

<b>SWPP Ref. No.:</b>	2016SYW197
<b>DA No.:</b>	DA16/0999
<b>PROPOSED DEVELOPMENT:</b>	Demolition of Existing Structures, Construction of a Seven (7) Storey Mixed Use Development including Ground Floor Commercial Tenancy, 121 Residential Apartments, Three (3) Levels of Basement Car Parking & Associated Works - Lot 61 DP 36728, Lot 55 DP 215146, Lot 56 DP 215146, Lot 54 DP 215146, Lot 62 DP 36728, 38 Orth Street, KINGSWOOD NSW 2747 40 Orth Street, KINGSWOOD NSW 2747 3 Hargrave Street, KINGSWOOD NSW 2747 1 Hargrave Street, KINGSWOOD NSW 2747 5 Hargrave Street, KINGSWOOD NSW 2747
<b>APPLICANT:</b>	Pamada Pty Limited
<b>REPORT BY:</b>	Kate Smith, Senior Environmental Planner, Penrith City Council

## Assessment Report

### Executive Summary

Council is in receipt of a development application for the demolition of all existing structures and the construction of a seven (7) storey mixed use development containing a ground floor commercial tenancy, 121 apartments and three (3) levels of basement car parking for 153 vehicles as well as strata subdivision.

The subject site is located with the Penrith Health and Education Precinct and is zoned B4 Mixed Use under Penrith Local Environmental Plan 2010 (Amendment 4). The proposal is a permitted form of development in the zone.

The development has a capital investment value in excess of \$20 million and the Sydney West Planning Panel has the function of determining the application in accordance with Section 23G of the Environmental Planning and Assessment Act 1979.

The application has been advertised in the local newspaper and notified to the owners and occupiers of adjoining and nearby properties. Council received five (5) submissions raising matters relating to impacts associated with increased traffic, height of building, construction management and the obstruction of helicopter flight paths.

An assessment of the proposed development under the provisions of the Environmental Planning and Assessment Act 1979 has been undertaken and having regard to the relevant provisions the following key issues have emerged as a result of this assessment process:

- non-compliance with key aims, objectives and controls of the SEPP 65 and the Apartment Design Guide in relation to context and character, scale and built form, landscape and amenity;
- non-compliance with Council's Local Environmental Plan in relation to the proposed height;
- non-compliance with Council's Development Control Plan in relation to waste management, traffic and car parking, landscaping and water management.

The applicant was requested to address the identified issues on numerous occasions however to date no response resolving these issues has been received. As these matters remain outstanding and have not been addressed by the applicant the application is recommended for refusal.

## Site & Surrounds

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The development site is comprised of five (5) lots, with three properties located on the northern side of Hargrave Street and two properties located on the southern side of Orth Street in Kingswood. The site has a frontage of 51.175m to Hargrave Street and a frontage of 35.97m to Orth Street. The development site is irregular in shape and has a total area of 3002.4m<sup>2</sup>. The site currently contains five single storey dwellings and associated outbuildings/structures. Various trees and shrubs are scattered throughout the site.

The surrounding locality is typically characterised by older low density housing stock, however, there are some medium density housing developments in close proximity to the development site and surrounding streets. The site is also located east of the Nepean Hospital site which contains a variety of health related buildings and structures including a multi-deck car park.

The existing character and context of the area is expected to undergo a significant transition given the area has been recently up-zoned to a B4 Mixed Use zone with maximum height limits of up to 21.6m. Approved mixed use developments in surrounding streets have recently commenced construction.

## Proposal

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The proposal involves the construction of a seven (7) storey mixed use development which includes the following aspects:

- 121 residential units across seven (7) levels;
- One (1) commercial/retail tenancy located on the ground floor (73m<sup>2</sup>);
- 153 car parking spaces across three (3) basement levels;
- landscaped courtyards and common open space areas at ground floor level;
- provision for waste collection;
- and associated drainage works.

Refer to Appendix A for copies of the architectural plans detailing the proposed works.

The following plans and documents have been submitted to accompany the Development Application:

- Statement of Environmental Effects prepared by Boston Blyth Fleming Town Planners
- Architectural Plans prepared by Eeles Trelease Pty Ltd
- Landscape Plans prepared by David Loudon
- Concept Stormwater Drainage Plans prepared by JHA Consulting Engineers
- BCA Section J Report prepared by Sustainable Thermal Solutions
- Traffic Impact Assessment Greenview Consulting
- SEPP 65 Design Verification Statement prepared by Bruce Eeles of Eeles Trelease Pty Ltd
- BASIX Certificate (No. 760728M) prepared by Sustainable Thermal Solutions
- Waste Management Plan prepared by Eeles Trelease Pty Ltd
- Access report prepared by Architecture and Access

### **Background**

26/07/2016 - Applicant attends an Urban Design Review meeting

13/07/2016 - Applicant attends a pre-lodgement meeting

### **Summary of key application timeframes**

21/09/2016 Application lodged to Council

26/09/2016 Request for Information No. 1 (Application incomplete - BASIX Certificate, MUSIC Modelling, Section J Report)

26/10/2016 Additional information submitted to Council

07/11/2016 Request for Information No.2 (Traffic, Waste & Engineering issues identified)

16/11/2016 Response to RFI received from the applicant

21/11/2016 Amended plans received from the applicant

12/12/2016 Request for Information No.3 (Assessed amended plans identified non-compliances with key environmental planning instruments, Traffic, Waste & Engineering issues remain unresolved). Request made from Council to withdraw application

28/03/2017 Applicant advised Council of commercial hurdles (request extension of time to submit amended plans)

13/04/2017 Council requests an update on status of amended plans

19/04/2017 Council requests an update on status and advises application will be recommended for refusal if no response is received

26/06/2017 Council leaves voicemail message regarding status of amended plans

Given Council has had no response from the applicant since 28 March 2017 the application is being recommended for refusal. The development contains significant departures from key environmental planning instruments and contains insufficient information and detail to assess suitability of development for the site.

## Plans that apply

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- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 65—Design Quality of Residential Flat Development
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

## Planning Assessment

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### • **Section 23G - Sydney West Planning Panel (SWPP)**

The application has been assessed in accordance with Section 23G of the Environmental Planning and Assessment Act 1979 and the application is to be determined by the Sydney West Planning Panel for the following reasons:

- the development has a Capital Investment Value (CIV) of over \$20 million.

### • **Section 79C - Evaluation**

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

## **Section 79C(1)(a)(i) The provisions of any environmental planning instrument**

### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

This policy ensures the implementation of the BASIX scheme which encourages sustainable residential development. It requires certain kinds of residential development to be accompanied by a list of commitments to be implemented for the development. BASIX Certificate No. 760728M was submitted with the Development Application demonstrating compliance with set sustainability targets for water and energy efficiency and thermal comfort. Relevant BASIX commitments have been nominated on the submitted architectural plans and was also accompanied by Nateth Certificate No.0000820480.

### **State Environmental Planning Policy No 55—Remediation of Land**

Pursuant to Clause 7 of *State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)* the consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated. The proponent has outlined that the site has historically been used for residential purposes and is unlikely to contain contaminants. A review of Council records confirms this statement. Council holds no environmental reports for any of the five properties subject to this application, nor any information regarding contamination (or potential contamination) of the lots. As such, no further assessment is required in regards to potential contamination or SEPP 55 considerations.

### **State Environmental Planning Policy No 65—Design Quality of Residential Flat Development**

*State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65)* aims to improve the design quality of residential flat buildings of three or more storeys and containing four or more self-contained dwellings. SEPP 65 contains nine design quality principles which form the basis for achieving good design and provide a guide for evaluating the merits of development



proposals.

Clause 28 stipulates that in determining a development application for consent to carry out residential apartment development, Council must take into account:

- (a) the advice (if any) obtained from the design review panel, and
- (b) the design quality of the development when evaluated in accordance with the design quality principles, and
- (c) the Apartment Design Guide.

#### ***Urban Design Review Panel Advice***

The proposal was referred to Council's Urban Design Review Panel in July 2015 prior to submission of the application where a range of issues were discussed.

The application was also referred to Council's independent Urban Design Consultant in November 2016 for follow up review as part of the assessment process. The review stated that in terms of urban design quality, the current proposal was unsatisfactory and required a comprehensive re-design. The application was assessed as being fundamentally inconsistent with SEPP 65 in terms of context and character, scale and built form, landscaping and residential amenity.

#### ***Design Quality Principles***

An assessment was undertaken of the proposed development in relation to the nine design quality principles. The proposal is not in accordance with these provisions. The proposed development is not responsive to the desired and anticipated future character of the locality, as determined by *Penrith Local Environmental Plan 2010* and *Penrith Development Control Plan 2014*.

#### ***Apartment Design Guide***

The development has been assessed with regard to the Apartment Design Guide (ADG) and the following issues were identified.

##### 2F Building Separation & 3F Visual Privacy

The development does not comply with the separation and setback requirements of the ADG and the development does not achieve an appropriate level of visual and acoustic privacy between apartments both within the development site and adjacent sites. 76% of apartments rely on the use of balcony screening to mitigate the negative privacy impacts resulting from non-compliant setbacks. The arrangement of units facing the 'elbow' between the northern and southern wings have constrained outlooks and adverse acoustic amenity impacts.

<b>Building Height</b>	<b>Proposed separation</b>	<b>Required separation</b>
up to 4 storeys	between 2.2m - 3.8m from habitable rooms/balcony to boundary	6m to boundary or up to 12m between habitable rooms/balconies
up to 8 storeys	between 3.8m - 7.4m from habitable rooms/balcony to boundary	9m to boundary or up to 18m between habitable rooms/balconies
9 storeys and above	n/a	12m to boundary or up to 24m between habitable rooms/balconies

##### 2G Street Setbacks

The proposed street setback is inconsistent with the desired future character of the area as identified for the Health and Education Precinct in Council's DCP. The development is inconsistent with Council's requirements for the parts of the building over 4 storeys to be setback at the street edge. The sheer

vertical nature of the elevations at each street edge is out of scale with the desired spatial proportions of the street.

Further, the development does not contribute positively to the streetscape; there are limited opportunities for quality landscape planting, the hierarchy of entrances are inadequately defined and over 50% of the front elevation is hidden behind solid courtyard fencing up to 2m in height. The sheer vertical nature of the development will contribute to the prominence of the building and its inappropriate design in regards to local context and character.

### 3D Communal and Public Open Space

The application has not demonstrated that the proposed communal open space areas are functional in terms of location, size, accessibility, solar access and overall design.

### 4A Solar and Daylight Access

A total of 61% of living rooms and private open space areas within the development achieve a minimum of 2 hours direct sunlight between 9am and 3pm mid-winter which does not comply with the ADG.

### 4B Natural Ventilation

The development does not comply with the 60% natural ventilation requirement as only 57% of units are naturally cross-ventilated. Despite this departure, the units in which natural cross-ventilation is not achieved are designed as open plan layouts (where the living, dining and kitchen are combined) and comply with the single aspect depth ratios provided in the ADG. The ADG states that to achieve adequate ventilation and daylight access for an open plan, design the unit depth shall not exceed 3 times the ceiling height. In this instance, with a 2.7m ceiling height the maximum unit depth should not exceed 8.1m. It is noted that all open plan layouts (living, kitchen and dining) do not exceed 8m in depth.

### 4D Apartment Size and Layout

Over 10% of apartments do not meet the minimum internal floor area requirements.

### 4E Private Open Space and Balconies

11 units do not meet the minimum balcony area requirements.

### 4F Common Circulation & Spaces

The common circulation spaces are poorly designed. The development has more than eight units off each lift core, corridor lengths are longer than 12m and natural light and ventilation has not been provided to lift areas or at the end of corridors.

### **Note:**

The Development Application was accompanied by a design verification statement prepared by Bruce Eeles of Eeles Trelease Pty Ltd.

## Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

*State Regional Environmental Plan No. 20 - Hawkesbury/Nepean River Catchment (SREP 20)* aims to protect the environment of the Hawkesbury Nepean River by ensuring that the impacts of future land uses are considered in a regional context. Of most relevance to this application is the requirement to assess the development in terms of impacts on stormwater quality.

The applicant submits that the proposed development will comply with *Council's Water Sensitive Urban Design Policy 2013* and *Development Control Plan 2014*, however, insufficient detail has been provided to properly assess the proposed methods of stormwater treatment. The application has not demonstrated that the proposal meets current pollution retention targets and site specific plan details were not provided in relation to the proposed stormwater treatment devices. Additionally, the application was not accompanied by an electronic copy of MUSIC Modelling or draft Operational and Maintenance Manual.

### Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Does not comply - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Does not comply - See discussion
Clause 2.7 Demolition requires development consent	Complies
Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings	Complies
Clause 4.3 Height of buildings	Does not comply - See discussion
Clause 4.4 Floor Space Ratio	Complies
Clause 4.6 Exceptions to development standards	Does not comply - See discussion
Clause 5.9 Preservation of trees or vegetation	Does not comply - See discussion
Clause 7.1 Earthworks	Does not comply - See discussion
Clause 7.4 Sustainable development	Complies
Clause 7.7 Servicing	Complies
Clause 7.11 Penrith Health and Education Precinct	Does not comply - See discussion

#### Clause 1.2 Aims of the plan

The application has not demonstrated that the development is consistent with the relevant aims of *Penrith Local Environment Plan (LEP) 2010* being;

- to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement;
- to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity; and
- to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity

### **Clause 2.3 Permissibility**

The subject site is zoned B4 Mixed Use under Penrith Local Environmental Plan 2010. Within this zone, residential flat buildings and commercial premises are permissible with Council consent.

### **Clause 2.3 Zone objectives**

The application has not demonstrated that the proposed development achieves the relevant objectives of the zone being;

- to minimise conflict between land uses within the zone; and
- to create opportunities to improve public amenity.

### **Clause 4.3 Height of buildings**

The Height of Buildings Map identifies a maximum height of 18m as applying to the site, despite this, the LEP contains provisions under cl 7.11 of this plan allowing the development to exceed the maximum building height by 20% if the floor to ceiling height of both the ground and first floors are equal to or greater than 3.5m.

The development proposes a ground floor ceiling height of 3.6m and first floor ceiling height of 2.7m and as such the development does not benefit from the increased building height allowed under the LEP.

Notwithstanding, the application proposes a maximum building height of 23.92m (as calculated from drawing no. DA-301B) and seeks a variation to the 18m height limit. The variation sought equates to approximately 32.8% height departure from the maximum height control. This variation can be considered by the consent authority under Clause 4.6 Variations to Development Standards, as discussed below.

### **Clause 4.6 Exceptions to development standards**

The applicant seeks a variation to the provisions relating to the maximum building height of 18m under Clause 4.3 of the LEP. The development proposes, at its highest point, a building height of 23.92m, which equates to an 32.8% variation although the extent varies across the site.

Council's requirement relating to the maximum building height is a development standard and therefore a variation under Clause 4.6 of the LEP can be considered. This clause aims to provide an appropriate level of flexibility in the application of development standards to achieve better outcomes for and from development.

In accordance with sub-clause (3), the applicant has put forward the following key points to demonstrate that compliance with the development standard is unreasonable and unnecessary, and the basis for which there are sufficient environmental planning grounds to justify contravening the development standard:

- The development is of an institutional scale consistent with the desired future character as outlined in the Council's Development Control Plan and existing buildings and structures on the Nepean Hospital site.
- The development is able to be adapted in the future to provide commercial uses such as medical offices (ground floor) and short term accommodation (first floor).
- The development will not impact on any views and the sites orientation ensures there are no unacceptable solar impacts to adjoining sites.
- The buildings massing is complimentary and compatible with the future character of the precinct.
- A compliant development would require the deletion of a full floor which would otherwise provide accommodation for health care workers and or be owner occupied and is not in the public interest.

Having regard to the matter of *Chidiac v Mosman Council* [2015] NSWLEC 1044, Clause 4.6 (4)(a)(ii) sets two distinct tests which must separately be satisfied and it is only by the satisfaction of each of these tests that the public interest element within this provision can be met. It is in this context that failure of any one of these individual tests would preclude the consent authority from having the necessary degree of satisfaction that would permit the granting of consent.

These tests are:

- is the proposed development consistent with the objectives for the height of building standards contained in cl 4.3 of the LEP?
- is the proposed development consistent with the objectives of the B4 Mixed Use zone set out in the Land Use Table of the LEP?

Of particular importance in this assessment, is the test of whether the development satisfies the following objectives of the standard:

- to ensure the building is compatible with the height, bulk and scale of the existing and desired future character of the locality,
- to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,
- to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance, and
- to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.

The fact that the broader locality, which includes the Nepean Hospital site, contains buildings and other structures which may have heights above the nominated building height for the locality reinforces the position that the Council intended to adopt the 18m height limit as appropriate for this site and for that to be informative of the desired future character for new buildings. Although the DCP contains a range of provisions relating to height, bulk and scale, for the purpose of interpreting the LEP, this assessment does not consider these aspects. As such, it can only be concluded that given the development exceeds the building height standard, the result is a built form of a height, bulk and scale which is entirely different to a compliant structure and so the development is considered incompatible with the desired future character of the locality.

Additionally, the development has not demonstrated that the proposed building is of a suitable form which provides for a transition in built form to developments east of the proposal in which the maximum height of building reduces to 8.5m.

As the development fails to meet three of the four objectives for the height of building standard it is inappropriate to proceed to approve the development as it would not be in the interest of the public as the development is inconsistent with the objectives of the standard. Further, it is noted that the development is also inconsistent with the objectives of the zone relating to improved public amenity and conflict between land uses within the zone. Therefore cl 4.6(4)(a)(ii) has not been satisfied and consent cannot be granted.

In accordance with sub-clause (4), the applicant's objection is not well founded and is inconsistent with the aims of the policy. The objection has not adequately addressed the matters prescribed in the LEP, and has not demonstrated that full compliance with the maximum building height requirement would be unreasonable and unnecessary in the circumstances of the case. The environmental planning grounds put forward by the applicant cannot be supported in this instance. The proposed development is not in the public interest because it is inconsistent 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.

#### **Clause 5.9 Preservation of trees or vegetation**

A Tree Impact Assessment Report prepared by Angophora Consulting Arborist was submitted with the application. The report recommends the removal of all trees within the development site and the retainment of seven (7) street trees. However, it is noted of the seven trees identified for retainment, four trees are located within the footprint of the proposed driveway and as such, would require removal should the application be approved.

#### **Clause 7.1 Earthworks**

The applicant was requested to provide a Geotechnical Report which addressed:

- excavation works adjacent to Council infrastructure;
- ground water movement, and
- salinity and contamination.

As the application was not accompanied by documentation required to complete an assessment of this aspect. It cannot be determined whether the proposed earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

**Clause 7.11 Penrith Health and Education Precinct**

The development proposes a ground floor ceiling height of 3.6m and first floor ceiling height of 2.7m and as such the development does not benefit from the increased building height allowed under this provision.

## Section 79C(1)(a)(iii) The provisions of any development control plan

### Development Control Plan 2014

Provision	Compliance
DGP Principles	Does not comply - see Appendix - Development Control Plan Compliance
C1 Site Planning and Design Principles	Does not comply - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	Does not comply - see Appendix - Development Control Plan Compliance
C3 Water Management	Does not comply - see Appendix - Development Control Plan Compliance
C4 Land Management	Does not comply - see Appendix - Development Control Plan Compliance
C5 Waste Management	Does not comply - see Appendix - Development Control Plan Compliance
C6 Landscape Design	Does not comply - see Appendix - Development Control Plan Compliance
C7 Culture and Heritage	N/A
C8 Public Domain	Does not comply - see Appendix - Development Control Plan Compliance
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Does not comply - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	N/A
C13 Infrastructure and Services	Complies
D2.1 Single Dwellings	N/A
D2.2. Dual Occupancies	N/A
D2.3 Secondary Dwellings	N/A
D2.4 Multi Dwelling Housing	N/A
D2.5 Residential Flat Buildings	Does not comply - see Appendix - Development Control Plan Compliance
D2.6 Non Residential Developments	N/A
E12 Penrith Health and Education Precinct	Does not comply - see Appendix - Development Control Plan Compliance

## Section 79C(1)(a)(iv) The provisions of the regulations

Subject to the imposition of conditions of consent, Council's Building Surveyor has raised no objections to the proposed development in relation to fire safety and structural capacity as prescribed under the *Environmental Planning and Assessment Regulation 2000*. Despite this, the application is recommended for refusal and conditions are not required in this instance.

## Section 79C(1)(b) The likely impacts of the development

The likely impacts of the development have been discussed in this report in relation to the numerous non-compliances with key environmental planning instruments. The matters identified has resulted in a development that is likely to have adverse impacts on the future character of the area, residential amenity including privacy and overlooking, social interaction, security, wayfinding, accessibility, functionality of the public and private interface, availability of on-street car parking, traffic, pedestrian safety, health and waste management.

## Section 79C(1)(c) The suitability of the site for the development

Although development of the site for the purpose of a mixed use building is permissible within the zone, the application has not demonstrated the proposed development responds to the sites constraints given the development is unable to adequately manage waste and stormwater. Additionally, it is not demonstrated that the development contextually fits with the desired future character of the Health and Education Precinct as identified in Council's DCP.

## Section 79C(1)(d) Any Submissions

### Community Consultation

#### Community Consultation

The application was advertised in the local newspaper and notified to the owners and occupiers of adjoining and nearby properties pursuant to the requirements of the Regulations and in accordance with Council's Development Control Plan. Affected property owners and occupiers were notified in the surrounding area and invited to make a submission on the proposal during the exhibition period from 14 October 2016 to 28 October 2016. Five submissions were received in response relating to the proposed height, impact on flight paths, traffic and construction management.

<b>Matter Raised</b>	<b>Discussion</b>
<i>Height of building</i>	<i>The development application was submitted with a request to vary the applicable maximum height of 18m for the site. It is not demonstrated that the proposed height variation is acceptable particularly given other non-compliances related to building separation, amenity and landscaping are unacceptable and will result in poor amenity outcomes for the development and surrounding sites.</i>  <i>It is not demonstrated that the applicable maximum height expressed for the site within the PLEP 2010 has been sufficiently justified in the submitted variation request.</i>
<i>Impact of development on flight paths (both current and future) for helicopters</i>	<i>In instances where approval is granted, Council imposes conditions relating to the construction management of cranes to ensure impacts on flight paths are minimised.</i>
<i>Traffic</i>	<i>Although the development is located within a busy medical precinct the local road network has the capacity to cater for the increased traffic generation.</i>
<i>Construction management (air pollutants, dust, etc)</i>	<i>In instances where approval is granted, Council imposes conditions relating to construction management. In addition, developments are required to comply with Protection of Environment Operations Act 1997.</i>



## Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	Not supported
Landscape Architect	Not supported
Environmental - Waterways	Not supported
Waste Services	Not supported
Traffic Engineer	Not supported
Community Safety Officer	No objections - subject to conditions
Tree Management Officer	Not supported

## Section 79C(1)(e)The public interest

The proposed development has been assessed contrary to the primary aims, objectives and controls of the applicable planning instruments and will result in negative and unacceptable impacts for the development and locality. As such, the proposal is not in the public interest.

## Conclusion

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The application has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and having regard to those matters the application is recommended for refusal. The development in terms of design quality is unsatisfactory and is fundamentally inconsistent with key provisions relating to context and character, scale and built form, landscaping, public domain and residential amenity. Given these inconsistencies with the primarily planning instruments the proposal in its current form is not in the public interest and will have adverse negative impacts on the locality. The application has not demonstrated that the proposed development responds to the constraints of the site and contextually fits with the future character of the health and education precinct.

## Recommendation

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1. That the submitted variation to a development standard under clause 4.6 of Penrith Local Environmental Plan 2010 is not supported;
2. That those who made submissions are notified of the determination; and
3. That DA16/0999 for Demolition and construction of a seven (7) storey Mixed Use Development at 1, 3 & 5 Hargraves Street and 38 & 40 Orth Street Penrith, be refused for the following reasons.

## CONDITIONS

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### Refusal

1 [X Special 01 \(Refusal under Section 79C\(1\)\(a\)\(i\) of EPA Act 1979\)](#)

The development is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the proposal does not represent design quality in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development.

2 [X Special 02 \(Refusal under Section 79C\(1\)\(a\)\(i\) of EPA Act 1979\)](#)

The application is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as insufficient detail in order to assess the impacts of the proposal in terms of stormwater quality against the provisions of State Regional Environmental Plan No 20 - Hawkesbury Nepean River.

3 [X Special 03 \(Refusal under Section 79C\(1\)\(a\)\(i\) of EPA Act 1979\)](#)

The development is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the development is inconsistent with the provisions of the Penrith Local Environmental Plan 2010 in relation to:

- the aims of the plan,
- the zone objectives,
- height of buildings,
- variation to development standards, and
- earthworks.

4 [X Special 04 \(Refusal under Section 79C\(1\)\(a\)\(iii\) of EPA Act 1979\)](#)

The development is not satisfactory for the purpose of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as the development is inconsistent with the provisions of Penrith Development Control Plan 2014 relating to context and character, residential amenity, public domain, landscape design, water management, waste management and traffic.

5 [X Special 05 \(Refusal under Section 79C\(1\)\(b\) of EPA Act 1979\)](#)

The application is not satisfactory for the purpose of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979 in terms of the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

6 [X Special 06 \(Refusal under Section 79C\(1\)\(c\) of EPA Act 1979\)](#)

The application has not demonstrated that the site is suitable for the proposed development in accordance with the requirements of Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979.

7 X Special 07 (Refusal under Section 79C(1)(e) of EPA Act 1979)

The development is not satisfactory for the purposes of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979 as the development is not in the public interest. The development is contrary to the primary aims, objectives and controls of the applicable planning instruments and will result in negative and unacceptable impacts.

# Appendix - Development Control Plan Compliance

## Development Control Plan 2014

### Part B - DCP Principles

The development does not satisfy the principles and objectives of the plan, given the proposal fails to comply with a number of key development controls and standards.

### Part C - City-wide Controls

The development is inconsistent with the following city-wide DCP planning controls:

#### ***C1 Site Planning and Design Principles***

The development is of a scale that is inconsistent with the desired future character of the area given the non-compliances in relation to height, bulk and scale and setbacks and the negative amenity impacts that arise as a result of these non-compliances. The applicant has not demonstrated that the proposed building is contextually appropriate in the location. The design is not considered to be site responsive and will have negative overbearing and privacy impacts on neighbouring sites. The façade treatments and compositions are not sympathetic to the existing character of the area and the proposed front setbacks are inappropriate in the context of the site.

#### ***C2 Vegetation Management***

The development proposes the removal of all trees within the development site. The application has not taken into account existing vegetation in the planning and design of the development. The application proposes the removal of vegetation which has been assessed by the arborist as in good condition and health.

#### ***C3 Water Management***

The application was referred to Council's Development Engineer who raised issues with the proposed stormwater drainage design and requested additional information. The application proposes to drain the entire development to Orth Street by extending Council's road drainage system in Orth Street. This will result in the diversion of stormwater flows from one drainage sub-catchment to another. Detailed hydrological and hydraulic analysis for the downstream drainage network is required to demonstrate that there is adequate capacity in the network to accommodate the additional flows generated by the development.

The application was also referred to Council's Environmental Waterways Officer to assess the proposed Water Sensitive Urban Design Measures. Additional details were requested in relation to the proposed WSUD measures as outlined previously in this report in relation to compliance with SREP 20.

#### ***C4 Land Management***

The application did not adequately address the impacts from the proposed basement excavation as assessed previously in this report in relation to compliance with standards relating to earthworks contained in the LEP.

#### ***C5 Waste Management***

The proposed method of waste collection is not supported. The proposal has not demonstrated that the development site can manage the collection of waste in an acceptable or compliant manner. The application has not address the potential traffic conflicts associated with the shared driveway arrangement off Orth Street. The application has not detailed how and where commercial waste In addition, the waste infrastructure provided at ground floor level is insufficiently integrated into the design of the building and results in poor streetscape presentation to Orth Street.

### ***C6 Landscape Design***

The front setbacks are dominated by hardstand areas, paving and ramps which are not contextually appropriate in the locality. The development does not adequately address Orth Street which is characterised by deep and highly landscaped setbacks. The extent of basement excavation limits the size and location of deep soil zones capable of accommodating canopy trees which may assist in moderating a building of this scale. The application has not provided sufficient information to assess whether the proposed landscaping planting is capable of survival particularly where the planting of trees is proposed on top of and adjacent to the basement.

### ***C8 Public Domain***

The development is contrary to the Kingswood Public Domain Manual.

### ***C10 Transport Access and Parking***

The application has not demonstrated that the proposed vehicular access arrangements will not cause conflict between vehicles and pedestrians. The proposed arrangements will require the removal of all marked on-street parking across the frontage of Orth Street and removal of several of Council's street trees.

## **D2 Residential Development**

The proposed development is inconsistent with the controls relating to context and character, residential amenity and landscape design as previously assessed in relation to compliance with key environmental planning instruments and reinforced through this section of the DCP in relation to residential building design. In this regard, the DCP does not contain provisions more onerous than those contained in SEPP 65 and Council's LEP.

## **E12 Penrith Health and Education Precinct**

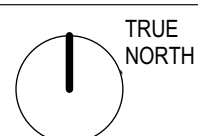
### ***Character Areas***

There are three distinct precincts within the broader Health and Education Precinct. The subject development is situated within the Medical Mixed Use precinct which is adjacent to the hospital and was established to encourage mixed use buildings with commercial uses at ground and first floor. In this regard, the DCP requires developments to provide flexible building layouts to accommodate a range of commercial and medical related uses. The proposed development has not demonstrated that the current configuration supports future commercial adaptation. In addition, the DCP requires that mixed use developments provide a minimum 75% commercial frontage. The proposed development provides a 75m<sup>2</sup> commercial tenancy to Hargraves Street which only occupies approximately one third of the buildings frontage. The frontage of Orth Street is occupied entirely with waste infrastructure and contains no active land uses.

In relation to other provisions of this chapter, the proposed development is inconsistent with the controls relating to context and character, residential amenity, public domain and landscape design as previously assessed in relation to compliance with key environmental planning instruments and reinforced through this section of the DCP. In this regard, this precinct specific chapter of the DCP does not contain provisions more onerous than those contained in SEPP 65 and or Council's LEP with the exception of provisions relating specifically to commercial components as discussed above.



- SUBJECT SITE
- NEIGHBOURING DA
- PARKS
- B BUS STOPS
- T TRAIN STATION
- BUILDINGS  
NOTE: ONLY BUILDINGS ON NEIGHBOURING LOTS AND HOSPITAL ARE SHOWN



No.	Date	REVISIONS	By
C	18/11/16	DEVELOPMENT APPLICATION AMENDMENT 1	CR
B	9/11/16	UPDATED CODING	CR
A	9/9/16	DEVELOPMENT APPLICATION ISSUE	CR

PROJECT DEVELOPER

**pamada**

ARCHITECT:  
**Eeles Trelease** pty ltd architects

PLANNING **33F** Planners

LANDSCAPE ARCHITECT **dila**

Drawn By | CR  
Reviewed By | RY/BE  
Dwg Date: |  
CAD File Name: |

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

CLIENT : **pamada**

**SITE ANALYSIS PLAN**

SCALE 1:5000 @ A3

Project No. **1609**

Drawing No. **DA-003 C**

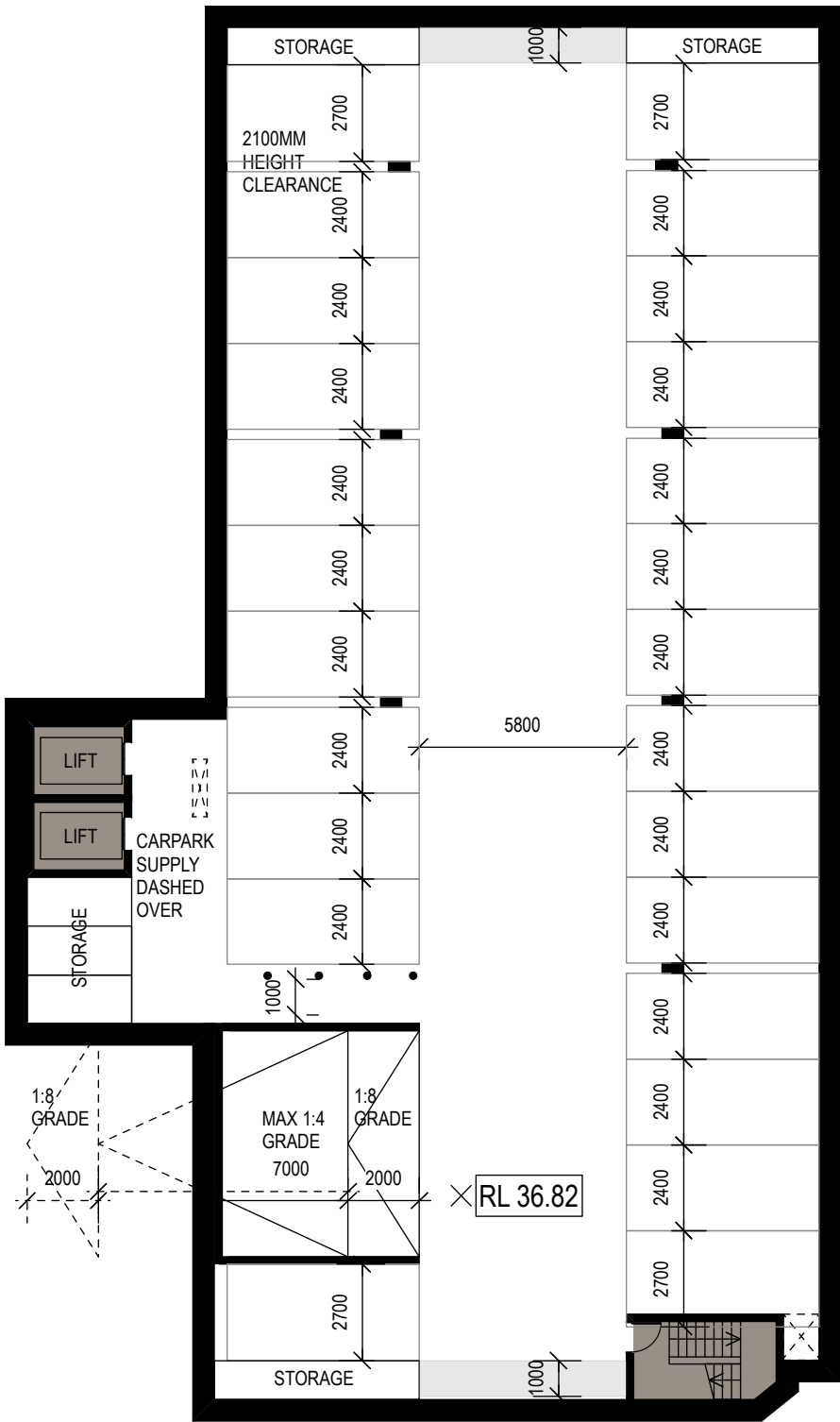
Revision #

BOUNDARY

BOUNDARY

BOUNDARY

BOUNDARY



## Nathers specifications

**External Walls:** AAC 100mm; Reflective Foil: R1.5 insul.; plasterboard (light colour)

**Internal Walls:**

- Within Units: Plasterboard on studs (no insulation)
- Intertency Walls/corridor: plasterboard; air gap: R1.5 insul.; plasterboard

**Windows:** Aluminium SG Clear: U = 6.70; SHGC = 0.70 - **SEE TABLE FOR ADDITIONAL REQUIREMENTS**

**Roof:** Concrete slab 150mm - Drained Tile walking surface - no insulation - Susp. Ceiling under (light colour)-**SEE TABLE FOR UNITS REQUIRING INSUL.**

**Ceiling:** plasterboard (no insul.)

**Floor:** Concrete (no insul.) - **SEE TABLE FOR UNITS REQUIRING INSUL.**

**Floor Covering:** ceramic tiles in wet areas, carpet in beds and timber elsewhere

**Downlights:** must be sealed

**Exhaust Fans:** must be sealed

ALL SYSTEMS AND FIXTURES INSTALLED IN ACCORDANCE WITH TYPE AND SPECIFICATION BELOW

CENTRAL ENERGY SYSTEMS	TYPE	SPECIFICATION
LIFT (NO.1)	Gearless traction with V V V F motor	Number of levels (including basement): 10
LIFT (NO.2)	Gearless traction with V V V F motor	Number of levels (including basement): 10
LIFT (NO.3)	Gearless traction with V V V F motor	Number of levels (including basement): 9
LIFT (NO.4)	Gearless traction with V V V F motor	Number of levels (including basement): 9

## B03

### 25 RESIDENTIAL (R)

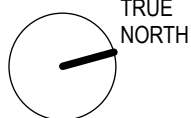
#### Units

##### Additional Requirements

1	R2.5 insul. in floor+Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	58	R2.0 insulation in ceiling/roof
2	R2.0 insul. in floor	59	R2.0 insulation in ceiling/roof +Aluminium DOUBLE Glazed Air Fill Low Solar Gain low-E -Clear: U = 4.90; SHGC = 0.33
3	R2.0 insul. in floor	60	R2.0 insulation in ceiling/roof
4	R2.0 insul. in floor	61	R2.0 insulation in ceiling/roof
5	R2.0 insul. in floor +Aluminium DOUBLE GLAZED Air Fill Low Solar Gain low-E -Clear: U = 4.90; SHGC = 0.33	63	R2.0 insul. in floor +Aluminium DOUBLE Glazed Air Fill High Solar Gain low-E -Clear: U = 4.30; SHGC = 0.47
6	R2.0 insul. in floor+Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	64	R2.0 insul. in floor +Aluminium DOUBLE Glazed Air Fill Low Solar Gain low-E -Clear: U = 4.90; SHGC = 0.33
7	R2.0 insul. in floor+East Windows: External louvres + Al Thermally Broken DOUBLE Glazed Air Fill TINT-Clear: U = 3.60; SHGC = 0.23 +South Glazing: Al Thermally Broken DOUBLE Glazed Argon Fill High Solar Gain low-E -Clear: U = 2.90; SHGC = 0.51	65	R2.0 insul. in floor +Aluminium DOUBLE Glazed Air Fill High Solar Gain low-E -Clear: U = 4.30; SHGC = 0.47
8	R2.0 insul. in floor+Aluminium DOUBLE Glazed Air Fill High Solar Gain low-E -Clear: U = 4.30; SHGC = 0.53	66	R2.0 insul. in floor +Aluminium SG Low Solar Gain Low-E: U = 5.60; SHGC = 0.36
9	R2.0 insul. in floor over fire stairs and corridor.	67	R2.0 insul. in floor +Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.49
42	Aluminium SG Low Solar Gain Low-E: U = 5.60; SHGC = 0.41	68	R2.0 insul. in floor
49	R2.0 insulation in ceiling below concrete tiled surface.	69	R2.0 insul. in floor +Aluminium DOUBLE Glazed Air Fill High Solar Gain low-E -Clear: U = 4.30; SHGC = 0.47
51	Aluminium SG Low Solar Gain Low-E: U = 5.60; SHGC = 0.41	71	R2.0 insulation in ceiling/roof
54	R2.0 insulation in ceiling/roof +Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	111	R2.0 insulation in ceiling/roof
55	R2.0 insulation in ceiling/roof +Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	112	R2.0 insulation in ceiling/roof +Aluminium DOUBLE Glazed Air Fill High Solar Gain low-E -Clear: U = 4.30; SHGC = 0.47
56	R2.0 insulation in ceiling/roof +Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	115	R2.0 insulation in ceiling/roof
57	R2.0 insulation in ceiling/roof +Aluminium SG High Solar Gain Low-E: U = 5.40; SHGC = 0.58	116	R2.0 insulation in ceiling/roof
		117	R2.0 insulation in ceiling/roof
		118	R2.0 insulation in ceiling/roof
		119	R2.0 insulation in ceiling/roof
		120	R2.0 insulation in ceiling/roof
		121	R2.0 insulation in ceiling/roof

ALL FLOORS AND WALLS CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS LISTED BELOW:			BOUNDARY			BOUNDARY			BOUNDARY		
THERMAL LOADS			THERMAL LOADS			THERMAL LOADS			THERMAL LOADS		
DWELLING NO.	AREA ADJUSTED HEATING LOAD (IN mJ/m <sup>2</sup> /yr)	AREA ADJUSTED COOLING LOAD (IN mJ/m <sup>2</sup> /yr)	DWELLING NO.	AREA ADJUSTED HEATING LOAD (IN mJ/m <sup>2</sup> /yr)	AREA ADJUSTED COOLING LOAD (IN mJ/m <sup>2</sup> /yr)	DWELLING NO.	AREA ADJUSTED HEATING LOAD (IN mJ/m <sup>2</sup> /yr)	AREA ADJUSTED COOLING LOAD (IN mJ/m <sup>2</sup> /yr)	DWELLING NO.	AREA ADJUSTED HEATING LOAD (IN mJ/m <sup>2</sup> /yr)	AREA ADJUSTED COOLING LOAD (IN mJ/m <sup>2</sup> /yr)
1	87.7	50.5	28	76.8	47.5	62	26.2	69.9	98	64.2	30.5
2	79.8	76.9	29	84.5	83.1	63	66.1	85.1	99	59.3	31.7
3	63.7	75.6	30	47.2	40.7	64	77.4	87.5	100	61.8	53.6
4	69.3	35.1	31	25.2	30.1	65	67.9	89.3	101	57.5	49.0
5	82.6	71.7	32	43.1	27.7	66	83.0	71.6	102	54.3	49.9
6	46.8	73.4	33	72.0	89.5	67	86.1	87.5	103	40.1	34.8
7	85.3	78.3	34	40.0	48.6	68	80.3	81.9	104	66.7	49.6
8	78.9	42.9	35	35.5	37.8	69	82.0	66.9	105	51.9	38.5
9	76.3	38.4	36	70.0	37.8	70	80.5	62.0	106	83.4	60.1
10	75.2	47.5	37	77.5	47.5	71	53.4	34.6	107	64.8	30.2
11	82.6	85.7	38	25.5	29.7	72	34.9	50.7	108	59.9	31.7
12	46.1	41.0	39	25.5	29.8	73	59.5	54.4	109	62.5	53.5
13	24.3	30.3	40	85.3	82.9	74	55.5	50.2	110	58.1	49.1
14	42.2	27.9	41	43.5	27.6	75	51.1	51.0	111	72.9	54.5
15	68.2	87.7	42	70.8	77.6	76	22.5	28.1	112	61.2	43.8
16	38.8	49.0	43	40.7	48.6	77	41.7	40.1	113	67.3	49.1
17	34.4	37.9	44	36.0	37.7	78	33.5	32.5	114	52.6	38.0
18	68.3	39.0	45	70.7	37.6	79	50.9	49.8	115	75.4	48.1
19	75.8	48.0	46	78.3	46.8	80	87.8	31.0	116	83.0	35.8
20	83.3	84.6	47	86.3	81.8	81	63.3	31.9	117	79.5	37.2
21	46.5	40.7	48	42.3	37.6	82	60.1	54.0	118	75.9	55.8
22	24.6	30.2	49	40.4	35.9	83	56.0	49.9	119	74.7	54.9
23	35.1	43.1	50	42.3	27.6	84	51.7	50.7	120	86.9	54.4
24	68.6	90.4	51	63.5	87.2	85	39.1	36.2	All other dwellings		
25	39.3	48.7	52	41.2	48.5	86	65.3	51.4			
26	34.8	37.9	53	36.5	37.3	87	50.7	38.4			
27	69.2	38.4	54	77.6	89	88	82.0	60.5			
			55	84.6	49.0	89	63.5	30.6			
			56	88.0	78.4	90	58.6	31.5			
			57	75.6	81.1	91	61.0	53.7			
			58	63.6	31.2	92	56.8	50.0			
			59	67.2	76.6	93	52.5	50.0			
			60	62.6	52.7	94	39.6	35.3			
			61	54.7	45.7	95	66.1	51.2			
						96	51.3	38.2			
						97	82.7	59.9			

NOTES  
EXTERNAL WALL THICKNESS TO BE  
CONFIRMED SUBSEQUENT TO STRUCTURAL  
ENGINEER'S ADVICE



No.	Date	REVISIONS	By
D	17/11/16	DEVELOPMENT APPLICATION ISSUE 01	MJ
C	4/10/16	BASIX/NATHERS COMPLIANCE TABLE	AA
A	21/9/16	ADDED	AA
A	9/9/16	UPDATED DA ISSUE	AA
		DEVELOPMENT APPLICATION ISSUE	AA

PROJECT DEVELOPER

**pamada**

ARCHITECT:

**Eeles Trelease**

pty ltd architects

PLANNING

**33F Planners**

LANDSCAPE ARCHITECT



Drawn By AA

Reviewed By RY/BE

Dwg Date:

CAD File Name

**HARGRAVE APARTMENTS**

1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

**1609**

CLIENT : **pamada**

Drawing No.

Revision #

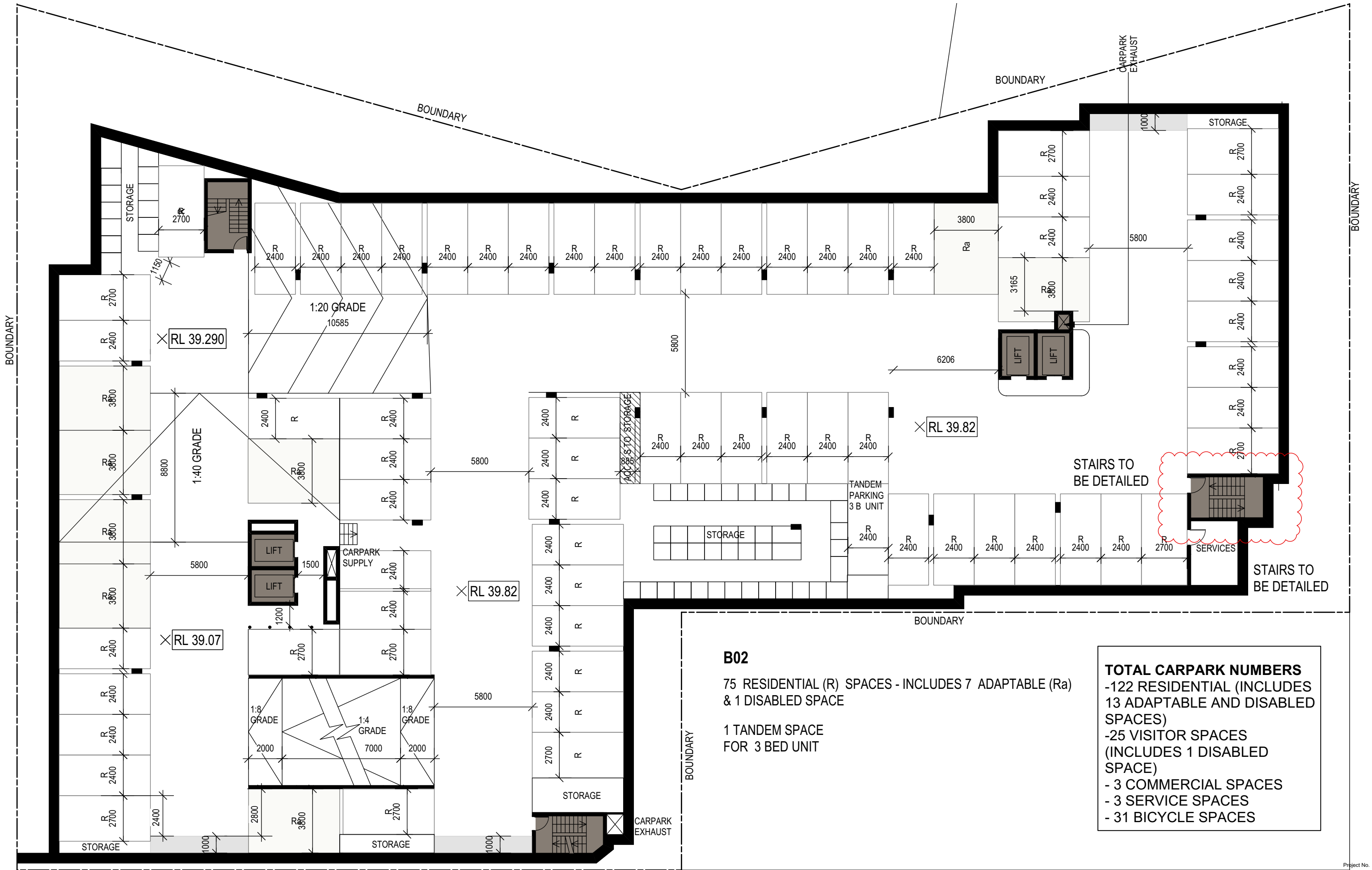
**BASEMENT LEVEL THREE PLAN**

**DA-100 D**

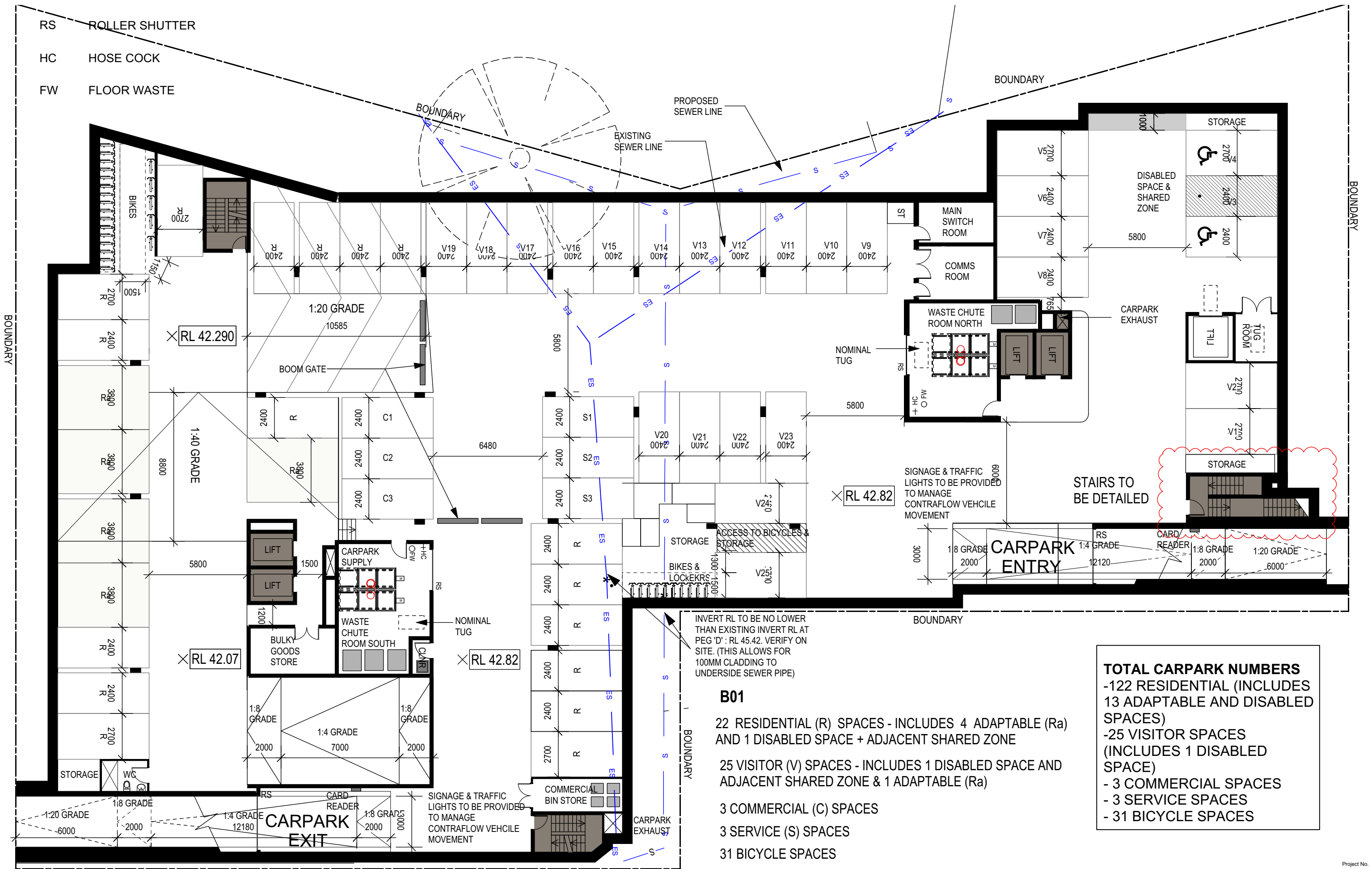
SCALE 1:100 @ A1 1:200 @ A3

Project No.







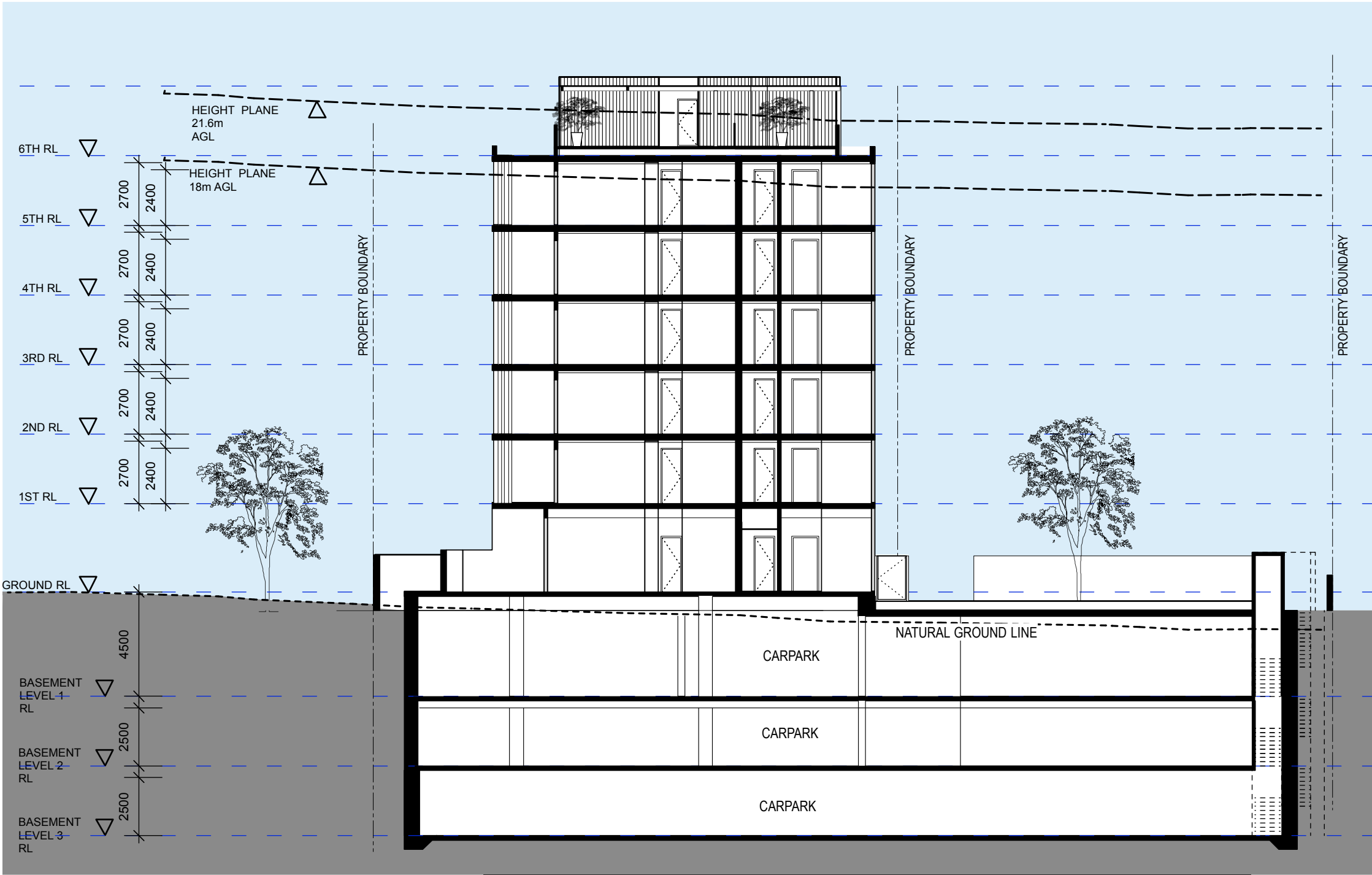


NOTES		PROJECT DEVELOPER		ARCHITECT:		HARGRAVE APARTMENTS	
EXTERNAL WALL THICKNESS TO BE CONFIRMED SUBSEQUENT TO STRUCTURAL ENGINEER'S ADVICE		pamada		Eeles Trelease pty ltd architects		1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD	
TRUE NORTH		REVISIONS		PLANNING		CLIENT : pamada	
				33F Planners		Drawing No.	
				LANDSCAPE ARCHITECT		Revision #	
				JILA		BASEMENT LEVEL ONE PLAN	
						DA-102 G	
						SCALE 1:100 @ A1 1:200 @ A3	



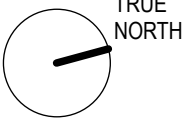
Project No.

SCALE 1:100 @ A1    1:200 @ A3



**NOTE**  
AGL = HEIGHT ABOVE GROUND LEVEL IN METRES

Proj Date: 18/11/16



**LEGEND**

- 1 BED APARTMENT
- 2 BED APARTMENT

LV - LIVING  
D - DINING  
B1 - BEDROOM  
B2 - BEDROOM  
BT - BATHROOM  
L - LAUNDRY  
K - KITCHEN  
S - STUDY/STORAGE  
ST - STORAGE

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT 01	MJ
A	19/09/16	DEVELOPMENT APPLICATION ISSUE	CR

PROJECT DEVELOPER

**pamada**

ARCHITECT:  
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PLANNING **33F Planners**

LANDSCAPE ARCHITECT



Drawn By: AA  
Reviewed By: RY/BE  
Dwg Date:  
CAD File Name:

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

Project No.

**1609**

CLIENT : **pamada**  
**SECTION BB**

Drawing No. **DA-201 B**  
Revision #

SCALE 1:100 @ A1 1:200 @ A3



Proj Date: 18/11/16

**NOTE**  
AGL = HEIGHT ABOVE GROUND LEVEL IN METRES



**LEGEND**  
- 1 BED APARTMENT  
- 2 BED APARTMENT

LV - LIVING  
D - DINING  
B1 - BEDROOM  
B2 - BEDROOM  
BT - BATHROOM  
L - LAUNDRY  
K - KITCHEN  
S - STUDY/STORAGE  
ST - STORAGE

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT	CR
A	08/11/16	1 COUNCIL MEETING	CR

PROJECT DEVELOPER  
**pamada**

ARCHITECT:  
**Eeles Trelease** Pty Ltd architects  
PLANNING **33F** Planners  
LANDSCAPE ARCHITECT **dila**

Drawn By CR  
Reviewed By RY/BE  
Dwg Date:  
CAD File Name

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD  
CLIENT : **pamada**  
**WEST ELEVATION**  
SCALE 1:200 @ A3

Project No. **1609**  
Drawing No. **DA-300 B**  
Revision #





- A - PRE-FINISHED VERTICAL METAL CLADDING
- B - PRE-FINISHED HORIZONTAL METAL CLADDING
- C - SLIDING VERTICAL METAL LOUVRES
- D - VERTICAL LOUVRE FOR SOLAR HEAT AND PRIVACY
- E - GLAZED BALUSTRADE
- F - PAINTED RENDERED MASONRY SPANDREL
- G - POWDERCOATED ALUMINIUM FRAMED GLAZING
- H - COURTYARD WALLS/HORIZONTAL TIMBER SLATS WITH PLANTING BEHIND
- I - CERAMIC EXTERNAL TILES
- J - PAINTED RENDER MASONRY WALLS

**NOTE**  
AGL = HEIGHT ABOVE GROUND LEVEL IN METRES



**LEGEND**  
- 1 BED APARTMENT  
- 2 BED APARTMENT

LV - LIVING  
D - DINING  
B1 - BEDROOM  
B2 - BEDROOM  
BT - BATHROOM  
L - LAUNDRY  
K - KITCHEN  
S - STUDY/STORAGE  
ST - STORAGE

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT	CR
A	08/11/16	COUNCIL MEETING	CR

PROJECT DEVELOPER

**pamada**

ARCHITECT:  
**Eeles Trelease** Pty Ltd architects

PLANNING **33F** Planners

LANDSCAPE ARCHITECT



Drawn By CR  
Reviewed By RY/BE  
Dwg Date:  
CAD File Name

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

CLIENT : **pamada**

**SOUTH ELEVATION**

SCALE 1:200 @ A3

Project No.

**1609**

Drawing No. Revision #

**DA-301 B**

TOP OF SCREEN/  
TOP OF LIFT SHAFT  
FFL 70.62

ROOF SLAB 69.12

HEIGHT PLANE 21.6m AGL

6TH FFL 66.12  
HEIGHT PLANE 18m AGL

5TH FFL 63.12

4TH FFL 60.12

3RD FFL 57.12

2ND FFL 54.12

1ST FFL 51.12

GROUND FFL 47.32



**NOTE**  
AGL = HEIGHT ABOVE GROUND LEVEL IN METRES



**LEGEND**

- 1 BED APARTMENT

- 2 BED APARTMENT

LV - LIVING  
D - DINING  
B1 - BEDROOM  
B2 - BEDROOM  
BT - BATHROOM  
L - LAUNDRY  
K - KITCHEN  
S - STUDY/STORAGE  
ST - STORAGE

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT	CR
A	19/09/16	DEVELOPMENT APPLICATION ISSUE	CR

PROJECT DEVELOPER

**pamada**

ARCHITECT:  
**Eeles Trelease** Pty Ltd architects

PLANNING **33F** Planners

LANDSCAPE ARCHITECT **dila**

Drawn By CR  
Reviewed By RY/BE  
Dwg Date:  
CAD File Name

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

CLIENT : **pamada**

**NORTH ELEVATION**

SCALE 1:200 @ A3

Project No. **1609**

Drawing No. **DA-302 B**

Revision #



**NOTE**  
AGL = HEIGHT ABOVE GROUND LEVEL IN METRES



**LEGEND**  
- 1 BED APARTMENT  
- 2 BED APARTMENT

LV - LIVING  
D - DINING  
B1 - BEDROOM  
B2 - BEDROOM  
BT - BATHROOM  
L - LAUNDRY  
K - KITCHEN  
S - STUDY/STORAGE  
ST - STORAGE

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT	CR
A	08/11/16	COUNCIL MEETING	CR

PROJECT DEVELOPER

**pamada**

ARCHITECT:  
**Eeles Trelease** pty ltd architects

PLANNING **33F** Planners

LANDSCAPE ARCHITECT **dila**

Drawn By CR  
Reviewed By RY/BE  
Dwg Date:  
CAD File Name

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

CLIENT : **pamada**

**EAST ELEVATION**

SCALE 1:200 @ A3

Project No.

**1609**

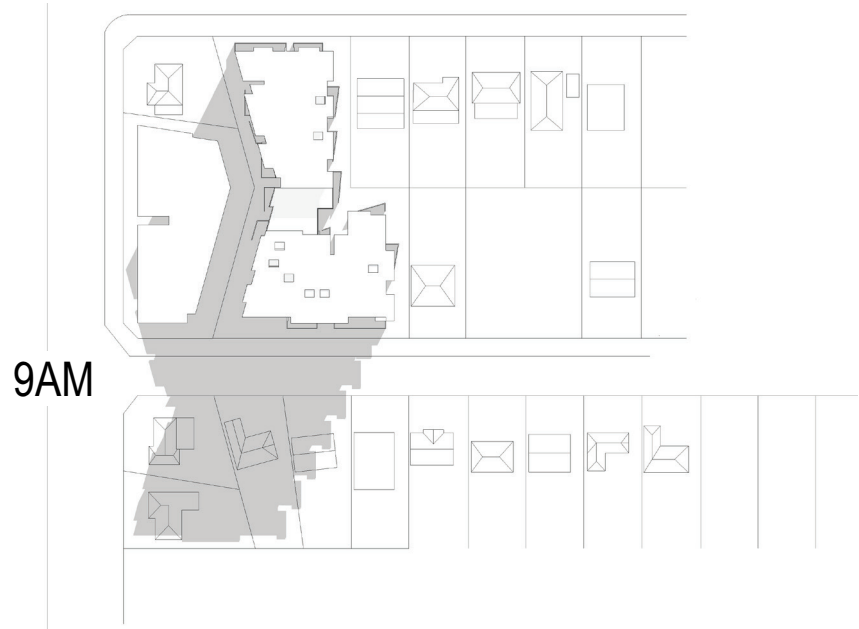
Drawing No. Revision #

**DA-303 B**

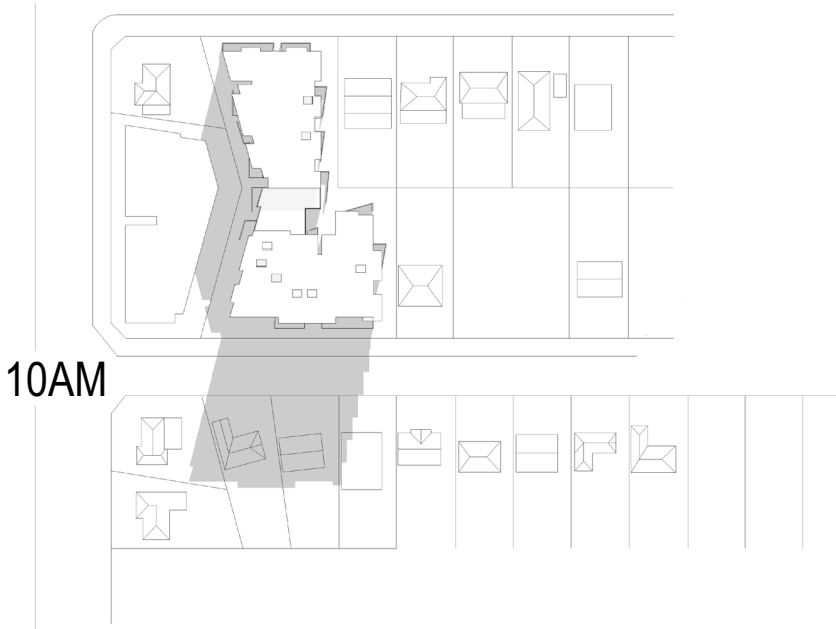




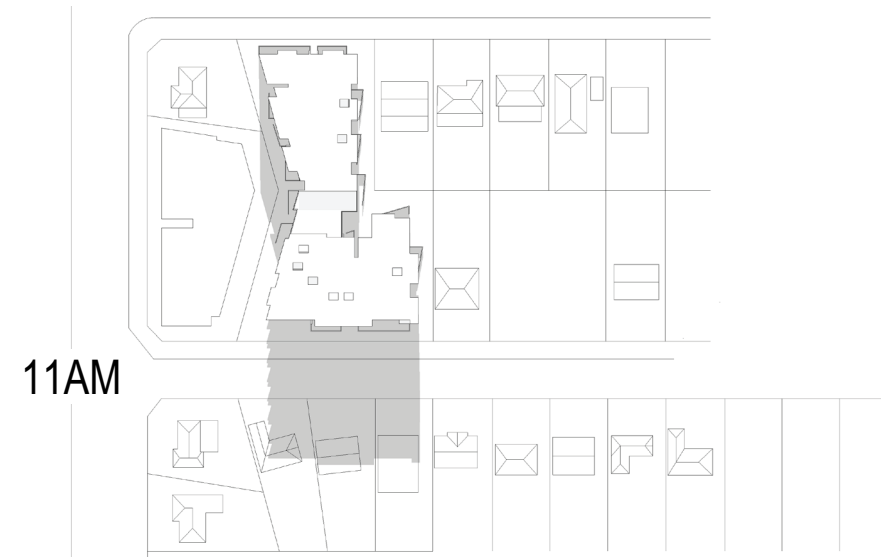
8AM



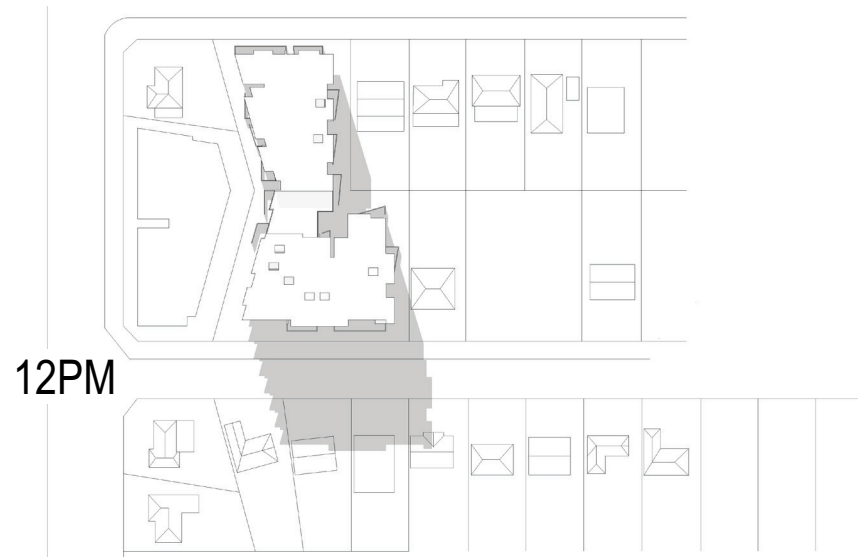
9AM



10AM



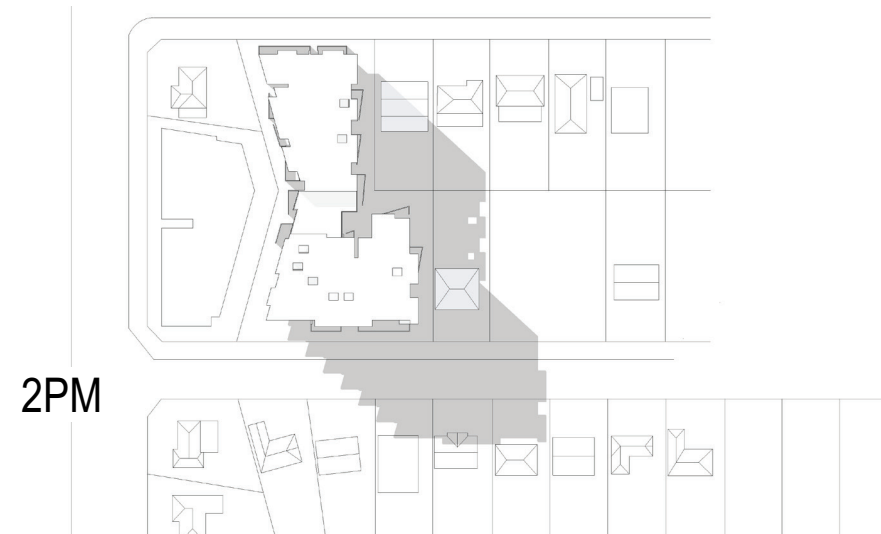
11AM



12PM



1PM



2PM



3PM



4PM



No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION AMENDMENT	AA
A	9/9/16	DEVELOPMENT APPLICATION ISSUE	AA

PROJECT DEVELOPER  
**pamada**

ARCHITECT:  
**Eeles Trelease** Pty Ltd architects  
PLANNING **33F** Planners  
LANDSCAPE ARCHITECT **dila**

Drawn By: AA  
Reviewed By: RY/BE  
Dwg Date:  
CAD File Name:

**HARGRAVE APARTMENTS**  
1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD  
CLIENT : **pamada**  
OVERSHADOWING ANALYSIS - 21 JUNE  
SCALE  
Project No. 1609  
Drawing No. DA-401 B  
Revision #





The Landscape Architects Pamada Hargrave Apartments brief aims to ensure that the landscape within both the private and public spaces integrates with project architecture, locality characteristics to enhance the livability of the residential environment.

The landscape design philosophy for the private areas is founded on a desire by our team to create an affordable, contemporary living environment that maximises the environmental and spatial potential of the courtyards for residents.

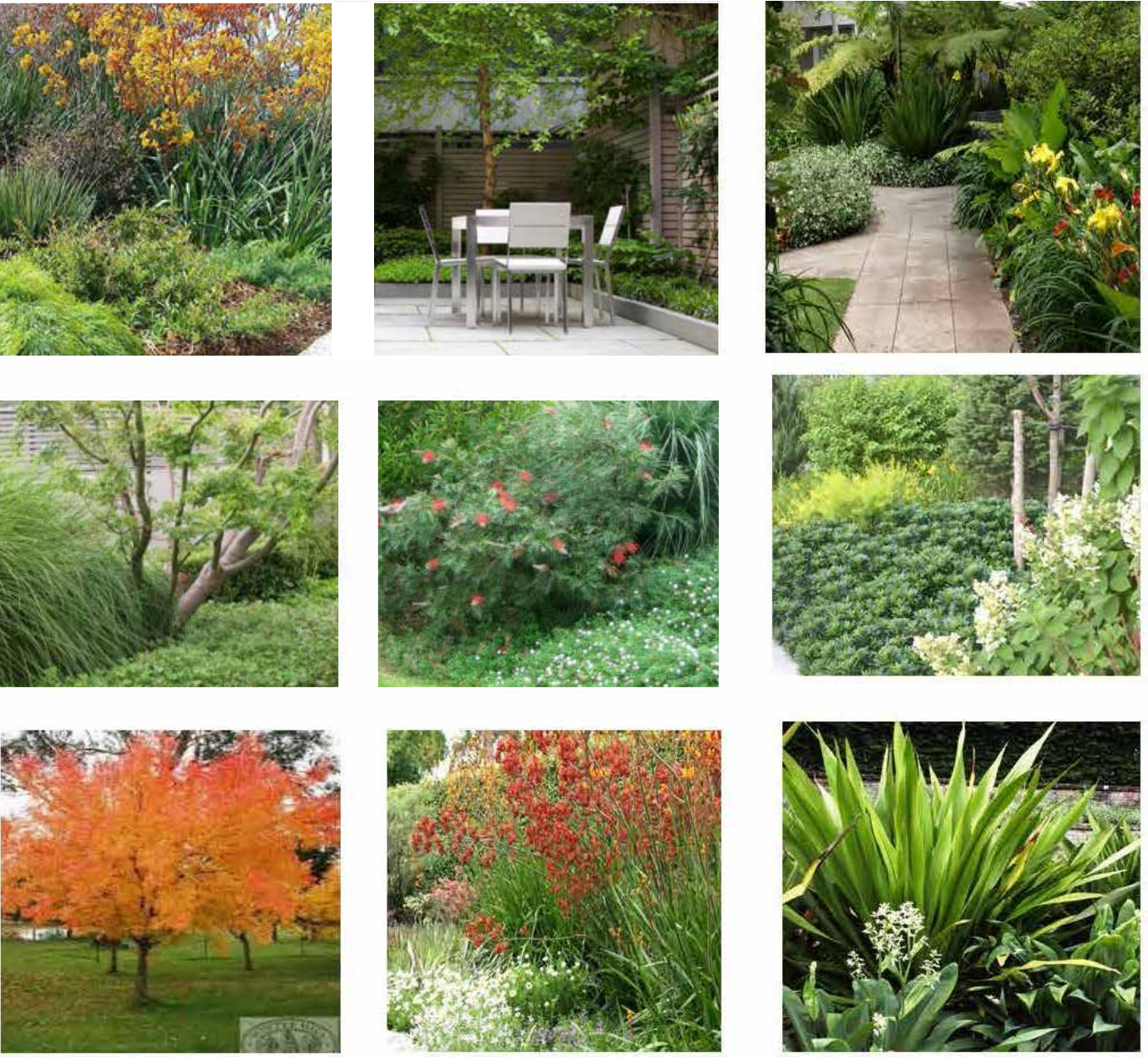
The key objectives are to:

- Enhance the appearance and amenity of development.
- Improve the character of the locality and the streetscape.
- Provide practical low maintenance landscaped outdoor spaces living with "easy care" plant selections compliant with low water requirements
- Provide privacy between adjoining dwellings and private open space.
- Assist in the percolation of rainwater and reduction in stormwater runoff.
- Improve microclimatic conditions for liveability by coordinating the design of external living areas and contribute to urban air quality.
- Provide fauna and flora habitat through native plant selections that will attract them

LANDSCAPE STRATEGY

LEGEND	PLANT SCHEDULE	COMMON NAME	HABIT	NUMBER	SIZE
TREES					
	BACHHOUSIA obtiflora	Lemon Scented Myrtle	5 x 3w	75tr	
	LAGERSTROEMIA indica	Creepe Myrtle	4 x 3w	75tr	
	SAPIUM sebiferum	Chinese Tallowood	8 x 5w	100tr	
	WATERSONIA floribunda	Weeping Lilly Pilly			
	TRISTANIA conferta	Brush Box			
	TREES TO BE REMOVED				
TALL SHRUBS / SCREENING					
	CALLISTEMON viminalis	"Wilderness White" Bottlebrush	2.5 x 2	300mm	
	LEPTOSPERMUM patersonii	Lemon Scented Tea Tree	3 x 2	300mm	
	PROSTANTHERA ovalifolia	Purple Mint Bush	2 x 1.5	200mm	
	SYGILIUM leuhamanii "Royal Flame"	Lilly Pilly	2 x 2	300mm	
SHRUBS / STRUCTURE PLANTS					
	ACACIA howittii "Honey Bun"	Dwarf Sticky Wattle	1.2 x 1.2	200mm	
	BANKSIA spinosa "Giant Candle"	Red Bottlebrush	1 x 1.2	200mm	
	BAUERIA rubioides	Native Dog Rose	1 x 1.2	200mm	
	CALLISTEMON viminalis "Little John"		6 x 1	200mm	
	CALLISTEMON citrinus "White Arzac"		1 x 2	200mm	
	COLEONEMA pulchrum	White Breath of Heaven	1.2 x 1.2	200mm	
	CUPHEA sessifolia "White"	False Heather	6 x 9	200mm	
	LOREPETALUM chinensis "Pink Pearl"	Pink Fringe Flower	1 x 1.2	200mm	
	NANDINA domestica "Gulf Stream"	Heavenly Sacred Bamboo	75 x 5	200mm	
	RAPHIOLEPIS "Snow Maiden"	Snow Maiden Hawthorn	75 x 6	300mm	
ACCENTS & FLOWERING COLOUR					
	ANIGOSANTHOS flavidus	Tall Kangaroo Paw	1 x 6	140mm	
	DIETES indicoides	Wild Iris		140mm	
	DOREANTHES excelsa	Gymea Lily	1.2 x 2	300mm	
	HEMEROCALLIS aurantiaca	Day Lily			
GROUND COVER & FERNS					
	ASPLENIUM nidibus	Birds Nest Fern	1.2 x 1.2	300mm	
	BLECHNUM cartilagineum	Gristle Fern	9 x 9	140mm	
	CALOCHLANENA dubia	False Bracken	9 x 9	140mm	
	GREVILLEA obtusifolia	Obtuse Leaved Grevillea	5 x 2	140mm	
	SCAEVOLA aemula	Fan Flower	3 x 9	140mm	
	TRACHELOSPERMUM jasmynoides	Star Jasmine		140mm	
	HEDERA canariensis	Algerian Ivy			
TURF					
	STENOTAPHRUM secundatum	"Palmet Sot Leaved Buffalo Turf"			Rolls

2 PLANT SCHEDULE

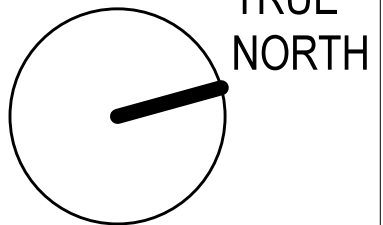


3 LANDSCAPE CHARACTER IMAGERY

1 LANDSCAPE PLAN

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Plot Date: 31/8/16



LEGEND

No.	Date	REVISIONS	By
B	18/11/16	DEVELOPMENT APPLICATION	MG
A	08/09/16	DEVELOPMENT APPLICATION	MG

PROJECT DEVELOPER

pamada

DESIGN ARCHITECT & URBAN DESIGN:

Eeles Trelease pty ltd architects

PLANNING

Boston Blyth Fleming Partners

LANDSCAPE ARCHITECT



HARGRAVE APARTMENTS

1-5 HARGRAVE STREET AND 38-40 ORTH STREET, KINGSWOOD

CLIENT: pamada

LANDSCAPE PLAN

1:150@A1

Project No.

1609

Drawing No. Revisor

DA-L001