STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Residential Flat Development

1- 11 NEIL STREET MERRYLANDS

Statement of Environmental Effects

PROPOSED RESIENTIAL FLAT DEVELOPMENT

1 – 11 NEIL STREET, MERRYLANDS

Prepared under instructions from

Landmark Group

By

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1.0 INTRODUCTION

This document forms a component of a development application proposing the construction of a part 4 and part 10 storey residential flat development on the site incorporating 123 apartments and basement parking for 140 vehicles accessed from an extension of Dresser Court and over a new suspended driveway bridge across A'Becketts Creek which traverses the site. The application also proposes the implementation of an integrated site landscape regime and the Strata subdivision of the completed development.

We note that a Masterplan proposing the staged development of the site is currently being considered by the Land and Environment Court of NSW. Whilst the subject application is consistent with the proposed Masterplan as it relates to Buildings 5 and 6 this application has been made as a standalone proposal to be assessed on its own merits and to that extent does not rely on approval of the proposed Masterplan prior to its submission, assessment and determination.

That said, should the Masterplan be approved prior to determination of this application the subject application will represent stage 1 works consistent with the Masterplan and in accordance with the Division 2A staged development provisions of the Environmental Planning and Assessment Act 1979 ("the Act").

The architect has responded to the client brief to provide for a residential development of exceptional design quality, which provides superior levels of amenity to future occupants whilst maintaining good levels of amenity to the adjoining and nearby residential properties. The form, massing and orientation of the proposed buildings has been developed through detailed site and context analysis and to that extent varies from a number of the site specific development controls contained within Holroyd Development Control Plan 2013 ("HDCP 2013") on the basis that the proposal provides for better environmental outcomes for the site having regard to the design principles contained within State Environmental Planning Policy 65 – Design Quality of Residential Flat Development ("SEPP 65") and the guidelines contained within the Residential Flat Design Code ("RFDC").

The architectural and landscape detailing has been prepared in accordance with the raft of expert advice and reporting which was undertaken in the preparation of the Masterplan application as it relates to flooding, riparian zone requirements, flora and fauna, tree impacts, acoustics, drainage, access and road construction and to that extent we rely on such documentation in the assessment of this application. This application is accompanied by development specific reporting in relation to acoustics, accessibility, vehicular access and parking, social impact and SEPP 65 Architectural design verification.

Given the design and orientation of the development and its location within a high density residential environment the proposal will not result in any unacceptable or non compliant residential amenity impacts in terms of privacy, overshadowing or view loss. The proposed development is contextually appropriate, will afford a high level of amenity to future occupants and will not give rise to any unacceptable residential amenity, streetscape or heritage conservation consequences. In the preparation of this document consideration has been given to the following statutory planning regime:

- Environmental Planning and Assessment Act, 1979 ("the Act");
- Holroyd Local Environmental Plan 2013
- Holroyd Development Control Plan 2013
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

Architectural drawings including floor plans, elevations and sections have been prepared in relation to the development proposed. The application is also accompanied by a survey plan, shadow diagrams, traffic and parking report, landscape plan, acoustic report, schedule of finishes, Social Impact Statement, waste management plan, concept drainage plans, access report, BASIX certificate, NSW EPA Site Audit Statement, montage and a model.

The proposal is permissible and in conformity with the intent of the development standards contained within HLEP 2013 as they reasonably relate to this form of development on this particular site and the applicable provisions of HDCP as they relate to high density development and having regard to detailed site and context analysis. The proposal satisfies the design quality principles contained within SEPP 65 and the controls and "rules of thumb" contained within the RFDC.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 79C of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document succeeds on merit and is worthy of the granting of development consent.

2.0 SITE DESCRIPTION AND LOCALITY

The subject property comprises Lot 11, DP 228782 and Lot 1, DP 203553, Nos. 1 – 11 Neil Street, Merrylands. The property is irregular in shape having northern boundary of 180.49 square metres, and eastern boundary to the railway line of 131.52 metres, southern frontage to Neil Street of 110.8 metres and a western boundary of 101.66 metres. The consolidated allotment has an area of 15,763 square metres. The site is generally flat with a slight fall across its surface in a north easterly direction.

The site is currently vacant and predominantly cleared containing large areas of concrete and scattered vegetation none of which is significant in terms of form or species. A'Becketts Creek traverses the site and runs north to Duck Creek, and into Duck River which is a tributary of the Parramatta River. In this regard the site is identified as being flood affected. Vehicular access to the site is via a driveway from Neil Street.

Whilst the site is identified as containing a heritage item "Millmaster Feeds" within HLEP 2013 all structures associated with this heritage item have been demolished and removed in accordance with previous development consent. Given the former industrial use of the site soils have been contaminated. Remediation has been undertaken on the site by the former owner, George Weston Foods. The land upon which this application relates has been remediated as detailed in the NSW EPA Site Audit Statement No. 111050_2014_01.

The property is located within 300 metres from Merrylands Town Centre and within the Neil Street precinct. The Neil Street Precinct is characterised by older commercial/light industrial uses and large areas of vacant land. The Neil Street Precinct has also seen a recent increase in high density residential development. Due to its highly accessible location, the Neil Street Precinct is considered ideal for urban renewal. Redevelopment will support the revitalisation of the Town Centre through increased residential density and provide an excellent opportunity to satisfy State Government's policy of integrating land use and transport.

Source: Google Maps

Figure 1 - Aerial location/ context photograph

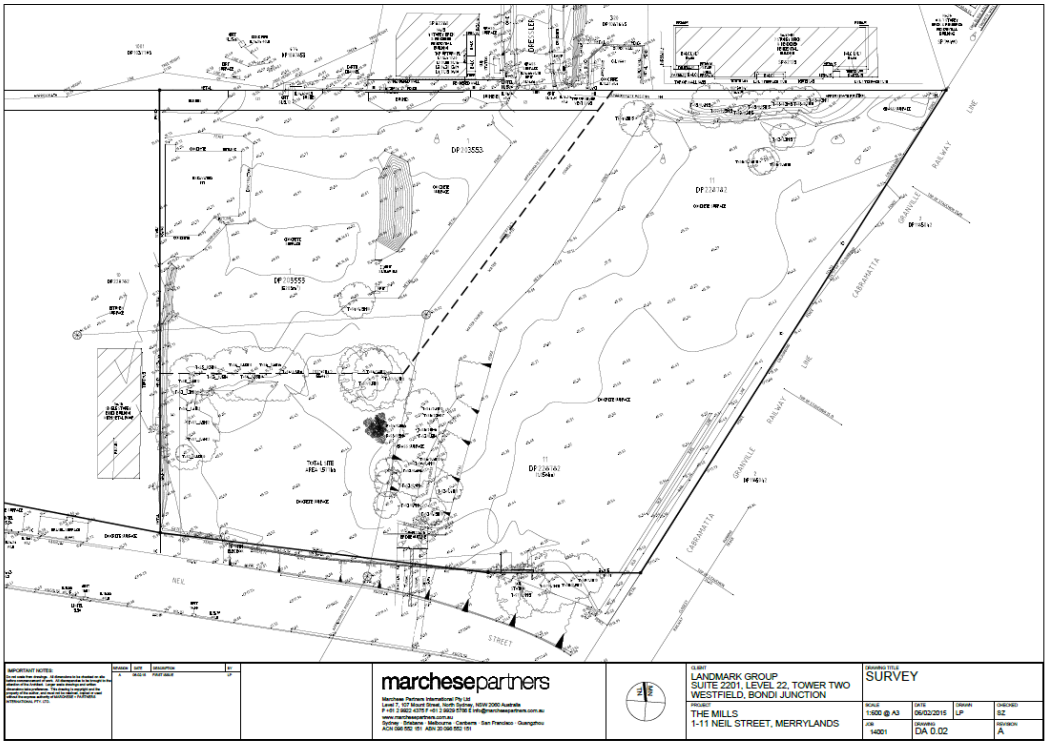

Figure 2 – Site survey

Figure 3 – Subject site looking north

The site features and immediate built form context was detailed in the Statement of Environment Effects prepared by Urbis in support of the proposed Masterplan for the site which is reproduced in part below.

> *To the east of the site is the railway line, which carries trains on the Inner West & South Line between Campbelltown and the City. Further to the east, on the opposite side of the railway line, are three storey residential flat buildings and one and two storey dwellings.*
>
> *To the south is a large car park associated with the Bing Lee and Rositano Furniture developments, which have frontage to Pitt Street (see Figure 5). Further to the south is the Merrylands Railway Station and commuter car parking.*
>
> *To the south west is the Merrylands Town Centre retail core, which comprises Stockland Mall, Woolworths and a variety of retail stores, commercial premises, banks, post office, restaurants and other services along Merrylands Road and McFarlane Street.*

To the west at Nos. 13-15 Neil Street is an electrical automotive premises (see Figure 6). In October 2013, Nos. 13-15 was granted development consent for demolition of the existing structures, subdivision of land into two lots and construction of a mixed use development (DA No. 493/2012). The approved development comprised:

- *An eight storey mixed use building containing 28 residential units and two commercial units on Lot A.*
- *A part seven and eight storey residential flat building containing 59 units on Lot B.*
- *A total of 87 units.*
- *Three levels of basement parking containing 122 car spaces.*
- *New roads, site works and landscaping.*

The development at Nos. 13-15 Neil Street was approved with a zero setback for Lot A from the subject site and a 4.5m setback for Lot B. The approved development exceeds the LEP height standards, which were draft controls at the time the application was assessed

The site is well serviced by public transport options within easy access including:

- *Trains at Merrylands Station provide regular and frequent services on the Inner West & South Line between Campbelltown and the City.*
- *Local and regional bus routes operate through the area along Pitt Street. Bus stops are located less than 300m from the site on Pitt Street and service Routes 802, 804, 806, 810, 811, 822 and 908 between Fairfield and Parramatta or Fairfield and Parramatta via Merrylands.*
- *Given the site's proximity to the Stockland Merrylands Mall, taxis are also available.*

Pedestrian and cycleway networks are also available in the immediate locality, particularly through Holroyd Gardens.

3.0 DEVELOPMENT PROPOSAL

This document forms a component of a development application that proposes the construction of a part 4 and part 10 storey residential flat development on the site incorporating 123 apartments and basement parking for 140 vehicles accessed from an extension of Dresser Court and over a new suspended driveway bridge across A'Becketts Creek which traverses the site. The application also proposes the implementation of an integrated site landscape regime and the Strata subdivision of the completed development. The detail of the development is depicted on the following architectural plans:

DWG. NO.	REV	TITLE
DA-0.00	A	COVER
DA-0.01	A	AERIAL PHOTO
DA-0.02	A	SURVEY
DA-0.03	A	SITE PLAN
DA-0.04	A	SITE ANALYSIS
DA-1.01	A	BASEMENT TWO PLAN
DA-1.02	A	BASEMENT ONE PLAN
DA-1.03	A	GROUND FLOOR PLAN - 1 OF 2
DA-1.04	A	GROUND FLOOR PLAN - 2 OF 2
DA-1.05	A	LEVELS 1-3 FLOOR PLAN
DA-1.06	A	LEVELS 4-7 FLOOR PLAN
DA-1.07	A	LEVELS 8 & 9 FLOOR PLAN
DA-1.08	A	ROOF PLAN
DA-2.01	A	BUILDING 5 - NORTH WEST ELEVATION
DA-2.02	A	BUILDING 5 - SOUTH EAST ELEVATION
DA-2.03	A	BUILDING 6 - NORTH WEST ELEVATION
DA-2.04	A	BUILDING 6 - SOUTH EAST ELEVATION
DA-2.05	A	BUILDING 5 + 6 - NORTH EAST ELEVATION
DA-3.01	A	SECTION A
DA-3.02	A	SECTION B
DA-4.01	A	SHADOW STUDY - MID WINTER 01
DA-4.02	A	SHADOW STUDY - MID WINTER 02
DA-5.01	A	ADAPTABLE UNIT PLANS 01
DA-5.02	A	ADAPTABLE UNIT PLANS 02
DA-6.01	A	PERSPECTIVE VIEWS 01
DA-6.02	A	PERSPECTIVE VIEWS 02
DA-6.03	A	PHOTOMONTAGE
DA-6.04	A	EXTERIOR FINISHES

The proposed landscaping is depicted on landscape plans prepared by Green Plan.

Specifically the proposal involves the following:

- Construction of 2 buildings (Buildings 5 & 6), with the following characteristics:
    - Building 5 – 4 storeys with 15 x 2 bedroom units;
    - Building 6 – 10 storeys with 32 x 1 bedroom units; 74 x 2 bedroom units; and 2 x 3 bedroom units;
- Provision of 140 car parking spaces over 2 basement car parking levels, including 98 parking spaces for residents, 25 dedicated accessible parking spaces and 14 visitor parking spaces. Three additional visitor parking spaces are provided at street level;
- Bicycle parking for 151 bicycles; and
- Site landscaping.

The proposed unit mix, car parking provision and broad SEPP 65/ RFDC compliance is summarised as follows:

	UNIT MIX				AREA (m^2)			SEPP65	
LEVEL	ONE BED	TWO BED	THREE BED	SUB TOTAL	NSA	GFA	GBA	CROSS VENT.	SOLAR ACCESS
G	6	8	0	14	986	1034	1987	9	10
1	3	12	0	15	1102	1187	1685	10	11
2	3	12	0	15	1102	1187	1652	10	11
3	3	12	0	15	1102	1187	1652	10	11
4	3	8	0	11	794	874	1164	6	7
5	3	8	0	11	794	874	1164	6	7
6	3	8	0	11	794	874	1164	6	7
7	3	8	0	11	794	874	1164	6	7
8	2	7	1	10	751	822	1166	5	7
9	2	7	1	10	751	822	1123	6	10
TOTAL	**31**	**90**	**2**	**123**	**8970**	**9735**	**13921**	**74**	**88**
	25%	**73%**	**2%**					**60.2%**	**71.5%**

CARPARKING (REQUIRED)		**CARPARKING (PROPOSED)**	
1B (0.8/UNIT)	24.8	RESIDENTIAL	98
2B (1/UNIT)	90	ADAPTABLE UNITS	25
3B (1.2/UNIT)	2.4	VISITORS (BASEMENT)	14
VISITORS (0.2/X UNITS)	24.6	VISITORS (ON STREET)	3
TOTAL	**141.8**	**TOTAL**	**140 CAR SPACES**
		BICYCLES	28 + 1 STORAGE CAGE CAPABLE OF STORING 1 BICYCLE PER UNIT
		TOTAL	**151 BICYCLE SPACES**

The accompanying schedule of finishes (Plan DA 6.04(A)) depicts the architectural facade design and treatments incorporated to ensure an appropriate building presentation in the round. All stormwater will be collected and disposed of to the adjacent creek as depicted on the concept drainage plan prepared by SG Consultants.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 General

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 79C of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined together with any steps to mitigate against any potential adverse environmental impacts.

4.2 Holroyd Local Environmental Plan 2013

4.2.1 Zone and Zone Objectives

The subject property is zoned R4 High Density Residential pursuant to HLEP 2013. Residential flat buildings are permissible with consent in the zone. The stated zone objectives are as follows:

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

Response: The proposed development provides 123 new dwellings to assist in meeting the housing needs of the community and the housing targets set by the State Government. The proposal is consistent with the desired future character of the Neil Street Precinct.

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

Response: The proposal provides a mixture of one (25%), two (73%) and three (2%) bedroom apartments to a variety of housing types and ensure greater housing choice.

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

Response: The proposal is for residential uses only. Future residents will have access to the shops, services and infrastructure located in the Merrylands Town Centre Precinct less than 300m from the subject site.

Accordingly there is no statutory impediment to the granting of consent.

4.2.2 Height of buildings – Exception to development standards

Pursuant to Clause 4.3 of the LEP the height of buildings map provides 2 height limits on the subject land being 29 metres to the eastern portion and 26 metres to the western portion is not to exceed 15 metres in height. The objectives of this control are as follows:

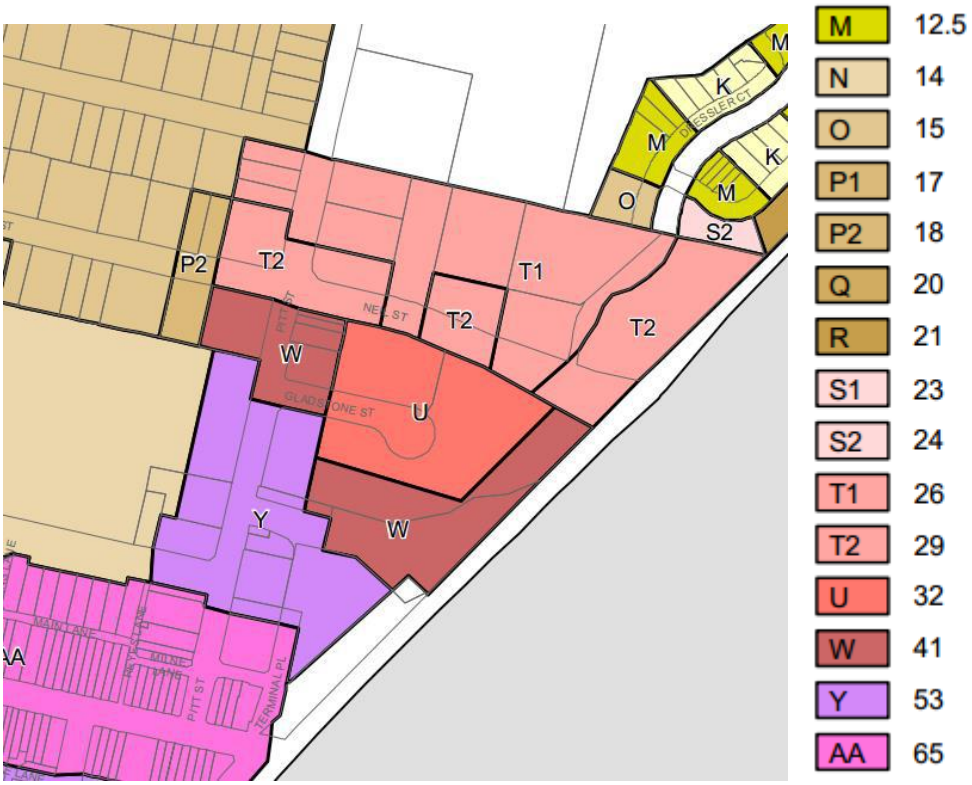

Figure 4 – Zoning map extract

The objectives of the height of buildings standard are as follows:

(a) to minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties,

(b) to ensure development is consistent with the landform,

(c) to provide appropriate scales and intensities of development through height controls.

Building height is defined as follows:

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

The proposed works are all located on the portion of the land to which a 29 metre height limit applies. Building 5 has a maximum height of 13.65 metres with Building 6 having a maximum parapet height of 30 metres and a height to the lift overruns of 30.7 metres as depicted in Figure 5 below. This represents a height non-compliance of 1.7 metres or 5.8%.

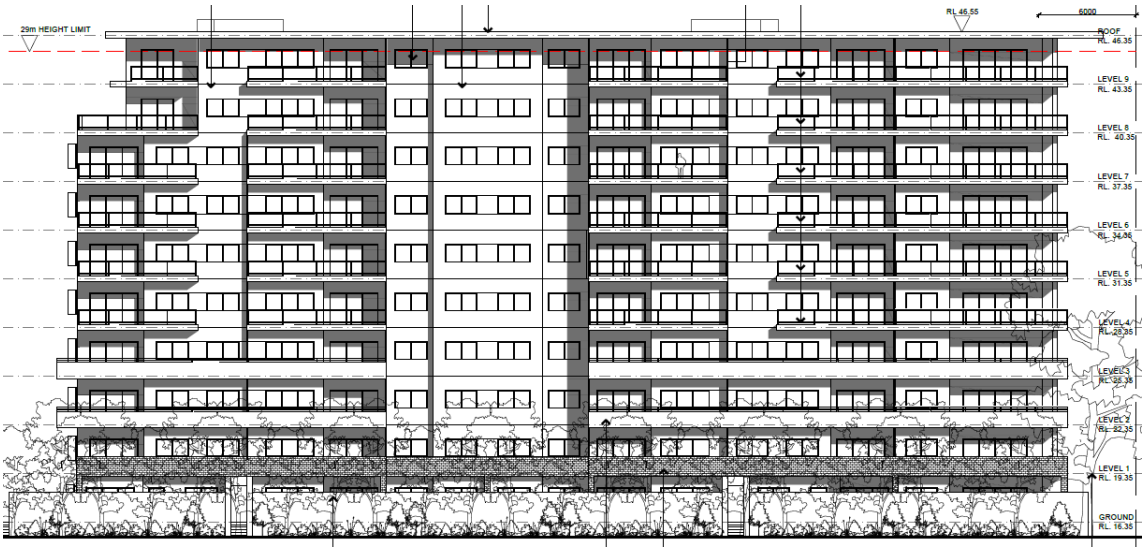

Figure 5 – Height of building diagram

Clause 4.6 of MLEP 2013 provides a mechanism by which a development standard can be varied. The objectives of this clause are:

> *(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
>
> *(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Pursuant to clause 4.6(2) consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

This clause applies to the clause 4.3 Height of Buildings Development Standard.

Clause 4.6(3) states that consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Clause 4.6(4) states consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

Clause 4.6(5) states that in deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
(b) the public benefit of maintaining the development standard, and
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

Claim for Variation

Zone and Zone Objectives

As previously indicated the proposed residential flat building is permissible with consent in the zone and consistent with the zone objectives as outlined.

Accordingly there are no statutory zoning or zone objective impediment to the granting of approval to the proposed development.

Height of Buildings Standard and Objectives

As previously indicated the proposed works are all located on the portion of the land to which a 29 metre height limit applies. Building 5 has a maximum height of 13.65 metres with Building 6 having a maximum parapet height of 30 metres and a height to the lift overruns of 30.7 metres as depicted in Figure 5 below. This represents a height non-compliance of 1.7 metres or 5.8%. The objectives of the height of buildings standard are as follows:

(a) to minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties,

(b) to ensure development is consistent with the landform,

(c) to provide appropriate scales and intensities of development through height controls.

Having regard to the stated objectives it is considered that strict compliance is both unreasonable and unnecessary for the following reasons:

- The proposal complies with the FSR standard under the LEP;
- There is no tangible nexus between the height variation and the overall intensity of site use;
- The characteristics of the site, including very large site area, orientation, floodway, park and scale and proximity to infrastructure and services, warrant an approach that properly considers and mitigates these factors beyond strict adherence to the LEP provisions;
- The DCP acknowledges that higher built forms are appropriate given the loss of developable land as a result of providing a floodway;
- The proposed heights are consistent with the objectives of the standard in the LEP;
- The minor non-compliance on Building 6 is appropriately compensated for by the height of Building 5 which sits comfortably below the maximum prescribed height for the site.

- The proposed heights provide a more appropriate transition between Holroyd Gardens and the Town Centre, as provided in the LEP;

- No excessive excavation or changes to landform are proposed;

- The area of non-compliance is appropriately described as minor and will not result in any unreasonable solar access or privacy impacts.

- The proposed height is similar to the recently approved height at Nos. 13 - 15 Neil Street. The proposal ensures a consistent Neil Street streetscape.

- The proposed built form and height is generally consistent with the desired future character of the area, as envisaged by the LEP and DCP 2013.

- It has been determined that the additional building height will not give rise to any adverse residential amenity impacts in terms of view loss, overshadowing, privacy or visual bulk. The proposal provides for the sharing of public and private views.

- Consistent with the conclusions reached by Senior Commissioner Roseth in the matter of Project Venture Developments v Pittwater Council (2005) NSW LEC 191 I have formed the considered opinion that most observers would not find the height of the proposed development offensive, jarring or unsympathetic in a streetscape context nor the built form characteristics of development within the sites visual catchment. Accordingly it can be reasonably concluded that the proposal is compatible with its surroundings.

- Having regard to the matter of Veloshin v Randwick City Council [2007] NSWLEC 428 this is not a case where the difference between compliance and non-compliance is the difference between good and bad design.

Conclusions

Having regard to the clause 4.6 variation provisions we have formed the considered opinion:

(a) that the contextually responsive development is consistent with the zone objectives, and

(b) that the contextually responsive development is consistent with the objectives of the height of buildings standard, and

(c) that there are sufficient environmental planning grounds to justify contravening the development standard, and

(d) that having regard to (a), (b) and (c) above that compliance with the building height development standard is unreasonable or unnecessary in the circumstances of the case, and

(e) that given the developments ability to comply with the zone and height of buildings standard objectives that approval would not be antipathetic to the public interest, and

(g) that contravention of the development standard does not raise any matter of significance for State or regional environmental planning.

As such we have formed the highly considered opinion that there is no statutory or environmental planning impediment to the granting of a height of buildings variation in this instance.

4.2.3 Floor space ratio

Pursuant to Clause 4.4 of the LEP the floor space ratio (FSR) of a building on any land is not to exceed the maximum FSR shown for the land on the Map. The Map provides two FSR limits on the site. An FSR of 3:1 applies to the north western corner of the site and an FSR of 2.8:1 applies to the balance of the site as depicted in Figure 6 below. The proposed development is the subject of a 2.8:1 FSR standard.

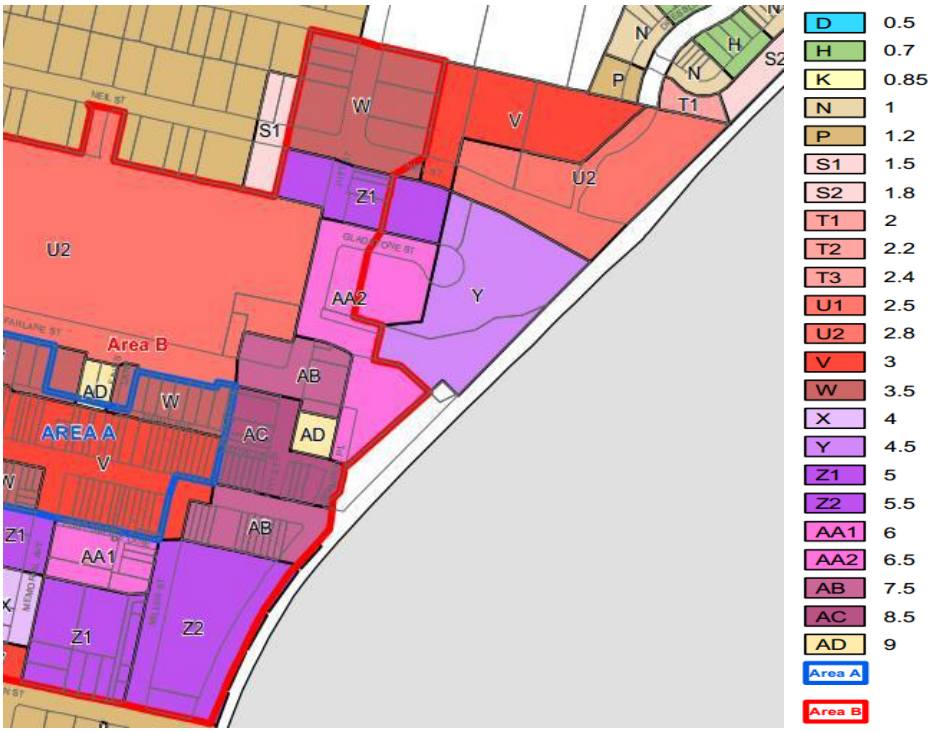

Figure 6 – HLEP FSR Map extract

The stated objectives of this clause are:

(a) to support the viability of commercial centres and provide opportunities for economic development within those centres,

(b) to facilitate the development of a variety of housing types,

(c) to ensure that development is compatible with the existing and desired future built form and character of the locality,

(d) to provide a high level of amenity for residential areas and ensure adequate provision for vehicle and pedestrian access, private open space and landscaping.

The proposal has a gross floor area of 9735 square metres which based on a total site area of 15765 square metres represents a floor space ratio of 0.62:1 and therefore significantly below the maximum 2.8:1 standard.

4.2.4 Heritage conservation

Pursuant to clause 5.10 HLEP 2013 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,

The stated objectives of this clause are as follows:

(a) to conserve the environmental heritage of Holroyd,
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
(c) to conserve archaeological sites,
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Whilst the site is identified as containing a heritage item "Millmaster Feeds" within HLEP 2013 all structures associated with this heritage item have been demolished and removed in accordance with previous development consent.

Further, consideration has also been given to potential impacts on the heritage item located in the vicinity of the site being the Goodlet & Smith brickmaking plant and chimney and Hoffman kiln and chimney (No. 23 – 25 Brickworks Drive). In this regard the future development works are some distance from the remaining heritage features, and separated by the existing built at Holroyd Gardens and accordingly we have formed the considered opinion that the proposed development is not likely to impact on the heritage significance of the remaining elements, including its fabric, setting and views.

4.2.5 Earthworks

Pursuant to clause 6.2(3) before granting development consent for earthworks, the consent authority must consider the following matters:

(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,

(b) the effect of the development on the likely future use or redevelopment of the land,

(c) the quality of the fill or the soil to be excavated, or both,

(d) the effect of the development on the existing and likely amenity of adjoining properties,

(e) the source of any fill material and the destination of any excavated material,

(f) the likelihood of disturbing relics,

(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,

(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

In this regard the proposal involves excavation for the proposed basement parking area with the extent of excavation proposed reasonably anticipated for this form of development on this particular site.

In relation to soil quality remediation has been undertaken on the site by the former owner, George Weston Foods. The land upon which this application relates has been remediated as detailed in the NSW EPA Site Audit Statement No. 111050_2014_01.

The excavation is contained within the building footprint and well away from property boundaries and to that extent will have no adverse impact on any adjoining property. Subject to appropriate conditions relating to erosion and sedimentation control measures the proposal will not give rise to any adverse environmental impacts and accordingly satisfy the clause 6.2 considerations.

4.2.6 Essential services

Pursuant to clause 6.12 of the LEP development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

(a) the supply of water,
(b) the supply of electricity,
(c) the disposal and management of sewage,
(d) stormwater drainage or on-site conservation,
(e) suitable vehicular access.

We confirm that the site is within in established area and essential services are readily available.

4.2.7 Flood planning

Clause 6.3 of the LEP applies to the flood affected land. Pursuant to these provisions development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

(a) is compatible with the flood hazard of the land, and

(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and

(c) incorporates appropriate measures to manage risk to life from flood, and

(d) is not likely to 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

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

Proposed footprints, floor levels and associated access are compatible with the flood hazard of the land as detailed within the Flood Report prepared by SGC Consulting Civil Engineers a copy of which accompanies this application.

4.2.8 Riparian land and watercourse

Pursuant to clause 6.6(3) of the LEP the site is identified as containing Riparian Land. In accordance with these provisions before determining a development application for development on land to which this clause applies, the consent authority must consider:

(a) whether or not the development is likely to have any adverse impact on the following:

(i) the water quality and flows within the watercourse,
(ii) aquatic and riparian species, habitats and ecosystems of the watercourse,
(iii) the stability of the bed and banks of the watercourse,
(iv) the free passage of fish and other aquatic organisms within or along the watercourse,
(v) any future rehabilitation of the watercourse and riparian areas, and

(b) whether or not the development is likely to increase water extraction from the watercourse, and

(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Further, pursuant to clause 6.6(4) development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The accompanying 'Flora and Fauna Assessment Report' prepared by Anderson Environmental addresses these provisions, concluding that development will not result in any significant impact on water quality or habitats and ecosystems present on the site.

This is principally a function of the already heavily modified nature and condition of the riparian zone which has led to its present poor environmental condition. Development will in fact, help to stabilise the banks of the storm water channel, assisting in the control of erosion and sedimentation. The 'Flora and Fauna Assessment Report' outlines mitigation measures (to become conditions of consent), relating to the establishment of aquatic and riparian vegetation habitat in the proposed swale.

It is considered that these measures will offset the adverse impacts of the proposal on the watercourse. These measures include:

- Stabilising and revegetating the swale to offset any habitat loss;
- Planting of native species;
- Developing a riparian corridor landscape plan

In this regard it is considered that the clause 6.6 provisions of the LEP have been addressed.

4.2.9 Stormwater management

Pursuant to clause 6.7(2) (2) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development:

(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and

(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and

(c) avoids any adverse impacts of stormwater runoff on adjoining properties, native vegetation and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

The application is accompanied by stormwater plans prepared by SGC Consulting Civil Engineers which satisfy these provisions and proposes stormwater retention for use as an alternative water supply in accordance with the provisions.

4.3 Holroyd Development Control Plan 2013

Holroyd Development Control Plan (DCP) 2013 came into force on 5 August 2013 and provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of Holroyd LEP 2013. Part M of the DCP applies to all development within the Merrylands Centre, including land within the Neil Street Precinct. The aim of the Merrylands DCP is to renew and revitalise the Merrylands Centre, provide increased growth capacity and provide greater housing sustainability.

The DCP provides block by block controls for the Neil Street Precinct that guide building envelopes and site layout. As discussed in Section 5 of this SEE, the proposal departs from the DCP block controls to provide a better urban design outcome that more readily achieves compliance with SEPP 65.

The relevant controls of the Holroyd Development Control Plan (DCP) 2013 are identified and assessed in Table 10 below.

DCP Control	Requirement	Proposal	Compliance / Comment
Part A: General Controls Car parking rates	1 bed – min 0.8 2 bed – min 1 3 bed – min 1.2 Visitor – min 0.2	Proposal provides 140 spaces across the site in basement levels and on street with a shortfall of 8 visitor spaces as detailed and justified in the accompanying parking report.	Yes – Residential No – Visitor Refer to accompanying traffic and parking report prepared by ASON Group.
Part B: Residential Controls Landscaped Area	30% of the total site area to be provided as landscape area.	Landscaped area far exceeds the 30% control	Yes
Solar Access for dwellings in development	Minimum of 3 hours between 9.00am and 4.00pm at the winter solstice (22 June) is provided to at least one main living area of the proposed dwelling/s. 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	71.5% for living areas and balconies for 2 hours+	Yes Complies with SEPP 65/ RFDC

	June).		
Solar Access for adjoining development	Minimum of 3 hours of direct sunlight between 9.00am and 3.00pm at the winter solstice (22 June) is to be provided to at least one main living area of existing dwellings. 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).	No additional shadowing impact on any adjoining development between 9.00am and 3.00pm at the winter solstice (22 June).	Yes
Car Parking	Basement parking is mandatory for all residential flat buildings and multi dwelling developments within the R4 zone.	Basement car parking provided.	Yes
Universal housing and accessibility	For multi dwelling development and residential flat buildings, 15% of dwelling units shall comply with AS4299- 1995- Adaptable Housing.	25 dwellings are compliant with AS4299- 1995- Adaptable Housing Class B as detailed in accessibility report prepared by Accessible building Solutions.	Yes
Lot Frontage	Minimum lot frontage is 45	110.9m	Yes
Site Coverage	The maximum site coverage of any residential flat development shall not exceed 30% of the site area.	Site coverage significantly below 30%.	Yes
Dwelling Size	1 bed – 50m² 2 bed – 70m² 3 bed – 95m²	All dwelling sizes comply	Yes Yes Yes
Dwelling Mix	The combined total number of studio and one-bedroom dwellings shall not exceed 20% of the	No studios and 25% one bedroom apartments are proposed to satisfy current market	No Dwelling mix is responsive to current market demand and expectation.

	total number of dwellings, within any single site. 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.	demand. A mix of 1 and 2 bedroom ground floor apartments are provided	Complies with SEPP 65/ RFDC. No As above
Part M: Merrylands Centre Controls New Road	New Road 2- between Dressler Court and New Road 1.	The proposal acknowledges the future road network.	Yes
Open space	New swale and public park	New swale proposed. Park proposed at future stages.	Yes
Vehicle Entry Point	Vehicle entry points are not permitted off Neil Street.		Yes
Block 5 Controls	8 storeys along railway	4 and 10 storeys. Council supports additional height to significantly enhance internal amenity and urban design outcomes.	No Provides for better urban design and amenity outcome.
	7 storeys along Neil	10 storeys Council supports additional height as above	No Provides for better urban design and amenity outcome.
	Ground and first floor retail/commercial or residential.	Residential	Yes
	18m depth (15m glass line to glass line).	12m - 20m	Yes Large areas of glass to living spaces providing generous natural light and views. Buildings are articulated with balconies to break up bulk.
	2.5m street setback	Minimum 2.5m	Yes
	Side setbacks: comply with min separation distances.	Separation complies with SEPP 65 and the RFDC	Yes
	6m rear setback.	6m along railway and northern boundary with minor wall and balcony encroachments	Generally compliant with no adverse amenity or streetscape impacts

Crime Prevention Through Environmental Design

The Crime Prevention Through Environmental Design (CPTED) guidelines were prepared by the NSW Police in conjunction with the Department of Planning. CPTED provides a clear approach to crime prevention and focuses on the *'planning, design and structure of cities and neighbourhoods'.*

Principle 1 - Surveillance:

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

- The proposed buildings and balconies are oriented in order to provide natural surveillance of the communal open space areas and the roadways.
- The proposed landscaping design and plant species are likely to enhance surveillance within the communal areas or along the road frontages.

Principle 2 - Access Control:

Access Control can be defined as physical and symbolic barriers that are used to *'attract, channel or restrict the movement of people'*.

- Secure basement car parking will be provided for residents as part of future DAs with safe, direct lift access between to residential levels.
- Public spaces have been designed to attract, rather than discourage people from gathering.
- The general public will be able to access the site and the communal open spaces areas. However, landscaping around the buildings will be designed to delineate the public areas from the private. The landscaping will be consistent with private gardens, rather than public spaces.

Principle 3 - Territorial Reinforcement:

Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.

- The provision of security-controlled entrances to the building and basement car park will emphasise the separation between the private and public domain.
- Landscaping around the buildings will differentiate the public areas from the private.
- Well maintained planters, gardens and pavers will indicate the development is well-used and cared for to reduce criminal activity.

Principle 4 - Space Management:

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti and the replacement of decayed physical elements.

- Public open spaces will be well maintained by a landscape contractor. Likewise, the buildings will be maintained by Management. Continued repairs and maintenance will discourage vandalism.
- High quality materials, varied façade treatments and landscaping along boundaries will assist in discouraging vandalism and graffiti.

The proposal will provide a high level of security and design elements will deter criminal behaviour. Secure pedestrian entries to each building block will maintain safety and security. Casual surveillance is also available over the private open space and entry areas from units and common areas. The proposal is therefore consistent with CPTED principles.

4.9 State Environmental Planning Policy No. 55 – Remediation of Land

Pursuant to clause B3.6 Council shall not consent to the carrying out of any development on land unless it has considered the provisions of SEPP No. 55 – Remediation of Land ("SEPP 55"). In this regard, In relation to soil quality remediation has been undertaken on the site by the former owner, George Weston Foods.

We confirm that a number of environmental investigations have been conducted on site, including one by Responsive Environmental Solutions Pty Ltd in 2004 and one by Environmental Strategies Pty Ltd in 2011. Given the former industrial use of the site soils have been contaminated. Remediation has been undertaken on the site by the former owner, George Weston Foods. The land upon which this application relates has been remediated as detailed in the NSW EPA Site Audit Statement No. 111050_2014_01.

Given the above factors no further investigation of land contamination is warranted. The site is suitable for the proposed residential flat development proposed. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

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

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) aims to improve the design quality of residential flat developments to provide sustainable housing in social and environmental terms that is a long-term asset to the community and presents a better built form within the streetscape.

It also aims to better provide for a range of residents, provide safety, amenity and satisfy ecologically sustainable development principles. In order to satisfy these aims the plan sets design principles in relation to context, scale, built form, density, resources, energy and water efficiency, landscaping, amenity, safety and security, social dimensions and aesthetics to improve the design quality of residential flat building in the State.

SEPP 65 applies to new residential flat buildings, the substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

"Residential flat building means a building that comprises or includes:

a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and

b) *4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia."*

The proposed development is for the construction of 123 apartments over 10 levels in the form of a residential flat building. As per the definition of a 'Residential Flat Building' and the provisions of Clause 4 outlining the application of the Policy, the provisions of SEPP 65 are applicable to the proposed development.

SEPP 65 requires any development application for residential flat development to be assessed against the 10 design quality principles contained in clauses 9 - 18 of SEPP 65. The proposal's compliance with the design quality principles is detailed in the Architect Design Verification Statement at ANNEXURE 1.

Pursuant to clause 30 of SEPP 65 in determining a development application for consent to carry out residential flat development the consent authority is required to take into consideration the Residential Flat Design Code with the developments performance when assessed against such criteria detailed at ANNEXURE 2.

4.6 State Environmental Planning Policy (Infrastructure) 2007

Pursuant to the SEPP if the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

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

As the site is located within immediate proximity of a railway line the provisions of this SEPP apply. Accordingly this application relies on the recommendations contained with the accompanying acoustic report prepared by SLR which assesses the performance of the development against the above criteria.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.8 Section 79C(1) EP&A Act Considerations

Following is an assessment pursuant to guidelines prepared by the former Department of Urban Affairs and Planning. Relevant matters nominated for consideration are:

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

The proposal is permissible and in conformity with the intent of the development standards contained within HLEP 2013 as they reasonably relate to this form of development on this particular site and the applicable provisions of HDCP as they relate to high density development and having regard to detailed site and context analysis. The proposal satisfies the design quality principles contained within SEPP 65 and the controls and "rules of thumb" contained within the RFDC.

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality.

Context and Setting

i) What is the relationship to the region and local context on terms of:

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters are addressed in detail in the body of this report. The proposed development is contextually appropriate, will afford a high level of amenity to future occupants and will not give rise to any unacceptable residential amenity or streetscape consequences.

ii) What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

As detailed within this report there is no unreasonable impact apparent with respect to any of these matters.

- Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

The proposed development has good access to services and facilities with transport, retail and urban services within immediate proximity of the site. The development provides adequate car parking facilities as assessed in the accompanying report prepared by Ason Group.

- Public domain

The proposed development will have no adverse impact on the public domain and addresses the design recommendations of the DCP.

- Utilities

Existing utility services will adequately service the development.

- Flora and fauna

The accompanying 'Flora and Fauna Assessment Report' prepared by Anderson Environmental addresses these provisions, concluding that development will not result in any significant impact on water quality or habitats and ecosystems present on the site.

The proposal will not give rise to any adverse flora or fauna consequences with the development extensively landscaped in accordance with the accompanying landscape plan prepared by Green Plan.

- *Waste*

Domestic waste collection applies to this development and will proceed accordingly. A waste management plan has been prepared in support of the application with the roadway design providing for the safe and convenient collection of waste.

- *Natural hazards*

Proposed footprints, floor levels and associated access are compatible with the flood hazard of the land as detailed within the Flood Report prepared by SGC Consulting Civil Engineers a copy of which accompanies this application.

- *Economic impact in the locality*

There will be an economic benefit derived during the construction phase. No adverse impact will be apparent from any other perspective.

- *Site design and internal design*

i) Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

I refer to the detailed considerations in this report and the accompanying material which covers matters related to design, building location, height, visual impact, landscaping and open space.

ii) How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*

- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

Compliance with the Provisions of the BCA can be achieved without difficulty the appropriate detailing provided at Construction Certificate stage.

Construction

i) What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Normal site safety measures as required by Council will ensure that no site safety or environmental impacts will arise during construction. It is envisaged that appropriate conditions of consent will be applied.

The suitability of the site for the development.

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The site is very well located with regards to public transport and the full range of required urban services utility services. This is primarily the reason that the subject site was zoned for high density residential development.

The development will not cause an excessive or unmanageable level of transport demand.

The site has been designed with respect to site analysis which takes into account the relationship of the building to adjacent and abutting development including the railway line.

- Are the site attributes conducive to development?

The site has no special physical or engineering constraints that preclude its development and as such the site is suitable for the proposed development.

Any submissions received in accordance with this Act or the regulations.

It is envisaged that Council will appropriately consider any submissions made in relation to the proposed development.

The public interest.

The architect has responded to the client brief to provide for a residential development of exceptional design quality which provides superior levels of amenity to future occupants whilst maintaining good levels of amenity to the adjoining and nearby residential properties. The built form is appropriately articulated with the integrated site landscape regime ensuring that the buildings sit within a landscape setting.

This report demonstrates that such outcome can be achieved without adverse streetscape, residential amenity or streetscape impacts. Accordingly it can be demonstrated that the proposal is complimentary and compatible in an urban design context.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development of good design that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly approval of the development would be in the public interest.

5.0 CONCLUSION

The proposal is permissible and satisfies the objectives of the zone. The development complies with the height and FSR development standards and the objectives applicable to this form of development on this particular site.

The architect has responded to the client brief to provide for a residential development of exceptional design quality, which provides superior levels of amenity to future occupants whilst maintaining good levels of amenity to the adjoining and nearby residential properties. The form, massing and orientation of the proposed buildings has been developed through detailed site and context analysis and to that extent varies from a number of the site specific development controls contained within HDCP 2013 on the basis that the proposal provides for better environmental outcomes for the site having regard to the design principles contained within SEPP 65 and the guidelines contained within the RFDC.

Given the design and orientation of the development and its location within a high density residential environment the proposal will not result in any unacceptable or non compliant residential amenity impacts in terms of privacy, overshadowing or view loss. The proposed development is contextually appropriate, will afford a high level of amenity to future occupants and will not give rise to any unacceptable residential amenity, streetscape or heritage conservation consequences.

Whilst the application seeks a variation to the height of buildings development standard the accompanying clause 4.6 variation request demonstrates that strict compliance with the standard is both unreasonable and unnecessary under the circumstances, provides for a better environmental outcome and is not antipathetic to the public interest. Such objection is well founded.

Having given due consideration to the relevant considerations pursuant to S.79C of the Environmental Planning & Assessment Act 1979 (as amended) it has been demonstrated that the proposed development is appropriate for approval.

Greg Boston
Director

ANNEXURE 1
Architect Design Verification

marchesepartners

10th February 2015

SEPP 65 DESIGN VERIFICATION STATEMENT

Prepared to accompany a Development Application submitted to Holroyd Council

PROPOSED RESIDENTIAL FLAT BUILDINGS
STAGE 1 – BUILDINGS 5 & 6

1 – 11 NEIL STRET MERRYLANDS

This SEPP 65 Design Verification statement has been prepared on behalf of Landmark Group in support of a Development Application submitted to Holroyd Council.

This report is intended to be read in conjunction with the Architectural plans prepared by Marchese Partners Architects and the associated reports.

We confirm that Steve Zappia of Marchese Partners Architects directed the design of the enclosed development application and that the enclosed documentation achieves the principles set out in *State Environmental Planning Policy 65 - Design Quality of Residential Flat Developments* and has been design with regard to the publication *Residential Flat Building Code.*

Mr Steve Zappia is registered as an architect in NSW (reg. No. 6535) in accordance with the Architects Act 1921.

DESIGN QUALITY PRINCIPALS

PRINCIPLE 1 – CONTEXT

The site is the first stage of the proposed residential development at 1 – 11 Neil Street Merrylands which is part of the Merrylands Centre, Neil Street Precinct, in the Holroyd DCP 2013 and is part of Block 5 and part of Block 6 as designated in the DCP.

The site is currently in an un-developed state, being the site of a former industrial building which has been demolished with only areas of hardstand concrete paving remaining. The site is currently overgrown with weeds and shrubs and fenced to discourage un authorised entry.

A water course currently runs through the site which is designated to be reconstructed as a culverted stormwater structure as part of the precinct flood / stormwater infrastructure works.

Adjoining the site to the north east are a number of recently developed residential buildings varying in scale from 2 story dwellings to 6 and 7 storey apartment buildings. To the north, the site adjoins the Holroyd Gardens open space area whilst to the west, the site adjoins existing industrial land which is also part of Blocks 5 and 6 of the Neil Street precinct and which has recently been approved for two 8 storey residential flat buildings.

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To the south west of the site, the site adjoins Neil Street whilst to the south east; the site adjoins the railway line.

The proposed overall development proposes 6 residential flat buildings. Stage 1 comprises a 4 storey building located along the internal street and a 10 storey building located along the railway line. The proposed use is consistent with the site's zoning and zone objectives.

The proposed development has been modulated to fit in with the existing scale and alignment of the adjoining existing and approved residential flat buildings. The proposed development will harmonise well with the existing and future context and provide suitable residential accommodation which is much needed in the area.

Contextually, the proposed development is appropriate for its location and will contribute positively to the desired future character of the precinct.

PRINCIPLE 2 – SCALE

The bulk, height and the scale of the development has been carefully considered and has been designed to harmonise and enhance the desired future character of the precinct.

The proposed master plan layout for block 5 differs from the block controls suggested in the Holroyd DCP 2013 but provides a superior outcome for the precinct and the internal amenity of the apartments when compared to the suggested DCP block layout. The proposed layout provides modulated heights 4 storeys to the internal street edge and 10 storeys to the rear of the site. This approach opens up the centre of the site to allow for larger setbacks between the taller building forms so that better amenity and a lower scale is provided to the public domain areas in and adjacent to the proposed new internal street. It also provides better amenity to the majority of the apartments by allowing superior solar access / orientation and superior views and outlook over the DCP layout.

The proposed arrangement of putting the taller building elements against the railway corridor also benefits the site by providing a significant acoustic buffer to the rest of the site. This arrangement is far superior in terms of acoustics over the DCP scheme benefitting the scheme as a whole as the exposure in terms of the number of apartments as well as the common open space at the centre of the site to the railway noise is greatly diminished in the proposed scheme when compared to the DCP scheme.

The proposed building layout puts the taller building element at the southern perimeter of the site which provides a stronger reinforcement of the precinct perimeter against the railway corridor and Neil Street in accordance with sound 'block edge' urban design principles. This layout also serves to join the alignment of the existing development to the east of the site with the proposed and approved development to the west of the site to form a cohesive and completed edge to the precinct.

The completed development will sit comfortably in its context and will form an appropriate scale to suit the future character of the precinct.

PRINCIPLE 3 – BUILT FORM

The built form of the proposal is an appropriate response to the site, its opportunities and constraints.

The proposed building layout for this stage differs from the block controls suggested in the Holroyd DCP 2013 but provides a superior outcome for the precinct. The proposed buildings run parallel to the new internal street and the railway corridor rather than perpendicular. A 4 storey single loaded edge building forms the street edge to the new internal street, whilst behind this building to the south, a taller 10 storey building edges the precinct. The subsequent stage to the west will also follow this patter to form a cohesive precinct.

The resultant overall built form fits seamlessly into the context and provides a superior and more cohesive built form solution for the precinct over the suggested DCP layout.

PRINCIPLE 4 – DENSITY

The proposal provides a density which is consistent with the density controls for the site.

Overall the floor space and apartment numbers proposed are consistent with the Floor Space Ratio the DCP block layouts envisaged for the site therefore the proposed development is consistent with the density envisaged for the overall precinct.

The design and configuration of buildings on the site ensure the proposed dwellings have adequate light ventilation, privacy and amenity. This being the case, it can be said, that the proposal is appropriate in terms of Density.

PRINCIPLE 5 – RESOURCE ENERGY AND WATER EFFICIENCY

A residential development, located near a Town Centre such as Merrylands that has immediate proximity to transport links, retail, commercial, learning, entertainment, recreation uses and employment opportunities, is in itself an efficient use of resources by minimising the need for reliance on motor vehicle use, as well as minimising the need for public transport.

In addition to this, we note the following inclusions as part of the proposal will also contribute to minimising the resources and energy;

- Excellent solar access and cross ventilation has been achieved to the apartments, meaning that the internal spaces will not be reliant on air conditioning to maintain thermal comfort.
- More than 2 hours of solar access in the middle of winter has been provided to 71.5% of the residential units exceeding the minimum rule of thumb of 70%.
- Natural cross ventilation has been provided to 60.2% of the units (required 60%). The rest of the units receive passive natural ventilation.
- The apartments have been largely orientated north-south; with the majority of the apartments having a northern aspect which is favourable for solar access and thermal comfort.
- East and west elevations have been minimised to minimise solar heat gain.
- Recessed balconies will provide shading in summer months but allow lower winter sun to enter internal areas for passive solar heating into to all north facing apartments.
- Basix compliance will be achieved and demonstrated when detailed Development Applications are submitted.

PRINCIPLE 6 – LANDSCAPE

The proposed master plan layout incorporates large areas of landscaping in both the public and private / common areas of the site.

The new internal street forms part of the local flood management measures in the precinct and so is provided with a generous landscaped zone adjacent to the roadway varying in width from 14 to 17 metres wide. The street and landscaped zone connect to the neighbouring developments, existing and proposed to form a unifying green zone through the centre of the precinct. Part of this landscaped zone will be accessible public park space in later stages whilst part of this zone is also inaccessible landscaped 'swale'. In addition to this, the new internal street will be provided with street tree planning and other landscape elements to provide a pleasant public domain environment.

The built upon site areas of the development will also be provided with generous landscaped areas. All setback zones will be provided with deep soils zones for the retention of existing and planting of larger scale tress and screen planting etc, whilst the car park podium areas will also be provided with

landscaping on podium so that the generous courtyards spaces are afforded a lush and vibrant landscaped feeling.

The central common courtyard space between buildings varies in width from 12 to 14 metres wide and provides adequate privacy and amenity for the apartments that overlook this landscaped space and other residents who will use the courtyard.

Overall the development is proposed to be well landscaped to enhance the overall appearance and amenity of the development.

PRINCIPLE 7 – AMENITY

The proposed residential apartments will all have excellent amenity. The number of apartments which will be capable of achieving cross flow ventilation and solar access requirements will exceed the RFDC rules of thumb.

The majority of the apartments will have a north or north western aspect which is favourable for solar access and thermal comfort.

Large areas of glass are provided to living spaces providing generous natural light and views. All of the apartments have balconies or ground level courtyards as their private open space. The depth and width of balconies allows for various sitting arrangements. The apartments open directly onto these large balconies providing natural ventilation and outdoor living opportunities. North facing ground floor apartments to buildings 4 and 6 will be provided with ground floor landscaped courtyards in addition to their balconies.

Large common landscaped areas will be provided for the enjoyment of residents which will supplement the adjacent public landscaped areas on the proposed new internal street and at Holroyd Gardens.

Building separation distances are adequate and generally consistent with RFDC rules of thumb. Visual privacy will be enhanced in certain areas where required through the use of vegetation, louvers and screens etc.

Storage for each apartment has been provided within each apartment. Some residents will have an additional storage spaces adjacent to their car space in the basement.

Lift access will be provided to all basement and apartment levels, linking every floor with the street level and basement. The lobbies at ground level will present as clearly articulated entries to the residential buildings providing a welcoming and secure environment for residents and their guests.

Overall it can be said that the development will provide excellent level of amenity for its residents.

PRINCIPLE 8 – SAFETY AND SECURITY

Safety and security will be provided for both future occupants and the public domain through the following design measures:

- The residential buildings will be a secure environment. Access will be by electronic security devices at the vehicle entry point and the pedestrian entry points and lobbies.
- Basement car parks will be accessed via electronic security devices and intercom for visitors. Car parks will be well lit and lifts will have security control and close circuit television cameras.
- The common areas will be well lit, with clearly defined paths. There is a clear definition between public and private spaces.
- Windows and balconies will provide good natural surveillance to the surrounding common areas and public domain.

PRINCIPLE 9 – SOCIAL DIMENSIONS AND HOUSING AFFORDABILITY

The site is located close to all necessary facilities such as public transport, working and business areas, childcare facilities, schools, health care, supermarkets, educational and leisure facilities.

A variety of apartment sizes and types are proposed which will create opportunities for a diverse residential community. The variety of apartment styles proposed will meet differing budget requirements, addressing housing affordability as the majority of the apartments offered are of a small to medium size.

These residential units will be within the immediate proximity of employment opportunities and communal amenities which will be well sought after in this area.

The scale, materials and detail of the building facades is a positive contribution to the public environment contributing to the desired future character of the Ashfield Town Centre area.

PRINCIPLE 10 – AESTETHICS

The proposed development achieves design excellence through the carful modulation of building forms, the use of a differing palette of materials and through the deliberate architectural articulation of elements.

The design and detailing of the buildings is deliberately simple and clean to create a modernist and timeless aesthetic.

The main street address for the development will be via the new internal street. At that point a large paved threshold / bridge provides the main entry point the development and subsequent stage. The bridge incorporates the main vehicular and pedestrian entry points as well as a loading / drop of parking space.

The main entry Gatehouse to the development is also located at the bridge where letter boxes, intercom and secure entry gate is located for pedestrian entry.

The 4 storey building form fronting the street has been modulated into a base middle and top. The balcony forms have been deliberately elongated to create a low and sleek horizontal proportion to the main building facade. The base to the building is finished in dry pressed face brickwork to anchor the building to the ground whilst the main walls and balcony spandrels are finished in mid grey and off white paint finishes to contrast against the face brick.

The taller 10 storey building form at rear of the site has also been articulated into a base middle and top. It also incorporates a base storey finished in dry pressed face brickwork. Above this, solid horizontal balcony spandrels provide a strong horizontal emphasis to the tower form whilst also providing good levels of privacy to the lower balconies. From level 4 the balcony balustrades are glazed and the balconies are punctuated but two vertical recesses so to counter point against the horizontal proportions below. The vertical wall elements are finished in mid grey with horizontally proportioned window openings further emphasised through the incorporation of darker grey feature panels between the windows.

Recessed areas of walls on balconies are also painted a darker grey to help modulate the appearance of the building.

Floating and cantilevered roof slabs complete the dynamic appearance of the building forms.

STEVE ZAPPIA
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ANNEXURE 2

Residential Flat Design Code Compliance Table

Note: The following guidelines must be read in conjunction with detailed text contained in the Design Code.

Part 1 Primary Development Controls

Objectives/ Controls/ Rules of Thumb	Comments	Compliance
Height		
• To ensure future development responds to the desired scale and character of the street and local area.	Having regard to the contextual relationship and height of adjoining development and the stated building height objectives we considered that the building heights proposed are contextually appropriate and provide a harmonious built form relationship with adjoining development. A clause 4.6 variation in relation to building height accompanies this submission and is well founded.	Yes
• To allow reasonable daylight access to all developments and the public domain.	The development has been designed through detailed site analysis to ensure appropriate levels of solar access are maintained to the adjoining residential apartments and compliant solar access and cross ventilation afforded to the proposed apartments within the development.	Yes
Building Depth		
• To ensure that the bulk of the development is in scale with the existing or desired future context.	The bulk and scale of the development is compatible with that of adjoining and nearby development and it will not be perceived as jarring or antipathetic in a streetscape and urban design context. The height of the proposed buildings will not give rise to any adverse overshadowing, privacy, view or visual bulk consequences and as such are appropriate having regard to the outcomes and objectives of the applicable building height standard and built form controls.	Yes
• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.	We confirm that 60.2% of apartments are naturally cross ventilated and 71.5% achieve in excess of 2+ hours of sunlight to principle living and adjacent POS areas between 9am and 4pm on 22nd June.	Yes
• To provide for dual aspect apartments.	The development provides for a range of unit styles including dual aspect apartments.	Yes
• The maximum internal plan depth of a building should be 18 metres glass line to glass line.	The development has plan depths of approximately 18 metres.	Yes

Objectives/ Controls/ Rules of Thumb	Comments	Compliance
Building Separation		
• To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.	These matters have been discussed in detail previously in this report with complaint spatial separation (minimum 12 metres) maintained between buildings.	Yes
• To provide visual and acoustic privacy for existing and new residents.	As previously indicated compliant spatial separation is maintained between adjoining development with appropriate integrated privacy attenuation measures incorporated into adjoining balcony areas.	Yes
• To control overshadowing of adjacent properties and private or shared open space.	The accompanying shadow diagrams demonstrate that there will be no adverse shadowing consequences as a result of the proposed development.	Yes
• To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.	The private open space areas have been designed and orientated to optimise solar access and ensure that the private open space areas are directly accessible from living areas and will function as an extension of these internal living spaces. The area and dimension of these spaces exceed the minimum area and dimension requirements as outlined in the RFDC and will afford good levels of amenity to each of the residential units.	Yes
To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.	The site is located within a high density zone with compliant site coverage and deep soil landscaped areas.	Yes
• Provide building separation of between 12 and 24 metres between habitable rooms/balconies depending on building height.	Minimum 12 metre setbacks are maintained between adjoining buildings within the development and 9 metres to the adjoining development at No. 42 – 50 Brickworks Drive it being noted that the existing tall intervening trees are being retained.	Yes
Note: The building separation control may be varied in response to site and context constraints. Note: Development that proposes less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.	The development achieves acceptable outcomes in relation to daylight access, urban form and visual and acoustic privacy as detailed in the SOEE	

Objectives/ Controls/ Rules of Thumb	Comments	Compliance
Street Setbacks		
• To establish the desired spatial proportions of the street and define the street edge.	The development maintains an appropriate street alignment.	Yes
• To create a clear threshold by providing a transition between public and private space.	The built form provides a clear distinction between the public and private domain.	Yes
• To assist in achieving visual privacy to apartments from the street.	Good levels of privacy are achieved to all units through the site specific design response proposed incorporating integrated privacy attenuation measures.	Yes
• To create good quality entry space to lobbies, foyers or individual dwelling entrances.	Both buildings incorporate well defined and dimensioned residential lobbies.	Yes
• To allow for street landscape character.	New street tree plantings are proposed.	Yes
Side & Rear Setbacks		
Side setbacks: • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.	These matter are addressed in the SOEE.	Yes
• To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form.	The setbacks provide an appropriate rhythm and pattern of development in the streetscape.	Yes
Rear Setbacks: • To maintain deep soil zones to maximise natural site drainage.		Yes
• To maximise the opportunity to retain and reinforce mature vegetation.		N/A
• To maximise building separation to provide visual and acoustic privacy.		Yes

Objectives/ Controls/ Rules of Thumb	Comments	Compliance
Floor Space Ratio		
• To ensure that development is in keeping with the optimum capacity of the site and the local area.	The development has a compliant FSR.	Yes
• To allow definable development density for generic building types.	The dwellings within the development will have a high level of amenity in terms of unit size, solar access, privacy, natural ventilation and as such the proposed density is considered appropriate.	Yes
• To provide opportunities for modulation and depth of external walls within the allowable FSR.	An appropriate level of articulation and modulation of the external walls has been provided.	Yes
• To promote thin cross-section buildings, which maximise daylight access and natural ventilation.	The development generally complies with the maximum building depth requirement.	Yes
• To allow generous habitable balconies.	All units have fully compliant balcony sizes.	Yes

Part 2 Site Configuration

Objectives	Comments	Compliance
Site Analysis		
	A site analysis plan accompanies this application.	Yes
Deep Soil Zones		
• To assist with management of the water table. • To assist with the management of water quality.	Deep soil zones have been provided around the entire perimeter of the development with the existing tall trees adjacent to No. 42 – 50 Brickwork Drive retained.	Yes
• To improve the amenity of developments through the retention and/or planting of large and medium size trees.	The proposal does not require the removal of significant trees or vegetation. The landscape plan incorporates substantial medium and large tree plantings to ensure the development sits within a landscaped setting.	Yes
Fences and Walls		
• To define the edges between public and private land.	Low walls and balustrading is proposed to define the edges between public and private land. The landscape design proposed minimises the opportunities for concealment and thereby improve security of pedestrians. The pedestrian entrances to the residential components of the development are clearly defined.	Yes
• To define the boundaries between areas within the development having different functions or owners.	This has been achieved by way of changes in level, balustrading and landscape treatments.	Yes
• To provide privacy and security.	Appropriate privacy and security is maintained to the ground floor apartments.	Yes
Landscape Design		
• To add value to residents' quality of life within the development in the forms of privacy, outlook and views.	A landscape plan has been prepared as well as a Flora and Fauna Assessment Report regarding the riparian corridor. Enhanced landscaping will be provided to enhance occupant's outlook and privacy.	Yes
• To provide habitat for native indigenous plants and animals.	This has been provided within the landscape plan proposed.	Yes

Objectives	Comments	Compliance
• To improve stormwater quality and reduce quantity.	Stormwater management has been considered and the required retention and re-use provided.	Yes
• To improve the microclimate and solar performance within the development.	The proposed development maximises thermal comfort and minimises energy consumption.	Yes
• To improve urban air quality.	The proposed development will not impact urban air quality.	Yes
• To contribute to biodiversity.	The proposed development will not impact on the biodiversity in the local government area.	Yes
Open Space		
• To provide residents with passive and active recreational opportunities.	Good sized and well orientated private open space is provided to all units.	Yes
• To provide an area on site that enables soft landscaping and deep soil planting.	Deep soil planting provide around perimeter of development with existing screen trees adjacent to No. 42 – 50 Brickworks Drive retained.	Yes
• To ensure that communal open space is consolidated, configured and designed to be useable and attractive.	Communal open space has been located to be useable and provide for an attractive outlook from the apartments and public domain.	Yes
• To provide a pleasant outlook.		Yes
• The area of communal open space required should generally be at least between 25 and 30 percent of site area. Note: Where development is 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 open space.	Communal open space has been provided in accordance with the requirements of the DCP. All units have private open space areas exceeding the minimum requirement.	Yes Yes

Objectives	Comments	Compliance
Orientation		
• To optimise solar access to residential apartments within the development and adjacent development. • To contribute positively to desired streetscape character.	The apartment layout within the development has been designed to maximise solar access to the dwellings within the development. The development includes apartments with balconies and living areas providing a visual interesting building façade and natural surveillance of the street. In this regard the development positively contributes to the streetscape character.	Yes Yes
• To support landscape design of consolidated open space areas. • To protect the amenity of existing development. • To improve the thermal efficiency of new buildings. • Position and orientate buildings to maximise north facing walls (within 30 degrees east and 20 degrees west of north) where possible.	Open spaces provided with landscaping including canopy trees. These matter are addressed in the SOEE. A BASIX Certificate has been obtained for the proposed development.	Yes Yes Yes Yes
Planting on Structures		
• To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards. • To encourage the establishment and healthy growth of trees in urban areas.	Internal courtyard plantings are proposed.	Yes Yes
Stormwater Management		
• To minimise the impact of residential flat development and associated infrastructure on the health and amenity of natural waterways. • To preserve existing soil and natural features, including watercourses and wetlands.	Appropriate water retention and reuse is proposed in keeping with Council requirements. The existing riparian zone will be maintained and enhanced.	Yes Yes

Objectives	Comments	Compliance
Part 3 Site Amenity **Safety**		
• To ensure residential flat developments are safe and secure for residents and visitors. • To contribute to the safety of the public domain.	The building has been designed and orientated to maximise visual privacy between units and enable passive surveillance of spaces surrounding the site. Appropriate security to residential entries and lift access will be provided. The development incorporates units with balconies and living areas that allow for casual surveillance.	Yes Yes
Visual Privacy		
▪ To provide reasonable levels of visual privacy externally and internally, during the day and at night. ▪ To maximise outlook and views from principal rooms and private open space without compromising visual privacy.	The building has been designed to minimise the potential for the overlooking of the adjoining residential development through building design and integrated privacy attenuation measures. This matter is addressed in detail in the SOEE.	Yes Yes
Building Entry		
▪ To create entrances which provide a desirable residential identity for the development. ▪ To orient the visitor. ▪ To contribute positively to the streetscape and building façade design.	The residential entrances are clearly identifiable. Secure residential lobbies have been provided. As above. This matter has been addressed in detail in the SOEE.	Yes Yes Yes

Objectives	Comments	Compliance
Parking		
▪ To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking. ▪ To provide adequate car parking for the building's users and visitors, depending on building type and proximity to public transport. ▪ To integrate the location and design of car parking with the design of the site and the building.	Details concerning provision of parking have been detailed in the SOEE and accompanying parking report. As above. The car parking is provided in the basement of the development and will be accessed from the proposed roadway extension. The car parking therefore has minimal impact on the external appearance of the development.	Yes Yes Yes
Pedestrian Access		
▪ To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.	Accessibility to the site has been optimised. Accessible and disabled access routes have been provided throughout the development and within the adjacent public domain.	Yes
▪ To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts.	At grade access is provided.	Yes
Vehicle Access		
▪ To integrate adequate car parking and services access without compromising street character, landscape or pedestrian amenity and safety. ▪ To encourage the active use of street frontages.	Vehicular access to the site is provided from the proposed roadway extension.	Yes Yes

Part 4 Building Configuration

Objectives	Comments	Compliance
Apartment Layout		
▪ To ensure the spatial arrangement of apartments is functional and well organised. ▪ Single aspect apartments should be limited in depth to 8 metres from a window.	The size and spatial arrangement of the dwellings within the development will provide a high level of amenity for future occupants. All single aspect apartments have building depths of less than 8 metres.	Yes Yes
▪ To ensure that apartment layouts provide high standards of residential amenity.	The layout of each apartment is functional and efficient and will provide high levels of amenity.	Yes
▪ To maximise the environmental performance of apartments.	A BASIX certificate has been obtained for the residential component of the development indicating that the environmental performance of the building is adequate.	Yes
▪ To accommodate a variety of household activities and occupants' needs.	A range of unit size and configurations is provided.	Yes
Apartment Mix		
▪ To provide a diversity of apartment types, which cater for different household requirements now and in the future.	A mix of units is provided in a variety of configurations and sizes.	Yes
▪ To maintain equitable access to new housing by cultural and socio-economic groups.	There is no reason why this should not be achieved in this development.	Yes
Balconies		
▪ To provide all apartments with private open space.	All apartments have private open space areas meeting the minimum depth and area requirements. All primary balconies have depths in excess of 2 metres to ensure enjoyment, functionality and useability.	Yes
▪ To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents.	The living room of each dwelling opens to an adjoining balcony.	Yes

Objectives	Comments	Compliance
▪ To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.	The balconies proposed are an integral part of the building design.	Yes
▪ To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.	The building addresses both frontages. The opportunity for the natural surveillance of the street is provided from both the balconies and living room and bedroom windows of the development.	Yes
▪ Minimum depth of private balconies 2 metres.	This has been provided to all primary balconies.	Yes
Ceiling Heights		
▪ To increase the sense of space in apartments and provide well-proportioned rooms.	Residential ceiling heights to all apartments achieve 2.7m.	Yes
▪ To promote the penetration of daylight into the depths of the apartment.	The apartment depths combined with the careful siting of high use rooms ensures that adequate daylight penetration is provided into the apartments.	Yes
▪ To contribute to flexibility of use.		N/A
▪ To achieve quality interior spaces while considering the external building form requirements.	These matters are addressed in detail in the SOEE.	Yes
Flexibility		
▪ To encourage housing designs which meet the broadest range of the occupants' needs possible. ▪ To promote 'long life loose fit' buildings, that can accommodate whole or partial changes of use. ▪ To encourage adaptive re-use.	A variety of unit designs anticipate a broad range of occupants needs. Changing needs of occupants can be accommodated by many apartments with the option for home office, and flexible planning arrangements and changing uses of rooms.	Yes Yes N/A
▪ To save the embodied energy expended in building demolition.		N/A

Objectives	Comments	Compliance
Ground Floor Apartments		
▪ To contribute to the desired streetscape of an area and to create active safe streets.		Yes
▪ To increase the housing and lifestyle choices available in apartment buildings.		Yes
Internal Circulation		
▪ To create safe and pleasant spaces for the circulation of people and their personal possessions.	Simple and clear circulation is provided in a safe environment. Units have secure access and perimeter surveillance of access to the building is achieved.	Yes
▪ To facilitate quality apartment layouts, such as dual aspect apartments.	The unit layout and the building design reflect the principles outlined in the Residential Flat Design code.	Yes
▪ To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.	The form and articulation of the building will positively relate to the urban environment and the context of the building within a high density residential environment.	Yes
▪ To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	Not more than 8 apartments are accessed from each lift tower. This arrangement encourages interaction and recognition between resident and will improve perceptions of safety.	Yes

Objectives	Comments	Compliance
Mixed Use		
▪ To support the integration of appropriate retail and commercial uses with housing. ▪ To create more active lively streets and urban areas, which encourage pedestrian movement, service the needs of the residents and increase the area's employment base. ▪ To ensure that the design of mixed use developments maintains residential amenities and preserves compatibility between uses.		N/A N/A N/A
Storage		
▪ To provide adequate storage for everyday household items within easy access of the apartment. ▪ To provide storage for sporting, leisure, fitness and hobby equipment. ▪ Minimum 6 square metres is required for studio and 1 bedroom apartments and 8 square metres for 2 bedroom apartments.	Storage facilities have been provided at the lower levels of the development. The storage areas are of a size and dimension able to accommodate such storage needs. Compliant levels of storage are provided to all apartments.	Yes Yes Yes
Acoustic Privacy		
▪ To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.	Good levels of acoustic privacy are maintained to all units through the orientation of living and open space areas to the front and rear of the site. This matter is addressed in detail in the SOEE and the accompanying Acoustic Report.	Yes
Daylight Access		
▪ To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development. ▪ To provide adequate ambient lighting and minimise the need for	Buildings have been designed and orientated to ensure that adequate daylight access is provided to habitable rooms within dwellings. Good solar orientation is achieved through the orientation of units within the development.	Yes Yes

Objectives	Comments	Compliance
artificial lighting within daylight hours.		
▪ To provide residents with the ability to adjust the quantity of daylight to suit their needs. **Rules of Thumb** ▪ Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid winter. In dense urban areas a minimum of two hours may be acceptable. ▪ Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10 % of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed (see Orientation and Energy Efficiency).	71.5% of apartments receive minimum 2+ hours of solar access between 9am and 4pm on 22nd June. No single aspect south facing apartments proposed.	Yes Yes Yes
Natural Ventilation		
▪ To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants. ▪ To provide natural ventilation in non-habitable rooms, where possible. ▪ To reduce energy consumption by minimising the use of mechanical ventilation, particularly air-conditioning.	This is achieved in all units. Natural ventilation is provided throughout the development where possible. Underground car parking will be naturally ventilated.	Yes Yes Yes

Objectives	Comments	Compliance
Rules of Thumb		
▪ Building depths which support natural ventilation typically range from 8 to 15 metres.	The development includes a mix of dual aspect, maisonette and single aspect apartments. The depth of these apartments supports natural ventilation.	Yes
▪ Sixty percent (60%) of residential units should be naturally cross ventilated.	60.2% of apartments are naturally cross ventilated.	Yes
▪ Twenty five percent (25%) of kitchens within a development should have access to natural ventilation.	All kitchens have access to natural ventilation, through open planning with living areas.	Yes
▪ Developments which seek to vary the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved, particularly in relation to habitable rooms.	All habitable rooms have access to good natural ventilation.	Yes
Awnings & Signage		
▪ To provide shelter for public streets. ▪ To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design.		N/A
Facades		
▪ To promote high architectural quality in residential flat buildings.	The architectural design quality of the proposed development is of a high standard and complies with the Residential Flat Design Code as shown in the photomontage submitted with the application. A range of external colours and materials are proposed which complement the composition of building elements.	Yes
▪ To ensure that new developments have facades which define and enhance the public domain and desired street character.		Yes

Objectives	Comments	Compliance
▪ To ensure that building elements are integrated into the overall building form and façade design.	The façade elements are integrated into the overall building form and design.	Yes
Roof Design		
▪ To provide quality roof designs which contribute to the overall design and performance of residential flat buildings.	The roof is an integrated component of the building composition.	Yes
▪ To integrate the design of the roof into the overall façade, building composition and desired contextual response.		Yes
▪ To increase the longevity of the building through weather protection.	Good weather protection is achieved, together with materials with high longevity.	Yes
Energy Efficiency		
▪ To reduce the necessity for mechanical heating and cooling.	Passive environmental design elements and planning layouts are utilised. Energy efficient appliances and light sources to be incorporated as appropriate. A BASIX Certificate accompanies the application which details the measures which will be implemented to minimise energy consumption.	Yes
▪ To reduce reliance on fossil fuels.	As above.	Yes
▪ To minimise greenhouse gas emissions.	As above.	Yes
▪ To support and promote renewable energy initiatives.	As above.	Yes
Maintenance		
▪ To ensure long life and ease of maintenance for the development.	Selection of material promotes longevity.	Yes
Waste Management		
▪ To avoid the generation of waste through design, material selection and building practices.	Appropriate garbage and recycling storage area is provided in accordance with the Council guidelines. A detailed Waste Management Plan forms part of the application documentation.	Yes
▪ To plan for the types, amount and disposal of waste to be	As above.	Yes

Objectives	Comments	Compliance
generated during demolition, excavation and construction of the development. ▪ To encourage waste minimisation, including source separation, reuse and recycling. ▪ To ensure efficient storage and collection of waste and quality design of facilities	As above. As above.	Yes Yes
Water Conservation		
▪ To reduce mains consumption of portable water. ▪ To reduce the quantity of urban stormwater runoff.	A BASIX Certificate accompanies the application which details how water consumption will be minimised. Site stormwater detention and water quality planning is provided as a component of the DA.	Yes Yes