

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	JRPP No. 2015SYW099 DA
DA Number	2015/134/1
Local Government Area	Holroyd City Council
Proposed Development	Consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors or People with a Disability SEPP 2004.
Street Address	4-14 Welsford Street, Merrylands.
Applicant/Owner	NSW Land and Housing Corporation
Number of Submissions	No submissions received
Regional Development Criteria (Schedule 4A of the Act)	The proposal has a capital investment value of more than \$5M and the consent authority is the Joint Regional Planning Panel.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 (EP&A Act) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) • State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP) • Holroyd Local Environmental Plan 2013 (HLEP 2013) • Holroyd Development Control Plan 2013 (DCP 2013)
List all documents submitted with this report for the panel's consideration	AT-A Site Locality Plan AT-B Architectural Plans AT-C Draft Conditions of Consent
Recommendation	It is recommended that the application proposing consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors and People with a Disability SEPP 2004 be approved subject to conditions as outlined in Attachment "C" of this report.
Report by	Paul Anzellotti, Senior Development Planner Holroyd City Council

Assessment Report and Recommendation Cover Sheet

Proposal: Consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors or People with a Disability SEPP 2004. The proposal has a capital investment value of more than \$5M and the consent authority is the Joint Regional Planning Panel.

Location:

Lots 40-45, DP 12655	4-14 Welsford Street, Merrylands
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Owner/

Proponent: NSW Land and Housing Corporation

**Capital
Investment**

Value: \$5,607,646.00

File No: DA 2015/134/1

Author: Paul Anzellotti – Senior Development Planner, Holroyd City Council

RECOMMENDATION

1. That the application proposing consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors and People with a Disability SEPP 2004 be approved subject to conditions as outlined in Attachment C of this report.

SUPPORTING DOCUMENTS

AT-A Site Locality Plan

AT-B Architectural Plans

AT-C Draft Conditions of Consent

EXECUTIVE SUMMARY

This development proposes consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors or People with a Disability SEPP 2004.

This report summarises the key issues associated with the development application (DA) and provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy

(Housing for Seniors or People with a Disability) 2004 (HSPDSEPP), Seniors Living Policy, (SLP) the Holroyd Local Environmental Plan 2013 (HLEP 2013) and Holroyd Development Control Plan 2013 (DCP 2013).

The original application was placed on public exhibition for 21 days from 29 April to 20 May, 2015. During this period no submissions were received.

The subject site is zoned R2. While town house villas and residential flat buildings are a prohibited land use, the proposal is permitted under the provisions of the Seniors SEPP. The subject site is located within 400m to bus stops along Frances Street or Hilltop Road which does allow occupant's access to the Parramatta CBD.

Solar access for the proposed units is considered satisfactory. While overshadowing of the private open spaces for units 1 and 5 are non-compliant with Council's controls, this is created in part by the orientation of the subject site. An assessment of the provided plans has indicated that 24 of the 26 units (92%) allow for acceptable solar access to associated private open areas.

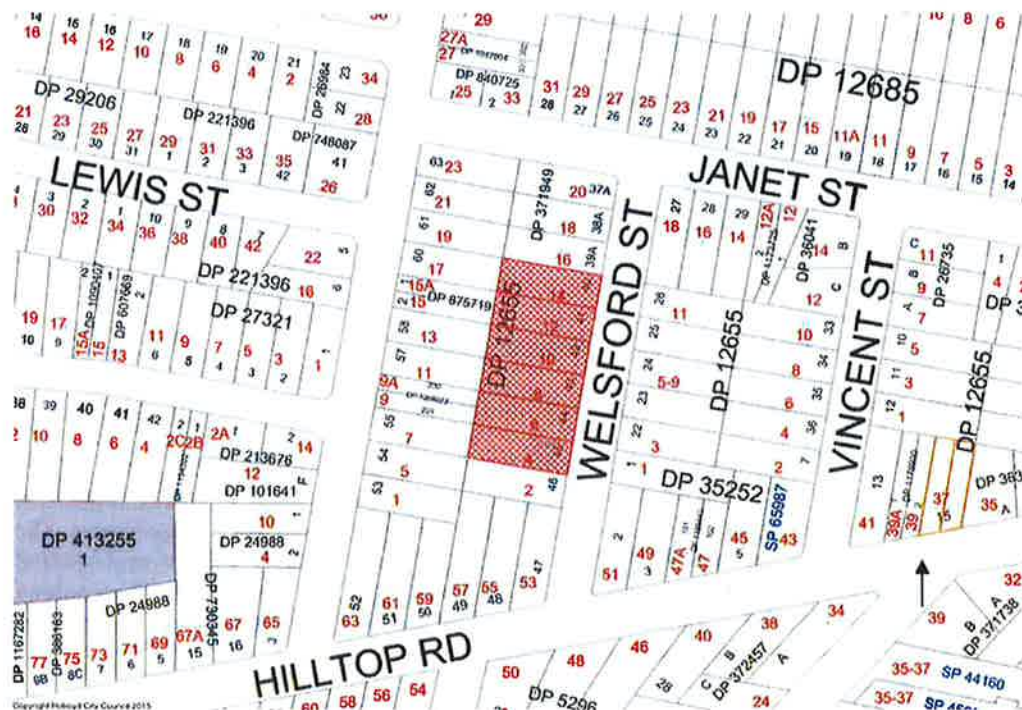
There are some non-compliances with the numeric provision of DCP 2013. These are considered minor and are acceptable under the circumstances of the case and given that the objectives of the relevant provisions have been satisfied.

It is considered that the proposed development is appropriate for the site and for the locality and will have minimal impact on the surrounding environment. Based on an assessment of the application, it is recommended that the application be approved subject to conditions as outlined in Attachment C of this report.

SITE DESCRIPTION AND LOCALITY

The subject site forms a rectangular shaped parcel of land located on the western side of Welsford Street with a frontage of 91.44m and side boundary dimensions of 45.72m. The total site area is 4,180.6m².

The site is provided with a cross fall of 6.5m from the north eastern corner of the site to the south western corner at the rear. The site contains a mixture of trees and bushes and is currently clear of any structures.



Site Plan

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PROPOSAL

The application provides for the following development;

- The construction of sixteen x 2 bedroom and ten x 1 bedroom units
- The construction of twelve car parking spaces
- The removal of 20 trees located on the site
- Associated landscaping and site improvement works, and
- The consolidation of the site into a single allotment

The units are to be provided to facilitate seniors housing living within the Holroyd Local Government Area.

The application provides for a mixture of residential flat buildings fronting Welsford Street (16 units) and townhouses to the rear (10) units. The built form fronting Welsford Street is two storeys in nature with the remaining units behind, single level. The car parking spaces are provided in two areas (each containing 5 spaces) with associated driveways and crossings from Welsford Street. Units 1 and 17 (located respectively to the southern and northern ends of the site) are provided with their own separate parking space and vehicular crossing.

The application proposes a common vegetable garden area to the centre of the site.

SECTION 79C OF THE EP&A ACT

The application has been assessed against the relevant matters for consideration under Section

79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The assessment is as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) *the provisions of:*

(i) *Any environmental planning instrument*

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

An updated BASIX Certificate (No. 575779M_03, dated Thursday, 20 August 2015) has been submitted with the application in response to deferral of the application and demonstrates that the proposed development meets the required water, thermal comfort and energy targets. The BASIX Commitments specified in the BASIX Certificate and nominated on the architectural drawings will need to be incorporated into the construction of the development. A condition to require the BASIX commitments to be implemented in the construction of the development has been included in the draft conditions of consent.

State Environmental Planning Policy No. 55 – Remediation of Land

A preliminary contamination report is not necessary in this instance noting the previous residential use of the subject lots and was not requested by Council's Environmental Health Section.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies to land zoned primarily for urban purposes, and permits development for the purpose of any form of seniors housing in the form of a hostel, residential care unit or serviced self-care housing. The SEPP does not apply to environmentally sensitive land. Part 3 of the SEPP sets out design requirements, including design principals. Part 4 provides development standards that must be complied with.

Social housing provider means any of the following:

- (a) the New South Wales Land and Housing Corporation,
- (b) the Department of Housing,
- (c) a community housing organization registered with the Office of Community Housing of the Department of Housing,
- (d) the Aboriginal Housing Office,
- (e) a registered Aboriginal housing organization within the meaning of the Aboriginal Housing Act 1998,
- (f) the Department of Ageing, Disability and Home Care,
- (g) a local government authority that provides affordable housing,
- (h) a not-for-profit organization that is a direct provider of rental housing to tenants.

Comment: The subject site is currently owned by the Land and Housing Corporation and in this regard is considered to fall under the above definitions.

An assessment against the relevant clauses is provided in the table below

Preliminary and General Controls

Standard	Required/Permitted	Provided	Compliance
4	<p>Land to which policy applies</p> <p>This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:</p> <p>(a) development for the purpose of any of the following is permitted on the land:</p> <p>(i) dwelling-houses,</p> <p>(ii) residential flat buildings,</p> <p>(iii) hospitals,</p> <p>(iv) development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or</p> <p>(b) the land is being used for the purposes of an existing registered club.</p>	<p>The subject site is zoned R2. While town house villas and residential flat buildings are a prohibited land use, the proposal is permitted under the provisions of the Seniors SEPP.</p>	Yes
10	<p>Seniors Housing</p> <p>seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:</p> <p>(a) a residential care facility, or</p> <p>(b) a hostel, or</p> <p>(c) a group of self-contained dwellings, or</p> <p>(d) a combination of these,</p>	<p>Proposed development is the provision of a group of self-contained dwellings.</p>	Yes
13	<p>Self Contained Dwellings</p> <p>a self-contained dwelling is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or</p>	<p>The application provides for self contained dwellings including the provision of private facilities for cooking,</p>	Yes

	<p>not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.</p> <p>in-fill self-care housing is seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care</p>	washing and sleeping.	
15 & 16	<p>Development for Seniors Housing</p> <p>Clauses 15 & 16 enable senior's housing development to be undertaken with consent, despite the provisions of any other environmental planning instrument, provided it is carried out in accordance with the provisions of the Seniors SEPP.</p>	The site is zoned for urban purposes and therefore, any form of seniors housing is permissible with consent.	Yes
18	<p>Restrictions on occupation of seniors housing</p> <p>(1) Development allowed by this Chapter may be carried out for the accommodation of the following only:</p> <p>(a) seniors or people who have a disability,</p> <p>(b) people who live within the same household with seniors or people who have a disability,</p> <p>(c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.</p>	Proposed development is for seniors.	Yes

	<p>(2) A consent authority must not consent to a development application made pursuant to this Chapter unless:</p> <p>(a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and</p> <p>(b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1).</p>		
21	<p>Subdivision</p> <p>Land on which development has been carried out under this Chapter may be subdivided with the consent of the consent authority</p>	Subdivision is not proposed with site. The application proposes the consolidation of 6 lots into 1 lot.	Yes
26	<p>Location and Access to Facilities</p> <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p>	<p>The subject site is located within a distance of less than 400m to bus stops along either Frances Street or Hilltop Road. From these bus stops a person may catch either the 810 or 811 bus route which will take then to the Parramatta CBD. Gradients have been provided on the survey plan to indicate the accessible path to the respective bus stops on Hilltop Road.</p> <p>The gradients provided indicate maximum downward and upward slopes to a gradient of 1:15</p>	Yes

	<p>(2) Access complies with this clause if:</p> <p>(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14.</p> <p>(b) in the case of a proposed development on land in a local government area within the Sydney Statistical Division—there is a public transport service available to the residents who will occupy the proposed development:</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive),</p>	<p>and 1:17 respectively which are numerically compliant with the overall pathway average requirements. It is noted that the application will provide for a pedestrian pathway directly to the front of the site. The location of new vehicular crossing will enable occupants to cross Welsford Street to an existing footpath located opposite the site leading to Hilltop Road and services such as bus stops.</p> <p>It is noted that these bus services which commence from the Merrylands Bus/Rail interchange (810 bus) or Pemulway (811 bus) and provide for hourly morning and afternoon services during weekdays and also on weekends. These bus services will allow future occupants the ability to access retail and commercial facilities within the Parramatta CBD area, noting the each route will end opposite Parramatta Station and with Westfield's Parramatta directly opposite.</p>	
28	<p>Water and Sewer</p> <p>A consent authority must not consent to a development application made pursuant to this Chapter unless the consent</p>	<p>Water and sewer are connected to the site. Furthermore, should the application be approved,</p>	<p>Yes, subject to appropriate conditions</p>

	authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.	conditions of consent will be imposed requiring the applicant to liaise with the relevant service authorities.	
29	<p>Consent Authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply</p> <p>This clause requires that certain "site compatibility criteria" (as specified in clause 25 (5) (b) (i), (iii) and (v)) be considered even where a Site Compatibility Certificate is not required under clause 24 of the SEPP.</p> <p>(i) the natural environment (including known significant environmental values, resources or hazards) and the existing use and approved uses of land in the vicinity of the proposed development.</p> <p>(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly retail, community, medical and transport services having regard to the location and access requirements set out in cl.26) and any proposed financial arrangements for infrastructure provision.</p> <p>(v) without limiting any other criteria, the impact that bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the proposed development.</p>	<p>Council's Landscaping and Environmental Health Sections have advised that the proposal is acceptable.</p> <p>The site is well located in terms of access to services for residents, being located within close proximity of bus stops on Frances Street and Hilltop Road, as well as a convenience store at Hilltop Road (56 Hilltop Road), providing public transport links to the metropolitan area and beyond.</p> <p>The proposed form, character and density of the development are what is envisioned by the zoning and controls applicable to the site. While it is noted that the built form in combining the dwellings does create a central built form facing Welsford Street 33.8m in width, taking into</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

		consideration the substantial width of the site, this is considered an appropriate response in this instance as it is considered to provide for varied architectural features.	
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Part 3 - Design Requirements

Standard	Required/Permitted	Provided	Compliance
30	<p>Site Analysis</p> <p>A site analysis must:</p> <p>(a) contain information about the site and its surrounds as described in subclauses (3) and (4), and</p> <p>(b) be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site):</p> <p>(i) explaining how the design of the proposed development has regard to the site analysis, and</p> <p>(ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.</p> <p>(3) The following information about a site is to be identified in a site analysis:</p> <p>(a) Site dimensions: length, width</p> <p>(b) Topography: spot levels and/or contour, north point, natural drainage, any contaminated soils or filled areas</p> <p>(c) Services: easements, connections for drainage</p>	<p>A site analysis has been submitted with the application which includes written evidence, plans and information about the site and its surrounds.</p> <p>The site analysis submitted contains the required information regarding neighbouring buildings, privacy, difference in levels, views and solar access, trees, street frontage features, built form and character, local facilities, public open space, sources of nuisance and adjoining land uses.</p>	Yes

	<p>and utility services</p> <p>(d) Existing vegetation: location, height, spread of established trees species</p> <p>(e) Micro climates: orientation, prevailing winds</p> <p>(f) Location of: buildings and other structures, heritage features and items including archaeology, fences, property boundaries, pedestrian and vehicle access</p> <p>(g) Views to and from the site</p> <p>(h) Overshadowing by neighboring structures</p> <p>(4) The following information about the surrounds of a site is to be identified in a site analysis:</p> <p>(a) Neighbouring buildings: location, height, use, balconies on adjacent properties, pedestrian and vehicle access to adjacent properties</p> <p>(b) Privacy: adjoining private open spaces, living room windows overlooking site, location of any facing doors and/or windows</p> <p>(c) Walls built to the site's boundary: location, height, materials</p> <p>(d) Difference in levels between the site and adjacent properties at their boundaries</p> <p>(e) Views and solar access enjoyed by neighbouring properties</p> <p>(f) Major trees on adjacent properties</p>		
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	<p>(g) Street frontage features: poles, trees, kerb crossovers, bus stops, other services</p> <p>(h) The built form and character of adjacent development (including buildings opposite on both sides of the street(s) fronted): architectural character, front fencing, garden styles</p> <p>(i) Heritage features of surrounding locality and landscape</p> <p>(j) Direction and distance to local facilities: local shops, schools, public transport, recreation and community facilities</p> <p>(k) Public open space: location, use</p> <p>(l) Adjoining bushland or environmentally sensitive land</p> <p>(m) Sources of nuisance: flight paths, noisy roads or significant noise sources, polluting operations</p> <p>(n) Adjoining land uses and activities (such as agricultural activities)</p>		
31	<p>Design of in-fill self care housing</p> <p>In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill</p>	Refer to assessment below.	

	Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004		
32	<p>Design of residential development</p> <p>A consent authority must not consent to a development application made pursuant to this Chapter unless it is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.</p>	Refer to the discussion on the design criteria under Clauses 33-39 below.	
33	<p>Neighbourhood amenity and streetscape</p> <p>The proposed development should:</p> <p>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</p> <p>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p>	<p>(a) – The subject site is located within a R2 zoning which generally allows for low density developments. The height and presentation is not considered out of character with the surrounds noting the compliant height and FSR provided. It is also noted that the setbacks provided at 4.7m to the side boundaries is significantly greater than the required 0.9m setback generally provided for dual occupancies and dwelling houses in a R2 zoning.</p> <p>(b) - The site is not in the immediate vicinity of any heritage items.</p> <p>(c) - The application is considered to provide for an acceptable side setback control from 3m (as per the requirement for a residential flat building) to 4.8m for Welsford Street facing units. In addition the 6m front</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>setback provided is also compliant. The 4m setback provided to the rear boundary is consistent for dwelling house developments and is acceptable in this instance</p> <p>(d) – The front building line is considered compatible with the existing front setback for surrounding and adjoining dwellings.</p> <p>(e) – The application is considered to provide for acceptable landscaping noting the referral comments returned from Council's Landscaping department</p> <p>(f) – Achieved</p> <p>(g) - Achieved</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
34	<p>Visual and acoustic privacy</p> <p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents.</p>	<p>A number of units are provided with a bedroom directly adjoining the kitchen/dining of an adjoining unit. The acoustic treatment of these walls during the construction stage is considered an appropriate treatment for a development within an urban area.</p> <p>A number of balconies are provided to first floor units with an outlook on the open space of ground floor units.</p>	<p>Yes</p>

		While so, the use and position of these balconies is considered appropriate noting the partial enclosure of the balconies which will assist in minimising direct overlooking concerns. The location of solid balustrading is also considered to minimise overlooking concerns especially for seated persons on the balcony.	
35	<p>Solar access and design for climate</p> <p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction</p>	<p>The provided shadow diagrams indicate overshadowing will impact upon No. 2 Welsford Street directly adjoining to the south of the subject site. Overshadowing of northern facing windows will occur until 11am, from which direct solar access to these windows will be provided for the remainder of the day. It is noted that this side boundary is provided with setbacks from the proposed development of 3m for the proposed single storey built form and 4.8m for the proposed two storey built form, significantly greater than the required 900mm. In this regard, noting the orientation of the lot and generous setbacks provided, the design is considered acceptable.</p> <p>Solar access for the proposed units is considered satisfactory. The site has a large frontage onto Welsford Street allowing for the units to be adequately placed allowing for solar access either in the morning or afternoon periods noting their orientation of living spaces primarily to the east or west.</p>	<p>Yes</p> <p>Yes</p>

36	Storm water	The storm water plans were assessed by Council's Development Engineering section who have raised no objection to the proposal subject to the provision of appropriate conditions. It is noted that an existing drainage easement connection is provided from the subject site to Frances Street which is appropriately conditioned.	Yes
37	Crime prevention The proposed development should provide personal property security for residents and visitors and encourage crime prevention.	All door entries for ground floor dwellings are provided with side windows to allow for surveillance of persons who may want to visit. All front doors to units are provided with peep holes while an intercom system is provided to main foyer areas for access to first floor units, to be conditioned accordingly.	Yes
38	Accessibility The proposed development should have good access to public transport services or local facilities and provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	The application is provided with a new footpath and crossings. As previously discussed within this report, the provision of new vehicular crossings will enable future occupants the ability to cross Welsford Street and access the existing footpath on the opposite side of the subject site which does lead to an existing bus stop on Hilltop Road. In addition, it is noted that all units have been provided with an acceptable path of travel to entry doors within the subject site which will allow for access to internal communal facilities, car parking facilities and the proposed new footpath.	Yes

39	Waste management	<p>The location of the waste bin areas has been reduced via amended plans but is maintained to the front of the subject site.</p> <p>The number of bins provided is compliant with the required number.</p> <p>The position of the waste bin area is acceptable in this instance as while the proposal is for seniors and persons with disabilities, residents would not be required to move bins over a large distance to their collection point. Each bin areas are screened by a 1m high retaining wall. The height of these wall are acceptable noting their position fronting Welsford Street as they will clearly indicate storage areas while avoiding visual domination of the frontage.</p>	Yes
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Part 4 - Development Standards

Clause 40 does not apply if the applicant is a social housing provider; however the table below demonstrates compliance.

Standard	Required/Permitted	Provided	Compliance
40	<p>Site Size - A minimum site area of 1000m² is required.</p> <p>Site Frontage - A minimum frontage of 20m is required.</p> <p>Height in Zones where residential flat buildings are not permitted</p> <p>If the development is proposed in a residential zone where residential flat buildings are not permitted:</p> <p>A maximum height of 8m from ground level to the ceiling of the uppermost floor.</p>	<p>A site area of 4,180m² is provided.</p> <p>A 91.44m frontage is provided onto Welsford Street.</p> <p>Ground level to ceiling heights are provided from 6.2m to 6.6m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	A building that is adjacent to a boundary of the site must not be more than 2 storeys in height.	Buildings adjoin subject sites boundary are provided as 2 storey in height.	Yes
	A building located in the rear 25% area of the site must not exceed 1 storey in height.	Buildings within this 25% area are all 1 storey in height.	Yes

Clause 41 – Standards for hostels and self contained dwellings

- (1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.
- (2) Despite the provisions of clauses 2, 7, 8, 9, 10, 11, 12, 13 and 15–20 of Schedule 3, a self-contained dwelling, or part of such a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements of those provisions if the development application is made by, or by a person jointly with, a social housing provider

Comment: Refer to assessment below

Part 7 Development standards that cannot be used as grounds to refuse consent

Standard	Required/Permitted	Provided	Compliance
50	<p>building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys),</p> <p>density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,</p> <p>landscaped area: if:</p> <p>(i) in the case of a development application made by a social housing provider—a minimum 35 square metres of landscaped area per dwelling is provided, or</p> <p>(ii) in any other case—a minimum of 30% of the area of the site is to be</p>	<p>Building height provided to a maximum of 8m.</p> <p>FSR is less than 0.5:1 at 0.47:1.</p> <p>A minimum 35m² is to be provided for each dwelling (35m² x 26 = 910m²). The application has provided for 1550m² total landscaping which equates to 59m² for each dwelling.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>landscaped,</p> <p>Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres.</p> <p>solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</p> <p>private open space for in-fill self-care housing: if:</p> <p>(i) in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and</p> <p>(ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6</p>	<p>15% of the site area is equal to 627m² to be provided for deep soil zoning. A total of 1348m² deep soil zone is provided which is acceptable in this instance</p> <p>The application does provide for the minimum requirement to the rear of the site with 866m² provided.</p> <p>The majority of living areas are considered to provide for the minimum solar requirements with most units receiving sunlight in either the morning or afternoon periods. In this regard, it is considered that at least 70% of units are provided with acceptable solar access.</p> <p>Each ground floor unit is provided with an area greater than 15m² private open space.</p> <p>All balcony areas provided are compliant for either one bedroom or two bedroom units.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area</p> <p>parking: if at least the following is provided:</p> <p>(i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or</p> <p>(ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider</p>	<p>A total of 6 parking spaces are required, the application provides for 12 car parking spaces which is acceptable in this instance.</p> <p>Two parking bay areas are provided for each with 5 spaces. Two separate parking spaces are provided alongside units 1 and 17.</p>	<p>Yes</p> <p>Yes</p>
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Schedule 3 Standards concerning accessibility and useability for hostels and self-contained dwellings

2 Siting standards

- (1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of *AS 1428.1*) to an adjoining public road.
- (2) If the whole of the site does not have a gradient of less than 1:10:
 - (a) the percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater, and
 - (b) the wheelchair access provided must be by a continuous accessible path of travel (within the meaning of *AS 1428.1*) to an adjoining public road or an internal road or a driveway that is accessible to all residents.

Comment: Ramping is provided throughout the whole of the site which is considered acceptable. Please refer to comments also provided by Council's Accessibility Consultant. Ramps are provided along both driveway areas, all units including single storey dwellings are accessible.

3 Security

Pathway lighting:

- (a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and
- (b) must provide at least 20 lux at ground level.

Comment: Details regarding lighting have not been submitted, however the above can be conditioned should the application be approved.

4 Letterboxes

Letterboxes:

- (a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and
- (b) must be lockable, and
- (c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.

Comment: A total of ten (10) letter box areas are provided to the front retaining wall fronting onto Welsford Street. The number of letter boxes and their position are considered to allow for a clear identification of units and provide for an improved neighborhood amenity.

5 Private car accommodation

If car parking (not being car parking for employees) is provided:

- (a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and
- (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and
- (c) any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.

Comment: The provided disabled car parking spaces No's. 2 and 3 and No's. 10 and 11 are provided with a shared area of the same size in compliance with AS 2890.

6 Accessible entry

Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.

Comment: Acceptable access is provided to the front of each unit.

21 Garbage

A garbage storage area must be provided in an accessible location.

Comment: A total of 10 garbage storage areas are provided to the proposed development within the front building line fronting Welsford Street. The position of these bin areas is considered to allow for simple access for future occupants to move bins to collection areas along the street.

While the location of these bin storage areas is not located behind the building line, a repositioning of them is considered to create greater amenity impacts on future occupants as this would in turn increase the distance in which they would have to be wheeled to the street for a development to be occupied by seniors and persons with disabilities.

SENIORS LIVING POLICY

Standard	Required/Permitted	Provided	Compliance
1	<p>Responding to Context</p> <p>New development should contribute to the overall character of the area. Key elements of neighbourhood character are:</p> <p>Street layout – new development should be of an appropriate scale and character to reinforce existing patterns.</p> <p>Block and Lots – is the block and lot suitable for the development?</p> <p>Built Environment – new built form should follow existing built form as much as possible.</p>	<p>The proposed infill development is considered to be of an acceptable nature, noting that the built form fronting Welsford Street is separated via the provision of driveways. In this regard the built forms are not considered overbearing on the existing streetscape.</p> <p>As the proposal is provided in a 2 level nature, this is considered an appropriate scale for the existing streetscape layout. The site is 91.44m in length. The central building fronting Welsford Street 33m in length containing 8 units. The built form maintains a compliant height and floor space ratio.</p> <p>The application provides for the consolidation of 6 lots in to 1. The normal feature in this area is for single lots with detached dwellings. While this will be removed, the provision of two driveways allows for the built form to be broken up so as to assist in maintaining an acceptable presentation.</p> <p>The two level built forms to the front of the site and single level built forms predominately to the rear is considered an acceptable built form representation with the adjoining dwellings.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
2	<p>Site Planning and Design</p> <p>Built Form – locate the bulk of the development towards the street to maximise the number of dwellings with a street frontage.</p>	<p>The application provides for 16 of the 26 dwellings to front onto Welsford Street which is considered an acceptable response</p>	<p>Yes</p>

	<p>Part of the development towards the rear of the site should be more modest in scale</p> <p>Orient dwellings to maximise solar access.</p> <p>Trees, landscaping and deep soil zones – maintain existing patterns and character of gardens and trees.</p> <p>Improve amenity by increasing the proportion of the site that is landscaped.</p> <p>At least 10% of the site area should be provided as a deep soil zone, preferably in a single area at the rear of the site.</p> <p>Parking and vehicular circulation – consider centralised parking.</p>	<p>Six (6) single level dwellings are provided to the rear of the site</p> <p>Orientation of dwellings considered acceptable. All internal living areas are considered to receive appropriate solar access while 24 of the 26 attached private open spaces also maintain appropriate solar access.</p> <p>The provided landscape design was referred to Council's Landscaping Section who has advised that the scheme is acceptable.</p> <p>Subject site provided with an acceptable landscaping ratio.</p> <p>Significant deep soil zones are provided for the site in excess of 10%.</p> <p>Two parking areas are provided for at grade, each with 5 parking spaces which is an acceptable solution. Separate parking spaces for unit 1 and 17 appropriate with a compliant setback to side boundary. The width of the site is appropriate to allow for two driveway crossings allowing for varied architectural forms.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3	<p>Impacts on streetscape</p> <p>Built Form – Reduce the visual bulk of the development by breaking up building mass and articulating building facades, using variation in colours and materials, setting back upper levels.</p>	<p>The built form is broken up by providing for four driveways. The design and style of the proposal is acceptable noting the use of varied colours as well as varied roof forms. It is also noted that the proposed development has been designed in compliance with the HLEP 2013 Height and</p>	<p>Yes</p>

	FSR controls.	
Trees, Landscaping and Deep soil zones – retain existing trees and planting in front and rear setbacks and the road reserve.	The provided landscape design was referred to Council's Landscaping Section who has advised that the scheme is acceptable.	Yes
Residential Amenity – clearly design open space in front setbacks as either private or communal open space.	Open space on the ground floor is clearly identified as being private.	Yes
Design dwellings at the front of the site to address the street.	All dwellings with a Welsford Street frontage face the street.	Yes
Provide a high quality transition between public and private domains.	Proposed driveways and vehicular access are not considered to detract from the streetscape noting the use of landscaping.	Yes
Parking and Vehicular Circulation – avoid long, straight driveways.	Two driveways to central parking areas 20m in length are proposed. The length of these driveways are considered of an appropriate length noting the nature of existing driveways and parking facilities in the vicinity.	Yes
Minimise the impact of driveways on the streetscape.	Four driveway entry points for a 91m frontage is acceptable.	Yes
Minimise the impact of the basement entry.	No Basement provided	Yes
Minimise visibility of parking from the street.	Parking is primarily located internally via 2 car parking bays and will not generally be visible from the street. The provision of parking spaces for units 1 and 17 adjoining the respective units is considered in keeping with the character of the low density area.	Yes
Driveways or basement car park entries should not exceed 25% of the site frontage.	Complies	Yes

	Garage doors should be setback a minimum 1m behind predominant building façade.	Not applicable	Yes
4	<p>Impacts on Neighbours</p> <p>Where side setbacks are less than 1.2m, a maximum 50% of the development should be built to this alignment.</p> <p>Living rooms of neighbouring dwellings should receive a minimum 3 hours sunlight between 9.00am and 3.00pm in mid-winter.</p> <p>Solar access to the POS of neighbouring dwellings should not be unreasonably reduced.</p> <p>Built Form – Design the relationship between buildings and open space to be consistent with the existing patterns in the block.</p> <p>Reduce the visual bulk of roof forms by breaking down the roof into smaller elements.</p> <p>Reduce the impact of unrelieved walls.</p> <p>Trees, Landscaping and Deep soil zones – Use planting to provide a buffer between new and existing dwellings.</p> <p>Locate deep soil zones where they will provide privacy.</p> <p>Residential Amenity – protect sun access and ventilation to</p>	<p>Side setbacks are provided at a minimum of 3m to 4.8m.</p> <p>Adequate solar access is still achieved by neighbouring residences.</p> <p>Adequate solar access is still achieved by neighbouring residences for their private open space.</p> <p>The development is considered to be in line with the adjoining building envelopes of the neighbouring properties.</p> <p>The design of the roof forms is considered to allow for a varied presentation.</p> <p>Blank wall presentations are only provided alongside the driveway areas which is acceptable in this instance. The location of windows or openings to these walls is considered to create potential amenity concerns noting the use of the driveway.</p> <p>The majority of perimeter areas are provided with landscaping which does soften the impact of the hardstand areas to private areas</p> <p>Areas are considered acceptable</p> <p>No. 2 Welsford Street is impacted by morning and</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>living areas and POS of neighbouring dwellings.</p> <p>Design dwellings so they do not directly overlook neighbouring dwellings and POS areas.</p>	<p>mid-afternoon overshadowing but will receive an acceptable amount by mid-afternoon onwards.</p> <p>Highlight windows are provided to both first floor living areas for units on the perimeter of the northern and southern boundary. This is considered to minimise overlooking concerns also noting the location of balconies fronting Welsford Street. In addition, landscaping along the site boundary is considered to provide an appropriate buffer to adjoining properties.</p>	Yes
5	<p>Internal Site Amenity</p> <p>Separation of 1.2m should be achieved between habitable rooms and driveway or car parks of other dwellings. This can be reduced if adequate screening is provided.</p> <p>Built Form – design dwelling entries that are clear and identifiable.</p> <p>Parking and Vehicular Circulation – locate habitable rooms away from driveways, parking areas and pedestrian areas. Where this is not possible use physical separation, planting or screening devices to achieve privacy.</p> <p>Avoid large areas of hard surface.</p> <p>Reduce the dominance of areas for vehicular circulation and parking.</p>	<p>The application provides for habitable rooms to be located at least 1.2m from driveways or parking areas.</p> <p>Dwelling entry areas are considered clearly distinguished.</p> <p>The majority of bedroom areas are located away from paths. It is noted that units 5, 6, 21 and 22 are provided with bedrooms which front onto pathways and the internal car park area. While so, noting the number of parking spaces provided as well as the provision of curtains or blinds to windows, the position of bedrooms is acceptable in this instance.</p> <p>Hardstand areas are considered to be acceptable</p> <p>The proposed driveways are not considered to dominate the site.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	Residential amenity – provide distinct and separate pedestrian and vehicular circulation onsite.	Separate vehicle and pedestrian circulation is provided.	Yes
	Ensure consideration is given to safety and security.	Safety and security is satisfactory subject to conditions of consent.	Yes
	Provide POS.	Private Open Space in a central position has been provided.	Yes
	Provide communal open space.	Communal Open Space has been provided.	Yes
	Treat common facilities to reduce their visual prominence.	The common open space is to be created as a common vegetable garden area which is considered an acceptable attraction for future occupants.	Yes

Holroyd Local Environmental Plan 2013

Holroyd Local Environmental Plan 2013 applies and the site is zoned R2 Low Density residential. The proposal falls under the definition of a *multi dwelling housing* and *residential flat building*, which is not permissible within the zone.

The following definition of multi dwelling housing and residential flat building is provided for within the LEP;

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

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

While town house villas and residential flat buildings are a prohibited land use, the proposal is permitted under the provisions of Clause 4 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

An assessment against the relevant LEP clauses is provided in the table below:

Standard	Required/Permitted	Provided	Compliance
2.7	Demolition - The demolition of a building or work may be carried out only with development consent.	The subject site is currently vacant and no demolition is required.	Yes
4.3	Height of Buildings - Max. 9 metres	The two storey buildings are provided with a height from 7.4m to 8.8m. The single storey buildings	Yes

		are provided with a height of up to 5m.	
4.4	Floor Space Ratio – 0.5: 1 for R2 zoning	The application provides for a total floor area of 1,964m ² (0.47:1). The maximum floor area permissible noting the site area of 4,180.6m ² is 2090.3m ² (0.5:1), the floor area therefore compliant.	Yes
5.9	Preservation of Trees or vegetation	Council's Landscaping Section has raised no objection to the proposal.	Yes
5.10	Heritage	The subject site is not within the vicinity of a heritage item.	Yes
6.1	Acid Sulfate Soils	The site is not affected by ASS.	Yes
6.2	Earthworks	The proposed earthworks allow for cut and fill to various areas of the site. The proposed earthworks are considered to not create a detrimental effect on surrounding land uses and responding to the topography of the site.	Yes
6.3	Essential Services	Essential services are available.	Yes
6.4/6.7	Flood Planning and Stormwater Management	Council's records indicate that the site is not affected as flood prone land.	Yes
6.5	Terrestrial Biodiversity	There is no evidence of any terrestrial biodiversity on the site.	Yes
6.7	Stormwater Management	The application was referred to Council's Stormwater Engineer who has raised no objection to the proposal subject to the provision of appropriate conditions.	Yes
6.8	Salinity	The site is located on lands identified as being affected by moderate salinity. Standard conditions of consent shall be imposed to address this should consent be granted.	Yes

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd LEP 2013.

- (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

There are no draft environmental planning instruments affecting the proposed development

- (iii) *any development control plan*

Holroyd Development Control Plan 2013

The Holroyd Development Control Plan (DCP) 2013 came into effect on 5 August 2013 replacing the Holroyd DCP 2007. The DCP provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of *Holroyd Local Environmental Plan 2013*.

The purpose and status of DCPs is provided in Section 74AB of the Environmental Planning and Assessment Act (EP&A Act), 1979 as follows: -

- (1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*
- (a) *giving effect to the aims of any environmental planning instrument that applies to the development,*
 - (b) *facilitating development that is permissible under any such instrument,*
 - (c) *achieving the objectives of land zones under any such instrument.*

The provisions of a development control plan made for that purpose are not statutory requirements...

Section 79C(3A) of the EP&A Act states:

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) *if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
- (b) *if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- (c) *may consider those provisions only in connection with the assessment of that development application.*

In this subsection, standards include performance criteria.

Accordingly, Council's DCP 2013 provides guidance for developers and Council to use as benchmarks for development. In this regard, compliance with the controls within DCPs is not mandatory, and the controls may be varied based on the merits of the application.

The following table provides an assessment of the proposed development against the relevant controls under Holroyd Development Control Plan 2013:

Part A – General Controls			
Standard	Required/Permitted	Provided	Compliance
1.3	Drainage To minimize impacts on the water quality and hydrology of natural watercourses.	Council's Engineering Department have raised no objection to the proposal subject to the provision of	Yes

		appropriate conditions. It is noted that the proposal will provide connection to an existing drainage easement as indicated on the provided detention plans over the downstream property (No. 13 Frances Street).	
2.4	Vehicle Crossings, Splay Corners, & Kerb and Guttering Vehicle Crossing to be reconstructed if in poor condition, damaged or design doesn't comply Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc. or condition their relocation Corner sites require 3m x 3m (residential) and 4m x 4m (commercial) splay corner to be dedicated	The proposal involves the provision of four new vehicles crossings. No items are to be located within the development and are to be mitigated by Council's Engineering Conditions of Consent. Not applicable.	Yes Yes Yes
3.1	Car Parking: 5 parking spaces required for the residential component of the development in accordance with Part 7 of the Seniors Housing SEPP.	12 Parking spaces are provided.	Yes
3.2	Parking areas should be readily accessible and provide for circulation and manoeuvring of vehicles	Parking areas provided are considered to be accessible	Yes
3.3	Dimensions of Car Parking Facilities, Gradients, Driveways, Circulation and Manoeuvring.	Carparking spaces comply with AS 2890. Council's Traffic Engineer has assessed the submitted plans & documentation.	Yes
3.5	Driveways Driveways shall be setback a minimum of 1m from the side boundary.	The driveways for units 1 and 12 are provided with a 1.8 setback from the southern and northern subject site boundaries. The attached parking space is provided with a	Yes

		1m setback to the respective side boundaries.	
4.1	Preservation of Trees To conserve and retain trees and vegetation and to promote the retention and planting of trees	Council's Landscaping Section has raised no objection to the proposal.	Yes
5.0	Biodiversity To promote measures to mitigate any adverse effects of the proposed development on the species, populations or ecological communities	The subject site has not been identified within the Holroyd Local Environmental Plan 2013 Biodiversity map as being applicable to these controls	Not Applicable
6.1	Retaining walls - Generally <1m in height.	Numerous retaining walls are provided throughout the site. As the height of the retaining walls are up to 1m, they are considered acceptable	Yes
6.2	Site Contamination and Land Filling	Council's Environmental Section has raised no objection to the proposal.	Yes
6.3	Erosion and Sediment Control	A detailed sediment & erosion control plan was submitted & is considered to be acceptable.	Yes
7.4	Stormwater Management	Council's Development Engineer has reviewed the Stormwater Drainage Plans & calculations and advises that the design is acceptable subject to the imposition of recommended conditions should consent be forthcoming.	Yes
11	Site Waste Minimisation and Management Plan (SWMMP)	Council's Waste Officer has reviewed the proposed waste and recycling arrangements and SWMMP and has advised that they are acceptable.	Yes
Part B – General Residential Controls			
1.1	Building Materials Schedule of Colours & Finishes to be submitted.	Materials, colours and finishes acceptable.	Yes

1.2	Fences Front fences to be solid $\leq 1\text{m}$ and be $\geq 50\%$ transparent to 1.5m	Side boundary fencing is to be provided in colourbond in a smurfmist colour which is acceptable. The application has identified a number of retaining walls provided to the boundary facing Welsford Street. While so, no elevation plans are provided, any approval granted including a condition that any front fencing comply with Council's guidelines.	Yes, subject to appropriate conditions
1.3	Views Minimise obstruction of views	No significant views will be affected.	Yes
1.4	Visual Privacy To provide a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open spaces.	A number of 1 st level units are provided with balconies which are located facing the private open space of units below on the ground floor. While so, the provision of balustrading and column features are considered to assist in minimising overlooking concerns. It is noted that these balconies also allow for passive surveillance of the central common area.	Yes
1.5	Landscaping Min.20% of total floor area for each dwelling; 3m wide; at rear or side. 20% = m^2 each Dw 1 = 14m^2 Dw 2 = 14m^2 Dw 3 = 14m^2 Dw 4 = 11.2m^2 Dw 5 = 14.02m^2 Dw 6 = 14.07m^2 Dw 7 = 10.48m^2 Dw 8 = 10.48m^2 Dw 9 = 10.5m^2 Dw 14 = 11.16m^2	Dw 1 = 35m^2 Dw 2 = 35m^2 Dw 3 = 45m^2 Dw 4 = 26m^2 Dw 5 = 30m^2 Dw 6 = 53m^2 Dw 7 = 52m^2 Dw 8 = 31m^2 Dw 9 = 63m^2 Dw 14 = 26m^2	Yes

	<p>Dw 15 = 14m² Dw 16 = 14m² Dw 17 = 14m² Dw 18 = 10.5m² Dw 19 = 10.48m² Dw 20 = 10.48m² Dw 21 = 14.07m² Dw 22 = 14.02m²</p> <p>Max. 50% of provided landscaped area shall be forward of the front building line. Majority of landscaped area to be at the rear of the building.</p> <p>Only hard paved areas for driveways/pathways to be in front setback area. Not to cover entire area.</p> <p>Principal private open space shall have a minimum dimension of 4 metres, have direct access from a major living area of the dwelling and be clear of all structures, including posts.</p> <p>Ground level; max. 1:8 grade; can consider decks etc. <0.5m high on merit</p> <p>Directly accessible from a main living area of the dwelling (lounge/dining/rumpus room)</p>	<p>Dw 15 = 45m² Dw 16 = 33m² Dw 17 = 34m² Dw 18 = 63m² Dw 19 = 30m² Dw 20 = 51m² Dw 21 = 53m² Dw 22 = 30m²</p> <p>Achieved.</p> <p>Only pathways to front entries and bin areas and driveways provided in front setback area.</p> <p>Achieved</p> <p>Achieved</p> <p>Achieved</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
1.6	<p>Safety and Security</p> <p>The front door of a development should either be visible from the street or internal roadway, or overlooked by a window, and should be clearly visible from the driveway.</p> <p>Blank walls along street frontages are prohibited.</p> <p>Landscaping that may allow would-be intruders to hide shall be avoided.</p>	<p>Each front door fronting Welsford Street is visible.</p> <p>The facades are considered appropriate.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
1.8	<p>Sunlight Access</p> <p>Design and orientate dwelling to</p>	<p>The majority of dwellings (20 out of 26) are provided</p>	<p>Yes</p>

	<p>maximise northerly aspect.</p> <p>1 main living area of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June</p> <p>1 main living area of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June.</p> <p>Min. 50% of required POS of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June.</p> <p>Min. 50% of required POS of existing adjacent dwellings to receive 3 hours direct sunlight between 9am and 4pm, 22 June</p>	<p>with an east to west orientation, noting that the street is provided with an easterly aspect.</p> <p>In this regard, noting the constraints of the site, the orientation is acceptable in this instance to allow for appropriate solar access.</p> <p>Solar access to living areas is provided either with a northern or eastern/western orientation which is considered to provide for an acceptable amount of sunlight throughout the day for the proposed units.</p> <p>The sunlight provided to adjoining dwellings is considered to be maintained in an acceptable manner.</p> <p>Units 1 and 5 (2 out of 26 units) are provided with southern facing rear private open space areas throughout the day which are significantly overshadowed.</p> <p>Acceptable in this instance.</p>	<p>Yes</p> <p>Yes</p> <p>No, but considered acceptable – see discussion at end of table.</p> <p>Yes</p>
1.9	<p>Cut & Fill</p> <p>Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary. Cut controls are not applicable where basement parking is proposed.</p> <p>Fill: max. 0.3m within 0.9m of side/rear boundary; $\geq 0.6m$ to be contained within the building; if $> 0.15m$ shall occupy max. 50% of the landscaped area.</p>	<p>No cut of any significance is proposed</p> <p>The fill provided is in parts marginally non-compliant with the controls but is considered acceptable and will not create unnecessary bulk or amenity concerns. A number of rear yard areas are also provided with fill</p>	<p>Yes</p> <p>No but considered acceptable – see discussion at end of table.</p>

		which while not considered excessive is numerically noncompliant, especially to the rear western and the side southern boundary. The location of landscaping is considered in part to minimise overlooking concerns to adjoining neighbours.	
1.11	Carparking & Roads Garages max. 6m wide or 50% of the buildings street elevation; integrate into design; if dwelling >12m wide garage can protrude max. 1.5m. At grade garages/carports to be min.1m behind front wall of dwelling or 5.5m from street boundary, whichever is greater. Triple garage not permitted to face the street. Garages max. 20m ² (single); max. 40m ² (double); include excess in floor space. Lockable storage required in garage Vehicle crossing/s shall be a minimum width of 3 metres (5 metres for single dwellings and dual occupancies that propose double or adjacent garages) and a maximum width of 5 metres at the boundary line. 1 vehicle crossing permitted per site. Driveway to be 1m from side boundary and landscaped	No garages are proposed. Carports for unit 1 and 17 provided 6m from front boundary. No triple garage provided. No garages provided. No garages provided. Vehicle crossings provided for units 1 and 17 are 3m in width. Vehicle crossings provided to each central car parking area are 3.5m in width. The proposal provides for 4 vehicular crossings on a frontage of 91.44m. As the application provides for the consolidation of 6 lots the provision of multiple vehicle crossings is considered appropriate Achieved.	Not applicable Yes Not applicable Not applicable Not applicable Yes Yes Yes

1.12	<p>Universal Housing & Accessibility</p> <p>Developments should be designed to minimise any barriers to less mobile persons.</p> <p>All two storey residential dwellings (including single dwellings, dual occupancies, attached housing and multi dwelling housing) should provide one room capable of being used as a bedroom, kitchen, bathroom/toilet and living areas on the ground level.</p>	<p>Achieved.</p> <p>All applicable residential dwellings are adaptable.</p>	<p>Yes</p> <p>Yes</p>
Part 5 – Multi Dwelling Housing (Applicable for dwellings 5, 6, 7, 8, 9, 18, 19, 20, 21, 22)			
5.1	<p>Lot Size and Frontage</p> <p>The minimum lot size for multi dwelling housing is 900m².</p> <p>Battle-axe allotments are not permitted to contain multiple dwellings.</p> <p>Multi dwelling housing is not permitted with a frontage to roads with a carriageway less than 6.5 metres</p> <p>A minimum lot frontage of 24 metres at the building line is required (Figure 27).</p> <p>A minimum lot frontage of 20 metres at the building line for multi- dwelling housing is permitted where basement parking is proposed.</p>	<p>The subject site has a total area of 4,1860.6m².</p> <p>The subject site is not a battle axe allotment.</p> <p>Welsford Street has a width greater than 9m.</p> <p>The subject site has a frontage of 91.44m.</p> <p>No basement parking is proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Not applicable</p>
5.2	<p>Setbacks</p> <p>The minimum setback from the principal street frontage is 6 metres.</p> <p>Setbacks from the side boundaries are to be a minimum of 900mm.</p> <p>The minimum setback from the rear boundary shall be at least 3</p>	<p>No multi dwelling units are provided with a frontage to the principal street frontage.</p> <p>No multi dwelling units are provided with a setback to a side boundary.</p> <p>A minimum setback of between 3m and 4m has</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Yes</p>

	<p>metres for single storey dwellings.</p> <p>Any elevation that is within 3 metres of a boundary shall not contain any openings associated with the main living area.</p> <p>For multi dwelling development, private open space courtyards may intrude into the front setback where it is demonstrated that issues of privacy and residential amenity are maintained and the streetscape is reasonably consistent with established dwellings. Any such intrusion shall be limited to half the front setback.</p>	<p>been provided to each dwelling.</p> <p>Bedroom openings are provided 3m from a boundary, living area openings are provided a minimum 4m from boundary.</p> <p>No private open space courtyards are located in the front setback area of units.</p>	<p>Yes</p> <p>Not applicable</p>
5.3	<p>Building Height</p> <p>The maximum height for multi dwelling housing is two (2) storeys.</p> <p>The minimum floor to ceiling height for all development shall be 2.4 metres.</p> <p>Single storey dwellings shall have a maximum building height of 7 metres.</p>	<p>Each dwelling is single storey.</p> <p>A 2.7m floor to ceiling height is provided.</p> <p>A maximum height of up to 6m is provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
5.4	<p>Building Appearance</p> <p>The design of a dwelling house shall have regard to the size, shape and orientation of the allotment the dwelling is to be located on in relation to:</p> <ul style="list-style-type: none"> • the type of dwelling house proposed, • the position of the dwelling on the allotment, • Opportunities for solar access, • The maximisation of private open space, and • Minimising the potential for overlooking. <p>Dwelling design and its architectural style is to interpret and respond and not be in strong visual contrast to the positive</p>	<p>Achieved.</p> <p>As the units do not present onto Welsford Street, no impact is created noting</p>	<p>Yes</p> <p>Yes</p>

	<p>character of the locality, including setbacks, height, and dominant patterns, textures and compositions of buildings and their elements such as roof shape, pitch and overhangs, entry porches, verandas, balconies and terraces, materials, finishes, fixtures, patterns, fenestrations, colours and detailing and the location and proportion of windows and doors.</p> <p>Maximum length of walls along the first floor side boundaries shall be 10 metres without any indentations or offsets or other articulation features. Indentations or offsets shall be a minimum width of 1 metre.</p> <p>At a minimum, the front façade of a dwelling house (with the exception of battleaxe lots) shall orientate the front door and a window of a habitable room on the ground floor to address the principal street frontage.</p> <p>Multi dwelling housing on steep or sloping blocks shall be built as a split level construction.</p> <p>The internal layout of the dwelling shall incorporate cross ventilation.</p> <p>Bathrooms, ensuites, laundries and walk in wardrobes shall be located to the side and rear of the dwelling.</p>	<p>their location over 30m away.</p> <p>Achieved.</p> <p>While no unit is provided with a principal street frontage, it is noted that each unit does provide for a window from a habitable room which does front and overlook the front façade entry area</p> <p>Achieved.</p> <p>Achieved.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Part 6 – Residential Flat Buildings (Applicable for dwellings 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 16, 17, 23, 24, 25 and 26)			
6.1	<p>Lot Size and Frontage</p> <p>The minimum lot frontage for residential flat buildings at the property line is as follows:</p> <ul style="list-style-type: none"> • 24 metres if the property is located in the highlighted area in maps 1-8 (see Appendix 1), or • 28 metres for all other properties, or 	<p>A frontage of 91.44m is provided.</p>	<p>Yes</p>

	<ul style="list-style-type: none"> • 45 metres for all development 6 storeys or more. Note: Council requires that the consolidation of more than one existing residential holding for residential flat development be undertaken, in order to meet all the requirements of this development control plan. <p>Residential Flat Buildings are not permitted on battleaxe lots.</p> <p>Council does not permit individual properties being left between two developments in a manner that would limit its future development potential for flat development and/or otherwise impact on its value.</p>	<p>The subject site is not a battleaxe lot.</p> <p>No individual properties are left between two developments.</p>	<p>Not applicable</p> <p>Yes</p>
6.2	<p>Site Coverage</p> <p>The maximum site coverage of any residential flat development shall not exceed 30% of the site area.</p>	Achieved.	Yes
6.3	<p>Setbacks and Separation</p> <p>The minimum setback for residential flat buildings from the principal street frontage shall correspond to the existing prevalent building setback, but be no less than 6 metres.</p> <p>The area between the street alignment and building setback is to be landscaped except for areas used for driveways and paths for vehicles and pedestrians, gaining access to the site.</p> <p>The minimum rear setback for a residential flat building shall be:</p> <ul style="list-style-type: none"> • up to four storeys- 20% the length of the site, or 6 metres, whichever is greater. • five storeys or more - 30% the length of the site. <p>Side setbacks shall be a minimum of 3 metres.</p> <p>Side and rear boundary setbacks</p>	<p>A minimum 6m setback is provided.</p> <p>Achieved.</p> <p>A setback of 27.5m is provided to the rear western boundary.</p> <p>A setback of 4.8m is provided to the northern and southern side site boundaries.</p> <p>Achieved.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>shall be landscaped and may include private courtyards, communal open space and clothes drying facilities.</p> <p>One side setback may be used for access and parking if required, provided that a landscape buffer with a minimum width of 1m is provided to the side boundary.</p> <p>The minimum setback for basement and semi-basement levels to the side and rear boundaries of an allotment is 3 metres.</p> <p>An minimum upper storey setback of 3m is required for all floors above 4 storeys.</p>	<p>The parking spaces for units 1 and 17 are provided with a 1m setback to the respective side boundaries.</p> <p>No basement provided.</p> <p>The residential flat building is provided with a 2 storey height.</p>	<p>Yes</p> <p>Not applicable</p> <p>Not applicable</p>																
6.4	<p>Building Height</p> <p>The minimum floor to ceiling heights shall be:</p> <ul style="list-style-type: none">• 2.7 metres for habitable rooms.• 2.4 metres for non habitable rooms.• 2.4 metres for the second storey section of two storey units if 50% or more of the apartment has a 2.7 metre minimum ceiling height.• Attic spaces shall have 1.5 metre minimum wall height at the edge of room with a 30 degree minimum ceiling slope. <p>Maximum building height in storeys shall be provided in accordance with the table below:</p> <p>Permitted Height (storeys)</p> <table><tr><td>Height (m)</td><td>storeys</td></tr><tr><td>9</td><td>1</td></tr><tr><td>11</td><td>2</td></tr><tr><td>12.5</td><td>3</td></tr><tr><td>15</td><td>4</td></tr><tr><td>18</td><td>5</td></tr><tr><td>21</td><td>6</td></tr><tr><td>24</td><td>7</td></tr></table>	Height (m)	storeys	9	1	11	2	12.5	3	15	4	18	5	21	6	24	7	<p>A minimum floor to ceiling height of 3m is provided to the ground floor and 2.7m to the first floor.</p> <p>The residential flat building is provided with a ground floor and 1st floor.</p>	<p>Yes</p> <p>Yes</p>
Height (m)	storeys																		
9	1																		
11	2																		
12.5	3																		
15	4																		
18	5																		
21	6																		
24	7																		
6.6	<p>Open Space</p> <p>Communal open space shall be located where it is highly visible and directly accessible to the maximum number of dwellings.</p>	<p>The communal open space is centrally located and visible from all units.</p>	<p>Yes</p>																

	<p>Excessively long paths of travel to and from communal open space must be avoided.</p> <p>Communal open space should be located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate.</p> <p>Communal open space shall be integrated with the site and designed with uses such as circulation, BBQ or play areas or passive amenity.</p> <p>Communal open space shall be appropriately landscaped and ensure active and passive recreation through the provision of facilities such as seating, pergolas, barbeque facilities and the like</p>	<p>Not applicable in this instance.</p> <p>A common vegetable garden is proposed within the communal open space. Taking into consideration the age of occupants to be provided this is appropriate also noting the generous amounts of sunlight provided to this area.</p> <p>The provision of a common vegetable garden is considered to allow for an appropriate activity for future occupants.</p>	<p>Not applicable</p> <p>Yes</p> <p>Yes</p>
6.7	<p>Building Appearance</p> <p>Facades are to be composed with an appropriate scale, rhythm and proportion, which responds to the building's use and desired contextual character.</p> <p>All walls to the street shall be articulated by either/or windows, verandas, balconies or blade walls. Such 'articulation' elements may be forward of the required building line up to a maximum of 600mm.</p>	<p>The design of the front façade is considered to allow for an acceptable relationship with the adjoining and opposite detached dwellings along Welsford Street.</p> <p>The location of windows is considered to provide for an appropriate rhythm and scale in relation to surrounding built forms along this part of Welsford Street. In addition, the provision of balconies to units 10, 24 and 26 fronting Welsford Street is considered to provide for appropriate articulation noting the provision of balconies to other areas of Welsford Street. In this regard, the built form is considered to provide an</p>	<p>Yes</p> <p>Yes</p>

	<p>Roofs shall be designed to relate to the desired built form and context and character of the street.</p> <p>Pitched roofs will not be permitted in the following circumstances:</p> <ul style="list-style-type: none"> • Where a pitched roof design does not relate to the existing urban context, • Where a pitched roof increases the visual bulkiness of a proposed building, • Where land has been rezoned to high density residential after 5 August 2013. <p>The maximum height for roofs, from the top ceiling height to the ridgeline is 3m.</p>	<p>appropriate relationship to the existing streetscape.</p> <p>The provided pitched roofs are considered to allow for an appropriate relationship with the existing roof forms surrounding the subject site.</p> <p>The provision of pitched roofs is considered acceptable in this instance noting the compliance with the height controls and existing character of surrounding built forms. Roof pitches vary from 21°, 18° and 12° which are not considered out of character with surrounding dwellings.</p> <p>Roof heights are provided to a height of 2.2m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
6.8	<p>Building Entry and Pedestrian Access</p> <p>Building entries shall be a clearly identifiable element of the building.</p> <p>Entrances shall be designed to avoid ambiguous and publicly accessible small spaces in entry areas.</p> <p>The main building entry is to be separate from car parks or car entries.</p> <p>Ground floor dwellings that are oriented towards the street may have their own entrances from the street.</p> <p>Pedestrian and vehicle access ways are to be separate and clearly distinguishable.</p> <p>The accessibility standard set out in Australian Standard AS 1428</p>	<p>Building entry areas are identifiable from Welsford Street.</p> <p>Achieved.</p> <p>Each building entry is separate from car parks.</p> <p>Each ground floor unit is provided with a separate entrance from Welsford Street.</p> <p>The provision of pedestrian paths is separate from vehicle movement areas and distinguishable.</p> <p>The application was referred to Council's</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>(parts 1 and 2) is to be followed as a minimum.</p> <p>Entries and circulation space shall be designed to allow movement of furniture between public and private spaces</p>	<p>Accessibility Consultant who raised no objection to the unit layouts. The development will provide for a pedestrian path to the road reserve to the front of the site and vehicle crossings which is considered to allow future occupants the ability to cross Welsford Street and provide access to local services and facilities.</p> <p>Entry areas are considered to be of an acceptable size. The circulation area for first floor units from stairs at 1.1m is considered to allow for the acceptable movement of furniture.</p>	Yes
6.9	<p>Parking and Vehicular Access</p> <p>Only basement carparking will be permitted for residential flat buildings.</p> <p>Vehicle access points shall be limited to a minimum.</p> <p>Ensure that clear site lines at pedestrian and vehicle crossings.</p> <p>Separate and clearly distinguish between pedestrian and vehicular access ways through landscaping and detailing.</p>	<p>No basement parking provided. Noting that the use is a mixture of multi dwelling housing and RFB (as defined by Holroyd LEP) the provision of parking in a basement level is not considered appropriate in this instance.</p> <p>The development will provide for 4 access points for vehicles, 2 of these for separate parking spaces for units 1 and 17. Noting the 91.44m site frontage provided, the provision of 4 vehicle access points is considered an acceptable response to the site area.</p> <p>Achieved. The development will not create unobstructed views of pedestrian and vehicular crossings.</p> <p>Achieved.</p>	<p>No but considered acceptable – see discussion at end of table.</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>Where on grade parking cannot be avoided, ensure the design of the site development mitigates any negative impact on the streetscape and street amenity by:</p> <ul style="list-style-type: none"> • Locating the parking on the side of the site, or away from the primary street frontage. • Providing wrapped car parking. • Screening cars from view of streets and buildings. • Allowing for safe and direct access to building entry points. • Incorporating parking into the landscape design of the site. 	<p>The provision of two (2) parking areas to the centre of the site is considered to be appropriately screened from Welsford Street. Parking spaces for units 1 and 17 adjoining the site boundary is considered to provide for an appropriate response to the existing streetscape. The development is considered to be appropriately landscaped.</p>	Yes
	<p>Driveways associated with residential flat buildings shall be arranged to facilitate safe and efficient vehicular access. Vehicles shall be able to enter and leave the site in a forward direction with minimal on-site manoeuvring. (i.e. Maximum of a three point turn)</p>	<p>All vehicles to both main parking areas will be able to leave the site in a forward direction. Vehicles using parking spaces for units 1 and 17 will reverse onto Welsford Street. Noting their location, no safety concern is raised as it is considered that appropriate sight lines have been provided.</p>	Yes
	<p>A full width plain concrete vehicle crossing shall be constructed at the vehicle entrance to the property in accordance with Council's requirements with a minimum width of 5m and a maximum width of 6m at the property boundary line.</p>	<p>To be provided as conditions of consent as part of any approval granted.</p>	Yes
	<p>Car parking spaces allocated to dwellings that are built to the Adaptable Housing Standard – AS 4299 must comply with the dimensions specified in that standard.</p>	<p>The development provides for 4 disabled parking spaces which are compliant.</p>	Yes
	<p>Access to resident parking areas shall be restricted via a security gate or door with an intercom, code or lock system. Visitor parking will be permitted in this area subject to intercom access being provided to each dwelling.</p>	<p>Not applicable in this instance as no basement parking is provided.</p>	Not applicable

	One car wash bay shall be provided for all developments having 10 or more dwellings. The car wash bay shall be a common, independent area and not serve as a visitor parking space.	Noting the reduced car parking rate, a car wash bay is not necessary in this instance. In addition as car wash bays are primarily a feature of basement car parks, the requirement is not considered appropriate for open parking.	Not applicable
6.11	<p>Internal Circulation</p> <p>All common facilities within a development must be accessible.</p> <p>All staircases within a development shall be located internally.</p> <p>The location of sensitive noise rooms adjoining less sensitive noise rooms, corridors and stairwells shall be minimised.</p> <p>Locate habitable rooms with windows overlooking communal/public areas.</p>	<p>Achieved via the provision of pedestrian pathways.</p> <p>Achieved.</p> <p>The provided design is considered appropriate</p> <p>First floor units are provided with windows from living areas overlooking the communal open area.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
6.12	<p>Facilities and Amenities</p> <p>Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.</p> <p>Open air clothes drying facilities should be provided in a sunny ventilated and convenient location, which is adequately screened from streets and other public places. 7.5 metres of line per dwelling shall be provided.</p> <p>The service courts or clothes drying areas shall be screened by walls at least 1.5 metres high.</p> <p>Mailboxes shall be designed and provided so that they are convenient for residents, shall not be at 90° to the street, does not require a postal employee to enter the site and shall not clutter the appearance of the development</p>	<p>Laundry facilities are provided to each unit in combination with the bathroom.</p> <p>Open air clothing facilities are provided individually to each dwelling via clothes lines identified on the plans which are considered adequately screened.</p> <p>Not applicable in this instance noting the clothes lines provided for each unit.</p> <p>Ten (10) designated mail box areas are provided fronting Welsford Street. The number is considered an acceptable response to the site width and will assist in future occupants</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	from the street. A master antenna should be provided for any development of more than two dwellings.	maintaining a sense of independence. To be provided as a condition of consent.	Yes
6.15	Waste Management Bin storage areas shall: <ul style="list-style-type: none"> • be located behind the building line and screened from the street and any public place; • be accessible and in relatively close proximity to each dwelling; • allow for unobstructed access that does not exceed a grade of 1:8 for bins to be wheeled to the collection point; • not impact upon the amenity of adjoining premises or dwellings within the development, i.e. odour. Storage areas are to be of adequate size to store the required number of bins, durable and waterproof, well ventilated and should integrate with the design of the development.	The location of the bin storage areas is located to the front of the building line. Their location is considered to allow for unobstructed access to collection points on Welsford Street. Achieved.	No but considered acceptable – see discussion at end of table. Yes
Part 7 – Controls for Land Locked Sites			
	Development within Residential R4 zones should not result in the creation of land locked or isolated sites that are unable to be developed in such a way that complies with development standards and controls contained within Holroyd LEP and this DCP.	The subject site is located within a Residential R2 zone. In this regard, land locking is not applicable, the development will not restrict future development of adjoining site in compliance with the Holroyd LEP.	Yes
Part E – Public Participation			
1.3	To be advertised for 21 days	The application was placed on public exhibition for 21 days from 29 April to 20 May, 2015. During this period no submissions were received.	Yes

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd DCP 2013, with the exception of the following:

i. Min. 50% of required POS of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June

The location of private open space for unit 1 and 5 does not allow for an appropriate amount of direct solar access to be provided in compliance with Council's controls. Overshadowing of these areas is created by the proposed built form which is a result of the position of units along the southern site boundary and respective location of attached private open spaces.

While it is acknowledged that these private open space areas are non-compliant with required solar access requirements, it is also noted that all remaining ground floor units are provided with acceptable solar access to courtyard areas as well as for first floor units. In this regard, 24 of the 26 units (92%) are compliant with Council's solar access requirements, which is considered an acceptable response to the size and orientation of the subject site.

It is also noted that each unit will be provided with access to the common open areas to the middle of the site which is provided with generous amounts of sunlight throughout the day. In addition, it is noted that the kitchen/dining areas for units 1 and 5 are provided with an acceptable amount of sunlight throughout the day which is considered to assist in maintaining an acceptable level of amenity for each unit.

ii. Fill

DCP 2013 requires for residential development that;

Development should be designed and constructed to integrate with the natural topography of the site.

Cut and fill shall not create a detrimental impact on the overland flow of the site.

Fill, up to 300mm, is permitted within 900mm of side or rear boundaries.

Fill, 600mm or greater is to be contained within the building envelope.

An assessment of the application has indicated that a number of units are provided with fill (0.8m to 1.1m) within the building envelope non-compliant to the Council control. These non-compliances are created via the slope of the site from the north east to south eastern corner of the site. In turn, units are stepped to follow this contour, especially multi-unit dwellings to the rear of the site as well as the 2 level Welsford Street façade. While so, the raised floor levels are not considered to create overlooking concerns for occupants or for adjoining dwellings.

The application does provide for an increase in natural ground levels in part to the adjoining southern side boundary and rear western boundary. Along the southern boundary, patio areas and open spaces are provided with increases in the vicinity of between 0.3m to 0.5m. Along the western rear boundary, patios for units 7 to 9 are from 450mm to 500mm above existing natural ground level, patios for units 18 to 20 from 600mm to 800mm above natural ground level.

While landscaping to the perimeter of the southern boundary and part of the western boundary is provided for and also noting that the majority of these areas of contention are located adjoining neighbouring garden areas, additional screening to boundary fencing is considered warranted in this instance to alleviate any overlooking concerns between units and neighbours.

Noting the above, it is considered appropriate to allow for additional lattice screen of 300mm to the southern boundary and to the rear of units 7, 8 and 9 along the western boundary. In

addition, additional lattice screening of 600mm is to be provided atop the western boundary fence to the rear of units 20, 21 and 22, any consent granted to be conditioned appropriately.

iii. Provision of basement carparking for residential flat building

Council controls within the Holroyd DCP stipulate that only basement carparking will be permitted for residential flat buildings. The provided plans indicate the provision of only at grade car parking for the mixture of multi dwelling and residential flat buildings proposed.

Given the subject site is located within a Residential R2 zoning whereas residential flat buildings would otherwise be prohibited but for the provisions of the Seniors SEPP, basement car parking is not considered appropriate in this instance. The provision of at grade car parking is an acceptable design solution which does reflect normal parking patterns surrounding the subject site. In addition, grade car parking rather than basement parking is considered to allow for an appropriate path of travel for future occupants to the proposed units as well as an additional area of passive surveillance for the site.

Noting the above, basement car parking is not considered appropriate for the proposed development.

(iia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

Not applicable

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

There are no specific matters prescribed by the Regulations that apply to this development.

b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Built Environment

The proposal will provide for 26 units under the Housing for Seniors and People with a Disability SEPP 2004. The units are provided as a two level presentation onto Welsford Street with a single level element for the remaining portion of the site. Taking into consideration the nature of surrounding built forms along Welsford Street which does reflect the subject sites Residential R2 zoning, the size of the development is compatible with its surrounds.

Natural Environment

With regards to environmental impacts on the natural environment, the applicant has submitted an Arboricultural Impact Assessment report, which indicates that in order to compensate for the loss of amenity resulting from the removal of trees to accommodate the proposed development, a minimum number of seven (7) new trees capable of attaining a height of at least ten (10) metres at maturity should be planted within the allotment in accordance with Council's DCP.

Comments provided by Council's Landscape Section advise that no objection is raised subject to the provision of appropriate conditions.

The submitted landscape plan proposes significant landscaping of the site for each proposed ground floor unit, with the accompanying Arborist Report which provided for a listing of all planting and trees which is considered appropriate. In this regard, the proposed development is not considered to adversely affect the natural or built environments and will provide for an enhanced natural environment through landscaping proposed on site.

Environmental Impacts - Traffic & Parking

The development provides for the total number of parking spaces as required under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. An assessment of the original plans by Council's Traffic Engineer raised a number of concerns in relation to parking space sizes and vehicle manoeuvrability. In response, Council was provided by the applicant with a Traffic Statement prepared by Vagra Traffic Planning dated 25 August, 2015 which has addressed these concerns satisfactorily.

In this regard, the proposed development is considered acceptable in terms of traffic and parking.

Environmental Impacts - Solar Access and Overshadowing

The subject site is provided in a rectangular shape with a 91m eastern facing frontage onto Welsford Street and 45m northern and southern side setbacks. The site orientation and unit design layout will allow for 24 of the proposed 26 units (92%) to receive a significant amount of solar access to habitable rooms and private open spaces throughout the day. Units 1 and 5 located along the southern side boundary are not considered to provide for adequate sunlight throughout the day primarily as a result of the lot orientation.

Taking into consideration the provision of a large communal open area in the near vicinity of these units and the design which has allowed for a significant majority of the units proposed to obtain adequate sunlight, the overall building layout is considered acceptable. It is also noted that the communal open area will provide for generous amounts of solar access assisted by the single level nature of western facing dwellings which will not restrict the potential for afternoon sunlight to enter this area.

The adjoining neighbour to the south (No. 2 Welsford Street) will be partially affected by overshadowing to its private open space throughout the day. The private open space affected is considered to be less than 50% of the total area and is therefore acceptable, noting also the compliant setbacks and heights provided by development units along its side boundary.

Social Impact

In accordance with Council's *Social Impact Assessment Policy August 2012*, a Social Impact Assessment was prepared and submitted for Council's consideration. Council's Social Planner has assessed the original report and plans and found that the report followed Council's methodology by reviewing the proposal's potential impact on population structure, housing, mobility and access, community connectedness, health and wellbeing, crime and safety, and the local economy.

Council's Social Planner reported that, the major identified positive impacts are;

- *Assisting the Land and Housing Corporation to improve the amenity of housing by providing new, more appropriate housing aligned with demands,*
- *A range of economic benefits including the more efficient use of land and infrastructure, local sourcing of construction material and tradesman, an ongoing consumption from new/additional households on the site,*

- *Contribution to community connectedness provided by 'well designed and landscaped shared recreational space',*
- *Improved local safety through passive surveillance over Welsford Street by new residents,*
- *Potential for increased 'active transport' due to proximity to the Hilltop Road shops, Alderson Park and public transport stops on Hilltop Road.*

The negative impacts are confined to minor amenity issues, noise during construction and possible concerns by neighbours about the increased density. Additional concern was raised originally in relation to the Communal Open Space in relation to its accessibility to all residents and provision of shared facilities.

The original plans provided for a 'communal car court' located centrally on the subject site. Commentary provided by Councils Social Planner advised that *'It is not clear how the 'communal car court' can be used for COS and the proposed space at the rear of the buildings appears small (2 spaces by around 150m2 each) and not adequately accessible to all units.'*

These concerns were forwarded to the applicant who advised that from experience it is generally best not to provide communal open space facilities, as they have tended to attract crime and anti-social behaviour in other social housing developments. While so plans were amended to indicate that this area would be used as a common vegetable garden. The amended plans were once again referred to Council's Social Planner who advised,

'I note that the applicant is now proposing to allocate the space previously intended for a 'communal car court' for 'common vegetable gardens'.

This is a suitable use for the space and is consistent with the health promotion objectives of Council's Community Strategic Plan and a broad range of NSW and Australian Government healthy community policies and strategies.

....While the application has not proposed the inclusion of seating and barbecues in conjunction with the gardens, such inclusions would enhance the attractiveness and usability of the proposed gardens'

The above comments are noted. The inclusion of furniture to this area is considered an appropriate inclusion taking into consideration the nature of future occupants and encourage residential interaction, any consent granted to be conditioned accordingly.

Economic Impacts

The proposed development is not anticipated to have any adverse economic impacts.

(c) the suitability of the site for the development

The site is considered suitable for a proposed seniors and disabled housing development as it is zoned Residential R2, is large, accessible, and is close to public transport. The subject site generally allows for acceptable gradients and is considered to allow for a compatible built form to surrounding dwellings.

(d) any submissions made

In accordance with the Holroyd Development Control Plan 2013, the application was notified to adjoining and surrounding owners and occupiers for a period of 21 days from the 29 April to the 20 May, 2015. During this time, no submission was received.

(e) the public interest

Long term positive benefits of the proposal include the provision of purpose built accommodation for aged persons or persons with a disability and an appropriate increase in the population via a modest scale development which is considered to compliment the surrounding built forms. Short term benefits include the provision of employment for tradespersons, builders, landscapers and the like who will undertake physical construction of the development. It is acknowledged that there will be some short term disruption to the amenity of nearby residents (truck movements, deliveries, noise of construction work, etc.) but it is considered that the long term positive benefits outweigh the short term impacts.

INTERNAL REFERRALS

During the original and the amended application assessment process, comments were sought from a number of sections within Council. Based upon the amended design, the following summarises Council Officer/Advisers' comments:

Building Services Section	No objection.
Development Engineering Section	No objection, subject to conditions.
Traffic Section	No objection, subject to conditions.
Landscaping Section	No objection, subject to conditions.
Environmental Health Unit	No objection, subject to conditions.
Waste Management Section	No objection.
Community Services Section (Social Planning and Accessibility)	No objection, subject to conditions

SECTION 94 CONTRIBUTIONS

As the proposed development is provided under the Housing for Seniors or People with a Disability SEPP 2004, it is not required to provide for a monetary contribution imposed under Section 94 of the *Environmental Planning and Assessment Act 1979* (pursuant to section 94E). In this regard, the development is not subject to the payment of any monetary contributions given that the Land and Housing Corporation is a registered Community Housing Provider.

RECOMMENDATION

It is considered that the design is a sound response to the constraints of the site and will have an acceptable relationship with the surrounding built environment. The presentation of a two level built form fronting Welsford Street is complimentary to the size and bulk of surrounding dwellings. The location of single level units to the rear portion of the site is considered to minimise amenity concerns for adjoining properties.

The application is generally compliant with the Housing for Seniors or People with a Disability SEPP and Seniors Living Policy as well as Council's LEP and DCP controls. Taking into consideration the 91m frontage provided, the provision of 4 vehicular crossings is

not considered excessive as well as the provision of multiple letter box areas fronting Welsford Street.

The application has been modified to allow for a communal vegetable garden area which is considered an appropriate use for future occupants. Pedestrian pathways are clearly identified and the site does allow for access to services for residents. Overlooking concerns are considered to have been appropriately mitigated via landscaping features. It is noted that all units are provided with acceptable solar access to habitable areas with 24 of the 26 units (92%) provided with appropriate sunlight to private open spaces. The application will provide for the requirement to provide a drainage easement through the adjoining downstream property which will connect to the existing stormwater system at Frances Street.

The development results in an increase in the supply of much needed housing for aged and disabled persons, improving social diversity in Merrylands and a built environment compatible with the surrounding area. It is considered that these positives outweigh any perceived negative aspects of the proposed development.

It is recommended that the application proposing consolidation of 6 lots into 1 lot, construction of a seniors living development comprising 26 units including carparking for 12 vehicles under the Housing for Seniors and People with a Disability SEPP 2004 **be approved subject to conditions as outlined in Attachment C of this report.**

4-14 WELSFORD ST, MERRYLANDS
LOTS 40, 41, 42, 43, 44 & 45 (DP 12655)
26 UNITS SEPP SENIORS LIVING



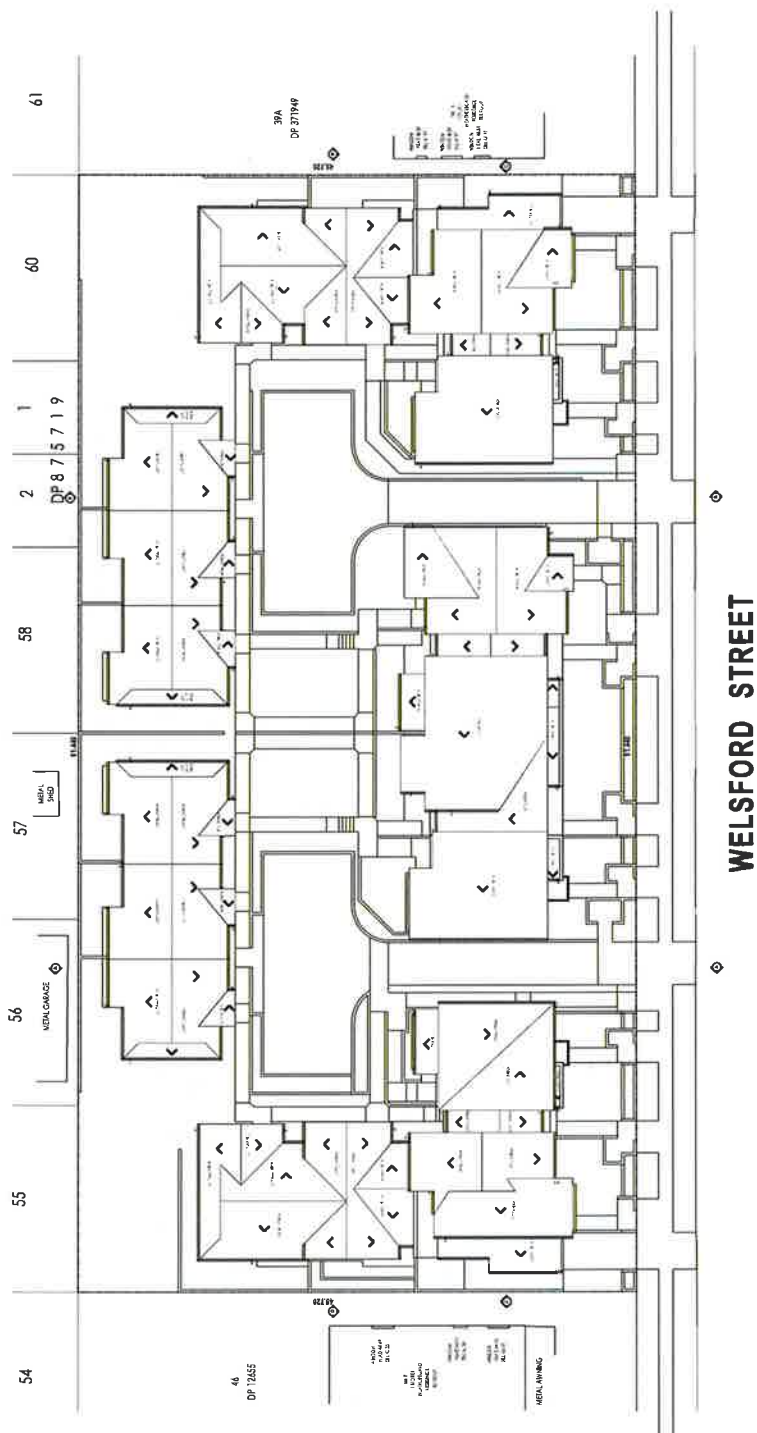
SURVEY PLAN

LANDSCAPE PLAN
LANDSCAPE PLAN

FIGURES USED IN PROPOSAL ARE INDICATIVE ONLY

[illegible]





WELSFORD STREET

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**Family & Community
Services**
Land & Housing Corporation

SHIELD NSW BC1
PHONE No (02) 8753
FAX No (02) 8753 180
www.nsw.gov.au

NAME	DATE	TIME	LOCATION	REMARKS
SECHOSY RILIMAN ANDRI	4/4			
PAQUELAH	001			
RETA RABER	0/17			
JOREK KOTIYA	0/19			

<p>LAND & HOUSING CORPORATION 44-125 47th Ave. (at 130th St.) LIC. #12070</p>	<p>PROJECT MANAGER</p> <p>IMPACT GROUP 170-10 66th Ave. (at 130th St.) LIC. #12070</p>	<p>INTERSTATE CONSULTANTS</p> <p>JONES NICHOLSON (TEL. #412 523 1234)</p>	<p>LANDMARK CONSULTANTS</p> <p>RAY FUGLE & ASSOCIATES (TEL. #412 523 1234)</p>
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Family & Community Services

26 UNITS SEPP SENIORS LIVING
at
4-14 WELSFORD ST., MERRYLANDS

ROOF PLAN 1:200

DATE	TIME	LOC	NO
1:200	S L	BC-UH	
QA	N R	S K	ET
A 8 of 10 A			



NORTHERN ELEVATION



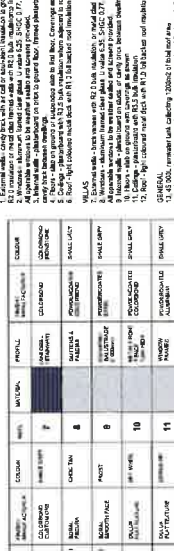
4 SOUTHERN ELEVATION 1:200



SECTION A-A
1:200
6

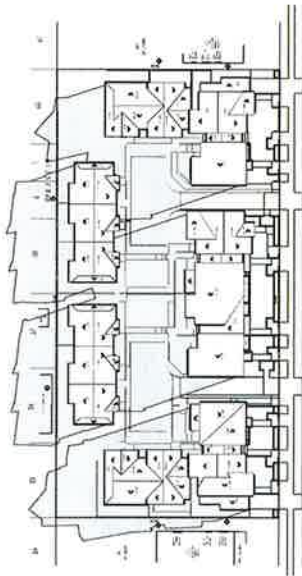


SECTION B-B
1:200
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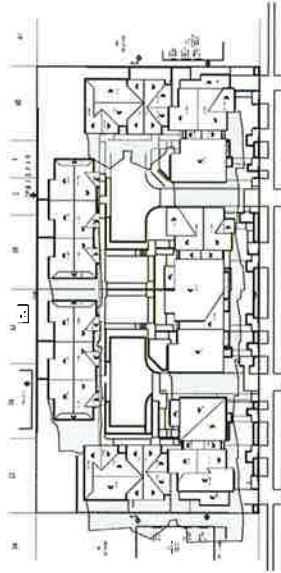
LEGEND

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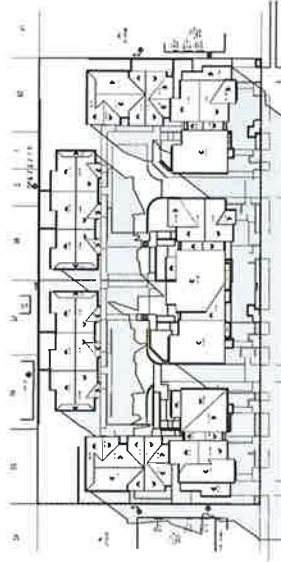
WELSFORD STREET

1 SHADOW DIAGRAM 9AM 21ST JUNE 1:500



WELSFORD STREET

2 SHADOW DIAGRAM 12PM 21ST JUNE 1:500



WELSFORD STREET

3 SHADOW DIAGRAM 3PM 21ST JUNE 1:500



NOTE: ALL SHADOWS CAST AS OF 21ST JUNE



SHADOWS CAST TO NO.2 WELSFORD STREET (9AM)

SHADOWS CAST TO NO.2 WELSFORD STREET (10AM)

SHADOWS CAST TO NO.2 WELSFORD STREET (11AM)

SHADOWS CAST TO NO.2 WELSFORD STREET (12PM)



SHADOWS CAST TO NO.2 WELSFORD STREET (1PM)












SHADOWS CAST TO NO.2 WELSFORD STREET (2PM)

SHADOWS CAST TO NO.2 WELSFORD STREET (3PM)

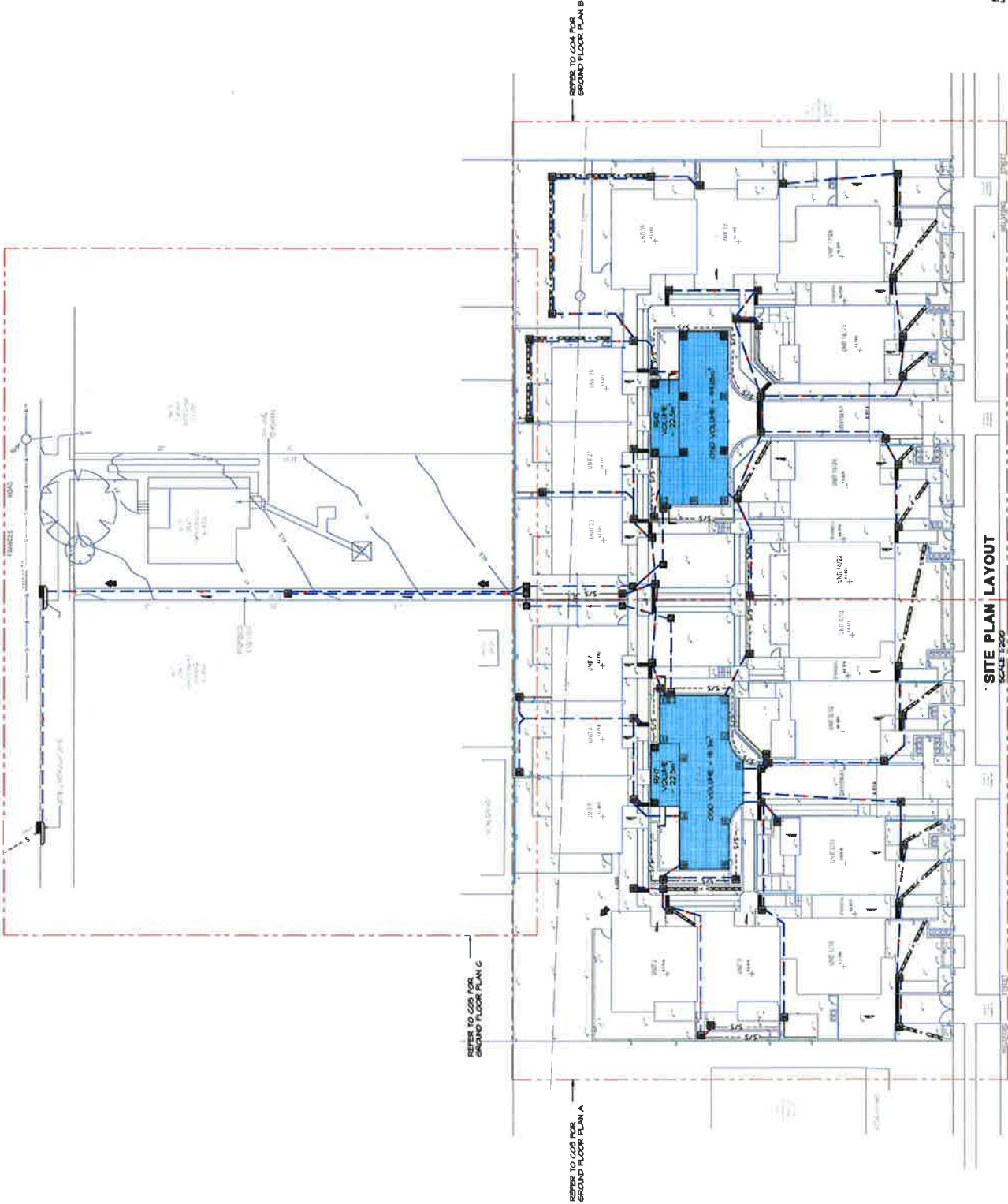
ALL EXISTING LEVELS TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS

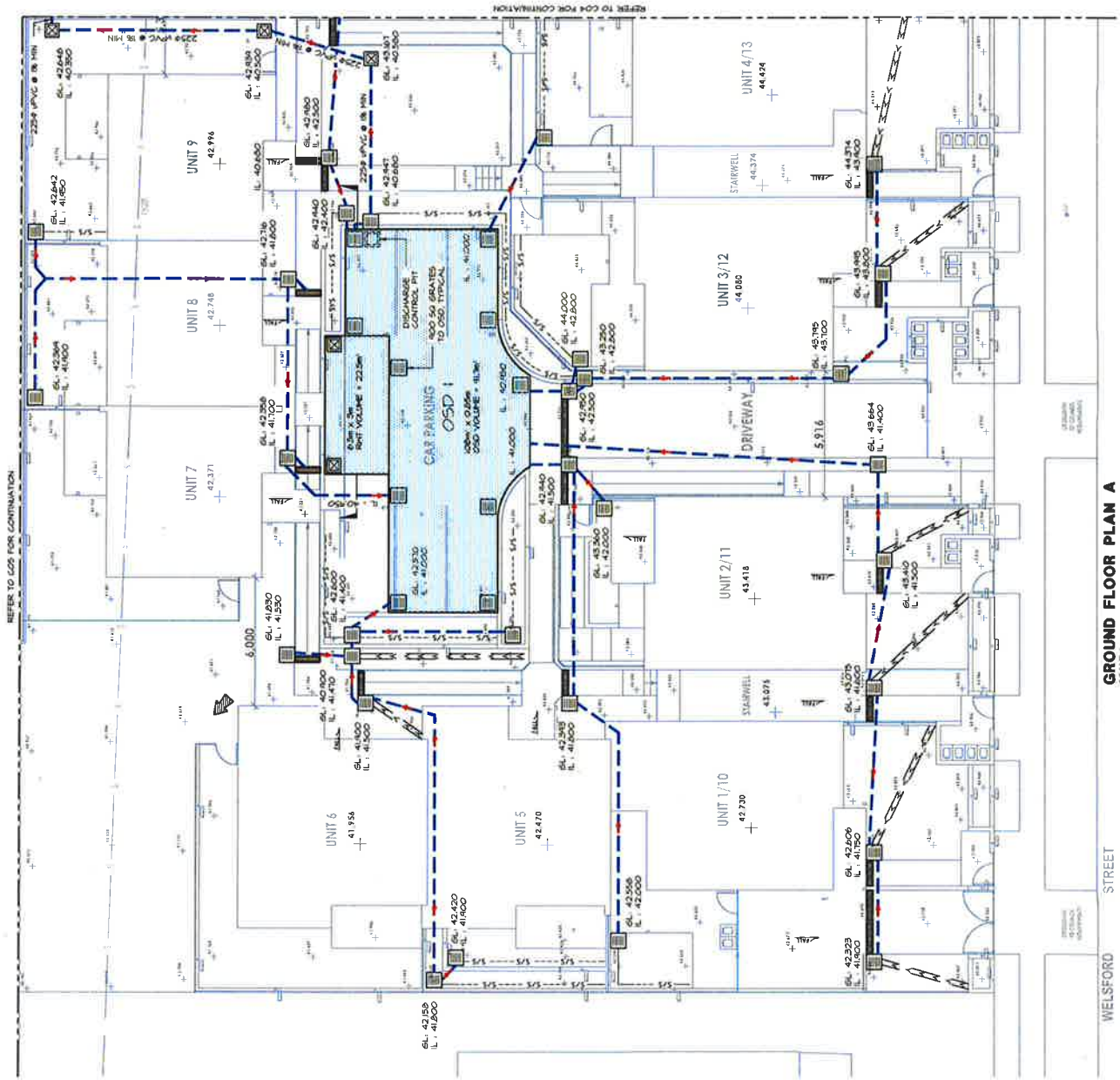
2. JONES' MECHANISM'S ASSESSMENT DID NOT IDENTIFY ANY LIQUID DISKS ASSOCIATED WITH THE DOWNFALLING AND PROPOSING THIS DESIGN THAT ARE TYPICAL OF SMALL DISKES, AS FAR AS IS REASONABLY PRACTICABLE TESTS HAVE BEEN ELIMINATED OR MINIMIZED THROUGH THE DESIGN PROCESS. HAZARD CONTROLS MUST STILL BE IMPLEMENTED BY THE CONTRACTOR.

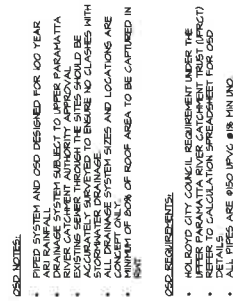
[illegible][illegible]

ENVIRONMENTAL SITE MANAGEMENT LEGEND		TYPE - COMMENTS
SYMBOL	DESCRIPTION	
	PROPOSED BUILDING LINE	
	PROPOSED BUILDING ROOF OUTLINE	
	PROPOSED FENCE	
	PROPOSED TRUCKWAY CHAIN LINK FENCING (HARDENING) ALONG THE SITE BOUNDARY.	
	TEMPORARY STABILISED CONTROLS FOR ENVIRONMENT (SHAKER PAD)	
	TEMPORARY FILTER TUBE WITH SAFETY DAMAGED TO EMB INLET PITS	
	TEMPORARY EMBANKMENT ROADSIDE FOR TRUCKWAY	
	TEMPORARY HARD CONCRETE FOOTPATH CARPARK	
	UNDISTURBED NON-TRAFFICABLE AREA	
	DIVERSION BANK	
	UNDERLIE INLET FRAMEWORK WITH UNDERGROUND FILTER FABRIC INLET SEDIMENT TRAP OR FILTER BED DAMAGED	
	TEMPORARY GEOTEXTILE REINFORCED HAY BALE/STAND BARRIERS	

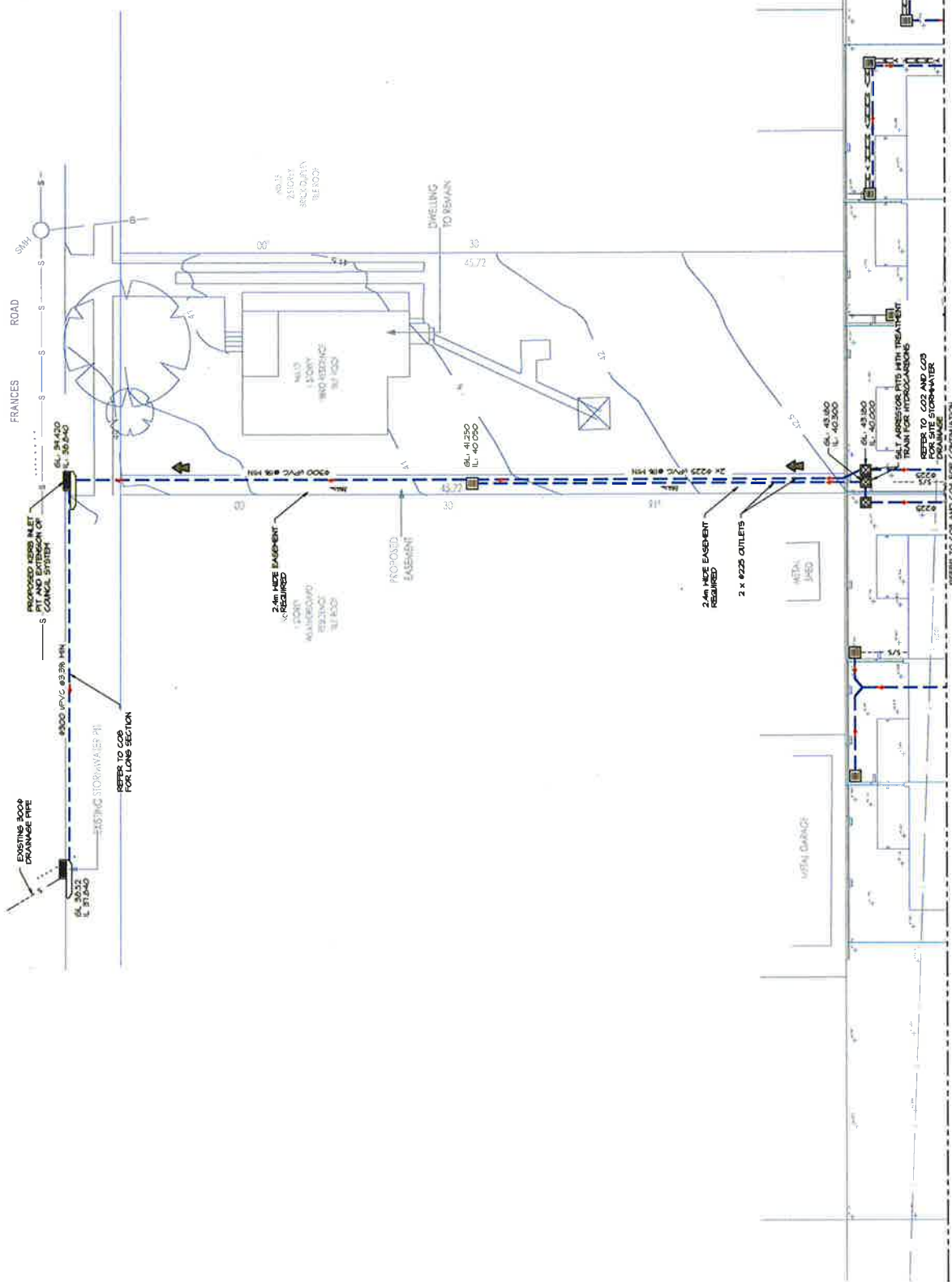
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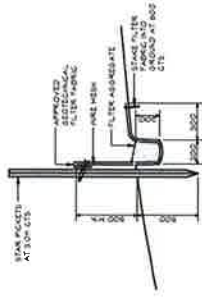
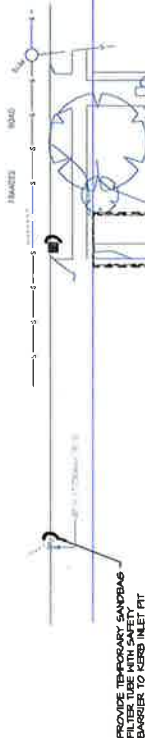


OSD REQUIREMENTS:

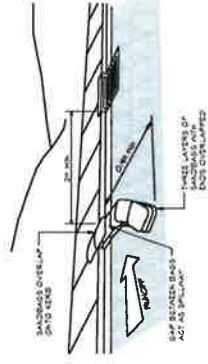


GROUND FLOOR PLAN C
SCALE 1/125

**GROUND
SCALE 1:125**



SILT FENCE
SCALE 1:20

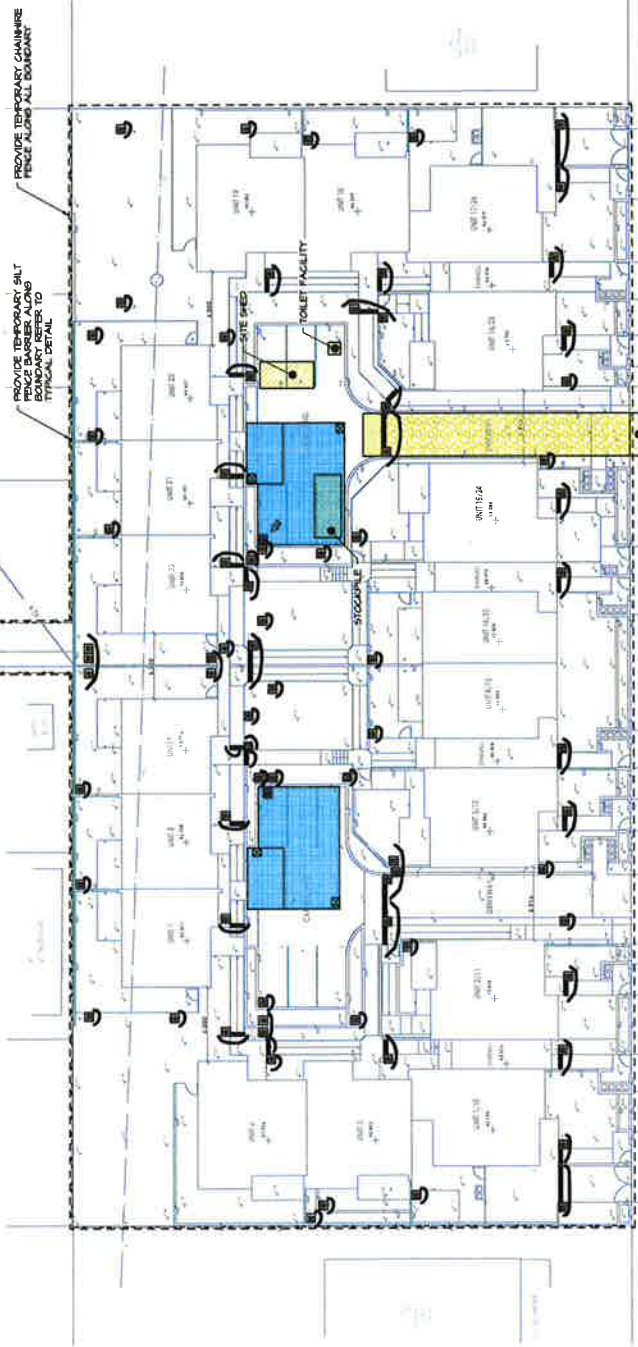


SANDBAG KERB SEDIMENT TRAP
SCALE 1:20

NOTE:
PROVIDE TEMPORARY SAND BAGS
AROUND ALL PITS AND GRATES



ENVIRONMENTAL SITE MANAGEMENT PLAN
SCALE 1:200



NO.	DATE	BY	DESCRIPTION
1	24/10/14	MJP	PRELIMINARY ISSUE

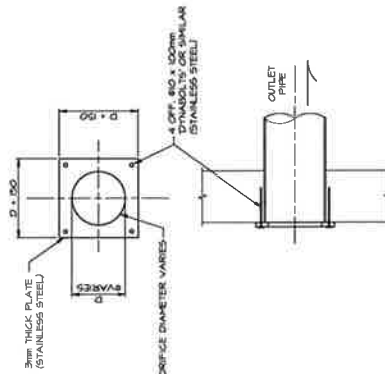
CIVIL • STRUCTURAL • BUILDING SERVICES

CONTRACT
The Client has agreed to pay the fee for the services of the Engineer as set out in the contract documents. The fee is non-refundable and shall be paid in full upon completion of the services. The Client shall be responsible for the cost of any materials and labor required for the services.

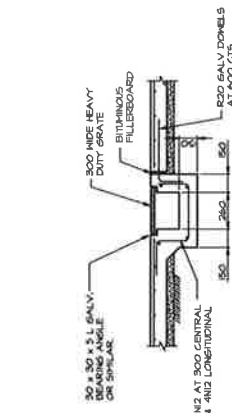
JONES NICHOLSON PTY. LTD.
CONSULTING ENGINEERS
SUITE 101/102, 103/104, 105/106, 107/108, 109/110, 111/112, 113/114, 115/116, 117/118, 119/120, 121/122, 123/124, 125/126, 127/128, 129/130, 131/132, 133/134, 135/136, 137/138, 139/140, 141/142, 143/144, 145/146, 147/148, 149/150, 151/152, 153/154, 155/156, 157/158, 159/160, 161/162, 163/164, 165/166, 167/168, 169/170, 171/172, 173/174, 175/176, 177/178, 179/180, 181/182, 183/184, 185/186, 187/188, 189/190, 191/192, 193/194, 195/196, 197/198, 199/200, 201/202, 203/204, 205/206, 207/208, 209/210, 211/212, 213/214, 215/216, 217/218, 219/220, 221/222, 223/224, 225/226, 227/228, 229/230, 231/232, 233/234, 235/236, 237/238, 239/240, 241/242, 243/244, 245/246, 247/248, 249/250, 251/252, 253/254, 255/256, 257/258, 259/260, 261/262, 263/264, 265/266, 267/268, 269/270, 271/272, 273/274, 275/276, 277/278, 279/280, 281/282, 283/284, 285/286, 287/288, 289/290, 291/292, 293/294, 295/296, 297/298, 299/300, 301/302, 303/304, 305/306, 307/308, 309/310, 311/312, 313/314, 315/316, 317/318, 319/320, 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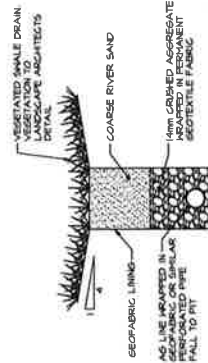
MAINTENANCE OF SILT ARRESTOR PIT IS TO BE CARRIED OUT AT LEAST EVERY SIX MONTHS AND AFTER EVERY SIGNIFICANT STORM EVENT.



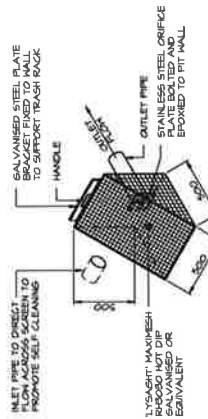
ORIFICE PLATE DETAIL



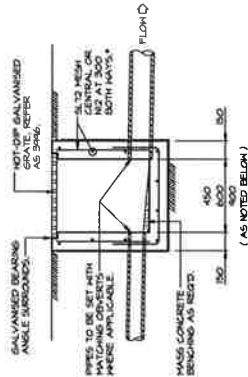
TYPICAL GRATED DRAIN DETAIL



TYPICAL SWALE DETAIL



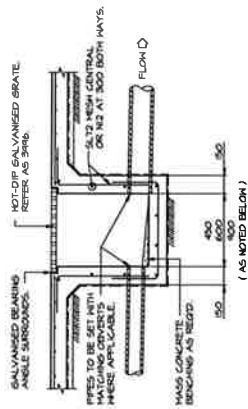
TRASH RACK SCREEN DETAIL



**TYPICAL SURFACE INLET PIT
- NATURAL SURFACE**

NOTES

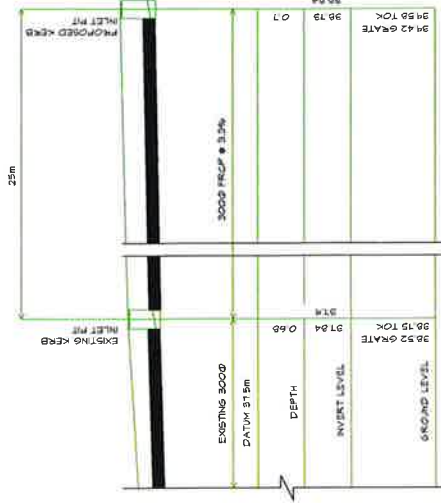
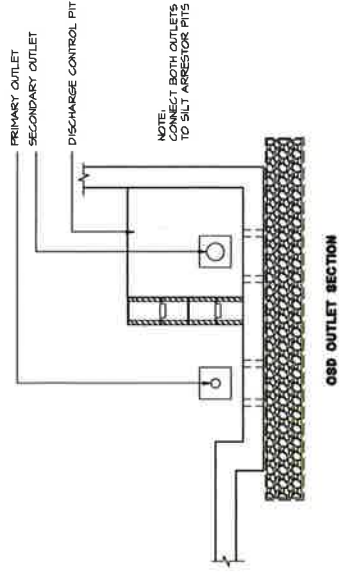
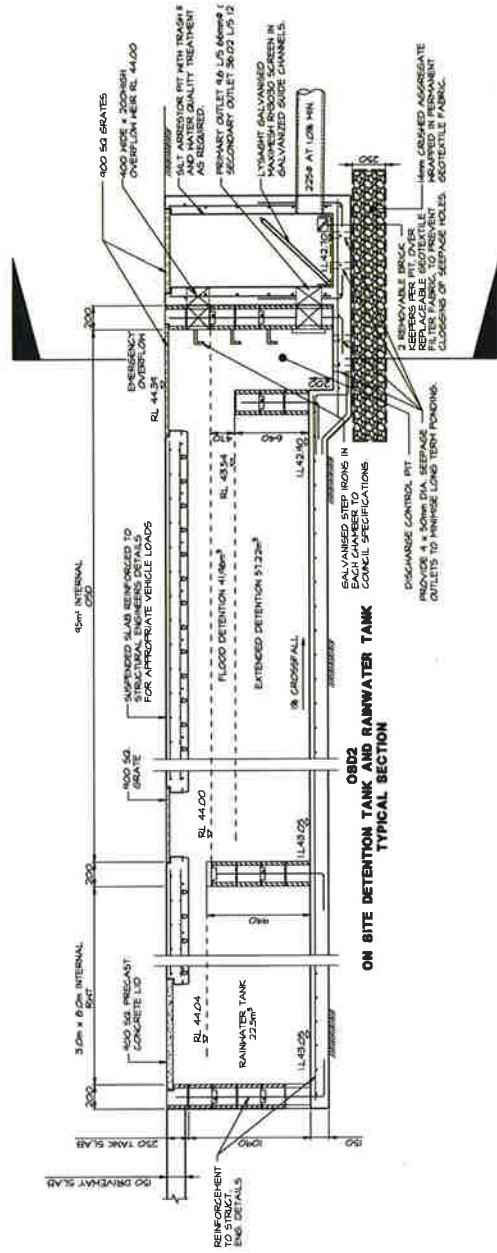
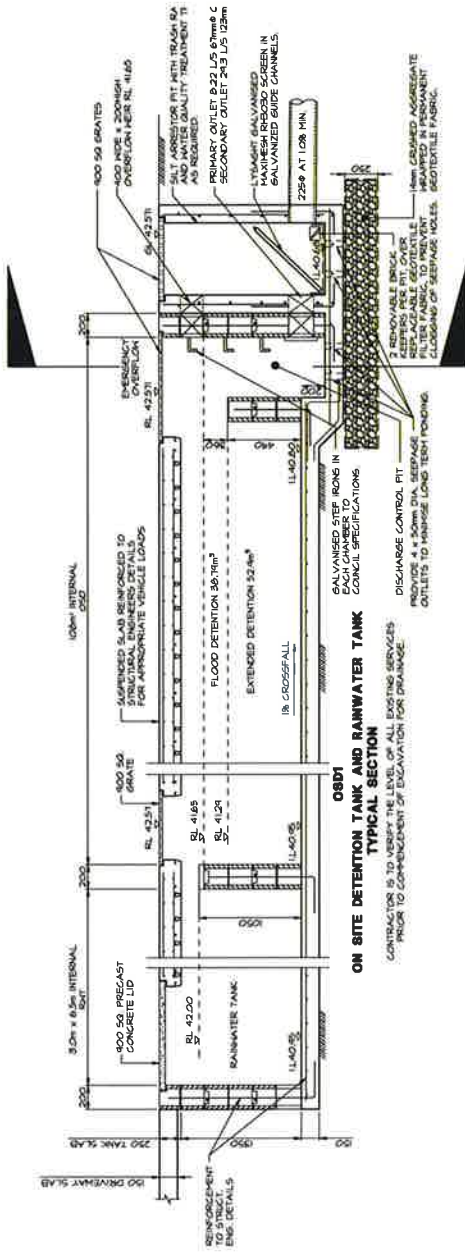
- DEPTH OF 400 SQUARE PITS NOT TO EXCEED 400 DEEP.
DEPTH OF 450 SQUARE PITS NOT TO EXCEED 450 DEEP.
DEPTH OF 500 SQUARE PITS NOT TO EXCEED 500 DEEP.
DEPTH OF 600 SQUARE PITS NOT TO EXCEED 600 DEEP.
DEPTH OF 750 SQUARE PITS NOT TO EXCEED 750 DEEP.
DEPTH OF 1000 SQUARE PITS NOT TO EXCEED 1000 DEEP.
- CLAMP IRONS SHALL BE PROVED UNDER UP TO 300 TONS UP TO 1000 SQUARE INCHES. THERE PITS DEEPER THAN 1000 SQUARE INCHES SHALL BE PROVED UNDER UP TO 300 TONS.
- REINFORCEMENT NOTED IS ONLY REQUIRED FOR PITS EXCEEDING 400 DEEP SUBJECT TO CANAL REQUIREMENTS PITS GREATER THAN 3000 DEEP SHALL REQUIRE STRAIGHTENING DESIGN.
- WOOD PILES AND LOGS SHALL BE PROVED UNDER 5000 LBS PER LINEAL FOOT. LOGS SHALL BE PROVED UNDER 10000 LBS PER LINEAL FOOT. WOOD PILES SHALL BE PROVED UNDER 10000 LBS PER LINEAL FOOT. WOOD PILES SHALL BE PROVED UNDER 10000 LBS PER LINEAL FOOT. WOOD PILES SHALL BE PROVED UNDER 10000 LBS PER LINEAL FOOT.
- ALTERNATIVE PIT CONSTRUCTION MAY BE USED SUBJECT TO THE ENGINEER'S APPROVAL.
- CONCRETE STRENGTH $F_c = 30$ MPa



**TYPICAL GRATED INLET PIT -
CONCRETE SURFACE**

500

- DEPTH OF 900 SQUARE PITS NOT TO EXCEED 900 DEEP. DEPTH OF 600 SQUARE PITS NOT TO EXCEED 600 DEEP. OTHERWISE INCREASE OR DECREASE TO MEET DESIRED 1000 P.T. (1" = 600" = 400 P.T.)
- CONCRETE SHALL BE PLACED DOWN TO UNDISTURBED SOIL
- CRS TO BE USED SHALL BE 6000 PSI. DEPTH IS DEEPER THAN 1000 STANDARDS HOWEVER
- FOR EACH 600" = 2000 LONG SURFACE DRAINAGE STEP SHALL BE REINFORCED WITH 10MM THICKNESS OF NORMAL 20MM COARSE FILTER MATERIAL IMBEDDED IN GEOTEXTILE FILTER FABRIC
- CONCRETE SHALL BE PLACED TO 10" STREAM
- SIZE OF EACH NET PIE
- ALTERNATIVE PIT CONSTRUCTION MAY BE USED SUBJECT TO THE ENGINEERS APPROVAL
- CONCRETE STRENGTH F_C = 32 MPa



AMT	DATE	TYPE	ISSUED FOR	DA	REVISION	BY	DATE
1	2/08/15	TYPC	ISSUED FOR DA				



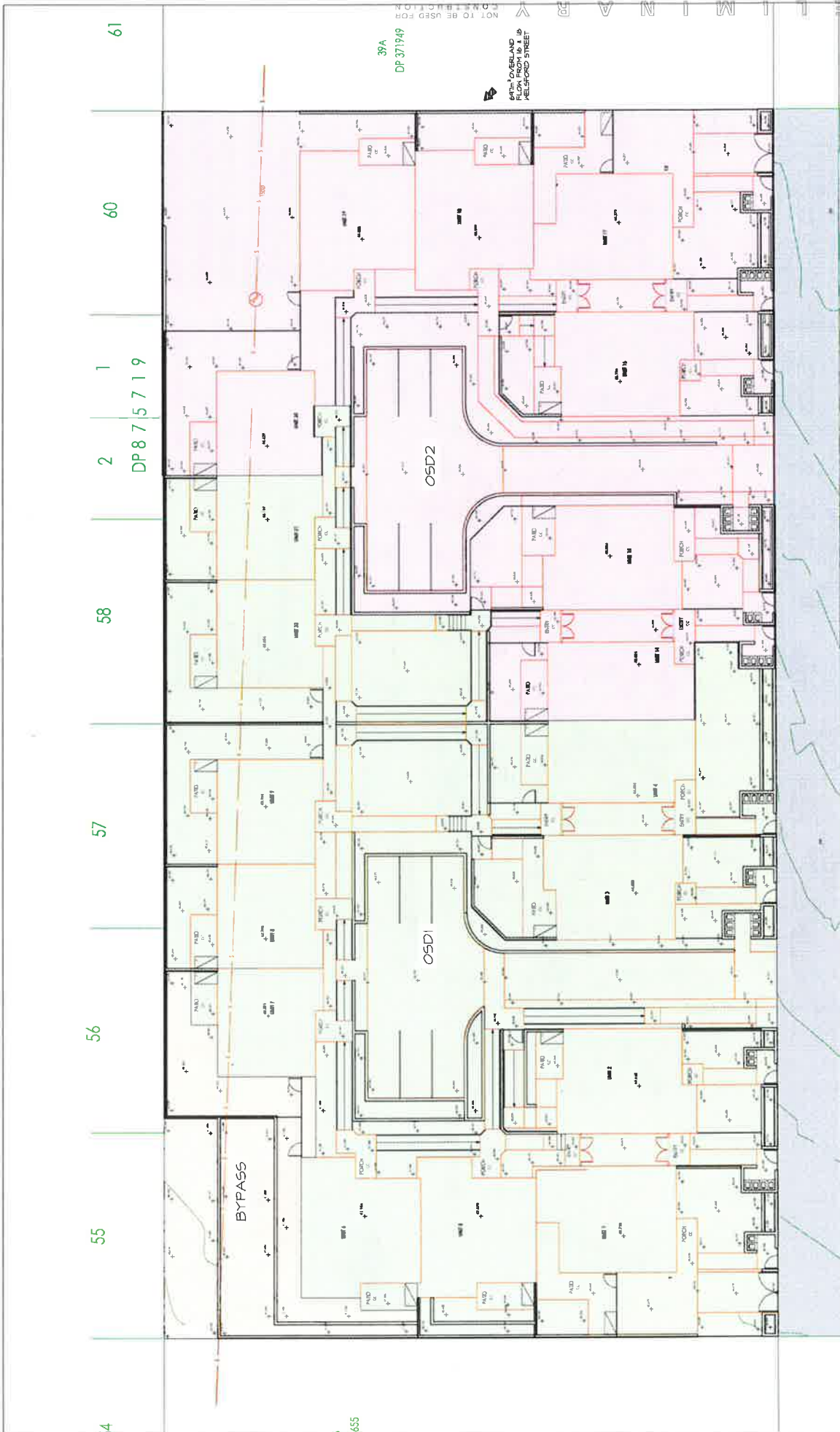
JONES NICHOLSON
CONSULTING ENGINEERS
11/111, SUDBURY RD, SUDBURY, VIC 3008
PH: 03 951 3188
FAX: 03 951 3184

REVISION	NO	DATE	BY
1	1	15/08/15	AL
2	2	15/08/15	AL
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**CIVIL DESIGN
STORMWATER
DETAILS**

140950

18 SENIORS LIVING UNIT
4-14 WELSFORD STREET
MERRLANDS NSW 2160
NSW LAND AND HOUSING
CORPORATION



- BYPASS OSD 250m²
- OSD1 CATCHMENT 2223m²
- OSD2 CATCHMENT 1704m²
- OVERLAND FLOW 647m²

WELSFORD STREET

CIVIL	STRUCTURAL	BUILDING SERVICES
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
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NO STRUCTURAL AND BUILDING SERVICES ARE TO BE CONSIDERED IN THIS DESIGN. THE DESIGN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGN IS THE PROPERTY OF JONES NICHOLSON CONSULTING ENGINEERS AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF JONES NICHOLSON CONSULTING ENGINEERS.

JONES NICHOLSON PTY. LTD.
CONSULTING ENGINEERS
SUITE 101, 101-103, 104-106, 107-110, 111-114, 115-118, 119-122, 123-126, 127-130, 131-134, 135-138, 139-142, 143-146, 147-150, 151-154, 155-158, 159-162, 163-166, 167-170, 171-174, 175-178, 179-182, 183-186, 187-190, 191-194, 195-198, 199-202, 203-206, 207-210, 211-214, 215-218, 219-222, 223-226, 227-230, 231-234, 235-238, 239-242, 243-246, 247-250, 251-254, 255-258, 259-262, 263-266, 267-270, 271-274, 275-278, 279-282, 283-286, 287-290, 291-294, 295-298, 299-302, 303-306, 307-310, 311-314, 315-318, 319-322, 323-326, 327-330, 331-334, 335-338, 339-342, 343-346, 347-350, 351-354, 355-358, 359-362, 363-366, 367-370, 371-374, 375-378, 379-382, 383-386, 387-390, 391-394, 395-398, 399-402, 403-406, 407-410, 411-414, 415-418, 419-422, 423-426, 427-430, 431-434, 435-438, 439-442, 443-446, 447-450, 451-454, 455-458, 459-462, 463-466, 467-470, 471-474, 475-478, 479-482, 483-486, 487-490, 491-494, 495-498, 499-502, 503-506, 507-510, 511-514, 515-518, 519-522, 523-526, 527-530, 531-534, 535-538, 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Our Reference: 2015/134/1
Contact: Mr P Anzellotti
Phone: 02 9840 9659

**[DRAFT CONDITIONS OF CONSENT]
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
NOTICE OF DETERMINATION OF APPLICATION**

TBA

NSW Land & Housing Corporation
Locked Bag 4009
ASHFIELD BC NSW 1800

Dear Sir/Madam

Pursuant to Section 81 of the Act, Council has granted conditional approval to your Development Application described as follows:

PROPERTY: Lot's 40 – 45, DP: 12655.

STREET ADDRESS: 4 – 14 Welsford Street, MERRYLANDS

DEVELOPMENT CONSENT NO: 2015/134/1

DECISION: Joint Regional Planning Panel

DATE OF EXPIRY OF CONSENT: TBA

PROPOSED DEVELOPMENT: Consolidation of 6 lots into 1 lot; construction of a seniors living development comprising 26 units; including carparking for 12 vehicles under the housing for seniors or people with a disability SEPP 2004.

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Holroyd City Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

PRELIMINARY

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent. Any person entitled to act on the consent may apply to Council at least 30 days before this five year period expires, for an extension of one year (in accordance with Section 95A of the Environmental Planning & Assessment Act 1979), provided that good cause is shown. **Note: Failure to lodge an application for extension of consent will mean the consent lapses and a fresh application will be required that will be assessed in accordance with current controls.**

2. Development shall take place in accordance with the attached endorsed plans:
 - Architectural plans prepared by NSW Land and Housing Corporation, Project No. BGHJH, File No. BGHJH-DA2015REVC.pln, Sheets 1 of 10 to 9 of 10, Revision A, all dated 20 August, 2015.
 - Landscape plans prepared by Ray Fuggle & Associates, Project No. BGHJH, File No. 3622b.dwg, Sheet 1 of 2 and 2 of 2, Revision B, both dated 21 November, 2014.
 - Stormwater plans prepared by Jones Nicholson Consulting Engineers Pty Ltd, Job No. 140950, Sheet C01, Amendment 1, dated 29 October, 2014, Sheet No's. C02 – C05, Amendment 2, dated 21 August, 2015, Sheet No. C06, Amendment 1, dated 29 October, 2014, Sheet No. C07, Amendment 2, dated 21 August, 2015, Sheet C08 and C09, Amendment 1, dated 21 August, 2015 (OSD Plan No. 2015-195) and as amended to satisfy Schedule "A"
 - Arboricultural Assessment Report prepared by Earthscape Horticultural Services, Version 5, dated 25 November, 2015.
 - Schedule of External Colours and Finishes prepared by NSW Land and Housing Corporation as indicated on Sheet 9 of 10, Project No. BGHJH, File No. BGHJH-DA2015REVC.pln, Revision A, dated 20 August, 2015.
 - BASIX Certificate No. 575779M_03, dated 20 August, 2015.

a) As amended in red by Council.

3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia.

4. The applicant shall consult with, as required:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) A local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

5. The proposed structure/s are to be located clear of existing Council easements. Special footings will be required where the proposed/existing structures are adjacent to a drainage easement. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary.
The footing system is to be designed by a practising professional structural engineer.

6. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

BASIX (Building Sustainability Index)

7. Under Clause 136D of the Environmental Planning & Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed as per Condition 2 in relation to BASIX are fulfilled.

NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.

PRIOR TO WORKS COMMENCING

The following conditions are to be complied with prior to any works commencing on the site:

Payment of Bonds, Fees and Long Service Levy

8. The Land and Housing Corporation is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

Damage Deposit

9. A cash bond/bank guarantee of **\$1,643.20** must be paid/lodged by the Building Contractor with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' to remedy any defects that may arise within this time.

Note:- The Building Contractor shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

Consistency with Endorsed Development Consent Plans

10. Any certified plans forming part of the approved works, are to be in accordance with the Development Consent plans.

Engineering Fees and Bonds

11. Payment of a **\$986.00** fee by the Building Contractor for the inspection by Council of the vehicular crossing/s prior to placement of concrete.
12. Payment of a **\$349.20** fee by the Building Contractor for the inspection by Council of the footpath paving prior to placement of concrete.
13. Payment of a **\$349.20** fee by the Building Contractor for the inspection by Council of the kerb and guttering prior to placement of concrete.
14. Payment of a **\$896.00** fee by the Building Contractor for the inspection by Council of the stormwater drainage and Onsite Stormwater Detention System and Pollution Control Device/s at the key stages.

15. Payment of a **\$112.00** fee by the Building Contractor for the inspection by Council of the stormwater drainage construction in the road reserve at the key stages.
16. Payment of a **\$104.80** builders access and excavation fee by the Building Contractor for the construction of the pipeline through Council's reserve.
17. The Building Contractor shall lodge with Council a **\$5,000.00** cash bond or bank guarantee to cover the removal of redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. This bond will be held for 'Six (6) months after the completion of works to remedy and defects that may arise within this time.
18. The Building Contractor shall lodge with Council a **\$5,000.00** cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site. This bond will be held for 'Six (6) months after the completion of works' to remedy and defects that may arise within this time.
19. The Building Contractor shall lodge with Council a **\$7,500.00** cash bond or bank guarantee for the satisfactory completion of the construction of the drainage system through a public area or adjoining private property. This bond will be held for 'Six (6) months after the completion of works' to remedy and defects that may arise within this time.
20. The Building Contractor shall lodge with Council a **\$6,000.00** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System and Pollution Control Device/s. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.

Road Works

21. A Traffic Management Plan shall be lodged by the Building Contractor with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the Building Contractor shall pay Council a **\$482.70** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

On-Site Stormwater Detention (OSD)

22. The development has been identified as requiring an on-site stormwater detention (OSD) system which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the building, any certification for the building shall include the construction of the OSD system. In this regard, design and construction details of the OSD system demonstrating compliance with the development consent, OSD plan number 2015-195 and Council's on-site detention policy shall be submitted to Council for information prior to works commencing. The following shall also be addressed:
 - i. The on-site stormwater detention system shall be designed in accordance with Council's OSD policy, which is based on the third edition of the Upper Parramatta River Catchment Trust on-

site stormwater detention handbook. In this regard one orifice outlet with high early discharge is required along with additional storage volume.

- ii. The orifice diameter for system 2 shall be sized for a site area of 1704m^2 and the volume based on 2401m^2 ($1704\text{m}^2 + 697\text{m}^2$).
- iii. For rainwater tank volume to be counted as part of the site's OSD storage the RWT shall:
 - have volume between 5 and 15m^3
 - be plumbed into the household water supply system so that its water is automatically used for non-potable purposes
 - have all overflows from the rainwater tank directed into the OSD Discharge Control Unit.

A maximum of 32% of the RWT volume can be included.

- iv. System emergency spillways are required and direct flows into the proposed downstream easement area.
- v. Amendments in red on the stamped OSD drawing.
- vi. Fully detailed design drawings and calculations shall be prepared by a practising Civil Engineer. Design and construction of the on-site stormwater detention system shall be in accordance with Council's standards and specifications and the Upper Parramatta Catchment Trust's O.S.D. Handbook.

Water Sensitive Urban Design (WSUD)

23. The development has been identified as requiring water sensitive urban design (WSUD) which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the building, any certification for the building shall include the construction of the WSUD system. In this regard, design and construction details of the WSUD system demonstrating compliance with Holroyd DCP 2013 Part A section 7.5 shall be submitted to Council for information prior to works commencing.

Stormwater drainage works Frances Street

24. All engineering works shall be designed and undertaken in accordance with the relevant aspects of the following documents, except as otherwise authorised by this consent: -
 - i. Holroyd City Council's Works Specification for Subdivisions and Developments. (Current Version).
 - ii. For any works proposed or required within the existing public roads, the submission of the designs prior to works commencing and the supervision of the construction, shall be the responsibility of the road authority (Council or RMS). In this regard the authority which is accountable for the particular area of the road reserve shall be as per the Roads Act. The design and construction of the above works shall be in accordance with the relevant road authority's standards/requirements.

25. Engineering plans shall be lodged with the Council for information (minimum two copies) for the proposed stormwater works within Frances Street. The applicant shall submit satisfactory engineering drawings and details for the construction, including typical section details.

Engineering Fees

26. Payment of a \$635 fee by the Building Contractor for the design checking and inspection by Council of the stormwater drainage works within Frances Street.

Required Submissions

27. A Section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

(Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design).

Submission a copy of Sydney Water's *Notice of requirements* to Council for information.

28. A Waste Management Plan to be prepared in accordance with Part A of the Holroyd Development Control Plan 2013 is to be provided prior to any works commencing.
29. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included prior to any works commencing.
30. Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted prior to works commencing.

Fire Safety Upgrading & Essential Services

31. Prior to works commencing, a schedule specifying all of the essential fire or other safety measures (both current and proposed) that are required for the premises to ensure the safety of persons in the buildings in the event of fire are to be provided to Council for information.

Road Works

32. If demolition/construction activity will impact on traffic flow or pedestrian access or any road and drainage works are proposed to be carried out in the public road reserves, a Traffic Management Plan shall be lodged with Council, in strict compliance with the current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). If required to be prepared (to be determined by the

designated Certifier), a copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

Energy Efficiency - Residential

33. A hot water system with a minimum 3.5 star greenhouse rating shall be provided for each new dwelling. This may be achieved by solar-gas boost-storage, gas- instantaneous, gas-storage, electric heat pump-storage and solar-electric boost. Details shall be submitted to Council by the Building Contractor prior to works commencing.

Water Conservation - Residential

34. AAA rated water conservation devices including showerheads, water tap flow regulators and dual flush toilet & cisterns shall be provided for each new dwelling. Details shall be submitted to Council by the Building Contractor prior to works commencing.

Commencement of Work

35. The Building Contractor must: -
- a) Notify Council of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Photographic Record of Council Property – Damage Deposit

36. The Building Contractor shall submit to Council, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full and satisfactory photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site. The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if Council has evidence that the existing damage has worsened or any new damage is caused during the course of construction, the Council may require either part or full re-instatement.

Note: Failure to provide a full and satisfactory photographic record described above, is likely to render the Building Contractor liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

Fencing of Sites

37. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

Signs to be Erected on Sites

38. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
 - (b) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note: Any Certifier and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

Prohibited Signage

39. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

Protection of Public Places

40. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Site Control Measures

41. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Holroyd City Council's "Erosion & Sediment Control Policy."
- Note:** On-the-spot fines may be issued by council where measures are absent or inadequate.

Footpaving, Kerbing and Guttering

42. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
43. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

Support for Neighbouring Buildings

44. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road and any other public place), the person causing the excavation to be made:-
 - a) must preserve and protect the building from damage, and
 - b) if necessary, must underpin and support the building in an approved manner, and
 - c) must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).
45. A dilapidation report of adjoining properties/allotments and details of the proposed excavation works in excess of 2m or within the zone of influence of neighbouring building foundations and required underpinning and supportive measures shall be submitted to the Land and Housing Corporation. Any required underpinning and supportive measures shall be designed by a practising structural engineer and details shall be submitted to the relevant Certifier for approval prior to construction works commencing.

Toilet Facilities

46. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

 - a) Must be a standard flushing toilet, and
 - b) Must be connected:
 - i) To a public sewer,
 - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
 - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

Roadworks

47. The Building Contractor is to submit to Council an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council a **\$159.20** fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (eg. telephone, electricity, sewer, water or gas) required within the road reserve.
48. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

Works Within Council's Reserve

49. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
50. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
51. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$10,000,000 is to be submitted prior to commencement of works. Holroyd City Council shall be named on the Certificate of Currency as an interested party.

Salinity

52. The site has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction methods are to be incorporated for all dwellings/buildings.

Details of proposed methods of construction are to be detailed in the engineering plans are to be provided to the Land and Housing Corporation.

Note: Further information for building in a saline environment is available in the following documents:

- "Building in Saline Environment" prepared by DIPNR 2003.
- Water Sensitive Urban Design in the Sydney Regions "Practice Note 12: Urban Salinity"
- Wagga Wagga City Council's "Urban Salinity Action" October 1999
- "Guide to Residential Slabs and Footings in Saline Environments" prepared by Cement Concrete and Aggregates Australia, May 2005

DURING CONSTRUCTION

The following conditions are applicable during construction:-

Endorsed Plans & Specifications

53. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent and approved Traffic Management Plan are to be retained on site at all times.

Hours of Work & Display of Council Supplied Sign

54. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

Site Control

55. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
56. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
57. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

Asbestos Cement Sheeting

58. i) Any asbestos cement sheeting on site must be removed by contractors with an appropriate licence issued by WorkCover and who are familiar with asbestos removal prior to the commencement of:-
- (a) Recladding or brick veneering of any building where the existing walls to be covered are currently clad with asbestos cement;

OR

- (b) Construction work where new work abuts existing asbestos cement sheeting and/or where parts of the existing building clad with asbestos cement sheeting are to be altered or demolished.

Removal must be carried out strictly in accordance with WorkCover's "Your Guide to Working with Asbestos" (copy attached).

- ii) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).

Note: The person responsible for disposing of the above asbestos waste is to telephone the EPA on (02) 9995 5000 or Council's Waste Officer on (02) 9840 9715 to determine the location of a tip licensed to receive asbestos. **Upon completion of tipping operations the applicant shall lodge with the Council, all receipts issued by the receiving tip as evidence of proper disposal.**

- iii) Within fourteen (14) days of completion of renovation or recladding or brick veneering works where asbestos cement sheeting was removed, the applicant shall submit to Council an asbestos clearance certificate prepared by a NATA accredited occupational hygienist.

Note: To find a list of NATA accredited facilities visit the NATA website at www.nata.asn.au and under 'Find a Facility or Lab' type in 'asbestos identification' in 'keywords' then click on 'chemical testing' in NSW then click on the search button. A list of laboratories will be produced which you can contact for the purpose of having a clearance certificate issued.

Waste Management Plan

- 59. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
- 60. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Land and Housing Corporation shall submit a copy of the statement to Council for information.

In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

Landscaping/Site Works

- 61. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.
- 62. New 1.8m high lapped and capped timber paling or colorbond fences (colour to be sympathetic with the development) determined in consultation with adjoining property owner(s), shall be erected along and within all side and rear boundaries and between courtyards at full cost to the developer.

An additional 600mm of lattice screening (35mm dressed lattice or colorbond equivalent that is compatible with the fence) shall be erected atop of the southern boundary fence. This additional lattice screening to be provided directly adjoining units 1, 5 and 6 along the southern boundary.

An additional 300mm of lattice screening (35mm dressed lattice or colorbond equivalent that is compatible with the fence) shall be erected atop of the western boundary fence. This additional lattice screening to be provided directly adjoining the private yard areas of units 7, 8 and 9 from the centre of the western boundary to the southern side boundary.

An additional 600mm of lattice screening (35mm dressed lattice or colorbond equivalent that is compatible with the fence) shall be erected atop of the western boundary fence. This additional lattice screening to be provided directly adjoining the private yard areas of units 20, 21 and 22 from the centre of the western boundary to the northern side boundary.

63. In situations where the boundary fence is proposed on top of a retaining wall, the height of the fence shall not exceed a maximum of 2.4m as measured from the lower adjacent ground level.
64. Fences are to taper from the front building line to be not more than 900mm high at the front boundary.
65. Any front fencing provided is to be in accordance with fencing guidelines as stipulated within the Holroyd Development Control Plan 2013.

Tree Protection

66. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.

Inspection of Works

67. The stormwater drainage works shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
 - (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the detention tank.
 - (b) Prior to landscaping of the detention basin or pouring of the roof of the detention tank.
 - (c) Prior to back filling of the trench and following installation of the stormwater line within the downstream easement.
 - (d) After completion of storage but prior to installation of fittings (e.g. Orifice plates, screens, flap valves etc.)

(e) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Works within Council's Reserve

68. All works within the Council reserve shall be suitably fenced to prevent public access to the work site during construction of the stormwater drainage.

Inspection of Pollution Control Device/s

69. The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control device/s.
- (b) After completion of storage but prior to installation of fittings (eg. screens, etc.)
- (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Inspection of Stormwater Drainage Construction in Road Reserve

70. The stormwater drainage works within the Road Reserve shall be inspected during construction by Council. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss site conditions/constraints prior to commencement of the construction of the Stormwater Drainage extension.
- (b) Prior to backfilling of trenches following the laying of the 375mm diameter concrete pipes. No less than two inspections are required.
- (c) Prior to pouring of concrete for the proposed Council grated gully pit. No less than two inspections are required.
- (d) Upon compaction and watering of the sand backfill material to 400mm below the finished road pavement level.
- (e) Upon compaction of the lower layer of 150mm thick road base.

- (f) Upon compaction of the upper layer of 150mm thick road base.
- (g) Upon final compaction of the 100mm thick AC10 Hotmix and bitumen joint seal with the existing road pavement.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Note: A private certifier cannot be engaged to do this inspection.

Road Works and Footpaving

- 71. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
- 72. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

Underground Cabling

- 73. All communications cabling shall be installed underground as per relevant authority requirements (including broadband and Category 5).

Underground Power Connection

- 74. Where electricity reticulation cannot be obtained directly from the street, power connection is to be underground. No intermediate power pole is permitted.

Alarms

- 75. The builder shall not install any audible intruder alarms within the units. If the building is to be provided with a burglar alarm system, this shall incorporate back to base monitoring such that residents can connect thereto from each individual unit.

Vehicle Cleansing

- 76. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

Importation of Fill

- 77. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

Additional Information during Remediation/Demolition/Construction

78. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, shall be notified to Council immediately.

PRIOR TO OCCUPATION

The following conditions are to be complied with prior to occupation:-

Certificates/Documentary Evidence

79. A final clearance is to be obtained from Integral Energy if such clearance has not previously been issued.
80. A Section 73 Certificate (Sydney Water) must be submitted to Council for information prior to occupation of the development.
81. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to Council for information and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

Note: Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

Restriction as to User

82. In accordance with Clause 18(2)(b) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 a restriction as to user must be registered prior to occupation against the title of the subject property, in accordance with Section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which this application relates to the kind of people (as defined under the SEPP) referred to as follows:-
 - Seniors or people who have a disability,
 - People who live within the same household with seniors or people who have a disability,
 - Staff employed to assist in the administration of and provision of services within this facility.

Landscaping/Tree Protection

83. Certification is to be provided to the Land and Housing Corporation, from a suitably qualified person or the designer of the landscape proposal (as appropriate), that all tree planting/landscape works have been carried out in accordance with the endorsed plan.
84. The existing Crepe myrtle street trees at the front of the site are to be retained/relocated and new Crepe myrtle street trees are to be planted. The trees are to be situated a minimum 6 metres apart and 3 metres from driveways/powerpoles. The new trees are to have single stems and come from minimum 45 Litre containers.
85. Boundary and courtyard fences must be erected and finished in a professional manner.
86. One piece of outdoor furniture to allow for seating (bench and table) is to be provided to each common vegetable garden.

Parking/Driveway

87. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

On-site Stormwater Detention, Certification and Covenant

88. A copy of the as approved stormwater drainage and On Site Detention and Pollution Control Device plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
89. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and On Site Detention and Pollution Control Device shall be issued to the designated Certifier by a suitably qualified Civil Engineer.
90. Documents giving effect to the creation of a Positive Covenant and Restriction on Use over the as constructed On Site Detention and Pollution Control Device shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction On Use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration with Land and Property Information NSW.

Note: Prior to release of the documents creating the Restriction on Use and Positive Covenant, the benefiting authority shall be satisfied that the as-constructed On Site Detention and Pollution Control Device is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction on Use documents shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

91. A maintenance schedule for the stormwater and On-Site Detention system including a sketch plan of the components forming the sites stormwater and On-Site Detention system shall be submitted to Council. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.
92. An On-site Stormwater Detention plate shall be installed within the detention basin or tank. The plate shall be located in or near the Discharge Control Unit to alert future owners of their obligations to maintain the facility and its restrictions. The wording and plate shall be in accordance with Council's standard requirements.

Stormwater Drainage (Frances Street)

93. Four (4) copies of the Works as Executed plans together with an electronic copy shall be prepared by a Registered Surveyor and submitted to Council. The Work as Executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.

94. A compliance certificate for stormwater drainage shall be issued to Council by a suitably qualified Civil Engineer with NPER3 accreditation.
95. Pit and pipe data shall be submitted to Council in electronic EXCEL format with the issue of WAE drawings. EXCEL spreadsheets shall contain the following tables on each pit and each conduit between pits (all cells shall be completed): -

(a) Pits

Pit Code, as per WAE	Pit Type (& lintel size)	Total Value (\$) (nearest \$1000)	Construction completion date	Built by (contractors)	Grate Level (mAHD)	Invert Level (mAHD)	Street name or No.

(a) Pipes or conduits

Line/Pit code as per WAE,	Conduit description (eg. Creek, Culvert, FRC, RRJ etc	Size (mm)	Length (mm)	Total Value (\$) (nearest \$1000)	Construction completion date	Built by (contractors)	Street name or No., where applicable.

96. The construction of stormwater drainage, gully pits and associated works within Frances Street. These works shall be carried out by a licensed construction contractor at the applicant's expense.
97. As per Table 2 Schedule of Material Tests, of Councils' Works Specification for Subdivisions and Developments, the CCTV verification and 'No cracking', shall be complied with.

Road Works

98. A full width **medium duty** vehicular crossing shall be provided opposite each vehicular entrance to the site, with a width as follows:
- North and south most vehicular access points – width of **3.0** metres at the boundary line
 - Remaining vehicular access points - maximum width of **6.0** metres and a minimum width of **5.0** metres at the boundary line.

These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.

99. The reconstruction of cracked and/or damaged kerb and gutter, and any associated works along all areas of the site frontage. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8100 and issued level sheets.

100. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
101. The construction of a concrete footpath paving and associated works along all areas of the site fronting Welsford Street. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD-8100 and issued level sheets.
102. Removal of all redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing number SD-8100.
103. A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to Council for information.
104. The applicant shall obtain a letter from the downstream property owner upon completion of the stormwater connection into Council's pipe system stating that the restoration of his property is satisfactory.

Lot Consolidation

105. Lots 40 – 45, DP 12655 to be consolidated into one lot on title and all works shall be completed in accordance with Development Consent 2015/134.

House/Street Number

106. The street number is as follows:-
 - 10 Welsford Street, Merrylands

General

107. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying certification.

CONDITIONS RELATING TO USE

The following conditions are applicable to the use of the development:-

Safety & Amenity

108. No signs or goods are to be displayed or trading of any description is to be carried out on the public road, public footpath, utility service land, customer and/or employee parking area, the driveways or pedestrian walkways outside or in the immediate vicinity of the premises.
109. The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.

Rainwater Tank Pump

110. The operation of the pump from the rainwater tank shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration). Council may require an Acoustic Report to be submitted, prepared by a suitably qualified person, to ensure this requirement is met in the event of Council receiving complaints.

Waste

111. Waste storage bins must be covered at all times to prevent entry of stormwater or dispersal by wind and must be sealed to prevent leakage.

Emergency Procedures

112. The owner of a building to which an essential fire safety measure is applicable must not fail to maintain each essential fire safety measure in the building premises to a standard not less than that specified in the Fire Safety Schedule.

Air Emissions

113. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour exiting the premises.
114. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

Limited Use of Premises

115. In accordance with Clause 18(2)(a) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 the accommodation subject to of this consent is only available for the use of people (as defined under the SEPP) referred to as follows:-
- Seniors or people who have a disability,
 - People who live within the same household with seniors or people who have a disability,
 - Staff employed to assist in the administration of and provision of services within this facility.

Clean Water Discharge

116. The operation of the premises shall be conducted in a manner, which does not pollute waters as defined by the *Protection of the Environment Operations Act 1997*.

Lighting

117. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

ADVISORY NOTES

Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
 - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Local Environmental Plan 2013, Part 3 "*Exempt and Complying Development*".
 - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
 - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.

NOTE: * If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.

- B. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Australian Human Rights Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- C. Information regarding the location of underground services may be obtained from Sydney One Call Service (NSW Dial Before You Dig), telephone 1100, Fax 1300 652 077. Inquirers should provide SOCS with the street/road name and number, side of street/road and the nearest cross street/road.

D. SMOKE DETECTORS

A system of self contained smoke alarms complying with the requirements of *AS3786-1993, Smoke Alarms* or listed in the *Scientific Services Laboratory Register of Accredited Products* being installed in the dwelling, connected to the mains power supply and provided with a standby power supply. Alarms are to be positioned on the ceiling and setback a minimum distance of 300mm from any wall. Alarms are to be placed in the vicinity of each area containing bedrooms with a minimum of one (1) alarm required for each storey of the dwelling.

E. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of *AS3660.1-2000 Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.

Yours faithfully

Merv Ismay
GENERAL MANAGER

Per:
MANAGER DEVELOPMENT