

Statement of Environmental Effects

DEMOLITION, TREE REMOVAL AND THE CONSTRUCTION OF A FOUR (4) STOREY RESIDENTIAL FLAT BUILDING CONTAINING 32 RESIDENTIAL DWELLINGS OVER BASEMENT PARKING FOR 33 VEHICLES AT 23 -27 MARSHALL STREET, BANKSTOWN



Prepared by: **Think Planners**
Document Date: 1 December 2015
Consent Authority: Bankstown City Council

Quality Assurance

PROJECT: Statement of Environmental Effects– ARH SEPP RFB x 32 Units

ADDRESS: Lots 8,9 & 10 in DP 12384, 23-27 Marshall, Bankstown

COUNCIL: Bankstown City Council

CONSENT BODY: Sydney West Joint Regional Planning Panel

ARCHITECT: Zhinar

AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
26 November 2015	Draft Issue	Draft	BD/JW	JW
1 December 2015	Lodgement Issue	Final	BD/JW	JW

<i>Integrated Development (under S91 of the EP&A Act). Does the development require approvals under any of the following legislation?</i>	
<i>Fisheries Management Act 1994</i>	<i>No</i>
<i>Heritage Act 1977</i>	<i>No</i>
<i>Mine Subsidence Act 1992</i>	<i>No</i>
<i>Mining Act 1992</i>	<i>No</i>
<i>National Parks and Wildlife Act 1974</i>	<i>No</i>
<i>Petroleum (Onshore) Act 1991</i>	<i>No</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>No</i>
<i>Roads Act 1993</i>	<i>No</i>
<i>Rural Fires Act 1997</i>	<i>No</i>
<i>Water Management Act 2000</i>	<i>No</i>
<i>Concurrence</i>	
<i>SEPP Infrastructure</i>	<i>No</i>
<i>SEPP 71 – Coastal Protection</i>	<i>No</i>



RFB: 23 -27 Marshall Street, Bankstown

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Executive Summary

This Statement of Environmental Effects has been prepared in support of a Development Application for the demolition of existing structures, lot consolidation, tree removal and the construction of a four (4) storey '*Residential Flat Building*' pursuant to the Affordable Rental Housing SEPP. The proposal consists of 32 residential units over basement parking for 33 vehicles at 23-27 Marshall Street, Bankstown. Sixteen units with a total floor area of 1186.65m² are nominated as being affordable units. These will be managed by a community housing provider for a period of at least ten (10) years.

The proposal incorporates the following dwelling mix:

- 3 x 1 bedroom units; and
- 29 x 2 bedroom units.

Located on the intersection of Marshall Road and De Witt Street, the subject site is located approximately 800m south of the southern edge of Bankstown Town Centre. A bus stop with regular services to Canterbury, Roselands, Bankstown, Liverpool and Burwood is located on Chapel Road which is within 250m of the subject site.

The development is a regular shaped corner land parcel with frontage to Marshall Street and De Witt Street. The site comprises of three (3) separate allotments with a total site area of 1,837.82m². The subject site is zoned R4 High Density Residential under Bankstown Local Environmental Plan 2015. '*Residential Flat Buildings*' are permissible with consent within the R4 Zone.

Located within an established high density residential area, the existing built form character of the subject area is dominated by older style residential flat buildings of mixed ages and architectural styles interspersed by single storey residential dwellings. With the subject area zoned R4 High Density Residential and considering the current demand for housing within close proximity to centres and with an absence of heritage items, it is expected that the localities remaining stock of low density housing will be redeveloped for higher densities in the medium term. This is evident with the redevelopment of 119-123 Chapel Road and 133 -139 Chapel Road from low density to higher density.

The proposal involves the replacement of three single storey residential dwellings and the construction of a four storey residential flat building, which is considered to be an infill development that aims to be consistent with the high density character of the locality. The proposal aims to not only provide an attractive residential flat building that addresses its two frontages but seeks to utilise the land in accordance with the zoning and take advantage of its proximity to public transport and services. The proposal will also contribute towards providing alternative residential accommodation opportunities within Bankstown.



RFB: 23 -27 Marshall Street, Bankstown

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

1. Site and Locality Description

The subject site is legally described as Lots 8-10 in DP 12384, known as 23 -27 Marshall Street, Bankstown. It is proposed to amalgamate three lots, demolish existing structures on site in order to erect a four (4) storey '*Residential Flat Building*' with frontages to Marshall and De Witt Street.

The development site is a regular shaped land parcel located on the intersection of Marshall Street and De Witt Street, approximately 800m south of the southern edge of Bankstown Town Centre. A bus stop with regular services to (Canterbury, Roselands, Bankstown, Liverpool and Burwood) is located on Chapel Road within 250m of the subject site.

The site comprise of three (3) separate allotments with a total site area of 1,837.82m² with a frontage to Marshall Street of 44.19m, a frontage to De Witt Street of 38.71m, a northern side boundary of 40.21m and a western side boundary of 45.72m. A single storey dwelling and associated outbuildings are currently located on each lot. The site has a slight slope of 1.35m from the north western corner of the site to the south eastern corner. The site contains four trees which are proposed to be removed and replaced with additional trees that will enhance the landscaped setting of the area.

Located within an established high density residential area, the subject site is bounded by a large residential flat building to the west that front's De Witt Street and low scale single detached dwellings to the north. This infill development site currently accommodates three single storey residential dwellings that are to be demolished as part of the proposal. The dwellings are in a reasonable condition; however they are significantly under utilising the sites full development potential given the given the R4 – High Density Residential zone permits greater intensification of the subject site. The aerial extract and photographs of the locality provide context to the development site.



Figure 1: Locality Map (source Google maps)

The existing built form character of the subject area is dominated by older style residential flat buildings of mixed ages and architectural styles interspersed by single storey residential dwellings. It is noted that with the current demand for housing within close proximity to centres and key arterial routes and in-conjunction with an absence of heritage items and with the subject area been earmarked to accommodate future high density housing by virtue of the R4 –High Density Zoning, it is expected that the remaining stock of low density housing will be redeveloped for higher densities in the medium term. This is evident with the redevelopment of 119-123 Chapel Road and 133 - 139 Chapel Road from low density to higher density.

The current Sydney Metropolitan Strategy ‘A Plan for Growing Sydney’ supports higher residential development in strategic locations to accommodate future population growth, and Bankstown City Council has zoned the subject site R4 – High Density Residential, to encourage higher density residential development in this favourable location.

Furthermore the locality is ideal for future urban intensification as it is located within close proximity to Bankstown Town Centre, with bus stops with regular services to Canterbury, Roselands, Bankstown, Liverpool and Burwood is located opposite the subject site. The map below demonstrates that the subject site is within 1km of the southern edge of Bankstown Town Centre and within a large industrial estate. Furthermore the site is located within key arterial road networks such as the South Western Motorway, Fairford Road and Chapel Road.



Figure 2: Broader Locality Map

The proposed development that is an infill development, being the replacement of three low density housing with a four storey residential flat building aligns with the prevailing high density built form characteristics of the immediate locality. The proposal also seeks to utilise the land in accordance with the zoning and provide alternative residential accommodation opportunities within close proximity to essential services, recreational opportunities and public transportation.

Photographs are provided below that give context to the locality and also the relationship of the development site with adjoining developments.

Photograph 1: shows the subject site as viewed from the corner of De Witt Street and Marshall Street.



Photograph 2: shows the subject site as viewed from Marshall Street.



Photograph 3: shows part of the subject site and adjoining older residential flat building on De Witt Street.



Photograph 4: Shows adjoining single storey dwellings to the north of the site in Marshall Street.



2. Description of Proposal

The Development Application proposes lot consolidation of three land parcels, tree removal, demolition of existing structures on site in order to erect a four (4) storey 'Residential Flat Building' at 23 -27 Marshall Street, Bankstown pursuant to the Affordable Rental Housing SEPP 2009. The development incorporates a total of 32 residential units and 33 car parking spaces within a basement level.

The development proposal incorporates the following dwelling mix:

- 3 x 1 bedroom units; and
- 29 x 2 bedroom units.

Sixteen of the units are proposed to be affordable dwellings and will be managed by a community housing provider for a period of at least 10 years.

Parking

The development proposal includes a total of 33 resident parking spaces including two (2) accessible spaces within the basement level, with the access ramp to the basement level located on the north eastern corner of the site.

The basement carpark also contains 10 bicycle parking spaces.

Unit Configuration

A brief description of the various aspects of the development is provided below.

Level	Inclusions
Basement	Vehicle access to the basement is via a double width cross-over located in the north eastern corner of the site
	33 resident car parking space including 2 accessible spaces.
	Parking for 10 bicycles
	Residential storage space.
	Plant rooms and caretakers WC
	Garbage rooms
	Lift cores and 2 x stair wells
Ground Floor: Unit 1 – Unit 8	The ground floor accommodates a primary pedestrian pathway located at the centre of the site and provides access to the site via Marshall Street.

	<p>The pathway which runs east to west provides direct access to lobby area which includes a lift core and all ground floor units.</p> <p>A ramp friendly pathway connects to the primary pathway to provide accessible access to people with a disability to and from the site via Marshall Street.</p> <p>The proposal provides direct private access to all street facing units from both De Witt Street and Marshall Street.</p> <p>A temporary bin holding bay is also provided along the Marshall Street frontage of the site.</p>
	Each unit is provided with a kitchen, laundry, living area, dining area, and courtyard that is generally accessed from living areas.
	3 x 1 bedroom units with courtyard.
	5 x 2 bedroom units with courtyard.
	350.96m ² (19%) of deep soil zone.
	535.67m ² (29%) of landscaped area.
	522.64m ² (28%) of communal open space.
	Planter Boxes.
	Garbage Rooms
	Lobby area which includes a lift core servicing a maximum of 8 units.
	Stair wells including fire escape stair well.
	Driveway and vehicle ramp to basement level via Marshall Street located to the north eastern corner of the site.
First - Third Floor: Units 9 – Unit 32	<p>Each unit is provided with a kitchen, laundry, living area, dining area and balcony that is generally accessed from living areas.</p> <p>8 x 2 bedroom units with balcony per level (total 2 bedroom units: 24 units).</p> <p>Lobby area including lift core and stair well.</p>

The relevant architectural plans for the proposal have been prepared by Zhinar Architects while supporting reports have been prepared by relevant sub consultants. The proposal addresses the sites two street frontages and proposes a residential flat building that incorporates contemporary architectural aesthetics that not only relates to the prominence of the site on a prominent corner, but is consistent with the prevailing high density character of the subject area. The design response is contextually appropriate and high levels of amenity are provided to residents.

Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties. The proposal complies with key planning requirements as discussed further and addressed in this report.

3. Planning Controls

Statutory Controls

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy BASIX.
- State Environmental Planning Policy No. 55 – Contaminated Land.
- State Environmental Planning Policy –Affordable Rental Housing
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development; and
- Bankstown Local Environmental Plan 2015.

Policy Controls

The applicable policy control documents are: -

- Bankstown DCP 2005
- The Apartment Design Guide

4. Consideration of Controls

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

State Environmental Planning Policy BASIX

The development application is accompanied by a complying BASIX certificate.

State Environmental Planning Policy No. 55 – Contaminated Land

Given the historical use of the site for residential purposes, land contamination is not likely. Further investigation and reporting under SEPP 55 is not considered necessary. If any contaminated materials or suspected contaminated materials are unearthed during the construction process then actions consistent with the legislative requirements and guideline document will be undertaken.

State Environmental Planning Policy (Infrastructure) 2007

The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of Clause 102 of the SEPP that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'. The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements. Therefore concurrence from the RMS is not required.

State Environmental Planning Policy (State and Regional Development) 2011

As the development has a capital investment value of more than \$5 million and in accordance with part 4 of the SEPP, the determining authority for this development application is the Sydney West Joint Regional Planning Panel. The estimated capital investment value is \$6.4 million.

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

The development application is accompanied by a design verification statement by Ian Conry verifying that he has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat development.

A description of compliance with the applicable development controls such as setbacks, building heights, etc. is provided in the local planning controls discussion and tables below. The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide Code, noting that a number of these provisions are embodied within Bankstown LEP 2015 and the supporting Bankstown DCP 2015.

An assessment against the relevant objectives and design guidelines contained in parts 3 and 4 of the Architectural Design Guide can be found below.

Clause 6A of the amended SEPP states that development control plans cannot be inconsistent with the Apartment Design Guide for the following matters set out in parts 3 and 4 of the guide:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,

- (g) natural ventilation,
(h) storage.

The SEPP states that if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which clause 6A applies, those provisions are of no effect.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
Part 3 – Siting the Development			
3A Site Analysis	Appendix 1 of the ADG	Provided	Yes
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The proposed residential flat building complex has been designed to address both Marshall Street and De Witt Street streets that it presents too. Passive surveillance opportunities are provided from primary living areas and balconies that overlook all streets. All ground floor street facing units have a secondary access point from either Marshall Street or De Witt Street.	Yes
	Where an adjoining building does not currently receive 2 hours of sunlight in midwinter, solar access should not be further reduced by > 20%	Not applicable	N/A
	4 hours of solar access should be retained to solar collectors on neighbouring buildings	Adjoining properties do not contain solar collectors	N/A
3C Public Domain Interface	Terraces, balconies should have direct street entry, where appropriate.	All ground floor street facing units have direct access to the street.	Yes
	Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front	Mail boxes are located perpendicular to the Marshall Street alignment of the site. Complies.	Yes

	<p>fences where individual street entries are provided</p> <p>Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carpark or out of view</p>	<p>The garbage storage room and associated plant areas located in the basement carpark and out of view from the street.</p>	<p>Yes</p>
3D Communal and Public Open Space	<p><u>Design Criteria:</u></p> <p>Communal open space has a minimum area equal to 25% of the site</p> <p>50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm</p> <p><u>Design Guidelines:</u></p> <p>Minimum dimension of 3m</p> <p>Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies</p> <p>Where communal open space cannot be provided at ground level, it should be provided on a podium or roof</p> <p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> seating for individual or groups 	<p>459.25m² required and 522.64m² or 28.4% provided.</p> <p>Complies</p> <p>The majority of the common open space area has a width > 10m</p> <p>Complies</p> <p>Proposal ensures that direct, equitable access in line with relevant Australian Standard is provided to communal open space areas from common circulation areas, entries and lobbies.</p> <p>The common open space is provided at ground and is located in the north western corner of the site.</p> <p>The proposal provides a pergola and bbq area to encourage use of the communal area.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	<ul style="list-style-type: none"> • barbecue areas • play equipment or play area • swimming pools, gyms, tennis courts or common rooms <p>Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy</p> <p>Common open space should be well connected with public street along at least one edge</p>	<p>Ground level apartments have been providing with courtyard fencing to maintain privacy. The proposed apartments on the upper levels have been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas and to the public domain.</p> <p>The communal open space connects to both Marshall Street and De Witt street however is appropriately fenced to provide territorial re-enforcement.</p>	<p>Yes</p> <p>Yes</p>
3E Deep Soil Zones	<p><u>Design Criteria:</u></p> <p>A deep soil zone equivalent to 7% of the site area must be provided</p> <p>If the site is between 650m² to 1500m² then the DSZ must have minimum dimensions of 3m</p> <p>If over 1500m² then min dimensions of 6m</p> <p><u>Design Guidelines:</u></p> <p>On some sites it may be possible to provide larger deep soil zones:</p> <ul style="list-style-type: none"> • 10% of the site as deep soil on sites with an area of 650m²- 1,500m² 	<p>128.6m² required and a deep soil area of 350.96m² or 19% of the site is provided. Complies.</p> <p>N/A</p> <p>Minimum dimensions of 6m provided to > 7% of Deep Soil zones</p> <p>Complies as 19% of the site provided as deep soil.</p>	<p>Yes</p>

	<ul style="list-style-type: none"> 10% of the site as deep soil on sites greater than 1,500m² 		
3F Visual Privacy	<i>Design Criteria:</i>		
Building Separation Up to 4 storeys (up to 12m)	12m between habitable rooms (6m)	Yes – side setbacks of between 6m and 13m are provided to adjoining properties.	Yes
5-8 Storeys (up to 25m)	18m between habitable rooms (9m)	N/A	N/A
Note: When adjacent to a lower density residential zone an additional 3m rear/ side setback is required		N/A	
3G Pedestrian Access and Entries	Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas	The building provides a clearly distinguishable entry points to lobby from Marshall Street.	Yes
3H Vehicle Access	Car park access should be integrated with the building's overall façade	The access point to the basement is appropriately integrated into the buildings design.	Yes
	Car park entry and access should be located on secondary streets or lanes where available	The entrance to the basement carpark is from Marshall Street that is the secondary street to the proposal.	Yes
3J Carparking	<i>Design Criteria:</i> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of: >20 units <u>Metropolitan Sub-Regional Centres:</u> 0.6 spaces per 1 bedroom unit. 0.9 spaces per 2	N/A as not within 800m of a railway station. Designed to comply with Bankstown DCP.	N/A

	<p>bedroom unit. 1.40 spaces per 3 bedroom unit. 1 space per 5 units (visitor parking)</p> <p><u>Design Guidelines:</u> Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</p>	<p>The proposal provides appropriate undercover and secure bicycle parking spaces within the basement level (10 spaces).</p>	<p>Yes</p>
Part 4 – Designing the Building			
4A Solar Access	<p><u>Design Criteria:</u></p> <p>Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter</p> <p>A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid Winter</p>	<p>23 of the 32 units or 71.8% of units achieve the required 3 hours of solar access at mid-winter. (noting the requirements of the ARHSEPP for 3 hours)</p> <p>< 15%</p>	<p>Yes</p> <p>Yes</p>
4B Natural Ventilation	<p><u>Design Criteria:</u></p> <p>60% of Units are cross ventilated in a building up to 9 storeys</p> <p>Overall width of a cross over or cross through apartment is < 18m</p>	<p>20 of the 32 units or 62.5% of units are cross ventilated.</p> <p>< 18m</p>	<p>Yes</p> <p>Yes</p>

	<p><u>Design Guidelines:</u></p> <p>The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths</p>	Development has a mix of dual aspect apartments, cross through apartments and corner apartments. See attached architectural plans for detail.	Yes
4C Ceiling Height	<p><u>Design Criteria:</u></p> <p>2.7m for habitable and 2.4m for non-habitable.</p>	Complies	Yes
4D Unit Sizes	<p><u>Design Criteria:</u></p> <p>Studio 35m² 1 bed 50m² 2 bed 70m² 3 bed 90m²</p>	All units comply with many units exceeding. Where additional bathrooms have been provided unit sizes have been increased by at least 5m ² ,	Yes
+ 5m ² for each unit with more than 1 bathroom.	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%	Every habitable room is provided with a window.	Yes
Habitable Room Depths	<p><u>Design Guidelines:</u></p> <p>Limited to 2.5m x Ceiling Height</p>	Despite the noncompliance with objective 4D-2, figure 4D.3 indicates that an 8.1m depth (3 x ceiling height) is okay for open plan apartments.	Yes
Bedroom sizes			Yes
Master	10m ²	Comply	Yes
Other	9m ²	Comply	
Living rooms/dining areas have a minimum width of:			
3.6m	Studio/1 br	Comply	Yes
4m	2br/ 3br	Comply	Yes
Open Plan Layouts that include a living, dining room and kitchen.	8m to a window	Complies given unit depths and design layouts.	Yes

4E Private Open Space	<u>Design Criteria:</u>		
Balcony Sizes			
1 bed	8m ² & 2m depth	Complies	Yes
2 bed	10m ² & 2m depth	Complies	Yes
3 bed	12m ² & 2.4m depth	N/A	N/A
Ground level/ podium apartments	15m ² & 3m depth	17.39m2 to 28.8m2. Complies	N/A
4F Common Circulation and Spaces	<u>Design Criteria:</u>		
Common Circulation Units per Plate	8 Unit per Plate	Lift core is to serve a maximum of 8 units per plate.	Yes
Corridors > 12m	Are articulated	Corridors are articulated and have access to natural light.	Yes
4G Storage			
	1 bed 6m ³ 2 bed 8m ³ 3 bed 10m ³ Min 50% of required storage is within the apartment	The proposal provides: 1 bed: >6m ³ 2 bed: >8m ³ 3 bed: NA Storage is provided within the basement/ground floor and within the units themselves, The proposed development is considered to offer storage space that aligns with the provisions of the ADG.	Yes
4H Acoustic Privacy	Adequate building separation is provided within the development and from neighboring buildings/adjacent uses Windows and door openings are generally orientated away from noise source	Development has provided adequate separation from neighbor buildings/properties in-line with 3F Visual Privacy – design criteria above. Where appropriate windows and door openings are orientated away from noise sources.	Yes Yes

	Noisy areas within buildings including building enters and corridors should be located next to or above each other and quieter areas next to or above quieter areas.	The application is designed to create different 'zones' with more active areas clustered together and more passive areas also clustered together to maximise acoustic privacy and also take advantage of the lot orientation.	Yes
4K Apartment Mix	A variety of apartment types is provided	<p>A diversity of apartments is proposed as follows:</p> <ul style="list-style-type: none"> ○ 3 x 1 bedroom unit; and ○ 29 x 2 bedroom units; <p>The proposed unit mix will offer a variety of housing choice. The proposal is designed with a mix of units to provide a variety of housing choices that responds to market demand, noting that the bedroom numbers and size of units are varied that will provide for a range of sizes to meet the needs of occupants and also provide different pricing points for the alternative sizes which will contribute to affordability.</p> <p>Although no 3 bedroom units are provided adequate detached dwellings are located in the area to cater for this sector of the market.</p>	Yes
4M Facades	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies and framed elements. Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the wider locality.	Yes

4O Landscape Design			
Site Area			
850m ² to 1500m ²	1 large tree (12m) or 2 medium trees (8m – 12m) per 90m ² of DSZ	N/A	N/A
>1500m ²	1 large tree or 2 medium trees per 80m ² of DSZ	Consistent as per landscaping plans.	Yes
4Q Universal Design			
20% of the total apartments	Achieve Liveable House Guidelines silver level universal design features	Two adaptable dwellings are provided	Yes
4U Energy Efficiency		<p>The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.</p> <p>Furthermore it is noted that 71% of units achieve the minimum 2 hours of solar access at mid-winter and 62% units achieve natural ventilation.</p>	Yes
4V Water Management and Conservation	Reduce mains consumption, and reduce the quantity of storm water runoff.	The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4W Waste Management	Supply WMP	Provided	Yes
	Allocate storage area	Appropriate waste storage areas are provided.	Yes
4X Building Maintenance	To ensure long life and ease of maintenance for the development.	The proposed material is considered durable which may be easily cleaned.	Yes

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 was introduced in July 2009 as a response to the ongoing issue of housing affordability within NSW. This section of the Statement addresses the relevant provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) are:

- (a) to provide a consistent planning regime for the provision of affordable rental housing,*
- (b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- (c) to facilitate the retention and mitigate the loss of existing affordable rental housing,*
- (d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- (e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- (f) to support local business centres by providing affordable rental housing for workers close to places of work,*
- (g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

This proposal complies with these aims as it:

- Provides an opportunity for the creation of 16 affordable housing dwellings;
- Ensures that key workers in the Bankstown area can access affordable housing; and
- Facilitates the creation of useable housing that meets the demands for this market.

Part 2 New Affordable Rental Housing: Division 1 In-Fill Affordable Housing

Clause 10- Development to which Division Applies

The SEPP applies as residential flat buildings are permitted with consent under Bankstown Local Environmental Plan 2015 and the sites are not listed as containing heritage items.

Clause 10 also requires sites to be within an accessible area.

The ARHSEPP indicates that an accessible area is:

accessible area means land that is within:

- (a) *800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or*
- (b) *400 metres walking distance of a public entrance to a light rail station or, in the case of a light rail station with no entrance, 400 metres walking distance of a platform of the light rail station, or*
- (c) *400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday.*

The site is within an accessible area with a bus stop with regular services to Canterbury, Roselands, Bankstown, Sutherland, Liverpool and Burwood located 250m from the subject site and meets the SEPP requirements

A copy of the M92 bus service that is operated by Transdev is attached. It is noted that this service satisfies the frequency requirements of the SEPP.

Clause 13- Floor Space Ratios (FSR)

Bankstown LEP 2015 applies a floor space ratio of 1:1 to the site. Clause 2(a) of the SEPP indicates that a bonus FSR of up to 0.5:1 is applicable if the gross floor area of the development that is used for affordable housing is 50% or higher.

The entire development has a floor space of 2656.56m². Sixteen units with a total floor area of 1186.65m² are nominated as being affordable units.

As this equates to 44.6% of the total gross floor area, the site does not benefit from a 0.5:1 FSR bonus. However in accordance with clause 13 (2) (a) (ii) the maximum FSR for the development is 1.446:1. The development proposes a floor space ratio of 1.445:1 and complies with this clause.

In accordance with this clause, the nominated 16 units will be required to be managed by a community housing provider and used for affordable rental housing for a period of not less than 10 years.

Clause 14- Standards that cannot be used to refuse consent

The SEPP prescribed a number of standards that cannot be used to refuse consent. They are summarised within the table below:

Control	Numerical Requirement	Proposed Development	Complies
Site Area	450m ²	1,837.72m ²	Yes
Landscaped Area	30% of site area	<p>551.31m² required and 535,67m² provided (29.1%)</p> <p>Despite the minor 0.9% departure an adequate landscaped area is provided on the site.</p> <p>The proposed landscaping as illustrated on the accompanying landscape plan illustrates that appropriate deep rooted and screen landscaping is provided that will enhance the landscaped setting of the area.</p> <p>Taking into account the above as well as the lack of adverse impact the variation is submitted to Council for favourable consideration.</p>	Minor Variation
Deep Soil Zones	15% of site area	275.65m ² and 350.96m ² or 19.0% with substantial portion at the sites two frontages noting there is no traditional 'rear' on this site.	Yes
Solar Access	3 hours to 70% of dwellings between 9am and 3pm at mid-winter	23 Dwellings = 71.9%	Yes

Parking	1 Bed: 0.5 spaces (1.5) 2 Bed: 1 spaces (29) 30.5 required in total.	33 spaces provided	Yes
Dwelling Size	1 Bed: 50m ² 2 Bed: 70m ²	1 Bed: >50m ² 2 Bed: >70m ²	Yes

Clause 15- Design Requirements & Clause 16- Continued Application of SEPP 65

The proposal involves a residential flat building and therefore the reference to the Seniors Living Policy: Urban Design Guidelines for Infill Development is not relevant to the current proposal. As noted by Clause 16 the provisions of SEPP 65 continue to apply to the development and the provisions of SEPP 65 are addressed previously in this statement and the accompanying Design Verification Statement prepared by Zhinar Architects.

Clause 16A- Character of Local Area

The design ensures compatibility with the local area as outlined in the planning principle established in *Project Venture Developments Pty Ltd V Pittwater Council*. Of particular relevance to the current proposal is the recent decision in *Moscaritolo v Ryde City Council* where Senior Commissioner Brown outlined, in relation to a proposal under the ARH SEPP, at [18] that:

I accept that any assessment of the proposed development against the character of the local area should include an assessment of existing building forms and also the character envisaged by the forms of development contemplated.

Future character is a consideration, however the existing patterns of development are equally important given that redevelopment of nearby sites containing three (3) storey walk ups is unlikely to occur in the short to medium term. A detailed discussion against the planning principle is provided below.

In accordance with the Planning Principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191* the following tests apply in determining whether development is compatible with surrounding development:

24 Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

These questions will be dealt with in turn however it is important to note that as set out in the planning principle *'Compatibility is... different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve'*. Therefore it can be seen that it is not necessary that the development adopt the same built form, scale, and appearance as surrounding development.

In terms of the physical impacts of development the following points are made:

- The sites location on a corner lot means that the extent of overshadowing is to fall on the street as opposed to impacting on the same property throughout the entire day at mid-winter.
- Privacy impacts are mitigated through the provision of appropriate separation, use of highlight windows, and window placement (offset windows). The majority of living areas of the proposed units are oriented towards the street frontage to mitigate privacy impacts to adjoining properties as far as practicable.
- Noise impacts arising from the proposal will predominantly be limited to traffic movements. Given the location and design of the basement entry it is not anticipated that the level of noise generated will substantially impact on adjoining properties; and
- The development proposal does not result in the constrained development potential of the adjoining properties or impact on any existing view corridors- noting that the subject site has been designed to present a suitable form of development in the locality.

Therefore it can be seen that the physical impacts of the proposal are acceptable.

The planning principle establishes that the three (3) key elements that define urban character are building height, setbacks, and landscaping. In this regard the following comments are made:

- With the exception of the lift shaft and stairwells, the building height is predominantly below the maximum height contained in the Bankstown LEP 2015, noting that the design provides a four (4) storey form. The encroachment to the maximum height is of a minor nature, and recessed to minimise impacts upon the existing built form character within the subject area thus ensuring that the proposal consistent with 3-4 storey walk ups in the vicinity of the site.

- Proposed setbacks have been informed through a detailed site analysis, with the front, and side boundary setbacks being comparable to similar residential flat buildings within the subject area. The building will sit comfortably in the streetscape and the spatial sequencing of built forms viewed as one moves down Marshall Street and De Witt Street is retained by the proposal and is entirely compatible. The proposal is consistent with the existing streetscape rhythm observed in the locality in terms of the placement of built forms and driveway entries and overall levels of separation between higher density building forms as indicated in the context analysis.
- The landscape concept provides for substantial deep soil and landscaped plantings at the sites two front setbacks and along the south eastern section of the site. A variety of species are proposed including small sized canopy trees, shrubs and hedge plantings, and groundcovers.

The 3D photomontage provided below demonstrates the compatibility of the building with the character of the locality and adjoining development with the proposal presenting a high quality urban design outcome on the site:



Based on the foregoing discussion it is considered that the development will exist in harmony with future development in the vicinity of the site and as such is worthy of support by Council as the development is compatible with the character of the locality.

Clause 17- Must be used for Affordable Housing for 10 Years

It is anticipated that conditions of consent will require the 16 nominated units to be used as affordable dwellings for a period of not less than 10 years and be managed by a community housing provider. Although discussions have commenced, arrangements with a registered community housing provider have not been finalised.

Clause 18 –Subdivision

This application does not seek approval to subdivide the land.

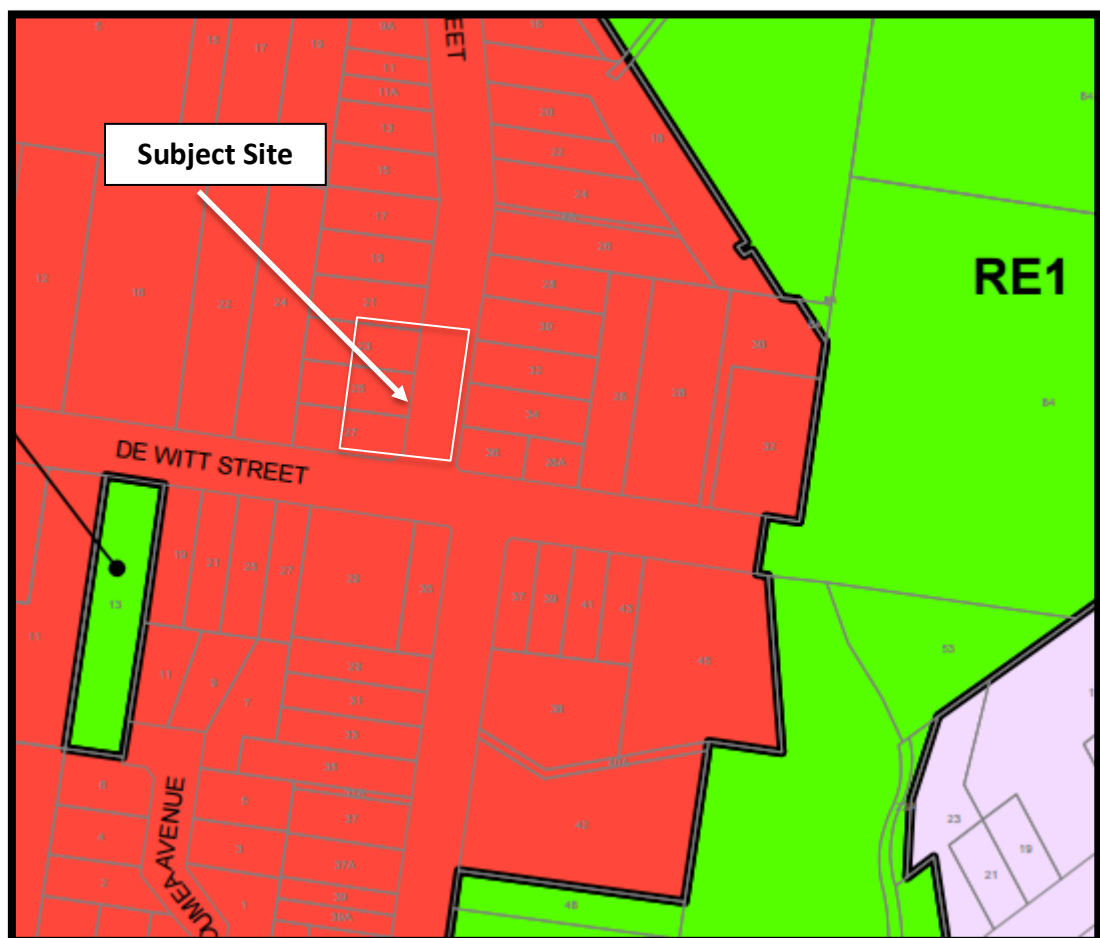
Bankstown Local Environmental Plan 2015

As shown on the zoning map extract below the development site is zoned R4 – High Density Residential under the provisions of Bankstown LEP 2015. 'Residential Flat Buildings' are permissible with consent on the subject site and the proposal is consistent with the definition contained within the LEP:

Residential Flat Building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The proposal is also consistent with the prescribed zone objectives which are stipulated as:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.



Zoning Map Extract

The proposed development provides a residential flat building that will not only make available a variety of housing types but contribute towards increasing the housing stock of Bankstown, whilst being consistent with the existing high density character of the subject area.

The site is well located and is located within proximity essential services, public transportation and recreation opportunities.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Bankstown Local Environmental Plan 2015 – Compliance Table			
Clause	Controls	Comment	Complies
Zoning	R4 – Residential Flat Building	Development for the purposes of ‘Residential Flat Buildings’ is permissible with Council consent in the R4 – High Density Residential zone.	YES
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R4 – High Density zone and will provide additional housing in the catchment of public transport and services whilst contributing to range of housing types to suit the needs of residents within a high density context. The site as it is currently exists is underutilised in terms of its potential. The proposal will not only permit the site to be developed to its full zoning potential but aims to set the tone and scale for future high density development within the subject area.	YES
2.6	Subdivision – Consent Requirements	The application does not seek approval to subdivide the site	N/A
2.7	Demolition Requires Consent	Council consent is sought for the demolition of the existing structures on site.	YES
Part 4 Principal Development Standards			
4.1B	Minimum Lot Size and Special Provisions for Certain Dwellings	The LEP requires residential flat buildings in this precinct to have a minimum site area of 500m ² and a site width of 30m at the front building line.	YES

		The proposal has a site area of 1,837.72m ² , a frontage of 44m to Marshall Street and a frontage of 38.7m to De Whitt Street. Complies	
4.3	Height of Buildings: 13m	The habitable portion of the building complies with the 13m height control. As illustrated on the architectural plans lift overrun and the roof portion of the celestial sky lights protrude above the 13m height control. As the lift overrun has been wrapped, it is considered to be an architectural roof feature. Further as only the roof portion of the skylights protrude above the height plane a clause 4.6 departure is not required. (This is further addressed in section 5.6 below)	YES
4.4	Floor Space Ratio: 1.446:1 having regards to the ARHSEPP bonus	The proposal has a FSR of 1.445:1. See attached plans for detail. Complies.	YES- ARH SEPP
Part 5 Miscellaneous Provisions			
5.6	Architectural Roof Features	<p>The development incorporates architectural roof features both around the lift overrun and the celestial saw tooth roofs. The extent of the height variation is limited entirely to the roof form with no habitable floor space. This is considered a much improved outcome as compared to a simple flat roof form as the celestial roof elements provide improved solar access to the upper level dwellings and add interest to the roof for articulation and serves as a design feature of the development.</p> <p>The architectural roof features satisfy the requirements of clause 5.6(3) as they are a decorative element on the uppermost portion of the building, are not an advertising structure, do not incorporate any floor space and not reasonably capable of modification to include additional floor space or an additional level.</p>	YES

5.9	Preservation of Trees or Vegetation	<p>The subject site is located within an established residential area, with the majority of the site having been substantially cleared.</p> <p>The subject site does not contain any significant trees or vegetation. The application does seek approval for removal of 6 trees as outlined in the arborist report that accompanies this development application.</p> <p>The proposed landscaping will positively contribute to the cohesiveness and visual appreciation of the area and provides relief from the built form, softening the impact of the development. The proposed landscaping and open space areas will provide for a range of passive and active recreational activities and will contribute to a high level of residential amenity on site. Landscaping is to be undertaken in accordance with the Landscape Plan attached as part of this application. See Landscape Plan for detail.</p>	YES
5.10	Heritage Conservation	The site is not identified as containing a heritage item, being within a heritage conservation area or as being within proximity to a heritage item. Not applicable.	YES
Part 6 Additional Local provisions			
6.1	Acid Sulfate Soils	The land is identified as containing 'Class 5' Acid Sulfate Soils. Notwithstanding, it is considered that the proposal will not likely lower the water table below 1 metre AHD and will not have any adverse impact on the watertable or other affected land.	YES
6.2	Earthworks	This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area will have minimal adverse environmental or amenity impact.	YES

		<p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	
6.3	Flood Planning	The subject site is not identified as being flood prone. Not applicable.	YES
6.4	Biodiversity	The site has not been identified as Biodiversity land or within close vicinity of Biodiversity land. Complies.	YES
6.6	Development in Areas Subject to Aircraft Noise	The subject site is not affected by aircraft noise. Not applicable.	YES

Bankstown Development Control Plan 2015

All relevant Council controls have been considered in the following compliance table.

Bankstown Development Control Plan 2015 – Compliance Table		
Controls	Comment	Complies
Introduction		
Section 2 – Site Analysis	A Site Analysis has been prepared for the proposal in accordance with Council controls and is attached as part of this application.	YES
Section 3 – Public Notification of Development	It is envisaged that the proposal will be publicly notified as per Council requirements.	YES
Part A – Precinct Controls		
Part A1 – Centres		
Section 2 – Bankstown Central Business District		
Introduction	This part of the DCP only applies to the Northern CBD Core, Southern CBD Core and Bankstown City Plaza precincts. Whilst the site is identified as one of the Bankstown CBD precincts it falls within the ‘Southern Frame’ and as such the DCP does not apply. Notwithstanding it is noted that the proposal is consistent with the overall objectives of the DCP and will lead to additional high quality housing supply within close proximity of the Bankstown CBD and Train Station.	YES
Part B – General Controls		
Part B1 – Residential Development		
Section 1 – Introduction		
Desired Character	<ul style="list-style-type: none"> - The proposal is consistent with the desired character for development within the R4 – High Density Residential zone. The proposal will provide a contemporary residential flat building in a landscape setting whilst providing appropriate building separation, communal open space and deep soil zones. - The proposal will allow for the establishment of a high quality residential character that will set the standard for future development in the area. The proposal responds appropriately to its site and surrounds and will lead to a high level amenity outcome for future residents and adjoining sites. - The proposal results in a high quality residential development that is consistent with Councils height and scale controls. - The proposal has been architecturally designed and treated to increase the visual presentation of 	YES

	the proposal (particularly to the frontage of Percy Street) through articulation of the built form and the use of materials and colours.	
Section 9 – Residential Flat Buildings, Serviced Apartments and Shop Top Housing		
Objectives	<p>The proposed RFB is consistent with the objectives based on the following:</p> <ul style="list-style-type: none"> - The proposal will allow for the establishment of a high quality residential character that will set the standard for future development in the area. The proposal responds appropriately to its site and surrounds and will lead to a high level amenity outcome for future residents and adjoining sites. The proposal will be compatible with the desired future character of the locality. - The proposal is well designed and provides high levels of amenity for future residents in terms of solar access (71%), ventilation (62.5%), privacy, and communal open space whilst ensuring the existing amenity of adjoining neighbors is maintained. - The proposal has been architecturally designed and treated through articulation of the built form and the use of materials and colors in order to reduce the visual height, bulk and scale. The proposal will not lead to adverse impacts on adjoining properties in terms of solar access and privacy, noting that design consideration (location and size of openings, screening, height, orientation, etc.) has been incorporated into the design to reduce potential impacts. - Two (2) adaptable dwellings are provided as part of the proposal. - All car parking is to be provided within a basement arrangement, thus minimising any potential visual impacts of off-street parking. - Appropriate design features/materials and consideration of CPTED principles have been incorporated in order to reduce the potential for criminal behavior including graffiti (e.g. Casual surveillance, etc.). 	YES
9.1 – Isolation of allotments	The proposal will not lead to the isolation of any site. The site is of appropriate size and length and does not inhibit the right of adjoining landowners to develop according to zoning provisions and council requirements.	YES

9.2 – Storey limit	The site is identified as having a 13m height limit under Bankstown LEP 2015. Accordingly a maximum of 4 storeys is permitted by the DCP. The development proposes a 4 storey development (not including basement levels) and does not propose an attic. The proposal is consistent with the height and storey requirements of both Bankstown LEP and DCP. Complies.	YES
9.3 – Storey limit	The subject site is generally flat in nature, however contains a slight slope of approximately 1.35m from the sites north western boundary that falls towards the sites south eastern boundary. Notwithstanding, the proposal is designed to follow the contours of the site to minimise excessive excavation with the extent of fill not exceeding 600mm at any point of the site.	YES
9.4 – Storey limit	<p>The subject site is generally flat in nature, however contains a slight slope of approximately 1.35m from the sites north western boundary that falls towards the sites south eastern boundary. Notwithstanding, the proposal is designed to follow the contours of the site to minimise excessive excavation with the extent of fill not to 600mm at any point of the site.</p> <p>The south eastern corner of the ground floor is raised approximately 400mm above natural ground level with the north western corner of the site cut in by approximately 300mm.</p>	YES
9.5(a) – Setbacks to the primary and secondary frontages	Not applicable.	N/A
9.5(b) – Setbacks to the primary and secondary frontages to be 6m	The development incorporates a setback of 6m to both Marshall Street and De Witt Street. See attached plans for detail.	YES
9.7 – Setbacks to the side and rear boundaries for a 2 storey building.	The proposed development is to be 4 storeys in height. Not applicable.	YES
9.8 – Setbacks to the side and rear boundaries are to be a minimum of 4.5m	The proposal provides a minimum 6m setback to both side boundaries. Accordingly, the proposal complies with Council's minimum side setback controls.	YES
9.9 – Setbacks to the side and rear boundaries	The subject site is not within the vicinity of Ruse Park. Not applicable.	YES

9.10 – Setbacks to the side and rear boundaries from the basement is to be 2m	<p>The proposed basement car park is setback between 3m – 6.8m from its western side boundary. The proposal has a setback of 1m from its northern boundary. Despite the 1m setback to a portion of the basement adequate landscaping is still able to be provided in this area including on the terrace to unit 6.</p> <p>Given this appropriate landscaping that assists in screening the lower levels of the building from the adjoining property is able to be provided.</p> <p>Taking into account the above as well as the lack of adverse impact the variation is submitted to Council for favourable consideration.</p> <p>See attached plans for detail.</p>	Variation
9.11 – Setbacks to the side and rear boundaries	<p>The proposed development maintains a setback of at least 1 metre to the driveway located adjacent to the northern boundary. See attached plans for detail.</p>	YES
9.12 – Private open space	<p>The development proposes ground level courtyards for 5 units partially within the front building line. It is considered that the proposed variation will not have any adverse visual or amenity impact. Furthermore, the variation is acceptable considering CPTED principles whereby the proposal will facilitate the activation of the frontage and permit additional casual surveillance to both Marshall Street and De Witt Street.</p> <p>The proposed variation will not impact or significantly reduce landscaping/screening within the front setback and will result in an appropriate outcome on site. The proposed variation will not lead to any adverse impact on the streetscape or on the visual presentation of the building as viewed from both Marshall and De Witt Streets.</p> <p>It is noted that the proposed private open space will be clearly distinguished between the public and private domain and also will clearly articulate the entrance to the proposal.</p> <p>Taking into account the above as well as the lack of adverse impact the variation is submitted to Council for favourable consideration.</p>	Minor Variation

9.13 – Building design –all existing buildings are to be demolished	All existing structures currently on site will be demolished as part of this application.	YES
9.14 – Adaptable dwellings	Two (2) adaptable dwellings are provided as part of the proposal in accordance with Council controls.	YES
9.15 –Roof Pitch	The proposed RFB incorporates a modern flat roof design and as such is compliant.	YES
9.16 – Attics	The proposed RFB is of a modern flat roof design and does not incorporate an attic arrangement. Not applicable.	N/A
9.17 – Dormers	The proposed RFB is of a modern flat roof design and does not incorporate any dormer window. Not applicable.	N/A
9.18 – Building design	Noted. The proposed RFB is of a modern flat roof design and does not incorporate an attic arrangement. Not applicable.	YES
9.19 – Roof top balconies	The development does not propose any roof top balconies or equivalent. No informal access is to be provided to the roof top. Not applicable.	YES
9.20 – Roof top plant	All ancillary features such as the lift overrun, etc. have been appropriately incorporated into the design of the proposed RFB. See attached plans for detail.	YES
9.21 – Building design (car parking)	All car parking is to be provided within a basement arrangement. No car parking spaces are provided within the front building line.	YES
9.22 – Building design (waste storage)	<p>The proposed waste storage area is located in the basement and is of an appropriate size in accordance with Council controls. The waste storage area maintains all setbacks in accordance with Council controls and will be appropriately treated to reduce visual impact. See attached plans for detail.</p> <p>It is noted that a Waste Management Plan has been prepared and is attached as part of this application. Waste is to be appropriately managed during the demolition and construction stages of the development as well as during the occupation. See attached Waste Management Plan for detail.</p>	YES

9.23 – Landscaping	<p>The subject site is within a well established residential area, having historically been used for residential purposes and is substantially clear. It is highlighted that no significant vegetation is to be impacted as part of the proposal.</p> <p>The proposal provides landscaping embellishing work that will improve and enhance the subject site. Landscaping of the site is to be undertaken in accordance with Council controls as per the attached Landscape Plan. See attached Landscape Plan for detail.</p>	YES
9.24(a) – Landscaping	<p>Council requires 45% of the primary frontage to be landscaped. The proposal provides 45% of the area between the building and the primary frontage as landscaping. Landscaping of the primary frontage is to be generally undertaken in accordance with Council controls as per the attached Landscape Plan. The slight variation to Council controls will be visually unnoticeable and will not have an adverse impact on the streetscape or character of the area. The proposed variation is primarily a result of the basement access and temporary bin area provided on the western boundary. Notwithstanding, it is considered that the proposal will result in an appropriate outcome on site, considering the circumstances and will not lead to any adverse amenity, visual or privacy impacts. See attached Landscape Plan for detail. Taking into account the above as well as the lack of adverse impacts the variation is submitted to Council for favourable consideration.</p> <p>Landscaping of the site is to be undertaken in accordance with Council controls as per the attached Landscape Plan. See attached Landscape Plan for detail.</p>	YES
9.25(a) – (f) – Security	<p>The proposed development does not share a boundary with a railway corridor or an open stormwater drain. Not applicable. Notwithstanding, it is noted that the proposed development incorporates appropriate measures including built elements, landscaping and design features that will enhance casual surveillance of both Marshall Street and De Witt Street as well as internal areas and are consistent with CPTED principles.</p>	YES

9.26 – 9.37 – Shop Top Housing	The proposed development is strictly for a ' <i>Residential Flat Building.</i> ' Not applicable.	YES
Part B5 – Parking		
Section 2 – Off Street Parking		
2.1 – Off Street Parking – Residential Flat Buildings	The development provides 33 spaces which does not comply with this DCP.	N/A
1 bedroom dwelling – 1 spaces x 3 = 3	However, this development is lodged pursuant to the ARHSEPP 2009. The parking provisions within this instrument prevail.	
2 bedroom dwelling: 1.2 spaces x 29 = 34.8		
Visitor: 1 space per 5 units x 32 = 6.4		
Total: 44.2 required		
2.2 – 2.3 – Off Street Parking	Not applicable.	YES
2.4 – 2.6 – Additional developer contributions	Not applicable.	YES
2.7 – Parking requirements for people with disabilities	An accessible carparking space is provided to each of the accessible units. (total 2)	YES
a. – Calculation of parking spaces	Noted.	YES
Section 3 – Off Street Parking Design and Layouts		
3.1 – Parking location	Not applicable.	YES
3.2 – Parking location	The proposed accessible car parking spaces are to be appropriately located close to the entrance to the development as well as the lift. See attached plans for detail.	
3.3 – Minimum parking bay dimensions	The car parking area including parking spaces and aisles have been designed in accordance with Council controls. See attached plans for detail.	YES
3.4 – Parking bay dimensions for people with disabilities and residential garages	The car parking area has been designed in accordance with Council controls and relevant standards to accommodate those with a disability. See attached plans for detail.	YES

3.5 – Service restriction and small car bay dimensions	Noted.	YES
3.6 – Service restriction and small car bay dimensions	Noted.	YES
3.7 – Service restriction and small car bay dimensions	Noted.	YES
3.8 – Service restriction and small car bay dimensions	No small car bays are proposed. Not applicable.	YES
3.9 – Service bay dimensions	Not applicable.	YES
3.10 – Parking layouts	Complies. See attached plans for detail.	YES
3.11 – Parallel parking	No parallel parking is proposed. Not applicable.	YES
3.12 – Stacked parking	No stacked parking is proposed. Not applicable.	YES
Section 4 – Off Street Parking Access and Circulation		
4.1 – Access driveway width and design	The proposed driveway provides for the shortest most direct access to the basement car parking area.	YES
4.2 – Access driveway width and design	The proposed driveway is appropriately dimensioned in accordance with Council controls and relevant standards. Complies.	YES
4.3 – Access driveway width and design	Not applicable.	YES
4.4 – Access driveway width and design	Complies. See attached plans for detail.	YES
4.5 – Access driveway width and design	Noted. Complies. See attached plans for detail.	YES
4.6 – Queuing distances	The driveway incorporates appropriate queuing lengths. See attached plans for detail.	YES
4.7 – Queuing distances	The proposal will not lead to any queuing nor will it adversely affect traffic or pedestrian flow in the road frontage.	YES
4.8 – Circulation roadway and ramp gradients	Complies. See attached plans for detail.	YES

4.9 – Gradient within parking module	Complies. See attached plans for detail.	YES
4.10 – Vehicular footway crossing	Noted. Complies. See attached plans for detail.	YES
4.11 – Internal circulation	Noted. The proposal allows for vehicular movements to be undertaken wholly within the site. Vehicles are able to enter and exit the site in a forward direction. Complies.	YES
Section 5 – Other Considerations		
5.1 – Minimum headroom dimensions	The proposal provides appropriate clear minimum headroom requirements of 2.4m or greater to accommodate the proposed use. See plans for detail.	YES
5.2 – 5.4 Loading and unloading facilities	The proposal is strictly for a residential flat building. Not applicable.	YES
5.5 – Column location and spacing	All columns are appropriately located and spaced in accordance with Council requirements. See attached plans for detail.	YES
5.6 – Safety and security	The proposal has been appropriately designed in accordance with Council controls and relevant standards. The car parking area provides good visibility, is appropriately dimensioned and well lit. It is noted that all cars will enter and exit the site in a forwards direction. The proposal will not lead to any adverse safety or security impacts.	YES
5.7 – Safety and security	The proposed driveway contains a gentle slope and as such clear visibility is maintained at all times. Adequate sight distance is provided for all vehicles exiting and entering the site via the basement. The proposal is compliant with Council controls and relevant standards.	YES
5.8 – Sight distance requirement	The proposed driveway contains a gentle slope and as such clear visibility is maintained at all times. Adequate sight distance is provided for all vehicles exiting and entering the site via the basement. It is noted that all cars will enter and exit the site in a forwards direction. The proposal is compliant with Council controls and relevant standards.	YES

5.9 – Pedestrian access	The proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site. Vehicle and pedestrian routes are clearly indicated, separated and accessible.	YES
5.10 – Pedestrian access	Lifts and stairs are to be easily identifiable.	YES
5.11 – Pedestrian access	Internal stairwells and fire exits are provided within the basement. See attached plans for detail.	YES
5.12 – Sign posting and line marking	Car parking spaces are to be clearly line marked in compliance with Australian Standards 2890.1. See plans for detail.	YES
5.13 – Sign posting and line marking	Noted. Appropriate marking will be provided to distinguish visitor and resident parking.	YES
5.14 – Sign posting and line marking	The proposal provides a two way circulation pattern. Not applicable.	YES
5.15 – Sign posting and line marking	The proposed car parking area is relatively small and only services residents and visitors. Directional signs are not considered necessary.	YES
5.16 – Sign posting and line marking	Each proposed disabled car parking space will be appropriately marked and stencilled in accordance with Council requirements.	YES
5.17(a) – Car wash bay	Noted. Not applicable as parking is provided in accordance with the ARHSEPP.	N/A
5.17(b) – Car wash bay	Noted. Not applicable as parking is provided in accordance with the ARHSEPP. See attached plans for detail.	N/A
5.17(c) – Car wash bay	Noted.	N/A
5.18 – Bicycle parking	Bicycle parking is provided within the basement car parking area of the proposal. See attached plans for detail.	YES
Section 6 – Landscaping		
6.1 – 6.11 – Landscaping	Not applicable.	YES

5. Conclusion

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls applying to the site with the minor variations acceptable based on the discussion contained previously in this statement.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for consideration and the granting of consent.