

Statement of Environmental Effects

LOT AMALGAMATION, DEMOLITION OF EXISTING STRUCTURES AND THE CONSTRUCTION OF 2 x 3 STOREY RESIDENTIAL FLAT BUILDINGS PURSUANT TO THE AFFORDABLE HOUSING SEPP 2009 COMPRISING A TOTAL OF 32 UNITS WITH BASEMENT PARKING FOR 37 VEHICLES AT 14-15 BURBANG CRESCENT & 47-49 SOUTH STREET, RYDALMERE



Prepared by: Think Planners
Document Date: 6th April 2016
Consent Authority: Parramatta City Council

QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects– 2 x 3 Storey Residential Flat Buildings

ARCHITECT: Architex- Registered Architect Robert Del Pizzo

ADDRESS: 14-15 Burbang Crescent & 47-49 South Street, RYDALMERE,
Lots 13-14 DP 16517 & Lots 5-6 DP 31350

COUNCIL: Parramatta City Council

AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
5 TH April 2016	Draft Issue for Circulation	Draft	SK/JW	AB
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<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>Does the Development Require Concurrence?</i>	
<i>Clause 4.6 Variation (PLEP 2011)</i>	<i>No</i>
<i>SEPP 64- Advertising and Signage</i>	<i>No</i>
<i>SEPP 71 – Coastal Protection</i>	<i>No</i>
<i>SEPP (Infrastructure) 2007</i>	<i>No</i>
<i>SEPP (Major Development) 2005</i>	<i>No</i>
<i>SREP (Sydney Harbour Catchment) 2005</i>	<i>No</i>

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Executive Summary

This Statement of Environmental Effects has been prepared in support of a development application for the amalgamation of 4 lots, demolition of existing structures and the construction of a '*Residential Flat Building*' consisting of 2 x 3 storey flat buildings at 14-15 Burbang Crescent & 47-49 South Street, Rydalmere.

The development incorporates a total of 32 residential units including 8 affordable units with a total floor space of 603m² and 37 car parking spaces within a basement level. The key aspects of the proposal are as follows:

Residential Units

A total of 32 residential units with the following mix:

- 4 x 1 Bed Unit (75.0%);
- 24 x 2 Bed Unit (12.5%); and
- 4 x 3 Bed Unit (12.5%).

8 units are to be dedicated as affordable unit (total of 603m² of floor space).

Parking:

A total of 37 carparking spaces within a basement levels with the following parking mix:

- Residential parking space: 35 spaces including 4 accessible car parking spaces;
- Visitor parking space: 2;
- A Motorcycle parking space and 16 bicycle parking spaces.

Once consolidated, the subject site will result in a long rectangular land parcel with dual street frontages and as such is to consist of 2 separate residential flat buildings with a shared basement parking level and common open space area on the ground floor. The unit breakdown of the two separate buildings is provided below:

Block A

The unit breakdown of Block A is as follows:

Residential Unit

A total of 17 residential units with the following mix:

- 2 x 1 Bed Unit (11.8.0%);
- 14 x 2 Bed Unit (82.4%); and
- 1 x 3 Bed Unit (5.9%).

Block B

The unit breakdown of Block B is as follows:

Residential Unit

A total of 15 residential units with the following mix:

- 2 x 1 Bed Unit (13.3%);
- 10 x 2 Bed Unit (66.7%); and
- 3 x 3 Bed Unit (20.0%).

With South Street separating the site from an industrial precinct to the south, the development; once consolidated will comprise of a large irregular shaped land parcel with a frontage of 31.12m to Burbang Crescent, a splay of 3.48 and a frontage of 29.62m to South Street resulting in a total site area of 2,784.9m².

The development site is located approximately 120m east of the intersection of Park Road and South Street along its southern frontage and approximately 140m south east of the intersection of Elonera Street and Burbang Crescent along its northern frontage. The subject site is also within walking distance to schools, parks, an IGA supermarket and a local neighbourhood shop with bus stops with extensive services to Sydney, Burwood, West Ryde, Ryde and Parramatta located within a 400m walking radius of the subject site. The site is also within 650m north west from Rydalmere Wharf that provides ferry services between Parramatta and Sydney.

Situated within a large residential area that is nestled in-between Victoria Road to the north and South Street to the South, development to the north of Elonera Street is dominated by older style medium density dwellings of mixed age and architectural styles whilst development to the south of Elonera Street comprise predominantly of single storey residential dwellings.

The development site is also located within a large residential block situated south of Elonera Street and has been zoned R4 High Density under the Parramatta Local Environmental Plan 2011, with a maximum permitted FSR of 0.8:1 and a maximum height limit of 11m, noting '*Residential Flat Buildings*' are permissible with consent within the R4 Zone. The residential block is also situated within the bounds of the East Rydalmere Precinct associated with the Parramatta DCP 2011.

The proposal has been designed to comply with the key development standards applying to the site, including landscaped area, communal open space and an FSR of 0.99:1 (bonus FSR afforded under the ARH SEPP 2009). It is noted that there is a minor variation to the building height control to the lift overrun and structures associated with the rooftop communal open space, noting that the majority of the building form is contained below the maximum permitted height control with the lift overrun recessed to minimise potential impacts from the street level and as such the variation is considered appropriate. The variation to the height control is discussed further in this statement.

The development seeks to utilise the land in accordance with the zoning and take advantage of its proximity to public transport, employment opportunities and services. The amalgamation of the existing land parcels will permit an orderly development of the site whilst contributing towards increasing the housing stock and housing choice within Rydalmere, including an increase of 8 affordable housing units. The design response is designed to embody the desired future character statement associated with the East Rydalmere Precinct and the development is generally consistent with the detailed planning controls contained within the LEP and DCP.

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

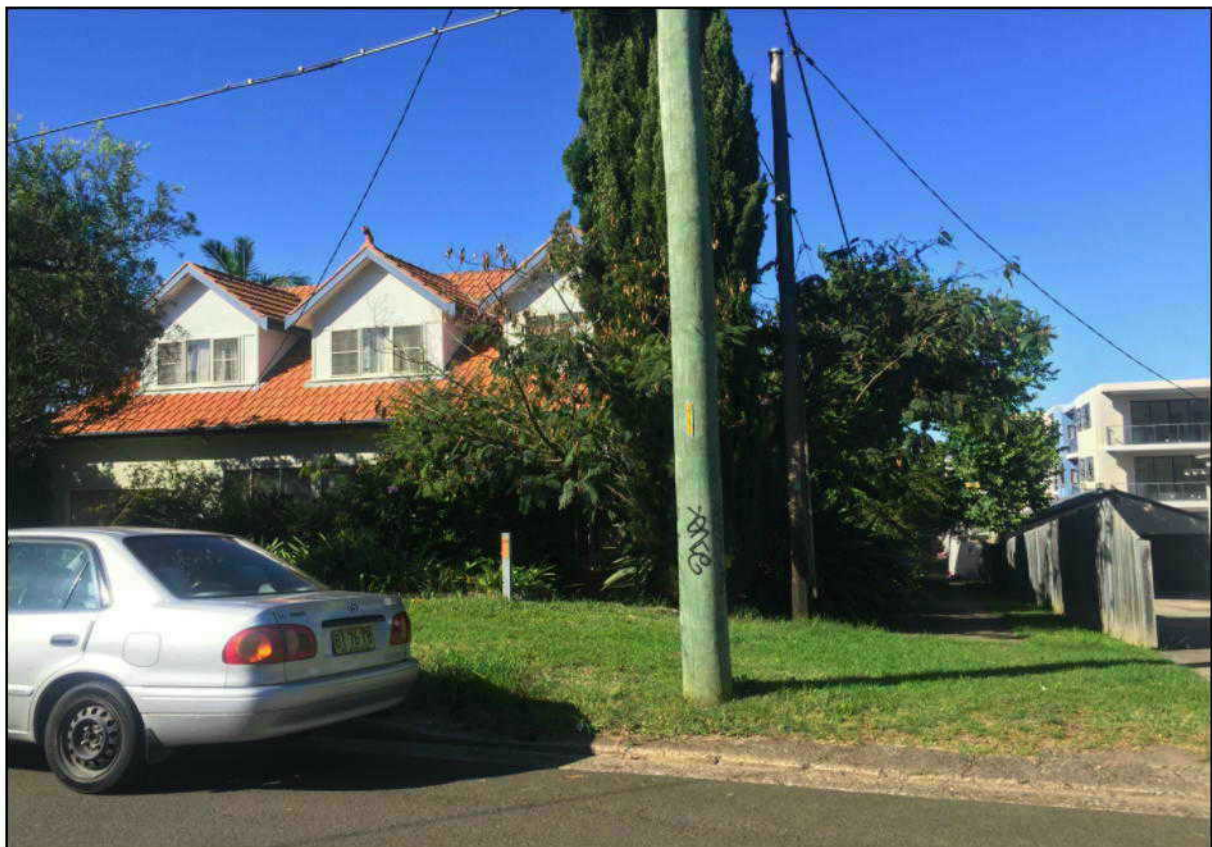
The subject site is legally described as Lots 13-14 DP 861612 & Lot 10 DP 31350. It is proposed to amalgamate four lots, demolish existing structures in order to erect 2 x 3 storey 'Residential Flat Building' at 14-15 Burbang Crescent & 47-49 South Street, Rydalmere.

Located near Victoria Road that connects Sydney to Parramatta, the development site is within walking distance to local schools, parks, an IGA supermarket and a local neighbourhood shop with bus stops with extensive services to Sydney, Burwood, West Ryde, Ryde and Parramatta located within a 400m walking radius of the subject site. The site is also within 650m north west from Rydalmere Wharf that provides ferry services between Parramatta and Sydney.

The site comprises of four (4) separate allotments and once consolidated will result in creating an irregular shaped land parcel with a frontage of 31.12m to Burbang, a splay of 3.48 and a frontage of 29.62m to South Street and total site area of 2,784.9m², with a dwelling currently located on each lot. The site experience a fall from Burbang Crescent towards South Street, a fall of approximately 5.37m over the site depth of 88.85m.

Located within an established residential area, the subject site currently accommodates three older style one and two storey residential dwellings and associated structures and a vacant land currently being utilises as an informal car park, as demonstrated by Photograph 1 - 3 below and within the following page.

Photograph 1: Shows 14 Burbang Cres and adjoining pedestrian pathway that run along its western boundary, as viewed from Burbang Cres, looking southwards.



Photograph 2: Shows 15 Burbang Cres and adjoining 3 storey RFB to its eastern boundary, as viewed from Burbang Cres, looking southwards.



Photograph 3: Shows 47-49 South St, as viewed from South St looking northwards.



At present, an informal carpark, a two storey brick house, a two storey fibro house, a single storey weatherboard house, in-ground pool, vegetation, rear sheds and associated structures are located within the subject site. This is illustrated by an aerial photo below.



Figure 1: Aerial Photograph of the Subject Site (Source: Nearmap 2016)

With South Street separating the site from a large industrial precinct to the south, the site is located approximately 120m east of the intersection of Park Road and South Street along its southern frontage and approximately 140m south east of the intersection of Elonera Street and Burbang Crescent along its northern frontage.

The site is bounded by two recently constructed 3 storey RFB to its eastern boundary with a pedestrian pathway separating the site from a recently constructed RFB and land parcels subject to a DA for a comparable RFB that is currently with Council to its western boundary, indicating that the built form south of Burbang Crescent is undertaking a significant transformation towards higher residential densities. Burbang Crescent separates the site from low density housing to its northern boundary with South Street separating the site from an industrial estate to the south. This is illustrated by an aerial map below.

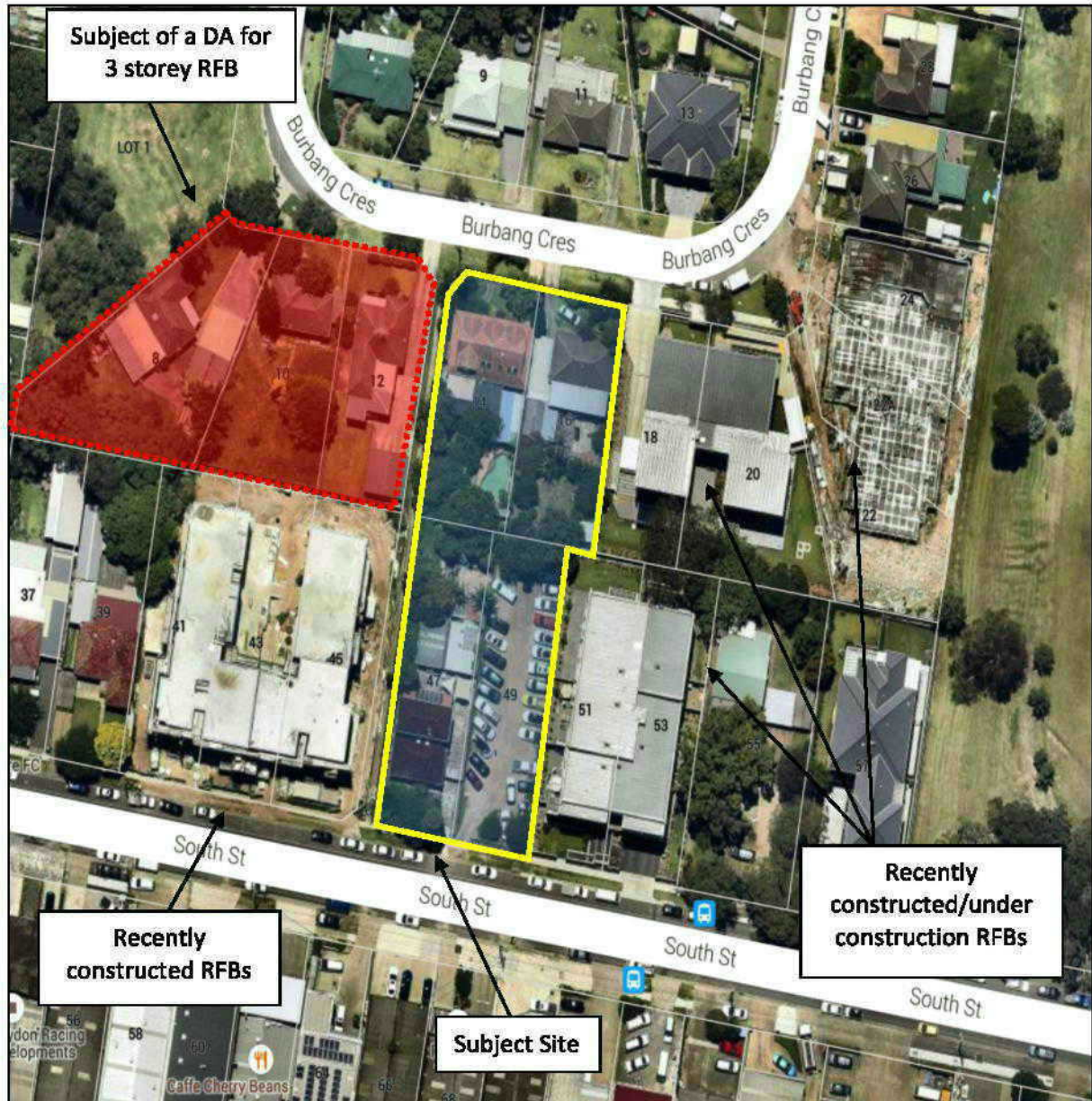


Figure 2: Aerial Photograph of the Subject Site and Surrounds (Source: Nearmap 2016)

It is noted that the site currently accommodates three (3) single storey residential dwellings, a vacant land parcel currently being utilised as an informal parking area and associated structures that are to be demolished as part of the proposal. The site also contains existing trees and vegetation, with the majority of the trees to be removed to accommodate the proposal with suitable replacements provided.

The proposal will also incorporate high quality landscape embellishment works along with appropriate replacement plantings to help reduce the physical bulk and scale of the development whilst also enhancing privacy levels and amenity in accordance with the landscape plan. The Arborist report also details construction techniques and protection measures that will ensure the longevity of the trees to be retained within adjoining properties but in close proximity to the subject site's common boundaries.

As outlined above, the development site is zoned R4 High Density Residential under the provisions of the Parramatta Local Environmental Plan 2011 as illustrated by Council's zoning map extract below.



Figure 3: Zoning Map Sheet LZN_015 Extract (Source: Parramatta LEP 2011)

Situated within an established residential area that is nestled in-between Victoria Road to the north and South Street to the South, development to the north of Elonera Street is dominated by older style medium density dwellings of mixed age and architectural styles whilst development to the south of Elonera Street is predominantly single storey residential dwellings.

The subject site is located within a large residential block situated south of Elonera Street and has been zoned R4 that permit high density residential developments and also forms part of the East Rydalmere Precinct associated with the Parramatta DCP 2011. The block is bounded by Elonera Street to the north, South Street to the south, public reserve to the west and grounds associated with Rydalmere Public School to the east. This is illustrated by an aerial map below.



Figure 4: Aerial Map of Subject Residential Block (Source: Nearmap)

The built form stock within the residential blocks is predominantly low density in nature comprising of older style one and two storey residential dwellings of mixed ages and architectural styles interspersed by recently constructed/under constructed 3 storey RFBs.

With the current demand for housing in Sydney and its proximity to essential services, public transportation and established industrial estate combined with an absence of heritage items, it is expected that the remaining residential low density residential developments within the residential block will be redeveloped for higher densities over the next 5-10 years. This is evident with recent construction, on-going construction and land parcel subject to DAs for 3 storey residential flat buildings within the subject area. The proposal aims to not only provide a strong interface to its dual frontage but to provide a built form that is consistent with the evolving higher density character within the immediate locality.

The subject area is ideal for future urban intensification as it is located within close proximity to Rydalmere Ferry Wharf and bus stops with regular services to Parramatta and West Ryde and important road networks such as Victoria Road, Silverwater Road, James Ruse Drive and Kissing Point Road. Furthermore, it is also within close proximity to a large employment precinct, public reserve, local shops, school and other local services. This is illustrated by a broader aerial map below.



Figure 5: Broader Locality Map (Source: Nearmap)

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

Photograph 4: Shows the streetscape along Burbang Cres looking southwards, noting that the immediate locality is currently undertaking a significant transformation towards higher densities.



Photograph 5: Shows the streetscape along Burbang Cres looking westwards, noting land parcels to the south west are current subject to a DA with Council for a 3 storey RFB development.



Photograph 6: Shows the streetscape along Burbang Cres looking eastwards.



Photograph 7 - 10: Shows land parcels along Burbang Cres that are currently under construction or have recently been constructed.







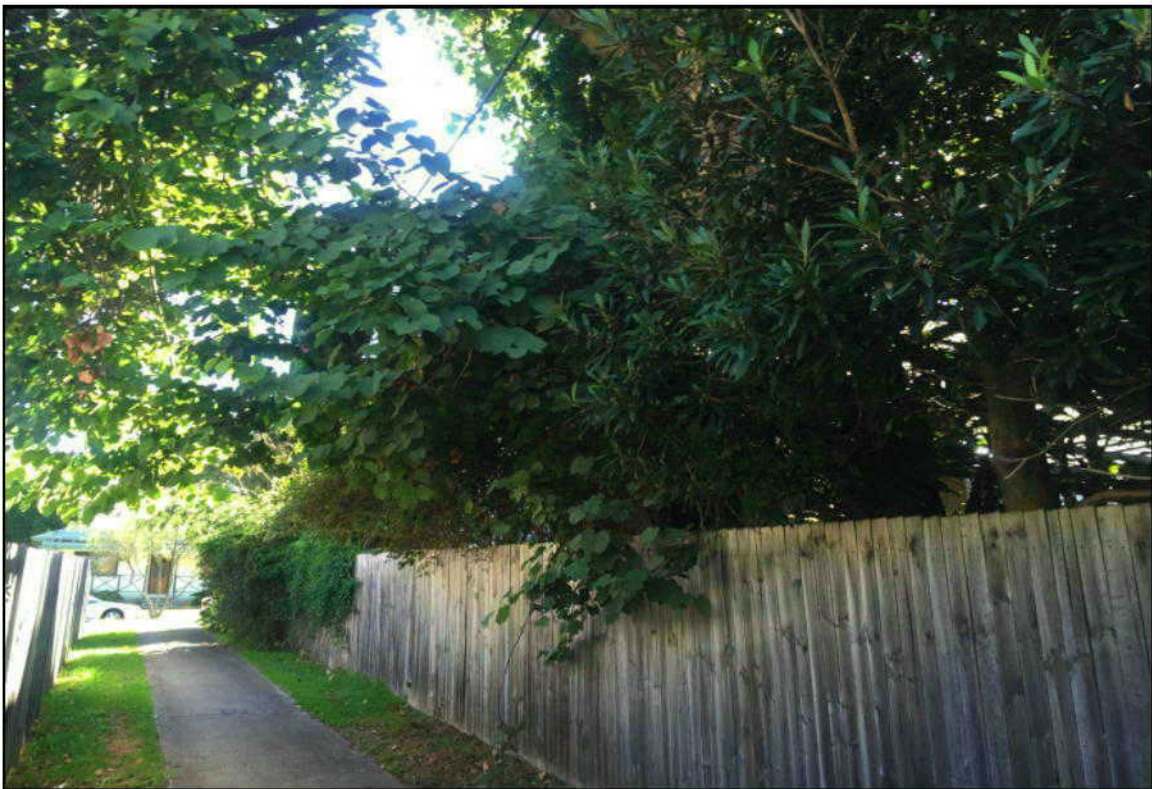
Photograph 11: Shows the subject site (16 Burbang Cres) and neighbouring property to its immediate eastern boundary (18-20 Burbang Cres), noting vehicle entrance to basement of the recently constructed RFB will ensure sufficient building separation between the proposed RFB and existing building.



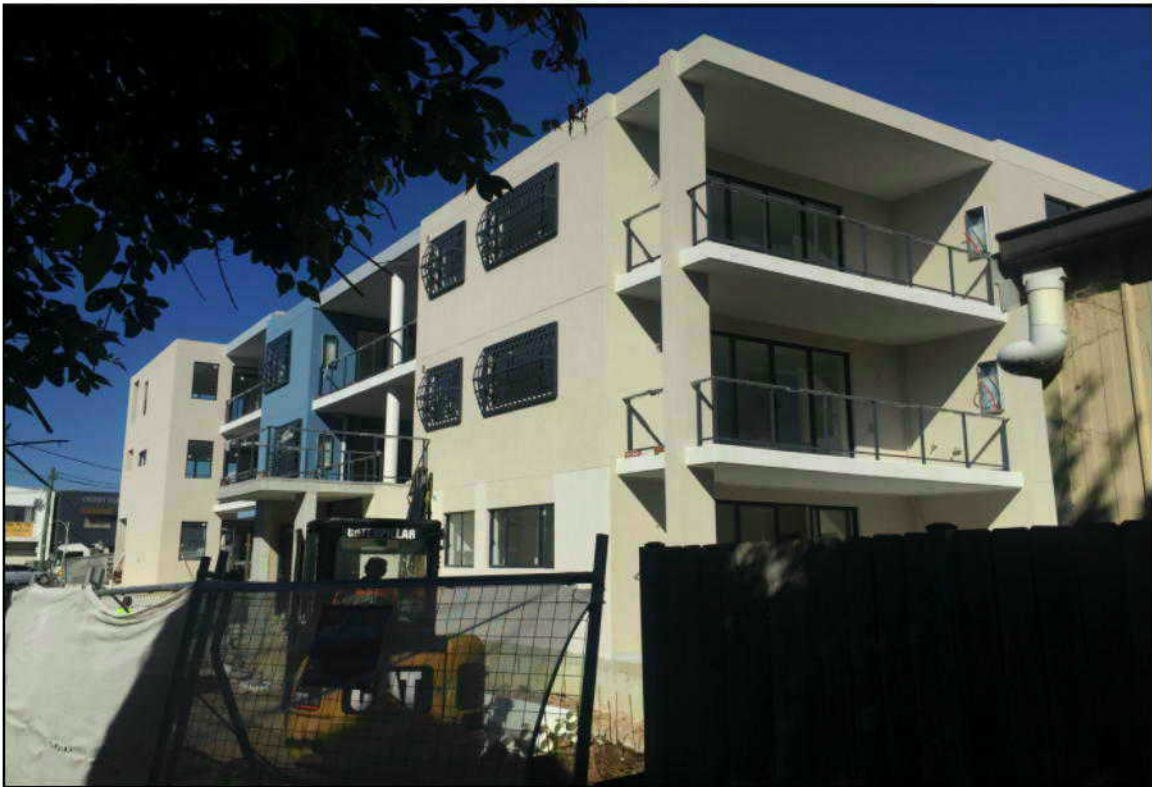
Photograph 12: Shows a pedestrian laneway that run along the sites western boundary, looking southwards.



Photograph 13: Shows a pedestrian laneway that run along the sites western boundary, looking northwards.



Photograph 14: Shows 3 storey RFB currently being constructed at 41-45 Burbang Crescent, as viewed from existing pedestrian pathway, looking westwards.



Photograph 15: Shows the subject site (47 South St) and laneway along its western boundary that separates the site from a land parcel (41-45 South St) currently under construction for a comparable RFB development.



Photograph 16: Shows industrial buildings as viewed from the site's southern frontage to South St.



Photograph 17: Shows existing streetscape along South St, looking westwards.



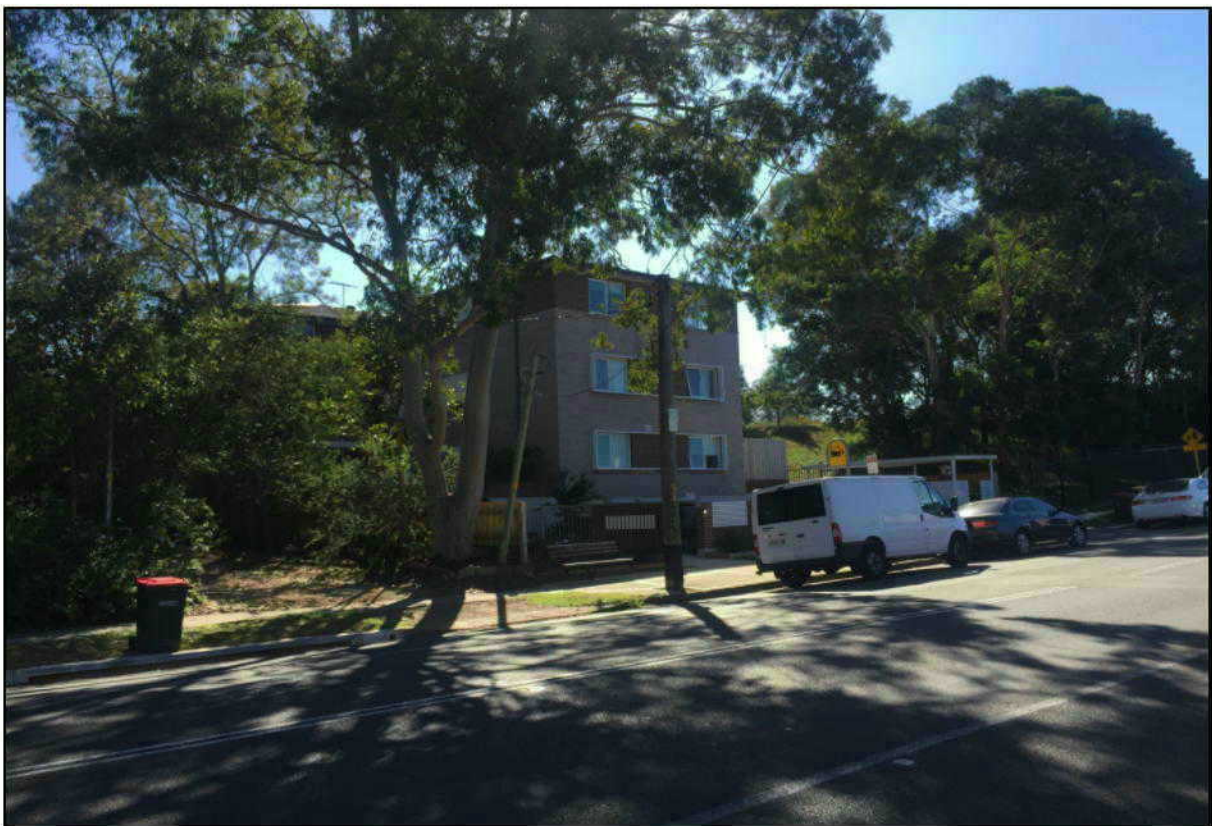
Photograph 18: Shows existing streetscape along South St, looking eastwards.



Photograph 19: Shows the evolving streetscape character along the northern part of South St, looking westwards.



Photograph 20 - 22: Shows recently constructed RFB along South Street.





Heritage

The site is not identified as a heritage item, it is not located within a heritage conservation area nor is it in the vicinity of any surrounding heritage items as illustrated by the heritage extract map below.



Figure 6: Heritage Map Sheet HER_015 Extract (Source: Parramatta LEP 2011)

As a result, the subject site will not have any associated heritage restrictions.

2. Description of Proposal

This Statement of Environmental Effects has been prepared in support of a development application for the amalgamation of 4 allotments, demolition of existing structures and the construction of a '*Residential Flat Building*' consisting of 2 x 3 storey buildings at 14-15 Burbang Crescent & 47-49 South Street, Rydalmere.

The development incorporates a total of 32 residential units and 37 car parking spaces within a basement level. The key aspects of the proposal are as follows:

Residential Units

A total of 32 residential units with the following mix:

- 4 x 1 Bed Unit (75.0%);
- 24 x 2 Bed Unit (12.5%); and
- 4 x 3 Bed Unit (12.5%).
 - 8 units dedicated as affordable unit (total of 603m² of floor space).

Parking:

A total of 37 carparking spaces within a basement levels with the following parking mix:

- Residential parking space: 35 spaces including 4 accessible car parking spaces;
- Visitor parking space: 2;
- Motorcycle parking space: 1; and
- Bicycle parking space: 16.

The development is to take advantage of the site's dual frontage by proposing two separate buildings, with each to address the site frontage

Once consolidated, the subject site will result in a skinny land parcel with dual frontages and as such is to consist of 2 separate residential flat buildings with a shared basement parking level and common open space area on the ground floor. The unit breakdown of the two separate buildings is provided in the following page:

Block A

The unit breakdown of Block A is as follows:

Residential Unit

A total of 17 residential units with the following mix:

- 2 x 1 Bed Unit (11.8.0%);
- 14 x 2 Bed Unit (82.4%); and
- 1 x 3 Bed Unit (5.9%).

Block B

The unit breakdown of Block B is as follows:

Residential Unit

A total of 15 residential units with the following mix:

- 2 x 1 Bed Unit (13.3%);
- 10 x 2 Bed Unit (66.7%); and
- 3 x 3 Bed Unit (20.0%).

Unit Configuration

A summary of the unit configurations for Block A is provided below:

Ground Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit A01 Affordable	1	58.2m ²	64.9m ²	No	Yes
Unit A02 Affordable	2	75.5m ²	72.4m ²	Yes	No
Unit A03 Affordable	2	75.0m ²	71.5m ²	Yes	Yes
Unit A04 Affordable	1 + Media	64.0m ²	49.2m ²	Yes	Yes
Unit A05 Affordable	3	98.8m ²	65.2m ²	Yes	No

First Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit A06 Affordable	2	77.6m ²	18.4m ²	No	Yes
Unit A07 Affordable	2	75.5m ²	10.1m ²	Yes	No
Unit A08 Affordable	2	78.7m ²	17.3m ²	Yes	Yes
Unit A09 Adaptable	2	82.8m ²	18.1m ²	Yes	Yes
Unit A10	2	75.4m ²	10.3m ²	Yes	No
Unit A11	2	78.6m ²	17.1m ²	No	Yes

Second Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit A12	2	77.6m ²	18.4m ²	No	Yes
Unit A13	2	75.5m ²	10.1m ²	Yes	No
Unit A14	2	78.7m ²	17.3m ²	Yes	Yes
Unit A15 Adaptable	2	82.8m ²	18.1m ²	Yes	Yes
Unit A16	2	75.4m ²	10.3m ²	Yes	No
Unit A17	2	78.6m ²	17.1m ²	No	Yes

70.5%/64.7%

Unit Configuration

A summary of the unit configurations for Block B is provided below:

Ground Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit B01	2	80.0m ²	35.2m ²	No	Yes
Unit B02 Adaptable	1	64.8m ²	15.8m ²	Yes	No
Unit B03 Adaptable	1	63.6m ²	63.2m ²	Yes	Yes
Unit B04	3	96.7m ²	44.0m ²	Yes	Yes
Unit B05	2	76.6m ²	37.0m ²	Yes	Yes

First Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit B06	2	76.5m ²	11.1m ²	No	Yes
Unit B07	2	77.7m ²	10.2m ²	Yes	No
Unit B08	2	75.4m ²	19.3m ²	Yes	Yes
Unit B09	3	96.7m ²	10m ²	Yes	Yes
Unit B10	2	76.6m ²	10m ²	No	Yes

Second Floor

Unit	Bedrooms	Floor Area	POS	Solar	Cross
Unit B11	2	76.5m ²	11.1m ²	No	Yes
Unit B12	2	77.7m ²	10.2m ²	Yes	No
Unit B13	2	75.4m ²	19.3m ²	Yes	Yes
Unit B14	3	96.7m ²	10m ²	Yes	Yes
Unit B15	2	76.6m ²	10m ²	No	Yes

70%/80.0%

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

Level	Inclusions
Basement	<p>Vehicle driveway and ramp from the ground floor via a southern wing with ramp access to the northern wing.</p> <p>A total of 27 car parking spaces including the following:</p> <ul style="list-style-type: none"> - 35 resident car parking spaces including 4 accessible car parking spaces; and - 2 visitor car parking spaces including a shared carwash bay/visitor space. <p>The proposal also provides 1 x motorbike parking space and a total of 8 x bicycle parking spaces.</p> <p>Residential storage space.</p> <p>2 x bin room with a bin room in each wing.</p> <p>A meter room in each wing.</p> <p>A plant room in each wing.</p> <p>WC within the southern wing.</p> <p>Pump room within the northern wing.</p> <p>A lift core in each wing.</p>

	Stairwells.
Ground Floor:	<p>Direct access to Block A via central pathway from South Street and direct access to Block B via a central pathway from Burbang Crescent with centrally located communal open space provides a linkage between the two buildings.</p> <p>Vehicle access to the site via a driveway/ramp located near the centre portion of the site from site's frontage to South Street.</p> <p>Centrally located communal open space: 505.4m² (18.1%)</p> <p>337.9m² (36.4%) total deep soil zone.</p> <p>470.8m² (50.7%) total landscaped area.</p> <p>Padmount Substation.</p> <p>Planter boxes.</p> <p>Fire escape stairwell from basement level.</p> <p>Block A</p> <p>The ground floor accommodates a main entrance to Block A from South Street via a centrally located pedestrian pathway to the internal lobby area.</p> <p>The communal lobby area provides access to all five ground floor units, lift core stairwell and rear access to centrally located communal open space.</p> <p>Each unit is provided with a kitchen, laundry, living area, dining area and courtyard that are generally accessed from living areas.</p> <p>2 x 1 bedroom unit with courtyards.</p> <p>2 x 2 bedroom unit with courtyards.</p> <p>1 x 3 bedroom unit with courtyard.</p> <p>Internal lobby area with a lift core and stairwell.</p> <p>Block B</p> <p>The ground floor accommodates a main entrance to Block B from Burbang Crescent via a centrally located pedestrian pathway to the internal lobby area.</p> <p>The communal lobby area provides access to all five ground floor units, lift core stairwell and rear access to centrally located communal open space.</p> <p>Each unit is provided with a kitchen, laundry, living area, dining area and courtyard that are generally accessed from living areas. Unit B01 is provided with dual courtyards.</p> <p>2 x 1 bedroom unit with courtyard.</p> <p>2 x 2 bedroom unit with courtyard.</p> <p>1 x 3 bedroom unit with courtyard.</p> <p>Internal lobby area with a lift core and stairwell.</p>

Level 1	Block A
	Each unit is provided with a kitchen, laundry, living area, dining area and balcony that are generally accessed from living areas. Some of the units are provided with a second balcony.
	6 x 2 bedroom unit with balcony.
	Internal lobby area with a lift core and stairwell.
	Block B
	Each unit is provided with a kitchen, laundry, living area, dining area and balcony that are generally accessed from living areas. Some of the units are provided with a second balcony.
	4 x 2 bedroom unit with balcony.
	1 x 3 bedroom unit with balcony.
	Internal lobby area with a lift core and stairwell.
Level 2	Block A
	Each unit is provided with a kitchen, laundry, living area, dining area and balcony that are generally accessed from living areas. Some of the units are provided with a second balcony.
	6 x 2 bedroom unit with balcony.
	Internal lobby area with a lift core and stairwell.
	Block B
	Each unit is provided with a kitchen, laundry, living area, dining area and balcony that are generally accessed from living areas. Some of the units are provided with a second balcony.
	4 x 2 bedroom unit with balcony.
	1 x 3 bedroom unit with balcony.
	Internal lobby area with a lift core and stairwell.
Roof level	Block A
	Rooftop communal open space: 510.9m ² (18.3%) and also includes a pergola and seating areas.
	Lift core and stair well.
	Block B
	Rooftop communal open space: 433.4m ² (15.6%) and also includes a pergola and seating areas.
	Lift core and stair well.

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works and relevant drainage elements as shown on the submitted plans.

The relevant architectural plans for the proposal have been prepared by Architex, while supporting reports have been prepared by relevant specialist consultants. The design of the proposed Residential Flat Building is based on contemporary architectural aesthetics that reflects the higher density built form envisioned by Council, with the development presenting a contemporary built form that is consistent with the desired future character of the locality.

Design consideration has been given to the scale; size and form of the proposal in relation to the unique characteristics of the site, adjoining development, recently approved developments and the existing character of the area. 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.

3. 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) 2009
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development
- Sydney Regional Environmental Plan- Sydney Harbour Catchment
- Parramatta Local Environmental Plan 2011

Policy Controls

The applicable policy control documents are: -

- Parramatta Development Control Plan 2011

4. Consideration

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 demonstrating a commitment to energy efficiency.

State Environmental Planning Policy No.55- Remediation of 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 material or suspected contaminated material is unearthed during the construction process then actions consistent with the legislative requirements and guideline documents will be undertaken.

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

The development application is accompanied by a design verification statement by an Australian consulting architect (Registered Architect: Robert Del Pizzo), 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 depth, separation, height, 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, noting that a number of these provisions are embodied within the Parramatta Local Environmental Plan 2011 and supporting Parramatta Development Control Plan 2011.

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 has been designed to address its dual frontages, with direct access to the proposed 3 storey building provided from both Burbang Crescent and South 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.	Due to the design of the proposal RFB do not provide direct access to street entry for ground floor units, however appropriate access to all ground floor units is provided by the proposal.	Yes
	Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided	Mail boxes are appropriately located. Complies.	Yes
	Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement	Communal bin rooms are located within the basement level and therefore effectively out of view at ground level.	Yes

	carpark or out of view	It is noted that the development proposes a substation along the site's frontage to South Street, however landscape embellishment work is proposed along the site frontage that will contribute towards minimising the impact of the substation to the streetscape.	
3D Communal and Public Open Space	<u>Design Criteria:</u> Communal open space has a minimum area equal to 25% of the site	A total of 1,459.7m ² or 52.4% of the site area is dedicated for communal open space area, with the development providing communal open space within: <ul style="list-style-type: none"> o Ground floor: 504.4m² or 18.1%, o Rooftop area of Block A: 510.9m² or 18.3% and o Rooftop area of Block B: 443.4m² or 15.6%. 	Yes
	50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm	Complies	Yes
	<u>Design Guidelines:</u> Minimum dimension of 3m	Complies	Yes
	Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies	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.	Yes
	Where communal open space cannot be provided at ground level, it should be provided on a podium or roof	It is noted that communal open space areas are provided on the ground floor and within the roof levels of both buildings. Yes	Yes
	Facilities are provided within communal open spaces and common spaces for a range of	Noted	-

	<p>age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> • seating for individual or groups • 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>Public open space should be well connected with public street along at least one edge</p>	<p>The proposed RFB has been designed with the orientation of balconies and windows to maximise passive surveillance to the communal open space areas on the ground floor, an existing laneway that run along the site's western boundary and to the public domain.</p> <p>Direct access to site is provided from pedestrian pathway from both Burbang Crescent and South Street. See attached plans for detail.</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 	<p>Development provides a total of 211.1m² or 7.6% of the site area for deep soil zones.</p> <p>Minimum dimensions of 6m</p> <p>It is noted that the proposal provides a total of 7.6% of the site area for deep soil zones. Complies.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>with an area of 650m²- 1,500m²</p> <ul style="list-style-type: none"> • 105 of the site as deep soil on sites greater than 1,500m² 		
<p>3F Visual Privacy</p> <p>Building Separation Up to 4 storeys (up to 12m)</p>	<p><u>Design Criteria:</u></p> <p>12m between habitable rooms (6m) 6m between non habitable rooms (3m)</p>	<p>The development provides a complying building separation greater than 6m to its eastern boundary from its primary building line.</p> <p>It is noted that the proposal provides a building separation of approximately 5.2m to its western side boundary, however it is noted that a pedestrian pathway run along the site's western boundary and the combined building separation and pathway will ensure that the development provides adequate separation to neighbouring properties to the west, thus ensuring that the proposal is consistent with the underlying principle of the building separation control.</p> <p>The proposal also provides building separation greater than 6m between Block A and Block B.</p>	<p>Variation to western side boundary</p>
<p>3G Pedestrian Access and Entries</p>	<p>Building entries should be clearly identifiable and communal entries should be clearly distinguished from private areas</p>	<p>The proposal provides multiple entries to the proposed 3 storey RFB and are clearly identified and visible from the street level.</p>	<p>Yes</p>
<p>3H Vehicle Access</p>	<p>Car park access should be integrated with the building's overall façade</p> <p>Car park entry and access should be located on secondary streets or lanes where available</p>	<p>Vehicle access point to the basement level is integrated with the proposed building's overall façade.</p> <p>Access is provided via South Street, which is considered more appropriate than Burbang Crescent, which has a more narrow width.</p>	<p>Yes</p> <p>Yes</p>

3J Carparking	<p><u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of:</p> <p>>20 units <u>Metropolitan Sub-Regional Centres:</u> 0.6 spaces per 1 bedroom unit (5 x 0.6: 3) 0.9 spaces per 2 bedroom unit (10 x 0.9: 9) 1.40 spaces per 3 bedroom unit (8.4) 1 space per 5 units (visitor parking) (4.2)</p> <p>Total: 24.6 (25)</p> <p><u>Design Guidelines:</u></p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</p>	<p>Affordable Housing SEPP 2009 parking rates utilised.</p> <p>Bicycle parking spaces are provided within the basement level and are secured. Complies.</p>	<p>Affordable Housing SEPP (2009)</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>70% of units achieve the required 2 hours of solar access at mid-winter</p> <p>< 15% given no single aspect south facing.</p>	<p>Yes</p> <p>Yes</p>

<p>4B Natural Ventilation</p>	<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><u>Design Guidelines:</u></p> <p>The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths</p>	<p>A total of 71.9% of units are cross ventilated.</p> <p>Complies</p> <p>Development has a mix of dual aspect apartments and corner apartments. See attached architectural plans for detail.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4C Ceiling Height</p>	<p><u>Design Criteria:</u></p> <p><u>2.7m for habitable and 2.4m for non-habitable.</u></p>	<p>Comply.</p>	<p>Yes</p>
<p>4D Unit Sizes</p> <p>1 bed 2 bed 3 bed</p> <p>+ 5m² for each unit with more than 1 bathroom.</p> <p>Habitable Room Depths</p>	<p><u>Design Criteria:</u></p> <p><u>50m²</u> <u>70m²</u> <u>90m²</u></p> <p><u><i>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%</i></u></p> <p><u>Design Guidelines:</u></p> <p><u>Limited to 2.5m x Ceiling Height</u></p>	<p>All units comply with many units exceeding prescribed minimum apartment size. Where additional bathrooms have been provided unit sizes have been increased by at least 5m².</p> <p>Every habitable room is provided with a window.</p> <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.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

<p>Bedroom sizes</p> <p>Master</p> <p>Other</p> <p>Living rooms/dining areas have a minimum width of:</p> <p>3.6m</p> <p>4m</p> <p>Open Plan Layouts that include a living, dining room and kitchen.</p>	<p><u>10m²</u></p> <p><u>9m²</u></p> <p><u>Studio/1 br</u></p> <p><u>2br/ 3br</u></p> <p><u>8m to a window</u></p>	<p>Comply to majority of room</p> <p>Comply</p> <p>Comply</p> <p>Comply</p> <p>Complies given unit depths and design layouts.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4E Private Open Space</p> <p>Balcony Sizes</p> <p>1 bed</p> <p>2 bed</p> <p>3 bed</p> <p>Ground level/ podium apartments</p>	<p><u>Design Criteria:</u></p> <p><u>8m² & 2m depth</u></p> <p><u>10m² & 2m depth</u></p> <p><u>12m² & 2.4m depth</u></p> <p><u>15m² & 3m depth</u></p>	<p>Complies</p> <p>Complies</p> <p>Complies- with exception of Unit B4, 9, and 14 which has 10m² which is considered sufficient.</p> <p>Complies</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4F Common Circulation and Spaces</p> <p>Common Circulation Units per Plate</p> <p>Corridors > 12m</p>	<p><u>Design Criteria:</u></p> <p><u>8 Unit per Plate</u></p> <p><u>Are articulate</u></p>	<p>Development provides a lift core per building with a maximum of 6 units per plate per level having access to a lift core.</p> <p>N/A</p>	<p>Yes</p> <p>N/A</p>
<p>4G Storage</p>	<p><u>1 bed 6m³</u></p> <p><u>2 bed 8m³</u></p> <p><u>3 bed 10m³</u></p> <p><u>Min 50% of required storage is within the apartment</u></p>	<p>The proposal provides:</p> <p>1 bed: >6m³</p> <p>2 bed: >8m³</p> <p>3 bed: >10m³</p> <p>This is provided within the basement/ground floor and within the units themselves, with a minimum of 50% of storage to be provided within each individual unit.</p>	<p>Yes</p>

		The proposed development is considered to offer storage space that aligns with the provisions of the ADC.	
4H Acoustic Privacy	<p><u>Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses</u></p> <p><u>Windows and door openings are generally orientated away from noise source</u></p> <p><u>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.</u></p>	<p>Development has provided adequate separation from neighbour buildings/properties in-line with 3F Visual Privacy – design criteria above.</p> <p>Where appropriate windows and door openings are orientated away from noise sources.</p> <p>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.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
4K Apartment Mix 7	<u>A variety of apartment types is provided</u>	<p>A diversity of apartments is proposed as follows: 4 x 1 bedroom units; 24 x 2 bedroom units; and 4 x 3 bedroom units</p> <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, 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, noting an increase in the affordable housing units within Rydalmere.</p>	Yes

4M Facades	<u>Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale</u>	<p>The proposed facades are well articulated with a mixture of vertical and horizontal features including windows, projecting walls and balconies.</p> <p>Overall the proposed facade is considered a quality design outcome that is compatible with other comparable modern RFB within the locality.</p>	Yes
4O Landscape Design			
Site Area			
850m ² to 1500m ²	<u>1 large tree or 2 medium trees per 90m² of DSZ</u>	Consistent as per landscaping.	Yes
>1500m ²	<u>1 large tree or 2 medium trees per 80m² of DSZ</u>		
4Q Universal Design			
20% of the total apartments	<u>Achieve Liveable House Guidelines silver level universal design features</u>	Meets Parramatta DCP of 10% adaptable control (4 units or 12.5%)	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, is noted that all 32 units achieve the minimum 2 hours of solar access at mid-winter and over 71.9% units achieve natural ventilation.</p>	Yes
4V Water Management and Conservation	<u>Reduce mains consumption, and reduce the quantity of storm water runoff.</u>	The application has been provided with a BASIX certificate indicating energy efficiency for each residential unit provided.	Yes
4W Waste Management	<u>Supply WMP</u>	Provided	Yes
	<u>Allocate storage area</u>	Appropriate waste storage areas are provided.	Yes

4X Building Maintenance	<u>To ensure long life and ease of maintenance for the development.</u>	The proposed material is considered durable which may be easily cleaned.	Yes
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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.

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

Clause 10- Development to which Division Applies

Clause 10 stipulates that for the development of In-fill affordable housing to be permitted under the SEPP, the development concerned is permitted with consent under another environmental planning instrument and needs to be within an accessible area, which the SEPP identifies as:

- (a) 800m walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or
- (b) 400m walking distance of a public entrance to a light rail station or, in the case of a light rail station with no entrance, 400m walking distance of a platform of the light rail station, or
- (c) 400m 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 SEPP applies as residential flat buildings are permitted within the R4 Zone with consent under the Parramatta Local Environmental Plan 2011, with Rydalmere Wharf located within a 650m walking distance from the subject site. This is illustrated by a route map in the following page.

Furthermore, bus stops with extensive services to Sydney, Burwood, West Ryde, Ryde and Parramatta located within a 300m walking radius of the subject site and this is illustrated by Figure 8 in the subsequent page.

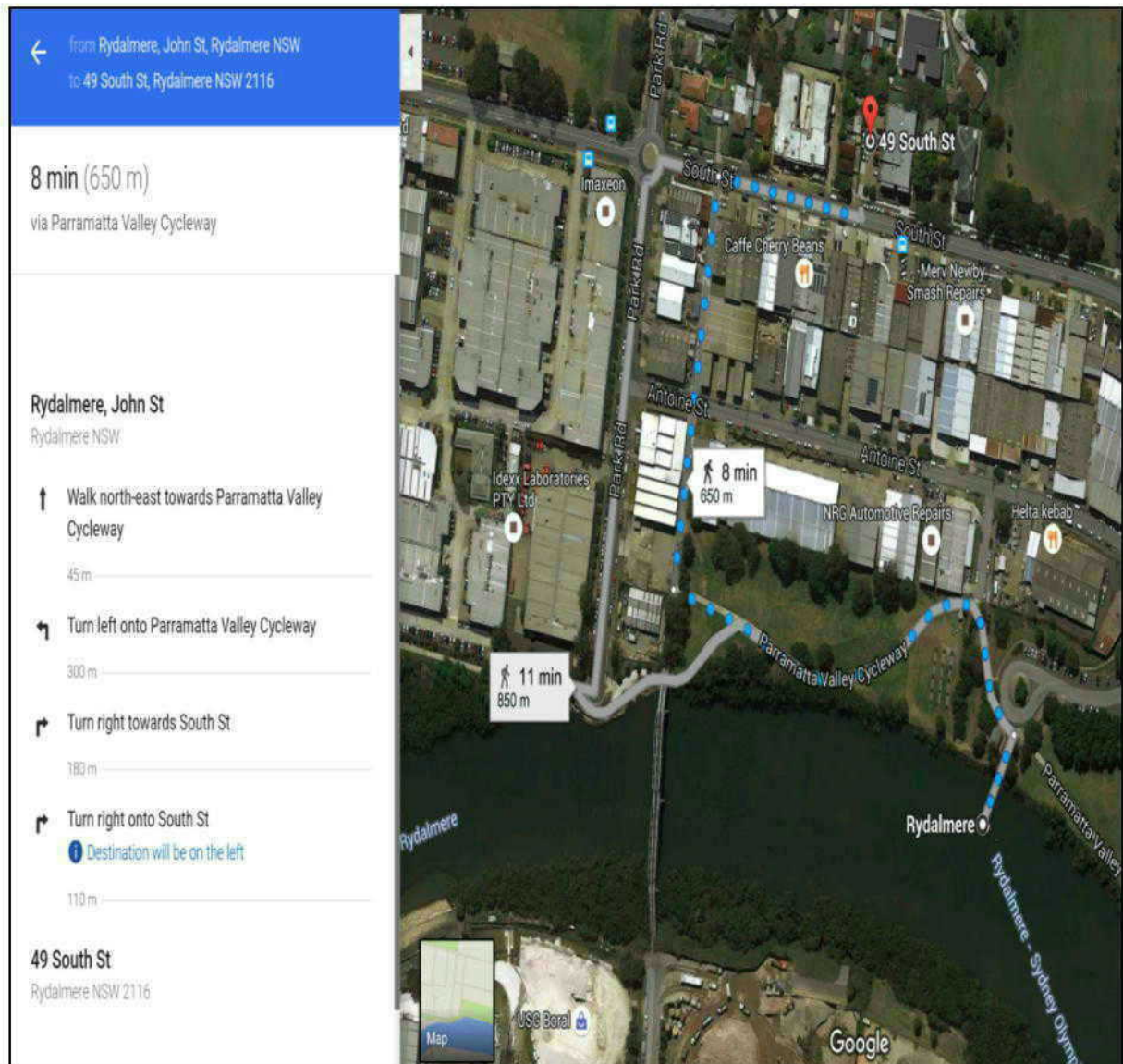


Figure 7: Wharf Route Map (Source: Google Map)

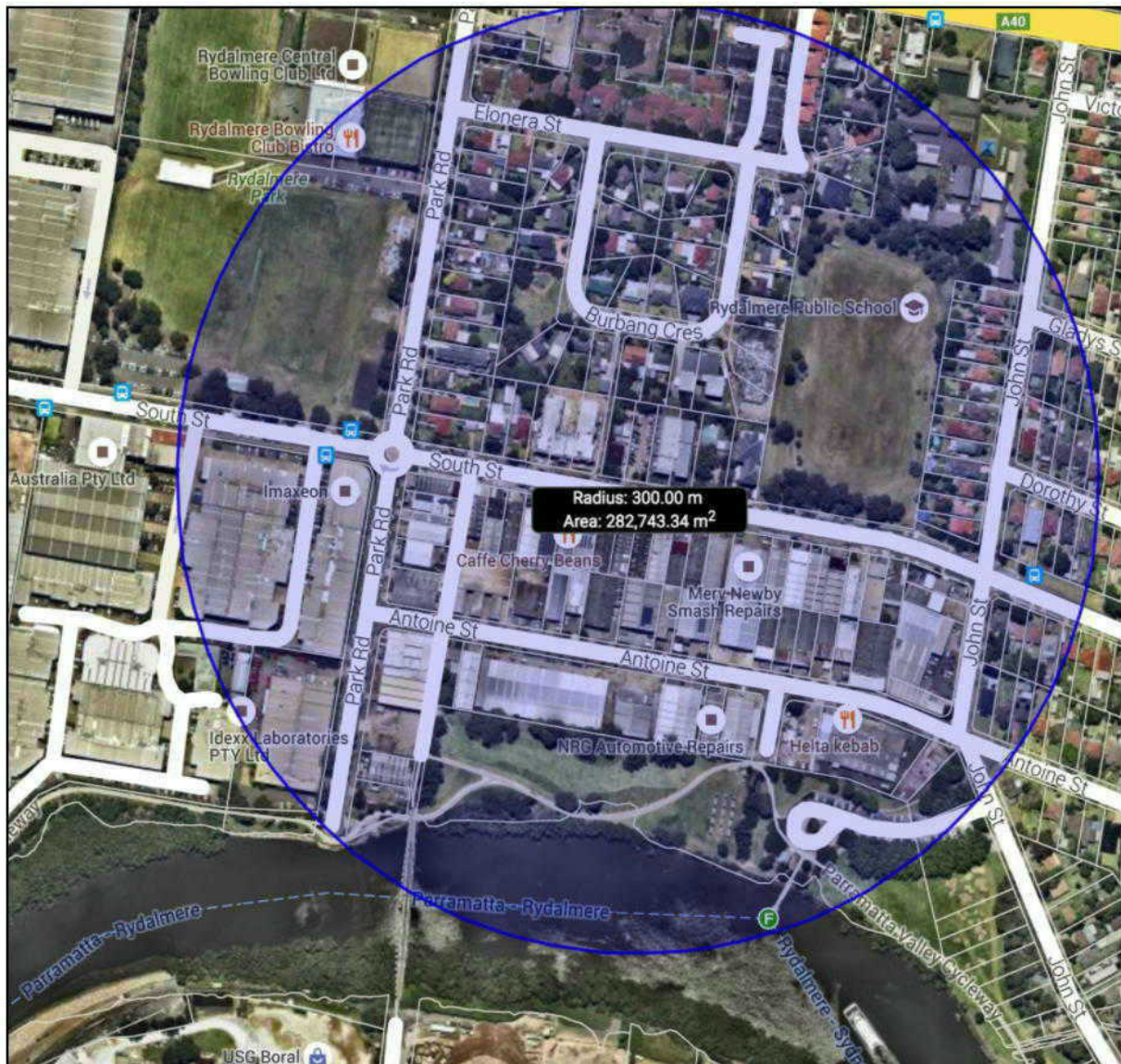


Figure 8: 300m Radius Map (Source: Nearmap)

Clause 13- Floor Space Ratios (FSR)

The percentage of gross floor area associated with the affordable dwellings will be required to be at least 50%. The proposed development will provide 22% or 603m² of the gross floor area as affordable housing. As such, the SEPP will afford an FSR bonus of 0.22:1 for the proposed development thus bringing the permitted FSR to 1.02:1. This is derived through adding the bonus to the 0.8:1 PLEP 2011 FSR control that applies to the site. The FSR of the proposed development is 0.99:1 and complies.

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	2,784.9m ²	Yes
Landscaped Area	30% of site area	784.1m ² or 35.9% Complies.	Yes
Deep Soil Zones	15% of site area	7.6%	Variation- But Meets ADG which is sufficient
Solar Access	3 hours to 70% of dwellings between 9am and 3pm at mid-winter	70% provided.	Yes
Parking	1 Bed: 0.5 spaces (4x0.5=2) 2 Bed: 1 spaces (24x1=24) 3 Bed: 1.5 spaces (4 x1.5=6) 32 required in total.	37 spaces provided	Yes
Dwelling Size	1 Bed: 50m ² 2 Bed: 70m ² 3 Bed: 95m ²	1 Bed: >50m ² 2 Bed: >70m ² 3 Bed: >95m 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 Robert Del Pizzo (Architex).

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 the evolving future development along Burbang Crescent and South Street is consisting of comparable 3 storey RFBs, as evident with the recent

construction, on-going construction and land parcel subject to DAs for 3 storey residential flat buildings within the subject area. 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 developments.

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

- The development has been designed to minimise overshadowing of adjoining properties. Refer to attached Shadow Diagrams for detail noting the majority falls on the street or adjoining laneway.
- Privacy impacts are mitigated through the provision of appropriate building separation, window placement (offset windows) and landscape embellishments works to mitigate privacy impacts to adjoining properties as far as practicable.
- Noise impacts arising from the proposal are 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, noting access is provided via South Street which has the capacity to accommodate traffic that is expected to be generated by the development than Burbang Crescent which is considered to be more of a local road with limited capability to accommodate traffic movement.
- 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 immediate locality is currently undergoing a significantly transformation towards higher residential densities, with the proposal to provide a 3 storey built form that is consistent and comparable with neighbouring properties.

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 in the following page:

Height

- The proposed 3 storey residential flat building is consistent with the prescribed maximum building height under Parramatta LEP 2011, with the exception of the structure associated with the common open space area on the roof level and lift-overrun, however the structure is sufficiently recessed and negligible from the streetscape.

Setbacks

- The development is compliant with setbacks controls within the Parramatta DCP.
- The proposed building will sit comfortably in the streetscape. The spatial sequencing of the proposed built form is consistent with the setbacks found within higher density zones. The proposal will be consistent with the evolving higher density streetscape rhythm along found along both the southern side of Burbang Crescent and the northern side of South Street. Furthermore the setbacks and separation distances proposed will ensure that the development will not create any adverse amenity, visual or privacy impacts on adjoining properties.

Landscaping

- The landscape concept provides for deep soil and landscape embellishment works along the site's boundaries to incorporate a garden setting and to both maintain and enhance the levels of privacy and amenity enjoyed by existing residents of the area and for future residents of the proposal. The proposed landscaping will help to soften the built form of the proposed development and reduce the visual bulk and mass of the building and this will help the proposal to integrate with the site's context.
- A variety of plant species are proposed including small sized canopy trees, shrubs and hedge plantings, and groundcovers.

The 3D photomontage 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 the anticipated future development in the vicinity of the site and as such is worthy of support by Council as the development is compatible with the desired character of the locality.

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

It is anticipated that conditions of consent will reinforce that the proportion of floor area to be used as affordable dwellings are to be used for a period of no less than 10 years as affordable dwellings.

Sydney Regional Environmental Plan- Sydney Harbour Catchment

The subject site is subject to the broad planning principles contained within the SREP. The Sydney Harbour Catchment Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment. The relevant principles include:

- Protect and improve hydrological, ecological and geomorphologic processes;
- Consider cumulative impacts of development within the catchment;
- Improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
- Protect and rehabilitate riparian corridors and remnant vegetation.

The proposed development does not detract from the above listed principles given the nature of the development and the environmental safeguards proposed, including the detailed drainage concept and erosion and sediment controls that will be in place throughout the construction phase of the development.

Parramatta Local Environmental Plan 2011

As shown on the zoning map extract below the development site is zoned R4 High Density under the provisions of the Parramatta LEP 2011.

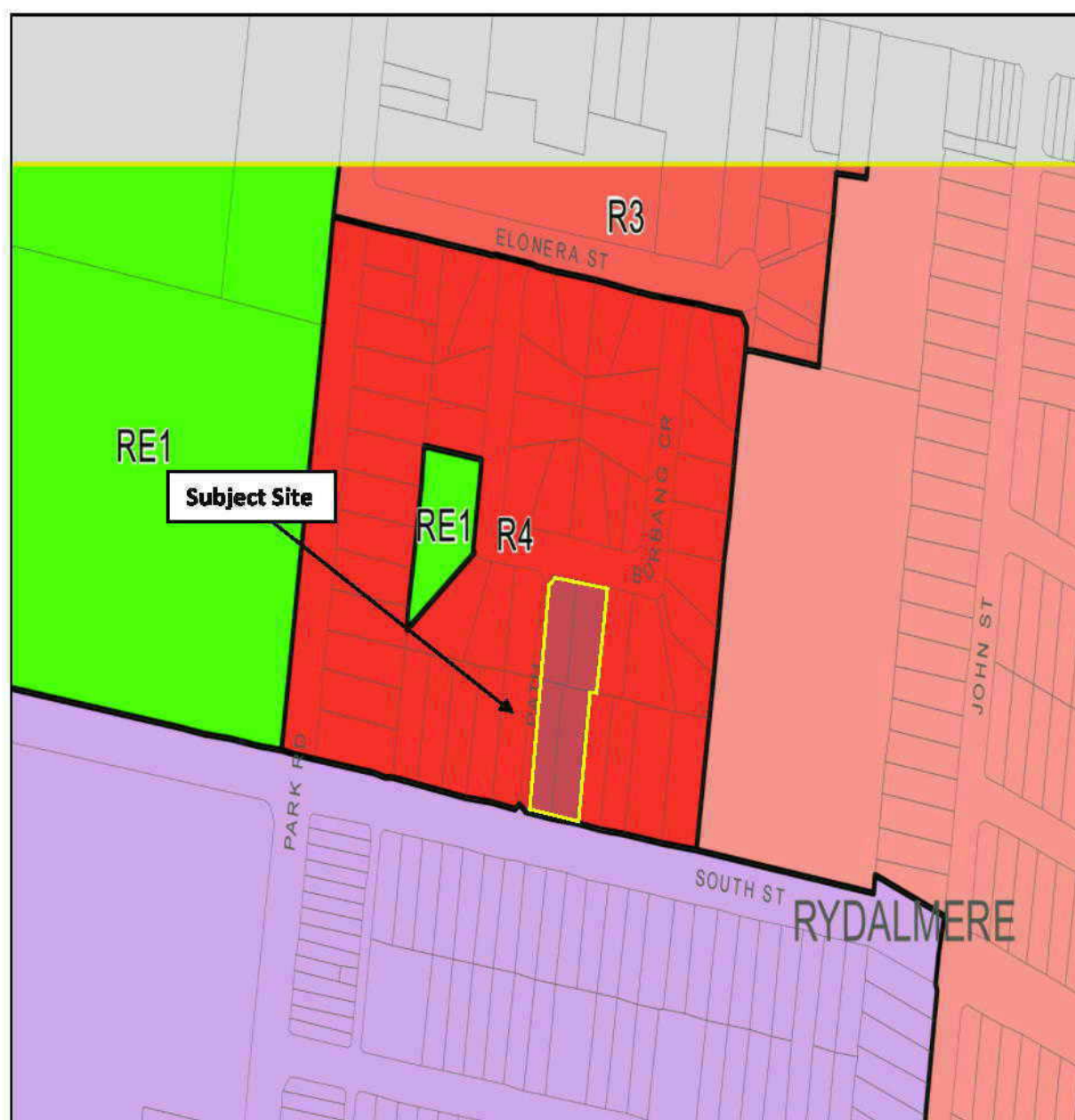


Figure 9: Zoning Map Sheet LZN_015 Extract (Source: Parramatta LEP 2011)

Residential Flat Buildings are permissible with consent within the R4 zone 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 development 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.*
- *To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.*
- *To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.*

The proposal is consistent with the zone objectives and provides for an attractive building that provides appropriate address both Burbang Crescent and South Street that will contribute towards increasing the housing stock of the locality, including affordable housing units. 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.

Parramatta Local Environmental Plan 2011			
Clause	Control	Comment	Complies
Zoning	R4 - High Density Residential	A residential flat building is permissible with Council Consent within the R4 - High Density Residential Zone.	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	<p>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, including increasing the stock of affordable housing units. The site as it is currently exists is underutilised in terms of its potential.</p> <p>The proposal will not only permit the site to be developed to its full zoning potential but be consistent with the evolving higher residential densities along both Burbang Crescent and South Street.</p>	Yes

2.6	Subdivision	No subdivision is proposed.	Yes
2.7	Demolition Requires Consent	Council consent is sought for the demolition of the existing structures on site.	Yes
Part 4 Principal Development Standards			
4.1	Minimum Subdivision Lot Size	No subdivision is proposed.	N/A
4.3	Height of Buildings- 11m	<p>A maximum building height of 11m is identified for the site under Parramatta Local Environmental Plan 2011 Height of Buildings Map Sheet HOB_015.</p> <p>The development comprises of 2 x 3 storey buildings that predominantly complies with the 11m maximum building height control with the exception of the</p> <p>The majority of the building is within the 21m building height with the exception of the lift over-run and structures associated with the rooftop communal open space, noting that the habitable floor space is contained below the maximum building height line, indicating that the variation is not simply a means of achieving additional development yield on the site, but a service requirement associate with the lift core and to provide shade for future residents utilising the rooftop communal open space area.</p> <p>It is further noted that the lift over-run and structure are recessed so that it is not readily visible from street level, therefore the minor non-compliance to prescribed height control is considered appropriate and worth of support.</p> <p>A variation is sought and an address of Clause 4.6 is provided further in this statement.</p>	Refer to Clause 4.6 Variation
4.4	Floor Space Ratio: 0.8:1	A maximum floor space ratio of 0.8:1 is identified for the site under Parramatta Local Environmental Plan 2011 Floor Space Ratio Map Sheet FSR_015.	Comply – Affordable Housing SEPP

		<p>The development is subject to a FSR bonus of 0.22:1 provided through the affordable housing SEPP, bringing the permitted FSR to a maximum of 1.02:1. This development provides a FSR of 0.99:1 and as such is compliant with the maximum permitted FSR.</p> <p>See attached plans for detail. FSR calculations have been undertaken in accordance with Clause 4.5.</p>	(2009)
Part 5 Miscellaneous Provisions			
5.9	Preservation of trees or vegetation	<p>This development application proposes to remove trees in-order to accommodate the development, however where appropriate, existing trees are to be retained.</p> <p>The proposal will complement the existing vegetation within the site with landscape embellishment works and screen plantings as illustrated on the landscape plan.</p> <p>The proposed landscape embellishment works will improve and enhance the subject site within a high density residential context and will help to reduce the visual bulk of the RFB and integrate the proposal within the context of the site and its surrounds.</p> <p>All landscaping works are to be undertaken in accordance with the attached Landscape Plan.</p>	Yes
6.1	Acid sulfate soils	The land class is shown as '5' and the proposal is not likely to lower the water table below 1 metre AHD.	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

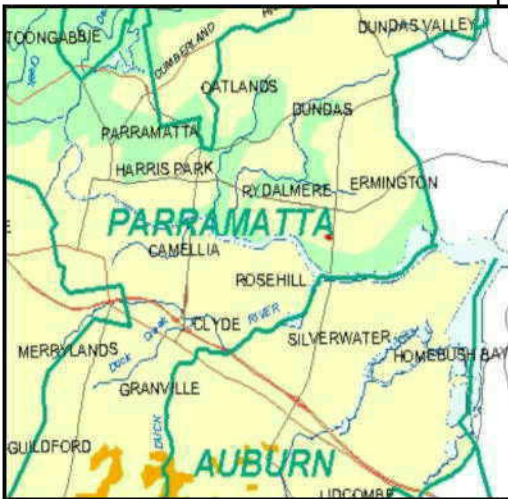
		<p>It is considered that the proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>It is considered unlikely due to the location of the site as well as previous development on the site that excavation will lead to the disturbance of relics.</p>	
6.3	Flood planning	The site is not identified as being liable to flood. Not applicable.	N/A
6.4	Biodiversity protection	The site is not identified on the Natural Resources Biodiversity Map. Not applicable.	N/A
6.5	Water protection	The site is not identified on the Natural Resources Riparian Land and Waterways Map. Not applicable.	N/A
6.6	Development on landslide risk land	The site is not identified as being subject to landslide risk. Not applicable.	N/A
6.7	Foreshore building line	The proposal is not within close proximity of the foreshore and is not located within the foreshore building line. Not applicable.	N/A

Parramatta Development Control Plan 2011

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

Parramatta Development Control Plan 2011 – Compliance Table			
Clause	Controls	Comment	Complies
2. Site Planning			
2.1	Design in Context in the Parramatta City	<p>It is noted that development for the purposes of a residential flat building is permissible within the R4 – High Residential Density Zone under Parramatta Local Environmental Plan 2011 and the proposal is compliant with the objectives and specific controls of this document.</p> <p>The proposed development aims to utilise the subject site to its full zoning potential, to provide a strong interface to both Burbang Crescent and South Street whilst aiming to provide a built form that is consistent with the evolving higher residential densities within the immediate locality. The proposal is consistent with the desired future character of the area.</p> <p>The proposal will have minimal adverse environmental or amenity impacts and provides an appropriate outcome on site in an appropriate location. The proposal will contribute to the provision of an appropriate form of accommodation and housing choice within the Parramatta LGA, including affordable housing units.</p>	Yes
2.3	Site Analysis	A detailed Site Analysis has been prepared and is attached as part of this application. The site analysis identifies the relevant considerations required by Council and acknowledges the unique opportunities and constraints of the site that have informed the design of the development proposal.	Yes
2.4.1	Views and Vistas	The proposed development will not impact on significant views due to the location of the proposal is not located within a nominated view corridor.	Yes

		<p>It is noted that the proposal is to be of a size and scale that is consistent with Council controls and existing development within close proximity of the site.</p> <p>The proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the streetscape.</p> <p>The proposal fulfils the subject site's zoning potential and will not impact on views to and from significant sites or on existing significant view corridors.</p> <p>Landscaping of the site is to be undertaken in accordance with the attached Landscape Plan. See Landscape Plan for detail.</p>	
2.4.2.1-2.4.2.3	Water Management- Flooding	<p>The subject site is not identified as being liable to flood. Not applicable.</p> <p>Notwithstanding it is considered that the proposed development will not adversely affect or impact upon drainage, stormwater flows or flooding patterns in the area. All stormwater is to be appropriately managed.</p> <p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p>	Yes
2.4.3.1	Site Considerations – Soil Management – Sedimentation	<p>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.</p> <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>	Yes

2.4.3.2	Soil Management- Acid Sulfate Soils	The subject site is identified as being affected by Class 5 Acid Sulfate Soils under Parramatta Local Environmental Plan 2011 Acid Sulfate Soils Map Sheet ASS_015. The proposal will not result in the lowering of the water table or disturb acid sulfate soils.	Yes
2.4.3.3	Soil Management- Salinity	<p>Due to the nature and location of the site it is not likely to be affected by Saline Soils. Mapping undertaken by the Department of Infrastructure, Planning and Natural Resources entitled Salinity Potential in Western Sydney 2002 indicates that the area of the subject site as having Low Salinity Potential as evident in the extract below.</p> <p>In addition, Council's Pre-DA comments confirm that the site has a low potential for saline soils.</p> 	N/A
2.4.4	Land Contamination	The site was previously used for residential purposes. Nothing on site indicates the presence of land contamination.	N/A
2.4.5	Air Quality	It is considered that the proposal will not significantly contribute to air pollution, odours or the release of atmospheric pollutants. Appropriate management of the site during the demolition and construction phases will limit the potential for air pollution.	Yes

2.4.6	Development on Sloping Land	The proposal has been designed to minimise the amount of cut and fill required with the proposal following the natural contours with the basement level contained below ground and the built form itself stepped down the site. It is considered that the proposal results in an appropriate outcome on site that will not adversely affect the environment or the existing residential amenity of adjoining properties. The minor basement protrusion at the South Street frontage is acceptable given it is approximately 1m and appropriately landscaped.	Yes
2.4.7	Biodiversity	The proposed development will not impact on any significant flora and fauna. It is noted that the proposal is for the erection of a residential flat building within an established residential area and where appropriate existing trees are to be retained.	Yes
2.4.8	Public Domain	<p>The proposed development does not adjoin any areas of public open space. It is considered that the proposal positively contributes to the public domain and proposes a development that is consistent with the objectives of its zone (R4 - High Density Residential) and future visions for the locality.</p> <p>The proposal will incorporate appropriate finishes; fencing and landscaping that will positively contribute to public domain areas and visual appreciation of the development.</p> <p>The proposal provides active frontages and enhances the visual interest of the streetscape. Furthermore it is considered that the proposal will not adversely impact on views to or from the public domain, rather the proposal presents an active façade that will contribute to casual surveillance, increasing safety in the area, especially to an existing pedestrian pathway that runs along the site's western boundary.</p>	Yes

3. Development Principles			
3.1.2	Height Transition	N/A as no difference in permitted height.	N/A
3.1.3	Preliminary Building Envelope Table – Residential Development: Residential Flat Building – Height	<p>A maximum building height of 11m is identified for the site under the Parramatta Local Environmental Plan 2011 Height of Buildings Map Sheet HOB_015.</p> <p>The proposed is predominantly compliant with the prescribed height control with the exception of the lift overrun and structures within the rooftop communal open space and as such will not comply with the permitted maximum building height. Accordingly, a Clause 4.6 Variation to the height development standard is proposed and the relevant detail and justification is provided within Annexure 1 at the end of this statement.</p> <p>It is also noted that the development subject to height control of 11m is permitted to construct a building with a maximum of 3 storeys. The development is subject to a maximum height limit of 11m under the Parramatta DCP and as such provides 2 x 3 storey buildings. Complies.</p>	<p>Clause 4.6 Variation</p> <p>Yes</p>
3.1.3	Preliminary Building Envelope Table – Floor Space	<p>A maximum floor space ratio of 0.8:1 is identified for the site under Parramatta Local Environmental Plan 2011 Floor Space Ratio Map Sheet FSR_015.</p> <p>The development is subject to a FSR bonus of 0.22:1 provided through the affordable housing SEPP, bringing the permitted FSR to a maximum of 1.02:1. This development provides a FSR of 0.99:1 and as such is compliant with the maximum permitted FSR.</p>	Comply – Affordable Housing SEPP (2009)
3.1.3	Preliminary Building Envelope Table – R4 – Site Frontage: 24m	The DCP requires a 24m frontage. The development proposes the amalgamation of 4 lots which will result in the site having a frontage >24m to both Burbang Crescent and South Street. Complies.	Yes

3.1.3	Preliminary Building Envelope Table – R4: Street Setback: Primary frontage: 5m-9m	Under Parramatta Development Control Plan, the primary front setback for residential flat building is between 5-9m. The site is to maintain a front setback of approximately 6.8m (primary wall) to Burbang Crescent and a front setback of approximately 7.5m (primary wall) in accordance with Council controls.	Yes
3.1.3	Preliminary Building Envelope Table – R4: Side Setback: Minimum 4.5m	The proposal provides minimal side setback of 4.5m to its western boundary and a minimal side setback of 6m to its eastern side boundary. Complies.	Yes
3.1.3	Preliminary Building Envelope Table – R4: Rear Setback 15% of length of site	The site has dual frontages and as such does not contain a rear boundary. As such, this section of the DCP is not applicable to the proposed development.	N/A
3.1.3	Preliminary Building Envelope Table – R4: Deep Soil Zone	Comply with the deep soil requirements under the ADG	Comply with ADG
3.1.3	Preliminary Building Envelope – Preliminary Building Envelope Tables – Landscaped Area	The Parramatta DCP requires a minimum of 40% of the site to be landscaped. The development proposes 35.9 % of the subject site as landscaped area.	Variation: Complies with ARH SEPP.
3.2.1	Building Form and Massing	The future character and built form envisioned by Council for the residential section of the subject area is of high density residential. The proposed development is to be of a size and scale that is consistent with existing development in the area and is predominantly compliant with Councils FSR and Height controls. It is considered that the proposal results in an appropriate outcome on site that responds to the unique characteristics of the site and addresses the established context of the surrounding area, noting the locality is currently undergoing a significant intensification of its built form towards higher densities.	Yes

		<p>The proposal does not result in any adverse environmental or amenity impacts on site or on adjoining properties.</p> <p>It is considered that the proposal responds well to the individual context of its site and surrounds and positively contributes to the visual appreciation and cohesiveness of the streetscape, providing a built form that is both compliant with Council controls and is visually pleasing.</p> <p>Appropriate landscaping and setbacks will minimise the visual dominance of the built form on the streetscape. Moreover amenity impacts to adjoining properties are mitigated and contemporary standards of amenity are provided to occupants.</p>	
3.2.2	Building Facades and Articulation	<p>The proposal incorporates physical articulation of the built form and a mixed palette of building materials and finishes. The front façade is broken up by the provision of balcony spaces and vertical elements that signify the entry point to the building.</p> <p>Materials used are consistent with that existing within the Parramatta Local Government Area while being contemporary in character. The range of materials significantly contributes to the articulation of the building and reducing the overall bulk and mass of the building.</p> <p>Clear entry points are proposed, that are easily read by resident, visitor and passer by alike.</p>	Yes
3.2.3	Roof Design	<p>The proposal incorporates a contemporary roof form that does not dominate the streetscape.</p>	Yes
3.2.4	Energy Efficient Design	<p>The proposed development incorporates design elements to increase energy efficiency and reduce the consumption of natural resources.</p>	Yes

		A complying BASIX Report has been prepared.	
3.2.5	Streetscape	<p>The locality is in a state of transition given R4 - High Density Residential zoning now applying to the area. The proposed development will be consistent with the evolving high density residential built form character of the immediate locality. The proposal will have minimal adverse environmental or amenity impacts and provides an appropriate outcome on site in an appropriate location. Further the proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the streetscape, particularly with the development of high density dwellings in the future.</p> <p>The design concept gives address to the public domain and acknowledges the prominence of the site, whilst minimising dominance of the basement entry.</p> <p>The proposed development is to be appropriately landscaped and is of a form and style that will positively contribute to the cohesiveness and visual appreciation of the streetscape.</p> <p>All ancillary features including mailboxes and waste facilities are to be appropriately located and integrated into the development.</p> <p>The proposal is of an appropriate height, bulk and scale and maintains appropriate setbacks in accordance with Council controls. It is considered that the proposal positively contributes to the streetscape of both Burbang Crescent and South Street.</p>	Yes

		Overall it is considered that the proposal results in an appropriate outcome on site and within the context of the area and will contribute to the orderly development of the Parramatta Local Government Area. See attached plans.	
3.2.6	Fences	Fencing consistent with the character and style of other developments in the area will be adopted and erected.	Yes
3.3.1	Landscaping	<p>Where appropriate, existing trees are to be retained, see attached Arborist Report for detail.</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.</p> <p>The proposed development incorporates open space and landscaped areas that are consistent with and achieve the objectives of Council controls and will permit stormwater penetration, minimising run off from the site.</p> <p>Landscaping is to be undertaken in accordance with the Landscape Plan attached as part of this application.</p>	Yes
3.3.2	Private and Communal Open Space	<p><u>Private Open Space</u></p> <p>The proposed development will incorporate high quality private open space for the future residents noting that each unit will be provided with either a courtyard or balcony private open space that is directly accessible from the internal living areas.</p>	Yes

		<p>Each private open space will comply with the minimum 10m² to ensure that balconies will be highly useable and functional for future residents.</p> <p><u>Communal Open Space</u></p> <p>The PDCP requires residential flat buildings to provide 10m² of communal open space per dwelling. The development proposes a residential flat building with 32 units and as such is required to provide a minimum of 320m² of communal open space.</p> <p>The development provides a total of 1,459.7m² or 52.4% of communal open space on site, comprising of:</p> <ul style="list-style-type: none"> • Ground floor: 504.4m² or 18.1%; • Rooftop area of Block A: 510.9m² or 18.3%; and • Rooftop area of Block B: 443.4m² or 15.6%. <p>The proposed private open space areas will allow for a high standard of residential amenity, providing solar access whilst maintaining privacy for future and neighbouring residents and also deliver enhanced safety and a garden setting for the COS area, especially at the roof level.</p>	
3.3.3	Visual and Acoustic Privacy	<p>The proposal contains design elements that seek to reduce potential visual, privacy and acoustic impacts and promote a high standard of residential amenity. This includes the siting/layout of dwellings, location/size of windows, location/size of balconies.</p> <p>It is considered that the proposed development produces an appropriate outcome on site that will provide a high level of residential amenity for future residents and will not adversely impact upon residential amenity currently enjoyed by adjoining properties or prejudice future development on adjoining sites.</p>	Yes

3.3.4	Acoustic Amenity	<p>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.</p> <p>The proposal will result in a high level of residential amenity for future occupants and therefore complies with this requirement.</p>	Yes
3.3.5	Solar Access and Cross Ventilation	<p>The proposal does not result in unacceptable overshadowing of adjoining residential properties, with dwellings neighbouring dwellings retaining 3 hours of solar access to windows and to 50% of private open space areas.</p> <p>A minimum of 2 hours solar access will be afforded to all 32 as per the ADG given the favourable orientation and contextually appropriate design response. Shadow diagrams demonstrate that impacts to adjoining properties are minimal and will enable redevelopment of adjoining sites to attain the requisite amount of solar access.</p> <p>A minimum floor to ceiling height of 2.7m is achieved.</p> <p>Cross-ventilation is provided to 71.9% of units due to the corner, and cross-through design.</p>	Yes
3.3.6	Water Sensitive Urban Design	<p>A Stormwater Management Plan has been prepared and is attached as part of this application. The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p>	Yes

		The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.	
3.3.7	Waste Management	<p>A Waste Management Plan is attached as part of this application. It is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Furthermore, appropriate waste facilities will be provided for future residents of the proposal.</p>	Yes
3.4.2	Access for People with Disabilities	Appropriate access is provided to, from and within the site for those with disability, noting the lift from the basement to the 4 x adaptable units on the site.	Yes
3.4.4	Safety and Security	<p>The proposed development incorporates an active façade that will permit casual surveillance of both frontages as well as common open space areas of the proposal and pedestrian pathway that run along the site's western boundary. The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposal incorporates design elements including clearly defined and controlled access points as well as clearly defined public and private spaces in order to minimise opportunity for criminal activity.</p>	Yes

		<p>The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by resident, visitor and passer by alike. It is considered that the proposal does not impact on amenity or the streetscape of the area but is in context with development and street presentation of surrounding development.</p> <p>All materials and finishes are appropriate. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p>	
3.4.5	Housing Diversity and Choice	<p>The DCP provides the following suggestions in regard to mix of apartments –</p> <ul style="list-style-type: none"> ○ 3 bedroom 10% - 20% ○ 2 bedroom 60% - 75% ○ 1 bedroom 10% - 20% <p>The development proposed the following housing mix:</p> <ul style="list-style-type: none"> ○ 1 bedroom (12.5%) - 4 units ○ 2 bedroom (75.0%) - 24 units ○ 3 bedroom (12.5%) - 4 units <p>The proposal is fully compliant with the DCP.</p> <p>Four (4) adaptable units are also provided as part of the development. It is highlighted that appropriate access is provided to, from and within the site for those with disability. See attached plans.</p>	Yes
3.5	Heritage	<p>There are no heritage restrictions on the site or within its immediate vicinity. Not applicable.</p>	N/A
3.6.2	Parking and Vehicular Access	<p>Development comply with parking rates under the Affordable Housing SEPP (2009)</p>	Comply with parking rates under AH SEPP

		<p>Appropriate storage areas are also provided within the basement.</p> <p>It is noted that the bicycle parking area is provided within the basement that will accommodate up to 8 bicycles spaces.</p>	2006
3.6.3	Accessibility and Connectivity	<p>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 and accessible. See attached traffic report.</p> <p>Public and private areas of the proposal are clearly defined and provide a clear distinction between the public and private domain elements of the proposal.</p>	Yes
3.7.2	Site Consolidation and Development on Isolated Sites	<p>The proposal will not lead to the creation of an isolated site given the width and overall size of the adjoining allotments- noting a proportion of the site to the west is subject to a separate DA.</p>	Yes
4. Special Precincts			
4.3.2	(East) Rydalmere Precinct	<p>The site is within the (East) Rydalmere Precinct desired future character area. The design of the proposal has been carried out to align with the principles of the DCP.</p> <p>Site is not subject to amalgamation patterns as per Figure 4.1.4.2.</p> <p>The development proposes the amalgamation of four (4) allotments, thus providing site that can accommodate 2 x three (3) storey residential flat building that predominantly complies with key planning controls such as height and FSR.</p>	Yes

5. Conclusion

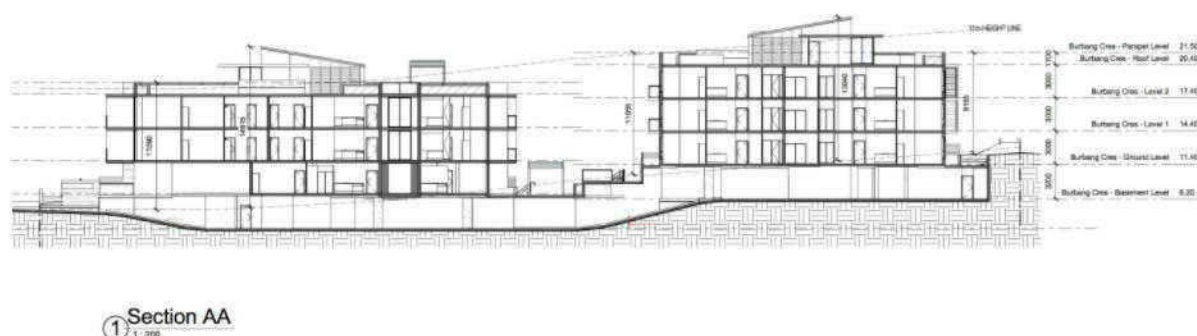
Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

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 assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Annexure 1: Clause 4.6 Exception to Development Standards

The proposal is non-compliant with Clause 4.3 – Height of Buildings that stipulates that the height of a building is not to exceed 11m on the subject site. It is noted that the main roof ridge line of the residential flat building complies with the 11m maximum building height requirement, however the lift core & overrun, stairwell and pergola structure associated with the roof top common open space area of both buildings exceed the maximum building height requirement and as such does not comply with Clause 4.3. This is reflected on the extract of the section below:



The extent of departure is as follows:

Building A	Habitable Floors	Rooftop and Lift Overrun
	11.05 or 0.25%	13.04 or 18%
Building B	Habitable Floors	Rooftop and Lift Overrun
	11.59m or 5.3%	14.6m or 32%

As demonstrated above the design of the building ensures that the habitable floor space is contained below the maximum building height line which indicates that the variation is not simply a means of achieving additional development yield on the site, but a site specific design response. In this case the variation stems from natural topography of the site, the provision of service lifts and structures associated with the rooftop communal open space of both buildings. It is noted that the extent of the variation is not easily read from the street as it has been recessed to protect the existing streetscape character of the area and does not discernibly increase privacy or overshadowing impacts to adjoining properties as evident on the submitted shadow diagrams.

As the subject site contains a substantial fall the design has had to provide for a substantial step in the building, whilst ensuring that the building is accessible and functional. This has resulted in the variation to the central portion of the building.

It is further noted that the proposal is predominantly compliant with the setback controls and the proposed RFB is consistent with the maximum permitted FSR (including FRS bonus provided under the Affordable Housing SEPP) on the site indicating an appropriate scale of development.

Clause 4.6 of the Parramatta LEP 2011 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular sub clause 3-5 which provides:

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

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

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

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Secretary must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

Each of these provisions are addressed in turn.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

The objectives of the maximum development standard are stated as:

(1) The objectives of this clause are as follows:

- (a) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,*
- (c) to require the height of future buildings to have regard to heritage sites and their settings,*
- (d) to ensure the preservation of historic views,*
- (e) to reinforce and respect the existing character and scale of low density residential areas.*

The development seeks to depart from the height control noting that the proposal remains consistent with the objectives of the clause and is a more appropriate outcome on the site because of the following:

- The proposed variation is minor in nature with the majority of the building being compliant with the building height control, noting the habitable floor space is contained below the maximum building height line and the variation is a direct result of the topography of the site and the desire to provide service lifts and shade structures within the rooftop communal open space area of both buildings.
- The proposal will provide a high quality urban form that relates well to the context of the site in terms of the natural topography and adjoining development;
- The proposal incorporates an Affordable Housing component of 20% which provides for a discernible public benefit and this additional floor space needs to be accommodated within the same building envelope of planning controls;
- The extent of variation, noting the recessed nature, does not discernibly increase the extent of amenity impacts in terms of loss of sunlight;
- Due to the minor nature of the variation which has been recessed, will not have any adverse amenity impacts. In this regard it is noted:
 - o The variation will be visually unnoticeable and will have no adverse impact on the physical bulk, height or scale of the development as it presents to the streetscape.
 - o The extent of variation will not lead to a reduction in solar penetration on site or to adjoining properties nor will it lead to sunlight loss or overshadowing.
 - o The proposed variation will not lead to view loss or interrupt on views to and from the site.
 - o The proposed variation will not lead to a reduction in privacy afforded to existing residents or future residents of the proposal.
- The proposal presents a suitable scale of development relative to surrounding development and future development within the locality given the provisions of the Parramatta LEP 2011.

- The proposed development will permit the site to develop to its full zoning potential whilst complementing the future vision envisioned for the site by providing a residential flat building that provides good address to both street frontage and complies with key planning controls applying to the proposal.
- The development proposal has been designed to comply with key planning requirements, whilst providing an attractive building that addresses the context, streetscape whilst being consistent with the evolving high residential built form characters along the southern side of Burbang Crescent and the northern side of South Street. The development provides a mix of dwellings that will contribute towards increasing housing choice, diversity and stock of the Parramatta LGA.

As outlined above the proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

The unique circumstances of the case that warrant support of the departure are:

- The need of service lifts that is to encroach the height plane, however are recessed to have minimal impact to the streetscape;
- The need to provide appropriate common areas and for protection and amenity in the form of open pergolas within the rooftop level of both buildings for future residents; and
- The proposal is an affordable housing development which means the additional floor space needs to be accommodated within the building envelope given that the 20% additional FSR proposed under the ARH SEPP.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest, as it remains consistent with the objectives of the building height control. In addition, the proposal is consistent with the objectives of the R4 Zone, being:

- *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.*
- *To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.*
- *To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.*

The proposal ensures that the high density nature of the zone is retained and there is not a significant change to the character of the locality. In addition, the proposal complements and enhances the local streetscape by virtue of the careful siting of the development. As addressed previously the proposal presents as a 3 storey form that provides a quality address its two street frontages. It is understood that the concurrence of the Director-General can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Director-General may be assumed in this circumstance, however the following points are made in relation to this clause:

- a) The contravention of the building height control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal; and
- b) There is no public benefit in maintaining the development standard as it relates to the current proposal. The departure from the building height control is acceptable in the circumstances given the underlying objectives are achieved and it will not set an undesirable precedent for future development within the locality.

Strict compliance with the prescriptive building height control is unreasonable and unnecessary in the context of the proposal and its particular circumstances.

The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The proposal will not have any adverse effect on the surrounding locality, and is consistent with the future high density residential character envisioned for the subject area by virtue of its R4 Zoning. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the proposed variation.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.