

STATEMENT OF ENVIRONMENTAL EFFECTS

Section 96(2) Modification of Development
Consent No. DA-294/2014 for construction of a
mixed use residential/commercial
development

36-44 John Street, Lidcombe



18 December 2015

Project ID: 216.025

CLIENT: Sydney Project Group

PROJECT: 216.025 Lidcombe s96(2)

TITLE: Section 96(2) Modification of Development Consent No. DA-294/2014

DOCUMENT REFERENCE 216.025 Lidcombe S96(2)

PROJECT MANAGER HD FILE NO: 216.025

SPELL CHECK (WP OPERATOR) BY: AC

| Document Details | | Preparation & Self Check | Independent Review By: | Corrective Action Approved by: | Sent To/ Date: |
|------------------|-------|-----------------------------|---------------------------|-----------------------------------|----------------|
| Final | Name: | AC | | | SM/AY/PV |
| | Date: | 18.12.2015 | | | 18.12.2015 |

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1. INTRODUCTION

1.1 PURPOSE OF THIS APPLICATION

This Statement of Environmental Effects (SEE) has been prepared by TPG Town Planning and Design (TPG) on behalf of the applicant, Sydney Project Group (SPG), in order to provide the supporting justification required by Auburn City Council to amend Development Consent No. DA-294/2014. This consent gave approval for “Construction of a 12 storey mixed use development comprising 153 residential units, 16 commercial units with 4 levels of basement parking and 241 spaces”, subject to conditions. The consent relates to land known as 36-44 John Street, Lidcombe (subject site).

This application has been prepared and is submitted under Section 96(2) of the *Environment Planning and Assessment Act 1979* (EP&A Act) specifically to seek the amendment of Conditions 1A, 1C, 3, 5 and 71 of Development Consent No. DA 294-2014. Modification of these conditions is sought to allow for minor amendments to the approved mixed use development’s floor configuration as a result of removing a storey from the building as well as minor amendments to the car parking configurations of the basement levels to accommodate smaller visitor car parking spaces.

Details of the above changes can be located in the updated architectural drawings identified in the transmittal at **Appendix A**.

1.2 BACKGROUND AND PROPOSED MODIFICATION OVERVIEW

The subject site has been subject to previous Development Applications (DAs) that have been approved by Auburn City Council and are similar in nature the development approved under Development Consent No. DA-294/2014 as follows:

- Development Consent No. DA-290/2012 for 36-38 John Street, Lidcombe dated 7 August 2013 granted development consent from Auburn City Council for the demolition of the existing structures on the site and construction of a nine (9) storey mixed use residential flat building with 40 residential units over three levels of basement car parking for 67 vehicles including landscaping, associated stormwater works and strata subdivision.
- Development Consent No. DA-352/2012 for 40-44 John Street dated 7 August 2013 granted development consent for demolition of an existing building and construction of a nine (9) storey mixed use development comprising of seven (7) ground floor retail/commercial tenancies and 58 apartments on the levels above with residential apartments over three (3) levels of basement car parking including strata subdivision, drainage and landscaping.

Development Consent No. DA-294/2014 for 36-44 John Street dated 9 June 2015 granted development consent for “Construction of a 12 storey mixed use development comprising 153 residential units, 16 commercial units with 4 levels of basement parking and 241 car spaces”. It is noted that a previous Section 96(1A) Application (DA-294/2014/A) to amend this development consent to modify Condition 28 change the hours of work was refused on 27 August 2015.

This application was originally lodged with Council as a S96(1A) application (DA-294/2014/B); however, as per Council’s letter dated 2nd December 2015 it was advised that following a preliminary review of the submitted documentation the application could not be properly considered pursuant to Section 96(1A) of the Act. Nonetheless, Council’s letter did advise that the application could be considered under Section 96(2) thus this SEE has been

prepared accordingly. Justification of the minor modifications to DA-294/2014 is detailed below in **Section 2.2** of this SEE.

This application seeks minor modifications to the conditions issued in relation to DA-294/2014 that would allow the approved drawings list and other conditions to be modified to remove Level 8 of the approved development and provide four (4) more additional apartments so as to comply with the ALEP 2010 in terms of height while also maximising the number of residents living within Lidcombe Town Centre that are in close proximity to public transport, with the subject site located within 250m walking distance of Lidcombe Railway Station. The proposed modifications also include a reconfiguration of visitor car parking spaces to comply with the relevant Australian Standards and to maintain the structural integrity of the building as well as the provision of internal wall nibs to maximise the privacy of residents within the development. These changes are shown on the updated architectural drawings.

A SEPP 65 Design Verification Report for the modification has also been prepared and is included at **Appendix B** of the SEE.

1.3 THE SUBJECT SITE

The subject site is located at 36-44 John Street, Lidcombe and forms a rectangular shaped allotment of land. The site has a primary frontage to John Street and secondary frontages to Board Street and Ann Street. The legal description of the subject site is Lot 1 DP 1002517, Lot 1 DP 235940, Lot 1 DP 511612 and Lot 5 Sec A DP 979289. Cadastral mapping of the subject site is illustrated below in **Figure 1**.

Source: Spatial Information Exchange (SIX) website

The proposed retail/residential mixed use development is located within the Lidcombe Town Centre within the Auburn City Council local government area (LGA). The Lidcombe Town Centre has a desired future character of medium to large mixed use developments that cater to an increasing population and the opportunity for increased housing in an existing town centre in close proximity to Lidcombe train station. The area is undergoing transition with significant urban renewal and growth occurring in Lidcombe.

The proposed mixed use development is close to public transport as it is within 250 metres walk to the Lidcombe Railway Station and Bus Interchange, which is a major junction station on the Sydney Trains metropolitan railway network.

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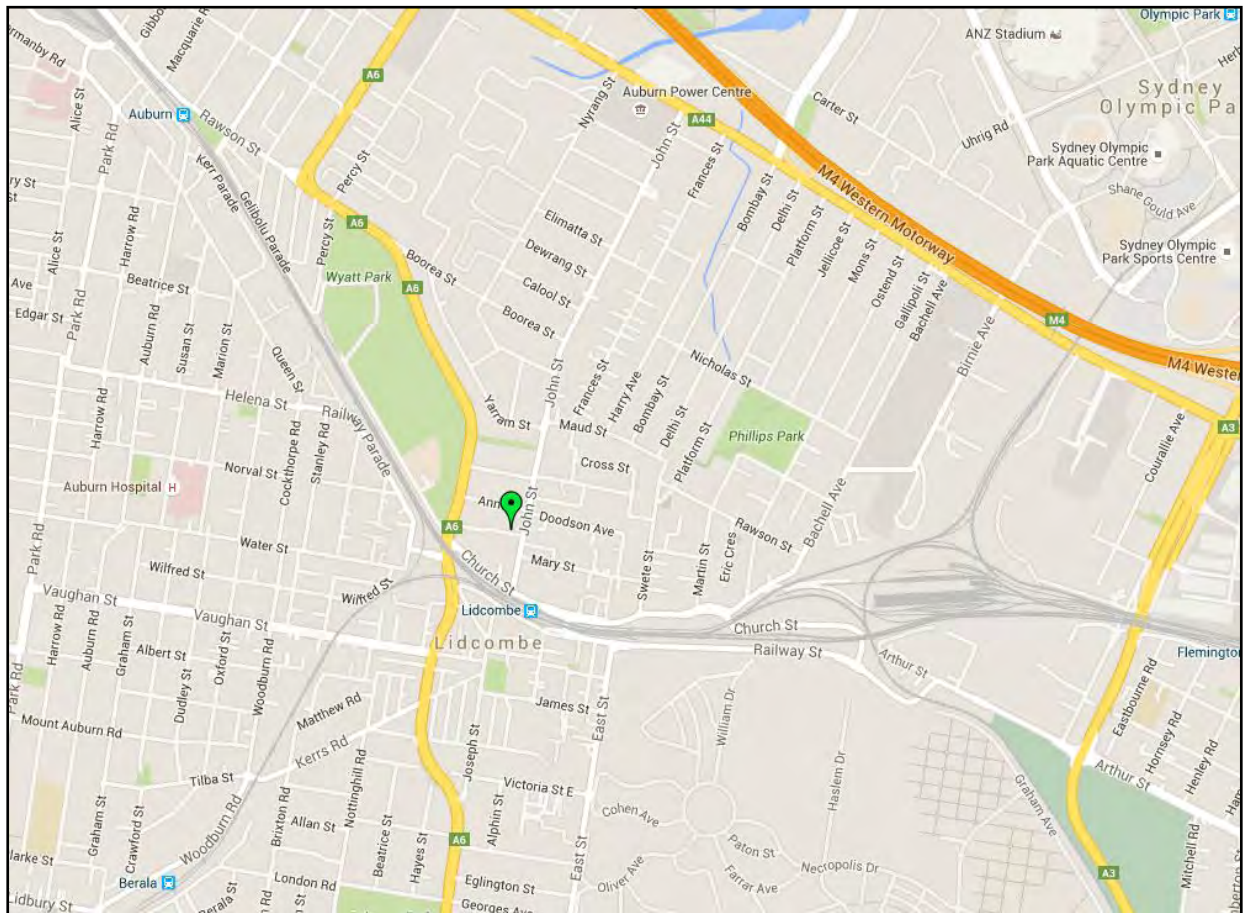


Figure 2: Local context of the site (location of the site indicated with green marker)

Source: Google maps

2. DETAILED DESCRIPTION OF MODIFICATION

2.1 INTRODUCTION

This application seeks to modify Development Consent No. DA-294/2014 under the provisions of Section 96(2) of the EP&A Act.

2.2 PROPOSED MINOR MODIFICATION DETAIL

The purpose of this minor modification application is to allow for the amendment of Conditions 1A, 1C, 3, 5 and 71 where changes are proposed conditions and to the approved plans list to show the removal of a storey from the proposed development as well as the inclusion of 4 additional apartments, smaller visitor car parking spaces and improved wall treatments for enhance privacy in order to comply with the conditions included in Development Consent No. DA-294/2014.

The proposed modifications include the following:

- Removal of Level 8 from the approved development;
- Additional four (4) apartments on Level 8 (formerly Level 9 of the approved development);

- Reconfiguration of visitor car parking;
- Inclusion of internal wall nibs; and
- Addition of solar panels on the rooftops of the penthouses.

The proposed minor modifications relate to Conditions 1A, 1C, 3, 5 and 71 and will have no impact on the approved intent of the building that was originally approved under Development Consent No. DA-294/2014. It will also have no impact on the height of the approved development and any changes to building bulk will be offset by design elements within the building. The proposed development does result in a minor increase in the number of car parking spaces provided and will enhance the privacy of residents within the proposed development through measures such as internal wall nibs.

The following section references the amended condition, and uses ~~striketrough~~ for deletions and **bold red** to indicate the requested changes to the relevant condition and justifications for the same.

2.2.1 Condition 1A

It is requested that Condition 1A be modified as follows:

A. Architectural Design Amendments

Amended architectural plans shall be prepared and submitted to Council for approval. The plans shall be prepared substantially in accordance with the approved plans listed within this development consent, but shall incorporate the removal of one (1) storey from the overall building to be compliant with the maximum height provision and the floor space ratio provision of the Auburn Local Environmental Plan 2010.

Building storey to be removed is to be selected from floorplate of level two (2) to level eight (8) and will reduce the proposal from 12 storeys to 11 storeys and reduce the unit yield to ~~137~~ **141** units.

Reason: - To ensure compliance with the Auburn Local Environmental Plan 2010.

Justification for the proposed changes to Condition 1A:

In accordance with Condition 1A Level 8 of the approved mixed use development has been removed therefore the proposed development now complies with the *Auburn Local Environmental Plan 2010* (ALEP 2010) in terms of height. However, in order to maximise the number of people living within close proximity to Lidcombe Railway Station to maximise patronage on public transport, an additional four (4) apartments have been added to the proposed Level 8 (formerly Level 9 of the approved development) thus resulting in the number of apartments increasing from 137 to 141. These changes are identified in the updated architectural drawings identified in the transmittal at **Appendix A** of this SEE.

2.2.2 Condition 1C

It is requested that Condition 1C be modified as follows:

C. Parking and Access

- Building shall be splayed at both Ann Street/ John Street and Board Street/ John Street corners.
- Either side of the driveway boundary wall shall be splayed to provide adequate sight distance in accordance with Section 3.2/4 Australian Standard AS2890.1.
- Visitor parking spaces shall be marked on the plan. Visitor parking spaces shall be a minimum ~~2.6m~~ **2.42m** wide.
- Shop floor levels shall be a minimum 100mm above the adjacent top of kerb levels.
- Swept path analysis for trucks showing entry to and exit from the site shall be submitted.

Reason: - To ensure suitable parking and access is provided for the development.

In accordance with clause 95(3) of the Environmental Planning and Assessment Regulation 2000, you must produce evidence to the Council within a period of **730 days**, sufficient enough for Council to be able to be satisfied as to the above matters.

If evidence is produced within the specified period, in accordance with Clause 95(5) of the Regulation, Council will notify you whether or not it is satisfied as to the above matters and whether or not the consent will operate.

Justification for the proposed changes to Condition 1C:

Condition 1C has been modified such that the visitor car parking spaces comply with the *AS 2890.1 Parking facilities Part 1: Off-street parking*. Additionally, the width of visitor car parking spaces has been reduced from 2.6 metres to 2.4 metres in order to maximise the number of visitor car parking spaces that can be provided for the development given the distances between columns within the basement and ground floor levels that are essential to the building's structural integrity. As such, the modification to Condition 1C will ensure that suitable parking is provided for the development.

2.2.3 Condition 3

It is requested that Condition 3 be modified as follows:

3. Approved Plans – Deferred commencement

The development is to be carried out generally in accordance with the following plans as numbered below, except as modified by the deferred commencement condition of approval:

| <i>Plan Number</i> | <i>Prepared By</i> | <i>Revision No.</i> | <i>Dated</i> |
|--------------------------------|-------------------------------|----------------------------|---------------------------------------|
| 0000 Apartment Schedule 1/2 | Architecture Design Studio | GM | 10-03-15 16/12/2015 |
| 0001 Apartment Schedule 2/2 | Architecture Design Studio | GM | 10-03-15 16/12/2015 |
| 0301 Sediment Control Plan | Architecture Design Studio | C | 10 03 15 |
| 0601 Site Analysis | Architecture Design Studio | C | 10 03 15 |

| | | | |
|--------------------------------|-----------------------------------|-----------------|----------------------------|
| 1001 Site Plan | Architecture Design Studio | G L | 10-03-15 16/12/2015 |
| 1101 Basement Floor Plan 04 | Architecture Design Studio | G K | 10-03-15 16/12/2015 |
| 1102 Basement Floor Plan 03 | Architecture Design Studio | G K | 10-03-15 16/12/2015 |
| 1103 Basement Floor Plan 02 | Architecture Design Studio | G K | 10-03-15 16/12/2015 |
| 1104 Basement Floor Plan 01 | Architecture Design Studio | G K | 10-03-15 16/12/2015 |
| 1201 Ground Floor Plan | Architecture Design Studio | G AE | 10-03-15 16/12/2015 |
| 1301 First Floor Plan | Architecture Design Studio | G Y | 10-03-15 16/12/2015 |
| 1302 Second Floor Plan | Architecture Design Studio | G U | 10-03-15 16/12/2015 |
| 1303 Third Floor Plan | Architecture Design Studio | G U | 10-03-15 16/12/2015 |
| 1304 Forth Floor Plan | Architecture Design Studio | G S | 10-03-15 16/12/2015 |
| 1305 Fifth Floor Plan | Architecture Design Studio | G Q | 10-03-15 16/12/2015 |
| 1306 Sixth Floor Plan | Architecture Design Studio | G Q | 10-03-15 16/12/2015 |
| 1307 Seventh Floor Plan | Architecture Design Studio | G Q | 10-03-15 16/12/2015 |
| 1308 Eighth Floor Plan | Architecture Design Studio | G P | 10-03-15 16/12/2015 |
| 1309 Ninth Floor Plan | Architecture Design Studio | G P | 10-03-15 16/12/2015 |
| 1310 Tenth Floor Plan | Architecture Design Studio | G P | 10-03-15 16/12/2015 |
| 1311 Rooftop Terrace | Architecture Design Studio | G | 10-03-15 |
| 1401 Roof Plan | Architecture Design Studio | F J | 10-03-15 16/12/2015 |
| 1501 North and South Elevation | Architecture Design Studio | E H | 10-03-15 16/12/2015 |
| 1502 East Elevation | Architecture Design Studio | E H | 10-03-15 16/12/2015 |
| 1503 West Elevation | Architecture Design Studio | E H | 10-03-15 16/12/2015 |
| 1504 South Elevation | Architecture Design Studio | D | 16/12/2015 |

| | | | |
|-------------------------------------|-----------------------------------|-----------------------|---------------------------------------|
| 1505 North Elevation | Architecture Design Studio | D | 16/12/2015 |
| 1506 East Elevation | Architecture Design Studio | D | 16/12/2015 |
| 1507 West Elevation | Architecture Design Studio | D | 16/12/2015 |
| 1508 South-East Elevations | Architecture Design Studio | C | 16/12/2015 |
| 1509 North-West Elevations | Architecture Design Studio | C | 16/12/2015 |
| 1601 Section 01 | Architecture Design Studio | G K | 10-03-15 16/12/2015 |
| 1602 Section 02 | Architecture Design Studio | F J | 10-03-15 16/12/2015 |
| 1603 Driveway Profile | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 1604 Driveway Ramp Section | Architecture Design Studio | B D | 10-03-15 16/12/2015 |
| 3001 Adaptable Unit Layout | Architecture Design Studio | C | 10-03-15 |
| 8000 GFA Level 00 | Architecture Design Studio | G I | 10-03-15 16/12/2015 |
| 8001 GFA Level 01 | Architecture Design Studio | G I | 10-03-15 16/12/2015 |
| 8002 GFA Level 02 to Level 08 | Architecture Design Studio | G I | 10-03-15 16/12/2015 |
| 8003 GFA Level 09 | Architecture Design Studio | F H | 28-01-15 16/12/2015 |
| 8004 GFA Level 10 | Architecture Design Studio | F H | 28-01-15 16/12/2015 |
| 8005 GFA Roof Top Terrace | Architecture Design Studio | F H | 28-01-15 16/12/2015 |
| 8006 Cross Ventilation Diagram | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 8101 Shadow Diagram. June 21st 9am | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 8102 Shadow Diagram June 21st. 10am | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 8103 Shadow Diagram June 21st. 11am | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 8104 Shadow Diagram June 21st. 12pm | Architecture Design Studio | E E | 10-03-15 16/12/2015 |
| 8105 Shadow Diagram June 21st. 1pm | Architecture Design Studio | E E | 10-03-15 16/12/2015 |

| | | | |
|--|-------------------------------|----|----------------------------|
| 8106 Shadow Diagram June 21st. 2pm | Architecture Design Studio | CE | 10-03-15 16/12/2015 |
| 8107 Shadow Diagram June 21st. 3pm | Architecture Design Studio | CE | 10-03-15 16/12/2015 |
| L-1000 Ground Floor | Design Spots | A | 07/04/2015 |
| L-1100 First Floor | Design Spots | A | 07/04/2015 |
| L-1200 Roof Terrace | Design Spots | A | 07/04/2015 |
| L-1300 Precedents | Design Spots | A | 07/04/2015 |
| L-1400 Details | Design Spots | A | 07/04/2015 |
| SW-01 Basement 4 Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-02 Basement 3 Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-03 Basement 2 Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-04 Basement 1 Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-05 Ground Floor Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-06 Level 1 Stormwater Concept Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-07 Ground Floor Soil and Sedimentation Control Plan | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-10 OSD Tank Details | MYD Consulting Engineers | DA | 02/04/2015 |
| SW-11 Typical Details | MYD Consulting Engineers | DA | 02/04/2015 |

The plans will not be “stamped” by Council until the modifications required by the deferred commencement condition have been incorporated into the revised plans.

(Note: - modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason: - to confirm and clarify the terms of Council's approval.

Justification for the proposed changes to Condition 3:

Condition 3 has been amended to reflect the most relevant and up-to-date design which will enable the approved development to be completed with the removal of a storey but with the inclusion of an additional 4 apartments. This will ensure that the development complies with the ALEP 2010 in terms of the maximum height of buildings while also maximising the number of residents and businesses within 250m walking distance of the Lidcombe Railway Station.

Proposed modifications to the approved development will result in some minor changes to the building bulk adjacent to the western boundary; however, this will be achieved in a manner that maintains those essential design components of the mixed use development intended to promote a positive streetscape relationship and reduce impacts on building bulk on neighbouring development and the public realm within the Lidcombe Town Centre locality.

Specifically, in comparison to the floors below, the uppermost level is significantly less bulky, resulting in a building of a visually recessive form, which reduces the impact of building bulk as visible from within the public realm. In combination with further articulation of facade elements, the lower level podium, vertical detailing and design features, the proposed development will present a high visual streetscape outcome in a prominent location. This will also provide an appropriate response to the existing and desired future scale of the Lidcombe Town Centre.

The facade from Broad Street included significant glazing elements that will assist in reducing the impact of building bulk and will also assist in reflecting light into the street level for greater amenity for residents and visitors. This facade also consists of a variety of materials and finishes to create a sense of visual interest in a high pedestrian area.

The overall reduction in height results in an improved situation overall in terms of natural solar access to neighbouring development and the public realm. Whilst the building proposes additional apartments on the eighth floor adjacent to the Western boundary, this will result in minimal additional overshadowing impacts on neighbouring development.

Condition 3 has also been amended to reflect a reconfiguration of the basement car parking levels in order to comply with the relevant Australian Standards and to maintain the structural integrity of the building. As a result of the reduction in visitor car parking widths from 2.4 metres to 2.6 metres the number of car parking spaces has increased to 230 car parking spaces which complies with the *Auburn Development Control Plan 2010* (ADCP 2010) car parking provisions.

The provision of internal wall nibs will provide additional privacy for all residents within the proposed development while the addition of solar panels on the rooftops of the penthouses will improve the energy efficiency of the proposed development.

2.2.4 Condition 5

It is requested that Condition 3 be modified as follows:

5. Privacy

~~Entry doors to all residential apartments shall be recessed by 300mm~~ **All residential apartments are to be provided with internal wall nibs.** Detail shall be incorporated within the Construction Certificate plans submitted to the Principal Certifying Authority for approval.

Reason: - To provide additional privacy to the residential apartments within the building.

Justification for the proposed changes to Condition 5:

The purpose of Condition 5 is to provide additional privacy to the residential apartments within the mixed use development. This condition has been addressed by providing internal wall nibs throughout the building rather than a 300mm recess of entry doors for all apartments. Condition 5 has been modified to reflect this new privacy measure.

2.2.5 Condition 71

Condition 71 is to be modified as follows:

71. The area set aside for the parking vehicles, and so delineated on the plan prepared by Architectural Design Studio and endorsed plan Drawing No 1101; 1102; 1103; 1104 & 1201 (issue GH) dated 10/3/2015 **2/11/2015 and Drawing No. 1201 (issue AD) dated 2/11/2015**, shall not be used for any other purpose.

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

Justification for modifying Condition 71:

Condition 71 has been amended to reflect the most relevant and up-to-date plans.

3. SECTION 96(2) ASSESSMENT

The nature of this modification is considered to be minor and will have minimal environmental impact. Therefore, the application to modify Development Consent No. DA-294/2014 has been submitted and assessed under Section 96(2) of the EP&A Act. Section 96(2) of the EP&A Act relates to the proposal as follows:

(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (1A) do not apply to such a modification.

This application has also considered the provisions of Section 96(3) which state:

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.

3.1 “SUBSTANTIALLY THE SAME DEVELOPMENT” – CLAUSE (2)(A)

Section 96(2)(a) of the EP&A Act states as follows:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)...

In reference to Section 96(2)(a), the nature of the proposed modification will result in a development that is substantially the same as that approved as it only includes minor changes to the approved development. The proposed development does not propose any changes to the approved height of the building; however, it will result in some minor changes to building bulk that have been minimised through a range of design measures. The changes to the development do not result in a greater impact than the originally approved development as assessed by Council with the original application. Opening hours and access to the building have not been altered as a result of the proposal. Overall, the modification proposes only minor changes to the design of the approved development.

It is considered that the changes will not result in any greater impact compared to the original approved development, and will not result in a greater impact on adjoining properties. The modifications will not change the intention of the conditions of consent originally imposed or the intent of the proposed development, and as such, will result in a development that is substantially the same as that which was originally approved.

3.2 “CONSULTATION WITH THE RELEVANT AUTHORITY” – CLAUSE 2(B)

Section 96(2)(b) of the EP&A Act states as follows:

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

The applicant understands Council will consult with the relevant Minister, public authority or approval body if required.

3.3 “NOTIFICATION OF THE APPLICATION” – CLAUSE (2)(C)

Section 96(2)(c) of the EP&A Act requires the Consent Authority to appropriately notify the application. Section 96(2)(c) states as follows:

(c) it has notified the application in accordance with:
(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

The applicant understands that Auburn City Council will notify or advertise the application in accordance with its current policies and procedures. As stated in the *Auburn Development Control Plan 2010* (ADCP 2010) applications received under Section 96(2) will be advertised and notified in the same manner as the original development application.

3.4 “CONSIDERATION OF SUBMISSIONS” – CLAUSE (2)(D)

Section 96(2)(d) of the EP&A Act states as follows:

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

In reference to Section (2)(d), if this application is notified, it is understood Council will consider any submissions in its normal processes of notification and development assessment procedures. Any person may make a submission regarding a development application within the specified period by the consent authority, which in this case is Council.

3.5 SECTION 79C (1) CONSIDERATIONS – CLAUSE 3

Section 96(3) of the EP&A Act states:

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.

In reference to Section 96(3), Section 79C(1) of the EP&A Act specifies the matters that a consent authority must consider when determining a development application. The various requirements to be considered under Section 79C(1) are discussed in Section 4 of this SEE.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

This SEE addresses all of the heads of consideration of Section 79C (1) of the EP&A Act, which states:

79C Evaluation

(1) Matters for consideration—general

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

(a) the provisions of:

(i) any environmental planning instrument, and

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

(iii) any development control plan, and

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

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

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

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

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

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

(a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or

(b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.

The following section of this report provides an assessment under Section 79C of the EP&A Act.

4.1 SECTION 79C (1)(A)(I) – ENVIRONMENTAL PLANNING INSTRUMENTS

Those primary matters under Section 79C(1)(a)(i) of the EP&A Act include Local Environmental Plans (LEPs), Regional Environmental Plans (REPs) (now deemed SEPPs) and State Environmental Planning Policies (SEPPs).

4.1.1 Local Environmental Plans (LEPs)

The application is not considered to trigger any new assessable considerations under the *Auburn Local Environmental Plan 2010* (ALEP 2010) which was considered acceptable in the original assessment and issuing of the development consent. However, in order to comply with conditions in the development consent a storey has been removed from the building therefore the proposal has been reassessed under **Clause 4.3** of the ALEP 2010 to demonstrate compliance.

Auburn Local Environmental Plan 2010

Clause 4.3 – Height of buildings

In accordance with the ALEP 2010 Height of Buildings Map the subject site has a maximum permissible height of building as shown in Figure 3. As stated in Clause 4.3 development must not exceed the maximum height of building.

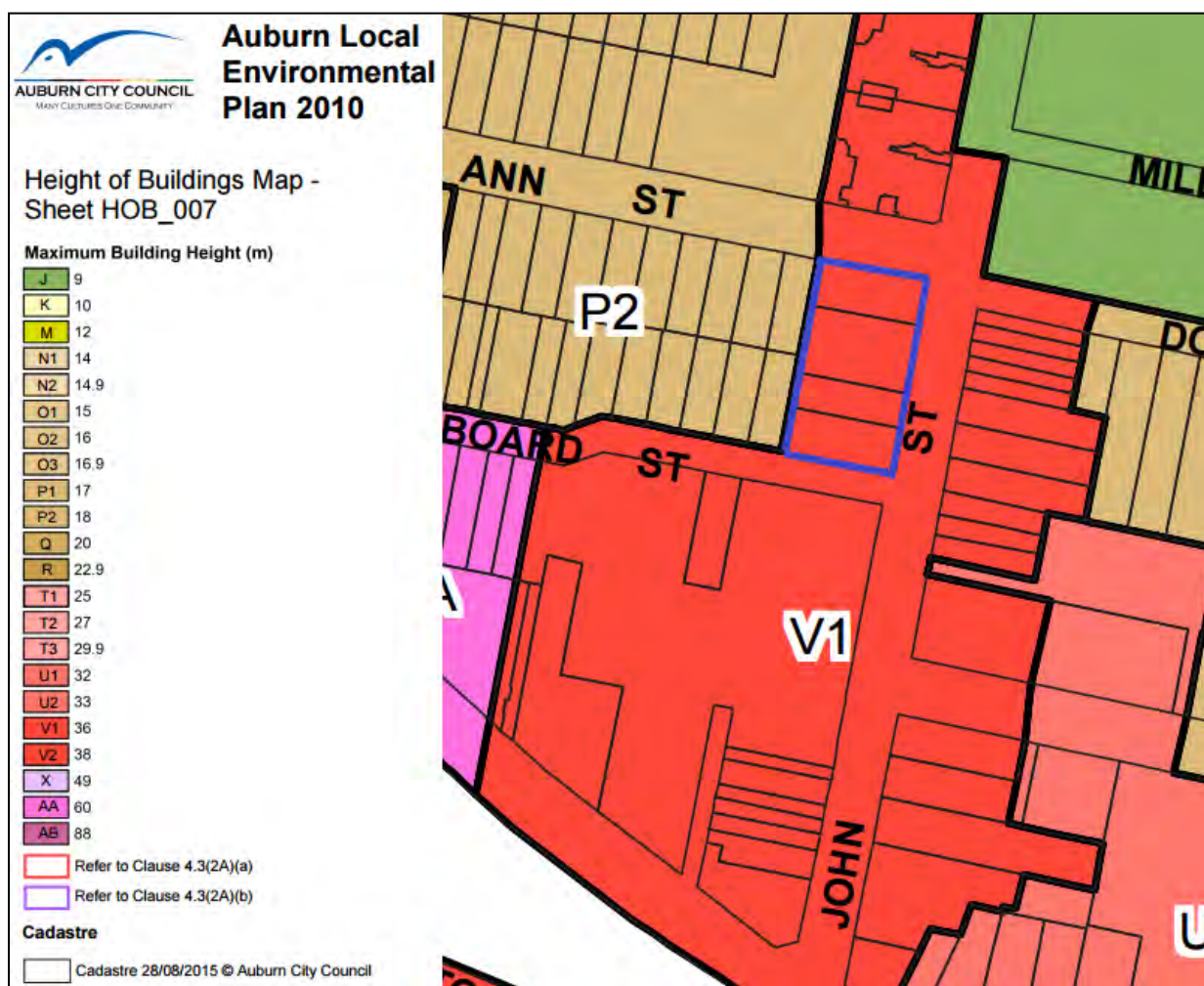


Figure 3: Extract from ALEP 2010 Height of Buildings Map (site outlined in blue)

Source: NSW Legislation website

As shown on the updated architectural drawings the proposed development has a maximum height of building of 36 metres as a result of the removal of Level 8 of the approved development therefore it complies with **Clause 4.3** of ALEP 2010.

4.1.2 Regional Environmental Plans (REPs)

The application is not considered to trigger any new assessable consideration under any REP which was considered acceptable in the original assessment and issuing of Development Consent No. DA-294/2014.

4.1.3 State Environmental Planning Policies (SEPPs)

The application does not give rise to any new assessable considerations under any SEPP.

4.2 SECTION 79C (1)(A)(II) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The application is not considered to trigger any new assessable considerations under any draft environmental planning instruments which were considered acceptable in the original assessment of Development Consent No. DA-294/2014.

4.3 SECTION 79C (1)(A)(III) – DEVELOPMENT CONTROL PLANS

As a result of the reconfiguration of the basement levels to accommodate 2.4 metre wide visitor car parking spaces the number of car parking spaces for the proposed development has been increased from 229 spaces to 230 spaces.

Table 1 provides an assessment of the proposed development against the *Auburn Development Control Plan 2010* (ADCP 2010) car parking provisions for mixed use development outlined in Parking and Loading chapter of ADCP 2010.

| DCP Requirement | Comment | | | | | | | | | | | | | | |
|--|--|----------------------------------|--------------------|-------------------|--------------------|-------------------|--------------------|-------------------|--------------------|-------------------|----------------|-------------------|--|--|--|
| Residential flat buildings | | | | | | | | | | | | | | | |
| <i>Car parking for residential flat buildings shall comply with the requirements in Table 4:</i> | In accordance with the ADCP 2010 car parking requirements the proposed development, which includes 17 x 1 bedroom apartments, 103 x 2 bedroom apartments, 18 x 3 bedroom apartments and 4 x 4 bedroom apartments, requires a total of 164 car parking spaces. The proposed development included 181 car parking spaces therefore it complies with the ADCP 2010. | | | | | | | | | | | | | | |
| <i>Table 4 – Summary of parking requirements – residential flat buildings</i> | The proposed development has a total of 141 apartments and therefore requires a total of 28.2 car parking spaces. A total of 29 car parking spaces have been provided as shown on the architectural drawings accompanying this application. | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>No. Of Bedrooms</th><th>Car Parking Spaces per dwelling:</th></tr> </thead> <tbody> <tr> <td>1 bedroom dwelling</td><td>1.0 parking space</td></tr> <tr> <td>2 bedroom dwelling</td><td>1.0 parking space</td></tr> <tr> <td>3 bedroom dwelling</td><td>2.0 parking space</td></tr> <tr> <td>4 bedroom dwelling</td><td>2.0 parking space</td></tr> <tr> <td>Visitor spaces</td><td>0.2 parking space</td></tr> <tr> <td></td><td>Note: Resident and visitor car parking calculations are to be rounded up separately.</td></tr> </tbody> </table> | No. Of Bedrooms | Car Parking Spaces per dwelling: | 1 bedroom dwelling | 1.0 parking space | 2 bedroom dwelling | 1.0 parking space | 3 bedroom dwelling | 2.0 parking space | 4 bedroom dwelling | 2.0 parking space | Visitor spaces | 0.2 parking space | | Note: Resident and visitor car parking calculations are to be rounded up separately. | |
| No. Of Bedrooms | Car Parking Spaces per dwelling: | | | | | | | | | | | | | | |
| 1 bedroom dwelling | 1.0 parking space | | | | | | | | | | | | | | |
| 2 bedroom dwelling | 1.0 parking space | | | | | | | | | | | | | | |
| 3 bedroom dwelling | 2.0 parking space | | | | | | | | | | | | | | |
| 4 bedroom dwelling | 2.0 parking space | | | | | | | | | | | | | | |
| Visitor spaces | 0.2 parking space | | | | | | | | | | | | | | |
| | Note: Resident and visitor car parking calculations are to be rounded up separately. | | | | | | | | | | | | | | |
| Commercial development | | | | | | | | | | | | | | | |
| <i>Car parking for commercial development shall comply with the requirements in Table 6:</i> | The commercial/retail tenancies included in the proposed development have a total GFA of 789m ² therefore they require 19.725 car parking spaces. As shown on the | | | | | | | | | | | | | | |

Table 6 – Summary of parking requirements

updated architectural drawings identified at **Appendix A**
the proposed development complies with the ADCP 2010.

| Land Use | Parking requirements |
|--|---|
| <i>Retail premises (other – not specified in this table) including shops</i> | <i>1 space per 40m² GFA</i> <i>1 bicycle space per 10 employees</i> |

4.4 SECTION 79C (1)(A)(IIIA) – PLANNING AGREEMENTS

There is no voluntary planning agreement (VPA) in relation to the subject site or Development Consent No. DA-294/2014 and this application does not give rise to a change in the existing arrangement.

4.5 SECTION 79C (1)(A)(IV) – ANY MATTER PRESCRIBED BY THE REGULATIONS

The application is not considered to trigger any new assessable consideration under the EP&A Reg. which was considered acceptable in the original assessment and issuing of Development Consent DA-294/2014.

4.6 SECTION 79C (1)(A)(V) – COASTAL ZONE

The site is not impacted by the *Coastal Protection Act 1979* and this application will not alter that circumstance.

4.7 SECTION 79C (1)(B) IMPACT ON THE ENVIRONMENT

Pursuant to Section 79C (1)(b) of the EP&A Act, 'the likely impacts of that development' have been considered as follows:

4.7.1 Context and Setting

The context and setting of the approved development will not be altered by the proposed modifications. The proposed development will have no impact on the approved intent of the building that was originally approved with Development Consent No. DA-294/2014 and has no impact on the height and scale of the approved development. Whilst the proposed development will result in some minor changes to the building bulk design elements have been incorporated into the overall design of the building to reduce the impact of bulk on neighbouring development and public realm. The minor changes in bulk will not adversely impact on the amenity of residents in neighbouring developments.

4.7.2 Access, Transport and Traffic

The proposed development includes the provision of one (1) additional car parking space. As such, the proposed development complies with the car parking provisions contained within the ADCP 2010. Given the minor change in the total number of car parking spaces provided as part of the development it is unlikely to have adverse impacts on traffic.

The proposed development does not seek to change the access to the development and the inclusion of 4 additional apartments increases the number of residents in the Lidcombe Town Centre within close proximity to public transport.

4.7.3 Public Domain

The proposed modification will have no negative impacts on the public domain.

4.7.4 Utilities

The proposed modification will not alter the location or access of the approved development's utilities.

4.7.5 Heritage

The proposed modification will not give rise to a change in the existing heritage considerations which were assessed as acceptable with the original Development Consent No. DA294-2014.

4.7.6 Water

No changes to the management of water are proposed as a result of the proposed modification compared to that which was approved.

4.7.7 Air and Microclimate

The proposed modification will not give rise to a change in the existing microclimate.

4.7.8 Flora and Fauna

It is considered that the proposed modification will not impact on biodiversity on the site or any trees which were already considered with the original development application. No new assessable matters arise with the proposed modification.

4.7.9 Waste

No changes to the management and disposal of waste are proposed as a result of the proposed modifications compared to that which was already approved.

4.7.10 Energy

The addition of solar panels on the rooftops of the penthouses will improve the energy efficiency of the proposed development.

4.7.11 Noise

It is considered that the proposed modification will not give rise to any new assessable acoustic matters which were considered acceptable in the original assessment and issuing of Development Consent No. DA-294/2014.

4.7.12 Safety, Security and Crime Prevention

No new issues relating to safety, security and crime prevention arise with this modification when compared to the original assessment.

4.7.13 Social Impact in the Locality

No new social impacts arise with this modification when compared to the original assessment.

4.7.14 Economic Impact in the Locality

No new economic considerations arise with this modification when compared to the original assessment.

4.7.15 Cumulative Impacts

The nature of the modification is such that it results in a development which is substantially the same as the approved development. It is considered that the proposed modification is minor in nature and the design and intended use of the site as a mixed use development will not be altered. As such there will not be any cumulative impacts arising from the proposed modification. It is simply the removal of Level 8 and the inclusion of 4 additional apartments to ensure compliance with the maximum permissible building height for the subject site under the ALEP 2010, and to maximise the number of residents living in the Lidcombe Town Centre that are in close proximity to public transport such as trains. The reduction in the width of the visitor car parking spaces will result in an increase in car parking by 1 space therefore it is unlikely to result in adverse impacts on traffic in the Lidcombe Town Centre locality. The provision of internal wall nibs as part of the proposed development will enhance the privacy of residents within the development. Furthermore, the addition of solar panels for the penthouses will improve the energy efficiency of the proposed development.

5. CONCLUSION

The application seeks to modify Conditions 1A, 1C, 3, 5 and 71 of Development Consent No. DA294/2014 under the provisions of section 96(2) to remove a storey from the approved development, provide an additional 4 car parking spaces, reduce the width of the visitor car parking spaces and provide internal wall nibs for all apartments in the development. The nature of the proposed modifications did trigger an assessment of the proposed development under the *Auburn Local Environmental Plan 2010* where it was concluded that the proposed development complies with the maximum height of buildings set out for the subject site. The nature of the proposed modifications also triggered an assessment of the proposed development under the *Auburn Development Control Plan 2010* where it was concluded that the proposed development complies with the car parking requirements for mixed-use developments.

As demonstrated above in the SEE it is considered that the nature of the modifications is minor and will have no environmental impact. The proposed modification will result in a development that is substantially the same as that which was approved on the subject site. It should be noted that the removal of one storey from one of the upmost levels of the building will not alter the height of the approved development. Although the proposed development will result in some minor changes to the building bulk it has been designed to minimise the impact of bulk on neighbouring developments. Additionally, the minor changes to building bulk will not result in any adverse impacts on the amenity of neighbouring developments and will in fact result in an improved overall situation in terms of solar access. The increase in parking by 1 car space will not adversely impact traffic conditions in the Lidcombe Town Centre and the provision of internal wall nibs will enhance the privacy of residents within the proposed development. As such, the modification is consistent with Section 96(2) and can be supported by Council.

We look forward to Council's favourable consideration of this application and would be pleased to discuss any aspects of the proposed with Council during consideration of this application.

APPENDIX A: TRANSMITTAL

DOCUMENTS REGISTER/ TRANSMITTAL

| | | |
|---|--------------------------------------|----------------|
| PROJECT: Multi-Unit Residential Development 36-44 John Street, Lidcombe NSW | PROJECT NO. Pn_0551 | REV: 46 |
|---|--------------------------------------|----------------|

[illegible][illegible]

[illegible]

[illegible]

| | |
|------|--|
| 2908 | TYPICAL UNIT LAYOUT 08 |
| 2909 | TYPICAL UNIT LAYOUT 09 |
| | |
| 3301 | GROUND FLOOR ACCESSIBLE WC |
| 3302 | GROUND FLOOR MALE/FEMALE WC |
| 3303 | TENTH FLOOR ACCESSIBLE WC |
| | |
| 5801 | UNIT 01-ENS 01- 1 ST – 7 TH FLOOR TYPICAL |
| 5802 | UNIT 01-BATH 01- 1 ST – 7 TH FLOOR TYPICAL |
| 5803 | UNIT 02&05-BATH 02- 1 ST – 7 TH FLOOR TYPICAL |
| 5804 | UNIT 02&05-ENS 02- 1 ST – 7 TH FLOOR TYPICAL |
| 5805 | UNIT 03&04-BATH 03- 1 ST – 7 TH FLOOR TYPICAL |
| 5806 | UNIT 03&04 ENS 03- 1 ST – 7 TH FLOOR TYPICAL |
| 5807 | |
| 5808 | |
| 5809 | |
| | |
| 5812 | |
| 5813 | |
| 5814 | |
| 5815 | |
| 5816 | |
| 5817 | |
| 5818 | |
| 5819 | |
| 5820 | |
| 5841 | UNIT 01- KITCHEN 01 – 1 ST -7 TH FLOOR TYPICAL |
| 5842 | UNIT 02-05 – KITCHEN 02 – 1 ST -9 TH FLOOR TYPICAL |
| 5843 | |
| 5844 | |
| 5845 | |
| 5846 | |
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[illegible]

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APPENDIX B: SEPP 65 DESIGN VERIFICATION REPORT



ARCHITECTURE DESIGN STUDIO PTY LTD

ABN: 43 159 401 420 | 43/8 Avenue Of The Americas, Newington 2127 | P:02 9648 6663 | F:02 9648 6664 | E: md@ad-s.com.au

SEPP 65

Design Quality of Residential Flat Development

To Accompany a Development Application for the Demolition of the Existing Building and
Construction of a new Mixed-Use Development.

36-44 John Street, Lidcombe

November, 2015

Design Quality Principles

The following statement provides an explanation of the design in terms of the design quality principles. The objectives of Part 2 of SEPP 65 have been addressed in the application documentation and these short responses are intended as a summary.

Principal No. 1 Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

STATEMENT OF COMPLIANCE

The subject site is centrally located on John Street within Lidcombe Town Centre. Lidcombe Town Centre is a precinct that will undergo significant change in the coming years as opportunities to increase height and density of buildings are undertaken as a result of amendments of the development standards within Auburn LEP 2010. The proposed mixed use building is a reflection of the desired future character of the area and is a response to the renewal being undertaken in the Town centre. The proposal is an example of housing types encouraged within Sydney's Metropolitan and Draft Metropolitan Strategy that provides a sensitive response to the existing streetscape aims to significantly raise the building quality and amenity within John Street.

Principal No. 2 Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

STATEMENT OF COMPLIANCE

The proposed mixed use building responds to the site analysis taken. It reflects the shape of its site and responds to the prevailing streetscape pattern and built form in the locality. The proposal is a contemporary interpretation of the future built form of the area and is a building that demonstrates high quality design principles and amenity standards. The height is generally consistent with the Auburn City Council LEP 2010 36m permissible height with only the lift overrun & 4 bedroom terrace apartments breaking the height limit. The highest point is measured at 38.8m & the minor height variation can be justified as it does not provide significant additional overshadowing or overall building bulk.

Principal No. 3 Built Form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

STATEMENT OF COMPLIANCE

The proposed built form is a response to the future desired character of the area. The proposal is a response to the predominant building alignments, setbacks and proportions along John Street. The proposal provides an evenly dispersed gross floor area over the site and a design option with articulated facades that further aim at reducing the massing of the building to the street. The form steps back at the 9th level providing reduced shadow impacts on adjoining properties to the west & south and also increasing visual privacy for future developments.

The proposal provides a built form that is comparable to the future desired built form within Lidcombe Town Centre.

Principal No. 4 Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

STATEMENT OF COMPLIANCE

The proposal provides a gross floor area of 13,480m² and an overall FSR of 4.97:1, the permissible FSR on the site as per Auburn LEP 2010 is 5:1.

The proposed developments bulk, scale and building mass is considered compatible with the site area, its locality and surrounding context. The proposal provides an evenly dispersed gross floor area over the site and a design option with articulated facades that further aim at reducing the massing of the building to the street. Further design recesses, colour blocks and horizontal and vertical detailing aim at creating a building that reflects a lighter scale. The proposed building is considered to be of a high quality design and adds to the streetscape. The overall building design is articulated through consistent bulk, mass and scale throughout the site and the design of the proposed building is consistent with the future densities.

Furthermore, the development application responds to the outcomes and objectives of state and local planning strategies and plans, which include:

- Dwelling Target Analysis
- Metropolitan Plan for Sydney 2036
- West Central Subregion Draft Subregional Strategy
- Draft Metropolitan Strategy for Sydney to 2031

Principal No.5 Resource, Energy and Water Efficiency

Good design makes efficient use of natural resources, energy and water throughout its full lifecycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

STATEMENT OF COMPLIANCE

A combination of passive design and active sustainable systems are proposed to minimise the environmental impact of the building. Energy and water efficient appliances and fittings are proposed and will be combined with a rainwater collection system to be used for irrigation that together will lessen the buildings water supply requirements. Selection of appropriate and sustainable materials such as metal louvers and optimal apartment layout and orientation to provide daylight to living areas and cross ventilation can minimise reliance upon heating, cooling and lighting.

The proposal aims to promote a high standard of environmental performance incorporating the use of ecologically sustainable development principles including:

- Appropriate housing density to maximise use of public transport infrastructure due to the sites proximity to railway and bus interchange
- Designing the orientation of layout of apartments to maximise access to natural light, natural cross ventilation and aspect (see Drawing 0000 for full breakdown in the compliance table)
- Use of construction materials that is conducive to thermal mass such concrete slabs.
- Landscape spaces laid out for maximum solar access, natural ventilation, water and planting management.
- Selective use of sun screening devices as required to minimise use of high energy consumption cooling systems
- Waste minimisation and recycling
- Energy saving appliances
- Promote the use of low energy light fittings to private

Principal No. 6 Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

STATEMENT OF COMPLIANCE

The proposal includes a well balanced mix of private and communal open space. The communal open space is a mixture of soft and hard landscaping and is located at 2 different levels through the development to provide good amenity to all residents.

The proposal provides a total 1406.9m² of common open space (51.91% of total site area) with 660.25m² of deep soil landscaping (46.92% of common open space) across 2 different common areas, Level 1 and Rooftop Terrace.

As the site is built to boundary, deep soil has been provided in the form of 1m deep platters which are suitable to plant adequate trees for shade & privacy. The common open spaces provide amenities such as seating, BBQ areas, outdoor gym & kids play areas & put-put golf course to create a usable and functional space.

The proposal addresses principle 6 by providing:

- Appropriate open space and landscaped areas that have been designed to respond to the locality & adjoining developments, with rooftop garden and courtyard landscaping aimed at providing visual & acoustic privacy
- Sustainable planting species selected, that is low maintenance, locally appropriate and available that should also provide good ground cover and canopy shading in summer.
- An appropriate landscape treatment to spaces which require enhanced residential privacy, particular those residences located on the podium roof level.
- Communal amenities have been located for ease of access at and a degree of privacy at podium roof level.

The Landscape design is shown on the accompanying Landscape Plan.

Principal No. 7 Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

STATEMENT OF COMPLIANCE

The proposal is designed so that all units enjoy an open outlook, well planned layouts and optimal orientation with cross-ventilation to maximise the amenity of the occupants. The unit dimensions meet or exceed the guidelines contained within the Residential Flat Design Code (RFDC) and receives enough sunlight to comply with the objectives and principles of the Code.

The proposed building complies with the required building separation for residential flat buildings 9 storeys and above allowing 26.6 meters separation within the internal courtyard between habitable rooms and balconies. The proposal provides 100 from the 141 units with at least 2 hours of sunlight & 98 with at least 3 hours sunlight between 9am and 3pm within the winter solstice complying with the required 70% apartment requirements set within SEPP 65.

The layouts of individual apartments are configured in a way to ensure rooms of similar function are adjacent to common walls and the design aims to protect the internal and external functioning of each apartment for optimum use and visual and acoustic privacy for each resident.

The natural ventilation method used for some of the apartments in this proposal is not the standard cross ventilation methods encouraged by SEPP 65. Cross ventilation occurs when windows or vents are placed on opposite sides of the building to create a natural breeze pathway through the structure. In this proposal the building has used wing wall ventilation method. Wing walls project outward next to a window, so that even a slight breeze against the wall creates a high pressure zone on one side and

low on the other. The pressure differential draws outdoor air in through one open window and out the adjacent one. Wing walls are especially effective on sites with low outdoor air velocity and variable wind directions.

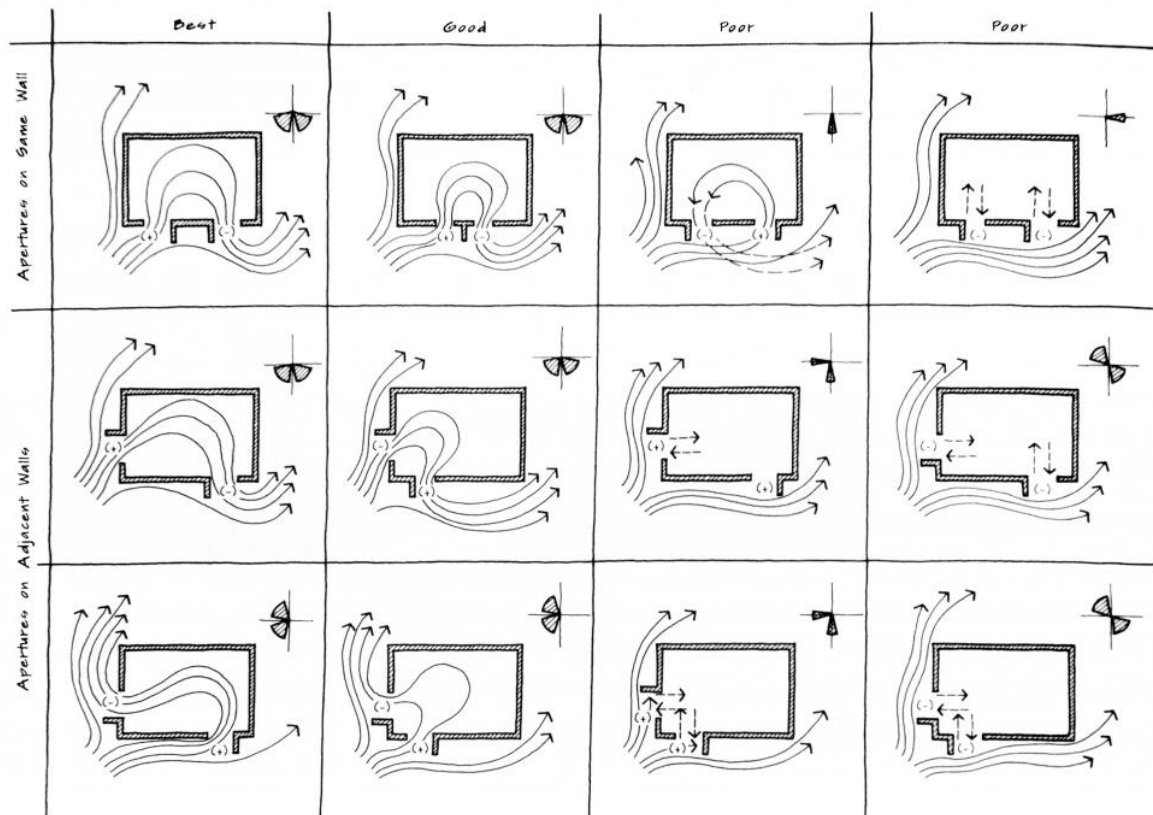
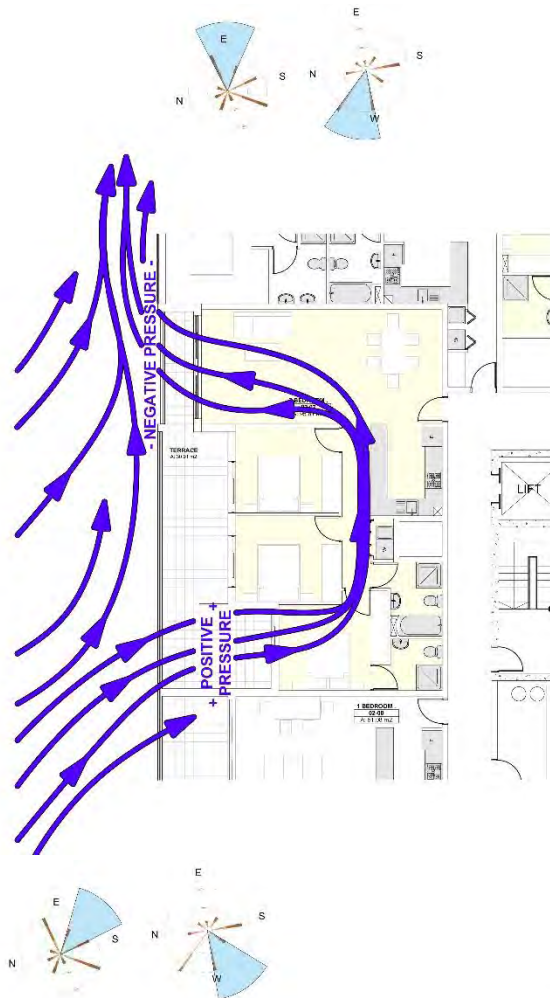
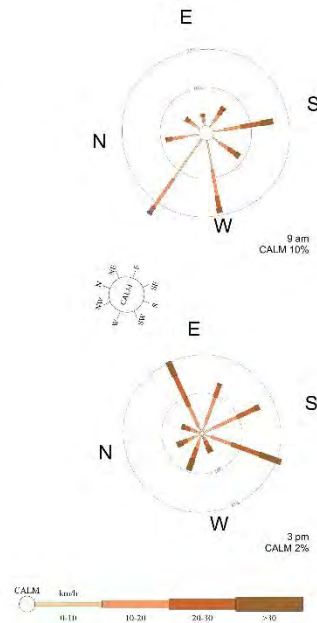


Image Source: Autodesk website, 2014

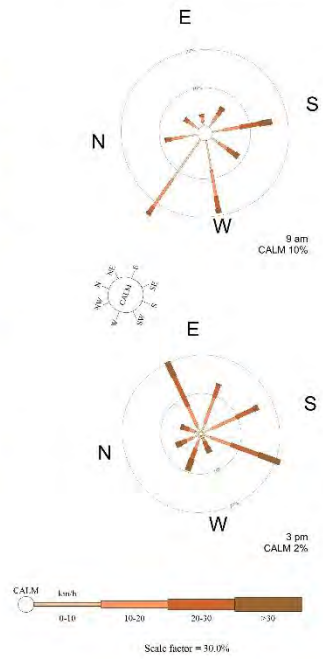
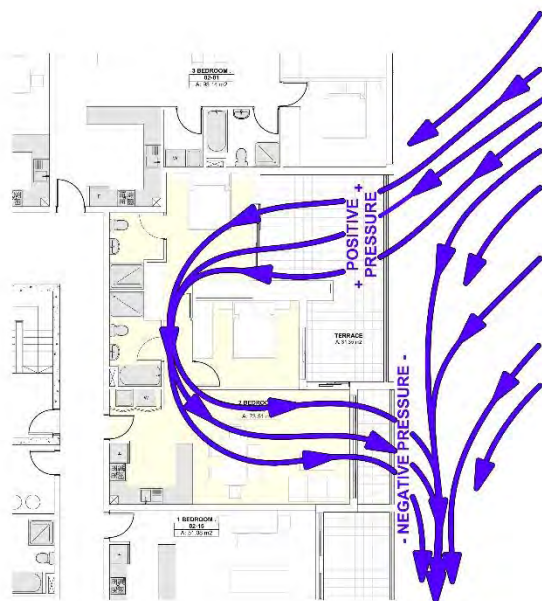
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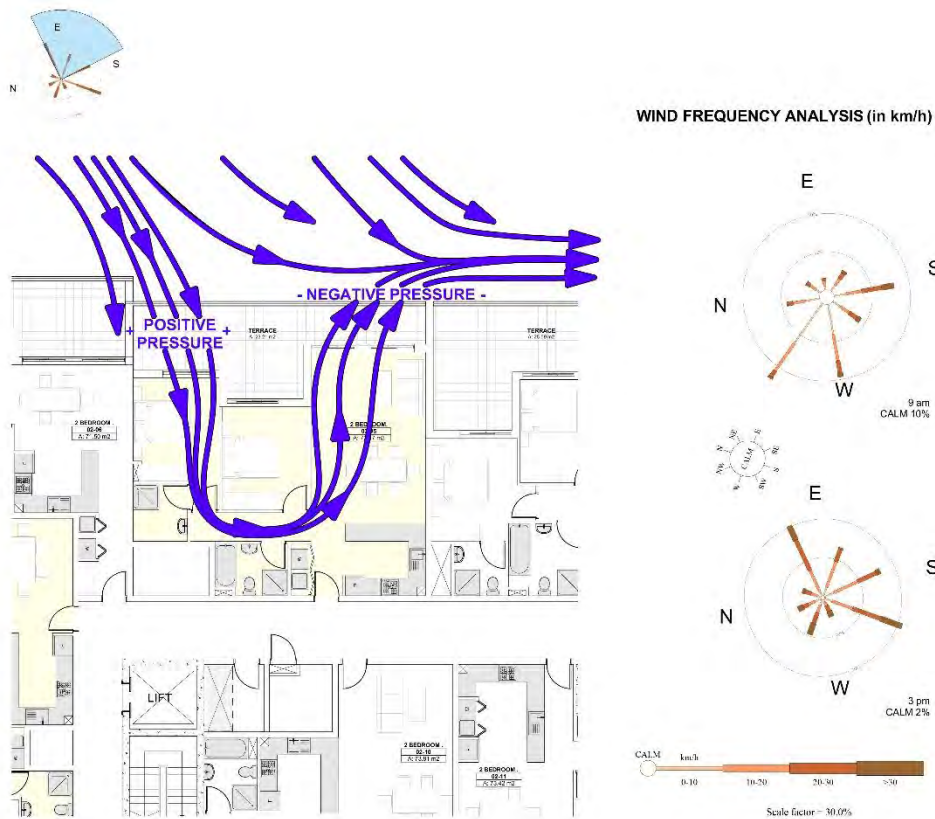


WIND FREQUENCY ANALYSIS (in km/h)



WIND FREQUENCY ANALYSIS (in km/h)





Along with units which use conventional cross ventilation which make up the majority of the development, the building achieves a total of 64.7% cross ventilation which over exceeds the minimum requirement

Principal No.8 Safety and Security

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

STATEMENT OF COMPLIANCE

The nature of the development demands a high level of security for the occupants. Physical and visual barriers provide a clear demarcation between public and private spheres. The orientation of buildings, the floor, layout and the provisions of balconies all act as natural and casual surveillance along the street. The nil setbacks on the boundaries ensure a higher level security for access to the site.

The proposal addresses principle 7 by providing:

- The residential tower entries are well located in high activity and visibility areas. Units facing the streetscape act as casual surveillance and a deterrent from conspicuous activity.
- Intercom and CCTV at both the John Street, Ann Street & Board Street entrances

- Roller doors at driveway entries to secure basement parking allows for a secure transition in to the building while maintaining public amenity at the ground level.
- Doors between the commercial and residential components of the building create a differentiation between the building uses and create security for residents.
- Constant passive surveillance
- Access lobbies are well lit
- Access to common open space on the landscaped podium & roof levels will be restricted to residents and their visitors using a pre-programmed card or other proprietary system.
- Recessed areas have been minimised.
- External areas will be well lit with clear line of sight from active frontages

Principal No.9 Social Dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs. The site is located in a precinct planned for change and renewal. The project is responding to this requirements of housing accessibility and dwelling mix by providing a mix of one, two and three bedroom units. The proposal includes 16 shops on the ground floor providing an extensive range of commercial tenancies to activate the street.

Principal No.10 Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development.

Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

STATEMENT OF COMPLIANCE

The proposal includes a palette of colours and finishes that compliments the streetscape and create a modern finish to a newly developing precinct. The proposal includes a combination of textures including rendered walls, metal louvers and glass detailing in vertical and horizontal patterns. The proposal has a contemporary design with building elements that respond to and enhance the character of the surrounding area and provides an example for future similar development.

The proposal addresses principle 10 by providing:

- A centrally located apartment community in close proximity to a rail station and community facilities

- The proposed massing achieves a balance between large and small elements, solid and void, built and natural parts, horizontal/vertical and consistent principal of solid structural frame and panel infill
- The principle of articulating a base is stated in the Auburn2010 DCP. Consistent with the type, the base of the proposal is articulated through the use of privacy louvres on the first 3 levels of the residential component. This is further emphasised through the use of setbacks & changes in material
- The building also uses extended vertical fins to create an implied (negative) space at the top of the building, with upper floors expressing subtle changes in articulation to 'cap off' the building, rather than expressing a hard edge. The dynamic use of glazing and textures on the corner peripheral of the facade highlights a transitional view of sky from a street observer, reinforcing a sense of airiness to the upper floors



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09 November 2015

To whom it may concern:

RE: **Mixed Use Building/ Residential Flat Building**
Design Verification Statement – SEPP 65
SUBJECT PREMISES: **36-44 John Street, Lidcombe**

Pursuant to the provisions of **State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development**, I hereby confirm that I am a qualified designer within the meaning of clause 3 of the Environmental Planning & Assessment Regulation 2000.

I verify that:

(a) I directed the design amendments for the development application for 36-44 John St, Lidcombe, for the residential flat development, and
(b) that the design quality principles set out in Part 2 of State Environmental Planning Policy No 65-- Design Quality of Residential Flat Development are achieved for thee above residential flat development.

FULL NAME OF ARCHITECT: Pavlo Doroch

QUALIFICATIONS: Registered Architect no. 9170 in NSW
Master of Architecture UTS

NAME OF EMPLOYER: Architecture Design Studio Pty. Limited

Yours faithfully,

Pavlo Doroch

