling mixes may not be possible in smaller developments of less than six dwellings.</p> <p>2. To achieve a mix of living styles, sizes and layouts within each residential development, comply with the following:</p> <ul style="list-style-type: none"> • Provide a mix of studio, 1 bedroom, 2 bedroom and 3 bedroom units. • Studios and 1 bedroom units are not to be greater than 25% and not less than 5% of the total mix of apartments within each development. • Two bedroom units are not to be more than 75% of the total mix of apartments within each development. <p>3. Provide apartments that are flexible enough to support a change in their use. The applicant will be required to demonstrate that a studio unit can be combined with other units to enable this to occur.</p> <p>4. 10% of all apartments are to be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the <i>Australian Adaptable Housing Standard (AS 4299-1995)</i>, which includes 'preadaptation' design details to ensure visit ability is achieved.</p> <p>5. Where possible, adaptable dwellings are to be located on the ground floor, for ease of access. Dwellings above the ground level may only be provided as adaptable dwellings where lift access is available within the building. Lift access must provide access from the basement for people with disabilities.</p>	<p>The proposed development contains variation in the configuration and apartment type throughout the development despite all dwellings being 2 bedroom apartments.</p> <p>The proposal provides the following dwelling mix</p> <ul style="list-style-type: none"> - 4 x 1 bedroom; - 78 x 2 bedroom; and - 4 x 3 bedroom. <p>No studio units proposed.</p> <p>In excess of 10% of apartments are designed as adaptable dwellings.</p> <p>Adaptable dwellings are located at the ground floor or in areas where there is an accessible path of travel.</p>	<p>Yes</p> <p>On Merit.</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>