



CREATIVE**PLANNING**SOLUTIONS

## Revised Statement of Environmental Effects

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Demolition of existing structures and construction of 198  
Residential apartments within three (3) residential flat  
Buildings, including basement carparking, internal driveway,  
Common open space and associated stormwater and landscape works



31-37B Garfield Street, Wentworthville NSW 2145

Prepared for: Universal Property Group Pty Ltd

Project No: B026

Date: June 2015

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## 1.0 Introduction

This report constitutes a revised Statement of Environmental Effects (SEE) which has been prepared and updated to accompany a Development Application (DA) submitted to Holroyd City Council (herein referred to as the Council) for a residential flat building development pursuant to the provisions of the Holroyd Local Environmental Plan 2013 at No. 31-37B Garfield Street, Wentworthville.

This revised SEE has been prepared by Creative Planning Solutions Pty Limited (CPS) on behalf of the applicant, Universal Property Group Pty Ltd (the Applicant). The SEE has been updated to respond to Council's request for additional information letter dated 13 April 2015. The revised SEE is based on the plans and information provided by the Applicant and other supporting documentation from project consultants as included in the original and revised development application package.

This DA includes the demolition of all existing buildings and associated structures located on the subject site (as identified in **Table 2**), and the construction of a five (5) storey residential flat building development with one (1) level of basement car parking, pursuant to the provisions of the Holroyd Local Environmental Plan 2013. The proposed development will also include new hard and soft landscaping treatments, stormwater works, tree removal, and tree replacement planting.

A detailed description of the proposed development can be found at Section 3 of this report. The purpose of this Statement is to:

- describe the components of the proposal,
- discuss the potential environmental effects of the proposal,
- draw conclusions as to the significance of any impacts from the proposed development and how such impacts may be mitigated, and
- make a recommendation to Holroyd City Council as to whether the development should be approved.

This SEE describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act). Within this report, references to "the site" mean the land to which this DA relates.

## 1.1 Project Team

The following expert project team has been formed to deliver the proposal and includes:

<b>Proponent</b>	Universal Property Group Pty Ltd
<b>Project Manager</b>	Universal Property Group Pty Ltd
<b>Architect</b>	Universal Property Group Pty Ltd
<b>Urban Planning</b>	Creative Planning Solutions (CPS)
<b>Landscape Architect</b>	Narelle Sonter Botanica
<b>Arboriculture</b>	Monaco Designs P/L
<b>Contamination and Geo Technical</b>	NG Child and Associates
<b>Waste Management</b>	Universal Property Group Pty Ltd
<b>Stormwater</b>	Martens and Associates Pty Ltd
<b>Quantity Surveying</b>	Hugh B. Gage Pty Ltd
<b>Surveyor</b>	Opus Australia
<b>Traffic and Parking Engineers</b>	ML Traffic Engineers TEF Consulting
<b>Acoustic Engineers</b>	Acoustic Logic
<b>Heritage Consultant</b>	Dominic Steele Consulting Archaeology
<b>BASIX</b>	Building and Energy Consultants Australia

## 1.2 Cost of Proposal

The total cost of the proposal is \$42,838,010.00 (excluding GST but including Professional Fees). A Preliminary D.A. Capital Investment Value Cost Estimate has been prepared by Hugh B. Gage Pty Ltd and is submitted as part of this development application package. This document should be referred to when verifying the cost of the proposal.

### 1.3 Response to Council's Request for Additional Information

Council issued a letter to the applicant requesting additional information on 13 April 2015. This letter informed the applicant (Universal Property Group) that consideration of the subject application is deferred until all matters raised within the letter have been addressed.

The issues have been listed below along with a reference to where they have been addressed in this SEE and other supporting documentation.

<b><i>Issue</i></b>	<b><i>Addressed</i></b>
<b>Dwelling Sizes</b>	Refer to Section 5.1.6 of this SEE
<b>Building Height (Storeys)</b>	Building height objectives within Holroyd DCP 2013 have been addressed at Section 5.1.7
<b>RMS Requirements</b>	Noted
<b>Traffic and Parking</b>	Amended traffic report prepared by TEF consultants and at Section 5.4 of this SEE
<b>Stormwater Management</b>	Updated Concept Grading, Stormwater and Flood Management Plan and Supplementary Flood Report prepared by Martens provided within suite of additional information.
<b>Environmental Health – Contamination</b>	A Hazardous Materials Survey Report prepared by NG Child and Associates dated 8 May 2015 and discussed at Section 5.1.1 and 5.6 of this SEE.
<b>Access</b>	Revised Architectural plans to reflect increase in lift shaft sizes. Discussed at Section 3.3 of this SEE.
<b>Waste Management</b>	Architectural drawings and waste management plan updated. Refer to WMP, Revised Plans and discussion at Section 3.7 of this SEE
<b>Public Submissions</b>	Addressed in Section 5.13 of this SEE

As part of the design revision of the project it is significant to note that the overall gross floor area has been reduced to 15,876.5m<sup>2</sup> which now presents an overall Floor Space Ratio of 1.2:1.



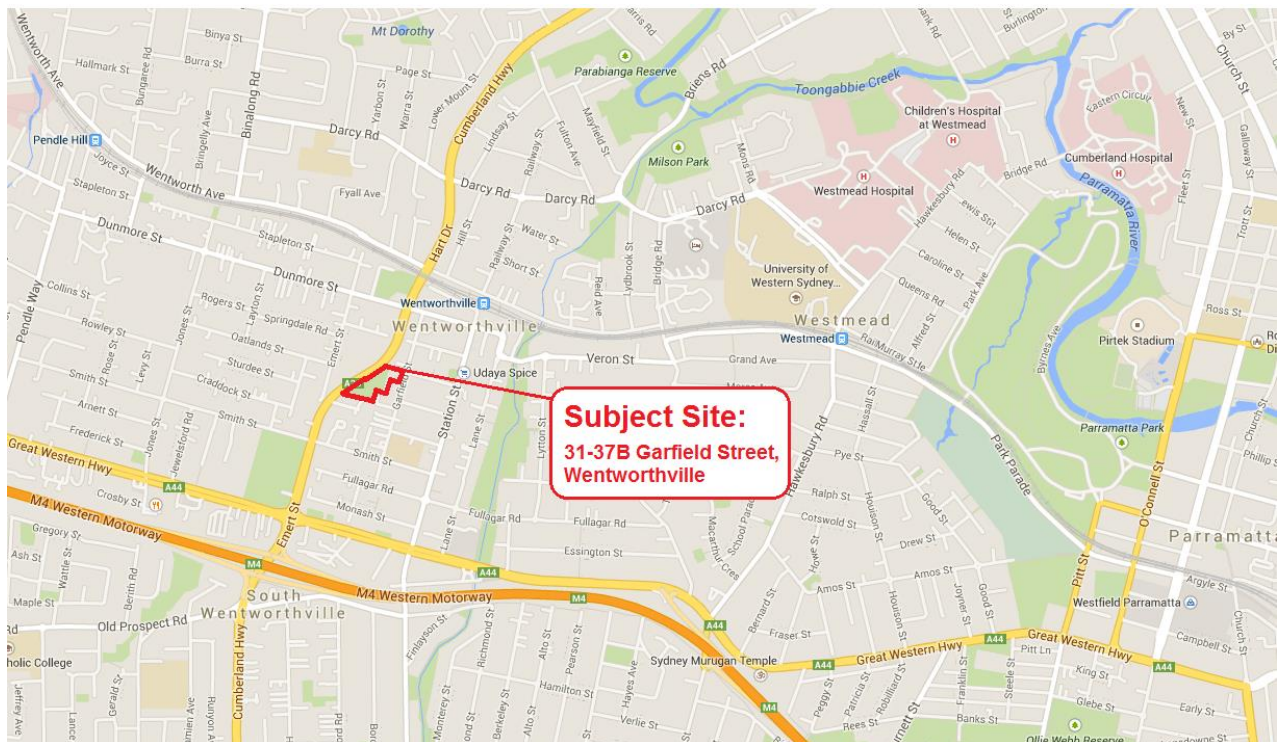
## 2.0 Site Analysis

### 2.1 Site location and context

The subject site is located at 31-37B Garfield Street, Wentworthville. It is situated on the eastern side of the Cumberland Highway, north of Mildred Street, west of the Garfield Street, south of Pritchard Street and east of the curved alignment of the Cumberland Highway. The subject site is located approximately 350m walking distance from the Wentworthville town centre and 560m walking distance from the public entrance to Wentworthville Railway Station.

Wentworthville is approximately 3.2km west of the Parramatta Central Business District (CBD), 27km west of the Sydney CBD, and is part of the Greater Western Sydney region.

Wentworthville is located partially within the Holroyd local government area (LGA) and partially within the Parramatta LGA. The subject site is located within the Holroyd LGA.



**Figure 1**– Location Map – 31-37B Garfield Street, Wentworthville Source: <http://maps.google.com.au>

Major services and facilities are found at the nearby Wentworthville town centre which, as outlined above, is located approximately 350m walking distance north the subject site and includes, but is not limited to, shops, bank service providers and other retail and commercial services that residents may reasonably require, along with community services and recreational facilities, and the practises of medical practitioners.

Additional services and facilities are also found in the Parramatta city centre which is located approximately 3.5km to the east of the subject site.



The subject site is well serviced by public transport with the Wentworthville Railway Station located approximately 560m walking distance north of the subject site, and bus stops along Station Street located approximately 230m east of the site. These bus stops on Station Street are frequently serviced both in the AM and PM seven days per week by the 818 bus which operates between Westmead and Merrylands. Additionally, the bus stops located on Jordan Street are serviced by the 708 bus which operates between Parramatta and Constitution Hill via s, Pendle Hill and Westmead.



Figure 2– Location Map – 31-37B Garfield Street, Wentworthville Source: <http://maps.google.com.au>

## 2.2 Land ownership and legal description

The site, which includes nine (9) parcels of land, is legally described as shown in Table 1 below, and has a total site area of approximately 13,233.3m<sup>2</sup>. The site has its main frontage to the Cumberland Highway, with minor frontages of 35m and 4m respectively to Garfield Street.

**Table 1** – Legal Description and Area of Subject Site

Address	Lot / Deposited Plan	Area
31 Garfield Street, Wentworthville	Lot 29A in DP 307785	771.1m <sup>2</sup>
33 Garfield Street, Wentworthville	Lot 2 in DP 393797	828.3m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 1 in DP 264287	1,944.0m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 9 in DP 264286	214.8m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 1 in DP 212306	303.5m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 6 in DP 264286	4,607.0m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 7 in DP 264286	339.8m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 8 in DP 264286	4,074.0m <sup>2</sup>
37B Garfield Street, Wentworthville	Lot 3 in DP 212307	150.8m <sup>2</sup>
<b>Total</b>		<b>13,233.3m<sup>2</sup></b>

## 2.3 Site description and existing development

The subject site currently comprises the former Wentworthville Leagues Bowling Club. Improvements on the site include the former lawn bowls club house, bowling-green and associated structures and areas including a green keepers shed, a barbecue area, metal seating, and a paved car park.

The wider site is extensively grassed, but includes bitumen and concrete paved areas, including the existing car park. Current vehicular access to the site is via two (2) one way 'U' – shaped driveways. Vehicle's currently enter via the northern driveway between 31A and 33 Garfield Street and exit via the southern driveway between 37A and 39 Garfield Street. The subject site generally falls from a height of approximately RL30.85 at the Garfield Street frontage to the rear of the allotment (Cumberland Highway) with an approximate height of RL26.4.





**Photograph 1** - Photograph of the existing Wentworthville Bowling Club building viewed from within the subject site.  
Source: NG Child & Associates – October 2014



**Photograph 2** - Photograph of one of the existing two bowling greens located on the subject site.  
Source: NG Child & Associates – October 2014



**Photograph 3** - Photograph of the existing metal seating on the subject site near the boundary to the Cumberland Highway  
Source: NG Child & Associates – October 2014



**Photograph 4** - Photograph of the existing barbecue area structure located in the south-west portion of the subject site.  
Source: NG Child & Associates – October 2014



**Photograph 5** – Photograph of the existing parking area for the bowling club in the foreground, with the adjoining residential development in the background beyond the northern boundary fence.  
Source: NG Child & Associates – October 2014



**Photograph 6** – Photograph of the existing green keeper's shed near the southern/Mildred Street boundary of the subject site.  
Source: NG Child & Associates – October 2014





**Figure 3** - Aerial Photograph of the subject site at 31-37B Garfield Street Wentworthville with the boundary highlighted in red.  
Source: <http://six.nsw.gov.au>

## 2.4 Existing site conditions

### 2.4.1 Flora and Fauna

The subject site includes some vegetation which has been detailed in the Preliminary Tree Assessment undertaken by Monaco Designs P/L. Reference should be made to this specialist tree assessment for a detailed assessment of vegetation on site.

### 2.4.2 Environmental Constraints

The site is not subject to any significant environmental constraints that would restrict redevelopment for the purposes of a residential flat building.

## 2.5 Surrounding Development

A diagram showing the location of the subject site along with the location of higher density development within the vicinity of the subject site is provided in **Figure 4** below. The remaining un-highlighted components of the aerial photograph include predominantly single dwelling houses and dual occupancy developments. **Figure 5** illustrates higher density development that is currently under assessment with Holroyd City Council in the vicinity of the subject site following the changed land use zonings and

development controls applying to the area subsequent the introduction of the Holroyd Local Environmental Plan 2013 (HLEP2013).

Both Figures demonstrate the current variety of existing housing types and densities in the local area. In addition, the Figures demonstrate the changing nature of the neighbourhood character of the local area from ageing single dwelling houses to multi storey residential flat buildings in the R4 zones, and multi-dwelling housing developments in the R3 Medium Density Residential zone as a result of the new HLEP2013.

Immediately adjoining the subject site to the east and north is the curved alignment of the Cumberland Highway. The Cumberland Highway is identified as a 'busy road' by the then Roads and Traffic Authority (now the Roads and Maritime Service (RMS)). As a 'busy road' the annual average daily traffic (AADT) is greater than 40,000 vehicles. As such, an acoustic assessment for any residential development on the subject site is mandatory under clause 102 of State Environmental Planning Policy (Infrastructure) 2007 – refer to Section 5.1.2 of this report for a more detailed discussion on this matter.

Adjoining the subject site to the south is a row of single dwelling houses on Mildred Street. These dwelling houses are single storey in nature with typical brick and weatherboard construction with tiled roofs. This land is currently zoned R3 Medium Density Residential whereby medium density residential accommodation in the form of multi-dwelling housing is identified as being permissible with consent.

Also adjoining the subject site to the south-east is a multi-dwelling housing development at No. 47 Garfield Street. These dwelling houses are part of a single storey complex of brick construction with tiled roofs. This land is currently zoned R3 Medium Density Residential under the HLEP2013 whereby medium density residential accommodation in the form of multi-dwelling housing is identified as being permissible with consent.

Adjoining the subject site to the west are a number of single dwelling houses located at No. 39-41 Garfield Street, and also at No. 35 Garfield Street. At No.37 and 37A Garfield Street is a dual occupancy development. Construction types of these dwellings vary from brick with tiled roofs, to weatherboard with tiled roofs. It is noted that No. 41 and No. 45 Garfield Street are listed as locally significant heritage Items under HLEP2013. The land at No. 39-41 Garfield Street is zoned R3 Medium Density Residential under the provisions of the HLEP2013, whilst land at No. 35 Garfield Street and No.37 and 37A Garfield Street is zoned R4 High Density Residential. Within the R4 zone, development for the purposes of residential flat buildings is permissible with consent under the provisions of the HLEP2013.

Adjoining the subject site to the north is a number of single dwelling houses on regular and battle-axe allotments fronting Garfield Street, and backing onto the Cumberland Highway. Construction types of these dwellings vary from brick with tiled roofs, to weatherboard with tiled roofs. This land north of the subject site is zoned R4 High Density Residential. Within the R4 zone, development for the purposes of residential flat buildings is permissible with consent under the provisions of the HLEP2013.





**Figure 4** – Diagram indicating the nature of existing development in the surrounding area. Highlighted are those medium and higher density forms of development, along with large built form elements. Those areas not highlighted are typically lower density residential developments such as single dwelling houses and dual occupancies.

Image Source: <http://six.nsw.gov.au>

Information source: CPS site inspection November 2014





Figure 5 – Development applications currently under assessment of a comparable scale within the local area

Image Source: <http://six.nsw.gov.au>

Information source: [www.holroyd.nsw.gov.au](http://www.holroyd.nsw.gov.au)



### 3.0 Proposed Development

The proposed development consists of the demolition of all existing buildings and associated structures on the subject site and the construction of a 'residential flat building' development comprising three buildings ranging from five to seven storeys of residential accommodation and one level of basement car parking with pedestrian and vehicle access off Garfield Street.

The residential component of the development is to include 198 residential units across the three buildings. The single level basement is to accommodate parking for 257 vehicles and 149 bicycles, as well as basement storage for the residential units, mechanical and service rooms.

The proposal also includes new hard and soft landscaping, stormwater works, the removal of trees, and replacement tree planting.

The proposed development is to be undertaken pursuant to the provisions of the Holroyd Local Environmental Plan 2013 (HLEP2013) and the Holroyd Development Control Plan 2013 (HDGP2013). The proposed development will also have regard to the applicable environmental planning instruments, including but not limited to State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, and State Environmental Planning Policy (Infrastructure) 2007.

The project responds to the desired future character of the Wentworthville local area, and in addition also raises the standard for building quality and amenity for housing in the area and sets a precedent for further development for the wider locality.

Should the application be approved, each of the residential units within the proposed development will be separately strata subdivided, with common open space areas allocated accordingly under a separate development application.

The proposal will provide a total of 198 residential flat units consisting of 117 x two bedroom units, 79 x three bedroom units. As mentioned, all units within the proposed development will be designed to meet or exceed the minimum standards provided within the Residential Flat Design Code for State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.

Specific details of the proposed development are addressed under the following headings.

### 3.1 Documentation

The following documentation is contained within this Development Application to support and provide detail of the proposal: The revised plans subject to this amended SEE are dated May 2015.

#### **Architect – Universal Property Group Pty Limited**

##### Drawings:

DA-000 – Cover Page – R3 05 May 2015  
 DA-001 – Ground Floor (Site Analysis) – R4 05 May 2015  
 DA-003 – Building Footprint Plan – R3 05 May 2015  
 DA-004 – Individual Unit’s Ventilation – R3 05 May 2015  
 DA-007 – Streetscape Elevation – R3 05 May 2015  
 DA-008 – Building Height Analysis  
 DA-010 – Communal Open Space  
 DA-011 – Site Plan Part-1 – R4 05 May 2015  
 DA-012 – Site Plan Part-2 – R4 05 May 2015  
 DA-013 – Privacy Separation & View Analysis  
 DA-014 – Privacy Separation & View Analysis  
 DA-015 – 3-Dimensional View R3 05 May 2015  
 DA-016 – Views  
 DA-101 – Basement Plan R3 05 May 2015  
 DA-102 – Site Plan R4 05 May 2015  
 DA-400 – Shadow Analysis  
 DA-402 – 3D Shadow Analysis 1  
 DA-403 – 3D Shadow Analysis 2  
 DA-A01 – Block A – Cover Page – View R3 05 May 2015  
 DA-A02 – Block A – Floor Plans R3 05 May 2015  
 DA-A03 – Block A – Floor Plans R3 05 May 2015  
 DA-A05 – Block A – Elevations R3 05 May 2015  
 DA-A06 – Block A – Sections R3 05 May 2015  
 DA-A07 – Block A – Indiv. Shadow Analysis R3 05 May 2015  
 DA-A08 – Block A – South Elevation Feature R3 05 May 2015  
 DA-B01 – Block B – Cover Page – View R3 05 May 2015  
 DA-B02 – Block B – Floor Plans R3 05 May 2015  
 DA-B03 – Block B – Elevations R3 05 May 2015  
 DA-B04 – Block B – Sections R3 05 May 2015  
 DA-B07 – Block B – Indiv. Shadow Analysis R3 05 May 2015  
 DA-C01 – Block C – Cover Page – View R3 05 May 2015  
 DA-C02 – Block C – Floor Plans R3 05 May 2015  
 DA-C03 – Block C – Floor Plans 2 R3 05 May 2015  
 DA-C04 – Block C – Elevations R3 05 May 2015  
 DA-C06 – Block C – Sections R3 05 May 2015  
 DA-C08 – Block C – Indiv. Shadow Analysis R3 05 May 2015  
 DP 01 Demolition Plan  
 NP 001 – Notification Plan 17 May 2015  
 NP 002 Notification Plan

**Planning Consultant – Creative Planning Solutions Pty Ltd**

Report: Statement of Environmental Effects, amended May 2015.

**Social Planning Consultant - Creative Planning Solutions Pty Ltd**

Report: Comprehensive Social Impact Assessment

**Acoustic Assessment**

Report: DA Acoustic Assessment, dated 19 September 2014, prepared by  
Acoustic Logic Consultancy Pty Ltd

**Geotechnical and Contamination Assessment**

Report: Targeted Environmental Site Assessment, dated 14 October 2014, prepared by  
NG Child & Associates  
Report: Hazardous Materials Survey – dated 8 May 2015, prepared by NG Child and Associates.

**Traffic and Parking Assessment**

Report: Traffic and Parking Impact Assessment Report, dated October 2014, prepared by  
ML Traffic Engineers  
Report: Carpark, Ramp and Driveway Certification of a Proposed Residential Development, dated  
October 2014, prepared by, ML Traffic Engineers  
Report: Response to traffic and parking matters listed in Council's Deferral of Determination letter  
dated 13 April 2015. Prepared by TEF Consulting and dated 15 May 2015.

**BASIX Certificate**

Report: BASIX Certificate, dated 7 October 2014, prepared by  
Building & Energy Consultants Australia

**Quantity Surveyor Report**

Report: Preliminary D.A. Capital Investment Value Cost Estimate, dated 29 September 2014,  
prepared by  
Hugh B. Gage Pty Ltd

**Arboricultural Assessment**

Report: Preliminary Tree Assessment, dated 23 June 2014, prepared by  
Monaco Designs P/L

**Heritage Assessment**

Report: Statement of Heritage Impact, dated 14 October 2014, prepared by  
Dominic Steele Consulting Archaeology

**Landscape Plans**

Prepared by Narelle Sonter Botanica. Revised plans prepared and dated 17 May 2015

LP.01/B Landscape Plan

LP.02/B Landscape Plan

LP.03/A Details & Spec Notes

LAP.01/A Landscape Area Plan

### **Stormwater Plans**

Concept Grading, Stormwater Management and Flooding Plan Prepared by Martens & Associates Pty Ltd. Amended 6 May 2015 (REV D).

DA010 Cover Sheet (Layout)  
 DA020 Concept Grading Plan - Ground Floor  
 DA030 Concept Drainage Plan - Ground Floor  
 DA031 Concept Drainage Plan - Basement  
 DA032 Pit Schedule  
 DA040 OSD Details 1 Of 2  
 DA041 OSD Details 2 Of 2  
 DA042 OSD Calculations  
 DA043 OSD Catchment Plan  
 DA050 Flood Storage Tank Details  
 DA060 Flood Assessment - Catchment Plan  
 DA061 Flood Assessment - Drains Model Layout And Results  
 DA070 Flood Assessment - Tuflow Results : Existing Flood Levels (Mahd)  
 DA071 Flood Assessment - Tuflow Results : Existing Flood Depth (M)  
 DA072 Flood Assessment - Tuflow Results : Existing Flood Hazard (M2/S)  
 DA073 Flood Assessment - Tuflow Results : Proposed Flood Levels (Mahd)  
 DA074 Flood Assessment - Tuflow Results : Proposed Flood Depth (M)  
 DA075 Flood Assessment - Tuflow Results : Proposed Flood Hazard (M2/S)  
 DA080 Sediment Control Plan  
 DA081 Sediment Control Details

Report: Supplementary Flood Advice, dated May 2015, prepared by Martens & Associates Pty Ltd.

### **Waste Management Assessment**

Report: Revised Waste Management Plan, dated May 2015, prepared by Universal Property Group Pty Limited

### **Survey Plan**

Prepared by Opus Australia

T-P1203.00\_DS\_001\_B (Sheet 1 of Sheet 3) – Plan Showing Detail and Contours  
 T-P1203.00\_DS\_001\_B (Sheet 2 of Sheet 3) – Plan Showing Detail and Contours  
 T-P1203.00\_DS\_001\_B (Sheet 3 of Sheet 3) – Plan Showing Detail and Contours

## 3.2 Building Works

The following information provides a summary of the demolition and construction works associated with the proposed new residential flat building development as per the documentation identified in Section 3.1 above.

### 3.2.1 Demolition and Tree Removal

The proposal involves the demolition of all existing buildings and structures on the subject site and the removal of minor trees protected under Clause 5.9 'Preservation of trees or vegetation' of the HLEP2013 which have been appropriately addressed in the Arboricultural Assessment prepared by Monaco Designs P/L and accompanying this development application. Outlined within this report are details of proposal to remove 16 trees on the site which are identified as having a low to moderate retention value.

One tree (*Eucalyptus Terticornis*) which is proposed to be removed to accommodate the development has been identified as having a high retention value, however this tree was noted as displaying age weary wounds such as tear-outs and cavities

The removal of these trees is proposed to be offset by the introduction of significantly more trees as part of the proposed Landscaping Plan.

### 3.2.2 Excavation

Excavation is proposed in order to accommodate the one (1) basement level car parking area. The depth of excavation ranges between nil, where existing site levels are to remain and approximately 4.6m at the level of the Basement (RL 23.00m AHD) of the buildings.

### 3.2.3 Basement 1

The Basement Level is proposed to include 257 car parking spaces consisting of 217 residential spaces and 40 visitor spaces. Of these car parking spaces, 30 spaces will be accessible parking for the proposed adaptable dwellings. The proposed visitor spaces includes 4 accessible visitors' parking spaces. Basement Level 1 also includes parking for 121 bicycles, 198 storage areas to complement the internal storage areas of the units, a single car wash bay, 5 bin storage areas, 4 mechanical plant rooms, 5 stairwells, and 6 lobby areas and lifts. Allocation for deep soil vegetation areas has also been made within the basement area footprint. It is noted that following a request for additional information from Council's Traffic Engineer, the number of bicycle parking spaces provided within the basement was increased to 121.

### 3.2.4 Ground Floor – Building A

The Ground Floor of Building A within the proposed residential flat building development is to include five (5) x two-bedroom dwellings, and seven (7) x three-bedroom dwellings. Additionally the ground floor is to include two entrance lobby areas, being one entrance area for the western portion of the building and one for the eastern portion of the building closer to the Cumberland Highway. Each lobby grants access to a lift, stairwell, and garbage chute. The eastern lobby area also provides pedestrian access to dwellings within the central portion of the building via an open walkway along the southern side of the building.

### 3.2.5 Level 1 – 4 – Building A

Levels 1-4 of Building A within the proposed residential flat building development is to include eight (8) x two-bedroom dwellings and six (6) x three-bedroom dwellings.

Aside from the residential dwelling components outlined above, the internal components of these levels are proposed to include two lifts and corridor access along the central portion of the building, foyer areas, as well as associated stairwells, garbage chutes and plant rooms.

### 3.2.6 Ground Floor – Building B

The Ground Floor of Building B within the proposed residential flat building development is to include one (1) x one bedroom dwelling, seven (7) two bedroom dwellings, and four (4) three bedroom dwellings. Additionally the ground floor is to include two entrance lobby areas, being one entrance area for the western portion of the building and one for the eastern portion of the building closer to the Cumberland Highway. Each lobby grants access a lift, stairwell, and garbage chute. The eastern lobby area also provides pedestrian access to dwellings within the central portion of the building via an open walkway along the southern side of the building.

### 3.2.7 Level 1 – Building B

Level 1 of Building B within the proposed residential flat building development is to include one (1) x one bed dwelling, eight (8) x two-bedroom dwellings and four (4) x three-bedroom dwellings.

Aside from the residential dwelling components outlined above, the internal components of these levels are proposed to include two lifts and corridor access along the central portion of the building, foyer areas, as well as associated stairwells, garbage chutes and plant rooms.

### 3.2.8 Level 2 – 4 – Building B

Levels 2-4 of Building B within the proposed residential flat building development is to include nine (9) x two-bedroom dwellings and four (4) x three-bedroom dwellings.

Aside from the residential dwelling components outlined above, the internal components of these levels are proposed to include two lifts and corridor access along the central portion of the building, foyer areas, as well as associated stairwells, garbage chutes and plant rooms.

### 3.2.9 Level 5 – Building B

Level 5 of Building B within the proposed residential flat building development is to include five (5) x two-bedroom dwellings and one (1) three bedroom dwelling.

Aside from the residential dwelling components outlined above, the internal components of the Level 5 of Building B are proposed to include the lift and corridor/foyer areas as well as an associated stairwell.

### 3.2.10 Ground Floor – Building C

The Ground Floor of Building C within the proposed residential flat building development is to include five (5) two-bedroom dwellings, and four (4) three bedroom dwellings. Additionally the ground floor is to

include a single entrance lobby area to the western portion of the building closer to the Cumberland Highway. Each lobby grants access a lift, stairwell, and garbage chute. The eastern lobby area also provides pedestrian access to dwellings within the central portion of the building via an open walkway along the southern side of the building.

### 3.2.11 Level 1 – 4 – Building C

Levels 1-4 of Building C within the proposed residential flat building development are to include five (5) two – bedroom dwellings, five (5) x three-bedroom dwellings per level and two (2) x three bedroom duplex apartments split across two floors (Levels 1 & 2 and 3 & 4 respectively).

Aside from the residential dwelling components outlined above, the internal components of these levels are proposed to include two lifts and corridor access along the central portion of the building, foyer areas, as well as associated stairwells, garbage chutes and plant rooms.

### 3.2.12 Level 5 – 6 – Building C

Levels 5-6 of Building C within the proposed residential flat building development is to include four (4) x two-bedroom dwellings per level and one (1) x three bedroom duplex apartments split across Levels 5 and 6.

Aside from the residential dwelling components outlined above, the internal components of these levels of Building C are proposed to include the lift and corridor/foyer areas as well as an associated stairwell.

### 3.2.13 External Building Components

#### *Private and Communal Open Space Areas*

As evidenced in **Figure 6** below, the external component of the proposed residential flat building development includes three well-designed large communal open space areas located between each of the buildings within the proposed development, and along the southern boundary of the subject site.





**Figure 6 – Communal Open Space Areas – Proposed residential flat building development**

Source: Universal Property Group, 2014

Communal Area 1 is located south of Building C and north of the southern boundary to those dwellings that front Mildred Street. Communal Area 1 extends from the angled alignment of Building C in the west to the eastern side boundary to the adjoining multi dwelling housing development. Communal Area 1 has an area of 1,370m<sup>2</sup> and will include mainly soft landscaping including lawn areas and planting.

Communal Area 2 is located south of Building B and north of Building C. Communal Area 2 extends from the western side boundary adjacent to the Cumberland Highway to the eastern side boundary adjoining the residential properties fronting Garfield Street. Communal Area 2 has an area of 2,450m<sup>2</sup>. Provided within Communal Area 2 will be a barbeque area, children's playground, lawn area, kitchen gardens, paved pathways and landscape planting.

Communal Area 3 is located south of Building A and north of Building B adjacent to the western side boundary with the Cumberland Highway. Communal Area 3 has an area of 950m<sup>2</sup>. Provided within Communal Area 3 will be a barbeque area, toddler playground, lawn area, kitchen gardens, paved pathways and landscape planting. A detailed description of the proposed landscaping arrangements is provided at Section 3.4.

The total communal open space area provided for the proposed residential flat building is 4,770m<sup>2</sup> or approximately 36% of the site area.

It is noted that each of the residential units has also been provided with their own dedicated private open space area in the form of courtyard/terrace area for dwellings on the ground floor and a balcony which is directly accessible from internal living areas for dwellings on the upper floors.

### *Material and Finishes*

Building materials and finishes have been chosen to complement the contemporary architectural design of the proposed buildings while being sympathetic to the surrounding natural and built environment and also taking into consideration the changing character of the local area to higher density development.

The following diagram - **Figure 7** - gives a basic outline of the visual appearance proposed development. Reference should be made to the submitted Elevation plans, which show in colour the finishes proposed for each of the buildings within the development.

The revised plans include updated details relating to the proposed materials and finishes. This particularly relates to the building materials used at the upper levels of the proposed buildings. The revised materials and colour scheme has been specifically designed to reduce the apparent visual scale and bulk of the building. The materials complement the proposed west facing articulated facades fronting the Cumberland Highway and are considered to be a positive building element and give the visual appearance that the upper levels are slightly setback from the levels below



**Figure 7** - Elevation Image with Proposed Colour Scheme fronting the Cumberland Highway  
Image Source: Universal Property Group

## 3.3 Access Arrangements

All vehicular and pedestrian access to the subject site will be via Garfield Street, with the primary access being from the northern end of the site adjacent at 31 Garfield Street. A pathway connecting Mildred Street to Garfield Street through the site will be provided. Letterboxes for the proposed development will be located adjacent to the Garfield Street entrance to this pathway as detailed within the revised site plan DA 102 and dated May 2015

The existing right-of-way (ROW) (Dealing F127820) between 37/37A Garfield Street and 39 Garfield Street is maintained so that the battle-axe dwelling at 37A Garfield Street can continue to obtain access. It is noted that access to this ROW will be controlled by a new remote controlled gate to ensure that this access remains for the exclusive use of the 37A and 37 Garfield Street.

Reference should be made to the submitted plans and Traffic Report for further details.

In response to an assessment made by Council's Access consultant, provided within the letter for additional information dated 13 April 2015, the proposed lift shaft sizes within the development have been increased to 2100 x 2375mm. Advice has been provided with the revised documentation confirming

that the proposed lifts will be large enough to accommodate a stretcher. It also considered that this requirement can be adequately dealt with by a specific condition of consent.

In response Council's Access Consultant request the service bay be widened to accommodate an ambulance/emergency vehicle. A letter in response to these matters has also been prepared by TEF Consulting who have advised:

- *Lifts have been adjusted to accommodate stretchers,*
- *There is no service bay outside Building B. The service bay outside building C complies with AS 2890.2-2002 and is large enough to accommodate a Medium Rigid Vehicle (MRV). It is also more than sufficient to accommodate the largest ambulance vehicle (Mercedes Benz 4WD) and a stretcher as per Ambulance NSW requirements.*
- *All areas accessible for MRVs, as shown in Sheets 01 to 04, are also accessible for the largest ambulance vehicle, which is smaller than MRV and requires less room for manoeuvring.*

Reference should be made to these revised documents for further information in relation to traffic and parking.

### 3.4 Development Statistics

The following tables provide a summary of the basic information relevant to the proposed development on the site.

**Table 2 - Development Summary Statistics**

Element	Proposed															
Site Area	13,233.3m²															
Gross Floor Area	15,876.5m²															
Floor Space Ratio	1.2:1															
Building Height	<table><tr><th>Height Control</th><th>Building A</th><th>Building B</th><th>Building C</th></tr><tr><td>18m</td><td>N/A</td><td>17.70m</td><td>21.55m</td></tr><tr><td>15m</td><td>14.90m</td><td>15.38m</td><td>14.50m</td></tr></table>				Height Control	Building A	Building B	Building C	18m	N/A	17.70m	21.55m	15m	14.90m	15.38m	14.50m
Height Control	Building A	Building B	Building C													
18m	N/A	17.70m	21.55m													
15m	14.90m	15.38m	14.50m													
Total Number of Apartments	198 dwellings															
Number of 1 Bedroom Apartments	2 Dwellings – 1% of total															
Number of 2-Bedroom Apartments	117 dwellings –59.09% of total															
Number of 3-Bedroom Apartments	79 dwellings – 39.89% of total															
Included Number of Adaptable Apartments	30 dwellings – 30% of total															
Number of Car Parking Spaces	257 car parking spaces: <ul style="list-style-type: none"><li>217 Residential (incl. 30 accessible)</li><li>40 Visitor (including 4 accessible)</li><li>121 Bicycle</li></ul>															

### 3.5 Landscaping

A suitably qualified landscape architect has been engaged to prepare the landscape scheme for the proposed residential flat building development. As part of the landscape design, an attempt has been made to achieve the following:

- Provide a high level of amenity through the open space landscape design, including shade and screening;
- Positively contribute to streetscape and public domain;
- Provide a high level of energy efficiency and solar efficiency of dwellings and microclimate of private open spaces;
- Design the landscape with regard to site characteristics;
- Contribute to water and stormwater efficiency;
- Provide sufficient depth of soil above pavers;
- Minimise maintenance by robust landscape elements;
- Delineate private and public space;
- Optimise visibility, functionality, and safety of building entrances;
- Improve opportunities for casual surveillance;
- Minimise opportunities for concealment; and
- Control access to the development.

To achieve the above, the proposed development will include significant soft and hard landscaping features, including but not limited to the following:

#### *Building A and surrounds*

- Landscaped 10.905m setback to Garfield Street with significant vegetation planting;
- Landscaped 8.460m setback to the northern side boundary with the adjoining residential development to the north with significant vegetation planting;
- Landscaped setback of approx. 6m to the western boundary of the Cumberland Highway with significant vegetation planting;
- Landscape strip planting along the boundary between the main vehicular entry off Garfield Street and the adjoining property at No. 35 Garfield Street;
- Landscape strip planting along the internal vehicle access way and Building A; and
- Large landscaped communal open space area south of Building A and north of Building B in the western portion of the site nearer the Cumberland Highway boundary. This landscaped area includes extensive tree planting, open turf areas, a toddler's playground, kitchen gardens/barbecue area, and raised garden beds suitable for a communal vegetable garden, new pedestrian walkway and tool shed.

#### *Building B and surrounds*

- Landscaped setback of approx. 6-8m to the western boundary of the Cumberland Highway;
- Landscape strip planting along the boundary between the main vehicular entry off Garfield Street and the adjoining property at No. 35 Garfield Street and No. 33 Garfield Street;
- Landscape strip planting along the boundary between the internal vehicle access way and Building B;

- Large landscaped communal open space area south of Building B and north of Building C in the extending between the Cumberland Highway boundary and the boundary to those residential allotments fronting Garfield Street. This landscaped area includes extensive tree planting, open turf areas, a playground, a barbecue area, and raised kitchen garden beds suitable for a communal vegetable patch, pathways, and tool shed.
- Proposed landscaping has been slightly modified at the south eastern corner of Building B to enable the addition of a turning bay for an ambulance/emergency vehicle.

#### *Building C and surrounds*

- Landscaped setback of approx. 6-8m to the western boundary of the Cumberland Highway, including significant screen planting;
- Landscaped setback of minimum 8.365m to the southern boundary of the subject site with those dwellings fronting Mildred Street;
- Landscape strip planting along the between the internal vehicle access way and Building C;
- Landscape strip planting along the boundary between the subject site and adjoining multi dwelling housing development fronting Garfield Street;
- Large landscaped communal open space area south of Building C and north of southern-most boundary of the site to the adjoining residences to the rear that front Mildred Street. This landscaped area includes extensive tree planting, open turf areas, and pathways.

Detailed Landscape Plans have been prepared and form part of the plans submitted as part of this development application. Reference should be made to these documents for further landscape information.

### 3.6 Drainage

Detailed Stormwater concept plans were prepared and formed part of the plans submitted as part of the original development application. A revised Concept Grading, Stormwater Management and Flooding Plan and Supplementary Flood Advice has been prepared in response to Council's requests for additional information in their letter dated 13 April 2015.

Reference should be made to these revised documents for further drainage and stormwater information.

### 3.7 Waste Management

A revised Waste Management Plan (WMP) has been prepared in accordance with Holroyd Council's document format. It is noted that in response to Council's requests, the Architectural Documentation, Waste Management Drawings and Waste Management Plan has addressed the points raised in the letter for additional information dated 13 April 2015.

The completed checklist estimates the waste generated as part of the demolition and construction phases, as well as the envisaged reuse and recycling options.

The revised Waste Management Plan also details the on-going management and how the development will maintain waste collection(s) from the site. Reference should be made to the revised WMP document for further details on waste management.

### 3.8 Essential Services

As demonstrated on the Site Survey included as part of this development application, the subject site is connected to all essential services and the connection points for each service will be streamlined, in consultation with the particular agencies or authorities. Connection details will be provided as part of the Construction Certificate process.

## 4.0 Summary of Applicable Planning Policies and Potential Environmental Effects

The following is a review of the potential environmental effects of the proposed development as described in the preceding sections of this report. The assessment undertaken at Section 5 of this report includes only those matters under Section 79C(1) of the EP&A Act 1979 that are relevant to the proposed development application.

The key planning issues identified for assessment of the proposed development include:

- Compliance with Planning Instruments and Controls
  - State Environmental Planning Policy No. 55 – Remediation of Land
  - State Environmental Planning Policy Infrastructure (2007)
  - State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004
  - State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development
  - Holroyd Local Environmental Plan 2013
  - Holroyd Development Control Plan 2013
- Streetscape
- Visual Impact
- Access, Traffic and Parking
- Solar Access / Overshadowing
- Contamination
- Hydrology
- Privacy
- Noise
- Economic Impacts
- Community/Social
- Suitability of the Site
- Public Interest



## 5.0 Environmental Assessment

### 5.1 Compliance with Planning Instruments and Controls

#### 5.1.1 State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No.55 – Remediation of Land (SEPP55) applies to the subject development application. Clause 7(1)(a) of SEPP55 states that an approval authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and if so it is suitable in its current state or after remediation for the proposed development.

A Targeted Environmental Site Assessment by NG Child and Associates has been prepared and submitted with the development application. This investigation includes a Preliminary or Stage 1 Environmental Site Assessment, and an associated assessment of soil condition and quality at the site, in support of the proposed residential flat building development. Following a request for additional information by Council's Environmental Health Officer, a supplementary Hazardous Materials Survey has been prepared by NG Child and Associates dated 8 May 2015. Reference should be made to these reports for further information in relation to site contamination.

The overall findings

##### Preliminary Environmental Site Assessment

- The general environmental condition of the proposed site is considered to be sound, and, subject to the specific recommendations set out in this report, and summarised above, environmental settings at the site are appropriate for the residential land use proposed.

##### Soil Contamination Assessment

- No contaminants from a wide and representative range were detected at levels at or even approaching concentrations of potential concern in any of the soil samples from the site;
- Accordingly, the soils at the site are assessed as being free of contamination, and the requirements of SEPP 55 in relation to the soil quality required for prospective residential development at the site are satisfied; and
- Preliminary indications, to be confirmed by more detailed assessment, are that the geotechnical settings at the site will prove appropriate for the type and scale of development proposed.

##### Hazardous Materials Survey

- **Asbestos:** Materials containing or suspected to contain asbestos have been identified in the following areas: Green Keeper's Shed and Club House Building.
- **Synthetic Mineral Fibre (SMF):** Materials containing or suspected to contain synthetic mineral fibres (SMF) have been identified in the following areas: Club House Building.

Given the above, it is considered that the subject site is suitable for residential development when having regard to potential contamination.

### 5.1.2 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) commenced on 1 January 2008 to facilitate effective delivery of infrastructure across the state. One of the aims of the ISEPP is to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure.

More specifically, the ISEPP refers to guidelines which must be taken into account where development is proposed in, or adjacent to, specific roads and railway corridors under clauses 85, 86, 87, 102 and 103.

Immediately adjoining the subject site to the east and north is the curved alignment of the Cumberland Highway. The Cumberland Highway is identified as a 'busy road' by the then Roads and Traffic Authority (now the Roads and Maritime Service (RMS)). As a 'busy road' the annual average daily traffic (AADT) is greater than 40,000 vehicles. As such, an acoustic assessment for any residential development on the subject site is mandatory under clause 102 of ISEPP.

A DA Acoustic Assessment has been prepared for the proposed development by Acoustic Logic, dated 17 September 2014. This report presents an assessment of external noise intrusion and noise emissions for the proposed development with respect to the traffic noise along Cumberland Highway, Garfield Street and Mildred Street, as well as external noise emissions from the project site.

This assessment report concludes that, provided that the recommended treatments set out in the report are employed, internal traffic noise levels shall comply with the requirements of the Holroyd Development Control Plan 2013 and ISEPP and Australian Standard - AS2021-2000. These recommended treatments are illustrated at **Figure 13** and **Figure 14** at Section 5.9

Further the assessment report also concluded that external noise emission criteria acoustic treatments for plant services will be determined at Construction Certificate stage.

With regard to the above, it is therefore recommended that a suitable condition of consent be imposed on the subject development application that requires the development to be carried out in accordance with the recommendations of the DA Acoustic Assessment prepared for the proposed development by Acoustic Logic, dated 17 September 2014.

### 5.1.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 operates in conjunction with the Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in New South Wales.

In accordance with Clause 6(1) of the SEPP, BASIX applies to BASIX affected development as defined by the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). A BASIX affected building is defined as a building that contains one or more dwellings.

The proposal includes residential development and accordingly requires assessment against the provisions of this SEPP and BASIX certification. A BASIX Certificate (Certificate Number: 577538M, dated 7 October 2014) has been completed by Building & Energy Consultants Australia for the proposal in

accordance with the provisions of this SEPP and confirms the proposal is able to achieve all targets relating to water, thermal comfort and energy.

A copy of the BASIX Certificate is included as part of the development application package, and should be referred to for further details.

#### 5.1.4 State Environmental Planning Policy No 65 – Residential Design Quality

The provisions of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP65) apply to the proposed development.

The proposal has been designed to generally comply with both the prescriptive and non-prescriptive provisions of SEPP65 and the Residential Flat Design Code (RFDC).

The design of the building was directed by Mr Tarun Chadha of Universal Property Group Pty Limited, a registered Architect. The SEPP 65 Design Verification Statement accompanying this development application confirms that the design achieves the 10 design principles set out in SEPP65 and that the building has been designed with regard to the RFDC.

The RFDC Design Compliance table is provided below and should be referred to for further details in addition to the Design Quality Statement detailed above.

Guideline	Comment	Complies
<b>Part 1 Local Context</b>		
<b>Local Context</b>  Undertake a local context analysis.	<p>The design of the proposed development has taken into consideration elements of both the surrounding natural and built environments. The proposal is considered to reflect both the existing form and desired future character of the locality as established by Holroyd City Council's environmental planning instruments and development controls plans which were gazetted in 2013</p> <p>The proposal will result in a built form that is sympathetic to existing development, as well as that of similar scaled development currently under assessment with Council in the local area.</p> <p>The proposed development will increase the population living in the area, however this population will be well served by public transport that includes the Wentworthville Railway Station within 560m of the subject site, and frequent bus services that operates along Station Street within 250m of the site.</p> <p>The proposed development will significantly contribute to housing choice in the local area, which following a market analysis by Universal Property Group Pty Limited, will provide a mix of one, two and three bedroom dwellings to meet demand.</p>	Yes

	<p>The proposed development will also help facilitate employment opportunities both in the short term through construction of the proposed development, and also in the longer term through increased consumption by residents, an increased demand on services and facilities which is expected to support the Wentworthville town centre and surrounding areas.</p> <p>The proposal is considered to provide a positive contribution to the streetscape, particularly that of the Cumberland Highway, through a modern architectural design and aesthetic façade.</p> <p>Given the above, it is considered that the proposal is sympathetic to, and complimentary to the existing and likely future context of the local area.</p>	
<p><b>Residential Flat Building Types</b></p> <p>Tower apartments are best use where higher densities are desired; provide for strong urban forms and precepts; and mixed uses at lower levels.</p>	<p>The proposed development is best considered to take on the form of a Courtyard Apartment, as referred to in the RFDC. This form of development is outlined within the code as being used when higher density is desired, the existing context is of large buildings, a strong urban form is desired (such as reinforcing the edge of an important precinct), and where mixed use is desired.</p> <p>The proposed development is considered to reflect most of the above-mentioned attributes for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Higher density development has been established on the site as the desired future nature of land use by Holroyd City Council by permitting a building height up to 18m, and floor space ratio of up to 1.2:1 under the local planning controls. The proposed development responds to this by proposing a floor space ratio which complies with the control and a justifiably compliant building height.</li> <li>2. The local context includes some large buildings, including that of the recently submitted development applications on Garfield Street north of the subject site – refer to <b>Figure 4</b> in Section 2 of this SEE.</li> <li>3. A strong urban form is considered necessary due to the context of the local site being on the major arterial road of the Cumberland Highway. Similarly strong built forms exist on the north eastern corner of Dunmore Street and the Cumberland Highway. As noted above and at <b>Figure 4</b> a 5/6 Storey development for 68 dwellings is currently under assessment on the south eastern corner of Dunmore and Garfield Street.</li> </ol> <p>The proposal reflects the desired land use for the site established by the local planning instruments.</p>	Yes

<b>Building Envelopes</b>  Establish the allowable bulk, height and location of a development on a site.	The proposal is below Council's FSR control and site coverage controls for the site. It is noted that an application to vary the building height standard of Holroyd LEP 2013 has been submitted with this application.	Yes
<b>Building Height</b>  <ul style="list-style-type: none"> <li>• Test height controls against the FSR and the proposed number of storeys and minimum ceiling heights.</li> </ul>	<p>Non-Compliant, refer to submitted Clause 4.6 written request. It is considered that the proposed variance to the building height will enhance streetscape and building's presentation to the Cumberland highway.</p> <p>It is noted that the proposal complies with the minimum ceiling heights of 2.7m for habitable rooms and 2.4m for non habitable rooms.</p> <p>As detailed by the accompanying shadow and visual privacy analysis plans and discussed later in this report. Given that the higher building heights are orientated towards the Cumberland Highway it is considered that the neighbouring residential dwellings will not be impacted by the proposed building height.</p>	No
<b>Building Depth</b>  <ul style="list-style-type: none"> <li>• An apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.</li> </ul>	The building depths are shown on the submitted plans to be less than 18m. It is noted that the proposed apartments maximise cross flow ventilation. It is also noted that the majority of apartments within the proposed development have dual aspect and a northerly orientation.	Yes
<b>Building Separation</b>  Increase building separation distances as building height increases as follows:  five to eight storeys/up to 25 metres - 18 metres between habitable rooms/balconies - 13 metres between habitable rooms/balconies and non-habitable rooms - 9 metres between non-habitable rooms	<p>As illustrated in the accompanying architectural plans, the proposed residential flat building development significantly exceeds the required building separation distances.</p> <p>The proposed building separation demonstrates that the development has been scaled to support the desired future character of the area whilst still maintaining adequate amenity to the existing lower density dwellings adjacent to the site. It is noted that the separation enhances acoustic and visual privacy for new and existing residents as discussed later in this report. In addition, it is considered that the increased separation significantly mitigates the potential overshadowing impacts of the proposed development as demonstrated by the submitted shadow analysis which shows that all residential properties surrounding the subject site achieve the required 3 hours of direct sunlight between 9am and 4pm on 22 June.</p> <p>It is also noted that in order to protect the privacy of</p>	Yes

	<p>neighbours who share a building, internal courtyards have been provided further increasing the proposed building separation.</p> <p>The proposed building separation allows the proposed development to exceed Council's controls for both landscaped area and provision of communal open space. Notwithstanding that a large proportion of the proposed landscaping will be planting over structures due to the proposed basement car park, it is noted that existing mature vegetation will be retained and deep soil zones also provided as shown in the submitted plans.</p> <p>The stormwater management plans show that runoff will be directed to a below ground OSD tank in the south west corner of the subject site.</p>	
<b>Street Setbacks</b> <ul style="list-style-type: none"> <li>Identify desired streetscape character.</li> <li>Minimise overshadowing of street and buildings.</li> <li>Consider secondary upper level setbacks to reinforce desired scale of buildings on the street.</li> <li>Underground parking structures, awnings and balconies may encroach on the setback.</li> </ul>	<p>Refer discussion at Section 5.1.7 of this SEE. It is considered that the proposed setbacks respond to the irregular shape of the subject site. It is noted that the majority of the proposed setbacks are greater than 6m and incorporate significant landscaping.</p>	Yes
<b>Side and Rear Setbacks</b> <ul style="list-style-type: none"> <li>To retain or create rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form.</li> <li>Consider building separation, open space and soil zones.</li> <li>Relate setbacks to existing streetscape pattern.</li> </ul>	<p>It is noted that due to the irregular shape of the subject site and the siting of the proposed residential flat buildings, it is not possible to establish a clear rear setback zone for the subject site. Refer above, and discussion at Section 5.1.7 of this SEE.</p> <p>It is considered that the proposed setbacks create a consistent rhythm and pattern of development that positively defines the streetscape, in particular the Cumberland Highway frontage to which the development is orientated.</p> <p>As noted above a significant portion of the subject site is devoted to landscaping and it is also reinforced by building separation that exceeds both RFDC and HDCP 2013 requirements.</p>	Yes
<b>Fences and Walls</b> <ul style="list-style-type: none"> <li>Respond to character of street and area.</li> </ul>	<p>Where fencing or walls are proposed they have been designed to be sympathetic to the character of the local area whilst at the same time being appropriate for the more modern and higher density development being proposed.</p>	Yes

<ul style="list-style-type: none"> <li>• Delineate private and public domain without compromising safety and security.</li> <li>• Contribute to amenity, beauty and usability of private and communal open spaces.</li> <li>• Retain and enhance amenity of public domain by avoiding continuous lengths of blank walls and using planting to soften the edges and reduce their scale.</li> <li>• Select durable materials which are easily cleaned and graffiti resistant.</li> </ul>	<p>Reference should be made to the submitted Landscape Architectural Plans for further details on fencing and wall arrangements.</p>	
<p><b>Landscape Design</b></p> <ul style="list-style-type: none"> <li>• Improve amenity of open space with landscape design, including shade and screening.</li> <li>• Contribute to streetscape and public domain.</li> <li>• Improve energy efficiency and solar efficiency of dwellings and microclimate of private open spaces.</li> <li>• Design landscape with regard to site characteristics.</li> <li>• Contribute to water and stormwater efficiency.</li> <li>• Provide sufficient depth of soil above pavers</li> <li>• Minimise maintenance by robust landscape elements</li> </ul>	<p>As previously noted in this compliance table and as demonstrated in the submitted landscape plans, the proposed development significantly exceeds Council's controls in relation to the provision of both landscape area and communal open space.</p> <p>It is proposed to retain a significant number of mature height trees on the site. It is noted that many if these trees are situated along the boundary. In addition, a significant level of boundary screen planting is also proposed. It is considered that the existing and proposed boundary planting will protect the privacy and improve amenity for residents adjacent to and within the subject site.</p> <p>The proposed landscaping will contribute to the communal parkland feel of the publicly accessible areas around the buildings. In addition, the landscaping has been designed with regard to the existing site characteristics. The proposed landscaping will contribute to the water and stormwater efficiency as detailed in the accompanying plans, in addition it is considered that the proposed landscaping will contribute to the amenity and liveability of the development as well improve the microclimate of adjacent private open spaces.</p>	Yes
<p><b>Orientation</b></p> <ul style="list-style-type: none"> <li>• Orient buildings to maximise north facing walls and provide adequate building separation.</li> <li>• Respond to streetscape and optimise solar access.</li> </ul>	<p>The proposed development has been designed to maximise opportunities for solar access to dwellings, and also maximise opportunities for cross ventilation.</p> <p>This is evidenced through the proposal's ability to significantly better the minimum standards established by the RFDC by providing well over 70% of dwellings with a</p>	Yes



<ul style="list-style-type: none"> <li>• Courtyards and setbacks to northern boundaries.</li> <li>• Optimise solar access to living spaces and private open space by orienting them to the north.</li> <li>• Building elements to maximise sun in winter and shade in summer.</li> </ul>	<p>minimum 3 hours of solar access to private open space areas and living area in mid-winter.</p> <p>In this regard, it is considered that the building orientation has been designed to optimise the level of amenity to dwellings.</p>	
<p><b>Planting on Structures</b></p> <ul style="list-style-type: none"> <li>• Design for optimum plant growth by appropriate soil and drainage conditions.</li> <li>• Design planters to support soil depth and plant selection.</li> </ul>	<p>As noted previously, the proposal has maximised opportunities for plant growth on structures. Extensive landscaping has been utilised to soften the built form and provide an aesthetically pleasing communal open space for residents. These areas have allowed for satisfactory soil depth to promote plant growth as detailed in the accompanying Landscape Plans.</p>	Yes
<p><b>Stormwater Management</b></p> <ul style="list-style-type: none"> <li>• Retain stormwater on site.</li> <li>• Protect stormwater quality.</li> <li>• Control erosion.</li> <li>• Consider using grey water for site irrigation.</li> </ul>	<p>Full stormwater management plans have been submitted with the subject development application proposing OSD to retain stormwater on site where possible, protect stormwater quality, control erosion, and reuse of water. Reference should be made to these plans for further information.</p>	Yes
<p><b>Open Space</b></p> <ul style="list-style-type: none"> <li>• The area of communal open space required should generally be at least between 25 and 30 percent of the site area. Larger sites and brownfield sites may have potential for more than 30 percent.</li> <li>• Where developments are unable to achieve the recommended communal open space, such as those in dense urban areas, they must demonstrate that residential amenity is provided in the form of increased private open space and/or in a contribution to public open space.</li> <li>• The minimum recommended area of private open space for each apartment at ground</li> </ul>	<p>Given the large site area it is considered that the proposal has the opportunity to exceed 30% as provided for by both SEPP 65 and Holroyd DCP 2013. As per the architectural plan titled Communal Open Space the proposed development provide 36% of the site area as communal open space.</p> <p>In terms of private open space, the GFA calculations of each unit within the proposed development show that the ground floor units of the proposed development generally comply with the minimum recommended private open space. This is because the internal courtyards shown on the submitted plans are included in the calculation of the internal areas for each of the units having walls greater than 1.4m.</p>	Yes

level or similar space on a structure, such as on a podium or car park, is 25m <sup>2</sup> ; the minimum preferred dimension in one direction is 4 metres.		
<b>Site Amenity</b> <b>Safety</b> <ul style="list-style-type: none"> <li>• Delineate private and public space.</li> <li>• Optimise visibility, functionality, and safety of building entrances.</li> <li>• Improve opportunities for casual surveillance.</li> <li>• Minimise opportunities for concealment.</li> <li>• Control access to the development.</li> </ul>	<p>Routes between the entrance of the building and dwellings are considered to maximise safety. Clear sightlines are provided between the car spaces and the lift in the basement.</p> <p>The proposal has been designed with regard to the principles of CPTED, which has resulted in a design outcome that limits opportunities for concealment, controls access to the development and also provides opportunities for casual surveillance over areas of the public and private domains surrounding the building.</p> <p>The proposal has also included measures to assist in clearly defining the site boundaries.</p>	Yes
<b>Visual Privacy</b> <ul style="list-style-type: none"> <li>• Maximise visual privacy between adjoining buildings by separation, setbacks and site layout.</li> <li>• Design layouts to minimise direct overlooking of rooms and private open spaces.</li> <li>• Use site and building design elements to increase privacy without compromising light and air access.</li> </ul>	<p>Adequate setbacks have been provided which respond to the irregular site boundaries.</p> <p>Building mass is orientated to the Cumberland Highway allowing for increased building separation.</p> <p>Range of design elements used to provide for privacy include the retention of existing mature height trees along the boundaries, increased screen planting and privacy screens to the internal courtyards provided to southern elevations of the dual aspect apartments provided within each building.</p>	Yes
<b>Site Access</b> <b>Building Entry</b> <ul style="list-style-type: none"> <li>• Improve presentation to street by entry treatment.</li> <li>• Direct connection and clear transition between street and entry.</li> <li>• Ensure equal access for all.</li> <li>• Provide safe and secure access.</li> <li>• Separate building entry from</li> </ul>	<p>Proposed basement car parking clearly delineated for vehicles. Also pedestrian entrance is clear within two clearly identifiable entrance lobbies per residential flat building.</p> <p>All mail box and postal facilities shall be incorporated into the proposed pedestrian pathway linking Garfield St to Mildred St in accordance with the requirements of Australia Post. Mail boxes shall be sited and designed for attractive visual appearance and function, as well as to complement the architecture and environs.</p> <p>As the mail boxes are located externally they shall be located at right angles to the street boundary on either or</p>	Yes

<p>car parks.</p> <ul style="list-style-type: none"> <li>• Design entries/circulation to allow furniture movement.</li> </ul> <p>Provide mailboxes to be convenient, but not clutter the appearance of the development from the street.</p>	<p>both sides of the main access walkway.</p>	
<p><b>Parking</b></p> <ul style="list-style-type: none"> <li>• Determine car spaces by access to public transport, density and ability to accommodate on site.</li> <li>• Limit visitor spaces, where impact on landscape and open space is significant.</li> <li>• Give preference to underground parking.</li> <li>• Provide bicycle parking which is easily accessible.</li> </ul>	<p>In accordance with Holroyd Council's planning controls, 257 car parking spaces have been provided in the single level basement as shown on the accompanying basement plan.</p> <ul style="list-style-type: none"> <li>▪ 217 Residential (incl. 30 accessible)</li> <li>▪ 40 Visitor (including 4 accessible)</li> </ul> <p>Accessible parking is provided in accordance with the provisions of AS 1428.2 to facilitate automatic vehicular wheelchair loading and unloading.</p> <p>Bicycle parking for 121 bicycles is also provided within the underground parking area.</p>	<p>Yes</p>
<p><b>Site Access</b></p> <p>Pedestrian Access</p> <ul style="list-style-type: none"> <li>• Accessible routes to public and semi-public areas.</li> <li>• Promote equity by entry location and ramps.</li> <li>• Ground floor apartments to be accessible from the street and associated open space.</li> <li>• Maximise number of accessible, visitable and adaptable apartments in a building.</li> <li>• Barrier free access to at least 20% of dwellings.</li> </ul>	<p>The proposed development has been designed to be suitably accessible with regard to the relevant Australian Standards, and the Disability Discrimination Act. This helps establish equity of entry and exit from the building.</p>	<p>Yes</p>
<p><b>Vehicle Access</b></p> <ul style="list-style-type: none"> <li>• Ensure adequate separation between vehicle entries and street intersections.</li> <li>• Optimise opportunities for active street frontages and</li> </ul>	<p>Adequate separation has been provided between the vehicular entry to the building and the intersection of McKern Street. In addition it is noted that the proposed development is approximately 240m from the intersection of Garfield Street and Dunmore St</p>	<p>Yes</p>

<p>streetscape design.</p> <ul style="list-style-type: none"> <li>• Improve appearance of car parking entries.</li> <li>• Limit width of driveways to 6 metres.</li> <li>• Locate vehicle entries away from pedestrian entries and on secondary frontages.</li> </ul>	<p>The car parking entry has been minimised and located on the northern end of the site to minimise its impact and potential conflict with other vehicles entering and leaving residential driveways to the south along Garfield Street.</p> <p>As shown on the submitted plans the vehicular entry has been located separated to the pedestrian entry off Garfield Street</p>	
<p><b>Building Configuration</b></p> <p><b>Apartment Layout</b></p> <ul style="list-style-type: none"> <li>• Determine apartment sizes in relation to location, market, spatial configuration and affordability.</li> <li>• Ensure apartment layouts are resilient over time.</li> <li>• Design layouts to respond to natural and built environments and optimise site opportunities.</li> <li>• Avoid locating kitchen in circulation space.</li> <li>• Include adequate storage in the apartment.</li> <li>• Ensure apartments facilitate furniture removal and placement.</li> <li>• Single aspect apartments to have maximum depth of 8m from a window.</li> <li>• Kitchen to be maximum of 8m from window.</li> <li>• Cross over or cross through apartments &gt;15m deep to have minimum width of 4m.</li> </ul>	<p>The proposed apartment sizes have been determined according to a market study undertaken by the applicant. In addition, the demand for these apartment sizes has been established through a detailed demographic analysis provided within the accompanying Comprehensive Social Impact Assessment (CSIA) undertaken and submitted as part of this development application. The demographic analysis shows that demand for single bed apartments has decreased due to a decrease in lone person households in Wentworthville between 2006 and 2010. In addition it is noted that a higher proportion of young people are now establishing themselves in Wentworthville. The data also shows that whilst household incomes are higher, so is the level of debt in relation to mortgage which suggests a reasonably high level of mortgage stress in the area. It is considered the apartment sizes position the development as an affordable option for both young families and retirees looking to downsize.</p> <p>The proposed apartments are cross ventilated, and take advantage of a predominantly northern aspect. As noted a high proportion of the apartments within the proposed development are dual aspect. It is also noted that the proposed residential flat buildings incorporate storage both within the apartments and within the basement car park.</p> <p>The architectural plans show that the proposal generally meets the required apartment layout criteria specified within the Residential Flat Design Code.</p>	Yes
<p><b>Apartment Mix</b></p> <ul style="list-style-type: none"> <li>• Provide variety of apartments in larger buildings.</li> <li>• Refine appropriate mix by considering population trends and proximity to transport, employment and services.</li> </ul>	<p>Refer above as per market study, mainly 2 and 3 bedrooms are provided. This directly correlates with the demographic analysis provided within the accompanying CSIA which shows single person households decreasing whilst households with 2 or more persons are increasing in the suburb of Wentworthville. The proposed development caters directly for this demand. In addition the</p>	Yes

<ul style="list-style-type: none"> <li>• Locate mix of 1 and 3 bed units on ground floor to enable access by disabled, elderly and families.</li> <li>• Optimise accessible and adaptable apartments.</li> </ul>	<p>accompanying CSIA identifies that the proposed development is well located in relation to transport, employment and services.</p> <p>A mix of one, two and three bedroom apartments have been located on the ground floor which enable access by disabled, elderly and families.</p>	
<p><b>Apartment size</b></p> <p>Minimums:</p> <ul style="list-style-type: none"> <li>• 1 bedroom apartment 50m<sup>2</sup></li> <li>• 2 bedroom apartment 70m<sup>2</sup></li> <li>• 3 bedroom apartment 95m<sup>2</sup></li> </ul>	<p>Refer to Section 5.1.8 – Justification on compliance with Planning Instruments and Controls</p>	Yes
<p><b>Balconies</b></p> <ul style="list-style-type: none"> <li>• Provide at least one primary balcony. For all apartments with minimum depth of 2m.</li> <li>• Primary balconies to be adjacent to living area.</li> <li>• Consider secondary balconies in larger apartments, adjacent to bedrooms and for clothes drying.</li> <li>• Balconies to respond to local climate and context, solar access, wind and privacy.</li> <li>• Design balustrades to allow views and casual surveillance, while providing safety and privacy.</li> <li>• Coordinate and integrate building services with façade and balcony design.</li> <li>• Primary balcony to have minimum depth of 2m.</li> </ul>	<p>As shown on the submitted architectural plans the proposed balconies generally meet the requirements of the design code and Holroyd DCP 2013. It is noted that all primary balconies are adjacent to living areas and that where possible secondary balconies have been provided and have a northerly aspect and respond to the local context in terms climate, solar access and privacy. In addition it is noted that internal courtyards have also been provided to a high proportion of the apartments within each residential flat building within the proposed development.</p>	Yes
<p><b>Building Configuration</b></p> <p><b>Ceiling Heights</b></p> <ul style="list-style-type: none"> <li>• Coordinate internal ceiling heights and slab levels with external height requirements.</li> <li>• Minimum floor to ceiling height of 2.7m (variances</li> </ul>	<p>Proposed ceiling heights for all habitable rooms are shown on the submitted architectural plans to be 2.7m (2.4m ceiling heights provided to non-habitable rooms).</p>	Yes

permitted for two storey units)		
<ul style="list-style-type: none"> <li>• Variations to demonstrate satisfactory daylight.</li> </ul>		
<b>Flexibility</b> <ul style="list-style-type: none"> <li>• Provide robust building configurations which utilise multiple building entries and circulation cores.</li> <li>• Promote accessibility and adaptability by accessible and visitable apartments and pedestrian access.</li> </ul>	<p>Flexibility is to be incorporated into the design of the building by including thirty (30) adaptable dwellings to suit the access needs of a variety of potential residents of the development.</p> <p>All buildings and areas within the proposed development have been design with regard to the relevant Australian Standards and the Commonwealth Government's Disability Discrimination Act. Reference should be made to the submitted Access/BCA reports for details of compliance.</p>	Yes
<b>Internal Circulation</b> <ul style="list-style-type: none"> <li>• Increase amenity and safety by generous widths, lighting, minimising lengths, avoiding tight corners, legible signage and adequate ventilation.</li> <li>• Support better apartment layouts by designing buildings with multiple cores.</li> <li>• Articulate longer corridors by using series of foyer areas and windows along or at end of window.</li> <li>• Minimise maintenance and maintain durability by using robust materials in common circulation areas.</li> </ul>	<p>Lift lobbies will have natural lighting and will be naturally ventilated.</p> <p>Common area corridors are considered to facilitate easy movement of people and furniture due to appropriate widths. Corridors incorporate varied surfaces, textured and materials, and clearly identified apartment numbers.</p> <p>Name and number of the development is to be clearly displaying in large writing on the Garfield St frontage, a future building name signage location is also proposed</p> <p>Suitable illumination will be provided.</p>	Yes
<b>Storage</b> <ul style="list-style-type: none"> <li>• 50% of storage to be within apartment and accessible from hall or living area, and dedicated storage rooms on each floor and car parks.</li> <li>• Storage to be suitable for local area and able to accommodate larger items (e.g. bicycles).</li> <li>• Ensure storage is secure for individual use.</li> <li>• In addition to kitchen cupboards and bedroom</li> </ul>	<p>The proposed storage will be according to matrix provided on the basement plan submitted within the architectural drawing package. The proposed development provides all apartments with internal storage and basement storage to meet Holroyd Council Requirements and the requirements of the Residential Flat Design Code.</p>	Yes

wardrobes, provide accessible storage facilities at the following rates: <ul style="list-style-type: none"> <li>- studio apartments 6m<sup>3</sup></li> <li>- 1-bedroom apartments 6m<sup>3</sup></li> <li>- 2-bedroom apartments 8m<sup>3</sup></li> <li>- 3 plus bedroom apartments 10m<sup>3</sup></li> </ul>		
<b>Building Amenity</b> <b>Acoustic Privacy</b> <ul style="list-style-type: none"> <li>• Maximise acoustic privacy by adequate separation.</li> <li>• Internal layout to separate noise from quiet areas by grouping bedrooms and service areas.</li> <li>• Resolve conflicts between noise, outlook and views by design measures, such as double glazing.</li> <li>• Reduce noise transmission from common corridors</li> <li>• Provide seals to entry doors.</li> </ul>	<p>Adequate setbacks provided to all boundaries. In addition it is noted that a high level of mature vegetation will be retained on the site which will serve as an additional noise buffer.</p> <p>Building mass are orientated towards the Cumberland Highway allowing for increased separation between the proposed building s and presenting a narrower built form to the adjoining residential dwellings along Garfield St.</p> <p>Range of design elements used to provide for acoustic privacy aside from that of just setbacks. An acoustic report prepared by a suitably qualified acoustic engineer (Acoustic Logic) has been prepared and submitted in support of the subject development application. Reference should be made to this document for further details on the building's acoustic performance and incorporated design measures to mitigate noise intrusion within the development.</p>	Yes
<b>Daylight Access</b> <ul style="list-style-type: none"> <li>• Orient building to optimise northern aspect.</li> <li>• Ensure daylight access to communal open space March-September and shade in summer.</li> <li>• Optimise apartments receiving daylight access to habitable rooms and principal windows.</li> <li>• Design for shading and glare control.</li> <li>• Living rooms and private open space of at least 70% of apartments should receive 3 hours direct sunlight between</li> </ul>	<p>More than 70% of apartments within the proposed development will receive min 3hrs sunlight to private open space and living room</p> <p>In this regard the number of units that achieve the solar access goals of the Code is considered to have been maximised.</p>	Yes

<p>9am and 3pm in mid winter.</p> <ul style="list-style-type: none"> <li>• Limit single aspect apartments with a southerly aspect to a maximum of 10% of total units.</li> </ul>		
<p><b>Natural Ventilation</b></p> <ul style="list-style-type: none"> <li>• Promote and guide natural breezes.</li> <li>• Utilise building layout and section to increase potential for natural ventilation.</li> <li>• Internal layout to minimise disruptions and group rooms with similar usage together.</li> <li>• Select doors and operable windows to utilise air pressure or windows to funnel breezes.</li> <li>• Coordinate design with passive solar design.</li> <li>• Explore innovative technologies to ventilate rooms.</li> <li>• 10-18m building depth recommended for natural ventilation.</li> <li>• 60% of units to be naturally cross ventilated.</li> <li>• 25% of kitchens to have access to natural ventilation.</li> <li>• All kitchens have access to natural ventilation</li> </ul>	<p>The proposed development is considered to provide an exceptionally high level of amenity by achieving excellence cross ventilation provision by far exceeding the minimum requirements of the Code and Council's development controls. Refer to accompanying ventilation plan.</p>	<p>Yes</p>
<p><b>Building Form</b></p> <p>Awnings and Signage</p> <ul style="list-style-type: none"> <li>• Locate awnings over building entries.</li> <li>• Enhance safety by providing lighting.</li> </ul>	<p>Covered building entries will be provided to all proposed residential flat buildings. In addition it is noted that building signage locations are proposed on the south western elevation of Building B and the western and south western elevations of Building C. Details and size of the proposed signage will be subject to a separate development application.</p>	<p>Yes</p>
<p><b>Facades</b></p> <ul style="list-style-type: none"> <li>• Consider relationship between building form and</li> </ul>	<p>The proposed development is considered to set a precedent in terms of architectural integrity. The orientation to the Cumberland Highway provides an appropriate response to</p>	<p>Yes</p>



<p>façade or building elements.</p> <ul style="list-style-type: none"> <li>• Facades to have appropriate scale, rhythm and proportion responding to use and desired character.</li> <li>• Facades to reflect orientation of site using sun shading devices.</li> <li>• Express important corners by giving visual prominence to parts of the façade.</li> <li>• Coordinate and integrate building services and utility items.</li> </ul>	<p>what is a large and visually prominent site from the aforementioned arterial road. The building is considered to be well articulated with a variety of façade elements and treatments. Balustrades are generally translucent or opaque.</p> <p>In addition it is noted that the upper levels of the development have been re designed to reduce the visual dominance of these elements. This has been achieved through greater articulation, breaking up the façade fronting the Cumberland Highway, upper level balconies that appear set back and utilising lighter building materials.</p>	
<p><b>Roof Design</b></p> <ul style="list-style-type: none"> <li>• Relate roof design to desired built form.</li> <li>• Relate to size and scale of building, elevations, building form.</li> <li>• Respond to orientation of site.</li> <li>• Minimise visual intrusiveness of service elements.</li> <li>• Facilitate use of roof for sustainable functions.</li> </ul>	<p>High quality flat roof design proposed that is to be a slightly pitched roof with sweeping eaves overhanging providing a level of sun shading to proposed balconies. It is noted that the pitched roof presents visually as predominantly flat and as such is not considered to increase the overall bulk and scale of the proposed buildings.</p> <p>The roof responds to the orientation of the site. For example, the maintenance of suitable solar access given the orientation of the site is testament to this.</p> <p>Service elements will be integrated into the design of the roof, or not be visible from the nearby public domain, i.e. the lift overrun.</p>	Yes
<p><b>Building Performance</b></p> <p><b>Energy Efficiency</b></p> <ul style="list-style-type: none"> <li>• Incorporate passive solar design to optimise heat storage in winter and heat transfer in summer.</li> <li>• Improve control of mechanical heating and cooling.</li> <li>• Plan for photovoltaic panels.</li> <li>• Improve hot water system efficiency.</li> <li>• Reduce reliance on artificial lighting.</li> <li>• Maximise efficiency of household appliances.</li> </ul>	<p>A key design feature of the proposed residential flat buildings are the Passive Solar Design strategies used which includes orientating the buildings to the north and providing dual aspect apartments that achieve the required level of natural ventilation and solar access.</p> <p>A compliant BASIX Certificate has been submitted as part of the subject development application, and as such reflects how the proposal satisfactorily performs with regard to energy efficiency.</p>	Yes

<p><b>Maintenance</b></p> <ul style="list-style-type: none"> <li>• Design windows to enable internal cleaning.</li> <li>• Select manually operated systems, such as blinds.</li> <li>• Incorporate and integrate building maintenance systems into the design of the building form, roof and façade.</li> <li>• Select durable materials which are easily cleaned.</li> <li>• Select appropriate landscape elements and vegetation and provide appropriate irrigation systems.</li> <li>• Provide garden maintenance and storage area.</li> </ul>	<p>Proposed windows have been designed to enable internal cleaning.</p> <p>Low maintenance and graffiti resistant materials will be used wherever possible.</p> <p>Appropriate landscape treatments have been provided to ensure vegetation is appropriately established to complement the development.</p>	Yes
<p><b>Waste Management</b></p> <ul style="list-style-type: none"> <li>• Incorporate existing built elements where possible.</li> <li>• Recycle and reuse demolished materials.</li> <li>• Specify building materials that can be reused or recycled.</li> <li>• Integrate waste management into all stages of project.</li> <li>• Support waste management by specifying project needs and reducing waste by using standard product sizes.</li> <li>• Prepare waste management plan.</li> <li>• Locate storage areas for bins away from street frontage.</li> <li>• Provide waste cupboards or temporary storage area.</li> <li>• Incorporate on-site composting where possible.</li> </ul>	<p>The proposed development meets the relevant provisions contained in the Council's development controls plans for waste management. This is demonstrated in detail within the accompanying waste management plan lodged with the application. For full details of the proposal's consistency with these provisions please refer to this documentation for further details.</p> <p>A garbage collection area is also provided on the Ground Floor adjacent to Building C which will be available for the waste collection contractor in accordance with Council's standards.</p>	Yes
<p><b>Water Conservation</b></p> <ul style="list-style-type: none"> <li>• Use AAA rated appliances.</li> </ul>	<p>A compliant BASIX Certificate has been submitted as part of the subject development application, and as such reflects</p>	Yes

<ul style="list-style-type: none"> <li>• Encourage use of rainwater tanks.</li> <li>• Collect, store and use rainwater on site.</li> <li>• Incorporate local native vegetation in landscape.</li> <li>• Consider grey water recycling.</li> </ul>	<p>how the proposal satisfactorily performs with regard to water conservation.</p> <p>Reference should be made to this document for further details.</p>	
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### 5.1.5 Holroyd Local Environmental Plan 2013

The following tables provide an assessment of the proposed development against the relevant provisions of the Holroyd Local Environmental Plan 2013 (HLEP2013).

#### Part 1 - Preliminary – Clause 1.2 Aims of Plan

Clause 1.2 outlines the aims of the HLEP2013 and provides planning comments.

Aim	Comment
(1) This Plan aims to make local environmental planning provisions for land in Holroyd in accordance with the relevant standard environmental planning instrument under section 33A of the Act.	Noted.
(2) The particular aims of this Plan are as follows:	
(a) to create a clear framework for sustainable land use and development in Holroyd,	Noted.
(b) to provide for a range of land uses and development in appropriate locations to meet community needs, including housing, education, employment, recreation, infrastructure and services,	It is considered that the proposed residential flat building development contributes to aim of providing a range of land uses in a location that is appropriately zoned for the purpose of high density residential housing.
(c) to promote ecologically sustainable development by facilitating economic prosperity, fostering social well-being and ensuring the conservation of the natural environment,	The residential flat building development will provide a mixture of 1, 2 & 3 bedroom dwellings including adaptable dwellings of various sizes and floor plans in order to provide a range of housing types.
(d) to concentrate intensive land uses, increased housing density and trip-generating activities in close proximity to centres and major public transport nodes in order to retain the low-density character of other areas	<p>The proposed residential flat building development will provide one hundred and ninety eight (198) modern apartments</p> <p>It is noted that the subject development site has been specifically zoned under the provisions of HLEP2013 to R4 – High Density. Accordingly it is considered that the site is appropriate for an intensive high density land use.</p>

Aim	Comment
	<p>Having regard to the above it is noted that the development is also located in an accessible area with good links to public transport including local bus services along Station Street and Dunmore Street and train services from Wentworthville Station.</p> <p>It is also highlighted that through the recent change in zoning of the subject site and its surrounds that Council envisages further growth and change to the overall density character within this area of Wentworthville</p>
(e) to promote the efficient and equitable provision of public services, infrastructure and amenities	Public infrastructure, amenity and services will be appropriately available for occupants of the proposed development.
<p>(f) to protect the environmental and cultural heritage of Holroyd including:</p> <p>(i) identifying, conserving and promoting cultural heritage as a significant feature of Holroyd's landscape and built form as a key element of its identity, and</p> <p>(ii) effectively managing the natural environment (including remnant bushland and natural watercourses) to ensure its long-term conservation.</p>	<p>Surrounding environmental heritage items have been identified as assessed as part of the application and are further detailed within the Heritage Impact Statement submitted.</p> <p>The management of the natural environment has been considered throughout the design process to ensure minimal impact is sustained.</p>

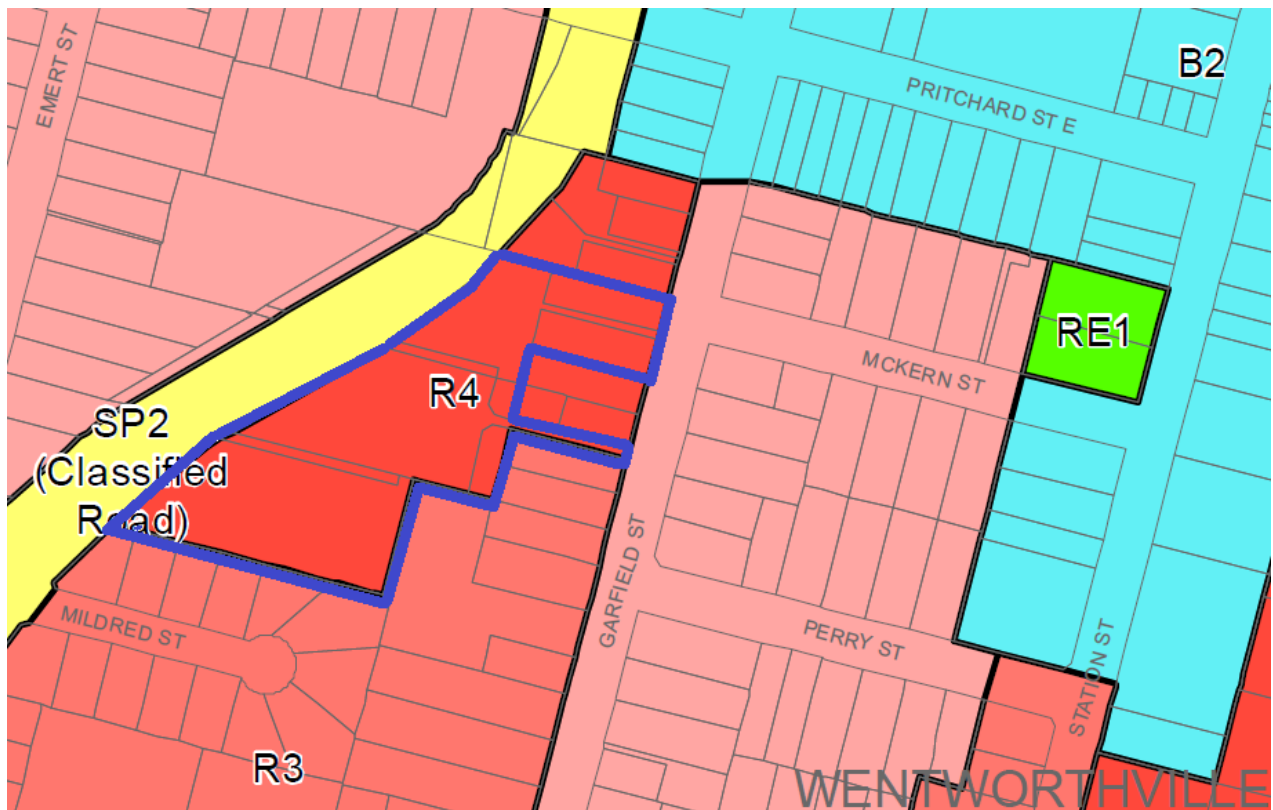
## Part 2 - Permitted or prohibited development

Part 2 Land Use Table of the HLEP2013 outlines those forms of development which are permitted without consent, permitted with consent and those forms of development which are prohibited in the various land use zones under the HLEP2013. As demonstrated in **Figure 8** below, the subject site is located within the R4 High Density Residential Zone. Within this zone, development for the purposes of 'Residential flat buildings' is identified as being permitted with consent. 'Residential flat buildings' are defined within the Dictionary of the HLEP2013 as follows:

***"residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing."***

Given the proposed development is to include 198 dwellings within three buildings, the proposed development is considered to constitute development for the purposes of a 'Residential flat building' and as such is permissible in the R4 zoning of the site.





**Figure 8 - HLEP2013 Zone Map Extract – Zone R4 – High Density Residential**  
Source: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

The following outlines each of the objectives of the R4 High Density Residential zone and demonstrates how the proposed development responds to each of these objectives.

*To provide for the housing needs of the community within a high density residential environment.*

The proposed development will replace the former Wentworthville Leagues Bowling Club with three modern and well-designed residential flat buildings containing one hundred and ninety eight (198) residential units. The development will be located in a highly accessible location between the Wentworthville town centre and the Great Western Highway where appropriate facilities are available in terms of retail, business, entertainment and community uses that serve the needs of people who will occupy the development. Additionally, the development is well located to provide access to a range of public transport services including the main western rail line and local/regional bus routes as well as major roads for private vehicle use.

*To provide a variety of housing types within a high density residential environment.*

The proposed development will provide a variety of housing types within a high density residential environment in the form of three (3) residential flat buildings. The building will consist of a mix of one (1), two (2) & three (3) bedroom units which will also include thirty (30) adaptable dwellings. It is considered that the development will present a high level of residential amenity and environmental efficiency in addition to providing a variety of housing choice. As noted above, the site is well located being between the Wentworthville town centre and the Great Western Highway with good access to major roads with good access for private vehicles as well as to public transport services.

*To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Despite not providing additional facilities or services on site, the proposal is well located between the Wentworthville town centre and the Great Western Highway. Accordingly, appropriate facilities in the way of retail, business, entertainment and community uses are available within close proximity which will serve the needs of future residents of the development. Additionally, as identified the accompanying Comprehensive Social Impact Assessment (CSIA), the site is well positioned to take advantage of the multiple forms of public transport services that exist in close proximity to the site including Wentworthville station as well as a number of bus routes.

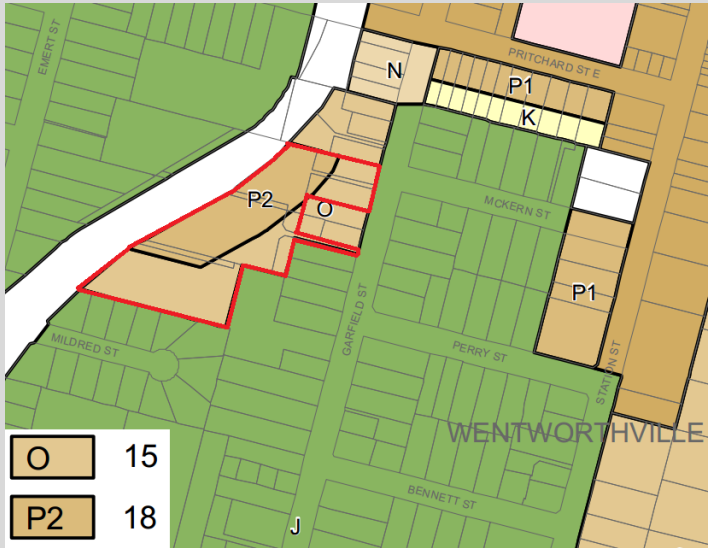
Part 2 of the HLEP2013 also contains general controls relating to demolition that is applicable to the proposed development. The table below lists this general control.

Clause	Standard	Proposed	Complies
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	The demolition of the existing buildings and associated structures are included as part of the development application.	Yes

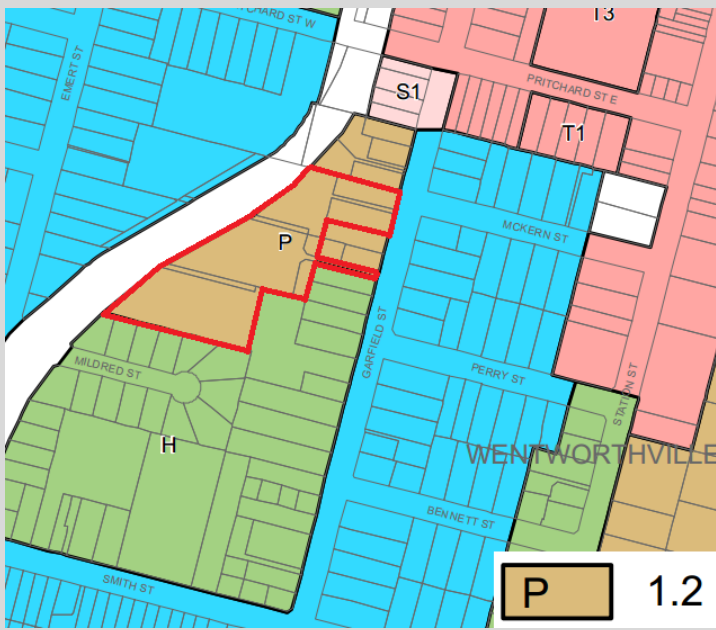
Part 4 of the HLEP2013 contains principal development standards that are applicable to the proposed development. The table below lists and assesses the relevant principal development standards.

Holroyd Local Environmental Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance
Part 4 Principal development standards				
4.1 Minimum subdivision lot size	<p>(2) This clause applies to a subdivision of any land shown on the <u>Lot Size Map</u> that requires development consent and that is carried out after the commencement of this Plan.</p> <p>(3) 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 <u>Lot Size Map</u> in relation to that land.</p> <p>(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.</p>	<p>No subdivision to take place as part of proposed development.</p> <p>Accordingly, this clause does not apply in this instance.</p>	N/A	
4.3 Height of	(2) The height of a building on any land is not to exceed the	<b>Building A</b> 15m control – 14.9m	Complies	N/A

## Holroyd Local Environmental Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance
Buildings	maximum height shown for the land on the Height of Buildings Map.  P2 – 18m  O – 15m			
	Part 18m and Part 15m	<b>Building B</b> 18m Control – 17.7m  15m control – 15.38m	Section of building subject to 15m control does not comply	An application to vary the building height has been prepared pursuant to Clause 4.6 of the HELP 2013 has been prepared.
	Part 18m and Part 15m height limit	<b>Building C</b> 18m Control – 21.55m  15m Control – 14.5	Building C does not comply with prescribed height limits of 18m	An application to vary the building height has been prepared pursuant to Clause 4.6 of the HELP 2013 has been prepared.
 <p><b>Holroyd LEP 2013 – Building Heights Map – Source: Holroyd Council</b></p>				
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	Site Area: 13,233m <sup>2</sup>  GFA: 15,876.5m <sup>2</sup>  FSR : 1.2:1	Yes	

## Holroyd Local Environmental Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance
	 <p><b>Holroyd LEP 2013 – Floor Space Ratio Map – Source: Holroyd Council</b></p>			

## Part 5 - Miscellaneous provisions

Part 5 of the HLEP2013 outlines miscellaneous provisions that are applicable to the proposed development. The table below lists these controls.

Part 5 Miscellaneous Provisions				
5.10 Heritage Conservation	(2) Requirement for consent Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area,	No demolishing or moving and heritage item, aboriginal object or any building work, relic or tree within a heritage conservation area	Yes	

## Part 5 Miscellaneous Provisions

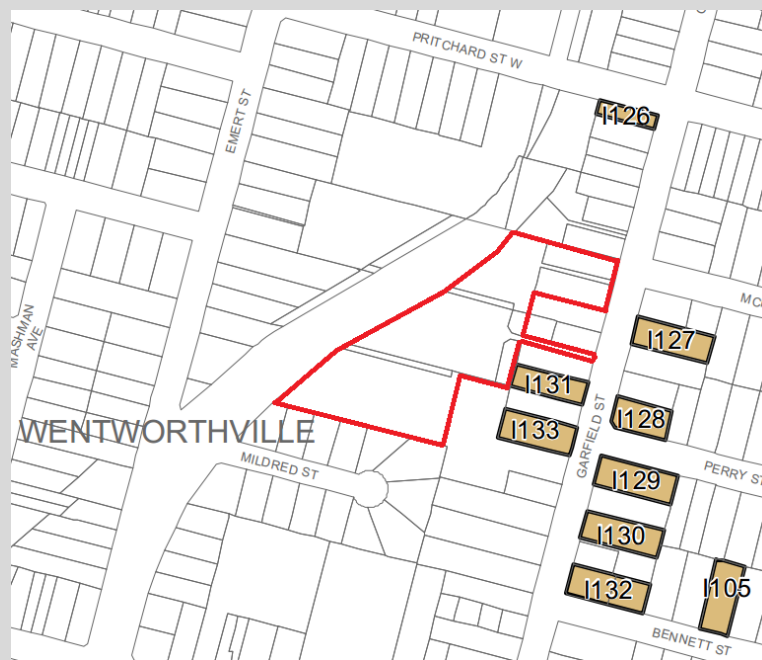
	(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,	No alteration of any heritage item proposed	Yes	
	(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,	Subject site is not identified as an archaeological site	N/A	
	(d) disturbing or excavating an Aboriginal place of heritage significance,	Site is not identified as an Aboriginal place of heritage significance	N/A	
	(e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,	Subject site is not on land where a heritage item is located or within a heritage conservation area or Aboriginal place of heritage significance.	N/A	
	(f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	No subdivision of land proposed	N/A	



## Part 5 Miscellaneous Provisions

	<p>(5) Heritage Assessment The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p>			
	<p>(b) on land that is within a heritage conservation area, or</p>	<p>The subject site is not located within a Heritage Conservation Area</p>		
	<p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The subject site is located in close proximity to two locally significant heritage Items</p> <p><b>I133</b> known as 45 Garfield Street which has been listed as being an Federation period residence.</p> <p><b>I131</b> known as 41 Garfield Street which has been listed as an Inter-war cottage/</p> <p>Heritage Assessment has been undertaken</p>	<p>HIS has been submitted</p>	

## Part 5 Miscellaneous Provisions



**Holroyd LEP 2013 – Heritage Map – Source: Holroyd Council**

## Part 6 Additional local provisions

Part 6 of the HLEP2012 outlines a general control relating to earthworks that is applicable to the proposed development. The table below lists this additional provision.

### Part 6 Additional Local Provisions

6.4 Flood Planning	<p>(2) This clause applies to land at or below the flood planning level.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) will not significantly</p>	<p>The proposed development is located on land at or below the flood planning level. Refer to Stormwater Plans submitted.</p>	Yes	<p>The proposed development incorporates OSD to appropriately manage and mitigate any impacts from flooding. Refer to submitted Stormwater Plans</p>
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## Part 6 Additional Local Provisions

	<p>adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding</p> <p>(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.</p> <p>(5) In this clause, flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard.</p>			
6.8 Salinity	<p>(2) This clause applies to land identified as “Known Salinity”, “High Salinity Potential” or “Moderate Salinity Potential” on the Salinity Map.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p>	The site is identified on the salinity map as having “Moderate Salinity Potential”	Yes	<p>Refer to Targeted Environmental Site Assessment</p> <p>Site Inspection &amp; Preliminary Assessment</p> <p>Sepp 55 &amp; Soil Quality Assessment</p> <p>Geotechnical Indications</p> <p>Prepared by</p> <p>N G Child &amp; Associates</p>

## Part 6 Additional Local Provisions

<p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>			
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## Part 6 Additional Local Provisions



**Holroyd LEP 2013 – Salinity Map** – Source: Holroyd Council



### 5.1.6 Holroyd Development Control Plan 2013

#### Aims of the Holroyd Development Control Plan 2013

The general aims for the Holroyd Development Control Plan 2013 (HDCP2013) identified in the introduction to the Development Control Plan are as follows:

- To provide detailed development controls to supplement the provisions of Holroyd Local Environmental Plan 2013.
- To provide direction for the manner in which development may be carried out in the City of Holroyd.
- To ensure that the natural environment of the City of Holroyd is protected and enhanced throughout all stages of development works.
- To promote economically, socially and environmentally sustainable development within the City of Holroyd.
- To protect and enhance the amenity of the City of Holroyd.
- To require a appropriate standard of urban design for all development.
- To ensure that development is designed to avoid, minimise and manage potential environmental risks.
- To create development that will enhance the City of Holroyd as a great place to live and work.
- To provide an appropriate opportunity for the public to participate in the development process.

The proposal considered to be consistent with the aims of the HDCP2013 given that it is generally compliant with the relevant provisions applying to the development, as detailed within the SEE. Where there is a variation to a requirement is proposed, a suitable justification has been provided including a demonstration of how the proposal is consistent with the aims and objectives of the provision.

#### ***Part A - General Controls***

Part A of the HDCP2013 provides guidelines in relation to general site and environmental planning. The proposed development is considered to be consistent with these guidelines. A holistic site investigation has been undertaken for the proposed development including a comprehensive site plan and a range of expert consultant reports including an Acoustic Assessment, Geotechnical and Contamination Assessment, Traffic and Parking Assessment, BASIX Certificate, Quantity Surveyor Report, Arboricultural Assessment, Heritage Assessment, Landscape Plans, Stormwater Plans, Waste Management Assessment and Site Survey Plan.

The relevant sections of Part A are discussed below.

#### ***Section 3 – Car Parking***

Section 3 of Part A of Holroyd DCP 2013 provides the rates of provision of car parking for all development within the Holroyd LGA. In addition this section also details specific design controls and guidelines for car parking. As noted in the supporting documentation above, a DA Traffic and Parking Assessment has been prepared and accompanies this application. The report assesses the traffic impacts of the proposal and

also demonstrates compliance with the requirements of the HDCP 2013. A brief analysis of the parking rates required for the proposed residential flat building notes the following rates of provision

Parking Calculations				
Number of Units	1B	2B	3B	Total
Total (A)	2	117	79	198
Minimum Car Spaces Required	0.8	1	1.2	
Total Required	1.6	117	94.8	213.4
Required Visitors Parking				
0.2 Visitor Parking Spaces / Dwelling				39.6
Total Parking Required				253
Proposed Parking Provision				
Proposed Resident Car Parking				217
Proposed Visitors Car Parking				40
Total Spaces				257

**Figure 9** Parking Provision Breakdown.

As detailed in the above Table, the proposed development complies with the parking rates for residential flat buildings provided in the HDCP2013. It is also noted that Traffic and Parking has also been assessed in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

#### **Section 4 – Tree and Landscape Works**

Section 4 of Part A of Holroyd DCP 2013 provides the controls for Tree and Landscape Works within the Holroyd LGA. As noted in the supporting documentation above Preliminary Tree Assessment undertaken by Monaco Designs P/L in addition to Landscape Design plans have been prepared and accompanies this application. Reference should be made to this specialist tree assessment for a detailed assessment of the trees on site. It is considered that the proposed development satisfies the requirements of these controls in addition to demonstrating compliance with the specific controls for Landscaping and Open Space in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

#### **Section 5 - Biodiversity**

Section 5 of Part A of Holroyd DCP 2013 provides the controls for Biodiversity within the Holroyd LGA. As previously noted the subject site includes some vegetation which has been detailed in the Preliminary Tree Assessment undertaken by Monaco Designs P/L. Reference should be made to this specialist tree assessment for a detailed assessment of vegetation on site. It is considered that the proposed development satisfies the requirements of these controls in addition to demonstrating compliance with the specific controls for Landscaping and Open Space in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

#### **Section 6 - Stormwater Management - Section 8 – Flood Prone Land**

Sections 6 and 7 of Part A of Holroyd DCP 2013 provides the controls for Stormwater Managements and Flood Prone Land within the Holroyd LGA. As noted in the supporting documentation above Concept Grading, Stormwater Management and Flooding Plans have been prepared and accompanies this

application. In addition, in response to a request for additional information by Council, these plans were revised to address matters raised by Council's Stormwater Engineers. Further to the revised plans, a Supplementary Flood Advice report has also been prepared by Martens Consulting Engineers, dated May 2015. It is considered that the proposed development satisfies the requirements of these controls in addition to demonstrating compliance with the specific controls for Stormwater and Flood Management in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

### **Section 9 Safety and Security**

Section 9 of Part A of Holroyd DCP 2013 provides the controls for Safety and Security within the Holroyd LGA. The submitted SEPP 65 Design Verification Statement states the following in relation to safety and security.

*“Proposed orientation of the building, outlooks and provision of balconies provide natural passive surveillance opportunities of the public domain and common open spaces. Appropriate security arrangements are incorporated at pedestrian entry points. The development provides secure parking for residents, as well as central foyers clearly visible from walkways. All apartments have lifts which means that with a keyed system, there is a high degree of Security is available.*

*All pedestrian areas are designed to provide clear sight lines and minimise potential for obscure places for potential attacks. Obscured areas and alcoves have been avoided in the design of the public domain spaces, and all lobbies are wide and brightly lit. All landscaped spaces and pedestrian boulevards within the site will be well lit, and designed to maximise personal security, and a camera surveillance system forms a feature of the design.”*

It is considered that the proposed development satisfies the requirements of these controls in addition to demonstrating compliance with the specific controls for Safety and Security in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

### **Section 11 Waste Management**

Section 11 of Part A of Holroyd DCP 2013 provides the controls for Waste Management within the Holroyd LGA. A detailed Waste Management Plan has been prepared in accordance with Council requirements and is submitted with this application. It is considered that the proposed development satisfies the requirements of these waste management controls, in addition to demonstrating compliance with the specific controls for Waste Management in the following compliance tables for Part B – General Residential Controls, and Part B Section 6 – Residential Flat Buildings.

### **Part B – 1. General Residential Controls**

Part B Section 1 of the HDCP2013 provides general controls for all types of residential development within the City of Holroyd. The proposed development is considered to be generally consistent with the controls contained within this section however where a variation to a requirement is proposed, a suitable justification has been provided including a demonstration of how the proposal is consistent with the aims and objectives of the provision. The compliance table below lists each relevant control contained within the abovementioned section of the HDCP2013, statement of compliance as well as justification required for any non-compliance.

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
<b>1.1 Building Materials</b>	C1. Building materials for new residential development and for additions to existing residential development must be compatible with the streetscape and character of its locality.	The proposed building materials have been selected to reduce the building's overall impact on the streetscape along Garfield Street.  A design quality statement pursuant to SEPP 65 has been submitted which verifies the quality of the design of the Residential Flat Building in relation to its surrounding context	Yes	
	C2. Building materials and colours used for additions should integrate/blend with the original structure. This may require the upgrading of the materials of the original structure in order to enable quality additions.	Proposal not for additions.	N/A	
	C3. The use of light coloured galvanised iron and other reflective materials is discouraged due to its ability to cause glare. If these materials are proposed, applicants are required to demonstrate to Council that the materials will not adversely affect residents' enjoyment of their neighbourhood.	It is proposed to utilise the same colours and finishes to each of the proposed residential flat buildings. No light coloured metals and/or reflective metallic surfaces are proposed. Refer to schedule of finishes within the accompanying architectural drawings for further details.	Yes	
	C4. Use of black roof tiles within residential developments is not permitted. Note: • Building materials should be durable and cost effective. • A schedule of colours and finishes	Black roof tiles are proposed.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	for proposed residential dwellings shall be provided as part of a development application.			
<b>1.2 Fences</b>	C1. Proposed fencing styles and characteristics shall be associated with housing styles that characterise different areas of Holroyd.	All fencing to comply with the requirements of Holroyd Development Control Plan 2013.	To comply	
	C2. The design of fences should relate to and be integrated with the design of the residential development.	Refer above	To comply	
	C3. Fencing must not contain barbed wire, chain wire, razor wire, broken glass or be electrified	Refer above	To comply	
	C4. Where fences are required to accommodate overland flow paths, they must be provided with ground clearances or hinged gates	Refer above	To comply	
	C5. Fences should be stepped with the topography of the site.	Refer above	To comply	
	C6. All fencing is to be constructed so that it does not prevent or impede the natural flow of stormwater drainage and/or surface flows. Note: • Proponents are advised to talk to all adjoining neighbours at an early stage and consult the Dividing Fences Act 1991. Matters and disputes regarding boundary fencing are not within Councils jurisdiction of compliance. • Proposed fencing for heritage items shall comply with Part H of this DCP. • Detailed flood construction development controls are within Part A of this DCP.	Refer above	To comply	



## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	Front Fences	Refer above	To comply	
	C7. Front fences should be low and transparent and shall be sympathetic with the prevailing materials and detailing of surrounding properties.			
	C8. Sheet metal fencing or pool style fencing is not to be used at the street frontage, forward of the building line or in locations that have an interface with the public domain.	Refer above	To comply	
	C9. The articulation and/or detailing of front fences through material variation, pillar and post design and use of transparency are encouraged in front fences to provide visual interest.	Refer above	To comply	
	C10. Front fences are to be no higher than 1.5 metres above existing ground level, between the building line and the street. Support posts are permitted to extend to 1.8 metres (Figure 1).	Refer above	To comply	
	C11. Front fences are permitted to be solid up to a height of 1 metre and are to be at least 50% transparent to 1.5metres.	Refer above	To comply	
	C12. Council will accept the use of planting or planter boxes within a front fence design.	Refer above	To comply	
	C13. Where noise attenuation or protection of amenity requires a higher fence, front fences are permitted to a maximum height of 1.8 metres with appropriate integration with landscaping (Figure 2). Such fences are permitted on the following roads:	Refer above	To comply	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	<ul style="list-style-type: none"> <li>• Cumberland Highway</li> <li>• Great Western Highway</li> </ul> <p>Note: Variations to the front fence standards may be considered in high traffic or noise areas where it can be demonstrated that use of suitable building materials and internal layout will not reduce the noise to a satisfactory level. An acoustic report carried out by a suitably qualified acoustical engineer will be required to be submitted in such cases.</p>			
	C14. Gates located on the front fence shall be of materials that are consistent with the front fence and shall not open onto a roadway or public space.	Refer above	To comply	
	C15. Continuous blank walls shall be avoided. Side and Rear Fences.	Refer above	To comply	
	C16. Council requires the construction of side and rear fences for developments, where a suitable fence does not exist, or the current fence in the opinion of Council, is in poor condition. For Multi dwelling and Residential Flat developments, Council requires the construction of new side and rear fencing.	It is considered that new boundary fencing will be provided in accordance with the requirements of HDCP 2013. Fencing details to be provided prior to issue of a construction certificate.	To comply	
	C17. Side and rear fencing for residential development should be a minimum height of 1.5 metres and a maximum height of 2.1 metres above existing ground level, as agreed with adjoining property owner/s.	Refer above	To comply	
	C18. Side fences forward of the front building line are to be no higher than 1.5 metres. (Figure 3).	Refer above	To comply	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C19. In situations where the boundary fence is proposed on top of a retaining wall, the height of the fence shall not exceed a maximum of 2.4 metres as measured from the lower adjacent ground level.	Refer above	To comply	
	C20. Rear and side private open space areas shall be enclosed by a fence with a minimum height of 1.8 metres or as otherwise agreed with the adjoining owners.	Refer above	To comply	
	<b>Corner lot and Secondary Street Fences</b>  C21. Sheet metal fencing (i.e. colorbond) is not permitted for corner lot and secondary street fencing.	Refer above	To comply	
	C22. Side fences located forward of the front façade are to be a maximum height of 1.5 metres.	Refer above	To comply	
	C23. Fencing shall be constructed of durable materials and may include opportunities for planting or planter boxes to be incorporated within the fence design.	Refer above	To comply	
	C24. For corner sites, the maximum construction height for walls, fences and landscaping must be 900mm at the street corner of the allotment in an area measuring 1.5 metres x 1.5 metres from the corner. This will assist sight lines for pedestrian and vehicular movements.	Refer above	To comply	
	<b>Swimming Pool Fencing</b>  C25. Swimming pool fencing must comply with the Swimming Pools	Proposed development does not include a	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	Act 1992 and Australian Standard 1926. Note: Further detailed controls for swimming pool and spa pool fencing are contained within Section 2.8 of this Part.	swimming pool		
	<b>On Site Detention System Fencing</b> C26. The fencing of On Site Detention basins (OSD) in front setbacks is not permitted.	Below ground OSD is proposed. For OSD details refer to accompanying Stormwater Management and Flooding plans.	N/A	
<b>1.3 Views</b>	C1. Where significant and/or district views are currently enjoyed, or where views may be reasonably created, the design of development shall be designed to minimise the obstruction of such views.	Given the low scale of the surrounding development and the prevailing topography it is unlikely any significant and/or district views are currently enjoyed from adjacent sites. It is considered that the proposed development will create some significant district views from within the three residential flat buildings being proposed.	Yes	
	C2. Where the height and bulk of a development is likely to block a significant and/or district view, amendments to residential development proposals will be required, to retain, at least part of that view. Note: <ul style="list-style-type: none"> <li>• The retention of views, however, should not preclude reasonable development rights.</li> <li>• Building setbacks, gaps between buildings and minimal floor to ceiling heights should be used in order to minimise the obstruction of views.</li> </ul>	As above –the zoning of the subject site has been recently upgraded to accommodate higher densities and building heights. As such it is considered that the proposed development has reasonable development rights to construct a residential flat building development on the subject site.	Yes	
<b>1.4 Privacy</b>	<b>Visual Privacy</b> C1. The windows of dwellings are to be located so they do not provide	Refer SEPP 65 Design Statement. It is noted that the proposed	No	It is considered that given the proposed setbacks and landscape screen planting

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	direct and close views into the windows of habitable rooms and private open spaces of adjoining dwellings.	development is setback between 6-9m. Some windows of the apartments are orientated towards adjacent dwellings		the impacts on the visual privacy of adjoining dwellings has been effectively mitigated.
	C2. With the exception of residential flat buildings, Window sills of upper floor habitable rooms (excluding bedrooms) shall have a minimum height of 1500mm.	N/A	N/A	
	<p>C3. Window sills shall have a maximum height of 1500mm are required in ground floor living areas located higher than 1 metre above existing ground level and within 6 metres of the property boundary.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• The placing of windows shall be based on the detailed site analysis prepared for the development proposal.</li> <li>• The use of windows which are narrow, translucent or obscured for upper floors and bathrooms is recommended.</li> <li>• Further design controls for screening residential flat buildings are contained in section 6 of this Part.</li> </ul>	N/A	N/A	
	C4. Building design elements shall be used to increase visual privacy. Elements include: recessed balconies and/or vertical screens or fins between adjacent balconies, fencing, vegetation, louvres and pergolas which limit overlooking both horizontally and vertically to habitable rooms and/or private open space (Figure 4).	Refer to accompanying SEPP 65 Design Quality Statement, Site Analysis and Privacy and View Analysis Plans. It is considered that appropriate privacy measures have been implemented into the development to reduce	Yes	



## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		<p>overlooking to adjoining private open spaces within the development from balconies.</p> <p>As noted above boundary screen planting and use of appropriate building setbacks will mitigate privacy impacts on adjacent residential dwellings.</p>		
	C5. Where a proposed deck overlooks outdoor living areas of adjacent dwellings, suitable screening is to be provided, at a minimum height of 1500mm.	Refer above	Yes	
	C6. Landscaping shall be designed to provide screening and filtering for control of privacy and to reduce overlooking of dwellings.	Refer above	Yes	
	<p>C7. Attics are only permitted in dwellings where attics are located to face the street, directly face another element of the public domain such as a park, face onto an internal roadway within a development (i.e. multi dwelling housing development) or face onto a laneway and do not impact neighbouring properties.</p> <p>C8. Any proposed attic windows are not to overlook windows of adjacent dwellings or their private open spaces. An outlook to the street should be provided from attic windows where appropriate (Figure 5).</p>	No attics proposed as part of development	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C9. Where a dormer window is proposed to face an internal roadway, sill heights are to be 1500mm high.	No dormer windows proposed.	N/A	
	<b>Acoustic Privacy- General</b> Note: All development shall comply with the requirements of the Building Code of Australia (BCA) which deal with noise transmission. C10. Developments shall utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.	Refer to accompanying SEPP 65 Design Quality Statement and accompanying Acoustic Assessment which details specific acoustic design measures to be incorporated into the proposed development.  It is considered that adequate building separations have been provided within the development and to neighbouring buildings.	Yes	
	C11. Where a property is adjacent to a railway or arterial road, an acoustic report conducted by a suitably qualified acoustic consultant is required to be submitted to Council. The acoustic report shall provide measurements of noise impacts upon proposed dwellings and make specific recommendations for the attenuation of noise to currently recognised levels conducive to reasonable residential amenity. Compliance with the maximum design sound levels recommended by the relevant Australian Standard. Recommended design sound levels and reverberation times for building interiors, as follows:  • Recreation areas- 40dB(A)	The subject site is located adjacent to an arterial road, 'The Cumberland Highway.' In accordance with the requirements of the ISEPP 2007, an Acoustic Assessment has been prepared to accompany this development application.  Refer to Acoustic Assessment and Section 5.9 of this report for specific noise attenuation measures recommended for the subject development.  The Acoustic Assessment states compliance with	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	<ul style="list-style-type: none"> <li>Sleeping areas- 35dB(A)</li> <li>Other habitable rooms- 40dB(A)</li> </ul> <p>Note: Additional information and/or reports may be required for development adjoining a railway line. Applicants are advised to contact State Rail or the Rail Infrastructure Corporation for further information on their requirements.</p>	the maximum design sound levels recommended by the relevant Australian Standard is achievable subject to the implementation of the recommendations of the report.		
	C12. Where dwellings or dwelling additions are proposed within close proximity to busy roads and rail corridors, entries, halls, storage rooms, bathrooms and laundries should be located on the noise affected side of each dwelling and should be able to be sealed off by doors from living areas and bedrooms where practicable, whilst maintaining good housing design and building appearance.	The proposal is for a residential flat building development, accordingly an Acoustic Assessment which details specific acoustic design measures to be incorporated into the proposed development has been submitted	Yes	
	C13. Where dwellings are proposed within close proximity to busy roads and rail corridors, appropriate materials with acoustic properties should be incorporated such as solid core doors with seal vents and insulation, suitably treated glazing and enclosed balconies.	Refer to Acoustic Assessment and Section 5.9 of this report for specific noise attenuation measures recommended for the subject development.	Yes	
	C14. Communal courtyards and paved areas (e.g. vehicle driveways) shall be designed to minimise reflected noise.	Refer to Acoustic Assessment and Section 5.9 of this report for specific noise attenuation measures recommended for the subject development.	Yes	
	C15. Air conditioners, swimming pool pumps and the like are not to exceed 5dba above background noise levels and should not be	Refer to Acoustic Assessment and Section 5.9 of this report for	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	audible from habitable rooms of neighbouring dwellings. Note: Air conditioners, swimming pool pumps and the like shall comply with the protection of the environment operations act and noise regulation.	specific noise attenuation measures recommended for the subject development. It is noted that the report states that external noise emission criteria acoustic treatments for plant services will be determined at Construction Certificate stage		
	<b>Acoustic privacy- Multi dwelling housing and Residential flat buildings</b> C16. Terraces, townhouses, villas and apartments shall be arranged within a development to minimise noise transition between dwellings by: <ul style="list-style-type: none"> <li>• Locating busy, noisy areas next to each other and quieter areas next to other quiet areas (i.e. living rooms with living rooms, bedrooms with bedrooms).</li> <li>• Using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas.</li> <li>• Minimising the amount of party (shared) walls with other dwellings/apartments.</li> </ul>	Rooms with similar uses have been located adjoining between units to minimise noise transmission and impact. Additionally, internal layouts have been well considered to buffer noise generated within the development. Party walls have been minimised with generally only one common wall between units.	Yes	
	C17. Internal apartment layout shall be designed to separate noisier spaces from quieter spaces by grouping uses within an apartment (i.e. bedrooms with bedrooms and service areas like kitchen, bathroom, and laundries together).	Internal layouts have been well considered to reduce noise between quiet and noisier spaces.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C18. Conflicts between noise, outlook and views shall be resolved by using design measures including: <ul style="list-style-type: none"> <li>• Double glazing;</li> <li>• Operable screened balconies;</li> <li>• Continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.</li> </ul>	Refer to acoustic assessment report for specific acoustic design measures to be incorporated into the subject development.	Yes	
	C19. Balconies are permitted along side boundaries of residential flat buildings, as long as they meet the minimum separation distances as required in this DCP.	Balconies are provided along the side boundaries of each residential flat building being proposed It is noted that the minimum separation distances are generally met within the development.	Yes	
	C20. Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	Refer to accompanying acoustic assessment report.	Yes	
	C21. The maximum amount of planting and grassed areas should be provided around the dwelling where a large amount of hard paving is necessary in connection with driveways, turning or parking areas, such should, if practicable, be broken up by planting and grassing.	Significant levels of landscaping have been implemented across the site, hard paved areas have been kept to a minimum. Refer to accompanying landscape area plan.	Yes	
	C22. Developments shall be designed to locate driveways, carports or garages away from bedrooms.	Basement car parking provided on site, the driveway access is provided from Garfield St between Buildings C and B. Where possible bedrooms have been located away from the main access driveway.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
<b>1.5 Landscaping and Open Space</b>	C1. Landscaped area shall be a minimum of 2 metres wide and is to be, where possible, at ground level.	All areas included in the calculated landscaped area provided on the site have a minimum width of 2m. Refer to accompanying landscape area plan.	Yes	
	C2. Compliance with landscaped area controls in this section shall not be compromised through the erection of a secondary dwelling (granny flat).	The proposal development is for a residential flat building.	N/A	
	C3. No more than 50% of the provided landscaped area shall be forward of the front building line.	Less than 50% of landscaped area forward of the building line fronting Garfield St. Majority of the landscape area provided on site is communal open space located between the proposed buildings and within site boundary setback zones. Refer to accompanying landscape area plan and Communal Open Space Plan.	Yes	
	C4. The majority of the provided landscape area for residential flat developments shall be provided as consolidated area at the rear of the building.	Given the shape and size of the subject site, landscape area has been provided according to the submitted landscape plans which shows landscaping inter-dispersed between and around the three proposed residential flat buildings.	No	This non-compliance is considered justifiable given the shape of the consolidated site and the provision of three (3) residential flat buildings with no established "rear of building". Landscape area is provided between the buildings and within the setback zones in the form of both private courtyards and communal



## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		Refer to accompanying landscape area plan and Communal Open Space Plan.		open space.  In addition to above it is also noted that the proposed development provides more than the required amount of landscaped area 47% and communal open space 36%.
	C5. Only hard paved areas for the purposes of driveways and pathways will be permitted within the front setback area, and shall be kept to a minimum. Hard paved areas shall not cover the entire front setback area.	The front setback of building C fronting Garfield Street is predominantly deep soil landscaping.	Yes	
	C6. Where an access driveway is located on the side boundary or where an internal roadway is to be provided, a landscape strip of 1 metre shall be provided.	A landscape strip has been provided between the proposed access driveway and the adjacent allotment at 35 Garfield Street.	Yes	
	C7. Landscape areas, at least in part, shall adjoin the landscape areas of neighbouring properties, so as to provide for contiguous area of deep soil and vegetation.	Landscaping has been provided adjacent to the landscape areas of neighbouring properties.	Yes	
	C8. All developments should address and align landscaped area with any public open space and/ or bushland on their boundary.	The subject site does not adjoin public open or bushland.	N/A	
	C9. All podium areas and communal open space areas, which are planted, should be provided with a water efficient irrigation system.	An irrigation system is proposed to all landscape areas on the site (refer to accompanying landscape plans). It is considered that the energy efficiency of this system be conditioned in any	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		consent for the proposed development.		
	<b>Landscaped area</b> C10. The % of the total site area to be provided as landscape area for each residential development type shall be as follows: <ul style="list-style-type: none"> <li>• 30%-Residential Flat Buildings.</li> </ul>	The landscape plans show a total landscaped area of 6272.3m <sup>2</sup> which equates to 47% of the total site area.	Yes	
<b>Private Open Space</b>	C11. Private open space shall: <ul style="list-style-type: none"> <li>• Only be located at the rear or side of the dwelling</li> <li>• Be at located ground level.</li> </ul> Structures such as decks proposed to be included as private open spaces, which are equal to or less than 500mm above ground level dwelling, and complies with all other criteria, may be considered by Council based upon their merits. <ul style="list-style-type: none"> <li>• Minimise overlooking opportunities and shall not decrease the visual privacy of neighbouring development.</li> <li>• Accommodate both passive and active recreation uses.</li> <li>• Must be directly accessible from a main living area of the dwelling (i.e. lounge/dining/rumpus room).</li> <li>• Provided for the exclusive use of the occupant(s) of the dwelling house;</li> <li>• Include an area for external clothes drying with good solar access where possible, which is not visible from a public area.</li> <li>• Shall not be steeper than a 1:8 gradient. For steeply sloping sites, Council may consider terrace type stepping, which must have a length to width ratio no greater than 3:1.</li> </ul>	Private open spaces are considered to be appropriately positioned, sized and designed given the development proposal for a residential Flat Building.  Appropriate building separation distances have been maintained within the development and to adjacent dwellings to minimise potential overlooking opportunities.  In addition privacy shutters and landscaped screening has been provided to increase privacy within the development and to neighbouring dwellings.  Refer privacy and view analysis plan for further detail.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C12. Rear private open space areas are to have external access either through an associated garage or directly from a common area in order to facilitate maintenance of the private open space and storage of garbage bins.	Not applicable due to proposed development being for the purposed of a Residential Flat Building.	N/A	
	C13. Private open space shall be provided at ground level in a single tract with a minimum dimension of not less than 3.0 metres.	Not applicable due to proposed development being for the purposed of a Residential Flat Building.	N/A	
	C14. Principal private open space shall have a minimum dimension of 4 metres, have direct access from a major living area of the dwelling and be clear of all structures, including posts.	Not applicable due to proposed development being for the purposed of a Residential Flat Building.	N/A	
	C15. 15% of the total site area is to be provided as private open space for dwelling house, dual occupancy and attached housing developments and this shall include a principal area of 25m <sup>2</sup> .	Not applicable due to proposed development being for the purposed of a Residential Flat Building.	N/A	
	C16. Private open space at a rate of 20% of the total floor area shall be provided for each dwelling within a multi dwelling housing development and this shall include the principal area of 16m <sup>2</sup>	Not applicable due to proposed development being for the purposed of a Residential Flat Building.	N/A	
<b>1.6 Safety and Security</b>	Surveillance C1. The front door of a development should either be visible from the street or internal roadway, or overlooked by a window, and should be clearly visible from the driveway.	Building entries are considered to be open and allow for casual surveillance.	Yes	
	C2. Blank walls along street frontages are prohibited.	No blank walls to street frontages are proposed.	Yes	
	C3. Landscaping that may allow would-be intruders to hide shall be	Landscaping to be designed to reduce any	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	avoided.	potential hiding spaces. The majority of screening vegetation will be provided along the site boundaries.		
	C4. The use sensor lights to detect movement at night whilst saving on lighting costs is encouraged	Not considered appropriate for a residential flat building development. All common areas of the development will be appropriately lit	N/A	
	<b>Access Control</b> C5. Council encourages the use of the following measures to control access to and from residential properties: <ul style="list-style-type: none"> <li>• Viewers/peepholes and chains on the entry door in order to monitor visitors and increase the feeling of security.</li> <li>• Fences (side access).</li> <li>• Solid-core exterior doors.</li> <li>• Solid door frames with proper strike plates.</li> <li>• Install quality locks on doors and external windows.</li> <li>• Consider a monitored alarm system, and</li> <li>• Ensure side and/or rear access way gates are lockable.</li> </ul>	Appropriate security arrangements are incorporated at pedestrian entry points. The development provides secure parking for residents, as well as central foyers clearly visible from walkways. All apartments have lifts which means that with a keyed system, there is a high degree of Security is available.	Yes	
	<b>Ownership</b> C6. Each property shall be clearly identified by street number, which is visible from a car on the street.	Noted to comply - clearly visible street number to be fitted.	Yes	
	C7. Property lines and private areas should be defined through building materials, fencing and landscaping. Note: Additional ownership controls for Residential Flat Buildings can be found in section 6 of this Part.	Appropriate building and landscape elements to be provided to clearly define public and private spaces.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
<b>1.7 Building and Site Sustainability</b>	<p>C1. Residential building designs should incorporate the following design principles for achieving a more sustainable home:</p> <ul style="list-style-type: none"> <li>• Effective building Orientation- attempt to take advantage of northerly aspects, where possible.</li> <li>• Energy efficient building materials should be used</li> <li>• Design to allow for cross ventilation- through window size, placement and ventilation.</li> <li>• Create sustainable landscaping - deciduous trees on north side of dwelling and the planting of vegetable gardens.</li> <li>• Window Protection- through external shading devices.</li> <li>• Draughtproofing and weathersealing- to prevent potential air leaks.</li> <li>• Effective use of natural light- dwellings should be designed so that artificial lighting is not needed during the day.</li> </ul>	<ul style="list-style-type: none"> <li>• Buildings are oriented North, with excellent cross ventilation strategies employed throughout the development.</li> <li>• Elevation treatment to Northern facades have large windows for penetration of light and solar access but featuring deep balconies projecting North to provide solar protection in summer months.</li> <li>• The East and West elevations also have projecting slab edges for sun shading.</li> <li>• The building design reflects a considered and efficient use of natural resources through effective cross ventilation. The building will incorporate other energy and water efficient devices appropriate to specification of the building and awareness of needs. Details are provided in The BASIX Report.</li> <li>• Energy Efficient Design strategies for this development include: Maximising occupants access to daylight, ventilation, sun and views and providing majority cross ventilated units</li> </ul>	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C2. Soft landscaping should be used to promote soil infiltration and reduce stormwater run-off.	Soft landscaping has been incorporated where possible to promote water infiltration. It is noted that the majority of the proposed landscaped area is within the OSD catchment area (refer Civil and Stormwater Plans)	Yes	
	C3. Rain gardens and Water Sensitive Urban Design principles for driveways are encouraged.	Not provided for driveways within this development.	N/A	It is considered appropriate levels of soft landscaping has been provided within the development.
	C4. The design and location of stormwater drainage structures, such as detention and rainwater tanks, is to be integrated with the landscape design and fencing for the site. Above ground structures should not be visually intrusive.	Refer above and to submitted Concept Grading, Stormwater Management And Flooding Plan. Below ground OSD tanks are provided in the south western corner of the proposed development.	Yes	
	C5. On Site Detention (OSD) basins should be adequately landscaped in order to minimise its visual impact and maintain the streetscape character of the area.	Refer above, OSD will be provided below ground.  Refer to Concept Grading, Stormwater Management And Flooding Plan	Yes	
<b>Roof and Surface Water</b>	C6. All roofing shall be provided with adequate gutter and downpipes connected to roof water drainage systems.	It is considered that the proposed roof design of the proposed residential flat buildings will provide adequate guttering and down pipes connected to roof water drainage and rainwater re-use systems	Yes	



## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		(rain water tank).  Refer to Concept Grading, Stormwater Management And Flooding Plan		
<b>Rainwater Tanks</b>	C7. Full details of proposed rainwater tanks shall be submitted with a Development Application for approval. Details are to include (as a minimum): <ul style="list-style-type: none"> <li>• Rainwater tanks shown on all plans, including floor plans and elevations,</li> <li>• the configuration of inlet/outlet pipe and overflow pipe,</li> <li>• the storage capacity, dimensions, structural details and proposed materials, and</li> <li>• the purposes for which the tank is intended to be used, that is for washing machine use, toilet use and outdoor watering use.</li> </ul>	Refer above and to submitted Concept Grading, Stormwater Management And Flooding Plan.  Roof water is to be collected in rainwater harvesting tanks on the site. The rainwater tanks will also be used to supply water for reuse on the site.	N/A	
	C8. Rainwater tanks that are to be connected to toilets and washing machines and for outdoor water use are required (minimum 1 per dwelling) and must be located to the side or rear of the dwelling for single dwelling houses.	Refer above	N/A	
	C9. Rainwater tanks shall not be located within the landscaped area, or reduce the minimum site setback requirements contained within this DCP.	Refer above	N/A	
<b>1.8 Sunlight Access</b>	C1. Residential development shall be designed to have as minimal impact as possible on the sunlight access and amenity obtained by existing adjacent properties and their dwellings.	The submitted shadow diagrams show that the proposed development has been orientated and designed to have as minimal impact as	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		possible on the sunlight access and amenity of adjacent residential buildings.  Solar access and overshadowing impacts of the proposed development are discussed in greater detail at Section 5.4 of this report.		
	C2. Applications for proposed dwellings shall demonstrate design mechanisms provided to ensure sunlight access to the proposed dwellings.	This proposal achieves 3 hours (minimum) solar access to primary living spaces for over 70% of residential units, which is compliant with recommendation of the Residential Flat Design Code (RFDC-70%). Refer plan 'INDIV SHADOW ANALYSIS' + '3D SHADOW ANALYSIS 1 & 2'	Yes	
	C3. On north/south facing allotments, dwellings shall be designed and orientated so that living areas and their major windows and outdoor recreation areas maximise their northern exposure.	The majority of apartments within the three (3) proposed residential flat buildings are orientated to north and north west.	Yes	
	C4. On sites with otherwise poor solar access, dwellings shall demonstrate that they are specifically designed to catch the winter sun.	It is considered that the subject site has good solar access.	N/A	
	C5. New dwellings shall be designed to ensure direct sunlight access for a minimum of 3 hours between 9.00am and 4.00pm at the winter	Refer above	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	solstice (22 June) is provided to at least one main living area of the proposed dwelling/s.			
	C6. The shadow effect from a proposed development on existing adjacent dwellings must be such that a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June) is to be provided to at least one main living area of existing dwellings.	The submitted shadow diagrams show that the majority of adjacent dwellings each receive a minimum of 3 hours of direct sunlight between 9am and 4pm  Refer plan 'INDIV SHADOW ANALYSIS' + ' 3D SHADOW ANALYSIS 1 & 2'	Yes	
	C7. The living rooms and private open spaces for at least 70% of dwellings within a residential flat development shall receive a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June).	As discussed above the proposal achieves 3 hours (minimum) solar access to primary living spaces for over 70% of residential units,	Yes	
	C8. A minimum of 50% of the required private open space areas of the proposed dwellings and any adjacent dwellings shall have access to 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June). Note: Sunlight on private open space adjoining living areas capable of containing a table and chairs is preferred by Council, as it provides good usable solar amenity.	The submitted 'INDIV SHADOW ANALYSIS' + ' 3D SHADOW ANALYSIS 1 & 2' show that more than 50% of the private open space areas within the development and adjacent dwellings will have access to 3hrs direct sunlight between 9am and 4pm on 22 June.	Yes	
	C9. Lightwells should not be used as a principle source of sunlight.	Light wells are not proposed.	N/A	
	C10. Where sunlight is achieved through east and west facing windows, shading devices should be	Shading devices are provided on the roof to all east and west facing	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	provided on those elevations for protection from the summer sun.	windows as shown on the roof plan for each residential flat building within the development.		
	C11. Proposed development should endeavour not to overshadow any existing solar panels on adjacent properties.	<p>A review of a recent aerial photo of the subject site shows that only one dwelling adjacent to the subject site (41 Garfield Street) has existing solar panels.</p> <p>The submitted shadow diagrams show that there will be no overshadowing of the existing solar panels installed on the roof of the dwelling at 41 Garfield Street.</p>		
	C12. Where existing sunlight access obtained by adjacent development does not meet the provisions of this plan, the proposed development shall not further reduce its achievable sunlight access.	It is considered that existing adjacent development currently receive more than the required 3hr sunlight access on 22 June and as such meet the provisions of this HDCP 2013	Yes	
	<p>C13. Overshadowing by fences, roof overhangs and changes in level shall be taken into consideration by Council.</p> <p>Note: Council will not assess the impact of overshadowing by vegetation, unless where the nature of the vegetation has the potential to have a similar impact to that of a solid structure (i.e. very dense hedges etc).</p>	<p>Noted – there are minimal changes being made to the existing site levels in areas where the development may have an overshadowing impact on adjacent dwellings.</p> <p>It is noted that existing fences and vegetation that currently exist do overshadow the rear</p>	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
Part B Residential Controls				
1. General Residential Controls				
		private open space of the adjoining residential dwellings fronting Garfield Street.		
	<p>C14. Where development does not comply with the controls in this section, Council will consider the proposal on its merits, having regard to:</p> <ul style="list-style-type: none"> <li>• Unusual circumstances on the neighbouring site that prevent compliance (e.g. proximity to boundary, location of windows and living areas).</li> <li>• Exceptional circumstances of the site that prevent compliance (heritage, topography, orientation, etc).</li> <li>• Specific design mechanisms implemented in the proposed design of the site and dwelling in order to achieve the maximum potential sunlight access to the proposal and or adjacent dwellings (e.g. height, location of building bulk, modulated building forms, location and types of windows, setbacks, location of private open space etc).</li> </ul>	<p>Although it is considered that the proposed development complies with the controls for sunlight access it is further noted that the proposed residential flat building development has been designed in accordance with the provisions of SEPP 65. In addition a design verification statement has been provided.</p> <p>It is also noted that whilst the surrounding development is relatively low scale in comparison to the proposed development, the recent zoning change from low density residential to R4 High Density following the gazettal of Holroyd LEP 2013 and the change in zoning of the surrounding area will likely transform the surrounding area with higher density built forms and building heights, as such any impacts on adjacent development are considered to be short term pending future</p>	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		redevelopment of adjacent site.		
<b>1.9 Cut and Fill</b>	C1. Development is should be designed and constructed to integrate with the natural topography of the site.	Development has generally integrated with natural topography where possible.	Yes	
	C2. Cut and fill shall not create a detrimental impact on the overland flow of the site.	Overland flow is not detrimentally impacted on site, in addition it is noted that OSD is proposed (refer to Civil and Stormwater Plans)	Yes	
	C3. Fill, up to 300mm, is permitted within 900mm of side or rear boundaries.	No fill within 900mm of side boundary.	Yes	
	C4. Fill, 600mm or greater is to be contained within the building envelope.	Fill has generally been limited to within building envelope. Fill to be minimised where possible	Yes	
	C5. Where fill is more than 150mm deep, it shall not occupy more than 50% of the landscaped area.	N/A as basement parking is proposed.	N/A	
	C6. Cut is permitted to a maximum of 1 metre.	N/A as basement parking is proposed (refer control below)	N/A	
	C7. Cut is to be limited to 450mm where it is within 900mm of the rear or side boundaries.	N/A as basement parking is proposed.	N/A	
	C8. Where there is a slope over 4%, cut and fill should be balanced.	No slope over 4%	Yes	
	C9. Contaminated fill, either imported or found on site, is not permitted.	No contaminated fill anticipated.	Yes	
	C10. Where cut and fill is permitted by Council, applicants are to ensure that the privacy and amenity of the development and surrounding	Privacy and amenity of neighbouring allotments is generally protected the	Yes	



Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	dwellings is not affected. Note: <ul style="list-style-type: none"> <li>• Privacy and amenity controls for residential development are contained within 6 section of this Part.</li> <li>• Erosion and sediment control controls are contained within Part A of this DCP.</li> <li>• Cut controls are not applicable where basement parking is proposed.</li> </ul>	location of proposed fill is away from adjoining residential dwellings where the site slopes down towards the Cumberland Highway to the west.		
<b>1.10 Demolition</b>	C1. Approval for the demolition of a dwelling, addition or outbuilding to a dwelling is required from Council.	Approval for demolition is sought as part of this development application	Yes	
	C2. Relocation of existing dwellings may be approved by Council, subject to the relocated dwelling complying with all controls within this DCP.	No relocation of existing dwellings proposed.	N/A	
	C3. A photographic record, capturing the external configuration of the building proposed to be demolished and where appropriate, the internal partitions, is required prior to any site works. Please refer to Councils Photographic Record Form for further details.	It is considered that this requirement can be made via an appropriate condition of consent.	Yes	
	C4. If the demolition involves removing asbestos, compliance with Council's Asbestos Cement Policy for the safe removal and disposal is required. Note: Penalties may be imposed on any person not complying with the policy, which will form part of any development approval.	It is considered that this requirement can be made via an appropriate condition of consent.	Yes	
<b>1.11 Car Parking and Roads</b>	Note: <ul style="list-style-type: none"> <li>• Minimum parking standards for residential development shall be provided in all developments. These</li> </ul>	Noted		

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	standards can be found in Part A of this DCP. • General requirements for parking, access and driveways can be found in Part A of this DCP.			
	C1. Rooms capable of being used as, or converted into a bedroom shall be included in calculations for car parking.	All bedrooms are shown as such on the submitted floor plans.	Yes	
	C2. Council may reduce or increase the parking requirements for any development application, having regard to, but not limited to, the following: • car ownership levels in the area, • proximity and frequency of public transport, • availability or lack of on-street parking, • street width, traffic volume and parking capacity, and • proximity to other uses generating parking demand.	Noted	Yes	
	C3. Where a reduction or increase of parking spaces is pursued, applicants shall submit a traffic and transport study with the application.	A traffic and parking assessment report has been undertaken by ML Traffic Engineers and is submitted as part of this development application.	Yes	
	C4. One additional car parking space is permitted within the front setback area for single dwelling development on the following roads: • Centenary Road, Wentworthville; • Cumberland Highway; • Merrylands Road (between Cumberland Highway and Clarence Street), and	Not considered applicable as the proposal is for a residential flat building development.	N/A	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	<ul style="list-style-type: none"> <li>Great Western Highway, where all other provisions of the DCP are achieved, including landscaping area.</li> </ul>			
	<b>Garages and Carports</b> C5. Garages are to be a maximum of 6 metres clear width or 50% of the width of the buildings street elevation whichever is the lesser. C6. Where garaging is provided as part of the dwelling frontage, it must be integrated into the design of the dwelling to minimise visual impact (i.e. balcony over garage).	Not considered applicable as the proposal is for a residential flat building development.	N/A	
	C7. Garages and carports at grade are to be located a minimum of 1000mm behind the front wall of the building or 5.5 metres from the street boundary, whichever is greater.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C8. Where the width of the proposed dwelling house or detached dual occupancy is greater than 12 metres, garages and carports may extend 1.5m from the building façade.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C9. Where the garage is proposed to be provided on the secondary street frontage, setbacks for garages should respect any existing adjacent development facing the secondary street, and should not be located forward of the associated main dwelling.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C10. Where possible, double garages provided as part of the dwelling frontage should be setback from one another, or incorporate detailing to provide visual interest.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C11. Three car garages fronting the street and attached to a dwelling are not permitted.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C12. Car parking should be located at the rear of the site where rear access is available or where this is the prevailing pattern of development in the street. This is not to compromise other development controls (i.e landscape area requirements).	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C13. Garages are not permitted to be used for any purpose in contravention of Holroyd LEP 2013.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C14. The size of any garage shall be no more than a maximum of 40m <sup>2</sup> . If the proposed garage is to be greater than 40m <sup>2</sup> , any area in excess of this will be considered to be floor space. Note: 40m <sup>2</sup> is equivalent to a double garage, 20m <sup>2</sup> is equivalent to a single garage.	Not considered applicable as the proposal is for a residential flat building development with basement car parking.	N/A	
	C15. A lockable storage closet for each dwelling should be provided within the garage.	Basement storage cages are proposed to each basement car space allocated to a dwelling within the proposed development.	Yes	
	C16. For dwelling houses, dual occupancy and multi dwelling housing, parking in the case of each dwelling shall be separately accessible.	Not considered applicable as the proposal is for a residential flat building development.	N/A	
	C17. Garages for attached dwellings shall be walk through to the rear	Not considered applicable as the proposal is for a	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	yard.	residential flat building development.		
	<b>Tandem Parking</b> C18. Tandem Parking is acceptable (except for sites on arterial roads), provided that it can be demonstrated that the car can be contained in a 5.5 metre space within the property boundaries and does not interfere with the accessibility of other parking spaces, driveway or road.	The submitted basement plan shows some tandem car parking spaces are proposed within the parking area. However it is considered that these spaces will not interfere with the accessibility of other parking spaces within the basement and have been designed according to Australian Standard (refer to accompanying Carpark, Ramp And Driveway Certification Of A Proposed Residential Development provided by ML Traffic Engineers.	Yes	
	C19. For single dwellings, tandem garaged parking, for a maximum of 2 car parking spaces, may be provided only for use by the same dwelling, if the street frontage is less than 14 metres. C20. Tandem spaces are not to be used for the regular storage of non operational motor vehicles, boats, caravans, trailers or the like.	Not considered applicable as the proposal is for a residential flat building development.	N/A	
	<b>Vehicular Access and Driveways</b> C21. Vehicular access points are to be minimised and should not break the continuity of the streetscape.	Only one vehicular access driveway from Garfield Street is proposed.	Yes	
	C22. Vehicle crossing/s shall be a minimum width of 3 metres (5 metres for single dwellings and dual occupancies that propose double or adjacent garages) and a maximum	It is considered that the proposed vehicle crossing meets the requirement for a minimum width of	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	width of 5 metres at the boundary line. A width up to 6 metres can be considered for multi-unit complexes. Generally only one vehicular crossing will be permitted per site.	6m.		
	C23. For Multi dwelling housing, there shall be a minimum 6 metre width between driveways.	Not considered applicable as the proposal is for a residential flat building development.	N/A	
	C24. Landscaping should be used to minimise the visual intrusion of vehicular access points.	Landscaping has been provided adjacent to the proposed vehicle/pedestrian entry off Garfield Street a landscape strip is also provide between the proposed driveway and adjacent residential dwellings to the south.	Yes	
	C25. Vehicular access points and parking areas are to be: <ul style="list-style-type: none"> <li>• Easily accessible and recognisable to motorists;</li> <li>• Located to minimise traffic hazards and the potential for vehicles to queue on public roads;</li> <li>• Located to minimise the loss of on street car parking.</li> </ul>	Refer to submitted Traffic and Parking Impact Assessment Report.  It is considered that the proposed vehicle entry to the development will be easily accessible and has been designed to minimise traffic hazards and loss of on street car parking.	Yes	
	C26. All new driveways should be located at least 1 metre away from the side property boundaries, or 1.5 metres in the case of Residential Flat Buildings.	A 2.5m setback is provided from the proposed driveway to the boundary with 35 Garfield Street. In addition it is noted that at least 1m of	Yes	



Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
Part B Residential Controls				
1. General Residential Controls				
		this setback is dedicated to landscaping and screen planting.		
	C27. The area between the driveway and the property boundary shall be suitably landscaped to Council's satisfaction.	The areas between the proposed driveway and the property boundary incorporates appropriate setbacks and landscaping in the form of screening vegetation.	Yes	
	C28. Driveways shall be designed and constructed in materials to avoid glare and large expanses of plain concrete, whilst ensuring the driveway colour does not detract from the development and character of the street.	The proposed driveway will be constructed to ensure that glare and large expanses of plain concrete will be avoided.	Yes	
	C29. Where a driveway is proposed to exceed 30 metres in length, it should not be constructed in a straight line, but should be curvilinear and/or offset by landscaped sections.	Curved driveway is proposed to access entry to proposed basement parking area located between Building A and Building C.	Yes	
	C30. For Multi unit dwellings and Residential Flat Buildings, Council generally favours the use of a central under-building access drive. Car parking spaces and drives are to be arranged so that the cars can be driven onto and off the property in a forward direction.	As noted above one, centrally located under building access drive is proposed. In addition it is noted that the width of this driveway and design of car parking spaces allows vehicles to be driven onto and off the property in a forward direction. (refer to accompanying Carpark, Ramp And Driveway Certification Of A		

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
		Proposed Residential Development provided by ML Traffic Engineers.		
	C31. The maximum gradient for a driveway should be 20%, or 1:5.	The maximum gradient of the proposed driveway is 1:8 or 12.5% where the driveway enters the proposed basement car park.	Yes	
	<b>Basement Parking</b> C32. Basement Parking is permitted for all residential development.	Basement parking is proposed.	Yes	
	C33. Basement parking is mandatory for all residential flat buildings and multi dwelling developments within the R4 zone.	Refer above	Yes	
	C34. Basement parking for single dwellings and dual occupancies shall not be located outside the building footprint.	Not considered applicable as the proposal is for a residential flat building development.	N/A	
	C35. Basement parking shall: <ul style="list-style-type: none"> <li>• Provide, where required, a pumpout drainage system according to Councils engineering requirements.</li> <li>• Ensure compliance with Section 3.3 of Part A.</li> <li>• Ensure compliance with the BCA for Ventilation and accessibility.</li> </ul>	Pumpout drainage system has been proposed for the basement parking area refer to the submitted Concept Grading, Stormwater Management And Flooding Plan.	Yes	
	C36. Basement Parking shall not increase the bulk and scale of development.	The proposed basement parking does not increase the bulk and scale of the proposed development.	Yes	
	C37. Basement Parking shall not affect the privacy of adjacent residential development.	It is not considered that the proposed basement parking area will affect the privacy of adjacent residential development.	Yes	
	C38. Basement parking	Proposed basement car	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	manoeuvring shall ensure that vehicles can enter and exit in a forward direction.	park allows for manoeuvring to ensure that vehicles can enter and exit in a forward direction.		
	C39. For residential flat buildings, access from residential dwellings to all parking, including basement parking, shall be accessible for wheelchair users and for less mobile persons.	Adaptable parking spaces have been provided within the proposed basement parking area and will be designed according to the relevant Australian Standard.	Yes	
<b>1.12 Universal Housing and Accessibility</b>	<p>C1. Developments should be designed to minimise any barriers to less mobile persons.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• Council encourages designing dwellings or additions to dwellings to Australian Standard 4299- 1995 Adaptable Housing, as it will minimise retro-fitting costs which may be required at a later date if the house is to be retained through lifestyle changes.</li> <li>• Please refer to the Commonwealth Disability Discrimination Act 1992 for the developers' legal responsibilities in this matter.</li> <li>• Dwelling entries, where possible, should be level and enable wheelchair access.</li> </ul>	<p>Barriers to less mobile persons have been minimised through use of lifts, ramps and appropriate design.</p> <p>All buildings are to provide equitable access and comply with the relevant Australian Standards and the Disability Discrimination Act. Reference should be made to the submitted BCA and Access Reports for confirmation on compliance.</p>	Yes	.
	C2. All two storey residential dwellings (including single dwellings, dual occupancies, attached housing and multi dwelling housing) should provide one room capable of being used as a bedroom, kitchen, bathroom/toilet and living areas on the ground level.	Residential Flat Building development, therefore not considered applicable	N/A	
	<b>Multi Dwelling housing and Residential Flat Buildings</b>	Thirty (30) dwellings or 15% of dwellings within	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	<p>C3. For multi dwelling development and residential flat buildings, 15% of dwelling units shall comply with AS4299- 1995- Adaptable Housing Class B.</p> <p>Note: The number of adaptable units will be calculated by rounding up to the nearest whole unit.</p>	the proposed residential flat building development have been designed to comply with AS4299- 1995- Adaptable Housing Class B.		
<b>1.13 Subdivision</b>	Note: General subdivision controls are located in Part A of this DCP.			
	C1. The subdivision of secondary dwellings (i.e. granny flats) will not be permitted by Council.	Residential Flat Building development, therefore not considered applicable	N/A	
	C2. The type of title (torrens, strata, community) will depend on the nature and final form of development.	Although this application does not relate to subdivision, the final form of development will be a residential flat building. Accordingly it is considered that the proposed units will be strata subdivided prior to sale.	Yes	
	<p><b>Lot and road orientation</b></p> <p>C3. Allotment orientation should ensure that living and private open space areas of any dwelling can be orientated to the north and that dwellings can be positioned so that the possible overshadowing impact on existing or future adjoining buildings can be minimised.</p>	No lot or road creation as part of development.	N/A	
	<p>C4. Road orientation shall be designed to increase the energy efficiency of dwellings.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>Roads running close to east-west provide for good orientation of</li> </ul>	Refer above	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	allotments for solar access to dwellings and provide open space, while maintaining a narrow allotment frontage. This will contribute to minimising the street length and reduce lengths of utility and service related infrastructure. • On roads running, north-south, allotments may need to be widened to provide for solar access and prevent overshadowing of dwellings and private open space.			
	C5. Where land slopes are greater than 4%, road and allotment design should provide for dwellings to be parallel with the contours to minimise earthworks.	Refer above	N/A	
	C6. Allotments shall be designed and configured to: • Minimise boundary retaining walls, • Minimise potential overlooking, • Maintain solar access, where slopes face south. <b>Allotment size and dimensions</b> Note: The minimum allotment size for residential development is contained within Holroyd Local Environmental Plan 2013.	Refer above	N/A	
	C7. Council will consider the shape of the proposed allotment/s as it would allow a rectangular building envelope of approximately 12 metres x 10 metres behind the building line, leaving 6 metres to the rear boundary.	Refer above	N/A	
	C8. A minimum frontage of 12 metres is required where it is proposed to erect a dwelling house on the allotment. An allotment shall	Refer above	N/A	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	be no less than 22 metres in depth.			
	C9. Each residential allotment shall have a satisfactory lot depth to frontage.	Refer above	N/A	
	C10. The access corridor of a battleaxe shaped allotment is not included in the calculation of the minimum area required for that allotment. Note: The access corridor is that part of a battleaxe shaped allotment which provides private access between the main part of the allotment and public road.	Refer above	N/A	
	C11. Proposed corner allotments should have a minimum width of 14 metres to take account of a second building line to the secondary street frontage.	Refer above	N/A	
	C12. Where subdivision involves the existing allotments with new property boundary within 6 metres of an existing residential building envelope, the applicant shall establish a building envelope to show how future development can be accommodated on the proposed allotment. Note: This should be based on an assessment of opportunities for achieving objectives related to orientation, solar access, visual and acoustic privacy appropriate for the type of development proposed.	Refer above	N/A	
	C13. Multiple subdivisions of battleaxe lots is prohibited.	Refer above	N/A	
	<b>Access corridors</b> C14. Any proposed vehicular access corridors shall have a maximum	No vehicular access corridors proposed as part		



## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	length of 60 metres, a minimum width of 4 metres and a minimum width of shared corridor of 6 metres.	of development		
	C15. The number of battleaxe shaped blocks in a subdivision should be kept to a minimum. No more than four battleaxe shaped should adjoin each other and access to more than 4 lots should be by a dedicated road.	Refer above	N/A	
	C16. No more than two allotments should be served by a shared access corridor.	Refer above	N/A	
	C17. Where two corridors are shared, reciprocal rights of way and easements for drainage and services shall be granted over the access corridors for the benefit of both allotments.	Refer above	N/A	
	C18. An access corridor to a single allotment shall be constructed with full width concrete paving, minimum 2.5 metres wide. Shared access corridors (serving two allotments) shall be constructed with a full width centrally located driveway, 3.5 metres wide to Councils Engineering Services Department requirements.	Refer above	N/A	
	C19. For battleaxe allotments intended to be used for a Multi unit development, the applicant shall be required to demonstrate the suitability of a shared access corridor for the number of dwellings proposed.	Refer above	N/A	
	<b>Dual Occupancy and Multi Dwelling Development</b>	Proposal is for a	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	C20. Council will allow the Torrens subdivision of dual occupancies and the strata subdivision of multi dwelling development subject to compliance with all other related controls contained in this DCP.	residential flat building development		
	<b>Residential Flat Development and Mixed Use development</b> C21. Council will allow the strata subdivision of residential flat buildings subject to compliance with all other related controls contained in this DCP.	As previously noted Although this application does not relate to subdivision, the final form of development will be a residential flat building. Accordingly it is considered that the proposed units will be strata subdivided prior to sale.	Yes	
	<b>Staged and Concept Development</b> C22. Council will consider a variation to the minimum allotment sizes provided the concept plan demonstrates that the allotment sizes meet the objectives and design principles.	Proposal is for a residential flat building development	N/A	
	<b>Road Design and Construction- road network and capacity</b> C23. Road layouts shall provide for access to bus routes within acceptable walking distance from all dwellings.	No road design or formation proposed, accordingly the following road related controls are not considered to apply.	N/A	
	C24. Unless prescribed otherwise, no more than 10% of allotments shall be more than 400 metres walking distance from a proposed bus route.	Refer above	N/A	
	C25. Large developments or those which require direct access to an external (arterial) road network are	Refer above	N/A	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	subject to negotiation with Council.			
	C26. An access street shall serve a maximum of 198 allotments, or generate no more than 1500 vehicle movements per day (based on an average of 7 vehicle movements per dwelling,) unless a lower rate can be demonstrated.	Refer above	N/A	
	<b>Road Design Speeds</b> C27. A combination of measures may be required to limit design speeds by: <ul style="list-style-type: none"> <li>• Limiting street length,</li> <li>• Introducing bends.</li> </ul>	Refer above	N/A	
	C28. Introducing slow points, bends and other traffic management measures such as constriction of carriageway width, speed humps etc. These may not be appropriate in all situations.	Refer above	N/A	
	C29. Road design and speed profiles shall conform to RMS guidelines.	Refer above	N/A	
	<b>Road Reserve</b> C30. Carriageway, verge and road reserve widths shall be provided as shown in Table 1 and Figure 15 below. Where not already provided, Council will require 4 metre x 4 metre splay corners to be dedicated in road reserves at intersections.	Refer above	N/A	
	C31. While discouraged, where rear fences face major roads, greater verge widths may be required for landscape measures to screen fences, without compromising visibility at intersections.	Refer above	N/A	
	<b>On street parking</b> C32. On street parking shall be provided as part of the carriageway.	Refer above	N/A	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>1. General Residential Controls</b>				
	<b>Pedestrian/cyclist facilities</b> C33. An access place or street shall be provided with a 1.2 metre wide concrete footpath on all frontages. Council will consider the alternative of interlocking road pavements for short length access places serving up to 10 dwelling allotments.	Refer above	N/A	
	C34. Where a cycleway and access approved plan exists, pedestrian and cyclist paths shall be provided in accordance with that plan.	Refer above	N/A	
	<b>Road Formation</b> C35. New roads must be constructed with kerb and gutter, 1.2 metre wide concrete footpath and be sealed from gutter to gutter.	Refer above	N/A	
	C36. Cul-de-sacs will be accepted only where surrounding land has been fully developed or where the DCP provides for cul-de-sacs roads. Cul-de-sac roads are to have a 12 metre radius with 12 metre reverse curves on boundary alignment. Note: Construction is to be a standard not less than the Council's standard specification for new residential roads. This can be purchased or inspected at the Council Chambers.	Refer above	N/A	

### **Part B – 6. Residential Flat Buildings**

Part B Section 6 of the HDCP2013 provides specific controls for residential flat building development within the City of Holroyd. The proposed development is considered to be generally consistent with the specific controls contained within this section however where variation to a requirement is proposed, a suitable justification has been provided including a demonstration of how the proposal is consistent with the aims and objectives of the provision. The compliance table below lists each relevant control

contained within the abovementioned section of the HDCP2013, statement of compliance as well as justification required for any non-compliance.

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Part B Residential Controls</b>				
<b>6. Residential Flat Buildings</b>				
<b>6.1 Lot size and frontage</b>	<p>C1. The minimum lot frontage for residential flat buildings at the property line is as follows:</p> <ul style="list-style-type: none"> <li>• 24 metres if the property is located in the highlighted area in maps 1-8 (see Appendix 1), or</li> <li>• 28 metres for all other properties, or</li> <li>• 45 metres for all development 6 storeys or more.</li> </ul> <p>Note: Council requires that the consolidation of more than one existing residential holding for residential flat development be undertaken, in order to meet all the requirements of this development control plan.</p>	Proposed amalgamation will result in a lot frontage of approximately 200m to the Cumberland Highway which complies with the minimum 45m frontage applying to the subject site (development over 6 storeys).	Yes	
	C2. Residential Flat Buildings are not permitted on battleaxe lots.	Development (Building C) has a frontage to Garfield Street and as such is not considered to be a battleaxe allotment.	Yes	
	C3. Council does not permit individual properties being left between two developments in a manner that would limit its future development potential for flat development and/or otherwise impact on its value.	It is considered that the remaining allotments along Garfield Street would not be limited in their potential for the development of a residential flat building nor will it impact significantly on property values.	Yes	
	C4. Where consolidation has not been achieved through negotiation efforts, lots with a frontage of less than what is required under C1 shall be restricted to the development potential otherwise achieved Sections 3-4 of this Part.	As noted the development has a 200m frontage to the Cumberland Highway and a secondary frontage to Garfield Street of approximately 35m.	Yes	
<b>6.2 Site</b>	C1. The maximum site coverage	The proposed site	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
<b>Coverage</b>	of any residential flat development shall not exceed 30% of the site area.	coverage is 3708.96m <sup>2</sup> or 28.02%.		
<b>6.3 Setbacks and Separation</b>	<b>Front Setback</b> C1. The minimum setback for residential flat buildings from the principal street frontage shall correspond to the existing prevalent building setback, but be no less than 6 metres . This setback may be reduced, where: <ul style="list-style-type: none"> <li>• adjacent residential development is closer to the front boundary, or</li> <li>• site specific controls contained in this DCP detail otherwise</li> </ul>	<p>The prevailing setback to the Cumberland Highway is between 5.8m and 10.5m.</p> <p>It is also noted that although not the main frontage the setback of Building C to the secondary Garfield Street frontage is 10.850m and is considered to be consistent with the existing streetscape.</p> <p>The basement car park reduces the 6m setback to the Cumberland Highway to 3.972 at its narrowest point</p> <p>This encroachment is considered justifiable</p>	No	<p>The proposed minimum front setback from Building C to the Western Boundary is 5.8m which presents a non compliance of 200mm. This minor non compliance is considered justifiable given that the setbacks along this boundary range from 5.8 up to 10.5m (south east corner of Building B). It is also considered that this minor noncompliance will not have adverse impacts on privacy and overshadowing given that the boundary fronts a major arterial road with no set established setback pattern.</p> <p>The proposed basement encroachment on the front setback does not have any visual impact and is located fully underground. Refer to Section 5.1.7 below for further details.</p>
	C2. The front setback requirements shall be exclusive of any area required for road widening.	No road widening required along Garfield Street.	N/A	
	C3. For corner parcels, the minimum setback from the secondary street frontage shall be 4.0 metres except:	Not a corner allotment.	N/A	



Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	<ul style="list-style-type: none"> <li>• where adjacent residential development is closer to the boundary, in which case the setback may be similar to that which exists, or</li> <li>• site specific controls contained in this DCP detail otherwise.</li> </ul>			
	C4. The area between the street alignment and building setback is to be landscaped except for areas used for driveways and paths for vehicles and pedestrians, gaining access to the site.	<p>The area between the proposed residential flat buildings and the frontage to the Cumberland Highway incorporates extensive landscaping including deep soil landscaping.</p> <p>In addition the secondary frontage to Garfield Street incorporates a 10.850 landscaped setback zone.</p>	Yes	
	<p><b>Rear Setback</b></p> <p>C5. The minimum rear setback for a residential flat buildings shall be:</p> <ul style="list-style-type: none"> <li>• up to four storeys- 20% the length of the site, or 6 metres, whichever is greater.</li> <li>• five storeys or more - 30% the length of the site.</li> </ul>	<p>Due to the irregular shape of the consolidated allotment with a main frontage to the Cumberland Highway and a second partial street frontage to Garfield Street it can be considered that there is no established rear setback zone.</p> <p>Setbacks to the eastern boundary range from 6m between building B to the adjoining allotment Garfield St and 11,625 between Building C and the adjoining allotment at 47 Garfield Street</p> <p>Setbacks to the southern boundary range from 8.365 to 16.655</p> <p>Setbacks to the northern boundary are a minimum</p>	No	<p>It is considered that due to the irregular shape of the allotment and the dual frontage to the Cumberland Highway and Garfield Street that the non compliance with the rear setback control is justifiable.</p> <p>Given the lengths and number vertices of the site boundaries it is considered that the proposed development cannot comply with the rear and side setback and as such should be considered on merit, subject to compliance with the objectives of the Setback and Separation controls of the HDCP2013</p>

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
		of 6.2m		
	<b>Side Setbacks</b> C6. Side setbacks shall be a minimum of 3 metres. Note: Side setbacks shall comply with building separation requirements.	Refer above, however it is noted that all setbacks on site are greater than 3m to a lot boundary.	Yes	
	<b>Separation</b> C7. Separation between any adjoining buildings, between portions of the same building or where there is more than one building on an allotment shall be:  For residential between 5- 8 storeys <ul style="list-style-type: none"> <li>• 18 metres between habitable rooms and balconies.</li> <li>• 13 metres between habitable rooms and balconies and non-habitable rooms.</li> <li>• 9 Metres between non-habitable rooms.</li> </ul>	Building separation generally complies between the residential flat buildings within the proposed development.	Yes	
	C8. Where a building steps back to create a terrace, the building separation distance for the floor below applies.	Buildings do not step back to create terraces	N/A	
	<b>Use of Setbacks</b> C9. Side and rear boundary setbacks shall be landscaped and may include private courtyards, communal open space and clothes drying facilities.	Side and rear boundaries include landscaping as well as courtyards and pedestrian access.	Yes	
	C10. One side setback may be used for access and parking if required, provided that a landscape buffer with a minimum width of 1m is provided to the side boundary.	Vehicle access driveway from Garfield Street is within the setback between Building C and 33 Garfield Street to the south. 1m landscape buffer is provided to boundary with 33 Garfield	Yes	

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition																		
		Street.																				
	C11. The minimum setback for basement and semi-basement levels to the side and rear boundaries of an allotment is 3 metres.	Minimum setback from basement of 3.025m to southern boundary and 3.425 to northern boundary	Yes																			
	<b>Upper Storey Setback</b> C12. A minimum upper storey setback of 3m is required for all floors above 4 storeys.	All floors above 4 storeys comply with this setback control	Yes																			
6.4 Height	C1. The minimum floor to ceiling heights shall be: <ul style="list-style-type: none"><li>• 2.7 metres for habitable rooms.</li><li>• 2.4 metres for non-habitable rooms.</li><li>• 2.4 metres for the second storey section of two storey units if 50% or more of the apartment has a 2.7 metre minimum ceiling height.</li><li>• Attic spaces shall have 1.5 metre minimum wall height at the edge of room with a 30 degree minimum ceiling slope.</li></ul>	Min 2.7m floor to ceiling heights provided to habitable rooms and 2.4m to non habitable rooms (bathrooms) within the proposed residential flat building development.	Yes																			
	C2. Ceiling heights shall be measure from finished floor level (FFL) to finished ceiling level (FCL).	Noted.																				
	C3. Maximum building height in storeys shall be provided in accordance with the table below: <table><tr><th colspan="2">Permitted Height (storeys)</th></tr><tr><th>Height (m)</th><th>storeys</th></tr><tr><td>9</td><td>1</td></tr><tr><td>11</td><td>2</td></tr><tr><td>12.5</td><td>3</td></tr><tr><td>15</td><td>4</td></tr><tr><td>18</td><td>5</td></tr><tr><td>21</td><td>6</td></tr><tr><td>24</td><td>7</td></tr></table>	Permitted Height (storeys)		Height (m)	storeys	9	1	11	2	12.5	3	15	4	18	5	21	6	24	7	The proposed residential flat building does not comply with this control  <b>Building A</b> 15m control – 14.9m (5 Storeys)  <b>Building B</b> 18m control – 17.7m (6 storeys) 15m control – 15.38m (5 storeys)  <b>Building C</b> 18m Control – 21.55m (7	No	It is noted that an application to vary the LEP height limit pursuant to Clause 4.6 has been submitted where the height does not comply with the development standard.  In addition to the above it is considered that the non compliance with the number of storeys provided within the proposed residential flat buildings is justifiable.  .A discussion of this non
Permitted Height (storeys)																						
Height (m)	storeys																					
9	1																					
11	2																					
12.5	3																					
15	4																					
18	5																					
21	6																					
24	7																					

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
		storeys) 15m Control – 14.5 (5 storeys)		compliance in relation to the Height objectives of the Holroyd DCP 2013 is at Section 5.1.7 of this report.
	C4. Attics are permissible in residential flat buildings, where they comply with height and floor space ratio requirements.	No attic proposed.	N/A	
	C5. Dormer windows are only permitted where high sill windows are implemented.	No dormer windows proposed.	N/A	
	C6. Attic spaces are to have a minimum wall height at the edge of the room of 1.5 metres with a 30 degree minimum ceiling slope	As above.	N/A	
<b>6.5 Building Depth</b>	C1. The maximum internal plan depth of a residential flat building shall be 18 metres.	Internal plan depth is less than 18m for all buildings	Yes	
	C2. Council may consider internal plan depths deeper than 18 metres for some forms of residential flat development, where it can be demonstrated that satisfactory solar access and ventilation is achieved through higher floor to ceiling heights or wider frontages.	Refer above	N/A	
<b>6.6 Open Space</b>	<b>Communal Open Space and Landscaping</b>			
	C1. Communal open space shall be provided behind the building line, in one unbroken parcel. It shall have a minimum dimension of 4 metres in any direction.	The proposed residential flat building development is unable to comply with this control to provide all the communal open space within the development in one unbroken parcel.	No	It is considered that due to the irregular shape and size of the allotment and the provision of 36% of the site as landscaped area the provision of some 4770.0m <sup>2</sup> of communal landscaped open space in one contiguous parcel is not feasible.  It is noted that the proposed development more than complies with the required

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
				<p>provision of communal open space as detailed below.</p> <p>Accordingly, given that the proposed development is unable to comply with this control, the requirement for the provision of contiguous communal open space should be considered on merit, subject to compliance with the objectives of the Open Space controls of the HDCP2013</p>
	C2. For mixed residential flat and commercial buildings, where it is not possible to provide communal open space on ground floor, it can be provided on podium level.	Proposal not for a mixed residential / commercial development.	N/A	
	C3. For residential flat buildings, communal open space shall have a minimum area of 10m <sup>2</sup> per dwelling or 30% of the site area, whichever is the greater.	<p>3969.9m<sup>2</sup> required (13233 x 0.30 = 3969.9)</p> <p>4770m<sup>2</sup> provided (36%)</p> <p>Refer to submitted communal open space plan DA 010</p>	Yes	
	C4. Communal open space shall be located where it is highly visible and directly accessible to the maximum number of dwellings. Excessively long paths of travel to and from communal open space must be avoided.	Communal open space between the proposed buildings and is considered to be readily accessible by all occupants.	Yes	
	C5. Communal open space should be located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate	Site not adjacent to any public open spaces.	Yes	
	C6. Communal open space shall be integrated with the site and	Communal open space is integrated with the site	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	designed with uses such as circulation, BBQ or play areas or passive amenity.	and allows for a variety of uses including BBQ areas, play areas and a kitchen garden.		
	C7. Communal open space shall be appropriately landscaped and ensure active and passive recreation through the provision of facilities such as seating, pergolas, barbeque facilities and the like.	Refer above and to submitted landscape plan. It is considered that the communal open space has been well designed with active and passive uses in mind.	Yes	
	C8. Communal open space shall be clearly defined.	Communal open space is clearly defined through appropriate landscape design treatments.	Yes	
	C9. Communal open space shall be fenced and contain one item of heavy-duty playground equipment per five dwellings, and may contain facilities for adult recreation and permanent seating.  Note: Where possible, communal open spaces should have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved area.	Two children's playgrounds have been provided within the proposed residential flat building development.  According to the number of apartments being provided within the proposed residential flat building development, the number of playground equipment required would be forty (40) pieces.  Although the number of equipment being provided within these areas is not shown on the submitted plans it is considered that the number of items of play equipment required within these playgrounds can be included as a condition of consent.	Yes	
	<b>Private Open Space and balconies</b>	Each dwelling includes separate private open	Yes	



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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C10. Each dwelling within a residential flat building shall have access to primary private open space, in the form of a deck, balcony, courtyard or terrace, accessible from main living areas of the dwelling.	space in the form of courtyards and/or balconies		
	C11. Balconies shall be a minimum area of 10m <sup>2</sup> , with a minimum dimension in any one direction of 2m for studio and 1 bedroom units and 2.4m for 2+ bedroom units shall be provided as private open space for each dwelling.	All balconies exceed 10m <sup>2</sup> in area. and minimum dimensions met	Yes	
	C12. Private open space is not encouraged within the street setback unless as a terrace or verandah which provides the potential for passive surveillance to the street. This area is not included in the minimum private open space area calculation.	A raised terrace on the ground floor and balconies on the upper levels fronting Garfield Street allow for passive surveillance to the street.	Yes	
	C13. Dwellings on the ground floor should be provided with a courtyard that has a minimum area of 10m <sup>2</sup> and a minimum dimension of 2.5 metres.	Ground floor dwellings provided with appropriate sized courtyards which meet the minimum area and dimension requirements of the HDCP 2013.	Yes	
	C14. Where courtyards are provided to the street side of an apartment, the maximum fence wall height is 1.5 metres.	Privacy to streets and to courtyards is maintained by means of slatted timber screen fences to a height of 1.5m. In addition, extensive landscaping will be planted either side of the fence. These will provide visual privacy while still allowing for natural ventilation.	Yes	
	C15. 1.8 metre high courtyard walls are not permitted to the	No 1.8m courtyard walls are proposed fronting the	N/A	

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	public domain.	public domain.		
	C16. Where possible, private open space shall have a northerly or easterly aspect. Gas and water outlets shall be provided in these areas.	Private open spaces have been provided with a northerly aspect where possible.	Yes	Although not shown on the submitted plans it is considered that a requirement for gas and water outlets to all areas of private open space be included as a condition of consent.
	C17. Secondary balconies should be considered for additional amenity.	The majority of apartments within the proposed residential flat building development have been provided with secondary balconies.	Yes	
	C18. Balustrades shall not be fully transparent, but shall be designed to allow views and casual surveillance of the street while providing for safety and visual privacy.	Balustrade details not yet confirmed.	No	It is considered that the proposed residential flat building can be conditioned to comply with this requirement.
	C19. The depth of balconies shall not cause sunlight penetration to dwellings to be compromised.	Balconies allow appropriate sunlight penetration.	Yes	
	C20. Balconies shall not be continuous across the entire facade of the residential flat building.	No continuous balconies provided.	Yes	
	C21. Gas and water outlets shall be provided on primary balconies and terraces.	Refer above, it is considered that the proposed residential flat building development can be conditioned to comply with this requirement.	Yes	Although not shown on the submitted plans it is considered that a requirement for gas and water outlets to all areas of private open space be included as a condition of consent.
	C22. Appropriate measures shall be taken to ensure visual privacy is maintained between balconies within a development.	Balconies are appropriately positioned and include some	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
		screening measures to provide privacy between other balconies within the development.		
	C23. Furniture layouts must accompany all development applications to ensure the useability of all balconies.	Furniture layouts provided which demonstrate appropriate usability of balconies and are shown in the submitted Privacy, Separation and View Analysis DA 014	Yes	
	<b>Planting on structures</b> C24. Proposed plantings on structures shall be provided with appropriate soil conditions, drainage and irrigation.  Note: The minimum soil provision requirements, per plant type is provided in Part A of this DCP	It is considered that the planting over the proposed basement car park will be provided with soil, drainage and irrigation as per DCP requirements and in accordance with the submitted landscape plans and stormwater plans.	N/A	
<b>6.7 Building Appearance</b>	<b>Facades</b> C1. Facades are to be composed with an appropriate scale, rhythm and proportion, which responds to the building's use and desired contextual character.	The building has been appropriately modulated and articulated to reduce apparent bulk and express its residential character; the chosen materials are appropriate to the building's function, and serve to reinforce the building's massing concept of base treatment -middle section- and top floor articulation.  Aesthetic clarity of the development is achieved through a consistent set of character elements applied to all buildings.  The eastern and western	Yes	

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
		facades feature more solid wall elements which are punctuated with window openings and then articulated by the framing treatment and grouping of balconies. The northern facade is heavily articulated with a grid of balcony elements spanning across its central bays which are then terminated by recesses and articulated corner massing elements. The additional roof elements and building elements at significant corners compliment the building's overall composition.		
	C2. Façade designs shall reflect the orientation of the site using elements such as shading devices, light shelves and bay windows as environmental controls, depending on the facade orientation.	Façade design reflects orientation of the site	Yes	
	C3. All walls to the street shall be articulated by either/or windows, verandahs, balconies or blade walls. Such 'articulation' elements may be forward of the required building line up to a maximum of 600mm.	High level of articulation and visual interest to the streetscape facades of each residential flat building.	Yes	
	C4. Buildings located on corner sites are to be articulated to address each street frontage and shall define prominent corners.	Building is not located on a corner.	Yes	
	C5. Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material, colour or roof	Colour, material and articulation all used to appropriately to give visual prominence to	Yes	

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	expression.	certain important elements.		
	C6. Building services, such as drainage pipes shall be coordinated and integrated with overall façade and balcony design.	None of these elements visible as part of the façade design	Yes	
	C7. Security grills, ventilation louvres and carpark entry doors shall be integrated with the design of the overall facade.	Windows transparent and appropriate security device to be installed.	Yes	
	C8. Security devices fitted to building entrances and windows shall be transparent to allow for natural surveillance.	Security keypad entry and transparent windows to be provided.	Yes	
	<b>Roof Design</b> C9. Roofs shall be designed to relate to the desired built form and context and character of the street.	Slightly pitched modern roof design across the whole development is appropriate within its surrounding context and emerging the character of street.	Yes	
	C10. Roofs may be articulated, or broken down its massing on large buildings, in order to minimise the apparent bulk or to relate to a context of smaller building forms.	Roof line is shown to be well articulated. In addition it is noted that the roofs of each building incorporate an architectural design feature fronting the Cumberland Highway.	Yes	
	C11. Avoid directly copying elements and detail of single family houses in larger flat buildings.	No copying of elements and details of single dwelling houses proposed	N/A	
	C12. Pitched roofs will not be permitted in the following circumstances: <ul style="list-style-type: none"> <li>• Where a pitched roof design does not relate to the existing urban context,</li> <li>• Where a pitched roof increases the visual bulkiness of a proposed</li> </ul>	As noted above a pitched roof design is proposed.	No	As demonstrated in the submitted sections and elevations the proposed pitched roof design is considered justifiable given that it is a relatively shallow pitch

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	building, • Where land has been rezoned to high density residential after 5 August 2013.			between 1.15 and 2.78° in addition it is not considered that the design increases the overall visual bulkiness of the proposed buildings. It is also noted that building services are contained within the roof.  It is considered that the proposed roof design is able to satisfy the objectives of the HDCP 2013 in that it does not impact on residential amenity of adjoining sites and is of a high quality architectural design consistent with the overall façade and building composition. It is also considered that the roof contributes to the overall design and performance of the proposed residential flat building development.
	C13. Roof design is to respond to the orientation of the site through using eaves and skillion roofs to respond to sun access.	Roof design is considered to respond to the orientation of the site and sun access to the proposed residential flat buildings and	Yes	
	C14. The visual intrusiveness of service elements shall be minimised by integrating them into the design of the roof. Elements include: lift over-runs, service plants, air conditioning units, chimneys, vent stacks, telecommunication	Lift overrun and services incorporated into middle section of roof which provides the least level of visual intrusion.	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	infrastructures, gutters, downpipes and signage.			
	C15. The maximum height for roofs, from the top ceiling height to the ridgeline is 3m.	The proposed ridgeline is less than 3m above the top ceiling height	Yes	
	C16. Consideration should be given to facilitating the use of roofs for sustainable functions such as: <ul style="list-style-type: none"> <li>• Installing rain water tanks for water conservation,</li> <li>• Orient and angle roof surfaces suitable for photovoltaic applications,</li> <li>• Allow for future innovative design solutions such as water features or green roofs.</li> </ul>	Future potential for incorporation of photovoltaic applications given the roof design and orientation	Yes	
<b>6.8 Building Entry and Pedestrian Access</b>	C1. Building entries shall be a clearly identifiable element of the building.	Each proposed building entry point to the residential flat building development will be well lit and clearly identifiable.	Yes	
	C2. Entrances shall be visible from the street, sheltered and well lit.	Although the site entry from Garfield Street will be clearly visible the orientation of the site and the proposed buildings means that the building entries will not be visible from the street.	No	This non-compliance is considered justifiable given the minimal street frontage that the site occupies to Garfield Street.
	C3. Entrances shall be designed to avoid ambiguous and publicly accessible small spaces in entry areas.	Building entries have been designed to avoid ambiguous and publicly accessible small spaces in entry areas.	Yes	
	C4. Clear lines of sight shall be provided between one circulation space and the next.	Clear sightlines provided along pedestrian access paths which will be well lit	Yes	
	C5. The main building entry is to be separate from car parks or car entries.	Main building entries are separate from car park and car entries	Yes	



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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C6. Ground floor dwellings that are oriented towards the street may have their own entrances from the street.	No separate street access provided to the ground floor apartment of Building C which fronts Garfield Street.	N/A	
	C7. High quality accessible routes are to be provided to the following areas of the site; <ul style="list-style-type: none"> <li>• major entries:</li> <li>• lobbies,</li> <li>• communal open spaces,</li> <li>• site facilities,</li> <li>• parking areas, and</li> <li>• public streets.</li> </ul>	Well designed and appropriate access routes provided to all areas of the site	Yes	
	C8. The main building entrance shall be designed to be accessible from the street and car parking areas for less mobile persons.	Accessible entry is provided to all building entries.	Yes	
	C9. Pedestrian and vehicle access ways are to be separate and clearly distinguishable.	Pedestrian and vehicular entries clearly shown on the submitted plans to be separated.	Yes	
	C10. The accessibility standard set out in Australian Standard AS 1428 (parts 1 and 2) is to be followed as a minimum.	It is considered that this standard has been generally followed in the design of the proposed residential flat building development. Reference should be made to the submitted BCA/Access Reports for confirmation on compliance.	Yes	
	C11. Entries and circulation space shall be designed to allow movement of furniture between public and private spaces	Entries considered to be of sufficient dimensions to allow movement of furniture between public and private spaces.	Yes	
<b>6.9 Parking and Vehicular Access</b>	Note: <ul style="list-style-type: none"> <li>• General parking requirements are located in Part A of the DCP.</li> <li>• General car parking provisions for residential development can</li> </ul>			

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	be found in section 1.12 of this Part			
	C1. Only basement carparking will be permitted for residential flat buildings.	Basement car park proposed	Yes	
	C2. Vehicle access points shall be limited to a minimum.	One (1) vehicular access proposed off Garfield Street.	Yes	
	C3. Ensure that clear site lines at pedestrian and vehicle crossings.	Clear sightlines generally provided. Refer to Traffic and Parking Assessment.	Yes	
	C4. Separate and clearly distinguish between pedestrian and vehicular access ways through landscaping and detailing.	Vehicular and pedestrian access clearly separated and identifiable.	Yes	
	C5. The appearance of vehicle entries shall be improved by: <ul style="list-style-type: none"> <li>• Setting back car park entries from the main façade.</li> <li>• Providing security doors to car park entries to avoid 'black holes' in the façade.</li> <li>• Continuing the facade material into the carpark entry recess for the extent visible from the street.</li> </ul>	Visual impact of garage has been reduced through appropriate setbacks, landscape screening and well considered design.	Yes	
	C6. Where possible, vehicular parking entries shall be located off secondary streets.	Vehicular access to the site is provided off Garfield Street which is considered the secondary street frontage.	Yes	
	C7. Where possible, natural ventilation should be facilitated to basement and sub-basement areas.	Basement car park will incorporate natural ventilation where possible.		Noted to comply
	C8. Any ventilation grills or screening devices of car parking openings shall be integrated into the façade and landscape design.	All grills or screening devices, if necessary will be integrated into the façade and landscape design.		Noted to comply

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Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C9. Direct access shall be provided to from car parking facilities to lobbies.	Direct access provided from car park to all proposed lift lobbies via lifts.	Yes	
	C10. Where on grade parking cannot be avoided, ensure the design of the site development mitigates any negative impact on the streetscape and street amenity by: <ul style="list-style-type: none"> <li>• Locating the parking on the side of the site, or away from the primary street frontage.</li> <li>• Providing wrapped car parking.</li> <li>• Screening cars from view of streets and buildings.</li> <li>• Allowing for safe and direct access to building entry points.</li> <li>• Incorporating parking into the landscape design of the site.</li> </ul>	No on grade car parking proposed		
	C11. Driveways associated with residential flat buildings shall be arranged to facilitate safe and efficient vehicular access. Vehicles shall be able to enter and leave the site in a forward direction with minimal on-site manoeuvring. (i.e. Maximum of a three point turn)	Safe and efficient vehicular access and manoeuvrability provided	Yes	
	C12. A full width plain concrete vehicle crossing shall be constructed at the vehicle entrance to the property in accordance with Council's requirements with a minimum width of 5m and a maximum width of 6m at the property boundary line.	Full width 6m wide driveway proposed	Yes	
	C13. Car parking spaces allocated to dwellings that are built to the Adaptable Housing Standard – AS 4299 must comply with the dimensions specified in that standard.	30 accessible car parking spaces provided and will be built to the Adaptable Housing Standard AS 4299.	Yes	

Holroyd Development Control Plan 2013														
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition										
	C14. Access to resident parking areas shall be restricted via a security gate or door with an intercom, code or lock system. Visitor parking will be permitted in this area subject to intercom access being provided to each dwelling.	Security door, gates and intercom systems proposed to resident car parking areas.	Yes											
	C15. One car wash bay shall be provided for all developments having 10 or more dwellings. The car wash bay shall be a common, independent area and not serve as a visitor parking space.	One (1) car wash bay provided with basement car park.	Yes											
6.10 Dwelling Layout Mix	Note: Universal housing provisions are within Section 1.13 of this Part. <b>Dwelling layout</b>													
	C6. The minimum internal floor areas for residential flat building dwellings shall be as follows: <table border="1"><thead><tr><th>Dwelling Type</th><th>Minimum Area</th></tr></thead><tbody><tr><td>Studio dwelling</td><td>40m<sup>2</sup></td></tr><tr><td>1 bedroom dwelling</td><td>50m<sup>2</sup></td></tr><tr><td>2 bedroom dwelling</td><td>70m<sup>2</sup></td></tr><tr><td>3 bedroom dwelling</td><td>95m<sup>2</sup></td></tr></tbody></table> Note: storage area provided for within the dwelling shall not be included in the above calculation.	Dwelling Type	Minimum Area	Studio dwelling	40m <sup>2</sup>	1 bedroom dwelling	50m <sup>2</sup>	2 bedroom dwelling	70m <sup>2</sup>	3 bedroom dwelling	95m <sup>2</sup>	>50 m <sup>2</sup> (1 bed) >70m <sup>2</sup> (2 bed) >95m <sup>2</sup> .(3 bed)	Yes	Refer to Section 5.1.8 for further discussion.
Dwelling Type	Minimum Area													
Studio dwelling	40m <sup>2</sup>													
1 bedroom dwelling	50m <sup>2</sup>													
2 bedroom dwelling	70m <sup>2</sup>													
3 bedroom dwelling	95m <sup>2</sup>													
	C7. Single aspect dwellings shall be limited in depth to 8 metres from a window.	All single aspect apartments within the development comply with this control.	Yes											
	C8. The width of cross-over or cross-through dwellings over 15 metres deep shall be 4.5 metres or greater to avoid deep narrow dwelling layouts.	All cross over or cross through dwellings over 15m deep are 4.5m or greater in width.	Yes											
	C9. The back of a kitchen should be no more than 8 metres from a window.	All kitchens within the proposed development are less than 8m to a window.	Yes											

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	<p>C10. Dwelling layouts shall be designed to be flexible for a range of different needs of future occupants by:</p> <ul style="list-style-type: none"> <li>• Being able to accommodate a variety of furniture arrangements;</li> <li>• Utilising flexible room sizes and proportions or open plans;</li> <li>• Ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.</li> </ul>	Dwellings are considered to be flexible and capable of being utilised for arrange of uses.	Yes	
	<p>C11. Dwelling layouts are to be designed to respond to the natural environment and optimise site opportunities by:</p> <ul style="list-style-type: none"> <li>• orienting main living spaces towards the primary outlook and aspect, and away from neighbouring noise sources or windows;</li> <li>• locating main living spaces adjacent to main private open space;</li> <li>• Locating habitable rooms, and where possible kitchens and bathrooms, on the external face of the building thereby maximising the number of rooms with windows.</li> <li>• Maximising natural ventilation and solar access through providing, corner apartments, cross over or cross through apartments, split level or maisonette apartments or shallow single aspect apartments</li> </ul>	Dwelling layouts respond to the natural environment and optimise natural light, ventilation as well as provide logical arrangements of rooms to private open spaces.	Yes	
	C12. Apartment layouts and dimensions shall facilitate furniture removal and placement.	The dimensions of rooms allow for the appropriate removal and placement of furniture.	Yes	
	<p><b>Dwelling Mix</b></p> <p>C13. A mix of residential dwelling types between studio, one, two, and three plus-bedroom</p>	A mix of 1, 2 & 3 bedroom dwellings are proposed	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	dwelling shall be provided within each residential flat building particularly in larger developments.	within the development.		
	C14. The combined total number of studio and one-bedroom dwellings shall not exceed 20% of the total number of dwellings, within any single site.	Two (2) x one (1).one bed apartment proposed as part of this residential flat building development, donot exceed 20%	Yes	
	C15. Where possible, a mix of one and three bedroom dwellings should be located on the ground floor where accessibility is easily achieved for families and the elderly.	Refer above. A mix of one (1), two (2) and three (3) bed apartments are located on the ground floor of each residential flat building within the proposed development.	Yes	<p>Refer to Section 5.1.8 for further discussion.</p> <p>The proposed dwelling mix is a result of extensive market analysis by the development.</p> <p>In addition it is noted that the accompanying CSIA supports the market analysis showing that whilst there are still a high proportion of lone person households within Wentworthville, the number of these lone person households has decreased between 2006 and 2011, in addition the CSIA also identified an increase in 3 or more persons indicating a growth in demand from young families.</p> <p>Accordingly, it is considered that the proposed unit mix is justifiable.</p>
<b>6.11 Internal Circulation</b>	C1. Where dwellings are arranged off a double-loaded corridor, the number of dwellings accessible	Single loaded corridors proposed	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	<p>from a single core/corridor will be limited to eight (8). This criteria may be waived where:</p> <ul style="list-style-type: none"> <li>• The development involves the adaptive reuse of a building,</li> <li>• where developments can demonstrate the achievement of the desired streetscape character and entry response, and</li> <li>• Where developments can demonstrate a high level of amenity for common lobbies, corridors and units.</li> </ul>			
	<p>C2. Amenity and safety in circulation spaces are to be increased by:</p> <ul style="list-style-type: none"> <li>• Providing generous corridors widths and ceiling heights, particularly in lobbies and dwelling entry doors,</li> <li>• Providing appropriate levels of lighting, including the use of natural daylight, where possible,</li> <li>• Minimising corridor lengths to give short, clear sight lines,</li> <li>• Avoiding tight corners,</li> <li>• Providing legible signage noting dwelling numbers, common areas and the like,</li> <li>• Providing adequate ventilation.</li> </ul>	Appropriate safety and amenity provided within the lobbies and corridors through appropriate dimensions, lighting, layouts and sightlines.	Yes	
	C3. All common facilities within a development must be accessible.	Appropriate accessible design has been implemented to allow access to all common area and facilities	Yes	
	C4. All staircases within a development shall be located internally.	All staircases located internally.	Yes	
	C5. The location of sensitive noise rooms adjoining less sensitive noise rooms, corridors and stairwells shall be minimised.	Rooms have been appropriately positioned to minimise any acoustic impact to dwellings within the development.	Yes	



Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C6. Locate habitable rooms with windows overlooking communal/public areas	Habitable room windows have been positioned so as to overlook communal open space areas and the public domain.	Yes	
<b>6.12 Facilities and Amenities</b>	<b>Laundries and other clothes drying facilities</b> C1. Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	Each dwelling includes an internal laundry	Yes	
	C2. Open air clothes drying facilities should be provided in a sunny ventilated and convenient location, which is adequately screened from streets and other public places. 7.5 metres of line per dwelling shall be provided.	No open air clothes drying provided within this development.	N/A	
	C3. Mechanical drying appliances shall be provided for each dwelling and the provision of external drying areas at a rate of 3.0 metres of line per dwelling in a suitably screened position.	Mechanical drying appliances to be provided	Yes	
	<b>Garbage</b> C4. Council garbage collection services will be provided from the public road frontage only. Where 15 or more dwellings are proposed for a site, Council may require special arrangements to be made for bulk garbage collection.	Waste to be collected on site by private contractor in accordance with submitted waste management plan.	Yes	
	<b>TV Antennae</b> C5. A master antenna should be provided for any development of more than two dwellings.	Master TV antennae will be provided to the proposed residential flat building development	Yes	
	C6. Only one telecommunications / TV antenna / satellite dish will be permitted for each residential flat building.	Noted to comply	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C7. Satellite dishes, telecommunication antenna and other ancillary facilities shall be located away from the primary street frontage and incorporated into the overall building design, where possible.	Noted to comply	Yes	
	<b>Fencing and Screen walls</b> C8. The service courts or clothes drying areas shall be screened by walls at least 1.5 metres high.	No clothes drying areas are proposed.	N/A	
	C9. Screens not being building walls may be of masonry or lapped, capped and stained timber or other material approved by Council, except that screen walls facing roads, pedestrian walkways, reserves or public places shall be of material used in the building external wall construction and in harmony with the building wall design.	It is considered that the proposed privacy screen walls will be similar to the building materials used and will be in harmony with the proposed wall design.	Yes	
	C10. Landscaped private courts shall be clearly defined either by building services or by screen walls or by fencing.	The proposed internal and external courtyards will be landscaped and clearly defined.	Yes	
	<b>Public Utilities</b> C11. Metre box rooms for utilities shall be provided in the basement of residential flat buildings.	To comply	Yes	
	<b>Mail Boxes</b> C12. Mailboxes shall be integrated with the design of landscaped areas, fences and buildings, and shall not dominate the street front. They are to be clearly defined and easily accessible from the main access point of the building. C13. Mailboxes shall be designed and provided so that they are convenient for residents, shall not be at 90o to the street, does not require a postal employee to	Mail boxes to be provided within proposed pedestrian pathway from Garfield Street adjacent to Building C	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition										
	enter the site and shall not clutter the appearance of the development from the street. Note: Applicants should discuss with Australia Post the required dimensions and locations for mailboxes.													
	<b>Storage</b> C14. Storage shall be provided in locations convenient for the dwelling. Options include: <ul style="list-style-type: none"><li>• locating at least 50% of the required storage space within the dwelling;</li><li>• dedicating storage rooms on each floor within the development;</li><li>• dedicating storage in internal or basement car parks.</li></ul> Note: Storage space shall be excluded from the calculation of FSR.	Storage space provided conveniently within each apartment and in dedicated storage cages within the basement car park.	Yes											
	C15. Storage for individual dwellings not located within the dwelling shall be separate and secure for individual use.	As noted above some storage areas provided within dwellings and within basement car parking area.	Yes											
	C16. Storage facilities shall be provided at the following rates: <table><tr><th>Dwelling Type</th><th>Minimum storage required</th></tr><tr><td>Studio Dwelling</td><td>6m³</td></tr><tr><td>One Bedroom Dwelling</td><td>6m³</td></tr><tr><td>Two Bedroom Dwelling</td><td>8m³</td></tr><tr><td>3+ Bedroom Dwelling</td><td>10m³</td></tr></table>	Dwelling Type	Minimum storage required	Studio Dwelling	6m³	One Bedroom Dwelling	6m³	Two Bedroom Dwelling	8m³	3+ Bedroom Dwelling	10m³	Minimum provision of 1m³ storage inside each unit, remaining 9m³ & 7m³ of internal storage provision to be allocated at Basement for 3 bedroom and 2 bedroom units respectively	Yes	
Dwelling Type	Minimum storage required													
Studio Dwelling	6m³													
One Bedroom Dwelling	6m³													
Two Bedroom Dwelling	8m³													
3+ Bedroom Dwelling	10m³													
	C17. Access to storage areas shall be accessible to wheelchair users and for less mobile persons.	Noted to comply for all adaptable dwellings and accompanying car parking spots.	Yes											
	<b>Other</b> C18. All dwellings shall be clearly and appropriately numbered.	Noted to comply	Yes											

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C19. A garden maintenance and storage area shall be provided in all developments. It shall be conveniently located and connected to water and drainage.	Garden maintenance storage areas have been provided, refer to submitted landscape plan.	Yes	
<b>6.13 Natural Ventilation</b>	C1. The site is to be planned to promote and guide natural breezes by: <ul style="list-style-type: none"> <li>• determining prevailing winds and orienting buildings to maximise use;</li> <li>• locating vegetation to direct breezes and cool air as it flows across the site;</li> <li>• selecting or planting trees that do not inhibit air flow.</li> </ul>	The development has been designed and sited to take advantage of prevailing breezes for appropriate natural ventilation purposes. Refer to submitted individual units ventilation analysis plan DA-004	Yes	
	C2. The building layout and section are to be utilised to increase the potential for natural ventilation. Design solutions include: <ul style="list-style-type: none"> <li>• facilitating cross ventilation by designing narrow building depths and providing dual aspect dwellings (eg. cross through dwelling or corner dwellings);</li> <li>• facilitating convective currents by designing dwellings which draw cool air in at lower levels and allow warm air to escape at higher levels (eg maisonette dwellings and two-storey dwellings).</li> </ul>	The building layout has optimised natural ventilation through appropriate built form massing.	Yes	
	C3. The internal layout of dwellings shall be designed to promote natural ventilation by: <ul style="list-style-type: none"> <li>• minimising interruptions in air flow through a dwelling. The more corners or rooms airflow must negotiate, the less effective the natural ventilation;</li> <li>• grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together. This allows the dwelling to be compartmentalised for efficient</li> </ul>	The internal layout and design and positioning of windows will allow appropriate natural ventilation within the dwellings.	Yes	

## Holroyd Development Control Plan 2013

Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	summer cooling or winter heating.			
	<p>C4. Doors and operable windows are to be selected to maximise natural ventilation opportunities established by the dwelling layout. Design solutions may include:</p> <ul style="list-style-type: none"> <li>• locating small windows on the windward side (facing the prevailing winds) and larger windows on the leeward side (away from the prevailing winds) of the building thereby utilising air pressure to draw air through the dwelling;</li> <li>• using higher level casement or sash windows, clerestory windows or operable fanlight windows, including above internal doors to facilitate convective currents. This is particularly important in dwellings with only one aspect;</li> <li>• selecting windows which occupants can reconfigure to funnel breezes into the dwelling, such as vertical louvred, casement windows and externally opening doors.</li> </ul>	Sliding doors and operable windows will allow dwellings to take advantage of prevailing breezes for natural ventilation.	Yes	
<b>6.14 Maintenance</b>	C1. Initial high quality design and construction is the most effective way of ensuring the building has a long life and requires low maintenance.	Design of the development is to be of high quality materials and construction techniques	Yes	
	C2. Windows shall be designed to enable cleaning from inside the building, where possible.	Most windows are accessible from a balcony and as such considered to enable cleaning from the inside.	Yes	
	C3. Manually operated systems such as blinds, sun shades, pergolas and curtains are preferable to mechanical systems.	Manually operated privacy screens are proposed.	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C4. Durable materials, which are easily cleaned and graffiti resistant, are to be selected. C5. A fully automated commercial grade drip irrigation system shall be provided to all landscaped areas of the development.	Materials to be durable, easy to clean and graffiti resistant	Yes	
	C6. A garden maintenance and storage area shall be provided in all developments. It shall be conveniently located and connected to water and drainage.	Garden maintenance and storage area has been provided, refer to submitted landscape plan.	Yes	
<b>6.15 Waste Management</b>	Note: General controls on waste management are located in Part A of this DCP. C1. Bin storage areas shall: <ul style="list-style-type: none"> <li>• be located behind the building line and screened from the street and any public place;</li> <li>• be accessible and in relatively close proximity to each dwelling;</li> <li>• allow for unobstructed access that does not exceed a grade of 1:8 for bins to be wheeled to the collection point;</li> <li>• not impact upon the amenity of adjoining premises or dwellings within the development, i.e. odour.</li> </ul>	Refer to submitted waste management plan. It is considered that the proposed bin storage areas are appropriately located within each building and proposed collection point from the loading dock adjacent to Building C.	Yes	
	C2. Storage areas are to be of adequate size to store the required number of bins, durable and waterproof, well ventilated and should integrate with the design of the development.	The proposed storage is of adequate size to store the required number of bins which are waterproof. Additional screening of waste collection area may be required.	Yes	
	C3. The floor of bin storage areas shall be made of concrete construction and shall be properly graded to the drain.	Bin storage area to be constructed of concrete and graded to allow drainage	Yes	
	C4. A water hose shall be provided in close proximity to facilitate regular cleaning of bins and the storage area itself.	Noted to comply	Yes	

Holroyd Development Control Plan 2013				
Clause	Requirement	Proposed	Complies?	Justification for non-compliance / Comment / Proposed Condition
	C5. An area is to be nominated on-site for communal composting.	Noted to comply	Yes	
	C6. Every dwelling is to be provided with a waste cupboard or temporary storage area of sufficient size to hold a single days waste and to enable source separation.	It is considered that all apartments comply with this requirement. Refer to submitted waste management plan for further detail regarding residential garbage disposal.	Yes	



## **Part H – Heritage and Heritage Conservation**

Part H of the Holroyd DCP 2013 contains development controls for Heritage and Heritage Conservation. It is noted that the subject site is located in close proximity to two locally significant heritage Items, these are:

- I133 known as 45 Garfield Street which has been listed as being an Federation period residence, and
- I131 known as 41 Garfield Street which has been listed as an Inter-war cottage.

Accordingly, a Heritage Impact Statement has been prepared as per the documentation detailed in Section 3.1 and submitted with this application. The statement concludes:

*“Based on the conclusion the proposed development will not directly impact upon any identified heritage sites or relics, and that the potential for archaeological items to occur is assessed to be low, it is recommended that there are no heritage constraints to the development proposal proceeding as planned and that no further heritage input is warranted.”*

Having regard to the above conclusions of the submitted Heritage Impact Assessment, it is considered that the proposed development satisfies the requirements of Part H of Holroyd DCP 2013 – Heritage and Heritage Conservation.

### **5.1.7 Justification for non-compliance items with Planning Instruments and Controls**

The following section provides further discussion on the main non-compliances identified in the above compliance tables. It is noted that where the non-compliance has been able to be justified within the table or resolved by condition of consent it has not been included in the discussion below.

#### **Holroyd Development Control Plan 2013 – Part B (1) General Residential Controls**

**1.4 Visual Privacy (C1)** - The windows of dwellings are to be located so they do not provide direct and close views into the windows of habitable rooms and private open spaces of adjoining dwellings.

Comment: An assessment of the proposed development has revealed that some windows within the proposed residential flat building development are orientated towards adjacent dwellings. A review of the plans indicates that the eastern elevation windows of Building A, parts of south and east facing windows of Building B and parts of the southern and northern elevation windows are orientated towards adjacent residential dwellings.

Despite parts of the development not complying with the above control it is considered that the non-compliance should be supported for the following reasons:

- Building setbacks from these elevations to the site boundary are between 6m and 9m.
- Extensive landscape screening is either being retained or proposed along these site boundaries.
- Privacy shutters are provided to the southern elevations of Building B and Building C

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a

development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the Privacy objectives contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by generally providing appropriate setbacks and levels of landscape and built screening.

Given the above, the proposed non-compliance with the visual privacy control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979 and the ability of the proposed development to achieve the objectives of the Privacy controls within the HDCP 2013.

**1.4 Landscaping & Open Space (C4)** - The majority of the provided landscape area for residential flat developments shall be provided as consolidated area at the rear of the building.

*Comment:* An assessment of the proposed development has revealed the majority of landscape area provided within this residential flat building development is interspersed between and around the proposed residential flat buildings and as such does not comply with the above control. Despite failing to comply with the above-mentioned control, the proposed landscape design should be supported for the following reasons:

- The shape and size of the allotment is such that it provides for three (3) residential flat buildings which meet the requirements for site coverage, landscape area, communal open space and floor space ratio,
- Given that there are three residential flat buildings and two street frontages (main frontage to Cumberland Highway to the west and secondary frontage to Garfield St to the east) it can be considered that there is no established “rear of building” to any one building,
- Hard paving has been kept to a minimum across the site,
- The proposal provides additional deep soil zones and retains a good proportion of existing mature vegetation,
- The proposed landscape area provides appropriate useable communal areas including BBQ areas, children’s play equipment, community kitchen garden and areas for active and passive recreation,
- The proposal exceeds the requirements of the HDCP 2013 for both landscaped area and communal open space.

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the objectives of Landscaping and Open Space contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by providing more than the required landscaped area and communal open space in addition to providing communal facilities within these spaces it is considered that the non-compliance with the above control is acceptable in this circumstance.

Given the above, the proposed non-compliance with the ‘Landscaping and Open Space control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions

of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979 and the ability of the proposed development to achieve the objectives of Landscaping & Open Space controls within the HDCP 2013.

### **Holroyd Development Control Plan 2013 – Part B (6) Residential Flat Buildings**

**6.3 Setbacks & Separation C1 – C12** – Section 6.3 provides controls in relation to setbacks and building separation.

The minimum setbacks for the proposed development in relation to each vertical boundary adjacent to allotments on which residential dwellings are located are as follows

- Northern Boundary (adjacent to Building C) - Minimum 6.2m (upper level balconies)
- Eastern Boundary fronting Garfield Street – Minimum 10.850
- Setback from Building C to northern boundary of 33 Garfield Street– Minimum 11.585m (note proposed driveway provided within this setback)
- Setback from Building C to western boundary of 33 Garfield Street – Minimum 15.4m (note proposed driveway provided within this setback)
- Setback from Building B to western boundary of 39 and 41 Garfield Street – Minimum 9.715m
- Setback from Building B to northern boundary of 47 Garfield St – Minimum 6.2m
- Setback from Building A to western boundary of 47 Garfield Street – Minimum 7.9m
- Setback from Building A to southern site boundary – Minimum 8.365

In addition to the above the minimum setback to the Cumberland Highway has been measured to have a minimum setback of 5.8m and minimum basement setback to of 3.972m

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development

Having regard to the above It is considered that due to the highly irregular nature of the subject site and the number of vertices (12) which comprise the site boundary the proposed setbacks should be assessed on their merit rather than the numerical controls specified in the Holroyd DCP 2013. In addition it is considered that the proposal should be assessed on its ability to comply with the objectives of the setback and separation controls provided in Section 6.3 Setbacks and Separation within the HDCP 2013 as detailed below.

*O1. To protect the amenity of adjoining sites, maintaining appropriate residential character and providing adequate sunlight to dwellings and private open space.*

#### **CPS Comment:**

It is considered that the proposed setbacks for this residential flat building development maintain the amenity to adjoining sites. As detailed in the compliance tables and as demonstrated in the accompanying shadow analysis diagrams (refer **Figure 10**) the proposed development complies with the solar access controls of the HDCP2013 in maintaining at least 3 hours of direct sunlight to adjacent residential dwellings and private open space between 9am and 4pm on 22 June.

It is noted that in the case of the above setbacks the proposed development provides more than the requirements of both front (6m) and side (3m) setback controls prescribed by the HDCP2013. It is also noted that in some cases the setback increases along building elevations. This is particularly evident where balconies are present along an elevation and where the building is well modulated. In addition it is considered that the minimum setback of 5.8m presented to the western boundary will not have any significant adverse impacts on overshadowing and privacy given that the building fronts a major arterial road (Cumberland Highway). In addition it is noted that the entire frontage to the Cumberland Highway is landscaped.

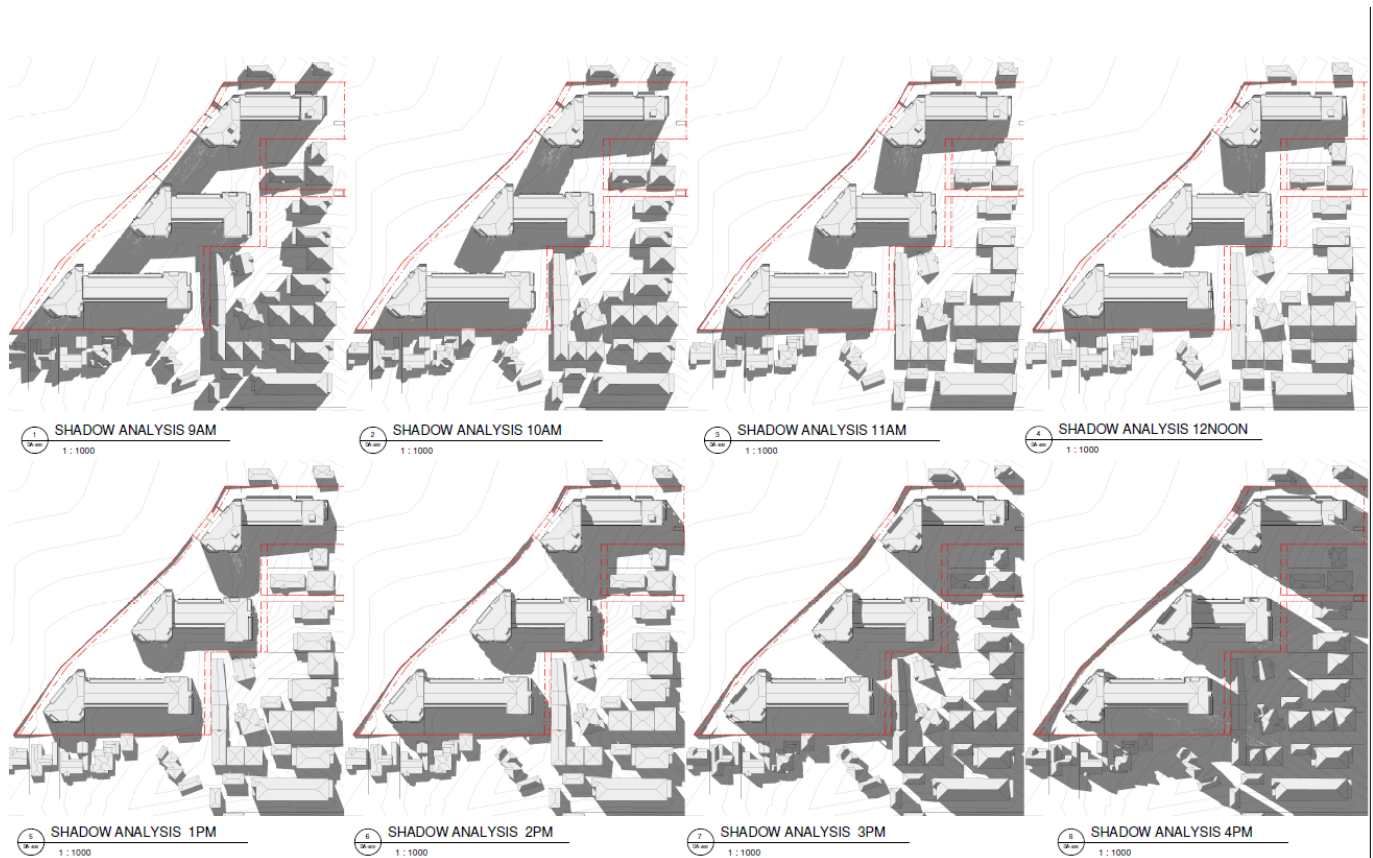


Figure 10 – Shadow Analysis Plan source: Universal Property Group

## O2. To permit flexibility in the siting of buildings

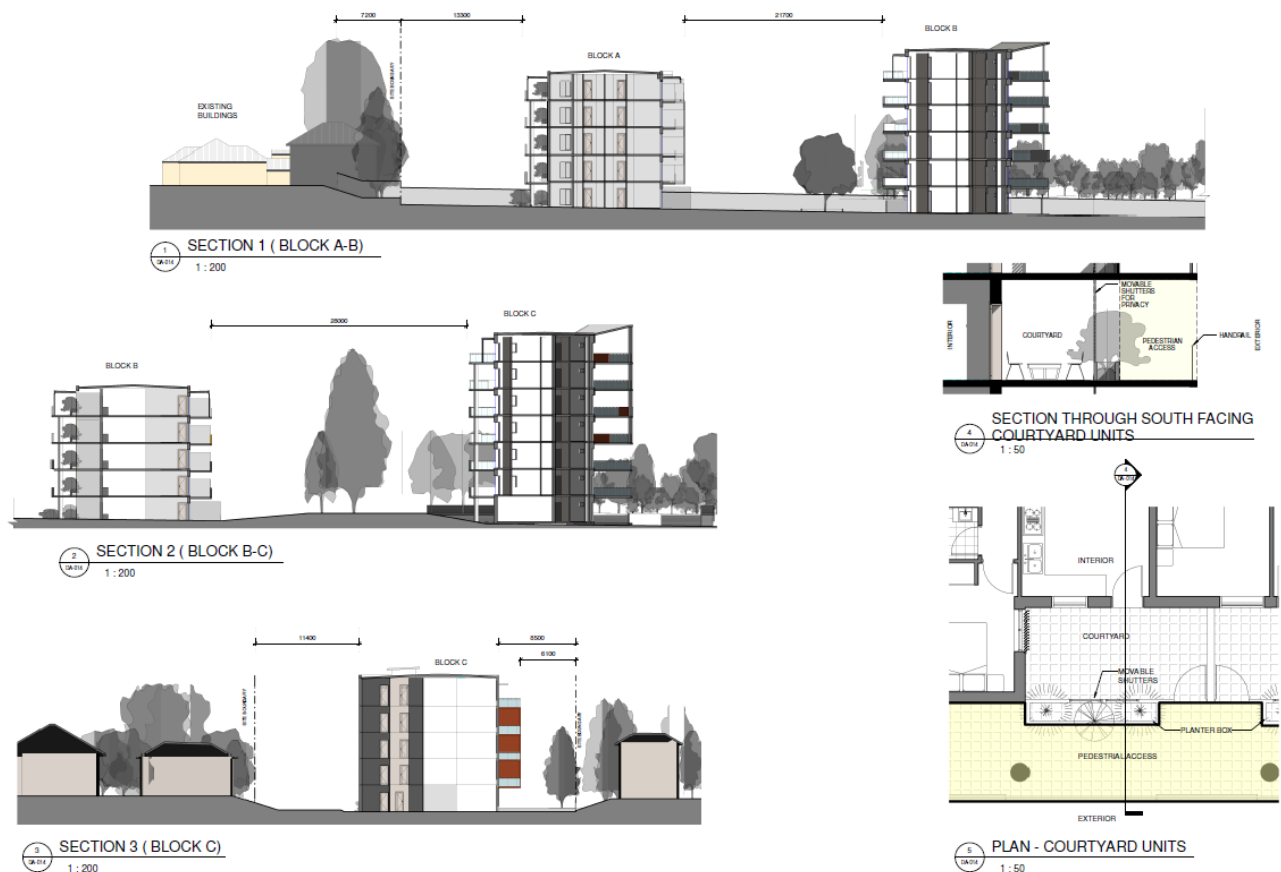
**CPS Comment:** As noted it is considered that this development site requires greater flexibility than the setback controls currently prescribe. It is considered that the proposed siting of the three (3) residential flat buildings responds as best as possible to the irregular boundaries of the site whilst still maintaining adequate building separation, areas of private and communal open space and vehicular and pedestrian access.

## O3. To require setbacks to respond to the site and proposed development dimensions.

**CPS Comment:** As noted above and in the accompanying compliance tables the inability of the development to meet the prescriptive setback controls owes more to the irregularities of the site boundaries rather than an overdevelopment of the subject site. It is noted that the dimensions and layouts of each residential flat building respond to the existing site boundaries. As shown on the submitted plans and as detailed above, the proposed setbacks vary along each boundary, these variances

demonstrate that proposed buildings are well modulated and articulated rather than presenting one consistent setback dimension.

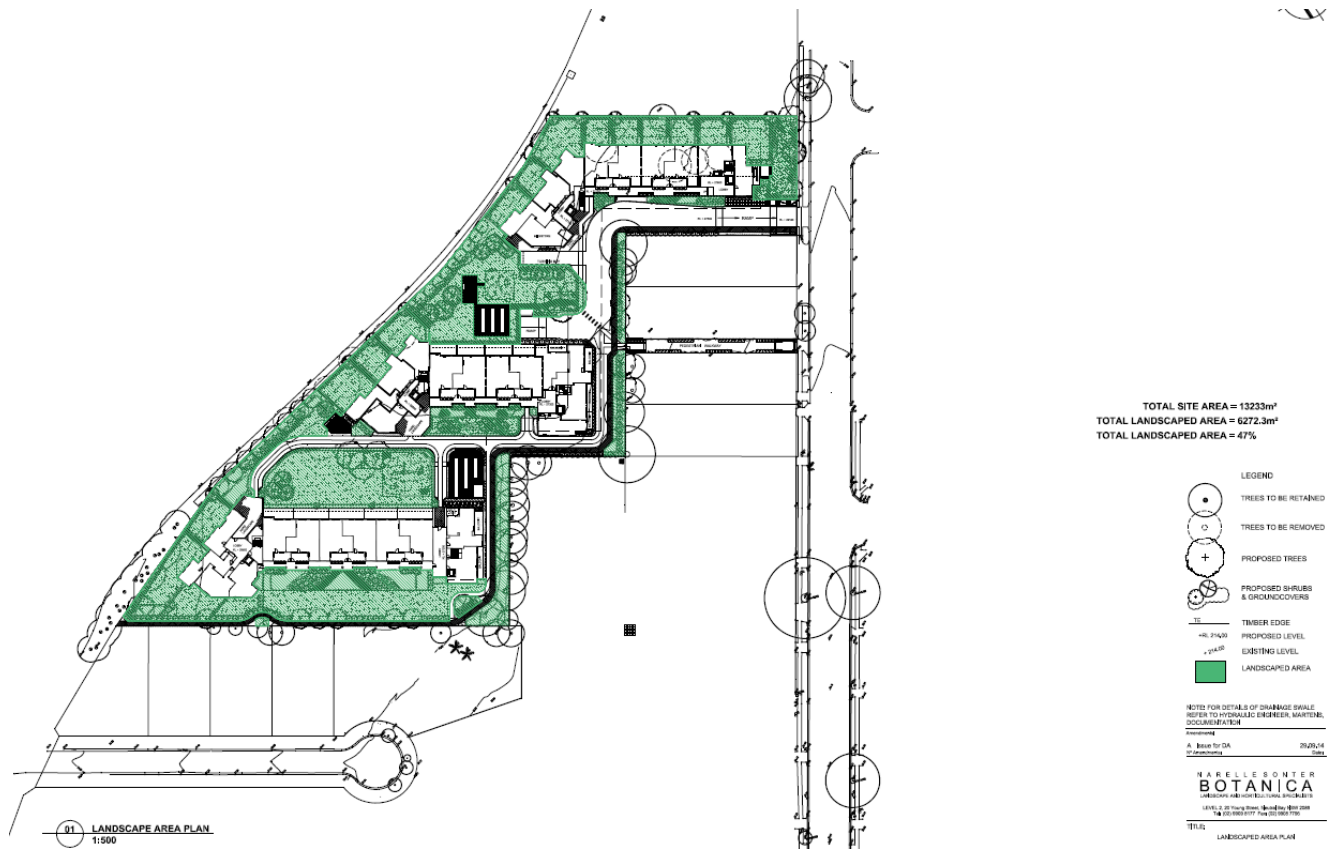
In addition to the above, and as shown in **Figure 11** the building separation exceeds the 18m required by the HDCP 2013. It is therefore considered that the proposed development maintains an acceptable level of amenity within the proposed development in addition to adjacent residential development (demonstrated in the submitted shadow analysis plans).



**Figure 11** – Visual analysis and building separation plan Source: Universal Property Group

*04. To provide for a landscaped setting including deep soil planting for residential flat buildings.*

**CPS Comment:** The proposed setbacks and building separation ensures that a high proportion of the site is landscaped. As noted previously in the compliance table, the development exceeds both the landscaped area requirements and the communal open space requirements of the HDCP 2013 (refer Landscaped Area Figure 12 and Communal Open Space Figure 6).



**Figure 12 – Landscaped Area Plan** Source: Bontanica Landscape Architects

As shown on the above Landscape Area plan and as detailed in the submitted Tree Report, a significant amount of mature vegetation will be retained on the subject site. As detailed, much of the mature vegetation being retained exists along the boundaries of the subject site or on adjacent properties, thus acting as a visual buffer ensuring that the protection of residential amenity to neighbouring dwellings. As also shown on the submitted landscape plan, all setbacks will incorporate a level of landscaping and/or screen planting.

As shown on the Communal Open Space plan at *Figure 6*, the landscaped areas between the buildings have been dedicated as communal open space. This communal open space will accommodate a variety of passive and active recreational use including BBQ areas, children's play equipment, kitchen gardens and a number of deep soil zones. It is noted that given that a large proportion of landscaping is planting over structures being over the proposed basement car park two specific deep soil zones have been provided within the basement footprint with the remaining deep soil zones outside the basement footprint.

Having regard to the above it is considered that the proposed setbacks do not preclude the establishment of a landscaped setting for the development and the establishment of deep soil zones.

*O5. To provide visual and acoustic privacy for existing and new residents.*

**CPS Comment:** As noted above the proposed varied setbacks and the retention of mature vegetation within these setbacks will provide a significant visual buffer to neighbouring development and to the Cumberland Highway. In addition to this existing vegetation it is noted that fixed privacy screening is proposed to balconies on the south facing elevations of Building's C and B. As also highlighted above the proposed building separation within the development far exceeds the requirements of the HDCP 2013.



In regards to acoustic privacy, an Acoustic Assessment report has been submitted which details specific noise attenuation measures to be incorporated within the proposed development. The specific noise attenuation measures incorporated into the proposed development relate mainly to noise intrusion from the adjacent Cumberland Highway. The proposed attenuation measures include specified glazing thickness and incorporation of mechanical ventilation (air-conditioning) to supplement windows being open (refer to Glazing Mark Up's and Ventilation Mark Up's at Section 5.8 of this report). The Acoustic Assessment also establishes specific noise emission objectives for the proposed development. It is considered that these noise emission objectives will be complied with in the establishment of plant and other noise emissions emanating from the subject site.

The submitted acoustic assessment concludes that provided the noise intrusion treatments are incorporated into the proposed development the internal noise levels will comply with the requirements of HDCP 2013, SEPP (Infrastructure) 2007 and AS2021-2000.

*O6. To minimise any overshadowing of adjacent properties and their private or communal open spaces.*

CPS Comment: As demonstrated in the above Shadow Analysis plan the proposed development demonstrates that a minimum of 3hrs direct sunlight will be maintained to adjacent properties and their private and communal open space. Notwithstanding the shadow analysis it is noted that the development has been sited to minimise overshadowing to as many adjacent residential properties as possible. Higher building heights within the development are located on the Cumberland Highway frontage and as such it is considered that the overshadowing impact has been mitigated through the building's design.

It is considered that the above assessment of the proposed development against the objectives of Setbacks and Separation contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by protecting the amenity of the adjoining sites whilst maintaining the residential character of the surrounding area and providing a high level landscaping throughout the site.

Given the above, the proposed non-compliance with the 'Setback & Separation' control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979 and the ability of the proposed development to achieve the objectives of Setback & Separation controls within the HDCP 2013.

**6.5 Building Height (C1)** – C3. Maximum building height in storeys shall be provided in accordance with the table below:

Permitted Height (storeys)	
Height (m)	Storeys
15	4
18	5

CPS Comment: An assessment of the plans submitted has revealed that the proposed development proposes building heights and storeys as follows

	Building A		Building B		Building C	
	Height (m)	Storeys	Height (m)	Storeys	Height (m)	Storeys
15m control	14.9m	5	15.38m	5	14.5	5
18m control	n/a	n/a	17.7m	6	21.55m	7



It is noted that an objection pursuant to Clause 4.6 of HLEP 2013 has been prepared and submitted to Council in relation to the non-compliance with the Building Height development standard contained in Clause 4.3.

Having regard to the above heights it is also noted that the proposed development exceeds the number of storeys permitted within each permitted height zone for the subject site. This non-compliance is considered justifiable for the following reasons.

- The proposed development complies with the 2.7m ceiling heights for all habitable rooms and 2.4m for non habitable rooms.
- Sufficient levels of daylight and sunlight access have been achieved to the dwellings, private and communal open spaces;
- The proposed building heights maintain a minimum of 3hrs direct sunlight to adjoining residential properties and private open space,
- The overall development has a floor space ratio of 1.2:1 and site coverage of 28.02%
- As discussed above acceptable setbacks have been provided through the provision of three (3) well-modulated residential flat buildings with appropriate siting that responds effectively to the existing constraints of the site,
- it has been demonstrated through the submitted shadow diagrams, proposed landscaping and privacy screening that the development has minimised its potential impacts on adjoining development through its orientation and separation

In addition to the above, it is noted that in the letter requesting additional information dated 13 April 2015, Council requested that the upper levels of the proposed development should be designed in such a way that they are less dominant elements of the building, potentially through the use of lightweight materials and appropriate setbacks.

In this regard it is noted that the upper levels of each building been re-designed to reduce the visual dominance of these elements. This has been achieved through greater articulation, breaking up the façade fronting the Cumberland Highway, upper level facades balconies that appear set back and utilising lighter metallic building materials.

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the objectives of Building Heights contained within the HDCP2013 is outlined below

*O1. To permit a scale of development compatible with the localities topography, and the context, scale and character of the street and streetscape.*

CPS Comment: As shown on the submitted site survey plan the topography of the site slopes gently down from Garfield Street towards the Cumberland Highway to the west. The proposed building heights respond to the controls that emphasise higher building heights fronting the Cumberland Highway. In addition the sloping topography of the site places the higher buildings on the lower levels of the subject site further reducing their overall bulk and scale.

The proposed building heights are considered to be compatible with both the current and future context, scale and character of the surrounding area. It is noted that the site underwent a change in zone from low density to high density as part of the recently gazetted Holroyd LEP 2013. It is also emphasised that the

area is currently undergoing significant transition to higher densities which shows the residential flat building developments that are currently being assessed by Council.

The scale of the proposed development is considered appropriate given the sites prominent location adjacent to a major arterial road, the Cumberland Highway. It is also considered that the scale is appropriate given the demand shown in the accompanying CSIA for more dwellings located within close proximity to the transport and community services that the suburb of Wentworthville provides.

*O2. To preserve the amenity of adjoining residents.*

CPS Comment: Notwithstanding the change in zoning for the subject site and the surrounding area which is driving change in the overall densities of Wentworthville. The proposed development demonstrates that it is able to maintain an adequate level of residential amenity to adjoining residential dwellings. The orientation of the buildings towards the Cumberland Highway frontage with lower building heights towards Garfield and Mildred Streets emphasises the intention to mitigate impacts on existing low density residential properties.

In addition to the above it is highlighted that visual privacy has been mitigated through the retention a significant number of mature trees along the site boundaries, additional screen planting and the installation of privacy screens to the southern elevations of Building A and Building B. It is also noted that the buildings have been specifically sited to respond to the existing irregularities and constraints of the site and to provide adequate setbacks in excess of 6m to all boundaries adjoining residential properties.

In addition to the above, the shadow analysis submitted with the development application demonstrates that the proposed development will maintain the required 3hrs of direct sunlight to all adjacent dwellings and private open space.

Having regard to the above it is considered that the proposed residential flat building development demonstrates that it is able to preserve the amenity of adjoining residents.

*O3. To ensure apartments to receive satisfactory solar access.*

CPS Comment: As demonstrated in the submitted shadow diagrams, and as detailed in the compliance tables, the proposed residential flat development ensures that more than 70% of the apartments receive a minimum of 3 hours direct sunlight between 9am and 4pm on 21 June. It is noted that the proposed apartment buildings have been sited to ensure that the apartments are either cross through or benefit from northerly aspect.

It is noted that both Building C and Building B step down from the 18m height limit to the 15m limit. However it is also emphasised that rather than maintaining the 18m height limit to its maximum extent, (an additional 28m back to the east for Building C and additional 29.5m back to the east for Building B) the proposed development concentrates the building height to a relatively small portion of the site near the western boundary where the impacts from the higher buildings are mitigated by the existing arterial road. It is considered that the massing of these heights to the western extent each building allows more sunlight to access a greater portion of apartments within the proposed residential flat building development.

In addition to the above it is considered that the exceedance of the building separation control combined with the stepping down of the building height from west to east allows more sunlight to access a greater portion of the proposed development.

The above assessment demonstrates that the proposal satisfactorily meets the Building Height objectives in the HDCP 2013 accordingly it is considered that the proposed non-compliance with the 'Maximum building height' control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979.

**6.6 Communal Open Space & Landscaping (C1)** - Communal open space shall be provided behind the building line, in one unbroken parcel. It shall have a minimum dimension of 4 metres in any direction.

*CPS Comment:* It is considered that due to the irregular shape and size of the allotment and the provision of 36% of the site as landscaped area the provision of some 4770.0m<sup>2</sup> of communal landscaped open space in one contiguous parcel is not feasible

Accordingly, given that the proposed development is unable to comply with this control, the requirement for the provision of contiguous communal open space should be considered on merit, subject to compliance with the objectives of the Open Space controls of the HDCP2013

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the objectives of Open Space contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by enhancing the quality and liveability of the built environment, ensured the retention, establishment and healthy growth of trees and providing a high amenity communal open space and including a high level of deep soil to allow the healthy growth of trees and shrubs.

Given the above, the proposed non-compliance with the 'Communal Open Space and Landscaping' control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979.

**6.10 Building Entry & Pedestrian Access (C1 & C2)** - Building entries shall be a clearly identifiable element of the building and entrances shall be visible from the street, sheltered and well lit.

*CPS Comment:* An assessment of the plans submitted has revealed that the entries to the buildings are not an identifiable element and are not clearly visible from the street. Despite this, the proposed building entries should be supported for the following reasons:

- The entry to the site has been clearly defined by providing a substantial portico/vestibule entry feature which marks the entry to the site;
- Clear pathway sightlines provided to building entry area;
- Appropriate signage is to be incorporated directing pedestrians through the site;
- Appropriate lighting is to be provided to guide direction to building entry;
- Appropriate landscape treatments in terms of walls and planting are to be implemented to guide direction to the building entry;

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the objectives of Building Entry and Pedestrian Access contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by ensuring optimal accessibility to the building for residents and visitors by way of an entrance which orients users and contributes positively to the streetscape and building.

Given the above, the proposed non-compliance with the 'Building Entry and Pedestrian Access' control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979 and the ability of the proposed.

**6.10 Dwelling Layout (C9)** - The back of a kitchen should be no more than 8 metres from a window.

*CPS Comment:* An assessment of the plans submitted indicates that the back of the kitchen of Unit 5, 6, 12, 13, 19, 20, 26 & 27 are located more than 8 m from a window. Despite being located more than 8m from a window, this non-compliance should be supported for the following reasons:

- Improved internal layout provided good circulation
- Appropriate windows provided with natural light access and ventilation
- Dual aspect windows allow for increased levels of light access to kitchen areas.
- Internal arrangement allows for open plan layout and adaptable furniture placement
- Appropriate exhaust fans provided for kitchen cooking area for additional ventilation\

As covered by Section 79C(3A)(b) of the Environmental Planning and Assessment Act 1979, if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

In this regard, an assessment of the proposed development against the objectives of Dwelling Layout contained within the HDCP2013 has revealed that the proposal satisfactorily meets the objectives by ensuring that the design and layout of the dwellings provide a high standard of residential amenity and accommodate for the variety of activities and needs of occupants.

Given the above, the proposed non-compliance with the 'Dwelling Layout' control contained within the HDCP 2013 is considered justifiable in this instance, particularly having regard to the provisions of Section 79C(3A)(b) the Environmental Planning and Assessment Act 1979 and the ability of the proposed.

### 5.1.8 Justification on Compliance with Planning Instruments and Controls

**6.10 Dwelling Layout and Mix (C6)** - C6. The minimum internal floor areas for residential flat building dwellings shall be as follows:

Dwelling type	Minimum Area
1 Bed Dwelling	50m <sup>2</sup>
2 Bed Dwelling	70m <sup>2</sup>
3 Bed Dwelling	95m <sup>2</sup>

Note: storage area provided for within the dwelling shall not be included in the above calculation.

The proposed development provides apartment sizes greater than the minimum areas identified for apartments within the HDCP2013.

*CPS Comment:* Submitted with the subject development application is a schedule of the Gross Floor Areas and outdoor private open space areas for each unit within the three residential flat buildings proposed on the subject site.

These schedules indicate that the internal areas for each 1, 2 and 3 bed unit comply with the minimum gross floor area requirements of the HDCP2013 and RFB design code. It is noted however that in the calculation of the internal areas for each of the units, the GFA of each courtyard adjacent to the unit's entry has been included. This is because all external walls of the courtyard have a height of greater than 1.4m and meet the definition for GFA contained within the dictionary of HLEP2013.

It is also acknowledged that Part 3 – Building Configuration of the Residential Flat Design Code indicates the following in relation to Apartment Layouts

*“Rules of Thumb”*

*“If council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest the following minimum apartment sizes, which can contribute to housing affordability: (apartment size is only one factor influencing affordability)*

- 1 bedroom apartment 50m<sup>2</sup>
- 2 bedroom apartment 70m<sup>2</sup>
- 3 bedroom apartment 95m<sup>2</sup>”

It is noted that Holroyd Council have chosen to standardise apartment sizes within their HDCP2013 in accordance with the above apartment sizes. In this regard it is noted that these “rules of thumb” from the Residential Flat Building Design Code make suggestions on apartment sizes, not whether the floor area associated with the apartment is wholly internal or semi enclosed. The courtyards located adjacent to each dwelling's entry will act as a semi enclosed all weather extension to the living area of each dwelling and as such is considered appropriate to include the floor area of these courtyards within the apartment sizes.

The balcony areas for each unit are not included in the apartment size calculation because it is noted that the code explicitly differentiates balcony areas from the remainder of the apartment area. Additionally, given that the balustrade heights of each balcony are less than 1.4m these balcony areas would not constitute Gross Floor Area as defined within the dictionary of HLEP 2013.

It is therefore considered that that the proposed apartment sizes comply with both the requirements of the Residential Flat Design Code and the Holroyd Development Control Plan.

## 5.2 Streetscape

The proposed development will significantly change the streetscape of the land between Garfield Street and the Cumberland Highway. As noted, the streetscape is currently characterised by predominantly low rise, detached dwellings and lower density multi dwelling housing. This streetscape is reflective of the

previous low density zoning attributed to the site under the now repealed Holroyd LEP 1991. Under the former LEP, Residential Flat Buildings (other than medium density housing) were constituted as “prohibited development” as such the area has not been characterised by larger high density residential development.

As previously noted within this report, the site and surrounding area were subject to a change in zoning following the gazettal of Holroyd LEP 2013. The subject site was zoned R4 – High Density and surrounding dwellings to the south zoned R3 – Medium Density Residential. It is noted that in preparing the LEP and change in zoning for the subject site, Holroyd Council were required to undertake extensive community consultation. It is therefore considered that the resultant change in zoning reflects Council’s desired future character for this land fronting the Cumberland Highway and as such envisages a significant change in the streetscape from its current low density built form to range of medium and high density residential development.

Notwithstanding the above, it is noted that the proposed development has orientated the higher building heights to the Cumberland highway and has attempted through building separation and setbacks to reduce the scale of buildings within the surrounding streetscape. It is also considered that as the site is located behind existing dwelling houses with only a minimal frontage to Garfield Street that the existing low density streetscape character along Garfield Street will be maintained.

### 5.3 Visual Impact

The proposed development is considered to set a precedent in terms of architectural integrity, and reduced visual impact through the unique separation of building form into three separate masses giving the appearance from the public domain that the proposal includes three separate buildings.

The angular nature of the front facade facing the Cumberland Highway not only adds interest to the building form through breaking up the monotony of hard edged facades. In addition, it is noted that the upper levels of the proposed buildings have been re-designed following Council’s additional information request to reduce the visual dominance of these elements. This has been achieved through greater articulation, breaking up the façade fronting the Cumberland Highway, upper level balconies that appear set back and utilising lighter building materials.

The proposed development will also be screened by existing mature height vegetation and the proposed building separation serves to reduce the bulk whilst also allowing the creation of large expanses of landscaping and communal open space. The orientation of the building towards the Cumberland Highway ensures that the visual impact of the proposed residential flat buildings will be minimised from adjacent dwellings to the east and south.

Visual impacts during construction would be short term and reduced when viewed from the public domain through the provision of site fencing and screening.

### 5.4 Access, Traffic and Parking

All vehicular and pedestrian access to the subject site will be via Garfield Street, with the primary access being from the northern end of the site adjacent at 31 Garfield Street. A pedestrian access pathway is also proposed through the site, linking Garfield Street with Mildred Street.

The existing right-of-way (Dealing F127820) between 37/37A Garfield Street and 39 Garfield Street will be preserved so that the battle-axe dwelling at 37A Garfield Street can continue to obtain access. This access point will be controlled by an electronic gate for the exclusive use of these properties. Access to this lane from the development will be restricted by the use of landscaping.

The original Traffic Impact Report was undertaken by ML Traffic Engineers as part of the development planning for the proposed development. In addition a Carpark, Ramp and Driveway Certification Report has also been prepared. The report made the following conclusions.

*“Based on the considerations presented in this report, it is considered that:*

#### **Car Parking**

- *The proposed residential development complies with Council’s car parking requirements*

#### **Traffic**

- *The proposed residential development is a modest traffic generating development in the school AM and PM peak hours.*
- *The additional development trips can be accommodated in the nearby intersection without significantly affecting the performance with any noticeable delays or queues.*
- *There are no traffic engineering reasons why a planning permit for the proposed residential development at 31, 33 and 37B Garfield Street in Wentworthville, should be refused.”*

In addition the Carpark, Ramp And Driveway Certification Report concludes that

*“The car park area and driveway is compliant with Australian Standards AS2890.1.”*

A revised Traffic and Parking letter has been prepared by TEF Consulting. Reference should be made to this letter, for a detailed response to matters raised by Council’s Traffic Engineer in the ‘Deferral of Determination’ letter dated 13 April 2015

It is noted that the proposed development is in close proximity to both rail and bus public transport services. The accompanying CSIA has identified the service routes and schedules of these public transport services. In addition the demographic analysis for Wentworthville notes the following in relation to car ownership and public transport usage:

*The residents of Holroyd City use public transport (trains) more than compared to the rest of Greater Sydney but also rely more upon private vehicles, and, that most methods of travelling to work, including train services, have increased between 2006 and 2011. Looking at Wentworthville in 2011 compared to Holroyd City shows that more people used the train and slightly more people used a bus which is reflective of Wentworthville generally being located closer to a train station than other suburbs within Holroyd. Also, less people used cars either as a driver or a passenger which is likely to reflect its proximity to frequent public transport services.*

Accordingly it can be assumed that many of the residents within the proposed residential flat building will utilise the existing public transport services available to them that are within walking distance thus reducing overall vehicle useage. In addition to the above the analysis of community services show that



there are a high number of services within walking distance of the subject site including schools, medical services, supermarkets and other retail shops.

Having regard to the above it is considered that the proposed residential flat building development will have minimal impact on the existing road network and that the proposed development is well located to take advantage of existing public transport services both during the week and on the weekends.

## 5.5 Solar Access and Overshadowing

Good solar access is achieved in the proposed development due to the location and orientation of the site. Proposed buildings on the subject site exhibit ideal northerly orientation as demonstrated in the Site Analysis to enable the capture of both winter sun and summer breezes from a passive design point of view.

As depicted in the Shadow Diagrams, greater than 70% of the dwellings will receive a minimum of 3 hours direct sunlight between 9am and 4pm in mid-winter to both living areas and private open space areas.

Due to the orientation of the site and the articulated nature of the proposed building layout, the subject development will not result in any adverse overshadowing impacts onto the living areas and private open spaces of adjoining properties during the winter solstice. All neighbouring development will maintain a minimum of 3 hours direct sunlight between 9am and 3pm to living areas and 50% of private open space areas during the winter solstice.

Communal open space areas will be available to the residents of the proposed development which is also shown to have access to more than 3hrs direct sunlight in mid-winter. Overshadowing impacts associated with the proposed development are considered to be acceptable and within parameters provided by the HDCP2013.

## 5.6 Contamination

A Geotechnical and Contamination Assessment has been undertaken in the form of a Targeted Environmental Site Assessment, dated 14 October 2014, prepared by NG Child & Associates. Following a request for additional information by Council's Environmental Health Officer, a supplementary Hazardous Materials Survey has been prepared by NG Child and Associates and dated 8 May. Reference should be made to these reports for further information in relation to site contamination.

The Targeted Environmental Site Assessment report makes the following findings and recommendations:

*A general review of environmental issues, risks and exposures associated with the proposed development site, and associated with properties and activities in the immediate vicinity of the site, has been undertaken.*

*This overview has taken into account those issues generally considered in what are referred to as "Preliminary Environmental Site Assessments" or "Stage 1 Environmental Assessments", and has been conducted in accordance with the guidelines applicable to assessments of that nature. The findings of this general environmental assessment are that:*

*The general environmental condition of the proposed site is considered to be sound, and, subject to the specific recommendations set out below, no over-riding environmental constraints or limitations prejudicial to the proposed residential development are considered to apply at or in the immediate vicinity of the site.*

*The recommendations associated with this finding are:*

- *That the three portable LPG storage vessels present at the site at the time of the site inspection associated with this assessment are removed prior to the commencement of demolition works at the site;*
- *That an appropriately detailed survey of materials containing asbestos at the site is prepared, and included in a Site Demolition Plan to prepared for the site, and approved prior to the commencement of demolition or other works at the site;*
- *That appropriately detailed instructions and procedures re the safe handling and disposal of materials containing asbestos from the site, prepared in accordance with relevant Holroyd City Council, WorkCover NSW, and NSW EPA guidelines are included in the Site Demolition Plan; and*
- *Following demolition and prior to the commencement of construction at the site, an independent Site Validation Report is prepared to confirm that all material containing asbestos has been removed from the site, and that no asbestos fragments, including fragments from the demolition process, remain at the site.*

*A detailed assessment of soil quality based on the collection, examination and analysis of soil samples from the site, and taking into account the requirements of SEPP 55, has been undertaken. The key findings of this assessment of soil quality are as follows.*

- *None of the 31 soil samples collected from the site provided any physical indication of contamination, either by discoloration, staining or odour;*
- *No indication of the introduction to or presence of imported or contaminated fill was identified at the site;*
- *None of the sixteen representative soil samples from the site sent to the NATA accredited laboratory of Envirolab Services for analysis indicated the presence of heavy metals, petroleum hydrocarbons, volatile organic compounds, phenolic compounds or pesticide residues at concentrations even approaching relevant soil quality guideline levels;*
- *Asbestos was not detected in soil samples from the site;*
- *On this basis, the soils at the site are assessed as being free of contamination, and the requirements of SEPP 55 in relation to the soil quality required for prospective residential development at the site are satisfied;*
- *None of the 31 soil samples collected from the site provided any physical indication of the presence of salt or salinity; and*
- *Preliminary geotechnical implications from the limited hand augured soil bores involved in this soil quality investigation are that the soils and sub strata at the site will be demonstrated by a detailed geotechnical investigation to be appropriate for the type and scale of development and construction proposed.*

Having regard to the above the report makes the following conclusions

*This report presents the results of a Preliminary Environmental Assessment and Soil Quality Assessment undertaken in relation to a proposed residential development at 31-37B Garfield & 7 Mildred Streets Wentworthville NSW. The overall findings of these assessments are:*

**Preliminary Environmental Site Assessment**

- *The general environmental condition of the proposed site is considered to be sound, and, subject to the specific recommendations set out in this report, and summarised above, environmental settings at the site are appropriate for the residential land use proposed.*

**Soil Contamination Assessment**

- *No contaminants from a wide and representative range were detected at levels at or even approaching concentrations of potential concern in any of the soil samples from the site;*
- *Accordingly, the soils at the site are assessed as being free of contamination, and the requirements of SEPP 55 in relation to the soil quality required for prospective residential development at the site are satisfied; and*
- *Preliminary indications, to be confirmed by more detailed assessment, are that the geotechnical settings at the site will prove appropriate for the type and scale of development proposed.*

The Hazardous Materials survey Report makes the following recommendations.

*“The following recommendations are made regarding the handling, removal and disposal of hazardous materials during future demolition works at the subject site:*

**Demolition**

- *Prior to demolition works, undertake a Destructive Hazardous Material Survey as per Australian Standard AS2601:2001 The Demolition of Structures.*
- *Prior to demolition works, prepare a Site Demolition Plan per Australian Standard AS2601:2001 The Demolition of Structures.*

**Asbestos**

- *Handle, remove and dispose of all materials containing asbestos in accordance with all relevant guidelines, codes of practice and standards including but not limited to those identified in this document.*
- *Should future demolition works entail possible disturbance of asbestos materials in locations not accessible during this survey, further investigation and sampling of specific areas should be conducted in accordance with the provisions of AS 2601-2001 ‘The Demolition of Structures’ (and any other relevant guidelines, codes of practice and standards) prior to such demolition works proceeding.*

**Synthetic Mineral Fibre (SMF)**

- *Handle, remove and dispose of all materials containing synthetic mineral fibres (SMF) in accordance with all relevant guidelines, codes of practice and standards including but not limited to those identified in this document.*

**Other**

- *Provision should be made, as part of any future demolition works, for the sampling and analysis of any additional hazardous or potentially hazardous materials encountered, and for the provision of appropriate advice regarding handling, removal and disposal*

It is noted that for more detailed information in relation to site contamination reference should be made to the aforementioned reports provided within the development application package and additional information submitted to Council.

## 5.7 Hydrology

Stormwater plans and a Stormwater Management report has been prepared by Martens and Associates and accompanies this development application. In addition a revised Concept Grading, Stormwater Management and Flooding Plan and Supplementary Flood Advice has been prepared in response to requests by Council's Stormwater Drainage Engineer for additional information in their letter dated 13 April 2015.

The report and plans indicate the following:

Roof water will be collected in rainwater harvesting tanks on the site. The rainwater tanks will also be used to supply water for reuse on the site. Overflow from these rainwater tank discharges into the pit and pipe network which discharges to the below ground OSD tanks proposed in the south west corner of the subject site then exiting the site to the public stormwater system in Cumberland Highway in accordance with Sydney Water's requirements.

Runoff from all paved areas will be collected in grated pits and a perimeter trench grate which then direct water into the OSD tanks and then back out to the Cumberland Highway. The landscaped areas along the eastern boundary are proposed to be collected and piped to the primary drainage line. The drainage plans have taken into account that the site is affected by the 1 in 100 year flood event level.

Reference should be made to the aforementioned reports for a detailed response to the matters raised by Council in relation to Stormwater Management.

## 5.8 Privacy

A high level of internal and external privacy is maintained by the proposed development through a range of measures including provision of adequate setbacks have been which respond to the irregular site boundaries.

It is noted that the bulk of the building mass is orientated to the Cumberland Highway allowing for increased building separation. A Range of design elements used to provide for privacy include the retention of existing mature height trees along the boundaries, increased screen planting and privacy screens to the internal courtyards provided to southern elevations of the dual aspect apartments provided within each building.

## 5.9 Noise

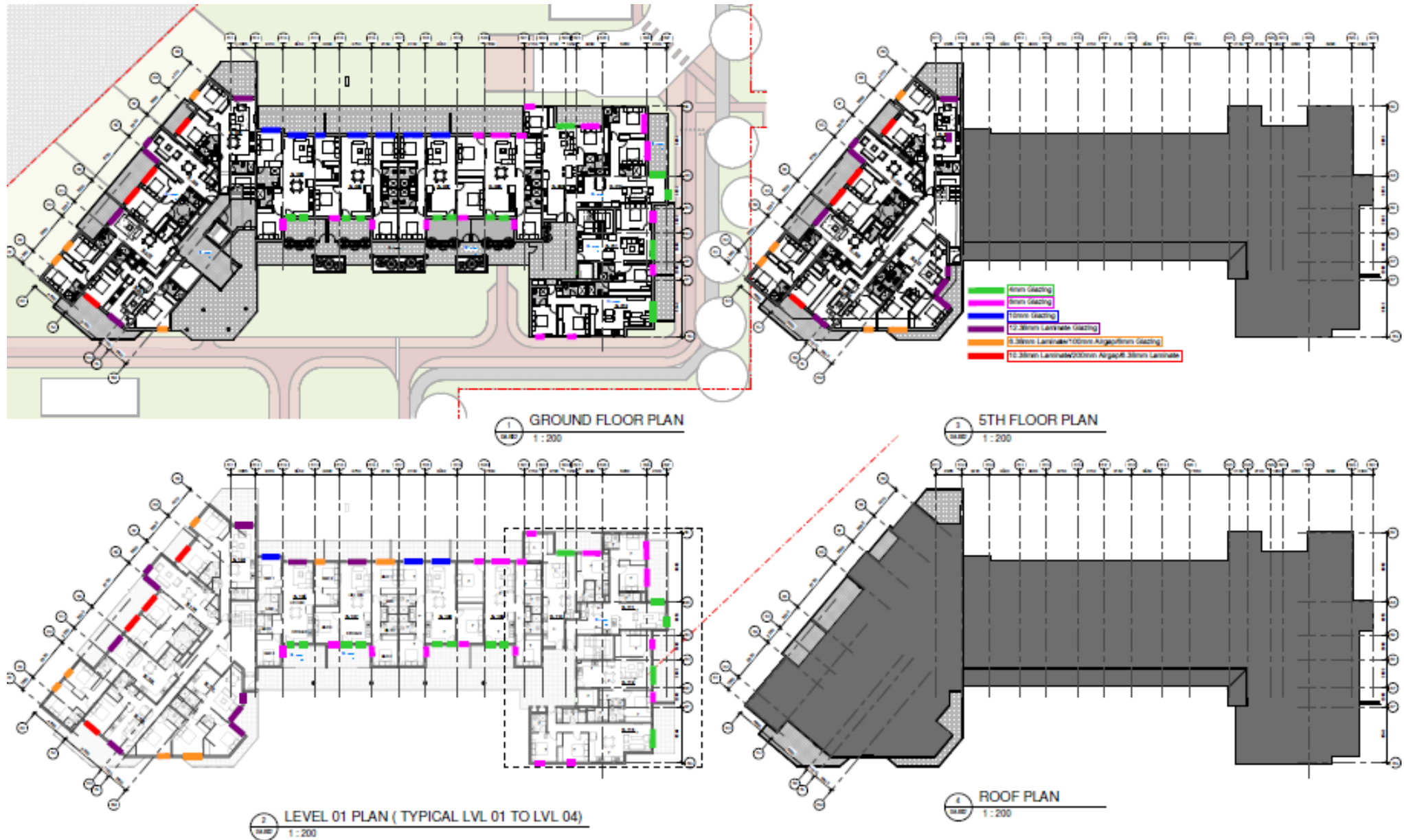
A Noise Assessment was undertaken by Acoustic Logic as part of the development planning for the proposed development. The report makes the following conclusions.

*This report provides the results of our environmental noise intrusion and emission assessment for*

*the proposed residential development at 31, 33 & 37B Garfield St, Wentworthville. We conclude below:*

- *Provided that the treatments set out in section 5 of this report are employed, internal traffic noise levels shall comply with the requirements of city of Holroyd Council DCP, SEPP (Infrastructure) 2007 and AS2021-2000.*
- *External noise emission criteria have been setup in Section 6 of this report based on requirements of EPA Industrial Noise Policy. Detailed acoustic treatments for plant service project site will be determined at CC stage.*

The proposed treatments are detailed in the Figures below, however due to the small size of the figures below, the full plans should also be referred to as submitted with the subject development application.





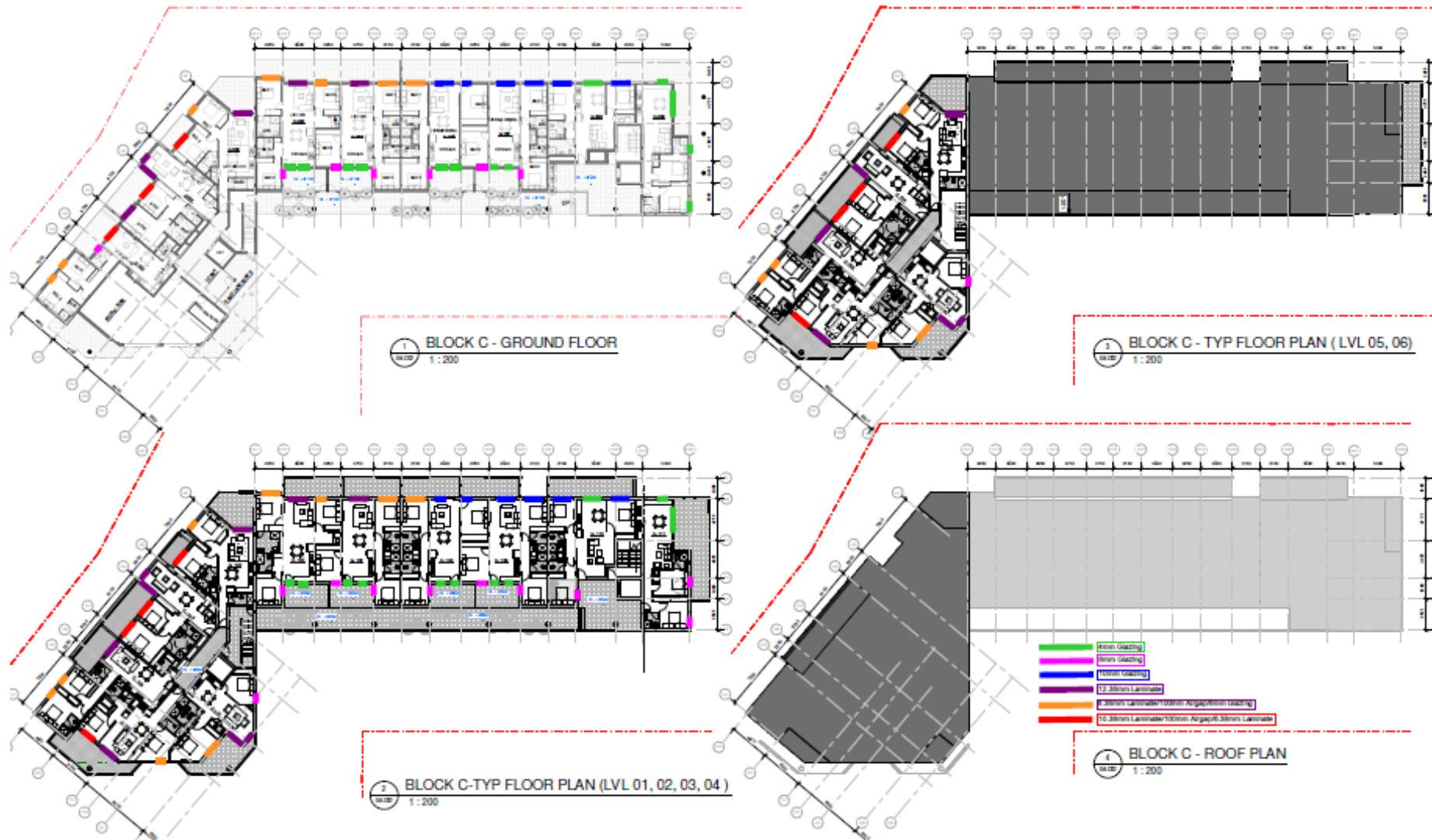
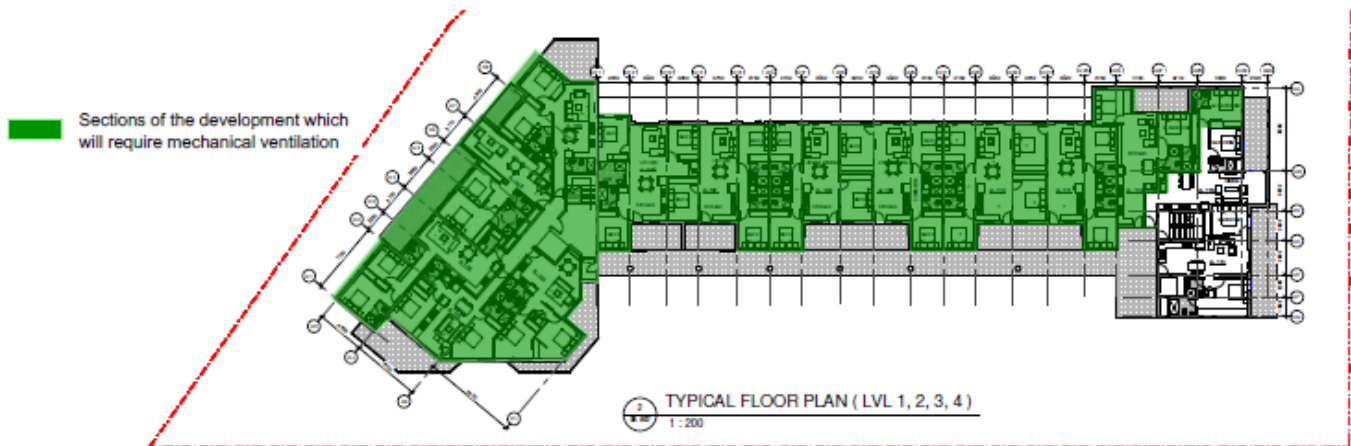
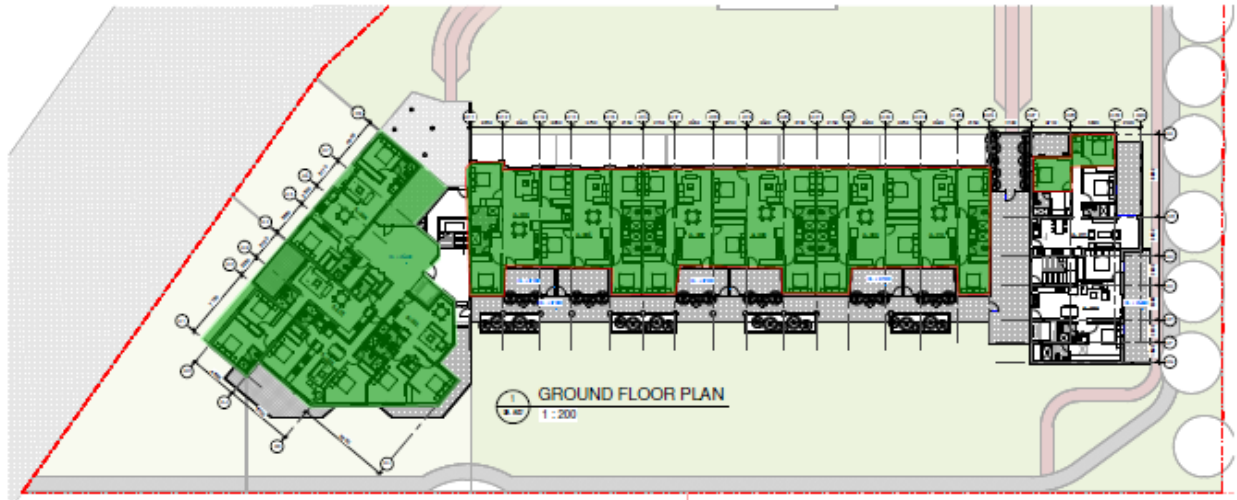


Figure 13 - Proposed Acoustic Treatments

Source: Acoustic Logic



Having regard to the results of the above report it can be therefore considered that the proposed activity is not expected to result in any unacceptable adverse impacts in terms of environmental noise in terms of noise intrusion or noise generation.





**Figure 14** - Proposed Ventilation Treatments Source: Acoustic Logic

Having regard to the results of the above report it can be therefore considered that the proposed activity is not expected to result in any unacceptable adverse impacts in terms of environmental noise in terms of noise intrusion or noise generation.

## 5.10 Economic Impacts

The proposed development is likely to contribute to a range of economic benefits in the Wentworthville local government area and surrounding area of Sydney through the following measures:

- more efficient use of land resources, existing infrastructure and existing services;
- employment of tradesmen and other construction-related professionals;
- on-going consumption from new/additional households;
- cost savings associated with improved energy and water efficiency.

## 5.11 Community/Social

A Comprehensive Social Impact Assessment (CSIA) and Impact Management Plan (IMP) has been prepared and submitted with this development application.

The CSIA and IMP have been prepared pursuant to Holroyd City Council's 'Guidelines for Developers: How to Complete a Social Impact Assessment' dated August 2012 as well as Council's 'Social Impact Assessment Policy' dated August 2012.

Under Holroyd City Council's Social Impact Assessment Policy 2012, a Social Impact Assessment is required when the potential (positive and/or negative) social consequences of a change event are likely to impact on the way of life of the community within Holroyd City. Under this Policy, a Comprehensive Social Impact Assessment (CSIA) and Impact Management Plan (IMP) is required by Holroyd City Council for the proposed development due to the scale of the proposed development comprising 198 residential units, with 50 or more dwellings being the threshold under Table 6 of the Council's Policy.

The CSIA was based on the following:

- Review of Architectural Plans dated October 2014 to be lodged with Holroyd City Council;
- A site/locality/LGA inspection;
- Community consultation submissions and discussions with stakeholders;
- Various media sources from local newspapers, websites etc.
- Sydney Buses transport data;
- ABS Census data;
- NSW Bureau of Crime Statistics and Research data

The results of this assessment have demonstrated that the positive social impacts significantly outweigh the negative social impacts associated with the proposed development.

Furthermore, it is considered that the majority of negative impact can be sufficiently mediated with adoption of the strategies contained within the CSIA. The adoptions of the strategies identified in the CSIA are also considered to help enhance the positive impact associated with the proposed development.

Accordingly it is considered that the proposed development will provide the following positive community/social impacts to Wentworthville and wider Holroyd local government area:

- assist in meeting its significant, long-standing and continually-growing demand for housing in Sydney;
- provide housing choice to local community by providing a range of apartment sizes and styles;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide for more accessible housing.

## 5.12 Suitability of the site

The proposed development is permissible within the R4 High Density Residential zone and the development, as demonstrated within this report, is consistent with the zone objectives and Holroyd Council's expectations for redevelopment of the Wentworthville area.

The design philosophy for the proposed residential flat building development has been to maximise the amenity for future residents while at the same time minimising external impacts on the surrounding built and natural environment. As a result the proposed development is considered compliant with the considerations under Section 79C of the Environmental Planning and Assessment Act 1979 and is therefore suitable for the subject site.

### 5.13 Submissions

i. *“Garfield Street does not have the capacity to cater for the traffic generated from this development and lack of street parking spaces.*

#### **CPS COMMENT:**

A detailed traffic impact assessment was prepared by ML Traffic Engineers and submitted with the development application. In addition, following a request for additional information from Council’s Traffic Engineer, an updated traffic engineering letter was provided in response by TEF Consulting dated 15 May 2015. The original report considered the impact on the capacity of Garfield Street to cater for increased traffic demand. This report concluded the following:

- *“The proposed residential development is a modest traffic generating development in the school AM and PM peak hours.*
- *The additional development trips can be accommodated in the nearby intersection without significantly affecting the performance with any noticeable delays or queues.*
- *There are no traffic engineering reasons why a planning permit for the proposed residential development at 31, 33 and 37B Garfield Street in Wentworthville, should be refused.”*

In addition to the above the revised letter from TEF Consulting states the following in response to the above submission:

- *Depending on the source (ML Report or TEF counts), peak hour traffic volumes in Garfield St are in the order of 100-200 veh/hr in the morning and 100-260 veh/hr in the afternoon.*
- *Additional traffic generation from the proposed development will increase the total traffic volumes by 30-40 veh/hr, to a 140-240 veh/hr in the morning and 130-290 veh/hr in the afternoon.*
- *According to the RMS (2002) Guide to Traffic Generating developments, the environmental capacity of Garfield St, which is a local collector street, is 500 veh/hr.*
- *Garfield St has more than sufficient capacity to cater for the additional traffic from the proposed development.*

In addition to the above it is noted that the proposed development provides the following rates of on-site parking which are over Council’s minimum DCP requirements.

- 257 car parking spaces:
  - 217 Residential (incl. 30 accessible)
  - 40 Visitor (including 4 accessible)

Having regard to the above provision it is considered that there will be sufficient car parking spaces provided on site to meet the needs of the development and as such will have minimal impact to the availability of on street parking within Garfield Street.

In addition it is noted that Traffic and Parking impacts were raised as an issue in the Community Consultation process undertaken for the Comprehensive Social Impact Assessment (CSIA) prepared by CPS and submitted under separate cover within the development application package. The CSIA identified specific impact mitigation measures relating to car ownership within the development, a commitment to undertake ongoing monitoring of car ownership in addition to a commitment to complying with RMS and Holroyd City Council's parking controls and adopt any recommendations by Holroyd City Council's Traffic and Parking Advisory Committee.

ii. *Inconsistencies in the heritage Impact Statement, such as :-*

- *The cottage that is 37 Garfield Street was built in the 1920's and was the only cottage on the site (this fact is not mentioned in the heritage report). The property was built and/or occupied by the late George Ernest Maunder and some of the surrounding titles of land are still held in the Maunder name. George Ernest Maunder was one of the longest serving mayor's of Holroyd Council (over 13 years) and occupied the position on three separate occasions in the 1930's, 1940's (during world war 2) and the 1950's (post war).*
- *George Ernest Maunder was the original founder of the Wentworthville Recreational Bowling Club and dedicated the land for this community purpose and it was operating as an independent community club until early 2000's when the club was transferred to Wenty leagues.*
- *When the land was dedicated the entry and exit laneways to the club were set up in favour of 37 Garfield street (as the original land holder) and the 'right of carriage way' to access the garage at the rear of the property (since demolished and sub-divided) was registered on its title of land and is still the case today*

**CPS COMMENT:**

Whilst the above submission is respected and acknowledged in terms of the historical detail provided, in respect of 37 Garfield Street, it is noted that the subject property is not identified as a Heritage Item nor located within a Heritage Conservation Area on Council's Heritage Map. In addition the site identified in the above submission is not listed on the State Heritage Register.

As detailed within this SEE and the submitted Heritage Impact Assessment (HIA), it is considered that the proposed development will have minimal impact on the two (2) identified heritage items within the vicinity, namely 41 and 45 Garfield Street. Reference should be made to both this SEE and the HIA for a more detailed assessment of the heritage impacts of the proposed development.

It is considered that the above submission whilst relevant historically does not affect the conclusion of the submitted HIA.

iii. *The pedestrian access/laneway to the left hand side of 37 and 37A Garfield Street is the existing vehicular access to serve 37 and 37A Garfield Street and both titles have a registered 'Right of Carriage way' and is currently used to access the garages of these properties and it is considered dangerous and proposed conflict for pedestrians and vehicular traffic.*

**CPS COMMENT:**

Council have requested that this access point be removed from the proposed development. As such revised plans have been submitted which show that this ROW remains for the exclusive use to the benefit of 37A and 37 Garfield Street. Access to this lane will be controlled by a remote access gate as detailed on the revised site plan DA-102 R04 and dated May 2015. A new pathway is now proposed through the site connecting Garfield Street to Mildred Street.

iv. *A well designed coordinated approach where by the development site is consolidated with the adjoining sites including the access way should have been undertaken in order to overcome the issue of the 'right of way' as security of pedestrians and occupiers will be compromised if the lane is left in its current form as it is 3.5m wide and is bordered by a 1.8m fencing.*

**CPS COMMENT:**

Whilst this is acknowledged, the applicant is only able to develop sites that it specifically owns or has owners consent to develop. There is no doubt that a development consolidated with the adjoining sites would have been preferable to the proposed "landlocked" site. Nevertheless, as noted above Council has requested that the proposed pedestrian access from this laneway be deleted from the proposal. Access to this lane will be controlled by a remote access gate as detailed on the revised site plan DA-102 R04 and dated May 2015. A new pathway is now proposed through the site connecting Garfield Street to Mildred Street.

v. *Reference is made to part 4, "Specific controls for development in the vicinity of a heritage item". Having regard to the draft plans put forward by Universal Property Group Pty Ltd, and it is considered that the development proposal offends every aspect of the Council's Heritage and Conservation Development Control Plan and erodes the heritage significance of my property, as well as other heritage items located in Garfield Street.*

**CPS COMMENT:**

It is noted that this submission was also received in relation to the community consultation undertaken by the applicant for the CSIA. Specific measures were recommended in response to this submission and others which raised concerns in relation to heritage impacts. The CSIA noted that a detailed Heritage Impact Assessment would be undertaken in addition to recommending that Council impose specific conditions of consent implemented to ensure that the proposed development has minimal impact on adjacent items of local heritage significance. In particular it is recommended that specific dilapidation surveys of both Heritage properties be undertaken to ensure that no damage to the properties results from any excavation on the development site

In addition to the above it is noted that this SEE has assessed the proposed development against the Heritage provisions contained within both the Holroyd LEP 2013 and the Holroyd DCP 2013. Also the submitted HIA specifically states that



*“Based on the conclusion the proposed development will not directly impact upon any identified heritage sites or relics, and that the potential for archaeological items to occur is assessed to be low, it is recommended that there are no heritage constraints to the development proposal proceeding as planned and that no further heritage input is warranted.”*

As such it is considered that the impact on Heritage has been adequately assessed and community concerns addressed in all the submitted documentation. As such concerns from residents in relation to the proposed development’s impact on Heritage are considered to be unfounded.

vi. *It will be difficult to keep cars entering the access way as bollards will not be a viable option and cars will be illegally parked in front of the existing garages.*

**CPS COMMENT:**

As noted above Council has requested that the proposed pedestrian access from this laneway be deleted from the proposal. Access to this lane will be controlled by a remote access gate as detailed on the revised site plan DA-102 R04 and dated May 2015. A new pathway is now proposed through the site connecting Garfield Street to Mildred Street.

vii. *The street frontage of 33.5m to Garfield Street provides limited opportunities for on street car parking and garbage collection.*

**CPS COMMENT:**

A response to objector concerns in relation to parking within Garfield Street has been addressed in i) above.

In relation to waste collection reference should be made to the revised WMP submitted in response to Council’s request for additional information which states:

*“A central collection point is located at basement level of Block C comprising of a service lift to collect the bins from each Block A, B & C. On half a week basis, 2 waste bins & 3 recycle bins will be transferred from each block to that central collection point and then via utilising service lift provided near central collection point it will be transferred to the loading bay located at ground floor level.”*

Accordingly it is considered that objector concerns in relation to limited opportunities for on street car parking and garbage collection are considered to be unfounded.

viii. *A 200 dwelling development proposal with access from Garfield Street, the volume of traffic on Garfield Street would increase dramatically and in turn, this would have a detrimental impact the public safety and noise levels.*

**CPS COMMENT:**

A response to objector concerns in relation to traffic within Garfield Street has been addressed in i) above. In addition it is noted that in response to community concerns, the CSIA detailed specific impact mitigation measures relating to car ownership within the development, a commitment to undertake



ongoing monitoring of car ownership in addition to a commitment to complying with RMS and Holroyd City Council's parking controls and adopt any recommendations/conditions of consent imposed by Holroyd City Council's Traffic and Parking Advisory Committee.

In addition it is noted that the revised letter from TEF Consulting has assessed the proposed traffic generation within Garfield Street, refer to i) above for this response.

*ix. An alternative that would lessen the impact on 41 Garfield Street would be to change the orientation of "Block B", such that it was built parallel with the Cumberland Highway, with an addition of a large densely landscaped area adjacent to the boundary of the property. It is also suggested that the main access be redirect to the Cumberland Highway, which is already a high traffic area, as opposed to the quiet traffic flow of Garfield Street*

**CPS COMMENT:**

The proposed buildings are orientated to maximise amenity to residents both within the development and to adjoining sites. As demonstrated by the submitted shadow diagrams the proposed orientation maintains at least 3 hours of direct sunlight to adjacent residential dwellings and private open space between 9am and 4pm on 22 June including the dwelling at 41 Garfield Street mentioned in the above submission. It is considered that orientating the development parallel to the Cumberland highway and maintaining the required development setbacks would result in significantly more overshadowing to the residential properties along Garfield Street in addition a more visible building bulk and privacy impacts to these properties.

It is also noted that both Council and the RMS do not support direct vehicular access to the Cumberland Highway which is a Classified Road. This advice was provided to the applicant in initial discussions with Holroyd City Council. Notwithstanding it is noted that in relation to development with frontage to a Classified Road, Clause 101 *State Environmental Planning Policy (Infrastructure)* expressly states that where practicable vehicular access is to be provided by a road other than a Classified Road. In addition as detailed in the response to i) above it is noted that the proposed development is supported by a Traffic Impact Assessment and letter of response to Council's concerns from TEF Consulting that states the following in relation to the above concern.

- *RMS does not support direct access to arterial roads when access opportunities are available from lower level streets. This is also a general traffic and transport principle. As indicated above, Garfield St has sufficient capacity to cater for additional traffic.*

*x. The proposed development will lead to privacy impacts from the balconies in Building C onto the adjoining properties.*

**CPS COMMENT:**

It is considered that privacy has been adequately maintained through the installation of privacy screens to the south facing terraces of Building C. In addition it is considered that the proposed 8.4m setback is sufficient to the northern boundary. It is considered that where potential privacy impacts are deemed a legitimate concern by Council, these impacts can be mitigated through appropriate conditions of consent to provide additional boundary screen planting and privacy screens where appropriate.

xi. *The height of development and in particular Building C will have a strong visual impact and will dominate the single storey dwellings.*

**CPS COMMENT:**

The proposed development is considered to be consistent with the R4 – High Density zone and applicable building height controls. As detailed within this SEE the building heights do exceed the building heights prescribed for the site under LEP 2013. However as detailed within this SEE, these height exceedances are restricted to the portions of Building B and C orientated towards the Cumberland Highway.

It is considered that the intent of the building height controls were to ensure that the building elements with the stronger visual impact be orientated towards the Cumberland Highway so as to minimise the visual and amenity impacts on surrounding residential development and to reinforce the transport corridor. In addition it is noted that the upper levels of the development have been re-designed to reduce the visual dominance of these elements. This has been achieved through greater articulation, breaking up the façade fronting the Cumberland Highway, upper level balconies that appear setback from the lower building elements and utilising lighter metallic building materials.

In this regard it is considered that the proposed building heights are appropriate for the site and reinforce this area as one undergoing transition from low density residential to high density, consistent with its zoning.

xii. *Concern is raised with regard to the risk and impact on adjoining residents due to issues related to asbestos removal.*

**CPS COMMENT:**

A Hazardous Materials Survey Report has been prepared for the subject development by NG Child and Associates and dated 8 May 2015. This report was requested by Council's EHO as part of the letter for additional information issued to the applicant on 13 April 2015. Reference should be made to this report in relation to the Hazardous Materials identified on the subject site and specific recommendations for their removal. A summary of the findings and recommendations of this report is included at Section 5.6 of this report. It is expected that the recommendations of this report will form the basis of any conditions governing the removal of hazardous materials from the site and accordingly be imposed on any consent granted for the subject development.

xiii. *Concern is raised with regard to noise and dust during the construction phase.*

**CPS COMMENT:**

This specific issue was raised as part of the Community Consultation process for the preparation of the accompanying CSIA. It is noted that the following specific mitigation measures were recommended:

- Council issue compliance notices to ensure conditions that relate to restricting construction hours of work as well as conditions during construction that control noise, vibration, air quality and construction work are enforced.

xiv. *Concern is raised with regard to devalue the property values of adjoining properties.*

**CPS COMMENT:**

Whilst it is acknowledged that this may be a concern to residents adjacent to the development it is noted the concerns regarding effects on property values is not a valid matter for consideration in the assessment of the subject development application. This has been reinforced by decisions in the NSW Land and Environment Court.

*xv. The proposed height exceeds the prescribed height standard of 18m which will have a detrimental impact on the visual character of the locality which is made up of bungalows and churches and the additional traffic will cause to the loss of amenity to the local residents and existing patrons of the local churches and schools”.*

**CPS COMMENT:**

Refer to comments above at xi) in relation the overall building height. Further, it is considered that this SEE has sufficiently demonstrated that the proposed building heights clearly reflect the transition of the area to higher densities. It is considered that the proposed development is consistent with the desired future character of Wentworthville as set by the surrounding R4-High Density Zoning. The site has a large developable area and is therefore considered to support greater building heights particularly along the Cumberland Highway frontage.

## 5.14 Public Interest

The proposed development will replace two ageing single dwelling houses with a new residential flat building development that will include one hundred and ninety eight (198) dwellings with high residential amenity, architectural integrity, modern presentation, and a high level of environmental sustainability.

Individual apartments offer future residents efficient layouts and flexible living areas that respond to current needs for housing choice as identified in a detailed demographic analysis contained in the accompanying CSIA. The apartments also exhibit natural ventilation, daylight penetration, acoustic privacy and a design that provides visual privacy between dwellings.

The proposal also has the potential to be an attractive place to live to a wide cross section of the public by meeting demand for different types of housing. This is achieved through the following measures:

- by providing a dwelling mix that includes one-bedroom, two-bedroom, and three-bedroom apartments of varied dimension, location and orientation; and
- by providing a number of adaptable dwellings to meet the needs of those people who are aged, disabled and less mobile.

Accordingly, it is considered the proposed development will result in a positive development outcome for Wentworthville and the wider Holroyd local government area, and is therefore in the public interest.

## 6.0 Conclusion

The subject development application seeks consent for demolition of all existing buildings and associated structures located on the subject site, and the construction of a five (5) storey residential flat building development with one (1) level of basement car parking, pursuant to the provisions of the Holroyd Local Environmental Plan 2013. The proposed development will also include new hard and soft landscaping treatments, stormwater works, tree removal, and tree replacement planting

The proposed residential flat building development with basement car parking at 31 – 37B Garfield Street, Wentworthville will result in a development that embraces high residential amenity, architectural integrity, modern presentation, and a high level of environmental sustainability.

The aim of this report has been:

- (a) To describe the proposed development;
- (b) to illustrate that the proposed development complies with the intent of the relevant statutory and policy documents; and
- (c) to provide an assessment of the likely environmental effects of the proposed development

The proposed development has been assessed in this report against the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979. On balance, it is concluded the development is satisfactory and warrants development consent, having regard to the following matters:

- The project responds to the desired future character of the Wentworthville municipality, and in addition also raises the standard for building quality and amenity for housing in the area and sets a precedent for further development for the wider locality.
- Additionally, the proposed development will provide positive economic, social and community impacts that will deliver one hundred and ninety eight (198) new dwellings, which will provide a significant boost to housing choice and affordability as well as provide for additional employment in the Holroyd local government area.
- The proposed development is considered to be consistent with the range of strategic planning documents and objectives for the Holroyd and the Sydney region, while at the same time having strong regard to the relevant state environmental planning controls.

Having regard to the assessment contained in this revised Statement of Environmental Effects it is concluded that the proposal is considered worthy of merit and will contribute to the availability and provision of a high quality residential development which contributes to the provision of housing and to the economic and employment viability of the local area. The proposal is appropriate on the site and within the locality and therefore, it is recommended that Holroyd City Council support and approve this development application, subject to appropriate conditions.