

## JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	2015SYW169
DA Number	DA-2015/361
Local Government Area	Cumberland
Proposed Development	Demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces.
Street Address	510-524 Great Western Highway, Pendle Hill
Applicant/Owner	Dany Khoury on behalf of Blue Sox Developments
Number of Submissions	Five (5) – initial notification  Three (3) – re-notification
Regional Development Criteria (Schedule 4A of the Act)	Capital Investment Value (CIV) exceeds \$20 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX)</li> <li>• State Environmental Planning Policy 65 Design Quality of Residential Flat Development (SEPP 65)</li> <li>• State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)</li> <li>• Holroyd Local Environmental Plan 2013 (HLEP</li> </ul>

	2013) <ul style="list-style-type: none"> <li>• Holroyd Development Control Plan 2013 (HDCP 2013)</li> <li>• Section 92 of the EP&amp;A Regulation</li> </ul>
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> <li>• <b>AT-A</b> Site Locality Plan</li> <li>• <b>AT-B</b> Architectural Plans</li> <li>• <b>AT-C</b> Statement of Environmental Effects</li> <li>• <b>AT-D</b> Design Verification Statement</li> <li>• <b>AT-E</b> Traffic Report</li> <li>• <b>AT-F</b> Acoustic Report</li> <li>• <b>AT-G</b> Submissions</li> <li>• <b>AT-H</b> Draft Conditions of Consent</li> </ul>
Recommendation	Approval
Report by	Mark Stephenson Senior Development Planner, Cumberland Council
Report date	September 2016

**Proposal:** Demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces.

**Location:** 510-524 Great Western Highway, Pendle Hill

Lot 1, DP 106434	510 Great Western Highway
Lot 6, DP 663863	512 Great Western Highway
Lot 3, DP 14758	516 Great Western Highway
Lot 5, DP 654024	516-518 Great Western Highway
Lot 4, DP 654024	516-518 Great Western Highway
Lot 1, DP 1005024	520 Great Western Highway
Lot B, DP 431923	522 Great Western Highway
Lot 1, DP 657035	524 Great Western Highway

**Owner/**

**Proponent:** Dany Khoury on behalf of Blue Sox Developments

**Capital**

**Investment**

**Value:** \$18,118,764 (the CIV as initially lodged was \$26,890,844)

**File No:** DA 2015/361/1

**Author:** Mark Stephenson, Senior Development Planner  
Cumberland Council

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## **RECOMMENDATION**

1. That the application proposing the demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces be approved subject to a deferred commencement provision requiring the registration of an easement for the purposes of stormwater drainage, and subject to conditions as outlined in Attachment H of this report.

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## **SUPPORTING DOCUMENTS**

**AT-A** Site Locality Plan  
**AT-B** Architectural Plans  
**AT-C** Statement of Environmental Effects  
**AT-D** Design Verification Statement  
**AT-E** Traffic Report

<b>AT-F</b>	Acoustic Report
<b>AT-G</b>	Submissions
<b>AT-H</b>	Draft Conditions of Consent

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## EXECUTIVE SUMMARY

This development application proposes the demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces.

This report summarises the key issues associated with the development application and provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 65 – Residential Apartment Development, the Apartment Design Guide, the Holroyd Local Environmental Plan 2013 and the Holroyd Development Control Plan 2013.

The application was placed on public exhibition for a period of twenty-one (21) days. Letters were sent to adjoining and surrounding owners and occupiers, an advertisement was placed in the local paper and a notice was placed on site. In response, Council received five (5) submissions objecting to the proposal.

The application was subsequently amended to its current proposal and renotified for a period of fourteen (14) days. In response, Council received three (3) submissions raising concern with the proposal, including a petition with 4 signatories. The three submitters are different to the 5 initially received during the first notification period. The concerns raised in all eight (8) submissions are discussed in detail in the body of this report.

The application was referred to Council's Development Engineering Section, Traffic Section, Landscaping Section, Environmental Health Unit, Waste Management Section and Community Services Section (Social Planning and Accessibility). In addition, the application was referred externally to Roads and Maritime Services (RMS), NSW Police Holroyd LAC and Endeavour Energy. No objections were raised to the development, subject to conditions.

The application is referred to the Sydney West Joint Regional Planning Panel for consideration pursuant to Clause 23G of the Environmental Planning & Assessment Act 1979, as the development (when originally lodged) had a cost of works of \$26,890,844. The amended submission indicates a CIV of \$18,118,764. Advice from the Joint Regional Planning Panel confirms that the CIV of a proposed development is to be calculated at the time of lodgement of the DA for the purposes of determining whether an application should be determined by a regional panel.

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 a deferred commencement provision requiring the registration of an easement for the purposes of stormwater drainage, and subject to conditions as outlined in Attachment H of this report.

## SITE DESCRIPTION AND LOCALITY

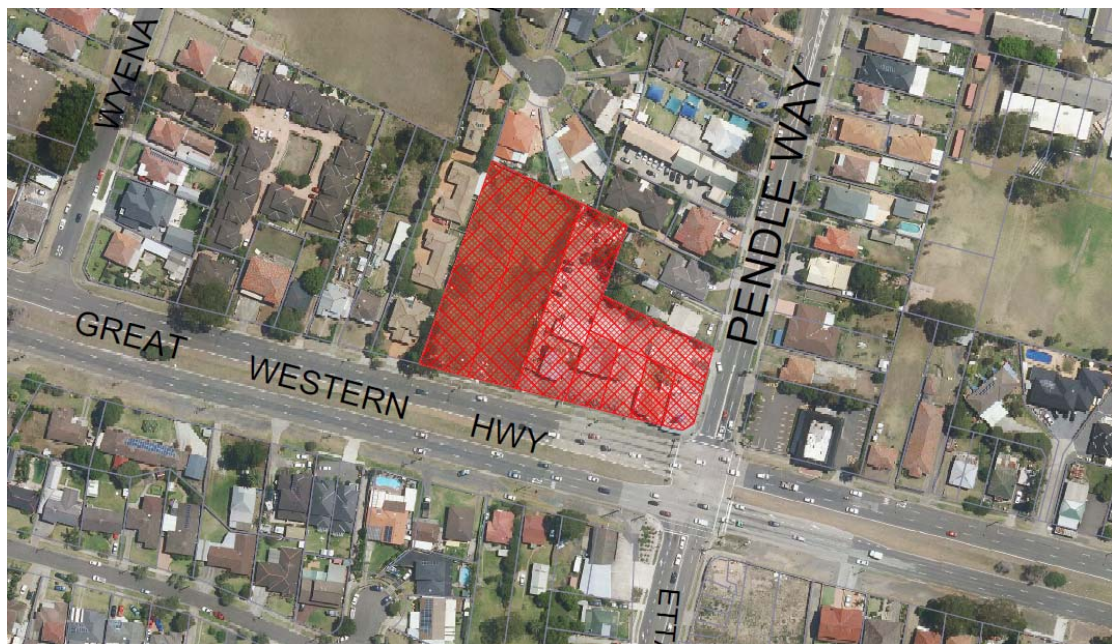
The subject site is legally identified as Lot 1, DP 106434, Lot 6, DP 663863, Lot 3, DP 14758, Lots 4 & 5, DP 654024, Lot 1, DP 1005024, Lot B, DP 431923 and Lot 1, DP 657035. The site is known as 510-524 Great Western Highway, Pendle Hill.

The site is irregular in shape with a frontage to the Great Western Highway (south) of 109.88m and a frontage to Pendle Way (east) of 31.55m. The site has a total area of 6956.228sqm. The subject site is situated along the Great Western Highway approximately 900m south of Pendle Hill Town Centre and 1.1km south of Pendle Hill Station.

The site currently accommodates a number of small single-storey buildings used in the recent past for the purpose of commercial sales and repairs of box trailers. The western portion however, which is currently vacant, previously accommodated two single-storey detached cottages.

Directly to the north of the site are single and two-storey detached dwellings. Directly to the west is a multi-dwelling housing development. On each corner of the intersection of Great Western Highway and Pendle Way / Ettalong Road is commercial development (restaurant, sales, mechanical repairs). Whilst the south-eastern corner is currently vacant, development consent has been granted for the erection of a mixed use development (commercial/residential).

The subject site has a fall of approximately 4 metres from south-east to north-west. The site is currently zoned B6 Enterprise Corridor pursuant to the provisions of the Holroyd LEP 2013.



Site Plan (Source: Council Mapping System – IFM, 23 June 2016)



## PROPOSAL

This application proposes the demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing

development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces.

Specific details of the proposed development are as follows:

#### Residential Component

The proposal includes the construction of 3 separate buildings comprising a total of 74 residential dwellings, with the following mix:

- 14 x 1 bedroom units
- 47 x 2 bedroom units
- 3 x 3 bedroom units
- 10 x 3 bedroom, 3 storey terraces

#### Shop top housing (south-east corner)

- 4 storeys / 14m in height
- 24 units (6 x 1b/r and 18 x 2b/r)
- East/west orientation with building fronting Great Western Highway
- Access for residents is provided via lift from basement and ground floor lobby area
- Five (5) x commercial tenancies at ground floor level, as follows:
  - Café: 59.9sqm
  - Shop 01: 64.8sqm
  - Shop 02: 34.5sqm
  - Shop 03: 42.9sqm
  - Shop 04: 54.8sqm

#### Residential flat building (south-west corner)

- 4 storeys / 14m in height
- 40 units (8 x 1b/r, 29 x 2b/r and 3 x 3b/r)
- East/west orientation with building fronting Great Western Highway
- Access for residents is provided via lift from basement and ground floor lobby areas

#### Multi-dwelling (north-west corner)

- 3 storeys / 11.5m in height
- 10 x 3 b/r dwellings
- Attached garages and living spaces on ground level, 2 bedrooms and bathroom on 2<sup>nd</sup> level and 3<sup>rd</sup> bedroom on 3<sup>rd</sup> level)
- North/south orientation with rear terraces and courtyards facing north

#### Adaptable dwellings

The proposal includes 10 adaptable units which equates to 13.5% (10 / 74). 11 units (or 15% are required to be provided as adaptable. It is assumed that the applicant has not included the multi-dwelling development in their calculations. It is recommended that another unit be included as adaptable, and this can be conditioned.

#### Communal Open Space

The proposal includes both covered and open communal open space areas, provided as follows:

- 1,235sqm of uncovered communal open space, predominantly located in the central part of the site.
- 150sqm of covered communal open space area located at ground level of the mixed-use building.
- Communal open spaces are provided with seating, shading devices, BBQ facilities, soft and hard landscaping, and other facilities.

Whilst the total site area is 6956.228sqm, the site area attributable to shop top housing / residential flat building is 4,466sqm. The proposed communal open space area represents 31% of this area, and 20% of the total site area.

### Car Parking

The development provides for 123 car parking spaces in the form of basement and grade level parking, as follows:

- Basement level parking
  - 103 total parking spaces (73 residential, 13 visitor and 17 commercial)
  - 12 accessible spaces
  - 1 car wash bay
- Grade level parking for the multi-dwelling development at the rear comprising 10 covered car spaces (in the form of a garage). There are also 10 uncovered spaces in the form of uncovered stacked spaces within the driveway area.
- The basement car park is accessed underneath the shop top housing development.

### Stormwater Management

Given the site slopes approximately 4 metres from south-east to north-west, it is proposed to drain stormwater via an easement through downstream properties to Council's system in Rhonda Street.

### Servicing

- Waste and recycling facilities for the residential flat building and shop top housing development are provided within the basement car park. Bins are transferred to the ground floor storage areas prior to pick-up, which are located adjacent to the loading dock.
- A waste pick-up area is also provided for the multi-dwelling units located adjacent to the internal road.

## **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***

A BASIX Certificate (No. 619442M, dated 1 March 2016) has been submitted with the amended application and demonstrates that the proposed development meets the required water, thermal comfort and energy targets. A condition to require the BASIX commitments to be implemented in the construction of the development will be included in the recommended conditions of consent. As such, Council is satisfied that the sustainability obligations under the SEPP have been met.

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

Under the provisions of Clause 7 of SEPP 55, the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated in order for it to be suitable for the purpose for which the development is proposed.

The subject site was formerly used for both residential purposes and for commercial (sale and repair of box trailers). Council's Environmental Health Unit has indicated that the previous uses do not fall within Table 1 of the Department of Urban Affairs and Planning / Environment Protection Authority document entitled *Managing Land Contamination – Planning Guidelines – SEPP 55 – Remediation of Land*, which identifies activities that may cause contamination. In this regard, Council considers the site to be suitable for its intended use of mixed residential and commercial development.

***State Environmental Planning Policy (Infrastructure) 2007***

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State. The ISEPP contains provisions with respect to roads and traffic, including development in or adjacent to road corridors and road reservations, and development adjacent to or in close proximity to rail corridors.

**Clause 45 – Determination of development applications – other development**

Clause 45 relates to development likely to affect electricity transmission. Given there are balconies within 5m of overhead power lines, the application was referred to Endeavour Energy for comments.

Endeavour Energy has indicated that the minimum clearance for accessible areas, such as balconies, is 2.7 metres. Endeavour Energy has indicated that the affected power lines are low voltage servicing a light pole. In this regard, it is considered appropriate that power to the light pole be relocated underground in accordance with Endeavour Energy requirements. A condition to this effect has been provided within the draft conditions of consent.

**Clause 102 – Impact of road noise or vibration on non-road development**

The Great Western Highway is a Classified Road, and as such, the proposed development is subject to noise requirements outlined in Clause 102 of the ISEPP.



Clause 102(3) of the ISEPP states that consent must not be granted to a residential development affected by road noise or vibration unless the consent authority is satisfied that appropriate attenuation measures will be incorporated in the design and construction in order to ensure that the following LAeq levels are not exceeded:

- (a) *in any bedroom in the building - 35 dB(A) at any time between 10.00pm and 7.00am,*
- (b) *anywhere else in the building (other than a garage, kitchen, bathroom or hallway) - 40 dB(A) at any time.*

An acoustic assessment has been submitted in support of the development that examines the acoustic impact on the amenity of future residents with respect to traffic noise from the Great Western Highway.

Unattended noise monitoring was used to measure the existing background noise levels. Calculations were then performed to predict the likely interior noise levels, taking into account the external noise levels, the area of building elements exposed to traffic noise, the absorption characteristics of rooms and the noise reduction performance of various elements such as windows and doors.

The report concludes the following:

*The construction of the proposed development at No. 510-524 Great Western Highway, Pendle Hill, if carried out as recommended in the plans and specifications and including the acoustic recommendations in this report, will meet the required noise reduction levels as required in Clause 102 of the State Environmental Planning Policy – (Infrastructure) 2007, NSW Road Noise Policy, Australian Standards AS 3671 ‘Traffic Noise Intrusion Building Siting and Construction’, AS 2107 ‘Acoustics – Recommended Design Sound Levels and Reverberation Times’, the Department of Planning’s document titled “Development Near Rail Corridors and Busy Roads – Interim Guidelines” and Council Conditions/Requirements.*

Council’s Environmental Health Unit has reviewed the findings and conclusions of the report and considers the recommendations contained within are satisfactory.

#### Clause 104 – Traffic-generating development

Whilst the RMS has confirmed that the development is not Integrated Development, the RMS has provided their Concurrence with regard to the provisions of s.138 of the Roads Act 1993 for the proposed works within the road reserve of a Classified Road.

#### ***State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Buildings***

By virtue of its height and number of dwellings, the proposed development is subject to SEPP 65 considerations. A design verification statement has been submitted from the registered architect who designed the building. The design verification statement demonstrates that the proposal is consistent with the 10 design principles. The design verification statement has been assessed as being acceptable.

Clause 30(2) of SEPP 65 requires Council to take into consideration the objectives specified in the *Apartment Design Guide* for the relevant design criteria. An assessment of the proposal against the main provisions of the *Apartment Design Guide* is presented in the following table:

No.	SEPP 65 Apartment Design Guide		Provided	Compliance
Part 3 - Siting the Development				
3A	Site Analysis			
3A-1	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.		A site analysis plan has been submitted. It is considered that the design of the development has taken into account the relevant site constraints and opportunities.	Yes
3B	Orientation			
3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development.		The buildings have been designed to address the street and are sited to take advantage of solar access.	Yes
3B-2	Overshadowing of neighbouring properties is minimised during mid-winter.		Given the location of the site, neighbouring properties to the west achieve compliant solar access.	Yes
3C	Public Domain Interface			
3C-1	Transition between private and public domain is achieved without compromising safety and security.		The proposed transition is considered appropriate.	Yes
3C-2	Amenity of the public domain is retained and enhanced.		The public domain is enhanced.	Yes
3D	Communal and Public Open Space			
3D-1	An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.			
	Design Criteria	Communal open space has a minimum area equal to 25% of the site.	Total site area = 6956.228sqm  Site area attributable to RFB development = 4,466sqm.  4,466 / 25 = 1,116.5sqm  COS area provided = 1,385sqm	Yes
		Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	The principal part of the COS area would receive full northern sunlight throughout the day.	Yes
3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.		Location of COS is considered ideal	Yes
3D-3	Communal open space is designed to maximise safety.		Natural surveillance is considered to be maximised to the centrally located COS area.	Yes
3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.		N/A	N/A
3E	Deep Soil Zones			
3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve		Significant deep soil zones provided which will support	Yes

No.	SEPP 65 Apartment Design Guide		Provided	Compliance											
	residential amenity and promote management of water and air quality.		vegetation.												
	<div>Design Criteria</div> <div>Deep soil zones are to meet the following minimum requirements:<table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>less than 650m<sup>2</sup></td><td>-</td><td rowspan="4">7%</td></tr><tr><td>650m<sup>2</sup> - 1,500m<sup>2</sup></td><td>3m</td></tr><tr><td>greater than 1,500m<sup>2</sup></td><td>6m</td></tr><tr><td>greater than 1,500m<sup>2</sup> with significant existing tree cover</td><td>6m</td></tr></table></div> <div>Design guidance</div> <div>On some sites it may be possible to provide larger deep soil zones, depending on the site area and context:<ul style="list-style-type: none"><li>• 10% of the site as deep soil on sites with an area of 650m2 - 1,500m2</li><li>• 15% of the site as deep soil on sites greater than 1,500m2</li></ul></div>	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m <sup>2</sup>	-	7%	650m <sup>2</sup> - 1,500m <sup>2</sup>	3m	greater than 1,500m <sup>2</sup>	6m	greater than 1,500m <sup>2</sup> with significant existing tree cover	6m	<div>6956.228sqm / 10 = 695.6228sqm</div> <div>700sqm deep soil zone proposed</div>	Yes
Site area	Minimum dimensions	Deep soil zone (% of site area)													
less than 650m <sup>2</sup>	-	7%													
650m <sup>2</sup> - 1,500m <sup>2</sup>	3m														
greater than 1,500m <sup>2</sup>	6m														
greater than 1,500m <sup>2</sup> with significant existing tree cover	6m														
3F	Visual Privacy														
3F-1	Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.														
	<div>Design Criteria</div> <div>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:<table><tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table></div>	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	<div>Internal separation (between eastern and western buildings):</div> <div>6m required between blank wall and habitable space – 8 metres provided.</div> <div>Notwithstanding the above, the balconies of Units EU11, EU21 &amp; EU31 are in close proximity to the living room windows of EU12, EU22 &amp; EU32 respectively, and this may compromise the visual and acoustic privacy between these units. In this regard, it is recommended that the southern-most living room window on the western elevation be deleted. Satisfactory and compliant solar access is still achieved to these units.</div> <div>External separation (west):</div> <div>The amended design now provides 9 metres between western edge of the western-most building and the common</div>	<div>Yes</div> <div>To be conditioned</div> <div>Yes</div>
Building height	Habitable rooms and balconies	Non-habitable rooms													
up to 12m (4 storeys)	6m	3m													
up to 25m (5-8 storeys)	9m	4.5m													
over 25m (9+ storeys)	12m	6m													

No.	SEPP 65 Apartment Design Guide		Provided	Compliance
			<p>boundary, thus providing a 6 metre 'shared' separation plus an additional 3 metres as per ADG requirements for RFB development adjoining a lower density zone.</p> <p>Notwithstanding, the western and northern facing balconies of the proposed RFB have the potential to overlook the private courtyards of the multi-unit development to the west. In this regard, it is considered appropriate that 1.5m high privacy screens be erected along the western-facing balconies of Units WU12, WU22 &amp; WU32, and for part of the balcony facing north-west for Units WU13, WU23 &amp; WU33.</p> <p><b>External separation (north):</b></p> <p>10.1m minimum provided to northern boundary. 9 metres required.</p>	<p><b>To condition</b></p> <p>Yes</p>
<b>3F-2</b>	<i>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.</i>		Visual privacy provided through screening where required and compliant separation provided.	Yes
<b>3G</b>	<b>Pedestrian Access and Entries</b>			
<b>3G-1</b>	<i>Building entries and pedestrian access connects to and addresses the public domain.</i>		Individual entries provided to shops on corner building and to western RFB.	Yes
<b>3G-2</b>	<i>Access, entries and pathways are accessible and easy to identify.</i>		All accessways are accessible and easy to identify.	Yes
<b>3G-3</b>	<i>Large sites provide pedestrian links for access to streets and connection to destinations.</i>		N/A	N/A
<b>3H</b>	<b>Vehicle Access</b>			
<b>3H-1</b>	<i>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</i>		Single vehicle entry to basement provided via secondary street. Vehicle access is separate to pedestrian access points.	Yes
<b>3J</b>	<b>Bicycle and Car Parking</b>			
<b>3J-1</b>	<i>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.</i>			
	<b>Design Criteria</b>	For development in the following locations: <ul style="list-style-type: none"> <li>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> </ul>	<p>HDCCP 2013 car parking rates apply.</p> <p>0.8 space / 1-bed (14)</p>	Yes

No.	SEPP 65 Apartment Design Guide		Provided	Compliance
		<ul style="list-style-type: none"><li>on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li></ul> the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.	1 space / 2-bed (47) 1.2 spaces / 3-bed (3) Visitor = 0.2 space / dwelling (64)  Total required = 75  Total provided = 86	
		The car parking needs for a development must be provided off street.	On-site car parking is provided by way of basement and at-grade level parking.	Yes
3J-2	<i>Parking and facilities are provided for other modes of transport.</i>  <b>Design guidance</b>  Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters  Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas  Conveniently located charging stations are provided for electric vehicles, where desirable		Bicycle parking requirement in HDCP 2013 is a minimum of 18 spaces comprising:  0.5 space per unit (0.5 x 64 = 32); 0.1 space visitors p/unit (0.1 x 64 = 6.4) 39 bicycle parking spaces required. 44 spaces provided.	Yes
3J-3	<i>Car park design and access is safe and secure.</i>		Safety and security of residents is satisfactory, so long as roller shutters provided instead of boom gates.	<b>To be conditioned</b>
3J-4	<i>Visual and environmental impacts of underground car parking are minimised.</i>		Satisfactory	Yes
3J-5	<i>Visual and environmental impacts of on-grade car parking are minimised.</i>		N/A	N/A
3J-6	<i>Visual and environmental impacts of above ground enclosed car parking are minimised.</i>		N/A	N/A
<b>Part 4 - Designing the Building</b>				
4A	<b>Solar and Daylight Access</b>			
4A-1	<i>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</i>			
	<b>Design Criteria</b>	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.	50/64 units (78%) achieve minimum 2hrs direct sunlight.	Yes
		A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	13/64 units (20%)  Given that more than the minimum number of units achieve 2+ hours of direct	No, however, minor shortfall considered satisfactory.

No.	SEPP 65 Apartment Design Guide		Provided	Compliance
			sunlight between 9am and 3pm, this minor shortfall is considered satisfactory.	
4A-2	Daylight access is maximised where sunlight is limited.		All units are provided with daylight access.	Yes
4A-3	Design incorporates shading and glare control, particularly for warmer months.		Adequate protection provided.	Yes
4B	Natural Ventilation			
4B-1	All habitable rooms are naturally ventilated.		All habitable rooms are ventilated.	Yes
4B-2	The layout and design of single aspect apartments maximises natural ventilation.		Single aspect apartments are shallow and provide large openings.	Yes
4B-3	The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.			
	Design Criteria	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.	38/64 units (60%) are naturally cross-ventilated.	Yes
		Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	N/A	N/A
4C	Ceiling Heights			
4C-1	Ceiling height achieves sufficient natural ventilation and daylight access.			
	Design Criteria	Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	Eastern (mixed use) building:	Yes  No, however, minor shortfall considered satisfactory  <

No.	SEPP 65 Apartment Design Guide		Provided	Compliance										
4C-2	Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.		The floor to ceiling heights provided are considered satisfactory.	Yes										
4C-3	Ceiling heights contribute to the flexibility of building use over the life of the building.		The floor to ceiling heights provided are considered satisfactory.	Yes										
4D	Apartment Size and Layout													
4D-1	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.			Yes										
	Design Criteria	Apartments are required to have the following minimum internal areas:	All units meet the minimum sizes.	Yes										
		<table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m<sup>2</sup></td></tr><tr><td>1 bedroom</td><td>50m<sup>2</sup></td></tr><tr><td>2 bedroom</td><td>70m<sup>2</sup></td></tr><tr><td>3 bedroom</td><td>90m<sup>2</sup></td></tr></table>			Apartment type	Minimum internal area	Studio	35m <sup>2</sup>	1 bedroom	50m <sup>2</sup>	2 bedroom	70m <sup>2</sup>	3 bedroom	90m <sup>2</sup>
		Apartment type			Minimum internal area									
		Studio			35m <sup>2</sup>									
		1 bedroom			50m <sup>2</sup>									
2 bedroom	70m <sup>2</sup>													
3 bedroom	90m <sup>2</sup>													
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m <sup>2</sup> each.														
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m <sup>2</sup> each.														
		Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	Every habitable room has a window in an external wall with the minimum glass area	Yes										
		Design Guidance for Objective 4D-1 Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space).	The proposed circulation space is considered satisfactory.	Yes										
4D-2	Environmental performance of the apartment is maximised.													
	Design Criteria	Habitable room depths are limited to a maximum of 2.5 x the ceiling height.	The depth of all habitable rooms complies with this requirement.	Yes										
		In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Out of the 64 units, most have less than 8 metres from a window to the back of the kitchen. Only 8 have distances ranging from 8 – 9.5m. This minor shortfall in a handful of units is considered satisfactory as solar access and cross-ventilation are considered satisfactory.	No, however, minor shortfall considered satisfactory.										
4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs.													
	Design	Master bedrooms have a minimum area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> (excluding	The proposed bedrooms are provided with the minimum	Yes										



No.	SEPP 65 Apartment Design Guide			Provided	Compliance															
	Criteria	wardrobe space).		areas.																
		Bedrooms have a minimum dimension of 3m (excluding wardrobe space).		The proposed bedrooms are provided with the minimum dimensions.	Yes															
		Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"><li>3.6m for studio and 1 bedroom apartments</li><li>4m for 2 and 3 bedroom apartments.</li></ul>		The proposed living areas are provided with the minimum dimensions.	Yes															
		The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.		N/A	N/A															
4E	Private Open Space and Balconies																			
4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity.																			
	Design Criteria	All apartments are required to have primary balconies as follows:		The balconies meet the minimum areas and dimensions	Yes															
		<table><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>Studio apartments</td><td>4m<sup>2</sup></td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m<sup>2</sup></td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m<sup>2</sup></td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m<sup>2</sup></td><td>2.4m</td></tr></table>				Dwelling type	Minimum area	Minimum depth	Studio apartments	4m <sup>2</sup>	-	1 bedroom apartments	8m <sup>2</sup>	2m	2 bedroom apartments	10m <sup>2</sup>	2m	3+ bedroom apartments	12m <sup>2</sup>	2.4m
		Dwelling type	Minimum area			Minimum depth														
Studio apartments		4m <sup>2</sup>	-																	
1 bedroom apartments	8m <sup>2</sup>	2m																		
2 bedroom apartments	10m <sup>2</sup>	2m																		
3+ bedroom apartments	12m <sup>2</sup>	2.4m																		
The minimum balcony depth to be counted as contributing to the balcony area is 1m.																				
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m <sup>2</sup> and a minimum depth of 3m.																				
		The POS areas of the ground level apartments exceed the minimum requirements.	Yes																	
4E-2	Primary private open space and balconies are appropriately located to enhance liveability for residents.			As provided above, some balconies are slightly undersized, and in this regard, it is recommended that these balconies be increased to comply with ADG requirements.	Yes															
4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.			The design of the POS / balcony areas are considered to complement the buildings.	Yes															
4E-4	Private open space and balcony design maximises safety.			Safety is maximised.	Yes															
4F	Common Circulation and Spaces																			
4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments.																			
	Design Criteria	The maximum number of apartments off a circulation core on a single level is eight.		Max. 8	Yes															
		For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.		N/A	N/A															



No.	SEPP 65 Apartment Design Guide		Provided	Compliance										
4F-2	Common circulation spaces promote safety and provide for social interaction between residents.		Common circulation space will facilitate interaction.	Yes										
4G	Storage													
4G-1	Adequate, well designed storage is provided in each apartment.													
	Design Criteria	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr></table> At least 50% of the required storage is to be located within the apartment.	Dwelling type	Storage size volume	Studio apartments	4m³	1 bedroom apartments	6m³	2 bedroom apartments	8m³	3+ bedroom apartments	10m³	Each unit is provided with compliant internal and external storage, with the exception of Units W06 & W07, which are not provided with internal storage areas. This can be conditioned prior to the issue of a Construction Certificate.	No To be conditioned
			Dwelling type	Storage size volume										
			Studio apartments	4m³										
			1 bedroom apartments	6m³										
			2 bedroom apartments	8m³										
			3+ bedroom apartments	10m³										
4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments.		Only 58 units are provided with external storage in the basement. As such, it is recommended that basement storage for 64 units is provided.	No To be conditioned										
4H	Acoustic Privacy													
4H-1	Noise transfer is minimised through the siting of buildings and building layout.		Noise transfer will be minimised, however, the buildings will need to comply with BCA requirements in this regard.	Yes										
4H-2	Noise impacts are mitigated within apartments through layout and acoustic treatments.		Generally, the design of the apartments is considered satisfactory, however, the balconies of Units EU11, EU21 & EU31 are in close proximity to living room windows of EU12, EU22 & EU32 respectively, and this may compromise the acoustic privacy between these units. In this regard, it is recommended that the living room window on the western elevation be deleted. Satisfactory and compliant solar access is still achieved to these units.	No To be conditioned										
4J	Noise and Pollution													
4J-1	In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.		Given the location of the subject site, noise from vehicles travelling along the Great Western Highway will have an impact upon dwellings. As such, an acoustic report was submitted in support of the application, which recommended appropriate acoustic measures to be implemented to ensure	Yes										

No.	SEPP 65 Apartment Design Guide	Provided	Compliance
		compliance with the noise criteria contained in the ISEPP.	
<b>4J-2</b>	<i>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</i>	As above	Yes
<b>4K</b>	<b>Apartment Mix</b>		
<b>4K-1</b>	<i>A range of apartment types and sizes is provided to cater for different household types now and into the future.</i>	64 units comprising: 14 x 1 bed 47 x 2 bed 3 x 3 bed	Yes
<b>4K-2</b>	<i>The apartment mix is distributed to suitable locations within the building.</i>	The apartment mix is considered to be satisfactory and is appropriately distributed within each building.	Yes
<b>4L</b>	<b>Ground Floor Apartments</b>		
<b>4L-1</b>	<i>Street frontage activity is maximised where ground floor apartments are located.</i>	Street front activity is provided for both buildings fronting GWH and Pendle Way.	Yes
<b>4L-2</b>	<i>Design of ground floor apartments delivers amenity and safety for residents.</i>	The ground floor apartments within the western building provide appropriate levels of amenity, and safety is also ensured.	Yes
<b>4M</b>	<b>Façades</b>		
<b>4M-1</b>	<i>Building facades provide visual interest along the street while respecting the character of the local area.</i>	It is considered that the architectural design will provide visual interest.	Yes
<b>4M-2</b>	<i>Building functions are expressed by the façade.</i>	The function of the building is reflected in the architecture.	Yes
<b>4N</b>	<b>Roof Design</b>		
<b>4N-1</b>	<i>Roof treatments are integrated into the building design and positively respond to the street.</i>	The proposed roof design for all buildings is considered to be satisfactory.	Yes
<b>4N-2</b>	<i>Opportunities to use roof space for residential accommodation and open space are maximised.</i>	Roof is not proposed to be used as part of COS areas.	N/A
<b>4N-3</b>	<i>Roof design incorporates sustainability features.</i>	The proposed design is considered to be satisfactory.	Yes
<b>4O</b>	<b>Landscape Design</b>		
<b>4O-1</b>	<i>Landscape design is viable and sustainable.</i>	Landscape plan assessed and considered satisfactory by Council's Landscape and Tree Management Section.	Yes
<b>4O-2</b>	<i>Landscape design contributes to the streetscape and amenity.</i>	Appropriate landscaping is provided to both street frontages.	Yes
<b>4P</b>	<b>Planting on Structures</b>		
<b>4P-1</b>	<i>Appropriate soil profiles are provided.</i>	Considered satisfactory by Council's Landscape and Tree Management Section.	Yes

No.	SEPP 65 Apartment Design Guide	Provided	Compliance
4P-2	<i>Plant growth is optimised with appropriate selection and maintenance.</i>	Considered satisfactory by Council's Landscape and Tree Management Section.	Yes
4P-3	<i>Planting on structures contributes to the quality and amenity of communal and public open spaces.</i>	Considered satisfactory by Council's Landscape and Tree Management Section.	Yes
4Q	<b>Universal Design</b>		
4Q-1	<i>Universal design features are included in apartment design to promote flexible housing for all community members.</i>	The design complies with HDCP 2013 requirements for universal housing	Yes
4Q-2	<i>A variety of apartments with adaptable designs are provided.</i> <b>Design guidance</b> Adaptable housing should be provided in accordance with the relevant council policy	HDCP 2103 Part B Clause 1.12 Universal Housing and Accessibility requires the provision of 15% of dwelling units to be adaptable housing.  10 units (13.5%) provided as adaptable. In this regard, it is recommended that an additional unit be provided as adaptable housing.	No <b>To be conditioned</b>
4Q-3	<i>Apartment layouts are flexible and accommodate a range of lifestyle needs.</i>	The proposed apartment layouts will facilitate flexibility.	Yes
4R	<b>Adaptive Reuse</b>		
4R-1	<i>New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.</i>	N/A	N/A
4R-2	<i>Adapted buildings provide residential amenity while not precluding future adaptive reuse.</i>	N/A	N/A
4S	<b>Mixed Use</b>		
4S-1	<i>Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.</i>	The proposed mixed use component appropriately addresses the street and facilitates pedestrian activity.	Yes
4S-2	<i>Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents.</i>	The proposed commercial suites are integrated into the building. A security management plan has been devised to ensure safety. Amenity for residents is ensured, however, this will be assessed when individual applications are lodged for the commercial tenancies.	Yes
4T	<b>Awnings and Signage</b>		
4T-1	<i>Awnings are well located and complement and integrate with the building design.</i>	2m deep awning to be provided.	Yes
4T-2	<i>Signage responds to the context and desired streetscape character.</i>	N/A	N/A
4U	<b>Energy Efficiency</b>		
4U-1	<i>Development incorporates passive environmental design.</i>		

No.	SEPP 65 Apartment Design Guide	Provided	Compliance
	<b>Design guidance</b> Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)	The development is considered satisfactory with regard to solar access and cross-ventilation.	Yes
<b>4U-2</b>	<i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.</i>	The development is considered satisfactory with regard to solar access, shading and cross-ventilation.	Yes
<b>4U-3</b>	<i>Adequate natural ventilation minimises the need for mechanical ventilation.</i>	As above	Yes
<b>4V</b>	<b>Water Management and Conservation</b>		
<b>4V-1</b>	<i>Potable water use is minimised.</i>	Basix Certificate confirms that the proposal has achieved target scores for Water, Thermal Comfort and Energy.	Yes
<b>4V-2</b>	<i>Urban stormwater is treated on site before being discharged to receiving waters.</i>	Council's Development Engineer has reviewed the proposal and raises no objection subject to conditions.	Yes
<b>4V-3</b>	<i>Flood management systems are integrated into site design.</i>	Council's Development Engineer has reviewed the proposal and raises no objection subject to conditions.	Yes
<b>4W</b>	<b>Waste Management</b>		
<b>4W-1</b>	<i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.</i>	Council's Waste officer has reviewed the amended proposal and considers the development to be satisfactory	Yes
<b>4W-2</b>	<i>Domestic waste is minimised by providing safe and convenient source separation and recycling.</i>	Council's Waste officer has reviewed the amended proposal and considers the development to be satisfactory	Yes

As demonstrated above, the proposal is considered to comply with the requirements of the Apartment Design Guide (ADG). There are a number of minor departures as identified above, however, these minor matters are either acceptable on merit or can be dealt with through the imposition of appropriate conditions.

### ***Holroyd Local Environmental Plan 2013***

The Holroyd Local Environmental Plan 2013 applies and the site is located in the B6 – Enterprise Corridor Zone. The proposed mixed use development is best defined as 'shop top housing', 'Residential Flat Building' and 'Multi Dwelling Housing' which are all permissible land uses within the B6 zone.

The objectives of the B6 zone are:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed use development.*

The proposed development is considered to be consistent with the relevant objectives of the B6 zone as it will provide for a mix of commercial and residential land uses.

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

<b>Standard</b>	<b>Required/Permitted</b>	<b>Provided</b>	<b>Compliance</b>
2.2	Demolition requires consent.	Consent is sought for demolition of the existing buildings on the site.	Yes
4.3	Holroyd LEP stipulates a maximum height of 14 metres for the subject site:	<ul style="list-style-type: none"> <li>• Eastern mixed-use building: 14 metres</li> <li>• Western RFB: 14 metres</li> <li>• Rear multi-dwelling housing: 11.5 metres</li> </ul>	Yes
<b>Standard</b>	<b>Required/Permitted</b>	<b>Provided</b>	<b>Compliance</b>
4.4	Floor Space Ratio - Max. 1:1	Site area – 6956.228 Proposed floor space – 6955.1sqm FSR = 1:1	Yes
	Minimum Lot Size - No minimum in Town Centre	The subject site has an area of 6,956.228sqm	N/A
5.10	Heritage	The site is not listed as a heritage item nor is it in close proximity to any items.	N/A
6.1	Acid Sulfate Soils	The site is not affected by ASS	N/A
6.4/6.7	Flood Planning and Stormwater Management	Council's records indicate that the site is not affected by flooding	Yes
6.5	Terrestrial Biodiversity	There is no evidence of any terrestrial biodiversity on the site.	N/A
6.8	Salinity	The site is located on lands identified as being affected by moderate salinity.	To be conditioned

(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 site.

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

<b>Part A – General Controls</b>			
<b>Standard</b>	<b>Required/Permitted</b>	<b>Provided</b>	<b>Compliance</b>
3.1	<p><b>Car Parking:</b></p> <p><u>Residential</u></p> <p>RFB &amp; Mixed Use Buildings:-</p> <p>0.8 space / 1-bed (14)  1 space / 2-bed (47)  1.2 spaces / 3-bed (3)  Visitor = 0.2 space / dwelling (64)</p> <p>Total required = 75</p> <p>Multi-dwelling:-</p> <p>1.2 spaces / 3-bed (10)  Visitor = 0.2 space / dwelling (10)</p> <p>Total required = 12</p> <p><u>Commercial</u></p> <p>Café:-</p> <p>- 59.9sqm of GLFA @ 1/10sqm  = 6</p> <p>Shop:-</p> <p>- 197sqm of GLFA @ 1/20sqm  = 10</p> <p>Total = 16 spaces</p> <p><u>Bicycle</u></p> <p>Commercial:  Staff – 1/300sqm  Visitor – 1/2500sqm</p> <p>Residential:  0.5 per dwelling  0.1 per dwelling for visitors</p> <p>= 40 required</p>	<p>Total provided = 86</p> <p>Total provided = 20</p> <p>Total provided = 17</p> <p>Total provided = 44</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3.3	<p>Dimensions of Car Parking Facilities, Gradients, Driveways, Circulation and Manoeuvring.</p>	<p>Council's Traffic Engineer has assessed the submitted plans and documentation and has advised the proposal is acceptable, subject to conditions.</p>	<p>Yes</p>

3.5	<b>Driveways</b>  Driveways shall be setback a minimum of 1.5m from the side boundary.	The proposed driveways are located a minimum of 1.5 metres from the side boundaries.	Yes
3.6	<b>Accessible parking</b>  - 1 space per adaptable dwelling - 2 spaces per 100 spaces for visitors	11 accessible spaces for residents provided (11 required).  1 accessible space for visitors (2 required).	Yes  No <b>To be conditioned</b>
6.1	<b>Retaining walls</b>  - Generally <1m in height.	The buildings generally follow the existing contours and steps down accordingly. Cut associated with basement for eastern mixed-use building and western RFB.  No retaining walls associated with rear multi-unit development. The building generally steps down to follow the contours, however, given the slope associated with the north-west corner of the site, there is approximately 1m of fill proposed in order to provide level finished floors, however, this is contained within the building envelope	Yes
6.3	<b>Erosion and Sediment Control</b>	A detailed sediment and erosion control plan was submitted and is considered to be acceptable.	Yes
7.4	<b>Stormwater Management</b>	Council's Development Engineer has reviewed the stormwater drainage plans and calculations and advises that the design is acceptable.	Yes
11	<b>Site Waste Minimisation and Management Plan (SWMMP)</b>	Council's Waste Officer has reviewed the proposed	Yes

		waste and recycling arrangements and SWMMP and has advised that they are acceptable.	
<b>Part B – General Residential Controls</b>			
1.1	<b>Building Materials</b>  Schedule of Colours & Finishes to be submitted.	The proposed materials, colours and finishes are acceptable.	Yes
1.2	<b>Fences</b>  Front fences to be solid ≤1m and be ≥50% transparent to 1.5m. 1.8m allowable along busy roads, such as GWH	1.8m high front fence proposed	Yes
1.3	<b>Views</b>  Minimise obstruction of views	No significant views will be affected.	Yes
1.4	<b>Visual Privacy</b>  To provide a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open spaces.	<p>As previously discussed, the amended design now provides appropriate internal and external separation for the mixed-use building and RFB, subject to conditions.</p> <p>However, it is recommended that the western boundary fence be 2.1m high to maintain privacy at ground level, given the elevated finished levels at ground floor level on the western side.</p> <p>With regard to the proposed multi-unit building at the rear, Council initially raised concern in relation to the rear setbacks and elevated finished levels of the rear courtyards. The amended design has increased setbacks to now be compliant (min. 4m required – 7m to building line provided and 4m provided to ground floor terrace).</p>	<p>Yes</p> <p>No, however, considered satisfactory subject to the erection of appropriate privacy screening.</p> <p><b>To condition</b></p>



		<p>The buildings are also 'stepped' so that the rear courtyards are at natural ground level.</p> <p>Concern is still raised in relation to the rear ground floor terraced areas, which have the potential to compromise privacy to the rear. Notwithstanding any landscaping proposed, it is recommended that 1.5m high privacy screening in the form of horizontal timber slats be erected and the steps reconfigured to be parallel with the courtyard so that the northern edge of the steps can also be screened.</p> <p>In addition to the above, it is also considered appropriate to provide 1.5m high privacy screens to the rear of the first and second floor balconies to maintain privacy to adjoining properties.</p>	
1.5	<p><b>Landscaping</b></p> <p>Min. 20% of total floor area for each dwelling; 3m wide; at rear or side.</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>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. &lt;0.5m high on merit</p>	<p>Minimum achieved</p> <p>&lt;50% provided forward of the building line.</p> <p>Given slope, the rear POS areas are split into a rear terrace and a lower private courtyard. Whilst such might not meet the DCP controls in terms of raised decks and size of principal areas, the amenity afforded to residents is considered more than satisfactory.</p>	<p>Yes</p> <p>Yes</p> <p>No, but acceptable in this instance</p>

	Directly accessible from a main living area of the dwelling (lounge/dining/rumpus room)	Overall, the minimum areas are provided, and the development is also provided with a large internal common open space area.  Achieved	Yes
1.6	<b>Safety and Security</b>  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.  Blank walls along street frontages are prohibited.  Landscaping that may allow would-be intruders to hide shall be avoided.	Front doors are visible  The facades are considered appropriate.  Landscaping design is considered satisfactory from a CPTED perspective.	Yes  Yes  Yes
1.8	<b>Sunlight Access</b>  1 main living area of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June  1 main living area of existing adjacent dwellings and 50% of their POS to receive 3 hours direct sunlight between 9am and 4pm, 22 June.  Min. 50% of required POS of new dwelling to receive 3 hours direct sunlight between 9am and 4pm, 22 June.	10/10 dwellings in the multi-unit development achieve 3hrs.  Given the orientation of the site, the adjoining development to the west would easily achieve the minimum 3 hours.  All POS areas of multi-dwelling development face north and thus are in full sun.	Yes  Yes  Yes
1.9	<b>Cut &amp; Fill</b>  Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary. Cut controls are not applicable where basement parking is proposed.  Fill: max. 0.3m within 0.9m of side/rear boundary; $\geq 0.6\text{m}$ to be contained within the building	N/A  Fill up to 1m proposed for rear multi-unit development, but	N/A  Yes

	envelope; if > 0.15m shall occupy max. 50% of the landscaped area.	contained only to western-most unit (within building footprint). This is considered satisfactory given slope of site, especially in north-western corner. Privacy is maintained, with the inclusion of 1.5m high screening to rear ground level terraces.	
1.11	<p><b>Car Parking &amp; Roads</b></p> <p>Garages max. 6m wide or 50% of the buildings street elevation; integrate into design; if dwelling &gt;12m wide garage can protrude max. 1.5m.</p> <p>At-grade garages/carports to be min. 1m behind front wall of dwelling or 5.5m from street boundary, whichever is greater.</p> <p>Garages max. 20m<sup>2</sup> (single); max. 40m<sup>2</sup> (double); include excess in floor space.</p> <p>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.</p>	<p>Proposed garages &lt;6m and &lt;50% of dwelling width</p> <p>Garages in line with upper level balconies. However, garages are all internal to the site.</p> <p>Complies</p> <p>Two-way 6m wide driveway proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No, but acceptable in this instance.</p>
1.12	<p><b>Universal Housing &amp; Accessibility</b></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>For multi dwelling development and residential flat buildings, 15% of dwelling units shall comply with</p>	<p>All areas of the development are designed to be accessible.</p> <p>Given their terrace-style design, the rear multi-unit dwellings do not provide a room at ground floor level capable of being used as a bedroom.</p> <p>However, this can be addressed by providing an additional adaptable unit, thus ensuring that 15% of the total number of</p>	<p>Yes</p> <p>No, however, considered satisfactory, <b>subject to condition</b></p>

	AS4299- 1995- Adaptable Housing Class B.	dwellings be provided as adaptable. This can be addressed prior to the issue of a Construction Certificate.	
<b>Part 5 – Multi Dwelling Housing</b>			
5.1	<b>Lot Size and Frontage</b>  The minimum lot size for multi dwelling housing is 900m <sup>2</sup> . Multi dwelling housing is not permitted with a frontage to roads with a carriageway less than 6.5 metres  A minimum lot frontage of 24 metres at the building line is required (Figure 27).	Lot size is 6,956.228sqm  Pendle Way has a carriageway width of 13 metres.  The site has a frontage to GWH of approximately 113 metres and 34 metres to Pendle Way.	Yes  Yes  Yes
5.2	<b>Setbacks</b>  The minimum setback from the principal street frontage is 6 metres.  Setbacks from the side boundaries are to be a minimum of 900mm.  The minimum setback from the rear boundary shall be at least 3 metres.  Any elevation that is within 3 metres of a boundary shall not contain any openings associated with the main living area.  Second storeys and above shall be setback at least 4 metres from the rear and side property boundaries.  Notwithstanding the above, the rear boundary of the site shall have a minimum setback of 4 metres  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.	N/A  3 metres provided.  A minimum of 7 metres is provided.  Dwellings are 3 metres from boundary.  4 metres provided  Min. 4m provided  No private open space courtyards are located in the front setback area of units.	N/A  Yes  Yes  Yes  Yes  Not applicable

5.3	<p><b>Building Height</b></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>3 storey proposed, however, the site has a B6 zoning allowing for 4 storey RFB development. The 3<sup>rd</sup> storey is set back almost 10 metres from the rear boundary and in this regard, it is considered that there are no privacy issues, subject to the inclusion of 1.5m high privacy screening to rear balconies.</p> <p>A 2.7m floor to ceiling height is provided.</p>	<p>No, however, considered satisfactory, <b>subject to the inclusion of privacy screening.</b></p> <p>Yes</p>
5.4	<p><b>Building Appearance</b></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"> <li>• the type of dwelling house proposed,</li> <li>• the position of the dwelling on the allotment,</li> <li>• Opportunities for solar access,</li> <li>• The maximisation of private open space, and</li> <li>• Minimising the potential for overlooking.</li> </ul> <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</p>	<p>The design of the multi-unit development is considered to be satisfactory.</p> <p>First floor is articulated.</p> <p>Multi-dwelling development fronts internal road.</p> <p>Stepped construction is proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	split level construction.  The internal layout of the dwelling shall incorporate cross ventilation.  Bathrooms, ensuites, laundries and walk in wardrobes shall be located to the side and rear of the dwelling.	Cross-ventilation achieved.  Internal design is considered to be satisfactory.	Yes  Yes
<b>Part 6 – Residential Flat Buildings</b>			
6.1	<b>Lot Size and Frontage</b>  The minimum lot frontage for residential flat buildings at the property line is as follows: • 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 • 45 metres for all development 6 storeys or more.  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.	A frontage of 113m provided to GWH and 34m to Pendle Way.  The combined frontage of the 2 adjoining properties (4-6 Pendle Way – also zoned B6) exceeds 30m. In this regard, landlocking does not result.	Yes  Yes
6.2	<b>Site Coverage</b>  The maximum site coverage of any residential flat development shall not exceed 30% of the site area.	Including the mixed use, RFB and multi-dwelling developments, the overall site coverage is 33%.  However, the development complies in terms of solar access, overshadowing, separation, private open space, common open space and landscaped area. This minor non-compliance is considered to be acceptable.	No, however, minor shortfall is considered satisfactory.
6.3	<b>Setbacks and Separation</b>  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.	A minimum 6m setback is provided.	Yes

	<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"> <li>• up to four storeys- 20% the length of the site, or 6 metres, whichever is greater.</li> <li>• five storeys or more - 30% the length of the site.</li> </ul> <p>Side setbacks shall be a minimum of 3 metres.</p> <p>Side and rear boundary setbacks shall be landscaped and may include private courtyards, communal open space and clothes drying facilities.</p> <p>A minimum upper storey setback of 3m is required for all floors above 4 storeys.</p>	<p>Complies</p> <p>43m to rear boundary for western RFB (38%)</p> <p>9 metres provided</p> <p>Complies</p> <p>N/A</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>														
6.4	<p><b>Building Height</b></p> <p>The minimum floor to ceiling heights shall be:</p> <ul style="list-style-type: none"> <li>• 2.7 metres for habitable rooms.</li> <li>• 2.4 metres for non habitable rooms.</li> <li>• 2.4 metres for the second storey section of two storey units if 50% or more of the apartment has a 2.7 metre minimum ceiling height.</li> <li>• Attic spaces shall have 1.5 metre minimum wall height at the edge of room with a 30 degree minimum ceiling slope.</li> </ul> <p>Maximum building height in storeys shall be provided in accordance with the table below:</p> <p>Permitted Height (storeys)</p> <table> <tr> <th>Height (m)</th> <th>storeys</th> </tr> <tr> <td>9</td> <td>1</td> </tr> <tr> <td>11</td> <td>2</td> </tr> <tr> <td><b>12.5</b></td> <td><b>3</b></td> </tr> <tr> <td><b>15</b></td> <td><b>4</b></td> </tr> <tr> <td>18</td> <td>5</td> </tr> <tr> <td>21</td> <td>6</td> </tr> </table>	Height (m)	storeys	9	1	11	2	<b>12.5</b>	<b>3</b>	<b>15</b>	<b>4</b>	18	5	21	6	<p>A minimum floor to ceiling height of 3.3m is provided to the ground floor and a minimum 2.85m for the floors above.</p> <p>14m / 4 storeys</p> <p>4 storeys are considered acceptable as the development meets the LEP height and is satisfactory with regard to privacy, overshadowing and desired character.</p>	<p>Yes</p> <p>No, however, considered satisfactory in this instance.</p>
Height (m)	storeys																
9	1																
11	2																
<b>12.5</b>	<b>3</b>																
<b>15</b>	<b>4</b>																
18	5																
21	6																

6.6	<b>Open Space</b>		
	Communal open space shall be located where it is highly visible and directly accessible to the maximum number of dwellings. Excessively long paths of travel to and from communal open space must be avoided.	The communal open space is centrally located and visible from all units.	Yes
	Communal open space should be located adjacent to surrounding public open spaces such as reserves and public through site links where appropriate.	Not applicable in this instance.	N/A
	Communal open space shall be integrated with the site and designed with uses such as circulation, BBQ or play areas or passive amenity.	COS is designed for passive recreation.	Yes
	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	Appropriate facilities provided.	Yes
6.7	<b>Building Appearance</b>		
	Facades are to be composed with an appropriate scale, rhythm and proportion, which responds to the building's use and desired contextual character.	The architectural treatment provided to all facades is considered to appropriate and provides visual interest to the development.	Yes
	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.	The development is considered to be appropriately articulated.	Yes
	Roofs shall be designed to relate to the desired built form and context and character of the street.	Considered satisfactory	Yes
6.8	<b>Building Entry and Pedestrian Access</b>		
	The main building entry is to be	Vehicle access is separate	Yes



	<p>separate from car parks or car entries.</p> <p>The accessibility standard set out in Australian Standard AS 1428 (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>from pedestrian entries.</p> <p>The application was referred to Council's Accessibility Consultant who raised no objection. Access to all units is considered to be satisfactory</p> <p>Entry areas and circulation space are considered to be of an acceptable size.</p>	<p>Yes</p> <p>Yes</p>
6.9	<p><b>Parking and Vehicular Access</b></p> <p>Only basement car parking will be permitted for residential flat buildings.</p> <p>Vehicle access points shall be limited to a minimum.</p> <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>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>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>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.</p>	<p>Basement parking provided.</p> <p>Only 1 vehicle access point proposed.</p> <p>Considered satisfactory by Council's Traffic Engineer.</p> <p>The development provides for 11 accessible parking spaces which are compliant.</p> <p>Access control provided</p> <p>Provided</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

6.11	<b>Internal Circulation</b>		
	All common facilities within a development must be accessible.	Provided via the provision of pedestrian pathways.	Yes
	All staircases within a development shall be located internally.	Complies	Yes
	The location of sensitive noise rooms adjoining less sensitive noise rooms, corridors and stairwells shall be minimised.	The proposed design is considered appropriate.	Yes
	Locate habitable rooms with windows overlooking communal/public areas.	First floor units are provided with windows from living areas overlooking the communal open area.	Yes
6.12	<b>Facilities and Amenities</b>		
	Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	Laundry facilities are provided to each unit in combination with the bathroom.	Yes
	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.	Individual clothes drying facilities can be provided to each unit within the balcony that is suitably screened from public view.	<b>To be conditioned</b>
	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 from the street.	Complies	Yes
	A master antenna should be provided for any development of more than two dwellings.	To be provided as a condition of consent.	<b>To be conditioned</b>
6.15	<b>Waste Management</b>		
	Bin storage areas shall: <ul style="list-style-type: none"> <li>• be located behind the building line and screened from the street and any public place;</li> <li>• be accessible and in relatively close proximity to each dwelling;</li> <li>• allow for unobstructed access</li> </ul>	The proposed bin storage and collection arrangement is considered to be satisfactory.	Yes

	<p>that does not exceed a grade of 1:8 for bins to be wheeled to the collection point;</p> <ul style="list-style-type: none"> <li>• not impact upon the amenity of adjoining premises or dwellings within the development, i.e. odour.</li> </ul>		
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<b>Part C – Commercial Controls (shop top housing and mixed use development)</b>			
<b>Standard</b>	<b>Required/Permitted</b>	<b>Provided</b>	<b>Compliance</b>
<b>1</b>	<b>Movement</b>		
<b>1.1</b>	<p><b>Building Envelope</b></p> <p>Min. lot frontage for Zone B2, B4, B5 and B6 is:</p> <ul style="list-style-type: none"> <li>• Up to 3 storeys – 20m</li> <li>• 4-8 storeys – 26m</li> <li>• ≥9 storeys – 32m</li> </ul> <p>Council may require consolidation of more than 1 existing allotment to meet the DCP.</p>	<p>26 metres required. GWH frontage – 113m Pendle Way frontage – 34m</p> <p>There is no required amalgamation pattern under the DCP.</p>	<p>Yes</p> <p>Yes</p>
<b>1.2</b>	<p><b>Building Use</b></p> <p>Commercial development shall be located at street level, fronting the primary street, and where possible the secondary street.</p>	Commercial development fronts primary street (GWH) and secondary street (Pendle Way).	Yes
<b>1.3</b>	<p><b>Building height</b></p> <p>Maximum building height in storeys shall be provided as follows:</p> <p>- 14m – 3 storeys</p>	<p>14m / 4 storeys</p> <p>4 storeys are considered acceptable as the development meets the LEP height and is satisfactory with regard to privacy, overshadowing and desired character.</p>	No, but considered satisfactory in this instance.
<b>1.4</b>	<p><b>Front Setback</b></p> <p>Zone B6 – 4m</p> <p>Street wall height of 3 storeys (11-14m) is required for all commercial development and mixed use development, unless otherwise stated in site specific controls. 3m setback required above street wall height</p>	<p>4m provided</p> <p>3 storey street wall not provided. Given that the development is only 4 storeys high with a ground floor commercial component that is already differentiated, it is considered a further setback for the 4th level would look out of place</p>	<p>Yes</p> <p>No, but considered satisfactory.</p>

	<p>Where site adjoins a business zone, no side setback requirement, unless otherwise stated in site specific controls.</p> <p>Development adjoining residential zone shall have a rear setback of 6m.</p> <p>Where adjoining a residential zone, the development must demonstrate that the proposed setbacks will enable the achievement of access to sunlight and privacy</p>	<p>and would adversely affect the architectural presentation of the building.</p> <p>N/A</p> <p>10m provided to northern side/rear boundary .</p> <p>The proposed building is on the southern side of adjoining development, therefore no overshadowing.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
1.5	<p><b>Landscaping and Open Space</b></p> <p>Landscaped area is not required in business zones Communal open space is to comprise a minimum of 25% of the site area</p> <p>Dwellings should be orientated toward communal open space areas to achieve passive surveillance</p>	<p>Total site area = 6956.228sqm</p> <p>Site area attributable to RFB development = 4,466sqm.</p> <p><math>4,466 / 25 = 1,116.5\text{sqm}</math></p> <p>COS area provided = 1,385sqm</p> <p>Dwellings orientated to look over internal communal open space area.</p>	<p>Yes</p> <p>Yes</p>
2	<b>Movement</b>		
2.2	<p><b>Pedestrian Access</b></p> <p>Direct access shall be provided from the car park to all residential and commercial units. Main building entry points shall be clearly visible.</p>	<p>Provided</p> <p>Complies</p>	<p>Yes</p> <p>Yes</p>
2.3	<p><b>Building Entries</b></p> <p>Separate entries from the street shall be provided for cars, pedestrians, multiple uses and ground floor apartments.</p>	<p>Separate entries provided.</p>	<p>Yes</p>

	Residential entries must be secure where access is shared between residential and commercial uses.	Access control provided.	Yes
	Multiple cores which access above ground uses shall be provided where the site frontage $\geq 30\text{m}$ .	2 x cores provided.	Yes
2.4	<b>Vehicle Access</b>  Driveways shall be provided from laneways, private access ways and secondary streets where possible.  Loading and unloading facilities shall be provided from a rear lane, side street or right of way where possible.  One two-way driveway is permitted per development site up to 10,000m <sup>2</sup> .  Driveways are limited to a maximum of 6m or 8m for commercial loading docks and servicing.	Vehicle access to basement provided from secondary street.  Loading / unloading facilities provided at ground floor level at rear of building.  Provided  Two-way 6m wide driveway servicing mixed-use development.	Yes  Yes  Yes  Yes
2.5	<b>Parking</b>  Onsite parking is to be provided underground where possible.  Basement parking shall be consolidated under building footprint to maximise landscaping.  Parking shall not be visible from main street frontages.  Natural ventilation or ventilation grills shall be provided to basement parking.  Visitor parking is not to be stacked parking.	Basement parking provided.  The proposed basement sits directly under mixed-use building and RFB.  Basement parking provided. Not visible from street.  Basement car park will be mechanically ventilated. Details to be submitted at CC stage. Development complies	Yes  Yes  Yes  <b>To be conditioned</b>  Yes
3	<b>Design and Building Amenity</b>		
3.1	<b>Safety and Security</b>  Casual surveillance is to be achieved through active street frontages and creating views of	Casual surveillance provided to street frontages and to communal open	Yes

	<p>common internal areas.</p> <p>Adequate lighting shall be provided within the development i.e. pedestrian access ways, common areas and communal open space, car parking areas and all entries.</p> <p>Landscaping shall avoid opportunities for concealment.</p>	<p>space areas.</p> <p>To be conditioned</p> <p>Landscaping considered satisfactory from a CPTED perspective.</p>	<p><b>To be conditioned</b></p> <p>Yes</p>
3.2	<p><b>Façade Design and Building Materials</b></p> <p>All walls are to be articulated via windows, verandahs, balconies or blade walls. Articulation elements forward of the building line max. 600mm.</p>	<p>The design of the building is considered satisfactory</p>	<p>Yes</p>
3.4	<p><b>Shop Fronts</b></p> <p>Solid roller shutters and security bars are not permitted.</p> <p>Open grill (concertina) and transparent grill shutter security devices are permitted.</p> <p>All windows on the ground floor to the street frontage are to be clear glazing.</p>	<p>Roller shutters not proposed.</p> <p>Shutters on shop fronts not proposed as part of this application.</p> <p>Glazing provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
3.5	<p><b>Daylight Access</b></p> <p>Developments shall be designed to maximise northern aspects for dwellings and offices.</p> <p>Habitable rooms and primary private open spaces should be located on northern, eastern and western aspects.</p> <p>Single aspect dwellings that have a southerly aspect (SW-SE) shall be limited to a maximum of 30% of the total number of dwellings proposed within a development.</p> <p>Living rooms and private open spaces in a minimum of 70% of dwellings within a development shall receive at least 2 hours of direct sunlight between 9am and 3pm in Mid-winter.</p>	<p>The majority of dwellings are north-facing. Two commercial suites are north and east facing. Given the nature of the site, south-facing dwellings and commercial premises are unavoidable.</p> <p>6/24 = 25%</p> <p>19/24 units (79%) achieve 2 hours.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

3.6	<b>Visual and Acoustic Privacy</b>		
	Provide adequate building separation and setbacks	The proposed development complies with the minimum separation requirements of SEPP 65 The proposed setbacks from front and side property boundaries are considered satisfactory as discussed elsewhere in this report.	Yes
	Building and apartment configuration shall be designed to minimise noise intrusion	Standard construction methods in accordance with BCA will ensure acoustic privacy between units.	Yes
3.7	<b>Managing External Noise and Vibration</b>	Acoustic report submitted which demonstrates compliance with the requirements of ISEPP.	Yes
3.8	<b>Awnings</b>  Awnings: <ul style="list-style-type: none"> <li>• Should be flat.</li> <li>• Must be 3m deep.</li> <li>• Setback from the kerb a min. 600mm.</li> <li>• Min. soffit height of 3.2m-3.3m.</li> <li>• Slim vertical facias and/or eaves <math>\leq 300</math>mm.</li> <li>• To be located over all building entries.</li> </ul>	N/A The proposed awning in front of the commercial properties is only 2 metres wide. This is to be located wholly on private land and does not extend over the public footpath. In this regard, 2m is acceptable.	N/A
3.11	<b>Corner Buildings</b>  Generally, corner building shall be designed to:  <ul style="list-style-type: none"> <li>- Articulate street corners by massing and building articulation,</li> <li>- To add variety and interest to the street,</li> <li>- Present each frontage of a corner building as a main street frontage,</li> <li>- Reflect the architecture, hierarchy and characteristics of the streets they address, and</li> <li>- Align and reflect the corner conditions.</li> </ul>	The proposed development is considered to satisfy these criteria.	Yes

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd DCP 2013, with the exception of 'Building Height'. There are a number of minor departures as identified above, however, these minor matters are either acceptable on merit or can be dealt with through the imposition of appropriate conditions.

#### **i. Building Height**

Parts B & C of Council's DCP specify the following height controls:

- Shop top housing: 14m / 3 storeys
- Residential flat building: 12.5m / 3 storeys or 15m / 5 storeys
- Multi-dwelling: 9m / 2 storeys

It is noted that the Holroyd LEP prescribes a maximum height limit of 14 metres, and all proposed buildings comply with this height limit.

Whilst the DCP specifies height in storeys, the number of storeys referred to is a guide based on the height in metres. Part C of the Holroyd DCP states that there may be instances where development is able to achieve a greater number of storeys and still comply with maximum height under the LEP.

Given the location and orientation of the site, the proposed development does not overshadow adjoining properties such that they could not achieve the minimum solar access requirements under the DCP. With regard to privacy, it is considered that appropriate building separation and setbacks have been incorporated into the development in accordance with ADG and DCP requirements. In this regard, privacy is considered to be satisfactorily maintained, subject to the erection of privacy screening to a minimum height of 1.5m above FFL for the ground level terraces and first and second level balconies located at the rear of the multi-dwelling development, and the upper level balconies facing west and north-west for the proposed residential flat building.

Having regard to the above, the proposed height in storeys is considered satisfactory and can be supported.

*(iiia) 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*

N/A

*(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,*

#### Natural Environment

##### *Site contamination*

As discussed above, the subject site was formerly used for both residential purposes and for commercial (sale and repair of box trailers). Council's Environmental Health Unit has indicated that the previous uses do not fall within Table 1 of the Department of Urban Affairs



and Planning / Environment Protection Authority document entitled *Managing Land Contamination – Planning Guidelines – SEPP 55 – Remediation of Land*, which identifies activities that may cause contamination. In this regard, Council considers the site to be suitable for its intended use of mixed residential and commercial development.

#### *Arboricultural Impact*

An Arboricultural Impact Appraisal and Method Statement, as well as a Root Investigation Report, both undertaken by Naturally Trees, were submitted to Council for consideration. The site is considered to be relatively devoid of vegetation particularly where development is proposed to occur. However, the consulting arborist has indicated that there are four (4) trees located on neighbouring properties that are considered to be important trees with a high potential to contribute to amenity. The consulting arborist has indicated that these trees will not be affected by the development subject to the implementation of appropriate Tree Protection Zones (TPZ) and measures to ensure their health is maintained.

Council's Tree Management Co-ordinator has assessed the development having regard to the above arboricultural reports and the submitted landscaping documentation and considers the development to be satisfactory.

#### *Stormwater Management*

Stormwater generated by the development is proposed to be collected through pits and also detained within an on-site detention (OSD) system, which is located below the internal road. As indicated above, given the site slopes approximately 4 metres from south-east to north-west, it is proposed to drain stormwater via an easement through downstream properties to Council's system in Rhonda Street.

Council's Development Engineering Section has assessed the proposal and considers the stormwater drainage concept design to be satisfactory and has recommended that the required drainage easement be registered prior to the development consent becoming operational (i.e. via a Deferred Commencement).

In addition to the above, given the size of the site, the development is required to comply with water sensitive urban design (WSUD) requirements, details of which are to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

#### Built Environment

##### *Built Form*

The site is zoned B6 Enterprise Corridor and the proposed shop top housing, residential flat building and multi dwelling development is permissible with consent. The floor space ratio (FSR) for the site is 1:1 and in this regard the development complies. The development also complies with the LEP height control of 14 metres. Lastly, the development complies with the ADG with regard to building separation and the setback controls contained within the Holroyd DCP 2013.

In this regard, the nature and form of the development meets the requirements of the prevailing statutory controls and is considered acceptable for the site and the locality.

## *Traffic & Parking*

- Parking

An assessment of the proposed development against Council's controls shows that the development provides more than the minimum number of car parking spaces. In addition to this, the design of the basement car parking area is considered to generally comply with Australian Standards, subject to conditions.

- Traffic impact

Submitted in support of the application was a traffic and parking assessment report to assess the likely traffic implications of the development, to determine whether the development is satisfactory, and recommend appropriate remedial measures if required.

The traffic report, prepared by Varga Traffic Planning, dated 24 February 2016 (as amended) states that, based on RMS rates, the following traffic generation rates apply to the proposed development:

- High Density Residential Flat Buildings in Sub-Regional Centres  
0.29 peak hour vehicle trips per hour
- Medium Density Residential  
0.4 – 0.5 peak hour vehicle trips per dwelling (up to 2 bedrooms)  
0.5 – 0.65 peak hour vehicle trips per dwelling (3 or more bedrooms)
- Commercial component  
2.0 peak hour vehicle trips per 100sqm of Gross Floor Area (GFA)

Based on the proposed development, the projected future traffic generation for the development has been estimated at 30.2 peak hour vehicle trips. However, this figure needs to be offset by the traffic generation potential of the existing development (i.e. 2 existing dwellings and 3,600sqm of existing commercial operation). Again using RMS rates, the traffic generation potential of the existing development was predicated to be 26.9 peak hour vehicle trips. In this regard, the projected nett increase in traffic generation for the development when compared to the exiting development is 3.3 peak hour vehicle trips.

Having regard to the above, the traffic report concluded that the projected nett increase in the traffic generation potential of the site as a consequence of the proposed development is minimal and will clearly not have any unacceptable traffic implications in terms of road network capacity.

Both Council's Traffic Section and the Roads and Maritime Services have assessed the development having regard to the submitted traffic and parking assessment and consider the proposed development to be satisfactory.

Given the proximity to traffic lights at the intersection of Great Western Highway and Pendle Way, it is recommended that vehicles entering and exiting the development are restricted to left-in / left-out. To facilitate this requirement, it is considered appropriate that the existing median island along Pendle Way be extended to beyond the access driveway. To this end, the applicant has provided a median island design, which Council and the RMS have both agreed to in principle and is to be subject to appropriate conditions should approval be granted.

## Social Impacts

### *Social Impact Assessment*

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

Council's Social Planner reported that the major identified positive impacts are as follows:

- Supply of a more diverse housing mix (with 14 x 1b/r units, 47 x 2 b/r units and 13 x 3b/r units, including 10 adaptable) at a suitable location (close to bus stops and 1 km from Pendle Hill rail station and shopping centre);
- Consistency with A Plan for Growing Sydney's West Central Sub-regional Strategy for increasing housing and creating a competitive economy;
- Enhanced potential for social connectivity through use of communal open spaces, street connections and the activation provided by the new commercial tenancies;
- The short term generation of employment in the construction phase and an-going employment in the commercial tenancies;
- Increased viability of local businesses from the expenditures of around 150 new residents
- Improved safety from the additional 'passive surveillance' over streets (Pendle Way and Great Western Highway) and the public domain by new residents ; and
- Potential for increased active transport – with proximity to public transport and parks, and with basement parking for 44 cycles

Council's Social Planner concluded that the SIA is satisfactory and meets Council's social impact assessment requirements. Additionally, the proposal was considered by Council's Social Planner to be consistent with, and supportive of, both State and Local objectives to increase the supply of affordable housing and mixed use developments that enhance the 'walkability' and social connectivity of neighbourhoods.

Council's Social Planner recommended that a Construction Management Plan be adopted as a condition of development consent

### *Acoustic Amenity*

As previously discussed, the Great Western Highway is a Classified Road and as such, the proposed development is subject to the noise requirements outlined in Clause 102 of the State Environmental Planning Policy – (Infrastructure) 2007. An acoustic report was submitted which demonstrates that the development will meet the required noise reduction levels as required in Clause 102 of the ISEPP, NSW Road Noise Policy, Australian Standards AS 3671 'Traffic Noise Intrusion Building Siting and Construction', AS 2107 'Acoustics – Recommended Design Sound Levels and Reverberation Times', and the Department of Planning's document titled 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'

In addition to the above, a *Noise & Vibration Management Plan for the Demolition, Excavation and Construction* was prepared by Acoustic Noise & Vibration Solutions. The author of the report has outlined that the demolition works are likely to occur over a 4 week period, whilst excavation should take 2 weeks and the construction period should occur over 52 weeks. The author has undertaken calculations for the demolition, excavation and construction activities, which show that there are no exceedances to the project specific noise criteria.

Council's Environmental Health Unit has reviewed the findings and conclusions of the acoustic reports submitted and considers the proposal to be acceptable subject to the implementation of the recommendations contained therein as conditions within any approval granted.

*(c) the suitability of the site for the development*

The site is considered suitable for the proposed development. There are no known constraints which would render the site unsuitable for the proposed development.

The subject site was formerly used for both residential purposes and for commercial (sale and repair of box trailers). Based on SEPP 55 guidelines, such activities are not considered to be contaminating, and in this regard, Council considers the site to be suitable for its intended use of mixed residential and commercial development.

The site is quite large with a total site area of 6956.228sqm and meets the minimum requirements for redevelopment in accordance with the DCP.

At a strategic level, the site was assessed during the comprehensive LEP process as being able to sustain higher heights and higher density.

*(d) any submissions made*

The application was placed on public exhibition for a period of twenty-one (21) days. Letters were sent to adjoining and surrounding owners and occupiers, an advertisement was placed in the local paper and a notice was placed on site. In response, Council received five (5) submissions objecting to the proposal.

The application was subsequently amended to its current proposal and renotified for a period of fourteen (14) days. In response, Council received three (3) submissions raising concern with the proposal, including a petition with 4 signatories. The three submitters are different to the 5 initially received during the first notification period. The concerns raised in all eight (8) submissions are discussed below:

**1. Privacy**

**There are four storey units within view of neighbouring backyards. Privacy is compromised due to the proposed townhouse development, which has a living area higher than the neighbouring properties, one of which contains a spa. Privacy screens are required. The proposed development is also within the line of sight of a nearby child care centre.**

With regard to the four storey units, the proposed development incorporates the minimum required separation distances under the Apartment Design Guide (ADG). There is a 9 metre separation provided between the residential flat building and the western boundary, which adjoins a 2 storey medium density residential development. Notwithstanding, the western and northern facing balconies of the proposed RFB have the potential to overlook the private courtyards of the multi-unit development to the west. In this regard, it is considered appropriate that 1.5m high privacy screens be erected along the western-facing balconies of Units WU12, WU22 & WU32, and for part of the balconies facing north for Units WU13, WU23 & WU33.

To the northern boundary, there is a 10 metre separation provided at the eastern end of the mixed use building. This separation increases to 18.5 metres at the western end of the

building. It is considered that privacy is maintained for neighbouring properties with regard to the 4 storey mixed use building.

With regard to the proposed multi-unit building at the rear, Council initially raised concern in relation to the rear setbacks and elevated finished levels of the rear courtyards. The amended design has increased setbacks to now be compliant with Council's setback requirements. The townhouse development is now 'stepped' so that the rear courtyards are at natural ground level. Concern is still raised in relation to the rear ground floor terraced areas, which have the potential to compromise privacy to the rear. Notwithstanding any landscaping proposed, it is recommended that 1.5m high privacy screening in the form of horizontal timber slats be erected and the steps reconfigured to be parallel with the courtyard so that the northern edge of the steps can also be screened.

The first floor rear balconies are 9 metres from the northern boundary, whilst the second floor balconies are 11 metres from the northern boundary. Whilst these balconies service low-use rooms (i.e. bedrooms) and notwithstanding the separation distances provided, it is recommended that 1.5 metre privacy screens be provide in the form of either solid balustrading or opaque glazing.

With regard to the child care centre, it is noted that the centre is located approximately 42 metres to the north of the subject site. However, the rear yard of the centre is located 80 metres from the rear of the 4 storey mixed use building and 100 metres from the rear of the 4 storey residential flat building. There are between 2 and 4 properties between the subject development and the child care centre, one of which is a 2-3 storey church facility, which it is considered would assist in providing adequate screening.

## **2. Parking**

**The development does not provide adequate parking for the proposed residents and proposed commercial development. There is no indication of how many disabled parking spaces are provided. There is no information regarding the washing of vehicles.**

The proposed development will provide for more than the minimum required parking, as per Council's controls. The proposed residential flat building and mixed use building requires 75 spaces, whilst 86 spaces are provided. The multi-dwelling development requires 12 spaces, whilst 20 spaces are provided. The commercial component requires the provision of 16 spaces, whilst 17 spaces provided. In total, 103 parking spaces are required to be provided and the development provides 123 spaces. It is noted that the minimum parking required under Council's DCP is also in excess of RMS requirements.

With regard to parking for the disabled, amended plans provided now show 12 accessible parking spaces. However, this still represents a shortfall of 1 accessible space, and in this regard, it is recommended that an additional accessible space be provided to service residential and commercial visitors to the development.

With regard to the washing and cleaning of cars, amended plans show a car wash bay is to be provided within the basement level.

## **3. Safety**

**Pendle Hill Public School is in close proximity and the extra cars means that the safety of children is a concern.**

Pendle Hill public school is located in close proximity to the development site (approximately 150 metres to the north). The traffic report submitted in support of the application states that

the projected increase in traffic generation for the development when compared to the exiting development is a nett increase of 3.3 peak hour vehicle trips. This increase in traffic when compared to the existing situation is not considered significant. Notwithstanding this, cars can only exit the driveway along Pendle Way one at a time, and drivers will be subject to the same road rules as other drivers, in particular the 40km/h speed for school zones.

#### **4. Noise Pollution**

**Noise will be generated due to the backyards and rear patio areas in a dense form at the rear of the townhouse development. A high fence will help prevent noise. Concern is raised in relation to the additional noise generated by the high number of dwellings proposed.**

It is acknowledged that there will be 10 additional backyard areas where previously only 2 existed. However, noise generated from these backyard areas will be no greater than any other form of medium density development, one of which adjoins the subject site to the east. Notwithstanding, it is recommended that a 1.5m high privacy screen be imposed to the rear elevated decks. In addition, a 2.1 metre high boundary fence would also assist in maintaining acoustic privacy for the neighbouring properties to the north that could be affected by noise generated in backyards and from the internal driveway.

Whilst noise generated by individual dwellings within the site would be similar to the noise generated by any residential dwelling, it is considered that noise generated by a multi dwelling development would be proportionally higher due to the concentration of dwellings. However, this would be consistent with higher density living, which has been identified for this site since it was rezoned in 2013 to meet state government targets for population growth.

An acoustic report was submitted in support of the application, which assessed noise generated by the proposed development. The acoustic report concludes that the proposed development will satisfy the requirements of the Industrial Noise Policy for noise generating activities and the Building Code of Australia with regard to noise transmission. Additionally, it is recommended to impose standard noise conditions for plant and equipment with any approval granted.

#### **5. Stormwater**

**Stormwater will over flow to the rear if correct procedures are not followed.**

All stormwater entering the site will be captured and conveyed to a piped system within a stormwater drainage easement through the western-adjointing property to Council's system within Rhonda Street. This system will result in an improved situation than currently exists.

#### **6. Commercial activities**

**Concern is raised with regard to the hours of operation of the commercial premises and noise that may occur as a result.**

The application does not identify what the future uses will be for the commercial space, other than the designated small scale café at the northern end of the complex. In this regard, the impact from any uses will be assessed when applications are submitted for their use, and such uses will be subject to environmental noise restrictions.

## 7. Traffic flow

**The nearby intersection is very busy with a lot of cars entering Pendle Way from Ettalong Road and the Great Western Highway. Cars will need to enter and exit in a left-in / left-out manner due to the median island. Cars exiting the development that want to travel south, east or west will perform illegal u-turns. There is a risk of accidents due to inadequate parking and driver behaviour.**

Given the close proximity to the signalised intersection, it is a recommendation of this report that the median island be extended to restrict right-turn movements into and out of the site.

As mentioned in the submission, there are a number of alternatives for drivers that wish to travel south, east or west, without performing u-turns. Drivers wishing to head east or south can travel along Camillo Street and Wyena Road to enter the Great Western Highway. For west-bound traffic, drivers can turn down Smith Street and Jones Street. It is considered that there are options available.

As indicated above, the proposed development provides over and above the minimum parking requirements, providing almost 20% more than the minimum parking.

It is noted that the proposed development and submitted traffic report have been assessed by both Council's Traffic Section and the Roads and Maritime Services (RMS) wherein both authorities consider the traffic situation to be acceptable.

## 8. Construction disruptions

**Concern is raised in relation to disruptions during construction and the impact on traffic flow. Is there enough space for larger trucks to access the site to miss the median island, avoid oncoming cars, trucks and buses queuing across the intersection.**

Council's Social Planner has indicated that the short term impacts during demolition and construction are not significant and can be controlled through the implementation of a Construction Management Plan. A condition requiring the preparation of a Construction Management Plan has been included within the draft conditions of consent. Similarly, Council's Development Engineer has recommended that a Construction and Traffic Management Plan be lodged with Council for works within the road reserve or where construction activity may impact on traffic flow or pedestrian access.

With regard to larger trucks accessing the site, swept path analysis indicates that larger trucks can enter / exit without hitting the separating median island.

## 9. Overdevelopment

**It is considered that the number of dwellings is excessive and inappropriate and will be too invasive and disturbing for existing neighbours, and will create too many traffic problems. The proposed height of the development is inconsistent with adjoining development, which is predominantly single storey.**

This site was rezoned to B6 Enterprise Corridor in accordance with the Holroyd LEP 2013. However, it was envisaged for higher density well before this during the comprehensive LEP process and in response to state government initiatives with regard to population growth. As indicated within the body of this report, the development is permissible on the subject site and meets the projected density, which is governed by the 1:1 floor space ratio control. In

addition, the development meets required HLEP height controls, as well as controls relating to setbacks and separation, private and communal open space, solar access and overshadowing and car parking.

As also indicated above, the projected nett increase in traffic generation for the development when compared to the exiting development is 3.3 peak hour vehicle trips. This increase in traffic when compared to the existing situation is not significant. In addition, the development is considered to be acceptable by both the RMS and Council's traffic engineers.

With regard to the proposed height, it is noted two storey development is located on adjoining properties. Notwithstanding, the proposed development complies with the height prescribed within the Holroyd LEP 2013. In addition, the proposed setbacks are in accordance with the Apartment Design Guide, which requires a greater setback for apartment building when located adjacent to a different zone that permits lower density residential development. Furthermore, the rear multi-dwelling development could be a 4 storey residential flat building similar to the buildings along the Great Western Highway, however, the proposed 3 storey building provides an appropriate transition to the existing and potential two-storey development to the rear.

It is considered that the development is appropriate for the site and for the locality.

## **10. Fencing**

**The existing colorbond fence at the rear (western) boundary of No. 6 Pendle Way shall remain and not be replaced with a timber fence.**

It is recommended as a condition of consent that, given the good condition of the existing 1.8m high boundary fence adjoining Lot 1 DP 14758, known as 6 Pendle Way, replacement of this fence is not required unless it is damaged in any way during construction of the development and in this regard shall be replaced at full cost to the developer.

## **11. Substation**

**The proposed location of the substation is not supported given the proximity to the adjoining residence.**

It is considered that the proposed location of the substation would not meet Endeavour Energy substation easement requirements without the erection of a fire rated shielding structure, or the like. Such structures are visually intrusive and would have an adverse impact upon the adjoining property. A more appropriate location would be along the Great Western Highway frontage. In this regard, it is recommended that approval for the proposed location of the substation not be granted at this stage, and a further application for approval be lodged with Council once Endeavour Energy requirements are known. A condition to this effect has been included within the draft conditions of consent.

### *(e) the public interest*

Given the positive benefits of the proposal, which were identified by Council's Social Planner, are considered to outweigh any negative impacts that may arise as a result of the proposal, it is considered that the proposal is in the public interest.



## INTERNAL REFERRALS

During the assessment process, comments were sought from a number of sections within Council, as detailed below:

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, subject to conditions
Community Services Section (Social Planning and Accessibility)	No objection, subject to conditions

## EXTERNAL REFERRALS

Comments were also sought from a number of external authorities, as provided below:

Roads and Maritime Services	No objection, subject to conditions
Holroyd Police	No objection, subject to conditions
Endeavour Energy	No objection, subject to conditions

## SECTION 94 CONTRIBUTIONS

The subject site is located within the infill contributions area. The following contributions apply to residential development in this area:

- Residential
  - 14 x 1 b/r units @ \$4,859 = \$68,026
  - 47 x 2 b/r units @ \$8,217 = \$386,199
  - 13 x 3 b/r units @ \$11,504 = \$149,552
  - Minus credit for 2 x 3 credit units @ \$11,504 = \$23,008
  - Total **\$580,769**

## RECOMMENDATION

As identified above, the proposed development is within a B6 Enterprise Corridor zone, and accords with the development types envisaged for this zone under the Holroyd LEP 2013.

The proposed development as amended complies with the provisions of the Holroyd LEP 2013 and the controls contained within the Apartment Design Guide and the Holroyd DCP 2013.

It is considered that the proposed development will have a positive impact on the built environment and is acceptable in terms of streetscape presentation and overall bulk and scale. In addition, the development meets required HLEP height controls, as well as controls relating to setbacks and separation, private and communal open space, solar access and overshadowing and car parking. The overall height, density and presentation of this development considered acceptable for the site and for the locality.

Having regard to the above, it is recommended that the application proposing demolition of existing structures, consolidation of 8 lots into 1 lot and construction of 3 separate buildings comprising a 4 storey shop top housing development, a 4 storey residential flat building and a 3 storey multi dwelling housing development, incorporating a total of 5 commercial units, 74 residential units over 1 level of basement parking accommodating a total of 123 car parking spaces be approved subject to a deferred commencement provision requiring the registration of an easement for the purposes of stormwater drainage, and subject to conditions as outlined in Attachment H of this report.