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27 February 2018

The General Manager  
Bayside Council  
PO Box 21  
ROCKDALE NSW 2216

**Property: 19 – 25 Robey Street and 5 and 5A Elizabeth Avenue, Mascot.**

**Development Application: 16/165**

**Re: Revised Statement of Environmental Effects**

Dear Sir,

This letter is a revised Statement of Environmental Effects addressing the amended plans submitted with Development Application 16/165. The development application was deferred by the Sydney Eastern City Planning Panel on the 7<sup>th</sup> of December 2017. This revised statement addresses the amended architectural plans and reports prepared to address the recommendations and the Sydney Eastern City Planning Panel.

Additionally, the amended plans have been referred to the Bayside Design Review Panel meeting on 15 February 2018. The panel minutes are at **Annexure 1** and the recommendation states:

*The Panel supports the application subject to the changes described above. The application satisfies design quality principles contained d in SEPP 65.*

The Sydney Eastern City Planning Panel (JRPP) deferred the application for the following reasons which are explained in greater detail below.

- 1. The communal open space as proposed is unacceptable due to its location and its inability to achieve adequate solar access. Communal open space should therefore be relocated on the roof of the development and lift access provided.*
- 2. The floor to floor heights shall be a minimum of 3.1m for level 1 and above. The Panel notes that this will vary the ADG suggested height for Level 1.*
- 3. A new Clause 4.6 variation shall be submitted to Council for consideration in relation to any development standard breach.*

4. *The Panel questions whether the proposal as submitted achieves the level of solar access and cross ventilation reported in the assessment report. Accordingly, more detailed solar access information and cross ventilation information shall be provided to demonstrate compliance with the ADG or to justify any non-compliance. In this review any re-design should maximise the site's northern exposure which may require internal layout changes.*
5. *Any amended plans should maximise views and orientation over the adjoining park.*
6. *If a re-design results in zero side boundary setbacks to match the adjoining building at 27-29 Robey Street (up to 3 levels) this would retain streetscape consistency and may be desirable.*
7. *Consideration should be given to exploring a re-design of the internal courtyard to improve internal amenity*

This amended Statement of Environmental Effects is supported by the following amended plans and documents:

- *Architectural Plans numbered DA001, DA101-DA103, DA201-DA209, DA301-DA308, DA401-DA407, DA501-DA503, dated 26 February 2018, prepared by DKO Architecture*
- *Architectural Concept Design report dated December 2017 prepared by DKO Architecture*
- *Stormwater Plans, numbered SW100, SW200-SW202, SW300-SW301, SW400, SW500, dated 26 February 2018, prepared by SGC Consulting Engineers;*
- *Access Report dated 26 February 2018 prepared by Accessible Building Solutions*
- *Building Compliance Assessment Report, dated 15 February 2018, prepared by Paul Aramini Consulting Pty Ltd*
- *Traffic Impact Assessment, dated February 2018, prepared by Traffix.*
- *Landscape plan numbered 18705 sheets LSDA201 – LSDA-202, LSDA-301 – LSDA-302, LSDA-401, LSDA404 dated 23 February 2018 prepared by Greenplan,*
- *Basix Certificate*
- *Clause 4.6 variation – Building height dated 26 February 2018 prepared by Chapman Planning (**Annexure 3**).*

## **SITE AND CONTEXT**

The subject site is zoned B2 – Local Centre where residential flat buildings and commercial premises are permissible land uses within this zone.

The subject site is located 130m east of Botany Road, which contains the Mascot Town Centre, with Sydney Kingsford Smith Airport being located a short distance to the south-west of the site. Mascot train station is located approximately 1.2km to the north-west, with a bus interchange located within 200m of the site along Botany Road.

The immediate locality is characterized by a mixture of residential, commercial and open space uses. The development to the north of the site includes single and two storey detached

dwelling. A three storey residential flat building is located north-east of the site along High Street, with the Mascot Town Centre located further to the east along Botany Road.

A five (5) storey mixed use building has been approved on the adjoining site to the west, at 27-29 Robey Street having a maximum height of 16.16m.

John Curtin reserve adjoins the site to the north-west.

The subject site is known as 19-25 Robey Street and 5 and 5A Elizabeth Avenue Mascot and includes the following allotments: Lot 1 in DP946234, Lot 1 in DP 455491, Lot 1 in DP931264, Lot C in DP 418600, Lots 15-16-19 in DP 4115.

The site currently contains single storey detached dwellings along the Robey Street frontage, with a part two storey industrial building to the rear.

The subject site is shown in below aerial photograph.



Source: Six Maps

## DEVELOPMENT PROPOSAL

Development Application 16/165 was submitted on 16<sup>th</sup> September 2016 for:

*Integrated Development Application for the demolition of existing structures and the construction of a five (5) storey mixed commercial and residential apartment building consisting of two (2) levels of basement car parking containing 111 car parking spaces, three (3) ground floor retail spaces and 54 residential apartments across four (4) storeys.*

### **The amended plans are described as follows:**

Demolition of the existing buildings and associated structures, and construction of a five (5) storey mixed commercial and residential flat building development with 2 large retail units, 66 residential units and basement parking. The unit mix is:

- 21 x 1 bedroom units (32%),
- 39 x 2 bedroom units (59%), and
- 6 x 3 bedroom units (9%).

Two (2) levels of basement car parking are proposed, in total containing 133 parking spaces. Basement level 1 contains 63 spaces (including 8 retail spaces, 14 visitor spaces and 2 accessible spaces). Basement level 2 contains 70 spaces (including 6 accessible spaces). Both levels contain plant and equipment rooms, 2 lift cores and storage areas for the residential apartments. Vehicular access to the site is through Robey Street.

The development proposal is further detailed below:

#### **▪ Basement Levels**

Two (2) levels of basement car parking are proposed, in total containing 133 parking spaces. Vehicular access to the site is through Robey Street, with the basement access driveway located at the south-eastern corner of the site.

Each of the full basement levels contains 2x lift cores and 2 x fire egress stairs, as well as plant and equipment rooms, and storage areas for the residents of the development.

- Basement 2 – Contains 70 spaces (including 6 accessible spaces and 2 spaces in a tandem stacked arrangement).
- Basement 1 – Contains 63 spaces (including 8 retail spaces, 14 visitor spaces, 2 accessible spaces, and 2 spaces in a tandem stacked arrangement).

#### **▪ Ground Floor**

The ground floor contains 2 x Retail units with a frontage to Robey Street sized 91m<sup>2</sup> – 102m<sup>2</sup>, 2 x 1 bedroom apartments sized 50-51m<sup>2</sup>, 5 x 2 bedroom apartments sized 75-82 m<sup>2</sup>, and 1 x 3 bedroom apartment sized 97m<sup>2</sup>. Each unit features a balcony/courtyard accessed from the main living rooms.

7 out of 8 units will receive 2 hours solar access and 5 out of 8 units are cross ventilated.

The ground floor also contains a substation chamber within the western side setback, and vehicular access to the basement from the driveway along the eastern boundary. The driveway also provides access to a loading bay, residential and retail waste collection areas.

Pedestrian access to the site is located within the western side setback, and through northern rear setback which includes link between Elizabeth Street and John Curtin Reserve.

- **Level 1**

Level 1 contains 5 x 1 bedroom apartments sized 50-52m<sup>2</sup>, 9 x 2 bedroom apartments sized 75-82m<sup>2</sup>, and 1 x 3 bedroom apartment sized 97m<sup>2</sup>. Each unit features a balcony/courtyard sized 8-13m<sup>2</sup>.

9 out of 15 units will receive 2 hours solar access and 9 of 15 units are cross ventilated.

- **Level 2**

Level 2 contains 5 x 1 bedroom apartments sized 50-52m<sup>2</sup>, 9 x 2 bedroom apartments sized 75-82m<sup>2</sup>, and 1 x 3 bedroom apartment sized 97m<sup>2</sup>. Each unit features a balcony/courtyard sized 8-13m<sup>2</sup>.

10 out of 15 units will receive 2 hours solar access and 9 of 15 units are cross ventilated.

- **Level 3**

Level 3 contains 4 x 1 bedroom apartments sized 50-53m<sup>2</sup>, 9 x 2 bedroom apartments sized 75-82m<sup>2</sup>, and 1 x 3 bedroom apartment sized 97m<sup>2</sup>. Each unit features a balcony/courtyard sized 8-13m<sup>2</sup>.

11 out of 14 units will receive 2 hours solar access and 9 of 14 units are cross ventilated.

- **Level 4**

Level 4 contains 5 x 1 bedroom apartments sized 50-53m<sup>2</sup>, 7 x 2 bedroom apartments sized 71-82m<sup>2</sup>, and 2 x 3 bedroom apartment sized 95-97m<sup>2</sup>. Each unit features a balcony/courtyard sized 8-14m<sup>2</sup>.

10 out of 14 units will receive 2 hours solar access and 9 of 14 units are cross ventilated.

- **Roof Level**

The proposal has been designed with a flat roof form that contains the communal open space for the development in the form of a rooftop terrace including landscape works. The terrace is located in the northern portion of the site and is accessed from the northern lift core.

- **Materials and Finishes**

The building will be finished in a variety of materials and finishes including:

- Light and dark painted Render;
- Feature Wall Cladding,

- Metal Louvre Screening with matte finish,
- Glass and solid balustrades, and

A schedule of materials and finishes numbered DA407 dated 16 February 2018 prepared by DKO Architecture is submitted with the development application.

#### ▪ Landscape Works

The application is supported by a Landscape Plan prepared by *Greenplan*. The landscape plan shows a comprehensive landscape scheme that will, in time, present the site to Robey Street in a landscape setting. The landscape plan maximises useable space across the communal areas at ground and on rooftop terrace and references the adjoining public reserve.

The proposed new canopy tree plantings includes Red Weeping Maple, Bangalow Palm and Rough Tree Fern. The landscape plan also includes a variety of shrubs and groundcovers including Camelia, Native Ginger screen planting, Birds Nest Fern, and Giant Bromeliad and Silver Lady Fern groundcovers.

### DEVELOPMENT HISTORY

#### ***Sydney Eastern Joint Regional Planning Panel***

Development Application 16/165 was lodged with Council on 16 September 2016. This application was referred to the Sydney Eastern Joint Regional Planning Panel (JRPP) for determination at its meeting held on 7 December 2017, with Council's recommendation being for approval of the application.

The panel deferred determination of the application so that the application could provide amended plans to address issues. The table below outlines the issues raised by the panel which have been addressed by the amended design submitted as part of this application.

Reason for Deferral	Comment
<i>1. The communal open space as proposed is unacceptable due to its location and its inability to achieve adequate solar access. Communal open space should therefore be relocated on the roof of the development and lift access provided.</i>	<p>The principal communal open space area for the development has been relocated to the roof in the form of a roof terrace on the northern building, presenting a visual connection between the communal open space and the adjoining John Curtin reserve. The communal open space on roof will receive uninterrupted solar access and is sized 423m<sup>2</sup>.</p> <p>The communal terrace includes planters at the edge of the terrace to mitigate potential overlooking of the adjoining properties.</p> <p>In additional communal open space of area 231m<sup>2</sup> is provided at ground level presenting a</p>

	total area of 649m <sup>2</sup> meeting part 3D-1 of the ADG.
<i>2. The floor to floor heights shall be a minimum of 3.1m for level 1 and above. The Panel notes that this will vary the ADG suggested height for Level 1.</i>	<p>The amended design includes floor to floor heights of 3.1m across all floors, with 3.3m at the upper level meeting part 4C of the ADG.</p> <p>The variation in ceiling height is acceptable for level 1 noting the layout of the development facilities residential use. The ceiling height of level 1 is consistent with the advice of the planning panel.</p>
<i>3. A new Clause 4.6 variation shall be submitted to Council for consideration in relation to any development standard breach.</i>	<p>A Clause 4.6 seeking variation to clause 4.3 – Height of Buildings has been in accordance with the amended plans and is at <b>Annexure 3</b>.</p> <p>The Clause 4.6 variation confirms the variation to building height is well founded and the proposed height meets the objectives of the building height development standard noting the variation is directed by the flood level across the site, the upper level is comparable with the approved building height of the building at 27 – 29 Robey Street and provides lift access to accessible and function open space.</p>
<i>4. The Panel questions whether the proposal as submitted achieves the level of solar access and cross ventilation reported in the assessment report. Accordingly, more detailed solar access information and cross ventilation information shall be provided to demonstrate compliance with the ADG or to justify any non-compliance. In this review any re-design should maximise the site's northern exposure which may require internal layout changes.</i>	<p>DKO Architecture Pty Ltd have provided solar access/ventilation diagrams and views from the sun to confirm that the residential amenity of the building meeting the requirements of part 4A and 4B of the ADG.</p> <p>71% of units achieve a minimum 2 hours of solar access, with 15% of units having no solar access. This complies with the requirements of the ADG.</p> <p>62% of units are cross ventilated which complies with the requirements of the ADG.</p>
<i>5. Any amended plans should maximise views and orientation over the adjoining park.</i>	<p>The proposal has amended to improve connection and orientation towards John Curtin reserve to the north-west. The development proposal includes a through site link connecting Elizabeth Avenue to the reserve and the communal circulation area at ground level has been relocated to the western boundary to</p>

	<p>improve integration, and maximise sight lines to reserve.</p> <p>The north western corner of the development has been re-orientated towards the west with ground floor unit courtyards orientated towards the park.</p>
<p><i>6. If a re-design results in zero side boundary setbacks to match the adjoining building at 27-29 Robey Street (up to 3 levels) this would retain streetscape consistency and may be desirable.</i></p>	<p>The building to Robey Street has been designed with a nil setback at the street frontage to the western boundary creating a continuous street wall with 27-29 Robey Street with the upper levels having a 3m – 4.5m setback to the boundary and 6.8 – 8.3m separation to the approved building at 27 – 29 Robey Street.</p> <p>The building at Robey Street frontage maintains a 3m separation to delineate the entry to the development and provide a visual break in the built form to Robey Street.</p>
<p><i>7. Consideration should be given to exploring a re-design of the internal courtyard to improve internal amenity</i></p>	<p>The internal courtyard has been re positioned on site to the western boundary towards the reserve adjoining the site to the north-west.</p> <p>The location of internal ground floor courtyard will encourage a visual link to the reserve and improve solar access, ventilation and visual amenity of the space.</p> <p>As addressed the primary communal open space of the development has been relocated to a roof terrace of the northern building on the site.</p>

### ***Bayside Design Review Panel***

The current amended scheme was submitted to the Bayside Design Review Panel, with meeting held Thursday 15<sup>th</sup> February. The Bayside Design Review Panel completed a review of the proposal with reference to the nine design principles contained within *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*.

The recommendation of the design review panel is provided below.

*The Panel supports the application subject to the changes described above. The application satisfies the design quality principles contained in SEPP 65.*



The minutes from the Bayside Design Review Panel are at **Annexure 1**.

## PLANNING ASSESSMENT

### ***SEPP 65 – Design Quality of Residential Apartment Development***

State Environmental Planning Policy (SEPP) 65 – Design Quality of Residential Apartment Development applies to the development application being a new mixed use building with more than 3 storeys and more than 4 self-contained dwellings.

The design of a residential apartment building must be in accordance with Schedule 1 of SEPP 65 - Design Quality Principles. The following table assesses the development application in accordance with these principles. A Design Verification Statement prepared by *DKO Architecture* is submitted with the development application.

Principle	Comment
Context and Neighbourhood Character	<p>The building has been designed in accordance with the planning objectives of the Botany Bay LEP and DCP and the adjoining built form, with amendments made consistent with the recommendation of the Sydney Eastern Planning Panel.</p> <p>It is noted that the immediate locality is characterized by a number of higher density residential developments near the site, noting the site is undergoing a transition to higher density development. The proposal has been designed to align with the approved 5 storey apartment building adjoining to the west which has a nil side setback up to Level 3.</p> <p>Further, the amended proposal has been designed having regard to John Curtin Reserve to the north-west, with the ground level communal courtyard area being orientated to take advantage of this public open space.</p> <p>The residential dwellings (1, 2 and 3 bedroom dwellings) are within the catchment of public transport – bus and train services.</p>
Built Form and Scale	<p>The development proposal has been designed in accordance with the intent of the building height provisions for development within the locality with the proposal aligning with adjoining development. The development presents a 5 storey form that is consistent with the adjoining development to the west at 27-29 Robey Street.</p> <p>The proposed built form is designed to fit with the desired future streetscape and generally meets the built form controls for development in the locality.</p>

Density	The density of the building is compatible with the desired future character of the locality presented in the Botany Bay LEP 2013 and DCP 2013. The residential dwellings provide housing in the catchment of public transport within the local centre zone. The articulated building design, and variety of materials and finishes improve the presentation of the subject site to the public domain and present a suitable outcome for this site.
Sustainability	<p>The residential units have been designed to maximise residential amenity, with reference to the amended design that orientates the development towards John Curtin Reserve. 47 of 66 units – 71% will receive greater than 2 hours solar access and 41 out of 66 units – 62% are cross ventilated.</p> <p>The proposal is consistent with the BASIX requirements and provides a high level of amenity.</p>
Landscape	The development proposal includes 1185m <sup>2</sup> of landscaped area, with the primary landscaped areas located centrally between the buildings and within the side setbacks. The communal open space achieves a high level of amenity being located at the roof level.
Amenity	<p>As addressed, the units have been designed in accordance with the Apartment Design Guide ensuring the dwellings are of suitable dimension and designed to maximise solar access and ventilation with 47 of 66 units achieving 2 hours solar access at mid-winter.</p> <p>The design of the mixed use building development maximizes the external glazing for cross ventilation to the units and provides opportunity for different views from dual aspect units.</p>
Safety	The proposal provides casual surveillance opportunities for public and communal open spaces, and there is a clear distinction between public and private spaces with access control to the building and basement levels.
Housing Diversity and Social Interaction	The development proposal provides additional housing to meet demand with the provision of a range of 1, 2, and 3 bedroom units. Additionally, the proposal provides additional housing within the catchment of the public transport, being 200m from a bus interchange on Botany Road.
Aesthetics	The proposal contributes to the desired future character of the locality and presents a building form that is articulated with a variety of materials and finishes, including Light and Dark Painted

	Render, Feature Wall Cladding, Metal Louvre Screening and Glass Balustrades.
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The Apartment Design Guide applies to the development application and the development control table at **Annexure 2** assesses the development in accordance with the relevant controls contained in the SEPP 65 – Apartment Design Guide (ADG).

Refer **Annexure 2** – Apartment Design Guide Development Control Table

### ***Botany Bay Local Environmental Plan 2013 and Development Control Plan 2013***

The Botany Bay Local Environmental Plan 2013 (BBLEP 2013) applies to the subject site and this development proposal. The subject site is zoned B2 Local Centre, with the proposed mixed use building containing commercial premises at ground floor and a residential flat building.

The development standards within the Botany Bay LEP 2013 and the development controls within the Botany Bay DCP 2013 are addressed in the development control table below.

	<b>Proposed</b>	<b>Control</b>	<b>Compliance</b>
<b>Botany Bay LEP 2013</b>			
<b>Zone</b>	Mixed Use Building- RFB and Commercial	B2 Local Centre	Yes
<b>Height of Buildings</b>	Lift overrun 21m RL26.2  Roof form 17.2m RL22.7	14m	Note 1
<b>Floor Space Ratio</b>	5174m <sup>2</sup> & 1.99:1	5180m <sup>2</sup> and 2:1	Yes
<b>Botany Bay DCP 2013 Part 3A – Car Parking</b>			
<b>Car Parking</b>	111 Residential (8 accessible)  14 visitor spaces  8 retail spaces	1 bed: 1 space = 21 spaces  2+ bed: 2 spaces = 90 spaces  Visitor: 1/5 dwellings = 13.2 spaces  Commercial (shop): 1 space/25m <sup>2</sup> = 7.7 spaces	Yes  Yes  Yes  Yes

	1 Service Bay provided  <b>133 total spaces provided</b>	Service Bays: 1/50 units = 1 space  <b>Total required = 132 spaces</b>	Yes  Yes
<b>Bicycle Parking</b>	Adequate storage space for 14 bicycles	10% of car spaces = 13.2 bicycle spaces	Yes
<b>Part 3C – Access and Mobility</b>			
<b>Adaptable Housing</b>	13 units adaptable – 20%	>20% adaptable	Yes
<b>Part 4C – Residential Apartment Buildings</b>			
<b>Streetscape Presentation</b>	Building length along Robey Street 38m	Max. 24m	Note 2
<b>Landscaped Area</b>	1185m <sup>2</sup> & 46%	906.5m <sup>2</sup> & 35%	Yes
<b>Front Setback</b>	3m	3m	Yes
<b>Unit Mix</b>	21 x 1 bed = 32%	No greater than 25% 1 bed units	Note 3
<b>Dwelling Layout and Family Friendly Apartment Buildings</b>	3 bed units do not have two separate living spaces  Select apartments include study nook  Second and third bedrooms able to accommodate single bed and desk.  2 x bathrooms for 2 & 3 bed units  Private open spaces viewable from kitchens	3 bed units are to have two separate living spaces w/ study alcove  Family apartments to include a study nook  Each bedroom (excl. master) able to accommodate single bed, desk, floor space  2 bathrooms for 2 & 3 bed units  All private open spaces viewable from kitchens	Note 4    Yes  Yes, ADG prevails  Yes
<b>Internal Circulation</b>	2 lift and stair cores provided	2 cores to be provided	Yes
<b>Site Facilities</b>	Mailboxes provided under cover	Mailboxes to be provided under shelter	Yes

<b>Communal Open Space</b>	>70%	70% capable of growing plants	Yes
<b>Solar Access</b>	North-south orientation of development ensures >2hrs solar access for neighbouring development  >30% communal open space will receive sunlight (rooftop terrace)	Neighbouring development - >2hrs sunlight in midwinter  30% of communal open space - >2hrs sunlight in midwinter	Yes  Yes
<b>Part 5 – Business Centres (Mascot Local Centre)</b>			
<b>Street Wall Height</b>	4 storeys	2 storeys	Note 5
<b>Reflectivity</b>	Glazing is unlikely to adversely impact nearby properties/road	Glazing must not result in glare to motorists/pedestrians.	Yes
<b>Awnings &amp; Verandahs</b>	Awnings at ground level	Provide awnings above footpath	Yes
<b>Active Street Frontages</b>	Active frontage to Robey Street	Clause 6.15 Active street frontages applies	Yes

**Note 1:** The maximum building height presents a variation to the maximum building height limit of 14m. The building height is consistent with the previous design/plans on-site and planning panel advice. A Clause 4.6 variation statement has been submitted as part of this application. It is noted that the design review panel supports the height increase to rear building, with reference to minutes of meeting held 15 February 2018.

**Note 2:** The proposal presents a building length of 38m that exceeds the 24m building length control. The length of the building along Robey Street is considered to be acceptable creating a street wall design consistent with the recommendations of the JRPP and the Bayside Design Review Panel. The proposal presents an active street frontage that is articulated by feature wall elements to minimize its bulk and scale impact to the street.

It is also noted that the proposal is appropriately landscaped, with street trees located on Council's grass verge to further soften the appearance of the proposal when viewed from the street.

**Note 3:** The proposed unit mix is generally consistent with the previous scheme being 21 units and 32% one bedroom apartments noting this component of the development was supported under the original application and by Bayside Design Review Panel – Housing Diversity Design principle. The variation to unit mix is acceptable given the proposal continues to provide a range of different apartment sizes including one bedroom and one bedroom + study units. The design of the building has been undertaken in accordance with market demand providing housing choice to meet the needs of the locality.

**Note 4:** The proposal generally complies with the family friendly apartments/layout requirements. The size of the 2 and 3 bedroom apartments generally exceed the minimum ADG requirements, indicating that there is sufficient size within the apartment to accommodate a study nook within the open plan living area, where they are not provided separate.

**Note 5:** This part of the DCP requires buildings to align along the street frontage to create a consistent street wall no higher than two storeys. The controls allow for a variation to be permitted when the height of adjoining buildings on the street exceeds two storeys.

The proposal involves a street wall of 4 storeys which includes the ground floor commercial components and Levels 1 – 3. While this exceeds the controls, it is consistent with the approved development adjoining to the west at 27-29 Robey Street and the recommendation of the JRPP. The proposal is consistent with the emerging character of the street and the higher wall does not adversely impact on the streetscape given the articulation of the building form and the proposed landscaping.

## CONCLUSION

In conclusion it is considered that the revised development proposal is acceptable under the considerations of S.79C of the E.P& A. Act 1979. The following conclusions are made in relation to the development proposal:

- *The development is permissible with the consent of Council pursuant to Botany Bay Local Environmental Plan 2013;*
- *The development proposal is consistent with the objectives of the B2 – Local Centre zone;*
- *The development proposal has been designed to address the recommendation of the JRPP with regard to the provision of communal open space – roof terrace, floor to floor heights, solar access and cross ventilation, views orientation to John Curtin Reserve, setback-streetscape consistency with 27 – 29 Robey Street,*
- *The development proposal results in variation to the 14m height control pursuant to clause 4.3 – Height of Buildings in the Botany Bay Local Environmental Plan 2013. The building height – bulk and scale is supported by the Bayside Design Review Panel. The variation is addressed by a clause 4.6 variation at **Appendix 3**.*
- *The development proposal meets the FSR control contained within the Botany Bay Local Environmental Plan 2013;*

- *The proposal has been designed to meet the Design Quality Principles pursuant to SEPP 65 and generally complies with the controls and meets the objectives contained in the Apartment Design Guide. The recommendation of the Bayside Design Review Panel is:*

*The application satisfies the design quality principles contained in SEPP 65. ;*

- *The development proposal meets the residential amenity design criteria with regard to solar access, ventilation, apartment size and layout contained in SEPP 65 – ADG,*
- *The proposed development meets the design objectives and the majority of design controls for residential flat buildings contained in Botany Bay DCP 2013 noting the site is located within the Mascot Local Centre (Botany Road);*
- *The development proposal has been designed with adequate setbacks and articulated facades ensuring the building does not have an adverse bulk and scale impact upon adjoining properties;*
- *The proposed development is compatible in the site context and character of the locality with the height of the building comparable to the mixed use development in the immediate locality;*
- *The design of the buildings ensures environmental sustainable measures are achieved and residential amenity is maximised;*
- *The development proposal has been designed to accommodate landscaping and deep soil areas in accordance with SEPP 65 – ADG, and is orientated to relate appropriately to John Curtin reserve to the north-west.*
- *The proposed building has been designed with a ground floor courtyard and rooftop terrace contributing to residential amenity within the site;*
- *The proposed buildings will not result in unreasonable amenity impacts on adjoining properties, dwellings and the streetscape.*

For reasons outlined in this Statement of Environmental Effects, the development application for demolition of the existing building and construction of a mixed use development containing 66 units and ground floor commercial units at 19-25 Robey Street & 5-5A Elizabeth Avenue, Mascot should be granted development consent.

If you require clarification of the issues addressed in this letter please contact Garry Chapman on 9560 1718.

Regards,



Garry Chapman  
Chapman Planning Pty Ltd

## **Annexure**

1. Bayside Design Review Panel Minutes
2. Apartment Design Guide – Development Assessment Table
3. Revised Clause 4.6 Variation – Building Height



## ANNEXURE 2: Apartment Design Guide Development Control Table

Apartment Design Guide	Proposed	Design Criteria	Compliance
<b>Primary Controls</b>			
Building Depth (m)	12m – 18m	12m – 18m	Yes
Street Setbacks	Aligns with adjoining development	Align Street Setbacks	Yes
<b>Siting the Development</b>			
Site Analysis	Site analysis plan provided	Site Analysis Plan	Yes
Open Space (% & m <sup>2</sup> ) Communal	649m <sup>2</sup> & 25.05%	25% 647.5m <sup>2</sup>	Yes
Deep Soil Zone (% & m <sup>2</sup> )	211m <sup>2</sup> & 8%	7% - 181.3m <sup>2</sup> Min. 6m dimension	Yes, 8% acceptable mixed use development in B2 zone.
Visual Privacy <b>Up to 4 Storeys</b> <b>East</b> Habitable and Non Habitable	3m – 6m	6m	Note: The proposal has been designed to meet side setback – separation design criteria on the site, is consistent with adjoining development 27 – 29 Robey Street and allows for future development of adjoining site to east.  Note: Western elevation is designed with a nil – 3m setback creating a street wall design to Robey Street and meets the recommendation of the JRPP.  Note: Building separation to west designed in accordance with
<b>West</b> Habitable and Non Habitable	Nil – 4.5m	6m	
<b>North</b> Habitable and Non Habitable	6m	6m	
<b>5<sup>th</sup> storey + Above</b> <b>East</b> Habitable and Non Habitable	6m	4.5m – 9m	
<b>West</b> Habitable and Non Habitable	4.5m	4.5m – 9m	

<b>North</b> Habitable and Non Habitable	6m	4.5m – 9m	recommendation of JRPP
Vehicle + Pedestrian Access	Vehicle access eastern setback  Pedestrian Access western setback – Robey Street.	Vehicle + Pedestrian access to be separated to achieve safety – minimise conflicts	Yes
Bicycle and Car Parking	Car Parking – 133 spaces Bicycle Parking – 14 spaces	DCP Parking Requirement	Note: Meets DCP controls
<b>Design of Building</b>			
Solar and Daylight Access	47 Units – 71%  10 units – 15%	70% - 46.2 Units 2 hours  15% - 10 units No solar access	Yes  Yes
Natural Ventilation	41 Units – 62%	60% - 39.6 Units	Yes
Ceiling Height (m) Residential Habitable	2.7m  Floor to Floor 3.1m	2.7m	Yes
Apartment Size and Layout (m) (Open plan max depth from window)	<8m	8m	Yes
Standard Apartment Sizes (m <sup>2</sup> )	1 bed: 50m <sup>2</sup> – 53m <sup>2</sup>  2 bed: 71m <sup>2</sup> – 82m <sup>2</sup>	50m <sup>2</sup>  70m <sup>2</sup> + 5m <sup>2</sup> additional bathroom	Yes  Yes

Bedrooms  Living Rooms	3 bed: 95m <sup>2</sup> – 97m <sup>2</sup>	90m <sup>2</sup> + 5m <sup>2</sup> for additional bathroom	Yes
	>10m <sup>2</sup> Main >9m <sup>2</sup> Other	10m <sup>2</sup> Main 9m <sup>2</sup> Other	Yes
	> 3.6m 1 bed > 4m 2+ bed	1 bed: width 3.6m 2 – 3 bed: width 4m	Yes
Private Open Space and Balconies	1 bed: 8m <sup>2</sup> 2 bed: >11m <sup>2</sup> 3 bed: >12m <sup>2</sup>	8m <sup>2</sup> 10m <sup>2</sup> 12m <sup>2</sup>	Yes
Ground Floor	15m <sup>2</sup> – 32m <sup>2</sup>	15m <sup>2</sup>	Yes
Common Internal Circulation	5 – 8 Units	8 Units	Yes
Storage (m <sup>3</sup> )	1 bed: >6m <sup>3</sup> 2 bed: >8m <sup>3</sup> 3 bed+: >10m <sup>3</sup>	6m <sup>3</sup> 8m <sup>3</sup> 10m <sup>3</sup>	Yes
Apartment Mix	1, 2, and 3 bedroom units	Variety of apartment types	Yes
Adaptable Apartments	13 units – 20%	>20% of apartments	Yes